

Central Valley Regional Water Quality Control Board

18 June 2026

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**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER WQ 2022-0048-DWQ,
ORDER FOR CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION
AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS
STATEWIDE, GALIANO FEN RESTORATION PROJECT (WDID#5A46CR00037),
SIERRA COUNTY**

On 16 March 2026, the South Yuba River Citizens League submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (Order).

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Galiano Fen Restoration Project (Project) meets the requirements of, and is hereby enrolled under, Order No. WQ 2022-0048-DWQ. You may proceed with your Project in accordance with the Order. This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of [Order No. WQ 2022-0048-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

Please familiarize yourself with the requirements of Order No. WQ 2022-0048-DWQ. You are responsible for complying with all applicable Order requirements. Coverage under the Order is no longer valid if the Project (as described) is modified. Failure to comply with Order No. WQ 2022-0048-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 64-acre Project consists of restoring fen, meadow, aspen, and upland habitat along Rock Creek within the Tahoe National Forest. The Project will utilize a combination of restoration techniques including low-impact beaver dam analogs (BDAs) and post assisted log structures (PALS), directional tree felling, heavy equipment to construct large debris jams (LDJ), forest thinning, and actions to address impacts from roads and relic mining ponds that have disrupted the hydrology of the site. Restoration activities for the project fall into three categories: stream channel restoration, road and relic feature improvement or removal, and forestry management.

Stream Channel Restoration:

Stream channel restoration within the project area involves constructing approximately 64 wood and rock structures within stream channels to correct stream channel incision. Construction will utilize a combination of hand-placed BDAs and PALS, mechanically placed LDJs, and removing relic berms. Roughly 47 BDAs or PALS will be built in stream channels and spaced as necessary along the length of the channel to optimize sediment recruitment, channel complexity, aggradation, and connection to the floodplain. Materials will be mostly moved by hand and, if necessary, with an all-terrain vehicle and trailer. Structures may be stabilized with 2-to-3-inch softwood posts and driven with a portable hydraulic post driver. No water will be required to be diverted or drafted for the construction of BDAs and PALS.

Strategic tree felling is proposed at several locations throughout the project. Within the meadow portions of the project, trees will be felled so that they fall across existing channels and drainages to disperse flow and reduce further channel incision. Where necessary, slash material may be placed beneath felled trees to prevent undercutting. All areas designated for strategic felling will be accessed on foot and all felling operations will be completed by hand using an appropriately sized chainsaw.

LDJs will be built in severely degraded sections of stream channels and selectively placed in 17 locations to maximize water availability on the floodplain, promote sediment aggregation, and increase channel complexity. LDJs will be constructed of locally harvested conifers, ranging from 10 to 30 inches in diameter at breast height (DBH), that have encroached into the meadow. Materials will be moved using an excavator and will be sourced as close to the structure as possible to minimize transportation efforts. Structures will be braced against existing live trees on the bank edge and packed with locally sourced woodchips and slash to reduce permeability. During the placement of LDJs, water diversions will be utilized.

A relic berm between two unnamed tributaries to Rock Creek will be removed, and approximately 0.4 acres of floodplain will be graded in order to reactivate the floodplain, increase ponded and wetland areas, and improve stream and riparian habitat. During all surface grading, water diversions will be utilized.

Road Improvement and Relic Feature Removal:

Road improvements will restore hillside flow and promote continuity between surrounding discharge slopes and the lower meadows. The addition of up to 5 water bars and rolling dips is planned for 0.25 miles of the Golden Spur National Forest System Road in the southern portion of the project. At the intersection of Golden Spur Road and an unnamed road, one culvert will be removed and replaced by a low water crossing. On the unnamed road, earthen material and rock will be placed to encourage sheet flow across the road surface and into the wet meadow. Another unnamed road that runs through the meadow will be decommissioned.

An armored rock chute will be constructed on the downhill side of Forest Route 30 in an existing gully with active erosion. The chute will be constructed with Class II Caltrans Rock Slope Protection Materials across approximately 70 feet. This feature will allow for flows to enter Rock Creek while preventing further erosion and downcutting.

Two relic mining ponds that are currently dewatering portions of the fen will be filled using native material that currently sits in mounds adjacent to the ponds. Road improvements and pond filling will require a small excavator or skim grader. All equipment operating in wetland areas will be tracked to limit soil disturbance, and Megadeck Mats will be utilized for access in wetland areas to decrease potential soil compaction.

Forestry Management:

Conifer removal and forestry management actions will take place in upland areas and within meadows. Forestry management actions will be conducted by a Harvester felling the desired trees and an articulated Forwarder removing the materials from the fell location to log landings for processing and transportation off site. When necessary, unmerchantable materials may be chipped and left on site.

The Project will permanently impact approximately 0.1 acre of wetland habitat and 0.07 acre/257 linear feet of stream channel habitat. Permanent impacts will not result in a loss of waters of the state and are expected to enhance approximately 22 acres of wetland habitat and 2 acres/870 linear feet of stream channel habitat within the Project site.

PROJECT LOCATION:

The Project is located within the Tahoe National Forest (TNF) within Sierra County. The approximate center of the Project area is located at latitude 39.515218° and longitude -120.810781°.

PROJECT SCHEDULE:

Work will occur from May through November over the course of 4 years.

APPLICATION FEE RECEIVED:

- A.** \$1,123.00 was received on 10 April 2026. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.
- B. Annual Fees:** This Certification is subject to annual billing based on the fee schedule in effect at the time of billing. Annual billing will continue until the Project, including monitoring, is complete and the Water Board receives an acceptable request for a Notice of Project Complete Letter. Invoices are usually sent out at the end of each calendar year.¹

To stop annual billing, the Permittee must request a Notice of Project Complete Letter from the Water Board. Water Board staff will verify if the conditions of the Certification are met and may conduct a site visit to confirm compliance.

For more information on fees, visit the [State Water Board's Water Quality Fees website](https://www.waterboards.ca.gov/resources/fees/water_quality/) (https://www.waterboards.ca.gov/resources/fees/water_quality/), under Water Quality Certification (WQC) Program Fees.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The Central Valley Water Board, as Lead Agency, has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061. Specifically, the Central Valley Water Board has determined that the issuance of this Order is exempt by the CEQA Statutory Exemption for Restoration Projects (SERP) pursuant to California Public Resources Code, Division 13, section 21080.56.

The California Department of Fish and Wildlife concurred that the Project is exempt from review under CEQA by the CEQA SERP pursuant to California Public Resources Code, Division 13, section 21080.56 and notified the Water Board on 12 June 2026.

The Central Valley Regional Water Quality Control Board will file a Notice of Exemption at the State Clearinghouse upon issuance of this Notice of Applicability.

REPORTING AND NOTIFICATION REQUIREMENTS

The Permittee shall follow notification and reporting requirements described in this Notice of Applicability (NOA), and those found in Attachment D of the Order WQ 2022-0048-DWQ, unless specified as an optional requirement and excluded from this NOA.

1. Annual Reporting

The Permittee shall submit an Annual Report each year within one month of the anniversary of the effective date of this Notice of Applicability. Annual reporting

¹ Annual invoices are issued for projects active for any amount of time in the current fiscal year (1 July – 30 June).

shall continue until the active discharge period is complete and the project enters the post-construction monitoring phase where upon the Permittee shall annually submit a Post-Construction Monitoring Report (Report Type 2) The Post-Construction Monitoring Report shall be submitted on the anniversary of the date that the project restoration activities were completed.

The Annual Report and Post Construction Monitoring Report shall include the information specified in Attachment D, Part A of Order No. WQ 2022-0048-DWQ. The Permittee shall submit the report in accordance with the report submittal instructions in Attachment D of Order No. WQ 2022-0048-DWQ and email it to centralvalleysacramento@waterboards.ca.gov and cc Nicholas Savino at Nicholas.Savino@waterboards.ca.gov.

2. Notification for In-Water Work and Diversions

The project proponent shall notify the Water Board at least forty-eight (48) hours prior to initiating work in flowing or standing water or stream diversions. Notification may be via e-mail, delivered written notice, or other verifiable means. Within three (3) working days following completion of work in water or stream diversions, or within a timeframe specified by the approving Water Board, an In-Water Work and Diversions Water Quality Monitoring Report must be submitted to the Water Board.

3. Water Quality Monitoring Plan for In-Water Work or Diversions

A Water Quality Monitoring Plan shall be submitted to the approving Water Board for acceptance at least thirty (30) days in advance of commencement of project activity. Standards for in-water work or diversions are discussed in General In-Water Measures, specifically IWW-6, presented in Attachment A. The Permittee shall comply with the approving Water Board-specific water quality control plan water quality objectives and reporting requirements.

4. Environmental Monitoring

Per General Protection Measure 5 (GPM-5) of the Order, a resource specialist shall ensure that all applicable protective measures are implemented during project construction. The resource specialist shall have authority to stop any work if they determine that any permit requirement is not fully implemented. The resource specialist shall prepare and maintain a monitoring log of construction site conditions and observations, which will be kept on file.

ADDITIONAL CONDITION:

The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs

one or more acres.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Notice of Completion (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in section B.6 of the Order.

If you have questions concerning this matter, please contact Nicholas Savino by phone at (916) 464-4920 or by email at Nicholas.Savino@waterboards.ca.gov.

Original Signed by Anne Walters
For Patrick Pulupa
Executive Officer

Attachments: Project Figures

cc: [Via email only]

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Figure 2: Project Design

