



US Army Corps
of Engineers®

Regulatory Division
1455 Market Street
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

Project: Healdsburg Veterans Memorial Beach

NUMBER: 276060N
PROJECT MANAGER: Jim Mazza

DATE: May 11, 2009
PHONE: (415) 503-6775

RESPONSE REQUIRED BY: May 26, 2009
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1. **INTRODUCTION:** The County of Sonoma, Regional Parks Department (RPD), 2300 County Center Drive, Suite 120A, Santa Rosa, California 95403 (POC: Michelle Julene; 707-565-3962), has applied to the U.S. Army Corps of Engineers (USACE) for a ten-year Department of the Army permit to continue the annual installation and removal of the Healdsburg Veterans Memorial Beach, located on the Russian River immediately upstream of the Healdsburg War Memorial Dam, at 13839 Old Redwood Highway, in the City of Healdsburg, Sonoma County, California. This Department of the Army permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. **PROPOSED PROJECT:** A beach has been installed in the summer reservoir area behind the Healdsburg War Memorial Dam since the dam was initially constructed in the early 1900s. Visitation at the Healdsburg Veterans Memorial Beach averages 75,000 visitors per year during the summer months and includes both local residents and tourists. Although there are several private beaches along the Russian River, the Healdsburg Veterans Memorial Beach is one of only two public beaches in the general project vicinity. The 0.8-acre beach is part of an 11-acre park facility that includes public parking, picnic facilities, lawn/open space areas, restrooms and showers, a ranger residence, and a corporation maintenance yard.

In anticipation of the Memorial Day weekend, the beach area would undergo initial grading during the

prior week to establish a continuous gradient from the top-of-slope for public safety and access to the river. Utilizing two bulldozers, the stockpiled sand would be pushed onto the exposed bank and graded towards the exposed bar to establish an approximate 5:1 slope. At that time, a buoy line would be installed in the Russian River to demark a public wading area. After the Memorial Day weekend, the beach would be closed to the public to enable the enlargement and final grading of the beach area prior to the installation of the flashboards on the dam on or after June 26. Utilizing gravel skimmed from the exposed bar, an 8- to 10-inch high berm would be constructed approximately six feet shoreward of the water's edge to define the lateral extent of the beach area and to minimize water turbidity. The remaining stockpiled sand would be then transported by dump trucks via an existing service road to the lower beach area. In turn, bulldozers would spread out and fine grade the discharged sand to establish the final beach profile with slopes varying from 5:1 to 20:1. Finally, various appurtenant facilities would be installed, including additional buoys and safety lines in the river, lifeguard stands, and radio lines for lifeguard communications. The beach would be reopened to the public on the July 4th weekend and remain open through the Labor Day weekend. After the Labor Day weekend, all appurtenant facilities would be removed from the beach area and stored in a nearby corporation yard. After removal of the flashboards and lowering of the reservoir water level, the imported discharged sand would be back graded and stockpiled on the top-of-slope above ordinary

high water. The gravel berm would remain in place to be dispersed by subsequent winter high-flow events.

As shown in the attached drawings, the geometry of the beach area would change somewhat from year to year based on the existing seasonal morphology of the affected bank and the exposed bar along the toe-of-slope. The overall beach area would be approximately 350 feet in length and vary from 75 to 105 feet in width, extending from the top-of-slope towards the water's edge; below the plane of ordinary high water, the beach would vary from 35 to 65 feet in width. The overall beach area would necessitate the discharge of up to 1,000 cubic yards (cys) of imported, clean sand that is stockpiled along the top-of-slope during the winter months; of this volume, approximately 650 cys of sand would be discharged below the plane of ordinary high water, causing temporary disturbance of up to 0.43 acre of riverbed. No equipment operation or discharge of dredged or fill material would occur in flowing water.

Purpose and Need: The RPD indicates the purpose and need for the project are to provide safe public access to the Russian River for water-dependent recreational activities occurring in the summer reservoir area behind the Healdsburg War Memorial Dam.

Site Description: The Middle Reach of the Russian River is characterized by a series of low-gradient meander bends and the formation of point bars that tend to accumulate large volumes of sand and gravel originating from the upper watershed. The channel and meander bends are typically confined by levees constructed along the outer banks. Water flow exhibits extreme seasonal variation, from perennial to episodic in magnitude, even though daily flows are partially regulated by Coyote Dam. Summer water temperatures in the Middle Reach often exceed the lethal limits for salmonid fish species. At the project reach, the Russian River is approximately 400 feet in width from top-of-bank to top-of-bank. During the

summer low-flow period, an exposed bar, 50 to 100 feet in width, exists along the east bank where the beach is constructed. Any riffle/pool complex that would otherwise exist in the project reach during the summer low-flow period is largely inundated by a seasonal reservoir created by the installation of flashboards on the Healdsburg War Memorial Dam. The flashboards are typically in place from June 26 to late September and raise the water level up to seven feet above the normal summer low-flow water level. Riparian vegetation occurs as discontinuous stands of Fremont cottonwood (*Populus fremontii*), Oregon ash (*Fraxinus latifolia*), narrow-leaf willow (*Salix exigua*), arroyo willow (*Salix lasiolepis*), and other species. The outer bank adjacent to the beach area and the exposed bar are largely devoid of native vegetation due to past grading activities associated with beach installation and removal events.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Naturally spawned populations of ESA federally-listed Central California Coast endangered coho salmon (*Oncorhynchus kisutch*), Central California Coast threatened steelhead (*Oncorhynchus mykiss*), and

threatened California Coastal chinook salmon (*Oncorhynchus tshawytscha*) inhabit the Russian River Basin, including the project reach. Critical habitat has been also designated for steelhead, chinook, and coho salmon to include all estuarine and river reaches accessible to salmonids below longstanding, naturally impassable barriers. Designated critical habitat consists of the water, riverbed, and adjacent riparian habitat zone. Due to the lack of suitable spawning and rearing habitat and high summer water temperatures, the project reach is presumed to principally serve as a migratory corridor for adult and juvenile salmonids. Adult coho salmon generally enter the Russian River and migrate upstream to spawn from late October to mid-February and die within two weeks after spawning. Yearling juvenile coho salmon tend to migrate downstream to the ocean from March to mid-June. Steelhead are capable of repeat spawning episodes. Adult steelhead enter the Russian River from late fall through April and begin spawning in December. Juvenile steelhead can remain in freshwater from one to three years and tend to migrate downstream to the ocean during the spring and early summer months. Chinook salmon begin their upstream migration in the late fall, with the advent of heavy rains, and spawn shortly after returning to their natal streams; this migratory period may continue into March or early April and generally peaks in December and January. Juvenile chinook salmon begin their downstream migration in late March or early April, with out migration peaking in mid-May.

Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat.

The USACE has made a preliminary determination that the project is not likely to adversely affect threatened and endangered salmonids or designated critical habitat. To address project related impacts to salmonids and critical habitat, the USACE will

initiate informal Section 7 consultation with the National Marine Fisheries Service, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). The consultation process must be concluded prior to the issuance of any Department of the Army permit for the project.

No other federally listed threatened or endangered species is known to occur in the immediate project reach or in the project vicinity.

Magnuson-Stevens Fisheries Conservation and Management Act: Essential Fish Habitat - The Magnuson-Stevens Fishery Conservation and Management Act requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions permitted by the agency that may adversely affect Essential Fish Habitat (EFH). This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project would impact approximately 0.43-acre of EFH utilized by steelhead, coho and chinook salmon. The Corps' initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in California Waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403 by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is water dependent.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program, if applicable. The proposed project is not within the Coastal Zone.

National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative

effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, North Branch, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with

particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Mr. Jim Mazza of our office at telephone (415) 503-6775 or E-mail: james.c.mazza@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.