



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Executive Office

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Arnold Schwarzenegger  
Governor

## NOTICE OF PUBLIC WORKSHOPS and CALIFORNIA ENVIRONMENTAL QUALITY ACT SCOPING MEETINGS

### On Phase 1 of the WETLAND AND RIPARIAN AREA PROTECTION POLICY

#### Monday, August 18, 2008

10 a.m. – 3:30 p.m.

Sierra Hearing Room – Second Floor  
Joe Serna Jr. / Cal/EPA Building  
1001 I Street  
Sacramento, CA 95814

#### Wednesday, August 20, 2008

10 a.m. - 3:30 p.m.

Huntington Beach Council Chambers  
2000 Main Street  
Huntington Beach, CA 92648

**NOTICE IS HEREBY GIVEN** that State Water Resources Control Board (State Water Board) staff will hold public workshops and scoping meetings pursuant to the California Environmental Quality Act (CEQA). State Water Board staff seeks public input regarding the scope and content of Phase 1 of a statewide policy to protect waters of the state, including wetlands, from dredge and fill activities, as described in State Water Board [Resolution No. 2008-0026](#). Specifically, the Resolution directed the statewide Wetland and Riparian Area Protection Policy (Policy) to be developed in three phases. Phase 1 will include:

- A statewide definition of “wetland” that would reliably define the diverse array of California wetlands. The State Water Board intends to base its definition on the U.S. Army Corps of Engineers’ wetland delineation methods to the extent feasible (e.g., without limiting the definition to federal “waters of the United States”);
- A mechanism for regulating wetlands, and activities in and around wetlands, based on Clean Water Act Section 404 (b)(1) Guidelines (40 C.F.R., parts 230-233), which includes a watershed focus; and
- Guidance on the use of assessment methods for collecting wetland data, monitoring progress toward wetland protection, and evaluating program development.

The location and time of the meetings are provided above.

The intent of Phase 1 of the Policy is to protect waters of the state, including wetlands, from dredge and fill activities that are not regulated by the federal government under the Clean Water Act (33 U.S.C. §1251 et seq.). The Policy will complement California’s

*California Environmental Protection Agency*

Wetlands Conservation Policy ('No Net Loss' policy; Executive Order W-59-93), which requires state agencies to "ensure no overall net loss [of wetlands] and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship and respect for private property." The Policy is being developed by a team of State Water Board and Regional Water Quality Control Board staff.

In April 2007, the State Water Board held CEQA scoping meetings to discuss with the public four alternative approaches to a statewide Wetland and Riparian Area Protection Policy. Based on comments received, the State Water Board has developed an approach explained in Resolution No. 2008-0026. The August 2008 meetings are intended to elicit further public input on Phase 1 the Policy and a related [project discussion paper](#).

Phase 1 of the Policy will provide clear, comprehensive, and enforceable requirements for protection of waters of the state, support of beneficial uses, and improvement of water quality. Waters protected under Phase 1 of the Policy will include perennial, intermittent, and ephemeral streams; connected and isolated wetlands; riparian areas; floodplains; and estuaries.

## **MEETING PURPOSE AND DESCRIPTION**

CEQA (Public Resources Code, § 21000 et seq.) requires California public agencies to consult with the public early in the development of environmental projects. Agencies must consider all public comments about potential harmful impacts to the environment that may stem from a project's implementation. Certain projects of the Water Boards, including policy development, have been certified by the Secretary of the Resources Agency as exempt from certain requirements of CEQA (Public Resources Code, § 21080.5, subd. (c).). Under this exemption, the Policy and its supporting documentation will substitute for an Environmental Impact Report.

A "scoping" meeting is the first step in the public consultation process. Following public workshops where the Policy will be more broadly discussed, scoping comments will assist State Water Board staff in identifying the range of actions, alternatives, mitigation measures, and potential significant environmental effects to be analyzed as the Project develops. Scoping meetings provide members of the public with a forum for early discussion and input regarding environmental factors that the State Water Board should consider.

At the workshop/scoping sessions, staff will explain the Policy - Phase 1 adoption process and schedule, an overview of regulatory and technical issues associated with this phase, and potential regulatory aspects to be included. Members of the public will be allowed to comment, both verbally at the meetings and in writing.

A quorum of State Water Board members may be present at the workshop/scoping meetings. No action, however, will be taken by the State Water Board at the meetings.

## WRITTEN COMMENTS

All written scoping comments must be received by **12 p.m. on September 8, 2008** and should be addressed to:

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Comment letters may be submitted by email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (if less than 15 megabytes in total size) or by fax at (916) 341-5620. For email submittals, please indicate in the subject line: **Comment Letter – “Policy to Protect Wetlands and Riparian Areas.”**

## DOCUMENT AVAILABILITY

A project discussion paper for the workshop/scoping meetings may be obtained via the Internet on the State Water Board Web site at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/wrapp.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml)

Paper copies of this information are available upon request by writing or calling:

Colleen Ingram, Division of Water Quality  
State Water Resources Control Board  
1001 I Street, Sacramento, CA 95814  
Phone: (916) 341-5506  
Email: [cigram@waterboards.ca.gov](mailto:cigram@waterboards.ca.gov)

Interested parties may subscribe to an email list serve for future notices about the Policy at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml).

Choose: **Wetland and Riparian Area Protection Policy**

## PARKING AND ACCESSIBILITY

A map and directions to the Joe Serna Jr./Cal-EPA Building in Sacramento can be found at: <http://www.calepa.ca.gov/EPABldg/location.shtml>.

The Joe Serna Jr./Cal-EPA Headquarters Building, location of the August 18 workshop/scoping meeting, is accessible to people with disabilities. Individuals who require special accommodations at the Joe Serna Jr./Cal-EPA Building are requested to contact Catherine Foreman, Office of Employee Assistance, at (916) 341-5881.


Due to enhanced security precautions at the Cal-EPA Headquarters Building, all visitors are required to register with security staff prior to attending any meeting. To sign in and receive a visitor's badge, visitors must go to the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance. Depending

on their destination and the building's security level, visitors may be asked to show valid picture identification. Valid picture identification can take the form of a current driver's license, military identification card, or state or federal identification card. Depending on the size and number of meetings scheduled on any given day, the security check-in could take up to fifteen minutes. Please allow adequate time to sign in before being directed to the room.

A map and directions to the Huntington Beach Council Chambers in Huntington Beach can be found at: <http://www.ci.huntington-beach.ca.us/ContactUs/>

**ADDITIONAL INFORMATION:** Please direct questions about this notice to Bill Orme at (916) 341-5464 or [borme@waterboards.ca.gov](mailto:borme@waterboards.ca.gov).

July 18, 2008  
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Date

  
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Jeanine Townsend  
Clerk to the Board