May 17, 2018

Public Notice for Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects)

Klamath National Forest – Horse Creek Special Interest Botanical Area Large Wood Loading Project
41.8502° N, 123.07° W[1]
CW-847217, WDID 1A180049WNSI

Siskiyou County

On February 20, 2018, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Jeff Marszal, Klamath National Forest (applicant), requesting federal Clean Water Act, section 401, Water Quality Certification (certification) for activities related to the proposed Klamath National Forest - Horse Creek Special Interest Botanical Area Large Wood Loading Project (Project), located near the town of Horse Creek, within the Klamath River watershed in Siskiyou County. On March 27, 2018, additional information was submitted and the application was deemed complete.

Project Description

This instream large wood placement Project aims to complement on-going efforts to enhance and restore a continuum of complex large wood structures, jams, and associated instream habitat along mainstem Horse Creek, including the 1.5-mile-long reach that passes through the Horse Creek Special Interest Botanical Area (SIA). As a significant tributary to the Klamath River, Horse Creek provides important summer and winter rearing refugia for both natal and non-natal juvenile salmonids, including Southern Oregon Northern California Coast (SONCC) coho salmon. Enhancement and restoration of juvenile rearing habitat, including the addition of instream wood, are key to the recovery of SONCC coho salmon populations in the Klamath River Basin. Complex large wood, log jams, and associated instream habitat are lacking all along the Klamath River and its tributaries. This lack of instream wood and associated aquatic habitat is due to: 1) previous industrial-scale logging and mining; 2) road and bridge construction; 3) simplification, straightening, and levying/berming of stream channels; 4) floodplain encroachment and conversion; 5) extirpation of beaver populations; and 6) diversion of surface water and groundwater extraction that have elevated surface water temperatures and exacerbated the loss of summertime instream flows. Enhancement, expansion, and creation of complex large wood structures in anadromous fish habitat is considered essential to the recovery of threatened SONCC coho salmon. Enhancement, expansion, and creation of complex large wood structures in anadromous fish habitat is a high restoration priority that is captured in numerous recommendations in the Final Recovery Plan for the Southern Oregon/Northern California Coast Evolutionary Significant Unit of Coho Salmon (NMFS, 2014), such as: SONCC Plan Action ID SONCC-UKR-2.1.4 and SONCC Plan Action ID SONCC-UKR-2.1.71 – "Increase LWD, boulders, or other instream structures." This Project is consistent with and supports Restoration Project Type 3: Bioengineering and Riparian Habitat Restoration,

[1] WGS84 datum

listed in the 2013 Klamath Project Operations Biological Opinion (Appendix C, page 517), by designing and implementing the Project, which would place up to 30 complex large wood structures at intervals, along 1.5 miles of the SIA in mainstem Horse Creek. The complex habitat created by this large wood placement at up to 30 locations would become immediately available to SONCC coho salmon, and other salmonids.

The proposed Project would install up to 30 wood loading sites, with three-to-four trees each, to create approximately 450 to 500 linear feet and 0.35 acres of complex large wood and associated instream habitat, providing high quality rearing habitat for coho salmon. Hand-operated tools, including chain saws, grip hoists, and come alongs, would be used to fell and/or position large wood originating from hazard and fire-killed trees in the Horse Creek SIA. Based on experience from previous similar projects, such ground-based log adjustment using hand-operated equipment is expected to result in little to no surface ground disturbance. Juvenile salmonids that might be present during large wood felling or positioning could be affected by localized sediment plumes, noise and vibration, and theoretically be crushed. Any juvenile salmonids that are present are more likely, however, to exhibit quick and successful avoidance behavior caused by the noise and vibration associated with such large wood placement. This avoidance response is similar to that caused by natural disturbances. Observation of salmonids during in-channel post pounding, an acute disturbance similar to wood placement, confirmed that such avoidance behavior lasts only a few seconds at the start of post pounding, and thus represents an insignificant impact. Juvenile salmonids quickly resumed normal swimming and foraging behavior in proximity to post pounding during pounding operations, and after pounding operations ceased. Therefore, fish exclusion techniques, such as placement of fish blocking nets around large wood receiving sites, are considered unnecessary for this Project, since: 1) large wood receiving sites would be small (each less than 15 feet in linear distance); 2) the period of disturbance during large wood placement would be short; 3) disturbance from hand felling and/or positioning of large wood would encourage any fish present to temporarily relocate; and 4) there would be an abundance of good quality habitat next to large wood loading sites where fish will be able to temporarily relocate.

Project Timeline

The proposed work would occur between May 15 and October 15, 2018, and would be completed within approximately 30 workdays. The work season may be eligible for extension, if needed, based on Agency authorization.

Receiving Waters

The Project is located at Horse Creek, a tributary of the Klamath River watershed, within the Middle Klamath River Hydrologic Area 105.33.

Impacts

The proposed Project would result in temporary impacts to approximately 450 to 500 linear feet of steam bank and channel of Horse Creek.

Mitigation
The activities associated with this restoration Project would result in an increase in function of jurisdictional waters and therefore will not require mitigation.

Other Agency Permits and Actions
The applicant has applied for authorization from the United States Army Corps of Engineers for a Nationwide Permit 27 – Aquatic Habitat Restoration, under Clean Water Act, section 404.

CEQA
The North Coast Regional Water Quality Control Board, as lead California Environmental Quality Act (CEQA) agency, has determined that the Project qualifies for Categorical Exemption, 15333 Small Habitat Restoration Projects, and will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

Public Comments
Regional Water Board staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all phone calls and comments submitted in writing and received within a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions or comments, please contact staff member Jake Shannon at (707) 576-2673 or Jacob.Shannon@waterboards.ca.gov within 21 days of the posting of this notice. The information contained in this public notice is only a summary of the applicant's proposed activities. The Regional Water Board's Project file includes the application for certification and additional details of the proposed Project, including maps and design drawings. Project documents and any comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.