

May 15, 2009

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

City of Arcata – Fickle Hill Creek Restoration Project
WDID No. 1B09050WNHU

Humboldt County

On April 16, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the City of Arcata (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with realignment and restoration of Fickle Hill Creek. The proposed project is part of the Arcata Baylands Project, a larger conservation, protection and enhancement effort in the Humboldt Bay region. The proposed project will cause disturbances to waters of the United States associated with Fickle Hill Creek in the Eureka Plain Hydrologic Unit No. 110.00.

Fickle Hill Creek is a small stream tributary to Beith Creek which is tributary to Gannon Slough before entering Humboldt Bay. The applicant has been implementing restoration projects in the Beith Creek and Gannon Slough stream systems since 2003. The proposed project involves restoration of a section of Fickle Hill Creek located downstream of a recently completed seasonal wetland enhancement project and upstream of the tidally influenced portion of Fickle Hill Creek. The proposed project is intended to benefit the greater Gannon Slough/Beith Creek stream systems and their habitat.

The stream systems in the project area typically provide important rearing habitat for coho salmon and habitat for other species. Like many of the area's small drainages, Fickle Hill Creek has been dredged, straightened, and bermed over time which has significantly changed its natural configuration. Fickle Hill Creek lacks aquatic habitat associated with instream structures and riparian vegetation.

The proposed project involves excavation of land adjacent to Fickle Hill Creek to create a new stream channel with a more natural configuration. The proposed stream channel design is based on an 1870 US Coast Historic Survey Map (map) that shows a meandering stream channel where the straightened channel currently exists. The proposed channel design closely resembles the historic channel configuration and meander pattern that is shown on the map. The proposed project also involves removal of two culverts, installation of a pedestrian bridge, planting native riparian vegetation along the constructed channel, and installation of up to 15 small log/boulder habitat structures in the new channel. All habitat improvements will be done in accordance with techniques described in the California Department of Fish and Game's "California Salmonid Stream Habitat Restoration Manual."

Reestablishing the historic channel configuration will involve the use of heavy equipment to excavate and shape the channel during the summer, when the creek is dry and no aquatic species are present. Heavy equipment will operate from areas

outside of flowing or standing water. Approximately 1,285 cubic yards of material will be excavated to create the new meandering channel. Approximately 1,050 cubic yards of excavated material will be used to fill and abandon the existing stream channel. Sod and top soil scraped from the excavated areas will be used to revegetate the filled channel areas. The applicant proposes to haul the excess excavated material to their McDaniel Slough project or use the material to close a rock quarry.

The existing stream channel within the project area is approximately 1,634 feet long with an area of 0.6 acre. The proposed channel will be 1934 feet long with an area of 0.9 acres. The project should provide some increased flood capacity by lengthening the channel by 300 feet. Clusters of Sitka spruce, red alder, and native willow will be planted along selected areas of the constructed channel that are intended to provide 2.5 acres of native riparian vegetation along the new channel.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Numbers 3 and 27, 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. The City of Arcata, as lead California Environmental Quality Act (CEQA) agency adopted a Mitigated Negative Declaration (SCH # 2006042056) for the Arcata Baylands Enhancement/Restoration project on June 19, 2006 in order to comply with CEQA. The City of Arcata prepared an Addendum to the Negative Declaration on March 28, 2009, to include restoration of Fickle Hill Creek. The Regional Water Board has considered the environmental documents and any proposed changes incorporated into the project or required as a condition of approval to avoid significant impacts to the environment. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation includes the use of Best Management Practices for sediment and turbidity control and for operation of heavy equipment in a stream channel. Noncompensatory mitigation also includes revegetation of disturbed areas.

The information contained in this public notice is only a summary of the applicant's 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 staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.