

January 30, 2008

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

Reclamation District 768 – Site 9 Levee Repair Project  
WDID No. 1B06068WNHU

Humboldt County

Reclamation District 768 was established in 1904 and consists of approximately 1,500 acres of land. Reclamation District 768 is responsible for maintaining 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 to prevent levee breaches and salt water intrusion into agricultural fields and fresh water wetlands.

On May 17, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Reclamation District 768 (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for proposed activities to repair several sections of the storm damaged levee along the Mad River Slough and the north side of Arcata Bay. The Regional Water Board provided public notice of the proposed project on July 2, 2007, and posted information describing the project on the Regional Water Board's website. The Regional Water Board did not receive any public comments and Water Quality Certification was issued on August 8, 2007.

On November 21, 2007, the Regional Water Board received another application from Reclamation District 768, requesting Water Quality Certification for proposed activities to repair an additional section of the storm damage levee called Site 9. Site 9 repair activities were not included in the previous application for Water Quality Certification because the applicant believed the United States Army Corps of Engineers (USACOE) staff would authorize the Site 9 repair activities under Regional General Permit 5 (RGP 5) for emergency situations and RGP 5 already has Water Quality Certification. The USACOE decided to issue a Nationwide Permit instead of RGP 5 which triggered the need for another Water Quality Certification that authorizes the proposed levee repair activities at Site 9.

Site 9 is approximately 900 feet long and is located along Jackson Ranch Levee, approximately 1,000 feet north of State Highway 255 and adjacent to the Mad River Slough. The storm damage was severe at Site 9 and the levee was nearly breached. The Mad River Slough has cut into the levee at Site 9, steepened the levee face, and the slough has deepened directly in front of the levee. Due to the depth of the slough and the steepness of the levee face along a portion of Site 9, the applicant's engineers have determined that the typical methods being used to repair the other portions of the levee would not be appropriate.

The proposed repair method to be applied to the levee at Site 9 is use of a combination of sheet-piling and rock slope protection (RSP) to repair the slough side of the levee face. Installing sheet-piling along the steepest sections will allow the levee to have a steeper face while maintaining the integrity of the levee and avoiding any interference with the current location of Mad River Slough. Sheet piling will be used along approximately 300 feet of Site 9. Sheet piling will be installed using a barge or by heavy equipment operating from the top of the levee. Approximately 600 feet of the Site 9 levee repairs will involve the typical earth fill and RSP methods that are being used to repair the other storm damaged sections of the levee.

The applicant proposes to excavate approximately 700 cubic yards of levee material to prepare the damaged areas for the repairs. The applicant proposes to place approximately 2,800 cubic yards of engineered fill and approximately 2,350 cubic yards of RSP to repair Site 9. The footprint of the repaired levee will not be increased relative to the original levee footprint. The proposed project will rely on the temporary access roads and staging areas that have already been approved as part of the overall levee repair project (WDID No. 1B06068WNHU). 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.

Proposed activities for the majority of the levee repairs 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.

The proposed Site 9 levee repair activities will permanently impact 900 linear feet of the Arcata Bay shoreline. The levee will be restored to match the original levee footprint. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation for the proposed project includes timing the construction activities with low tides and the use of Best Management Practices for erosion control and operation of heavy equipment near a waterway.

The applicant has obtained authorization from the USACOE to perform the Site 9 levee repair project under Nationwide Permit No. 3 (File No. 400663N), 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 obtained 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.