



US Army Corps
of Engineers®
San Francisco District

SAN FRANCISCO DISTRICT

Regulatory Division, Eureka Field Office
601 Startare Drive, Box 14
Eureka, CA 95501

PUBLIC NOTICE

PROJECT: Richardson Grove and Standish Hickey Summer Bridges

PUBLIC NOTICE NUMBER: 2008-00331N

PUBLIC NOTICE DATE: March 25, 2019

COMMENTS DUE DATE: April 25, 2019

PERMIT MANAGER: L. Kasey Sirkin

TELEPHONE: 707-443-0855

E-MAIL: l.k.sirkin@usace.army.mil

1. **INTRODUCTION:** The California Department of Parks and Recreation, North Coast Redwoods District (Contact: John E. Harris, Senior Environmental Scientist, 707-445-6547) has applied for a Department of the Army permit to discharge fill into waters of the United States for the purpose of the seasonal, summer installation of two low water bridge crossings (Bailey bridges) over the South Fork of the Eel River. The applicant requests a U.S. Army Corps of Engineers (Corps) permit with a five year duration (2019-2024). This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

2. PROPOSED PROJECT:

Project Site Location: One Bailey bridge would be installed across the river providing access to Oak Flat Campground at Richardson Grove State Park (RGSP) in Humboldt County and another Bailey bridge would be installed across the river providing access to Redwood Campground at Standish-Hickey State Recreation Area (SHSRA) in Mendocino County, California. Richardson Grove State Park is located adjacent to Highway 101 approximately 9 miles south of Garberville and three miles north of the Humboldt-Mendocino County line. Standish-Hickey State Recreation Area is accessed from Highway 101 and is located about ten miles south of the Humboldt-Mendocino County line and about three miles south of **Confusion Hill.**

Project Site Description:

Richardson Grove State Park

The bridge location within RGSP is generally characterized by a large alluvial river with a low gradient braided channel. The channel type is a series of riffles and runs with a primary channel on river right (right side of

river as looking downstream). A smaller channel occurs along river left. Channel substrate consists of cobbles and stream sediment. There are several gravel islands in mid channel with the majority of them occurring downstream of the crossing. These islands are vegetated with willow. There is not a well-developed riparian zone adjacent to the river. Rather, the redwood forest comes right down to the riverbank with willow and scattered red alder occurring on the immediate river edge. Species within the Redwood Forest include redwood, Douglas-fir, tanoak, California bay, Pacific madrone, and toyon (*Heteromeles arbutifolia*). There is also a small infestation of French broom (*Genista monspessulana*) along the river's edge on river left.

Standish-Hickey State Recreation Area

The bridge location at SHSRA is located in narrow canyon. The channel is currently bifurcated; however, is normally restricted to a narrow, bolder controlled channel during the summer when the project is implemented. The channel is primarily a series of riffles and runs upstream of the crossing with a small plunge pool located immediately downstream of the crossing and then turning into a slow run. Upstream of the crossing on river right the river bank is lined with willows which then continue on both sides of the channel downstream of the crossing. Alder is also intermixed with the willow along the river left bank. Vegetation on river right consists of the Douglas-fir – Tanoak Series with Douglas-fir, tanoak, toyon, Pacific madrone, bigleaf maple, and coyote brush (*Baccharis pilularis*). This vegetation series also occurs upstream of the crossing on the steep slopes along river left. These steep slopes open up at the crossing into an alluvial flat on which sits the campground. Vegetation in this area is classified as the Redwood Series. Within the project area on river left is an infestation of French broom whereas a small infestation of Himalaya berry (*Rubus discolor*) occurs along the access road on river right. Also, on river right and approximately

50 meters downstream of the project area is an infestation of jubata grass (*Cortaderia jubata*) on the steep canyon walls.

Project Description: As shown in the attached drawings, the applicant proposes to continue the annual installation of two summer seasonal Bailey bridges (installed after June 1 and removed prior Oct 15) on the South Fork Eel River to provide vehicle access to portions of campgrounds at RGSP and SHSRA. Bridge abutments and approach ramps would be constructed first. Depending on site location, bridge abutments would consist of gravel-filled concrete pipes or large boulders backfilled with river gravel. In order for the far side bridge abutments and approach ramps to be developed, the heavy equipment must ford the river to accomplish the work. Typically, these “wet crossings” at each bridge site would not exceed ten crossings per installation and 10 crossings per removal. A wet crossing is defined as one round trip for one piece of equipment. Equipment would travel at a slow speed to minimize turbidity and allow a biological monitor to lead the equipment across, while actively monitoring for any potential aquatic mortality. Allowing up to ten crossings per installation/removal will allow the bridges to be constructed faster and reduce the overall potential impact to sensitive amphibian and fish species. See the document titled “Amendment to COE Application” for a more detailed description of the proposed action.

Basic Project Purpose: The basic project purpose comprises the fundamental, essential, or irreducible purpose of the project, and is used by USACE to determine whether the project is water dependent. The basic project purpose is to provide public access to recreational areas.

Overall Project Purpose: The overall project purpose serves as the basis for the Section 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project while allowing a reasonable range of alternatives to be analyzed. The overall project purpose is to place fill beneath the Ordinary High Water Line for the installation of two seasonal bridges.

Project Impacts: Direct effects include direct mortality of individuals and changes to the bed, bank and channel from the installation of the abutments. Indirect effects to listed species include temporary loss of natural bed and bank; temporary change in contour of bed, channel and bank; temporary change in gradient of bed, channel and

bank; temporary change in channel cross-section due to confinement in bridge placement areas; temporary loss of bank stability during construction; temporary increase of bank erosion during construction; temporary increase in sediment transport; temporary debris transport impedance; temporary increased turbidity; increased sedimentation; potential take of fish and other aquatic species; temporary changes in flow depth, width, or velocity, and temporary change in channel form.

Proposed Mitigation: Impacts from the proposed project would be temporary in minor in scope and temporary in nature. Immediately following removal of the bridges the gravel bar and all disturbed areas will be returned to pre-installation conditions. Additionally, clean, washed gravel will be used for abutments and bridge supports where possible. Given the small scale of the project and temporary nature of the potential impacts, there is not mitigation required for this project.

Project Alternatives: Project Alternatives include the following: installing the bridges in a different location at each site; installing permanent a permanent bridge at one or both sites; only installing one of the bridges; and not installing any of the bridges. USACE has not endorsed the submitted alternatives analysis at this time. USACE will conduct an independent review of the project alternatives prior to reaching a final permit decision.

3. STATE AND LOCAL APPROVALS:

Water Quality Certification: State water quality certification or a waiver thereof is a prerequisite for the issuance of a Department of the Army Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1341 et seq.). The applicant has recently obtained a State water quality certification form the North Coast Water Quality Control Board.

Water quality issues should be directed to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403.

Coastal Zone Management: The project does not occur in the coastal zone, and a *preliminary* review by USACE indicates the project is not likely to affect coastal zone resources. This presumption of effect, however, remains subject to a final determination by the California

Coastal Commission.

Coastal zone management issues should be directed to the District Manager, California Coastal Commission, North Coast District Office, 710 E Street, Suite 200, Eureka, California 95501, by the close of the comment period.

Other Local Approvals: The applicant has obtained the following additional governmental authorizations for the project: California Department of Fish and Wildlife Lake and Streambed Alteration Agreement.

4. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act (NEPA): Upon review of the Department of the Army permit application and other supporting documentation, USACE has made a *preliminary* determination that the project neither qualifies for a Categorical Exclusion nor requires the preparation of an Environmental Impact Statement for the purposes of NEPA. At the conclusion of the public comment period, USACE will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347), the Council on Environmental Quality's regulations at 40 C.F.R. § 1500-1508, and USACE regulations at 33 C.F.R. § 325. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of USACE and other non-regulated activities USACE determines to be within its purview of Federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

Endangered Species Act (ESA): Section 7(a)(2) of the ESA or 1973, as amended (16 U.S.C. § 1531 *et seq.*), requires Federal agencies to consult with either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) to ensure actions authorized, funded, or undertaken by the agency are not likely to jeopardize the continued existence of any Federally-listed species or result in the adverse modification of designated critical habitat. As the Federal lead agency for this project, USACE has conducted a review of the California Natural

Diversity Data Base, digital maps prepared by USFWS and NMFS depicting critical habitat, and other information provided by the applicant to determine the presence or absence of such species and critical habitat in the project area. Based on this review, USACE has made a preliminary determination that the following Federally-listed species and designated critical habitat are present at the project location or in its vicinity and may be affected by project implementation. Southern Oregon/Northern California Coho Salmon (*Oncorhynchus Kisutch*), Northern California Steelhead Trout (*O. mykiss*), and California Coast Chinook Salmon (*Oncorhynchus tshawytscha*).

To address project related impacts to these species and designated critical habitat, USACE will initiate formal consultation with NMFS, pursuant to Section 7(a) of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project. To complete the administrative record and the decision on whether to issue a Department of the Army Permit for the project, USACE will obtain all necessary supporting documentation from the applicant concerning the consultation process. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA): Section 305(b)(2) of the MSFCMA of 1966, as amended (16 U.S.C. § 1801 *et seq.*), requires Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. EFH is designated only for those species managed under a Federal Fisheries Management Plan (FMP), such as the *Pacific Groundfish FMP*, the *Coastal Pelagics FMP*, or the *Pacific Coast Salmon FMP*. As the Federal lead agency for this project, USACE has conducted a review of digital maps prepared by NMFS depicting EFH to determine the presence or absence of EFH in the project area. Based on this review, USACE has made a *preliminary* determination that EFH is present at the project location or in its vicinity and that the critical elements of EFH may be adversely affected by project implementation. The area includes species listed under the Pacific Salmon Fisheries Management Plan. To address project related impacts to EFH, USACE will initiate consultation with NMFS, pursuant to Section 305(5)(b)(2) of the Act. Any required consultation must be concluded prior to the issuance of a

Department of the Army Permit for the project.

Marine Protection, Research, and Sanctuaries Act (MPRSA): Section 302 of the MPRSA of 1972, as amended (16 U.S.C. § 1432 *et seq.*), authorizes the Secretary of Commerce, in part, to designate areas of ocean waters, such as the Cordell Bank, Gulf of the Farallones, and Monterey Bay, as National Marine Sanctuaries for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or aesthetic values. After such designation, activities in sanctuary waters authorized under other authorities are valid only if the Secretary of Commerce certifies that the activities are consistent with Title III of the Act. The project does not occur in sanctuary waters, and a *preliminary* review by USACE indicates the project is not likely to affect sanctuary resources. This presumption of effect, however, remains subject to a final determination by the Secretary of Commerce or his designee.

National Historic Preservation Act (NHPA): Section 106 of the NHPA of 1966, as amended (16 U.S.C. § 470 *et seq.*), requires Federal agencies to consult with the appropriate State Historic Preservation Officer to take into account the effects of their undertakings on historic properties listed in or eligible for listing in the *National Register of Historic Places*. Section 106 of the Act further requires Federal agencies to consult with the appropriate Tribal Historic Preservation Officer or any Indian tribe to take into account the effects of their undertakings on historic properties, including traditional cultural properties, trust resources, and sacred sites, to which Indian tribes attach historic, religious, and cultural significance. As the Federal lead agency for this undertaking, USACE has conducted a review of the latest published version of the *National Register of Historic Places*, survey information on file with various city and county municipalities, and other information provided by the applicant to determine the presence or absence of historic and archaeological resources within the permit area. Based on this review, USACE has made a *preliminary* determination that historic or archaeological resources are not likely to be present in the permit area and that the project either has no potential to cause effects to these resources or has no effect to these resources. USACE will render a final determination on the need for consultation at the close of the comment period, taking into account any comments provided by the State Historic Preservation Officer, the Tribal Historic Preservation Officer, the Advisory Council on Historic Preservation, and Native American Nations or other tribal governments. If unrecorded archaeological resources are

discovered during project implementation, those operations affecting such resources will be temporarily suspended until USACE concludes Section 106 consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer to take into account any project related impacts to those resources.

5. COMPLIANCE WITH THE SECTION 404(b)(1) GUIDELINES: Projects resulting in discharges of dredged or fill material into waters of the United States must comply with the Guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. § 1344(b)). An evaluation pursuant to the Guidelines indicates the project is dependent on location in or proximity to waters of the United States to achieve the basic project purpose. This conclusion raises the (rebuttable) presumption of the availability of a practicable alternative to the project that would result in less adverse impacts to the aquatic ecosystem while not causing other major adverse environmental consequences.

6. PUBLIC INTEREST EVALUATION: The decision on whether to issue a Department of the Army Permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. CONSIDERATION OF COMMENTS: USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Native American Nations or other tribal governments; and other interested parties in order to consider and evaluate the impacts of the project. All comments received by USACE will be considered in the decision on whether to issue, modify, condition, or deny

a Department of the Army Permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental or public interest factors addressed in a final environmental assessment or environmental impact statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the project.

8. **SUBMITTING COMMENTS:** During the specified comment period, interested parties may submit written comments to L. Kasey Sirkin, San Francisco District, Regulatory Division, Eureka Field Office, 601 Startare Drive, Box 14, Eureka, California 95501; comment letters should cite the project name, applicant name, and public notice number to facilitate review by the Regulatory Permit Manager. Comments may include a request for a public hearing on the project prior to a determination on the Department of the Army permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All substantive comments will be forwarded to the applicant for resolution or rebuttal. Additional project information or details on any subsequent project modifications of a minor nature may be obtained from the applicant and/or agent or by contacting the Regulatory Permit Manager by telephone or e-mail (cited in the public notice letterhead). An electronic version of this public notice may be viewed under the *Public Notices* tab on the USACE website: <http://www.spn.usace.army.mil/Missions/Regulatory>.