Churchwell White LLP

May 20, 2016

Via US Mail and Email (kenneth.petruzzelli@waterboard.ca.gov)

Kenneth Petruzzelli
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Re: Resource Improvement Update at Marble Mountain Ranch

Dear Mr. Petruzzelli:

Based on our email correspondence and phone conversations following my previous resource improvement update letter to you dated April 15, 2016, regarding Douglas and Heidi Coles' ("Coles") efforts at Marble Mountain Ranch, please find below detailed information answering the questions that have been provided to the Coles and their resource improvement team. The Coles' resource improvement team includes engineer Joey Howard, of Cascade Stream Solutions; Will Harling, Director at the Mid Klamath Watershed Council; and Rocco Fiori, of Fiori GeoSciences. This information is further follow up from our May 13, 2016 meeting.

1. **Questions provided via Email to Barbara Brenner from Kenneth Petruzzelli on April 20, 2016**

a.) The numeric consumptive use rate of 0.31 CFS (excludes hydropower water) reported by Mr. Cole is not supported by the Division of Water Rights ("Division"). The Division would like to point out that .31 CFS over a 24-hour period is approximately 200,000 gallons of water per day. Based on the Division's field visits to the Ranch, the Division does not support that MMR uses that amount of water daily. Task # 5 in the Summary of Work ("SOW") states that there will be a Water Efficiency Study preformed ("Study"). The Division is interested in reviewing and commenting on the Study in order to determine what a reasonable daily use of water at the ranch is.

The Coles have an established pre-1914 right to divert water at their diversion from Stanshaw Creek, provided that water can be beneficially used. They are working to reduce their diversion to the National Marine Fisheries Service ("NMFS") recommended bypass flow to ensure that there is enough water in the Stanshaw Creek system to ensure protection of the fisheries in the system during low flow periods. Outlined below are the current consumptive water uses at Marble Mountain Ranch. Any water that is diverted in excess of the need of the uses identified below is beneficially used in pasture irrigation, pond maintenance, fire prevention, or other

beneficial uses on the Marble Mountain Ranch property. Please note the consumptive use rate previously determined is .353 cfs.

1. Approximately 12 acres of irrigated pasture
2. 3 acres of irrigated gardens for edible products for Marble Mountain Ranch
3. 140 fruit and nut trees not included in the acreage in items 1 and 2
4. Approximately 150 landscape trees. These are not forest margin trees. Instead, the trees are part of the landscaped areas of the ranch that the Coles maintain and water.
5. 50 person human habitation water needs during average business levels
    a. This can increase to up to 500 people during fire camp residency periods
    b. The human consumptive needs include commercial laundry service, ice machine use, and all infrastructure for a dining facility
6. 30-35 horses
7. 6-8 dogs
8. 3-4 goats
9. 40 chickens
10. 2-4 rabbits
11. 12-15 cats, not including unknown strays
12. 1 small pool
13. 1 hot tub
14. 1 pond for fire prevention, aesthetics, and recreation
15. Public restroom and shower-house facilities including 5 showers, 5 toilets, and 5 hand-wash sinks
16. Landscaping and fire-prevention greening of the remaining total acreage of the ranch including lawns and flower beds around each structure on Marble Mountain Ranch for aesthetic and fire proofing purposes. This includes 11 cottages, 5 homes of various sizes, and various outbuildings.

The Coles expect to complete the Study identified in task number 5 of the SOW by July. Once the efficiency study is completed and reviewed by the Coles, it will be shared with the partners on the Marble Mountain Ranch resource improvement team, including the Division. While water efficiency has already greatly improved and the Coles intend to work toward the goal of the most efficient use of water, they retain the right to beneficially use water in the amount of their established pre-1914 right.

> *b.) The two documents cite different amounts of water that will be diverted via the 6-inch pipes. On page 2 of the PDF titled Marble Mountain Pipeline the Q value = 0.35 CFS. In the document titled "40710 Revised SOW for Additional Funds _Task six Revision" (SOW) in the second paragraph of section Task # 6, it states that the pipeline is sized to convey 0.31 CFS. The two documents are reporting a different volume of water will be diverted in the 6-in pipe.*

The documents contain an error in characterizing the flows that will be conveyed in the six inch pipe for consumptive use. The six inch pipe will be used to convey water to Marble Mountain

Ranch in an amount that complies with the NMFS bypass flow recommendation during low flow periods. The correct number is 0.35 cfs.

> *c.) Under Task # 6 in the SOW the following is stated –"This pipe is sized to convey consumptive flows (0.31 cfs), or 10% of Stanshaw Creek flow at the Point of Diversion (POD), (whichever is less)[1], to MMR between May 15-October 31. In Order for MMR to accomplish this by-pass flow schedule, MMR will need to know what the flow is in Stanshaw Creek at the POD on a daily occurrence. Furthermore, how will MMR measure the amount of water diverted when they are restricted to 10 percent of the stream flow? In order to maintain compliance with the bypass requirement, MMR will need to measure the daily flow rate of Stanshaw Creek and have the ability of reducing the water diverted at the POD accordingly. The head gate will need to accommodate the reduced diversion rate to the 6 –inch pipe from 0.31 CFS to 10 % of the instantaneous flow in Stanshaw Creek.*

The time and expense associated with measuring flow and restricting the diversion to 10% of that flow measurement prohibits such measurement and monitoring on a daily basis. Monitoring and managing the diversion would take around four hours each day. Initially, the Coles and their resource improvement team proposed taking flows every two weeks starting on May 1, 2016 and creating a regression graph of the flows to predict what the flows would be by the next two week measurement. The diversion would then be managed to divert water that would be at or below 10% of the predicted flow at the end of the two weeks when the flow measurement would be taken again.

Will Harling continues to discuss diversion management with Margaret Tauzer at NMFS, and the every two week approach with flow measurements at the Marble Mountain Ranch point of diversion, in the Marble Mountain Ranch ditch, and below the Marble Mountain Ranch diversion has been tentatively agreed to for the interim. As a solution in the long term, it has been proposed that the State Water Resources Control Board install a remote flow monitoring station in Stanshaw Creek at the top of the Highway 96 crossing that can be monitored in real time via the internet. Then an inline Doppler gauge will also be installed on the proposed six inch pipe for the Marble Mountain Ranch diversion. The Doppler gauge will also track the flows in real time via the internet. Once all of those flow monitors are in place, the Coles can adjust the diversion as needed to address the 10% NMFS recommended flow amounts and accurately monitor the diversion.

> *d.) Under Task # 6 in the SOW the following is stated. "Additionally, a short term modification to the MMR water system will be an engineered design for the outflow to Irving Creek from the MMR ditch where a head cut is causing active erosion into Irving Creek." The Division would like some elaboration of this statement. What exactly will be*

[1] Our understanding is MMR is allowed to divert a minimum of 0.35 cfs. The low flow bypass is either 10% of creek flow or 0.35 cfs up to a maximum of 3cfs. We continue to clarify the bypass flow schedule with NMFS.

done? When will water diverted be returned to Stanshaw Creek? Is the "short term modification" needed so that construction can begin to return water back to Stanshaw?

The Coles and their resource improvement team have designed a short term solution of a culvert with log supports to stop erosion at the current outflow point into Irving Creek. These designs can be shared with partners, including the Division, by June 15, 2016.

Note, however, during low flow periods, there will be no outflow to Irving Creek. Mr. Cole has decreased his diversion eliminating hydropower use. The 1.1 cfs is the 0.35 consumptive use plus ditch loss flow. Until the proposed six inch pipe is installed, diversion that provides for ditch loss is needed.

The short term solution addresses the immediate problem of erosion. This allows the Coles time to design, fund, permit, and implement a long term solution to return any flow to Stanshaw Creek. That solution will likely include piping a portion of the return flow along Highway 96. This project will require review and permitting from a number of agencies including, but not limited to the United States Forest Service ("USFS") and the California Department of Transportation ("CalTrans"). With those types of permitting requirements and the cost of such a large project, this long term solution is likely to take a few years to complete. Therefore, the Coles are proposing the immediate solution of the culvert to address erosion occurring at Irving Creek when there is return flow.

e.) The document gives the reader the impression that between May 15-October 31 that water for hydropower will not be diverted, is that true?

The Coles' current hydropower system is not properly sized to operate on the amount of flow available under the NMFS recommended bypass flows during low flow periods. However, the Coles are reviewing their options regarding the hydropower system and may install a system that can operate based on the reduced flow. Thus, in the future water may be diverted during low flow periods for hydropower purposes.

f.) Who did the Coles speak to at the USFS and what was provided from the USFS stating that changing the ditch location was not an acceptable option? Please have this decision provided in a written format signed by a USFS representative.

The Coles have discussed the current ditch location with Six Rivers National Forest Lands and Mineral Officer George Frey. In an email to Doug Cole on April 21, 2016, Mr. Frey indicated that the USFS has not provided a written opinion on the possibility of changing the alignment of the ditch. However, the USFS would prefer to work with the existing ditch alignment rather than disturb 0.54 mile of new ditch line and 0.12 mile of new penstock line and unknown amount of acreage for new access roads.

Any change of the ditch alignment would require that the Coles secure a permit to make those changes from the USFS. This would require additional time, money, and resources; further

delaying implementation of all of the proposed long term solutions to the Division's concerns about the Coles' diversion.

> *g.) Where did the 6 inch temporary pipe size come from? We would like an analysis of how the size was determined and a detailed, written explanation of how summer flows will be controlled in regard to limiting the 6 inch pipe in the event it is necessary to do so to ensure adequate bypass flows.*

Joey Howard of Cascade Stream Solutions has prepared calculations demonstrating the need for the six inch size of the pipe. The calculations are attached to this letter, as Exhibit A. Mr. Howard's calculations demonstrate that to convey the flows allowed under the NMFS bypass recommendation, based on the distance from the point of diversion to Marble Mountain Ranch and the vertical drop between those two points, a six inch pipe is required. The calculations relied upon the Hazen-Williams equation that is generally applied to closed conduit flow. A smaller pipe would require a greater vertical drop between the point of diversion and Marble Mountain Ranch.

> *h.) Is the 10% of flow recommendation from NMFS for all users on Stanshaw or for only the Coles? Our impression is that it was the former.*

The Coles and their resource improvement team understand that the NMFS recommended 10% bypass flow was for the Coles only. All other users of the Stanshaw Creek system would be subject to NMFS bypass flow recommendations of their own.

> *i.) The Restoration and Monitoring Plan described does not appear to have been submitted to the Regional Board or State Board for review and approval based upon the timeline and task milestones provided by the Coles. In addition, the Region does not see a discussion of permits required or any reference to conditional approvals of designs by the Regional Water Board or Division. Please have the Coles provide the designs for the pipe installation, including any necessary limitations during construction to mitigate impacts, and a complete list of all permits 1) required, 2) they have applied for, 3) and those permits received that allow them to conduct this scope of work of 1) preparing the ditch through excavation 2) installing the pipe and of 3) installing a temporary culvert fix at the outfall of the ditch into Irving Creek.*

The Restoration and Monitoring Plan ("Plan") will be provided to the Regional Board and State Board for review once it is completed. The Plan should be completed during July 2016. The pipe installation plans are attached as part of the 1602 application. (See Exhibit B.)

The pipe installation is wholly contained within a manmade ditch. Therefore, it will not require 1602 permitting. This has been confirmed by CDFW. Further, the pipe or ditch inlet will be screened with a CDFW and NMFS compliant screen, no water will be put back into Stanshaw Creek, the installation process will constrain flow to Marble Mountain Ranch, and more flow will remain in Stanshaw Creek while the installation is taking place. Nevertheless, after consultation with the CDFW, the Coles have completed a Notification of Lake or Streambed

Alteration in an abundance of caution. That form is attached to this letter as Exhibit B as well as the confirmation letter from the CDFW.

j.) The proposed interim fixes are likely costly and do not appear to meet expectations in terms of reducing impacts and stabilizing –restoring streams. The Region is curious as to whether there has been a biological assessment of the existing ditch habitat value and the species that are occupying the ditch? What does DFW think about this?

The timeline for complying with the NMFS bypass flow recommendation makes implementing the proposed long term solutions both cost prohibitive and impossible to achieve before the Coles must reduce the amount of water they are diverting. The proposed short term solutions ensure that the Coles can continue to live at Marble Mountain Ranch and operate their small business while complying with bypass flow recommendations and other regulatory requirements for continuing to divert water. As indicated in the 1602 application any species found in the ditch at the time of dewatering and prior to the laying of pipe will be captured and relocated.

k.) Will the plans be submitted to the North Coast Regional Water Board and Division of Water Rights for review and approval prior to submission to other agencies for required permits and approvals to conduct the scope of work?

As discussed above, the plans for the six inch pipe which is also an erosion control measure are attached. The installation of a culvert to prevent erosion at the Irving Creek outfall will be submitted. Installation of that erosion control measure will occur after permit approvals are obtained, if needed. These plans evidence that no permitting is required as all work will take place within the confines of a manmade ditch, outside the bed or banks of a lake or stream and the jurisdiction requiring a lake or streambed alteration permit. A nationwide permit under the Army Corp of Engineers program has been prepared and submitted. (See attached Exhibit C.) A 401 Water Quality Certificate application has been prepared and submitted. (Attached as Exhibit D.)

l.) How have the Coles addressed CEQA through the scope of work they appear to have conducted and are intending to conduct?

The Coles' diversion is on federal land owned by the USFS. Discussions between George Frey and Doug Cole via an email on April 21, 2016, indicate that the National Environmental Policy Act ("NEPA") would apply. However, Mr. Frey indicated that maintenance activities such as the erosion control measures proposed would not require NEPA review. No CEQA review is triggered since no 1602 permit is required and the 404 and 401 applications fall under the habitat restoration programs which includes a CEQA exemption.

m.) As the water use analysis is incomplete, how have the Coles determined that the 6 inch pipe is appropriate, and how has the project design been influenced by the potential to develop efficiencies in the system?

As discussed above, the six inch pipe size is a result of Joey Howard's calculations based on the Hazen-Williams equation that is generally applied to closed conduit flow. The use of the six inch pipe is an initial measure that can be incorporated into any additional improvements made to the diversion once long term solutions are implemented at Marble Mountain Ranch.

n.) Have any alternatives been considered in terms of 1) planning to put the water back into Stanshaw Creek; and 2) project alternatives to control erosion and diversion of the ditch? If not, why were these alternatives not considered and why was the preferred alternative chosen?

As previously discussed, the Coles are under a time constraint to achieve short term solutions to comply with the NMFS recommended bypass flow. They are faced with short timelines, a need to secure funding, and ongoing discussion and negotiation with all stakeholders in implementing solutions. Based on these constraints, the Coles' focus has been on making sure they can comply with all immediate deadlines. The Coles anticipate that they will have time to develop alternatives for the long term solutions for review and input from all stakeholders by August 2016. The proposed solutions that have been identified in previous correspondence are ideas to begin the process of implementing long term resource improvements. The Coles remain committed to working with all stakeholders to find the best solutions for all involved in the improvement of their diversion. Piping the ditch has been discussed over the years and has been determined to be a preferred alternative by all stakeholders involved. Return flow to Stanshaw via a pipeline along the highway has also been vetted since approximately 2008.

2. Questions provided via Email to Joey Howard from Margaret Tauzer, NOAA Fisheries on May 5, 2016

a.) Is there a full schematic (distances and elevation) available that shows the start and end point for the consumptive use?

Joey Howard has prepared a schematic for the proposed project that is attached hereto as Exhibit E. The schematic demonstrates that the pipe will not require any work within the stream. While the work is being done, the work area will be isolated from the stream with sandbags and a plastic sheet barrier. The barrier will be placed near Marble Mountain Ranch's point of diversion and no flows will be returned to Stanshaw or Irving Creek while the work is being done.

Mr. Howard currently lacks topographic data of the site to provide a detailed plan of the start and end point of the diversion. All aerial imagery is blocked by the trees of the national forest surrounding Marble Mountain Ranch. General location maps as well as the models based on survey data that were used to create the planned pipe project are also attached hereto as Exhibit F.

b.) Why not screen the water at the inlet to make sure it does not have sediment?

The headgate will include a prefabricated CDFW and NMFS approved passive fish screen. The proposed screen, a pump-rite L250 fish screen, will be placed in the ditch about 15 feet down

ditch from the point of diversion and connected to the pipe with compression coupling. This approach is proposed in lieu of an infiltration gallery. The Coles have previously researched the use of an infiltration gallery but found that the capacity loss of 90% of the initial capacity within the first few years and the cleaning and replacement requirements made it prohibitively expensive.

As part of the screen, the Coles will also install a barrier in the ditch at the point of diversion. The barrier will be about eight to ten feet long, measured longitudinally along the ditch and armored along the exterior with native gravel harvested from the ditch. Plastic sheeting will be used to limit the water that enters the ditch beyond the barrier.

Lastly, a sediment analysis prepared by Rocco Fiori, outlining the origins of the sediment that enters the Coles' diversion is attached as Exhibit G. This analysis demonstrates that the sediment is a result of the conditions in Stanshaw Creek, not a result of the Coles' diversion.

c.) *Why not send the water directly to the point of use in a pressure pipe rather than the forebay?*

With the vertical drop of only 13.3 feet between the point of diversion and Marble Mountain Ranch, the pipe cannot be pressurized without extreme measures. The pipe as well as the ditch would either have to be realigned to increase the vertical drop or the pipe would have to be buried very deeply underground. The most direct route of access from the point of diversion to Marble Mountain Ranch follows the existing ditch line. Therefore, the proposed plan is to lay the pipe in the existing ditch, emptying into the existing forebay to minimize the costs associated with the project and the disturbance to the surrounding area as a consequence of the project.

d.) *If the water will first be used for micro hydro, why not send it directly to the hydroelectric location?*

Based on the reasons discussed above, the forebay remains necessary. The water in the forebay is then used to generate hydroelectric power from the forebay or delivered to the infrastructure for consumptive use. The hydroelectric location is near enough to where the water enters the forebay that losses, if any, are negligible.

We look forward to continuing to report the Coles' progress in making improvements to the Marble Mountain Ranch Stanshaw Creek diversion. Please contact me with any questions.

Regards,

Churchwell White LLP

Barbara A. Brenner

BAB/kaf/mf

cc: Douglas and Heidi Cole
92520 Highway 96
Somes Bar, CA 95568
guestranch@marblemountainranch.com

Klamath National Forest
Ukonom Ranger District
c/o Mr. Jon Grunbaum
P.O. Drawer 410
Orleans, CA 95556

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North Coast Regional Water Quality Board
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Mid Klamath Watershed Council
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Joey Howard
Cascade Stream Solutions
joey@cascadestreamsolutions.com

Exhibit A

Hazen Williams Calculation

4 inch Diameter Pipe

WR-135

$Q=1.318 \times C \times A \times R^{0.63} \times S^{0.54}$

where Q = quantity rate of flow, cfs C = roughness coefficient, dimensionless d = inside pipe diameter, in. , R = hydraulic radius, feet; V = Velocity, feet per second A = cross section area, ft^2

Pipe diam	4	in
Pipe diam	0.333333333	ft
Pipe Area	0.087266463	
Pipe Hyd Radius	0.083333333	
Roughness Coeff	150	
Entrance loss	0.5	

Station	Slope	V	Q	Entrance Loss
1464				
	0.004	2.095245322	0.182844648	0.034084262
4101				
	0.0042	2.151181732	0.18772602	0.035928438
4340				
	0.0081	3.066933748	0.267640459	0.073028592
4559				
	0.0037	2.008868067	0.17530681	0.031331917
4664				

Station	Elev	Slope	V	Q
1464	1119.5			
		0.004259375	2.17	0.19
4664	1105.87			
-3200	13.63			

Hazen Williams Calculation
5 inch Diameter Pipe

$Q=1.318 \times C \times A \times R^{0.63} \times S^{0.54}$

where Q = quantity rate of flow, cfs C = roughness coefficient, dimensionless d = inside pipe diameter, in. , R = hydraulic radius, feet; V = Velocity, feet per second A = cross section area, ft^2

Pipe diam	5	in
Pipe diam	0.416666667	ft
Pipe Area	0.136353848	
Pipe Hyd Radius	0.104166667	
Roughness Coeff	150	

Station	Slope	V	Q	Entrance Loss
1464				
	0.004	2.411505	0.328818002	0.045150287
4101				
	0.0042	2.475885	0.3375964	0.047593205
4340				
	0.0081	3.529862	0.481310239	0.096738543
4559				
	0.0037	2.31209	0.315262359	0.041504347
4664				

Station	Elev	Slope	V	Q	Inlet head
1464	1119.5				
		0.004259	2.49	0.34	0.258867092
4664	1105.87				

Hazen Williams Calculation
6 inch Diameter Pipe

$Q=1.318 \times C \times A \times R^{0.63} \times S^{0.54}$

where Q = quantity rate of flow, cfs C = roughness coefficient, dimensionless d = inside pipe diameter, in. , R = hydraulic radius, feet; V = Velocity, feet per second A = cross section area, ft^2

Pipe diam	6	in
Pipe diam	0.5	ft
Pipe Area	0.196349541	
Pipe Hyd Radius	0.125	
Roughness Coeff	150	

Station	Slope	V	Q	Entrance Loss
1464				
	0.004	2.411505117	0.473497923	0.045150287
4101				
	0.0042	2.475884661	0.486138816	0.047593205
4340				
	0.0081	3.529861803	0.693086744	0.096738543
4559				
	0.0037	2.312089937	0.453977798	0.041504347
4664				

Station	Elev	Slope	V	Q	Inlet head
1464	1119.5				
		0.004259375	2.80	0.55	0.325720592
4664	1105.87				

Open Channel Flow Calculations
Manning's Equation

	Flowing Full					Flowing Full		
	Pipe Diam	4	in			Pipe Diam	6	in
	Pipe Diam	0.333333	ft			Pipe Diam	0.5	ft
	Manning's n =	0.012				Manning's	0.012	
Station	Slope	Q, cfs	Vel, fps		Station	Slope	Q, cfs	Vel, fps
1464					1464			
	0.004	0.127	1.484			0.004	0.384	1.958
4101					4101			
	0.0042	0.13	1.521			0.0042	0.394	2.006
4340					4340			
	0.0081	0.181	2.112			0.0081	0.547	2.786
4559					4559			
	0.0037	0.122	1.47			0.0037	0.037	1.883
4664					4664			
	Flowing Full					Flowing Full		
	Pipe Diam	4	in			Pipe Diam	6	in
	Pipe Diam	0.333333	ft			Pipe Diam	0.5	ft
	Manning's n =	0.012				Manning's	0.012	
Station	Slope	Q, cfs	Vel, fps		Station	Slope	Q, cfs	Vel, fps
1464					1464			
	0.004	0.127	1.484			0.004	0.384	1.958
4101					4101			
	0.0042	0.13	1.521			0.0042	0.394	2.006
4340					4340			
	0.0081	0.181	2.112			0.0081	0.547	2.786
4559					4559			
	0.0037	0.122	1.47			0.0037	0.037	1.883
4664					4664			

Exhibit B

California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
(530) 225-2300
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

May 16, 2016

Mr. Doug Cole
Marble Mountain Ranch
92520 CA-96
Somes Bar, CA 95568

Subject: No Lake or Streambed Alteration Agreement Needed
Notification No. 1600-2016-0198-R1
Marble Mountain Ranch Fish Screen, Gate Valve & Pipeline Installation Project
Stanshaw Creek, Tributary to the Klamath River, Siskiyou County

Dear Mr. Cole:

The California Department of Fish and Wildlife (Department) has reviewed your Lake or Streambed Alteration Notification (Notification). We have determined that your project is subject to the Notification requirement in Fish and Game Code Section 1602.

The Department has also determined that your Fish Screen, Gate Valve & Pipeline Installation Project (Project) as proposed will not substantially adversely affect an existing fish or wildlife resource. As a result, you will not need a Lake or Streambed Alteration Agreement for your proposed construction Project. You are responsible for complying with all applicable local, state, and federal laws in completing your work. A copy of this letter and your Notification with all attachments should be available at all times at the work site.

Please note that if you change your construction Project so that it differs materially from the Project you described in your original Notification, you will need to submit a new Notification and corresponding fee to the Department. In addition, the Department would like to remind you that you will need to submit a separate Lake or Streambed Alteration Notification by December 31, 2016 for the "act of diverting water" pursuant to your water right. The Department will then determine if your diversion of water is considered a substantial impact to the stream and aquatic resources, and, if necessary, issue a Lake or Streambed Alteration Agreement.

Thank you for notifying us of your construction Project. If you have any questions, please contact me at (530) 225-2314 or Donna.Cobb@wildlife.ca.gov.

Sincerely,

Donna L. Cobb

Donna L. Cobb
Aquatic Conservation Planning Supervisor

ec: North Coast Regional Water Quality Control Board, NorthCoast@Waterboards.ca.gov
Will Harling, MKWC, will@mkwc.org

Conserving California's Wildlife Since 1870

FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	$		

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Doug Cole		
Business/Agency	Marble Mountain Ranch		
Street Address	92520 CA-96		
City, State, Zip	Somes Bar, CA, 95568		
Telephone	(530) 469-3322	Fax	
Email	guestranch@marblemountainranch.com		

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Will Harling - Mid Klamath Watershed Council		
Street Address	38150 Highway 96		
City, State, Zip	Orleans, CA 95556		
Telephone	(530) 627-3202	Fax	
Email	will@mkwc.org		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	Marble Mountain Ranch Ditch Maintenance			
B. Agreement Term Requested	☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)			
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2016	2016	May/12	June/30	Approx. 12

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.

A.	☐ Standard *(Most construction projects, excluding the categories listed below)*	
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*)	*Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*)	THP *Number:* _____
D.	☑ Water Diversion/Extraction/Impoundment (*Attachment C*)	*SWRCB Number:* S016375
E.	☐ Routine Maintenance (*Attachment D*)	
F.	☐ CDFW Fisheries Restoration Grant Program (FRGP)	*FRGP Contract Number* _____
G.	☐ Master	
H.	☐ Master Timber Harvesting	

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1			
2			
3			
4			
5			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE ENCLOSED	

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☑ No ☐ Yes (*Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

8. PROJECT LOCATION

A. Address or description of project location.
(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A CDFW/NMFS compliant cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Stanshaw Creek
C. What water body is the river, stream, or lake tributary to?	Klamath River
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☐ No ☐ Unknown
E. County	Siskiyou

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Bark Shanty Gulch, CA	13N	6E	33	NW

☐ *Continued on additional page(s)*

K. Meridian *(check one)*: ☑ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

U.S. Forest Service Land

☐ *Continued on additional page(s)*

M. Coordinates *(If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)*

Latitude/Longitude	*Latitude:* 42.472346N	*Longitude:* 123.50418W	
	☑ Degrees/Minutes/Seconds	☑ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☑ NAD 83 or WGS 84	

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	☑
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.
- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek.

Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

mini excavator, all terrain vehicles with trailers, shovels, picks other hand tools.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B)?	☑ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

The project will be constructed outside of the bed, channel, bank of Stanshaw Creek.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☑ No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☑ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

A temporary sandbag barrier will be placed near the upstream end of the ditch to prevent water from entering the ditch and work area.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent fish and water from entering the stream. Following placement of the sandbag barrier, the dewatered ditch shall be inspected for aquatic organisms. Aquatic organisms will be collected and returned to the creek.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent water and fish from entering the ditch. Construction activities occur in unvegetated areas.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. _____ ☐ Applied ☐ Issued

B. _____ ☐ Applied ☐ Issued

C. _____ ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

☐ Yes *(Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)*

☑ No *(Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)*

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*): _____
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document (*type*): _____
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	☐ ESA document (*type*): _____
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number *(if applicable)*

C. Has a CEQA lead agency been determined? ☐ Yes *(Complete boxes D, E, and F)* ☐ No *(Skip to box 14.G)*

D. CEQA Lead Agency

E. Contact Person | F. Telephone Number

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☐ Yes *(Enclose proof of payment)* ☐ No *(Briefly explain below the reason a filing fee has not been paid)*

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☑ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☐ Yes (Please enclose the information via digital media with the completed notification form)

☐ No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Doug Cole — 5/12/2016

Signature of Applicant or Applicant's Authorized Representative — Date

Doug Cole

Print Name

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

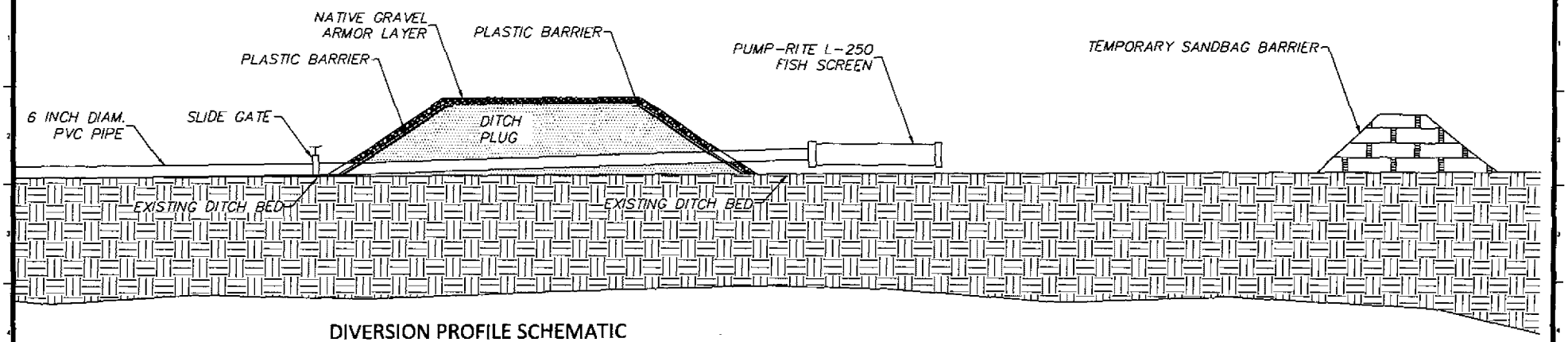
Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. No water on the ditch side of the barrier will be returned to the creek.

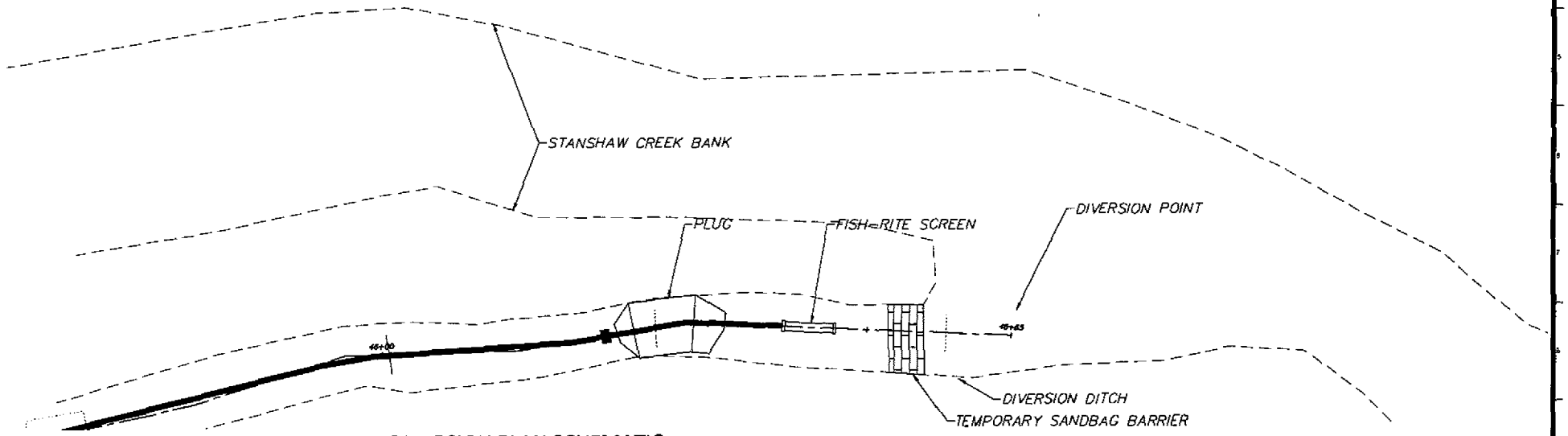
Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 884-0492

Drawing Information	
Date	12 May 2018
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

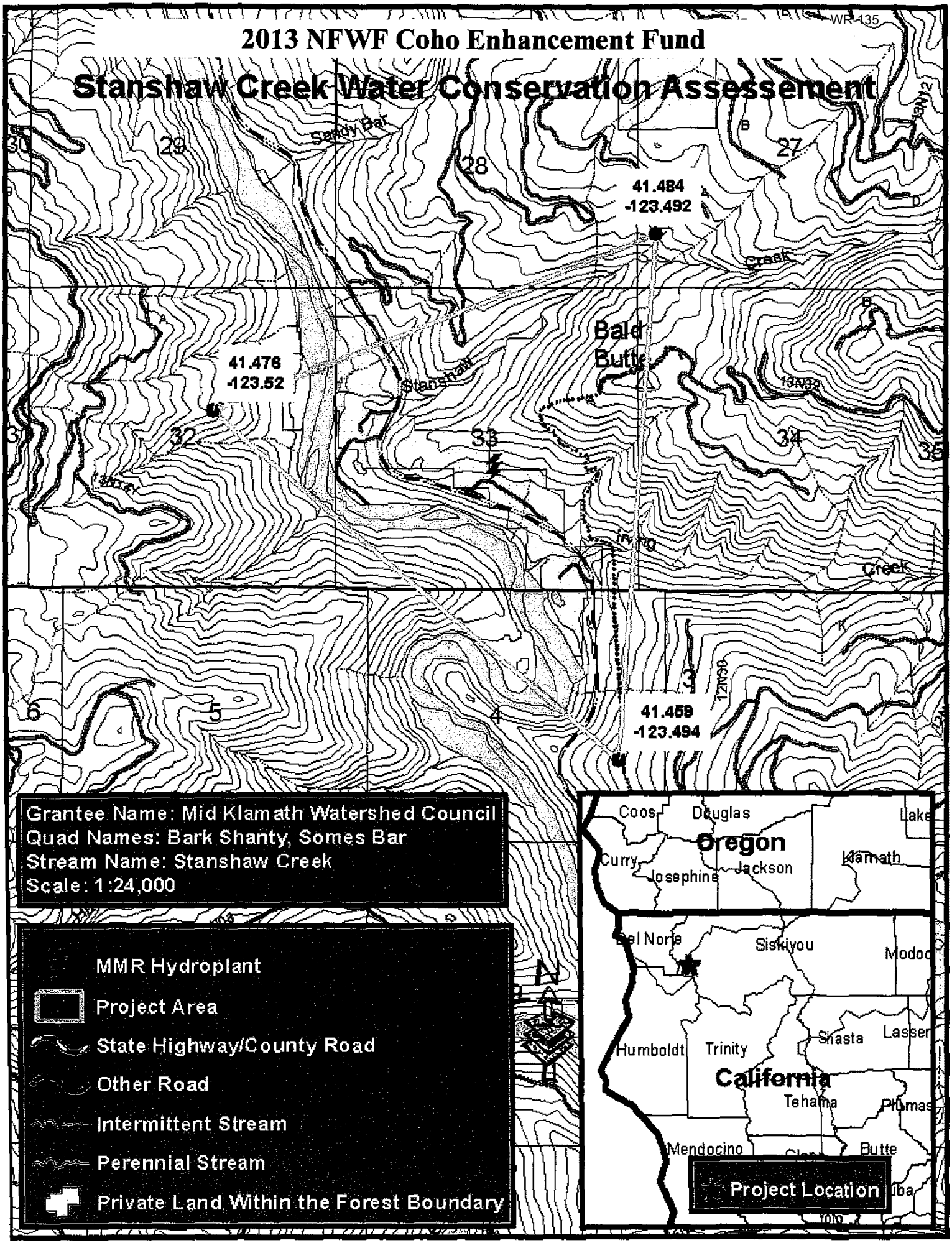
Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number 2015-115
Sheet Number 1
Sheet 1 of 1

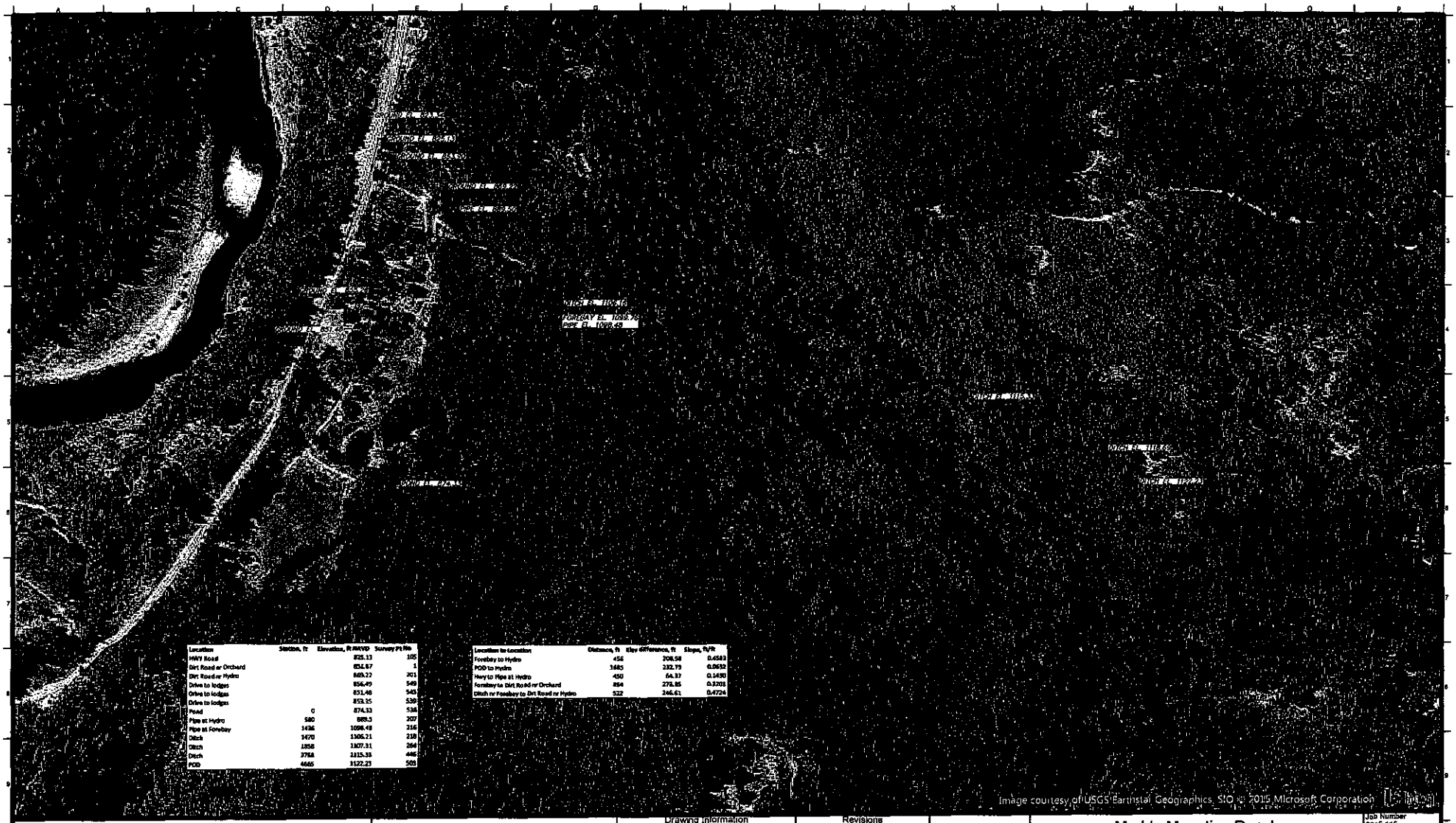
2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessment



Grantee Name: Mid Klamath Watershed Council
Quad Names: Bark Shanty, Somes Bar
Stream Name: Stanshaw Creek
Scale: 1:24,000

- MMR Hydroplant
- Project Area
- State Highway/County Road
- Other Road
- Intermittent Stream
- Perennial Stream
- Private Land Within the Forest Boundary



Location	Station, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		825.13	105
Dirt Road nr Orchard		854.87	1
Dirt Road nr Hydro		869.22	201
Drive to lodges		836.49	549
Drive to lodges		851.48	545
Drive to lodges		853.15	538
Road	0	874.33	536
Pipe at Hydro	580	889.5	207
Pipe at Forebay	1436	1098.48	216
Ditch	1470	1305.21	219
Ditch	1858	1307.31	264
Ditch	3758	1315.38	446
POD	4665	1122.23	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	456	208.58	0.4583
POD to Hydro	1685	232.79	0.0632
Hwy to Pipe at Hydro	450	64.37	0.1430
Forebay to Dirt Road nr Orchard	894	279.85	0.3201
Ditch nr Forebay to Dirt Road nr Hydro	522	246.61	0.4724

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
285 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 884-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	31 May 2015
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number
2015-115
Sheet Number
1
Sheet 1 of

002943

WR-1135

Exhibit C

U.S. Army Corps of Engineers

South Pacific Division

Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the U.S. Army Corps of Engineers Nationwide Permit Program within the South Pacific Division (SPD), including General and Regional Conditions. You MUST fill out all boxes related to the work being done. Fillable boxes in this form expand if additional space is needed.

Box 1 Project Name Marble Mountain Ranch Ditch Maintenance			
Applicant Name Doug Cole		**Applicant Title** Owner	
Applicant Company, Agency, etc. Marble Mountain Ranch		Applicant's internal tracking number (if any)	
Mailing Address 92520 CA-96, Somes Bar, CA 95568			
Work Phone with area code (530) 469-3322	Mobile Phone with area code	Home Phone with area code	Fax # with area code
E-mail Address guestranch@marblemountainranch.com	Relationship of applicant to property: ☒ Owner ☐ Purchaser ☐ Lessee ☐ Other:		
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a U.S. Army Corps of Engineers Nationwide Permit or Permits as described herein. I certify that I am familiar with the information contained in this application and, that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work only after all necessary permits have been received and to comply with all terms and conditions of the authorization.			
Signature of applicant Doug Cole		Date (mm/dd/yyyy) 05/19/2016	

If anyone other than the person named as the Applicant will be in contact with the U.S. Army Corps of Engineers representing the Applicant regarding this project during the permit process, Box 2 MUST be filled out.

Box 2 Authorized Agent/Operator Name Barbara Brenner		**Agent/Operator Title** Attorney	
Agent/Operator Company, Agency, etc. Churchwell White LLP		E-mail Address barbara@churchwellwhite.com	
Mailing Address 1414 K STREET, 3RD FLOOR, SACRAMENTO, CA 95814			
Work Phone with area code (916) 468-0950	Mobile Phone with area code	Home Phone with area code	Fax # with area code
I hereby authorize the above named authorized agent to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant Doug Cole		Date (mm/dd/yyyy) 05/19/2016	
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			

Revised March 21, 2012. For the most recent version of this form, visit your Corps District's Regulatory website.

	5/19/2016

Box 3 Name of Property Owner(s), if other than Applicant:		
Owner Title	**Owner Company, Agency, etc.**	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 4 Name of Contractor(s) (if known):		
Contractor Title	**Contractor Company, Agency, etc.**	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 5 Site Number 1 of 1. Project location(s), including street address, city, county, state, zip code where proposed activity will occur: 92520 CA-96, Somes Bar, CA 95568.	
Waterbody (if known, otherwise enter "an unnamed tributary to"):Stanshaw Creek Tributary to what known, downstream waterbody:Klamath River	
Latitude & Longitude (D/M/S, DD, or UTM with Zone): 42.472346N, 123.50418W	Section, Township, Range: Section 33, Township 13N, Range 6E
County Assessor Parcel Number (Include County name): United States Forest Service Land	USGS Quadrangle map name: Bark Shanty Gulch, CA
Watershed (HUC and watershed name[1]): [1]http://water.usgs.gov/GIS/regions.html	Size of permit area or project boundary: acres linear feet
Directions to the project location and other location descriptions, if known: The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.	

Nature of Activity (Description of the project, include all features):
Please see the attached document describing the nature of the project.

Project Purpose (Description of the reason or purpose of the project):
The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

Box 6 Reason(s) for discharge into Waters of the United States (Description of why dredged and/or fill material needs to be placed in Waters of the United States):
A pipe will be placed in a manmade ditch to improve fishery habitat in the natural channel above the manmade ditch.

Proposed discharge of dredge and/or fill material. Indicate total surface area in **acres** and **linear feet** (where appropriate) of the proposed impacts to Waters of the United States, indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.), and identify the impact(s) as permanent and/or temporary for each requested Nationwide Permit[1]:

[1] Enter the intended permit number(s). See Nationwide Permit regulations for permit numbers and qualification information: http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx

Water Body Type	Requested NWP Number:				Requested NWP Number:				Requested NWP Number:			
	Permanent		Temporary		Permanent		Temporary		Permanent		Temporary	
	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length
Total:												

Revised March 21, 2012. For the most recent version of this form, visit your Corps District's Regulatory website.

Total volume (in cubic yards) and type(s) of material proposed to be dredged from or discharged into Waters of the United States:

Material Type	Total Volume Dredged	Total Volume Discharged
Rock Slope Protection (RSP)		
Clean spawning gravel		
River rock		
Soil/Dirt/Silt/Sand/Mud		
Concrete		
Structure		
Stumps/Root wads		
Other: Pipe Material		
Total:		

Activity requires a written waiver to exceed specified limits of the Nationwide Permit? ☐ Yes ☒ No
If yes, provide Nationwide Permit number and name, limit to be exceeded, and rationale for each requested waiver:

Activity will result in the loss of greater than ½-acre of Waters of the United States? ☐ Yes ☒ No
If yes, provide an electronic copy (compact disc) or multiple hard copies (7) of the complete PCN for appropriate Federal and State Pre-discharge Notification (See General Condition #31, Pre-construction Notification, Agency Coordination, Section 2 and 4):

Describe direct and indirect effects caused by the activity and how the activity has been designed (or modified) to have minimal adverse effects on the aquatic environment (See General Condition #31, Pre-construction Notification, District Engineer's Decision, Section 1): The manmade ditch will be dewatered during construction activities. Any water that is present during construction will not be discharged, but will be used for beneficial uses on the property.

Potential cumulative impacts of proposed activity(if any): No cumulative impacts.

Required drawings and figures (see each U.S. Army Corps of Engineers District's Minimum Standards Guidance):
Vicinity map: ☒ Attached (or mail copy separately if applying electronically)
To-scale Plan view drawing(s): ☒ Attached (or mail copy separately if applying electronically)
To-scale elevation and/or Cross Section drawing(s): ☒ Attached (or mail copy separately if applying electronically)
Numbered and dated pre-project color photographs: ☒ Attached (or mail copy separately if applying electronically)
Sketch drawing(s) or map(s): ☒ Attached (or mail copy separately if applying electronically)

Has a wetlands/waters of the U.S. delineation been completed?
☐ Yes, Attached[2] (or mail copy separately if applying electronically) ☒ No
If a delineation has been completed, has it been verified in writing by the Corps?
☐ Yes, Date of preliminary or approved jurisdictional determination (mm/dd/yyyy): Corps file number: ☐ No
[2]If available, provide ESRI shapefiles (NAD83) for delineated waters

For proposed discharges of dredged material resulting from navigation dredging into inland or near-shore waters of the U.S. (including beach nourishment), please attach[3] a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available), or if disposed offshore, a proposed SAP prepared according to the Ocean Disposal Manual.

[3]Or mail copy separately if applying electronically

Is any portion of the work already complete? ☐ YES ☒ NO
If yes, describe the work:

Box 7 Authority:
Is Section 10 of the Rivers and Harbors Act applicable?: ☐ YES ☒ NO
Is Section 404 of the Clean Water Act applicable?: ☒ YES ☐ NO

Is the project located on U.S. Army Corps of Engineers property or easement?: ☐ YES ☒ NO
If yes, has Section 408 process been initiated?: ☐ YES ☐ NO
Would the project affect a U.S. Army Corps of Engineers structure?: ☐ YES ☒ NO
If yes, has Section 408 process been initiated?: ☐ YES ☐ NO

Is the project located on other Federal Lands (USFS, BLM, etc.)?: ☒ YES ☐ NO
Is the project located on Tribal Lands?: ☐ YES ☒ NO

Box 8 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: ☐ YES ☒ NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

Location of larger development (if discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Box 9 Measures taken to avoid and minimize impacts to waters of the United States:
A temporary sandbag barrier will be placed near the upstream end of the ditch to prevent water from entering the ditch and work area. All water that comes into contact with construction activities will not be discharged and will be used for a beneficial purpose on the property.

Box 10 Proposed Compensatory Mitigation related to fill/excavation and dredge activities. Indicate in **acres** and **linear feet** (where appropriate) the total quantity of Waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.) or non-jurisdictional (uplands[1]). Indicate mitigation type (permittee-responsible on-site/off-site, mitigation bank, or in-lieu fee program). If the mitigation is purchase of credits from a mitigation bank, indicate the bank to be used, if known:

[1] For uplands, please indicate if designed as an upland buffer.

Site Number	Water Body Type	Created		Restored		Enhanced		Preserved		Mitigation Type
		Area	Length	Area	Length	Area	Length	Area	Length	
Total:										

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary: No mitigation is proposed any impacts that may require mitigation will be contained in the manmade ditch.

If permittee-responsible mitigation is proposed, provide justification for not utilizing a Corps-approved mitigation bank or in-lieu fee program:

Has a draft/conceptual mitigation plan been prepared in accordance with the April 10, 2008, Final Mitigation Rule[2] and District Guidelines?

[2]http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx

[3]**Sacramento and San Francisco Districts**-http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/Mitigation_Monitoring_Guidelines.pdf

[4]**Los Angeles District**-http://www.spl.usace.army.mil/regulatory/mmg_2004.pdf

[5]**Albuquerque District**-http://www.spa.usace.army.mil/reg/mitigation/SPA%20Final%20Mitigation%20Guidelines_OLD.pdf

☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No

If no, a mitigation plan must be prepared and submitted, if applicable.

Mitigation site(s) Latitude & Longitude (D/M/S, DD, or UTM with Zone):	USGS Quadrangle map name(s):
Assessor Parcel Number(s):	Section(s), Township(s), Range(s):

Other location descriptions, if known:

Directions to the mitigation location(s):

Box 11 Threatened or Endangered Species

Please list any federally-listed (or proposed) threatened or endangered species or critical habitat (or proposed critical habitat) within the project area (include scientific names (e.g., Genus species), if known):

a. b.
c. d.
e. f.

Have surveys, using U.S. Fish and Wildlife Service/NOAA Fisheries protocols, been conducted?
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ No

If a federally-listed species would be impacted, please provide a description of the impactand a biological evaluation, if available.
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ Not attached

Has Section 7 consultation been initiated by another federal agency?
☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☒ No

Has Section 10 consultation been initiated for the proposed project?
☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☒ No

Has the USFWS/NOAA Fisheries issued a Biological Opinion?
☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No
If yes, list date Opinion was issued (m/d/yyyy):

Box 12 Historic properties and cultural resources:

Are any cultural resources of any type known to exist on-site? ☐ Yes ☒ No

Please list any known historic properties listed, or eligible for listing, on the National Register of Historic Places:

a. b.
c. d.
e. f.

Has a cultural resource records search been conducted?
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ No

Has a cultural resource pedestrian survey been conducted for the site?
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ No

Has another federal agency been designated the lead federal agency for Section 106 consultation?
☐ Yes, Designation letter/email attached (or mail copy separately if applying electronically) ☒ No

Has Section 106 consultation been initiated by another federal agency?
☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☒ No

Has a Section 106 MOA or PA been signed by another federal agency and the SHPO?
☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No
If yes, list date MOA or PA was signed (m/d/yyyy):

Box 13 Section 401 Water Quality Certification:
Applying for certification? ☒ Yes, Attached (or mail copy separately if applying electronically) ☐ No

Certification issued? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No
Certification waived? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No
Certification denied? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

Exempted activity? ☐ Yes ☐ No
Agency concurrence? ☐ Yes, Attached ☐ No
If exempt, state why:

Box 14 Coastal Zone Management Act:
Is the project located within the Coastal Zone? ☐ Yes ☒ No

If yes, applying for a coastal commission-approved Coastal Development Permit?
☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

If no, applying for separate CZMA-consistency certification?
☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No

Permit/Consistency issued? ☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No

Exempt? ☐ Yes ☐ No
Agency concurrence? ☐ Yes, Attached ☐ No
If exempt, state why:

Box 15 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type of Approval[4]	Identification Number	Date Applied	Date Approved	Date Denied
California Department of Fish and Wildlife	1602 Lake or Streambed Alteration	1600-2016-0198-R1	5/12/2016	5/16/2016	

[4] Would include but is not restricted to zoning, building, and flood plain permits

Nationwide Permit General Conditions (GC) checklist:

(http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf)

Check	General Condition	Rationale for compliance with General Condition
☐	1. Navigation	
☐	2. Aquatic Life Movements	
☐	3. Spawning Areas	
☐	4. Migratory Bird Breeding Areas	
☐	5. Shellfish Beds	
☐	6. Suitable Material	
☐	7. Water Supply Intakes	
☐	8. Adverse Effects from Impoundments	
☐	9. Management of Water Flows	
☐	10. Fills Within 100-Year Floodplains	
☐	11. Equipment	
☐	12. Soil Erosion and Sediment Controls	
☐	13. Removal of Temporary Fills	
☐	14. Proper Maintenance	
☐	15. Single and Complete Project	
☐	16. Wild and Scenic Rivers	
☐	17. Tribal Rights	
☐	18. Endangered Species	See Box 11 above.
☐	19. Migratory Bird and Bald and Golden Eagle Permits	
☐	20. Historic Properties	See Box 12 above.
☐	21. Discovery of Previously Unknown Remains and Artifacts	
☐	22. Designated Critical Resource Waters	
☐	23. Mitigation	See Box 10 above.
☐	24. Safety of Impoundment Structures	
☐	25. Water Quality	See Box 13 above.
☐	26. Coastal Zone Management	See Box 14 above.
☐	27. Regional and Case-by-Case Conditions	
☐	28. Use of Multiple Nationwide Permits	
☐	29. Transfer of Nationwide Permit Verifications	
☐	30. Compliance Certification	
☐	31. Pre-Construction Notification	

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.

Location	Stations, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		625.13	105
Dirt Road or Orchard		851.87	1
Dirt Road or Hydro		869.22	201
Drive to lodges		856.49	545
Drive to lodges		851.48	543
Drive to lodges		853.35	539
Pond	0	674.55	530
Pipe at Hydro	920	829.5	207
Pipe at Forebay	1436	1095.48	236
Ditch	1470	1106.21	280
Ditch	1858	1107.31	284
Ditch	3768	1115.33	446
HDD	4085	1122.23	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	456	208.09	0.4563
PCD to Hydro	3685	232.73	0.0632
Hwy to Pipe at Hydro	450	64.37	0.1429
Forebay to Dirt Road or Orchard	954	273.35	0.2865
Ditch or Forebay to Dirt Road or Hydro	522	246.61	0.4724

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0402

Cascade Stream Solutions

Drawing Information	
Date	31 May 2016
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

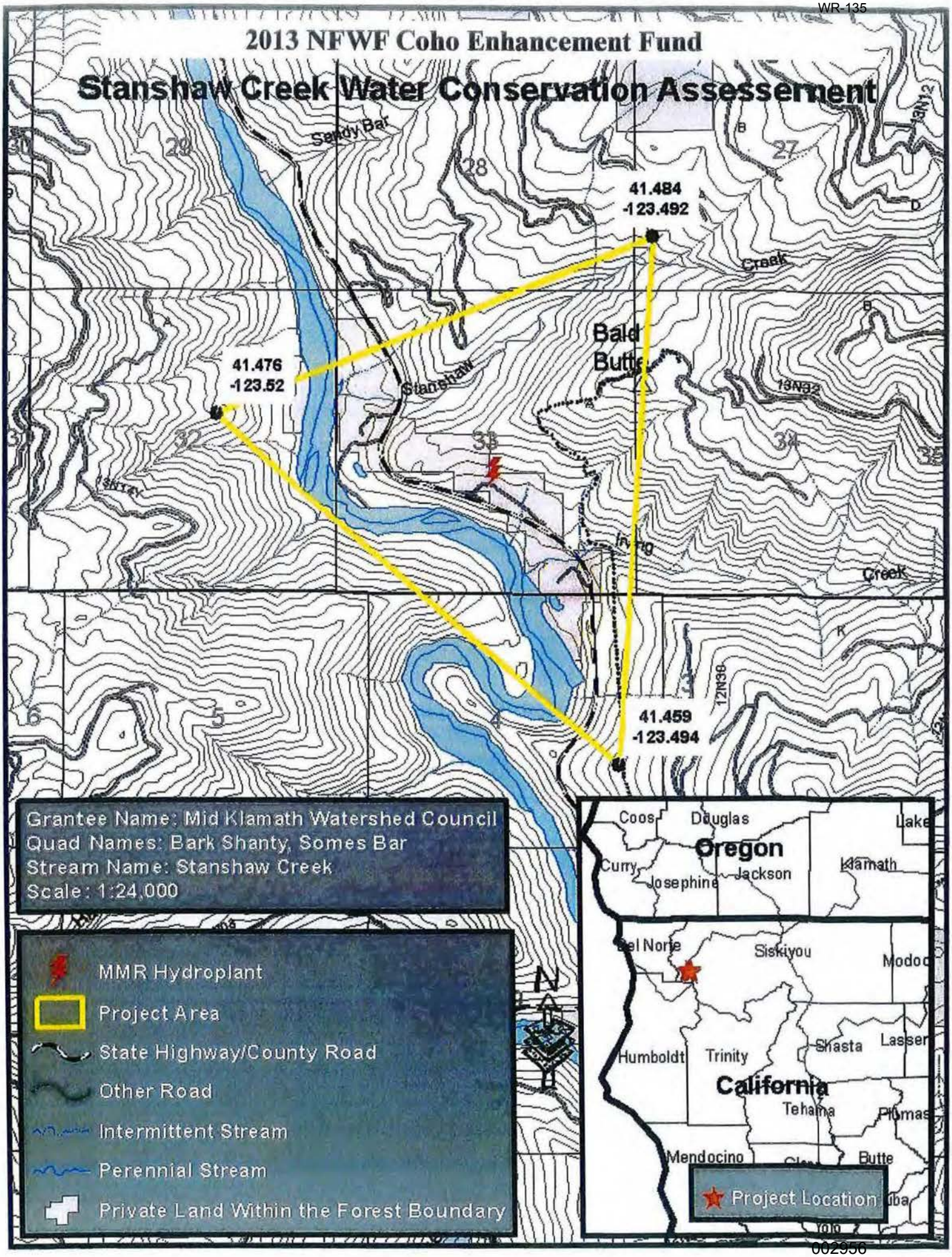
PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number 2015-115
Sheet Number 1
Sheet 1 of

2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessement



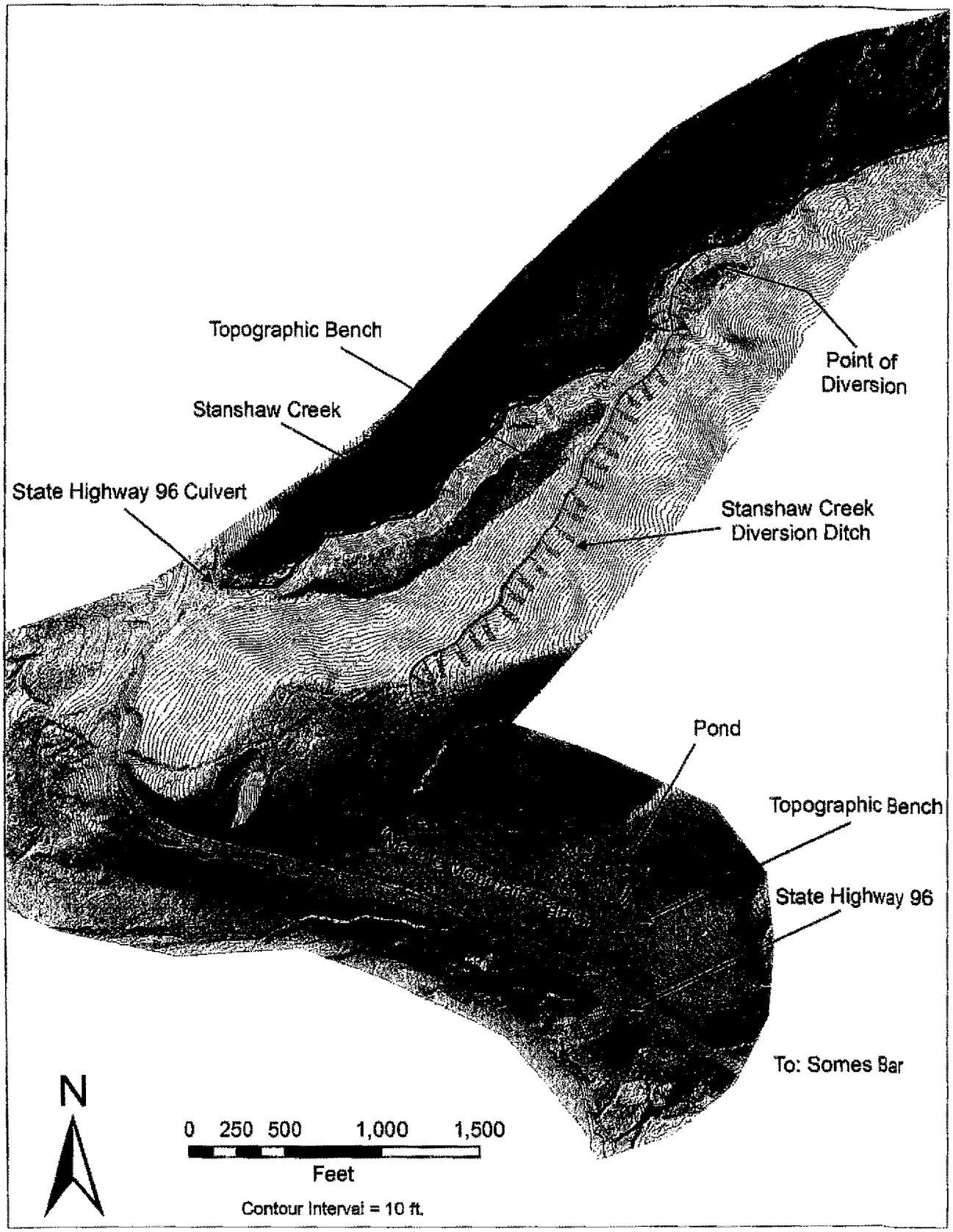
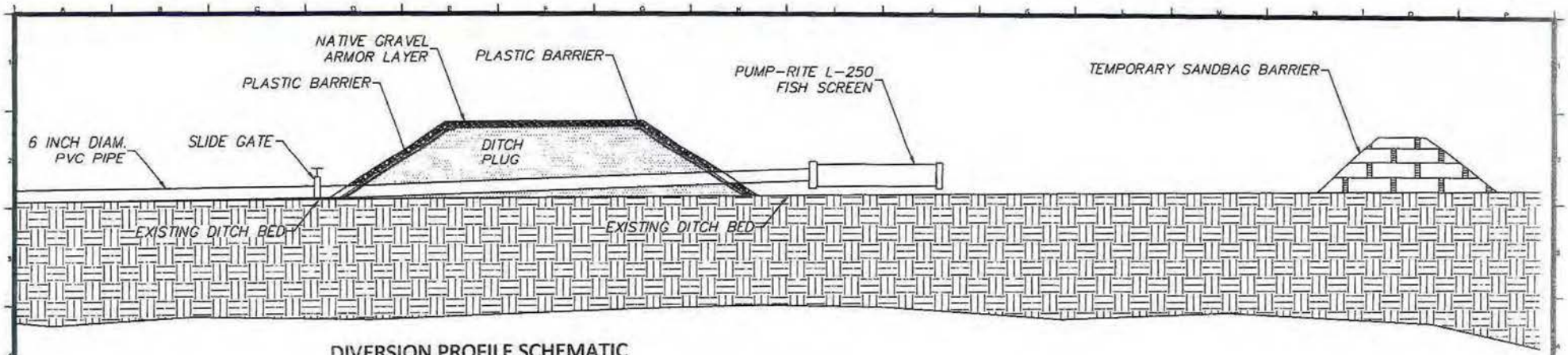
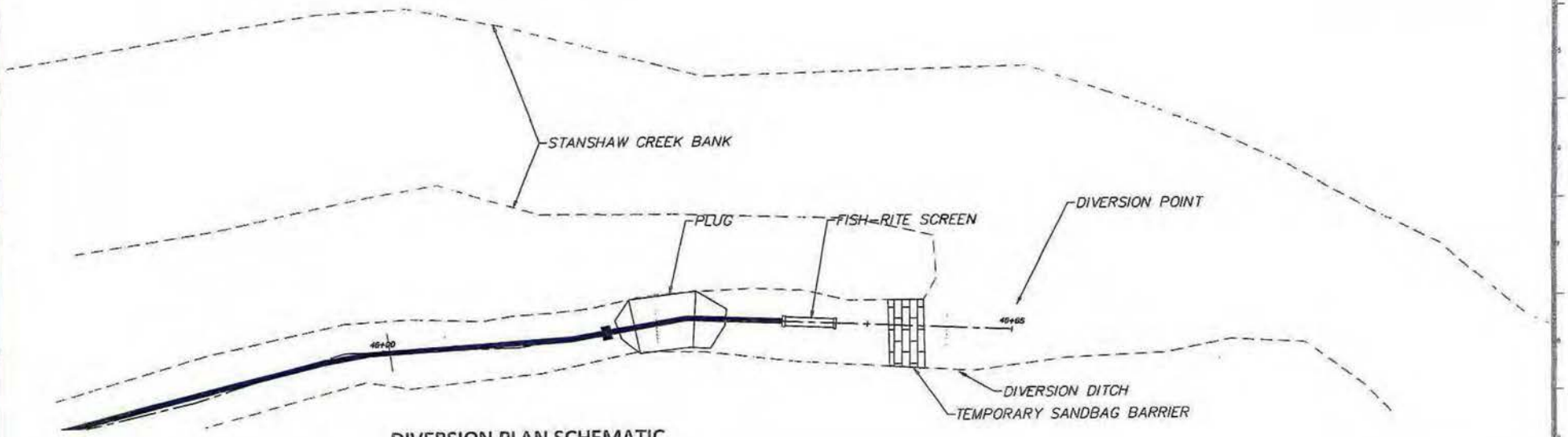


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
285 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 884-0492

Drawing Information	
Date	12 May 2018
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

Marble Mountian Ranch

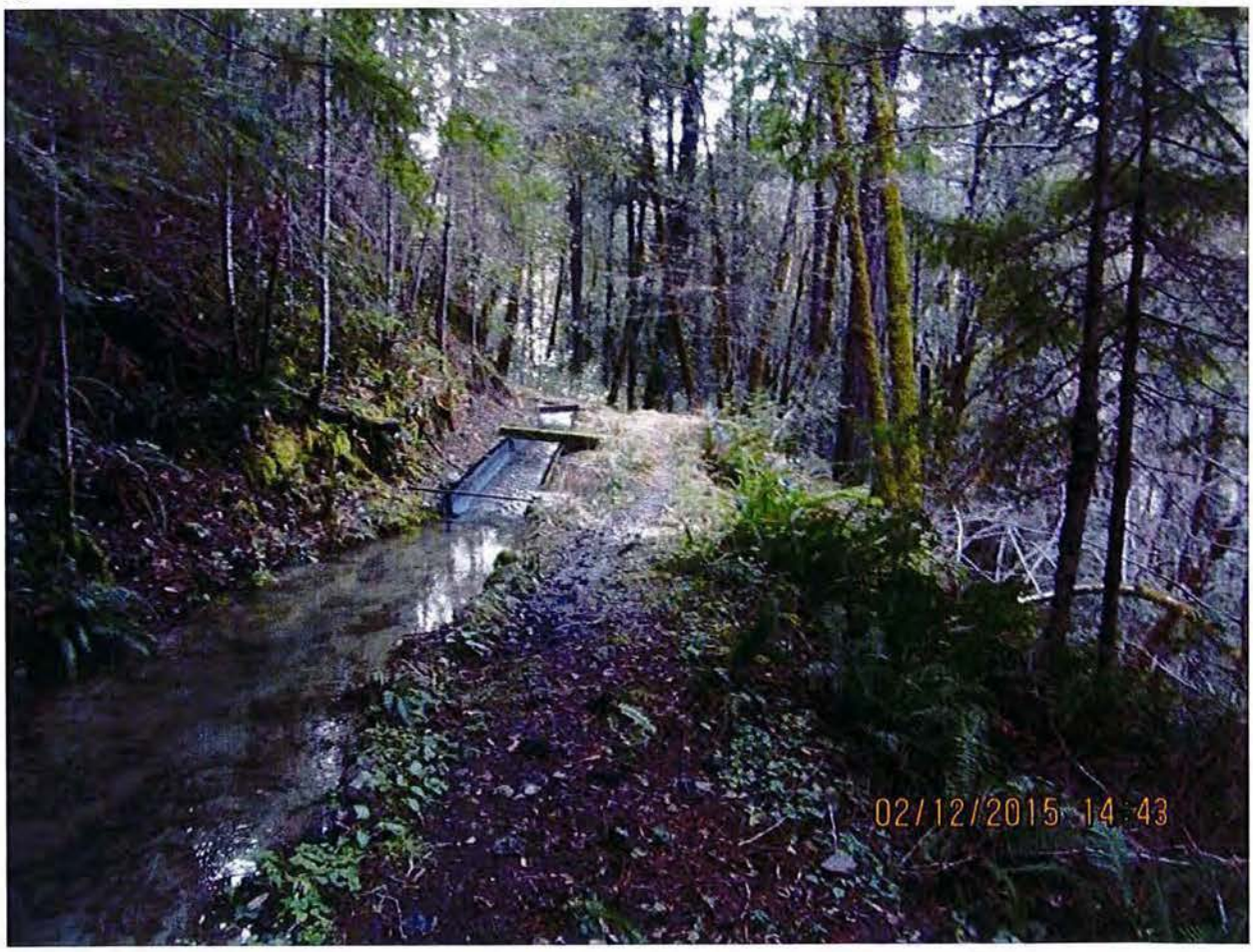
Diversion Modification
Schematic Plan and Profile

JOB Number: 2018-115
Sheet Number: 1
Sheet 1 of 1

Numbered and Dated Pre-Project Color Photographs

1.

2.



3.

State Water Resources Control Board

Division of Water Quality, 1001 I Street, 15th floor• Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • Internet Address: http://www.waterboards.ca.gov/

NOTICE OF INTENT
TO COMPLY WITH THE TERMS OF GENERAL 401 WATER QUALITY CERTIFICATION ORDER FOR SMALL HABITAT RESTORATION PROJECTS

ORDER NUMBER: SB12006GN

Regional Water Quality Control Board (Regional Water Board) and State Water Resources Control Board (State Water Board) - *FOR AGENCY TRACKING USE ONLY*			
WDID:	*Regional Board Office:*	*Date NOI Received:*	*Check No:*

. NOTICE OF INTENT STATUS

MARK ONLY ONE ITEM	☒New Application ☐Change of Information for WDID#_____ ☐ Coho HELP Act Project

I. PROJECT and APPLICANT INFORMATION

Project Title:	**Marble Mountain Ranch Ditch Maintenance**		
Applicant Name:	**Doug Cole**		
Business/Agency:	**Marble Mountain Ranch**		
Street Address:	**92520 CA-96**		
City, County, State, Zip:	**Somes Bar, CA 95568**		
Telephone:	**(530) 469-3322**	Fax	Click here to enter text.
E-mail:	**guestranch@marblemountainranch.com**		

II. PROPERTY OWNER ☒ **Check Box if Same As Above**

Name:			
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	Fax	Click here to enter text.
E-mail:	Click here to enter text.		

IV. PROJECT LOCATION

A. Address or description of project location.
92520 CA-96, Somes Bar, CA 95568. The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.

B. Check box to verify that a map of at least 1:24000 (1" = 2000') detail of the proposed project site (e.g. USGS 7.5 minute topo map) is enclosed.	☒ Project Map Enclosed			
C. County:	**Siskiyou**			
D. Assessor's Parcel No.:	**United States Forest Service Land**			
E. Coordinates *(If available, provide at least latitude/longitude or UTM coordinates. Check appropriate boxes)*				
Latitude/Longitude:	*Latitude:*	**42.472346N**	*Longitude:*	**123.50418W**
	☐ Degrees/Minutes/Seconds ☒ Decimal Degrees ☐ Decimal			
UTM coordinates:	*Easting:*	Click here to enter text.	*Northing:*	Click here to enter text.
Datum for UTM:	☐ NAD 27 ☒ NAD 83 or WGS 84			
F. River(s), stream(s), lake(s), or wetland(s) affected by the project:	**Stanshaw Creek**			
G. Name the receiving watershed or water body:	**Klamath River**			
H. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ yes ☒ no ☐ Unknown			
I. Is the watershed listed as impaired under Section 303(d) of the Clean Water Act?	☒ yes ☐ no	Pollutant Category(ies): **Temperature, Sediment**		
J. Has a Total Maximum Daily Load been established for the impairment?	☒ yes ☐ no ☐ Unknown	TMDL Name: **Klamath River Temperature, Dissolved Oxygen & Microcystin TMDL**		

V. PROJECT INFORMATION

A. What is the primary purpose for the project? *(check one or more boxes below)*

☒ Fish Habitat Improvement ☐ Wetland Restoration ☐ Native Plant Restoration ☐ Bioengineering
☐ Barrier Removal ☐ Stream Bank Stabilization ☐ Sediment Control Project ☐ Invasive Plant Control
☐ Large Woody Material Enhancement ☐ Watercourse Crossing Replacement
☐ Other: Click here to enter text.

V. PROJECT INFORMATION (Cont.)

B. Estimated Project Term:	Beginning (May/2016)	May 2016	Ending (June/2016)	June 2016
C. Seasonal Work Period:	Summer, dry season			
D. Estimated Total Number of Work Days:	Approximately 12			

E. Describe the project in detail and enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; dimensions of each structure; extent of activity in the bed, channel, bank or floodplain; where equipment will enter or exit the area; if applicable, project overview showing the location of each structure and calculations at each site of area of disturbance. (*Attach additional sheets as needed*).

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe. Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek. Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch. Additional project information including plans are included on the attached pages.

F. Specify the equipment and machinery (if any) that will be used to complete the project. Describe in detail the measures that will be taken to prevent discharges and spills of oil, grease, and other petroleum products.

Mini excavator, all-terrain vehicles with trailers, shovels, picks other hand tools.

G. Will water be present during the proposed work period:	☒ yes ☐ no ☐ Unknown
H. Will the proposed project require work in the wetted portion of the channel? If yes, please describe the work that will be required, the type of equipment to be used, whether the channel will need to be dewatered, and how long equipment will be in the wetted portion of the channel.	☒ yes ☐ no ☐ Unknown

The top of the ditch will be dammed with sandbags during all pipe installation activities, dewatering the manmade ditch. Any water that passes through the sandbag dam or enters the manmade ditch from surrounding land will be blocked by additional sandbags in the work area. No water will be discharged from the manmade ditch during construction.

I. Verify that the project is not part of a compensatory mitigation project (e.g. Cleanup and Abatement Order, Supplemental Environmental Project, etc.).	☒ I verify this to be true.
J. Verify that the primary project purpose is habitat restoration. This project is not proposed as part of a larger project whose primary purpose is not habitat restoration (e.g. land development or flood management).	☒ I verify this to be true.

K. Verify that this project shall not exceed five acres or 500 linear feet of stream bank or coastline.	☒ I verify this to be true.

VI. DISCHARGE INFORMATION

A. Within the box provided below, identify the type(s) of material that are proposed to be introduced, or "discharged" into Waters of the State as a result of the project.

☐ Soil ☐ Rock Rip-Rap ☐ Native Vegetation ☐ Non-native Vegetation ☐ Large woody material
☐ Rootwads ☐ Erosion Control Materials (jute netting, straw wattles, etc.) ☐ Culverts
☐ Anchoring (bolts, cables, rebar, chains, etc.) ☐ Fertilizers ☐ Pesticides[1]
☒ Other: **Pipe material**

B. For each of the materials identified above, identify the volume or quantity of material that is intended to be introduced or "discharged" into Waters of the State. Declare whether or not the material type is expected to cause a "temporary" or "permanent" effect. Include estimates of incidental material discharges that may occur from project implementation, or as a result of post-project adjustment.

Material Type	Volume or Number	Temporary Effect	Permanent Effect
1. **Pipe Material**		☐ yes ☒ no	☐ yes ☒ no
2. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
3. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
4. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
5. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no

C. In the space provided below, describe the intended purpose, or reason for the discharges associated with each of the material type(s) listed above.

The placement of pipe into a manmade ditch to improve fishery habitat in the natural channel above the manmade ditch.

[1] The point source discharge of aquatic pesticides into Waters of the United States requires a separate National Pollutant Discharge Elimination System (NPDES) permit administered by the State Water Resources Control Board. Information about pesticide permits can be found at the following Web address: http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml

VII. PROJECT SIZE

A. For each of the applicable water body type(s) listed below, indicate the area(s) in ACRES and LINEAR FEET that will be affected by the project and identify the impact(s) as permanent or temporary. For project disturbance outside of Waters of the State, estimate the total disturbance in acres (lineal feet does not apply) as "Non-jurisdictional Areas."

☐ *Project Size Calculator is attached.*

Water Body Type	Temporary Impact		Permanent Impact	
	Acres	Lineal Feet	Acres	Lineal feet
Wetland	0	0	0	0
Riparian	0	0	0	0
Streambed/Stream bank	0	0	0	0
Lake/Reservoir	0	0	0	0
Ocean/Estuary/Bay	0	0	0	0
Non-jurisdictional Areas[2]	0		0	
TOTAL AREA AFFECTED:	0	0	0	0

B. Additional information relative to Project Size can be included in the space provided below:

Click here to enter text.

[2] The categorical exemption for small habitat restoration projects (Title 14, California Code of Regulations, Division 6, Chapter 3, *Guidelines for Implementation for the California Environmental Quality Act* (CEQA), Article 19, section 15333) requires projects to be no more than 5 acres in size. Total project size for the Categorical Exemption for permitting from the Disturbance estimates for "Non-jurisdictional Areas" are included for the purpose of coordinating project size with the California Department of Fish and Wildlife's Lake and Streambed Alteration Agreement (LSAA), or 1600 Permit, which includes areas outside of Waters of the State.

VIII. MONITORING AND REPORTING PLAN

A Monitoring and Reporting Program must be included with the *Notice of Intent* and shall include the following information relative to the proposed project.

MONITORING PLAN ☐ ***Monitoring Plan is attached (check box)***

A. Function(s) of the impacted water resources:
The project is located entirely within a managed diversion ditch and not considered to impact jurisdictional water bodies. The ditch provides domestic and irrigation flows to a commercial business and full time residence.

B. Project purpose, goal(s), and performance standards:
The purpose of the monitoring plan is to establish protocol and monitoring actives to prevent water and sediment from leaving the confined work area within the managed manmade ditch and entering areas outside the work area.

C. Measurable performance standards appropriate to each goal:
No observable water or sediment will leave the work area.

D. Monitoring parameters and protocols used to determine whether performance standards have been met:
Monitoring will be conducted using qualitative means. Protocol will include visual inspection of work activities by construction crews and inspectors to identify if water or sediment is leaving the work area. Site conditions will be photodocumented. The standard is that no water or sediment will leave the diversion ditch.

E. The timeframe and responsible party for determining attainment of performance standards:
Site conditions will be inspected prior to construction, during construction, and upon completion. Inspections will be conducted by individuals approved by the Mid Klamath Watershed Council.

F. Monitoring schedule:
:One inspection prior to construction, inspections during construction, and one inspection following construction.

G. Annual Reporting Schedule for the period stated as required for achievement of performance standards:
A final report summarizing the inspections and including photodocumation will be performed following completion of the project.

REPORTING PLAN ☐ ***Reporting Plan is attached (check box)***

Monitoring Reports shall be submitted by the applicant on an annual basis to the appropriate agencies as provided in the Monitoring Plan, documenting status of achievement of performance standards and project goals. Monitoring Reports shall include:

A. Summary of findings:
A summary of the activities undertaken along with the photographs from the project will be submitted upon the completion of the project.

B. Identification and discussion of problems with achieving performance standards:
Given the nature of the project, no problems with achieving performance standards associated with installing the pipe will occur.

C. Proposed corrective measures (requires Regional Water Board approval):
Given the nature of the project, no corrective actions will be required in the approximately 12 day work period to install the pipe.

D. Monitoring data:
All monitoring data will be provided at the completion of the project.

IX. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

All projects utilizing this General 401 Certification form must comply with the terms of the California Environmental Quality Act. The General 401 Certification was designed for use with the Categorical Exemption for Small Habitat Restoration Projects (CEQA Title 14, Chapter 3, Article 19, Section 15333), although other CEQA analyses may also be used. Please review the categorical exemption to ensure conformance with CEQA (http://ceres.ca.gov/ceqa/guidelines/15300-15333_web.pdf).

This project conforms to the requirements of CEQA through the Categorical Exemption for Small Habitat Restoration Projection (Section 15333).	☒ yes ☐ no	☐ Other CEQA Document Click here to enter text.

APPLICATION REQUIREMENTS AND FEES

Permit:	Submit Application to following agencies:	Time Restrictions:
General 401 Certification for Small Habitat Restoration Projects:	Program Manager, Certification and Wetlands Program, Regional Water Quality Control Board (address to appropriate Regional Water Board Board)	Must be submitted at least 30 days prior to proposed discharge.
Fees:	Fees are subject to the most current Dredge & Fee calculator. Refer to the resources for applicants section of the Dredge/Fill (401) and Wetlands program web site for the most current fee information. http://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources	

X. SIGNATURE / CERTIFICATION

State Water Resources Control Board: Notice of Intent to Comply with the Terms of General Water Quality Certification for Small Habitat Restoration Projects

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.

knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.

Douglas T. Cole
Applicant Signature

05/19/2016
Date

Douglas T. Cole
Printed Name

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

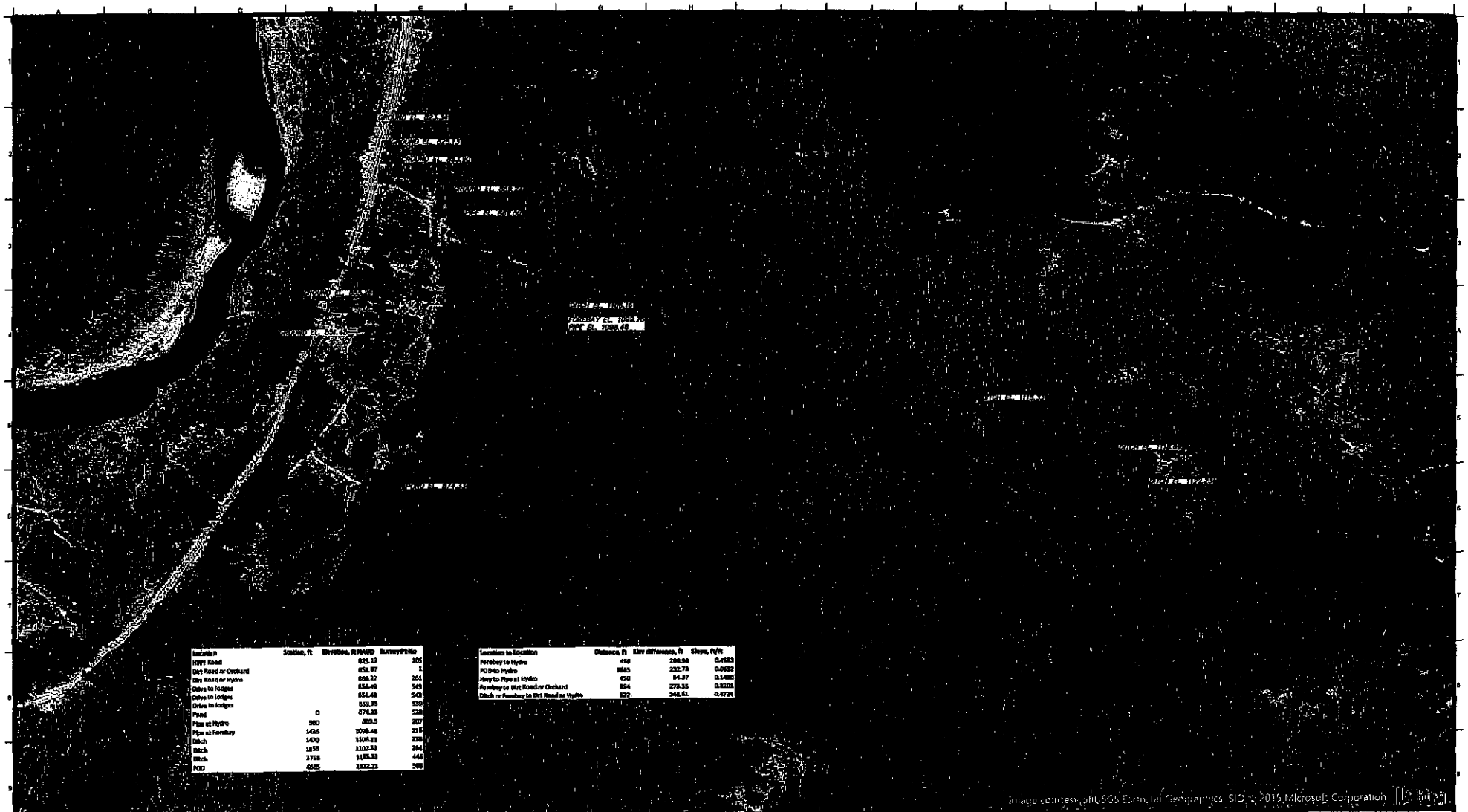
Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.



Location	Station, ft	Elevation, ft NAVD	Survey Point
HWY Road		835.13	105
Dirt Road or Orchard		853.97	1
Dirt Road or Hydro		859.12	201
Drive to lodges		856.48	549
Drive to lodges		851.48	549
Drive to lodges		853.35	539
Pond	0	874.33	538
Pipe at Hydro	980	859.5	207
Pipe at Forebay	1435	1098.46	218
Ditch	1450	1105.81	220
Ditch	1858	1107.33	284
Ditch	2768	1115.38	448
POD	4985	1322.23	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	458	208.84	0.4563
POD to Hydro	3985	232.73	0.0532
Hwy to Pipe at Hydro	450	64.37	0.1430
Forebay to Dirt Road or Orchard	854	278.35	0.3261
Ditch or Forebay to Dirt Road or Hydro	823	388.51	0.4724

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 884-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	31 May 2015
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

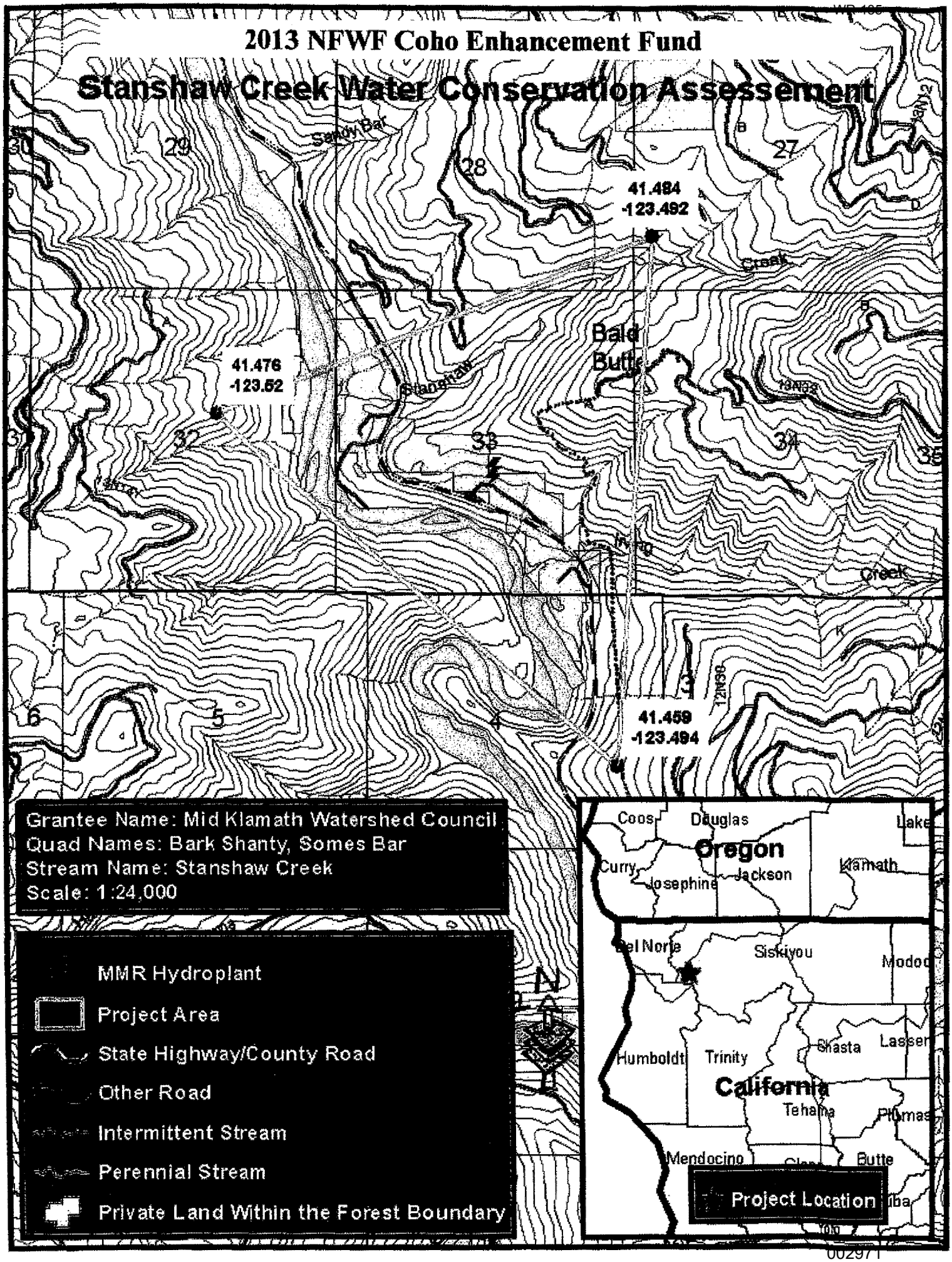
PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number 2015-115
Sheet Number 1
Sheet 1 of

002970

WR-135


2013 NFWF Coho Enhancement Fund
Stanshaw Creek Water Conservation Assessment
41.484
-123.492
41.476
-123.52
41.459
-123.494
Bald Butte
Sandy Bar
Stanshaw
Grantee Name: Mid Klamath Watershed Council
Quad Names: Bark Shanty, Somes Bar
Stream Name: Stanshaw Creek
Scale: 1:24,000
MMR Hydroplant
Project Area
State Highway/County Road
Other Road
Intermittent Stream
Perennial Stream
Private Land Within the Forest Boundary
Oregon
California
Coos
Douglas
Curry
Josephine
Jackson
Klamath
Del Norte
Siskiyou
Modoc
Humboldt
Trinity
Shasta
Lassen
Tehama
Plumas
Mendocino
Butte
Project Location

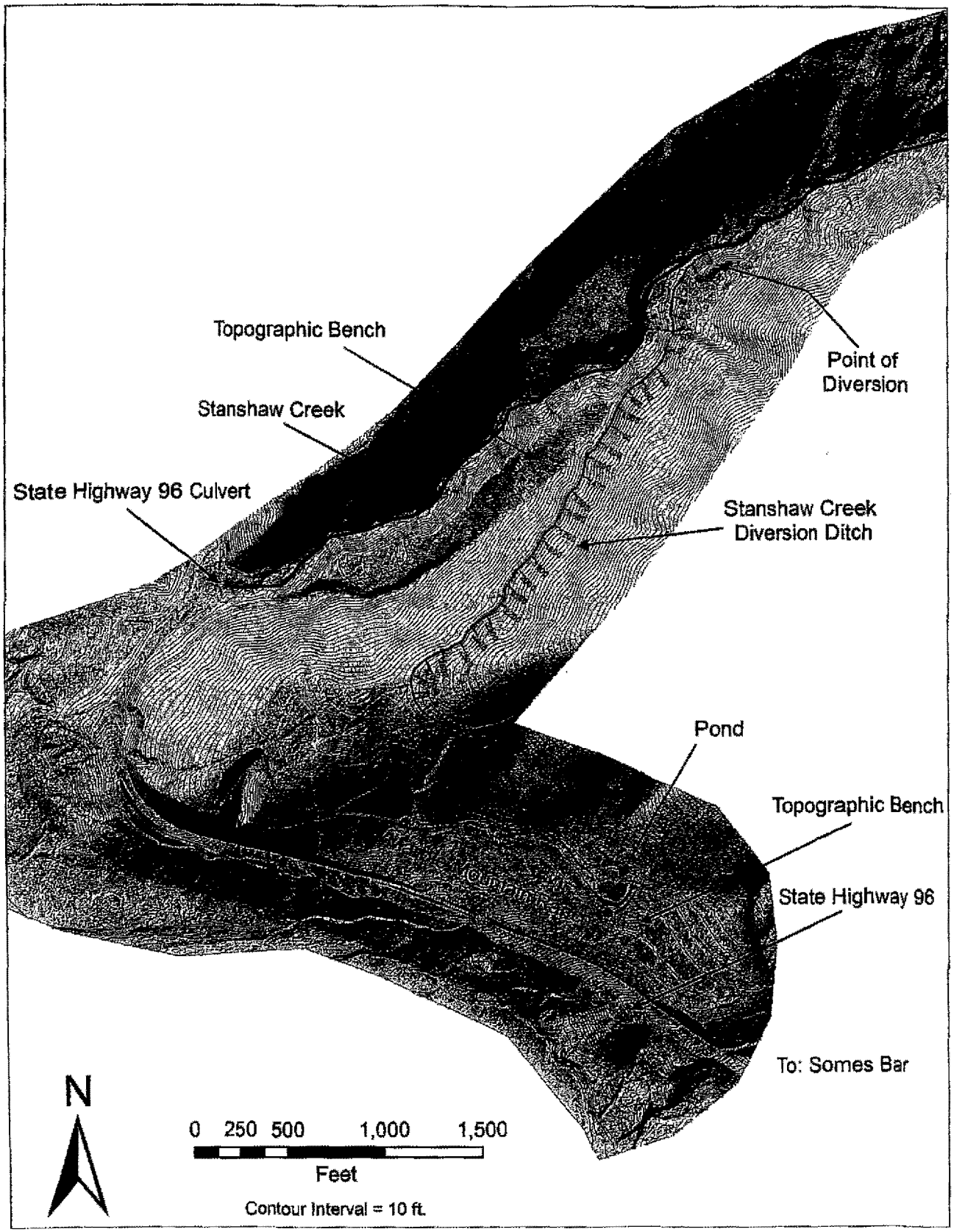
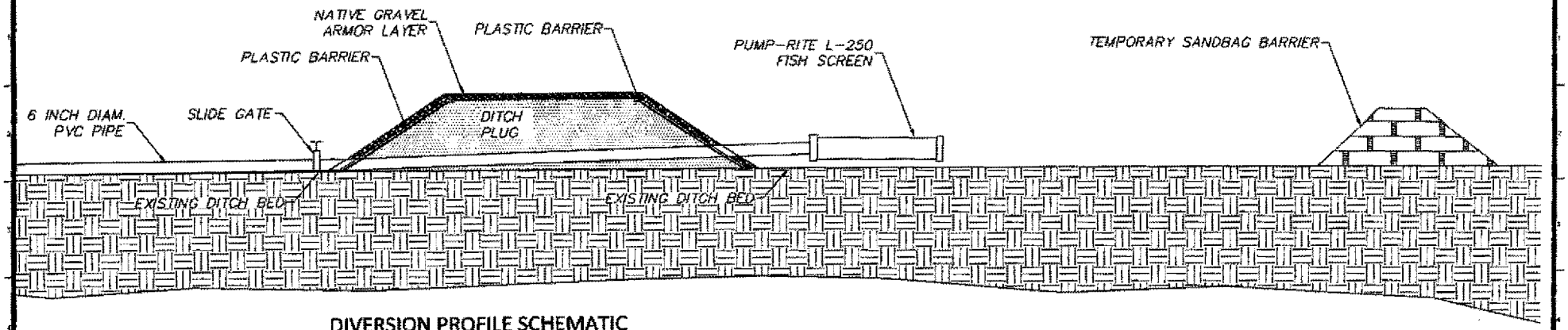
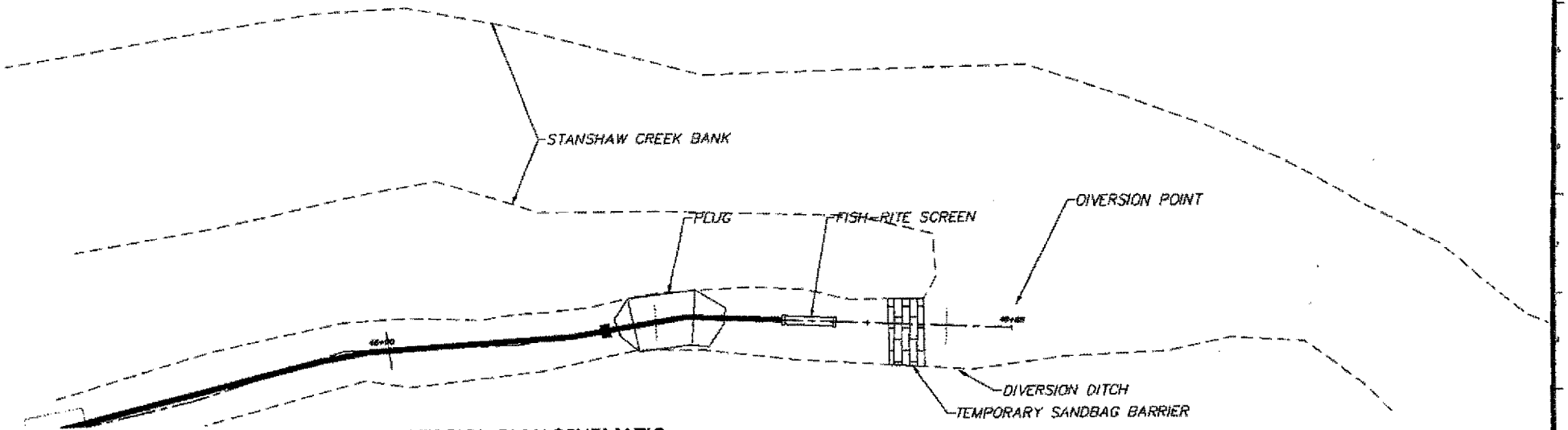


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 408
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 21
Ashland, Oregon 97520
Phone: (541) 804-0492

Cascade Stream Solutions

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	jb
Drafter	jb
Checker	
Site Name	Marble Mountain Survey Data
Plotted Scale	1in

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number 2015-116
Sheet Number 1
Sheet 1 of 1

California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
(530) 225-2300
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

May 16, 2016

Mr. Doug Cole
Marble Mountain Ranch
92520 CA-96
Somes Bar, CA 95568

Subject: No Lake or Streambed Alteration Agreement Needed
Notification No. 1600-2016-0198-R1
Marble Mountain Ranch Fish Screen, Gate Valve & Pipeline Installation Project
Stanshaw Creek, Tributary to the Klamath River, Siskiyou County

Dear Mr. Cole:

The California Department of Fish and Wildlife (Department) has reviewed your Lake or Streambed Alteration Notification (Notification). We have determined that your project is subject to the Notification requirement in Fish and Game Code Section 1602.

The Department has also determined that your Fish Screen, Gate Valve & Pipeline Installation Project (Project) as proposed will not substantially adversely affect an existing fish or wildlife resource. As a result, you will not need a Lake or Streambed Alteration Agreement for your proposed construction Project. You are responsible for complying with all applicable local, state, and federal laws in completing your work. A copy of this letter and your Notification with all attachments should be available at all times at the work site.

Please note that if you change your construction Project so that it differs materially from the Project you described in your original Notification, you will need to submit a new Notification and corresponding fee to the Department. In addition, the Department would like to remind you that you will need to submit a separate Lake or Streambed Alteration Notification by December 31, 2016 for the "act of diverting water" pursuant to your water right. The Department will then determine if your diversion of water is considered a substantial impact to the stream and aquatic resources, and, if necessary, issue a Lake or Streambed Alteration Agreement.

Thank you for notifying us of your construction Project. If you have any questions, please contact me at (530) 225-2314 or Donna.Cobb@wildlife.ca.gov.

Sincerely,

Donna L. Cobb
Aquatic Conservation Planning Supervisor

ec: North Coast Regional Water Quality Control Board, NorthCoast@Waterboards.ca.gov
Will Harling, MKWC, will@mkwc.org

Conserving California's Wildlife Since 1870

FOR DEPARTMENT USE ONLY				
Date Received	Amount Received	Amount Due	Date Complete	Notification No.
	$	$		

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Doug Cole		
Business/Agency	Marble Mountain Ranch		
Street Address	92520 CA-96		
City, State, Zip	Somes Bar, CA, 95568		
Telephone	(530) 469-3322	Fax	
Email	guestranch@marblemountainranch.com		

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Will Harling - Mid Klamath Watershed Council		
Street Address	38150 Highway 96		
City, State, Zip	Orleans, CA 95556		
Telephone	(530) 627-3202	Fax	
Email	will@mkwc.org		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	Marble Mountain Ranch Ditch Maintenance			
B. Agreement Term Requested	☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)			
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2016	2016	May/12	June/30	Approx. 12

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.		
A.	☐ Standard *(Most construction projects, excluding the categories listed below)*	
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*)	*Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*)	THP *Number:* _____
D.	☑ Water Diversion/Extraction/Impoundment (*Attachment C*)	*SWRCB Number:* S016375
E.	☐ Routine Maintenance (*Attachment D*)	
F.	☐ CDFW Fisheries Restoration Grant Program (FRGP)	*FRGP Contract Number* _____
G.	☐ Master	
H.	☐ Master Timber Harvesting	

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1			
2			
3			
4			
5			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE ENCLOSED	

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☑ No ☐ Yes (*Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

8. PROJECT LOCATION

A. Address or description of project location.
(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A CDFW/NMFS compliant cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Stanshaw Creek
C. What water body is the river, stream, or lake tributary to?	Klamath River
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☐ No ☐ Unknown
E. County	Siskiyou

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Bark Shanty Gulch, CA	13N	6E	33	NW

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☑ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

U.S. Forest Service Land

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes*)

Latitude/Longitude	*Latitude:* 42.472346N	*Longitude:* 123.50418W	
	☑ Degrees/Minutes/Seconds	☑ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☑ NAD 83 or WGS 84	

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	☑
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek.

Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

mini excavator, all terrain vehicles with trailers, shovels, picks other hand tools.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☑ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

The project will be constructed outside of the bed, channel, bank of Stanshaw Creek.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☑ No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☑ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

A temporary sandbag barrier will be placed near the upstream end of the ditch to prevent water from entering the ditch and work area.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent fish and water from entering the stream. Following placement of the sandbag barrier, the dewatered ditch shall be inspected for aquatic organisms. Aquatic organisms will be collected and returned to the creek.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent water and fish from entering the ditch. Construction activities occur in unvegetated areas.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. _____ ☐ Applied ☐ Issued

B. _____ ☐ Applied ☐ Issued

C. _____ ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

☐ Yes (*Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each*)

☑ No (*Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared*)

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*): _____
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document (*type*): _____
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	☐ ESA document (*type*): _____
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)			
C. Has a CEQA lead agency been determined?	☐ Yes (*Complete boxes D, E, and F*)	☐ No (*Skip to box 14.G*)	
D. CEQA Lead Agency			
E. Contact Person		F. Telephone Number	

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☐ Yes (*Enclose proof of payment*) ☐ No (*Briefly explain below the reason a filing fee has not been paid*)

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☑ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

[ ] Yes (Please enclose the information via digital media with the completed notification form)

[ ] No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Doug Cole

Signature of Applicant or Applicant's Authorized Representative

5/12/2016

Date

Doug Cole

Print Name

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.

Location	Station, ft	Elevation, ft NAVD	Survey Points
HWY Road		635.33	105
Dirt Road or Orchard		651.57	1
Dirt Road or Hydro		659.22	201
Drive to lodges		650.49	545
Drive to lodges		653.46	143
Drive to lodges		653.36	102
Pond	0	674.38	533
Pipe at Hydro	500	670.5	207
Pipe at Forebay	1435	1075.48	335
Ditch	1470	1105.71	288
Ditch	1893	1107.81	204
Ditch	3705	1115.33	495
POD	4095	1133.23	903

Location to Location	Distance, ft	Elevation Change, ft	Slope, ft/ft
Forebay to Hydro	430	208.59	0.4852
POD to Hydro	3655	232.73	0.0638
Hwy to Pipe at Hydro	460	64.37	0.1400
Forebay to Dirt Road or Orchard	650	223.55	0.3393
Ditch or Forebay to Dirt Road or Hydro	922	245.61	0.4726

Mid-Klamath Watershed Council	P.O. Box 409, Orleans, CA 95556
Cascade Stream Solutions	295 East Main, Suite 11, Ashland, Oregon 97520, Phone: (541) 884-0492

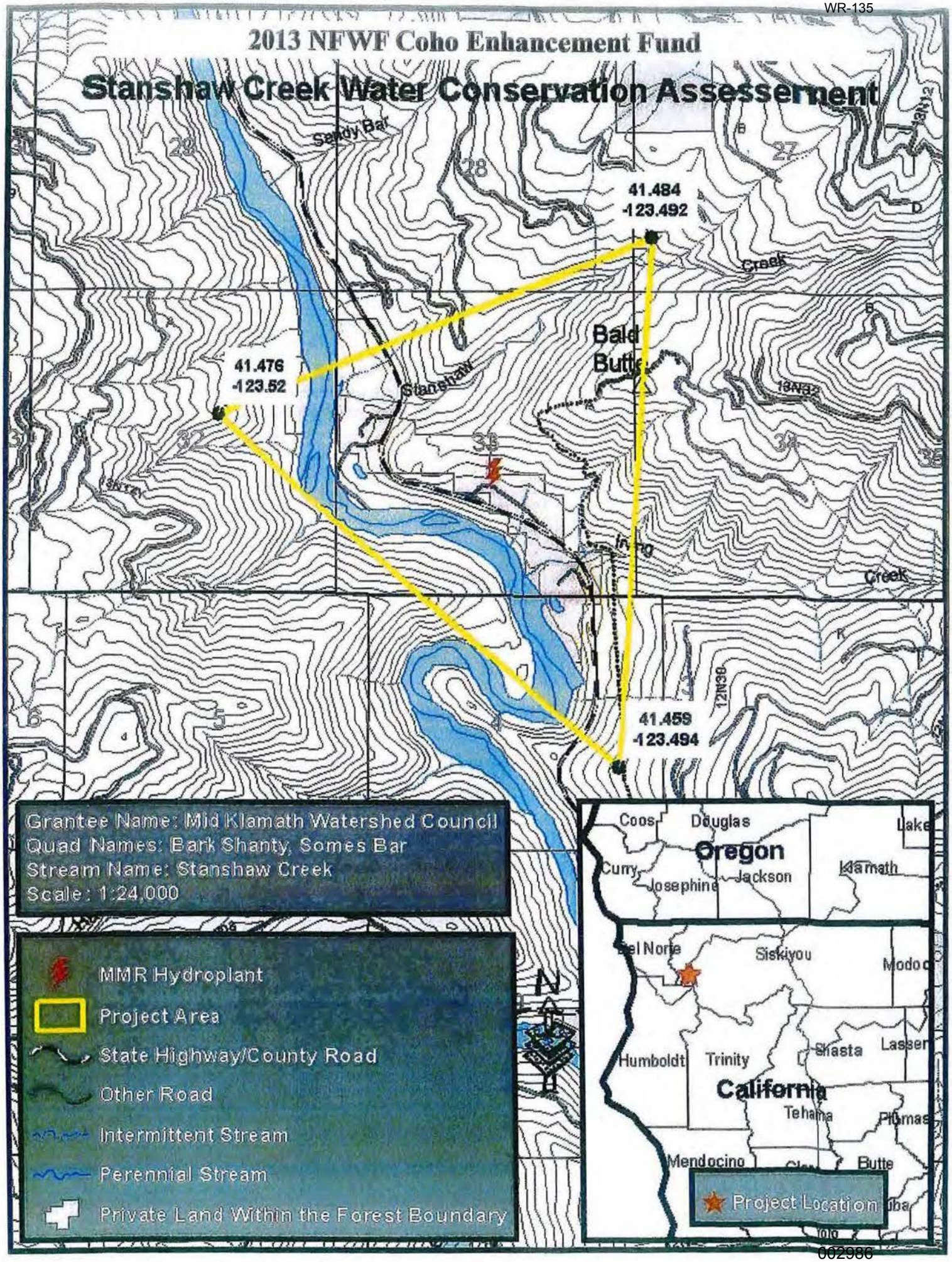
Drawing Information	
Date	31 May 2016
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number: 2015-115
Sheet Number: 1
Sheet 1 of


2013 NFWF Coho Enhancement Fund
Stanshaw Creek Water Conservation Assessement
41.484
-123.492
41.476
-123.52
41.459
-123.494
Bald Butte
Sandy Bar
Stanshaw
Creek
Grantee Name: Mid Klamath Watershed Council
Quad Names: Bark Shanty, Somes Bar
Stream Name: Stanshaw Creek
Scale: 1:24,000
MMR Hydroplant
Project Area
State Highway/County Road
Other Road
Intermittent Stream
Perennial Stream
Private Land Within the Forest Boundary
Coos
Douglas
Lake
Oregon
Curry
Josephine
Jackson
Klamath
Del Norte
Siskiyou
Modoc
Humboldt
Trinity
Shasta
Lassen
California
Tehama
Plumas
Mendocino
Butte
Project Location

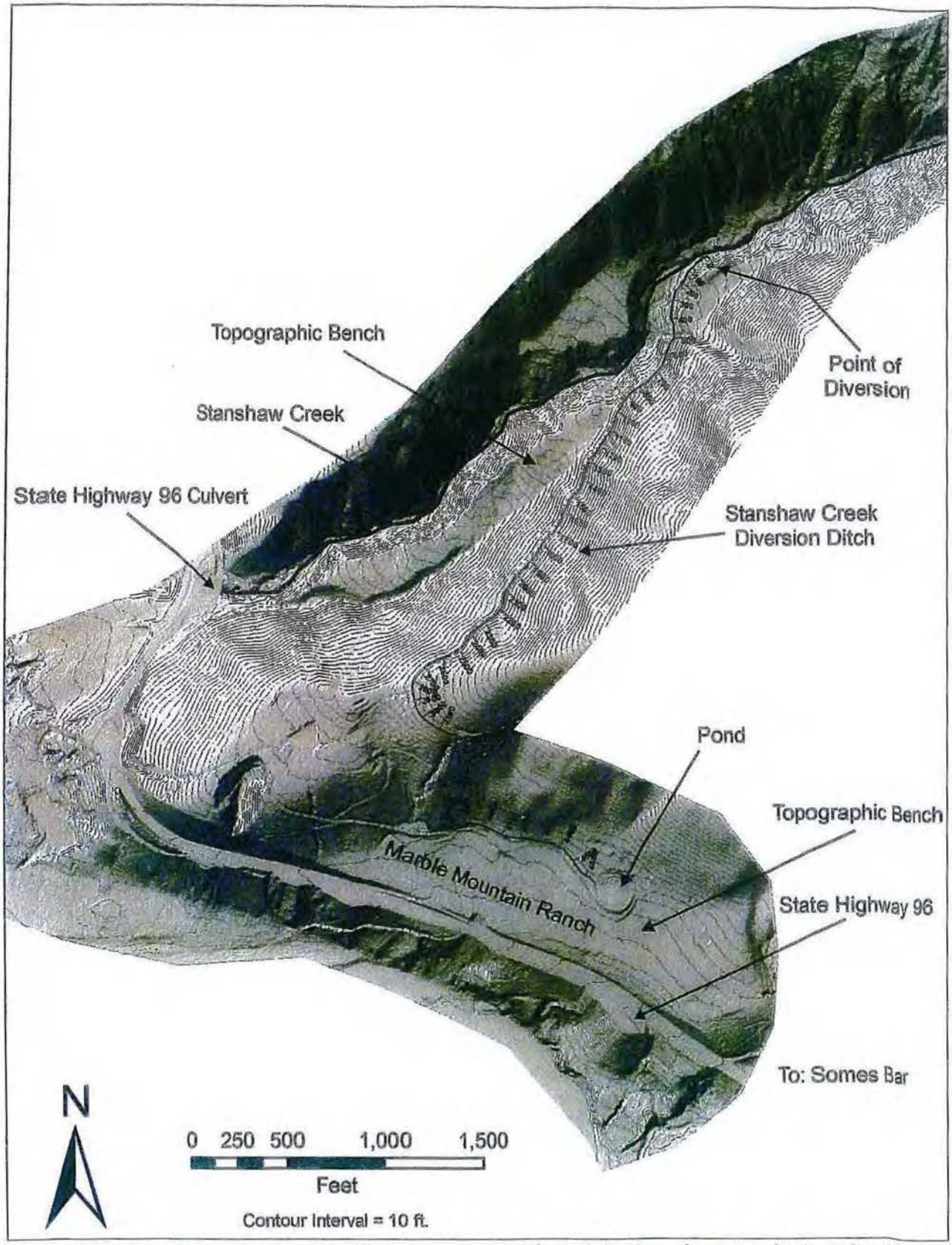
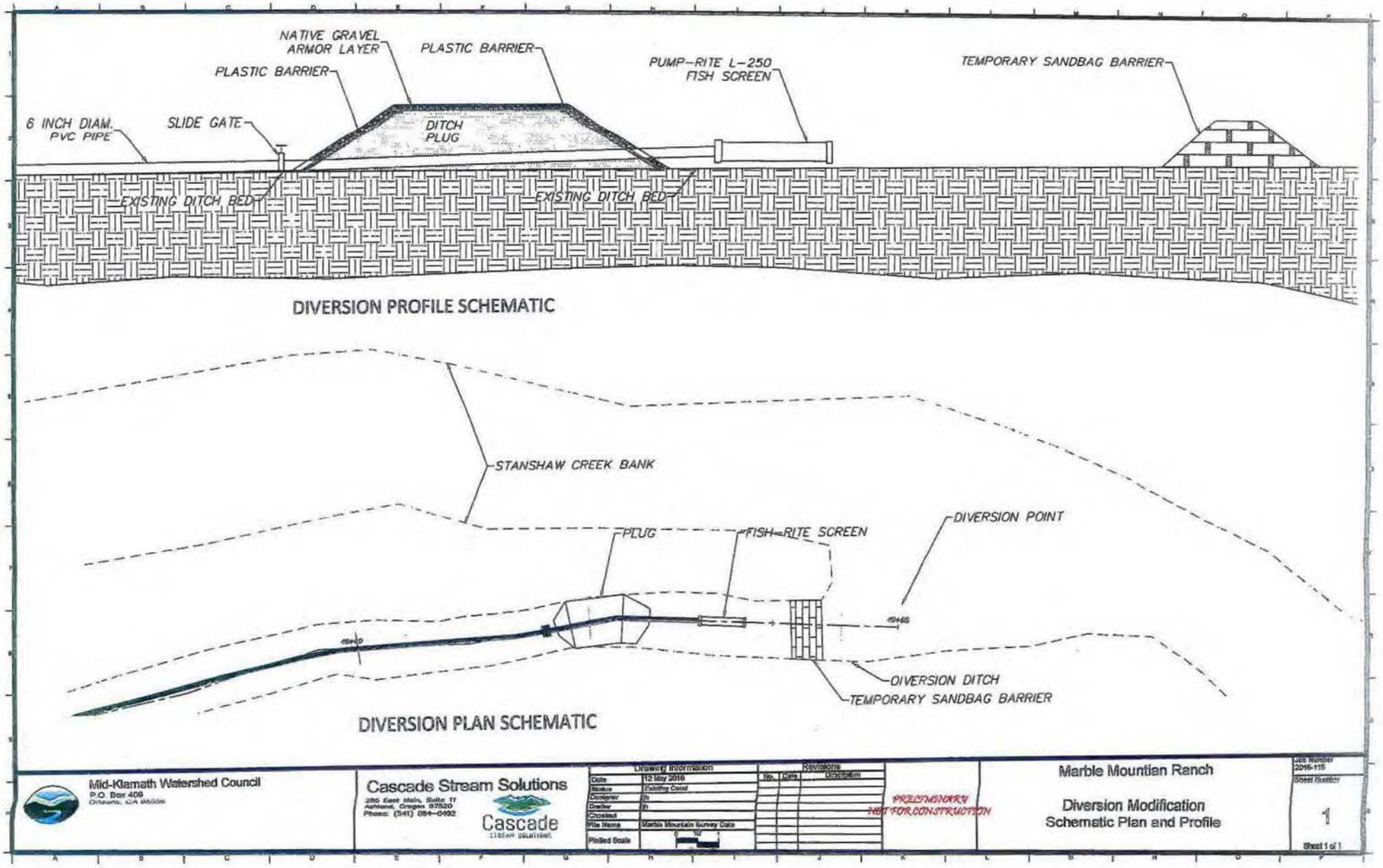


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
280 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 084-0492

Drawing Information
Date: 12 May 2016
Status: Existing Cond
Designer: JN
Drafter: JN
Checked:
File Name: Marble Mountain Survey Data
Plotted Scale: 0 1/2 1

Revisions
No. | Date | Description

PRELIMINARY NOT FOR CONSTRUCTION

Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number: 2016-115
Sheet Number: 1
Sheet 1 of 1

Exhibit D

State Water Resources Control Board

Division of Water Quality, 1001 I Street, 15th floor• Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • Internet Address: http://www.waterboards.ca.gov/

NOTICE OF INTENT
TO COMPLY WITH THE TERMS OF GENERAL 401 WATER QUALITY CERTIFICATION ORDER FOR SMALL HABITAT RESTORATION PROJECTS

ORDER NUMBER: SB12006GN

Regional Water Quality Control Board (Regional Water Board) and State Water Resources Control Board (State Water Board) - *FOR AGENCY TRACKING USE ONLY*			
WDID:	*Regional Board Office:*	*Date NOI Received:*	*Check No:*

I. NOTICE OF INTENT STATUS

MARK ONLY ONE ITEM:	☒New Application ☐Change of Information for WDID#_____ ☐ Coho HELP Act Project

II. PROJECT and APPLICANT INFORMATION

Project Title:	**Marble Mountain Ranch Ditch Maintenance**		
Applicant Name:	**Doug Cole**		
Business/Agency:	**Marble Mountain Ranch**		
Street Address:	**92520 CA-96**		
City, County, State, Zip:	**Somes Bar, CA 95568**		
Telephone:	**(530) 469-3322**	**Fax**	Click here to enter text.
E-mail:	**guestranch@marblemountainranch.com**		

III. PROPERTY OWNER ☒ **Check Box if Same As Above**

Name:			
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	**Fax**	Click here to enter text.
E-mail:	Click here to enter text.		

IV. PROJECT LOCATION

A. Address or description of project location.				
92520 CA-96, Somes Bar, CA 95568. The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.				
B. Check box to verify that a map of at least 1:24000 (1" = 2000') detail of the proposed project site (e.g., USGS 7.5 minute topo map) is enclosed:	☒ Project Map Enclosed			
C. County:	**Siskiyou**			
D. Assessor's Parcel No.:	**United States Forest Service Land**			
E. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates. Check appropriate boxes)*				
Latitude/Longitude:	*Latitude:*	**42.472346N**	*Longitude:*	**123.50418W**
	☐ Degrees/Minutes/Seconds ☒ Decimal Degrees ☐ Decimal			
UTM coordinates:	*Easting:*	Click here to enter text.	*Northing:*	Click here to enter text.
Datum or UTM	☐ NAD 27 ☒ NAD 83 or WGS 84			
F. River(s), stream(s), lake(s), or wetland(s) affected by the project:	**Stanshaw Creek**			
G. Name the receiving watershed or water body:	**Klamath River**			
H. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ yes ☒ no ☐ Unknown			
I. Is the watershed listed as impaired under Section 303(d) of the Clean Water Act?	☒ yes ☐ no	Pollutant Category(ies): **Temperature, Sediment**		
J. Has a Total Maximum Daily Load been established for the impairment?	☒ yes ☐ no ☐ Unknown	TMDL Name: **Klamath River Temperature, Dissolved Oxygen & Microcystin TMDL**		

V. PROJECT INFORMATION

A. What is the primary purpose for the project? (*check one or more boxes below)*
☒ Fish Habitat Improvement ☐ Wetland Restoration ☐ Native Plant Restoration ☐ Bioengineering ☐ Barrier Removal ☐ Stream Bank Stabilization ☐ Sediment Control Project ☐ Invasive Plant Control ☐ Large Woody Material Enhancement ☐ Watercourse Crossing Replacement ☐ Other: Click here to enter text.

V. PROJECT INFORMATION (Cont.)

B. Estimated Project Term:	Beginning (May/2016)	May 2016	Ending (June/2016)	June 2016
C. Seasonal Work Period:	Summer, dry season			
D. Estimated Total Number of Work Days:	Approximately 12			

E. Describe the project in detail and enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; dimensions of each structure; extent of activity in the bed channel, bank or floodplain; where equipment will enter or exit the area, if applicable, project overview showing the location of each structure and calculations at each site of area of disturbance. (*Attach additional sheets as needed*).

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe. Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek. Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch. Additional project information including plans are included on the attached pages.

F. Specify the equipment and machinery (if any) that will be used to complete the project. Describe in detail the measures that will be taken to prevent discharges and spills of oil, grease, and other petroleum products.

Mini excavator, all-terrain vehicles with trailers, shovels, picks other hand tools.

G. Will water be present during the proposed work period:	☒ yes ☐ no ☐ Unknown
H. Will the proposed project require work in the wetted portion of the channel? If yes, please describe the work that will be required, the type of equipment to be used, whether the channel will need to be dewatered, and how long equipment will be in the wetted portion of the channel.	☒ yes ☐ no ☐ Unknown

The top of the ditch will be dammed with sandbags during all pipe installation activities, dewatering the manmade ditch. Any water that passes through the sandbag dam or enters the manmade ditch from surrounding land will be blocked by additional sandbags in the work area. No water will be discharged from the manmade ditch during construction.

I. Verify that the project is not part of a compensatory mitigation project (e.g. Cleanup and Abatement Order, Supplemental Environmental Project, etc.).	☒ I verify this to be true.
J. Verify that the primary project purpose is habitat restoration. This project is not proposed as part of a larger project whose primary purpose is not habitat restoration (e.g. land development or flood management).	☒ I verify this to be true.

K. Verify that this project shall not exceed five acres or 500 linear feet of stream bank or coastline.	☒ I verify this to be true.

VI. DISCHARGE INFORMATION

A. Within the box provided below, identify the type(s) of material that are proposed to be introduced, or "discharged" into Waters of the State as a result of the project.

☐ Soil ☐ Rock Rip-Rap ☐ Native Vegetation ☐ Non-native Vegetation ☐ Large woody material
☐ Rootwads ☐ Erosion Control Materials (jute netting, straw wattles, etc.) ☐ Culverts
☐ Anchoring (bolts, cables, rebar, chains, etc.) ☐ Fertilizers ☐ Pesticides[1]
☒ Other: **Pipe material**

B. For each of the materials identified above, identify the volume or quantity of material that is intended to be introduced or "discharged" into Waters of the State. Declare whether or not the material type is expected to cause a "temporary" or "permanent" effect. Include estimates of incidental material discharges that may occur from project implementation, or as a result of post-project adjustment.

Material Type	Volume or Number	Temporary Effect	Permanent Effect
1. **Pipe Material**		☐ yes ☒ no	☐ yes ☒ no
2. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
3. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
4. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
5. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no

C. In the space provided below, describe the intended purpose, or reason for the discharges associated with each of the material type(s) listed above:

The placement of pipe into a manmade ditch to improve fishery habitat in the natural channel above the manmade ditch.

[1] The point source discharge of aquatic pesticides into Waters of the United States requires a separate National Pollutant Discharge Elimination System (NPDES) permit administered by the State Water Resources Control Board. Information about pesticide permits can be found at the following Web address: http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml
{CW020928.2}

VII. PROJECT SIZE

A. For each of the applicable water body type(s) listed below, indicate the area(s) in ACRES and LINEAR FEET that will be affected by the project and identify the impact(s) as permanent or temporary. For project disturbance outside of Waters of the State, estimate the total disturbance in acres (lineal feet does not apply) as "Non-jurisdictional Areas."

☐ *Project Size Calculator is attached.*

Water Body Type	Temporary Impact		Permanent Impact	
	Acres	Lineal Feet	Acres	Lineal feet
Wetland	0	0	0	0
Riparian	0	0	0	0
Streambed/Stream bank	0	0	0	0
Lake/Reservoir	0	0	0	0
Ocean/Estuary/Bay	0	0	0	0
Non-jurisdictional Areas[2]	0		0	
TOTAL AREA AFFECTED:	0	0	0	0

B. Additional information relative to Project Size can be included in the space provided below:

Click here to enter text.

[2] The categorical exemption for small habitat restoration projects (Title 14, California Code of Regulations, Division 6, Chapter 3, *Guidelines for Implementation for the California Environmental Quality Act* (CEQA), Article 19, section 15333) requires projects to be no more than 5 acres in size. Total project size for the Categorical Exemption for permitting from the Disturbance estimates for "Non-jurisdictional Areas" are included for the purpose of coordinating project size with the California Department of Fish and Wildlife's Lake and Streambed Alteration Agreement (LSAA), or 1600 Permit, which includes areas outside of Waters of the State.

VIII. MONITORING AND REPORTING PLAN

A Monitoring and Reporting Program must be included with the *Notice of Intent* and shall include the following information relative to the proposed project:

MONITORING PLAN ☐ ***Monitoring Plan is attached (check box)***

A. Function(s) of the impacted water resources:
The project is located entirely within a managed diversion ditch and not considered to impact jurisdictional water bodies. The ditch provides domestic and irrigation flows to a commercial business and full time residence.

B. Project purpose, goal(s), and performance standards:
The purpose of the monitoring plan is to establish protocol and monitoring actives to prevent water and sediment from leaving the confined work area within the managed manmade ditch and entering areas outside the work area.

C. Measurable performance standards appropriate to each goal:
No observable water or sediment will leave the work area.

D. Monitoring parameters and protocols used to determine whether performance standards have been met:
Monitoring will be conducted using qualitative means. Protocol will include visual inspection of work activities by construction crews and inspectors to identify if water or sediment is leaving the work area. Site conditions will be photodocumented. The standard is that no water or sediment will leave the diversion ditch.

E. The timeframe and responsible party for determining attainment of performance standards:
Site conditions will be inspected prior to construction, during construction, and upon completion. Inspections will be conducted by individuals approved by the Mid Klamath Watershed Council.

F. Monitoring schedule:
:One inspection prior to construction, inspections during construction, and one inspection following construction.

G. Annual Reporting Schedule for the period stated as required for achievement of performance standards:
A final report summarizing the inspections and including photodocumation will be performed following completion of the project.

REPORTING PLAN ☐ ***Reporting Plan is attached (check box)***

Monitoring Reports shall be submitted by the applicant on an annual basis to the appropriate agencies as provided in the Monitoring Plan, documenting status of achievement of performance standards and project goals. Monitoring Reports shall include:

A. Summary of findings:
A summary of the activities undertaken along with the photographs from the project will be submitted upon the completion of the project.

B. Identification and discussion of problems with achieving performance standards:
Given the nature of the project, no problems with achieving performance standards associated with installing the pipe will occur.

C. Proposed corrective measures (requires Regional Water Board approval):
Given the nature of the project, no corrective actions will be required in the approximately 12 day work period to install the pipe.

D. Monitoring data:
All monitoring data will be provided at the completion of the project.

IX. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

All projects utilizing this General 401 Certification form must comply with the terms of the California Environmental Quality Act. The General 401 Certification was designed for use with the Categorical Exemption for Small Habitat Restoration Projects (CEQA Title 14, Chapter 3, Article 19, Section 15333), although other CEQA analyses may also be used. Please review the categorical exemption to ensure conformance with CEQA (http://ceres.ca.gov/ceqa/guidelines/15300-15333_web.pdf).

This project conforms to the requirements of CEQA through the Categorical Exemption for Small Habitat Restoration Projection (Section 15333).	☒ yes ☐ no	☐ Other CEQA Document Click here to enter text.

APPLICATION REQUIREMENTS AND FEES

Permit:	Submit Application to following agencies:	Time Restrictions:
General 401 Certification for Small Habitat Restoration Projects:	Program Manager, Certification and Wetlands Program, Regional Water Quality Control Board (address to appropriate Regional Water Board Board)	Must be submitted at least 30 days prior to proposed discharge.
Fees:	Fees are subject to the most current Dredge & Fee calculator. Refer to the resources for applicants section of the Dredge/Fill (401) and Wetlands program web site for the most current fee information. http://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources	

X. SIGNATURE / CERTIFICATION

State Water Resources Control Board: Notice of Intent to Comply with the Terms of General Water Quality Certification for Small Habitat Restoration Projects

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel property gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.

knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.

Douglas T. Cole
Applicant Signature

05/19/2016
Date

Douglas T. Cole
Printed Name

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.

Location	Station, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		825.13	105
Dirt Road nr Orchard		851.87	1
Dirt Road nr Hydro		869.27	203
Drive to lodges		856.49	540
Drive to lodges		851.48	543
Drive to lodges		853.35	539
Pond	0	874.33	530
Pipe at Hydro	980	885.5	207
Pipe at Forebay	1436	1096.48	216
Ditch	1470	1106.21	238
Ditch	1858	1107.51	264
Ditch	1798	1115.38	446
POD	4665	1122.25	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	456	208.98	0.4583
POD to Hydro	3685	232.75	0.0632
Hwy to Pipe at Hydro	450	64.37	0.1430
Forebay to Dirt Road nr Orchard	864	273.86	0.3201
Ditch nr Forebay to Dirt Road nr Hydro	522	246.61	0.4724

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Drawing Information	
Date	31 May 2015
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	

Revisions		
No.	Date	Description

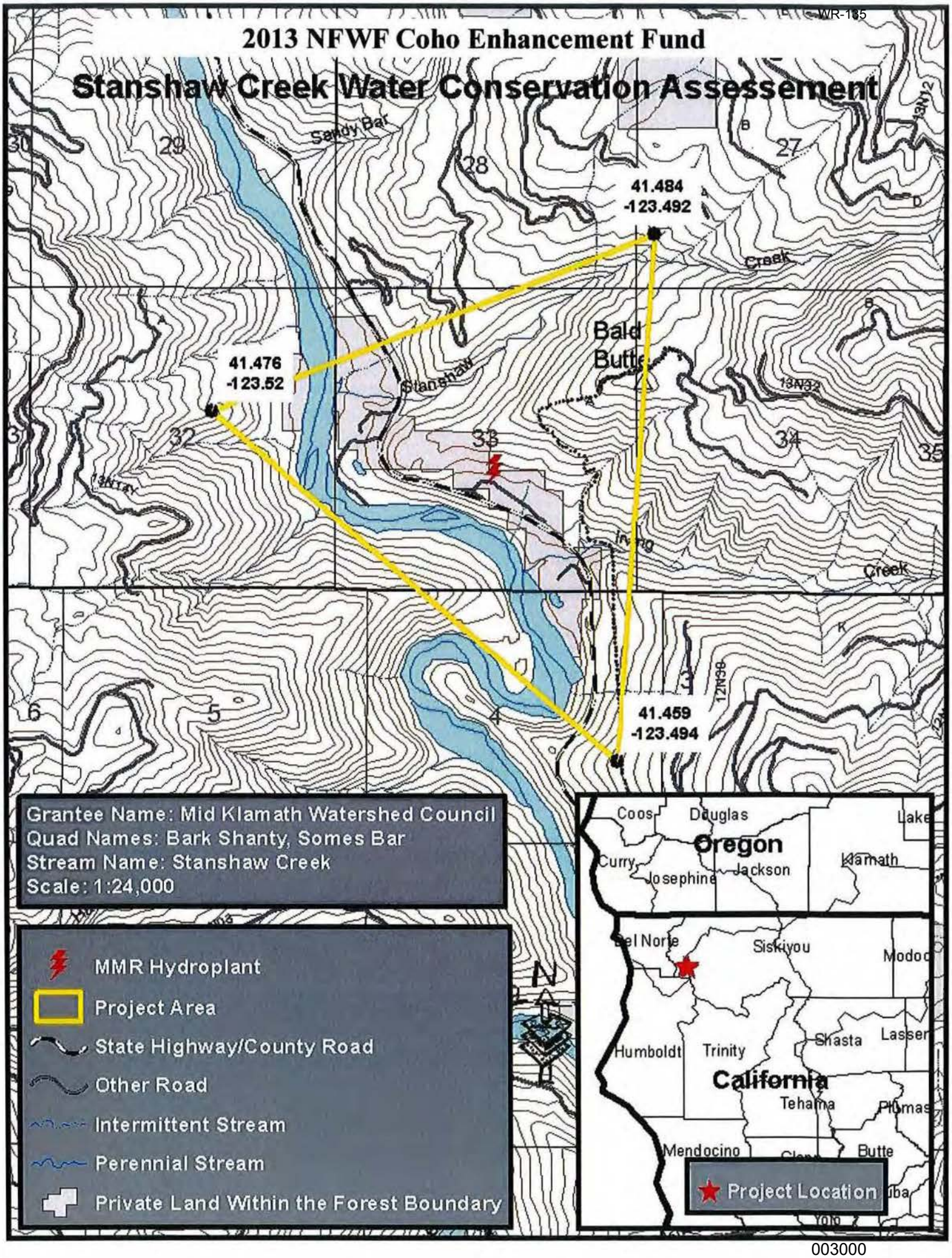
PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number 2015-115
Sheet Number 1
Sheet 1 of

2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessement



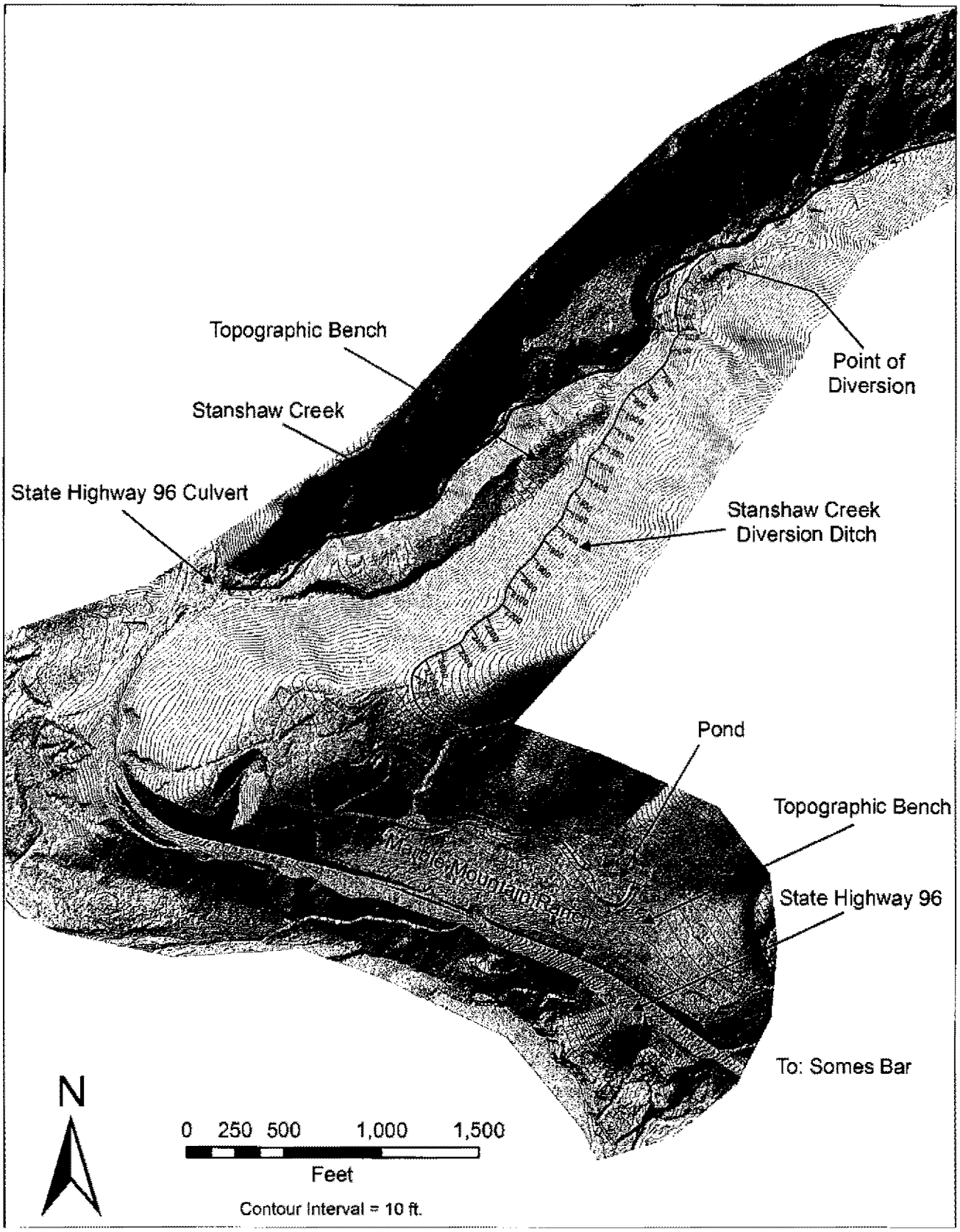
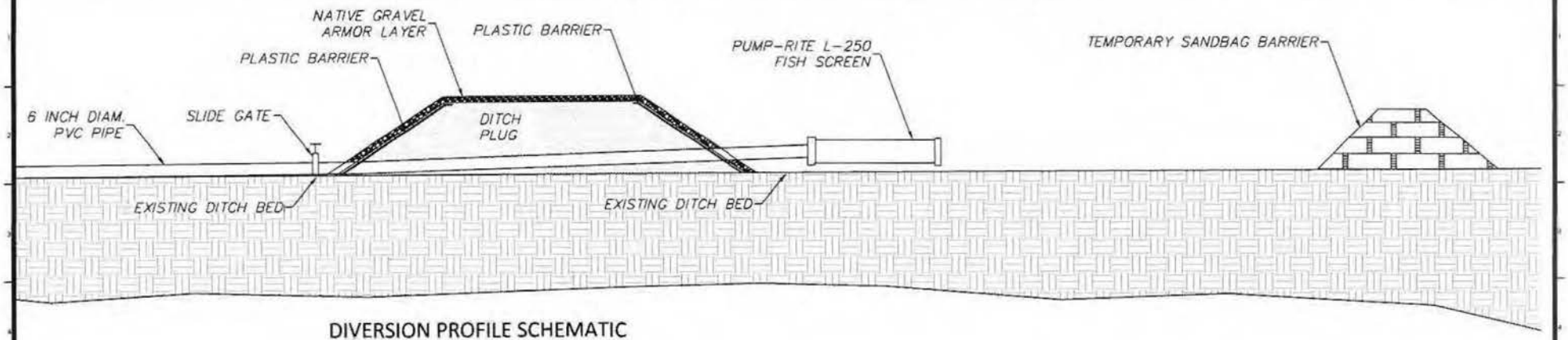
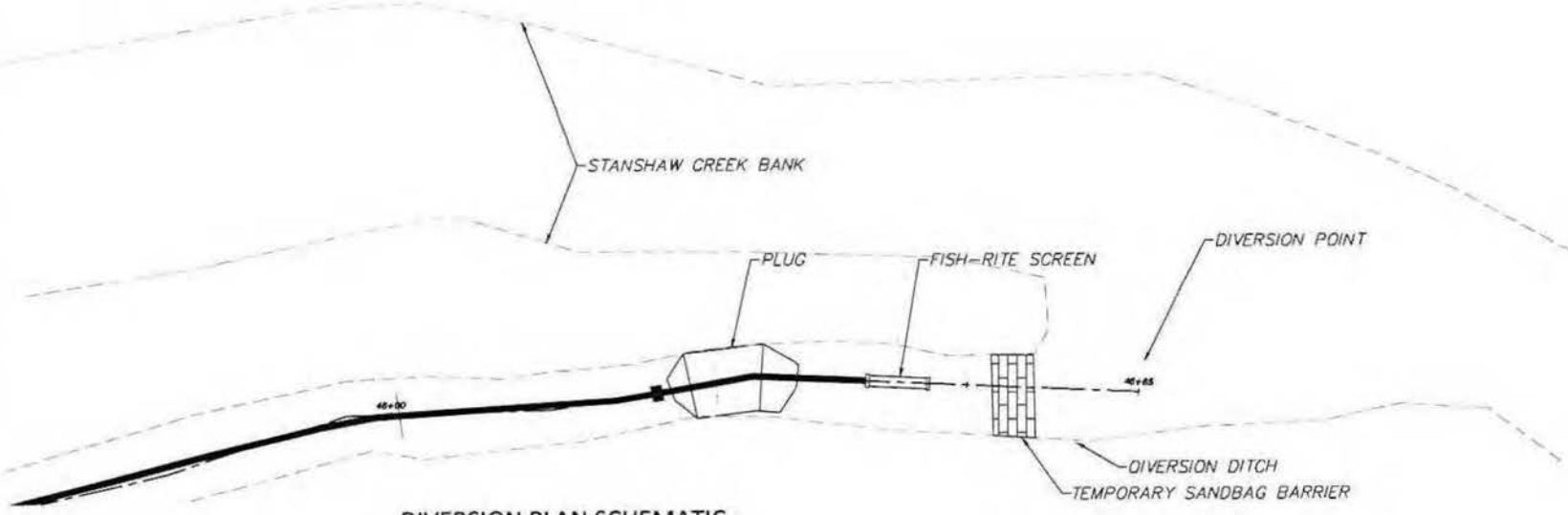


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	JP
Drafter	JP
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number 2015-115
Sheet Number 1
Sheet 1 of 1

California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
(530) 225-2300
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

May 16, 2016

Mr. Doug Cole
Marble Mountain Ranch
92520 CA-96
Somes Bar, CA 95568

Subject: No Lake or Streambed Alteration Agreement Needed
Notification No. 1600-2016-0198-R1
Marble Mountain Ranch Fish Screen, Gate Valve & Pipeline Installation Project
Stanshaw Creek, Tributary to the Klamath River, Siskiyou County

Dear Mr. Cole:

The California Department of Fish and Wildlife (Department) has reviewed your Lake or Streambed Alteration Notification (Notification). We have determined that your project is subject to the Notification requirement in Fish and Game Code Section 1602.

The Department has also determined that your Fish Screen, Gate Valve & Pipeline Installation Project (Project) as proposed will not substantially adversely affect an existing fish or wildlife resource. As a result, you will not need a Lake or Streambed Alteration Agreement for your proposed construction Project. You are responsible for complying with all applicable local, state, and federal laws in completing your work. A copy of this letter and your Notification with all attachments should be available at all times at the work site.

Please note that if you change your construction Project so that it differs materially from the Project you described in your original Notification, you will need to submit a new Notification and corresponding fee to the Department. In addition, the Department would like to remind you that you will need to submit a separate Lake or Streambed Alteration Notification by December 31, 2016 for the "act of diverting water" pursuant to your water right. The Department will then determine if your diversion of water is considered a substantial impact to the stream and aquatic resources, and, if necessary, issue a Lake or Streambed Alteration Agreement.

Thank you for notifying us of your construction Project. If you have any questions, please contact me at (530) 225-2314 or Donna.Cobb@wildlife.ca.gov.

Sincerely,

Donna L. Cobb
Aquatic Conservation Planning Supervisor

ec: North Coast Regional Water Quality Control Board, NorthCoast@Waterboards.ca.gov
Will Harling, MKWC, will@mkwc.org

Conserving California's Wildlife Since 1870

FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	$		

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Doug Cole		
Business/Agency	Marble Mountain Ranch		
Street Address	92520 CA-96		
City, State, Zip	Somes Bar, CA, 95568		
Telephone	(530) 469-3322	Fax	
Email	guestranch@marblemountainranch.com		

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Will Harling - Mid Klamath Watershed Council		
Street Address	38150 Highway 96		
City, State, Zip	Orleans, CA 95556		
Telephone	(530) 627-3202	Fax	
Email	will@mkwc.org		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	Marble Mountain Ranch Ditch Maintenance			
B. Agreement Term Requested	☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)			
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2016	2016	May/12	June/30	Approx. 12

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.		
A.	☐ Standard *(Most construction projects, excluding the categories listed below)*	
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*)	*Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*)	THP *Number:* _____
D.	☑ Water Diversion/Extraction/Impoundment (*Attachment C*)	*SWRCB Number:* S016375
E.	☐ Routine Maintenance (*Attachment D*)	
F.	☐ CDFW Fisheries Restoration Grant Program (FRGP)	*FRGP Contract Number* _____
G.	☐ Master	
H.	☐ Master Timber Harvesting	

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1			
2			
3			
4			
5			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE ENCLOSED	

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☑ No ☐ Yes (*Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

8. PROJECT LOCATION

A. Address or description of project location.

(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A CDFW/NMFS compliant cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Stanshaw Creek
C. What water body is the river, stream, or lake tributary to?	Klamath River
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☐ No ☐ Unknown
E. County	Siskiyou

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Bark Shanty Gulch, CA	13N	6E	33	NW

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☑ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

U.S. Forest Service Land

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes*)

Latitude/Longitude	*Latitude:* 42.472346N	*Longitude:* 123.50418W	
	☑ Degrees/Minutes/Seconds	☑ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☑ NAD 83 or WGS 84	

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	✓
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- **Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.**
- **Specify the type and volume of materials that will be used.**
- **If water will be diverted or drafted, specify the purpose or use.**

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek.

Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

mini excavator, all terrain vehicles with trailers, shovels, picks other hand tools.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☑ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

The project will be constructed outside of the bed, channel, bank of Stanshaw Creek.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☑ No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☑ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

A temporary sandbag barrier will be placed near the upstream end of the ditch to prevent water from entering the ditch and work area.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent fish and water from entering the stream. Following placement of the sandbag barrier, the dewatered ditch shall be inspected for aquatic organisms. Aquatic organisms will be collected and returned to the creek.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent water and fish from entering the ditch. Construction activities occur in unvegetated areas.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. _____ ☐ Applied ☐ Issued

B. _____ ☐ Applied ☐ Issued

C. _____ ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

☐ Yes *(Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)*

☑ No *(Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)*

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*): _____
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document (*type*): _____
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	☐ ESA document (*type*): _____
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)

C. Has a CEQA lead agency been determined? ☐ Yes (*Complete boxes D, E, and F*) ☐ No (*Skip to box 14.G*)

D. CEQA Lead Agency

E. Contact Person | **F. Telephone Number**

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☐ Yes (*Enclose proof of payment*) ☐ No (*Briefly explain below the reason a filing fee has not been paid)*

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☑ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

[ ] Yes (Please enclose the information via digital media with the completed notification form)

[ ] No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Doug Cole

Signature of Applicant or Applicant's Authorized Representative

5/12/2016

Date

Doug Cole

Print Name

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.

Location	Station, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		825.13	105
Dirt Road nr Orchard		851.87	1
Dirt Road nr Hydro		889.22	201
Drive to lodges		856.49	549
Drive to lodges		851.48	543
Drive to lodges		853.35	539
Pond	0	874.33	538
Pipe at Hydro	580	889.5	207
Pipe at Forebay	1436	1096.48	238
Ditch	1470	1106.21	238
Ditch	1858	1107.31	264
Ditch	3768	1115.33	446
POD	4685	1122.23	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	456	208.98	0.4583
POD to Hydro	3685	232.73	0.0632
Hwy to Pipe at Hydro	450	64.37	0.1430
forebay to Dirt Road nr Orchard	854	273.35	0.3201
Ditch nr Forebay to Dirt Road nr Hydro	523	246.81	0.4734

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	31 May 2015
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountain Ranch
Water Efficiency Study
Surveyed Elevations

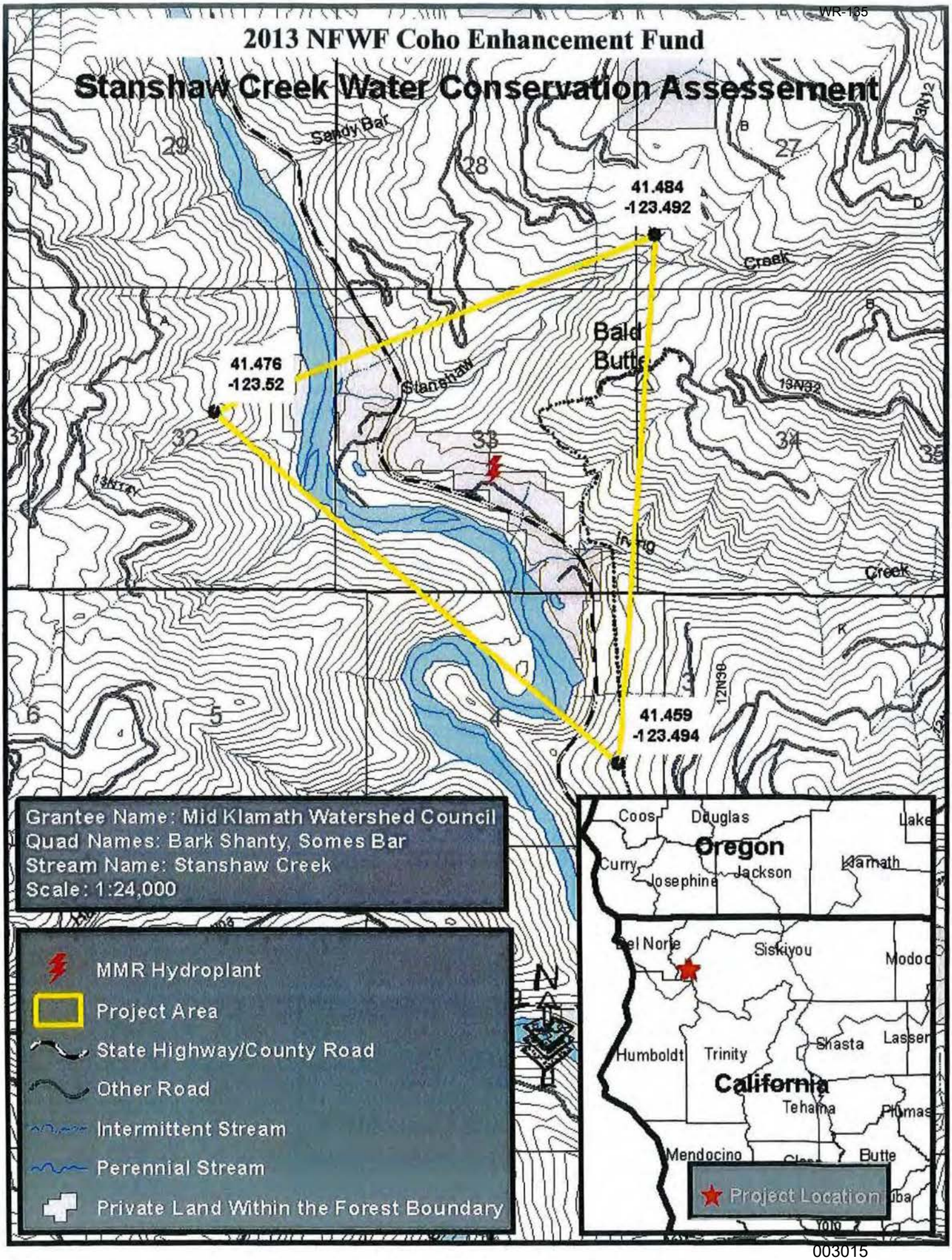
Job Number
2015-115

Sheet Number
1

Sheet 1 of

2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessment



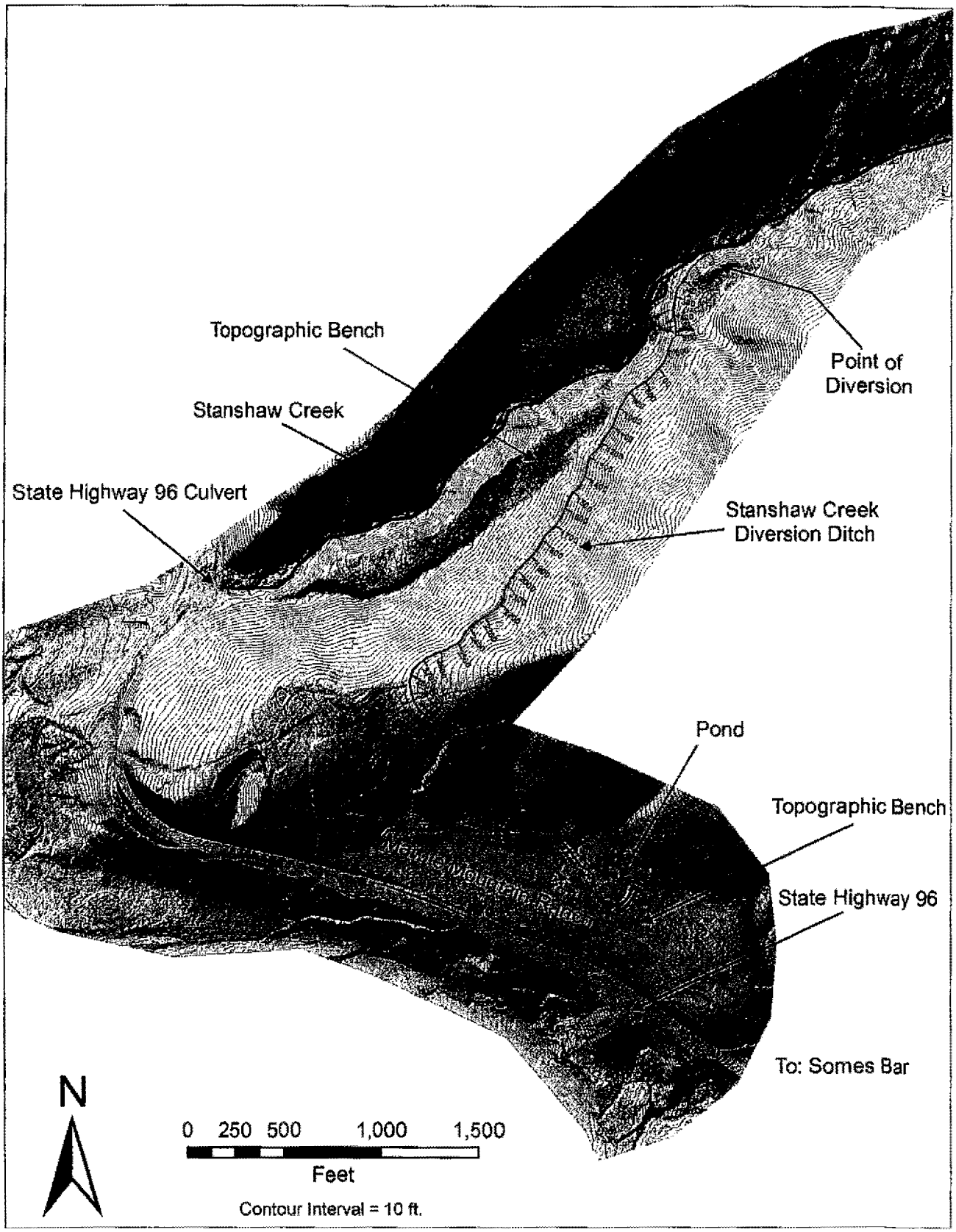
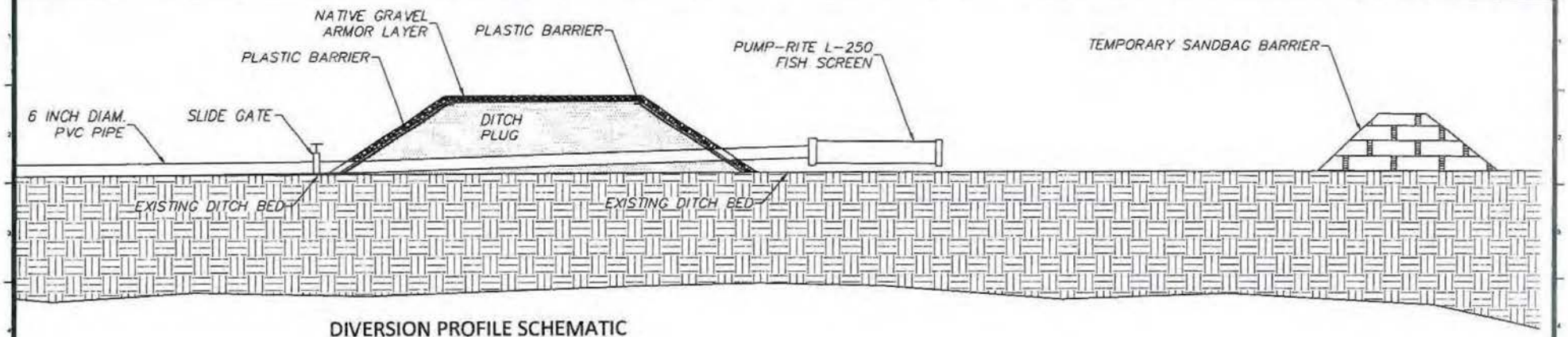
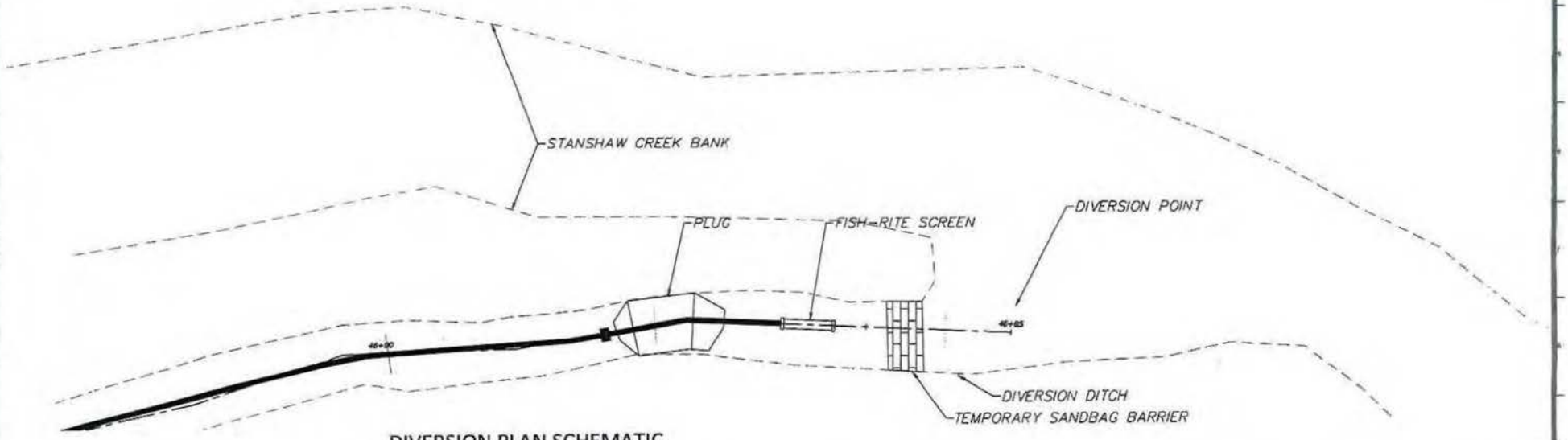


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	jh
Drafter	lh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

Marble Mountian Ranch

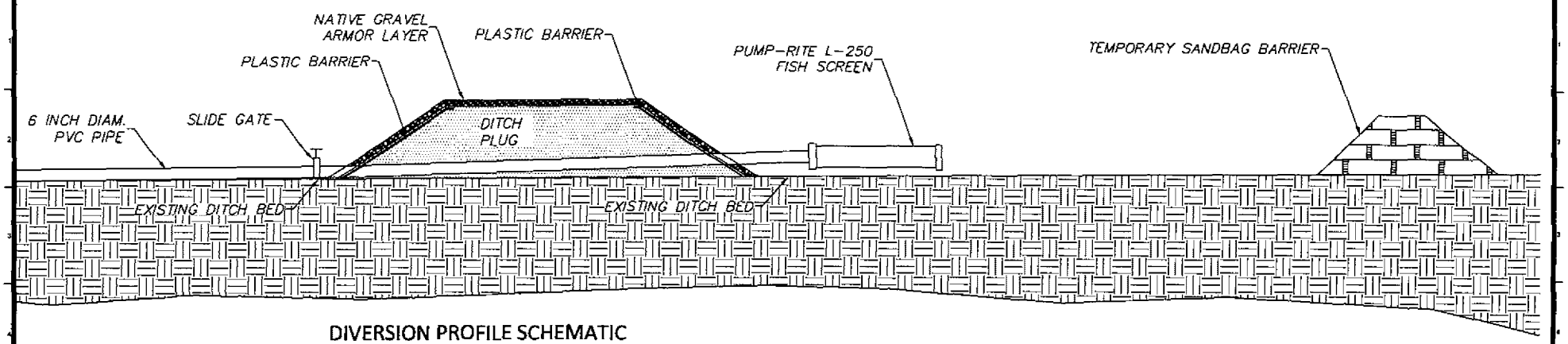
Diversion Modification
Schematic Plan and Profile

Job Number 2015-115

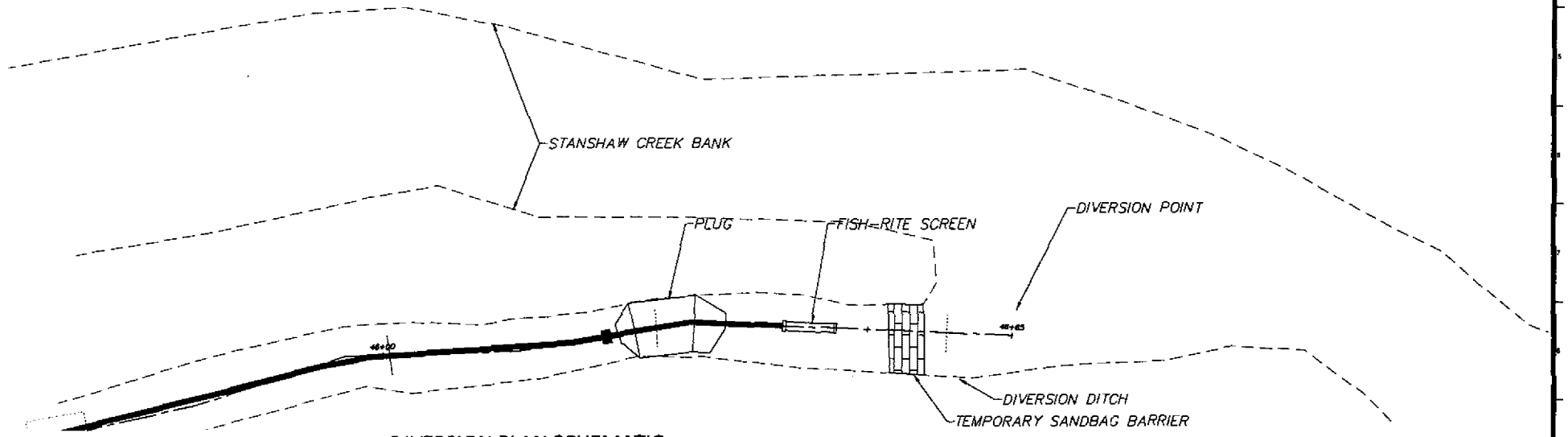
Sheet Number 1

Sheet 1 of 1

Exhibit E



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	1" = 1/2"

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

Marble Mountian Ranch

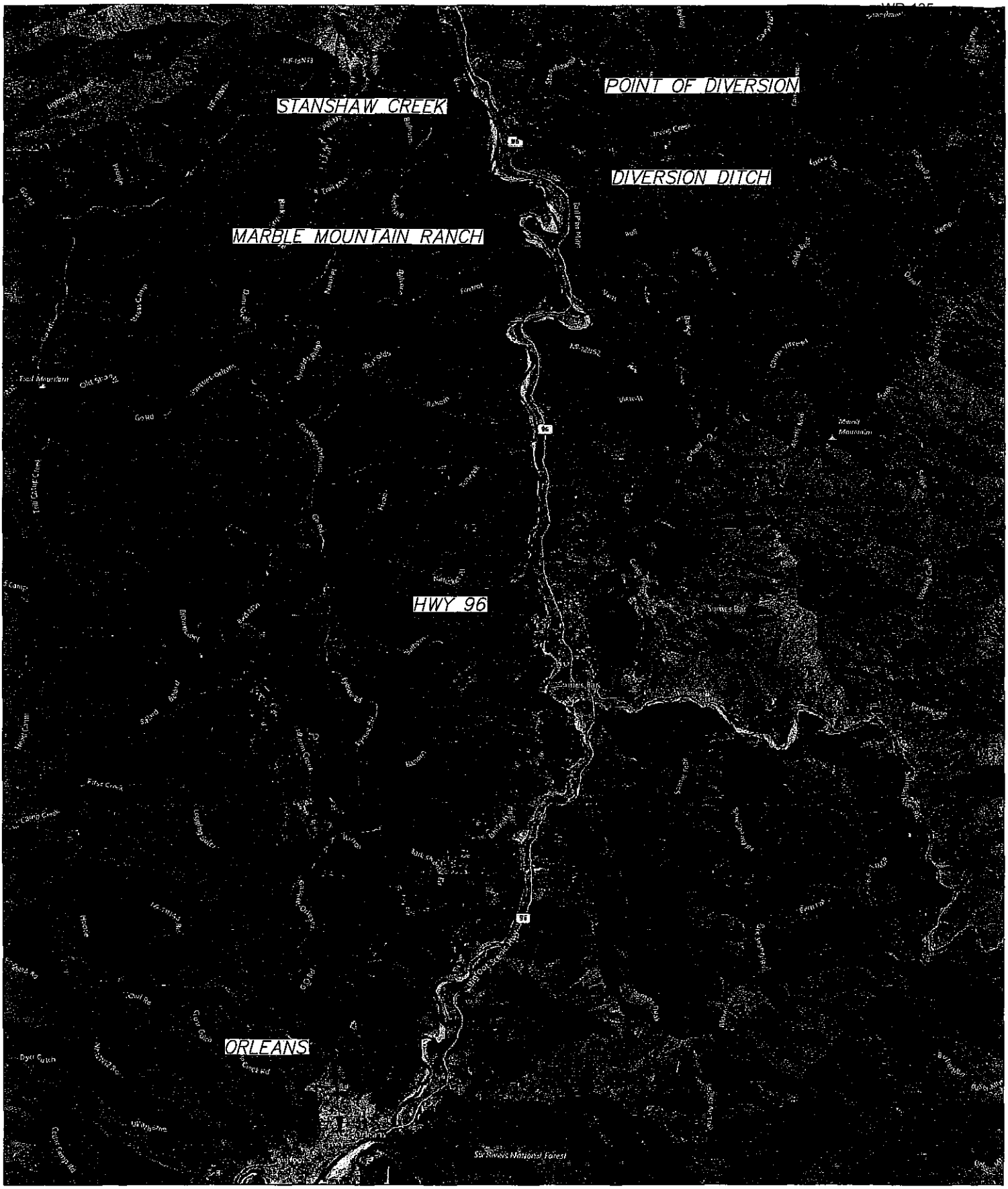
Diversion Modification
Schematic Plan and Profile

Job Number 2015-115

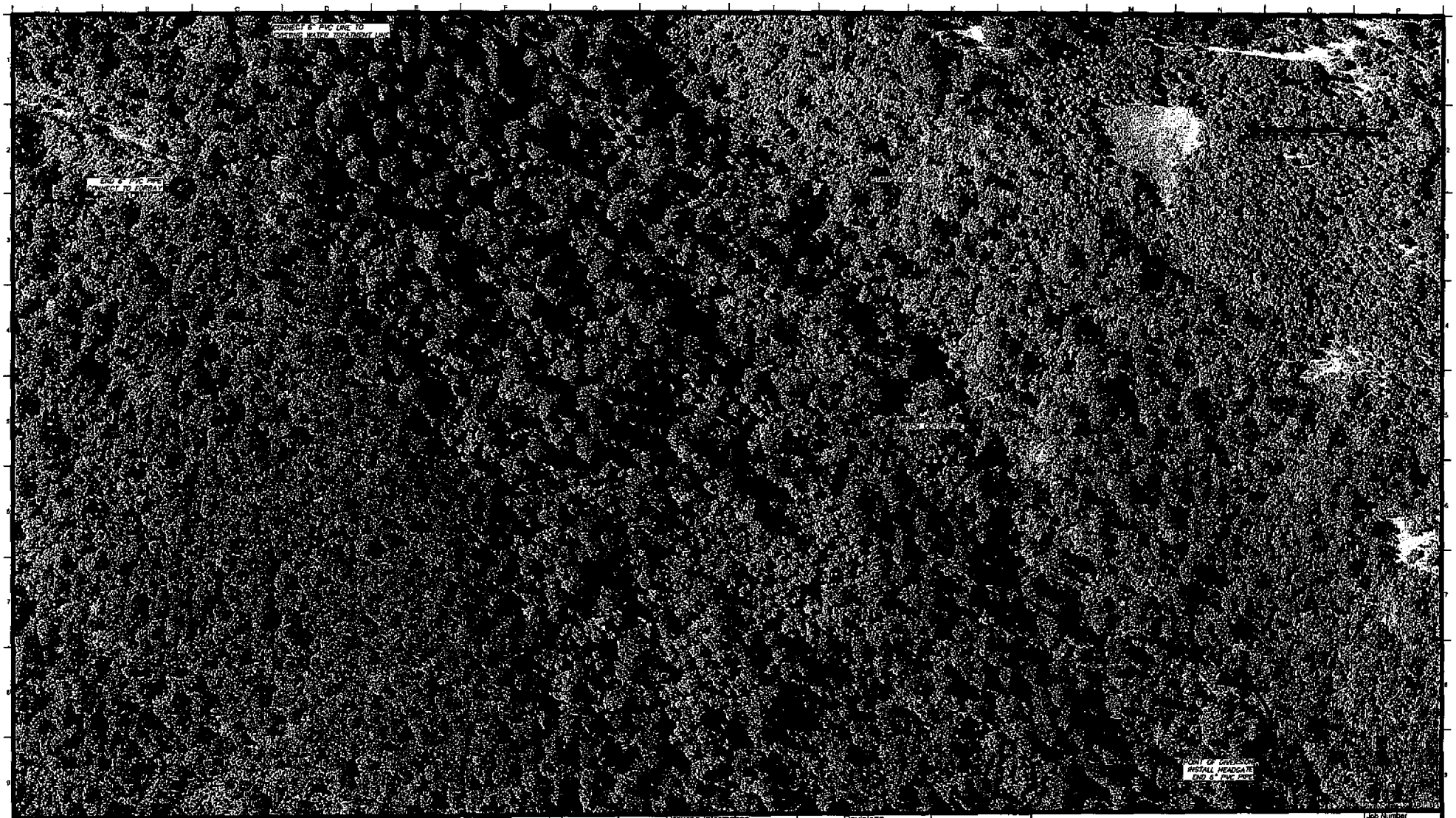
Sheet Number 1

Sheet 1 of 1

Exhibit F



Marble Mountain Ranch Location Map



Mid-Klamath Watershed Council
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Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	—
Status	PRELIMINARY
Designer	th
Drafter	th
Checked	
File Name	Marble Mountain Pipeline
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

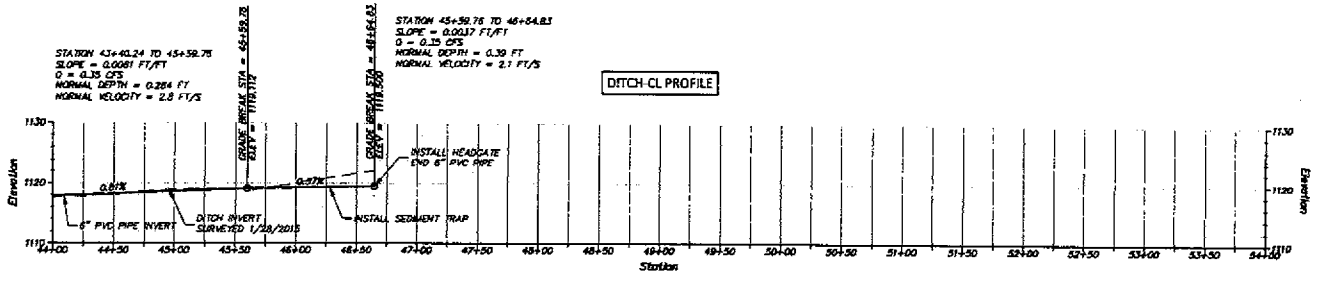
Marble Mountian Ranch Water Efficiency Study

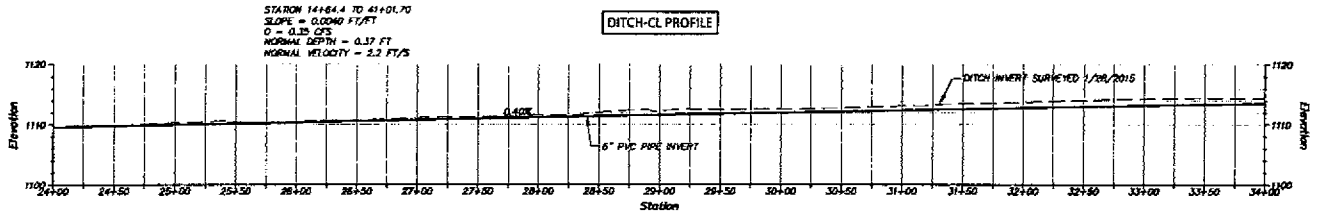
Plan View

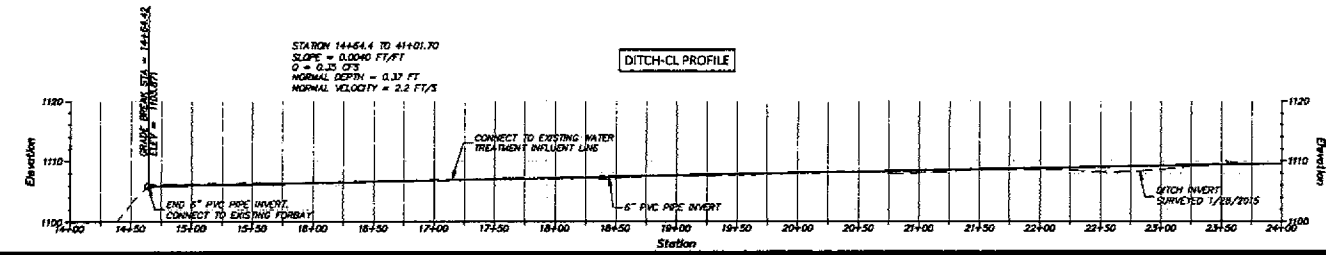
Job Number 2015-115

Sheet Number 1

Sheet 1 of







Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Drawing Information	
Date	—
Status	PRELIMARY
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Pipeline
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch Water Efficiency Study

Pipe Profile

Job Number 2015-115
Sheet Number 2
Sheet 2 of

Exhibit G

Fiori GeoSciences Geology ◦ Hydrology ◦ Geomorphology ◦ Hydrogeology ◦ Ecological Restoration Design-Build

TECHNICAL MEMORANDUM

Sediment Delivery Potential from Failures on the Stanshaw Creek Diversion Ditch
Prepared for: Will Harling, Mid-Klamath Watershed Council and Douglas and Heidi Cole, Marble Mountain Ranch.
Prepared by: Rocco Fiori, Engineering Geologist, PG8066.
May 14, 2016

1.0 Introduction

This memorandum provides my preliminary findings of a survey to assess the sediment delivery potential from failures on the Stanshaw Creek diversion ditch. The Marble Mountain Ranch has a patented water right to divert water from Stanshaw Creek for consumptive and non-consumptive uses. The North Coast Regional Water Quality Control Board (NCRWQCB) and National Marine Fisheries Service (NMFS) are concerned operation of the diversion ditch constitutes a threat to downstream beneficial uses including water quality, and fish and wildlife habitat. This assessment was conducted at the request of Douglas and Heidi Cole, owners of the Marbled Mountain Ranch, and Will Harling, Director of the Mid-Klamath Watershed Council (MKWC).

2.0 Approach

The purpose of the survey was to assess the relative potential for ditch failures to deliver sediment to Stanshaw Creek and other waters of the State of California. The assessment was comprised of the following activities:

1. Review of a recent ditch inspection report prepared by NCRWCB staff (Feiler 2015).
2. Rapid field reconnaissance of the site on April 20, 2016, with Douglas Cole, Will Harling, and Joey Howard (Cascade Stream Solutions).
3. Desktop analysis, including qualitative assessment of site conditions using a 1-meter resolution LiDAR DEM, Digital Ortho-Photographs, and the Regional Geologic Map (Wagner and Saucedo 1987) with ArcGIS.

3.0 Findings

3.1 Ditch Failure Modes

I observed many of the erosion points described in the NCRWCB ditch inspection report and concur with the general characterization of the types of failure modes operating along at the ditch line by Feiler (2015). Based on my observations it appears the failure modes and frequency of occurrence can the ranked in the following order, (with type 1 modes having the greatest likelihood of occurring):

1. Water seepage through the outboard embankment fill material. This failure mode has two likely outcomes: a) slow slump failure of the fill with the potential for ditch flow to overtop the embankment and discharge downslope; or b) rapid slump failure of the fill, leading to the near instantaneous discharge of ditch flow downslope. Type 1b failures are most likely to lead to onsite erosion and possibly contribute to offsite sedimentation.
2. Cutbank failure. The outcome of this failure mode depends on the volume of the failed material. For a) small cutbank failures, the failed material will likely displace some of the ditch flow onto the outboard edge of the embankment and not lead to any onsite erosion; or for b)

larger cutbank failures, the failed material can cause the ditch flow to overtop the embankment. Type 2b failures are the most likely to lead to onsite erosion and possibly contribute to offsite sedimentation.

3. Tree Windthrow. Windthrow from the cutbank or embankment fillslope can lead to either a) slow, or b) rapid failure of the embankment fill, or c) slow and d) rapid displacement of ditch flow on to or over the embankment fill. The magnitude of onsite erosion and possibility of offsite sedimentation is dependant on the size of the tree and duration of uncontrolled ditch flow through the failure.

3.2 Sediment Delivery Potential

Based on my preliminary field observations and desktop analysis it appears the first 1100 feet (starting at the Point of Diversion) of the ditch has the greatest potential to deliver sediment to Stanshaw Creek in the event of a ditch failure. This is primarily because the ditch is located directly above the stream channel, and secondarily because the ditch is partially within the fluvial corridor of Stanshaw Creek (Figure 1). The remaining sections of the ditch have a low to moderate sediment delivery potential (Figure 1 and Table 1). The lower delivery ratings are due to the capacity of large topographic benches and dense vegetation to intercept and store a majority of sediment before it can be delivered to the receiving waters of the State (Figure 1).

Table 1. Relative sediment delivery potential of the Stanshaw Creek Diversion Ditch.

Distance from POD (feet)	Relative Sediment Delivery Potential	Percent of Ditch Length	Receiving Waters	Rationale
0 to 1100	High	24	Stanshaw Creek	Ditch is directly above stream
1100 to 2100	Low	22	Stanshaw Creek	Topographic bench likely to store most sediment and attenuate turbid runoff
2100 to 2800	Moderate	15	Stanshaw Creek	Reduced effect of the topographic bench to store most sediment and attenuate turbid runoff.
2800 to 4600	Low to Moderate	39	Klamath River	Topographic bench likely to store most sediment and attenuate turbid runoff

3.3 Other Sediment Sources

There is approximately 6,400 feet of streambank (2 X 3,200 ft.) on Stanshaw Creek between the Point of Diversion and the Highway 96 Culvert (Figure 1). A preliminary slope stability analysis indicates these slopes are marginally to highly un-stable. Wagner and Saucedo (1987) mapped the landform in this area as Qls (Quaternary Landslide), which also indicates a higher potential for slope instability. Slope failures along the lower reach of Stanshaw Creek are likely a greater source of sediment delivery compared to the features along the ditch described by Feiler (2015), and could create background sedimentation and turbidity levels that would likely overprint inputs emanating from a ditch related failure.

3.4 Recommendations

1. During the field review, Mr. Cole described that his inspection and maintenance efforts target repairs to seepage and other minor failure problems before they evolve into larger or catastrophic failures. Similar inspection and maintenance efforts are recommended moving forward.
2. The use of a pipeline would avoid or minimize the likelihood of sediment delivery related to conveyance of the Cole's water right from the Point of Diversion to the points of consumptive and non-consumptive use.
3. If a pipeline is the selected alternative, consider retaining the existing ditch alignment as an inspection and maintenance travel way. Mild outsloping and appropriately spaced rolling dips along the travel way could be used to effectively improve the stability and drainage of the travel way, and to provide a route for rapid response in the event of a pipeline failure.
4. Slope stability analysis could be used to identify potential areas of concern and develop mitigation strategies.
5. A sediment budget could be used to obtain an accurate assessment of sediment contributions from past ditch failures and other sources.

References

Wagner, D.L., and G.J. Saucedo. 1987. Geologic Map of the Weed Quadragle, California, 1:250,000. State of California, Department of Conservation. Regional Geologic Map Series. Weed Quadrangle – Map No, 4A (Geology), Sheet 1 of 4.

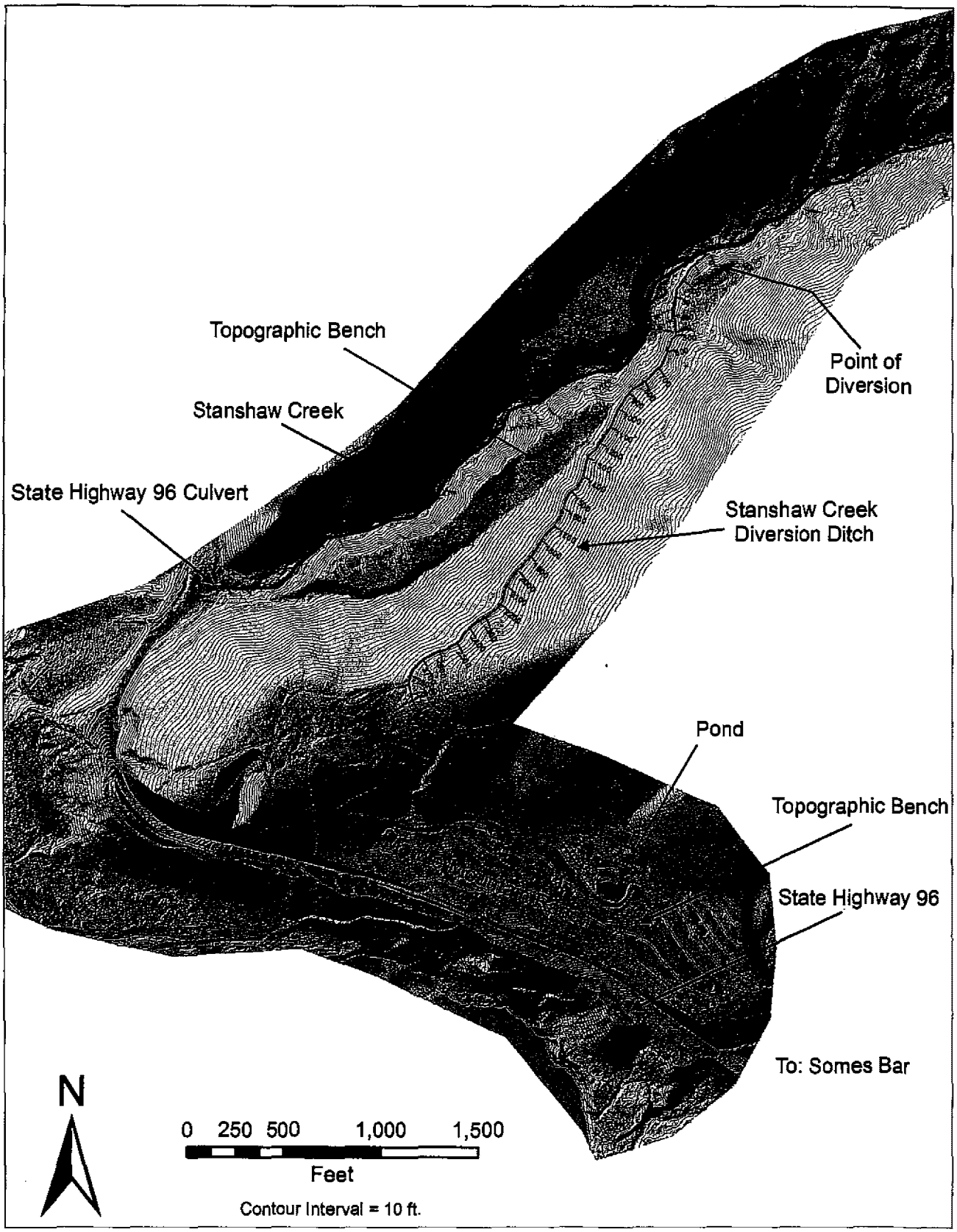


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com

Box 11 Threatened or Endangered Species

Please list any federally-listed (or proposed) threatened or endangered species or critical habitat (or proposed critical habitat) within the project area (include scientific names (e.g., Genus species), if known):

a. b.
c. d.
e. f.

Have surveys, using U.S. Fish and Wildlife Service/NOAA Fisheries protocols, been conducted?
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ No

If a federally-listed species would be impacted, please provide a description of the impactand a biological evaluation, if available.
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ Not attached

Has Section 7 consultation been initiated by another federal agency?
☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☒ No

Has Section 10 consultation been initiated for the proposed project?
☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☒ No

Has the USFWS/NOAA Fisheries issued a Biological Opinion?
☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No
If yes, list date Opinion was issued (m/d/yyyy):

Box 12 Historic properties and cultural resources:

Are any cultural resources of any type known to exist on-site? ☐ Yes ☒ No

Please list any known historic properties listed, or eligible for listing, on the National Register of Historic Places:

a. b.
c. d.
e. f.

Has a cultural resource records search been conducted?
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ No

Has a cultural resource pedestrian survey been conducted for the site?
☐ Yes, Report attached (or mail copy separately if applying electronically) ☒ No

Has another federal agency been designated the lead federal agency for Section 106 consultation?
☐ Yes, Designation letter/email attached (or mail copy separately if applying electronically) ☒ No

Has Section 106 consultation been initiated by another federal agency?
☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☒ No

Has a Section 106 MOA or PA been signed by another federal agency and the SHPO?
☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No
If yes, list date MOA or PA was signed (m/d/yyyy):

Box 13 Section 401 Water Quality Certification:
Applying for certification? ☒ Yes, Attached (or mail copy separately if applying electronically) ☐ No

Certification issued? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No
Certification waived? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No
Certification denied? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

Exempted activity? ☐ Yes ☐ No
Agency concurrence? ☐ Yes, Attached ☐ No
If exempt, state why:

Box 14 Coastal Zone Management Act:
Is the project located within the Coastal Zone? ☐ Yes ☒ No

If yes, applying for a coastal commission-approved Coastal Development Permit?
☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

If no, applying for separate CZMA-consistency certification?
☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No

Permit/Consistency issued? ☐ Yes, Attached (or mail copy separately if applying electronically) ☒ No

Exempt? ☐ Yes ☐ No
Agency concurrence? ☐ Yes, Attached ☐ No
If exempt, state why:

Box 15 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type of Approval[4]	Identification Number	Date Applied	Date Approved	Date Denied
California Department of Fish and Wildlife	1602 Lake or Streambed Alteration	1600-2016-0198-R1	5/12/2016	5/16/2016	

[4] Would include but is not restricted to zoning, building, and flood plain permits

Nationwide Permit General Conditions (GC) checklist:

(http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf)

Check	General Condition	Rationale for compliance with General Condition
☐	1. Navigation	
☐	2. Aquatic Life Movements	
☐	3. Spawning Areas	
☐	4. Migratory Bird Breeding Areas	
☐	5. Shellfish Beds	
☐	6. Suitable Material	
☐	7. Water Supply Intakes	
☐	8. Adverse Effects from Impoundments	
☐	9. Management of Water Flows	
☐	10. Fills Within 100-Year Floodplains	
☐	11. Equipment	
☐	12. Soil Erosion and Sediment Controls	
☐	13. Removal of Temporary Fills	
☐	14. Proper Maintenance	
☐	15. Single and Complete Project	
☐	16. Wild and Scenic Rivers	
☐	17. Tribal Rights	
☐	18. Endangered Species	See Box 11 above.
☐	19. Migratory Bird and Bald and Golden Eagle Permits	
☐	20. Historic Properties	See Box 12 above.
☐	21. Discovery of Previously Unknown Remains and Artifacts	
☐	22. Designated Critical Resource Waters	
☐	23. Mitigation	See Box 10 above.
☐	24. Safety of Impoundment Structures	
☐	25. Water Quality	See Box 13 above.
☐	26. Coastal Zone Management	See Box 14 above.
☐	27. Regional and Case-by-Case Conditions	
☐	28. Use of Multiple Nationwide Permits	
☐	29. Transfer of Nationwide Permit Verifications	
☐	30. Compliance Certification	
☐	31. Pre-Construction Notification	

Revised March 21, 2012. For the most recent version of this form, visit your Corps District's Regulatory website.

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

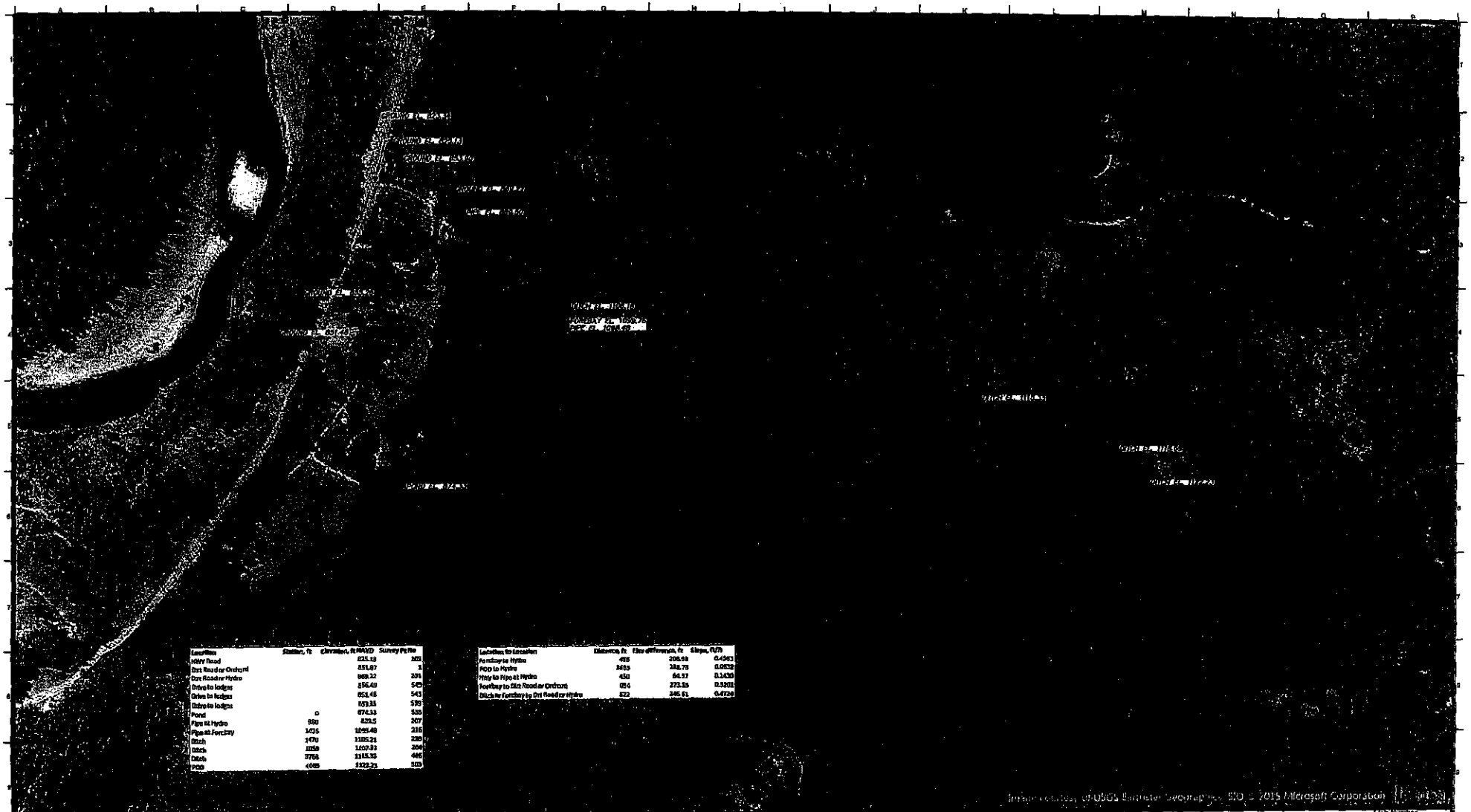
Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.



Location	Station, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		835.19	305
Dirt Road or Orchard		891.87	1
Dirt Road or Hydro		889.22	201
Drive to lodges		856.49	540
Drive to lodges		851.46	543
Drive to lodges		853.35	539
Pond	0	874.53	538
Pipe at Hydro	950	829.5	307
Pipe at Forebay	1435	1095.48	216
Ditch	1470	1105.21	230
Ditch	1858	1107.83	264
Ditch	3758	1115.35	446
POD	4065	1122.25	503

Location to Location	Distance, ft	Elev difference, ft	Slope, (ft/ft)
Forebay to Hydro	475	208.98	0.4361
Pipe to Hydro	3655	286.78	0.0532
Hwy to Pipe at Hydro	450	64.97	0.1439
Forebay to Dirt Road or Orchard	814	273.15	0.3301
Ditch or Forebay to Dirt Road or Hydro	822	345.61	0.4204

Image courtesy of USGS Earthstar Geographics SIO | © 2015 Microsoft Corporation

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	31 May 2016
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number
2015-115

Sheet Number
1

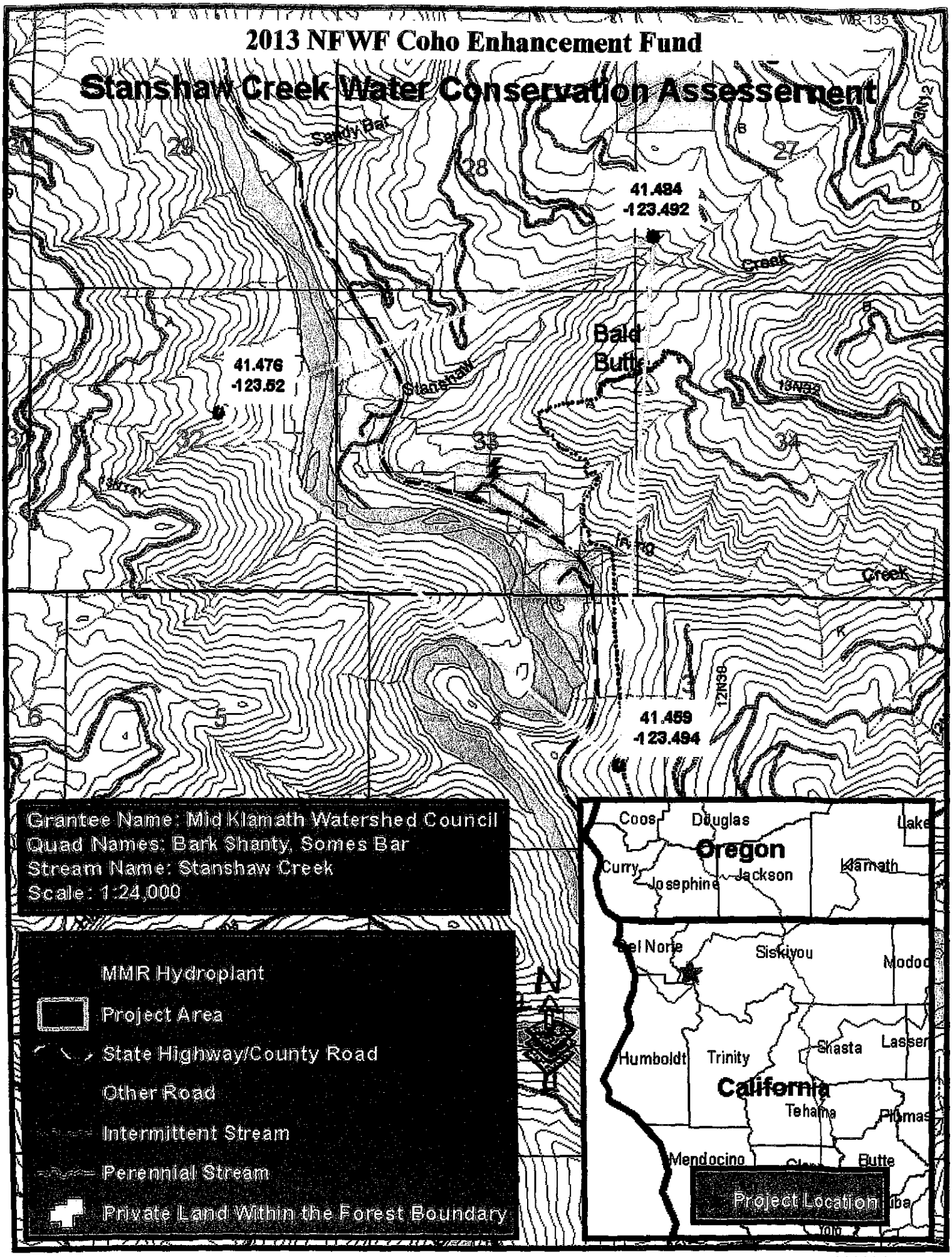
Sheet 1 of

003033

WP-135

2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessment



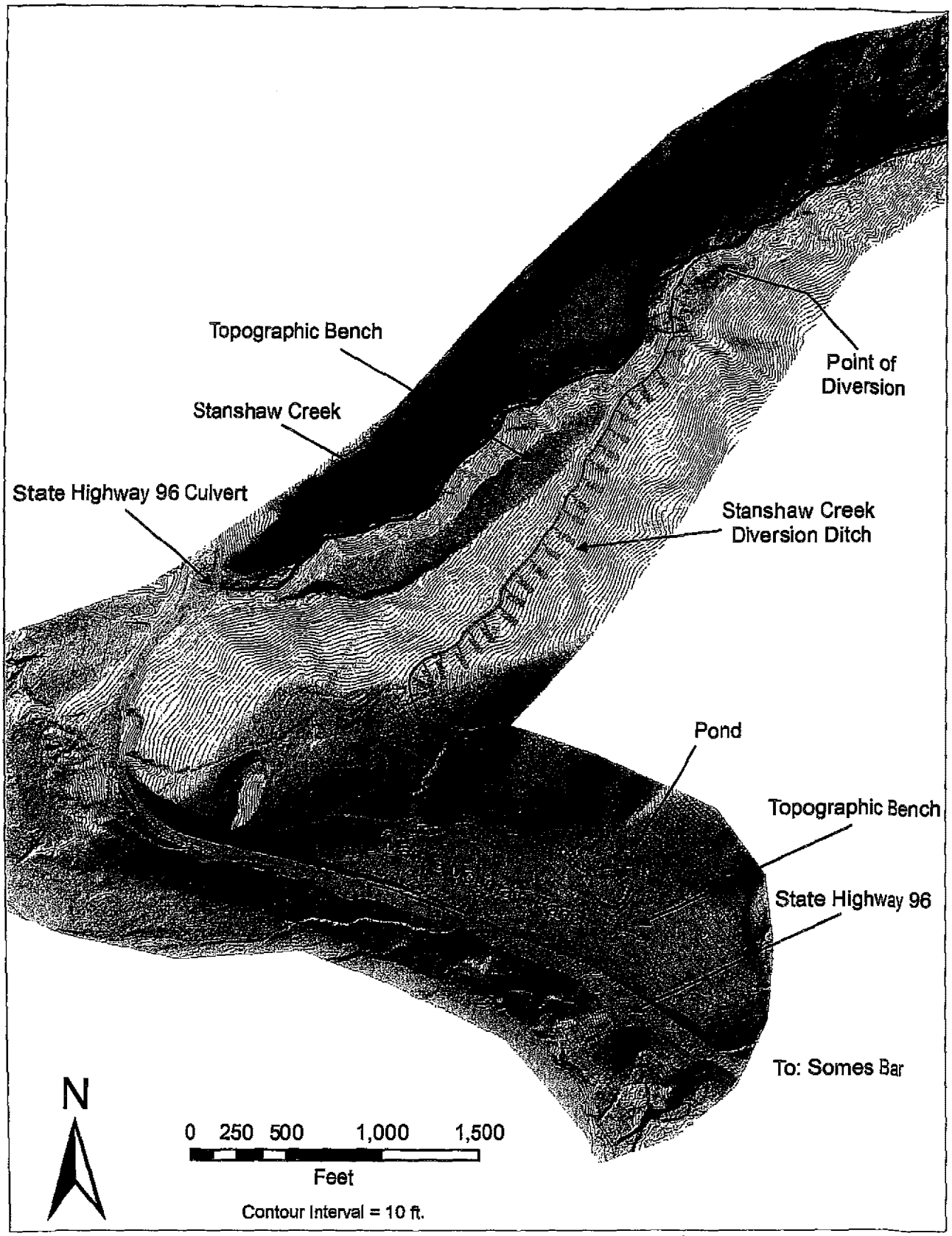


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

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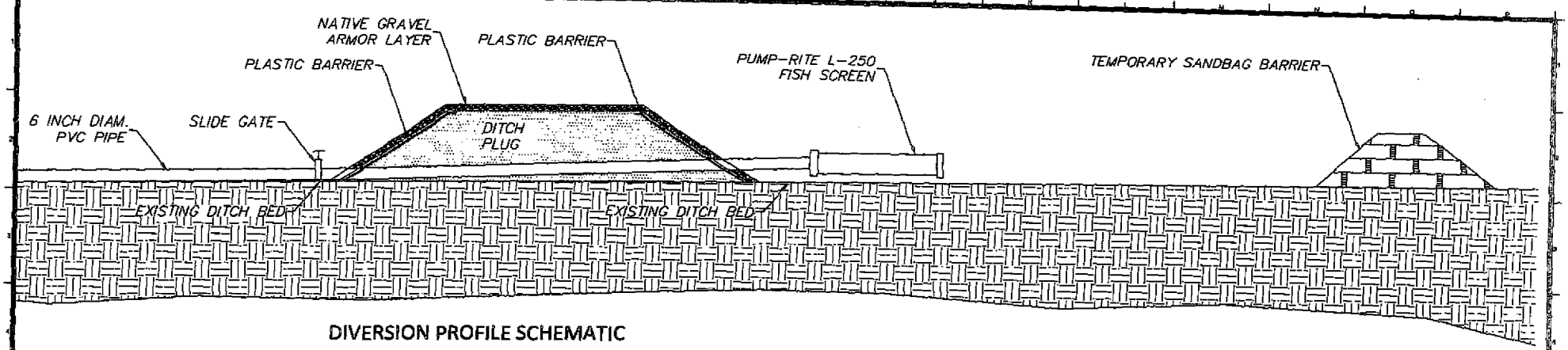
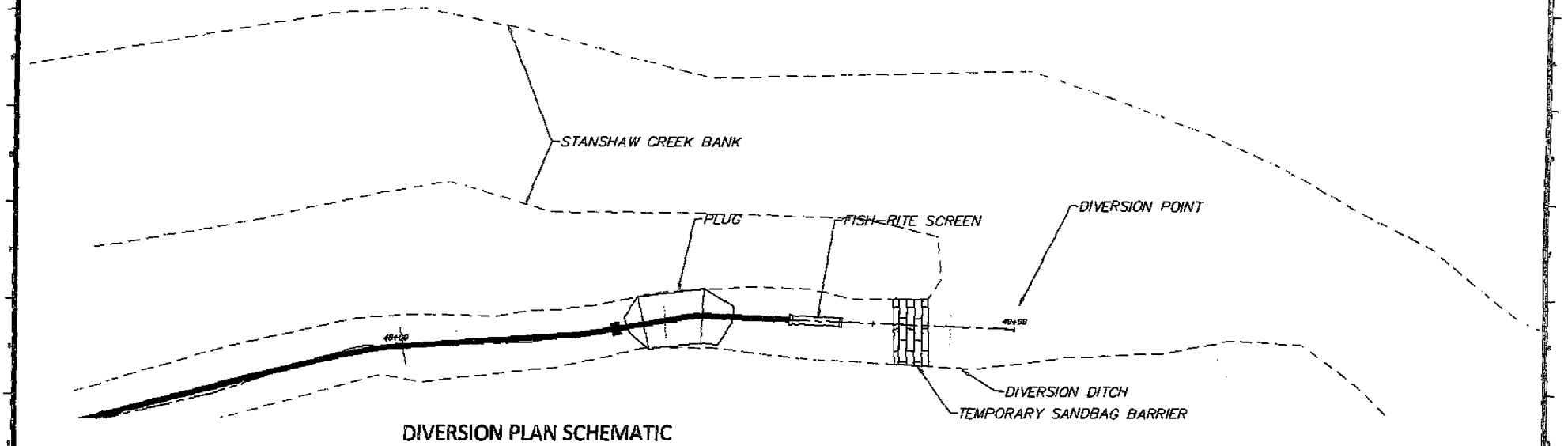
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
285 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	tls
Drafter	tjh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

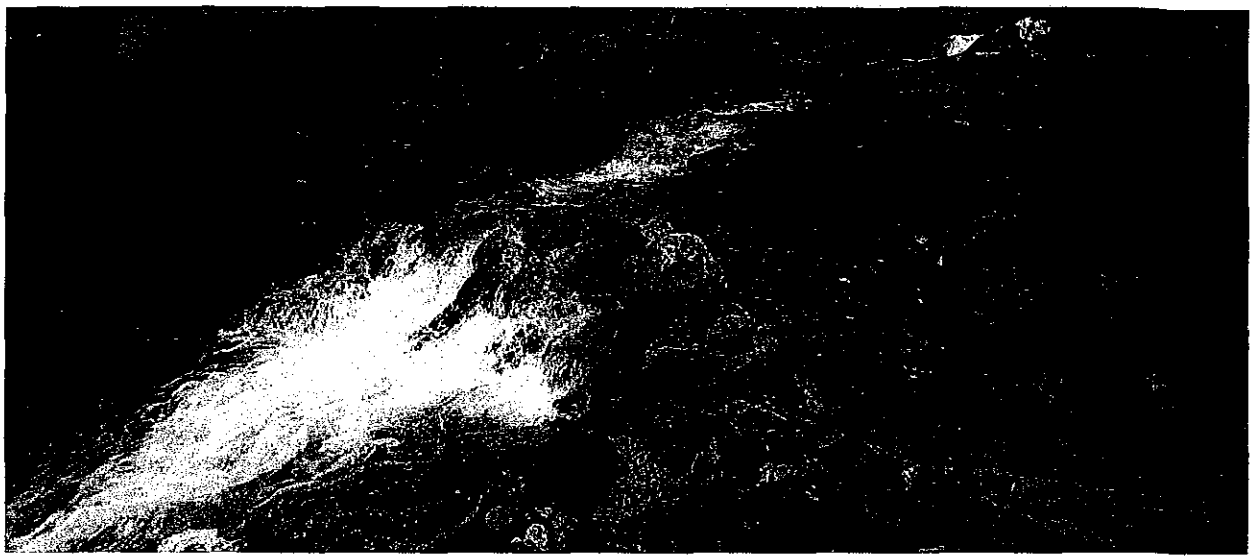
Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number 2016-115
Sheet Number 1
Sheet 1 of 1

Numbered and Dated Pre-Project Color Photographs

1.



2.

3.

State Water Resources Control Board

Division of Water Quality, 1001 I Street, 15th floor• Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • Internet Address: http://www.waterboards.ca.gov/

NOTICE OF INTENT
TO COMPLY WITH THE TERMS OF GENERAL 401 WATER QUALITY CERTIFICATION ORDER FOR SMALL HABITAT RESTORATION PROJECTS

ORDER NUMBER: SB12006GN

Regional Water Quality Control Board (Regional Water Board) and State Water Resources Control Board (State Water Board) - *FOR AGENCY TRACKING USE ONLY*			
WDID:	*Regional Board Office:*	*Date NOI Received:*	*Check No:*

I. NOTICE OF INTENT STATUS

MARK ONLY ONE ITEM:	☒New Application ☐Change of Information for WDID#_____ ☐ Coho HELP Act Project

II. PROJECT and APPLICANT INFORMATION

Project Title:	**Marble Mountain Ranch Ditch Maintenance**		
Applicant Name:	**Doug Cole**		
Business/Agency:	**Marble Mountain Ranch**		
Street Address:	**92520 CA-96**		
City, County, State, Zip:	**Somes Bar, CA 95568**		
Telephone:	**(530) 469-3322**	Fax	Click here to enter text.
E-mail:	**guestranch@marblemountainranch.com**		

II. PROPERTY OWNER ☒ **Check Box if Same As Above**

Name:			
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	Fax	Click here to enter text.
E-mail:	Click here to enter text.		

IV. PROJECT LOCATION

A. Address or description of project location.
92520 CA-96, Somes Bar, CA 95568. The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.

B. Check box to verify that a map of at least 1:24000 (1" = 2000') detail of the proposed project site (e.g., USGS 7.5 minute topo map) is enclosed:	☒ Project Map Enclosed			
C. County:	**Siskiyou**			
D. Assessor's Parcel No.:	**United States Forest Service Land**			
E. Coordinates *(If available, provide at least latitude/longitude or UTM coordinates. Check appropriate boxes)*				
Latitude/Longitude:	*Latitude:*	**42.472346N**	*Longitude:*	**123.50418W**
	☐ Degrees/Minutes/Seconds ☒ Decimal Degrees ☐ Decimal			
UTM coordinates:	*Easting:*	Click here to enter text.	*Northing:*	Click here to enter text.
Datum or UTM	☐ NAD 27 ☒ NAD 83 or WGS 84			
F. River(s), stream(s), lake(s), or wetland(s) affected by the project:	**Stanshaw Creek**			
G. Name the receiving watershed or water body:	**Klamath River**			
H. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ yes ☒ no ☐ Unknown			
I. Is the watershed listed as impaired under Section 303(d) of the Clean Water Act?	☒ yes ☐ no	Pollutant Category(ies): **Temperature, Sediment**		
J. Has a Total Maximum Daily Load been established for the impairment?	☒ yes ☐ no ☐ Unknown	TMDL Name: **Klamath River Temperature, Dissolved Oxygen & Microcystin TMDL**		

V. PROJECT INFORMATION

A. What is the primary purpose for the project? *(check one or more boxes below)*
☒ Fish Habitat Improvement ☐ Wetland Restoration ☐ Native Plant Restoration ☐ Bioengineering ☐ Barrier Removal ☐ Stream Bank Stabilization ☐ Sediment Control Project ☐ Invasive Plant Control ☐ Large Woody Material Enhancement ☐ Watercourse Crossing Replacement ☐ Other: Click here to enter text.

V. PROJECT INFORMATION (Cont.)

B. Estimated Project Term:	Beginning (May/2016)	**May 2016**	Ending (June/2016)	**June 2016**
C. Seasonal Work Period:	**Summer, dry season**			
D. Estimated Total Number of Work Days:	**Approximately 12**			

E. Describe the project in detail and enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; dimensions of each structure; extent of activity in the bed, channel, bank or floodplain; where equipment will enter or exit the area; if applicable, project overview showing the location of each structure and calculations at each site of area of disturbance. (*Attach additional sheets as needed*).

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe. Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek. Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch. Additional project information including plans are included on the attached pages.

F. Specify the equipment and machinery (if any) that will be used to complete the project. Describe in detail the measures that will be taken to prevent discharges and spills of oil, grease, and other petroleum products.

Mini excavator, all-terrain vehicles with trailers, shovels, picks other hand tools.

G. Will water be present during the proposed work period:	☒ yes ☐ no ☐ Unknown
H. Will the proposed project require work in the wetted portion of the channel? If yes, please describe the work that will be required, the type of equipment to be used, whether the channel will need to be dewatered, and how long equipment will be in the wetted portion of the channel.	☒ yes ☐ no ☐ Unknown

The top of the ditch will be dammed with sandbags during all pipe installation activities, dewatering the manmade ditch. Any water that passes through the sandbag dam or enters the manmade ditch from surrounding land will be blocked by additional sandbags in the work area. No water will be discharged from the manmade ditch during construction.

I. Verify that the project is not part of a compensatory mitigation project (e.g. Cleanup and Abatement Order, Supplemental Environmental Project, etc.).	☒ I verify this to be true.
J. Verify that the primary project purpose is habitat restoration. This project is not proposed as part of a larger project whose primary purpose is not habitat restoration (e.g. land development or flood management).	☒ I verify this to be true.

{CW020928.2}

K. Verify that this project shall not exceed five acres or 500 linear feet of stream bank or coastline.	☒ I verify this to be true.

VI. DISCHARGE INFORMATION

A. Within the box provided below, identify the type(s) of material that are proposed to be introduced, or "discharged" into Waters of the State as a result of the project.

☐ Soil ☐ Rock Rip-Rap ☐ Native Vegetation ☐ Non-native Vegetation ☐ Large woody material
☐ Rootwads ☐ Erosion Control Materials (jute netting, straw wattles, etc.) ☐ Culverts
☐ Anchoring (bolts, cables, rebar, chains, etc.) ☐ Fertilizers ☐ Pesticides[1]
☒ Other: **Pipe material**

B. For each of the materials identified above, identify the volume or quantity of material that is intended to be introduced or "discharged" into Waters of the State. Declare whether or not the material type is expected to cause a "temporary" or "permanent" effect. Include estimates of incidental material discharges that may occur from project implementation, or as a result of post-project adjustment.

Material Type	Volume or Number	Temporary Effect	Permanent Effect
1. **Pipe Material**		☐ yes ☒ no	☐ yes ☒ no
2. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
3. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
4. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no
5. Click here to enter text.	Click here to enter text.	☐ yes ☐ no	☐ yes ☐ no

C. In the space provided below, describe the intended purpose, or reason for the discharges associated with each of the material type(s) listed above.

The placement of pipe into a manmade ditch to improve fishery habitat in the natural channel above the manmade ditch.

[1] The point source discharge of aquatic pesticides into Waters of the United States requires a separate National Pollutant Discharge Elimination System (NPDES) permit administered by the State Water Resources Control Board. Information about pesticide permits can be found at the following Web address: http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml
{CW020928.2}

VII. PROJECT SIZE

A. For each of the applicable water body type(s) listed below, indicate the area(s) in ACRES and LINEAR FEET that will be affected by the project and identify the impact(s) as permanent or temporary. For project disturbance outside of Waters of the State, estimate the total disturbance in acres (lineal feet does not apply) as "Non-jurisdictional Areas."

☐ *Project Size Calculator is attached.*

Water Body Type	Temporary Impact		Permanent Impact	
	Acres	Lineal Feet	Acres	Lineal feet
Wetland	0	0	0	0
Riparian	0	0	0	0
Streambed/Stream bank	0	0	0	0
Lake/Reservoir	0	0	0	0
Ocean/Estuary/Bay	0	0	0	0
Non-jurisdictional Areas[2]	0		0	
TOTAL AREA AFFECTED:	0	0	0	0

B. Additional information relative to Project Size can be included in the space provided below:

Click here to enter text.

[2] The categorical exemption for small habitat restoration projects (Title 14, California Code of Regulations, Division 6, Chapter 3, *Guidelines for Implementation for the California Environmental Quality Act* (CEQA), Article 19, section 15333) requires projects to be no more than 5 acres in size. Total project size for the Categorical Exemption for permitting from the Disturbance estimates for "Non-jurisdictional Areas" are included for the purpose of coordinating project size with the California Department of Fish and Wildlife's Lake and Streambed Alteration Agreement (LSAA), or 1600 Permit, which includes areas outside of Waters of the State.

VIII. MONITORING AND REPORTING PLAN

A Monitoring and Reporting Program must be included with the *Notice of Intent* and shall include the following information relative to the proposed project:

MONITORING PLAN ☐ ***Monitoring Plan is attached (check box)***

A. Function(s) of the impacted water resources:
The project is located entirely within a managed diversion ditch and not considered to impact jurisdictional water bodies. The ditch provides domestic and irrigation flows to a commercial business and full time residence.

B. Project purpose, goal(s), and performance standards:
The purpose of the monitoring plan is to establish protocol and monitoring actives to prevent water and sediment from leaving the confined work area within the managed manmade ditch and entering areas outside the work area.

C. Measurable performance standards appropriate to each goal:
No observable water or sediment will leave the work area.

D. Monitoring parameters and protocols used to determine whether performance standards have been met:
Monitoring will be conducted using qualitative means. Protocol will include visual inspection of work activities by construction crews and inspectors to identify if water or sediment is leaving the work area. Site conditions will be photodocumented. The standard is that no water or sediment will leave the diversion ditch.

E. The timeframe and responsible party for determining attainment of performance standards:
Site conditions will be inspected prior to construction, during construction, and upon completion. Inspections will be conducted by individuals approved by the Mid Klamath Watershed Council.

F. Monitoring schedule:
:One inspection prior to construction, inspections during construction, and one inspection following construction.

G. Annual Reporting Schedule for the period stated as required for achievement of performance standards:
A final report summarizing the inspections and including photodocumation will be performed following completion of the project.

REPORTING PLAN ☐ ***Reporting Plan is attached (check box)***

Monitoring Reports shall be submitted by the applicant on an annual basis to the appropriate agencies as provided in the Monitoring Plan, documenting status of achievement of performance standards and project goals. Monitoring Reports shall include:

A. Summary of findings:
A summary of the activities undertaken along with the photographs from the project will be submitted upon the completion of the project.

B. Identification and discussion of problems with achieving performance standards:
Given the nature of the project, no problems with achieving performance standards associated with installing the pipe will occur.

C. Proposed corrective measures (requires Regional Water Board approval):
Given the nature of the project, no corrective actions will be required in the approximately 12 day work period to install the pipe.

D. Monitoring data:
All monitoring data will be provided at the completion of the project.

IX. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

All projects utilizing this General 401 Certification form must comply with the terms of the California Environmental Quality Act. The General 401 Certification was designed for use with the Categorical Exemption for Small Habitat Restoration Projects (CEQA Title 14, Chapter 3, Article 19, Section 15333), although other CEQA analyses may also be used. Please review the categorical exemption to ensure conformance with CEQA (http://ceres.ca.gov/ceqa/guidelines/15300-15333_web.pdf).

This project conforms to the requirements of CEQA through the Categorical Exemption for Small Habitat Restoration Projection (Section 15333).	☒ yes ☐ no	☐ Other CEQA Document Click here to enter text.

APPLICATION REQUIREMENTS AND FEES

Permit:	Submit Application to following agencies:	Time Restrictions:
General 401 Certification for Small Habitat Restoration Projects:	Program Manager, Certification and Wetlands Program, Regional Water Quality Control Board (address to appropriate Regional Water Board Board)	Must be submitted at least 30 days prior to proposed discharge.
Fees:	Fees are subject to the most current Dredge & Fee calculator. Refer to the resources for applicants section of the Dredge/Fill (401) and Wetlands program web site for the most current fee information. http://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources	

X. SIGNATURE / CERTIFICATION

State Water Resources Control Board: Notice of Intent to Comply with the Terms of General Water Quality Certification for Small Habitat Restoration Projects

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel property gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.

WR-135

knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.

Douglas T. Cole
Applicant Signature

05/19/2016
Date

Douglas T. Cole
Printed Name

{CW020928.2}

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

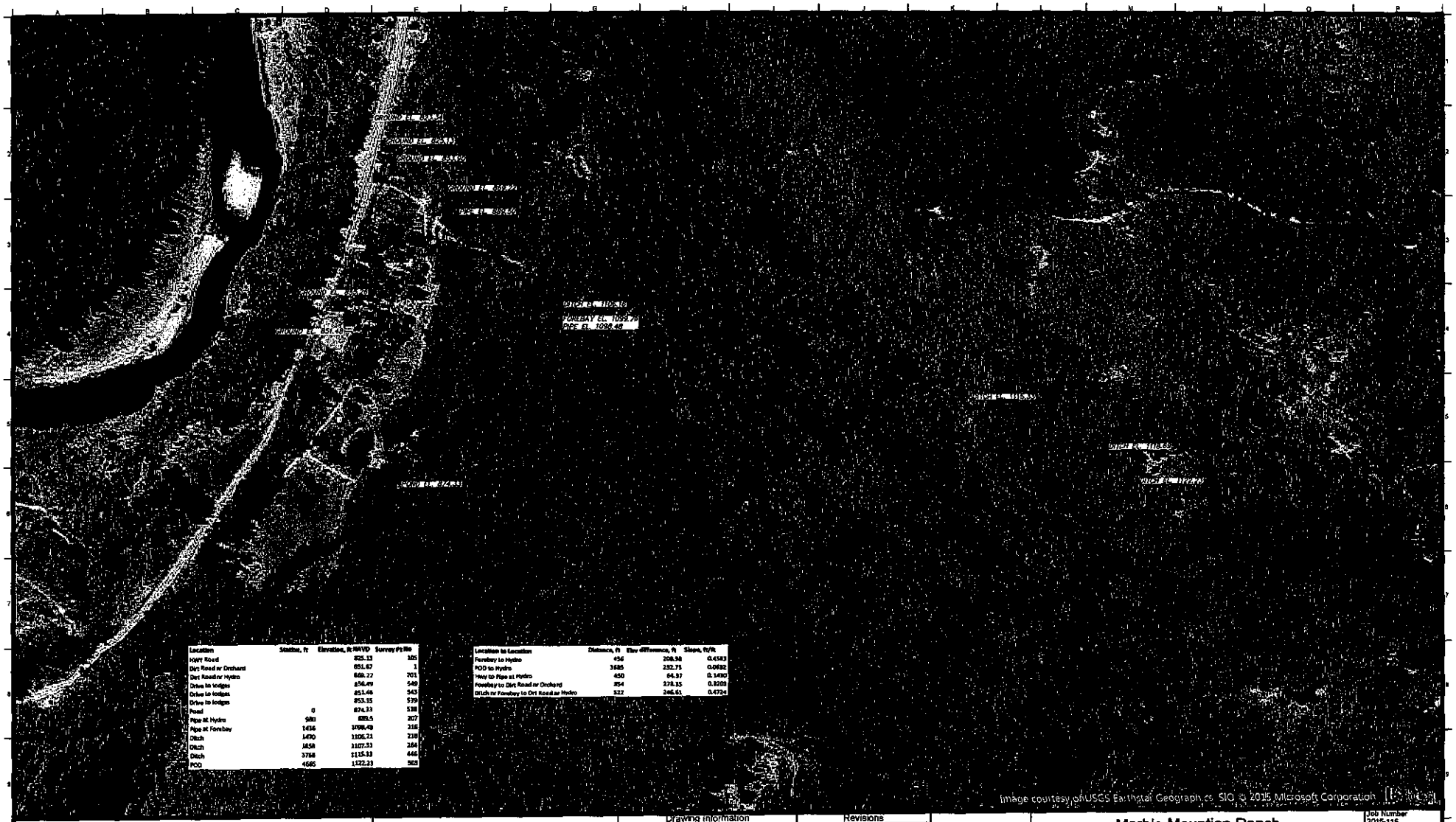
Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.



Location	Station, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		825.13	105
Dirt Road nr Orchard		851.67	1
Dirt Road nr Hydro		888.27	301
Drive to lodges		856.49	540
Drive to lodges		851.46	543
Drive to lodges		853.35	599
Road	0	874.33	598
Pipe at Hydro	980	889.5	207
Pipe at Forebay	1436	1088.48	216
Ditch	1470	1105.21	238
Ditch	1858	1107.51	264
Ditch	3768	1115.33	446
POD	4685	1122.23	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	456	208.98	0.4583
POD to Hydro	3685	232.75	0.0632
HWY to Pipe at Hydro	450	64.37	0.1430
Forebay to Dirt Road nr Orchard	854	278.35	0.3259
Ditch nr Forebay to Dirt Road nr Hydro	522	246.61	0.4724

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade STREAM SOLUTIONS

Drawing Information	
Date	31 May 2015
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study

Surveyed Elevations

Job Number
2015-115

Sheet Number
1

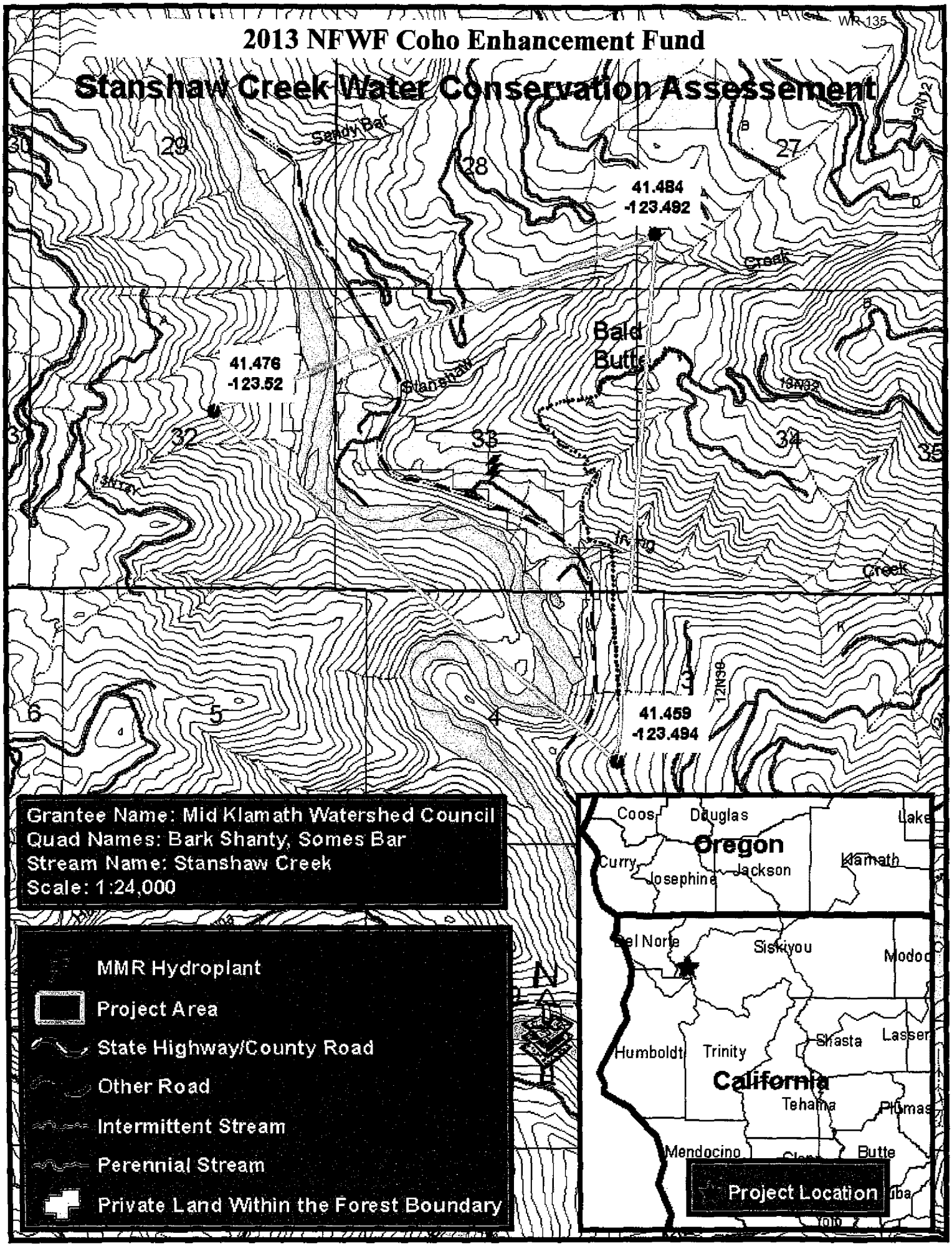
Sheet 1 of 1

003048

WR 135

2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessment



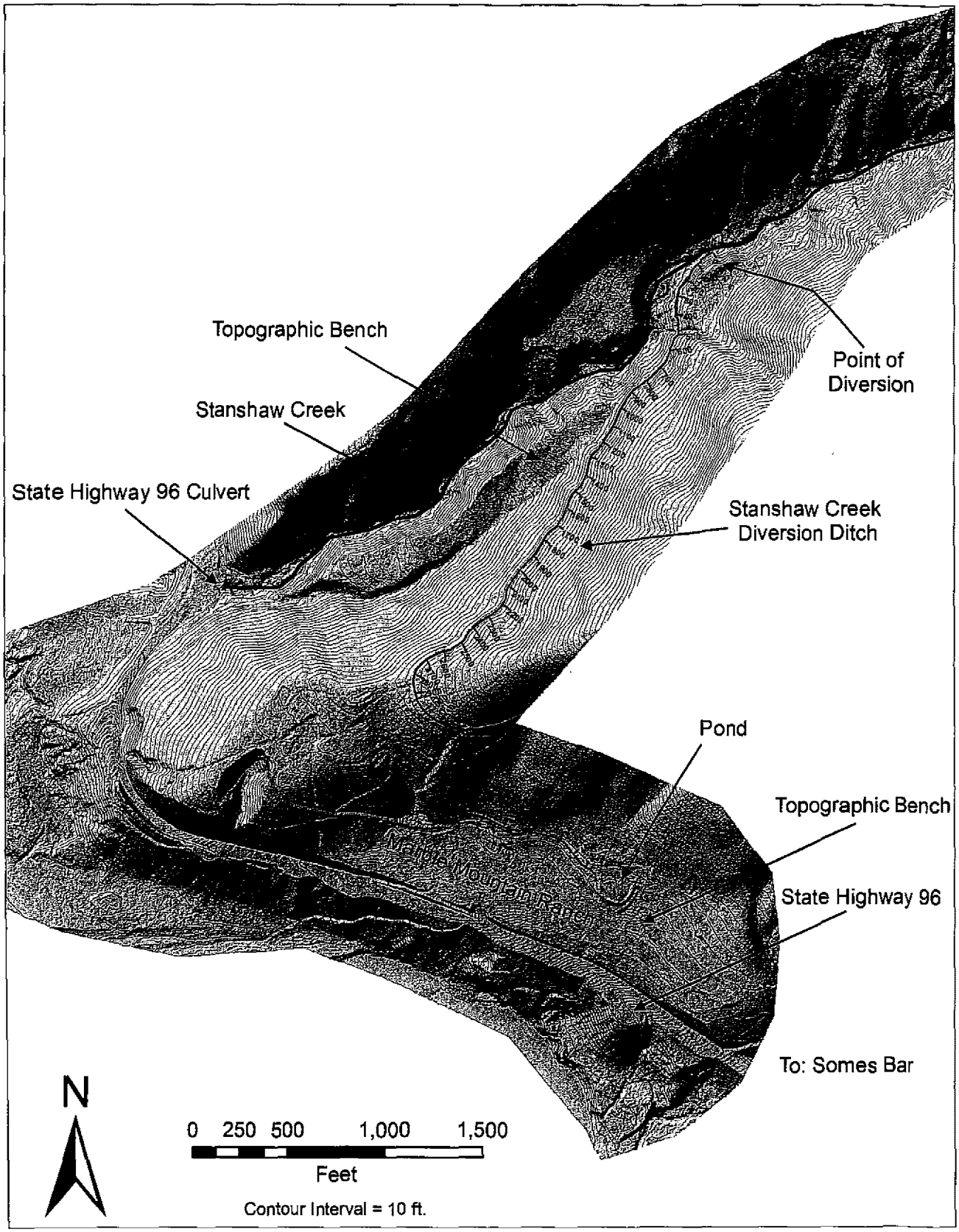
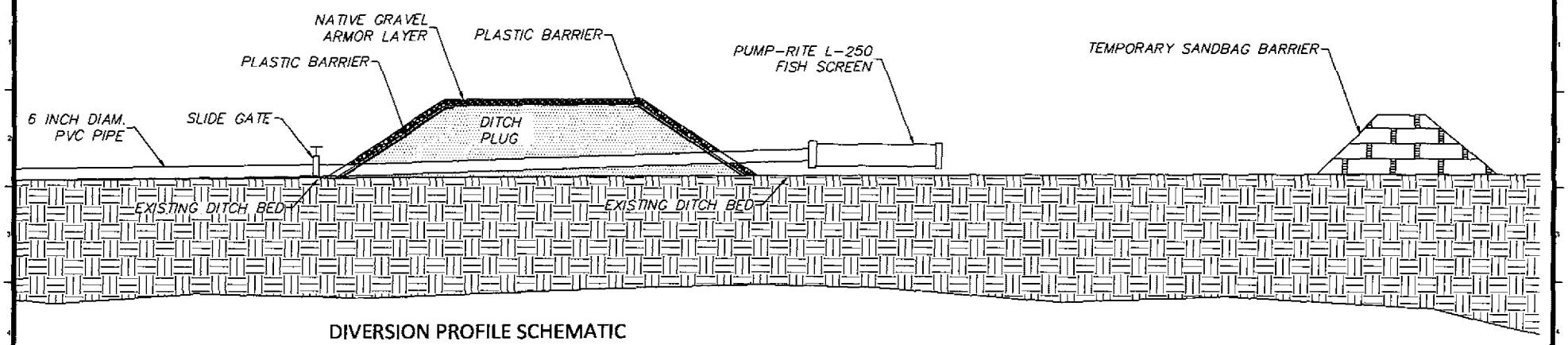
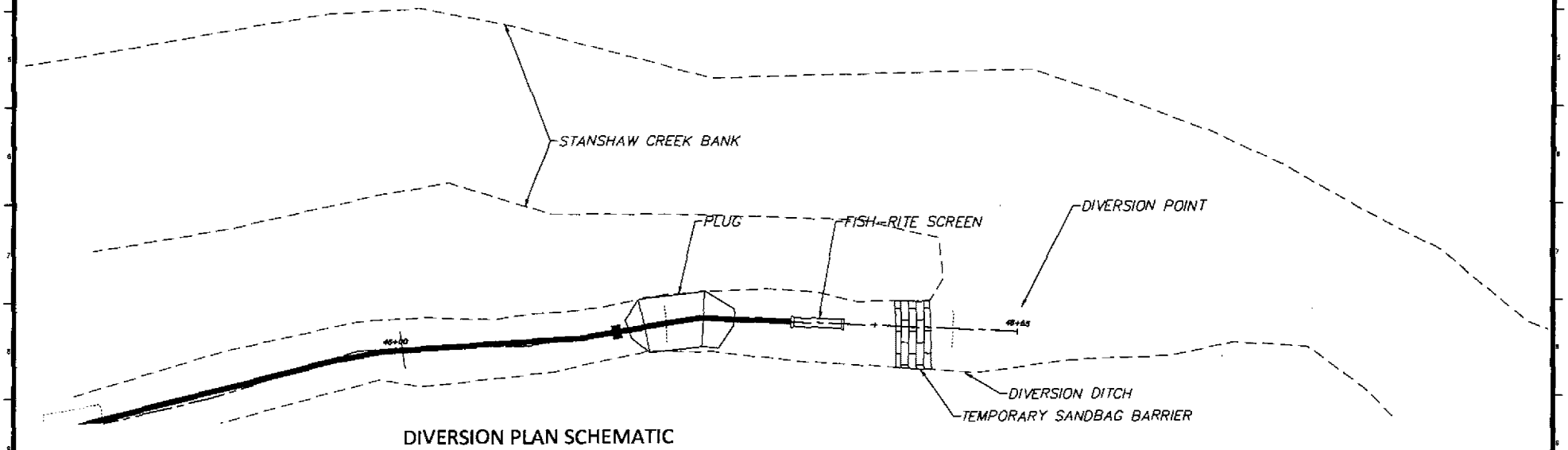


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number 2015-115
Sheet Number 1
Sheet 1 of 1

California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
(530) 225-2300
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

May 16, 2016

Mr. Doug Cole
Marble Mountain Ranch
92520 CA-96
Somes Bar, CA 95568

Subject: No Lake or Streambed Alteration Agreement Needed
Notification No. 1600-2016-0198-R1
Marble Mountain Ranch Fish Screen, Gate Valve & Pipeline Installation Project
Stanshaw Creek, Tributary to the Klamath River, Siskiyou County

Dear Mr. Cole:

The California Department of Fish and Wildlife (Department) has reviewed your Lake or Streambed Alteration Notification (Notification). We have determined that your project is subject to the Notification requirement in Fish and Game Code Section 1602.

The Department has also determined that your Fish Screen, Gate Valve & Pipeline Installation Project (Project) as proposed will not substantially adversely affect an existing fish or wildlife resource. As a result, you will not need a Lake or Streambed Alteration Agreement for your proposed construction Project. You are responsible for complying with all applicable local, state, and federal laws in completing your work. A copy of this letter and your Notification with all attachments should be available at all times at the work site.

Please note that if you change your construction Project so that it differs materially from the Project you described in your original Notification, you will need to submit a new Notification and corresponding fee to the Department. In addition, the Department would like to remind you that you will need to submit a separate Lake or Streambed Alteration Notification by December 31, 2016 for the "act of diverting water" pursuant to your water right. The Department will then determine if your diversion of water is considered a substantial impact to the stream and aquatic resources, and, if necessary, issue a Lake or Streambed Alteration Agreement.

Thank you for notifying us of your construction Project. If you have any questions, please contact me at (530) 225-2314 or Donna.Cobb@wildlife.ca.gov.

Sincerely,

Donna L. Cobb

Donna L. Cobb
Aquatic Conservation Planning Supervisor

ec: North Coast Regional Water Quality Control Board, NorthCoast@Waterboards.ca.gov
Will Harling, MKWC, will@mkwc.org

Conserving California's Wildlife Since 1870

FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	$		

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Doug Cole		
Business/Agency	Marble Mountain Ranch		
Street Address	92520 CA-96		
City, State, Zip	Somes Bar, CA, 95568		
Telephone	(530) 469-3322	Fax	
Email	guestranch@marblemountainranch.com		

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Will Harling - Mid Klamath Watershed Council		
Street Address	38150 Highway 96		
City, State, Zip	Orleans, CA 95556		
Telephone	(530) 627-3202	Fax	
Email	will@mkwc.org		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	Marble Mountain Ranch Ditch Maintenance			
B. Agreement Term Requested	☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)			
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2016	2016	May/12	June/30	Approx. 12

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.		
A.	☐ Standard *(Most construction projects, excluding the categories listed below)*	
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*)	*Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*)	THP *Number:* _____
D.	☑ Water Diversion/Extraction/Impoundment (*Attachment C*)	*SWRCB Number:* S016375
E.	☐ Routine Maintenance (*Attachment D*)	
F.	☐ CDFW Fisheries Restoration Grant Program (FRGP)	*FRGP Contract Number* _____
G.	☐ Master	
H.	☐ Master Timber Harvesting	

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1			
2			
3			
4			
5			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE ENCLOSED	

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☑ No ☐ Yes (*Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

8. PROJECT LOCATION

A. Address or description of project location.

(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

The project is located on Stanshaw Creek about 0.87 miles upstream of the confluence with the Klamath River and about 8 miles north of Somes Bar.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A CDFW/NMFS compliant cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Stanshaw Creek
C. What water body is the river, stream, or lake tributary to?	Klamath River
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☐ No ☐ Unknown
E. County	Siskiyou

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Bark Shanty Gulch, CA	13N	6E	33	NW

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☑ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

U.S. Forest Service Land

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes*)

Latitude/Longitude	*Latitude:* 42.472346N	*Longitude:* 123.50418W	
	☑ Degrees/Minutes/Seconds	☑ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☑ NAD 83 or WGS 84	

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	✓
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- **Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.**
- **Specify the type and volume of materials that will be used.**
- **If water will be diverted or drafted, specify the purpose or use.**

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The project will convey diverted flow in a pipe from an existing point of diversion on Stanshaw Creek to Marble Mountain Ranch. Construction activities will be entirely within the existing ditch, beginning about 15 feet downditch from the point of diversion. A cylindrical passive fish screen will be placed in the ditch and connected to a 6 inch diameter plastic irrigation pipe. A gate valve will be installed along the pipe within about 20 feet of the connection with the screen. Material from the ditch will be placed around the pipe and compacted to form a barrier that prevents creek flow from being conveyed down the ditch. The barrier will be armored with native gravel to prevent erosion. The pipe will be placed on the existing ditch bottom. Grading within the ditch will be limited to smoothing the ditch bottom to form a level surface to place the pipe.

Less than 10 cubic yards of material will be excavated and placed. All excavation and fill will occur within the ditch and outside of Stanshaw Creek.

Construction will occur outside of the wetted channel. No water will be diverted or drafted for construction purposes. Piped water will not be returned to Stanshaw Creek and will be put to existing beneficial uses at Marble Mountain Ranch.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

mini excavator, all terrain vehicles with trailers, shovels, picks other hand tools.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☑ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

The project will be constructed outside of the bed, channel, bank of Stanshaw Creek.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☑ No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☑ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

A temporary sandbag barrier will be placed near the upstream end of the ditch to prevent water from entering the ditch and work area.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent fish and water from entering the stream. Following placement of the sandbag barrier, the dewatered ditch shall be inspected for aquatic organisms. Aquatic organisms will be collected and returned to the creek.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

The temporary sandbag barrier will prevent water and fish from entering the ditch. Construction activities occur in unvegetated areas.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. _____ ☐ Applied ☐ Issued

B. _____ ☐ Applied ☐ Issued

C. _____ ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

☐ Yes (*Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each*)

☑ No (*Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared*)

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*): _____
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document (*type*): _____
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	☐ ESA document (*type*): _____
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)			
C. Has a CEQA lead agency been determined?	☐ Yes (*Complete boxes D, E, and F*)	☐ No (*Skip to box 14.G*)	
D. CEQA Lead Agency			
E. Contact Person		**F. Telephone Number**	

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☐ Yes (*Enclose proof of payment*) ☐ No (*Briefly explain below the reason a filing fee has not been paid)*

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☑ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☐ Yes (Please enclose the information via digital media with the completed notification form)

☐ No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Signature of Applicant or Applicant's Authorized Representative

Date

Doug Cole

Print Name

Attachment #1: Additional Description of Proposed Marble Mountain Ditch Improvements

Project Objective:

The project proposes to construct measures to prevent entrainment of fishes into the existing Marble Mountain Diversion, increase flows in Stanshaw Creek by eliminating diversion flow transmission losses in about 3200 feet of the existing Marble Mountain Diversion ditch, and control flow into the diversion. Once constructed water diverted into the ditch will be consumptively used. No flows will be returned to Stanshaw or Irving Creek.

Control of Water:

All work will be conducted in the ditch. No work will be conducted in the stream. The work area will be isolated from the stream with a sandbag and plastic sheet barrier. The barrier will be placed in the ditch near the point of diversion. The barrier will prevent creek flow from entering the diversion. Work areas will be further blocked with sandbag barriers to control any water that enters the ditch from surrounding land. No water on the ditch side of the barrier will be returned to the creek.

Infrastructure:

Project features include a prefabricated CDFW and NMFS approved passive fish screen, 6-inch diameter PVC pipe, 6" gate valve, and tee to supply water to the domestic water treatment facility. A Pump-Rite L250 fish screen will be placed in the ditch and connected to the 6 inch PVC pipe with a compression coupling. The screen will be located about 15 feet downditch from the point of diversion. A plug constructed of native material with plastic sheet cutoffs will be installed in the ditch to prevent creek flows from entering the ditch. The plug will be about 8 to 10 feet long as measured longitudinally along the ditch. The plug exterior will be armored with native gravels harvested from the ditch. The pipe will be laid on the ditch bed. Isolated high points along the ditch bed will be smoothed to allow the pipe to be placed on an even grade. Excess material from the bed smoothing will be used to construct the plug. An inline gate valve will be placed on the pipe on the down ditch side of the plug.

A temporary flow measurement weir will be constructed at the pipe outlet near the existing forebay. A Doppler flow meter is proposed near the existing hydropower facility. Design of the Doppler flow meter is ongoing.

Location	Station, ft	Elevation, ft NAVD	Survey Pt No
HWY Road		825.13	105
Dirt Road or Orchard		851.87	1
Dirt Road or Hydro		869.22	201
Drive to lodges		856.40	545
Drive to lodges		851.40	543
Drive to lodges		853.35	539
Pond	0	874.33	530
Pipe at Hydro	900	859.5	207
Pipe at Forebay	1436	1098.48	216
Ditch	1470	1106.21	218
Ditch	1850	1107.31	284
Ditch	3788	1133.33	446
POD	4085	1122.23	503

Location to Location	Distance, ft	Elev difference, ft	Slope, ft/ft
Forebay to Hydro	456	208.98	0.4583
POD to Hydro	1085	232.79	0.0532
Hwy to Pipe at Hydro	450	64.37	0.1430
Forebay to Dirt Road or Orchard	854	273.35	0.3201
Ditch or Forebay to Dirt Road or Hydro	522	245.61	0.4704

Mid-Klamath Watershed Council
P.O. Box 409
Orleans, CA 95556

Cascade Stream Solutions
295 East Main, Suite 11
Ashland, Oregon 97520
Phone: (541) 864-0492

Cascade Stream Solutions

Drawing Information	
Date	31 May 2015
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

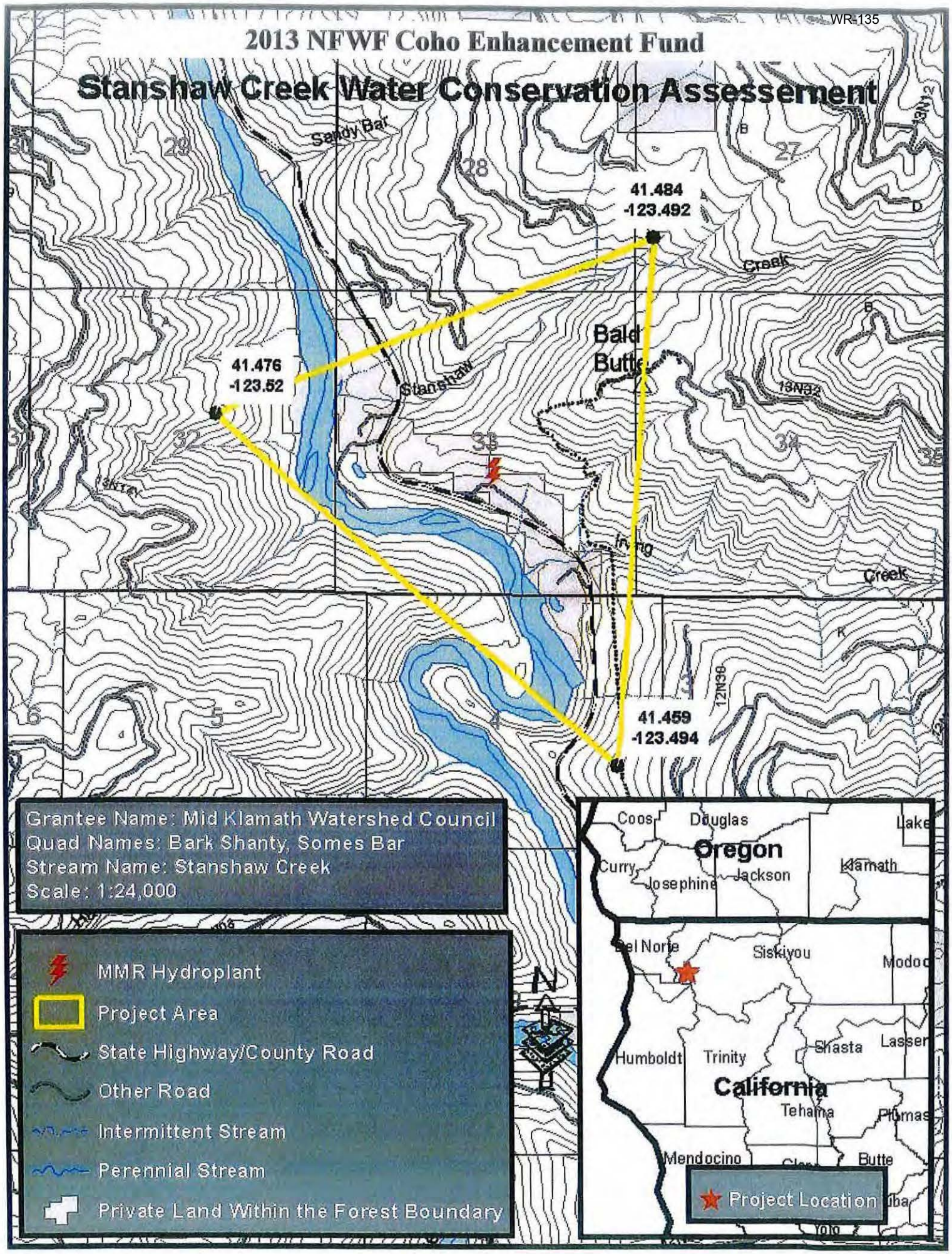
PRELIMINARY
NOT FOR CONSTRUCTION

Marble Mountian Ranch
Water Efficiency Study
Surveyed Elevations

Job Number 2015-115
Sheet Number 1
Sheet 1 of

2013 NFWF Coho Enhancement Fund

Stanshaw Creek Water Conservation Assessement



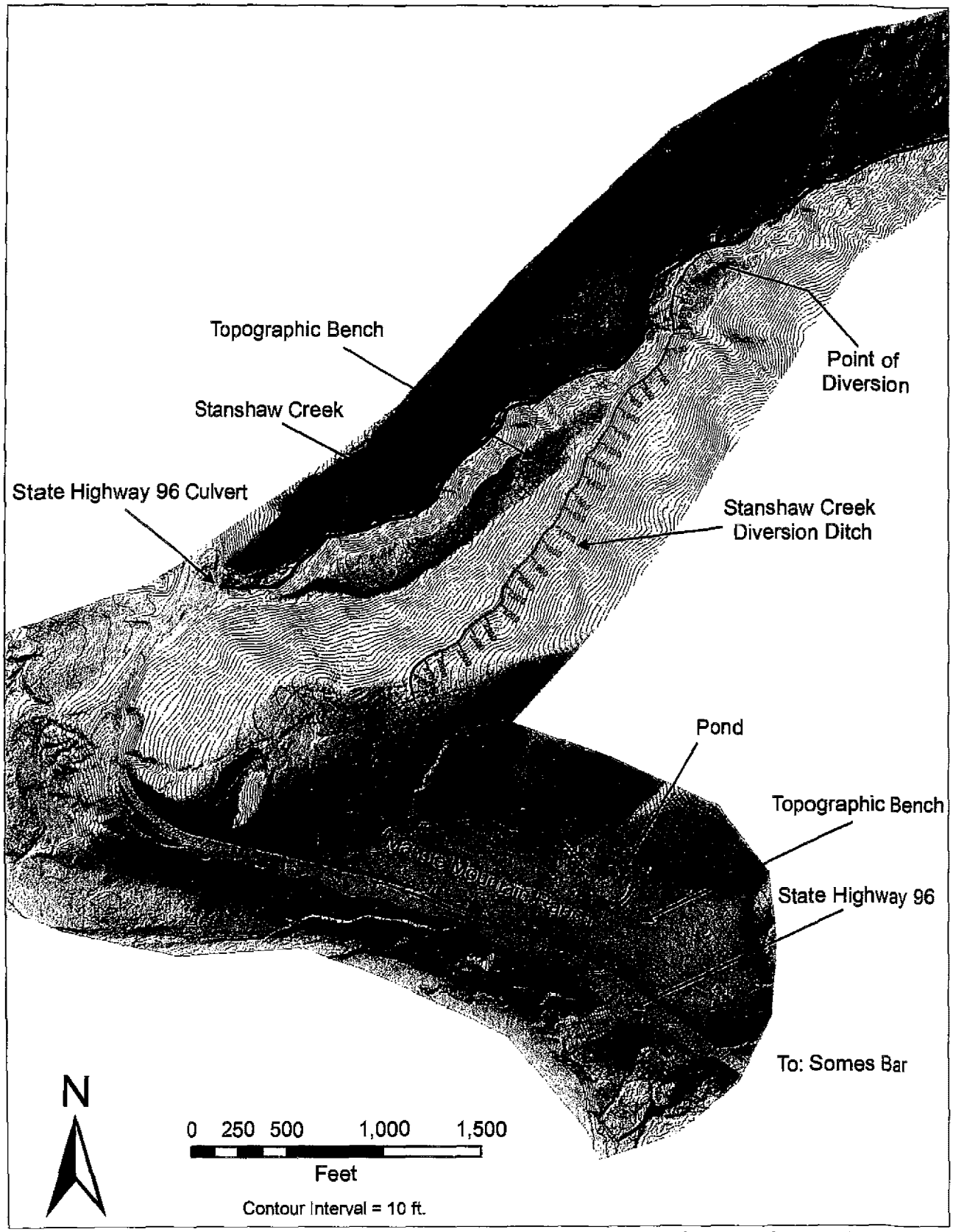
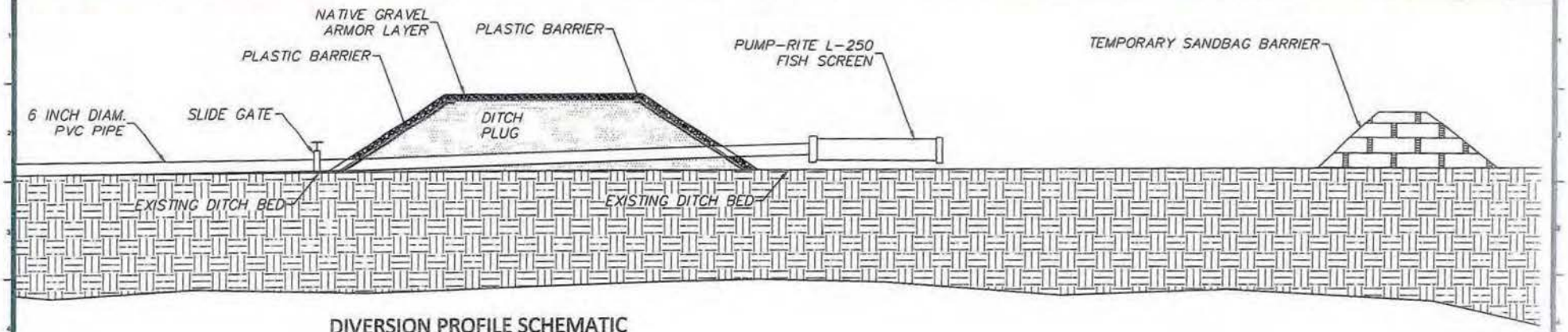
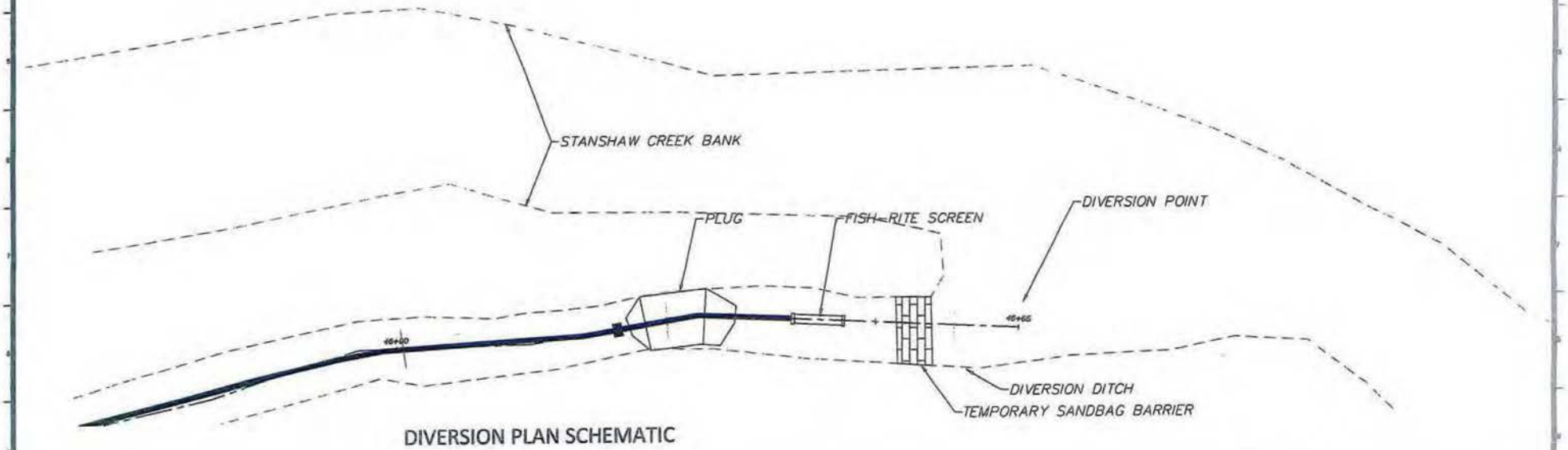


Figure 1. Project Location Map. Marble Mountain Ranch and the Stanshaw Creek Diversion Ditch. Base image is a 2010 1-meter LiDAR DEM Hillshade, provided by the Mid-Klamath Watershed Council.

Fiori GeoSciences PO Box 387 Klamath, California 95548.
Landline: 707 482 1029, Mobile and text: 707 496 0762, email: rocco@fiorigeosci.com



DIVERSION PROFILE SCHEMATIC



DIVERSION PLAN SCHEMATIC

Mid-Klamath Watershed Council
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Phone: (541) 884-0492

Drawing Information	
Date	12 May 2016
Status	Existing Cond
Designer	jh
Drafter	jh
Checked	
File Name	Marble Mountain Survey Data
Plotted Scale	0 1/2 1

Revisions		
No.	Date	Description

PRELIMINARY NOT FOR CONSTRUCTION

Marble Mountian Ranch

Diversion Modification
Schematic Plan and Profile

Job Number 2015-116
Sheet Number 1
Sheet 1 of 1