

Public Notice for Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects)

PALCO Percolation Pond
WDID No. CA0006017

Humboldt County

On September 1, 2004, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Robert Vogt, representing Pacific Lumber Company (applicants), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the construction of a seasonal percolation pond in Scotia, Humboldt County. The proposed project could cause disturbances to waters of the United States associated with the Eel River in the Scotia Hydrologic Sub-Unit No. 11.12.

The Eel River is a tributary to the Pacific Ocean. The upper reaches of this watershed are in forested mountains while the lower reaches traverse gently sloping tidelands that are primarily used as cow pastures and wildlife habitat. The percolation pond is required to meet Waste Discharge Requirements for PALCO's Scotia Mill and the Town of Scotia. Effluent from the wastewater treatment plant and process water stemming from industrial activities in Scotia discharge to a large, former log pond that overflows through a clarifier to the Eel River. During the Eel River summertime prohibition season period (May 15 through September 30) the percolation pond is constructed on the river bar to prevent direct discharges to the river. The proposed project includes an area of gravel bar along the Eel River approximately 800 feet long by 100 feet wide, which equates to 1.84 acres.

Compensatory mitigation is not required for this project. Noncompensatory mitigation measures will include the use of Best Management Practices for heavy equipment use and prevention of debris from any construction activity from being placed in a location that may enter waters of the state. The pond will be constructed annually as a temporary feature for the prohibition season only. At the end of the prohibition season, the down stream portion of the proposed pond would be breached and berm materials graded back to the gravel bar to allow free drainage in the river.

The applicant has applied for authorization to perform the proposed restoration project from the United States Army Corps of Engineers, pursuant to the Clean Water Act, Section 404. The applicant has also obtained a Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish and Game. The Department of Fish and Game, as the lead California Environmental Quality Act (CEQA) agency, has prepared a Notice of Exemption from CEQA. The exempt status was provided based on a categorical exemption under Section 15304.

Regional Water Board staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Lisa Bernard at (707) 576-2677 or at lbernard@waterboards.ca.gov within 21 days of the posting of this notice.

April 6, 2005

040605_LMB_tmk_plscotia_401putnot