

August 15, 2008

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

City of Arcata – Arcata Baylands Fresh Water Pond Enhancement Project
WDID No. 1B08027WNHU

Humboldt County

On February 22, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the City of Arcata Environmental Services Department (applicant) requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Arcata Baylands Fresh Water Pond Enhancement Project in Humboldt County. The proposed project will cause disturbances to waters of the United States associated with Humboldt Bay and the Eureka Plain Hydrologic Unit No. 110.00.

The applicant proposes to construct four fresh water seasonal wetlands (ponds) located in the vicinity of Old Arcata Road in the City of Arcata, Humboldt County. The purpose of the proposed project is to improve and increase habitat at a Site of International Importance for Shorebirds, as listed by the Western Hemisphere Shorebird Reserve Network. This habitat benefits shorebirds using Humboldt Bay and surrounding seasonally-wet pasturelands. The proposed project involves excavation of four seasonal wetland ponds. Water control features will be installed to allow the ponds to dry during the summer months.

The project location is an actively grazed seasonal wetland (cattle pasture). Historically the soil has not allowed grazing for up to 7 months out of the year depending on rainfall, the area will continue to be used for grazing upon completion of the project.

The majority of the Humboldt Bay area agricultural pasturelands are diked former tidelands. The United States Fish and Wildlife Service have identified the Humboldt Bay salt marsh habitat area as a high priority for restoration. Salt marsh habitat protection, enhancement and restoration are beneficial to native fish, wildlife and plant communities. The applicant proposes to restore four seasonal wetland areas that are either outside of former tidelands (seasonal wetland area #1 and #3) or near the inland margin of former tidelands (seasonal wetland areas #2 and #4). All four areas are located in or near areas that historically receive freshwater inundation from streams.

The proposed project activities involve excavation of four of the existing seasonal wetland areas (ponds) to two feet below existing surface conditions, in order to prolong the period of inundation during the rainy season. The applicant proposes to excavate each of the four seasonal wetlands to have 8:1 slopes and a depth of 24 inches. Seasonal wetland #1 will also have a contoured a small drainage swale at its base that leads to seasonal wetland #2. Seasonal Wetland #3 involves construction of a sinuous low flow channel to re-establish stream habitat connectivity on Fickle Hill Creek and prevent fish stranding.

Seasonal wetland #4 is located on the southeast portion of parcel 501-402-005; the wetland will fill with rain water and overflow water from an unnamed tributary that drains to south Gannon Slough. Water control features, 3X3 foot Twin Track weirs with 24 inch outflow, will be placed at the base of seasonal wetlands #2 and #4. The purpose of the

weir placement is to insure wetlands dry out during the dry season preventing mosquito breeding and allow summer livestock grazing.

The proposed project involves 9 acres of seasonal wetlands; the applicant estimates that the excavation will generate 31,280 cubic yards of fill. This fill will be transported for use at approved locations. Construction activities are scheduled to occur only between June 15 and October 31 to avoid or minimize environmental impacts to soil, birds, and aquatic species. The proposed project will use bulldozers, excavators, loaders, scrapers and transport vehicles for the completion of the project.

The total area of wetlands to be permanently impacted by this project is 9 acres associated with the dredging of the seasonal wetlands. Areas that will be temporarily impacted include 675 feet for temporary road access and 2.6 acres of temporary construction buffer zones. The California Coastal Commission requires the applicant to submit a restoration monitoring program. No compensatory mitigation is required for this project. Non-compensatory mitigation measures include the use of Best Management Practices for equipment operations and erosion and sediment control. The applicant will utilize straw blankets, hydromulching, geotextile and silt fence for sediment control and mulch all areas of bare soil for erosion control.

The applicant has applied to the United States Army Corps of Engineers for a Nationwide Permit (NWP) 3 for *Maintenance* and NWP 27 for *Aquatic Habitat Restoration, Establishment and Enhancement Activities* (Permit No. 274340N), pursuant to section 404 of the Clean Water Act. The City of Arcata, as lead California Environmental Quality Act (CEQA) agency completed and adopted a Mitigated Negative Declaration (SCH # 2006042056) for this project on June 19, 2006. Regional Water Board permitting associated with this project will be conditioned, in part, upon compliance with the mitigation measures specified by the City in the Mitigated Negative Declaration. In addition, the applicant applied for a Lake and Streambed Alteration Agreement from the California Department of Fish and Game (Notification No. R1-08-0094). The applicant applied for a permit from California Coastal Commission (No. 1-08-011).

The information contained in this public notice is only a summary of the applicants' proposed 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 Mark Neely at (707) 576-2689 or Catherine Woody at (707) 576-6723 within 21 days of the posting of this notice.