



**California Regional Water Quality Control Board
North Coast Region
Geoffrey M. Hales, Chairman**



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Edmund G. Brown Jr.
Governor

October 20, 2011

In the Matter of

Water Quality Certification

for the

**Humboldt County RCD – Salt River Ecosystem Restoration Project
WDID No. 1B10106NHU**

APPLICANT: Humboldt County Resource Conservation District
RECEIVING WATER: Wetlands, Salt River, and tributaries to Salt River
HYDROLOGIC AREA: Ferndale Hydrologic Subarea No. 111.11
COUNTY: Humboldt
FILE NAME: Humboldt Co. RCD – Salt River Ecosystem Restoration Project

BY THE EXECUTIVE OFFICER:

1. On September 27, 2010, the Humboldt County Resource Conservation District (Applicant) filed an application for water quality certification (certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities associated with implementation of the Salt River Ecosystem Restoration Project (project), a large scale project that entails creation of an expanded Salt River channel, restoration of wetlands, and upland restoration and erosion control activities. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on August 23, 2011, and posted information describing the project on the Regional Water Board's website. We did not receive any public comments on this project.
2. The Salt River watershed is tributary to the Eel River delta. The Salt River watershed's ecosystem and hydrology have been significantly altered as a result of land use changes. Only a small fraction of the original Salt River estuary complex is currently subject to tidal influence, due to historical land reclamation activities,

California Environmental Protection Agency

levee and tide gate construction, and channel aggradation. Steep topography, relatively high rainfall, unstable geology, and high rates of tectonic activity combine with highly erodible soils to contribute to high potential for upslope landslides and high rates of sediment delivery to tributary watercourses and the Salt River. The upper portion of the Salt River channel has been diverted by excess sediment accumulation. The main channel of the Salt River and the lower reaches of its tributaries have become choked with fine sediment and willows, and have lost nearly all natural hydraulic function. The hydraulic dysfunction of the Salt River causes significant problems related to frequent flooding, discharge of wastewater treatment plant effluent, and overall water quality.

3. Historically, the Salt River functioned as a migration corridor for adult salmonids reaching spawning habitat in tributaries within the Wildcat Mountains and also provided rearing habitat for juveniles migrating downstream to the Eel River estuary. However, poor fish passage conditions have resulted in drastic population declines of all species of salmonids that formerly used the Salt River and its tributaries. In addition, there has been a substantial loss of wetlands and habitat diversity. The project was developed to respond to these problems with the anticipated benefits of reduced flood impacts, improved fish passage, improved water quality, improved and expanded habitat for riparian and wetland species, improved dilution of sewage treatment plant discharge, and improved sediment transport. The project has several components including: 1) restoration of the Salt River channel and riparian corridor; 2) restoration of the Riverside Ranch tidal marsh; 3) upslope sediment reduction; 4) adaptive management; 5) mitigation activities to minimize and avoid impacts; 6) measures to establish and preserve tidewater goby habitat; 7) conversion and restoration of agricultural lands; and, 8) protection of archaeological resources.
4. Restoration of the Salt River's fluvial reach between Perry Slough and Reas Creek has been designed such that the channel corridor will be connected to passive and active sediment management areas, and the existing floodplain. The objective of the channel design is to minimize sediment deposition in the active channel by promoting higher water velocities while allowing the active bench and floodplain areas to function as a sediment deposition zone where channel maintenance activities can occur in the future. The active bench and floodplain areas will be re-established as riverine wetland populated by sedges, grasses, and forbs. Spruce, cottonwood, and other species will be planted at the edge of the active bench. Riparian willow stands and this outer canopy of trees that will be planted along the active channel are anticipated to provide shading for the main Salt River channel and inhibit colonization by invasive species.
5. The Salt River channel design is based on prospective flow conditions from Williams Creek and Coffee Creek. Williams Creek, between Grizzly Bluff Road

and the confluence with the Salt River, is extremely aggraded. This aggraded reach and adjoining floodplain attenuate high flows and limits sediment transport into the Salt River channel. Even though the Salt River channel restoration will connect Williams Creek at the confluence, attenuation of higher flows and sediment transport into the restored channel will persist until additional improvements are made within the Williams Creek watershed. The channel restoration design attempts to accommodate flows from Coffee Creek that appear to be separated by a natural topographic divide between the confluence of Williams Creek and Perry Slough that currently conveys flows from Coffee Creek into Perry Slough. Channel restoration will extend upstream to the confluence of Perry Slough, capturing the flows from the Coffee Creek watershed. It is assumed that Williams Creek and Coffee Creek will continue to overflow their banks although they are expected to drain more quickly towards the Salt River as floods recede.

6. Sediment inputs to the Salt River are expected to be reduced over time by implementation of additional erosion control practices and projects in the upper watershed. However, active and passive sediment management activities will be required to maintain optimal flows and sediment conveyance. Sediment management areas are intended to be integrated along the mainstem Salt River in coordination with floodplain and riparian vegetation enhancements. The floodplain design will include active and passive sediment management areas. Active sediment management areas will be constructed to emulate natural floodplains in designated areas along the mainstem Salt River in order to reduce flow velocity and create conditions that promote settling of fine sediment. Active sediment management areas will be subject to periodic sediment removal activities to maintain topography, function and sediment trapping efficiency. Passive sediment management areas are intended to function as floodplain and riparian areas that promote sediment deposition without long-term sediment removal and maintenance. If excessive sediment deposition occurs within passive sediment management areas, sediment removal may occur through implementation of the Adaptive Management Plan (AMP).
7. The tidal reach of the Salt River channel will be expanded to restore hydraulic connection to the upstream fluvial reach and between the Riverside Ranch tidal marsh and Eel River estuary. The channel is designed to optimize tidal exchange to restore wetlands and provide flood conveyance for the fluvial reach. The expanded channel will be sized to accommodate unrestricted tidal exchange of the restored wetland tidal prism. The channel is also designed to maintain naturally high flow velocities during tides to maintain channel equilibrium morphology. The designed channel will experience regular wetting and drying through tidal cycles. Scour velocities and salinity exchange will control the establishment of salt marsh and brackish marsh vegetation types within the mainstem channel. The channel

has also been designed to maintain water depths that promote eelgrass colonization.

8. The project is also designed to improve connectivity of the Salt River with Francis Creek, Westside Drainage, and Eastside Drainage. Project activities include restoration of approximately 2,900 linear feet of lower Francis Creek. The Francis Creek channel was previously realigned to maximize grazing land and to accommodate the Ferndale wastewater treatment plant. However, winter flows frequently exceed the channel capacity, overtop the banks, and flood adjacent pasture. The Francis Creek channel restoration has been designed to function like the upstream reach through Van Ness Street and will connect to an active sediment management area at the confluence with the Salt River channel.
9. Channel restoration activities include reconnecting the Eastside Drainage Ditch to Francis Creek with approximately 500 linear feet of reconfigured drainage channel. The existing drainage channel was excavated and realigned during a County of Humboldt emergency excavation project to provide flood relief. The emergency channel alignment will be backfilled with stockpiled native soil and restored to pasture. The project also includes the removal of an existing failed bridge crossing over Francis Creek and replacement with a free-span, pre-fabricated bridge that will span the top width of the restored Francis Creek channel.
10. Riverside Ranch Tidal Marsh Restoration (Phase 1) is a large component of the project. Existing habitats include tidal salt marsh, willow riparian scrub forest, aquatic/mudflat, agricultural grassland, seasonal wetlands, and freshwater marsh. The primary purposes of the Riverside Ranch tidal marsh restoration activities are to: 1) restore tidal connectivity to historical wetlands; 2) restore a marsh to include high salt marsh and broad wetland upland transition zones; 3) sequester carbon in restored tidal marshes; 4) promote development of a complex tidal drainage network; 5) retain agricultural areas where management techniques can be used to provide Aleutian goose habitat specifically; and, 6) provide wintering habitat for other migratory waterfowl and shorebirds.
11. Phase 1 activities include excavation of the tidally influenced reach of the Salt River channel to expand its tidal prism. A new approximately 11,360-foot long and 12-foot wide (top width) berm will be constructed along the eastern property boundary to protect adjacent parcels from tidal flooding. The new berm will be constructed with approximately 185,000 cubic yards of fine sediment excavated from the Salt River channel. Approximately 3,500 linear feet of an existing berm along the northern side of Riverside Ranch will also be refurbished. The project design includes culverts, future transport of livestock, maintenance access, and potential floodways for Eel River flooding.

12. Excavation through the perimeter levees at the Riverside Ranch will open the area to tidal inundation from the adjacent Salt River. In the northern half of the ranch a tidal connection will occur at a historical slough location to reconnect with remnant slough networks. In the southern half of the ranch the connection will be located upstream as far as possible to maximize the length of Salt River channel exposed to tidal exchange to maximize the tidal exchange energy for maintaining a larger channel. Portions of the outboard Riverside Ranch levee adjacent to Salt River will be lowered to create high marsh habitat and restore the high-tide hydraulic connection between the river and the ranch property; however, the majority of the flows will be directed to the designed levee breach locations to maximize the tidal prism in the Salt River. Areas of the existing ranch levee will be retained to preserve existing willow riparian habitat.
13. Phase 1 activities are expected to result in temporary impacts to 12,900 linear feet and 22.2 acres of the Salt River channel, 19,700 linear feet and 8.7 acres of internal slough channel, 10,500 linear feet and 13 acres of berm outboard ditches, and 5,000 linear feet and 3 acres of agricultural ditches. Phase 1 activities are also expected to result in permanent impacts to 81.2 acres of wetlands and creation of 81.2 acres of wetlands. The Salt River Channel and Riparian Corridor Restoration (Phase 2) activities are expected to result in temporary impacts to 27,750 linear feet and 70 acres of the Salt River stream channel (fluvial reach), 2,900 linear feet and 3 acres of the Francis Creek stream channel, 1,000 linear feet and 0.3 acres of the Eastside Drainage channel, and 150 linear feet and 0.1 acres of the Williams Creek stream channel. Phase 2 activities are also expected to result in permanent impacts to 0.5 acres of wetlands and creation of 1.6 acres of wetlands. In total (inclusive of Phase 1 and Phase 2), the project will result in a net increase of 1.1 acres of wetlands, and conversion/enhancement of 290 acres of existing pasture wetlands to tidal wetlands.
14. On February 25, 2011, the Humboldt County Resource Conservation District certified an Environmental Impact Report (SCH No. 2007062030) for the project in order to comply with CEQA. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment. The project has been designed to avoid and minimize adverse impacts to waters of the United States. Some of the project's components will require significant earthwork which could temporarily degrade water quality by increasing sediment and turbidity. Noncompensatory mitigation for this project includes revegetation of disturbed areas and the use of Best Management Practices (BMPs) for sediment and turbidity control, and for heavy equipment use in waterways. The Applicant is required to implement a Storm Water Pollution Prevention Plan, Habitat Mitigation and Monitoring Plan (HMMP), Rare Plant Mitigation and Monitoring Plan, and the AMP.

15. The Applicant has applied (File No. 2010-00282) for authorization from the U.S. Army Corps of Engineers to perform the project under Individual Permit pursuant to Clean Water Act, section 404. The Applicant has also applied for a Lake or Streambed Alteration Agreement from the California Department of Fish and Game.
16. The Lower Eel River Total Maximum Daily Loads (TMDL) for temperature and sediment was established in 2007 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 Lower Eel River are exceeded due to excessive temperature and sediment. Roads and bank erosion are identified as sources contributing to the sediment impairment. In addition, activities that impact the riparian zone and reduce riparian vegetation are identified as sources contributing to increased stream temperatures. The primary adverse impacts associated with excessive temperature and sediment in the Lower Eel River pertain to cold freshwater habitat, primarily anadromous salmonid habitat. Actions authorized by this Order are intended to enhance habitat for salmonids and other aquatic species. Actions authorized by this Order also require implementation of impact avoidance measures and BMPs for sediment and erosion control. Accordingly, the project is consistent with and implements portions of the Lower Eel River TMDL.
17. The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. This Order is consistent with applicable federal and state antidegradation policies, as it does not authorize the discharge of increased concentrations of pollutants or increased volumes of treated wastewater, and does not otherwise authorize degradation of the waters affected by this project.
18. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification," which requires compliance with all conditions of this water quality certification. Order No. 2003-0017-DWQ can be found at:
[http://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2003/wqo/wqo2003-0017.pdf](http://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2003/wqo/wqo2003-0017.pdf).

Receiving Waters: Wetlands, Salt River, and tributaries to the Salt River in the Ferndale Hydrologic Subarea No. 111.11

Filled or Excavated Area: Area Temporarily Impacted: 30.9 acres of tidal channel, 16 acres of agricultural drainage channel, and 73.4 acres of fluvial stream channel
Area Permanently Impacted: 81.7 acres of wetlands

Total Linear Impacts: Length Temporarily Impacted: 32,600 linear feet of tidal channel, 15,500 linear feet of agricultural drainage channel, and 31,650 linear feet of fluvial stream channel
Length Permanently Impacted: None

Dredge Volume: None

Latitude/Longitude: Upstream: 40.5875 N/124.2350 W
Downstream: 40.6190 N/124.3158 W

Compensatory Mitigation: 81.2 acres of onsite wetland creation in Phase 1
1.60 acres of onsite wetland creation in Phase 2

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Humboldt County RCD – Salt River Ecosystem Restoration Project (WDID No.1B10106WNHU), as described in the application, will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that the Applicant complies with the following terms and conditions:

All conditions of this order apply to the Applicant (and all their employees) and all contractors (and their employees), sub-contractors (and their employees), and any other entity or agency that performs activities or work on the project as related to this Water Quality Certification.

1. This certification action is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to title 23, California Code of Regulations, section 3855, subdivision (b) and the application

specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. The validity this certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 3833, and owed by the Applicant.
4. The Regional Water Board staff shall be notified in writing at least five working days (working days are Monday – Friday) prior to the commencement of ground disturbing activities, with details regarding the construction schedule, in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
5. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
6. The Applicant shall construct the project in accordance with the project described in the application and the findings above, and shall comply with all applicable water quality standards as detailed in the Basin Plan.
7. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer. If the Regional Water Board is not notified of a significant alteration to the project, it will be considered a violation of this Order, and the Applicant may be subject to Regional Water Board enforcement action(s).
8. The mitigation measures that are detailed in the Environmental Impact Report (SCH No. 2007062030) are hereby incorporated by reference and are conditions of approval of this certification. Notwithstanding any more specific conditions in this certification, the Applicant shall implement and comply with all mitigation measures identified in the Environmental Impact Report that are within the Regional Water Board's jurisdiction.
9. The Applicant shall implement the HMMP. Annual mitigation monitoring reports shall be submitted to the Regional Water Board by December 31 of each monitoring year. The first mitigation monitoring report shall be submitted to this office within one year of beginning ground disturbing activities on the project. Monitoring reports shall be developed in accordance to the HMMP, per the proposed monitoring schedule and include maps of the monitoring areas, representative photos, methods used to collect and analyze the data, results of the data analysis, a discussion of the results, and conclusions regarding the condition of the monitoring sites. Monitoring reports shall also include a discussion of any

additional actions required to achieve the final success criteria. A final mitigation monitoring report, including a post-mitigation wetland delineation, shall be submitted which clearly demonstrates adequate and successful wetland creation.

10. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground clearing activities or any other project activities that could result in erosion or sediment discharges to surface waters. All BMPs shall be installed properly and in accordance with the manufacturer's specifications.
11. The Applicant shall prioritize the use of wildlife-friendly biodegradable (not photo-degradable) erosion control products wherever feasible. The Applicant shall not use or allow the use of erosion control products that contain synthetic materials within waters of the United States or waters of the State at any time. The Applicant shall not use or allow the use of erosion control products that contain synthetic netting for permanent erosion control (i.e. erosion control materials to be left in place for two years or after the completion date of the project). If the Applicant finds that erosion control netting or products have entrapped or harmed wildlife, personnel shall remove the netting or product and replace it with wildlife-friendly biodegradable products. The Applicant shall request approval from the Regional Water Board if an exception from this requirement is needed for a specific location.
12. This Order provides an allowable zone of turbidity dilution within which turbidity levels may be increased by more than 20 percent above naturally occurring background levels. To ensure that turbidity levels do not exceed this threshold, the Applicant shall monitor turbidity levels upstream within 50 feet of project activities (i.e. natural background turbidity) and 500 feet (or less) downstream of the in-channel construction activities that are increasing background turbidity levels. Turbidity monitoring is not required within channel excavation areas that are isolated flowing waters for the purpose of dewatering and channel excavation, and any turbid waters are contained within a previously isolated area of the channel. At a minimum, field turbidity measurements shall be collected whenever a visible increase in turbidity is observable in waters that are not isolated by berms or similar BMPs.

Turbidity levels shall be measured in Nephelometric Turbidity Units (NTU) using a calibrated turbidity meter. Measurements shall be taken where turbidity levels appear to be the highest in the channel based on visual observation. Monitoring frequency shall be a minimum of every two hours during in-channel work periods and when activities commence that are likely to increase turbidity levels above any previously monitored levels. If grab sample results indicate that turbidity levels exceed 20 NTU at 500 feet downstream from the construction activities causing the turbidity increase, remedial actions shall be implemented to reduce and

maintain turbidity levels at or below 20 NTU immediately downstream of the 500 linear foot zone of dilution. Potential remedial actions shall include halting or slowing construction activities and implementation of additional BMPs until turbidity levels are at or below 20 NTU. If naturally occurring background levels are greater than 20 NTUs, turbidity levels downstream of the 500 linear foot zone of dilution shall not be increased by more than 20 percent above the naturally occurring background level.

The Regional Water Board shall be notified promptly and in no case more than 24 hours after any monitoring results indicate an unauthorized increase in turbidity. A monitoring report containing turbidity measurements shall be submitted in a tabular format to the Regional Water Board within 30 days of measuring any increase(s) in turbidity levels that exceed the turbidity thresholds specified above. A monitoring report containing all turbidity measurements shall be submitted in a tabular format to the Regional Water Board within 30 days of the completion of each construction phase. All monitoring reports shall be written in a manner that clearly demonstrates compliance with all water quality monitoring requirements.

13. **Rainy Day Reports:** The Applicant shall take photos of all areas disturbed by project activities, including all materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures are present and have been installed appropriately and successfully. A brief report containing these photos shall be submitted within 30 days of the first rainfall event that generates runoff from the disturbed areas. Once the site has demonstrated appropriate and effective erosion and sediment control, the Applicant may request a reprieve from this condition from the Regional Water Board.
14. Disturbance or removal of existing vegetation shall not exceed the minimum necessary to complete the project.
15. This Water Quality Certification does not authorize the Applicant to draft surface waters.
16. If construction dewatering of groundwater is found to be necessary, the Applicant shall use a method of water disposal other than disposal to surface waters (such as land disposal) or the Applicant shall apply for coverage under Order No. R1-2009-0045, Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region or individual National Pollutant Discharge Elimination System Permit and shall receive notification of coverage to discharge to surface waters prior to initiating any groundwater dewatering discharge to surface waters.

17. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area.
18. Fueling, lubrication, maintenance, storage, and staging of vehicles and equipment shall not result in a discharge or threatened discharge to any waters of the State including dry portions of the streambank and streambed. At no time shall the Applicant or its contractors allow use of any vehicle or equipment which leaks any substance that may impact water quality.
19. The Applicant shall provide a copy of this Order and State Water Resources Control Board (SWRCB) Order No. 2003-0017-DWQ to any contractor(s), subcontractor(s), and utility company(ies) conducting work on the project, and shall require that copies remain in their possession at the work site. The Applicant shall be responsible for ensuring that all work conducted by its contractor(s), subcontractor(s), and utility companies is performed in accordance with the information provided by the Applicant to the Regional Water Board.
20. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented including stopping work. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.
21. Spill kits are required at each fueling location and at each location that where power equipment will be working within waters of the State. In the event of an unauthorized release of fuel (spill or leak) to waters of the State, the Applicant shall immediately stop work and conduct the following measures:
 - a) notify the appropriate agencies including the Regional Water Board, CDFG, and the Office of Emergency Services (OES) at 1(800) 852-7550;
 - b) utilize the appropriate spill kits for containment and clean up of the release;
 - c) collect samples within the immediate area of release, 50 feet downstream, and downstream to the full extent of the release if the release reaches surface waters; and,
 - d) analyze required surface water samples for all appropriate constituents including but not limited to total petroleum hydrocarbons as diesel (TPH-D), total petroleum hydrocarbons as gasoline (TPH-G), and benzene, toluene, ethylbenzene, total xylenes (BTEX).

22. Any potentially hazardous waste(s) (solids, liquids, or slurries) derived or encountered during this project shall undergo the appropriate characterization to demonstrate compliance with all applicable waste disposal laws and regulations.
23. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and implementation plans adopted and approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
24. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable state or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order. In response to a suspected violation of any condition of this certification, the State Water Board may require the holder of any federal permit or license subject to this Order to furnish, under penalty of perjury, any technical or monitoring reports the State Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this Order, the Regional Water Board may add to or modify the conditions of this Order as appropriate to ensure compliance.
25. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the project as described in this Order.

26. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited to and all proposed mitigation being completed in strict compliance with the Applicant's project description, and b)

compliance with all applicable requirements of the Water Quality Control Plan for the North Coast Region (Basin Plan).

27. The authorization of this certification for activities associated with implementation of Phase 1 and Phase 2 expires on October 15, 2016. The authorization of this certification for maintenance activities associated with the AMP expires on October 15, 2022. Conditions and monitoring requirements outlined in this Order and the HMMP are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Dean Prat at (707) 576-2801.

Catherine Kuhlman
Executive Officer

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Weblink: State Water Resources Control Board Order No. 2003-0017 -DWQ, General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification can be found at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0017.pdf

Original to: Ms. Donna Chambers, Humboldt County Resource Conservation District, 5630 South Broadway, Eureka, CA 95503

cc: Mr. Jeremy Svehla, Winzler and Kelly, 633 Third Street, Eureka, CA 95501

Electronic
Copies to: U.S. Army Corps of Engineers, District Engineer, 601 Startare Drive, Box 14, Eureka, CA 95501
U.S. Army Corps of Engineers, Regulatory Functions, 1455 Market Street, San Francisco, CA 94103-1398

California Environmental Protection Agency