

April 30, 2008

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

Pacific Lumber Company – Van Duzen River Summer Crossings at Cummings Creek,
10 Mile, Strongs Station, and Root Creek
WDID No. 1B03043WNHU

Humboldt County

On February 14, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Robert Vogt, representing the Pacific Lumber Company (applicant), requesting renewal of a Federal Clean Water Act, section 401, Water Quality Certification for activities related to the annual installation and removal of four summer bridge crossings over the Van Duzen River. The previous Water Quality Certification for the seasonal bridge activities expired on December 31, 2007. The proposed project will cause disturbances to waters of the United States associated with the Van Duzen River in the Bridgeville Hydrologic Subarea No. 111.22.

The proposed project activities involve annual bridge installation and removal at four temporary crossing sites that are referred to as Cummings Creek, 10 Mile, Strongs Station, and Root Creek. Bridge crossings are installed at these locations for use during the applicant's timber harvest activities. The land where the bridges are placed and the bridge construction activities are covered under the terms of the Pacific Lumber Company Habitat Conservation Plan (HCP).

Proposed bridge activities are similar for each crossing location. The bridge decks consist of log stringers or flat-cars placed on temporary abutments that are installed near the edge of the low flow water line. Each bridge is approximately twelve feet wide and sixty feet long. Logs, pre-cast concrete blocks, large boulders, or a combination of these materials are used to build the temporary bridge abutments. Native aggregate materials are excavated from the adjacent dry gravel bar and used to build the roadway approach ramps to the bridges. During some years the bridges may not fully span the water and the temporary abutments may be located in shallow flowing water. Following annual bridge removal, the native aggregate material that was used to build the approach ramps will be returned to the borrow areas and graded to ensure that runoff will drain toward the river channel.

The proposed project will temporarily impact approximately 11,000 square feet (0.25 acre) and 160 linear feet of the stream channel. The proposed project is not anticipated to result in any permanent impacts to the stream channel. All of these bridge crossings are installed on established access roads in the same general location each year and removal of riparian vegetation is not required. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation includes the use of Best Management Practices for sediment and turbidity control and for operation of heavy equipment near a stream.

The applicant has reapplied for authorization from the United States Army Corps of Engineers to perform the project under an individual permit (File No. 27565N), pursuant to Clean Water Act, section 404. The applicant has previously obtained Lake or Streambed Alteration Agreements for each crossing from the California Department of Fish and Game (CDF&G). The HCP confines bridge use to the period of May 1 through November 15. CDF&G typically confines bridge use to the period of June 1 through October 15; however, the use period may be expanded by CDF&G depending on weather conditions and flows in the Van Duzen River.

The regulation of timber harvesting operations by the California Department of Forestry and the State Board of Forestry is a certified state regulatory program that is exempt from the requirements for preparing environmental impact reports, negative declarations, and initial studies. Timber Harvest Plans, including the plans for installing these bridges over the Van Duzen River, are prepared pursuant to the California Environmental Quality Act (CEQA) through the CEQA equivalent process. Regional Water Board staff have determined that the proposed seasonal bridge activities are exempt from further CEQA review because they are part of the applicant's timber harvesting operations which are regulated under a state regulatory program that has been certified by the Secretary for Resources.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.