

June 30, 2006

Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)
California Department of Fish and Game
Ludwigia Control Project
Sonoma County (WDID# 1B06083WNSO)

On June 6, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Laguna de Santa Rosa Foundation, on behalf of the California Department of Fish and Game, requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the *Ludwigia* Control Project in Sonoma County. The proposed project causes disturbances to Waters of the United States associated with the Laguna de Santa Rosa and the Laguna Hydrologic Sub Area No. 14.21, Russian River Hydrologic Unit No. 114.00.

The proposed project is located within the main floodway of the Laguna de Santa Rosa (Laguna) between Guerneville Road and Occidental Road, on some 130 acres of California Department of Fish and Game (CDFG) land within a 407 acre block of public and private lands (Section 22, Township 07N, Range 09W, Quad: Santa Rosa) (APNs 130-050-028, 130-200-041, 130-200-066, 130-261-003, 130-261-002, 130-250-015). The purpose of the project is the mechanical removal and control of the non-native aquatic weed, *Ludwigia*, within the Laguna floodway to address threats related to West Nile Virus, loss of biodiversity, water quality, and flooding.

The *Ludwigia* Control Project (Project) includes two phases: an initial phase to contain the impacts of the infestation in the worst-infested areas; and a long-term control strategy based on restoring the Laguna ecosystem to make it more resilient to aquatic weed infestation. The initial phase of the Project plans an integrated pest management approach that includes herbicide treatment to control *Ludwigia* plants in project areas, and mechanical weed removal to reduce further eutrophication from decaying vegetation, as well as five years of monitoring during and after treatments. Herbicide treatment was initiated in the summer of 2005 and recommenced on June 22, 2006 under the Statewide General NPDES Permit for the Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States (WDID No. 1B05082NSON). Enrollment under the General NPDES Permit does not cover dredging and/or filling activities. Therefore, mechanical removal activities for the removal of *Ludwigia* from the Laguna is proposed for coverage under a Waiver of Waste Discharge Requirements for Minor Dredging and Fill Activities.

The proposed project consists of the mechanical removal of herbicide treated *Ludwigia* within the Laguna using floating aquatic harvesters in the channel and in deeper sections of the floodplain. Aquatic harvester will be lowered into the Laguna by crane from a single proposed staging area. Loaded harvesters will deliver *Ludwigia* to shore where it will be loaded by excavator into a tractor-drawn trailer or trucks at the haul-out sites and shuttled to upland locations for drying, shredding and diking. Disturbed soils will be seeded with a mix of native grass and sterile erosion control grass. Seeds will be covered with sterile hay or erosion control cloth depending upon the steepness of the bank.

It is anticipated that approximately 5,000 cubic yards of biomass will be removed during the 2006 and 2007 removal activities. Biomass will be stockpiled at the City of Santa Rosa's Stone Farm where it will be windrowed, dried, shredded, and disked into the soil.

The Project is scheduled to begin after June 15th and end before October 15th during 2006 and 2007. The Project area is considered a migration corridor for salmonid species. Consultation with the National Marine Fisheries Service (NMFS) concluded that the Project will occur outside of the migration period and will therefore avoid impact.

Compensatory mitigation for this project will be attained through the provision of funding from CDFG toward a large riparian restoration project implemented by the Laguna de Santa Rosa Foundation. The overall restoration project includes 1.8 miles of riparian restoration between Highway 12 and Occidental Road. CDFG is proposing to contribute funding toward a discrete section of the project, which will be defined in continuing conversations with Regional Water Board staff. In general, the effort will include planting of canopy, sub-canopy and understory vegetation designed to restore the full structural diversity of a functioning riparian corridor. Included in this effort will be irrigation, protective hardware and monitoring for three years. Strategies for controlling *Ludwigia* over the long-term include restoring the riparian canopy to increase shading, developing a biological control program, and restoration of historic flow patterns. Long-term goals also include reductions in nutrient loading and control of sediment inputs.

Non-compensatory mitigation measures include minimizing turbidity to the maximum extent possible by ensuring that 1) the pace of work is controlled at all times; 2) work is carried out in an upstream to downstream direction to allow existing *Ludwigia* to act as a filter of turbid waters; and 3) a silt curtain is deployed at the downstream end of the project area to prevent turbid water from leaving the site.

The Regional Water Board, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project is Categorical Exempt from CEQA; Section 15304 – Minor Alterations to Land.

Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Michelle Jensen at (707) 576-6711 or at mjensen@waterboards.ca.gov within 21 days of the posting of this notice.

The related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Blvd., Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.