

## CTM LWD THP Meeting Notes

Date: December 10, 2012  
Location: CAL FIRE Forest Practice Conference Room, Santa Rosa, CA

Attendees: Bill Snyder, CAL FIRE  
Jonathan Warmerdam, NCRWQCB  
Jonathan Ambrose, NMFS  
Dave Wright, CTM  
Peter Ribar, CTM  
Zach Jones, CTM  
Rick Macedo, DFG  
Brad Valentine, DFG  
Pete Cafferata, CAL FIRE

**Action items are shown in BOLD font and italicized**

### Background Information

At the last Wood for Salmon Workgroup (WFSW) meeting held on October 29, 2012, Dave Wright informed the WFSW that CTM is considering large wood enhancement as part of a THP in the Smith Creek drainage, part of the Ten Mile River watershed in western Mendocino County. The channel has been cleared in the past and current wood loading is very low. Permitting by the state and federal agencies remains an issue and it was agreed to have a meeting to discuss the various permitting options that are available.

### Permitting Options Discussed by the Agencies

NMFS: Jonathan Ambrose stated that NMFS has determined that if a landowner wants to add large wood to a stream channel as part of a THP, NMFS will provide incidental take coverage using the existing 2006 Biological Opinion (BO) for that activity (only that part of the THP is covered for take). This is a significant reduction in the regulatory burden for a landowner. NMFS will write a letter to the USACE and the plan applicant stating that they are covered for incidental take when placing wood in the channel, but that other THP activities are not covered (ESA coverage provided).

DFG: Rick Macedo stated that if NMFS finds that the project is compatible with the 2006 BO/ITP for fish restoration activities, then DFG should be in a position to authorize use (honor) the 2006 Consistency Determination (CD). Brad Valentine, however, questioned whether this was the case if the project exceeded the Coho HELP Act standards (5 ac, 500 linear feet). He stated that DFG timber staff can't exempt the take process except for AB 1961 standards. Rick Macedo stated that DFG will determine if authorization of the 2006 CD can be used (***DFG timber harvest staff to discuss this issue rapidly—before the end of the year***).

NCRWQCB: Jonathan Warmerdam stated that recent discussions with SWRCB staff have revealed a straightforward way to permit large wood projects as part of a THP. The Water Board will simply issue a permit under either the timber GWDR or Waiver that covers the

THP activities plus the LWD restoration activities, and then provide the USACE with a letter stating that this permit is sufficient to cover all the Water Board 401 Certification needs. There would be no additional permitting process, no fees, and the project would not be constrained by the size limitations in the CatEx and General Certification for Small Habitat Restoration Projects. Water Board legal council will help draft a general letter that can be sent to the USACE. Water Board staff are still discussing this approach, but Jonathan stated that it sounds very viable.

### **Specific Information on the Smith Creek THP**

Zach Jones provided draft THP maps and stated that Unit C and possibly Unit D along Smith Creek would be considered for wood placement as part of the proposed THP. The THP is located in the South Fork Ten Mile River watershed, and is approximately three miles inland from the ocean (well within the zone of coastal influence or fog zone). Bankfull channel width is approximately 30 feet and the channel lacks pool habitat for coho. There is clear evidence of wood clearance work which likely occurred in the 1970's to 1980's and current wood loading in Smith Creek is very low. Dave Wright stated that long term water temperature data is available and that there is no temperature issue for coho salmon at this location (MWAT is approximately 14.5 deg C). Harvest is proposed on the north side of the channel. Active erosion is present along the old railroad grade in or near the channel.

Good fish biomass data is available, with electrofishing data produced since 1993. This is a coho core area for recovery as defined by NMFS. The current plan is to have an approximately 500 acre THP in the Mill-Smith Creek drainages, with a mixture of silvicultural systems. Unit C will likely be selection and Unit D clearcut. The WLPZ has been thinned in the past. Opening gaps in the canopy may be an appropriate treatment to increase primary productivity and salmonid production. Large wood entry as part of the plan is desired, with the company likely proposing to deviate from the ASP rule standard of leaving the 13 largest trees in the core and inner zones, 80% canopy, and 30 foot no cut core zone requirements. The THP may be submitted in roughly April 2013.

Bill Snyder stated that it would be highly beneficial to have this project as a Section V pilot project. Peter Ribar informed the group that he would like to have this THP provide immediate restoration (through wood entry, gap creation), as well as be used to change the trajectory for future large wood recruitment through riparian zone manipulation. He added that the goal would be to illustrate to RPFs that ASP rule Section V use can work. The FRGP approach has been used successfully by CTM; the company would like to try a new approach. The key, however, is knowing up front, if there are "deal killers" lurking before the project is submitted. This can partly be addressed with a Section V pre-consultation, as discussed in the VTAC meetings.

### **Action Items**

- ***Outreach to the USACE (Dominic MacCormack) by Jonathan Ambrose, informing them of these new developments for restoration projects.***

- ***Brad Valentine and Rick Macedo will explain the situation to DFG's Joe Croteau and other DFG agency program managers and determine if there are administrative ways to deal with the DFG issue identified by Brad Valentine. Brad Valentine will inform the group what DFG determines.***
- ***Pete Cafferata will provide coordination for a Section V pre-consultation after the DFG decision is revealed.***
- ***CTM will fill out the VTAC pre-consultation guidance document prior to field pre-consultation meeting (after learning the result of the DFG discussions).***
- ***Jonathan Warmerdam will continue discussions with SWRCB and NCRWQCB staff to solidify the approach discussed for dealing with the 401 Certification requirement (see above).***