

September 10, 2012

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

McCartney Residence – Culvert Installation, Unnamed Tributary to Mill Creek  
WDID No. 1B12157WNHU

Humboldt County

On August 9, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. David McCartney (applicant), requesting Federal Clean Water Act, section 401, water quality certification for proposed activities associated with installation of two culverts in an existing wet ford (stream crossing) on a dirt road that was originally built in the 1990s when the parcel was logged. The proposed project is located near the end of East Cochran Road in the McKinleyville area. The proposed project will cause disturbances to waters of the United States associated with an unnamed tributary to Mill Creek in the Blue Lake Hydrologic Area No. 109.10.

The applicant is developing a parcel (APN 50905139) for residential use and access to the parcel is currently provided by a dirt road through a parcel (APN 50905108) that is owned by the Green Diamond Resource Company. The existing dirt road was originally constructed as a logging road by Simpson Timber Company in the 1990s. The road will continue to be used by Green Diamond Resource Company.

The proposed project is located at an existing wet ford where a 17-foot wide dirt road crosses an unnamed tributary to Mill Creek. The existing stream crossing is in a low lying area that is subject to standing water and muddy conditions. The primary purpose of the proposed project is to improve the roadway and stream crossing to provide reliable access to the applicant's residential parcel during all seasons. The proposed project will eliminate the existing wet ford crossing so vehicles will no longer be driving directly through the muddy streambed. The proposed new culverts and roadway improvements will also improve water quality by reducing sedimentation and potential pollution associated with vehicles driving directly through the stream. The stream in the project area is not habitat for anadromous salmonids due to a natural fish migration barrier located downstream on Mill Creek.

The proposed road improvements include installation of two culverts. A 24-inch diameter and 30-foot long corrugated plastic culvert will be installed where the road crosses an intermittent stream channel and an 18-inch diameter and 20-foot long culvert will be installed at a location where water will flow during storm events. The 30-foot long culvert will be embedded six inches into the road bed and the 20-foot long culvert will be installed at the existing grade. Excavated soil will be incorporated into the 75-foot long roadway and a 75-foot long section of the roadway will be elevated approximately three feet with clean imported quarry rock. The inlets and outlets will be armored with rock. All work will occur with the existing 17-foot wide roadway.

The proposed project will result in 34 linear feet and 870 square feet of permanent impacts to waters of the United States. The proposed project will not result in any temporary impacts to waters of the United States. Compensatory mitigation is not required for this project. Non-compensatory mitigation measures include the use of

Best Management Practices for sediment and erosion control, and use of heavy equipment in a stream channel. Proposed activities will occur between June 15 and October 15. The project is expected to take approximately 3 days to complete.

The applicant has obtained authorization (File No. 2012-00217N) from the United States Army Corps of Engineers to perform the project under Nationwide Permit Nos. 3 and 14 pursuant to Clean Water Act, section 404. The applicant has also applied for a Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish and Game. Regional Water Board staff have determined that this project is categorically exempt from CEQA review (Class 1, Section 15301 – existing facilities) and anticipate filing a Notice of Exemption for this project.

The Mad River Total Maximum Daily Load (TMDL) for sediment and turbidity was established in 2007 by the United States Environmental Protection Agency in accordance with section 303(d) of the Clean Water Act, because the State of California determined that the water quality standards for the Mad River are exceeded due to excessive sediment and turbidity. Roads and bank erosion are identified as sources contributing to the sediment impairment. The primary adverse impacts associated with excessive sediment and turbidity in the Mad River pertain to cold freshwater habitat, primarily anadromous salmonid habitat. Actions authorized by this Order require implementation of Best Management Practices (BMPs) for sediment control at temporary stream crossings, and activities intended to enhance habitat for salmonids and other aquatic species such as alcove/wetland extractions designed to sequester silt and harbor willows. Accordingly, the proposed activities are consistent with, and implement portions of the Mad River TMDL.

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 including maps 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.