

# APPENDIX D

## *Streambed Alteration Permit*





# FACSIMILE TRANSMISSION

CALIFORNIA DEPARTMENT OF FISH AND GAME  
NORTHERN CALIFORNIA-NORTH COAST REGION

601 LOCUST STREET  
REDDING, CALIFORNIA 96001

INFORMATION (530) 225-2360

FAX (530) 225-2381

To: Robert Miller

Date: 2/10/00

Fax #: (707) 442-3631

Pages: 4, including this cover sheet.

From: Sue Jahn

Telephone: (530) 225-2367

Subject: Signed agreement for ~~SR 0123~~

ADDITIONAL INSTRUCTIONS:

1600 permit  
for water collection  
system for Michael Moss  
ON Luffenholz.

~~NOTIFICATION NO. 98-0423~~

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**AGREEMENT REGARDING PROPOSED STREAM ALTERATION**

**THIS AGREEMENT**, entered into between the State of California, Department of Fish and Game, hereinafter called the Department; and Mr. Robert Morris, representing ~~Trinidad Limited Liability Co.~~ Trinidad Limited Liability Co., hereinafter called the operator, is as follows:

**WHEREAS**, pursuant to Division 2, Chapter 6 of California Fish and Game Code, the operator, on June 19th, 1998, notified the Department that he intends to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed of, the following water: Deadman, Luffenholz and Mill Creeks, in the County of Humboldt, State of California. Secs. 19.24) T 8N (8ND R 1E. (1W).

**WHEREAS**, the Department, represented by Warden D.J. Kelly, has made an inspection of the subject area on August 5th, 1998, and has determined that such operations may substantially adversely affect existing fish and wildlife resources including: Salmon, steelhead trout, rainbow trout, nongame fish, amphibians, aquatic invertebrates and riparian habitat dwelling wildlife species.

**THEREFORE**, the Department hereby proposes the following measures to protect fish and wildlife during the operator's work and the operator hereby agrees to accept these recommendations as part of his work. The operator, as designated by the signature on this agreement, shall be responsible for the execution of all terms of this agreement. A copy of this agreement must be provided to any contractor and/or subcontractor and must be in their possession at the worksite.

If the operator's work changes from that stated in the notification specified above, this agreement is no longer valid and a new notification shall be submitted to the Department of Fish and Game. Failure to comply with the provisions of this agreement and with other pertinent DFG Code sections may result in prosecution and/or cancellation of this agreement.

Nothing in this agreement authorizes the operator to trespass on any land or property, nor does it relieve the operator of responsibility for compliance with applicable federal, state, or local laws.

**THIS AGREEMENT IS NOT INTENDED AS AN APPROVAL OR ENDORSEMENT OF A PROJECT OR OF SPECIFIC PROJECT FEATURES BY THE DEPARTMENT OF FISH AND GAME. INDEPENDENT REVIEW AND RECOMMENDATIONS WILL BE PROVIDED BY THE DEPARTMENT AS APPROPRIATE ON THOSE PROJECTS WHERE LOCAL, STATE, OR FEDERAL PERMITS OR OTHER ENVIRONMENTAL REPORTS ARE REQUIRED.**

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SITE-SPECIFIC WORK CONDITIONS:

This agreement shall cover the installation of three engineered water collection systems for domestic water use in Deadman, ~~Trinidad~~ and Mill Creeks in Humboldt County near the Town of Trinidad.

- B. All work in or near the stream shall be confined to the period: July 1st through October 15th, 1998.
- C. The operator shall complete the excavation for the cisterns and the collection pipelines away from the stream channels and shall install all collection structures prior to completing the excavation to the stream channels.
- D. The operator shall only use clean washed drain rock as the fill material around the collection pipes.
- E. The operator shall only dispose of the excavation spoils where they cannot enter state waters. All soils disturbed during construction shall be revegetated with an erosion control seed mixture and be maintained until it becomes established.
- F. The operator shall notify the Department representative prior to commencing the project and prior to project completion at (707) 464-7157.

GENERAL WORK CONDITIONS:

- J. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations.
- 1a. The disturbed portion of any stream channel shall be restored to as near original condition as possible.
- 2. Restoration shall include revegetation of stripped or exposed areas.
- 3. Rock, riprap, or other erosion protection shall be placed in areas where vegetation cannot reasonably be expected to become reestablished.
- 4. Installation of bridges, culverts, or other structures shall be such that water flow is not impaired and upstream or downstream passage of fish is assured at all times.
- 6. When any dam or artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain a minimum flow below the dam.

Deborah R. Gentry  
Professional Printer/Designer

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- 10. Equipment shall only be operated in stream channels as is necessary to construct the crossing.
- 16. Wash water containing mud or silt from aggregate washing or other operations shall not be allowed to enter a flowing stream.
- 18. If operations require moving of equipment across a flowing stream, such operations shall be conducted without substantially increasing stream turbidity. For repeated crossings, the operator shall install a bridge, culvert, or crossing as specified in comments below.
- 19. If a stream channel has been altered during the operations, in low flow channel shall be returned as nearly as possible to its natural state without creating a possible future bank erosion problem, or a flat wide channel or slough-like area. If a side margin has been altered, it shall be returned as nearly as possible to its natural state without creating a future bank erosion problem. The gradient of the streambed or lake margin shall be as nearly as possible the same gradient as existed prior to disturbance.
- 20. Structures and suspended materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.
- 21. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete, oil or petroleum products or other organic or carbon material from any logging, construction, or associated activity shall be allowed to enter into or placed where it may be washed by rainfall or runoff into waters of the State.
- 22. The operator will notify the Department of Fish and Game of the date of commencement of operations and the date of completion of operations at least five days prior to such completion.

THIS AGREEMENT BECOMES EFFECTIVE UPON SIGNATURE BY BOTH THE OPERATOR AND THE DEPARTMENT REPRESENTATIVE AND REMAINS IN EFFECT UNTIL DECEMBER 31st 1998

Operator Robert E. Moore DFG DFG #313  
 Title AGENT Fish and Game Warden  
 Organization CRUISE MANS/LLC Department of Fish and Game  
 Date 8/2/98 8/20/98