

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

Riverview Terrace Subdivision
WDID No. 1B05037WNHU

Humboldt County

On April 20, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Winzler and Kelly Consulting Engineers, on behalf of Danco Builders (hereinafter applicant), requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) to fill wetlands and a creek channel in Fortuna, Humboldt County. The proposed project will cause disturbances to waters of the United States associated with a tributary (hereinafter referred to as Little Loop Creek) to Strongs Creek in the Ferndale Hydrologic Subarea No. 111.11.

The proposed project is part of a new housing development that includes supporting roads, utilities, and other related services. The project is located southeast of the intersection of Loop Road and Rohnerville Road. The primary elements of the housing development that are subject to Water Quality Certification are the permanent filling of wetlands to build a new access road, widen a section of existing road, and to install a storm water detention basin for controlling storm water runoff from the new development. Construction of the new access road will require filling approximately 20,800 square feet of existing wetlands and installation of a 72-foot culvert in Little Loop Creek where the new access road crosses. Approximately 2,700 square feet of existing wetlands will be filled to create the 11,000 square foot storm water detention basin. Widening Loop Road at the intersection of Rohnerville Road will permanently impact approximately 1,150 square feet of wetlands. The total area of wetlands permanently affected by the proposed project is 24,650 square feet (0.57-acre). Utility line trenching will have additional temporary impacts to onsite wetlands.

Little Loop Creek is often dry in the summer and habitat value for juvenile fish is poor to moderate. Coho salmon are not known to occur in Little Loop Creek. Special status fish species, including coastal cutthroat trout are known to occur in Strongs Creek, but only in the lower reaches near the Eel River. There is currently a fish barrier at Loop Road and Little Loop Creek because the existing 36-inch culvert is crushed and only about 20 percent of the culvert is currently open. The culvert outlet is also about 18-inches above the water surface in the creek. Proposed improvements to Little Loop Creek include replacing the crushed culvert with a 54-inch culvert and lowering the outlet of the new culvert to the flow line of the creek.

The applicant is proposing to create a 0.7-acre wetland at an offsite upland area in Arcata to mitigate for the loss of approximately 0.57-acre of wetland. The proposed offsite wetland mitigation area is located on the north side of Foster Avenue between Janes Road and Q Street. The applicant has prepared a *Mitigation and Monitoring Plan for Riverview Terrace* that includes a grading plan, planting plan, vegetation management plan, and five-year monitoring plan. Annual performance criteria for the created wetland will be based on percent cover of wetland plant species over the mitigation area. Final success criteria for the

created wetland area requires at least 50 percent cover by wetland plants not more than five years after the area is planted. Annual reports of mitigation monitoring will be prepared. An onsite wetland enhancement project to expand the riparian buffer along Little Loop Creek is also proposed to mitigate for removal of 2,331 square feet of marsh habitat and filling 72-feet of creek channel (approximately 5,230 square feet of riparian habitat) for culvert placement.

The applicant has applied for authorization to perform the project under an individual permit from the United States Army Corps of Engineers, pursuant to the Clean Water Act, Section 404. The City of Fortuna, as the lead California Environmental Quality Act agency, approved a Mitigated Negative Declaration for this project on November 16, 1998. The applicant has applied for a Lake or Streambed Alteration Agreement (1600 Agreement) from the California Department of Fish and Game. The applicant is required to obtain coverage under the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity and implement a Storm Water Pollution Prevention Plan.

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 Regional Water Board staff member Dean Prat by phone at (707) 576-2801, or e-mail dprat@waterboards.ca.gov within 21 days of the posting of this notice.