

Members

Diane Dillon
Mark Luce
Michael Novak
Steven Rosa
Gary Kraus
James Krider
Leon Garcia
Jim King
Jeff Reichel
Phill Blake
Don Gasser
Jeffrey Redding
Robert Steinhauer
Charles Slutzkin
Marc Pandone
Chris Sauer
Duane Dice

Alternate

Harold Moskowitz

AGENDA

REGULAR BOARD MEETING

**Thursday, July 24, 2008
4:00 p.m.**

**2nd Floor Conference Room, Hall of Justice Building,
1125 Third Street, Napa CA**

Staff Representatives

Patrick Lowe,
Secretary
Deputy Director,
Conservation Div., CDPD

Jeff Sharp,
Watershed Coordinator
Principal Planner,
Conservation Div., CDPD

Laura Anderson,
Counsel
Attorney IV,
County Counsel's Office

Melissa Von Loesch,
Admin. Assistant
Admin. Secretary II,
County Planning Depart.

1. **CALL TO ORDER AND ROLL CALL** (Chair)

2. **WELCOMING OF NEW APPOINTMENTS**

On June 3, 2008, the Board of Supervisors made several appointments to the WICC Board to fill existing vacancies. Welcome **Michael Novak**, Representative for the City of St. Helena, **James Krider**, Representative for the City of Napa, and **Duane Dice**, Public at Large member. (Staff)

3. **APPROVAL OF ACTION MINUTES**

Meeting of April 24, 2008 (Chair)

3. **PUBLIC COMMENT**

In this time period, anyone may comment to the Board regarding any subject over which the Board has jurisdiction, or request consideration to place an item on a future Agenda. No comments will be allowed involving any subject matter that is scheduled for discussion as part of this Agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Board as a result of any item presented at this time. (Chair)

4. **ANNOUNCEMENTS:**

- a. California Dept. of Fish and Game's **Wildlife Conservation Board awards \$150,000** for planning & design and **\$7,910,850** for restoration at the **Napa-Sonoma Marshes' Napa Plant Site** (Staff)
- b. Napa County **Resource Conservation District awarded \$228,800** from the Department of Conservation for Napa River Watershed Coordinator position (Staff/Napa County RCD)
- c. Others (Board/Staff/Public)

5. **UPDATES AND REPORTS:**

- a. Report on **Watershed Awareness Month** activities and **Napa County Watershed Symposium** (Staff/Napa County RCD)
- b. Update and report on adoption of the Napa County **General Plan Update** (Planning Staff)
- c. Update on efforts to support development of a locally based **Integrated Water Management Plan (IRWMP)** for Napa County (Staff/ Flood Dist. & Public Works)
- d. Update on **Rutherford Dust Restoration Team Napa River Project** (Staff/Flood Dist.)
- e. Others (Board/Staff)

6. **UPDATE AND DISCUSSION:**

- a. Update and discussion on the State Water Resources Control Board's **Draft Policy for Maintaining Instream Flows** In Northern California Coastal Streams (AB 2121), public comments received and efforts to assist the development of a policy alternative (Staff/Farm Bureau)
- b. Update and discussion on San Francisco Bay Regional Water Quality Control Board's withdrawal of **the Napa River Sediment Total Maximum Daily Load (TMDL)** from State Water Resources Control Board public hearing (Staff)
- c. Update and discussion on North Coast and San Francisco Bay Regional Water Quality Control Board(s) jointly proposed **Stream and Wetlands Protection Policy** (Staff)

7. **PRESENTATION AND DISCUSSION:**

Presentation and discussion on Center for Land-Based Learning's **Student and Landowner Education and Watershed Stewardship (SLEWS) project** efforts in Napa County (Staff/Nina Suzuki, SLEWS Coordinator)

8. **FUTURE AGENDA ITEMS** (Board/Staff)

9. **NEXT MEETING** (Chairman)

Regular Board Meeting: August 28, 2008 – 4:00 PM
Hall of Justice Building, 2nd floor Conference Room, 1125 Third Street, Napa

10. **ADJOURNMENT** (Chairman)

Note: If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability. Please contact Jeff Sharp at 707-259-5936, 1195 Third St., Suite 210, Napa CA 94559 to request alternative formats.



Watershed Information Center & Conservancy OF NAPA COUNTY

Members

Diane Dillon
Mark Luce
Michael Novak*
Steven Rosa
Gary Kraus
James Krider*
Leon Garcia
Jim King
Jeff Reichel
Phill Blake
Don Gasser
Jeffrey Redding
Robert Steinhauer
Charles Slutzkin
Marc Pandone
Chris Sauer
*pending confirmation

Alternate

Harold Moskowitz

Action Summary/Minutes

REGULAR BOARD MEETING

Thursday, April 24, 2008
4:00 p.m.

2nd Floor Conference Room, Hall of Justice Building,
1125 Third Street, Napa CA

Staff Representatives

Patrick Lowe,
Secretary
Deputy Director,
Conservation Div., CDPD

Jeff Sharp,
Watershed Coordinator
Planner III,
Conservation Div., CDPD

Laura Anderson,
Counsel
Attorney IV,
County Counsel's Office

1. CALL TO ORDER & ROLL CALL (Chair)

Members present: Diane Dillon, Steven Rosa, Gary Kraus, Jim King, Phil Blake, Don Gasser, Jeffrey Redding, Robert Steinhauer, Marc Pandone, Chris Sauer

Members absent excused: Marc Luce, Leon Garcia, Charles Slutzkin, Jeff Reichel

Members absent: None

Staff present: Patrick Lowe, Jeff Sharp, Melissa von Loesch.

2. APPROVAL OF ACTION MINUTES

Meeting of February 28, 2008 and March 27, 2008 (Chair)

Outcome: Approval. Minutes approved as presented.

3. PUBLIC COMMENT

In this time period, anyone may comment to the Board regarding any subject over which the Board has jurisdiction, or request consideration to place an item on a future Agenda. No comments will be allowed involving any subject matter that is scheduled for discussion as part of this Agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Board as a result of any item presented at this time. (Chairman)

Outcome: Comment. Bernhard Krevet, President of Friends of the Napa River, shared that he attended the Conference on Sea Level Rise, and he suggested that more people from Napa participate in these discussions.

4. ANNOUNCEMENTS:

- a. **May 2008 Watershed Awareness Month**, proclamation by Board of Supervisors May 6th (Staff)

Outcome: Informational. Staff announced the upcoming proclamation by the Board of Supervisors and presented the draft proclamation included in the Board's agenda packet.

- b. **Bay Delta Conservation Plan**, scoping meeting in Sacramento, April 28th (Staff)

Outcome: Informational. Staff announced the upcoming meeting in Sacramento, reminded the Board that a large portion of domestic water supply in Napa County is derived from the Delta, and encouraged those interested to attend.

- c. **California Watershed Plan**, workshop in Santa Rosa, April 28th (Staff)

Outcome: Informational. Staff reported this workshop is an outfall of the State's efforts to update the California Water Plan. It is expected that the State Watershed Program will give a report at this meeting on what they have heard from all of the different areas throughout the state where meetings were held. The Board heard an update on the State Watershed Program at their February 28, 2008 meeting from Dennis Bowker.

- d. Others (Board/Staff/Public)

Outcome: Informational. Steve Lederer, Director of the County's Environmental Management Dept. (EMD), announced that the County has pledged \$25,000 for creek clean up disposal coupons through a franchise agreement with Upper Valley Waste Management Agency and the Upper Valley Disposal Service. The EMD is now embarking on citizen education and awareness campaign. Program information is also available on the WICC Website.

Steve Lederer also announced that a Napa River Pathogens TMDL Action Plan was approved by the State. \$50,000 has been set aside in next year's EMD budget to begin the implementation of the Plan, focusing primarily on the Browns Valley, Salvador and Murphy's Creeks areas.

Staff announced that the Napa County Resource Conservation District has been recommended for a 3 year grant through the California Watershed Coordinator program. More details will follow pending award.

Bernhard Krevet, President of Friends of the Napa River, invited the WICC Board and Staff to the May 10th, 2008 Friends of the Napa River Spring Event and rededication of the newly remodeled Veteran's Park and River Trail.

5. UPDATE, DISCUSSION AND POSSIBLE ACTION:

- a. Update and discussion on the State Water Resources Control Board's (SWRCB) **Instream Flow Policy** and Board of Supervisor's comment letter and other State Board and Regional Water Quality Control Board policy developments and basin planning activities (Staff)

Outcome: Informational. Staff presented a revised and signed comment letter approved by the Board of Supervisors on April 22, 2008.

Staff reported that a status update on the joint North Coast and SF Bay Regional Stream and Wetlands Protection Policy will be available on the State's website later today.

- b. Update, discussion and possible action regarding the SWRCB's request for comments on the **Napa River Sediment Total Maximum Daily Load (TMDL)** (Staff)

Outcome: Update and discussion, no action. Staff announced upcoming May 8, 2008 SWRCB public comment deadline regarding approval (acceptance) of the Napa River Sediment TMDL and related Habitat Enhancement Goals. The Board took no action to recommend that additional comments on the

matter be submitted to the State by the Board of Supervisors. The SWRCB is expected to hear the matter on May 20, 2008.

6. UPDATE, DISCUSSION AND POSSIBLE ACTION:

Update, discussion and possible direction regarding **WICC support/funding towards the development of a locally based Integrated Water Management Plan for Napa County** with assistance from, the County's municipalities, districts, interested community groups and partners, particularly as it relates to upcoming Prop 84 funding and future water/watershed related project coordination and financial support (Rick Thomasser, Napa County Flood & Water Conservation District/Staff)

Outcome: Discussion and direction. The Board directed staff to provide up to \$12,500 in WICC discretionary funding to the Flood & Water Conservation District to support the initial development (scoping) of an Integrated Water Management Plan (IRWMP) for Napa County, and to develop a Memorandum of Understanding for Board of Supervisor consideration that will guide and coordinate the effort.

The Board also requested quarterly WICC budget updates to better guide their decisions regarding future funding allocations.

7. UPDATES/REPORTS:

- a. Update on the Napa County **General Plan Update** and public hearing schedule (Planning Staff)

Outcome: Informational update. County Board of Supervisors adopted a Notice of Intent to adopt two resolutions that would approve and implement the County General Plan Update. June 3rd is the planned date of adoption.

- b. Report on WICC participation at **Earth Day Celebration** (Staff)

Outcome: Informational report. Staff reported on the WICC's participation in the Earth Day event held at Napa Valley College.

- c. **Napa County Watershed Symposium**, Thursday, May 22, 2008 (Resource Conservation Dist./Staff)

Outcome: Informational. Francis Knapczyk from the Napa County RCD gave a report on the upcoming Symposium, including sponsorship, State recognition of Symposium MC (Kate Dargan), afternoon Flood Dist. open house & wetland tour, 26 groups currently sign-up to participate in "world-wind tour."

- d. Update on appointment of **WICC Board Public at Large Representative** (Staff)

Outcome: Informational. On May 20th the Board of Supervisors will consider re-appointment of American Canyon City Council member Leon Garcia, appointment of Napa City Council member James Krider, and will appoint one of four applicants to fill a Public at Large member vacancy.

- e. Others (Board/Staff)

Outcome: None presented

8. **FUTURE AGENDA ITEMS** (Board/Staff)

Outcome: Presentation and discussion on potential sea rise due to climate change.

9. **NEXT MEETING – ACTION TO CANCEL MAY 22, 2008 MEETING:**

Due to the **Napa County Watershed Symposium on May 22, 2008**, the Board may take action to cancel their Regular Board Meeting of May 22, 2008 at 4:00 PM and reschedule any business to the Board's **next Regular Board Meeting of June 26, 2008 – 4:00 PM** in the Hall of Justice Building, 2nd floor Conference Room, 1125 Third Street, Napa (Staff)

Outcome: Discussion and action. Board directed staff to cancel the Meeting of May 22, 2008.

10. **ADJOURNMENT** (Chairman)

Outcome: Meeting adjourned to June 26, 2008.

Note: If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability. Please contact Jeff Sharp at 707-259-5936, 1195 Third St., Suite 210, Napa CA 94559 to request alternative formats.



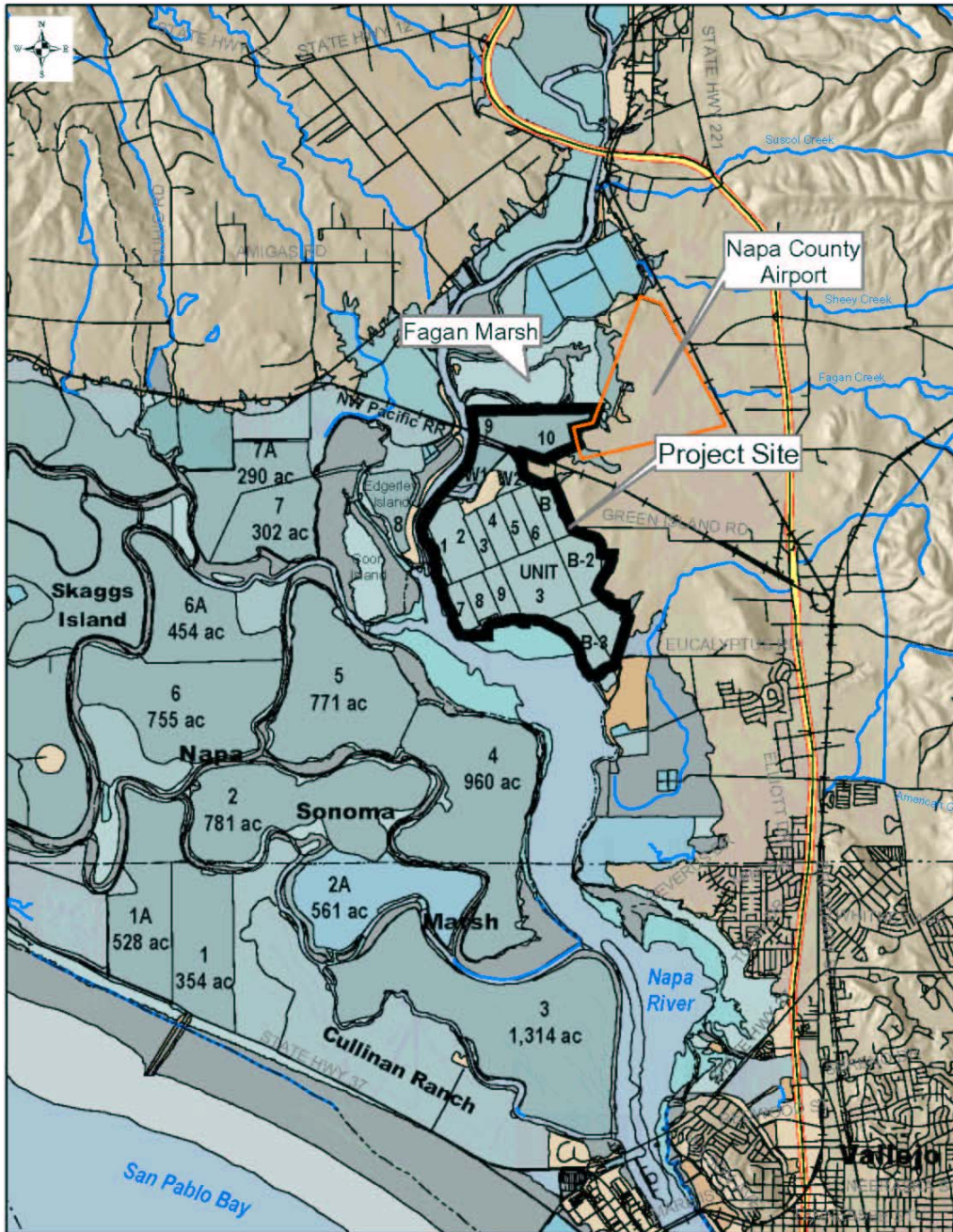
Napa Plant Site

Project Description

The Napa Plant Site Restoration Project is 1,460 acres of former salt ponds roughly 1 mile northwest of American Canyon in Napa County. In 2003, the State of California purchased this land as part of the Cargill Salt Ponds acquisition, which included 15,100 acres of ponds in South San Francisco Bay. The Napa Plant Site and South Bay Salt Ponds projects shared an initial mission – prepare a scientifically sound and publicly supported restoration and public access plan that can begin to be implemented within five years. As of 2006, the Napa Plant Site achieved this initial objective with the publication and certification of the Final Environmental Impact Report.

Due to the geographic distance and unique characteristics of the Napa Plant Site, the California Department of Fish and Game (DFG) manages this restoration project separately from the South Bay ponds. The goal of the Napa Plant Site Restoration Project is the restoration and enhancement of wetlands and transitional habitats on the Napa River while providing wildlife-oriented public access. These former industrial salt ponds will be restored to tidal marsh habitat benefiting species such as the salt marsh harvest mouse, the California clapper rail, and Chinook salmon while providing the public with recreational opportunities including trails, a picnic area, wildlife viewing, and a hand-launch area for non-motorized watercraft.

DFG has been working cooperatively with Cargill to phase out salt making operations and prepare the property for restoration. Planning, environmental review, detailed design, and permitting in the North and Central Units are complete and construction will begin in the summer of 2008. The South Unit, which is approximately two-thirds of the total site, is entering the design phase of the restoration process with construction starting in 2010. The planning, permitting, and design effort at the Napa Plant Site has been supported by the William and Flora Hewlett Foundation, the Gordon and Betty Moore Foundation, and the David and Lucile Packard Foundation. Construction funding for the North and Central Units is being provided by the State of California Resources Agency Wildlife Conservation Board.



	Napa Plant Site Restoration Project	Project Site Map	Figure 1
	26815044		

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DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
 SACRAMENTO, CALIFORNIA 95811
 (916) 445-8448
 FAX (916) 323-0280
www.wcb.ca.gov

NOTICE OF MEETING**WILDLIFE CONSERVATION BOARD**

May 22, 2008

10:00 A.M.

1/ State Capitol, Room 112
 Sacramento, California 95814

FINAL AGENDA ITEMS

ITEM	PAGE
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* 4. Approval of Minutes — February 20, 2008 Meeting	5
* 5. Recovery of Funds	5
* 6. Humboldt Bay Coastal Reserve Expansions 2 and 3 Humboldt County	8

\$495,000.00

To consider the allocation for two grants to Friends of the Dunes for a cooperative project with State Coastal Conservancy and the State Department of Fish and Game to acquire fee title to two properties, totaling 53± acres located west of State Highway 255, southwest of Arcata, in Humboldt County. The purposes of this project are the preservation of beach and sand dune habitat, and the protection of threatened and endangered species, and are consistent with the proposed funding sources. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Section 5096.350(a)(3), and California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund, (Proposition 40), Section 5096.650]

* Proposed Consent Calendar

1/ These facilities are accessible to persons with disabilities

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program). This funding allows for the restoration of wetland habitat in the Central Valley. The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$163,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- * 10. **Napa-Sonoma Marshes Wildlife Area, Napa Plant Site** \$150,000.00
Restoration, South Unit Pre-construction Planning and Design
Napa County

This proposal is to consider the allocation for a grant to the Resources Legacy Fund to conduct pre-construction planning and design of 1,080± acres on the Department of Fish and Game's South Unit of the Napa Plant Site, Napa-Sonoma Marshes Wildlife Area, located approximately seven miles south of the City of Napa, on the east bank of the Napa River, in Napa County.

The Napa Plant Site is divided into three units: North, Central, and South. This proposal encompasses only the 1,080 acres within the South Unit consisting of a combination of nine crystallizer ponds (where salt was harvested) and several pickle ponds, where brines were concentrated to near-harvest concentrations prior to transfer into the crystallizers. The ponds are surrounded and divided by levees of varying size, construction material, and quality. Most of these salt ponds retain a layer of salt and gypsum across the bottom. Depending on the amount of rainfall, these ponds range from mostly dry to retaining up to several feet of water. On-site borrow ditches and historical slough channels also retain high salinity water during the dry season.

The purpose of this grant is to contract, manage, and fund the design of the South Unit. The design will include a 50%, 90%, and 100% design level (consistent with accepted practice in the engineering design field), as well as funding for stakeholder involvement, permit management, and alternative refinement.

The resulting habitat after construction and restoration will be 1,324± acres of tidal wetlands and marsh (including the North and Central Units). It will contain water of varying salinity and depth depending on the season and tidal cycle. Restoration will result in sedimentation and partial vegetation on ecotones and elevated areas, providing critical habitat for fish, migratory birds and sensitive species such as the salt marsh harvest mouse and the California clapper rail.

In addition to habitat improvements, this tidal marsh will improve water quality and flood protection for surrounding areas through raising low areas on landside levees. The project will provide a greatly enhanced visitor experience at the site through improved public access consisting of trails, an improved access road, a picnic area with restrooms, parking areas, a hand-launch area for non-motorized watercraft, and a viewing area on Green Island. Once the project is completed, the site will be managed by the DFG. Currently, a comprehensive land management plan is being written for the entire 14,000± acre Napa-Sonoma Marshes Wildlife Area complex that includes this site. The project also conforms to the goals of the 1999 San Francisco Bay Area Wetlands Ecosystem Goals Project.

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$150,000.00
Resources Legacy Fund	<u>248,770.00</u>
TOTAL	\$398,770.00

Project costs funded by the WCB will include the 90% and 100% designs, along with quality control/quality assurance assessments, and project management. The proposed funding source for this project is the WCB's Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay). This funding allows for the acquisition, enhancement, or restoration of wetlands in the San Francisco Bay region.

The DFG, as lead agency, completed a final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and filed a Notice of Determination with the State Clearinghouse on April 10, 2007. Staff considered the Environmental Impact Report and has prepared written findings documenting WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse. The DFG has reviewed this proposal and recommends it for funding by the WCB.

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$150,000.00 from the Habitat Conservation Fund Habitat (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) (SF Bay); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *11. San Joaquin River Parkway, Habitat Restoration and Public Access, Jensen River Ranch, Phase II Planning and Design Fresno County \$385,176.00

This proposal is to consider the allocation for an interagency agreement with the Department of Water Resources for a cooperative project with the San Joaquin River Conservancy to conduct Phase II planning and design for the Jensen River Ranch habitat restoration and public access project. The 67± acre site, owned by the San Joaquin River Conservancy, is located on the San Joaquin River Parkway near the junction of Highway 41, northeast of the City of Fresno, in Fresno County.

24. **Napa-Sonoma Marshes Wildlife Area, Napa Plant Site** \$7,910,850.00
Restoration, Ponds 9 and 10, and Wash Ponds Construction
Napa County

This proposal is to consider the allocation for a grant to Ducks Unlimited, Inc. for the restoration of 380± acres of tidal marshes at the Department of Fish and Game's (DFG's) Napa Plant Site, Ponds 9 and 10, and Wash Ponds, Napa-Sonoma Marshes Wildlife Area. The project site is located approximately seven miles south of the City of Napa, on the east bank of the Napa River, in Napa County.

Historically, the site was predominantly tidal marsh with associated seasonal wetlands and grasslands. A United States Coastal Survey topographic map from 1856 depicts a landscape dominated by tidal marsh with complex drainage networks. Around the turn of the century, a levee was constructed to isolate the historic marshes and wetlands of the project area from the Napa River to facilitate agricultural uses. Starting in the 1950s, the site was used for commercial salt harvesting, processing and shipping facilities, with crystallizer and concentrating ponds operated by the former owner, Cargill, Inc., and was acquired by the State in 2004 along with other salt ponds in south San Francisco Bay.

The Napa Plant Site is divided into three units based on hydrologic connectivity and geography. The North Unit (205± acres), includes Ponds 9 and 10, which are located between the Northwest Pacific Railroad and Fagan Slough; the Central Unit (175± acres), includes Wash Ponds W1, W2, and W3. The Central Unit also includes Green Island, salt production facilities, the barge channel, and the site's access road. The South Unit (1,080± acres), which is not included in this proposal, includes Ponds CB1 through CB9 and Ponds B-1, B-2, B-3, and will be considered for restoration at a later date.

Ponds 9, 10, W1, W2, and W3 have been inactive since the early 1990s when salt production ceased. During that period, these ponds have been passively managed, and have accumulated water solely by precipitation. Evaporation has been the only means of drying these ponds. When flooding persists into the summer months, the ponds have very high salinities. Due to high pond salinities, and the flooding and drying pattern, the site currently supports limited wildlife use compared to other salt ponds and managed wetlands in the region.

Salinity reduction operations began in 2003. Cargill's phase-out operations were focused on reducing the aerial extent of plant operations by sequentially decreasing the residual salts remaining in the ponds. This was accomplished by allowing the pickle ponds to flood by precipitation in winter so that salt in the pond bottoms would dissolve into solution. The solution was then moved to crystallizer beds for evaporation and harvest. The salt product would be stockpiled and then shipped from the site via barges on the Napa River. Salinity in Ponds 9, 10, W1, W2, and W3 has been reduced to the point where tidal restoration may begin.

The intent of the restoration project is to restore tidal hydrology and connectivity to the site by lowering perimeter levees along the Napa River and Fagan Slough, breaching levees at strategic locations in the barge channel and along Fagan

Slough, creating excavated channels, and lowering internal levees within the North and Central Units. In addition, levees along adjacent properties and the Northwest Pacific Railroad will be raised and improved to provide flood protection and valuable transitional tidal to upland ecotone habitat.

Restored tidal marsh will provide critical habitat for the endangered California clapper rail, the salt marsh harvest mouse, and sensitive plant species. Marsh areas with extensive channel systems will also provide habitat for fish and other aquatic life. The project will also benefit resident and migrating waterfowl on the wildlife area such as mallard, northern pintail, northern shovelers, American widgeon, bufflehead, green-winged teal, tundra swan, and Canada goose (including Aleutians). Other wetland-associated species include white-faced ibis, double-crested cormorant, long-billed marsh wren, red-winged blackbird, great blue heron, black crowned night heron, great egret, snowy egret, long-billed curlew, western snowy plover, western sandpiper, willet, dunlin, black-bellied plover, greater yellow legs, brown pelican, pied-billed grebe, and horned grebe. Raptors using the site include bald eagle, northern harrier, American kestrel, and peregrine falcon.

The site is located directly adjacent to the Napa County Airport, a 2,045±acre general aviation airport. The Northwest Pacific Railroad also crosses through the site separating the North and Central Units. The project's design takes into account these conditions and will mitigate against concerns with bird strikes and railroad levee failure. Potential conflicts between wildlife and the airport are being addressed to a large degree by the design and placement of wetlands and habitat adjacent to the airport that tend not to attract larger waterfowl species. Restoration planning and detailed engineering have addressed flood protection to adjacent properties. Wildlife-oriented public access and recreation opportunities are expected to include a segment of the San Francisco Bay Trail (Bay Trail) for biking and hiking, as well as the planning and identification of other potential uses such as hunting, angling, bird watching, and environmental education opportunities.

This project conforms to the goals of the 1999 San Francisco Bay Area Wetlands Ecosystem Goals Project. Once the project is completed, the site will be managed by the DFG. Currently, a comprehensive land management plan is being written for the entire 14,000± acre Napa-Sonoma Marshes Wildlife Area complex, which includes this site.

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$7,910,850.00
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Project costs will include construction management, surveys, staking, compliance monitoring, site preparation, mobilization of equipment, levee lowering, channel and breach excavation, access road and public access components, utility pole reconfiguration, and project administration.

The proposed funding sources for this project are the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002 (Prop. 50), Section 79572(c), and the Habitat Conservation Fund (Prop. 117), Section 2786(d)

(Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay). Both sources allow for the restoration of wetlands in the San Francisco Bay area and are consistent with the objectives of the proposed project.

Regional Water Quality Control Board and San Francisco Bay Conservation and Development Commission permits have been approved. At this writing, the National Oceanographic and Atmospheric Administration (NOAA) has completed its Section 7 review and has forwarded a letter to the U.S. Army Corps of Engineers (COE). The COE permit is pending upon review of the NOAA letter. The DFG completed a Final Environmental Impact Report and filed a Notice of Determination (NOD) with the State Clearinghouse on April 10, 2007. Staff has considered the Final EIR and DFG Findings of Overriding Consideration, and has prepared written findings documenting the WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate NOD will be filed with the State Clearinghouse. The DFG has reviewed this proposal and recommends it for funding by the WCB.

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed: allocate \$6,942,850.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79572(c), and \$968,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

25. Grizzly Island Wildlife Area Uplands and Wetlands Enhancement \$750,000.00
Solano County

This proposal is to consider the allocation for a grant to the California Waterfowl Association (CWA), for a cooperative project with the U.S. Geological Survey and the Department of Fish and Game (DFG) to enhance 475± acres of uplands and 150± acres of wetlands on the DFG's Grizzly Island Wildlife Area, located in the Suisun Marsh, south of the City of Fairfield in Solano County.

The Wildlife Conservation Board (WCB) has a long history in Suisun Marsh (Marsh), dating back to 1949 with the acquisition of 8,600± acres to protect feeding and resting habitat for waterfowl, and to provide public hunting opportunities. Since then, projects have included the construction of fishing access sites, the protection of additional wetland habitat, the restoration of wetland habitats, and the construction of the Grizzly Island Road Bridge over Montezuma Slough. More recently, the WCB funded projects to renovate the main water delivery and drainage structures on Joice Island and the enhancement of wetlands on the Crescent Unit on Grizzly Island.

The Marsh supports vast numbers wildlife species; as many as 250 bird species, 45 species of mammals, 26 fish species and 15 reptile and amphibian species. The Suisun Marsh is one of the most productive and diverse places in California. These biological riches now depend on the abilities of the landowners to manage the various habitats to maximize species diversity. The DFG is the largest of these

Napa County Resource Conservation District

Announcement of Grant Award for Watershed Coordinator for the Napa River

The Napa County Resource Conservation District's grant proposal to fund a Watershed Coordinator for the Napa River watershed has been selected to receive funding from the Department of Conservation. The District hopes to begin work under the grant program in July or August of this year.

Following are just some of the tasks that will be funded over the next few years:

- Assisting the Watershed Information Center and Conservancy of Napa County in establishing a community advisory committee
- Initiating outreach to the community regarding implementation of Napa River sediment and nutrient TMDLs and various opportunities to collaborate to implement the TMDL plans
- Working with the community to initiate a coordinated program to implement TMDLs
- Assisting in the development of future fund requests for priority natural resource projects
- Assisting in the development of a local integrated natural resource management plan
- Conducting outreach to landowners/managers in the watershed regarding opportunities to improve fish habitat and assisting in the development of funding requests to implement identified projects.

2008 Napa County Watershed Symposium: SUMMARY OF EVALUATIONS

Attendees scored the following questions on a scale of 1 to 5 (5 = agree strongly). Listed below are the sums of evaluator scores for each statement. If all evaluators strongly agreed to a statement, the score would have been 165/165.

1. Overall, the symposium was valuable	160/165
2. Speakers were knowledgeable & informative	156/165
3. The symposium was what I expected	137/165
4. The symposium was relevant to my interests	153/165
5. The symposium was well organized	161/165
6. There was enough time to meet with colleagues	128/165

Listed below are some responses to questions posed on the Watershed Symposium evaluation form.

1. How could this symposium be improved?

- include the notion of the next generation knowing and becoming aware of their watershed.
- current status of Napa water resources: river tmdls, groundwater supplies, salmonid recovery
- more specific poster session with more allocated time
- more time on next steps, what we can do/action, youth panel member
- shorter academic speeches, more on local accomplishments, more discussion about next steps
- get board of supervisors, council members, and planning commissioners to attend
- more time to network, more Q and A
- workshops - these could focus on identifying gaps in what's being covered by existing programs and laying cornerstones for more cooperative efforts.

2. What topics would you like to see covered in future Napa County Watershed Symposiums?

- 1-2 local landowners speak on stewardship practices completed on land to promote success stories
- youth programs in the watershed
- reducing fire risk, regulating groundwater, conservation of water, educating kids
- river tmdl, groundwater supplies, salmonid recovery
- more ground/surface water health, health and maintenance of tributary creeks (in Conn Creek)
- ground water, urban expansion, climate change, ag vs. residential effects on watershed
- interconnection of all of our resources & impacts on watershed
- community outreach efforts
- water diversion from feeder streams
- how can individual partnerships collaborate to share projects with others in NC
- farmer/landowner concerns, how they're finding solutions for watershed groups, best man. practices
- reforestation, raising public awareness, paradigm shift
- Updates on flood-control & water management projects, discussion about effectiveness of past projects.
- state of relevant scientific research that informs our projects
- state of our waterways. What do we know, what do we need to know? Recent improvements/successes?
- watershed goals (i.e. for recreation, research, habitat improvement, fish breeding).
- erosion, frost protection, managing oak woodlands, forest chaparral
- county IRWMP efforts
- evaluation of the success of restoration projects in the valley.

RUTHERFORD DUST RESTORATION TEAM

PROGRESS REPORT:

**Preliminary Design and Required Landowner CEQA Approvals Complete!
Maintenance Planning Underway**

April 24, 2008

Highlights:

- Preliminary design is complete!
- All the landowners with significant work on their property have agreed to partner with the County and have given the green light for the CEQA and regulatory review to begin.
- An additional \$715K for project implementation has been raised.
- A number of RDRT members have stepped forward to work on maintenance planning.

PRELIMINARY DESIGN GOES FINAL

After close to three years of engineering analysis and in-depth coordination with landowners, Jones & Stokes engineers have completed the preliminary design. A draft CEQA analysis has been prepared and is under review. Once the CEQA documentation is completed the project will be ready to go to the regulatory agencies for permits.

RDRT AWARDED AN ADDITIONAL \$715K IN STATE FUNDS

Project leaders submitted an application to the State Water Board's 319(h) Nonpoint Source Pollution Program for "Phase 2" project implementation. The team received notice in March that the project had been selected for funding from this highly competitive program. It helpful that the project had been designated a "Regional Priority" given its role in helping to meet TMDL goals of reducing fine sediment input to the Napa River.

This summer a primary focus of team leaders will be getting additional grant applications out and building partnerships that will help leverage additional funding. The Napa County RCD has agreed to serve as fiscal sponsor for RDRT's future landowner coordination needs. The 319(h) application was the first effort made under this new partnership. This means that while construction funds will go to the County, the RCD will help the team administer funds needed to fulfill landowner obligations under the MOU with the County, including ongoing fundraising, organizational support, and maintenance.

CEQA AUTHORIZATION SIGNATORIES

Over the last two years project counsels for the County and Rutherford Dust Society developed a rather complex public-private partnership to allow this pioneering effort to move forward. The resulting paperwork, which is refer to as the "CEQA Authorizations" for short, also turned out to be rather complex, in order to clearly define project roles. The paperwork provides landowner approval for the County, as lead CEQA agent, to evaluate the project on private property. To reassure the County that their investment in the design would not be wasted, these agreements also indicate that the landowner is comfortable with the Preliminary Design and would permit construction of that design to occur on their property, pending available funding.

Not everyone in the project reach needed to sign the documents: only those who have significant work proposed (such as grading, bank stability structures, berm replacements, etc).



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Executive Office

Tam M. Doduc, Board Chair
1001 I Street • Sacramento, California • 95814 • 916.341.5615
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Arnold Schwarzenegger
Governor

NOTICE OF PUBLIC WORKSHOPS

Workshops to Receive Information Regarding Draft Policy for Maintaining Instream Flows in Northern California Coastal Streams

SUBJECT OF WORKSHOPS

The State Water Resources Control Board (State Water Board) is holding two public workshops to receive input on the Draft Policy for Maintaining Instream Flows in Northern California Coastal Streams. A quorum of State Water Board members may be present at these workshops; however, no Board action will be taken. The dates, times and locations of the workshop sessions are provided below:

Tuesday, August 5, 2008

1:00 pm – 5:00 pm
Red Rooms
Ukiah Valley Conference Center
200 South School Street
Ukiah, CA 95482
707-463-6700

Wednesday, August 6, 2008

1:00 pm – 5:00 pm
Merlo Theater
Wells Fargo Center for the Arts
50 Mark West Springs Road
Santa Rosa, CA 95403
707-527-7006

BACKGROUND

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations. Through Assembly Bill 2121 (AB 2121) (Stats. 2004, ch. 943), the Legislature required the State Water Board to adopt principles and guidelines for maintaining instream flows in northern California coastal streams for the purposes of water right administration. In considering the adoption of a policy that includes these principles and guidelines, the State Water Board must balance instream flow needs, such as fisheries, aquatic habitat, recreation, and navigation, against the needs of other uses, including water diversion for agricultural uses.

The State Water Board released the draft policy, pursuant to the requirements of AB 2121, on December 28, 2007. The draft policy would apply to applications to appropriate water, small domestic use and livestock stockpond registrations, and water right petitions. The geographic scope of the draft policy encompasses coastal streams from the Mattole River to San Francisco and coastal streams entering San Pablo Bay, and extends to five counties: Marin, Sonoma, and portions of Napa, Mendocino, and Humboldt counties.

The final date for submittal of written comments on the draft policy and its associated environmental document and scientific report was May 1, 2008. The comment letters are available for viewing on the State Water Board's website at http://www.waterrights.ca.gov/HTML/instreamflow_nccs_publiccomment.html.

California Environmental Protection Agency

State Water Board staff is reviewing the written comments and will reevaluate aspects of the draft policy based on the written comments and comments received during these workshops.

PROCEDURAL MATTERS

The workshops will be informal. No action will be taken by the State Water Board at the workshops. There will be no sworn testimony or cross-examination of participants; however, the State Water Board and its staff may ask clarifying questions.

These workshops will give participants an opportunity to provide input on the proposed policy. To ensure productive and efficient workshops, and to ensure that all interested parties have an opportunity to participate, time limits may be imposed on oral presentations. Participants with similar comments are requested to make joint presentations.

INFORMATION REGARDING THE WORKSHOPS

Questions concerning this notice may be directed to Steve Herrera, Chief of the Permitting Section, Division of Water Rights, at (916) 341-5337; or Karen Niiya, Senior Engineer, at (916) 341-5365.

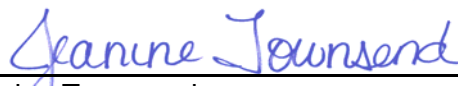
Note: To subscribe to an email list for future notifications about the draft policy, go to the State Water Board's website at http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml, and choose "AB 2121 Instream Flow Guidelines for Northern Coastal Streams".

LOCATIONS AND ACCESSIBILITY

Both locations are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Karen Niiya at (916) 341-5365, at least five business days prior to the first workshop date. Persons with hearing or speech impairments can contact Ms. Niiya by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD device. HEARING IMPAIRED RELAY SERVICE: TDD to voice 1-800-735-2929; voice to TDD 1-800-735-2922.

July 3, 2008

Date



Jeanine Townsend
Clerk to the Board



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams.
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger
Governor

TO: Dorothy Rice
Executive Director
State Water Resources Control Board

Digitally signed by Bruce Wolfe
Date: 2008.06.06 15:06:24 -07'00'

FROM: Bruce H. Wolfe
Executive Officer
San Francisco Bay
Regional Water Quality Control Board

DATE: June 6, 2008

SUBJECT: REQUEST TO WITHDRAW THE AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY BASIN TO ESTABLISH A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR SEDIMENT AND RELATED HABITAT ENHANCEMENT GOALS IN THE NAPA RIVER WATERSHED

I hereby request, on behalf of the San Francisco Bay Water Board, that the State Water Board withdraw public hearing consideration of adoption of the Napa River Watershed Sediment TMDL and related Habitat Enhancement Plan.

BACKGROUND

During the State Water Board's comment period for the Napa River Watershed Sediment TMDL, commenters raised concerns about the adequacy of the San Francisco Bay Water Board's compliance with the Water Boards' certified regulatory program requirements that implement the California Environmental Quality Act (CEQA). The San Francisco Bay Water Board requires time to consider these comments and address any deficiencies.

If you have any questions, please do not hesitate to contact me at (510) 622-2314 or Dyan Whyte at (510) 622-2441.

cc: Jonathon Bishop
Ken Harris
Steve Blum



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Tam M. Doduc, Board Chair
1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
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Arnold Schwarzenegger
Governor

NOTICE OF WITHDRAWAL FROM CONSIDERATION OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY REGION (BASIN PLAN) TO ESTABLISH A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR SEDIMENT AND RELATED HABITAT ENHANCEMENT GOALS IN NAPA RIVER WATERSHED

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) has returned the subject amendment to the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay Water Board) at its request. This Basin Plan amendment would have established a program to control excessive sediment and achieve related habitat enhancement goals in the Napa River Watershed.

The San Francisco Bay Water Board's memorandum requesting the withdrawal is available on the State Water Board's Web site at:

http://www.waterboards.ca.gov/water_issues/programs/tmdl/tmdl.shtml#rb2.

Should the Basin Plan amendment be resubmitted to the State Water Board for future consideration of approval, a notice of opportunity for public comment will be given at that time.

Please direct questions about this notice to Joanna Jensen, Division of Water Quality, at (916) 341-5557 (jjensen@waterboards.ca.gov) or Senior Staff Counsel Steven H. Blum at (916) 341-5177 (sblum@waterboards.ca.gov).

June 11, 2008

Date

Jeanine Townsend
Clerk to the Board

State of California
Regional Water Quality Control Board
North Coast Region

Bruce Ho
April 1, 2008

EXECUTIVE OFFICER'S SUMMARY REPORT
1:00 p.m., April 23, 2008 and
9:00 a.m., April 24, 2008
The Sons of Italy Weed Lodge No. 1269
Memorial Hall
155 Clay Street
Weed, California

ITEM: 13

SUBJECT: *Stream and Wetland Systems Protection Policy Update*

INTRODUCTION

The purpose of this item is to provide an update on the development of a proposed amendment—the *Stream and Wetland Systems Protection Policy* (Policy)—to the *Water Quality Control Plan for the North Coast Region* (Basin Plan). The North Coast Regional Water Quality Control Board (Regional Water Board) first identified development of this Policy as a high priority (eighth overall) for the North Coast Region during the 2004 triennial review of the Basin Plan. The Regional Water Board reiterated this need by identifying completion of the Policy as its third overall planning priority during the 2007 triennial review of the Basin Plan.

Regional Water Board staff (we) began work on the Policy in 2005 in coordination with staff of the San Francisco Bay Regional Water Board using contractors funded by grant resources provided by the U.S. Environmental Protection Agency (USEPA). Under the grant, staff from the two regional boards are developing a joint policy proposal for independent consideration by their respective regional boards. The joint policy would establish a strategy to improve protection of stream and wetland systems (i.e., streams and wetlands and their associated riparian areas) and would also improve regulatory consistency between the two Regional Water Boards.

The Regional Water Board was last provided an update on development of the Policy in June 2007. At that time a detailed description of the Policy background and need was provided to the Board. This information is available on the website for the Policy¹ and is also provided as an attachment to this report.

¹ See "Executive Officer's Summary Report for the June 2007 Board Update" under "Documents" at: http://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/stream_and_wetland.shtml

This report provides updated information on:

- Project Status;
- Summary of Proposed Policy; and
- State Water Board Coordination.

PROJECT STATUS

We are currently preparing the draft Policy (staff report and Basin Plan amendment language) for external scientific peer review, which will take place during the summer of 2008. In the fall of 2008, following completion of the peer review process, we will release a public draft of the Policy for public review and comment. We then propose to bring the Policy to the Regional Water Board for consideration and possible adoption during the late fall or winter of 2008.

SUMMARY OF PROPOSED POLICY

The proposed Policy will include new narrative water quality objectives for stream and wetland systems and a comprehensive implementation plan designed to achieve these objectives. These new water quality objectives—hydrologic connectivity, stream equilibrium, and wetland and riparian area integrity—are intended to protect the full range of stream and wetland system beneficial uses, but in particular are intended to protect three beneficial uses adopted by the Regional Water Board in 2003: Flood Peak Attenuation/Flood Water Storage (FLD), Water Quality Enhancement (WQE), and Wetland Habitat (WET).

The FLD beneficial use recognizes the ability of stream and wetland systems to provide natural flood attenuation functions, such as storing surface runoff and reducing downstream flooding; the WQE beneficial use recognizes the ability of these systems to improve water quality through functions such as erosion control, filtration and purification of pollutants, and streambank stabilization, among others; and the WET beneficial use recognizes the ability of wetlands to provide water quality functions, such as habitat for unique plant and animal communities. When these beneficial uses were adopted, the Regional Water Board did not adopt new water quality objectives or an implementation plan designed to protect them. The proposed Policy will fill this gap.

Water Quality Objectives

We are developing narrative water quality objectives for hydrologic connectivity, stream equilibrium, and wetland and riparian area integrity. These objectives will do the following:

- Hydrologic Connectivity: Protect and maintain levels of hydrologic connectivity (e.g., upstream-downstream, channel-floodplain, and surface water-groundwater connectivity) within individual waterbodies and within watersheds as a whole in such a manner as to produce the seasonal pattern and range of flows necessary to support beneficial uses.
- Stream Equilibrium: Protect and maintain the dynamic balance, or equilibrium, between sediment loads and surface water discharges, such as by protecting

and maintaining the characteristics of streams in equilibrium, including their flows, channel shapes, slopes, planforms, and floodplain areas. This objective will prevent system imbalances, which result in excessive erosion or deposition of sediment, cause nuisance, or otherwise adversely affect beneficial uses.

- Wetland and Riparian Area Integrity: Protect and maintain controllable water quality factors in wetlands and riparian areas, including the levels of vegetation and the extent of floodplains, to support stream and wetland systems and their associated water quality functions and beneficial uses.

Implementation Plan

We are developing a comprehensive implementation plan, which will utilize existing permitting mechanisms (e.g., waste discharge requirements, section 401 water quality certifications of dredge and fill material discharges, and NPDES stormwater permits) and regulatory reviews (e.g., CEQA and timber harvest plan reviews) to achieve the proposed narrative water quality objectives and protect and restore stream and wetland system beneficial uses. The implementation plan will include the following:

- General Framework for Protection: The implementation plan will provide a reasonable framework for protecting stream and wetland system beneficial uses based on sequential avoidance, minimization, and mitigation of impacts.
- Identification Methods: The implementation plan will provide standard identification methods for streams, wetlands, and riparian areas. These methods will identify perennial, intermittent, and ephemeral waters subject to the requirements of the implementation plan and clarify differences between state and federal waters.
- Permit Performance Criteria: Consistent with the general framework, the implementation plan will provide permit performance criteria to evaluate avoidance and minimization of impacts on stream and wetland systems. Performance criteria will be used to evaluate compliance with narrative water quality objectives in existing permitting mechanisms. Site-specific and watershed-level performance criteria will aid the Regional Water Board in evaluating direct, secondary, and cumulative impacts from individual projects and across multiple permits. Performance criteria will also include restoration goals.
- Mitigation Requirements: Consistent with the general framework, the implementation plan will also require mitigation for adverse impacts on stream and wetland system areas, functions, and beneficial uses that cannot be avoided or further minimized (i.e., where permit performance criteria are not met).
- Monitoring and Adaptive Management: The implementation plan will require monitoring as necessary to assess compliance with permit performance criteria and mitigation requirements. The implementation plan will require adaptive management in response to monitoring results as necessary to achieve compliance with water quality objectives.

- Local Watershed Planning: The implementation plan will encourage local agencies to incorporate stream and wetland system protection measures consistent with the Policy into their general and specific plans and ordinances. Possible future compliance measures under the implementation plan may include development of new permitting mechanisms (e.g., new general WDRs or conditional waivers of WDRs) for projects covered by local plans and policies consistent with the proposed water quality objectives and associated implementation plan requirements.

STATE WATER BOARD COORDINATION

Throughout the Policy development process, we have coordinated with the staff of the State Water Resources Control Board (State Water Board) to ensure consistency between the Policy and statewide plans and policy goals. Many elements of the proposed Policy may have statewide applicability and State Water Board staff, and the State Water Board itself, has been supportive of the Regional Water Boards' ongoing efforts.

In 2006, the State Water Board directed the North Coast Regional Water Board to continue development of the Policy when it adopted Resolution No. 2006-0046 approving the Scott River Watershed TMDLs.² The State Water Board continued its support for the Policy by providing state contract funds in 2007 to support Policy development.

On April 15, 2008, the State Water Board will consider a resolution supporting development of a statewide "Wetland and Riparian Area Protection Policy" (State Policy) in concert with the Regional Water Boards.³ The State Policy "will ensure the protection of the vital beneficial services provided by wetlands and riparian areas" through an approach "that is watershed-based and that extends to all perennial, intermittent, and ephemeral watercourses, including wetlands, from headwater regions to lowland river mouths." The draft resolution supports the establishment of a State Policy development team consisting of State and Regional Water Board staff. The development team would be instructed to "consider and utilize relevant plans, policies, and technical documents already adopted or being developed by the Regional Water Boards" (e.g., the *Stream and Wetland Systems Protection Policy*). The resolution would further establish that "At all phases, the [State] Policy is intended to complement and support Region-specific plans and policies to protect wetlands and riparian areas and should recognize the Regional Water Boards' essential role in implementing and informing statewide policy."

We will continue to work with State Water Board staff throughout the development of our proposed regional Policy and the State Policy. Furthermore, the regional Policy will complement and inform the State Policy by proposing new water quality standards for stream and wetland systems and implementation strategies to achieve statewide and regional goals.

² The resolution is available online at:

http://www.waterboards.ca.gov/resdec/resltn/2006/rs2006_0046.pdf.

³ The State Water Board was originally scheduled to consider this resolution at its March 18, 2008, meeting, but the item was postponed until the April 15, 2008, meeting. The draft resolution is available online at:

http://www.waterboards.ca.gov/cwa401/docs/wrapp2008/draft_item_resolution.pdf.

**PRELIMINARY STAFF
RECOMMENDATION:**

This is a written informational item. No formal Regional Water Board action is necessary at this time.

(040308_BH_SWSPPEOSR)

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2008-0026**

DEVELOPMENT OF A POLICY TO PROTECT WETLANDS AND RIPARIAN AREAS
IN ORDER TO RESTORE AND MAINTAIN THE WATER QUALITY AND BENEFICIAL USES
OF THE WATERS OF THE STATE

WHEREAS:

1. Over 85 percent of historic wetland and riparian acreage in California has been lost according to published research estimates. Remaining resources continue to be vulnerable to future impacts from projected population growth, land development, sea level rise, and climate change in California.
2. Although physically occupying only a small percentage of California watersheds, wetlands and riparian areas provide valuable water quality functions such as flood control, pollutant filtration, water supply and replenishment, recreation, and habitat for a wide variety of plants and animals. Wetlands and riparian areas act to promote the health and existence of other vital natural resources, and provide significant economic benefits to California.
3. The value of wetlands and riparian areas has been recognized in California through the enactment of the California Wetlands Conservation Policy that sets a goal to “ensure no overall net loss and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship, and respect for private property” (Executive Order W-59-93).
4. The State has relied primarily on requirements of the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) (Clean Water Act) to protect wetlands and riparian areas for water quality goals.
5. Recent U.S. Supreme Court rulings (*Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 2001 and *Rapanos v. United States*, 2006) have reduced the jurisdiction of the Clean Water Act over wetland and riparian areas by limiting the definition of “waters of the United States.” These decisions necessitate the use of California’s independent authorities under the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) to protect these vital resources.
6. In 2003, the State Water Resources Control Board (State Water Board) issued a report to the Legislature titled, *Regulatory Steps Needed to Protect and Conserve Wetlands Not Subject to the Clean Water Act (Supplemental Report of the 2002 Budget Act Item 3940-001-0001)*. This report reviewed the critical role that wetlands and riparian areas have in protecting the beneficial uses of waters throughout the State. Consistent with the State Water Board and Regional Water Quality Control Boards’ (Regional Water Boards) (collectively California Water Boards) 2001 Watershed Management Initiative, this report further recognizes that a watershed-level approach is needed to protect wetlands and riparian areas and their associated water quality functions.

7. In 2004, State Water Board staff initiated a Workplan upon the California Environmental Protection Agency's request (*Workplan: Filling the Gaps in Wetland Protection*) to address the waters of the State that are no longer protected under the Clean Water Act. This *Workplan* specified the need to adopt a State wetland definition to "provide a standard metric to help determine compensatory mitigation requirements and compliance with [the] 'no net loss' policy [Executive Order W-59-93]." In addition, the *Workplan* included developing a statewide policy for wetland protection "at least as protective as the federal requirements." To immediately address part of "the gap," the State Water Board adopted general waste discharge requirements for minor discharges to non-federal waters ([Water Quality Order 2004-0004 May 4, 2004](#)).
8. California continues to lose "functional wetlands" at an increasing rate despite the efforts of the State's 401 Water Quality Certification Program. This fact is documented in a State Water Board research study contracted with UCLA titled *An Evaluation of Compensatory Mitigation Projects Permitted Under Clean Water Act Section 401 by The California State Water Resources Control Board, 1991-2002*. The current implementation of the 401 Water Quality Certification Program does not adequately protect functional wetlands. Unfortunately, compliance with regulatory requirements has not resulted in resource protection. Clearly, there is a need for a strong statewide policy that provides both guidance on the protection and restoration of wetlands, as well as assessing and measuring net change in wetland functions. . The purpose of the proposed Policy is to ensure no further net loss and ultimate long-term gain in the quantity and quality of "functional" wetlands and riparian areas within the State. Successful implementation of the proposed Policy will be assessed via measurable environmental outcomes.
9. In 2007, State Water Board staff completed public scoping meetings on wetland and riparian area policy alternatives and considered comments received in accordance with the California Environmental Quality Act.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board recognizes the beneficial services of wetlands and riparian areas for people and wildlife in protecting and improving water quality, providing fish and wildlife habitat including unique plant communities (i.e., wetland and riparian vegetation), storing floodwaters, maintaining surface water flows in dry periods, and other valuable functions. California has a rich ecological diversity, therefore, the State Water Board further recognizes that watershed focused planning is the most effective strategy for maintaining and enhancing these functions.
2. The State Water Board will take action to ensure the protection of the vital beneficial services provided by wetlands and riparian areas through the development of a statewide policy to protect wetlands and riparian areas (Policy) that is watershed-based.
3. The Development Team, as defined below, will examine the environmental issues, evaluate the relevant alternatives, and make recommendations regarding the Policy. To ensure a comprehensive scope, the staff is directed to consider additional alternatives and recommendations other than those outlined in the 2004 *Workplan*.
4. In recognition that successful Policy implementation will require a supporting level of internal program infrastructure, major policy areas should be addressed in a step-wise fashion and implemented in phases to allow for commensurate program development. The Policy shall

support efforts to collect wetland data to monitor progress towards statewide wetland protection and to evaluate the level of program resources needed, including staffing, to undertake the next phases.

5. (a) The State Water Board staff is directed to develop the Policy using a collaborative process that involves the Regional Water Boards and bring that Policy to the State Water Board for consideration. A California Water Board development team (Development Team) will be formed for the Policy. The Development Team will consider and utilize relevant plans, policies, and technical documents already adopted or being developed by the Regional Water Boards, including the Stream and Wetland Systems Protection Policy Basin Plan Amendment being prepared by Regions 1 and 2.
 - (b) The Development Team will coordinate with other State and federal agencies and interested stakeholders to ensure a high degree of public involvement and agency coordination throughout the Policy development process.
 - (c) A charter will be developed by the Development Team defining the Development Team's purpose, responsibilities, goals and objectives, operating procedures, and timelines. The charter will identify the relationship of the Development Team to the water boards, other public agencies, and stakeholders. In July 2008, the Development Team will report back to the State Water Board on the proposed charter, before adoption by the Development Team.
 - (d) The State Water Board will review the Development Team's progress in July 2008, and periodically thereafter to provide oversight guidance as needed.
 - (e) The Policy, as well as the work of the Development Team, will inform and shape proposed Regional Basin Plan amendments. At a minimum for the proposed Regional Basin Plan amendments, this would include a review following the completion of the peer review process, and also a review within the public comment period prior to adoption hearings by the Regional Water Boards.
6. The Development Team will develop the Policy in three phases:

Phase 1 – establish a Policy to protect wetlands from dredge and fill activities. The Development Team is directed to develop and bring forward for State Water Board consideration: (a) a wetland definition that would reliably define the diverse array of California wetlands based on the United States Army Corps of Engineers' wetland delineation methods to the extent feasible, (b) a wetland regulatory mechanism based on the 404 (b)(1) guidelines (40 C.F.R. parts 230-233) that includes a watershed focus, and (c) an assessment method for collecting wetland data to monitor progress toward wetland protection and to evaluate program development.

Phase 2 – expand the scope of the Policy to protect wetlands from all other activities impacting water quality. The Development Team is directed to develop and bring forward for State Water Board consideration: (a) new beneficial use definitions, (b) water quality objectives, and (c) a program of implementation to achieve the water quality objectives, as necessary, to protect wetland-related functions.

Phase 3 – extend the Policy’s protection to riparian areas. The Development Team is directed to develop, and bring forward for State Water Board consideration: (a) new beneficial use definitions, (b) water quality objectives, and (c) a program of implementation to achieve the water quality objectives, as necessary, to protect riparian area-related functions.

7. The Development Team will begin Phase 1 immediately with a target completion date of mid-2009. Work on Phases 2 and 3 will proceed in parallel or in sequence as appropriate and will follow in subsequent years. Phase 1 work products will include:
 - a. An overarching policy statement establishing the intent of the California Water Boards to protect all waters of the State using a watershed approach in coordination with the Regional Water Boards; other local, State, and federal agencies; and local watershed and stakeholder groups and forums;
 - b. A wetland definition that would reliably define the diverse array of California wetlands based on the United States Army Corps of Engineers’ wetland delineation methods to the extent feasible;
 - c. A framework for protecting water quality and beneficial uses that relies on sequential avoidance, minimization, and mitigation of impacts; and,
 - d. Guidance on tracking wetland condition and function to monitor wetland protection and other required data to evaluate necessary program development resources.
8. At all phases, the Policy is intended to complement and support Region-specific plans and policies to protect the functionality of wetlands and riparian areas and should recognize the Regional Water Boards’ essential role in implementing and informing statewide policy.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 15, 2008.

AYE: Chair Tam M. Doduc
Vice Chair Gary Wolff, P.E., Ph.D
Charles R. Hoppin
Frances Spivy-Weber

NAY: None

ABSENT: Arthur G. Baggett, Jr.

ABSTAIN: None



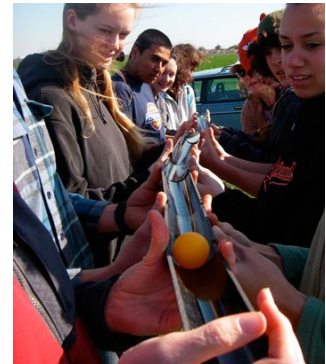
Jeanine Townsend
Clerk to the Board

CENTER FOR LAND-BASED LEARNING

[HTTP://LANDBASEDLEARNING.ORG/ABOUT-US.PHP](http://landbasedlearning.org/about-us.php)

MISSION

Our mission is to *engage youth in learning experiences on the land that foster respect for the critical interplay of agriculture, nature and society.*



ABOUT US

At the Center for Land-Based Learning, we believe that young people have the capacity to think critically, make positive decisions, work together and lead their communities. Our programs target high school students because:

- There are so few experience-based programs in agriculture and environmental sciences for this age group.
- The mid-teens are developmentally the appropriate time to instill skills that help students make positive, informed decisions about their futures.
- It's the right time to introduce students to the resources and practical information that encourages post-secondary studies related to environmental sustainability

OUR PROGRAMS IN CALIFORNIA

- Use farms, ranches and natural ecosystems as educational laboratories for inner-city, suburban and rural high school students;
- Impart appreciation for where food comes from and knowledge about environmental stewardship;
- Connect students to their communities while developing leadership skills and the ability to work cooperatively in diverse groups.



HISTORY

The Center for Land-Based Learning began as **The FARMS Leadership Program**, launched in 1993 by walnut farmer Craig McNamara.

Five high schools from Yolo, Solano, Sacramento, and Marin counties were selected to participate in the first FARMS program with a total of 30 students and six teachers.



Since then, we've initiated new FARMS Leadership Program sites across California, including sites in Orange and Sonoma counties, Riverside, the north state, San Luis Obispo, San Diego, Fresno and Los Angeles.



In 2001, we formed the **SLEWS Program** by partnering with Audubon California's Landowner Stewardship Program, effectively doubling the number of students we served annually.

The result of this dramatic growth and increased demand led to the formation of FARMS Leadership, Inc., a 501(c)3 non-profit organization, in February, 2001. That same year, we moved to new headquarters at **The Farm on Putah Creek** in Winters, California.

In 2004, we changed our name to Center for Land-Based Learning to reflect our broader scope of programs. The Center continues to add new FARMS Leadership Program and SLEWS sites around California. At the Farm on Putah Creek we host tours, workshops and educational field days related to sustainable agriculture, natural resource conservation, and ecological restoration.

This growth (we now reach almost 2,000 students a year!) has been possible with partnerships and collaboration among schools, teachers, farmers and ranchers, universities and colleges, farm bureaus, resource conservation districts, and funding from local, state and federal sources.



Student and Landowner Education and Watershed Stewardship

SLEWS PROGRAM

SLEWS — Student and Landowner Education and Watershed Stewardship — engages high school students in habitat restoration projects that enhance classroom learning, develop leadership skills and result in real habitat restoration.

WHY SLEWS IS NEEDED



Not long ago, the Central Valley was a rich and diverse system of streams, wetlands, woodlands and grasslands. In the last 200 years, agriculture and development have reduced the number and quality of these ecosystems. The loss of native plants, coupled with intense grazing, has contributed to large-scale erosion, degradation of water quality, and loss of wildlife habitat.

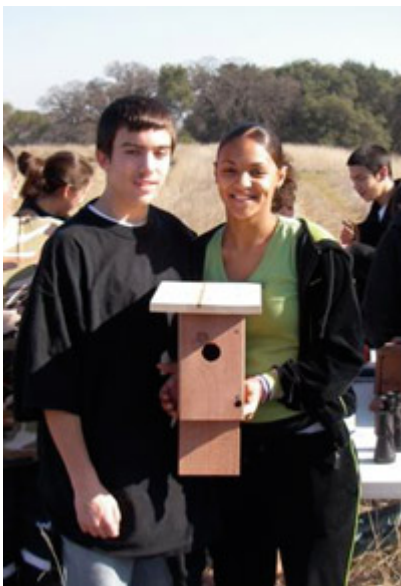
Today, many farmers, ranchers and land managers are responding to the crisis in ecosystem health with conservation and restoration projects. Unfortunately, they often don't have the time, labor, and expertise to make these projects successful in the long-term. This is where SLEWS comes in.

Fortunately, ecosystem restoration offers tremendous opportunities to teach teenagers about a range of academic subjects, as well as important developmental skills like cooperation and leadership.

SLEWS brings expertise and support to high schools, most of which lack experience teaching ecological restoration. They don't have access to project sites, and they don't have resources to get students into the field for experience-based service learning.

By including Central Valley high school students in habitat restoration, SLEWS addresses the needs for healthier land and more wildlife habitat, and the need to instill conservation and stewardship values in high school students. SLEWS is one of the few habitat restoration projects targeted to high school students, who very much need to know that they can “make a difference” in their communities.

HOW SLEWS WORKS



Each year participating SLEWS high schools throughout the Central Valley select restoration projects on farms, ranches or other natural areas to adopt for the school year.

Over multiple visits, students plant oaks, cottonwoods and other native species on their site, collect native seeds, build and install bird boxes, remove invasive plants and install irrigation systems, all to increase biological diversity and improve the health of the land.

Because we partner with restoration professionals from public agencies, local watershed groups and nonprofit organizations, SLEWS projects have a real and lasting impact on the land. Most importantly, the students take their work seriously because they see how they are helping to heal the ecosystem.

SLEWS program staff support teachers with workshops, planning meetings and retreats to keep the restoration activities connected to their curriculum and classroom needs.

IMPACT

The SLEWS Program engages high school students in habitat restoration projects in order to achieve the following objectives:



1. Establish locally native vegetation and remove invasive species to create wildlife habitat and increase biological diversity.
2. Stabilize stream banks and establish native vegetation along waterways to improve water quality.
3. Connect classroom learning to the real world to enhance high school education, especially in underserved communities.
4. Provide high school students transformative experiences in nature to increase their appreciation, commitment and respect for sustainable agriculture and the natural world.

Here's what students say about SLEWS:

- “SLEWS helped me raise my grade from a “C+” to a 98%.”
- “It gave me hands-on experience which I enjoyed more than the classroom setting.”
- “SLEWS helps the environment while helping you understand nature and teamwork.”
- “I believe the SLEWS program connected me to my classmates, teachers, and the environment, and made me focus more on the outside and caring for nature.”



- “I would recommend the SLEWS program to other students because it enables you to see what you're being taught in class.”
- “It is a wonderful program that fires up your mind, heart, spirit.”
- “At SLEWS, we actually get to make a difference.”

LEARN/DO MORE

Contact SLEWS at 530-795-1544.

