

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

Sierra Pacific Industries – Detention Basin and Outfall Project  
WDID No. 1B05064WNHU

Humboldt County

On May 12, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Frank Szerdy with Geomatrix Consultants, representing Sierra Pacific Industries (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for activities related to a proposed project that involves several drainage modifications including construction of detention basins and an outfall structure on the log deck of the applicant's sawmill located at 2593 New Navy Base Road, Arcata, Humboldt County. The proposed project will cause disturbances to waters of the United States associated with an unnamed pond, hereinafter referred to as the Vegetated Pond, which drains to the Mad River Slough in the Eureka Plain Hydrologic Unit No. 110.00.

An important component of the applicant's sawmill operation includes watering logs that are stored on the log deck in order to preserve the wood prior to milling. Clean well water and a sprinkler system are used to water the logs. Sprinkler water runoff from the paved log deck at this sawmill is similar to storm water runoff from the log deck, because the sprinkler water is not reused. The purpose of the proposed project is to create drainage features designed to capture and treat sprinkler water runoff and storm water runoff from a portion of the sawmill's log deck.

The proposed project involves construction of drainage swales that are designed to collect and transport log deck runoff into a detention basin. Runoff collected in the drainage swales will flow into a lined basin that is designed to remove dirt, bark, and rock from the collected runoff and to allow treated water to flow into an adjacent unlined basin. The applicant will be able to use heavy equipment to remove the collected solids from the lined basin. The unlined basin is designed to retain water that has passed through the primary basin and to allow the treated water to percolate. The unlined basin is designed with an outfall pipe and overflow structure so that water in the unlined basin can flow into the adjacent Vegetated Pond when the basin is full and the rate of percolation through the unlined basin is slower than the flow of runoff into the unlined basin.

Sprinkler water runoff at this sawmill is very similar to storm water runoff. However, sprinkler water runoff is a type of process wastewater; a National Pollutant Discharge Elimination System (NPDES) Permit is required to legally discharge process wastewater to surface water. In August 2002, the Regional Water Board issued a NPDES Permit for the sawmill, authorizing discharges of log deck sprinkler water runoff from a detention basin into an existing ditch that flows into the Vegetated Pond. After the NPDES Permit was adopted, the applicant began working with other regulatory agencies in order to obtain the necessary permits to build the basins and outfall structure that was incorporated into the requirements of the NPDES Permit. The applicant has recently obtained the necessary permits for construction of the basins and associated drainage improvements that are designed to capture, store and treat log deck runoff. Implementation of the proposed project will provide the applicant with runoff treatment and discharge structures that will allow the applicant to discharge log deck runoff in accordance with the NPDES Permit requirements.

The United States Army Corps of Engineers (Army Corps) and the California Coastal Commission have authorized construction of the proposed detention basin and outfall location. Due to some minor modifications to the detention basins and outfall location that are included in the existing NPDES Permit, the permit has to be revised. A revised NPDES Permit will be presented to the Regional Water Board for consideration during an upcoming Regional Water Board Meeting. A separate public notice period will be announced prior to a Regional Water Board hearing to consider adoption of the revised NPDES Permit. The applicant intends to implement the proposed project as soon as possible following issuance of Water Quality

Certification and Regional Water Board adoption of a revised NPDES Permit that includes the approved drainage modifications and detention basins.

In order to implement the proposed project and provide proper drainage to capture and treat additional storm water runoff in the proposed detention basins, an existing detention basin will be filled. The applicant installed the existing detention basin several years ago in the vicinity of the proposed detention basins. The existing basin was installed as a Best Management Practice for storm water runoff treatment and control. Cattails were growing in a portion of the existing detention basin, and the Army Corps determined that filling the detention basin would result in the permanent loss of 1,500 square feet of wetland. The Army Corps also determined that vegetation removal and placement of a rock outfall between the proposed detention basins and the Vegetated Pond would permanently impact 200 square feet of wetland. Implementation of the proposed project is expected to result in permanent impacts to approximately 0.04 acres of onsite wetland.

Compensatory wetland mitigation is required for the permanent loss of wetlands. Compensatory mitigation will consist of creating two new areas of wetlands onsite. To compensate for the permanent loss of 1,500 square feet of wetlands associated with filling the existing storm water retention basin, the applicant plans to create a 6,900 square foot unlined detention basin that is very similar to the existing basin that would be filled. To compensate for the permanent loss of 200 square feet of wetland associated with construction of an outfall to the Vegetated Pond, the applicant plans to create approximately 5,360 square feet of new wetlands onsite in an area adjacent to the proposed detention basins. Compensatory wetland mitigation activities will be implemented in accordance with the applicant's *Compensatory Wetland Mitigation Plan* dated October 27, 2004. Noncompensatory mitigation for this project includes the use of Best Management Practices. The applicant also applied for a Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish (CDF&G) and Game, although at this time it appears that CDF&G is not going to require a 1600 Permit.

The applicant has already received authorization from the Army Corps to implement the proposed project under Nationwide Permit 7, pursuant to Clean Water Act, Section 404. The Army Corps, as the lead National Environmental Policy Act (NEPA) agency, has determined that the Nationwide Permit Program (NWP) does not have a significant effect on the environment and does not require preparation of an Environmental Impact Statement, because the program can only authorize those activities that have minimal adverse environmental effects. Moreover, the Army Corps' NWP program has procedures and case specific discretionary authority whereby the Corps districts can evaluate any particular activity that could have more than minimal adverse effects. The Army Corps has prepared a Finding of No Significant Impact for the Nationwide Permit Program.

The North Coast Regional Water Quality Control Board, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project will not have a significant effect on the environment and is categorically exempt from CEQA (Class 4, Section 15304, Minor Alterations to Land). In order to obtain the necessary permits for the proposed project, the applicant has designed the project to avoid and minimize impacts to waters of the United States. Onsite wetland mitigation measures have also been incorporated into the project's permit requirements. In addition, the primary purpose of this project is to improve water quality by creating a runoff treatment, storage, and discharge structure that is part of a previously adopted National Pollutant Discharger Elimination System (NPDES) permit. The action to adopt an NPDES permit is also exempt from CEQA in accordance with Section 13389 of the California Water Code.

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.