

Wood for Salmon Workgroup Meeting Summary

Date: July 25, 2012
Location: CAL FIRE Forest Practice Conference Room, Santa Rosa, CA

Attendees: Bill Snyder, CAL FIRE
Jonathan Warmerdam, NCRWQCB
Kathie Lowrey, PCI
Jonathan Ambrose, NMFS
Patty Madigan, MCRC
Mario De Bernardo, Assembly Committee on Natural Resources
Pete Cafferata, CAL FIRE

Participating by Conference Line:
Dr. Stephen Swales, DFG
Cathie Vouchilas, DFG
Lance Salisbury, DFG
Jen Carah, TNC
Erica Lovejoy, SUSCON
Steve Smith, NRCS

Action items are shown in BOLD font and italicized

Agenda Items

This Wood for Salmon Workgroup (WFSW) meeting focused on the following topics: (1) an update on the draft consolidated permit application for non-Fisheries Restoration Grant Program (FRGP) projects, (2) discussion on the revision of the Water Board General 401 Certification for Small Habitat Restoration Projects, (3) update on Assembly Bill No. 1961 (Huffman), Coho Salmon Habitat Enhancement Leading to Preservation Act (Coho HELP Act), (4) review of a draft RFP for Mendocino County wood enhancement projects funded by CAL FIRE, (5) update on the Mendocino County RCD Permit Coordination Program, (6) brief update on the Soquel Demonstration State Forest large wood placement project, (7) brief update on Anadromous Salmonid Protection (ASP) Rule Section V Technical Advisory Committee (VTAC) activities, (8) update on the Central Coast Priority Action Coho Team (PACT), and (9) update on landowner outreach efforts.

1. Update on the Draft Consolidated Permit Application for Non-FRGP Projects

Cathie Vouchilas stated that DFG has not had an opportunity to sufficiently review the draft consolidated permit application to date. DFG staff suggest that there may be other approaches that should be considered that would include other types of projects besides large wood enhancement work. She reiterated that an MOU between participating agencies would be appropriate to clearly state approval of the form, the intent of the form, it's utility, and responsibilities for updating the form as necessary. Ms. Vouchilas added that DFG wants to learn the fate of Assembly Bill 1961 (AB 1961) prior to moving forward with a consolidated permit application process.

Bill Snyder reported that he spoke to DFG's Sandra Morey, Deputy Director, regarding whether wood placement projects involving stream dewatering could be included under the CEQA CatEx 15333 exemption category. Ms. Morey suggested that the WFSW look at the language in Assembly Bill 1961 and determine if it would provide a desired outcome. DFG's Cathie Vouchilas informed Mr. Snyder that AB 1961 does not directly address the CatEx 15333 issue (but does not preclude its use). **Bill stated that he wants to have more discussion on this topic with DFG staff.**

Jonathan Ambrose stated that the NMFS Arcata office has finished their Programmatic Biological Opinion (BO) for coho salmon. It follows the same basic framework of the 2006 Programmatic BO for NMFS's Santa Rosa Area Office, but covers more activities than Santa Rosa addressed in 2006. Project types that are covered include large woody debris placement, off-channel habitat creation, the removal of small dams and other fish passage impediments, water conservation projects, upslope watershed restoration, and riparian restoration activities. The Arcata Office programmatic Biological Opinion was signed on March 21, 2012. He stated that this document increases the potential geographic "foot print" of the Wood For Salmon Workgroup consolidated permit application. He also noted that Aptos Creek, not Soquel Creek, is now listed as the southern most watershed with coho salmon present.

It was also stated that the WFSW should reengage the US Army Corps of Engineers (USACE) and have them consider folding their permitting process into the WFSW consolidated permit application form. As stated at the last WFSW meeting, the Joint Aquatic Resources Permit Application (JARPA) is a good example of an existing consolidated permit currently in use that involves the USACE. It is used within the jurisdiction of the San Francisco RWQCB for permits from the Water Board, USACE, DFG, USEPA, USFWS, CA Lands Commission, etc. The form is posted on the web at: http://www.sfestuary.org/PDF/jarpa/JARPA_final_1106.pdf. **Kathie Lowery stated that once the SWRCB determines how it will modify the General 401 Certification process, she will contact the USACE regarding their possible participation.**

2. Discussion on the Revision of the SWRCB General 401 Certification

Jonathan Warmerdam stated that he has been in contact with the SWRCB's Bill Orme, Chief of the 401 Certification and Wetlands Protection Unit, regarding the WFSW's draft consolidated permit application form for non-FRGP projects. Mr. Orme informed Jonathan that the SWRCB General 401 Certification will sunset in August 2012 (these permits have a five year life). Ongoing discussions are taking place regarding whether the permit needs restructuring (e.g., General WDR, Conditional Waiver, General 401 cert., etc.) for improvement (the 500 ft size limitation will not change). For example, consideration is being given to the concept of an approved AB 1961 (coho HELP Act) project substituting for a new 401 permit. The goal is to not be more restrictive, but to encourage projects that help listed fish. Due to this SWRCB permit review process, the WFSW consolidated permit application form must be put on hold, since it includes the existing 401 certification form. A new 401 certification form should be available in approximately two months.

3. Update on Assembly Bill No. 1961 (Huffman), Coho Salmon Habitat

Assembly Bill 1961 passed the State Assembly on May 30, 2012. On June 26th, the Senate Natural Resources and Water Committee passed the bill, but re-referred it to the Committee on Appropriations. On August 6, 2012, the Senate Appropriations Committee voted to place the bill on Appropriations Suspense file (see the following site for bill history: http://totalcapitol.com/?bill_id=201120120AB1961).

Jonathan Warmerdam stated that current language in AB 1961 is consistent with the 5 acre/500 foot size limitation that the Water Board and DFG have determined constitutes a small restoration project involving placement of wood structures in a stream channel. Erica Lovejoy added that she helped craft the language in the bill and the goal was to keep it consistent within the CEQA 15333 exemption. A coho salmon habitat enhancement project fitting under the CEQA exemption is defined in this bill as: (1) a barrier removal, (2) streambank stability restoration using bioengineering approaches, or (3) large wood placement.

4. Review of a Draft RFP for Mendocino County Wood Enhancement Projects

Patty Madigan informed the WFSW that the Mendocino County RCD has an approved contract with CAL FIRE to fund large wood enhancement projects in Mendocino County for \$50,000. A draft, streamlined Request for Proposals (RFP) has been developed by Patty and was rapidly reviewed at this meeting by group. The contract dollars will pay for permitting fees associated with the large wood projects funded. The MCRCD will use the MCRCD Permit Coordination Program for CEQA coverage for the wood projects. ***Ms. Madigan stated that she would send the draft RFP to the WFSW for suggested editing improvements; comments should be submitted to Patty by the end of August.*** An additional \$50,000 is available in the CAL FIRE contract for small landowners to develop coordinated forest management plans. The goal is to get projects on the ground in 2013. The WFSW agreed to assist the MCRCD with reviewing large wood project proposals and ranking them for funding. Review of applications will be coordinated by Pete Cafferata. ***Patty Madigan and Pete Cafferata agreed to develop ranking criteria for the RFP.***

Jonathan Ambrose stated that the final version of the NMFS Central California Coast (CCC) coho recovery plan will be released at the end of August 2012 (see the draft version at: http://swr.nmfs.noaa.gov/recovery/coho_recovery_plan_031810.htm). Included in the CCC coho recovery plan are key coho watersheds; he stated that he would like to see the Mendocino County large wood projects completed in the key watersheds included in this document. He also suggested that Lisa Bolton, Trout Unlimited, be informed of what is funded so that projects are not double funded (i.e., FRGP and MCRCD funding).

5. Update on the MCRCD Permit Coordination Program

Patty Madigan rapidly updated the group on the Mendocino County Resource Conservation District (MCRCD) permit coordination program effort. She said that the Mitigated Negative Declaration (MND) for the coordinated permit process was submitted to

the State Clearinghouse and has cleared the 30 day public review timeline. The coordinated permit is available for use for large wood enhancement projects this summer.

6. Update on the Soquel Demonstration State Forest Wood Placement Project

Pete Cafferata provided a detailed handout describing the current status of the Soquel Demonstration State Forest (SDSF) large wood project. The SDSF project includes the following components: (1) installing large wood along a 0.7 mile stretch of the East Branch of Soquel Creek in four, 200-foot reaches, and (2) monitoring the large wood structures to document wood movement, aquatic habitat changes, and fish community changes. Each of the four reaches will contain from one to three large wood structures and each structure will have one to four pieces of large wood installed. There will be two unsecured sites with one to three log clusters installed per site, as well as two secured sites, with each site consisting of a log-vane structure with a rootwad, a log cluster, and a rootwad anchor. Permitting is largely complete, with the exception of approval of a major amendment to the DFG LSA (1600 agreement). There is a \$45,000 grant from the RCD of Santa Cruz County (RCDSCC) that expires at the end of this year.

Bids for the large wood project, as well as a road repair-streambank improvement project using log revetments, were due July 30th. Subsequent to this WFSW meeting, only one bid was received and the CAL FIRE contract was cancelled (multiple bids are required). The RCDSCC is currently working with the one bidder on a sole source contract to place wood this year at LWD site 1, where three log clusters will be installed by excavating coast redwood clumps located along the streambank. ***The remainder of the project will be rebid by CAL FIRE early next year.***

7. Update on Anadromous Salmonid Protection (ASP) VTAC Activities

Pete Cafferata provided a brief update and handout on Anadromous Salmonid Protection Rules Section V Technical Advisory Committee (VTAC) activities. The VTAC was established by CAL FIRE in 2010 to: (1) develop a general guideline document that will allow for broad application of the site-specific approach for riparian management under ASP Rule 916.9(v) (e.g., alternative to “uniform WLPZ buffer strips”), (2) promote the use of Section V for active riparian management to gain immediate (short term) responses to benefit listed anadromous salmonid fish species, and (3) help develop and implement at least two pilot projects to demonstrate site-specific riparian management.

The primary types of potential site-specific riparian proposals are envisioned to be: placement of large wood in fish-bearing watercourses, thinning conifer trees to accelerate growth, modifying stand composition to improve nutrient input, thinning conifer trees to reduce the risk of catastrophic wildfire spread, and implementation of sediment reduction projects in the riparian zone. A published paper describing this process is available at: http://www.fs.fed.us/psw/publications/documents/psw_gtr238/psw_gtr238_089.pdf.

The draft VTAC guidance document includes three main analytical approaches to satisfy the 916.9(v)(3) rule requirement: (1) a set of matrices to evaluate site conditions, identify objectives, and develop site prescriptions, (2) “situation examples” to identify where actions can be applied (providing examples with photographs and diagrams), and (3) a

watershed analysis approach by expert users. ***The final document is to be completed by December 31, 2012.*** Two pilot projects are under discussion: (1) a small WLPZ fuel reduction and aspen enhancement project in the Deer Creek watershed (Tehama Co.) with Collins Pine Company, and (2) a large research scale project in the Klamath River drainage (Humboldt County) to enhance primary productivity by creating openings in dense riparian stands with Green Diamond Resource Company.

8. Update on the Central Coast Priority Action Coho Team (PACT)

Jonathan Ambrose and Dr. Stephen Swales described the Central Coast Priority Action Coho Team as a joint effort between NMFS and DFG. The PACT is attempting to identify new and available resources to expedite immediate actions to prevent extinction of coho salmon within the CCC coho salmon ESU. Formed in early 2011, the PACT consists of a management team, coordination committee, and six technical working groups (including outreach, funding, restoration, water flow, hatcheries and fish rescue). Mr. Ambrose is co-chair of the Regulations, Permitting, and Enforcement Technical Working Group for the PACT, along with Mr. Gregg Martinelli, DFG. Jonathan stated that his technical working group is receiving excellent suggestions for improvements from DFG wardens and NMFS enforcement staff.

9. Update on Landowner Outreach Efforts

Bill Snyder stated that Mendocino Redwood Company and Campbell Timberland Management have largely prioritized and sought funding/permitting for the large wood projects they want to complete this year. Numerous projects have been submitted to DFG for FRGP funding. There may be opportunities with these companies next year, however. Bill added that CAL FIRE is in the process of receiving a grant from the USFS for targeted outreach for forest management plans. He stressed that he would like the final grant agreement to target instream restoration activities. CAL FIRE will be working with UCCE for landowner outreach associated with this grant.

10. Next WFSW Meeting Date

Pete Cafferata agreed to send out a Doodle poll for a WFSW meeting to be held in approximately mid-October. Agenda items will include:

- Update on AB 1961.
- CAL FIRE/NMFS—possible approaches for a THP process for wood enhancement.
- Update on implementation of large wood enhancement projects completed in 2012.
- SWRCB 401 Certification revision update and implications for changes to the WFSW draft coordinated permit application form.
- Discussion on possible updates needed to Jen Carah's white paper on permitting large wood placement projects in the CCC ESU (see: <http://conserveonline.org/workspaces/woodforsalmon/documents/documents>).
- PACT update.