



March 16, 2021

To: California Department of Fish and Wildlife
c/o Ryan Bourque
Region 1 – Northern
619 Second Street
Eureka, CA 95501

RE: **Notice of Violation of Fish and Game Code - Request for Restoration Plans
Addendum to July 17, 2020 “Notice of Violation of Fish and Game Code Response”**
APNs: 216-317-006, 216-317-007, 216-317-008, 216-317-003, and 216-317-004

Dear Mr. Bourque,

This addendum to the July 17, 2020 Notice of Violation of Fish and Game Code Response is meant to address your request for additional information. This addendum intends to provide additional information about the Remediations Plans proposed in order to resolve violations in three remediation areas.

The remediation efforts that are proposed to be implemented at each area are described below in Table 1. All remediation measures are to be carried out in accordance with the Best Management Practices (BMP’s) outlined in Appendix B of the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023) and the Best Practicable Treatment or Control (BPTC) Measures outlined in Appendix A of the State Water Resources Control Board (SWRCB) Cannabis General Order No. WQ 2019-001-DWQ. In general, work is to occur during the project work season from May 1st to October 15th unless a winter operating plan has been completed and implemented.

Table 1: Remediation Areas and Proposed Remediation Efforts

Site	Proposed Remediation Efforts
Remediation Area 1 (VDT 188 – Violation 6)	All non-native organic waste and woody debris is to be removed from the hillside. During the remediation process, excess material is to be collected onsite and stored in a stable location where they cannot enter a watercourse. The disturbed areas will be revegetated with native grasses, brushes, and shrubs to match the surrounding area. Any non-native species are to be removed and appropriately disposed of offsite. Appropriate sediment prevention and erosion control measures are to be used through the duration of the restoration process, and the entire site should be revegetated and planted with trees to match the surrounding area.



Remediation Area 2 (VDT 188 – Violation 7)	All non-native organics waste and woody debris is to be removed from the proposed channel realignment area. The existing extent of the graded flat will be pulled back, outside of the proposed 50’ riparian setback. During the remediation process, excess material is to be collected onsite and stored in a stable location where they cannot enter a watercourse. The restored section of stream will be designed to mimic the natural flows and habitat that existed prior to the land-use conversion.
Remediation Area 3 (VDT 189 – Violation 3)	This area has naturally revegetated and stabilized. If erosion is observed, interim erosion control measure will be put in place and the area will be revegetated. Riparian trees will be planted along a 150-foot section of North Dobbyn Creek. Sensitive habitat and signage will be posted along the revegetation site. The applicant will maintain existing vegetation and remediation measures. Any vegetation planted on previously disturbed areas will be monitored for success and replanted if necessary.

Detailed Descriptions of Remediation Areas

The following descriptions serve to add detail to the originally proposed resolutions from the July 2020 violation response. For clarity, the original steps to compliance are quoted above the updated proposed remediation efforts for each of the three (3) Remediation Areas.

Remediation Area 1 (VDT 188 – Violation 6):

Original Steps to Compliance

“A Site Remediation Plan, Site Grading Plan and Revegetation Plan will be developed to address violations. All unstable material will be pulled from the water course, and all disturbed areas will be seeded and covered with straw.”

Proposed Remediation Efforts

Spoils Disposal

All non-native organics waste and woody debris is to be removed from the hillside. During the remediation process, excess material is to be collected onsite and stored in a stable location where they cannot enter a watercourse.

The disturbed areas will be revegetated with native vegetation and trees to match the surrounding vegetation. All disturbed and restored areas will be mulched and possibly covered with an erosion control blanket to facilitate successful seed recruitment and mitigate for wildlife grazing of the seeds.

Equipment and resources for this Restoration Measure may include a hydraulic excavator, a dump truck, trailer, seed/young trees/brush, straw mulch, a seed spreader, straw wattles, erosion control blanket (possibly), a pickup truck, hand tools and labor.



Recontour and Stability of Restoration

The section of hillside will be recontoured and stabilized, as proposed in the grading plan. Interim erosion control measures including the distribution of straw hay mulch and possible erosion control blankets will be utilized to ensure soil is stabilized during the revegetation process. Following re-contouring, the site shall be revegetated to match the surrounding landscape.

Attachments:

- *Attachment A - Site Grading Plan*

Remediation Area 2 (VDT 188 - Violation 7):**Original Steps to Compliance**

“A Site Remediation Plan, Stream Restoration Plan and Revegetation Plan will be developed to address violation. A portion of the existing graded flat will be removed, and the natural flow path of the stream is to be restored. All disturbed areas will be seeded and covered with straw.”

Proposed Remediation Efforts**Spoils Disposal**

All non-native organics waste and woody debris is to be removed from the proposed channel realignment area. The existing extent of the graded flat will be pulled back, outside of the proposed 50' riparian setback of the ephemeral watercourse. During the remediation process, excess material is to be collected onsite and stored in a stable location where they cannot enter a watercourse.

The disturbed areas will be revegetated with native riparian vegetation and trees to match the surrounding vegetation.

Equipment and resources for this Restoration Measure may include a hydraulic excavator, a dump truck, trailer, seed/young trees/brush, straw mulch, a seed spreader, straw wattles, erosion control blanket (possibly), a pickup truck, hand tools and labor.

Proposed Stream Channel Restoration

The restored section of stream will be designed to return the channel to the natural flows and habitat that existed prior to the land-use conversion. Restoration of the channel includes daylighting the impacted reach by removing of the road fill and recontouring a new channel. Hydraulic considerations include water depth and velocity, which depend on the slope and width of the channel. The impacted channel reach will be designed and recontoured to simulate the natural geomorphology and sinuosity of the reference tributaries. The channel will be designed to mimic the historical hydraulic capacity and to convey 100-year flood flows.

Soil Stabilization and BMPS

All construction and restoration measures are to be carried out in conjunction with the Best Management Practices (BMPs) described in Appendix B of the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023: Waiver of Waste Discharge Requirements and General Water Quality Certification.

During construction, the road fill will be stabilized in an upland area outside the riparian zone. Appropriate BMPs and BPTCs will be utilized to stabilize all materials and to prevent discharges



to waters of the state. The exposed soil where the machinery was staged and operated will be stabilized either with compacted gravel or with a native grass/forb seed mix, covered in 2" of weed-free straw. The walkway between the barn and stream will be rocked for continued use, as well as the existing parking area on the opposite side of the stream. Biodegradable fiber rolls will be installed along the edge of riparian to capture surface erosion and to prevent sediment from entering Honeydew Creek. All BMPs and BPTCs will be monitored and maintained to ensure their effectiveness. Appropriate sediment and erosion control measures will be used throughout the duration of the stream restoration and revegetation process.

Attachments:

- Attachment B – Preliminary Stream Realignment Design

Remediation Area 3 (VDT 189 – Violation 3):

“Original Steps to Compliance: A Site Remediation Plan, Stream Restoration Plan and Revegetation Plan will be developed to address violation. Riparian trees will be planted along a 150-foot section of North Dobbyn Creek. Trees are to be planted 100 feet back from the top of bank. Sensitive habitat signage will be posted along the revegetation site.”

Proposed Remediation Efforts

Spoils Disposal

All non-native organics waste and woody debris is to be removed from the sensitive habitat area. During the remediation process, excess material is to be collected onsite and stored in a stable location where they cannot enter a watercourse. Disturbed areas that have not successfully revegetated will be planted with native riparian vegetation and trees to match the surrounding area.

Stability of Restoration

The section of bank along North Dobbyn Creek and Dobby Creek will be monitored for erosion (Figure 1). Riparian trees will be planted along a 150-foot section of North Dobbyn Creek. Sensitive habitat and signage will be posted along the revegetation site. Interim erosion control measures including the distribution of straw hay mulch and possible erosion control blankets may be utilized to ensure soil is stabilized during the revegetation process.

Preliminary Revegetation Plan

Plant species were chosen based on habitat type and those found in the region. A site visit may be necessary to determine whether a different species composition is needed. Approximately 30' x 150' area along the low terrace next to North Dobbyn Creek will be planted with riparian trees and shrubs, such as *Alnus rhombifolia* (white alder) and *Salix arroyo* (Arroyo willow) (Table 2). The historic floodplain will be broadcast seeded with native grasses and forbs, such as *Festuca californica* (California fescue), *Melica californica* (California melic), and *Trifolium dichotomum* (branched indian clover). In addition, with the removal and ongoing management of invasive species, native plants are expected to be recruited.



Table 2: Revegetation plant list

Stratum	Scientific Name	Common Name	Recommended Number of Plants	Propagation	Spacing	Location
Tree	<i>Alnus rhombifolia</i>	White alder	15	Seedling/transplant	8-10'	Top of bank, floodplain
	<i>Acer macrophylla</i>	Bigleaf maple	3	Seedling/cutting/transplant	8-10'	Top of bank, floodplain
	<i>Pseudotsuga menziesii</i>	Douglas fir	2	Seedling/transplant	8-10'	Floodplain
	<i>Salix laevigata</i>	Polished willow	10	Cutting/transplant	2-6'	Top of bank, floodplain
	<i>Salix lasiolepis</i>	Arroyo willow	13	Cutting/transplant	2-6'	Top of bank, floodplain
Shrub	<i>Frangula californica</i>	California coffeeberry	4	Transplant	4-6'	Top of bank, floodplain
Herbaceous	<i>Elymus multisetus</i>	Big squirreltail grass	Herbaceous seed mix	Sewn	Broadcast	Floodplain
	<i>Festuca californica</i>	California fescue				
	<i>Leymus triticoides</i>	Beardless wild rye				
	<i>Melica californica</i>	California melic				
	<i>Melica subulata</i>	Alaska melic				
	<i>Poa howellii</i>	Howell's blue grass				
	<i>Trifolium dichotomum</i>	Branched indian clover				

Attachments:

- Attachment C – Preliminary Replanting and Sensitive Habitat Signage Area
- Attachment D – Figure 1

Monitoring of All Remediation Areas

Responsible Parties

Monitoring visits and subsequent reporting shall be done by a qualified biologist, Registered Professional Forester (RPF), or a qualified designee of such. An RPF or their designee is necessary to evaluate the remediation areas and conduct monitoring for habitat enhancement.

Timing

Monitoring of the revegetated areas shall occur annually for a minimum of 4 years after initial



planting. Photos of the revegetated area shall be taken annually to review progress. Planted and volunteer native plants shall be counted by species and recorded (volunteer native species are included in the total plant count because they indicate that revegetation is occurring) and compared to the initial numbers of planted species. Monitoring shall occur between June and November annually.

Restoration Goals

Monitoring results shall meet standard performance criteria: At least a 90% planted species (or equivalent volunteer native species) survival rate during Year 1 monitoring, 80% during Year 2 monitoring, and 70% by Year 4 monitoring.

Monitoring Data

During each monitoring visit each planted tree will be evaluated for health and vigor. Live trees showing growth will be counted as live, while trees that are obviously dead will be counted as failed. Photo monitoring will be conducted by taking representative pictures from several permanent photo points and comparing year to year. Trees damaged or dead due to herbivory, damage, or disease will be noted and replaced. Invasive plant species found in the treatment area will be noted and evaluated for removal. After each monitoring visit the landowner shall be contacted and maintenance issues will be discussed and a plan for maintenance prior to the next monitoring visit will be created. It is the responsibility of the landowner or designee to maintain all sites and structures noted in this report. Maintenance may include the removal of invasive plant species.

Invasive Plant Management

Invasive plants are defined as plants that are not native to an environment, and once introduced, they establish, quickly reproduce and spread, and cause harm to the environment, economy, or human health (CAL-IPC 2019). The California Invasive Plant Council (CAL-IPC) has produced a ranked list of invasive species in California, all listed plants should be considered when planning for invasive plant control but those rated as “High” have been found to be the most aggressive and potentially the most difficult to control. These species have severe ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal and establishment. Most are widely distributed ecologically (CAL-IPC 2019).

If any of the CAL-IPC “High” ranked invasive plants are noted within any of the restoration areas, they will be mapped and evaluated for removal.

If you have any questions regarding this matter, please call me at (707) 798-6438.

Sincerely,

Michelle Aldrete

Staff Engineer

Michelle@NorthPointEureka.com



Attachment A - Site Grading Plan



DOBBYN CREEK AREA

DFW VIOLATION RESOLUTION

VDT ID: 188 - APNs: 216-317-003 & 216-317-004
 VDT ID: 189 - APNs: 216-317-006, 216-317-007 & 216-317-008



22x34 SHEET: 1"=30'
 11x17 SHEET: 1"=60'



DATE	REVISIONS

NORTHPOINT
 CONSULTING GROUP, INC.
 1117 Samoa Blvd., Arcata, CA 95521

DOBBYN CREEK AREA
 ALDERPOINT ROAD, ALDERPOINT, CA 95511
 REMEDIATION PLAN AREA AND DETAILS

PROJ MGR: PS
 DRAWN BY: DDR
 DATE: 7/17/20
 SCALE: AS SHOWN

SHEET
VR2
 18-079

Attachment B - Preliminary Stream Realignment Design



***Attachment C - Preliminary Replanting and Sensitive Habitat
Signage Area***



Attachment D – Figure 1



Figure 1. Section of Revegetated Bank on North Dobbyn Creek to be Monitored and Flagged as Sensitive Habitat Area.

