

December 27, 2007

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

Crescent City – Harbor Trail North Segment  
WDID No. 1A07153WNDN

Del Norte County

On September 26, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the City of Crescent City (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to construction of a pedestrian/bicycle trail in Crescent City. The proposed project will cause disturbances to waters of the United States associated with Elk Creek in the Smith River Plain Hydrologic Subarea No. 103.11.

The primary purpose of the proposed project is to complete the California Coastal Trail within the city limits of Crescent City and to link previously completed segments along the coast with future trail segments to be constructed in the Crescent City Harbor District and unincorporated areas within Del Norte County. The proposed project will allow pedestrians and cyclists to avoid using the roadway and narrow sidewalks in the curve area south of the Highway 101 and Front Street intersection.

The proposed project involves construction of a trail and 110-foot long pedestrian/bicycle bridge that will span the channel and banks of Elk Creek. The project includes acquisition of a 1.16 acre parcel near the east end of the proposed bridge for construction of a trailhead area that includes a new public access parking lot, public restrooms, interpretive signs, and trail information.

Construction of the bridge and abutments will not result in any impacts to waters of the state. Construction of a section of the trail at the east approach to the bridge abutment involves placement of approximately 30 cubic yards of fill material and approximately 10 cubic yards of rock armoring to protect the fill in an area of one-parameter wetlands located on a terrace adjacent to the creek bank. The fill and rock armoring will result in permanent impacts to 64 square feet (0.001 acre) of wetlands. The proposed project is not expected to result in any temporary impacts to waters of the state.

Compensatory mitigation is required for permanent impacts to wetlands. Proposed compensatory mitigation involves construction of a bio-swale and planting 14,000 square feet with native wetland plants. The bio-swale area is located adjacent to the new trailhead and parking area. Runoff from the parking area will pass through the bio-swale before reaching Elk Creek. The bio-swale will not receive runoff from Highway 101 or the surrounding area. Noncompensatory mitigation includes the use of Best Management Practices (BMPs) for erosion control.

The applicant has received authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit No. 14, pursuant to Clean Water Act, section 404. The applicant has also received Lake or Streambed Alteration

Agreement from California Department of Fish and Game. On January 18, 2005, the City of Crescent City adopted a mitigated negative declaration (SCH No. 2002004122056) for the project in order to comply with CEQA. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.

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.