March 18, 2015

Mr. Kirk Vodopals
Humboldt Redwood Company
P.O. Box 712
Scotia, CA, 95565

Dear Mr. Vodopals:

Subject: Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN

File: North Fork Elk River Instream Habitat Enhancement Project; ECM PIN CW-811424; WDID No. 1B14126WNHU

This letter is to certify coverage of Humboldt Redwood Company's *North Fork Elk River Instream Habitat Enhancement Project* (Project) under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects; Order No. SB12006GN (General 401 Order). The proposed Project includes installing 30 logs at two separate locations along an approximately 1,000 foot (total length) reach of the North Fork Elk River to improve instream habitat complexity and increased shelter for threatened and endangered salmonids.

Background

On December 8, 2014, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) from Humboldt Redwood Company (applicant) to comply with the terms of, and obtain Project coverage under, the General 401 Order for the Project.

Project Inspection

On February 4, 2015, Regional Water Board staff participated in an inspection of the proposed Project. Also present during the inspection were Kirk Vodopals, Julie Donnell, and Shane Beach from the Humboldt Redwood Company; Cameron Purchio from the Army

Corps of Engineers; Allan Renger from California Department of Fish and Wildlife; and Andrea Poteet from the California Conservation Corps.

Several modifications to the original NOI were required by Regional Water Board staff prior to and following the Project inspection. Required modifications included: clarification regarding total project size and associated temporary impacts, inclusion of a project map, description of proposed erosion control and spill prevention measures, clarification regarding project work windows and duration, and additional specifications regarding the number and size of large woody material pieces to be used.

Project Location

The Project is located on the North Fork Elk River, Eureka Plain Hydrologic Unit 110.00. Coordinates of the center of the project are 40.6855° N, 124.1016° W (Figure 1).

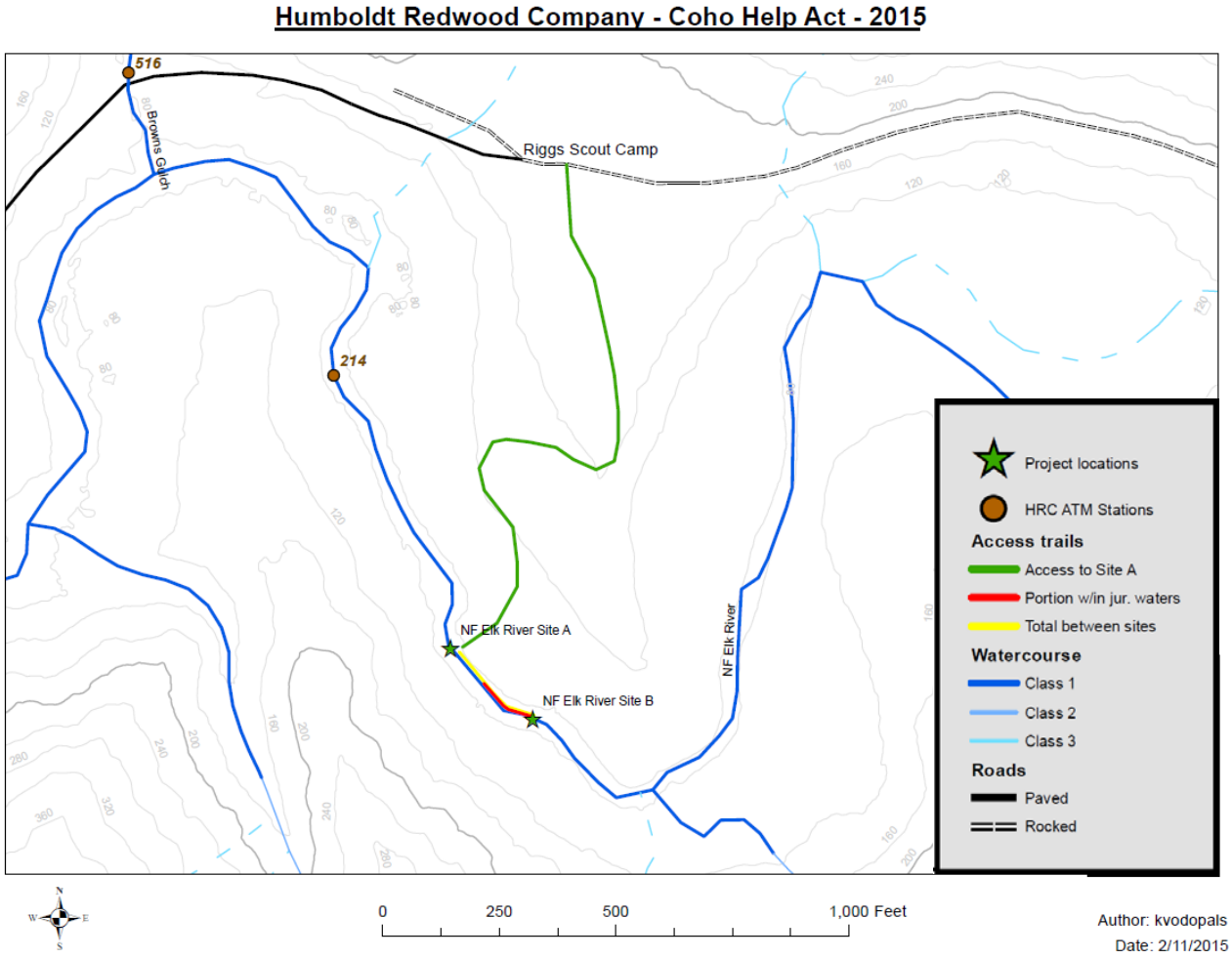

Figure 1 shows the project location and the proposed access route.

Project Description

The goal of the Project is to increase habitat complexity and cover throughout the 1,000 foot total length reach of the project. The specific objectives are to increase the length and depth of pools, improve spawning gravel retention and deposition downstream of scour areas, and provide additional pool shelter. This will be achieved by strategically installing logs into the active channel.

All logs will be sourced from nearby locations; six were removed from upstream of a hydrological station in the North Fork Elk River, while the remaining will be sourced from cull decks from recent timber harvest plans. Logs will be staged near the Riggs Scout Camp directly above the project site and will be transported downhill to the project location with heavy equipment via old skid trails. Approximately 30 logs will be placed in the active channel with an excavator. The majority of the logs will be embedded into the stream bank and/or streambed. Embedded logs will either have one end buried in an excavated trench in the stream bank, or will be pounded into the stream bank with the excavator bucket. Some logs may be strategically wedged in between existing riparian trees instead of embedded into the stream bank, but few suitable riparian trees occur at the project site.

All exposed soil will be mulched with slash and/or straw upon completion of soil disturbing activities to a point where no less than 90% of disturbed areas are covered with a minimum of 2" of mulch. Where feasible, mulch shall be kneaded or tracked into the soil, and all excavator tracks will run parallel to topographic contours. If necessary, additional erosion control measures will be taken.

The project applicant provided additional project detail in an attachment to the application package titled *Additional Information – Continued from Coho HELP Act Project Request Form (DFW 739) North Fork Elk River Instream Enhancement Project*. The attachment provides additional information related to project location and description, environmental need, environmental monitoring data, design criteria, assessment of project area flora and fauna, monitoring and reporting plans, and environmental protection measures. The proposed activities and environmental protection measures included therein are considered and enforceable component of this water quality certification and are attached for reference (see attachment).

Project Size

The total of ground disturbance associated with the Project is estimated to be 0.75 acres and 452.25 linear feet. The applicant has provided the calculations used to determine the total size of the Project (Figure 2). The size range of the logs to be installed is 18 to 42 inches in diameter and 10 to 40 feet in length. The proposed project size does not exceed what is allowed for coverage under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects and associated Categorical Exemption (15333) from the California Environmental Quality Act.

PROJECT SIZE CALCULATOR FOR LARGE WOODY MATERIAL (LWM) PROJECTS										
STREAM ZONE OPERATIONAL AREAS (within Waters of the State)										
AREA ID	Width (ft)	Length (ft)	Disturbance (ft²)		Disturbance (acres)		Linear Impact (ft)			
NF Elk River - Site A	35	75	2625		0.06		75			
NF Elk River - Site B	35	100	3500		0.08		100			
Trail in stream zone between sites	15	217	3255		0.07		217			
TOTAL DISTURBANCE			9380	feet²	0.22	acres	392.00	linear ft		
PROJECT ACCESS ROUTES (outside Waters of the State)										
TRAIL ID	Width (ft)	Length (ft)	Disturbance (ft²)		Disturbance (acres)					
Access trail to Site A	15	1454	21810		0.50					
TOTAL DISTURBANCE			21810	feet²	0.50	acres				
LARGE WOODY MATERIAL CALCULATIONS										
Number of Trees	Width (ft)	Length (ft)	Disturbance (ft²)		Disturbance (acres)		Linear Impact (ft)			
10	1.5	18	270		0.01		15			
7	2	20	280		0.01		14			
7	2.5	30	525		0.01		17.5			
5	2.75	35	481.25		0.01		13.75			
TOTAL DISTURBANCE			1556	feet²	0.04	acres	60.25	linear ft		
CANOPY REMOVAL AREA CALCULATIONS							CONVERSION			
Number of Trees		Disturbance per tree (acres)		Total Disturbance (acres)			Acres	Feet²		
		0.015		0.00			1	43560.17		
TOTAL PROJECT SIZE										
ACRES:	0.75	LINEAR FEET:	452.25							

Figure 2. Project Size Calculator

Project Associated Discharge

The discharge of material into waters of the State resulting from the Project include those associated with the individual logs and some incidental sediment discharges associated with bank disturbance.

Project Time Frame

Proposed project start date: September 1, 2015.
Expected date of completion: October 1, 2016.
Seasonal work window: September 1 – October 1.

Monitoring Plan

Monitoring of physical stream parameters will be conducted both before and after project implementation. Pre-project monitoring was conducted by Humboldt Redwood Company as part of the *Elk/Salmon River Watershed Analysis* and *Aquatic Trends Monitoring* programs. An instream wood survey will be conducted at the project reach prior to implementation. Post-project monitoring will occur during the annual *Aquatic Trends Monitoring Program* in the North Fork Elk River along with a post-project instream wood survey. Pre- and post-project photos will be taken at flagged photo points.

Three years of post-project monitoring will be provided. An assessment of the annual and final changes to pool volume and frequency, substrate conditions, and large woody debris trends will be provided following the third year of monitoring.

Following the completion of each seasonal work period, an annual report will be submitted to all appropriate agencies (NMFS, ACOE, NCRWQCB, and CDFW). This annual report will include the findings that result from pre- and post-project monitoring. These findings should indicate the achievement of performance standards that are relative to the project goals. Each report will include the following information:

a. Summary of findings
b. Identification and discussion of problems with achieving performance standards
c. Proposed corrective measures as needed (requires Regional Water Board approval)

Agency Permits

The applicant has also submitted applications for permitting and/or coverage of:

d. Army Corp of Engineers Section 404 Permit – Nationwide Permit 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities pursuant to Section 404 of the Clean Water Act
e. NOAA/NMFS Consistency Determination with Biological Opinion No. 151422SWR2006SR00190:JMA
f. California Department of Fish and Wildlife – Coho HELP Act

Notice of Applicability & Project Determination

Regional Water Board staff has determined that the proposed activities as described in the NOI are categorically exempt from CEQA review and may proceed under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects.

Receiving Water:	North Fork Elk River Eureka Plain Hydrologic Unit 110.00
Filled / Excavated Area:	None
Total Impacts:	Acreage Temporarily Impacted: 0.75 Length Temporarily Impacted: 452.25 feet
Dredge Volume:	None
Discharge Volume:	30 logs
Latitude/Longitude:	Project Center : 40.6855° N, 124.1016° W

Reporting

As required in Section B, Item 4, of the *General 401 Water Quality Certification Order for Small Habitat Restoration Projects*, Monitoring Reports be submitted at least annually documenting the achievement of performance standards and project goals. In addition, a Notice of Completion (NOC) shall be submitted by the applicant no later than 30 days after the project has been completed. A complete NOC includes at a minimum: photographs with a descriptive title, the date each photograph was taken, the name of the photographic site, the WDID number indicated above, and success criteria for the project. The NOC shall demonstrate that the Project has been carried out in accordance with the Project description as provided in the applicant's NOI. Please include the project name and WDID number with all future inquiries and document submittals. Document submittals shall be made electronically to: NorthCoast@waterboards.ca.gov

Please call Jonathan Warmerdam at (707) 576-2468 or Jake Shannon at (707) 576-2673 if you have any questions.

Sincerely,

Original signed by Fred Blatt for

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Matthias St. John
Executive Officer

150318_NFElkRiverCohoHelpAct_NOA

Attachment: Additional Information – Continued from Coho HELP Act Project Request Form (DFW 739); North Fork Elk River Instream Enhancement Project

Weblink: The State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB09016GN can be found here: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/shrpcert032713.pdf

cc: Mary Olswang, California Department of Fish and Wildlife
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