

April 8, 2008

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

Humboldt Bay Harbor, Recreation and Conservation District, Fields Landing Marine
Terminal Project
WDID No. 1B07026WNHU

Humboldt County

On March 16, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. David M. Hull, representing Humboldt Bay Harbor, Recreation and Conservation District (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for proposed demolition, removal, and disposal of storm damaged Fields Landing Terminal dock. The proposed project is located at the foot of South Depot Road in the unincorporated community of Fields Landing (APN 307-101-002), Humboldt County. The purpose of the proposed project is to prevent potential public, navigational and environmental health and safety risks from storm damaged pilings and a rusted spud barge. The proposed project will cause disturbances to waters of the United States associated with the Eureka Plain Hydrologic Unit No. 110.00.

The property is located at the Fields Landing Marine Terminal, in the unincorporated community of Fields Landing, along the Humboldt Bay shoreline, approximately five miles south of Eureka. The area surrounding the project location is used for industrial and maritime activities, such as ship/barge loading and unloading, boat storage and repair. The specific project area is bordered by a boat storage lot and parking lot both of asphalt and/or gravel. A gravel haul road leads to the staging area.

The proposed project involves the demolition, removal and disposal of the storm damaged shipping pier and a spud barge. During the 2005-2006 winter storm events, the existing pier was damaged causing timbers and decking pieces to cast adrift, creating a navigation hazard. Under an Emergency Permit No 1-06-001-G from the California Coastal Commission issued in January 2006, the applicant removed debris from the water and stockpiled it on site. The project area has historically been used for industrial and maritime boat storage and boat repair. The proposed project area is bordered by asphalt and graded gravel parking and boat storage lots. The steel barge, built in the 1970s, historically was used for dock repair and pile driving projects in Humboldt Bay until 1999.

The barge has hollow metal tubes called spuds which stabilize the barge when docked. Currently the barge consists of hollow steel floats, two steel spuds, a steel crane frame and a small air cooled engine. Due to the dilapidated condition of the barge, the applicant proposes to raise the spuds, towing the barge 100 yards to a boat lift which will remove the barge from the water and place it in the boat yard. In preparation for this project, the applicant has removed any known hazardous materials from the barge, with the exception of 6 ounces or less of lube oil in the air cooled engine on the barge. Once the barge is in the boat yard, the applicant proposes to cut the barge into pieces and transport the pieces to a designated steel recycle location.

The applicant proposes to remove and dispose of approximately 45,000 square feet of storm damaged timber planks from the deck, approximately 700 one-foot diameter untreated wooden pilings and piling caps. The applicant proposes to use an existing graded gravel haul road which leads to a level staging area with an earthen dike for prevention of stormwater runoff; the area was previously used for the emergency coastal permit activities. The applicant proposes to use a tracked excavator which will be operated from the deck to be removed and the adjacent asphalt and graded gravel areas. The applicant proposes to remove the piling first and the wooden deck last. The applicant proposes to remove the wooden piling completely by vibrating; pilings that

break during removal will be cut one foot below the mud line. All debris is slated to be temporarily stockpiled in a designated upland area before removal to an appropriate disposal site. The stockpiled debris will be removed concurrently with the demolition activities. The pilings are slated to be disposed of in three ways: 1) delivered to DG Fairhaven Power Facility to be used to produce renewable energy; 2) reused as fencing material at local ranches in the area; and/or removal for offsite disposal at a landfill.

The applicant has installed a chain link fence separating the proposed work area from the Fields Landing Marine Terminal and the adjacent boat yard. The applicant proposes to use a floating boom to prevent any debris from entering the intertidal zone during demolition and to remove any debris captured by the floating boom at the end of each workday. The project will occur between April 15 and October 15, 2008 with an estimated duration of 4 months.

The proposed project does not require compensatory mitigation. The proposed pier and barge removal is within intertidal areas; the California Coastal Commission indicates that it anticipates that the project will restore intertidal and submerged environmentally sensitive habitat areas (ESHA), specifically by increasing the area exposed to sunlight, as well as available space for eelgrass and invertebrate colonization. The proposed project activities will not involve vegetation removal. The applicant proposes to count the pilings removed, using the pilings as mitigation credits for any potential future installation of a dock or pilings at the Fields Landing Marine Terminal only. Noncompensatory mitigation for the project includes the use of Best Management Practices (BMPs) for heavy equipment operation near a waterway, and for sediment and erosion control. The applicant proposes to deploy a floating boom around the project area within the bay/intertidal wetlands to capture any debris within the project area.

The applicant has a Letter of Permission (File No. 2007-400372N) from the United States Army Corps of Engineers for authorization to perform the project pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. section 403). On April 26, 2007, the Humboldt Bay Harbor, Recreation and Conservation District adopted a Mitigated Negative Declaration (SCH No. 2007032059) for the project in order to comply with the California Environmental Quality Act. 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. The applicant applied for a permit from the California Coastal Commission (1-07-009).

The information contained in this public notice is only a summary of the applicant's proposed demolition 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 propose 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 or comments, please contact Diana Henriouille at (707) 576-2350 or email DHenriouille-Henry@waterboards.ca.gov or Catherine Woody at (707) 576-6723 or email Cwoody@waterboards.ca.gov within 21 days of the posting of this notice.