CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501

STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. 1600-2017-0369-R1
Unnamed Tributaries to the Mad River and the Pacific Ocean

Sean Porter
Porter Water Diversion and Stream Crossings Project
8 Encroachments

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Sean Porter (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on June 21, 2017, that the Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, the Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, the Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project to be completed is located within the Mad River watershed, approximately 17 miles north of the town of Dinsmore, County of Humboldt, State of California. The project is located in Section 35, T2N, R5E, Humboldt Base and Meridian; in the Blake Mountain U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 208-231-013; latitude 40.5101 N and longitude -123.5807 W at the parcel centroid.

PROJECT DESCRIPTION

The project is limited to eight encroachments (Table 1). One encroachment is for water diversion from an Unnamed Spring, a tributary to the Mad River. Water is diverted for domestic use. Work for the water diversion will include facility retrofit, use and maintenance of the water diversion infrastructure. Five proposed encroachments are to upgrade failing and undersized culverts. Work for these encroachments will include

excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One encroachment is to upgrade an existing dirt ford to a culvert crossing. Work for this encroachment will include excavation, placement of a properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One encroachment is to replace pond spillway infrastructure. Work for this encroachment includes removal of undersized culvert and rock armoring the spillway.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
Crossing Site 04	40.5119, -123.582	Replace existing undersized 12" culvert with a minimum 24" culvert.
Crossing Site 05	40.5122, -123.582	Replace existing undersized 12" culvert with a minimum 18" culvert.
Crossing Site 09	40.5105, -123.582	Replace existing undersized 18" culvert with a minimum 36" culvert
Crossing Site 14	40.5094, -123.583	Replace existing dirt ford with a minimum 24" diameter culvert.
Crossing Site 16	40.5090, -123.583	Replace existing undersized 12" culvert with a minimum 18" culvert.
Crossing Site 18	40.5120, -123.582	Replace existing undersized 12" culvert with a minimum 18" culvert.
Pond Spillway Site 17	40.5115, -123.582	Replace existing 12" diameter CMP pond outlet with a geotextile fabric lined spillway with rock overtop.
POD-1	40.5118, -123.582	1. Remove existing unpermitted water diversion. 2. Install new water diversion structure consistent with this agreement. 3. Use and maintenance of water diversion infrastructure.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), Pacific Lamprey (*Entosphenus tridentata*), Southern Torrent Salamander (*Rhyacotriton variegatus*), Pacific Giant Salamander *(Dicamptodon tenebrosus)*, Boreal Toad (*Anaxyrus boreas boreas*), Foothill Yellow-legged Frog *(Rana boylii),* Coastal Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*) amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

The adverse effects the project could have on the fish or wildlife resources identified above include:

Impacts to water quality:
increased water temperature;
reduced instream flow;
temporary increase in fine sediment transport;

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their

habitat:
loss or decline of riparian habitat;
direct impacts on benthic organisms;

Impacts to natural flow and effects on habitat structure and process:
diversion of flow from activity site;
direct and/or incidental take;
indirect impacts;
impediment of up- or down-stream migration;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.

1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.

1.3 Adherence to Existing Authorizations. All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.

1.4 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.

1.5 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.

1.6 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.

1.7 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven (7) days after the project is fully completed.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, the Permittee shall implement each measure listed below.

2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on June 21, 2017 with revisions received on October 16, 2017, February 15, 2018, and April 13, 2018 together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.

2.2 Incidental Take. This Agreement does not allow for the take, or incidental take of any state or federal listed threatened or endangered listed species.

Project Timing

2.3 Work Period. All work, not including diversion of water, shall be confined to the period **June 15 through October 1** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.

2.4 Work Completion. The proposed work shall be completed by no later than **October 1, 2019**. A notice of completed work, including photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.

2.5 Extension of the Work Period. If weather conditions permit, and the Permittee wishes to extend the work period after October 1, a written request shall be made to CDFW at least 5-working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities continuing past October 1.

Vegetation Management

2.6 Minimum Vegetation Removal. No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the Authorized Activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.

2.7 Vegetation Management. Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of stream crossing or diversion infrastructure placement/maintenance to the use of hand tools. Vegetation management shall not include treatment with herbicides.

Water Diversion

2.8 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake shall not exceed **0.5 gallons per minute** (gpm) at any time.

2.9 Bypass Flow. The Permittee shall pass **80% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.

2.10 Seasonal Diversion Minimization. No more than **50 gallons per day** shall be diverted during the low flow season from **May 15 to October 31** of each year. Water shall be diverted only if the Permittee can adhere to conditions 2.8 and 2.9 of this Agreement.

2.11 Measurement of Diverted Flow. Permittee shall install and maintain an adequate measuring device for measuring the instantaneous and cumulative rate of diversion. This measurement shall begin as soon as this Agreement is signed by the Permittee. The device shall be installed within the flow of diverted water. The Permittee shall maintain records of diversion, and provide information including, but not limited to the following:

2.11.1 The date and time diversion occurred.

2.11.2 The amount of water used per day for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other uses of water (e.g., domestic use or fire protection).

2.11.3 Permittee shall make available for review at the request of the department the daily diversion records required by the State Water Resources Control Board (Board) in Attachment A to the Board's Cannabis Cultivation Policy (October 17, 2017), No. 84, pages 40-41 (see Cal. Code Regs., tit. 23, § 2925).

2.12 Water Management Plan. The Permittee shall submit a Water Management Plan no later than **sixty days** from the time this Agreement is made final that describes how compliance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain water needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

Water Diversion Facility Retrofit

2.13 Intake Structure. No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.

2.14 Intake Structure Placement. Infrastructure installed in the streambed (e.g., cistern or spring box) shall not exceed 10 percent of the active channel width and shall not be located in the deepest portion of the channel. The depth of the intake shall be no greater than one foot (12 inches) below the streambed.

2.15 Intake Screening. The Permittee shall regularly inspect, clean, and maintain screens in good condition.

2.15.1 The water intake screens shall be securely attached (e.g., threaded or clamped) to the intake line and have a minimum wetted area of 0.25 square feet and a minimum open area of 27%.

2.15.2 A water intake screen with round openings shall not exceed 3/32-inch diameter; a screen with square openings shall not exceed 3/32-inch measured diagonally; and a screen with slotted openings shall not exceed 0.069 inches in width. Slots must be evenly distributed on the screen area.

2.15.3 The water intake screen may be constructed of any rigid material, perforated, woven, or slotted. Stainless steel or other corrosion-resistant material is recommended to reduce clogging due to corrosion. Care should be taken not to use materials deemed deleterious to aquatic species.

2.15.4 The water intake screen shall be placed in fast moving water with the long axis of the screen parallel to the streamflow. The water intake shall not be placed in pool habitat.

2.16 Intake Shall Not Impede Aquatic Species Passage. The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.

2.17 Exclusionary Devices. Permittee shall keep the diversion structures (e.g. cistern) covered at all times to prevent the entrance and entrapment of amphibians and other wildlife.

2.18 Diversion Infrastructure Plan (DIP). The Permittee shall submit a DIP for CDFW review and approval prior to diverting water. The DIP shall include a narrative describing the different elements of the water diversion infrastructure, supporting photographs and/or diagrams, and justification of how compliance with the CDFW Fish Screen Criteria will be achieved under this Agreement.

2.19 Diversion Intake Removal. Permittee shall plug, cap, block (e.g., with a shut-off valve), or remove all intakes at the end of each diversion season.

2.20 Heavy Equipment Use. No heavy equipment shall be used in the excavation or replacement of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

Diversion to Storage

2.21 Water Storage. All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks) must be located outside the active 100-year floodplain and outside the top of bank of a stream. Covers/lids shall be securely affixed to water tanks at all times to prevent potential entry by wildlife. Permittee shall cease all water diversion at the point of diversion when WSFs are filled to capacity.

2.22 Water Storage Maintenance. WSFs shall have a float valve to shut off the diversion when tanks are full to prevent overflow. The Permittee shall install any other measures necessary to prevent exorbitant use or waste of water. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and infrastructure used to divert water to storage and use and repair any leaks.

2.23 Reservoirs. Shall be appropriately designed, sized, and managed to contain any diverted water in addition to precipitation and storm water runoff, without overtopping. Water shall be diverted to reservoirs only if the Permittee can adhere to conditions 2.12 and 2.29-2.33 of this Agreement.

2.24 Limitations on Impoundment and Use of Diverted Water. The Permittee shall impound and use water in accordance with a valid water right, including any limitations on when water may be impounded and used, the purpose for which it may be impounded and used, and the location(s) where water may be impounded and used.

2.25 Water Conservation. The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.

2.26 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code sections 5100 and 1200 et seq. as appropriate for the water diversion and water storage. The application for this registration is found at: http://www.swrcb.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf.

Reservoirs

2.27 No Stocking. Stocking of fish, wildlife, or plant of any kind, in any Waters of the State, including reservoirs, shall be prohibited without written permission from the department pursuant to Section 6400 of the Fish and Game Code.

2.28 Invasive Species Management for Reservoirs. Permittee shall implement an invasive species management plan prepared by a Biologist for any existing or proposed reservoir. The plan shall include, at a minimum, an annual survey for invasive aquatic species, including the American bullfrog (*Lithobates catesbeianus* = *Rana catesbeiana)*. The Biologist, if appropriate, shall implement eradication measures if invasive aquatic species are identified as part of the survey.

2.28.1 Bullfrog Management Plan. If bullfrogs are observed, they shall be appropriately managed. Management of bullfrogs, including annual draining and drying of ponds, shall follow the guidelines in Exhibit A. A copy of the annual monitoring report, shall be submitted to CDFW in accordance with the reporting measures described in Exhibit A and below (Reporting Measure 3.5)

2.29 Off-stream reservoirs. Shall be appropriately designed, sized, and managed to contain any diverted water in addition to precipitation and storm water runoff, without overtopping. The Permittee shall install an overflow spillway that will withstand a 100-year flood event, designed with a dispersal mechanism, or low-impact design, that discourages channelization and promotes dispersal and infiltration of flows to prevent surface overflow from reaching waters of the State. The spillway shall be designed and placed to allow for a minimum of two-feet of freeboard.

2.30 Seasonal Diversion Minimization. To minimize adverse impacts to native pond breeding amphibians (when present) the following diversion minimizations apply: From November 1 to March 31, the Permittee shall divert water at a rate no greater than the rate of water flowing into the pond (i.e., water diversion shall not decrease the pond depth). From April 1 – September 1, when native larval amphibians are present, the Permittee shall cease diverting water once the pond volume is one third of the maximum pond volume. To comply with this measure;

the Permittee shall establish a fixed visual marker(s) (e.g., stage plate) in the pond as a reference for water level thresholds.

2.31 Wildlife Entrapment Prevention. The Permittee shall install several exit ramps to prevent wildlife entrapment. Exit ramps shall meet the following requirements: installed at no greater than 2:1 slope, securely fixed at the upslope end, made of solid material (e.g. wood), and be a minimum length of 1.5 times the radius of the pond. A notice of completed work, with supplemental pictures, shall be submitted to CDFW by December 31, 2018.

Stream Crossings

2.32 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

2.33 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.

2.34 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.

2.35 Dewatering.

2.35.1 Stream Diversion. Only when work in a flowing stream is unavoidable (e.g., perennial streams), Permittee shall divert the stream flow around or through the work area during construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.

2.35.2 Maintain Aquatic Life. When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life

below the dam pursuant to Fish and Game Code §5937.

2.35.3 Stranded Aquatic Life. The Permittee shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life shall be released immediately in the closest suitable aquatic habitat adjacent to the work site. This condition does not allow for the take or disturbance of any State or federally listed species, or State listed species of special concern. The Department staff who prepared this agreement shall be contacted immediately if any of these species are detected.

2.35.4 Coffer Dams. Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Coffer dams and the stream diversion system shall remain in place and functional throughout the construction period. Coffer dams or stream diversions that fail for any reason shall be repaired immediately.

2.35.5 Minimize Turbidity, Siltation, and Pollution. Permittee shall use only clean, non-erodible materials, such as rock or sandbags that do not contain soil or fine sediment, to construct any temporary stream flow bypass. Permittee shall divert stream flow around the work site in a manner that minimizes turbidity, siltation, and pollution, and does not result in erosion or scour downstream of the diversion.

2.35.6 Remove any Materials upon Completion. Permittee shall remove all materials used for the temporary stream flow bypass after the Authorized Activity is completed.

2.35.7 Restore Normal Flows. Permittee shall restore normal flows to the effected stream immediately upon completion of work at that location.

2.36 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

2.37 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures

such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

2.38 Culvert Installation.

2.38.1 The project is located in a moderate to very high Fire Hazard Severity Zone as designated by CAL FIRE. CDFW recommends corrugated metal pipe (CMP) for use in culvert installation and/or replacement.

2.38.2 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.

2.38.3 Culvert shall be installed to grade (not perched or suspended), aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). The Permittee shall ensure basins are not constructed and channels are not be widened at culvert inlets.

2.38.4 Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.

2.38.5 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.

2.38.6 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥1.0 times the width of the bankfull channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.39 Crossing Maintenace

2.39.1 The placement of armoring shall be confined to the work period when the stream is dry or at its lowest flow

2.39.2 No heavy equipment shall enter the wetted stream channel.

2.39.3 No fill material, other than clean rock, shall be placed in the stream channel.

2.39.4 Rock shall be sized to withstand washout from high stream flows, and extend above the ordinary high water level.

2.39.5 Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.

2.40 Road Approaches. The Permittee shall treat road approaches to new or re-constructed permanent crossings *on Class I and II watercourses* to minimize erosion and sediment delivery to the watercourse. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including when a Stream Crossing is being constructed or reconstructed. Road approaches shall be armored from the crossing for a minimum of *50* feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable rock, compacted grindings, pavement, or chip-seal.

2.41 Project Inspection. The Project shall be inspected by Timber Resources Consultants or a licensed engineer to ensure that the stream crossings were installed as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

Erosion Control and Pollution

2.42 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.

2.43 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.

2.44 Seed and Mulch. Upon completion of construction operations and/or the onset of wet weather, Permittee shall stabilize exposed soil areas within the work area by applying mulch and seed. Permittee shall restore all exposed or disturbed areas and access points within the stream and riparian zone by applying local native and weed free erosion control grass seeds. Locally native wildflower and/or shrub seeds may also be included in the seed mix. Permittee shall mulch restored areas using at least two to four inches of weed-free clean straw or similar biodegradable mulch over the seeded area. Alternately, Permittee may cover seeding with jute netting, coconut fiber blanket, or similar non-synthetic monofilament netting erosion control blanket.

2.45 Erosion and Sediment Barriers. Permittee shall monitor and maintain all erosion and sediment barriers in good operating condition throughout the work period and the following rainy season, defined herein to mean October 15 through June 15. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged sediment fencing, coir logs, coir rolls, and/or straw bale dikes. If the sediment barrier fails to retain sediment, Permittee shall employ corrective measures, and notify the department immediately.

2.46 Prohibition on Use of Monofilament Netting. To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

2.47 Site Maintenance. Permittee shall be responsible for site maintenance including, but not limited to, re-establishing erosion control to minimize surface erosion and ensuring drainage structures and altered streambeds and banks remain sufficiently armored and/or stable.

2.48 Cover Spoil Piles. Permittee shall have readily available erosion control materials such as wattles, natural fiber mats, or plastic sheeting, to cover and contain exposed spoil piles and exposed areas in order to prevent sediment from moving into a stream or lake. Permittee shall apply and secure these materials prior to rain events to prevent loose soils from entering a stream, lake, or other Waters of the State.

2.49 No Dumping. Permittee shall not deposit, permit to pass into, or place where it can pass into a stream, lake, or other Waters of the State any material deleterious to fish and wildlife, or abandon, dispose of, or throw away within 150 feet of a stream, lake, or other Waters of the State any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.

3. Reporting Measures

3.1 Work Completion. The proposed work shall be completed by no later than **October 1, 2019**. A notice of completed work (condition 2.4), with supplemental photos, shall be submitted to CDFW **within seven (7) days** of project completion.

3.2 Measurement of Diverted Flow. Copies of the **Water Diversion Records** (condition 2.11) shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501 no later than **December 31** of each year beginning in **2018**.

3.3 Water Management Plan. The Permittee shall submit a **Water Management Plan** (condition 2.12) within **60 days** from the effective date of this agreement. The

Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

3.4 Diversion Infrastructure Plan. The Permittee shall **allow 60 days for CDFW review and approval** after submittal of a Diversion Infrastructure Plan (condition 2.18). This document shall be submitted to CDFW at the 619 Second Street, Eureka, CA 95501

3.5 Invasive Species Management for Reservoirs. The Permittee shall submit all required documents described in the Invasive Species Management for Reservoirs (condition 2.28) including subsection 2.28.1, **Bullfrog Management Plan** (Exhibit A) no later than **December 31** of each year. The Bullfrog Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

3.6 Wildlife Entrapment Prevention. A notice of completed work (condition 2.31), with supplemental pictures, shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501, by **December 31, 2018**.

3.7 Project Inspection. The Permittee shall submit the **Project Inspection Report** (condition 2.41) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501

CONTACT INFORMATION

Written communication that the Permittee or CDFW submits to the other shall be delivered to the address below unless the Permittee or CDFW specifies otherwise.

To Permittee:

Sean Porter
79 Ole Hansen Road
Eureka, California 95503
707-845-6732

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2017-0369-R1

LIABILITY

The Permittee shall be solely liable for any violation of the Agreement, whether committed by the Permittee or any person acting on behalf of the Permittee, including

its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require the Permittee to proceed with the project. The decision to proceed with the project is the Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against the Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse

disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by the Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), the Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, the Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

If the Permittee fails to submit a request to extend the Agreement prior to its expiration, the Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC section 1605(f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall **expire five years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of the Permittee, the signatory hereby acknowledges that he or she is doing so on the Permittee's behalf and represents and warrants that he or she has the authority to legally bind the Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If the Permittee begins or completes a project different from the project the Agreement authorizes, the Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

FOR Sean Porter

Sean Porter — Date: 6-12-18

FOR DEPARTMENT OF FISH AND WILDLIFE

Scott Bauer — Date: 6/13/18

Scott Bauer
Senior Environmental Scientist Supervisor

Prepared by: Kalyn Bocast, Environmental Scientist, May 1, 2018

State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023 (REV. 10/01/16) Page 1

REVISED 6-23-17

RECEIVED JUN 15 2017 Humboldt County Planning Division

FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	$		
Assigned to:				

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Sean Porter		
Business/Agency			
Mailing Address	79 Ole Hansen Rd		
City, State, Zip	Eureka, CA 95503		
Telephone	707-845-6732	Fax	
Email			

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Nick Robinson		
Street Address	165 S. Fortuna Blvd Ste. 4		
City, State, Zip	Fortuna, CA 95540		
Telephone	707-725-1897	Fax	
Email	trc@timberlandresource.com		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name	CASSIDY QUINN		
Street Address	676 VILLA WAY		
City, State, Zip	ARCATA CA 95521-5400		
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name		Porter 2016 LSA		
B. Agreement Term Requested		☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2017	2021	03/01	10/15	

State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023 (REV. 10/01/16) Page 1

FOR DEPARTMENT USE ONLY				
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	$	$		
Assigned to:				

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

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1. APPLICANT PROPOSING PROJECT

Name	Sean Porter		
Business/Agency			
Mailing Address	79 Ole Hansen Rd		
City, State, Zip	Eureka, CA 95503		
Telephone	707-845-6732	Fax	
Email			

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Nick Robinson		
Street Address	165 S. Fortuna Blvd Ste. 4		
City, State, Zip	Fortuna, CA 95540		
Telephone	7077-725-1897	Fax	
Email	trc@timberlandresource.com		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name	Same as Applicant		
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name		Porter 2016 LSA		
B. Agreement Term Requested		☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2017	2021	03/01	10/15	

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, E, or F is checked, complete the specified attachment.	
A.	☑ Standard *(Most construction projects, excluding the categories listed below)*
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*) *Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*) *THP Number:* _____
D.	☑ Water Diversion/Extraction/Impoundment (*Attachment C*) *SWRCB Number:* _____
E.	☐ Routine Maintenance (*Attachment D*)
F.	☑ Remediation of Marijuana Cultivation Sites (*Attachment E*)
G.	☐ Department Grant Programs *Agreement Number:* _____
H.	☐ Master
I.	☐ Master Timber Operations

6. FEES

See the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1	Site 04 Class III crossing replacement	<5k	$561.00
2	Site 05 Class III crossing replacement	<5k	$561.00
3	Site 09 Class III crossing replacement	<5k	$561.00
4	Site 14 Class III crossing replacement	<5k	$561.00
5	Site 16 Class III crossing replacement	<5k	$561.00
6	Site 18 Class III crossing replacement	<5k	$561.00
7	Water diversion with facility	<5k	$561.00
8	Remediation of Marijuana Cultivation Sit	<5k	$3000.00
9			
10			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE*	$6927.00

** Check, money order, and Visa or MasterCard payments are accepted. When payment is made by credit card, CDFW shall assess a separate credit card processing fee of 1.6% to the Total Fee. Credit card payment must be submitted with a completed Credit Card Payment Authorization Form (DFW 1443b (Rev. 8/15)) available online at: https://www.wildlife.ca.gov/Conservation/LSA/Forms or at a Department regional office.*

7. PRIOR NOTIFICATION AND ORDERS

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant	Notification Number	Date

B. Is this notification being submitted in response to a court or administrative order or notice, or a notice of violation (NOV) issued by the Department?

☑ No ☐ Yes (*Enclose a copy of the order, notice, or NOV. If the applicant was directed to notify the Department verbally rather than in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

8. PROJECT LOCATION

A. Address or description of project location.

(*Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway*)

The property assessed is approximately 45 acres, located in Section 35, T2N, R5E, HB&M, Humboldt County from the Blake Mountain 7.5' USGS Quad map. The property is located approximately 1.5 miles north of Dinsmore, California, and is accessed by private roads via HWY 36.

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Unnamed Watercourses
C. What water body is the river, stream, or lake tributary to?	Mad River
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☑ No ☐ Unknown
E. County	Humboldt

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Blake Mountain	2N	5E	35	NE

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☑ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

208-231-013

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)*			
Latitude/Longitude	*Latitude:* -123.5356151	*Longitude:* 40.53507972	
	☐ Degrees/Minutes/Seconds	☑ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☑ NAD 83 or WGS 84	

9. PROJECT CATEGORY

WORK TYPE	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR-MAINTAIN-OPERATE EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☑	☑
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal: pond, stream, or marina	☐	☐	☐
flood control	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing: horizontal directional drilling	☐	☐	☐
jack/bore	☐	☐	☐
open trench	☐	☐	☐
Water diversion without facility	☐	☐	☐
Water diversion with facility	☐	☐	☑
Other *(specify)*:	☐	☐	☐

10. PROJECT DESCRIPTION

A. Describe the project in detail. Include photographs of the project location and immediate surrounding area.

- Written description of all project activities with detailed step-by-step description of project implementation.
- Include any structures (e.g., rip-rap, culverts) that will be placed or modified in or near the stream, river, or lake, and any channel clearing.
- Specify volume, and dimensions of all materials and features (e.g., rip rap fields) that will be used or installed.
- If water will be diverted or drafted, specify the purpose or use.
- Enclose diagrams, drawings, plans, and maps that provide all of the following: site specific construction details; dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, stockpile areas, areas of temporary disturbance, and where the equipment/machinery will access the project area.

See Addendum 10. Additionally, project BMPs include standard diagrams for watercourse crossings. Mitigation Report details site specific actions at each site.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

Excavator, bulldozer, water truck, grader, loader, and dump truck may all be employed.

☑ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☐ Yes ☑ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

See Addendum 11. Specific actions are detailed in the mitigation report and project BMP's.

☑ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☑ No (*Include aerial photo with date supporting this determination*)

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☑ Yes (*List each species and/or describe the habitat below*) ☐ No ☐ Unknown

See Addendum 11C

☑ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

See Addendum 11

☑ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☑ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☑ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

G. Have fish or wildlife resources or waters of the state been mapped or delineated on the project site?

☐ Yes (*Enclose the mapped results*) ☑ No

Note: Check "yes" if fish and wildlife resources or waters of the state on the project site have been mapped or delineated. "'Wildlife' means and includes all wild animals, birds, plants, fish, amphibians, reptiles and related ecological communities, including the habitat upon which the wildlife depends." (Fish & G. Code, § 89.5.) If "yes" is checked, submit the mapping or delineation. If the mapping or delineation is in digital format (e.g., GIS shape files or KMZ), you must submit the information in this format for the Department to deem your notification complete. If "no" is checked, or the resolution of the mapping or delineation is insufficient, the Department may request mapping or delineation (in digital or non-digital format), or higher resolution mapping or delineation for the Department to deem the notification complete.

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

See Erosion Control Measures attached in Addendum 12A. Equipment operations associated with the construction activities shall be restricted to the summer months.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

Avoidance and/or minimization measures to protect fish, wildlife, and plant resources have been incorporated into the Water Resource Protection Plan (WRPP), as well as the project BMPs attached to the Mitigation Report.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

The crossing structure upgrade will reduce potential sediment yields entering the Mad River watershed. The development of a water use and conservation plan and implementation of increased water storage capacity. Additionally, treatments associated with the Water Resource Protection Plan will reduce potential sediment delivery from treatments of non-notification sites such as road surface drainage structures and features as well as cultivation area surface drainage treatments.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, State, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A.	RWQCB Waste Discharge Permit WDID: 1B16642CHUM	☐ Applied	☑ Issued
B.	Initial Statement of Water Rights	☑ Applied	☐ Issued
C.	Humboldt County Ordinance	☑ Applied	☐ Issued

D. Unknown whether ☐ local, ☐ State, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☑ *Continued on additional page(s)*

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA) and/or National Environmental Protection Act (NEPA)?

☐ Yes (*Check the box for each CEQA or NEPA document that has been prepared and enclose a copy of each.*)

☐ No (*Check the box for each CEQA or NEPA document listed below that will be or is being prepared.*)

☐ Notice of Exemption	☑ Mitigated Negative Declaration	☐ NEPA document (*type*):
☐ Initial Study	☐ Environmental Impact Report	
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)	No. 2015042074		
C. Has a CEQA lead agency been determined?	☑ Yes (*Complete boxes D, E, and F*)	☐ No (*Skip to box 14.G*)	
D. CEQA Lead Agency	California Regional Water Quality Control Board N. Coast		
E. Contact Person	Mathias St. John	F. Telephone Number	707-570-3762

G. If the project described in this notification is not the "whole project" or action pursuant to CEQA, briefly describe the entire project (Cal. Code Regs., tit. 14, § 15378).

Region Order No. 2015-0023, Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and associated Activities or Operations with Similar Environmental Effects in the North Coast Region.

☐ *Continued on additional page(s)*

H. Has a CEQA filing fee been paid pursuant to Fish and Game Code section 711.4?

☐ Yes (*Enclose proof of payment*) ☐ No (*Briefly explain below the reason a CEQA filing fee has not been paid*)

Note: If a CEQA filing fee is required, the Lake or Streambed Alteration Agreement may not be finalized until paid.

15. SITE INSPECTION

Check one box only.

☐ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☑ I request the Department to first contact (*insert name*) Nick Robinson at (*insert telephone number*) 707-725-1897 to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

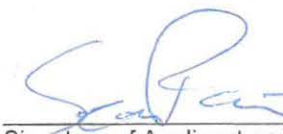
Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☐ Yes (Please enclose the information via digital media with the completed notification form)

☑ No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.



Signature of Applicant or Applicant's Authorized Representative

6-9-17

Date

Sean Porter

Print Name

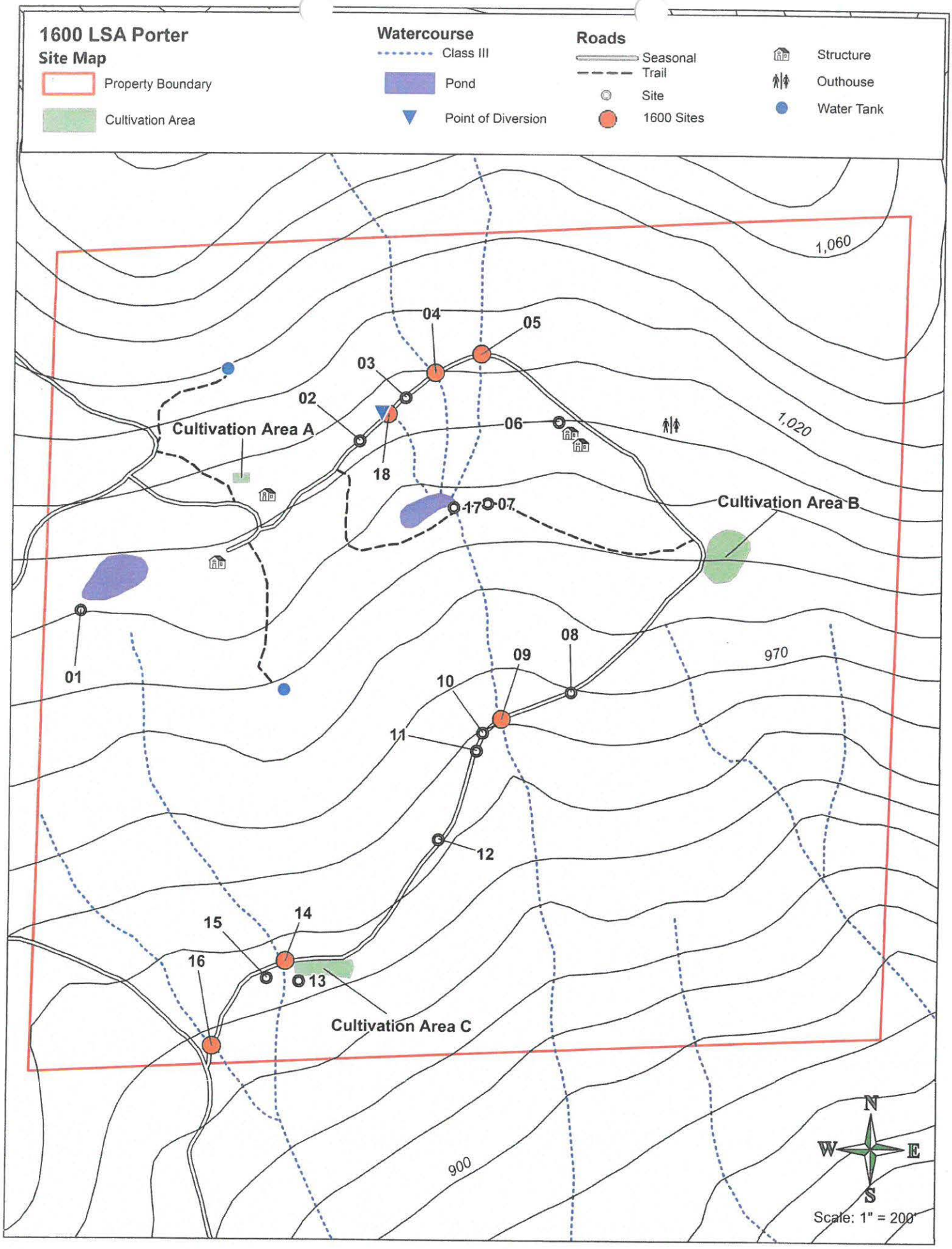
Porter 2016 LSA

General Location Map

Property Boundary

Located in Section 35, T2N, R5E, HB&M,
Humboldt County from the Blake Mountain
7.5' USGS Quad. Scale: 1" = 2,000'

N
W E
S


1600 LSA Porter
Site Map
Property Boundary
Cultivation Area
Watercourse
Class III
Pond
Point of Diversion
Roads
Seasonal
Trail
Site
1600 Sites
Structure
Outhouse
Water Tank
1,060
1,020
970
900
01
02
03
04
05
06
07
08
09
10
11
12
13
14
15
16
17
18
Cultivation Area A
Cultivation Area B
Cultivation Area C
N
W
E
S
Scale: 1" = 200'


1600 LSA Porter
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05
03
02
Cultivation Area A
06
18
17
07
Cultivation Area B
01
08
09
10
11
12
15
14
16
13
Cultivation Area C
N
W
S

Timberland Resource Consultants

1600 LSA - Mitigation Report

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
1	-123.584 40.511	-	X	X	-	A1, A5	Prior to 10/15/18 pending approval of applicable permits	

Current Condition: Pond spillway consists of hand dug trench lined with pond liner material. Spillway currently is discharged onto a moderately steep forest slope. Concentrating water could cause erosion of forest soils.

Proposed Action: The spillway shall be reconstructed to direct pond overflow into the swale below the pond. This can be done by a rock-lined ditch, or by culvert (18" min) to a rocked outfall.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
2	-123.582 40.5118	Seasonal	X	X	-	A1	Prior to 10/15/18 pending approval of applicable permits	

Current Condition: Rolling Dip, drains seasonal bank seepage. This feature has been rocked in the past, but does not meet the standards of proper Rock Rolling Dip.

Proposed Action: Reconstruct feature to meet the Rock Rolling Dip standard as per the attached BMPs.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
3	-123.582 40.512	Seasonal	X	X	-	A1	Prior to 10/15/17 pending approval of applicable permits	

Current Condition: Inside ditch has not been cleared for some time and requires maintenance.

Proposed Action: Re-establish inside ditch to Site 18.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
4	-123.582 40.5122	Seasonal	X	X	X	A2	Prior to 10/15/18 pending approval of applicable permits	

Current Condition: Class III watercourse crossing. A 12" CMP is installed at this location. No evidence of failure at this site, though it is undersized. Additionally, the culvert is not aligned correctly with the natural Channel.

Proposed Action: Install a 24" culvert as per the BMPs.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
5	-123.582 40.5122	Seasonal	X	X	X	A2	Prior to 10/15/18 pending approval of applicable permits	

Current Condition: Class III watercourse crossing. A 12" CMP is installed at this location. This culvert is undersized and slightly off alignment. A gully was observed cascading from the uphill side of the crossing to the east of the channel and delivering over the top of the crossing. Approximately 35' up stream, a fallen tree had caused stream flow to jump the channel and diverted the flow around a rock feature and back onto the crossing. The landowner hand dug a small berm to prevent any further flow from diverting into this gully.

Proposed Action: Install a 18" culvert as per the BMPs. Monitor the gully above the crossing to ensure that flow is not escaping the natural channel.

Timberland Resource Consultants

1600 LSA - Mitigation Report

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6	-123.581 40.5119	-	X	X	-	A9	Prior to 10/15/17 pending approval of applicable permits	

Current Condition: Fuel and generator storage area. 100 gallon fuel tank, large generator, two portable generators, and multiple portable fuel containers.

Proposed Action: The 100 gallon fuel tank needs secondary containment. if it is to remain on site. The large generator needs to be properly winterized in a structure with a roof and floor. For the portable fuel generator and fuel containers it is recommended that a spill tray be used to prevent spillage while used throughout the property.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
7	-123.582 40.5116	Trail	X	X	-	A1, A2	Prior to 10/15/16 pending approval of applicable permits	

Current Condition: This location references a point that is 50' from the edge of a class III watercourse, where a trail crosses a pond overflow. This trail is un-surfaced and has the potential of transporting fine sediments to the Class III watercourse.

Proposed Action: Treat the exposed bare mineral soils on the trail surface as per the Erosion Control BMPs from this location to Site 17.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
8	-123.581 40.5107	Seasonal	X	X	-	A1	Prior to 10/15/17 pending approval of applicable permits	

Current Condition: Rolling Dip. This structure is breaking down from age and use and is leading to minor rilling on the road surface.

Proposed Action: Re-establish rolling dip as per BMPs.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
9	-123.582 40.5105	Seasonal	X	X	X	A2	Add rock prior to 10/15/16, Replace culvert prior to 10/15/2017	

Current Condition: Class III watercourse crossing. A 18" CMP is installed at this location. The culvert is undersized and has a shot-gunned outlet.

Proposed Action: Add rock to dissipate energy at the outlet as soon as feasible to prevent any further erosion at the outlet. Install a 36" culvert as per the BMPs. Critical dip will be located at Site 10.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
10	-123.582 40.5105	Seasonal	X	X	-	A1	Prior to 10/15/17 pending approval of applicable permits	

Current Condition: This is the planned location for the critical dip of Site 09.

Proposed Action: Install a Rock Rolling Dip at this location with a armored fill to act as the critical dip of Site 09.

Timberland Resource Consultants

1600 LSA - Mitigation Report

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
11	-123.582 40.5104	Seasonal	X	X	-	A1	-	

Current Condition: This point references where the inside ditch begins

Proposed Action: Maintain this current configuration.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
12	-123.582 40.51	Seasonal	X	X	-	A1	Prior to 10/15/17 pending approval of applicable permits	

Current Condition: Inside ditch is drained by rolling dip. Collection of water is poor in this area and persistent seepage from the bank of the road leaves rolling dip muddy during periods of use.

Proposed Action: A 18" DRC shall be installed at this location.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
13	-123.583 40.5093	Seasonal	X	X	-	A1, A3	Prior to 10/15/18 pending approval of applicable permits	

Current Condition: Cultivation Area C is approximately 30' from a Class III watercourse.

Proposed Action: A straw waddle fence shall be applied to the entire western edge and wrapped around the southern edge for 25', as per the BMPS. Additionally, any disturbed surface soils within the cultivation area shall be treated as per the Erosion Control BMPs annually.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
14	-123.583 40.5094	Seasonal	X	X	X	A2	Prior to 10/15/17 pending approval of applicable permits	

Current Condition: Class III watercourse crossing. No structure exists at this site, other than a fill crossing. Strangely enough, there is no evidence that water has ever crossed over the road. It appears that any flows in this watercourse go subsurface above this crossing.

Proposed Action: An 24" culvert shall be installed at this location as per the BMPs.

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
15	-123.583 40.5093	-	X	X	-	A3, A10	Prior to 10/15/16	

Current Condition: Collection of cultivation related waste including pvc, poly piping, trash bags, and greenhouse plastics.

Proposed Action: This area shall be cleaned before 10/15/16.

Timberland Resource Consultants

1600 LSA - Mitigation Report

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
16	-123.583 40.509	Seasonal	X	X	X	A2	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Class III watercourse crossing. A 12" CMP is installed at this location. Culvert is undersized, too short and has no critical dip. Shot gunned outlet is causing erosion at the outlet.						Proposed Action: It is recommended that a 18" culvert be installed in this location.		

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
17	-123.582 40.5115	Seasonal	X	X	X	A2, A5	Prior to 10/15/16	
Current Condition: Pond Overflow consisting of a 12" CMP. Culvert is shot-gunned at the out let and inlet.						Proposed Action: Extra length at the inlet does not appear to be a problem. At the outlet, large rock shall be applied to the outlet to act as energy dissipation.		

Unique Point	Decimal Degrees NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
18	-123.582 40.512	Seasonal	X	X	-	A1	-	
Current Condition: A 12" CMP is installed at this location. Culvert drains a bank seep spring, which is used as a domestic water source.						Proposed Action: A small rust line was observed on the culvert, however the culvert is functional. If this culvert is replaced, it should be replaced with a 18" culvert.		

Addendum 10

Property Description

The property assessed is approximately 45 acres, located in Section 35, T2N, R5E, HB&M, Humboldt County from the Blake Mountain 7.5' USGS Quad map. The property is located approximately 1.5 miles north of Dinsmore, California, and is accessed by private roads via HWY 36. Vegetation on the property consists of Douglas-fir forest associations, true oak woodlands, and oak savannah grasslands. The property has a south facing aspect with an elevation range of approximately 3000-3550 feet above sea level. This property has several unnamed tributaries which drain to the Mad River.

Project Description

The Porter 2016 LSA includes 6 stream crossing installations and one spring diversion for domestic use. All of the stream crossings occur on existing roads. This project is associated with a medical cannabis operation and the landowner/operator has filed with the Humboldt County *Commercial Medical Marijuana Land Use Ordinance* (CMMLUO). Additionally, the applicant has enrolled this property under the North Coast Regional Water Quality Control Board's *Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activates or Operations with Similar Environmental Effects* (Order No. R1-2015-0023) and this LSA is being submitted in part to facilitate compliance with this Order. Total cultivation activities on the property make up an area of approximately 8,973ft^2. Note that irrigation water for cannabis is obtained entirely from an off-stream rain catchment pond on the western portion of the property. However a spring diversion requires notification and a Small Domestic Use Appropriation is being filed concurrently with this LSA. Attachments C and E have been included in this notification.

As stated above, the project is enrolled in the Water Boards Waste Discharge Program for medical cannabis and as such a Water Resource Protection Plan (WRPP) has been developed that identifies specific BMPs to eliminate and prevent potential adverse impacts to water quality. The WRPP has identified 17 site specific locations on the property that require treatment, including 6 watercourse crossings. While this LSA addresses the 6 watercourse crossings specifically, the additional treatments to the roads and crossing approaches are designed to hydrologically disconnect road segments from watercourses and prevent surface erosion from road ways delivering to watercourses. See the attached Mitigation Report for site specific practices and the attached Project BMPs for installation requirements.

The point of diversion occurs within a road-side cut-bank seep/seasonal wet area. Approximately 100' of road has variable bank-seepage occurring that is captured by an inside ditch and drained across the road by a ditch relief culvert. Domestic water is diverted with a 3/4" polyline pipe that has been placed in a cavity of gravel in the bank. A small boulder, approximately 12" in diameter was removed from the bank by hand, and filled back in with smaller, native rock that was located on the surface near-by. The 3/4" polyline was inserted into this rocked filled crevice and is approximately 10" deep. The polyline runs about 15' to a 55-gallon drum that is used for collection. Once full, the drum overflows into the inside ditch. The landowner is currently filling 5-gallon jugs from this drum for domestic uses. It is estimated that the diversion rate is 1-gallon every 10 minutes. Use varies, but approximately 10-50 gallons are used any given day from this location.

Addendum 10 (Cont.)

Due to the nature of the bank seep wet area, water is emerging from many places in this vicinity and along the inside ditch, and so only a small fraction of surface water is being diverted from this location. The remaining seepage drains to the ditch and then across the road via a 12" culvert. A collection device has also been installed at the outlet of the DRC and has been used in the past to fill tanks for domestic use during the winter months, however outside of the wet weather periods, water seldom flows through the DRC. This collection device is not in use during the forbearance period.

Addendum 11 – Project Impacts

All work will take place during the dry summer months, when impacts on salmonids will be minimal. Temporary impacts will occur to stream bed, channels and banks during crossing structure removal, installation and maintenance. Stream channels and banks will be re-contoured prior to culvert installation and may result in minor sediment introduction at the work site. Similarly, the backfilling of permanent crossings may result in the minor introduction of sediment to the stream. Due to the location of the projects, turbid waters will likely be generated by project operations. Riparian vegetation will also undergo short term impacts as a result of project implementation. Riparian vegetation will be required to be removed at each work site for the purpose of equipment access and solar gain to maintain a dry stable road surface. Impacts will be minimized through the application of Project BMPs.

Site 04 is the replacement of a 12" culvert to an 24" culvert.
Site 05 is the replacement of a 12" culvert to an 18" culvert.
Site 09 is the replacement of an 18" culvert to a 36" culvert.
Site 14 is the installment of an 24" culvert at an existing dirt ford.
Site 16 is the installment of an 18" culvert in place of an existing 12" culvert.
Site 18 is the installment of an 18" culvert in place of an existing 12" culvert.
POD is a hand set 3/4" polyline pipe approximately 10" deep in a hand filled hole of native gravels.

Dimensions of the modifications shall be controlled by the width of the road (14 feet), the length of the culverts (30-60 feet), and the volume of material used for back fill is controlled by the depth of the crossing (approximately 2 times the culvert diameter). Additionally, rock rip-rap will be placed at the culvert inlet and outlets as required. Fill material will be native soil and rock. A maximum of 60 linear feet of channel will be affected at each culvert installation. Approximately 35 y^3 of material may be disturbed by this project. Total surface area disturbance is estimated to be approximately 940 ft^2.

Addendum 11C – Sensitive Species

Endangered and Threatened Animals List (January 2017), Special Animals List (January 2017), Endangered, and the Threatened and Rare Plants List (January 2017). The above lists were obtained from http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

1. Northern Spotted Owl (Strix occidentalis caurina)
Status: CDF&G "Species of Special Concern" and Federally Threatened
Key Habitat: Requires mature forest patches with permanent water and suitable nesting trees and snags.
Status within Project Area: Potential NSO habitat exists within the project area. The majority of the Biological Assessment area is comprised of oak woodland/savannah forest types which do not provide NSO habitat. The nearest known NSO is approximately 1 mile to the south east.
Mitigations: None. Work associated with this project will not impact or modify the habitat of the northern spotted owl and will generally be conducted outside of the critical period.

2. Coho Salmon (Oncorhynchus kisutch)
Status: Federally Threatened and State Candidate
Key Habitat: Coho salmon utilize a variety of freshwater habitats and tolerances and requirements changes with season and age. Each of the four distinct life stages, Adult, Spawning/embryo/alevin, Parr, and Smolt, require specific habitat quality.
Status within Project Area: This project does not occur within a coho watershed.
Mitigations: None.

3. Steelhead Trout (Onchorynchus mykiss)
Status: Federally Threatened
Key Habitat: Migrating fish requires deep holding pools with cover. Spawn in cool, clear, and well-oxygenated streams. Preferred temperatures are 10-15 degrees C. Juveniles migrate out to sea in 1 to 3 years.
Status within Project Area: No Class I streams exist within the project area.
Mitigations: Remediation of controllable sediment sites on this project, in combination with erosion control and maintenance on the seasonal roads of this project are expected to result in a long-term net decrease in sediment yields originating from the property.

4. Chinook Salmon (Oncorhynchus tshawytscha)
Status: Federally Threatened
Key Habitat: Require pools 1-3 m deep with bedrock bottoms and cover in the form of underwater rocky ledges or large rocks. The pools usually have bubble curtains and shade provided throughout the day. Stream temperatures must be below 27° C. Suitable spawning areas are gravel beds with an optimum mixture of gravel and cobble of mean diameter 1-4 cm with less than 25% under 6.4 mm in diameter.
Status within Project Area: No Class I streams exist within the project area.
Mitigations: Remediation of controllable sediment sites on this project, in combination with erosion control and maintenance on the seasonal roads of this project are expected to result in a long-term net decrease in sediment yields originating from the property.

Addendum 11C – Sensitive Species (Cont.)

4. Southern Torrent Salamander (Rhyacotriton variegatus)
Status: CDF&G "Species of Special Concern"
Key Habitat: Found in coastal forests of northwestern California, relatively common in preferred habitats of cold, well shaded permanent streams and spring seepages within redwood, Douglas-fir, mixed conifer, montane riparian and montane hardwood-conifer forests.
Status within Project Area: Unknown. The bank seep area could provide potential habitat for this species however due to the open nature of the canopy and elevation of this location, it is doubtful that that water temperatures are consistently cool enough for this species in this location.
Mitigations: The POD within the bank seep area is set up to not capture all the water of the wet area. The POD is superficial, and is capturing water near the surface, as to not depress the water table at the surface of the seep. Water diversion rates are consistently slow to the holding tank and bypass flows are returned to the seep area when tank is at capacity.

5. Northern Red-Legged Frog (Rana aurora aurora)
Status: CDF&G "Species of Special Concern" and Category 2 Candidate for Federal Listing.
Key Habitat: Found in riparian areas and permanent bodies of relatively quiet water such as ponds, pools along streams, reservoirs, springs, lakes and marshes.
Status within Project Area: Potential habitat for this species occurs within the historic stock pond on the property and various water features within the BAA.
Mitigations: None. No water is diverted from this pond (with the exception of fire protection). The lined rain ctachment pond does not provide habitat for this species.

6. Foothill Yellow-legged Frog (Rana boylei)
Status: CDF&G "Species of Special Concern"
Key Habitat: Prefers watercourses with bed load materials composed primarily of sand and gravels while larger rocks are sought out for cover. Regardless of season this ranid frog is rarely found far from permanent water. Tadpoles require water for at least three to four months while completing aquatic development.
Status within Project Area: Habitat for this species occurs within the class II watercourses within the property boundary. All projects occur on Class III watercourses.
Mitigations: None.

7. Tailed Frog (Ascaphus truei)
Status: CDF&G "Species of Special Concern"
Key Habitat: Found in riparian areas where there are clear, cold swift-flowing mountain streams; sometimes found near water in damp forests or in more open areas in cold, wet weather. Key habitat component within cold swift-flowing streams are plunge pools and rocky substrates where tadpoles cling to surfaces with large sucker like mouth while eggs are attached to downstream side of rocks.
Status within Project Area: Habitat for this species occurs within the class II watercourses within the property boundary. All projects occur within Class III watercourses.
Mitigations: None

Addendum 11F – Hydrologic Study

The permanent culvert upgrade has been sized for 100-year flood flow utilizing methods recommended in "*Designing Watercourse Crossings for Passage of 100-year Flood Flows, Wood, and Sediment*". 2004 Peter Cafferata, Thomas Spittler, Michael Wopat, Greg Bundros, and Sam Flanagan. This report recommends that the rational method be limited to watersheds less than 100 acres. The 100-year Return-Period precipitation data is from:
http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=ca

Existing Culvert Information and Culvert Size Recommendations — Number of Records = 6

The values in the first row of this worksheet cannot be changed without losing formulas. Use the Input Sheet to make those changes.

ID#	Existing Culvert (D) Diameter (in)	Headwall (HW) Height (in)	HW/D (ratio)	Selected Discharge Method	Q100 (cfs)	Culvert Capacity (cfs)	Is Culvert Undersized?	Recommended Culvert Diam. (in)	Recommendation Based On
4	12	24	2.0	RATIONAL	7	0	TRUE	24	Q100
5	12	18	1.5	RATIONAL	5	0	TRUE	18	Q100
9	18	24	1.3	RATIONAL	23	6	TRUE	36	Q100
14	6	18	3.0	RATIONAL	6	0	TRUE	24	Q100
16	12	20	1.7	RATIONAL	5	0	TRUE	18	Q100
18	12	18	1.5	RATIONAL	0	0	TRUE	18	Q100

Addendum 12A – Erosion Control Measures

The following soil stabilization measures shall be implemented as best management practices at all culvert crossing removal sites.

1. Timing for soil stabilization measures within the 100 feet of a watercourse or lake: For areas disturbed from May 1 through October 15, treatment shall be completed prior to the start of any rain that causes overland flow across or along the disturbed surface. For areas disturbed from October 16 through April 30, treatment shall be completed prior to any day for which a chance of rain of 30 percent or greater is forecast by the National Weather Service or within 10 days, whichever is earlier.

2. Within 100 feet of a watercourse or lake, the traveled surface of logging roads shall be treated to prevent waterborne transport of sediment and concentration of runoff that results from operations. Treatment may consist of, but not limited to, rocking, outsloping, rolling dips, cross drains, waterbars, slope stabilization measures, or other practices appropriate to site-specific conditions.

3. The treatment for other disturbed areas within 100 feet of a watercourse or lake, including: (A) areas exceeding 100 contiguous square feet where operations have exposed bare soil, (B) approaches to road watercourse crossings out to 100 feet or the nearest drainage facility, whichever is farthest, (C) road cut banks and fills, and (D) any other area of disturbed soil that threatens to discharge sediment into waters in amounts deleterious to the quality and beneficial uses of water, shall be grass seeded and mulched with straw or fine slash. Grass seed shall be applied at a rate exceeding 100 pounds per acre. Straw mulch shall be applied in amounts sufficient to provide at least 2- 4 inch depth of straw with minimum 90% coverage. Slash may be substituted for straw mulch provided the depth, texture, and ground contact are equivalent to at least 2 – 4 inches of straw mulch. Any treated area that has been subject to reuse or has less than 90% surface cover shall be treated again prior to the end of operations.

4. Within 100 feet of a watercourse or lake, where the undisturbed natural ground cover cannot effectively protect beneficial uses of water from operations, the ground shall be treated with slope stabilization measures described in #3 above per timing described in #1 above.

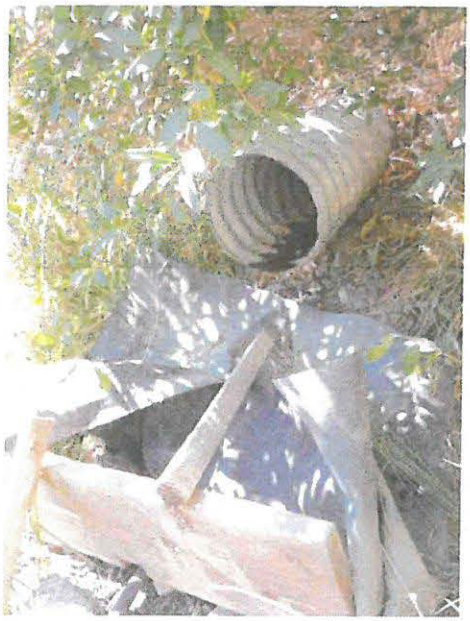
5. Sidecast or fill material extending more than 20 feet in slope distance from the outside edge of a roadbed, which has access to a watercourse or lake, shall be treated with slope stabilization measures described in #3 above. Timing shall occur per #1 above unless outside 100 feet of a watercourse or lake, in which completion date is October 15.

6. Sidecast or fill material extending more than 20 feet in slope distance from the outside edge of a landing which has access to a watercourse or lake shall be treated with slope stabilization measures described in #3 above. Timing shall occur per #1 above unless outside 100 feet of a watercourse or lake, in which completion date is October 15.

7. All roads shall have drainage and/or drainage collection and storage facilities installed as soon as practical following operations and prior to either (1) the start of any rain which causes overland flow across or along the disturbed surface within 100 feet of a watercourse or lake protection, or (2) any day with a National Weather Service forecast of a chance of rain of 30 percent or more, a flash flood warning, or a flash flood watch.

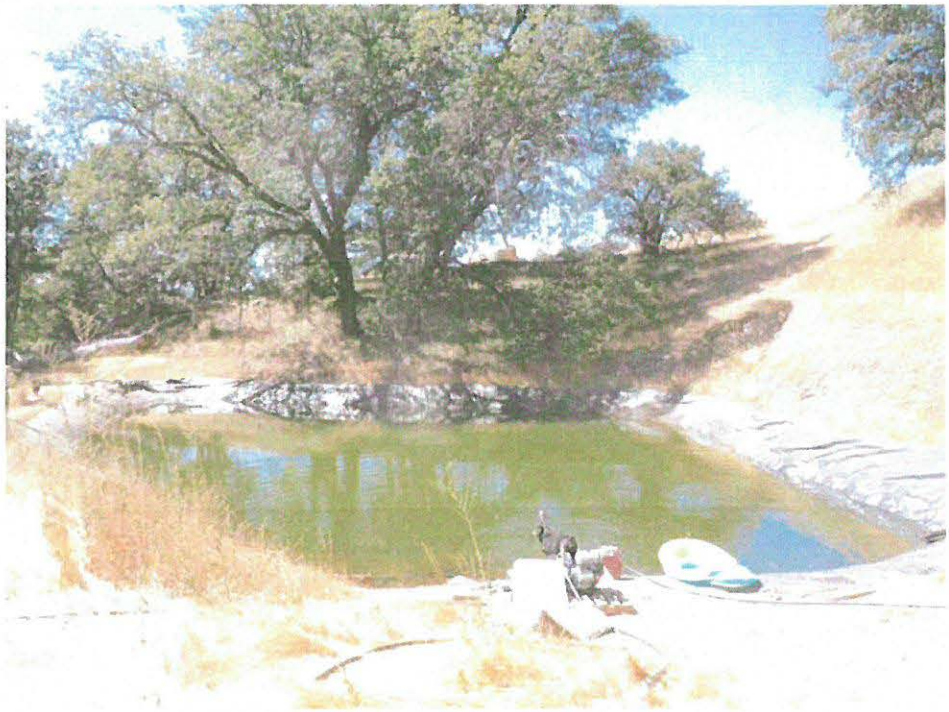
Photographs

POD - Storage for the point of diversion. Water is diverted from a bank seep spring and collected in a 55 gallon barrel. This water is then used to fill 5 gallon jugs and used for a domestic water supply.



Site 18- A 12" CMP drains the inside ditch below the bank seep. Below the outlet is a collection device the landowner has used to capture winter flows to fill water tanks for domestic use.

Photographs (Cont)



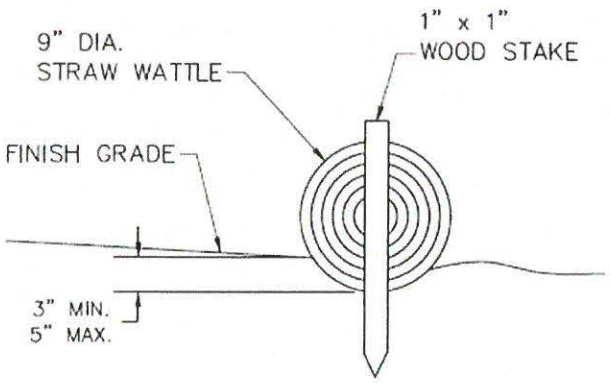
Rain Catchment pond. This pond lined catchment pond is approximately 168,000 gallons. The pond occurs on a gentle slope. When the pond was installed, a French drain was installed below the liner to capture any emerging ground water and drain it back into a dry swale below the pond. In three separate site visits at various times of the year, no water has ever been seen draining out of this pipe. However this feature is thought of as a positive feature in that any natural ground water is not effected or diverted by this rain catchment.

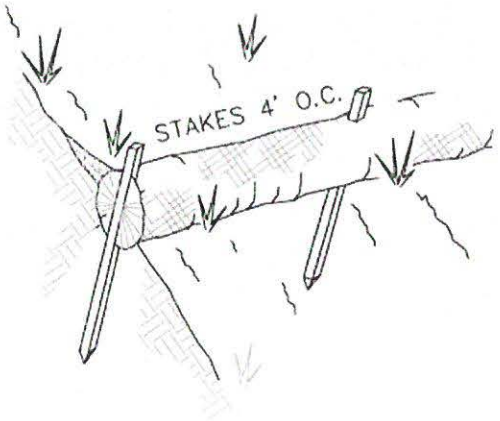
Historic stock pond. This is a reference picture of the historic stock pond on the property. No water is diverted from this pond, with the exception of emergency fire fighting.

Project Best Management Practices (BMPs)

BMP: Erosion Control

- Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season. Any continuing, approved project work conducted after October 15 shall have erosion control works completed up-to-date and daily.
- Erosion control materials shall be, at minimum, stored on-site at all times during approved project work between May 1 and October 15.
- Approved project work within the 5-year flood plain shall not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are installed downslope of cleanup/restoration activities.
- Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.
- Upon work completion, all exposed soil present in and around the cleanup/restoration sites shall be stabilized within 7 days.
- Soils exposed by cleanup/restoration operations shall be seeded and mulched to prevent sediment runoff and transport.
- Straw Wattles (if used) shall be installed with 18 or 24 inch wood stakes at four feet on center. The ends of adjacent straw wattles shallbe abutted to each other snugly or overlapped by six inches. Wattles shall be installed so that the wattle is in firm contact with the ground surface.





BMP: Crossing Abandonment

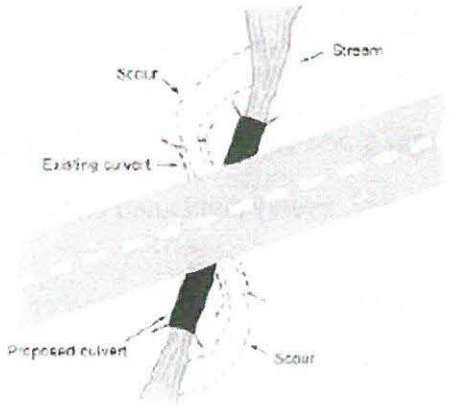
- When fills are removed they shall be excavated to form a channel that is as close as feasible to natural watercourse grade, orientation, and a width that is wider than the natural channel.
- Excavated banks shall be laid back to a 2:1 (50%) or natural slope.
- Temporary crossings shall be removed by November 15.
    - Any temporary culvert crossing left in after October 15 or installed between October 15 and May 1, shall be sized to accommodate the estimated 100-year flow.
- Bank and channel armoring may occur when appropriate to provide channel and bank stabilization.
- Road approaches leading to the crossing to be abandoned shall he hydrologically disconnected.
- The abandonment of a watercourse crossing shall not prevent equipment access to existing watercourse crossings not also being abandoned.

BMP: Permanent Culvert Crossing

- New culvert installations shall be sized to accommodate flows associated with a 100-year storm event.
    - If the new culvert is replacing a poorly installed old culvert, the crossing may need to be abandoned to the following standard:
        - When fills are removed they shall be excavated to form a channel that is as close as feasible to natural watercourse grade and orientation, and that is wider than the natural channel.
        - Excavated banks shall be laid back to a 2:1 (50%) or natural slope.
- New culverts shall be placed at stream gradient, or have downspouts, or have energy dissipaters at outfall.
- Align culverts with the natural stream channel orientation to ensure proper function, prevent bank erosion, and minimize debris plugging. See Figure 97 below.
- Place culverts at the base of the fill and at the grade of the original streambed or install a downspout past the base of the fill. Downspouts should only be installed if there are no other options.
- Culverts should be set slightly below the original stream grade so that the water drops several inches as it enters the pipe.
- Culvert beds should be composed of rock-free soil or gravel, evenly distributed under the length of the pipe.
- Compact the base and sidewall material before placing the pipe in its bed.
- Lay the pipe on a well-compacted base. Poor basal compaction will cause settling or deflection in the pipe and can result in separation at a coupling or rupture in the pipe wall.
- Backfill material should be free of rocks, limbs, or other debris that could dent or puncture the pipe or allow water to seep around the pipe.
- Cover one end of the culvert pipe, then the other end. Once the ends are secure, cover the center.
- Tamp and compact backfill material throughout the entire process, using water as necessary for compaction.
- Backfill compacting will be done in 0.5 – 1.0 foot lifts until 1/3 of the diameter of the culvert has been covered.

Project Best Management Practices (Cont.)

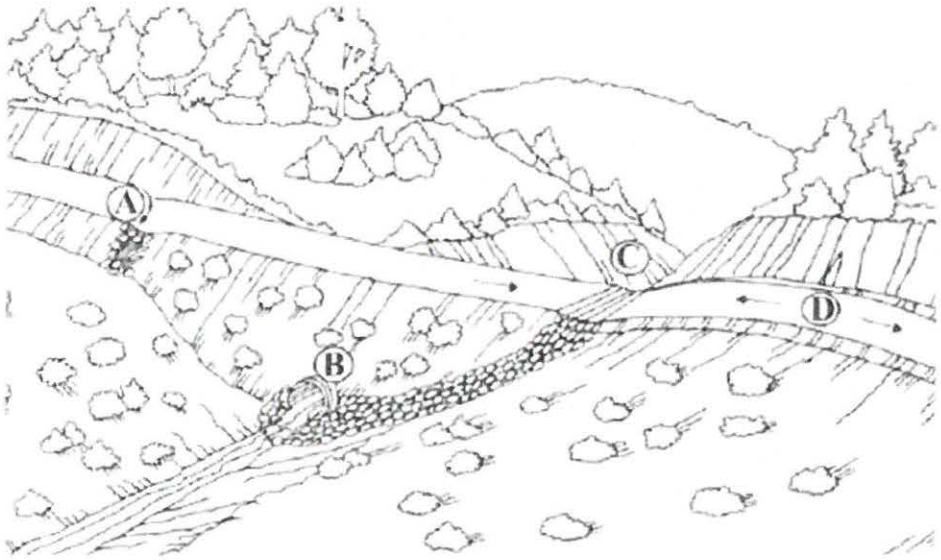
- Push layers of fill over the crossing to achieve the final design road grade, road fill above the culvert should be no less than one-third to one-half the culvert diameter at any point on the drivable surface.
- Critical dips shall be installed on culvert crossings to eliminate diversion potential. Refer to Figure 84 below.
- Road approaches to crossings shall be treated out to the first drainage structure (i.e. waterbar, rolling dip, or hydrologic divide) to prevent transport of sediment.
- Road surfaces and ditches shall be disconnected from streams and stream crossings to the greatest extent feasible. Ditches and road surfaces that cannot be feasible disconnected from streams or stream crossings shall be treated to reduce sediment transport to streams.
- If downspouts are used, they shall be secured to the culvert outlet and shall be secure on fill slopes.
- Culverts shall be long enough so that road fill does not extend or slough past the culvert ends.
- Inlet of culverts, and associate fill, shall be protected with appropriate measures that extend at least as high as the top of the culvert.
- Outlet of culverts shall be armored with rock if road fill sloughing into channel can occur.
- Armor inlets and outlets with rock, or mulch and seed with grass as needed (not all stream crossings need to be armored).
- Where debris loads could endanger the crossing, a debris catchment structure shall be constructed upstream of the culvert inlet.
- Bank and channel armoring may occur, when appropriate, to provide channel and bank stabilization.



HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

FIGURE 97. *Culvert alignment should be in relation to the stream and not the road. It is important that the stream enters and leaves the culvert in a relatively straight horizontal alignment so streamflow does not have to turn to enter the inlet or discharge into a bank as it exits. This figure shows a redesigned culvert installation that replaces the bending alignment that previously existed. Channel turns at the inlet increase plugging potential because wood going through the turn will not align with the inlet. Similarly, channel turns at the inlet and outlet are often accompanied by scour against the channel banks (Wisconsin Transportation Information Center, 2004).*

BMP: Permanent Culvert Crossing (Cont.)



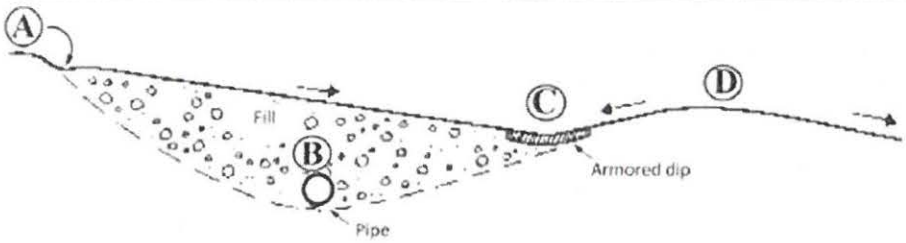


FIGURE 84. *Critical dips or dipped crossing fills should be centered near a stream crossing's down-road hingeline, not over the centerline of the crossing where overtopping could cause washout or severe erosion of the fill. If the stream crossing culvert (B) plugs, water will pond behind the fill until reaching the critical dip or low point in the crossing (C) and flowing back down into the natural stream channel. The down-road ditch must be plugged to prevent streamflow from diverting down the ditch line. For extra protection in this sketch, riprap armor has been placed at the critical dip outfall and extending downslope to the stream channel. This is only required or suggested on stream crossings where the culvert is highly likely to plug and the crossing fill overtopped. The dip at the hinge line is usually sufficient to limit erosional damage during an overtopping event. Road surface and ditch runoff is disconnected from the stream crossing by installing a rolling dip and ditch relief culvert just up-road from the crossing (A) (Keller and Sherar, 2003).*

BMP: Permanent Culvert Crossing (Cont.)

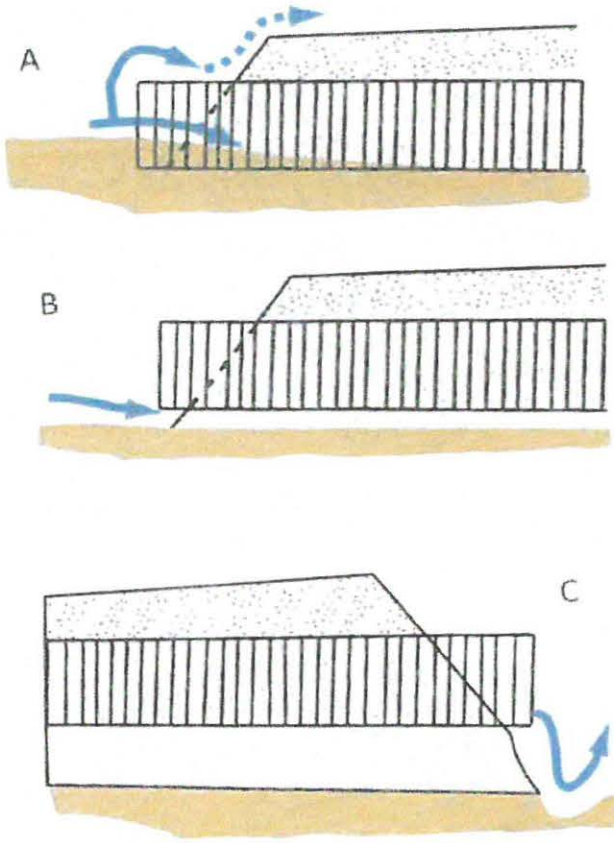


FIGURE 155. *Proper culvert installation involves correct culvert orientation, setting the pipe slightly below the bed of the original stream, and backfilling and compacting the fill as it is placed over the culvert. Installing the inlet too low in the stream (A) can lead to culvert plugging, yet if set too high (B) flow can undercut the inlet. If the culvert is placed too high in the fill (C), flow at the outfall will erode the fill. Placed correctly (D), the culvert is set slightly below the original stream grade and protected with armor at the inlet and outlet. Culverts installed in fish-bearing stream channels must be inset into the streambed sufficiently (~25% embedded) to have a natural gravel bottom throughout the culvert (Modified from: MDSL, 1991).*

BMP: Rolling Dip

- Rolling dips are drainage structures designed to capture and discharge surface water collected on road surfaces and in inside ditches at a specific location.
- The road shall dip into and out of the rolling dip to eliminate the possibility of water flowing along the road surface or in an inside ditch to bypass the dip structure.
- The rolling dip shall be constructed with clean native materials.
- The rolling dips outlet may be armored to resist downcutting and erosion.
- Do not discharge rolling dips into swales that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.

BMP: Rocked Rolling Dip

- Rocked Rolling dips are drainage structures designed to capture and discharge surface water collected on road surfaces and in inside ditches at a specific location.
- The road shall dip into and out of the rolling dip to eliminate the possibility of water flowing along the road surface or in an inside ditch to bypass the dip structure.
- The rocked rolling dips inlet and outlet shall be armored to resist downcutting and erosion.
- The entire length of the rocked rolling dip shall be rock armored to a minimum of 5-feet from the centerline of the dip.
- If a keyway is necessary, the rocked rolling dip keyway shall be constructed at the base of the dip and shall be of sufficient size, depth, and length to support materials used in the rocked rolling dip construction back up to the road crossing interface.
- Do not discharge rolling dips into swales that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.
- The rolling dip must be drivable and not significantly inhibit traffic and road use.

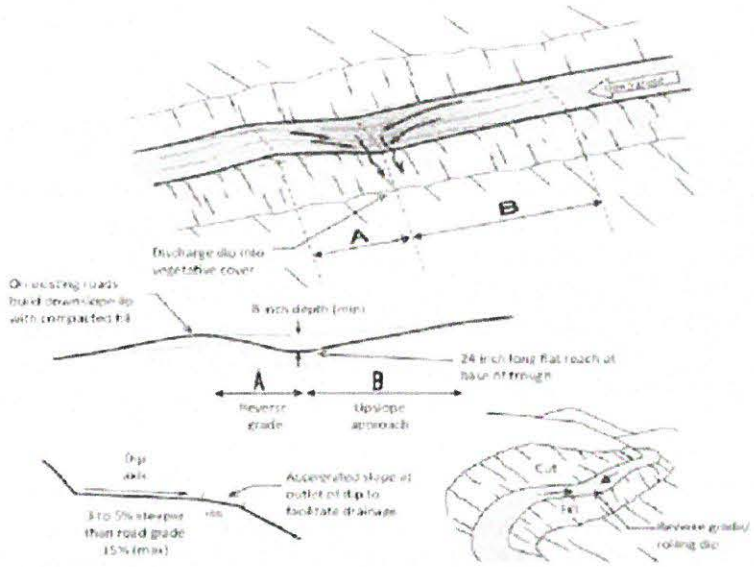
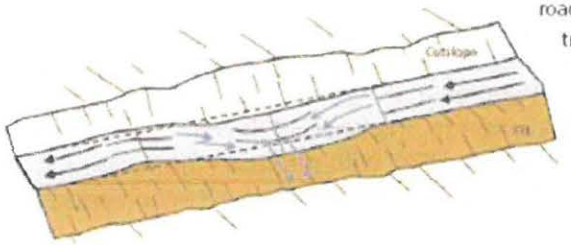


FIGURE 34. *A classic Type I rolling dip, where the excavated up-road approach (B) to the rolling dip is several percent steeper than the approaching road and extends for 60 to 80 feet to the dip axis. The lower side of the structure reverses grade (A) over approximately 15 feet or more, and then falls down to rejoin the original road grade. The dip must be deep enough that it is not obliterated by normal grading, but not so deep that it is difficult to negotiate or a hazard to normal traffic. The outward cross-slope of the dip axis should be 3% to 5% greater than the up-road grade (B) so it will drain properly. The dip axis should be out-sloped sufficiently to be self-cleaning, without triggering excessive downcutting or sediment deposition in the dip axis (Modified from: Best, 2013).*

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

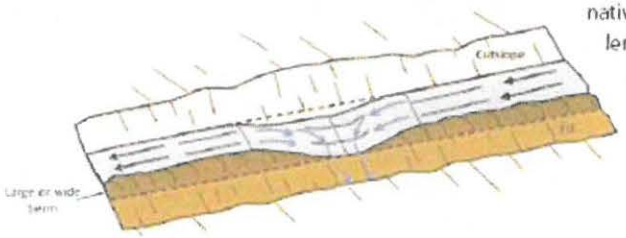
Type 1 Rolling Dip
(Standard)

Type 1 rolling dips are used where road grades are less than about 12-14% and road runoff is not confined by a large through cut or berm. The axis of the dip should be perpendicular to the road alignment and sloped at 3-4% across the road tread. Steep roads will have longer and more abrupt dip dimensions to develop reverse grade through the dip axis. The road tread and/or the dip outlet can be rocked to protect against erosion, if needed.



Type 2 Rolling Dip
(Through-cut or thick berm road reaches)

Type 2 rolling dips are constructed on roads up to 12-14% grade where there is a through cut up to 3 feet tall, or a wide or tall berm that otherwise blocks road drainage. The berm or native through cut material should be removed for the length of the dip, or at least through the axis of the dip, to the extent needed to provide for uninterrupted drainage onto the adjacent slope. The berm and slope material can be excavated and endhauled, or the material can be sidecast onto native slopes up to 45%, provided it will not enter a stream.



Type 3 Rolling Dip
(Steep road grade)

Type 3 rolling dips are utilized where road grades are steeper than about 12% and it is not feasible to develop a reverse grade that will also allow passage of the design vehicle (steep road grades require more abrupt grade reversals that some vehicles may not be able to traverse without bottoming out).

Instead of relying on the dip's grade reversal to turn runoff off the roadbed, the road is built with an exaggerated outslope of 6-8% across the dip axis. Road runoff is deflected obliquely across the dip axis and is shed off the outsloped section rather than continuing down the steep road grade.

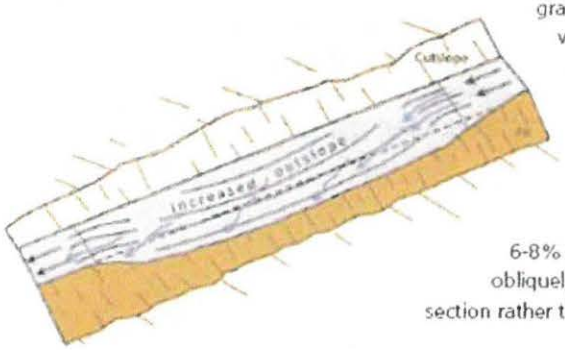
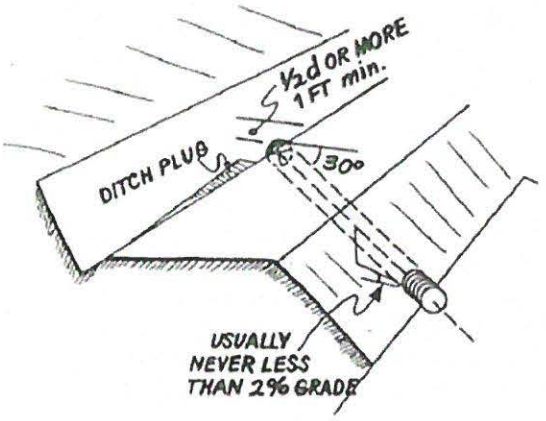


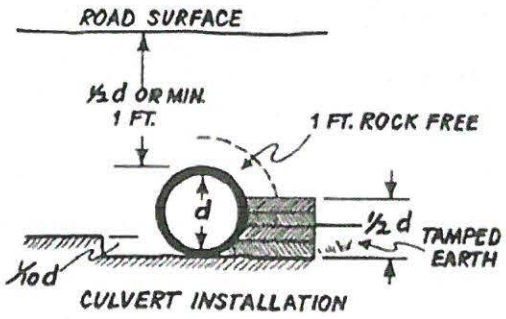
FIGURE 36. *Rolling dip types*

BMP: Rolling Dip and Rocked Rolling Dip (Cont.)

BMP: Ditch Relief Culvert

- Install ditch relief culverts at an oblique (typically 30 degree) angle to the road so that ditch flow dis not forced to make a sharp angle turn to enter the pipe. On low gradient roads (<5%), where ditch flow is slow, ditch relief culverts can be installed at right angles to the road.
- Install ditch relief culverts (DRC) to outlet at, and drain to, the base of the fill.
- If it cannot be installed at the base of the fill, install the DRC with a grade steeper than the inboard ditch draining to the culvert inlet, and install a downspout on the outlet to carry the culverted flow to the base of the fillslope.
- Downspouts longer than 20 feet should be secured to the hillslope for stability.
- Ditch relief culverts should not carry excessive flow such that downcutting of the ditchline or gullying below the outlet occur.
- Do not discharge flows from ditch relief culverts onto unstable fill or active landslides.
- If the ditch is on an insloped or crowned road, consider using outsloping to drain the road surface. The ditch and the ditch relief culvert would then convey only spring flow from the cutbanks and hillslope runoff, and not turbid runoff from the road surface.





HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

FIGURE 48. *The elements of a properly installed ditch relief culvert. The culvert is angled at about 30 degrees to the road alignment to help capture flow and prevent culvert plugging or erosion of the inlet area. It is set at the base of the fill (ideally) or with a grade slightly steeper than the grade of the contributing ditch (but never with a grade less than 2 percent) (USDA-SCS, 1983). At a minimum, the grade of the ditch relief culvert should be sufficient to prevent sediment accumulation at the inlet or deposition within the culvert itself (it should be self-cleaning) (USDA-SCS, 1983).*

BMP: Ditch Relief Culvert (Cont.)

FIGURE 39.
Waterbars are often used to drain surface runoff from seasonal, unsurfaced roads. Because they are easily broken down by vehicles, waterbars are only used on unsurfaced roads where there is little or no wet weather traffic. In this photo, a waterbar and ditch relief culvert are used to drain all road surface and ditch runoff from the insloped road prism.

FIGURE 238. *Traffic and surface runoff from graveled roads often produces surface erosion, turbid runoff and fine sediment transport that can be delivered to streams. Where ditches can't be eliminated, sediment traps and roadside settling basins can be installed to capture and remove most of the eroded sediment. This settling basin has been constructed along the inside ditch just before a stream crossing culvert inlet (see arrow). Eroded sediment from the road and ditch are deposited in the basin before flow is released to the stream. Fine sediments have filled about 1/3 of this basin and vegetation is now growing. Sediment basins require periodic maintenance to maintain their storage capacity.*

BMP: Inlet and Outlet Armoring

- Inlets of culverts and associate fills shall be protected with rock armoring that extends at least as high as the top of the culvert.
- Outlets of culverts shall be provided a rocked energy dissipater at the outfall of the culvert.
- Outlets of culverts and associate fills shall be protected with rock armoring that extends at least as high as the top of the culvert if road fill sloughing into channel can occur.
- Prior to inlet and outlet rocking, the inlet and outlets shall be prepared. Preparation will include removal of vegetation and stored materials from the inlet and outlet.
- Inlets may require construction of an inlet basin.
- Slopes at the outlet should be shaped to a 2:1 or natural slope prior to placing rock armor.
- Rock used at culvert inlets and outlets should be a matrix of various sized rocks and rip-rap that range from a 3" dia. to a 2' dia.
- The largest rocks should be places at the base of the culvert or fill. Incrementally smaller rocks shall be placed over the larger rocks at the armoring extend up the slope. Voids and spaces shall be back filed with smaller gravels and rocks.

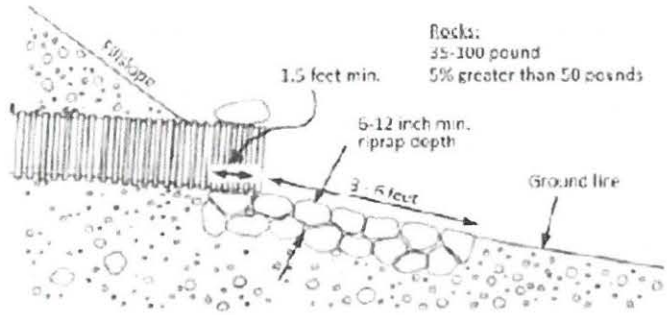


FIGURE 107A. *Riprap armor at culvert outlet (Modified from: Keller et al., 2011).*

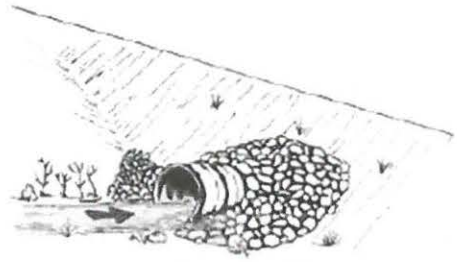


FIGURE 107B. *Riprap armor at culvert inlet (Keller and Sherar, 2003).*

State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023C (REV. 10/01/16) Page 1

Applicant Name: Sean Porter

Project Name: Sean Porter 2016

ATTACHMENT C

Water Diversion Questionnaire

Complete this attachment ***if*** the project is directly related to any diversion, obstruction, extraction, or impoundment of the natural flow of a river, stream, or lake. Provide the number assigned to the State Water Resources Control Board (SWRCB) application, permit, license, registration, statement of diversion, and use, or other authorization to divert, extract, or impound water, if applicable. If you have a current or expired Lake or Streambed Alteration Agreement (Agreement) for some activity related to your project, provide the Agreement number in your project description below and attach this form, with the information requested on one or more separate pages, to the notification form (DFW 2023).

I. Diversion or Obstruction

A. Attach plans of any diversion or water storage structure or facility that will be constructed or if no structures or facilities will be constructed, photographs of the project site, including any existing facilities or structures.

B. Please complete the water use table below. For diversion rate, use gallons per day (gpd) if rate is less than 0.025 cubic foot per second (cfs) (approximately 16,000 gpd).

SEASON OF DIVERSION		PURPOSE OF USE	DIVERSION RATE (cfs or gpm)	AMOUNT USED (acre feet)	
BEGINNING DATE (Mo. & Day)	ENDING DATE (Mo. & Day)			FROM STORAGE	BY DIVERSION
01/01	12/31	Domestic	50 gpd		0.056

C. Attach a topographic map that is labeled to show the following:
1. Source of the water
2. Points of diversion
3. Areas of use
4. Storage areas

D. Specify the maximum instantaneous rate of withdrawal (using proposed equipment) in cubic feet per second (cfs) or gallons per minute (gpm).

0.2 - 0.5 gallons per minute.

E. Check each box below that applies to the project water rights and attach supporting documents.

☑ Riparian. *Attach the most recent Statement of Water Diversion and Use filed with the SWRCB.*

☑ Diversion for immediate use.

☐ Diversion to storage (for less than 30 days).

☐ Appropriative.

☐ Pre-1914. *Attach the most recent Statement of Water Diversion and Use filed with SWRCB.*

☐ Post-1914. *Attach a copy of the applicant's water right application, permit, or license filed with or issued by SWRCB.*

☐ Small domestic, livestock stockpond, or small irrigation use registration. *Attach a copy of the applicant's registration of water use form filed with, or registration certificate issued by, SWRCB* (See Water Code section 1228 *et seq.*).

☐ Diversion for immediate use.

☐ Diversion to storage.

☐ Purchased or contracted water. *Attach a copy of the applicant's contract or letter from the applicant's water provider.*

☐ Other. *Describe below or attach separate page.*

F. Approximate lowest level of flow in the river, stream, or lake at the point of diversion during the proposed season of diversion in gpm or cfs:

2 gpm +/-

G. *Other information.* After the Department reviews the project description, and based on the project's location and potential impacts to fish and wildlife resources, the Department will determine if additional information is needed before accepting the notification as complete. Such information could include more site-specific information to ensure that the terms and conditions in the Agreement issued to the applicant will be adequate to protect the fish and wildlife resources the diversion or obstruction could adversely affect. Site-specific information could include biological or hydrological studies or surveys based on the season of diversion, the location of the diversion relative to other diversions in the watershed, the method of diversion, and the quantity of water to be diverted, such as the following:

1. *Water Availability Analysis* to determine if the water can be diverted without causing substantial adverse effects on downstream fish and wildlife resources. Water availability analyses are based on a comparison of flows without any diversions (unimpaired flows) and flows available when all known diversions are "subtracted" (impaired flows).

2. *Instream Flow Study* to determine the minimum bypass flows needed and maximum rates of withdrawal possible to provide adequate depths and velocities to protect habitat for all life stages of aquatic resources. The study plan must be prepared by a qualified fisheries biologist and approved by the Department, will determine the effects of the proposed diversion on flow depth and velocity.

3. *Water Quality Study* to assess the effects of the proposed water diversion or impoundment on water temperature and water quality at and downstream from the point(s) of diversion.

II. Permanent or Temporary Reservoir

Please provide the information below ***if*** the project includes the construction of a reservoir, whether permanent or temporary, and/or the filling of an existing reservoir by diverting or obstructing the flow of a river, stream, or lake.

A. Proposed use of the stored water:

B. Construction plans for the reservoir and dam. (*Attach plans*)

C. A complete description of the reservoir and dam, including the methods and materials that will be used to construct the reservoir and dam and the following dimensions certified by a licensed professional: the width, length, depth, and total surface area of the reservoir pool; the volume of water in acre-feet that will be stored in the reservoir; and the height and length of the dam.

D. The amount of riparian land that will be inundated (i.e., upstream from the dam):_____

E. Where vehicles will enter and exit the project site during construction and for maintenance purposes after construction. *(Attach map)*

F. The maximum distance of the disturbance that will occur upstream and downstream during construction:

G. The methods employed to ensure that the flow is maintained below the dam at all times when water is being diverted into the reservoir:

H. Specify the time period when the area below the dam becomes dry, if at all.

I. The methods employed to ensure that adult and juvenile fish will be able to pass over or around the dam:

J. If a fish ladder is necessary to enable adult and juvenile fish to pass over or around the dam, provide construction plans and an operation plan for the fish ladder. *(Enclose, if applicable)*

K. The methods employed to monitor and maintain water quality (including temperature) within the reservoir:

III. Temporary Reservoir

Please provide the information below ***if*** the project includes the construction of a temporary reservoir only within the stream zone.

A. Date of dam installation: _____

B. Date of dam removal: _____

C. Amount of time it will take to construct the dam: _____

D. Amount of time it will take to remove the dam: _____

E. Methods to ensure that the reservoir pool will be drained in a manner that does not strand or otherwise harm fish:

State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023E (New 10/01/16) Page 1

Applicant Name: Sean Porter

Project Name: Porter 2016

ATTACHMENT E

Remediation of Marijuana Cultivation Sites

Complete this attachment ***if*** the primary purpose of the project is to remediate a marijuana cultivation site and submit the attachment with the notification form (DFW 2023) and fee in Section IV. "Remediate" means to perform work that reduces or eliminates the direct and indirect adverse impacts on fish and wildlife and their habitat caused by a project or activity the Department views as unlawful.

I. ORDER OR NOTICE

Are you required to perform the work described in the notification pursuant to a court or administrative agency notice or order?
☐ Yes (*Enclose a copy of the order or notice*) ☑ No
Did you receive a notice of violation (NOV) from the Department that relates to the work described in the notification?
☐ Yes (*Enclose a copy of the NOV*) ☑ No

II. ORDINANCE OR PERMIT

What is the name of the town/city and county where the marijuana cultivation site that requires remediation is located?
Town/City: Dinsmore County: Humboldt
Does the town/city or county named above have a rule, ordinance, or other regulation or law that governs or otherwise regulates the cultivation of marijuana within its boundaries?
☐ Yes: Town/City ☑ Yes: County ☐ No ☐ Unknown
Are you required to have a permit or some other type of written authorization (permit) from the city/town and/or county named above to cultivate marijuana within the city/town and/or county?
☐ Yes (*Enclose a copy of the permit*) ☐ No ☑ Unknown

III. REMEDIATION AREA

Identify the total size of the remediation area in square feet. To calculate the total size of the remediation area, calculate each area that requires any type of remediation and add each area together to calculate the total area.	
Remediation area in total:	940 square feet

IV. FEE

Submit the applicable fee below based on the total size of the remediation area. The remediation fee is in addition to the notification fee and ***must*** be submitted by ***separate*** check or other method of payment (Cal. Code Regs., tit. 14, § 699.5, subd. (i)(3)(A)).

☑ $3,000 if the total remediation area is less than or equal to 1,000 square feet

☐ $5,000 if the total remediation area is greater than 1,000 square feet

V. REMEDIATION PLAN

Has a plan to remediate the area(s) been completed?

☑ Yes (*Enclose the plan*) ☐ No

Note: *If "yes" is checked, the remediation plan **must** be enclosed with the notification. If "no" is checked, or the Department determines the remediation plan enclosed with the notification is inadequate or incomplete, the Department may require you to have a licensed engineer or qualified environmental consultant amend the plan or submit a new plan for your notification to be complete.*

Have you consulted with or retained a licensed engineer or environmental consultant to address your Cannabis cultivation?

☑ Yes (*Provide the information below*) ☐ No

Name of Company	Name of Engineer or Consultant	Business Telephone
TRC	Nick Robinson	707-725-1897

VI. WATER SUPPLY

How is water supplied to the marijuana cultivation site(s) that require remediation?

☐ Diversion, obstruction, extraction, or impoundment of a river, stream, or lake.
*If this box is checked, you **must** also complete Attachment C.*

☐ Spring(s).
*If this box is checked, you **must** also complete Attachment C.*

☐ Private well(s).
If this box is checked, provide well log information with this attachment.

☐ Public water system.
Name of public water system: _____

☐ Water hauling.
Name of water hauler: _____

☑ Other.
Specify: One off-stream pond

☐ *Continued on additional page(s)*