

December 14, 2009

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

Humboldt Bay Municipal Water District –
Mad River Operations Near Essex
WDID No. 1B03079WNHU

Humboldt County

On October 19, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Humboldt Bay Municipal Water District (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for proposed annual activities associated with ongoing operation, maintenance, excavation, berm construction, and protection of existing water supply structures in a two-mile reach of the Mad River between the railroad bridge in Blue Lake and the Highway 299 Bridge near Essex. The proposed project will cause disturbance to waters of the United States associated with the Mad River in the Blue Lake Hydrologic Area No. 109.10.

The Applicant is the only water supplier in the greater Humboldt Bay area. The Applicant sells “raw” water to industrial users on the Samoa Peninsula and treated water to the cities of Arcata, Blue Lake, and Eureka, as well as the Fieldbrook, Humboldt, Manila, and McKinleyville Community Services Districts. Proposed operation and maintenance activities include channel dredging, excavation, and the use of excavated materials to create a berm parallel to the low-flow channel between an existing rock jetty on the north bank and an existing rock weir downstream of Station 6. Excavation activities may be conducted between Stations 1 and Station 6, and in front of Station 6, on an as needed basis when aggradation blocks the flow of water into the forebay.

Temporary access roads, platforms, gravel berms, and ramps may be constructed to allow the Applicant to work on pumps housed in collectors 1, 2, 4, and 5. Temporary access structures will be constructed out of the low-flow channel and during low-flow periods by moving river-run gravel material from the surrounding area using heavy equipment. Gravel berms 3- to 4-feet high, 20-feet wide, and 350-feet long are constructed adjacent to the collectors. The berms prevent the water elevation at Pump Station 6 from dropping too low for the water to flow into the pumps. A channel approximately 10-feet deep, 12-feet wide, and 300-feet long will also be excavated in the river gravel to connect Pump Station 6 with the low-flow river channel. The exact configuration of the berm and channel are based on the amount of aggraded gravel in front of the pump Station 6 and the location of the low-flow river channel.

The proposed project will result in temporary impacts to approximately 750 linear feet and 1.35 acre of stream channel. The proposed project will result in less than 0.01 acre of permanent impact to the stream channel. Compensatory mitigation is not required for the proposed project. Under Section 10 of the federal Endangered Species Act (ESA), the Applicant elected to pursue an Incidental Take Permit for its Mad River activities and

has an approved Habitat Conservation Plan (HCP). The purpose of the HCP is to describe conservation, mitigation, and monitoring measures that the Applicant will undertake to minimize and mitigate adverse impacts to three ESA listed salmonid species: chinook salmon, coho salmon, and steelhead trout. Noncompensatory mitigation includes the use of Best Management Practices for sediment and turbidity control and for operation of heavy equipment in the stream channel. Disturbed areas on the gravel bar where fill materials are obtained shall also be graded in such a manner that no depressions remain on the gravel bar and the bar is sloped to drain towards the wetted channel. Proposed project activities are generally conducted on an annual basis between June 1 and October 15.

The applicant has obtained authorization from the United States Army Corps of Engineers to perform the project under Individual Permit (File No. 286620N, expires December 31, 2009), pursuant to Clean Water Act, section 404. The Applicant has also obtained a Lake or Streambed Alteration Agreement from the California Department of Fish and Game (#00-0048). The Applicant adopted a Mitigated Negative Declaration (MND, SCH# 1999122026) for the project on January 27, 2000 and an Addendum to the MND on January 11, 2001, 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 detailed 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.