

**Public Notice for Section 401 Water Quality Certification  
and/or Waste Discharge Requirements**

Leeder Property - Drainage Fill and Realignment Project  
WDID No. 1A05141WNTR

Trinity County

On October 18, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Barry Leeder (applicant) requesting Federal Clean Water Act, Section 401, Water Quality Certification to fill and realign a seasonal drainage in connection with construction of a single-family home in Weaverville, Trinity County. The proposed project will cause disturbances to waters of the United States associated with unnamed tributaries to Sydney Gulch in the Weaver Creek Hydrologic Subarea No. 106.32.

The applicant is planning to build a home on a residential lot located between Forest Avenue and Hanover Street in the Valley View Subdivision area of Weaverville. There are two small seasonal drainages that flow across the lot. The applicant refers to these drainages as the north drainage and the south drainage. Both drainages convey storm water runoff; the north drainage also receives some overflow and leakage from an unlined irrigation ditch that flows across the upstream portion of the north drainage. Immediately after exiting the applicant's property, these drainages flow into a subsurface storm drain system and enter the landscaped yard of an adjacent parcel. These seasonal drainages are typically dry when there is no storm water runoff and the leaky irrigation ditch is not being used.

The proposed project involves installation of a 24-inch culvert to divert flow from a portion of the north drainage into the south drainage. The applicant has already installed this diversion culvert. The applicant implemented this portion of the proposed project prior to applying for and receiving a Lake or Streambed Alteration Agreement from the California Department of Fish and Game or a dredge and fill permit from the United States Army Corps of Engineers (USACOE), pursuant to Federal Clean Water Act, Section 404. The applicant was informed of the need to obtain permits for the drainage modifications and has applied for after-the-fact authorizations to leave the diversion culvert in-place. The applicant has also applied for authorization to install a subsurface drain system in the diverted section of the north drainage and to install a barrier in the vicinity of the diversion culvert inlet to prevent water from flowing past the culvert.

The proposed project involves installation of approximately 150-feet of subsurface drain between the diversion culvert inlet and the existing storm drain inlet located in the adjacent neighbor's yard. The subsurface drain will be constructed with 6-inch perforated pipe that is bedded in drain rock and wrapped in filter fabric. The applicant has been advised to install the subsurface drain through the area to allow storm water runoff and groundwater seepage to drain from below the applicant's future home site.

The applicant plans to conduct the project as soon as possible after obtaining the necessary permits. The applicant anticipates that it will take two days to complete the drainage work. The proposed project does not require removal of mature vegetation and will result in no temporary impacts to waters of the United States. Approximately 0.09-acre and 150 linear feet of seasonal drainage channel will be permanently impacted by the proposed project. Compensatory mitigation is required for the anticipated loss of 0.01-acre of waters of the United States as a result of filling a section of the north drainage channel. Compensatory mitigation will consist of expanding the size of an existing 2,500 square foot wetland seep that is located on an adjacent parcel of land that is also owned by the applicant. The mitigation project requires excavation and removal of soil from around the existing wetland seep in order to create an additional 600

square foot area of wetland. Noncompensatory mitigation for this project includes the use of Best Management Practices for sediment and turbidity control.

The USACOE has authorized the applicant to implement the proposed project under Nationwide Permit No. 29, pursuant to Clean Water Act, Section 404. The applicant has also applied for a Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish and Game. The North Coast Regional Water Quality Control Board, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project will have no significant effect on the environment and is categorically exempt from CEQA (Class 4, Section 15304).

Regional Water Board staff are 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 Dean Prat at (707) 576-2801, or at [dprat@waterboards.ca.gov](mailto:dprat@waterboards.ca.gov) within 21 days of the posting of this notice.

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