May 9, 2017

Humboldt County Department of Public Works  
Attn: Mr. Andrew Bundschuh  
1106 Second Street  
Eureka, CA  95501  
ABundschuh@co.humboldt.ca.us

Dear Mr. Bundschuh:

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: Briceland-Thorne Road PM 3.27 Dinner Creek Culvert Emergency Repair Project; CW-823632; WDID 1A16261WNHU

This letter is to certify coverage of the Humboldt County Department of Public Work’s Dinner Creek Culvert Replacement Project (Project) under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects, Order No. SB12006GN (General 401 Order). The Project involved replacing a failed culvert and section of roadway with a fish-friendly, oversized, natural-bottom culvert that complies with fish passage design guidelines of both the California Department of Fish and Wildlife and the National Marine Fisheries Service.

Project Location  
The Project is located on Briceland-Thorne Road at Post-Mile 3.27 on Dinner Creek near the community of Redway, Humboldt County (see Figure 1, below). The Project is within the Benbow Hydrologic Sub-Area (Basin Planning unit no. 111.32), at latitude/longitude 40.091481, -123.937197.
Background
On April 6, 2017, the North Coast Regional Water Quality Control Board (Regional Water Board) received a complete Notice of Intent (NOI) from the Humboldt County Department of Public Works (Applicant) to comply with the terms of, and obtain Project coverage under, the General 401 Order for the Project.

During winter storms that took place in January 2017, the 4-foot-diameter culvert at Post Mile 3.27 on Briceland-Thorne Road failed. High water flows caused the outlet end of the culvert to become disconnected, which in turn led to scouring and complete failure of the eastbound lane of Briceland-Thorne Road. Subsequent storms and additional high water flows eventually caused complete culvert failure. A temporary emergency detour bridge was installed over the failed section of road. This site has been previously identified by the Applicant and resource agencies as in need of fish passage restoration. The site is currently a barrier to Endangered Species Act salmonids and prevents them from reaching upstream spawning and rearing habitat.

Project Description
The goal of the Project is to replace a failed culvert with a larger, fish-friendly culvert that will provide fish passage to upstream habitat.

The County will install a fish-friendly, countersunk, 10-ft-diameter culvert, in Dinner Creek beneath Briceland-Thorne Road at this location.

Stream diversion will be necessary at the Project site to bypass Dinner Creek flows, which are estimated to be less than 3 cubic feet per second. The stream diversion will consist of a
water bladder coffer dam and 24-inch-diameter bypass culvert. The work area will remain dry during Project construction.

The proposed Project will not involve the removal of any riparian vegetation except for some minor pruning of overhanging branches that may obstruct construction. Currently, riparian vegetation is adequate at the Project site with the area being heavily forested. After construction is complete, disturbed areas will be re-vegetated with a seed-mix of fast growing native grasses and straw mulch.

Project Size
The total area of ground disturbance within jurisdictional waters associated with the Project is estimated to be 0.05 acres and 100 linear feet. The proposed Project size does not exceed what is allowed for coverage under the General 401 Order and associated California Environmental Quality Act (CEQA) categorical exemption (15333).

Project Time Frame
Proposed Project start date: May, 2017
Expected date of completion: June, 2017
Seasonal work window: May 15 – October 15

This certification authorizes Project related activities and discharges for up to five years. If the applicant is unable to complete the Project in 2017, they shall notify the Regional Water Board in writing of the proposed implementation time frame prior to subsequent seasonal work windows.

Monitoring Plan
Maintenance is not anticipated, however, any maintenance activities will be conducted by the County if needed. Once the Project is complete, short-term monitoring and maintenance will be conducted to ensure that the culvert is working adequately and streamside vegetation is growing and surviving at a sustained rate. The area will also be monitored to insure that the culverts are working as designed and there are no significant erosion or sedimentation issues. Monitoring efforts will be carried out by County staff from the Natural Resources Division. County personnel will also monitor the restoration Project during winter storms to assure that the culvert is functioning as designed and there are no significant issues with erosion or scour.

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

- 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
- California Department of Fish & Wildlife – Habitat Restoration and Enhancement 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 Order.

Receiving Water: Dinner Creek, Benbow Hydrologic Sub-Area 111.32

Total Impacts: Temporary: 100 linear feet (0.05 acres) of streambed

Permanent: 20 linear feet (0.004 acres) of streambed

Latitude/Longitude: 40.091481, -123.937197

Reporting
A monitoring report stating a summary of findings and containing monitoring data/photos will be submitted to the Regional Water Board by August 31, 2018. The monitoring report will identify and discuss any problems with achieving performance standards during the first year after implementation. Performance standards are included below in Table 1, below. If problems are assessed during the first year, the report will contain corrective measures to remedy those problems. If no problems are assessed during the first year after construction, then the first monitoring report will act as the final monitoring report for submittal.

If problems are found during the first year post-construction, then a subsequent monitoring report will be submitted no later than August 31, 2019. Subsequent monitoring reports shall continue annually until all performance standards are met.
### Table 1: Project Performance Standards

As required in Section B, Item 4, of the General 401 Water Quality Certification Order for Small Habitat Restoration Projects, Monitoring Reports shall 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 Brendan Thompson at (707) 576-2699 if you have any questions.

Sincerely,

Matthias St. John
Executive Officer

cc: State Water Resources Control Board, StateBoard401@waterboards.ca.gov
Ms. Kasey Sirkin, U.S. Army Corps of Engineers, L.K.Sirkin@usace.army.mil
Ms. Jennifer Siu, EPA Region 9, Siu.Jennifer@epa.gov