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**Public Notice of Application for Water Quality Certification for the California Department of Fish and Wildlife's 2022 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project**

State Water Resources Control Board  
Division of Water Quality  
Water Quality Certification Program  
**Date Posted: March 2, 2023**

**Affected Counties: Del Norte, Humboldt, Marin, Mendocino, Monterey, San Luis Obispo, Santa Barbara, and Sonoma**

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Water Quality Certification Program.

State Water Resources Control Board (State Water Board) staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. **Staff will consider all comments submitted in writing and received at this office during a 21-day comment period that begins on the first date of issuance of this notice (March 2, 2023) and ends at 5:00 p.m. on the last day of the comment period (March 23, 2023).** To submit comments, or if you have questions, please contact the State Water Board staff person listed below.

**State Water Resources Control Board Contact:**

Stephen Barlow, Environmental Scientist  
Wetland Permitting and Enforcement Unit, Division of Water Quality  
State Water Resources Control Board  
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**Note: No regulatory decision on the application is implied or intended in this public notice.**

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

## Project Name: 2022 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project

(Reg. Meas. ID: 451434 and SWRCB ID: SB23012IN)

**Background:** On February 21, 2023, the California Department of Fish and Wildlife (CDFW) submitted an application for Clean Water Act Section 401 water quality certification for the 2022 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project (Project). The date in the Project title refers to the grant cycle year that individual projects were chosen by the CDFW, not the year that the application was received. That is, the individual projects selected for funding during the 2022 grant cycle are being considered for water quality certification in 2023.

**Project Description:** The purpose of proposed activities is to restore degraded salmonid habitat with the goal of increasing populations of wild anadromous fish in coastal streams and watersheds. The Project would consist of 16 individual sites located in various streams and watersheds.

The Project application reports impacts to waters of the state, including waters of the United States, as shown in Table 1. Temporarily impacted areas would be restored to pre-project condition once the Project is complete. The quantities of restored waters of the state reported in the application are provided in Table 2.

The CDFW, acting as lead agency under the California Environmental Quality Act (CEQA) adopted a Mitigated Negative Declaration (MND) for the Project on September 23, 2022. This MND is available at the following website: <https://ceqanet.opr.ca.gov/2022090444>.

Table 1: Total Project Fill/Excavation Impacts to Waters of the State

Aquatic Resource type	Riparian Zone	Stream Channel	Wetland
Acres of temporary impact	10.3472	2.5401	2.025
Linear feet of temporary impact	25650	8932	2635
Acres of permanent physical loss of area	1.2482	4.7811	2.596
Linear feet of permanent physical loss of area	4582	10477	1394

Table 2: Total Project Restoration<sup>1</sup> of Waters of the State

Aquatic Resource type	Riparian Zone	Stream Channel	Wetland
Acres of restoration	16.239	26.5457	4.539
Linear feet of restoration	33886	56287	3519

<sup>1</sup> Restoration as used in this table is a general term that includes Re-Establishment, Enhancement, and Rehabilitation.

**A Certification or Denial will be prepared by the State Water Board for the 2022 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project in response to this application.**

**Applicant: California Department of Fish and Wildlife**

**Applicant Contact: Timothy Chorey**

**Telephone: (916) 838-0760**

**Email: [Timothy.Chorey@wildlife.ca.gov](mailto:Timothy.Chorey@wildlife.ca.gov)**

**Date of Application Submittal: February 21, 2023**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Board has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

***KEEP INFORMED OF PROJECT MILESTONES***

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

Click the SUBSCRIBE button under the "Quick Links" section of the 401 Program Webpage at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml)

Select "CWA401 Certification and Wetlands Program." By enrolling in this list, you will receive notices for all current 401 applications, including the Project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris list, contact the staff person named in the notice to express your interest in receiving notices by other means. You can enroll or un-enroll at any time.