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**SEP 22 2022**

Sandy Perez  
Clerk Recorder



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## North Coast Regional Water Quality Control Board

**Notice Date: September 22, 2022**

### **NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

**AND**

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT SCOPING MEETING FOR**

### **GENERAL WASTE DISCHARGE REQUIREMENTS AND GENERAL CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR DISCHARGES RELATED TO CERTAIN LAND MANAGEMENT ACTIVITIES ON FEDERAL LANDS IN THE NORTH COAST REGION**

**NOTICE IS HEREBY GIVEN** That the North Coast Regional Water Quality Control Board (Regional Water Board) as the Lead Agency, is planning to prepare an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act of 1970 and State California Environmental Quality Act (CEQA) Guidelines<sup>1</sup>.

#### **Purpose of the Notice of Preparation**

This Notice of Preparation (NOP) serves to 1) solicit information on the scope of the environmental analysis for the Proposed Project and 2) notify the public and regulatory agencies that the Regional Water Board will prepare a draft EIR to assess potential adverse environmental impacts that may result from implementing the Proposed Project.

#### **Project Overview**

##### **Title**

General Waste Discharge Requirements and General Clean Water Act Section 401 Water Quality Certification (Water Quality Certification) for Discharges Related to Certain Land Management Activities on Federal Lands in the North Coast Region (Federal Lands Permit or Proposed Project).

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<sup>1</sup> California Code of Regulations, Title 14, Div. 6, Chap. 3.

### **Location**

The Federal Lands Permit will apply to lands managed by federal agencies in the North Coast Region. These federal lands are located within Del Norte, Glenn, Humboldt, Lake, Marin, Mendocino, Modoc, Sonoma, Siskiyou, and Trinity counties (Figure 1). The Federal Lands Permit will focus on activities conducted on the United States Forest Service, Bureau of Land Management, and National Park Service lands.

### **Summary**

The Federal Lands Permit proposes to regulate discharges from federal lands to implement the Clean Water Act, Porter-Cologne Water Quality Control Act, Statewide Nonpoint Source Enforcement and Implementation Policy, and Water Quality Control Plan for the North Coast Region. The purpose of the Federal Lands Permit is to ensure that activities conducted on federal lands in the North Coast Region protect, maintain, or restore the beneficial uses of waters of the state. The Federal Lands Permit will include a Water Quality Certification in conjunction with the Waste Discharge Requirements in effort to provide comprehensive coverage for those activities proposed for regulation under the Federal Lands Permit.

The Federal Lands Permit proposes to require federal agencies to comply with best management practices included in project specific National Environmental Policy Act (NEPA) analyses and federal agency guidance documents. The Federal Lands Permit and EIR conducted pursuant to CEQA will not supersede existing federal requirements, including, but not limited to, the National Environmental Policy Act or the National Historic Preservation Act. The Federal Lands Permit proposes to also include supplemental permit requirements, such as monitoring and reporting conditions and addressing sources of sediment delivery to watercourses across federal agency ownerships.

The Federal Lands Permit proposes to regulate certain land management activities conducted on federal lands<sup>2</sup>. Most of the potential water quality impacts connected to these activities are associated with erosion and sediment delivery, alterations to riparian systems that may reduce shade and affect water temperatures, nutrients, bacteria, and chemicals to watercourses (see further description of land management activities below). Federal agencies seek to minimize or avoid these water quality impacts by adhering to existing federal guidance documents and their associated best management practices.

Examples of land management activities that are proposed for Federal Lands Permit coverage eligibility include:

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<sup>2</sup> The Federal Lands Permit proposes to regulate discharges from certain activities conducted by, or on behalf of, federal agencies and does not propose to regulate discharges from activities conducted by third parties on federal lands through special use authorizations, or other similar agreements.

- **Timber Harvest:** Timber harvested from federal lands Timber harvest activities include different silvicultural prescriptions, heavy equipment use, and construction and/or use of logging infrastructure (e.g., roads, landings, skid trails) that can influence watershed conditions. Timber harvest activities conducted in riparian zones can result in sediment delivery to surface waters and elevated surface water temperatures by reducing stream shade and/or contributing to sediment delivery.
- **Vegetation and Fuels Management:** In addition to timber harvesting, federal agencies manage vegetation for forest health, restoration, rehabilitation, and fuels management. Management may include understory and overstory thinning, prescribed burns, mastication of fuels, and other means to improve forest health and resiliency. Due to increased wildfire activity on federal lands, federal agencies are taking steps to increase fuels reduction projects surrounding wildland urban interfaces to reduce the likelihood and severity of wildfire and protect communities at risk and at times partnering with California Native American Tribes to conduct cultural burning on federal lands. Vegetation and fuels management activities and prescribed burning conducted in riparian zones can result in sediment delivery to surface waters and elevated surface water temperatures by reducing stream shade and/or contributing to sediment delivery if appropriate best management practices are not implemented.
- **Roads and Trails:** Construction, maintenance, upgrades, storm proofing, and decommissioning of roads, trails, and associated watercourse crossings<sup>3</sup>. Roads constitute the largest anthropogenic source of chronic and episodic sediment delivery to waterbodies and therefore require prioritization for treatments and implementation of best management practices to prevent and minimize discharges of waste to surface waters.
- **Grazing:** Grazing of privately-owned animals on federal lands for food/forage and/or for the purposes of fuels management. Livestock grazing has the potential to impact water quality through increased surface erosion from hoof action, changes in composition and function of native vegetation, increased solar radiation, and introduction of animal wastes. These actions may reduce the stream shade of watercourses in allotments and the capacity of those watercourses to trap sediment and may contribute nutrients and pathogens contained in fecal matter.
- **Emergency Activities:** Emergency activities may include wildfire suppression and flood response<sup>4</sup> activities. Fire suppression activities may generate sediment and impact designated riparian zones during and after the firefighting process, which may include road construction, re-opening of old roads, fire line construction and repair, and back-burning. Each federal agency has conditions and processes in its federal guidance documents to address fire suppression activities, including

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<sup>3</sup> The Federal Lands Permit proposes to apply to any federal land management activity involving road- and trail-related activities, including those roads associated with mining.

<sup>4</sup> "Flood response" activities are actions necessary to address infrastructure (e.g., roads or watercourse crossings) damage resulting from a storm event.

guidance for fueling equipment, use of fire retardants, and other components of fire suppression. Federal agencies must adhere to their federal guidance documents when conducting emergency activities to minimize impacts of the suppression activities on water quality.

- **Fire Recovery:** Fire recovery operations include management measures such as post-fire salvage, vegetation management, and other rehabilitation activities. Some fire recovery projects may be conducted as part of emergency response activities depending upon the immediacy of the threat to life, property, infrastructure, and the environment.
- **Aquatic Habitat Restoration:** Aquatic habitat restoration activities are generally associated with stream channel and floodplain habitat improvements, large wood augmentation, fish-migration barrier removal, treatment of invasive plant species, wetland enhancement, forest rehabilitation, and remediation of existing and potential sediment discharge sites. These activities are restorative in nature and are designed to enhance the structure and function of aquatic habitat conditions, improve the riparian zone, and reduce long-term erosion and sedimentation.

#### **Potential Environmental Effects**

The environmental analysis that will be conducted after the public scoping period concludes may determine that the Proposed Project would not impact or have significant impacts to many of the Proposed Project areas. However, if any significant adverse environmental impacts are identified through the environmental analysis, feasible mitigation measures to avoid and/or minimize the impacts will be identified and will be required as part of Federal Lands Permit.

The EIR will analyze the following potential environmental effects of the proposed Federal Lands Permit:

- Aesthetics
- Agriculture / Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services

- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfire

### **Project Alternatives**

A reasonable range of potentially feasible project alternatives, in addition to the no project alternative, will be developed and evaluated in the EIR. The Regional Water Board will consider comments of responsible and trustee agencies and the public provided during the scoping period in the development of project alternatives.

### **Opportunities to Provide Input**

There will be a 30-day CEQA scoping period starting September 22, 2022 and ending on October 24, 2022.

The Regional Water Board is requesting comments from the public and public agencies on the scope and content of the environmental information to be included in the EIR.

After the scoping period, staff will review written and oral comments in preparation of the draft EIR, which we anticipate will be published in March 2023. All CEQA Scoping comments received will be included in the final administrative record for the Federal Lands Permit.

### **Scoping Meetings**

There will be two CEQA scoping meetings:

Wednesday, October 5, 2022, 1:30 p.m. to 3:30 p.m. (remote participation only)

Join Zoom Meeting

<https://waterboards.zoom.us/j/93964922622?pwd=NEJ6VEtwSFYvaGhqZVdZRWWsK2wvdz09>

Call-in Number: 1-669-900-9128

Meeting ID: 939 6492 2622

Passcode: 350113

Friday, October 14, 2022, 9:00 a.m. to 11:00 a.m. (remote participation only)

Join Zoom Meeting

<https://waterboards.zoom.us/j/95003362420?pwd=UDJtdElR01IS0w3Mnk1ZHBMVIE4UT09>

Call-in Number: 1-669-900-9128  
Meeting ID: 950 0336 2420  
Passcode: 035613

**If you are unable to participate in the above virtual CEQA scoping meetings, please contact [RB1-Federal@waterboards.ca.gov](mailto:RB1-Federal@waterboards.ca.gov) as soon as possible to arrange an in-person meeting.**

Agencies and the public will be able to provide oral comments directly through the online platform or by calling the number listed above.

A recorded video and audio broadcast of the virtual scoping meetings will be available on the Federal Lands Permitting Homepage after the meetings:  
[https://waterboards.ca.gov/northcoast/water\\_issues/programs/forest\\_activities/US\\_forest\\_service/](https://waterboards.ca.gov/northcoast/water_issues/programs/forest_activities/US_forest_service/).

### **Accessibility**

Please contact [RB1-Federal@waterboards.ca.gov](mailto:RB1-Federal@waterboards.ca.gov) or Devon Jorgenson at (707) 576-2701 at least three days before the scheduled engagement event for disability accommodations. Telecommunications Device for the Deaf users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

### **Submission of Written Comments**

Written comments on the proposed content and scope of the environmental analysis must be received by **5:00 p.m. on Monday, October 24, 2022**. You can submit comment letters electronically or by mail.

Please send your comments to the Regional Water Board, as directed below, along with the name of a contact person, if you are a public agency.

Comments can be sent electronically to the following email address:

[RB1-Federal@waterboards.ca.gov](mailto:RB1-Federal@waterboards.ca.gov)

Written comments should be sent to the address below or by fax to (707) 523-0135.

North Coast Regional Water Quality Control Board  
5550 Skylane Blvd., Suite A  
Santa Rosa, CA 95403  
Attn: Federal Lands Permit

### **Future Notices**

Any change in the date or time of the scoping meeting will be publicly noticed on the Regional Water Board website and through the Proposed Project email list. If you would like to receive updates on the Federal Lands Permit, please sign up for the email list.

To sign up for the Proposed Project email list, access the [Forest Activities on Federal Lands Email List Subscription Page](#) at the web address listed below, check the box for "Forest Activities on Federal Lands" ([https://www.waterboards.ca.gov/resources/email\\_subscriptions/reg1\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/reg1_subscribe.html)).

**Contact Information**

Please direct questions about the Federal Lands Permit to the Federal Lands General Inbox at [RB1-Federal@waterboards.ca.gov](mailto:RB1-Federal@waterboards.ca.gov) or Devon Jorgenson at 707-576-2701 or via email at [Devon.Jorgenson@waterboards.ca.gov](mailto:Devon.Jorgenson@waterboards.ca.gov).

 Digitally signed by Matthias  
St John  
Date: 2022.09.20 08:49:07  
Water Boards

Matthias St. John  
Executive Officer

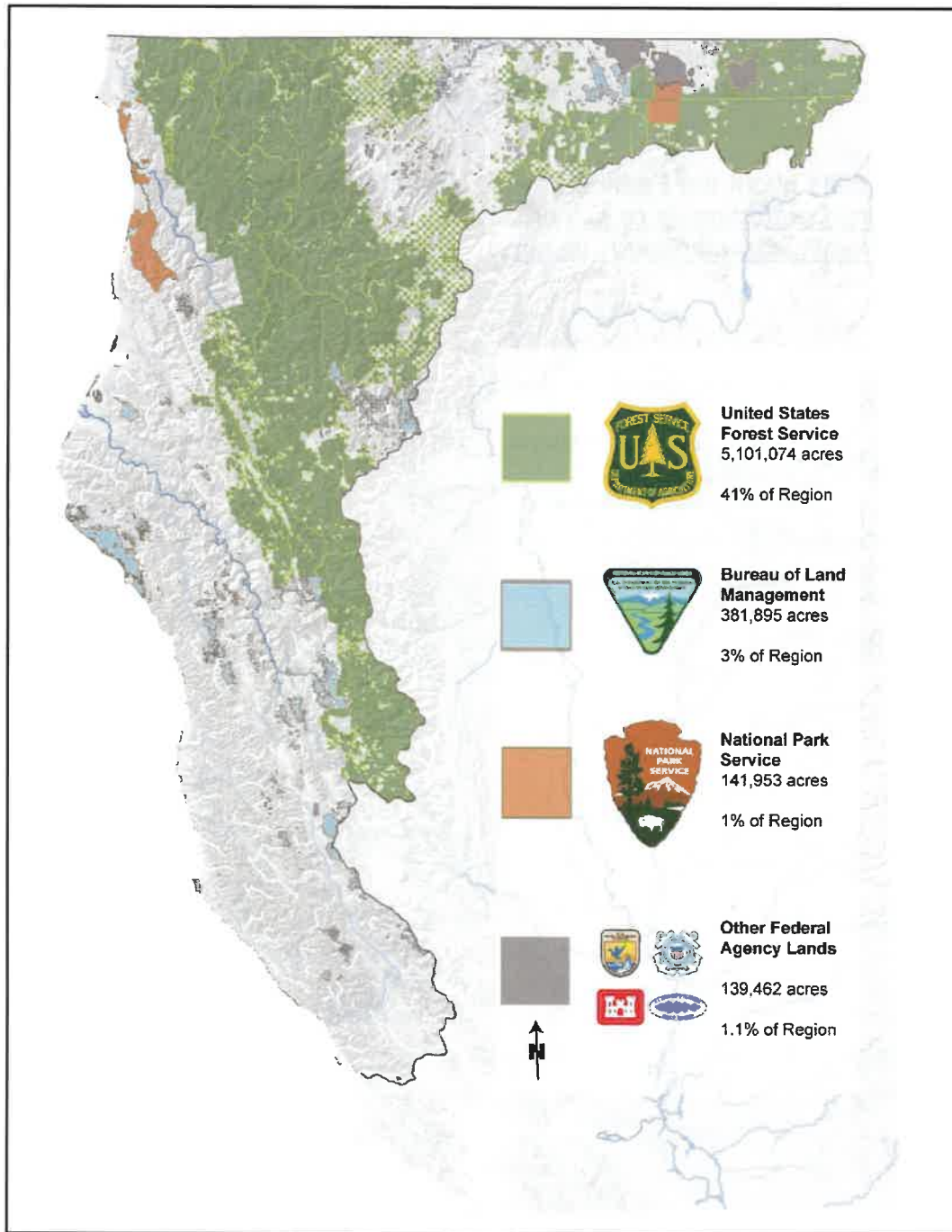


Figure 1. Proposed Project area map depicting federal lands in the North Coast Region.