

---

## Central Valley Regional Water Quality Control Board

7 August 2020

Michelle Banonis  
United States Bureau of Reclamation  
Bay Delta Office  
801 P Street, Suite 140  
Sacramento, CA 95814

**ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY  
CONDITIONED WATER QUALITY CERTIFICATION; BUREAU OF RECLAMATION,  
LOWER AMERICAN RIVER ANADROMOUS FISH HABITAT RESTORATION  
PROJECT (WDID#5A34CR00696A2), SACRAMENTO COUNTY**

This Order responds to the 5 June 2020 request for an amendment of the Lower American River Anadromous Fish Habitat Restoration Project (Project) Section 401 Water Quality Certification (WDID#5A34CR00696). The original Water Quality Certification (Certification) was issued on 8 November 2017 and amended (Amendment 1) on 13 September 2018 (WDID#5A34CR00696A1). The requested amendment is hereby approved. The original Certification and Amendment 1 is therefore amended as described below. Please attach this document to the original Certifications.

**AMENDMENT:**

In 2017, high flows in the Lower American River washed away optimal spawning habitat in the Project location. The United States Bureau of Reclamation requests an amendment to replace spawning habitat materials and extend the area of the Lower American River Anadromous Fish Habitat Restoration Project to include activities at Nimbus Basin, Lower Sunrise, Sacramento Bar, and River Bend.

The Certification is amended as shown below:

**Page 3, Item IV:** The Lower American River Anadromous Fish Habitat Restoration Program is located between Nimbus Dam (RM 23) and River Bend Park (RM 13). The Project will improve salmonid spawning and juvenile rearing habitat using gravel augmentation, floodplain and side channel habitat enhancements, and placement of woody material in the American River. The activities are a continuation of ongoing anadromous fish habitat restoration efforts in the Lower American River authorized under the Central Valley Project Improvement Act of 1992 (CVPIA) Section 3604(b)(13).

**Page 3, Item V:** Address: Lower American River between Nimbus Dam and River Bend Park.

**Page 4 Item VII:** Gravel Augmentation: Ten specific gravel augmentation sites are included under the Project (Figure 1). The augmentation will generally be implemented once at each location, but depending on evaluation of topographic, sediment, and biological monitoring data by the Fisheries and Instream Habitat Working Group (FISH Group), guided by the Restoration Team (both groups facilitated by Water Forum), some sites may not be implemented at all. Additionally, some types of enhancement may be moved to new sites in order to ensure ease of maintenance access and avoid effects to other agencies goals (like County Parks); and some sites may need periodic re-treatment to maintain quality spawning and rearing habitats. The gravel will be clean, well-graded, uncrushed, rounded “natural river rock” with no sharp edges. The gravel will be placed in the river using dump trucks, bulldozers, and front-end loaders working in flowing water in the river. Gravel will be processed onsite or prior to delivery to the sites to remove excessive fine materials and minimize introduction of fine sediments into the river. The gravel will be free of oils, clay, debris, and organic material. Each site design is refined annually, based on ongoing monitoring and FISH Group recommendations, and final designs are generally not available until spring of each implementation year. Following an adaptive management approach, the Restoration Team selects specific restoration sites for a given year based on the results of ongoing monitoring directed by Reclamation in partnership with the Water Forum within the LAR. To accommodate site selection by adaptive management, the study footprint of each restoration reach has been expanded slightly to allow maximum flexibility for implementation of the various covered restoration activities, as needed. The entire area of each restoration reach would not be filled with habitat elements; the larger areas are included to allow flexibility to implement restoration actions appropriate to the local hydrodynamics, restoration goals, and individual site characteristics, within the larger boundary at each site, The updated site boundaries are shown on Figure 1.

Floodplain and Side Channel Habitat Enhancements: Ten specific floodplain and side channel enhancement sites are part of the Project resulting in up to approximately 42.2 acres of new or reestablished floodplain and side channel habitat.

**Page 5, Paragraph 1:** Fish habitat restoration, including gravel augmentation, floodplain and side channel enhancement, and/or woody material placement, will be conducted at any of the following locations, as

appropriate for site-specific conditions and restoration goals, as shown on Figure 1:

- (1) Nimbus Basin,
- (2) Upper Sailor Bar,
- (3) Lower Sailor Bar,
- (4) Sunrise,
- (5) Lower Sunrise,
- (6) Sacramento Bar,
- (7) El Manto,
- (8) Ancil Hoffman,
- (9) Upper River Bend, and
- (10) River Bend

Dewatering will not occur within the Project area. Wet concrete will not be placed into stream channel habitat. Construction equipment will be working in flowing water.

Total Project potential dredge and fill/excavation quantities for all impacts, associated with all ten potential restoration sites, are summarized in Tables 2 and 3.

Table 2: Total Project Dredge Quantity									
Aquatic Resource Type	Temporary Impact			Permanent Impact					
	Temporary Impact			Physical Loss of Area			Degradation of Ecological Condition		
	Acres	CY	LF	Acres	CY	LF	Acres	CY	LF
Riparian Zone	-	135,000	-	-	-	-	-	-	-
Stream Channel	-	161,856	-	-	-	-	-	-	-

Table 3: Total Project Fill/Excavation Quantity									
Aquatic Resource Type	Temporary Impact			Permanent Impact					
	Temporary Impact			Physical Loss of Area			Degradation of Ecological Condition		
	Acres	CY	LF	Acres	CY	LF	Acres	CY	LF
Riparian Zone	27.5	-	-	-	-	-	-	-	-
Stream Channel	68.5 14.7	152,794 63,000	10,450	-	-	-	-	-	-

Note: In general, many sites result in a net zero dredge/fill due to construction methods for the project. Where material of the appropriate size is available within existing onsite gravel bars, side channel excavation areas, or areas graded for floodplain rearing habitat, this onsite material is used for spawning gravel placement, in the adjacent channel. Where onsite gravel is not of appropriate size, gravel from the offsite borrow site(s) may be used, as discussed in the NEPA/CEQA documentation for the project.

**Page 6, item XI:** In 2019, Reclamation prepared a joint Environmental Assessment/Initial Study (EA/IS) with the City (Water Forum). The Proposed Action would extend through 2034 and extends beyond the analysis timeframe included in NEPA/CEQA documentation previously prepared for the Program.



Figure 1 - Lower American River - Program Restoration Reaches



Figure 8 – Nimbus Basin (RM 23) Site Map



Figure 9 – Lower Sunrise (RM 19.5) Site Map

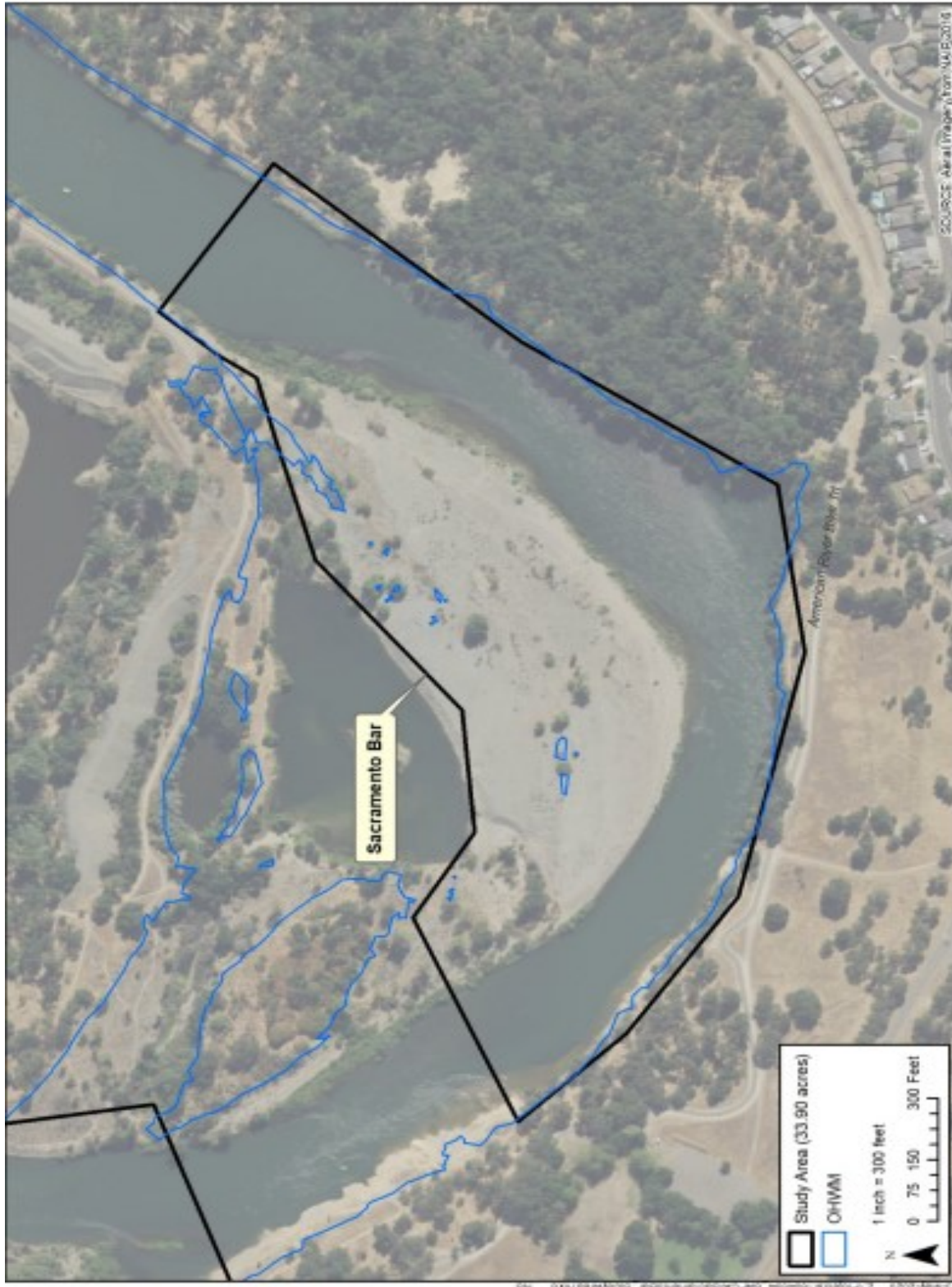


Figure 10 – Sacramento Bar (RM 18.75) Site Map



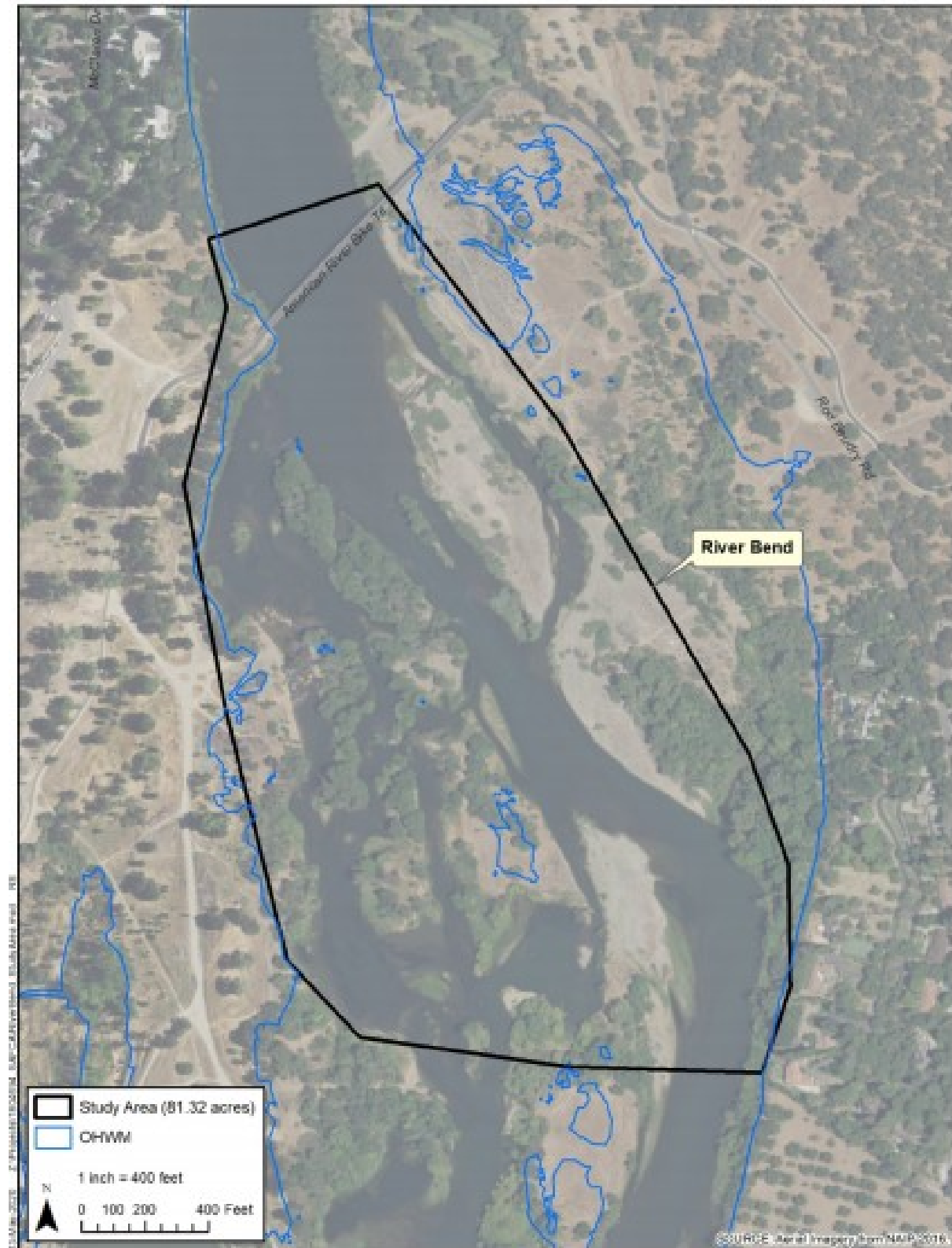


Figure 11 – River Bend (RM 13.25) Site Map

Attachment B, page 3; Table 2 - Individual Direct Impact Information:  
 Update the table as shown below in underling/strike-out text:

Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
<u>Nimbus Bash</u>	<u>38°38'3.91"N</u>	<u>121°13'49.77"W</u>		x	Temporary		<u>2,308</u>		<u>3.5</u>	<u>3,759</u>	<u>400</u>
Upper Sailor Bar	38°38'3.46"N	121°13'48.46"W		x	Temporary		<u>11,261</u>		<u>6</u>	<u>14,000</u>	<u>600</u>
Lower Sailor Bar	38°38'11.02"N	121°14'52.34"W		x	Temporary		<u>26,666</u>		<u>6.5</u>	<u>18,312</u>	<u>2,000</u>
Sunrise	38°38'05.07"N	121°16'00.00"W		x	Temporary		<u>10,000</u>		<u>4</u>	<u>13,412</u>	<u>300</u>
Lower Sunrise	<u>38°37'43.94"N</u>	<u>121°16'34.11"W</u>		x	Temporary		<u>3,000</u>		<u>2.5</u>	<u>3,000</u>	<u>600</u>
Sacramento Bar	<u>38°37'17.56"N</u>	<u>121°17'07.44"W</u>		x	Temporary		<u>21,414</u>		<u>11</u>	<u>5,666</u>	<u>900</u>
El Manto	38°37'37.25"N	121°17'25.48"W			Temporary		<u>17,172</u>		<u>7.5</u>	<u>13,484</u>	<u>700</u>
Andi Hoffman	38°36'55.95"N	121°18'19.67"W			Temporary		<u>33,935</u>		<u>7</u>	<u>11,031</u>	<u>700</u>
Upper River Bend	38°36'10.86"N	121°19'08.52"W			Temporary		<u>35,000</u>		<u>14</u>	<u>23,832</u>	<u>4,000</u>
River Bend	<u>38°35'46.92"N</u>	<u>121°19'46.60"W</u>		x	Temporary		<u>7,344</u>		<u>4.5</u>	<u>4,291</u>	<u>250</u>

Note: In general, many sites result in a net zero dredge/fill due to construction methods for the project. Where material of the appropriate size is available within existing erosion areas, side channel excavation areas, or areas graded for floodplain rearing habitat, this onsite material is used for storming gravel placement in the adjacent channel. Where onsite gravel is not of appropriate size, gravel from the off-site borrow site(s) may be used, as discussed in the NEPA/CEQA documentation for the project.

**Attachment B: Receiving Waters, Impact and Mitigation Information, Page 2:**  
 Update the "Receiving Waters" tables by adding the following lines:

ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	eCRAM ID#
Nimbus Basin	Lower American River	Stream	519.21	Lower American River	MUN; AGR; IND; POW; GWR; REC-1; REC-2; WARM; COLD; BIOL; RARE; MIGR; SPWN; and WILD	Mercury, polychlorinated biphenyls, unknown Toxicity	N/A
Lower Sunrise	Lower American River	Stream	519.21	Lower American River	MUN; AGR; IND; POW; GWR; REC-1; REC-2; WARM; COLD; BIOL; RARE; MIGR; SPWN; and WILD	Mercury, polychlorinated biphenyls, unknown Toxicity	N/A
Sacramento Bar	Lower American River	Stream	519.21	Lower American River	MUN; AGR; IND; POW; GWR; REC-1; REC-2; WARM; COLD; BIOL; RARE; MIGR; SPWN; and WILD	Mercury, polychlorinated biphenyls, unknown Toxicity	N/A
River Bend	Lower American River	Stream	519.21	Lower American River	MUN; AGR; IND; POW; GWR; REC-1; REC-2; WARM; COLD; BIOL; RARE; MIGR; SPWN; and WILD	Mercury, polychlorinated biphenyls, unknown Toxicity	N/A

**Attachment C:** In 2019, Reclamation prepared a joint Environmental Assessment/Initial Study (EA/IS) with the City (Water Forum). The Proposed Action would extend through 2034 and extends beyond the analysis timeframe included in NEPA/CEQA documentation previously prepared for the Program.

**APPLICATION FEE RECEIVED:**

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.

**CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:**

Peter Minkel, Engineering Geologist  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114  
[Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov)  
(916) 464-4684

**PUBLIC NOTICE:**

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 3 July 2020 to 24 July 2020. The Central Valley Water Board did not receive any comments during the comment period.

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Lower American River Anadromous Fish Habitat Restoration Project (WDID#5A34CR00696A2). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

Patrick Pulupa  
Executive Officer

cc: Distribution List, page 13

**DISTRIBUTION LIST**  
**[Via email only]**  
**(w/enclosure)**

United States Army Corps of Engineers (SPK-2015-00380)  
Sacramento District Office  
Regulatory Division  
SPKRegulatoryMailbox@usace.army.mil

Sam Ziegler  
United States Environmental Protection Agency  
Ziegler.Sam@epa.gov

CWA Section 401 WQC Program  
Division of Water Quality  
State Water Resources Control Board  
StateBoard401@waterboards.ca.gov

Bill Jennings  
CA Sportfishing Protection Alliance  
DeltaKeep@me.com

John Hannon  
United States Bureau of Reclamation  
jhannon@usbr.org