

State Water Resources Control Board

WATER QUALITY ORDER WQ 2025-0032-DWQ CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND NOTICE OF APPLICABILITY FOR ENROLLMENT UNDER STATE WATER RESOURCES CONTROL BOARD ORDER FOR RESTORATION PROJECTS STATEWIDE (ORDER WQ 2022-048-DWQ)

Effective Date: Upon Deputy Director's Signature
Expiration Date: Five Years from Effective Date
Program Type: Restoration
Project Type(s): Ecological Aquatic/Stream/Habitat Restoration
2024 Fisheries Restoration Grant Program
Regulatory Measure ID: **460507**
WDID No: **SB25017IN**

Project: The 2024 Fisheries Restoration Grant Program
Applicant: California Department of Fish and Wildlife
Applicant Contact: Timothy Chorey
Fisheries Restoration Grant Program Statewide Coordinator
California Department of Fish and Wildlife
1010 Riverside Parkway
West Sacramento, CA 95605
Phone: (916) 838-0760
Email: Timothy.Chorey@wildlife.ca.gov
Applicant's Agent: Haley Flanagan
California Department of Fish and Wildlife
1010 Riverside Parkway
West Sacramento, CA 95605
Phone: (916) 531-5958
Email: Haley.Flanagan@wildlife.ca.gov
Water Board Staff: Sarmad Alkayssi
Environmental Scientist
1001 I Street
Sacramento, CA 95814
Phone: (916) 327-8553
Email: Sarmad.Alkayssi@Waterboards.ca.gov

Water Board Contact: If you have any questions, please contact the State Water Resources Control Board (State Water Board) Water Board Staff listed above, call (916) 341-5900, or email SB-401Application@waterboards.ca.gov.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Table of Contents

I. Summary 3

II. Project Description 3

III. Receiving Waters Information..... 4

IV. Direct Impacts and Benefits to Waters of the State 4

V. Description of Indirect Impacts to Waters of the State 5

VII. Conditions 5

VIII. California Environmental Quality Act (CEQA)..... 6

IX. Public Notice..... 6

X. Fees Received..... 7

XI. Water Quality Certification 7

- Attachment A: Order WQ 2022-0048-DWQ
- Attachment B: Project Maps
- Attachment C: Receiving Waters Information
- Attachment D: General Protection Measures
- Attachment E: CEQA Findings of Facts

I. Summary

This Notice of Applicability (NOA) for enrollment under the State Water Resources Control Board (State Water Board) Order for restoration projects statewide (Order WQ 2022-0048-DWQ; hereafter referred to as the Order) and Clean Water Act section 401 water quality certification is issued at the request of California Department of Fish and Wildlife (Permittee). The Order is included as Attachment A and can be accessed at the [State Water Board's Certification and Wetlands Program General Orders web page](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr2022) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr2022). On April 24, 2025, the State Water Board received a complete Notice of Intent requesting authorization for the Permittee's 2024 Fisheries Restoration Grant Program (Program). After reviewing the Notice of Intent, the State Water Board has determined that the Program meets requirements for enrollment under the Order.

II. Project Description

As described in the Notice of Intent and supplemental information (hereafter referred to as the Application), which is incorporated herein by reference, the purpose of the Project is to restore, enhance, and protect salmon and steelhead trout habitat in coastal and central valley streams and watersheds. Years of poor land management within California's watersheds, which combined with natural events, have altered native habitats. This has limited the ability of fish to survive and successfully reproduce in coastal and central valley streams that historically produced large populations of salmon and steelhead trout. These Fourteen (14) Individual restoration projects are designed to increase populations of wild anadromous fish in coastal and central valley streams by restoring ecological function to their habitat.

A. Project Size

The acreage and linear feet, if applicable, of aquatic and upland areas comprising the Project are shown in Table 1. The size includes access, staging, and work areas.

Table 1: Project Size

Project Areas	Acres	Linear Feet
Aquatic	5.82	17281.00
Upland	2.89	7580.00
Total:	8.72	24861.00

B. Project Location

The Program consists of eleven (14) individual project sites in the following counties: Mendocino, Humboldt, Siskiyou, Ventura, Del Norte and Santa Barbara. A map showing the individual project locations is found in Attachment B of this NOA.

III. Receiving Waters Information

The Project is located within the jurisdictions of the North Coast Regional Water Quality Control Board, Central Coast Regional Water Quality Control Board, and Los Angeles Regional Water Quality Control Board (collectively Regional Boards). Receiving waters and groundwater potentially impacted by this Project are listed in Attachment C. These waters are regulated in accordance with the applicable water quality control plan (Basin Plan) for the regions and other plans and policies of the California Water Boards, which may be accessed at the [State Water Board's Plans and Policies web page](http://www.waterboards.ca.gov/plans_policies/) (http://www.waterboards.ca.gov/plans_policies/).

IV. Direct Impacts and Benefits to Waters of the State

Total Project fill/excavation quantities for all direct impacts and benefits to waters of the state are summarized in Tables 2 and 3. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition. Permanent impacts that are categorized as those resulting in a physical loss in areas and those degrading ecological condition will ultimately be part of the benefited acres. Benefits to waters of the state include aquatic and/or riparian resources that are established, enhanced, and/or restored.

Table 2: Total Temporary and Permanent Project Impacts to Waters of the State

Aquatic Resources Type	Temp. Impact Acres	Temp. Impact Linear Feet	Perm. Impact Acres	Perm. Impact Linear Feet
Wetland	0.06	150.00	0.00	0.00
Riparian	5.01	14523.54	6.05	13243.00
Streambed/ Stream bank	0.76	2607.46	4.45	10975.00
Total:	5.82	17281.00	10.50	24218.00

Table 3: Total Project Benefits to Waters of the State

Aquatic Resources Type	Benefit Acres	Benefit Linear Feet
Wetland	0.50	290.00
Riparian	40.63	32207.68
Streambed/ Stream bank	32.73	67303.00
Total:	73.86	99800.68

V. Description of Indirect Impacts to Waters of the State

The State Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project. Potential indirect adverse effects include but are not limited to increased sediment loading to aquatic resources from access or staging areas, introduction of invasive species into the Project area, and alteration of runoff delivery to aquatic resources in the Project area. The Project, as designed, will not have significant indirect impacts to waters of the state.

VI. Conditions

The State Water Board has independently reviewed the record of the Project to analyze impacts to water quality and designated beneficial uses within the watersheds associated with each individual project. The Project may proceed only in accordance with the following conditions.

- A.** The Project may proceed only as described above in Sections II through IV and as described in the application submitted to the State Water Board by the Permittee, in accordance with the conditions in State Water Board Order WQ 2022-0048-DWQ (Attachment A) and in accordance with the General Protection Measures listed in Attachment D.

B. Compensatory Mitigation

No compensatory mitigation is required for permanent impacts because the Project provides restoration that includes an overall net increase in functions and/or services for the aquatic resources proposed to be impacted.

C. Reporting and Notification Requirements

As set forth in Order (Attachment A) Section XIII.B, the NOA may specify a deadline for the annual report. An Annual Report shall be submitted to the State Water Board each year on January 15 until a Notice of Project Complete Letter is requested by and issued to the Permittee for the Project.

D. Water Quality Monitoring

In-Water Work or Diversions

For in-water work or stream diversions, a dewatering plan and water quality monitoring plan shall be submitted to State Water Board staff for approval at least 30 days in advance of commencement of project activity. Water quality monitoring shall be conducted in accordance with the approved plan.

The water quality monitoring plan shall include, at a minimum, the Table 4 sampling parameters. If water quality sampling shows an exceedance of water quality objectives, notify the State Water Board in accordance with Order (Attachment A) Section XIII.B.3.b

Table 4: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
Dissolved Oxygen	mg/L and % saturation	Grab	Every 4 Hours
pH	Standard Units	Grab	Every 4 hours
Turbidity	NTU	Grab	Every 4 hours
Temperature	°F (or as °C)	Grab	Every 4 hours

E. Windler Floodplain Habitat Enhancement (1732246)

- The applicant shall submit a final Forest Service report that includes consideration of the Wild and Scenic River designation.
- The project shall avoid the use of or disturbance to any sediment, soil, or material known or suspected to contain historic hydraulic gold mine tailings, dredger tailings, or mercury mine waste. No excavation, grading, or other ground-disturbing activities shall occur in areas identified as containing or potentially containing such materials. Additionally, soil, gravel, or fill used on-site shall not originate from locations known to be sources of historic mine tailings or mercury-contaminated materials.

VII. California Environmental Quality Act (CEQA)

On October 3, 2024, the California Department of Fish and Wildlife, as lead agency, adopted an initial study/mitigated negative declaration (IS/MND) (State Clearinghouse (SCH) No. 2024100483) for the Project and filed a Notice of Determination (NOD) at the SCH on October 11, 2024. Pursuant to CEQA, the State Water Board has made Findings of Fact (Findings) which support the issuance of this Order and are included in Attachment E.

VIII. Public Notice

The State Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from March 26, 2025 to April 17, 2025. The State Water Board did not receive any comments during the comment period.

IX. Fees Received

An application fee of \$1,123 was received on January 31, 2025. The fee amount was determined as required by California Code of Regulations, Title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as Category D - Ecological Restoration and Enhancement Projects (Fee Code 85) with the dredge and fill fee calculator. Annual fees will be assessed in accordance with section 2200(a)(4).

X. Water Quality Certification

I hereby issue this Notice of Applicability and water quality certification for the 2024 Fisheries Restoration Grant Program, SB25017IN, certifying that as long as all of the conditions listed in State Water Board Order WQ 2022-0048-DWQ are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

The State Water Board will file a Notice of Determination (NOD) at the SCH within five working days of issuance of this Notice of Applicability and water quality certification.

Except insofar as may be modified by any preceding conditions, all Project actions are contingent on: (a) compliance with the conditions of this Notice of Applicability and the State Water Board Order WQ 2022-0048-DWQ and the attachments to both; and (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, and the Regional Boards' Water Quality Control Plans.

Date

Annalisa Kihara, PE
Digitally signed by Annalisa Kihara, PE
Date: 2025.05.30 10:18:43 -07'00' FOR
Phillip Crader, Deputy Director
Division of Water Quality