

January 31, 2013

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

Humboldt Redwood Company – Van Duzen River Summer Crossings at Cummings Creek,  
10 Mile, Strongs Station, and Root Creek  
WDID No. 1B12195WNHU

Humboldt County

On November 28, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Benjamin Hawk, representing the Humboldt Redwood Company (applicant), requesting renewal of 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 November 30, 2012. 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.

Proposed 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 a 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 0.5 acre and 160 linear feet of the streambank annually. 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 (BMPs) for sediment and turbidity control and for operation of heavy equipment near a stream.

The applicant has received authorization from the United States Army Corps of Engineers to perform the project under an individual permit (Permit No. 2003-275650N), 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.

The Van Duzen River Total Maximum Daily Load (TMDL) for sediment was established in 1999 by the United States Environmental Protection Agency in accordance with section 303(d) of the Clean Water Act, because the State of California determined that the water quality standards for the Van Duzen River are exceeded due to excessive sediment. Roads and bank erosion are identified as sources contributing to the sediment impairment. The primary adverse impacts associated with excessive sediment in the Van Duzen River pertain to cold freshwater habitat, primarily anadromous salmonid habitat. The proposed project does not include any impacts to riparian vegetation and includes implementation of BMPs for sediment and turbidity control, and other impact avoidance measures as described above. Accordingly, the proposed activities are consistent with, and implement portions of the Van Duzen River TMDL.

The Van Duzen River from the powerline crossing above Little Larabee Creek to the confluence with the Eel River is designated as a recreational reach under both federal and California Wild and Scenic Rivers Acts. These acts require preservation of the river's free-flowing condition; anadromous and resident fisheries; and outstanding geologic, wildlife, flora and fauna, historic and cultural, visual, recreational, and water quality values. Recreational segments are generally developed, with parallel roads, bridges, and structures. All activities normally associated with public lands are permitted subject to the protection of free flowing condition and outstanding values. Implementation of the project would not affect the free-flowing condition of the Van Duzen River and would not affect the extraordinary values for which the segment was listed.

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.

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