

July 24, 2008

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

Humboldt County Department of Public Works – Alderpoint Road, Post Mile 10, Storm
Damage Repair
WDID No. 1B08070WNHU

Humboldt County

On April 17, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Humboldt County Department of Public Works (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to repairing a slipout on Alderpoint Road and replacing a damaged culvert within the slipout area. The proposed project will cause disturbances to waters of the United States associated with an unnamed tributary to Frenchman Creek in the Spy Rock Hydrologic Subarea No. 111.42.

A large slipout occurred on Alderpoint Road at Post Mile 10 during the winter storms of 2005-2006. The slipout is approximately 160 feet at its widest point along the roadway and extends approximately 90 feet down the slope below the roadway. An ephemeral stream flows under the roadway through an existing 24-inch diameter and 135-foot long culvert. The culvert was damaged during the slipout and the outlet section separated from the remainder of the culvert.

The proposed project involves replacing the damaged culvert with a 48-inch diameter high-density polyethylene pipe. An 80 foot wide by 135 foot long area of the roadway and slipout will be excavated to remove the existing culvert. Excavated material will be stockpiled at the project site for use as backfill. The damaged culvert will be removed and the new culvert will be installed in its place. The fill prism will be reconstructed above the new culvert using stockpiled material and the roadway will be repaved with asphalt. Rock slope protection will be added to the culvert outlet.

Proposed culvert excavation and replacement activities will temporarily impact 1450 square feet and 145 linear feet of ephemeral stream channel including 1350 square feet and 135 linear feet of channel that was already filled by the existing 24-inch diameter culvert. The proposed rock slope protection at the culvert outlet will permanently impact 375 square feet and 25 linear feet of ephemeral stream channel. The proposed 48-inch diameter and 135-foot long culvert will be placed in the same location as the existing culvert and it will not result in any additional permanent impacts to the stream channel.

Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation includes seeding and mulching disturbed areas. Noncompensatory mitigation also includes the use of Best Management Practices for sediment and turbidity control and for operation of heavy equipment in a stream channel. The proposed project is scheduled for construction during the summer of 2008 when there is little or no water flowing in the channel.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under a nationwide permit, pursuant to Clean Water Act, section 404. The applicant has applied to the California Department of Fish and Game for a Lake or Streambed Alteration Agreement. The County of Humboldt determined that this project is categorically exempt from California Environmental

Quality Act (CEQA) review pursuant to Section 15301, Class 1 – existing facilities, and Section 15304 – minor alterations to land. 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.

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.