



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

DEPARTMENT OF THE ARMY PERMIT

PERMITTEE: Leonel Arguello, Redwood National and State Parks

PERMIT NO.: SPN-2019-00237

ISSUING OFFICE: San Francisco District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate District or Division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below:

PROJECT DESCRIPTION:

Redwood National and State Parks Restoration Regional General Permit 29: The activities authorized herein are restoration activities to rehabilitate the Greater Prairie Creek (GPC) watershed and restore ecosystem processes that have been degraded by historical land use, within approximately 10,300 acres in the lower portion of the Prairie Creek watershed in the Redwood National Park and Prairie Creek Redwoods State Park, near the town of Orick, Humboldt County, California.

Restoration activities authorized under the Regional General Permit (RGP) 29 permit include:

1. Large Wood Placement: Large wood will be placed in streams to create complex fish habitat by creating areas of lower velocity during higher flows, providing additional instream cover, scouring pools, and recruiting wood. Large wood will be placed in the mainstem of Prairie, Strelow, and May creeks throughout any project phase (as wood becomes available) to restore instream habitat complexity.
2. Riparian and Wetland Plantings: Riparian and wetland plantings will occur within the mainstem of Prairie Creek following placement of large wood, which will occur as wood becomes available during any project phase.
3. Forest Thinning in Riparian Areas: Forest thinning is set to occur throughout the project area as part of the GPC Ecosystem Restoration Project, including in riparian zones. The primary thinning method that will be used in the proposed project is variable-density thinning (VDT), which focuses on the enhancement of spatial heterogeneity (i.e., uneven variation of tree spatial pattern over areas and time) across the landscape by prescribing fine-scale variation to the forest structure. Forest thinning treatments will vary in intensity to encourage heterogeneity throughout the project area. Regardless of thinning method, no tree larger than 30 inches diameter at breast height (DBH) will be cut, except for the removal of non-native species.
4. Road and Stream Crossing Reoccupation: Prior to forest and aquatic restoration activities, targeted logging roads will be reoccupied for access to forest restoration. Stream crossing structures that restrict streamflow and fish passage will be replaced with correctly sized temporary stream crossing structures to provide access to forest restoration sites.

5. Culvert Upgrade and Maintenance: Undersized culverts and failing stream crossings will be replaced with new culverts or temporary bridges. Temporary stream crossings and bridges will be sized to pass the 100-year recurrence interval discharge during the seasons they remain in place and would be capable of holding highway loads. Structures, such as rolling dips, may also be installed to limit concentration of runoff and erosion on roads used during restoration activities. Vegetation will be removed, and roads will be maintained to provide proper drainage in these areas. ENG FORM 1721, Nov 86 2 (33 CFR pt. 325 (Appendix A))

6. Stream Crossing and Road Removal: Road removal will involve complete removal of all haul roads (except identified administrative roads) and limited removal of the skid trails. Implementation will include removing all fill and associated drainage structures (e.g., culverts) from stream crossings, excavating unstable fill from road prisms and landings, and hydrologically disconnecting the road from the stream network.

Restoration activities will require the placement of a total of 2,420 cy of large wood and approximately 100 cubic yards of rock slope protection (RSP) for temporary reoccupation of existing roads.

All work shall be completed in accordance with the plans and drawings titled "SPN-2019-00237, Greater Prairie Creek Ecosystem Restoration Project," dated November 15, 2024, in 10 sheets, provided as enclosure 1.

PROJECT LOCATION: Restoration activities will take place on approximately 10,300 acres in the lower portion of the Prairie Creek watershed within the Redwood National Park and Prairie Creek Redwoods State Park. The park is located along the east and west sides of Highway 101, approximately 6 miles north of the city of Orick in Humboldt County, California, at center latitude 41.364137° and longitude -124.023173°.

PERMIT CONDITIONS:

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends on November 1, 2029. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination

required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. For your convenience, a copy of the water quality certification or waiver is attached. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
7. You understand and agree that, if future operations by the United States require the removal, relocation or other alteration of the structure or work authorized herein, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

SPECIAL CONDITIONS:

1. To remain exempt from the prohibitions of Section 9 of the Endangered Species Act, the non-discretionary Terms and Conditions for incidental take of federally-listed Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*), California Coastal (CC) Chinook salmon (*O. tshawytscha*), Northern California (NC) steelhead (*O. mykiss*), and marbled murrelet (*Brachyramphus marmoratus*) shall be fully implemented as stipulated in the Biological Opinion(s) titled "Endangered Species Act Section 7(a)(2) Biological Opinion, and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Greater Prairie Creek Ecosystem Restoration Program" (pages 53-54), dated July 23, 2019 and "Formal Consultation on Greater Prairie Creek Ecosystem restoration Program, Redwood National and State Parks, Humboldt County, California" (pages 32-34) dated July 16, 2019. Project authorization under this permit is conditional upon compliance with the mandatory terms and conditions associated with incidental take. Failure to comply with the terms and conditions for incidental take, where a take of a federally-listed species occurs, would constitute an unauthorized take and non-compliance with the authorization for your project. The USFWS and or NMFS are, however, the authoritative federal agency for determining compliance with the incidental take statement and for initiating appropriate enforcement actions or penalties under the Endangered Species Act.
2. Incidents where any individuals of fish as appropriate for your district] listed by NOAA

Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the San Francisco District of the U.S. Army Corps of Engineers at (415) 503-6795. The finder should leave the plant or animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible, take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure, or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.

3. All standard Best Management Practices shall be implemented to prevent the movement of sediment downstream. No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products, or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the waterways.
4. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, work shall cease in the affected area, and you must notify this office of the findings immediately. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403).
 - (x) Section 404 of the Clean Water Act (33 U.S.C. Section 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. Section 1413).
2. Limits of this authorization:
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal

project.

3. **Limits of Federal Liability:** In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate. (See Item 4 above.)
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 C.F.R. § 325.7 or enforcement procedures such as those contained in 33 C.F.R. §§ 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 C.F.R. § 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions:** General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time

limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

William Connor (DATE)
North Branch Chief, Regulatory Division
San Francisco District
U.S. Army Corps of Engineers

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE) (DATE)