

July 9, 2018

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

**City of Eureka  
Clark Slough Maintenance Project  
40.799233, -124.179192<sup>1</sup>  
WDID No. 1B180010WNHU, ECM PIN CW-844357**

**Humboldt County**

On January 29, 2018, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the city of Eureka (Applicant), requesting federal Clean Water Act, section 401, water quality certification (certification) for activities related to the proposed Clark Slough Maintenance Project (Project).

**Receiving Waters**

The Project location would affect the waters of Humboldt Bay, within the Eureka Plain Hydrologic Unit (Basin Planning Area No. 110.00).

**Project Description**

The Applicant is seeking to obtain a permit to clean and maintain the Clark Slough drainage channel. Army Corps and California Department of Fish and Wildlife permits have been held in the past for this location. The Applicant is requesting to perform initial cleaning and follow-up routine maintenance of this drainage area. Cleaning and maintenance is necessary to prevent future flooding and to clear overgrown vegetation and accumulated trash and debris.

The Applicant will be performing routine maintenance of the approximately 1,200-foot-long rock lined drainage ditch at this location. This will include removal of brush by hand and the initial removal of approximately 2,000 cubic yards of silt, debris, trash, and invasive plant species from the drainage ditch starting at the north side of Washington Street at the intersection of Koster Street to approximately 650 feet to the north as it crosses underneath the railroad tracks.

Phase two of the Project will involve the remaining 550-foot northern portion of Clark Slough, where it crosses underneath the rail road tracks and to the end of the ditch prior to going underneath Waterfront Drive. The information for phase two is included in this permit, although no work is proposed at this time. Accumulated silt and debris will be removed by vacuum truck, backhoe or excavator from the drainage ditch. The drainage

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<sup>1</sup> WGS84 datum

area will be cleaned without the use of equipment within the ditch; the equipment will work from the adjacent 10-foot-wide access road. The total length of the ditch is approximately 1,200 feet with most of the cleaning to be within the first 650 feet, the area between Washington Street and approximately 650 feet to the north as it crosses underneath the railroad tracks. Subsequent routine maintenance will require the removal of accumulated debris and silt throughout the years at much smaller amounts than the initial cleaning. Sediment will be temporarily stored and dewatered and then disposed of at an approved recycling facility.

### **Impacts**

The first phase of the proposed Project would result in approximately 0.56 acres of temporary impacts as a result of sediment removal, invasive tree removal, and trash removal. Impacts for phase two of the project will be assessed and paid for at a later date, based on the 401 Certification Fee Schedule that is in effect then.

### **Avoidance and Minimization of Impacts**

The drainage area will be cleaned without the use of equipment within the ditch, the equipment will work from the adjacent 10-foot-wide access road. All work will be confined to the period August 1 through September 30 during low tide, unless as stated below. If work is performed outside of this work window, the Applicant will monitor the 72-hour forecast from the National Weather Service. When there is a forecast of more than 30% chance of rain, or at the onset of any precipitation, the work will cease. The Applicant will stage erosion and sediment control measures at the work site. If weather conditions permit and the stream channel at the work site is dry, the Applicant may perform work within the dry stream channel outside of the above-referenced dates after obtaining written approval from the Regional Water Board. Best management practices will be employed throughout the project. Eureka city staff and inspectors will be present during all work.

### **Dredging Timing**

Dredging is expected to occur over a five-year period between August 2018 and October 2022. The dredging work window would be between July 1 and October 15.

### **Other Resource Agency Actions**

The Applicant has applied to the United States Army Corps of Engineers for an Individual Permit, pursuant to CWA, section 404, and section 10 of the Rivers and Harbors Act of 1899.

The Applicant is seeking a 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife.

The Applicant is seeking a Coastal Development Permit Exemption from the California Coastal Commission.

## **CEQA**

The North Coast Regional Water Quality Control Board, as lead California Environmental Quality Act (CEQA) agency, has determined that the project qualifies for a Categorical Exemption, 15304 (g), *Minor Alterations to Land*, and will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of the certification, pursuant to CEQA guidelines.

## **Public Comments**

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 phone calls and comments submitted in writing and received within a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00pm on the last day of the comment period. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653 or [Stephen.Bargsten@waterboards.ca.gov](mailto:Stephen.Bargsten@waterboards.ca.gov) within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the applicant's proposed activities. The Regional Water Board's Project file includes the application for certification and additional details of the proposed Project, including maps and design drawings. Project documents and any comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Blvd, Suite A, Santa Rosa, CA. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.