

August 26, 2011

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

Barnum Property – Martin Slough Sediment Removal Project
WDID No. 1B11152WNHU

Humboldt County

On August 4, 2011, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. C. Robert Barnum, (applicant), requesting Federal Clean Water Act (CWA), section 401, water quality certification (certification) for proposed activities associated with continued annual removal of excess sediment from Martin Slough to reduce flooding and improve habitat for anadromous fish and wildlife. The proposed project is located near the southern limits of Eureka between the Fairway Drive crossing over Martin Slough and Campton Road. The proposed project will cause disturbances to waters of the United States associated with Martin Slough in the Eureka Plain Hydrologic Unit No. 110.00.

Excessive runoff and sediment from the developed upper watershed has resulted in significant amounts of sediment accumulation in the low gradient reach of Martin Slough that crosses through the applicant's property. The excess sediment reduces salmonid habitat in Martin Slough, primarily juvenile coho salmon rearing habitat, and significantly limits the channel's ability to convey stream flows through the applicant's property which also increases the potential for winter flooding. In addition, previously constructed in-channel sediment ponds, which have doubled as wildlife habitat, have started to fill with fine sediment.

The proposed project involves removal of accumulated fine sediment from approximately 2,000 linear feet of Martin Slough including the in-channel sediment ponds. The applicant has indicated that proposed sediment removal activities have been ongoing within this section of Martin Slough for over 50 years. The California Department of Fish and Game has issued Lake or Streambed Alteration Agreements for previous sediment removal activities.

A three-foot deep low flow channel will be excavated in the stream channel in order to provide adequate flows for fish passage and juvenile rearing. Sediment will be excavated using a backhoe or excavator situated above the banks of the channel. Heavy equipment will not be positioned within the active portion of the wetted channel. Excavated sediment will be moved to an upland location of sufficient distance from the channel to prevent the material from re-entering the slough. Sediment will not be formed into any type of levee or dike. Erosion control measures consisting of native grass seed and straw mulch will be applied to the disturbed ground surfaces adjacent to the slough. The amount of sediment removed each year will vary depending on the amount of deposition on the applicant's property. Approximately 3,000 cubic yards of sediment are proposed for removal in 2011. Proposed sediment removal activities will be conducted between July 1 and October 15 each year.

The applicant has applied for authorization from the U.S. Army Corps of Engineers to complete the project pursuant to Clean Water Act, section 404. The applicant has applied for a new Lake or Streambed Alteration Agreement (Notification No. 1600-2010-0396-R1) from the California Department of Fish and Game. Regional Water Board staff have determined that this project is categorically exempt from CEQA review (Section 15304 – Minor Alterations to Land) and anticipate filing a Notice of Exemption for the proposed project.

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 activities. 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.