



California Regional Water Quality Control Board Central Valley Region

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29 November 2010

Mr. James De Staso III
Bureau of Reclamation
16349 Shasta Dam Boulevard
Shasta Lake, CA 96019

CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE SACRAMENTO RIVER AT KESWICK DAM SPAWNING GRAVEL INJECTION PROJECT (WDID#5A45CR00387), REDDING, SHASTA COUNTY

ACTION:

- ☐ Order for Standard Certification
- ☒ Order for Technically-conditioned Certification
- ☐ Order for Denial of Certification

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

- This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and §3867 of Title 23 of the California Code of Regulations (23 CCR).
- This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- The validity of any non-denial certification action shall be conditioned upon total payment of the full fee required under 23 CCR §3833, unless otherwise stated in writing by the certifying agency.
- Certification is valid for the duration of the described project. Bureau of Reclamation shall notify the Central Valley Water Board in writing within 7 days of project completion.

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ADDITIONAL TECHNICALLY CONDITIONED CERTIFICATION CONDITIONS:

In addition to the four standard conditions, Bureau of Reclamation shall satisfy the following:

1. Bureau of Reclamation shall notify the Central Valley Water Board in writing 7 days in advance of the start of any in-water activities.
2. Except for activities permitted by the U.S. Army Corps under §404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. All areas disturbed by project activities shall be protected from washout or erosion.
4. Bureau of Reclamation shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.
5. An effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working during all phases of construction.
6. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
7. Bureau of Reclamation shall perform surface water sampling: 1) When performing any in-water work; 2) In the event that project activities result in any materials reaching surface waters or; 3) When any activities result in the creation of a visible plume in surface waters. The following monitoring shall be conducted immediately upstream out of the influence of the project and 300 feet downstream of the active work area. Sampling results shall be submitted to this office within two weeks of initiation of sampling and every two weeks thereafter. The sampling frequency may be modified for certain projects with written permission from the Central Valley Water Board.

Parameter	Unit	Type of Sample	Frequency of Sample
Turbidity	NTU	Grab	Every 4 hours during in water work
Visible construction related pollutants	Observations	Visible Inspections	Continuous throughout the construction period

8. Activities shall not cause turbidity increases in surface water to exceed:
 - (a) where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
 - (b) where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - (c) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - (d) where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
 - (e) where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTU over background turbidity as measured in surface waters 300 feet downstream from the working area. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be assessed by prior permission of the Central Valley Water Board.

9. Activities shall not cause settleable matter to exceed 0.1 ml/l in surface waters as measured in surface waters 300 feet downstream from the project.
10. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the work area or downstream. Bureau of Reclamation shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.
11. Bureau of Reclamation shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.
12. Bureau of Reclamation shall comply with all Department of Fish and Game 1600 requirements for the project.
13. Bureau of Reclamation must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board for any project disturbing an area of 1 acre or greater.
14. The Conditions in this water quality certification are based on the information in the attached "Project Information." If the information in the attached Project Information is modified or the project changes, this water quality certification is no longer valid until amended by the Central Valley Water Board.
15. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under State law and section 401 (d) of the federal Clean Water Act. The applicability of any State law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance into this Order.
 - a. If Bureau of Reclamation or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Order, or falsifies any information provided in the monitoring reports, the applicant is subject to civil, for each day of violation, or criminal liability.
 - b. In response to a suspected violation of any condition of this Order, the Central Valley Water Board may require Bureau of Reclamation to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - c. Bureau of Reclamation shall allow the staff(s) of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the project premises for inspection, including taking photographs and securing copies of project-related records, for the purpose of assuring compliance with this certification and determining the ecological success of the project.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Guy F. Chételat, P.G., Redding Branch Office, 415 Knollcrest Drive, Suite 100, Redding, California 96002, gchetelat@waterboards.ca.gov, (530) 224-4997

WATER QUALITY CERTIFICATION:

I hereby issue an order certifying that any discharge from Bureau of Reclamation, Sacramento River at Keswick Dam Spawning Gravel Injection Project (WDID# 5A45CR00387) will comply with the applicable provisions of §301 ("Effluent Limitations"), §302 ("Water Quality Related Effluent Limitations"), §303 ("Water Quality Standards and Implementation Plans"), §306 ("National Standards of Performance"), and §307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)".

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with Bureau of Reclamation's project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).



(for) PAMELA C. CREEDON
Executive Officer

GFC: knr

Enclosure: Project Information

cc: Mr. Matt Kelley, U.S. Army Corp of Engineers, Redding
U.S. Fish and Wildlife Service, Sacramento
Ms. Donna Cobb, Department of Fish and Game, Region 1, Redding
Mr. Bill Jennings, CALSPA, Stockton

cc by email: Mr. Dave Smith, U.S. EPA, Region 9, San Francisco
Mr. Bill Orme, SWRCB, Certification Unit, Sacramento

PROJECT INFORMATION

Application Date: 25 October 2010

Applicant: Bureau of Reclamation, Attn: Mr. James De Staso III

Applicant Representatives: Not Applicable

Project Name: Sacramento River at Keswick Dam Spawning Gravel Injection Project

Application Number: WDID No. 5A45CR00387

U.S. Army Corps File Number: Nationwide Permit No. 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Project)

Type of Project: Spawning Gravel Injection Project

Project Location: Section 21, Township 32 North, Range 5 West, MDB&M.
Latitude: 40°36'32" and Longitude: -122°26'42"

County: Shasta County

Receiving Water(s) (hydrologic unit): Sacramento River. Shasta Bally Hydrologic Unit-Spring Creek Hydrologic Area No. 524.40

Water Body Type: Streambed

Designated Beneficial Uses: The Basin Plan for the Central Valley Water Board has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge, Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Warm & Cold Freshwater Migration (MIGR); Warm & Cold Freshwater Spawning (SPWN); and Wildlife Habitat (WILD).

Project Description (purpose/goal): The Sacramento River at Keswick Dam Spawning Gravel Injection Project will allow the Bureau of Reclamation to meet requirements of Section 3406(b)(13) of the Central Valley Project Improvement Act. The project will place approximately 5,000 tons of clean spawning gravel into the Sacramento River approximately 250 yards downstream of Keswick Dam. At this site, gravel will be end-dumped off of a 100-foot-high cliff. Injection gravel will remain on the cliff until mobilized by high winter flows. Gravel will only encroach into the wetted river channel approximately 25 feet, with the vast majority being retained above the water surface. Gravel used in this project will be uncrushed, rounded, natural river rock, with no sharp edges.

Gravel will be washed at least once and have a cleanliness value of 85 or higher based on CalTrans Test No. 227. Gravel will also be completely free of oils, clay, debris, and organic material. Acceptable gravel sources include deposits outside active stream channels, in high terraces, and from alluvial fans of tributary streams in the upper reaches of Central Valley Project reservoirs. Additionally, gravel sources near perennial streams will be extracted from outside the 100-year floodplain such that future impacts to salmon or steelhead habitat will not occur.

Preliminary Water Quality Concerns: Gravel placement may impact surface waters with increased turbidity and settleable matter.

Proposed Mitigation to Address Concerns: Bureau of Reclamation will implement Best Management Practices (BMPs) to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. Bureau of Reclamation will conduct turbidity testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed.

Fill/Excavation Area: Project implementation will temporarily impact 0.02 acres of un-vegetated streambed.

Dredge Volume: Not Applicable

U.S. Army Corps of Engineers Permit Number: Nationwide Permit # 27

Department of Fish and Game Streambed Alteration Agreement: Not Applicable

Possible Listed Species: Not Applicable

Status of CEQA Compliance: The proposed project is exempt from California Environmental Quality Act (CEQA) pursuant Article 19 Section 15333 Categorical Exemption for small habitat restoration project. The Central Valley Regional Water Quality Control Board issued a final Notice of Exemption approving a Categorical Exemption for projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife on 19 May 2006.

Compensatory Mitigation: Not Applicable

Application Fee Provided: Total fees of \$500.00 have been submitted as required by 23 CCR §3833b(3)(A) and by 23 CCR §2200(e).