

June 14, 2006

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

Reservation Ranch – Smith River Estuary Enhancement Pilot Project
WDID No. 1A06052WNDN

Del Norte County

On April 26, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Reservation Ranch (applicant) requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Reservation Ranch Smith River Estuary Enhancement Pilot Project, (S28-29 and 32, 33, T18N, R1W) Smith River, Del Norte County. Regional Water Board staff deemed the application complete on June 9, 2006. The proposed project will cause disturbances to waters of the United States associated with the Smith River Plain Hydrologic Subarea No. 103.11.

The purpose of the proposed project is to enhance salmonid habitat in the Smith River, while investigating the effect of increases in slough habitat and cover on the number of anadromous salmonids in the Smith River Estuary. Scientific studies indicate that degradation in the Smith River Estuary has resulted in a loss of rearing habitat, food sources and cover in the Estuary for resident populations of salmon and steelhead. The applicant proposes to implement a plan based on collaborative efforts of a team of geologists, biologists, National Marine Fisheries staff, watershed professionals and the landowner. The proposed project will be conducted on the Reservation Ranch property (APN 103-010-01), an existing gravel mine site, and involves two components. The first component will involve skimming approximately 1, 500 cubic yards of material from a gravel bar in the uppermost portion of the project area, in order to allow emergent vegetation to colonize providing habitat opportunities for salmonids. The second component of the project involves excavation of river sediments from three tidally influenced side channel habitat areas and installation of large rootwads, (lower trunk and root fan of a large tree) and logs for enhancement of salmonid habitat.

The applicant proposes to conduct the skimming activities no closer than 5 feet from the wetted edge of the Smith River and 300 feet from the upstream break. Pre and post extraction surveys will be conducted to determine the optimum elevations and contours, the slope post extraction will be at least a 2% grade and the elevation not less than one foot above the adjacent water surface level of the Smith River. National Oceanic Administrative Agency (NOAA) guidance stipulates that skim type extraction must meet the current 35% exceedence or 2-foot vertical offset criteria. Extraction material will be temporarily stockpiled on the gravel bar but must be removed by October 1. After the applicant has removed the aggregate to the approved extraction design lines and grades, the extraction area will be re-graded as necessary to leave no depressions or berms that may potentially trap fish or cause impacts to surrounding habitats. The project site is not located within designated Wild and Scenic portions of Smith River.

The channel enhancement component of the project will involve excavation of approximately 12,000 cubic yards of sand and gravel to the desired elevations and dimension for river sediments in the unnamed side channels. The applicant proposes to maximize the inundation of Mean High Water (MHW) tidal influx, as recorded at the nearby gage in Crescent City, in the channels. The channel dimensions (length, width, depth) will be scaled in order to reflect the hydraulic relationship between the tidal prism (the volume of water between high and low tides) discharges and the channel dimensions. The biodiversity and species richness of an area is determined by the depth and frequency of inundation in the area. The applicant proposes to secure large rootwads and logs by keying to the bank with the bole end of root wads facing downstream to increase cover area and stability. Rootwads and Large Woody Debris (LWD) will have one end partially buried in the bank. Channel shape is determined by the following features: sinuosity and meander characteristics (planform), the shape, width, depth from bank to bank and across the flood plain (cross-section), and the slope and the variability of slope along the channel bed (profile). These features are interrelated; therefore altering one of feature will affect the other features. The proposed changes in planform will take advantage of the existing topographic and vegetative features. The applicant proposes to plant willow posts adjacent to the excavated side-channels.

The proposed project will involve the use excavators, loaders, and dump trucks. Equipment will access the project via existing roads; no channel crossings are required. Excavated sediment will be transported by dump trucks to approved sites. Excavation sites will be isolated from the river with anchored silt fencing and sediment berms until all activities are completed, then the berms and silt fencing will be removed. Excavation activities will occur between June 15 and October 15. All activities will comply with the Letter of Permission for Gravel Mining and Excavation Activities (LOP 2003-2), including pre and post extraction surveys to establish desired elevations and contours. In addition, surveys conducted during construction activities will assure construction grade control. Trenching activities will only be conducted between July 15 through August 30 to avoid and/or minimize impact to migrating or rearing salmonids. All trenches created in the low flow channel will have large woody debris placed to provide habitat for salmonids.

No compensatory mitigation is required for this project. Non-compensatory mitigation includes implementation of Best Management Practices (BMPs) for erosion, pollutant and sediment control. Sediment control measures include, but are not limited to, use of berms from extracted materials and absorbent pads for temporary run-off control. The applicant will implement mitigation and impact avoidance measures during the aggregate extraction processes including; maintenance and daily inspection of equipment, off site fueling of equipment and dust control measures. Monitoring for effectiveness of the salmonid habitat restoration includes snorkeling surveys conducted weekly from May through July 2007, in order to record species observed and the distance of the species from the enhanced cover. In addition, surface and bottom measurements of salinity, dissolved oxygen and temperature will be recorded throughout the project area. The proposed project will minimize impacts to listed species by avoiding activities during sensitive ecological periods and observance of designated setback zones.

Del Norte County Planning, as the lead California Environmental Quality Act agency, certified a Negative Declaration (SCH # 2000042093) on July 5, 2000. In addition to conditions set forth by the Regional Water Board, the California Department of Fish and Game, Army Corps of

Engineers, and NOAA Fisheries conduct additional regulatory review and project approval. The U.S. Army Corps of Engineers (ACOE) Letter of Permission (LOP) 2003-2, (file # 28222N), pursuant to Clean Water Act Section 404, regulates aggregate extraction operations. The applicant's Streambed Alteration Agreement from the Department of Fish and Game is pending. In addition, the applicant has secured the following permits: California Coastal Development permit (1-06-008) and a Department of Conservation permit (91-08-003).

Regional Water Board staff propose to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact Diana Henriouille at (707) 576-2350 or email DHenriouille-Henry@waterboards.ca.gov or Catherine Woody at (707) 576-6723 or email Cwoody@waterboards.ca.gov within 21 days of the posting of this notice.