

June 6, 2008

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

**Calpine, Geysers Power Company LLC,
Big Sulphur Creek Fish Ladder Project
(WDID No. 1B06024WNSO)**

Sonoma County

On March 20, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ms. Jody Spooner of the Calpine, Geysers Power Company LLC (Calpine), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Bug Sulphur Creek fish ladder & water extraction facilities Maintenance Project (Project), located on Big Sulphur Creek near the Geysers, in Sonoma County. The latitude and longitude is 37° 47' 30" N and - 122° 47' 30" W. The proposed project will cause permanent impacts to approximately 200 feet of streambed within the Russian River, Sulphur Creek Hydrologic Sub Unit No. 114.26.

The purpose of the project is to improve fish passage by removal of a barrier to upstream migration of steelhead. The project is located on Big Sulphur Creek on lands operated by Calpine in northern Sonoma County. Earlier in project planning, the fish ladder was a component of a larger effort that included maintenance and improvements to two water infiltration facilities, known as BSC1 and BSC2. Exploratory work in the summer of 2007 revealed reduced need for that project component. Although project documents prepared before fall of 2007 describe the infiltration gallery work, the project now consists solely of the fish ladder. Project construction is scheduled to occur between July 1 and October 15, 2008.

Big Sulphur Creek Fish Ladder

At present, there is an existing triple-bay concrete box culvert beneath Geysers Road at the downstream site (BSC1). The entire structure spans 42 feet of stream channel. Mike Love & Associates of Hydrologic Engineering Solutions evaluated the project site for fish passage conditions in 2002. Based on this evaluation, the current box culvert prevents fish passage during virtually all flow regimes throughout the year due to the lack of channel roughness and high velocities. Big Sulphur Creek is known habitat for Central California Coast ESU steelhead, a federally-listed as threatened salmonid.

To improve fish passage through the culvert, a fish ladder will be installed, which will restore one-half mile of steelhead spawning and rearing habitat to the headwaters of Big Sulphur Creek. The fish ladder will be installed on top of portions of the existing box culvert structure and on the up and downstream aprons. A slot will be cut in a portion of the downstream apron in order to achieve the proper slope for the ladder.

Work on the fish ladder will be conducted in mid-summer during low flow conditions. A dewatering and species protection plan has been developed for the project and will be implemented under the guidance of the California Department of Fish and Game

(CDFG) and National Marine Fisheries Service (NOAA Fisheries) to ensure that aquatic species and surrounding sensitive biological resources are protected.

Biological Resources

A biological resources evaluation of the project sites was conducted by Prunuske Chatham, Inc. (PCI) in November 2004 (wildlife) and June 2005 (plants). The purpose of the surveys was to determine whether or not suitable habitat for special-status plants and animals is present in the project area. In addition to steelhead at the project site, one other special-status animal species, foothill yellow-legged frog, was observed. Habitat for several special-status species was identified within the project area and surrounding habitats.

To ensure impacts to special-status species and sensitive resources are avoided or minimized during project activities, recommendations were provided in the report (PCI 2004-05). These include pre-construction surveys for special-status aquatic species and relocation activities by a qualified, permitted biologist. To protect nesting birds, pre-construction surveys will be conducted, and, if found, a buffer area will be created around the nest site until nesting is complete. These and other recommendations in PCI's report are incorporated into the Dewatering and Species Protection Plan for the project.

The Project is considered beneficial to water quality beneficial uses and additional compensatory mitigation will not be required. Removal of some trees is required to provide access to the site. These trees will be replaced at a 3:1 ratio.

The applicant has received a California Department of Fish and Game 1600 Streambed Alteration Agreement, on Dec 11, 2007, Notification Number: 1600-2005-0724-3.

Applicant has applied for a United States Army Corps of Engineers Permits, File Number 29911N.

The California Department of Fish and Game has issued a Mitigated Negative Declaration for the project on December 17, 2007, SCH 2007-09-2012.

At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final project plans as appropriate in order to reduce and control soil erosion: work in and around waterways will be conducted during the dry season; installation of construction barrier fencing to preclude equipment entry into sensitive areas; installation of silt fencing or fiber rolls to prevent sediment loss from immediate work area; topsoil salvage and reapplication; and seeding and mulching.

The Project is scheduled to occur between July 1 and October 15, 2008. 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 Stephen Bargsten at (707) 576-2653, or at sbargsten@waterboards.ca.gov, within 21 days of posting of this notice.

This is a brief summary of this project; all 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.

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