

April 22, 2020

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

**Bureau of Reclamation – Trinity River Restoration Program Fine Sediment  
Management Activities  
WDID No. 1A09155WNTR**

**Trinity County**

On November 22, 2019, the North Coast Regional Water Quality Control Board (Regional Water Board) received a letter from the Bureau of Reclamation – Trinity River Restoration Program, Mike Dixon (Applicant), requested reissuance of federal Clean Water Act, section 401, Water Quality Certification for activities associated with the Trinity River Restoration Program Fine Sediment Management Activities Project (Project). On April 28, 2015, the Regional Water Board issued a Water Quality Certification for the proposed Project, which expires on April 28, 2020. The Trinity River Restoration Program did not conduct the proposed activities at the site during the previous five-year permit period. The proposed Project will cause disturbances to waters of the United States and the State associated with the Hamilton Ponds on Grass Valley Creek within the Trinity River Hydrologic Unit No. 106.31. The Project is located on Grass Valley Creek near the confluence with the Trinity River, Trinity County, at latitude 40.68938° N, and longitude 122.85901° W. No permanent impacts to waters of the U.S. and the state are proposed. Temporary impacts to waters of the U.S. and the state include approximately one acre of streambed or 300 linear feet of stream channel.

The primary purpose of the Project is to restore aquatic habitat in the Trinity River by managing fine sediment that flows down Grass Valley Creek and enters the Hamilton Ponds. The proposed Project would include excavating fine sediment annually (or as needed) from the Hamilton Ponds to ensure that accumulated fine sediment does not reach the mainstem of the Trinity River where it may impact the reproductive and rearing success of native salmonids. Proposed maintenance activities include diversion of Grass Valley Creek from the ponds, isolated excavation, turbidity control Best Management Practices, and sediment removal and storage at an upland site.

Compensatory mitigation is not required for the proposed project activities. The Project has been designed to avoid and minimize adverse impacts and permanent impacts to waters of the U.S. and state. Non-compensatory mitigation for the proposed Project includes best management practices for heavy equipment use in and near a waterway to prevent or reduce any discharges during and after construction. Additionally, project impacts shall not increase turbidity levels at the point of compliance (500 linear feet downstream of the point impact) greater than 20 percent above naturally occurring background or 20 NTUs whichever is greater. Other appropriate mitigation measures identified in the Master Environmental Impact Report SCH# 2008032110 finalized by the Regional Water Board on August 24, 2009 shall be incorporated into the order.

The Project is proposed to begin in 2020 and continue annually through 2025, dredging as necessary to maintain pond capacity.

The Applicant has obtained authorization from the U.S. Army Corps of Engineers for a Clean Water Act, section 404 for these activities to be conducted under Nationwide Permit No. 27 and anticipates continued future permit coverage. The Applicant has determined that a Lake or Streambed Alteration Agreement is not required for this Project.

The Regional Water Board, as lead agency under the California Environmental Quality Act (CEQA), submitted a Joint Environmental Document including a Draft Master Environmental Impact Report (MEIR) and Environmental Assessment/Draft EIR (EA/DEIR) (SCH# 2008032110) for the initial project to the State Clearinghouse on June 5, 2009 for a 45-day review and comment period. The Regional Water Board issued the Final MEIR/EIR on August 24, 2009 and filed a Notice of Determination on August 25, 2009. The proposed Project is identical to the initial project proposed and authorized in 2009. Regional Water Board Staff have reviewed the MEIR findings and confirmed that applicable mitigation measures have been implemented and are up to date. Pursuant to California Code of Regulations, title 14, section 15179, subd. (b)(1), the Regional Water Board proposes a finding that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified, or that there is no new available information which was not known and could not be known at the time of the MEIR was certified. Therefore, this MEIR may be used in accordance with this article to review such a subsequent project and is considered adequate by the Regional Water Board.

The information contained in this public notice is 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 letter and ends at 5:00 p.m. on the last day of the comment period. Please contact Jake Shannon at [Jacob.Shannon@waterboards.ca.gov](mailto:Jacob.Shannon@waterboards.ca.gov) or at (707) 576-2673 within 21 days of the posting of this notice if you have any questions.

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