July 2, 2007

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

Reclamation District 768 – Levee Repair Project
WDID No. 1B06068WNHU

Humboldt County

On May 17, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Reclamation District 768, requesting Federal Clean Water Act, Section 401, Water Quality Certification for proposed activities to repair the storm damaged levee along the Mad River Slough and the north side of Humboldt Bay near Arcata. The primary purpose of the proposed project is to prevent levee breaches that allow salt water intrusion into agricultural fields and fresh water wetlands. The proposed project will cause disturbances to waters of the United States associated with Mad River Slough and Humboldt Bay in the Eureka Plain Hydrologic Unit No. 110.00.

Reclamation District 768 (applicant) was established in 1904 and consists of approximately 1,500 acres of land. The applicant is responsible for maintenance of the 3.5 mile long Arcata Bay levee located south of Highway 255 and the 1.4 mile long Jackson Ranch levee located adjacent to the Mad River Slough on the north side of Highway 255. Winter storms and high tides from December 30, 2005 through January 3, 2006 led to overtopping of the levee and over 20,000 linear feet of erosion damage to the levee system. Emergency repairs have already been completed on approximately 11,500 linear feet of the most damaged sections of the levee. The proposed project involves repairing the remaining sections of the damaged levee to match its original footprint. All levee repair activities will be conducted between April 15 and October 15 each year.

Proposed levee repair activities include: construction of access roads, staging areas, and crossings; site preparation and debris removal; repairs to the seaward, landward and top of the levee; and, maintenance, repair, or replacement of culverts and tide gates. Approximately 8,000 linear feet of existing roads will be upgraded to allow heavy equipment to access the levee. Temporary staging areas will be created adjacent to the levee access points for material and equipment storage. The temporary access roads and staging areas will be surfaced with six inches of fabric-backed road base. The road base and fabric will be removed by October 15 each year and the underlying pasture surface will be restored and reseeded.

Repairs to the seaward side of the levee involve excavation of the eroded areas to create a level bench at the lowest point of the erosion damage. The bench will be backfilled with engineered fill and compacted in eight inch lifts. The restored levee slope will be covered with fabric-backed rock slope protection. Repairs to the landward side of the levee will generally be the same as the seaward side. The eroded levee surface will be graded and compacted. Imported aggregate base or engineered fill will be placed and compacted on top of the repaired levee surface.

There are currently eleven culverts with attached tidegates in the applicant's levee system. Seven of these existing structures will be repaired or replaced. All culvert and tidegate repair work will take place during low tides. If complete replacement is required, heavy equipment operating from the top of the levee will be used to excavate the levee fill, remove the culvert, and install a new culvert and tidegate of the same size at the same location.

The proposed levee repair activities will permanently impact 2.3 acres of wetlands. The levee will be restored to the original levee footprint so the proposed project will not result in any new permanent impacts to wetlands. The temporary staging areas and access routes will result in 4.5 acres of temporary impacts to agricultural wetlands that are disturbed and seeded on a regular basis for ongoing use as cattle grazing pasture. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation for the proposed project includes timing construction activities with low tides and the use of Best Management Practices for erosion control and heavy equipment use near a waterway.

The applicant has applied to the United States Army Corps of Engineers for authorization to perform the project under an Individual Permit, pursuant to Clean Water Act, section 404. The Humboldt Bay Harbor, Recreation, and Conservation District determined that this project is statutorily exempt from California Environmental Quality Act (CEQA) review (section 15269 – Emergency Projects). Based on a review of the project information submitted to date, Regional Water Board staff have determined that this project is categorically exempt from CEQA review (class 1, section 15301 – Existing Facilities) and anticipate filing a Notice of Exemption for this project, as well. The applicant has applied for a Coastal Development Permit.

The information contained in this public notice is only a summary of the applicant's proposed levee repair activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including maps and design drawings. The application and Regional Water Board file are available for public review.

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 submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.

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