

January 4, 2008

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

Hidden Creek Apartments, Jim Barnts, Crescent City

WDID No. 1A07142WNDN

Del Norte County

On August 24, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Ward Stover of Stover Engineering, on behalf of Jim Barnts (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to the construction of Hidden Creek Apartments Project. The proposed project is part of a C.F.Y. Development, Inc. project for multi-family dwellings, which will include construction of an access road to the property (APN 116-270-87) which is located in the vicinity of Summer Lane near the Wal-Mart complex at 900 W. Washington Boulevard, Crescent City, Del Norte County. 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 purpose of the project is to construct a multi-family residential complex on approximately 6.3 acres of an 18.54 acre undeveloped parcel (41.775333 N/-124.187756 W), bisected by an unnamed drainage. The entire project site is located outside of the California Coastal Zone. Access to the north of the parcel is from rural roads connected to Blackwell Lane and Cummins Road, to the east is the Washington Boulevard off ramp from Highway 101. A creek is located along the west side of the parcel. The applicant has provided a preliminary Grading and Erosion Control Plan for the housing development, and will develop and submit a Storm Water Pollution Prevention Plan for the project prior to the commencement of construction.

The proposed access road, located along the property's north boundary near Summer Lane, will be 40 feet wide, including a 5-foot wide pedestrian walkway to the south, from curb face to curb face, within a 60-foot right-of-way. There is an existing pond north of the property line with a 24-inch culvert which outfalls approximately 25 feet past the property line. The proposed activities include extending the existing 24-inch culvert with a 30-inch culvert approximately 35 feet to the south within the property boundary. Fill will be retained behind a welded wire retaining wall and constrained by headwalls on both sides of the road to a width of 60 feet.

Compensatory mitigation is required for the project's permanent impacts to a section of wetlands 65 X 64 feet, 4160 square feet. The wetland area is located approximately 5 feet south of the northern property line. The applicant proposes to mitigate the wetland impacts with the creation of 10,400 square feet (a 2.5:1 ratio) of wetlands from upland habitat located adjacent to the existing wetlands and the additional mitigation in an area downstream and on the east side of the stream. California Department of Fish and Game has required the applicant to maintain a 50 foot buffer around the stream. Post-construction storm water runoff will be collected in a detention basin that is approximately 5000 square feet, and sized to accommodate stormwater flows from the estimated 3.0 acres of impervious surfaces that will be constructed during this proposed project.

Noncompensatory mitigation for this project includes revegetation of all disturbed areas and also includes the use of Best Management Practices for sediment and turbidity control and heavy equipment operation near a waterway. The proposed project is scheduled to begin in April 2008 and to be completed by October 30, 2009. The applicant proposes to conduct grading activities during the period between May 1 and October 30 of each year.

The applicant has applied to the United States Army Corps of Engineers for an individual permit, pursuant to section 404 of the Clean Water Act (File No. 400310N). Del Norte County, as lead agency for CEQA, approved a Mitigated Negative Declaration (MND) (SCH # 2006112150). The applicant applied to California Department of Fish and Game (CDF&G) for a Lake or Streambed Alteration Agreement (Agreement), the Agreement was issued on September 12, 2007 (Alteration No R1-07-0021).

The Water Quality Certification for the project will, in part, require implementation of the mitigation measures contained in the mitigation and monitoring plan submitted by applicant, and construction will be conditioned upon submittal and approval of final stormwater drainage designs/plans for both construction and post-construction phases of the project.

The information contained in this public notice is only a summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including road design drawings. The application and Regional Water Board file is 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 Diana Henriouille at (707) 576-2350 within 21 days of the posting of this notice.