



US Army Corps
of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

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Regulatory Branch
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San Francisco, CA 94105-2197

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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 five-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. **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. **PROJECT DESCRIPTION:** 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.

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.

4. **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. A beach has been installed at this location 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.

5. **STATE APPROVALS:** State water quality certification or a waiver is a prerequisite for the issuance of a Department of the Army permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act (33 U.S.C. 1341). The RPD has submitted a complete application for water quality certification to the Regional Water Quality Control Board (RWQCB). No Department of the Army permit will be issued until the RPD has obtained the required certification or waiver. A waiver will be explicit, or it may be presumed if the RWQCB fails or refuses to act on a complete application for water quality certification within 60 days of receipt, unless the District Engineer determines a shorter or longer period is a reasonable time for the RWQCB to act. Water quality issues should be directed to the Executive Officer, Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403, by the close of the public notice comment period.

Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1456(c)), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to furnish a certification that indicates the activity conforms with the State's coastal zone management program. Generally, no federal license or permit will be issued until the appropriate State agency has concurred with the certification statement or has waived its right to do so. The project does not occur in the coastal zone, and a preliminary review by the USACE indicates that the project would not likely affect coastal zone resources. This presumption on effect, however, remains subject to a final determination by the California Coastal Commission.

The project is also subject to the provisions of a 1601 Streambed Alteration Agreement issued by the California Department of Fish and Game in March 2002.

6. **COMPLIANCE WITH VARIOUS FEDERAL LAWS:**

National Environmental Policy Act of 1969 (NEPA): At the conclusion of the public comment period, the USACE will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347), the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, and USACE Regulations at 33 CFR Part 325. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of the USACE and other non-regulated activities the USACE determines to be within its purview of Federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department of the Army permit for the project.

Endangered Species Act of 1973 (ESA): Naturally spawned populations of Central California Coast coho salmon (*Oncorhynchus kisutch*), Central California Coast steelhead (*Oncorhynchus mykiss*), and California Coastal chinook salmon (*Oncorhynchus tshawytscha*) inhabiting the Russian River Basin, including the project reach, have been federally listed as threatened under the Endangered Species Act. Critical habitat has been also designated for 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.

The USACE has made a preliminary determination that the project is not likely to adversely affect threatened 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 Fishery Conservation and Management Act of 1996 (MSFCMA): The Russian River Basin occurs within essential fish habitat for the Pacific Salmon Fishery that includes both coho and chinook salmon. Essential fish habitat for these species essentially corresponds to the constituent habitat elements of designated critical habitat for coho salmon. The USACE has made a preliminary determination that the project is not likely to adversely affect essential fish habitat for federally managed fisheries in California waters. The aforementioned Section 7 consultation process will be used to address project related impacts to essential fish habitat.

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 archaeological resources are known to occur in the project reach or in the project vicinity. Since the exposed bar and bank are seasonally scoured and altered by high-flow storm events, project related grading and excavation activities would not likely encounter intact archaeological resources. If unrecorded archaeological resources were discovered during the course of work, such operations would be suspended until the USACE concluded Section 106 consultation with the State Historic Preservation Officer to take into account any project related impacts to such resources.

7. COMPLIANCE WITH THE 404(b)(1) GUIDELINES: Project related discharges of dredged or fill material into waters of the United States must comply with the Guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. 1344(b)). An evaluation pursuant to the Guidelines indicates the project is dependent on location in or proximity to waters of the United States to achieve the basic project purpose of providing access to the Russian River. This conclusion raises the (rebuttable) presumption of the availability of a practicable alternative to the project that would result in less adverse impact to the aquatic ecosystem, while not causing other major adverse environmental consequences. The RPD has submitted an analysis of project alternatives to be reviewed for compliance with the Guidelines.

8. PUBLIC INTEREST EVALUATION: The decision on whether to issue a Department of the Army permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of

project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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.

9. CONSIDERATION OF COMMENTS: The USACE 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 the project. All comments received by the USACE will be considered in the decision on whether to issue, modify, condition, or deny a Department of the Army permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental factors addressed in a final Environmental Assessment or Environmental Impact Statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project.

10. SUBMITTING COMMENTS: During the specified comment period, interested parties may submit written comments to the San Francisco District, Regulatory Branch, North Section, citing the applicant's name and Public Notice Number in the letter. Comments may include a request for a public hearing on the project prior to a determination on the Department of the Army permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All comments will be forwarded to the RPD for resolution or rebuttal. Additional information may be obtained from the RPD or by contacting Mr. Peter Straub of the Regulatory Branch at telephone 415-977-8443.