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## North Coast Regional Water Quality Control Board

February 20, 2024

Ellory Loughridge  
The Nature Conservancy  
90 West Redwood Avenue  
Fort Bragg, CA 95437  
Ellory.Loughridge@tnc.org

Dear Ellory Loughridge:

**Subject:** Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide Order WQ 2022-0048-DWQ

**File:** South Fork Ten Mile River Habitat Enhancement Project - Phase 2  
CW-892160; WDID No. 1B24001WNME

This letter is to certify coverage of the South Fork Ten Mile River Habitat Enhancement Project - Phase 2 (Project) under the Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (Order); Order WQ 2022-0048-DWQ. This Project is the third phase of implementation of a larger, reach-wide habitat enhancement program in the lower 1.7 miles of the South Fork Ten Mile River.

### Background

On January 2, 2024, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) from Ellory Loughridge, The Nature Conservancy (Applicant) to comply with the terms of, and obtain project coverage under, the Order for the Project.

### Pre-consultation Meeting and Public Notice

A multi-agency pre-consultation meeting to discuss permitting options for the Project occurred on December 1, 2023. The Regional Water Board provided 21-day public notice of the application pursuant to Title 23, California Code of Regulations, Section 3858 on January 29, 2024, and posted information describing the Project on the Regional Water Board's website. No comments were received.

### Project Location

The Project is located along the South Fork Ten Mile River in Mendocino County, within the Mendocino Coast Hydrologic Unit 113.13. The coordinates of the Project are 39.532371° N, 123.742274° W.

### Project Description

This Project is the third phase of implementation of a larger reach-wide habitat enhancement program within the South Fork Ten Mile River with a goal of increasing survival and populations of coho salmon. This project extends downstream from phases 1A and 1B implemented in 2018 and 2020, respectively. Phase 1A was implemented in the summer of 2018 and included construction of multiple large wood structures; an off-channel, seasonally flooded wetland; and a split-flow side channel with additional large wood structures across a 0.5-mile reach. Phase 1B built upon the practical experience and knowledge gained from implementation and monitoring of the first phase and additional habitat elements were constructed. These enhancements were designed to reestablish channel meandering and floodplain connection by supporting natural geomorphic processes and to provide a range of complex habitat elements that are beneficial to coho across a range of flow conditions through a 0.9-mile of stream channel.

Building on that, this Project includes the following habitat enhancements immediately downstream of the Phase 1 improvements: 1) A long, deep alcove and shallow pond will be constructed to connect to the existing seasonal pond and valley wall wetland complex along the left valley edge; 2) A dry, rarely flooded 1965 gravel deposit on the left bank will be excavated out to create a 1.6-acre, tidal-bore flooded wetland. The wetland surface get flooded daily during high tides and during nearly every storm event; 3) A small alcove set into a wide, tree-covered gravel bench will be constructed to provide complex, low-velocity, off-channel winter habitat in the upper project reach; and 4) Four accelerated recruitment-type large wood structures will be constructed to increase channel bedform and habitat complexity in the long glide reach. A mix of downed alder, willow slash, and whole redwood trees will be used to form the structures.

The Project also includes implementation of adaptive management measures at two locations in the Phase 1 project area. First, the inlet at the off-channel, seasonally flooded wetland will be excavated to inundate at baseflow conditions to make the constructed side channel accessible to salmonids through a full range of future winter conditions. The inlet will be deepened about three feet. The excavated floodplain material will be trucked to the quarry located along the mainstem Ten Mile River. Monitoring indicates the habitat feature is limited to accessibility during high flows only. The inlet adjustment will provide additional accessible habitat for salmonids. Second, monitoring has indicated that pilot channels are needed in the constructed alcove to create a network of channels through alcove to make the upper alcove more accessible to salmonids, which will be excavated during implementation of the Project.

The Project will be implemented in accordance with all information provided in the NOI and supplemental documents included in the application package.

### General Protection Measures

The Project will adhere to and apply the following protection measures, as described in the Order, including General Protection Measures GPM-1 through GPM-15; Water Quality and Hazardous Materials Protection Measures WQHM-1, 3, 4, and 6; and

Vegetation/Habitat Disturbance and Revegetation Protection Measures VHDR-1 through VHDR-5.

#### Project Size and Impacts to Waters of the State

The total project area is approximately 4.94 acres and 1,470 linear feet. The impacts to waters of the state are approximately 1.364 acres and 1,470 linear feet.

#### Benefits to Waters of the State

The Project will result in the restoration of 2.83 acres and 2,973 linear feet of riparian, floodplain, and instream habitat.

#### Project Associated Discharge

Approximately 86 logs with root wads attached, 62 wood posts (driven vertically to pin logs, as needed), 30 fish screen and turbidity curtains, and native planting materials required to sufficiently establish riparian and wetland vegetation in a 0.29-acre area will be discharged to waters of the state.

#### Project Time Frame

Start date: June 1, 2024

Completion date: October 31, 2024

Work Season: Construction may occur between June 15 to October 15 and vegetation removal activities may occur between February 19 and March 14, annually. Modification to or extension of the annual work season is possible with written approval from the Regional Water Board.

#### Agency Permits

The Applicant has applied to the U.S. Army Corps of Engineers for a 404 Permit and to the California Department of Fish and Wildlife for a Streambed Alteration Agreement.

#### Notice of Applicability & CEQA Determination

Regional Water Board staff has determined that the proposed activities as described in the NOI may proceed under the Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide; Order WQ 2022-0048-DWQ. Additionally, Regional Water Board staff has determined that the Project is eligible for categorical exemption section 15333, "Small Habitat Restoration Projects" under California Code of Regulations title 14 and will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of this NOA, pursuant to CEQA guidelines.

Receiving Water: South Fork Ten Mile River, within the Mendocino Coast Hydrologic Unit 113.13

Project Size: Approximately 4.94 acres and 1,470 linear feet

Benefits to Waters of the State: Approximately 2.83 acres and 2,973 linear

Project Impacts: Approximately 1.364 acres and 1,470 linear feet

Latitude/Longitude: 39.532371° N, 123.742274° W

Expiration Date: **February 20, 2029**

Reporting and Notification Requirements

**As required in section XIII.B of the Order, Project proponents with projects authorized under this Order shall follow notification and reporting requirements described in section XIII.B and those found in Attachment D of this Order.** This Order and its associated monitoring and technical reporting provisions are also adopted pursuant to California Water Code sections 13383 and 13267, subdivision (b)(1). The requirements for the content of the reports and notification types required under this Order are detailed in Attachment D, including specifications for photo and map documentation. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment D, which must be signed by an authorized representative who meets the signatory requirements specified in Attachment E. Please include the project name and WDID number with all future inquiries and document submittals. Document submittals shall be made electronically to [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov).

The Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide; Order WQ 2022-0048-DWQ can be found at [Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide](#).

Please call Jake Shannon at (707) 576-2673 if you have any questions.

Sincerely,

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Valerie Quinto  
Executive Officer

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