

State Water Resources Control Board

NOTICE OF APPLICABILITY FOR COVERAGE UNDER THE GENERAL WATER QUALITY CERTIFICATION FOR SMALL HABITAT RESTORATION PROJECTS, SB12006GN

Effective Date: November 06, 2014

Reg. Meas. ID:	397696
Place ID:	808455
SWRCB ID:	SB14009IN

Program Type: Restoration

Project Type: Ecological Aquatic/Stream/Habitat Restoration

Project: Trabuco Ranger District Dam Removal and Aquatic Passage Project (Project)

Applicant: USDA Forest Service, Cleveland National Forest. Trabuco
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District Ranger
1147 East Sixth Street
Corona, CA 92878
Phone: (951) 736-1811
Email: dvance@fs.fed.us

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I. Action

This Order serves as a Notice of Applicability (NOA) for enrollment under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects (Order) and responds to the Notice of Intent to comply with the terms of this Order submitted by the USDA Forest Service Cleveland National Forest, Trabuco (Applicant). This NOA is for the purpose described in the Notice of Intent, and supplemental information, submitted by the Applicant. The Notice of Intent for enrollment was received on August 8, 2014. On September 09, 2014, the State Water Board notified the Applicant that the Notice of Intent was incomplete because it lacked required information. On October 06, 2014, the Applicant submitted supplemental information intended to complete the application. The Notice of Intent and supplemental information has been reviewed and it is determined that the Project complies with the terms of the Order.

II. Project Purpose

The purpose of the Project is to enhance fish passage and stream habitat in Silverado, Holy Jim, and Arroyo-Trabuco Creeks. Removing manmade dams in these creeks is essential to supporting native aquatic species and providing suitable habitat for potential re-establishment of extirpated species including southern steelhead trout and the arroyo chub. This Project will also eliminate public safety hazards created by these dams and restore natural stream process.

III. Project Description

The proposed Project would remove up to 49 manmade dams and fish barriers as well as remnants of 5 other manmade dams and fish barriers in the Project area. The majority of the work will be completed by hand crews using pneumatic or gas powered drills, jackhammers, non-toxic expanding mortars and/or explosives. Dams adjacent to existing roads and the temporary road would be demolished using an excavator and/or hand crews to break up and redistribute the dam materials. Sediment stored behind selected dams adjacent to roads would be removed and transported to an off-site disposal area.

IV. Project Location

The Project is located within the jurisdiction of Santa Ana and San Diego Regional Water Quality Control Boards (Regional Water Boards), in the Cleveland National Forest, Orange County. Maps depicting the Project locations are located in Attachment A of this NOA.

V. Project Impacts

This NOA authorizes direct permanent and temporary impacts to waters of the state associated with the Project to: Silverado Creek, Arroyo-Trabuco Creek, and Holy Jim Creek. Temporary impacts from removal of sediment from behind dams will only occur in a few select locations located in Holy Jim Creek. The estimated amount of sediment that will be removed is 474 cubic yards. Individual impact location and quantity is shown in Attachment B.

Total Project excavation/fill quantities for all impacts are summarized in Table 1.

Table 1: Total Project Excavation/Fill Information						
Resource Type	Temporary			Permanent		
	Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
Lake						
Ocean						
Riparian Zone						
Stream Channel	2.46	474	495			
Vernal Pool						
Wetland						

VI. Mitigation

The sole purpose of this project is for restoration; therefore, no compensatory mitigation is required. The Project results in the permanent removal of 284.5 cubic yards of dam material associated with the removal activities and will restore 2.46 acres and 495 linear feet of streams.

VII. Certification Fees¹

A certification fee of \$114 was received on August 08, 2014; the remaining certification fee of \$31 was received on October 10, 2014, as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3).

VIII. California Environmental Quality Act (CEQA) Findings

State Water Board staff has determined that the Project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, title 14, section 15061, subd. (b). Additionally, State Water Board staff concludes that no exceptions apply to the activities approved by this Certification. The State Water Board will file a Notice of Exemption in accordance with the California Code of Regulations, title 14, section 15062 after issuance of this Order.

IX. Conditions

1. The Project must be constructed and operated in accordance with the Order found in Attachment C of this NOA.
2. The Project must be constructed and operated in accordance with the Project description and supplemental information provided to the State Water Board. Deviation from the Project Description constitutes a violation of the conditions upon which this NOA was granted.

¹ Additional, annual fees will be billed to the Applicant based on the fee schedule that is current on the date the invoice is generated and Project phase (e.g., construction, or monitoring).

3. The Applicant is Responsible for obtaining other necessary local, state and federal permits which may impose additional requirements or conditions.
4. As required in section B.5 of the General Certification, monitoring reports are to be submitted annually documenting the achievement of performance standards and Project goals identified in the "Trabuco Ranger District Dam Removal and Aquatic Passage Monitoring Plan and Reporting Requirements" document submitted with the Notice of Intent.
5. Project Construction Reporting and Notification Requirements:

Following the issuance of this NOA the Applicant shall submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this NOA to the State Water Board prior to November 06 of each year following the issuance of this Certification, until the Project has reached completion. At a minimum, the report must include the following information:

- a. The Certification Regulatory Measure ID (Reg Meas. ID) and Place ID (both of which are located on the cover page and header of this Certification);
- b. The names, qualifications, and affiliations of the persons contributing to the report;
- c. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices Project features for erosion and storm water quality treatment;
- d. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
- e. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

X. Providing Information to the Waterboards

All notices and reporting shall include the: Project name; Certification Regulatory Measure ID (Reg Meas. ID); and Place ID (all of which are located on the cover page and header of this Certification).

For State Water Board

Phone: (916) 341-5480

Fax: (916) 341-5808

E-mail: Anamaria.saenz@waterboards.ca.gov

Written notice shall be submitted to State Water Board and the appropriate Regional Water Board at the following addresses:

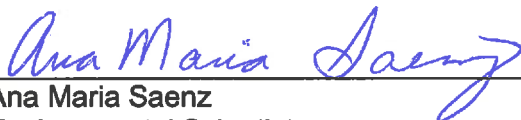
ATTN: Manager
CWA Section 401 WQC Program

State Water Resources Control Board
1001 I Street 15th Floor
Sacramento, CA 95814

Electronic Document Submittal: The Applicant must submit all reports and information required under this Certification in electronic format via email to SanDiego@waterboards.ca.gov. Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR). Documents over 50 megabytes (MB) will not be accepted via email and must be placed on a disc and delivered to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
ATTN: 401 Certification No.
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100
San Diego, CA 92108

ATTN: Manager
CWA Section 401 WQC Program
Santa Ana Regional Water Quality Control Board
California Tower
3737 Main Street, Suite 500
Riverside, CA 92501-3339



Ana Maria Saenz
Environmental Scientist
State Water Resources Control Board



Date

Attachment A	Project Location Maps
Attachment B	Impact Information
Attachment C	General Water Quality Certification for Small Habitat Restoration Projects