

October 1, 2009

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

Eureka Broadcasting – Antennae Replacement Project
WDID No. 1B09100WNHU

Humboldt County

On August 5, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Eureka Broadcasting, Inc. (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with replacing existing radio antennae (towers) and associated guy wire anchors in the Eureka area. The proposed project will cause disturbance to waters of the United States associated with diked and farmed former tidelands adjacent to Eureka Slough in the Eureka Plain Hydrologic Unit No. 110.00.

The proposed project includes replacing two radio towers that were installed in 1955 with new towers after structural reinforcement of the existing tower foundations is completed. The proposed project also includes installation of new guy wires and associated deadman anchors. Three new deadman anchors will be installed around each tower and three new guy wires will be installed from each anchor to the tower.

Structural reinforcement of the existing tower foundations involves excavation to remove soil from around the perimeter of each concrete foundation to allow for installation of a six-inch thick concrete and rebar jacket around the perimeter of each foundation. Installation of the new deadman anchors involves excavating an approximately 18 square foot area to a depth of 6 feet and pouring concrete into a 3 foot by 3 foot by 3 foot form placed in the bottom of the excavation. During excavation activities the top layer of soil and vegetation will be removed prior to excavating deeper soils. The top soil layer will be stored separately and kept moist to facilitate revegetation of disturbed areas. After the concrete has cured the form will be removed and the guy wires will be attached to the anchors below ground surface. The anchors will be covered with approximately 3 feet of fill using previously excavated materials to restore the surface. The point of contact of each 1.25-inch diameter guy wire with the ground surface will be the only permanent impact to the wetland surface associated with installation of the new anchors.

The proposed concrete and rebar jackets around the existing tower foundations will result in permanent impacts to 8 square feet of wetlands in diked and farmed former tidelands. The proposed excavations for the deadman anchors will result in temporary impacts to 108 square feet of wetlands in diked and farmed former tidelands. Compensatory mitigation is required for the proposed permanent impacts to wetlands in farmed and diked former tidelands. Compensatory mitigation consists of removal of the above ground portion of the existing concrete guy wire anchors to a depth of 18-inches below ground. Removal of the existing concrete anchors and backfilling with native materials will create 12 square feet of wetlands in diked and farmed former tidelands. Noncompensatory mitigation includes the use of BMPs for sediment and turbidity

control and for operation of heavy equipment in farmed wetlands. The proposed project is expected to start as soon as all permits are issued and is expected to take three weeks to complete.

The Applicant has obtained authorization from the United States Army Corps of Engineers (USACOE File No. 2009-00310N) to perform the project under Nationwide Permit No. 18, pursuant to Clean Water Act, section 404. A Lake or Streambed Alteration Agreement from the California Department of Fish is not required. On July 9, 2009, Humboldt County approved a Mitigated Negative Declaration (SCH No. 2009062014) for the project in order to comply with CEQA. 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 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, cross-sections, 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.