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GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## North Coast Regional Water Quality Control Board

July 16, 2015

Mr. Dennis Del Biaggio  
PO Box 312  
Ferndale, CA 95536

Dear Mr. Del Biaggio:

**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:** Del Biaggio 401 certification Project  
WDID No. 1B15065WNHU, ECM PIN CW-815812

On May 12, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Report of Waste Discharge (ROWD) to obtain coverage under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Del Biaggio 401 certification Project (Project). The Project is located on Reas Creek within the Eel River Hydrologic Unit 111.11 at 438 Oeschger Road, Ferndale, in Humboldt County, California. Coordinates of the Project site are approximately, latitude 40.575° N and longitude 124.2784° W. Regional Water Board staff has determined that the Project, as described in the ROWD, is categorically exempt from CEQA review (section 15333 - Small Habitat Restoration Projects) and meets the eligibility requirements for coverage under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN.

**Project Purpose and Description:**

The primary purpose of the Project is to reduce impacts to water quality associated with sediment delivery, remove fish barriers within Reas Creek and enhance the riparian corridor along the creek. Both the California Department of Fish and Wildlife and the National Resource Conservation Service have identified and highlighted the importance of removal of these salmonid fish barriers along this reach of Reas Creek. The Project will include relocating the crossing of Reas Creek to a more geologically stable location. Existing culverts causing a fish barrier will be removed and replaced with a roughened

channel design to allow for passage and address grade control issues. Additionally, bioengineered bank stabilization, riparian plantings, and livestock exclusionary fencing will enhance creekside riparian habitat and reduce sediment discharge to the creek. Temporary impacts to waters of the State include approximately 400 linear feet of creek bed and bank. The Project shall be constructed and maintained as described within the project application and supplemental materials. The Project is expected to be implemented during the Summer and Fall of 2015.

Receiving Water: Reas Creek  
Eel River Hydrologic Unit 111.11

Total Linear Impacts: Length Permanently Impacted: None  
(Fill and Excavation) Length Temporarily Impacted: 400 linear feet of creek bed  
and bank

Latitude/Longitude: 40.575° N, 124.2784° W

Regional Water Board staff has determined that the Project, as described in the ROWD, is categorically exempt from CEQA review (section 15333 – Small Habitat Restoration Projects) and may proceed under the General 401 Order. Please be advised that coverage under this General Order requires that Monitoring Reports be submitted at least annually documenting the achievement of performance standards and project goals. The Applicant proposes to submit monitoring reports annually for 5 years to track success of riparian and erosion control plantings at the project site beginning on December 31, 2016. Annual monitoring reports shall include documentation of planted areas, species and number of plantings, if performance criteria are met annually and success criteria for plantings of at least 85% survival are met after five years. 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 as a minimum: photographs with a descriptive title, the dates the photographs were taken, the name of the photographic site, the WDID number and ECM PIN 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 applicants ROWD. Please include the project name, WDID number and ECM PIN with all future inquiries and document submittals. Document submittals shall be made electronically to: [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov).

Please call Gil Falcone at (707) 576-2830 or Stephen Bargsten at (707) 576-2653 if you have any questions.

Sincerely,

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Matthias St. John  
Executive Officer

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**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/generallorders/shrpcert032713.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generallorders/shrpcert032713.pdf)

cc: Cherie Blatt, [Cherie.Blatt@waterboards.ca.gov](mailto:Cherie.Blatt@waterboards.ca.gov)  
Todd Golder, [Todd.Golder@ca.usda.gov](mailto:Todd.Golder@ca.usda.gov)