

May 5, 2009

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

Brown's Seep Well Protection Project – Trinity River
WDID No. 1B09021WNTR

Trinity County

On February 9, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Jerry Brown (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with placement of rock riprap around an existing seep well to protect the structure during high flows in the Trinity River. The proposed project will cause disturbances to waters of the United States associated with the Trinity River in the Douglas City Hydrologic Subarea No. 106.31.

The purpose of the proposed project is to protect the existing well during high flow events that are associated with prescribed dam releases for fishery restoration in the mainstem Trinity River. The applicant's existing seep well consists of a 3-foot diameter concrete casing that extends above the low flow water surface elevation. Approximately 12 cubic yards of clean rock riprap will be placed around the well casing; extending approximately 3 feet out from the casing and up the casing wall to the top rim. The rock will be placed from the rivers edge during a low flow period such that no heavy equipment will be operated in flowing or standing water.

The proposed project will result in permanent impacts to 81 square feet and 6 linear feet of stream bed surrounding the existing well casing. The proposed project will not result in any temporary impacts. The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under nationwide permit, pursuant to Clean Water Act Section 404. The applicant has also applied to the California Department of Fish and Game for a Lake or Streambed Alteration Agreement. 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. Compensatory mitigation is not required for the proposed project. The proposed project is scheduled for construction during the summer of 2009.

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.