August 6, 2010

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

Humboldt County Department of Public Works – Poison Oak Creek Sediment Removal for Flood Control Project
WDID No. 1B10059WNHU

Humboldt County

On May 25, 2010, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Humboldt County Department of Public Works (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with removal of sediment (aggregate) from an unnamed tributary to Poison Oak Creek and Poison Oak Creek to reduce flooding along Dyerville Loop Road near Post Mile 2.56. Poison Oak Creek is a tributary to the Eel River upstream of the South Fork Eel River near Camp Grant Flat. The proposed project will cause disturbance to waters of the United States associated with an unnamed tributary to Poison Oak Creek and Poison Oak Creek in the Sequoia Hydrologic Subarea No. 111.41.

The Poison Oak Creek watershed is mostly in steep terrain along the northeast side of Mail Ridge. Poison Oak Creek drops in elevation by approximately 1580 feet from its origin to Dyerville Loop Road (county road) along Camp Grant Flat. The stream gradients are very flat between the county road and the Eel River and bed load sediment tends to deposit and accumulate at the county road and downstream. The stream channels affected by the proposed project have a history of aggradation and flooding issues along the county road.

Historically, the applicant has maintained the culvert at Post Mile 2.56 to ensure flow capacity during winter high-flow events by removing the aggraded sediment from the streambed between the railroad track and county road culverts, and extending downstream of the culvert outlet. Previous activities to reduce flooding has also included removing aggraded sediment from the streambed of the unnamed tributary to Poison Oak Creek where it runs adjacent to the county road and where flooding of the roadway occurs during moderate storm events.

Previous aggregate removal activities have been conducted under a Lake or Streambed Alteration Agreement (agreement) issued by the California Department of Fish and Game. Due to relatively mild winters in recent years, aggradation in the stream channels and culverts has been moderate and sediment removal has not been necessary each year. Increased aggradation has occurred in recent years and sediment removal is required again to restore flow capacity through the culverts and portions of the channels in order to reduce flooding along the county road.

Aggregate removed in the past was stockpiled along the east side of the Poison Oak Creek channel directly downstream of the county road. Due to the close proximity of the existing stockpile area to the streambank, the applicant and property owner have

agreed to relocate the stockpile area. The new stockpile area is located over 200 feet from Poison Oak Creek on the edge of an open field. Excavated materials will be placed directly in dump trucks and hauled to the new stockpile location during all phases of the project. The aggregate is not suitable for use by the applicant but the material will be used onsite by the landowner.

The proposed project consists of annual or less frequent channel excavation to remove aggraded sediment from the dry streambed of Poison Oak Creek and the unnamed tributary. The purpose of the proposed project is to maintain flow capacity through existing culverts and the stream channels to reduce flooding along Dyerville Loop Road. The proposed activities have been divided into four phases or project areas as described below.

Phase 1

Proposed activities are located in a short section of Poison Oak Creek between the outlet of the 6-foot diameter concrete culvert under the railroad tracks and the inlet of the 6-foot diameter steel culvert under the county road. These culverts are estimated to be sixty percent blocked. Approximately 8 cubic yards of aggregate will be excavated from the stream channel to a depth equal to the concrete outflow apron attached to the culvert, approximately 36 inches below the current elevation of the streambed.

Excavation from this area will encourage downstream movement of sediment within the upstream culvert to restore its flow capacity. Excavation will be performed by a small rubber tired excavator or backhoe operated from the road shoulder. Excavation activities will only occur during the summer when there is no water flowing in the stream. Riparian vegetation will not be removed. Phase 1 will take approximately 2 hours to complete. Annual excavation may be conducted although the necessity and frequency may diminish over time depending on the severity of winter storms.

Phase 2

The culvert under the county road is a 6-foot diameter and 80-foot long steel culvert. Sediment accumulates upstream (Phase 1 area), downstream and within the culvert to a depth of 4 feet, leaving only 2 feet or less of open culvert between the streambed and top of the culvert for passage of stream flows. Streambed elevations near the culvert outlet are equal to or only slightly lower than the top of the culvert.

Past maintenance practices involved removal of sediment from the channel of Poison Oak Creek beginning immediately downstream of the culvert and continuing downstream for approximately 300 feet. Proposed activities are intended to be less invasive and will reduce impacts to the channel and vegetation by limiting sediment removal to a maximum distance of 30 linear feet downstream from the culvert outlet. Approximately 135 cubic yards of aggregate will initially be excavated to a depth of 3-4 feet below the culvert invert which is approximately 8-9 feet below the current streambed elevation. This initial and unusually deep excavation is intended to encourage the downstream movement of sediment from within the upstream culverts. Once the aggraded sediment begins moving through the culvert and flow capacity is

restored the need for subsequent excavation may be reduced and it may only be necessary to remove sediment to an elevation that is slightly below the invert elevation during future maintenance events.

Excavation will be performed by heavy equipment operating outside the stream channel. A backhoe may not have adequate boom reach and an excavator may be needed. Excavation activities will only occur during the summer when there is no water flowing in the stream. Disturbance to riparian vegetation will be minimized by pruning to reduce plant height and allow excavation equipment to reach over the vegetation. Phase 2 will take approximately 3 hours to complete.

Phase 3

Proposed activities involve additional excavation of aggraded sediment from the Poison Oak Creek channel. To minimize impacts to riparian vegetation located in the active channel, Phase 3 activities will begin approximately 120 feet downstream of the county road and excavation will continue downstream for a maximum distance of 90 linear feet. The area of excavation will be approximately 16-feet wide and to a depth of 4 feet below the streambed. As much as 215 cubic yards of aggregate will be excavated from the Phase 3 area during the initial year of implementation.

Excavation will be performed by heavy equipment operating outside the stream channel. A backhoe may not have adequate boom reach so an excavator may be needed. Excavation activities will only occur during the summer when there is no water flowing in the stream. Disturbance to riparian vegetation will be minimized by pruning to reduce plant height to allow excavation equipment to reach over the vegetation. Phase 3 will take approximately 2 days to complete. Annual excavation from the Phase 3 stream channel area may be necessary although the need for future exaction will depend on the severity of winter storms.

Phase 4

Proposed activities involve excavation of aggraded sediment from the unnamed tributary to Poison Oak Creek immediately downstream of the railroad crossing over the unnamed stream channel. Excavation will begin at the edge of the concrete apron under the crossing and will extend downstream for a maximum distance of 35 linear feet. The area of excavation will be approximately 12-feet wide and to a depth of up to 4 feet below the streambed. As much as 62 cubic yards of aggregate will be excavated from the Phase 4 area during the initial year of implementation.

Excavation will be performed by a small excavator or backhoe operated from the top of the streambank. Excavated material will be loaded directly into dump trucks and hauled to the new stockpile location. Excavation activities will only occur during the summer when there is no water flowing in the stream. Disturbance to riparian vegetation will be minimized by pruning to reduce plant height to allow excavation equipment to reach over the vegetation. Phase 4 will take approximately 4 hours to complete. Annual excavation from the Phase 4 stream channel area may be necessary although the need for future exaction will depend on the severity of winter storms.

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. Humboldt County Public Works determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to section 15301, class 1 – existing facilities. Regional Water Board staff have determined that this project is categorically exempt from CEQA review (section 15301, class 1 – existing facilities) and anticipate filing a Notice of Exemption for this project.

Compensatory mitigation is not required for the proposed projects. Noncompensatory mitigation includes the use of Best Management Practices (BMPs) for sediment and turbidity control and for operation of heavy equipment in a stream channel. The proposed activities are scheduled to begin during the summer of 2010.

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. 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.

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