



Linda S. Adams  
Secretary for  
Environmental Protection

**California Regional Water Quality Control Board  
North Coast Region  
Bob Anderson, Chairman**

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Arnold  
Schwarzenegger  
Governor

October 8, 2008

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In the Matter of

**Water Quality Certification**

for the

**HUMBOLDT COUNTY DPW – JACOBY CREEK BRIDGE, SEDIMENT REMOVAL  
PROJECT  
WDID NO. 1B07145WNHU**

APPLICANT: Humboldt County Public Works Department  
RECEIVING WATER: Jacoby Creek  
HYDROLOGIC UNIT: Eureka Plain Hydrologic Unit No. 110.00  
COUNTY: Humboldt  
FILE NAME: Humboldt Co. DPW – Jacoby Creek Bridge, Sediment  
Removal Project

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BY THE EXECUTIVE OFFICER:

1. On August 1, 2008, the Humboldt County Department of Public Works (Applicant) filed an application for water quality certification (certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities related to removal of accumulated sediment from under the bridge over Jacoby Creek on Old Arcata Road. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on September 15, 2008, and posted information describing the project on the Regional Water Board's website. We did not receive any public comments on this project.
2. The bridge on Old Arcata Road over Jacoby Creek is a 90-foot long by 36-foot wide concrete structure located approximately one mile upstream from its confluence with Humboldt Bay. This low gradient reach of the stream tends to accumulate excess sediment. The results of a recent stream channel assessment indicate that approximately 900 cubic yards of additional sediment has accumulated under the

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bridge area since the bridge was installed in 1988. Most of the sediment has deposited on the upper streambanks near the bridge abutments. The accumulated sediment is contributing to more frequent flooding in the area which sometimes causes Old Arcata Road to be closed to through traffic.

3. The project involves removal of approximately 300 cubic yards of the accumulated sediment. The purpose of the project is to restore the flow capacity under the bridge in order to reduce the frequency of flooding along the roadway and adjacent properties. Sediment removal activities will occur on both sides of the creek channel. Sediment removal activities will be confined within two areas that extend approximately 30 feet away from the bridge abutments and 60 linear feet parallel to the stream channel. The excavation areas will extend approximately 12 feet beyond the edges of the bridge deck in both the upstream and downstream directions. The sediment removal areas are located above the flowing portion of the stream channel. Sediment will be removed to an average depth of two to three feet below the existing ground surface.
4. Access to the stream channel will be from a path along the guardrail on the northeast side of the bridge. Sediment will be removed using hand tools and a small low-profile rubber-tracked loader. Excavated sediment will be removed from under the bridge and transferred to another small loader that will transport the material out of the channel to temporary stockpile areas located on adjacent upland property. After all the sediment has been removed and stockpiled it will be loaded into dump trucks and relocated to an offsite upland location.
5. In order to provide access to the south side of the channel and to avoid impacts to riparian vegetation along the south streambank, a wooden platform spanning the wet channel area will be installed on the downstream side of the bridge. The low-profile loader and workers will use the platform to haul excavated material to the north side of the channel where it can be transferred to the stockpile areas. Rakes and hoes will be used to smooth the disturbed areas, remove depressions, and restore the gradual slope along the streambanks.
6. Compensatory mitigation is not required for the project. Noncompensatory mitigation includes the use of Best Management Practices for sediment and turbidity control including installation of silt fence between the wet channel and excavation activities. The project is expected to take less than a week to complete.
7. The Applicant has obtained authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 3 (File No. 2007-00778), pursuant to Clean Water Act, section 404. The Applicant has also obtained a Lake or Streambed Alteration Agreement from the California Department of Fish and Game.



4. The Regional Water Board shall be notified prior to the commencement of ground disturbing activities, with details regarding the construction schedule, in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
5. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
6. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground clearing activities or any other project activities that could result in erosion or sediment discharges to surface water.
7. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
8. A copy of this Order and the application documents submitted by the Applicant for this certification shall be provided to all contractors and subcontractors conducting the work, and shall be in their possession at the work site.
9. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.
10. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project.
11. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer.
12. All project work shall be conducted as described in this Order and in the application submitted by the Applicant. If the Regional Water Board is not notified of a significant alteration to the project, it will be considered a violation of this Order, and the Applicant may be subject to Regional Water Board enforcement actions.
13. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and

implementation plans adopted and approved pursuant to the Porter-Cologne Water Quality Control Act or Section 303 of the Clean Water Act.

14. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
15. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable State or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification. In response to a suspected violation of any condition of this certification, the Regional Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
16. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.  
  
To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the project as described in this Order.
17. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited to and all proposed mitigation being completed in strict compliance with the Applicant's project description, and b) compliance with all applicable requirements of the Water Quality Control Plan for the North Coast Region (Basin Plan).
18. The authorization of this certification for any dredge and fill activities expires on October 8, 2013. Conditions and monitoring requirements outlined in this

certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Dean Prat at (707) 576-2801.

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Catherine Kuhlman  
Executive Officer

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Original to: Mr. Andrew Bundschuh, Humboldt County Public Works Department,  
1106 Second Street, Eureka, CA 95501-0579

Copies to: U.S. Army Corps of Engineers, District Engineer, 601 Startare Drive,  
Box 14, Eureka, CA 95501  
Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions,  
1455 Market Street, San Francisco, CA 94103-1398