

January 21, 2003

Mr. Rod McInnis, Regional Administrator
National Marine Fisheries Service
501 West Ocean Boulevard, Suite 4200
Long Beach, CA 90802-4213

Dear Mr. McInnis:

The Humboldt Bay Municipal Water District is pleased to submit its application package for an Incidental Take Permit for its Mad River activities in accordance with Section 10(a)(1)(B) of the Endangered Species Act. Enclosed, please find the following material:

- 1) Application for an Incidental Take Permit
- 2) Habitat Conservation Plan for the District's Mad River Activities
- 3) Draft Environmental Assessment (to facilitate NMFS's compliance with NEPA)
- 4) Draft Implementing Agreement, and
- 5) The required \$25 Processing Fee.

Five copies of the material outlined above (other than the processing fee) have also been delivered to the NMFS Arcata Field Office.

The District wishes to acknowledge the support and technical assistance received from staff at the Arcata Field office over the past several years on this important endeavor. Their support, cooperation and technical assistance has helped the District develop a sound and comprehensive conservation plan. We look forward to working with you and the Arcata Field office staff over the coming months as NMFS processes the District's permit application.

Sincerely,

Carol Rische
General Manager

Cc: Irma Lagomarsino, NMFS
John Clancy, NMFS
Sam Flanagan, NMFS
Randy Brown, USF&WS
Bob Williams, CA DFG
Aldaron Laird, Trinity Associates
John Winzler & Larry Margler, Winzler & Kelly Engineers

**HUMBOLDT BAY MUNICIPAL WATER DISTRICT
APPLICATION FOR INCIDENTAL TAKE PERMIT
UNDER THE ENDANGERED SPECIES ACT OF 1973**

1. Title: Application for an Individual Incidental Take Permit under the Endangered Species Act of 1973.

11. Date: January 21, 2003.

III. Applicant: Humboldt Bay Municipal Water District
828 Seventh Street
P.O. Box 95
Eureka, CA 95502
Phone: (707) 443-5018
Fax: (707) 443-5731

IV. Endangered species: Three anadromous salmonid species in the Mad River were determined to be HCP species. They are chinook salmon, coho salmon and steelhead trout. These species are listed as "Threatened". A fourth species, coastal cutthroat trout, which is a candidate species under consideration by USFWS, will also be addressed in the HCP (but is not subject to an incidental take permit with NMFS).

V. Proposed activities:

- A. Dates and duration: 6 current activities occur on an on-going basis (annually), 4 current activities occur only on an as-needed basis. Section 5 of the HCP describes the covered activities. Possible future activities, in response to changed circumstances, are outlined in Section 13.
- B. Location: Matthews Dam, located on the Mad River in Southern Trinity County, to the mouth of the Mad River, located in Humboldt County, a distance of 84 miles.
- C. N. A.

VI. The HCP addresses the following:

- A. Impact on listed species: The primary beneficial impact is the District's flow releases during summer and early fall which augment natural flows in 84 miles of the river. The primary negative impact results from operation of the fish screens at Station 6. A comprehensive fisheries study indicated that less than 0.2% of the estimated juvenile fish population are affected by the screens. Sections 6 & 7 of the HCP discuss the impacts on listed species.
- B. Impact on the habitat of the species: Sections 6 & 7 of the HCP discuss the impacts on the habitat of the species.
- C. Steps to be taken to monitor minimize and mitigate such impacts: The District is proposing a series of mitigation measures. To determine the effectiveness of the mitigation measures, the District also proposes monitoring. In order to compare the monitoring results against some benchmark or standard, biological goals have been developed. Section 8 of the HCP discusses the biological goals, mitigation and monitoring in great detail.

The District will fund the implementation of the HCP from two sources: (1) a State grant for \$64,680 to complete the Station 6 retrofit project, and (2) the District's annual operating budget approved by the Board each year for ongoing mitigation and monitoring.

- D. The alternative actions: The District considered the following two alternative actions: (1) take no action, or (2) limit diversion from Ranney Collectors only. See Section 10 of the HCP.
- E. Sources of data used in preparing plan: All sources of data and information are listed in Appendix F of the HCP.