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## North Coast Regional Water Quality Control Board

September 6, 2016

Ms. & Mr. Gerald and Deborah Silva  
P.O. Box 39  
Ferndale, CA 95536  
[ISilva@frontiernet.net](mailto:ISilva@frontiernet.net)

Dear Mr. and Ms. Silva:

**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:** Francis Creek Bank Stabilization Project - Silva  
WDID No. 1B15144WNHU, ECM PIN: CW-819259

On October 30, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Francis Creek Bank Stabilization Project (Project). Regional Water Board staff has determined that the proposed activities may proceed under the General 401 Order provided activities are conducted consistent with this NOA, the NOI, and correspondence with the National Resource Conservation Service (NRCS) on file at the Regional Water Board.

Regional Water Board staff has determined that the Project, as described in the NOI, is categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 - Small Habitat Restoration Projects) and meets the eligibility requirements for coverage under the General 401 Order.

The National Resource Conservation Service has prepared the Project application and design on behalf of the land owners. The Project is expected to be implemented during the months of September and October of 2016.

Project Location:

The Project area is located on Francis Creek in the City of Ferndale, Humboldt County, within the Eureka Plain Hydrologic Unit, North Coast Hydrologic Basin Planning Area No. 110.00. Project activities will occur at three discrete locations, at approximate latitude/longitudes: 40.560337, -124.256670 (Site 1); 40.560476, -124.2570461 (Site 2); and 40.563262, -124.259989 (Site 3).

Project Purpose and Description:

The purpose of the Project is to stabilize eroding creek banks at three locations using biotechnical stabilization techniques, utilizing rock slope protection (RSP) and willow staking. At all sites, the stream will be diverted, riparian vegetation will be removed only as necessary, soils will be excavated to design grade, and RSP and willow will be placed and staked. One creek diversion system will be established to bypass Francis Creek 300 feet through Sites 1 and 2, and 200 feet through site 3.

**Site 1**

Site 1 is immediately upstream of an existing private bridge. Work will occur along both banks of Francis Creek at Site 1. An approximately 5-foot-high band of RSP with willow planting will be placed along 130-feet of the right bank. Approximately 2600 square feet of riparian planting will be installed along the right bank. On the left bank, an approximately 5-foot-high band of RSP with willow planting will be placed along 35-feet of the left bank. Approximately 175 square feet of riparian planting will be installed along the right bank.

Tree removal on the right bank will be limited to six alders that are less than 2" diameter-breast-height (DBH). Three willows with DBHs of less than 3" will be removed; however, they are bare and appear to be dead or dying. Tree removal on the left bank will be limited to approximately eight willows ranging between 3" and 5" DBH, and one alder at 5" DBH. A 10" DBH alder will also be removed at this location because it has been deemed likely to create a channel obstruction during the next precipitation season.

**Site 2**

Site 2 is on the right bank of Francis Creek, approximately 30 feet downstream of the above-mentioned bridge. The bank is eroding and threatening an existing barn. An approximately 5-foot-high band of RSP with willow plantings will be placed along 40 feet of the creek bank. Additional riparian vegetation will not be installed at this location due to presence of the barn.

Tree removal at this location will be limited to removal of two 3"-6" DBH alders.

**Site 3**

Site 3 is on the right bank of Francis Creek, approximately 1,000 feet downstream of Site 2, where formation of a large lateral scour feature has undermined a fence. The scour feature formed when flow was directed at the bank as a result of a woody debris dam. If left

untreated, this feature will continue eroding the existing bank downstream. This site will be repaired by placing an approximately 4-foot-high band of RSP with willow plantings along 30 feet of creek bank.

All Project areas will receive straw mulch and native erosion control seed mix application prior to the first 1" of rainfall to ensure soil stability during the winter months. Riparian plantings will consist of locally-sourced willow (*salix spp.*), dogwood (*Cornus sericea*), and Douglas' spirea (*Spiraea douglasii*).

All locations will be fenced to keep livestock from entering the riparian area.

### Monitoring and Reporting

The Project shall be constructed and maintained as described in the NOI as well as any revised material reviewed and approved by Regional Water Board staff.

Receiving Water: Francis Creek  
Eureka Plain Hydrologic Unit No. 110.00

Filled / Excavated Area: Permanent Area Impacted: 0.026 acres  
Temporary Area Impacted: 500 linear feet (0.14 acres)

Latitude/Longitude: 40.560337, -124.256670; 40.560476, -124.257046;  
40.563262, -124.259989

Please be advised that coverage under this General Order requires you to conduct monitoring and submit reports to the North Coast Water Board to document the achievement of performance standards and Project goals. As per the monitoring plan, reports will be submitted annually by January 31 following the preceding April-August monitoring event. The reports will include: 1) monitoring results, 2) project performance observations and evaluation results, 3) lessons learned and adaptive management needs (if any), 4) maintenance activities (if any) implemented in the previous year with photos, and 5) maintenance activities (if any) planned for the upcoming year. If the Project is implemented in 2016, the first annual report shall be submitted by January 31, 2018.

Please be advised that coverage under this General Order requires that a Notice of Completion (NOC) be submitted no later than 30 days after the Project has been completed. A complete NOC includes as a minimum: photographs with a descriptive title, the date the photograph was taken, the name of the photographic site, the WDID number and ECM PIN 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, WDID number and ECM PIN number 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 Brendan Thompson at (707) 576-2699 or Stephen Bargsten at (707) 576-2653 if you have any questions.

Sincerely,

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Matthias St. John  
Executive Officer

160906\_BJT\_ef\_SilvaBankStabilization\_NOA

**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/shrp\\_cert.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/shrp_cert.pdf)

cc: Mr. Todd Golder, NRCS, [Todd.Golder@ca.usda.gov](mailto:Todd.Golder@ca.usda.gov)  
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