
North Coast Regional Water Quality Control Board

July 28, 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: Bear Creek Instream Habitat Enhancement Project; ECM PIN CW-811419; WDID No. 1B14127WNHU

This letter is to certify coverage of Humboldt Redwood Company's *Bear Creek 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 or repositioning 32 logs and six rootwads at nine separate locations along an approximately 4,500 foot (total length) reach of Bear Creek to improve instream habitat complexity and increased shelter for threatened and endangered salmonids.

Background

On May 8, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received a complete 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 July 23, 2015, Regional Water Board staff participated in an inspection of the proposed Project. Also present during the inspection were Kirk Vodopals, Julie Donnell, Shane Beach,

and Nick Harrison from the Humboldt Redwood Company; and Mary Olswang and Chris Ramsey from California Department of Fish and Wildlife (CDFW).

Several modifications to the original NOI were required by Regional Water Board staff prior to and following the Project inspection. Required modifications included: (1) retaining a large spanner log at site 4; (2) detailing the maximum number of streamside trees that will be felled for incorporation into project structures; and (3) proposed monitoring activities associated with instream structures.

Project Location

The Project is located on Bear Creek, Lower Eel River Hydrologic Sub-Area 111.12. Coordinates of the center of the project are 40.4281° N, 123.9921° W (Figure 1).

Humboldt Redwood Company - Bear Creek - Coho Help Act - 2015

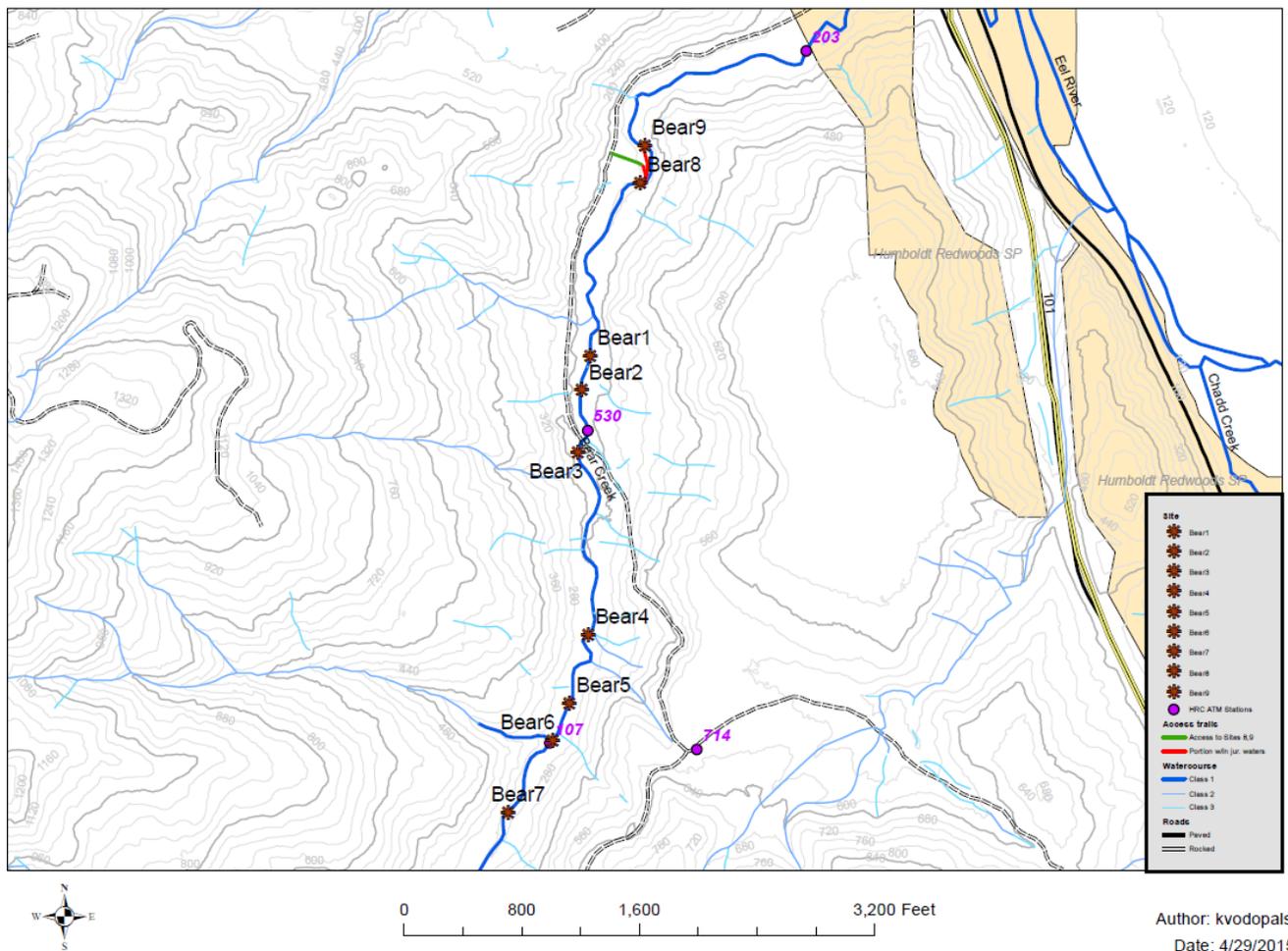


Figure 1 shows the project location and the proposed access route.

Author: kvodopals
Date: 4/29/2015

Project Description

The goal of the Project is to increase habitat complexity and cover throughout the 4,500 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 and rootwads into the active channel.

All logs will be sourced at or near the project site. Up to ten conifers will be felled and all other logs will be sourced from instream or within the floodplain. An excavator will be used to place logs at site 8 and site 9. A total of approximately 10 large wood structures will be constructed following the designs provided in the *Bear Creek Coho Help Sketches* document.

Project Size

The total ground disturbance associated with the Project is estimated to be 0.34 acres and 491.5 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 40 inches in diameter and 25 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 (ft ²)	Disturbance (acres)	Linear Impact (ft)
Bear Creek Sites 1-6	15	80	1200	0.03	80
Bear Creek Site 7	15	15	225	0.01	15
Bear Creek Sites 8,9	15	325	4875	0.11	325
TOTAL DISTURBANCE			6300 feet ²	0.14 acres	420.00 linear ft
PROJECT ACCESS ROUTES (outside Waters of the State)					
TRAIL ID	Width (ft)	Length (ft)	Disturbance (ft ²)	Disturbance (acres)	
Skid Trail to Sites 8,9	15	225	3375	0.08	
TOTAL DISTURBANCE			3375 feet ²	0.08 acres	
LARGE WOODY MATERIAL CALCULATIONS					
Number of Trees	Width (ft)	Length (ft)	Disturbance (ft ²)	Disturbance (acres)	Linear Impact (ft)
22	1.5	25	825	0.02	33
10	2.8	30	840	0.02	28
3	3.5	40	420	0.01	10.5
TOTAL DISTURBANCE			2085 feet ²	0.05 acres	71.50 linear ft
CANOPY REMOVAL AREA CALCULATIONS				CONVERSION	
Number of Trees	Disturbance per tree (acres)		Total Disturbance (acres)		
10	0.015		0.15		
TOTAL PROJECT SIZE					
ACRES:	0.42		LINEAR FEET:	491.50	

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, rootwads, anchoring hardware, as well as incidental discharges of sediment resulting from heavy equipment operations and winching of large woody material by hand crews.

Project Time Frame

Proposed project start date: September 1, 2015
 Expected date of completion: October 1, 2018
 Seasonal work window: September 1 – October 15

Monitoring Plan

Monitoring of physical stream parameters will be conducted both before and after project implementation. Ongoing pre-project monitoring of Bear Creek is conducted by Humboldt Redwood Company as part of the *Lower Eel 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 Lower Eel 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 also 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:

- a. 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
- b. NOAA/NMFS Consistency Determination with Biological Opinion No. 151422SWR2006SR00190:JMA
- c. 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:	Eel River Lower Eel River Hydrologic Unit 111.12
Filled / Excavated Area:	None
Total Impacts:	Acreage Temporarily Impacted: 0.35 Length Temporarily Impacted: 499.9 feet
Dredge Volume:	None
Discharge Volume:	32 logs, 6 rootwads
Latitude/Longitude:	Project Center : 40.4281° N, 123.9921° 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

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

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

Sincerely,

Matthias St. John
Executive Officer

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