



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534  
(707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



September 17, 2020

Jason Beatty  
City of Petaluma  
202 North McDowell Boulevard  
Petaluma, CA 94954  
[jbeatty@cityofpetaluma.org](mailto:jbeatty@cityofpetaluma.org).

Dear Mr. Beatty:

**Final Lake or Streambed Alteration Agreement, Notification No. 1600-2020-0016-R3,  
City of Petaluma Maintenance Dredging**


Enclosed is the final Streambed Alteration Agreement (Agreement) for the City of Petaluma Maintenance Dredging (Project). Before the California Department of Fish and Wildlife (CDFW) may issue an Agreement, it must comply with the California Environmental Quality Act (CEQA). In this case, CDFW determined your Project is exempt from CEQA and filed a Notice of Exemption (NOE) on the same date it signed the Agreement.

Under CEQA, the filing of an NOE triggers a 35-day statute of limitations period during which an interested party may challenge the filing agency's approval of the Project. You may begin the Project before the statute of limitations expires if you have obtained all necessary local, state, and federal permits or other authorizations. However, if you elect to do so, it will be at your own risk.

If you have any questions regarding this letter, please contact James Hansen, Environmental Scientist at (707) 576-2869 or by email at [james.hansen@Wildlife.ca.gov](mailto:james.hansen@Wildlife.ca.gov).

Sincerely,

DocuSigned by:

  
BE74D4C93C604EA...  
Gregg Erickson  
Regional Manager  
Bay Delta Region

ec: Pacific Eco Risk  
Jeffrey Cotsifas; [cotsifas@pacificecorisk.com](mailto:cotsifas@pacificecorisk.com)

California Department of Fish and Wildlife, Bay Delta Region  
Lieutenant J. Jones, Law Enforcement Division  
Warden J. Swaney, Law Enforcement Division  
James Hansen, Environmental Scientist, [james.hansen@wildlife.ca.gov](mailto:james.hansen@wildlife.ca.gov).

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

BAY DELTA REGION  
2825 CORDELIA ROAD, SUITE 100  
FAIRFIELD, CA 94534  
(707) 428-2002



**STREAMBED ALTERATION AGREEMENT**  
NOTIFICATION NO. 1600-2020-0016-R3  
PETALUMA RIVER

CITY OF PETALUMA  
CITY OF PETALUMA MAINTENANCE DREDGING

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and City of Petaluma (Permittee) as represented by Jason Beatty.

**RECITALS**

WHEREAS, pursuant to Fish and Game Code section 1602, Permittee notified CDFW on January 27, 2020 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to Fish and Game Code section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with the Agreement.

**PROJECT LOCATION**

The project is located on the Petaluma River at 781 Baywood Drive, Petaluma, in the County of Sonoma, State of California; Latitude 38.22853, Longitude -122.62999.

**PROJECT DESCRIPTION**

The project is limited to the dredging of sediment from the Petaluma Marina and the Petaluma River Federal Navigation Channel and Turning Basin. Routine dredging episodes will occur over 5 years and will encompass the entire footprint of the Petaluma Marina and selected areas of the Federal Channel and Turning Basin as needed. It is estimated that up to 120,000 cubic yards of material will be removed from the 7.2-acre marina during the first dredging episode. This project includes up to five dredge episodes, for a maximum a total of 350,000 cubic yards of sediment to be removed. Per episode, the amount of material to be removed from the 20.4-acre navigation channel

and 7.7-acre turning basin will be dependent on whether the USACE dredges the Federal Channel and on City of Petaluma funding availability. The design dredging depth for the marina ranges from -8 to -10 feet mean low water, plus an over-depth allowance of two feet. The design dredging depth for the federal channel is -8 feet mean low water, plus an over-depth allowance of two feet. Dredge materials from the current episode will be disposed of at the unconfined aquatic disposal site SF-10 San Pablo Bay Disposal Site, the Shollenberger Dredged Material Placement Site, or the Cullinan Ranch Restoration Site.

Dredging will be conducted from a dump scow with a mechanical clamshell excavator bucket dredge, and then transported by a tugboat. No overflow water will be allowed back into the river from the scow. During placement of the sediment at the Shollenberger Dredged Materials Placement Site, water from the Petaluma River or San Pablo Bay will be used to facilitate pumping of the dredge material within the scow to the placement site. When pumping water, a fish screen will be used on the intake of the pump with holes less than 5/32-inch or triangular wire mesh less than 3/4-inch. The approach velocity of the water into the screen will not exceed 0.2 ft/sec.

## PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include:

- California clapper rail (*Rallus longirostris obsoletus*)
- California black rail (*Laterallus jamaicensis coturniculus*)
- salt marsh harvest mouse (*Reithrodontomys raviventris*)
- longfin smelt (*Spirinchus thaleichthys*)
- saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*)
- pickleweed (*Sarcocornia pacifica*)
- other nesting birds
- other aquatic organisms
- wetlands and emergent wetland vegetation
- riparian habitat
- water quality

The adverse effects the project could have on the fish or wildlife resources identified above include:

- disruption to salt-marsh habitat
- disruption to fully protected salt-marsh species
- disruption to Delta smelt and longfin smelt
- change in contour of bed, channel or bank
- accelerated channel scour
- loss of bank stability during construction
- increase of bank erosion during construction
- disruption to nesting birds and other wildlife
- soil compaction or other disturbance to soil layer
- direct take of fish and other aquatic species
- increased turbidity

## MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

### 1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the project site at any time to verify compliance with the Agreement.
- 1.5 Notify CDFW Prior to Work. The Permittee shall notify CDFW by email at least five working days prior to commencement of covered activities. See contact information below.
- 1.6 No Trespass. To the extent that any provisions of this Agreement provide for activities that require the Permittee to traverse another owner's property, such provisions are agreed to with the understanding that the Permittee possesses the legal right to so traverse. In the absence of such right, any such provision is void.
- 1.7 Unauthorized Take. The Permittee is required to comply with all applicable State and Federal laws, including the California Endangered Species Act (CESA) and Federal Endangered Species Act. This Agreement does not authorize the take of any State or Federal endangered or threatened species. Liability for any take or incidental take of such listed species remains the responsibility of the Permittee for the duration of the project. Any unauthorized take of such listed species may result in prosecution and nullification of the Agreement.



- 1.8 Fish Passage. The project shall be in compliance with Fish and Game Code section 5901 and shall not install or maintain any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish up and down stream.
- 1.9 Designated Representative. Before initiating ground-disturbing project activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with this Agreement. The Permittee shall notify CDFW in writing 5 days prior to commencement of project activities of the Designated Representative's name, business address, and contact information. Permittee shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of this Agreement.

## **2. Avoidance and Minimization Measures**

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

### **Work Period and Design**

- 2.1 Work Period. All work shall begin on or after June 1 and all work shall be completed by November 30. Revegetation work is not limited to this work window but must be completed within the same season as project activities. If more time is needed to complete Project activities, the work period may be modified in writing on a week-by-week basis by a CDFW representative. Requests for a work period extension shall: 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) detail the time required to complete each of the remaining activities; 4) provide photographs of both the current work completed and the proposed site for continued work; and 5) include an assessment of additional biological impacts as a result of the work extension.
- 2.2 Work According to Documents. Except as they are contradicted by measures required by this Agreement, all work shall be conducted in conformance with the project description above and the avoidance, minimization, and mitigation measures provided in the notification package.
- 2.3 Work According to Plans. All work shall be completed according to the plans submitted to CDFW titled *Petaluma Marina and The Petaluma River Federal Navigation Channel*, prepared by Pacific EcoRisk (Exhibit A). If the Permittee finds it necessary to update project plans prior to construction, the updated plans will be submitted to CDFW at least 30 days prior to beginning project activities to determine if an Amendment to this Agreement is required. Project activities shall not proceed until CDFW has accepted the updated plans in writing. At the discretion of CDFW, minor plan modifications may require an amendment to this

Agreement. At the discretion of the CDFW, if substantial changes are made to the original plans this Agreement becomes void and the Permittee shall submit a new notification.

- 2.4 Best Management Practices. All Best Management Practices (BMPs) and other conditions as submitted in the Notification shall be implemented as part of this project, unless otherwise conditioned herein.

### **Wildlife Protection – Fully Protected Species**

- 2.5 Fully Protected Species. At dredging disposal sites adjacent to salt marsh, a qualified biologist or biological monitor shall be present on site to survey and monitor for CDFW Fully Protected species, including salt marsh harvest mouse (SMHM), Ridgway's (California Clapper) rail (CCR), and California black rail (CBR), during a) all vegetation removal; b) the construction of exclusion fencing; c) all work within 300 feet of tidal or pickleweed habitats. The qualified biologist or biological monitor shall have the authority to stop work if deemed necessary for any reason to protect these species, or any other special status species. Take or possession of these CDFW Fully Protected species is prohibited (Fish and Game Code Sections 3511 and 4700) and no permits may be issued for such.
- 2.6 Ridgway's (California Clapper)/Black Rail – Avoidance and Surveys. Any project activities within or adjacent to tidal marsh or suitable Ridgway's (California clapper) rail (CCR) or California black rail (CBR) habitat shall be avoided during rail breeding season (January 15 – August 31 for CCR, February 1 – August 31 for CBR) each year unless appropriately timed, yearly protocol level surveys are conducted and survey methodology and results are submitted to and accepted by CDFW. Surveys shall focus on suitable habitat that may be disturbed by project activities during the breeding season to ensure that these species are not nesting in these locations.

If breeding rails are determined to be present, no activities, visual disturbance (direct line of sight) and/or an increase in the ambient noise level shall occur within 700 feet of areas where CCR and/or CBR have been detected during the breeding season. If surveys have not been conducted, all work shall be conducted 700 feet from CCR and/or CBR habitat during nesting season.

- 2.7 Salt Marsh Harvest Mouse – Vegetation. Prior to impacting salt marsh habitat, an approved qualified biologist or biological monitor, familiar with salt marsh harvest mouse (SMHM), shall walk through and inspect suitable habitat prior to vegetation removal and search for signs of harvest mice or other sensitive wildlife and plants. Following inspection, personnel, under the supervision of the qualified biologist, will disturb (e.g., flush) vegetation to force movement of SMHM into adjacent marsh areas. Flushing of vegetation will first occur in the center of the site then progress toward the two sides away from the open water areas or in this case, away from

impacted habitat. Immediately following vegetation flushing, personnel, under the supervision of the qualified biologist or biological monitor, will remove vegetation with hand tools (e.g. weed-eater, hoe, rake, trowel, shovel, grazing) so that vegetation is no taller than 2 inches. An approximately 2-foot wide de-vegetated buffer shall be created next to the project site.

- 2.8 Salt Marsh Harvest Mouse – Exclusion Fencing. After vegetation removal, a mouse proof barrier shall be placed two feet from the edge of vegetation to further reduce the likelihood of SMHM returning to the area prior to construction. The fence shall be made of a heavy plastic sheeting material that does not allow salt marsh harvest mice to pass through or climb, and the bottom shall be buried to a depth of 4 inches so that salt marsh harvest mouse cannot crawl under the fence. Fence height shall be at least 12 inches higher than the highest adjacent vegetation with a maximum height of 4 feet. All supports for the exclusion fencing shall be placed on the inside of the work area.
- 2.9 Salt Marsh Harvest Mouse – Inspections. The SMHM exclusion fencing shall remain in operating condition throughout the duration of all placement of fill events. The qualified biologist or biological monitor shall daily inspect the integrity of the exclusion fencing to ensure there are no gaps, tears or damage. Maintenance of the fencing shall be conducted as needed. Any necessary repairs to the fencing shall be completed within 24 hours of the initial observance of the damage. Any mice found along or outside the fence shall be closely monitored until they move away from the project area.

### **Wildlife Protection and Prevention**

- 2.10 CDFW-Approved Qualified Biologist(s) and Monitor(s). Permittee shall submit to CDFW for written approval, the names and resumes of all qualified biologists and biological monitors involved in conducting surveys and/or monitoring work.
- A qualified biologist is an individual who shall have a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two years conducting surveys for each species that may be present within the project area.
  - A biological monitor is an individual who shall have academic and professional experience in biological sciences and related resource management activities as it pertains to this project, experience with construction-level biological monitoring, be able to recognize species that may be present within the project area, and be familiar with the habits and behavior of those species.
- 2.11 Training Session for Personnel. Permittee shall ensure that a CDFW-approved qualified biologist conducts an education program for all persons employed on the project prior to performing covered activities. Instruction shall consist of a

presentation by the designated qualified biologist that includes a discussion of the biology and general behavior of any sensitive species which may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered. The status of CESA-listed species including legal protection, penalties for violations and project-specific protective management measures provided in this Agreement shall be discussed. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to on-site project activity. Copies of the Agreement for this project shall be maintained at the worksite with the project supervisor. Permittee or designated biologist shall prepare and distribute wallet-sized cards or a factsheet handout containing this information for workers to carry on-site. Upon completion of the program, employees shall sign an affidavit stating they attended the program and understand all protection measures. These forms shall be filed at the Permittee's office and be available to CDFW upon request.

- 2.12 Special Status Species Encountered During Work. If Permittee encounters special status species during the conduct of Project Activity, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with CDFW prior to re-initiating the activity.
- 2.13 Trenching. At dredge disposal sites, at the end of each work all trenches and holes greater than one foot deep shall be covered to prevent wildlife from entering. When trenches cannot be fully covered, an escape ramp shall be placed at each end of any constructed open trench to allow any wildlife that may have become entrapped in the trench to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than 30 degrees.
- 2.14 Pipes, Hoses, and Similar Structures. All pipes, hoses, or similar structures less than 12 inches in diameter shall be closed or covered to prevent animal entry. All construction pipes or similar structures greater than 2 inches in diameter stored at the project site overnight shall be inspected thoroughly for wildlife before the pipe or similar structure is buried, capped, used, or moved.

### **Dredging Activities**

- 2.15 Protect Banks and Vegetation. Care shall be taken during placement or movement of materials on the tidal slough banks to prevent any damage to stable tidal slough banks and to minimize damage to any streamside vegetation. Vegetation overhanging into the channel shall not be removed, trimmed, or otherwise modified.
- 2.16 Barge Overflow Requirements. No overflow or decant water shall be discharged at the Site from the barge, with the exception of minor spillage (less than one gallon per hour) incidental to mechanical dredge operations. During transportation from

the dredging site to the disposal site, no material shall be permitted to overflow, leak or spill from the barge, bins or dump scows.

- 2.17 Barges Afloat at All Times. Barges and dump scows shall remain afloat at all stages of the tide, and at no time shall rest on the bed or bank of the water body.
- 2.18 Minimize Siltation. Permittee shall take precautions to minimize siltation during dredged material placement at an upland site. Precautions shall include but are not limited to: pre-construction planning to identify site-specific siltation minimization measures and best management erosion control practices during project activity. Precautions to minimize siltation may require the upland placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers during offloading of dredged material so that silt and/or other deleterious materials are not allowed to pass into the river. Materials composing the silt barrier shall not pose an entanglement risk to upland wildlife.
- 2.19 Deleterious turbidity. This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with Fish and Game Code 5650, which addresses water pollution. If project activities are found to constitute a threat to aquatic life, CDFW approved control devices shall be installed, or abatement procedures initiated prior to continuing activities.
- 2.20 Inspection of Project Equipment. Permittee shall inspect all vehicles, coffer dams, pipes, pumps, tools, waders and boots, and other project related equipment and remove all visible soil/mud, plant materials, and animal remnants prior to entering and exiting the project site and/or between each use in different waterbodies.
- 2.21 Allow Wildlife to Leave Unharmred. At upland sites, Permittee shall allow any wildlife encountered during the course of construction to leave the construction area unharmed. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the removed material. Captured aquatic life shall be released immediately in the closest body of water adjacent to the work site. This condition does not allow for the take or disturbance of any state or federally listed species, or state listed species of special concern.

### **Vegetation Protection, Prevention, and Restoration**

- 2.22 Habitat Protection. Disturbance or removal of vegetation at upland disposal sites shall not exceed the minimum necessary to complete the project. Vegetation outside the construction corridor shall not be removed or damaged without prior consultation and approval of a CDFW representative.

- 2.23 Vegetation Marked for Protection. Prior to project activities at upland site disposal, the Permittee shall clearly mark all vegetation within the project area that shall be avoided during project activities.
- 2.24 Phytophthora. Permittee shall implement measures to avoid using plant stock that may be infected with the plant pathogen *Phytophthora* sp. Measures to avoid contamination with *Phytophthora* sp. may include, but are not limited to, avoiding collection of propagules from 1) known or likely infected areas; 2) during wet conditions; 3) when soil is muddy; or 4) from within 0.5 meters of the soil surface. Measures may also include implementing heat or chemical treatments to collected seeds prior to installation.
- 2.25 Exotic Plants. Permittee shall not plant, seed or otherwise introduce invasive exotic plant species. Prohibited exotic plant species include those identified in the California Exotic Pest Plant Council's database, which is accessible at: <http://www.cal-ipc.org/ip/inventory/index.php>.
- 2.26 Control Invasive Species. Permittee is responsible for monitoring and if needed, eradication of invasive exotic species that may occur within the project area for a minimum of two years following construction. All revegetation efforts shall include local plant materials native to the project area.

### **Erosion and Sediment Control**

- 2.27 Erosion control. At no time shall silt laden runoff be allowed to enter a river, stream, or lake or directed to where it may enter a river, stream, lake, or tidal slough. Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter a river, stream, or lake. Erosion control measures, such as, silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used where ever sediment has the potential to leave the work site and enter the river, stream, or lake.
- 2.28 Monofilament. Permittee shall not use erosion control materials containing plastic monofilament netting (erosion control matting) or similar material containing netting within the project area due to documented evidence of amphibians and reptiles becoming entangled or trapped in such material. Acceptable substitutes include coconut coir matting or similar.
- 2.29 Erosion Control Monitoring. Permittee shall monitor erosion control measures during and after each storm event and repair and/or replace ineffective measures immediately.
- 2.30 Disposal and Removal of Materials. All removed spoils and construction debris shall be moved outside the work area prior to inundation by water. Spoil sites shall

not be located within the stream channel or areas that may be subjected to stream flows, where spoil may be washed back into a stream, or where it may impact streambed habitat, aquatic or riparian vegetation. All removed material shall be disposed of according to State and local laws and ordinances.

- 2.31 Silt Laden Runoff. At no time shall silt laden runoff be allowed to enter the stream or directed to where it may enter the stream. Silt control structures shall be monitored for effectiveness and shall be repaired or replaced as needed.
- 2.32 Treat exposed areas. All exposed/disturbed areas and access points within the stream zone left barren of vegetation as a result of the construction activities shall be restored by seeding with a blend of native erosion control grass seeds approved by CDFW. Seeded areas shall be mulched. All other areas of disturbed soil which drain toward the stream channel shall be seeded with erosion control grass seeds. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket.

### **Material Handling, Debris, and Waste**

- 2.33 Stockpiled Materials. Building materials and/or construction equipment shall not be stockpiled or stored where they may be washed into the water or cover aquatic or riparian vegetation. Stockpiles shall be covered when measurable rain is forecasted.
- 2.34 No Dumping. Permittee and all contractors, subcontractors, and employees shall not dump any litter or construction debris within the stream, or where it may pass into the stream.
- 2.35 Pick Up Debris. Permittee shall pick up all debris and waste daily.
- 2.36 Wash water. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a lake or flowing stream or placed in locations that may be subjected to high storm flows.

### **Toxic and Hazardous Material**

- 2.37 Toxic Materials. Any hazardous or toxic materials that could be deleterious to aquatic life that could be washed into the stream or its tributaries shall be contained in water tight containers or removed from the project site.
- 2.38 Hazardous Materials. Debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which

could be hazardous to aquatic life, wildlife, or riparian habitat resulting from the project related activities shall be prevented from contaminating the soil and/or entering the Waters of the State.

### **Spills and Emergencies**

2.39 Spill Kits. Prior to entering the work site, all field personnel shall know the location of spill kits and trained in their appropriate use.

2.40 Spill of Material Deleterious to Fish and Wildlife. In the event of a hazardous materials spill into a stream (e.g., concrete or bentonite), Permittee shall immediately notify the California Office of Emergency Services State Warning Center by calling 1-800-852-7550 and immediately provide written notification to CDFW by email at [R31600Program@wildlife.ca.gov](mailto:R31600Program@wildlife.ca.gov). Permittee shall take all reasonable measures to document the extent of the impacts and affected areas including photographic documentation of affected areas, injured fish and wildlife. If dead fish or wildlife are found in the affected area, Permittee shall collect carcasses and immediately deliver them to CDFW. Permittee shall meet with CDFW within ten days of the reported spill in order to develop a resolution including: site clean-up, site remediation and compensatory mitigation for the harm caused to fish, wildlife and the habitats on which they depend as a result of the spill. The Permittee shall be responsible for all spill clean-up, site remediation and compensatory mitigation costs. Spill of materials to waters of the state that are deleterious to fish and wildlife are in violation of Fish and Game Code section 5650 et. seq. and are subject to civil penalties for each person responsible. CDFW reserves the right to refer the matter to the District Attorney's Office if a resolution cannot be agreed upon and achieved within a specified timeframe, generally six months from the date of the incident.

2.41 Spill Containment. All activities performed in or near a river, stream, tidal slough, or lake shall have absorbent materials designated for spill containment and cleanup activities on-site for use in an accidental spill. The Permittee shall immediately notify the California Emergency Management Agency at 1-800-852-7550 and immediately initiate the cleanup activities. CDFW shall be notified by the Permittee and consulted regarding clean-up procedures.

### **3. Reporting Measures**

Permittee shall meet each reporting requirement described below.

3.1 Notification Prior to Work. As per Measure 1.5, at least 5 days prior to the start of Project activities, Permittee shall notify CDFW that work will commence.



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- 3.2 Notification of Designated Representative. As per Measure 1.9, at least 5 days prior to the start of Project activities, Permittee shall submit to CDFW the name, business address, and contact information of the Designated Representative.
- 3.3 Designated Biologist and Monitor Approval. Per Measure 2.10, at least 14 days prior to the start of Project activities, Permittee shall submit to CDFW for approval the name, resume, and contact information of the proposed Designated Biologist and Monitor.
- 3.4 Notification to the California Natural Diversity Database. If any listed, rare, or special status species are detected during project surveys or on or around the project site during project activities, the Permittee shall submit CNDDDB Field Survey Forms to CDFW in the manner described at the CNDDDB website (<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>) within five working days of the sightings. Copies of such submittals shall also be submitted to the CDFW regional office as specified below.

## CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail or email, or to such other address as Permittee or CDFW specifies by written notice to the other.

### To Permittee:

Jason Beatty  
City of Petaluma  
202 North McDowell Boulevard  
Petaluma, CA 94954  
[jbeatty@ci.petaluma.ca.us](mailto:jbeatty@ci.petaluma.ca.us)

### To CDFW:

Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Rd, Suite 100  
Fairfield, CA 94534  
Attn: Lake and Streambed Alteration Program – James Hansen  
Notification #1600-2020-0016-R3  
[James.Hansen@Wildlife.ca.gov](mailto:James.Hansen@Wildlife.ca.gov)

## **LIABILITY**

Permittee shall be solely liable for any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require Permittee to proceed with the project. The decision to proceed with the project is Permittee's alone.

## **SUSPENSION AND REVOCATION**

CDFW may suspend or revoke in its entirety the Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

## **ENFORCEMENT**

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

## **OTHER LEGAL OBLIGATIONS**

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the Fish and Game Code including, but not limited to, Fish and Game Code sections 2050 *et seq.* (threatened and endangered species), section 3503 (bird nests and eggs), section 3503.5 (birds of prey), section 5650 (water pollution), section 5652 (refuse disposal into water), section 5901 (fish passage), section 5937 (sufficient water for fish), and section 5948 (obstruction of stream).

Nothing in the Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

### **AMENDMENT**

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). Submit the form and fee to the CDFW regional office that serves the area where the project is located.

### **TRANSFER AND ASSIGNMENT**

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). Submit the form and fee to the CDFW regional office that serves the area where the project is located.

### **EXTENSIONS**

In accordance with Fish and Game Code section 1605, subdivision (b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to

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Streambed Alteration Agreement  
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CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with Fish and Game Code section 1605, subdivisions (b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (Fish & G. Code § 1605, subd. (f)). Submit the form and fee to the CDFW regional office that serves the area where the project is located.

## **EFFECTIVE DATE**

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable Fish and Game Code section 711.4 filing fee listed at <https://www.wildlife.ca.gov/Conservation/CEQA/Fees>.

## **TERM**

This Agreement shall expire on December 31, 2024, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as Fish and Game Code section 1605, subdivision (a)(2) requires.

## **EXHIBITS**

The documents listed below are included as exhibits to the Agreement and incorporated herein by reference.

- A. *Petaluma Marina and The Petaluma River Federal Navigation Channel*, dated January 12, 2020, and prepared by Pacific EcoRisk

## **AUTHORITY**

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

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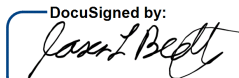
## AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with Fish and Game Code section 1602.

## CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

### FOR CITY OF PETALUMA

DocuSigned by:  


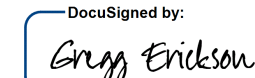
E20F4CED3A7D4EA...  
Jason Beatty

Assistant Director

9/15/2020

Date

### FOR DEPARTMENT OF FISH AND WILDLIFE

DocuSigned by:  


BE74D4C93C604EA...  
Gregg Erickson

Regional Manager

9/17/2020

Date

Prepared by: James Hansen, Environmental Scientist  
Date Draft Sent: May 5, 2020  
Date Draft Resent: August 24, 2020



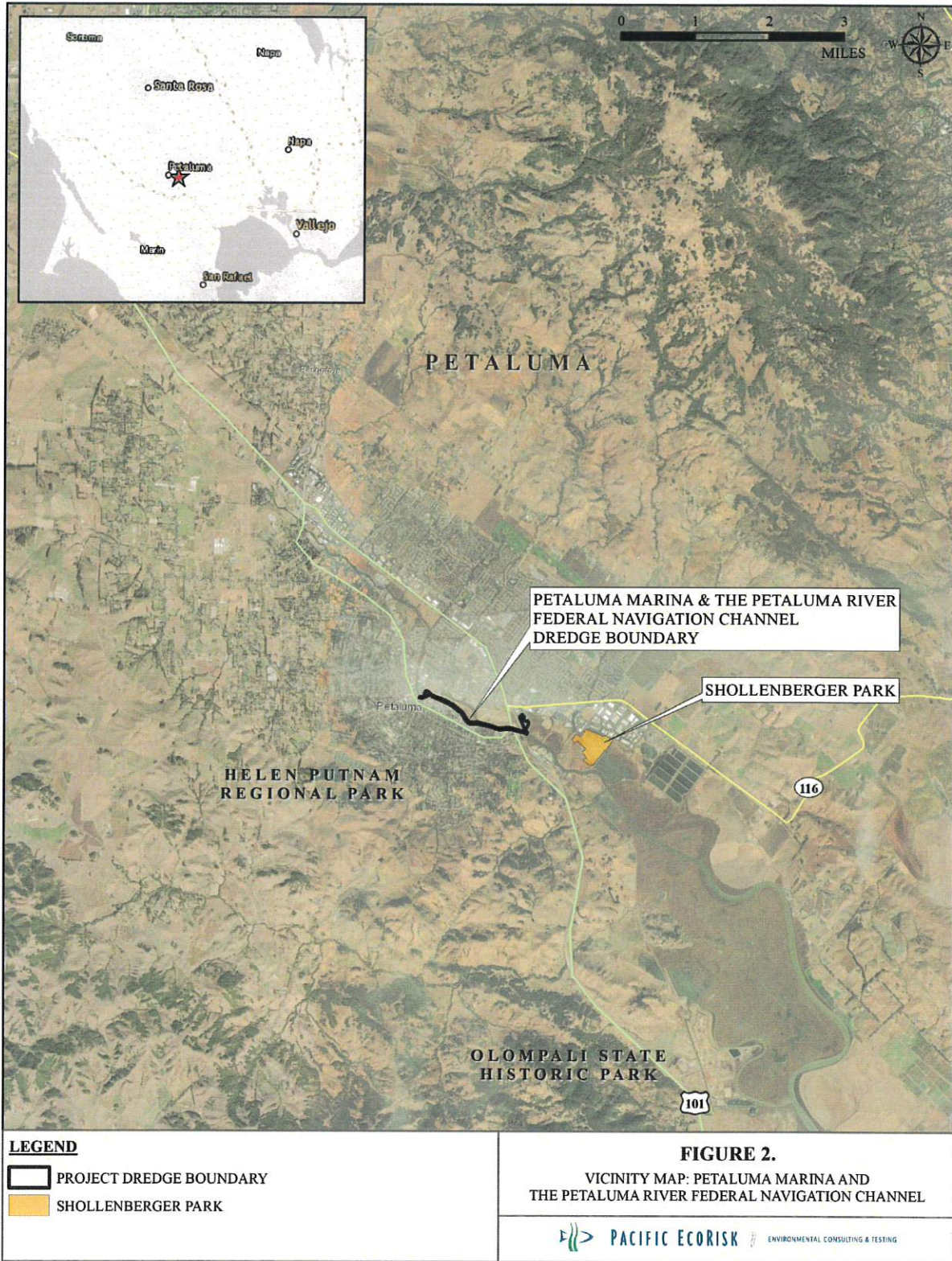
**LEGEND**

★ PROJECT LOCATION

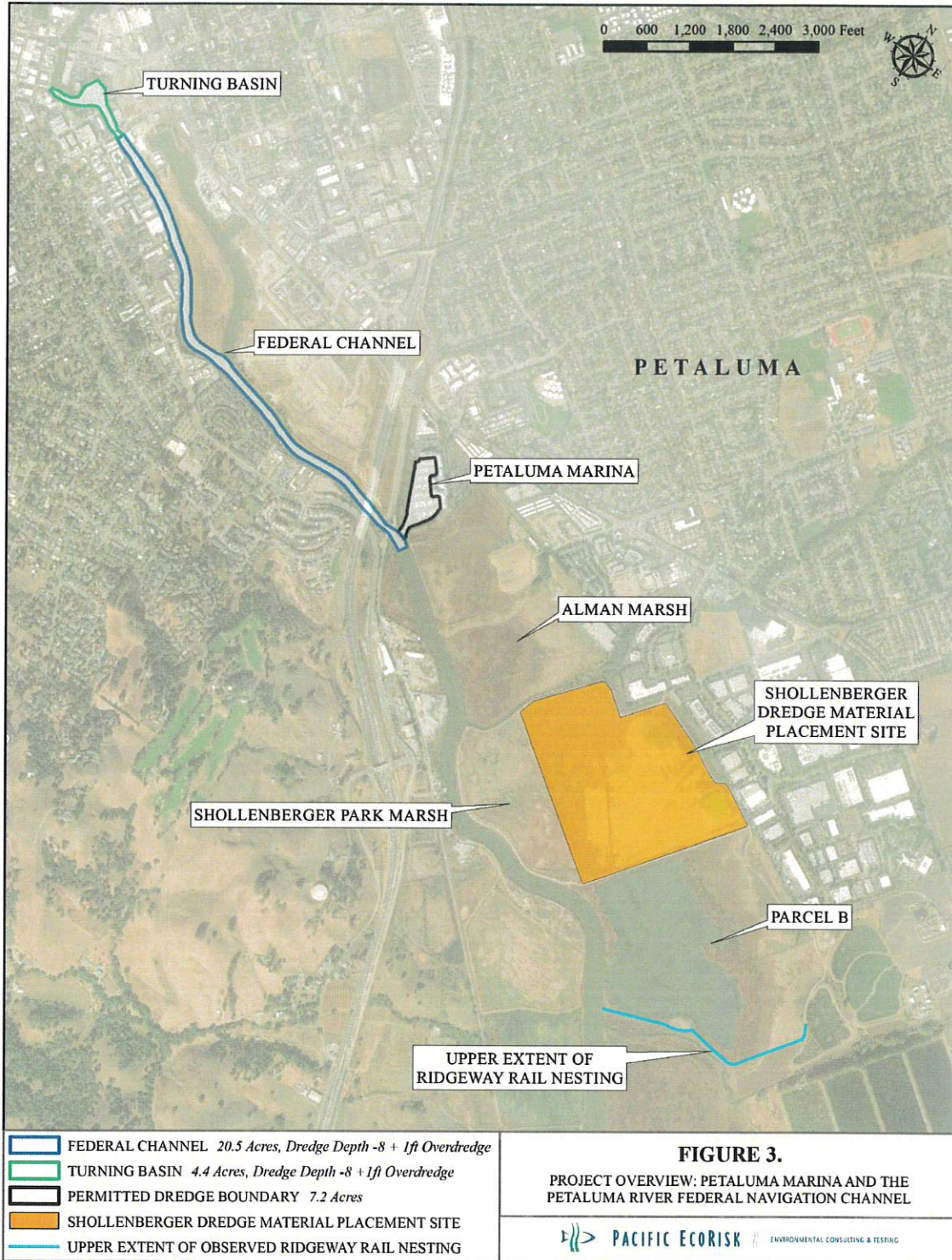
**FIGURE 1.**

LOCATION MAP: PETALUMA MARINA AND THE PETALUMA RIVER FEDERAL NAVIGATION CHANNEL

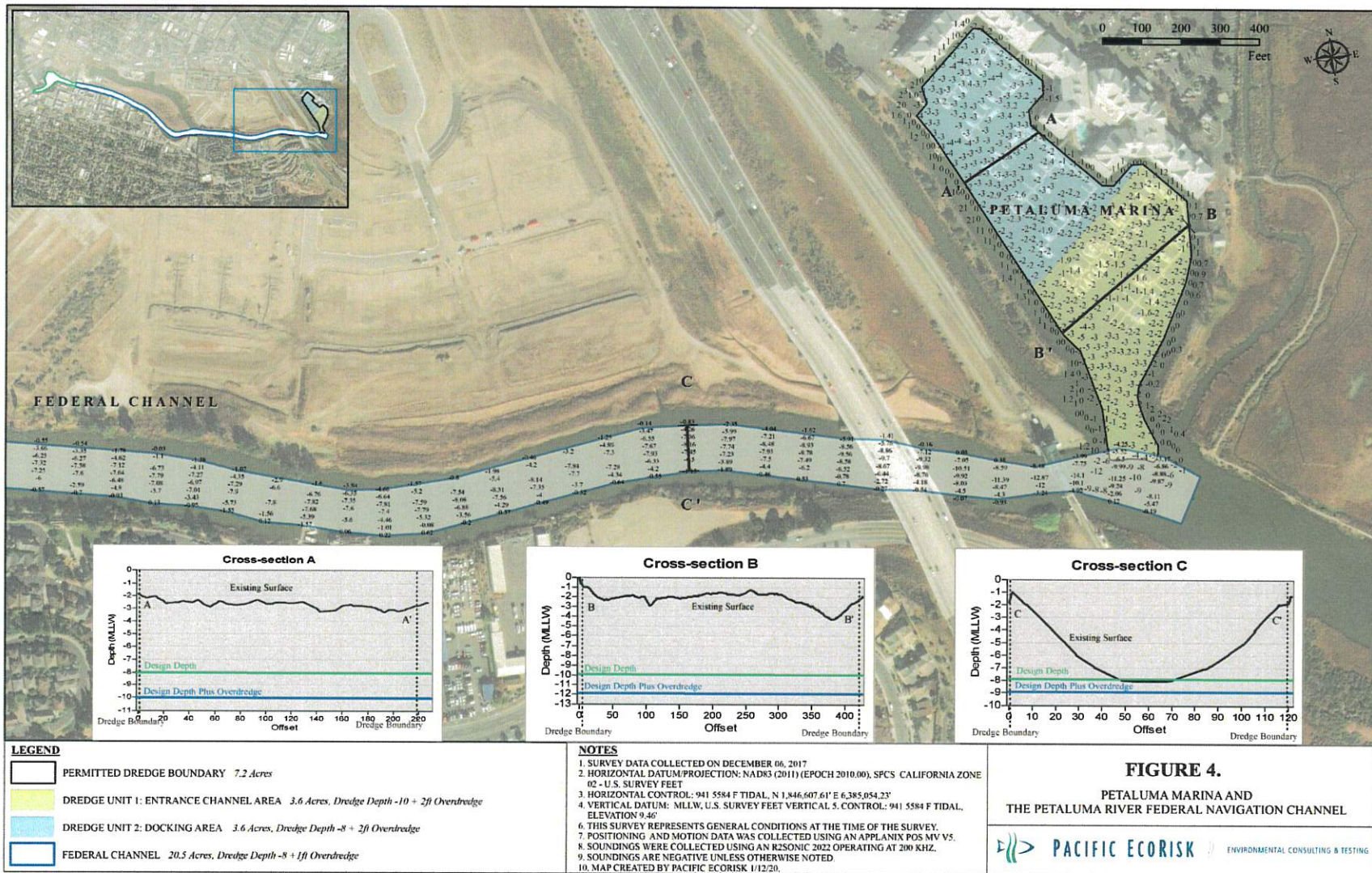




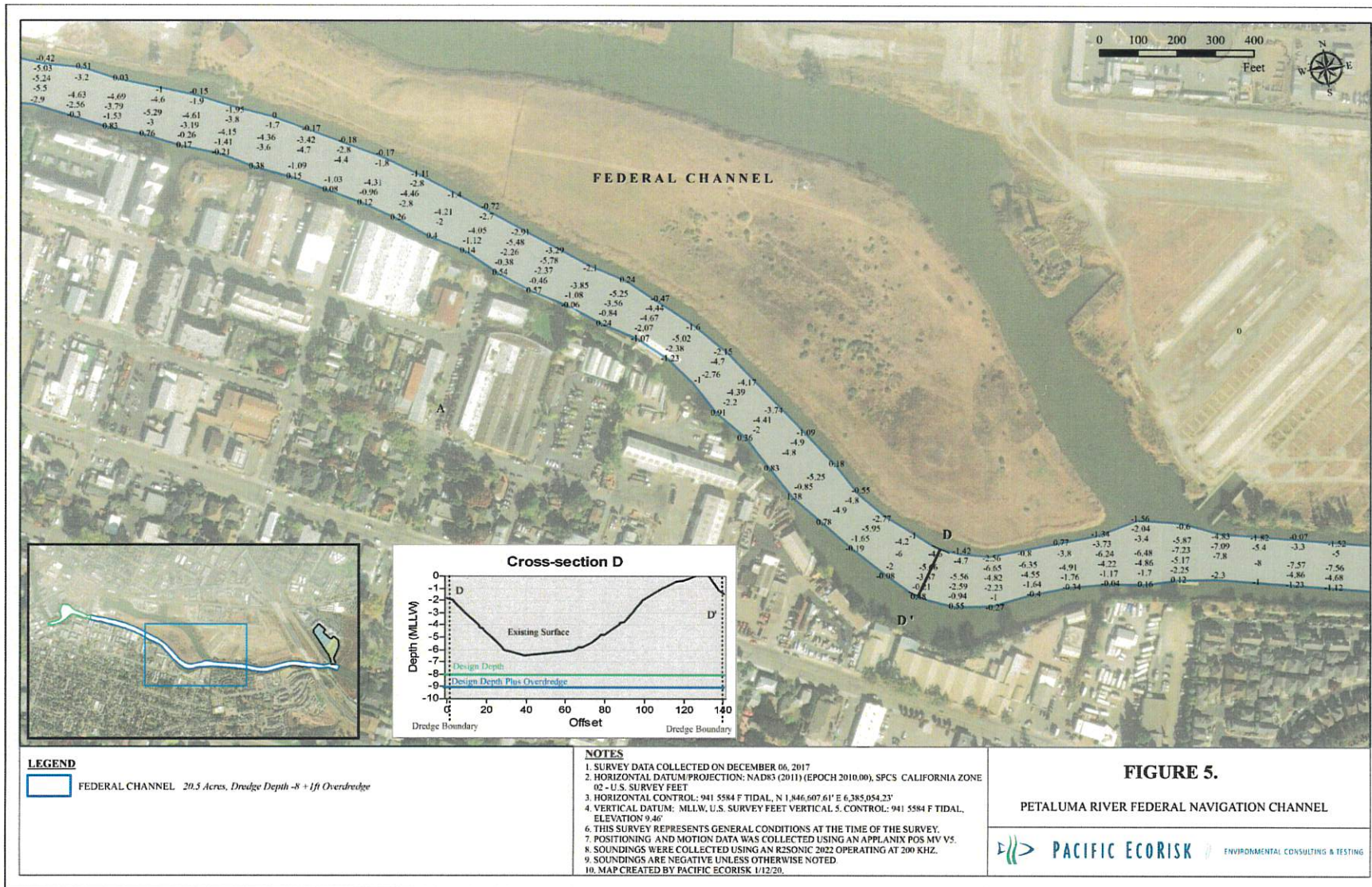




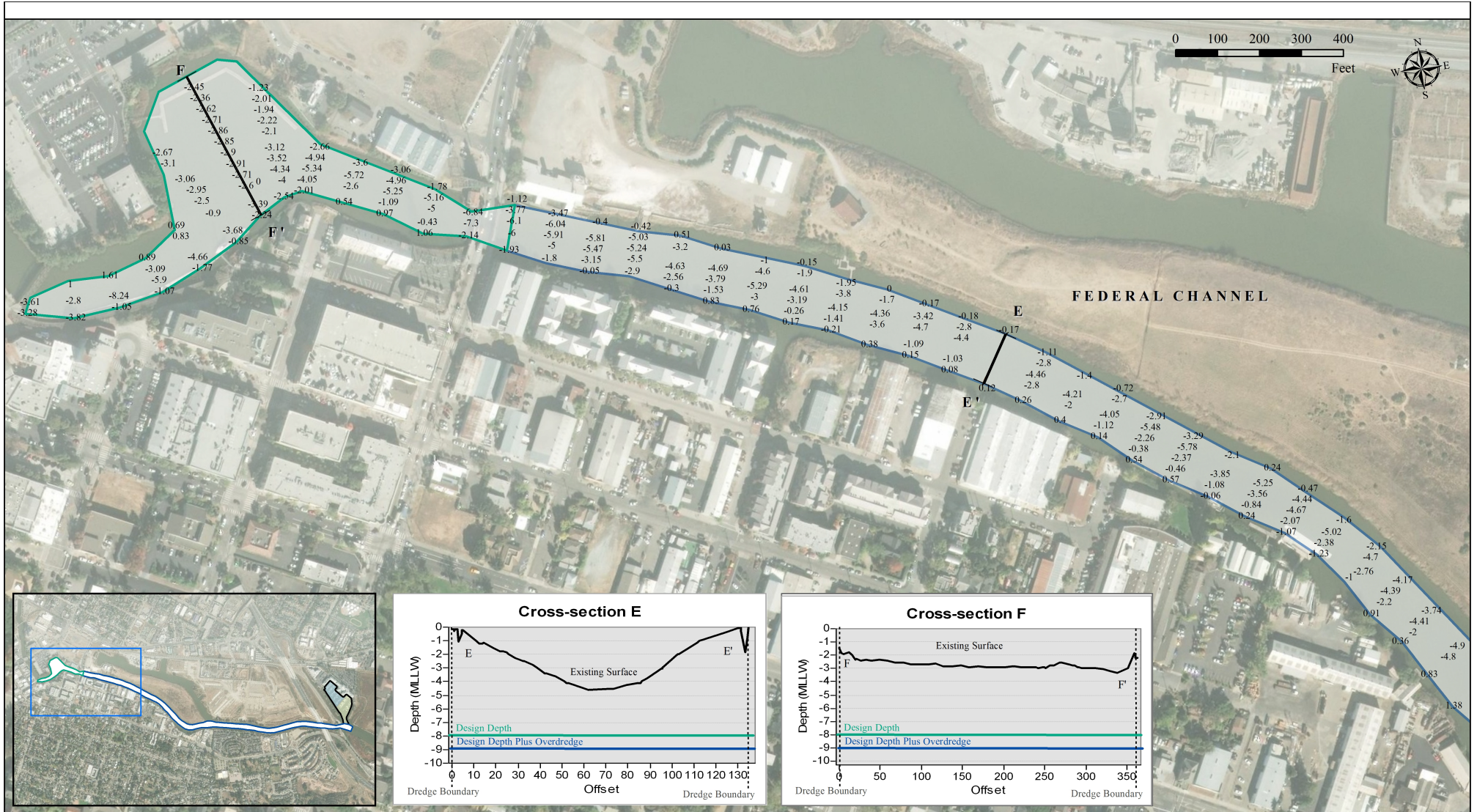












**LEGEND**

FEDERAL CHANNEL 20.5 Acres, Dredge Depth -8 + 1ft Overdredge

TURNING BASIN 4.8 Acres, Dredge Depth -8 + 1ft Overdredge

**NOTES**

1. SURVEY DATA COLLECTED ON DECEMBER 06, 2017
2. HORIZONTAL DATUM/PROJECTION: NAD83 (2011) (EPOCH 2010.00), SPCS CALIFORNIA ZONE 02 - U.S. SURVEY FEET
3. HORIZONTAL CONTROL: 941 5584 F TIDAL, N 1,846,607.61' E 6,385,054.23'
4. VERTICAL DATUM: MLLW, U.S. SURVEY FEET VERTICAL 5. CONTROL: 941 5584 F TIDAL, ELEVATION 9.46'
6. THIS SURVEY REPRESENTS GENERAL CONDITIONS AT THE TIME OF THE SURVEY.
7. POSITIONING AND MOTION DATA WAS COLLECTED USING AN APPLANIX POS MV V5.
8. SOUNDINGS WERE COLLECTED USING AN R2SONIC 2022 OPERATING AT 200 KHZ.
9. SOUNDINGS ARE NEGATIVE UNLESS OTHERWISE NOTED.
10. MAP CREATED BY PACIFIC ECORISK 4/9/20.

**FIGURE 6.**

PETALUMA RIVER FEDERAL NAVIGATION CHANNEL AND TURNING BASIN

**PACIFIC ECORISK**
ENVIRONMENTAL CONSULTING & TESTING





**LEGEND**

-  CULLINAN RANCH RESTORATION PROJECT
-  SF-10

**FIGURE 7.**

SF-10 & CULLINAN RANCH RESTORATION PROJECT LOCATIONS





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Revised  
Pg. 1 & 2 only

FOR DEPARTMENT USE ONLY				
Date Received	Amount Received	Amount Due	Date Complete	Notification No.
1-27-2020	\$ 3971.75	\$	2-24-2020	1600-2020-0016-R3
Assigned to: James Hansen		Lt. J. Jones, wrd J. Swaney		

### NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the instructions and submit ALL required enclosures, attachments, and fee(s) to the CDFW regional office that serves the area where the project will occur. Attach additional pages to notification, if necessary.

#### 1. APPLICANT PROPOSING PROJECT

Fish & Wildlife

Name	Jason Beatty
Business/Agency	City of Petaluma
Mailing Address	202 North McDowell Boulevard
City, State, Zip	Petaluma, CA 94954
Phone Number	707-778-4514
Email	JBeatty@cityofpetaluma.org

FEB 24 2020

Napa

#### 2. CONTACT PERSON (Complete only if different from applicant.)

Name	Jeffrey Cotsifas
Business/Agency	Pacific EcoRisk
Mailing Address	2250 Cordelia Road
City, State, Zip	Fairfield CA 94534
Phone Number	707-207-7761
Email	cotsifas@pacificecorisk.com

While an applicant is legally responsible for complying with Fish and Game Code section 1602 et seq., an applicant may designate and authorize an agent (e.g., lawyer, consultant, or other individual) to act as a Designated Representative. The Designated Representative is authorized to sign the notification and any agreement on behalf of the Applicant.

Do you authorize the Contact Person above to represent you as your Authorized Designated Representative?

Yes, I authorize.

No, I do not authorize.

#### 3. PROPERTY OWNER (Complete only if different from applicant)

Name	
Mailing Address	
City, State, Zip	
Phone Number	
Email	

Revised



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**4. PROJECT NAME AND AGREEMENT TERM**

A. Project Name		City of Petaluma Maintenance Dredging	
B. Agreement Term Requested		<input checked="" type="checkbox"/> Regular (5 years or less) <input type="checkbox"/> Long-term (greater than 5 years)	
C. Project Term		Beginning (year)	Ending (year)
		2020	2024
D. Seasonal Work Period			
Season(s)*	Start Date (month/day)	End Date (month/day)	E. Number of Work Days
1	06/01	11/30	120
2			
3			
4			
5			

\* Continue on additional page(s) if necessary

**5. AGREEMENT TYPE**

Check the applicable box. If boxes B – F are checked, complete the specified attachment.	
A	<input type="checkbox"/> Standard (Most construction projects, excluding the categories listed below)
B	<input type="checkbox"/> Gravel/Sand/Rock Extraction (Attachment A) Mine I.D. Number: _____
C	<input type="checkbox"/> Timber Harvesting (Attachment B) THP Number: _____
D	<input type="checkbox"/> Water Diversion/Extraction/Impoundment (Attachment C) SWRCB Number: _____
E	<input checked="" type="checkbox"/> Routine Maintenance (Attachment D)
F	<input type="checkbox"/> Cannabis Cultivation (Attachment E)
G	<input type="checkbox"/> CDFW Grant Programs Agreement Number: _____
H	<input type="checkbox"/> Master
I	<input type="checkbox"/> Master Timber Operations



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#### 4. PROJECT NAME AND AGREEMENT TERM

A. Project Name		City of Petaluma Maintenance Dredging		
B. Agreement Term Requested		<input checked="" type="checkbox"/> Regular (5 years or less) <input type="checkbox"/> Long-term (greater than 5 years)		
C. Project Term		Beginning (year)	2020	Ending (year)
				2025
D. Seasonal Work Period				
Season(s)*	Start Date (month/day)	End Date (month/day)	E. Number of Work Days	
1	06/01	11/30	120	
2				
3				
4				
5				

\* Continue on additional page(s) if necessary

#### 5. AGREEMENT TYPE

Check the applicable box. If boxes B – F are checked, complete the specified attachment.	
A.	<input type="checkbox"/> Standard (Most construction projects, excluding the categories listed below)
B.	<input type="checkbox"/> Gravel/Sand/Rock Extraction (Attachment A) Mine I.D. Number: _____
C.	<input type="checkbox"/> Timber Harvesting (Attachment B) THP Number: _____
D.	<input type="checkbox"/> Water Diversion/Extraction/Impoundment (Attachment C) SWRCB Number: _____
E.	<input checked="" type="checkbox"/> Routine Maintenance (Attachment D)
F.	<input type="checkbox"/> Cannabis Cultivation (Attachment E)
G.	<input type="checkbox"/> CDFW Grant Programs Agreement Number: _____
H.	<input type="checkbox"/> Master
I.	<input type="checkbox"/> Master Timber Operations



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**6. FEES**

See the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. *Note: CDFW may not process this notification until the correct fee has been received.*

A. Project Name		B. Project Cost	C. Project Fee
1	Petaluma Marina and River Maintenance Dredging	\$2,000,000	\$298.75
2			
3			
4			
5			
6			
7			
8			
9			
10			
		D. Base Fee (if applicable)	\$3,587.25
		E. TOTAL FEE*	\$3,886.00

\* Check, money order, and Visa or MasterCard (select Environmental Fees from Menu) payments are accepted.

**7. PRIOR NOTIFICATION AND ORDERS**

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, CDFW for the project described in this notification?

Yes (Provide the information below)       No

Applicant	Notification Number	Date

B. Is this notification being submitted in response to a court or administrative order or notice, or a notice of violation (NOV) issued by CDFW?

Yes     No (Enclose a copy of the order, notice, or NOV. If the applicant was directed to notify CDFW verbally rather than in writing, identify the person who directed the applicant to submit this notification, the agency he or she represents, and describe the circumstances relating to the order.)

Name of person who directed notification	Agency

Describe circumstances relating to order

Continued on additional page(s)





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**8. PROJECT LOCATION**

A. Address or description of project location.

*(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway.)*

Directions From Napa:

Take HWY 37 West to Lakeville Highway towards Petaluma  
 Proceed 16 miles on Lakeville Highway and turn right onto Marina Ave.  
 Turn left onto the Petaluma Marina parking lot.

A map that marks the location of the project is attached.

Continued on additional page(s)

B. River, stream, or lake affected by the project. **Petaluma River**

C. What water body is the river, stream, or lake tributary to? **San Pablo Bay**

D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?  Yes  No  Unknown

E. County **Sonoma County**

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section

Continued on additional page(s)

K. Meridian (check one)  Humboldt  Mt. Diablo  San Bernardino

L. Assessor's Parcel Number(s)

Not applicable

Continued on additional page(s)

M. Geographic coordinates (Provide the latitude and longitude coordinates for the property where the project(s) will take place. CDFW utilizes decimal degrees and WGS 84 datum. Access [Google Maps Help](#) if you need assistance in finding your coordinates.)

Latitude/Longitude	Latitude: <b>38.22853</b>	Longitude: <b>-122.62999</b>
	Latitude:	Longitude:
	Latitude:	Longitude:
	Latitude:	Longitude:
	Latitude:	Longitude:



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### 9. PROJECT CATEGORY

WORK TYPE	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR-MAINTAIN-OPERATE EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank stabilization – rip-rap/retaining wall/gabion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat dock/pier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat ramp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bridge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Channel clearing/vegetation management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Culvert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debris basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filling of wetland, river, stream, or lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat enhancement – revegetation/mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Low water crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road/trail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment removal: pond, stream, or marina	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
flood control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm drain outfall structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary stream crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility crossing: horizontal directional drilling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
jack/bore	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
open trench	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water diversion without facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water diversion with facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): Maintenance Dredging	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



### 10. PROJECT DESCRIPTION

- A. Describe the project in detail. Include photographs of the project location and immediate surrounding area.
- Written description of all project activities with detailed step-by-step description of project implementation.
  - Include any structures (e.g., rip-rap, culverts) that will be placed or modified in or near the stream, river, or lake, and any channel clearing.
  - Specify volume, and dimensions of all materials and features (e.g., rip rap fields) that will be used or installed.
  - If water will be diverted or drafted, specify the purpose or use and include Attachment C.
  - Enclose diagrams, drawings, design plans, construction specifications, and maps that provide all of the following: site specific construction details; dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, stockpile areas, areas of temporary disturbance, and where the equipment/machinery will access the project area.
    - A helpful resource to assist in the development of quality PDF maps in Google Earth. See Using Google Earth to Map your Property (PDF).

The project involves dredging sediment from the Petaluma Marina and the Petaluma River Federal Navigation Channel and Turning Basin. Routine dredging episodes will occur over 5 years, depending on funding availability, and will encompass the entire footprint of the Petaluma Marina and select areas of the Federal Channel and Turning Basin as needed (See attached figures). It is estimated that up to 120,000 cubic yards of material will be removed from the 7.2 acre marina in 2020. The amount of material that will be removed from the 20.4 acre navigation channel and 7.7 acre turning basin will be dependent on whether the USACE dredges the Federal Channel and City of Petaluma funding availability. The design dredging depth for the marina ranges from -8 to -10 feet mean lower low water, plus an over-depth allowance of two-feet; the design dredging depth for the Federal Channel is -8 feet mean lower low water, plus an over-depth allowance of two-feet. Dredge materials from the current episode will be disposed at the unconfined aquatic disposal site SF-10 San Pablo Bay Disposal Site, the Shollenberger Dredged Material Placement Site, or the Cullinan Ranch Restoration Site.

Continued on additional page(s)

- B. Specify the equipment and machinery that will be used to complete the project.

The dredging contractor will use a dredge plant consisting of a mechanical dredge excavator mounted on a dump scow transported by tugboat.

Continued on additional page(s)

- C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).

Yes  No (Skip to box 11)

- D. Will the project require work in the wetted portion of the channel?

Yes (Enclose a plan to divert water around work site)  
 No



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**11. PROJECT IMPACTS**

**A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.**

The project will not result in any changes of the bed, channel, and bank of the Petaluma Marina or Federal Channel beyond those that occurred during previous maintenance dredging activities. The marina and channel will be returned to the project design depth within the permitted dredge boundary consistent with historical use of these sites. The dredge boundary for the marina is approximately 7.2 acres. The dredged boundary for the Federal Channel and Turning Basin are 20.5 acres and 4.4 acres, respectively.

Continued on additional page(s)

**B. Will the project affect any vegetation?**

Yes (Complete the tables below)  No (Include aerial photo with date supporting this determination)

Vegetation Type	Temporary Impact	Permanent Impact
N/A	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)
N/A		

Continued on additional page(s)

**C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?**

Yes (List each species and/or describe the habitat below)  No  Unknown

Continued on additional page(s)

**D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.**

Continued on additional page(s)

**E. Has a biological study been completed for the project site?**

Yes (Enclose the biological study)  No

*Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.*



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F. Has one or more technical studies (e.g., engineering, hydrologic, geological, or geomorphological) been completed for the project or project site?

Yes (Enclose the study(ies))  No

Note: One or more technical studies may be required to evaluate potential project impacts to a lake or streambed.

G. Have fish or wildlife resources or waters of the state been mapped or delineated on the project site?

Yes (Enclose the mapped results)  No

Note: Check "yes" if fish and wildlife resources or waters of the state on the project site have been mapped or delineated. "Wildlife" means and includes all wild animals, birds, plants, fish, amphibians, reptiles and related ecological communities, including the habitat upon which the wildlife depends." (Fish & G. Code, § 89.5.) If "yes" is checked, submit the mapping or delineation. If the mapping or delineation is in digital format (e.g., GIS shape files or KMZ), you must submit the information in this format for CDFW to deem your notification complete. If "no" is checked, or the resolution of the mapping or delineation is insufficient, CDFW may request mapping or delineation (in digital or non-digital format), or higher resolution mapping or delineation for CDFW to deem the notification complete.

**12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES**

A. Describe the techniques that will be used to prevent sediment, hazardous, or other deleterious materials from entering watercourses during and after construction.

All dredging would be performed using a clamshell/excavator bucket dredge, no overflow water will be allowed back to the river from the scow.

Continued on additional page(s)

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

All dredging would be performed using a clamshell/excavator bucket dredge, thus avoiding the potential for take.

During placement of sediment at the Shollenberger Dredged Material Placement Site, water from the Petaluma River will be used to facilitate pumping of the dredged material within the scow to the placement site. When pumping water, a fish screen will be used on the intake of the pump with holes less than 5/32-inch (less than 3/32-inch diameter if rainbow trout fry are present) or triangular wire mesh less than 3/4 inch. The approach velocity of the water into the screen will not exceed 0.2 ft/sec.

Continued on additional page(s)

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

As maintenance dredging will be performed within the approved dredging LTMS work window between June 1 and November 30, and project avoidance/minimization measures will be taken, mitigation or compensation measures should not be required.

Continued on additional page(s)



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### 13. PERMITS

List any local, State, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

- A. USACE and BCDC 10-year permits  Applied  Issued
- B. California State Lands Commission Lease  Applied  Issued
- C. Regional Water Quality Control Board Water Quality Certification  Applied  Issued
- D. Unknown whether  local,  State, or  federal permit is needed for the project. (Check each box that applies)
- Continued on additional page(s)

### 14. ENVIRONMENTAL REVIEW

A. Has a CEQA lead agency been determined?  Yes (Complete boxes B, C, D, E, and F)  No (Skip to box 14.G)

B. CEQA Lead Agency

C. Contact Person

D. Phone Number

E. Has a draft or final document been prepared for the project pursuant to CEQA and/or NEPA?

- Yes (Check the box below for each CEQA or NEPA document that has been prepared and enclose a copy of each.)
- No (Check the box below for each CEQA or NEPA document listed below that will be or is being prepared.)

Notice of Exemption

Mitigated Negative Declaration

NEPA document (type):

Initial Study

Environmental Impact Report

Negative Declaration

Notice of Determination (Enclose)

THP/ NTMP

Mitigation, Monitoring, & Reporting Plan

F. State Clearinghouse Number (if applicable)

G. If the project described in this notification is not the "whole project" or action pursuant to CEQA, briefly describe the entire project (Cal. Code Regs., tit. 14 § 15378).

Continued on additional page(s)



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H. Has a CEQA filing fee been paid pursuant to Fish and Game Code section 711.4?

- Yes (Enclose proof of payment)  No (Briefly explain below the reason a CEQA filing fee has not been paid)

Note: The CEQA filing fee is in addition to the notification fee. If a CEQA filing fee is required, the Lake or Streambed Alteration Agreement may not be finalized until paid.

Projects that are statutorily or categorically exempt from CEQA are also not subject to the filing fee and do not require a no effect determination (Cal. Code Regs., tit. 14, §§ 15260-15333; Fish & G. Code, § 711.4, sub. (d)(1)). As this project is exempt under Section 15304, "Minor Alterations to Land", it is assumed that a filing fee will not be required. RWQCB WQC will also address the categorical exemption under CEQA.

**15. SITE INSPECTION**

Check one box only.

In the event CDFW determines that a site inspection is necessary, I hereby authorize a CDFW representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant CDFW such entry.

I request CDFW to first contact (insert name) \_\_\_\_\_ at (insert phone number or email address) \_\_\_\_\_ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay CDFW's determination as to whether a Lake or Streambed Alteration Agreement is required and/or CDFW's issuance of a draft agreement pursuant to this notification.

**16. DIGITAL FORMAT**

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

- Yes (Please enclose the information via digital media with the completed notification form.)  
 No

**17. SIGNATURE**

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, CDFW may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless CDFW has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Signature of Applicant or Applicant's Authorized Representative

Date

Jason Beatty  
 Print Name