

November 4, 2015

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

**Kellogg Ranch Safe Harbor Agreement –
Yellowjacket Creek Fish Passage Improvement Project
WDID No. 1B15142WNSO**

Sonoma County

On October 30, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Carolyn Wasem on behalf of the Jackson Family Wines, Inc. (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with the Kellogg Ranch Safe Harbor Agreement – Yellowjacket Creek Fish Passage Improvement Project (Project). The proposed Project will cause disturbances to waters of the United States associated with Yellowjacket Creek; a tributary to the Russian River watershed within the Geyserville Hydrologic Unit No. 114.25. The Project is located just east of the former, historic town of Kellogg, off of Highway 128. Yellowjacket Creek is located south and west of the Robert Louis Stevenson State Park, at the base of Mt. St. Helena, at latitude 38.634408 N, and longitude -122.66.3339 W, near the boundary of Napa and Sonoma counties. Permanent impacts to waters of the U.S. and waters of the State include approximately 0.55 acres and 555 linear feet of streambed and streambank.

The primary purpose of the Project is to remediate an existing water diversion weir which creates a barrier to adult and juvenile anadromous salmonid migration – coho salmon (*Onchorhynchus kisutch*) and steelhead trout (*Onchorhynchus mykiss*) - in Yellowjacket Creek. By constructing a series of boulder step-pools, the Project will seek to reconnect access to 1.9 miles of spawning and spring-fed, cold water rearing habitat upstream. The diversion weir and associated concrete apron has been in place for more than 100 years and was originally constructed by the former owners of the Kellogg Ranch prior to 1914. The diversion weir services the water rights now owned by the Jackson Family Wines, Inc. and provides flows to several adjacent reservoirs.

The Project includes the following key elements:

- A series of boulder step-pool structures with 12-inch vertical steps and pools ranging in length from 10 to 30 feet
- Streambed grading with engineered streambed material and possibly an impervious material layer downstream of the existing scour pool to establish a more natural channel slope
- Streambank bioengineering for erosion and scour protection in disturbed areas

- Retrofit of the diversion weir structure to include a fish screen and allow easier management of diversions and minimum instream flows

The proposed Project would include fish removal and exclusion done in consultation with staff from the California Department of Fish and Wildlife (CDFW) and the NOAA-National Marine Fisheries Service (NMFS) fisheries biologists, as well as a consulting-fisheries biologist for the Applicant.

If necessary, stream flow will be diverted around the construction area. A small earthen coffer dam will be constructed just upstream of the existing diversion control structure and all stream flow will be diverted into the existing diversion canal. At the downstream end of the canal, a pump will be installed to lift diverted flow out of the diversion canal, through a pipe to the downstream end of the construction zone. Temporary erosion control and silt retention best management practices (BMPs) will be installed where diverted flow re-enters the channel.

The streambed and banks below the diversion weir will be graded to establish a more natural channel slope. The channel of streambed that will be reconstructed may require installation of impervious material in addition to engineered streambed material to prevent excess loss of low flows to subsurface percolation. A maximum of 2,300 cubic yards of engineered streambed material will be used in the project. In addition to large natural rocks, foot rocks, and boulder clusters, the Project will incorporate large woody material – trees and rootwads – into five separate “refuge pools”. Twenty “standard pools” will also be constructed which are described in the engineering designs for the Project.

The proposed Project includes a plan to revegetate disturbed areas with live vegetation stakes (willows), container grown native vegetation, and native seed mixes, in limited areas where construction work disturbs currently stable stream banks or raises the channel bottom such that currently unstable creek bank areas are exposed to more regular flows.

The Project is planned to be implemented between May 2016 and May 2018. Project construction will occur between June 15 and October 15 of any given year when flows and sediment transport potential are at their lowest.

The Applicant will apply for authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit.

The North Coast Regional Water Quality Control Board, as lead California Environmental Quality Act (CEQA) agency, has determined that the project qualifies for a Categorical Exemption, 15301 (c)(d) Existing Facilities, and will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

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 including maps and photos. 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 notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Jonathan Warmerdam jonathan.warmerdam@waterboards.ca.gov (707) 576-2468 or Stephen Bargsten stephen.bargsten@waterboards.ca.gov at (707) 576-2653 within 21 days of the posting of this notice.

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