

Dead Wood Working Group Meeting Summary

Date: March 23, 2011

Attendees: Jonathan Ambrose, NMFS
Joe Pecharich, NOAA RC
Rick Macedo, DFG
Jonathan Warmerdam, NCRWQCB
Mark Neely, NCRWQCB
Dave Wright, Campbell Timberland Management
Scott Kelly, The Conservation Fund
Bill Snyder, CAL FIRE
Tom Spittler, CGS
Steve Smith, NRCS
Patty Madigan, MCRCD
Jennifer Carah, The Nature Conservancy
Erik Schmidt, Sustainable Conservation
Dominic MacCormack, USACE
Greg Giusti, UCCE
Pete Cafferata, CAL FIRE

Discussion Items

This Dead Wood Working Group (DWWG) meeting focused on: (1) a briefing from Dominic MacCormack on U.S. Army Corps of Engineers permitting requirements and options, (2) a general discussion of state and federal permitting pathways and options available for simplifying the process of permitting for large wood placement projects, (3) a brief status update regarding the near final version of the letter prepared by Jonathan Warmerdam for the DFG Director regarding an altered LSAA permit fee structure, (4) a PowerPoint presentation by Pete Cafferata on the large wood placement project being developed for the East Branch of Soquel Creek and an Anadromous Salmonid Protection Rule Section V Technical Advisory Committee (VTAC) update, (5) a discussion on landowner outreach strategies, and (6) a discussion on funding and permitting assistance for landowners.

I. Briefing on U.S. Army Corps of Engineers Permitting Requirements/Options

Dominic MacCormack began his presentation by stating that the San Francisco District of the USACE is supportive of large wood placement projects used to rapidly improve habitat conditions for listed fish species. He stated that the USACE consults with NMFS staff for these types of projects and that it takes 30 days or longer to get a completed USACE permit. One option for permitting is a Nationwide 27 for Stream and Wetland Restoration Activities (see: http://www.nao.usace.army.mil/technical%20services/Regulatory%20branch/NW_enclosures/NW-27.pdf). This permit will be reissued in March 2012, but only slight modifications from the existing language are anticipated. The other main option is a

Regional General Permit (RGP), which lasts for five years. Dominic stated that this is an efficient option to use and that he is willing to work towards producing a RGP specific for large wood placement projects. He stressed that this type of permit must include a description of all the various types of projects that could possibly be used during the five year life of the permit.

Rick Macedo informed the group that RGP 12 currently exists for DFG grant projects, but it can only be used for projects DFG funds through its Fisheries Restoration Grant Program. Rick asked Dominic if the RGP 12 permit could be modified to apply more broadly to other types of large wood placement projects, rather than producing a new RGP. Mr. MacCormack stated that he would look into this possibility. Erik Schmidt asked if the DFG could cover additional agency costs if RGP 12 was expanded to address additional types of projects (note that with RGP 12 permit, DFG assumes the lead, not the USACE). Dominic stated that the main advantage to using the RGP process over the Nationwide 27 permit is that it allows the project applicant to apply for several projects at one time (i.e., it covers a suite of project types, while the Nationwide 27 does not). One main requirement for an expanded RGP 12 (or new RGP) is that it would require a sponsoring agency (i.e., if a RGP is issued, a government agency must hold the permit). There was discussion whether this should be DFG or CAL FIRE, with Bill Snyder favoring DFG. Jennifer Carah and Dave Wright stated that they were relatively satisfied with the Nationwide 27 process to date. In summary, the Nationwide 27 permit is the approach to use this year, with a modified RGP 12 a longer-term possible option for non-DFG funded projects.

II. General Discussion of State and Federal Permitting Pathways and Options

The USACE options discussion morphed into a more general dialogue on state and federal permitting pathways and options available for simplifying the process of permitting for large wood placement projects. As one example, Bill Snyder suggested that a CEQA checklist could be used to provide evidence that a large wood placement project meets the requirements of a Categorical Exemption (Cat Ex), covering topics such as archeology and botanical resources. Jennifer Carah added, however, that using the Cat Ex exemption for numerous small projects (< 5 ac) is not a desirable approach for large landowners that want to add significant amounts of wood to long stream reaches. Patty Madigan suggested that a flowchart/simple matrix should be developed to assist landowners with the various permitting options currently available, in conjunction with a half day workshop. The vision is that this flowchart/matrix would be simpler to use than the detailed version compiled by Jonathan Ambrose earlier, simply outlining the steps required for large and small projects. Scott Kelly stressed that larger landowners know how to obtain the permits; the key need is to make the system simpler so that permits can be rapidly obtained (not in six months). He stated that a programmatic, ownership-wide or watershed-wide approach is needed.

Bill Snyder informed the DWWG that a key longer-term goal should be to develop a process where landowners only fill out one permit application, not four, since the core information for each type of permit application is similar. The trick will be to craft an

application form that supplies all the information needed by each agency. The Regional Water Board's permit process is one potential avenue that is being considering by the DWWG. The NCRWQCB has the authority to develop programmatic waste discharge permits and waivers of waste discharge requirements which could be used for large wood augmentation project coverage. Jonathan Warmerdam has informed the Executive Officer of the NCRWQCB that the DWWG is discussing all potential permitting avenues, including the permits that can be developed by the Regional Board. Bill Snyder added that the short-term focus should be on the area covered by the CCC Coho Salmon Recovery Plan, since there is an existing Biological Opinion (BO) for this area. Bill also said that he had spoken to George Gentry, State Board of Forestry and Fire Protection (BOF) Executive Officer about the possibility of a THP exemption process for stream restoration work. Mr. Gentry said the BOF would entertain this concept, but the earliest it could be in place would be January 1, 2012. Another option would be a BOF emergency exemption for 120 days.

Monitoring requirements associated with the various permits were also considered by the group. Dave Wright stated the Campbell Timberland Management (CTM) is willing to conduct effectiveness monitoring on a subset of completed projects, but not all of them (i.e., it is not cost effective to monitor all projects). Jennifer Carah described the detailed monitoring process she has used in the Garcia River basin. NMFS's BO requires implementation monitoring for wood projects, as does the RWQCB's 401 permit. The USACE RGP permit process requires five years of monitoring and reporting, including photo documentation, but the Nationwide 27 permit does not require detailed monitoring. It is unclear if DFG would be willing to take on the monitoring requirements associated with a modified RGP 12.

Following this discussion, two new DWWG subcommittees were established to address short and longer-term DWWG goals:

1. **"What Can Be Done This Year" Subcommittee**—This Group will document the non-FRGP grant permit process currently being used by TNC/TCF in the Garcia River basin and CTM in Ten Mile River watershed, explaining how the existing process of Cat Ex, NMFS BO/DFG Consistency Determination, 401, 1600, and Nationwide 27 permits are being obtained for these projects in a white paper. The focus will be on Mendocino County, where the NMFS BO in place. This will result is a straight forward guidance document illustrating how to get the work done this year and how the existing process works. Appendices to the white paper are to include the actual permits.

Action Item: Jennifer Carah is the subcommittee lead and will send the DWWG a white paper outline.

2. **Longer-Term Solutions Subcommittee**—This Group will look at possible agency level approaches to streamlining the permitting process (e.g., establishing a BOF THP exemption process (a broader THP solution for restoration work), DFG mini-grant process, modified Army Corps of Engineers permit, a modified DFG fee structure, etc.). Possible group outputs include suggested BOF rule language, issue papers, etc.

Action Item: Bill Snyder, Tom Spittler, Steve Smith, Jonathan Warmerdam, Patty Madigan, Jim Robins, Jon Ambrose, and Jason Pelletier volunteered or were appointed to this subcommittee, and a meeting will be held in April. It was determined that all DWWG members can participate in subcommittee meetings.

III. Brief Status Update for the Draft Letter Prepared for the DFG Director

Jonathan Warmerdam stated that the DFG letter was largely complete at this time and that modifications at this point will only be very minor. Joe Pecharich said that he brought a copy of the letter signed by NMFS Restoration Center Southwest Region Supervisor Patrick Rutton, and that Mr. Rutton would like to see the letter sent to DFG very quickly. Tom Spittler added that CGS State Geologist Dr. John Parrish was ready to sign the letter. Bill Snyder asked that the letter be modified so that CAL FIRE Acting Director Ken Pimlott can sign the document. Jonathan Warmerdam told the group that there was possible interest in the letter from the Coastal Conservancy, which might necessitate a revised version of the letter being produced. Rick Macedo stated that DFG senior staff are aware that the letter is forthcoming.

Action Item: It was agreed that Kevin Shaffer, DFG, should be added to the courtesy copy (cc) list for the letter. Also, Mr. Shaffer is to be added to the Dead Wood Working Group email list.

IV. Presentation the LWD Placement Project in Soquel Creek and VTAC

Pete Cafferata gave a PowerPoint (PPT) presentation on the large wood placement project being developed for the East Branch of Soquel Creek, as well as an Anadromous Salmonid Protection Rule Section V Technical Advisory Committee (VTAC) update. CAL FIRE is actively working with NMFS, NOAA's Southwest Fisheries Science Center (SWFSC), the Resource Conservation District of Santa Cruz County, Santa Cruz County, DFG, CGS, and *Alnus* Ecological to develop a large wood placement project in the East Branch of Soquel Creek. Goals of the project include: (1) contributing to survival of coho salmon and steelhead in the Soquel Creek watershed, (2) demonstrating the feasibility of a large wood placement project outside of a THP or DFG grant, and (3) conducting an experiment to determine success of different types of wood placement projects.

After a reconnaissance survey in November 2010, five main sites have been selected for work in the summer of 2011 along the East Branch of Soquel Creek. These include two "unsecured" sites, where unanchored wood will be placed in the channel--hopefully with root wads, along with one or more other logs (total of 2-4 trees with one large keystone piece). The goal is to meet the NMFS loading recommendation of 1.3-4 pieces/100 m for a large channel. At each of the two sites, there will be an attempt to install 3-4 "clumps" along a 300-500 ft reach. There will also be two "secured" sites, with engineered structures described as log-vanes constructed. Two to three structures will be installed within a 250 ft reach at both sites. At each site, at least one structure

will include additional wood and/or rootwads for fish cover. The goal is to develop a “complex” of pools and gravel bars at each secured site. Additionally, the plan is to build a backwater alcove in an existing side channel area.

The next steps for this project include receiving the finished project design documents from CGS by April 4th, obtaining the necessary permits for the project (with assistance from Jim Robins, *Alnus* Ecological), completing the biological assessment (work being done by Jennifer Nelson, DFG), and finishing the BACI experimental design (Dr. Sue Sogard, NOAA-SWFSC is taking the lead on this task).

The second half of the PPT used the Soquel Creek watershed to illustrate the application of a draft set of guidelines being developed for Anadromous Salmonid Protection Rule Section V Technical Advisory Committee (VTAC) pilot projects. The NOAA Central California Coast Coho Salmon Recovery Plan data for Soquel Creek was used to illustrate that the basin has both poor large wood loading and off-channel/floodplain habitat. Riparian stand classification tools were then used to show that riparian zones have mixed hardwood and conifer composition, generally under sized conifers for large wood function, and low mortality potential for coast redwood and Douglas-fir. Geomorphic classification methods revealed plane bed and forced pool riffle channel types (with an unconfined channel and a gradient of 2-3%). After using this data in several matrices, segment objectives were found to include improving wood loading, maintaining shade for water temperature control, and protecting existing nutrient input. Site prescriptions include use of Late Succession Management Areas (300 ft on each side of the East Branch) as part of the Soquel Demonstration State Forest General Forest Management Plan and the large wood placement project described above, testing both unanchored and anchored wood installations.

V. Discussion on Landowner Outreach Strategies

Greg Giusti, UC Cooperative Extension, described the various types of landowner outreach methods available to the DWWG. Options listed include: workshops, website postings, breakout groups at conferences (such as the Redwood Forest Science Symposium at UC Santa Cruz in June), Frequently Asked Questions (FAQ)/checklists/fact sheets, an information hotline phone number, newsletter templates, etc. Greg stressed that outreach includes a full suite of items, not a single approach, and the best approach is to get people to take ownership in a cause (e.g., “campaign to save coho salmon”). Strategies for organized networks (e.g., RPFs, NGOs, etc.) differ from those proposed for non-organized groups (e.g., non-resident timberland owners). The question was raised whether certain regions, such as Mendocino County, should be higher priority for outreach than others. There was general agreement that the highest importance for outreach this year is for large landowners in Mendocino County (including larger NTMP landowners), since they own a significant percentage of the area denoted as “core areas” for coho recovery by NMFS in their CCC Coho Salmon Recovery Plan (see the notes from the DWWG meeting held on January 27, 2011). It was also agreed that it is too early for outreach at this time, but that it will be important this summer.

VI. Discussion on Funding and Permitting Assistance for Landowners

Steve Smith stated that the NRCS's Conservation Innovation Grants (CIG) program may be able to be used to assist with the permitting process associated with restoration work. Under CIG, Environmental Quality Incentives Program (EQIP) funds are used to award competitive grants to non-Federal governmental or non-governmental organizations, Tribes, or individuals. Steve said this could include RCDs and NGOs like Sustainable Conservation. This grant will be available in two weeks (for more information, see: <http://www.nrcs.usda.gov/technical/cig/index.html>).

Action Item: An additional subcommittee of the DWWG was formed to develop a short white paper on potential funding sources available for landowners to assist with large wood placement work. Bill Snyder, Steve Smith, Jonathan Ambrose, Jonathan Warmerdam, and Rick Macedo volunteered for this effort. Options to be considered include investigating whether U.S. Forest Service State and Private Forestry grant funds (passed through RCDs) are available for large wood project monitoring work.

Next Meetings

The next full DWWG meeting was tentatively scheduled for mid to late May, with a DWWG "Longer Term Solutions" Subcommittee meeting to be held in mid to late April. Pete Cafferata agreed to email a "Doodle" meeting date query via email to select exact dates for these meetings.