September 28, 2015

Mr. Preston Harris
Siskiyou Resource Conservation District
P.O. Box 268
Etna, CA, 96027

Dear Mr. Harris:

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: Sugar Creek Off-Channel Enhancement for Coho Salmon; ECM PIN CW- 817973; WDID No. 1A15122WNSI

This letter is to certify coverage of Siskiyou Resource Conservation District's *Sugar Creek Off-Channel Enhancement for Coho Salmon* (Project) under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects; Order No. SB12006GN (General 401 Order). The purpose of the Project is to connect an existing off-channel manmade pond to Sugar Creek and to install 35 juniper logs with rootwads to improve habitat complexity and increased shelter for threatened and endangered salmonids.

Background

On September 8, 2015, the Siskiyou Resource Conservation District (Applicant) filed an application for water quality certification (Certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the North Coast Regional Water Quality Control Board (Regional Water Board) for activities associated with the Project. Upon review by Regional Water Board staff, it was determined that the Project qualifies for coverage under the General 401 Order.

Project Location

The Project is located on Sugar Creek, a tributary of the Scott River, in the Scott River Hydrologic Unit 105.42. Coordinates of the center of the project are 41.3403° N, 122.8253° W (Figure 1).

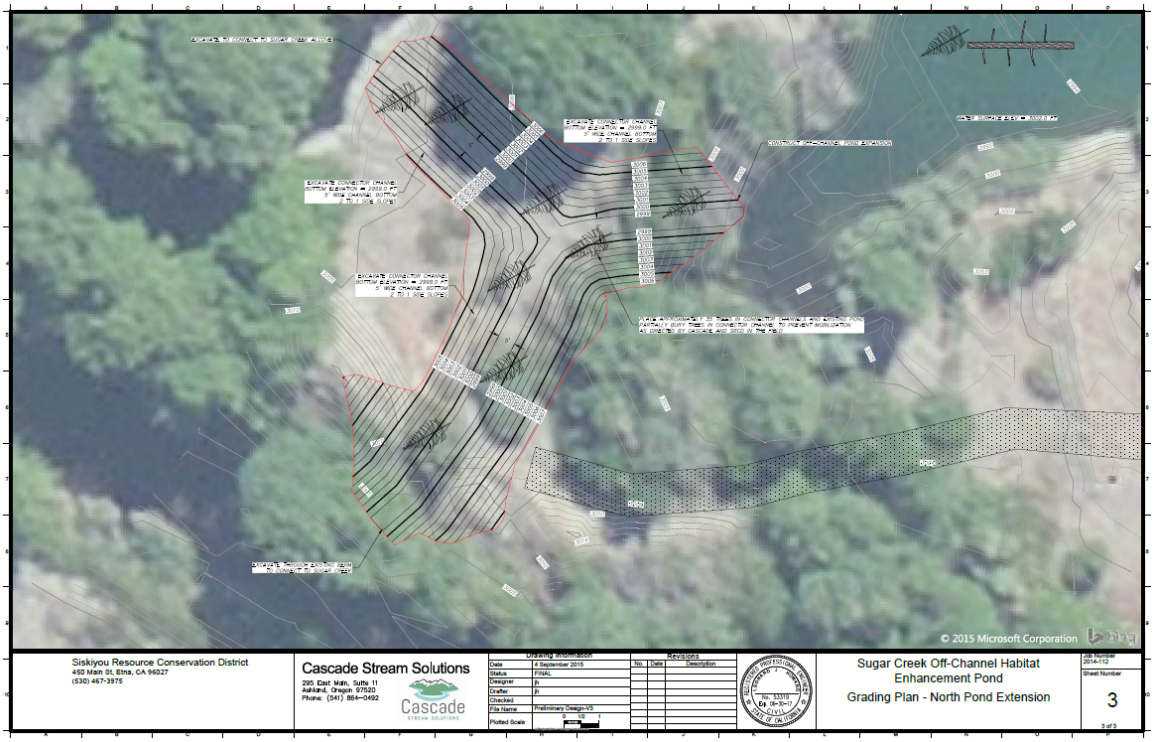

Figure 1 shows the project footprint and the adjacent Sugar Creek.

Project Description

The purpose of the Project is to connect an existing off-channel manmade pond to Sugar Creek which will increase the rearing capacity for coho salmon and other salmonids in the system. Including the area of the existing pond, the Project area encompasses approximately 2.16 acres, though the total construction footprint is approximately 0.06 acres. Currently, the stream channel has limited floodplain access due to historic mining, which left large tailing piles composed of cobble-sized substrate that confine the stream channel and impair riparian vegetation recruitment. Creating access to this off-channel pond will provide thermal refuge habitat for summer rearing and velocity refuge habitat for over-wintering. These habitat features support the goal of enhanced tributary rearing in the Klamath River Basin for Southern Oregon Northern California Coast (SONCC) coho salmon.

The location has been carefully selected based on annual adult coho spawning ground survey information, direct observation conducted by California Department of Fish and Wildlife (CDFW) and Siskiyou Resource Conservation District field staff, as well as Passive Integrated Transponder (PIT) tag monitoring information that is being compiled to document fish use and population densities throughout the watershed. The site has been reviewed by CDFW, U.S. Fish and Wildlife Service (USFWS), and National Oceanic and

Atmospheric Administration, among others. The general consensus is that given the historical condition of the disconnected pond, as well as the influence of cold-water refugia and stable groundwater levels, the site has all the characteristics of quality off-channel habitat.

Heavy equipment is required to excavate access channels in a "Y" configuration that will connect the existing pond to the Sugar Creek system at two points. The access channels are each approximately 100 to 130 feet long and have been designed to require minimal excavation and disturbance to existing vegetation within the site. Heavy equipment will also be used to place large woody debris within the off-channel pond, set erosion control measures and plant riparian vegetation. Approximately 1,500 cubic yards of material will be removed to create the inlet/outlets, expand the off-channel area, and connect the pond to Sugar Creek. All spoils will be placed at an upland location near the project location. Materials to be installed at the site include approximately 35 juniper rootwads complete with 17 to 20 foot limbed trunks, approximately 5 yards of large cobble for erosion protection around the inlet/outlet areas, and juniper slash that will be used to improve habitat complexity in both the pond and access channels. Planting materials will consist of black cottonwood (*Populus trichocarpa*) pole cuttings as well as clumps and clusters of two willow species: pacific willow (*Salix lucida*) and sandbar willow (*Salix exgua*). About 20 plantings will be implemented in the off-channel area to fill in gaps in vegetation, predominantly on the south end of the pond.

The pond has been evaluated for suitability of coho habitat based on temperature, dissolved oxygen, contaminates and existing aquatic species. A temperature logger located in the pond at a depth of approximately 8 feet recorded a summer Maximum Weekly Average Temperature (MWAT) of 16.43° C with a variance of 1° C, whereas temperatures recorded in Sugar Creek shows a summer MWAT of 18.6° C with a 1.5° C variance. Dissolved oxygen has been monitored in the manmade pond, as well as Sugar Creek, and is deemed sufficient for salmonid use. Additionally, a preliminary contaminant survey screening was completed in July of 2015 by the USFWS at the project site and no contaminants were found. In July of 2014, the Siskiyou Resource Conservation District began collecting groundwater monitoring data at the off-channel manmade pond and found a near uniform seasonal fluctuation of approximately 24 inches. Furthermore, a surface elevation survey shows that the surface water elevations of the off-channel manmade pond and Sugar Creek are near identical (both at approximately 3,002 feet elevation).

Work will be completed during the seasonal low flow periods (Mid-September through October 15). Flow conditions at the project site are expected to be dry during the time of construction. If flow is present, the Applicant does not intend to divert flow due to the confined nature of the channel at this location, which restricts diversion options, and the extremely limited amount of time that will be necessary for in-stream construction. Additionally, redirecting flow could adversely impact the Scott River Watershed Council's post assisted woody structure (PAWS) that is directly downstream by causing pressure points on the structure. Instead, the Applicant in coordination with Cascade Stream

Solutions and CDFW, has agreed that the installation of washed rock berms consisting of spawning sized rock around the inlet/outlet location of the off-channel areas are the proper method for addressing the issues of flow, salmonid presence, and turbidity. The berms will be approximately 1' x 2' x 20' in size and consist of washed, spawning sized rock layered with weed-free straw or silt cloth to provide a barrier against sediment entering the stream. This approach has proven to be an effective method of protecting water quality in areas of slow water habitat should water be present at the site during the time of construction. Prior to implementing the berms, the Applicant will coordinate with CDFW biologists to ensure that the sites are clear of salmonids.

This project has been designed to result in the least amount of impact to the riparian area possible through use of Best Management Practices (BMPs). No significant riparian function will be lost during construction.

Project Size

The total of ground disturbance associated with the Project is estimated to be 0.045 acres and 260 linear feet. 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 Associated Discharge

The discharge of material into waters of the State resulting from the Project include those associated with the individual logs and native cobbles used for bank stabilization.

Project Time Frame

Proposed project start date: Late-September 2015
Expected date of completion: October 15, 2015

Monitoring Plan

Long-term goals of the Project are to enhance coho production in Sugar Creek and the Scott River by increasing the available cold/slow water rearing habitat in the summer and winter months. Measureable outcomes will include the following indicators of coho habitat quality: water temperature; pool depth; pool volume; and dissolved oxygen, as well as fish utilization of the habitat. In the short term, coho habitat quality indicators will verify that ponds are functioning as designed, and PIT tagging systems will indicate that fish are using and benefiting from the constructed habitat. Additionally, fish utilization of constructed habitat features, such as rootwad and woody material cover, will also be evaluated.

For five years following Project completion, annual monitoring reports will be submitted to the Regional Water Board. This annual report will include the findings that result from 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:

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. California Department of Fish and Wildlife – Streambed Alteration Agreement (No. 1600-2015-0362-R1)

Notice of Applicability & Project Determination

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

Receiving Water:	Sugar Creek, Scott River Hydrologic Unit 105.42
Filled / Excavated Area:	1,500 cubic yards of excavation
Total Impacts:	Acreage Temporarily Impacted: 0.045 Length Temporarily Impacted: 260 feet
Discharge Volume:	35 approximately 20-foot long juniper logs with rootwads; 5 cubic yards of large cobble
Latitude/Longitude:	Project Center : 41.3403° N / 122.8253° 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 application. 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

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 Jake Shannon at (707) 576-2673 if you have any questions.

Sincerely,

Fred Blatt
for
Digitally signed by Fred Blatt
Date: 2015.09.28 13:52:45 -07'00'

Water Boards

Matthias St. John
Executive Officer

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cc: Katherine Grossman, California Department of Fish and Wildlife
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