

June 27, 2006

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

Kinsey Ranch Seasonal Bridge Project
WDID No. 1B06064WNHU

Humboldt County

On May 11, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Aimee Weber of SHN Consulting Engineers and Geologists, Inc., on behalf of Marjorie Yates of Kinsey Ranch (applicant) requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Kinsey Ranch Seasonal Bridge project located in the vicinity of the community of Benbow, (T4S, R4E, S32), Humboldt County. Regional Water Board staff deemed the application complete on June 26, 2006, with the exception of the signed Mitigated Negative Declaration for the California Environmental Quality Act (CEQA), which is pending. The proposed project will cause disturbances to waters of the United States associated with the Benbow Hydrologic Subarea No. 111.32.

The Kinsey Ranch is a 7,000-acre livestock ranch that has been in operation since 1914. Access to the Ranch is via a footbridge during the wet months but only allows limited transport of goods into and out of the ranch. Since the 1950s the owners have constructed a seasonal bridge for transport of goods, supplies, and ranch equipment. Over the years the bridge has primarily been used by the Kinsey Ranch operation but it is also used by public utility companies and other ranchers. The purpose of the proposed project is to provide access to Kinsey Ranch, typically from May 15 thru November 15 each year.

The applicant proposes to install a "railcar" type steel bridge, 90 feet long x 9 feet wide, at the location of the historic seasonal bridge. At this location of the South Fork of the Eel River is a natural narrow point where the river exhibits a run-type habitat. Bridge abutments will be constructed of K-rails placed on gravel. A small bulldozer and/or front-end loader will be used to position approximately 80 cubic yards of native gravel and the K-rails. The use of K-rails will reduce the potential for fine sediment to impact the waterway. The bridge will be stored above Ordinary High Water Mark (OHWM) during the winter months. The project involves approximately 0.50 acres of gravel bar and the crossing of the East Branch will be confined to the traditionally used 20-foot swath of the river. The applicant proposes to conduct the construction activities below the OHWM but above the wetted perimeter of the active channel. The estimated time for completion and dismantling of the proposed seasonal bridge is 2-3 hours in one day. Upon completion, all bridge crossings will be kept at a minimum annually and all portions of the river bar will be restored to pre construction conditions. Riparian vegetation is located 100 to 130 feet from the wetted channel and outside of the project area.

Compensatory mitigation is not required for this project. Non-compensatory mitigation measures include implementation of Best Management Practices for sediment/ erosion control and equipment. There are no permanent impacts associated with the proposed project. The

applicant proposes to retain a qualified biological consultant to be on site to monitor throughout the bridge installation and removal activities in accordance with specifications of California Department of Fish and Game (CDFG), Army Corps of Engineers (ACOE), Humboldt County Community Development Department (HCCDD) and National Oceanic Atmospheric Administration (NOAA). The applicant will comply with Air Quality Regulation 1, Chapter IV that requires, among other things, that open trucks be covered when transporting materials that may emit airborne particles and that dust control measures are implemented during construction. Before heavy equipment crosses the river, a qualified biological monitor will scare fish and larval amphibians away from the project area and thoroughly inspect the channel in order to ensure that there are no salmonid redds at the crossing location. If the monitor finds salmonid redds, the crossing site will be moved downstream of the redd(s) to avoid potential impacts. All equipment and petroleum products will be stored 150 feet away from the OHWM and regularly inspected for leakage, and a spill kit will be maintained on-site at all times. All heavy equipment will be cleaned by hand to remove any potential pollutants prior to river crossing, bridge moving, or abutment construction. If precipitation events are forecast that would threaten the bridge prior to the scheduled removal, the bridge will be removed ahead of schedule.

The proposed project is authorized under the United States Army Corps of Engineers Nationwide Permit 14 for Linear Transportation, pursuant to Section 404 of the Clean Water Act (33 U.S.C. Section 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. Section 403). The County of Humboldt Community Development Services Planning Division, as lead agency has determined that the project requires a Mitigated Negative Declaration, which is pending finalization per the California Environmental Quality Act Guidelines. The applicant has applied for a Lake and Streambed Alteration Agreement (1602) with the California Department of Fish and Game. The ACOE Section 7 consultation with National Marine Fisheries Service, pursuant to the Endangered Species Act (ESA) (16 CFR 1531 et seq) has determined that the proposed project may affect but is not likely to adversely affect critical habitat and salmonids and/or steelhead.

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.