



DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707 / FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE 839-5401

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	PARKS	445-7651
ENGINEERING	445-7377	ROADS & EQUIP MAINT.	445-7421
ARCHITECT	445-7493		

CLARK COMPLEX
HARRIS & H ST., EUREKA 445-7205

December 14, 2007

North Coast Regional Water Resources Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

Sent via fax to: 707-523-0135 (followed by hard-copy sent via regular mail)

Subject: Work Plan to Control Excess Sediment in Sediment-Impaired Watersheds

Dear Executive Director:

These comments pertain to the public review draft (November 14, 2007) of the Work Plan to Control Excess Sediment in Sediment-impaired Watersheds.

The draft Excess Sediment Work Plan (ESWP) contains several constructive tasks. The Humboldt County Public Works Department is ready to work with Regional Water Board staff on developing general WDRs for county roads (ESWP page 18, Regional Task 13). Presumably this initiative will facilitate permitting for county road maintenance activities. Effort by the Regional Water Board and other agencies to facilitate permitting is an excellent investment for reducing sediment releases and improving water quality. Funding constraints are the most significant limitation on road maintenance, but environmental permitting can become an inadvertent deterrent if there are high fees, extraneous analysis requirements, complicated applications, burdensome conditions, and/or processing delays. This is counterproductive to improving and maintaining good water quality, because deferred infrastructure maintenance increases the risk of incidents such as failing culverts or bridge accidents which can result in releases of sediment and other pollutants to waterways.

The following comments focus on Task 3 for the Redwood Creek watershed, which reads:

“Ensure that any 401 Certifications for projects in the estuary and levee system near Orick involve levee removal, relocation, or re-configuration. Ensure projects achieve more natural flood plain characteristics and increase the depth and area of the lower embayment while increasing connectivity, circulation between the main channel and slough channels, and instream salmonid habitat shelter” (ESWP, page 157-158).

While improvement to the Redwood Creek estuary is a widely recognized restoration goal, inclusion of Task 3 in the ESWP is problematic for the following reasons:

Comment No. 1: According to U.S. EPA's documentation for the Redwood Creek TMDL, "For the purposes of the TMDL, the Redwood Creek basin is that area upstream of the Orick monitoring station located near the Route 101 crossing" (Comment Responsiveness Summary, page 8). The downstream boundary of the TMDL study area is identified as the USGS gaging station, which is located approximately three miles upstream of the Redwood Creek estuary. The only reference to the levees within the TMDL is found on page 39, where it states, "some of the problems in the estuary apparently are associated with levee structures which the TMDL is not designed to address." Whereas the ESWP is intended to fulfill the Regional Water Board's Sediment TMDL Implementation Policy (ESWP, Page 5), the levees are not a significant sediment source and were not identified as such in the TMDL. Redwood Creek Task 3 should be removed from the ESWP because it is not related to the sediment TMDL.

Comment No. 2: Redwood Creek Task 3 does not mention the function of the levees, which is to protect life and property in the community of Orick. This oversight suggests a heavy handed regulatory approach and contradicts Redwood Creek Task 1, which calls for outreach with the Redwood Creek Watershed Group, a collaborative partnership working to address watershed issues, including flood protection, from a balanced and comprehensive perspective. Failure to acknowledge the community's need for flood protection threatens to alienate the community and undermine the progress that has been made to improve dialogue between residents and government agencies. The narrow focus of Redwood Creek Task 3 is no longer applicable to current conditions and has been superseded by a more inclusive and effective watershed-based approach.

Comment No. 3: Removal, relocation, or re-configuration of the levees would entail extraordinary measures at a cost on the order of \$10 Million. This cost is disproportionate to the cost of projects such as the annual operation and maintenance of the levee system (on the order of \$100,000). As written, Redwood Creek Task 3 is economically infeasible.

Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in blue ink that reads "Hank Seemann". The signature is written in a cursive, flowing style.

Hank Seemann
Environmental Services Manager
Humboldt County Public Works Department