



MEMORANDUM

FROM: Britney Newby, Environmental Scientist II
 NorthPoint Consulting Group, Inc.
 1117 Samoa Blvd.
 Arcata, CA 95521

TO: Andrew Orahoske, Environmental Scientist
 California Department of Fish and Wildlife
 Northern Region
 619 2nd Street
 Eureka CA, 95501

RE: **Revised Notification for 1600-2019-0011 – Description of informational items**

DATE: **February 25, 2021**

A Notification for a Lake or Streambed Alteration (1600-2019-0011) was submitted on 1/10/19 by NorthPoint Consulting Group, Inc. (NPCG) on behalf of the project applicant, Tanja Baker. The new applicant became the landowner in June 2020. Please see the following contact information:

Name	Sean O'Connor
Business	Aloha Top Shelf, LLC
Mailing Address	P.O. Box 1262
City, State, Zip	Willow Creek, CA 95573
Phone Number	808-421-8282
Email	pulehuroot@yahoo.com

The Notification claimed there were no jurisdictional items. A site visit was conducted by CDFW agent Andrew Orahoske and NPCG on 5/29/19. The purpose of this memo is to address the revised notification request sent by Andrew on 1/26/21.

According to Fish and Game Code 1602, any entity shall notify CDFW before any activity will do the following:

- 1) *Substantially divert or obstruct the natural flow of any river, stream, or lake.*
- 2) *Substantially change or use any material from the bed, channel, or bank of any river, stream, or lake.*



3) *Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.*

No activity is proposed that would meet the 3 described notification items above. Therefore, as initially filed, no alteration of a lake, watercourse, or bed and bank of a stream channel is proposed. However, measures to protect riparian wildlife habitat and water quality are proposed and described below.

Informational Items

There are two places at the toe of the fillslope of the cultivation flat that encroach upon riparian habitat (see attached site map):

- Site 1 – a small, vernal-ponded depression with riparian vegetation
- Site 2 – an ephemeral class III stream

Site 1

The hydrology of the hillslope was altered when the Less Than 3-acre Conversion area was implemented in 2013 and the roads and landings were built (see Harvest Document 1-13EX-o66-HUM). The expansion of the landings post-conversion and their poor drainage resulted in the artificially-created ponded area at Site 1, which is hemmed in by timber spoils, a skid road, and the landing fillslope (Figure 1). Young creek alders, willows, and rushes have grown along the southern edge (Figure 2). This small depression fills captures snow melt and runoff from the cultivation flat, as evidenced by the rills in the fillslope. By June/July the depression is dry.

During the 2019 site visit, cultivation soils had been temporarily placed on the road next to the depression and some had entered the water due to lack of BMPs. The toe of the fillslope touches the west end of the depression as well.



Fig. 1. Soil on skid road next to wetted depression, looking east



Fig. 2. Fillslope and soil encroaching on riparian vegetation

No instream work is proposed; however, to protect water quality and the developing riparian habitat, the following erosion and sediment controls and avoidance measures are proposed:



1. All cultivation-related spoils will be removed from and adjacent to the depression
2. The fillslope will be pulled back and recontoured
3. Temporary and permanent BMPs will be established, which includes stabilizing the fillslope with fiber rolls, straw, and straw wattles, anchoring in a silt fence at the base of the fillslope, and staking in construction fencing between the skid road and depression as an avoidance measure.
4. Avoidance of riparian vegetation during and after construction

Site 2

A class III ephemeral stream is near the southern edge of the cultivation flat. When this section of the original landing was expanded, it encroached upon the riparian habitat of the stream. The toe of the slope is just a few feet away from the top of bank and creek alders are growing along the fillslope (Figure 3). Erosion is not apparent on this southern fillslope, but it has not been stabilized with appropriate erosion and sediment control measures.

No bed, bank, or channel of the stream has been altered and no sedimentation has occurred; however, to protect and enhance riparian habitat and water quality, we are proposing the following actions:

1. Pull the fillslope back 50 ft from the top of bank and recontour to a 2:1 slope
2. Install erosion and sediment control BMPs before and after construction, similar to Site 1
3. Avoid riparian vegetation to the extent feasible

Approximately 6-10, 4-6" trees growing out of the fillslope will likely need to be cut down as part of the landing retreat. This includes Jeffrey pine, willow, and creek alder (Figure 4).



Fig. 3. Class III stream and toe of the fillslope

Fig. 4. Vegetation on top of the southern edge of the cultivation flat fillslope

Once the fillslope is pulled back and stabilized, the thicket-forming alders are expected to regrow within the first year, widening and enhancing the riparian habitat.

The landowner is no longer using the expanded landing for cultivation of cannabis. With ongoing changes to operations, the permanent BMPs and their annual maintenance will ensure that water quality and wildlife habitat are protected in perpetuity.



February 25, 2021

Please feel free to contact me if there are any questions or concerns.

Regards,

**Britney
Newby**

Digitally signed by Britney Newby
DN: cn=Britney Newby, o=US,
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Date: 2021.02.25 16:47:65 -08'00'

Britney Newby

Encl. 1 – Site Map



Sean O'Connor

Notification 1600-2019-0011 - Revision
Site 1 Remediation Area: 1,293 sq. ft.
Site 2 Remediation Area: 2,741 sq. ft.

Legend

- APN 522-174-014
- Contours
- Remediation Area
- Road
- Stream



Imagery date: 4/30/19

300 ft