

December 14, 2009

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

Humboldt Bay Municipal Water District –  
R.W. Mathews Dam/Ruth Lake Operations  
WDID No. 1A04156WNTR

Trinity 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 activities associated with ongoing maintenance of existing water supply structures and flow channels immediately downstream of R.W. Mathews Dam and Ruth Lake. The proposed project will cause disturbances to waters of the United States associated with the Mad River in the Ruth Hydrologic Area No. 109.40.

The Applicant supplies water for domestic and industrial uses to the greater Humboldt Bay area using structures located downstream near Essex that are dependent on flows from Ruth Lake and tributaries downstream of the dam. Proposed project activities include maintenance of existing structures and flow channels, and removal of aggraded earthen materials from the spillway plunge pool and tailrace channel. Maintenance activities also include as needed repair of existing rock slope protection (RSP) and revetments between the plunge pool and tailrace outlet. Removing aggraded materials from the flow channels and maintenance of RSP areas is necessary to protect the existing water supply structures from erosion and damage that can be caused by heavy spillway flows. Any earthen materials removed from the plunge pool and channel areas will be placed above ordinary high water and above elevations that have flooded in the past. The tailrace channel and plunge pool areas subject to sediment and rock deposition are approximately 0.5 acre and 0.9 acre respectively. The Applicant estimates that removal of up to 250 cubic yards of material may be required.

The removal of aggraded materials from the channel areas will result in temporary impacts to 180 linear feet and 0.14 acre of stream channel. Proposed activities to maintain existing RSP and revetment areas will result in less than 0.01 acre of new permanent impacts to the streambank. 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. Proposed activities are generally conducted 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. 28684N, 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 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.