

March 14, 2008

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

CDF&G – Butte Valley Wildlife Management Area, Wetlands Management Activities
WDID No. 1B07182WNSI
Siskiyou County

On December 18, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Fish and Game (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to wetlands management, levee construction, and levee maintenance at the Butte Valley Wildlife Area (BVWA) near Macdoel. The proposed project will cause disturbances to waters of the United States associated with wetlands in the Macdoel – Dorris Hydrologic Subarea No. 105.81.

The 13,200 acre BVWA is composed of 4,400 acres of intensively managed wetlands, 4,000 acres in Meiss Lake, and 4,800 acres of various types of habitat including cereal grain croplands, meadows, grasslands, oak and juniper woodlands, pine-fir forests and riparian areas. Meiss Lake and the BVWA are in a naturally closed basin that is adjacent to the Klamath Basin, the focal point for the Pacific Flyway. BVWA is a major migration and staging area for waterfowl, sandhill cranes and other water birds.

Prior to the mid-1940s, Meiss Lake and its adjacent wetlands covered about 10,000 acres. From the mid-1940s to 1981, Meiss Lake and its adjacent wetlands were systematically diked, channeled, drained and converted to intensive agriculture. A system of canals and pumping stations dewatered the wetlands and the former lake bed. In 1965, the U.S. Army Corps of Engineers constructed a drainage canal to allow further dewatering of Meiss Lake for flood control purposes by pumping excess floodwaters to the Klamath River. By 1981, the pre-1940s lake, its tributaries, and adjacent wetlands had been substantially altered, lost, or degraded.

The California Department of Fish and Game (CDF&G) acquired the BVWA in 1981 to provide habitat for threatened or endangered species, wetland habitat for resident and migratory waterfowl and other wetland-associated birds, and compatible wildlife-oriented recreation opportunities. Since 1981, the CDF&G has restored or enhanced about 5,700 acres of wetlands in the historic lakebed in addition to the current 4,000 acre Meiss Lake. Existing dikes were repaired and new dikes were constructed to provide for managed water control in the restored wetlands. The construction of nesting islands has substantially increased waterfowl production and the islands also provide loafing areas for migratory birds. Some of the seasonal wetlands are managed as moist-soil units to provide suitable wetland food plants for waterfowl and shorebirds. The BVWA resources, goals, and management objectives are described in detail in the 1996 BVWA Management Plan.

Currently, the BVWA intensively manages and protects more than 8,400 acres of wetlands by maintaining approximately 40 miles of dikes and levees, 31 miles of canals and channels, 325 nesting islands and more than 150 water control structures. These

structures are essential for wetland management and enhancement for the benefit of waterfowl and other wetland species. The proposed project includes structure and levee maintenance activities on an as-needed basis and installation of approximately 1400 linear feet (2 acre footprint) of new internal levee in unit 8B to control water elevation in the existing wetland. Unit 8B consists of an existing 150 acre diked wetland that has been restored and/or enhanced by CDF&G. The new levee would divide the existing wetland into two areas to allow for improved vegetation and water elevation management in the southern portion of the unit. Deeper areas and meandering channels will be excavated within the existing wetland to generate the soil material for construction of the new levee and for repair of existing levees and islands. Constructed channels are typically one to two feet deep, 15 to 30 feet wide, with 5:1 side slopes. The proposed excavation activities are expected to enhance existing wetland values, increase wetland diversity, and in some areas the extent of existing wetlands will be increased.

The proposed levee construction activities will result in approximately 2 acres of permanent impacts to wetlands that were previously restored by the applicant. Compensatory mitigation is not proposed for the project due to the location of the impacts within the intensively managed and restored wetlands in the BVWA and the large amount of wetland habitat that has already been created, enhanced and restored in the BVWA by the applicant. Noncompensatory mitigation includes the use of Best Management Practices (BMPs) for sediment and erosion control and for operation of heavy equipment in a wetland.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Numbers 3, 27, and 30, pursuant to Clean Water Act, section 404. On June 17, 1996, the CDF&G adopted a mitigated negative declaration (SCH No. 95103085) for the Butte Valley Wildlife Area Management Plan in order to comply with CEQA. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.

The information contained in this public notice is only a summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project. The application and Regional Water Board file are available for public review.

Regional Water Board staff are 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 submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.