



US Army Corps  
of Engineers®

# PUBLIC NOTICE

Applicant: Sonoma County Water

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San Francisco District

Expires: April 13, 2026

Permit Application No. SPN-2004-285610

**San Francisco District**

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TO WHOM IT MAY CONCERN: The San Francisco District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Sonoma County Water Agency (SWCA)  
Grant Davis, General Manager  
404 Aviation Boulevard  
Santa Rosa, California 95403

**Contact:** David Cook, SCWA

**WATERWAY AND LOCATION:** The project would affect Waters associated with the Russian River and its estuary. The project/review area is located at the outlet of the Russian River and its estuary, at Latitude 38.4512432° and Longitude -123.12969°; in the Town of Jenner, Sonoma County, California.

**EXISTING CONDITIONS:** The SCWA manages the Russian River estuary for salmonids and to avoid flooding when the river mouth closes. Several times a year SCWA mechanically breaches the river mouth to form a tidal pilot channel with the excavation of 100-2,000 cubic yards of sand for each mouth closure. An excavator is used in breaching and excavated sand is placed in the adjacent beach within the wave wash zone. An adaptive management program was developed using guidance from the National Marine Fisheries Service (NMFS) 2008 biological opinion which would continue.

## **PROJECT PURPOSE:**

**Basic:** Flood control.

**Overall:** To continue breaching the mouth of the Russian River as needed to minimize potential flood risk to riverfront properties and enhance habitat for rearing salmonids in the estuary.

**PROPOSED WORK:** The applicant requests authorization to continue flood abatement and to adaptively manage the outlet channel at the mouth of the Russian River to maximize salmonid habitat, while avoiding impacts to pinniped neonates that rest at the mouth and on the beach and ensuring worker safety.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The Adaptive Management Plan was developed to meet the project need and implement breaching in a manner and at a time to minimize impacts to the aquatic environment, listed species and protected species (marine mammals).

**COMPENSATORY MITIGATION:** The applicant has provided the following explanation why compensatory mitigation should not be required: No compensatory mitigation would be required as the proposed action would not result in any loss of waters.

**CULTURAL RESOURCES:**

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that should historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) be present within the Corps' permit area, the proposed activity requiring the DA permit (the undertaking) is a type of activity that has no potential to cause an effect to an historic property.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

**ENDANGERED SPECIES:** The Corps has consulted with the National Marine Fisheries Service for impacts to listed species and critical habitat as a part of the larger Russian River Watershed Water Supply and Channel Maintenance Project. A biological opinion was issued April 29, 2025. The applicants will adhere to the terms and conditions of the biological opinion, as applicable to the estuary management activities.

**ESSENTIAL FISH HABITAT:** Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information. The NMFS consulted on impacts to EFH in the biological opinion issued April 29, 2025.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant would not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the North Coast Regional Water Quality Control Board.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts 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, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** The Corps 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, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The San Francisco District will receive written comments on the proposed work, as outlined above, until **April 10, 2026**. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to F. Kelly

Finn at Fairfax.K.Finn@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, San Francisco District, Attention: F. Kelly Finn, Eureka Office, 601 Startare Drive #13, Eureka, CA 95501. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.