
North Coast Regional Water Quality Control Board

April 4, 2012

Mr. Richard Young
Crescent City Harbor District
101 Citizen's Dock
Crescent City, CA 95531

Dear Mr. Young:

Subject: Amendment to the Federal Clean Water Act, Section 401, Water Quality Certification for the Crescent City Harbor District's Tsunami Repairs and Dredging Project (Formerly referred to as the Inner Boat Basin Rehabilitation Project)

File: Crescent City Harbor District – Tsunami Repairs and Dredging
WDID No. 1A10115WNDN

On December 29, 2011, we received an application from the Crescent City Harbor District (Harbor District) requesting Federal Clean Water Act, section 401, Water Quality Certification (Certification) for proposed activities associated with rehabilitation of the Outer Harbor and Outer Boat Basin areas of Crescent City Harbor. The Harbor District requested Certification for activities associated with additional tsunami damage repairs including dredging, repairing rock slope protection (RSP), and replacing the Harbor's Administration dock. The Administration Dock was destroyed during the March 2011 tsunami event and it will be replaced along with all related equipment and appurtenances. The additional dredging and repairs will restore the Outer Harbor and Outer Boat Basin to its pre-disaster capacity and function. Regional Water Board staff determined that an amendment to the Certification issued on April 29, 2011 for the Inner Boat Basin Rehabilitation Project was appropriate for these additional activities.

Condition No. 12 of the April 29, 2011 Certification states, "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." The Certification originally provided authorization to repair 400 linear feet and 6,300 square feet of existing RSP around the perimeter of the Inner Boat Basin and authorization for dredging to remove up to 7,424 cubic yards of accumulated sediment from the Inner Boat Basin. The Certification was

amended on July 7, 2011 to authorize repairs to an additional 2,500 linear feet (45,000 square feet) of existing damaged RSP and increased dredging to remove up to 78,000 cubic yards of accumulated sediment from the Inner Boat Basin. This Certification amendment authorizes repairs to an additional 381 linear feet of damaged RSP at the Administration Dock, repairs to an additional 204 linear feet of damaged RSP on Whaler Island, and additional dredging to remove an additional 251,160 cubic yards of sediment from the Outer Harbor and Outer Boat Basin areas. Dredged sediment is only authorized for disposal at the Humboldt Open Ocean Disposal Site.

The Regional Water Board provided public notice of the amended project description pursuant to title 23, California Code of Regulations, section 3858 on February 8, 2012, and posted information describing the project on the Regional Water Board's website. Comments were submitted by the California Department of Fish and Game (DFG). The DFG noted the potential for eelgrass to occur within project areas and requested a thorough pre-construction eelgrass survey to determine the extent of the potential impacts to eelgrass. The Harbor District submitted an amended project description on March 22, 2012 stating that the Harbor District, DFG, and Coastal Commission reached agreement on a strategy that will allow the project to move forward while addressing DFG's eelgrass concerns. The Harbor District agreed to hire a qualified consultant to survey for eelgrass and will attempt to avoid impacts to eelgrass when feasible. If eelgrass surveys indicates that impacts to eelgrass cannot be avoided the Harbor District shall prepare a mitigation plan that provides appropriate eelgrass mitigation and ratios that are high enough to ensure "no net loss" of eelgrass.

I hereby issue an amendment to the project description of the Crescent City Harbor District – Inner Boat Basin Rehabilitation Project Water Quality Certification Order (WDID No. 1A10115WNDN) to include: 1) provisions for implementing an eelgrass monitoring and mitigation plan to ensure "no net loss" of eelgrass as a result of project activities; 2) authorization for additional repairs to 381 linear feet of existing damaged RSP at the Administration Dock and 204 linear feet of existing damaged RSP on Whaler Island; and 3) increased dredging to remove 251,160 cubic yards of sediment. I certify that the remainder of the Water Quality Certification sections of the April 29, 2011 Certification Order are still valid.

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

Sincerely,

Catherine Kuhlman
Executive Officer

Original sent to: Mr. Richard Young, Crescent City Harbor District,
101 Citizen's Dock, Crescent City, CA 95531

cc: Mr. Jonathan Olson, Stover Engineering, P.O. Box 783,
Crescent City, CA 95531

Electronic

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Ms. Jane Hicks, U.S. Army Corps., Regulatory Functions,
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