
North Coast Regional Water Quality Control Board

May 23, 2012

In the Matter of

Water Quality Certification

for the

U.S. Coast Guard Station Humboldt Bay – Shoreline Protection Project WDID No. 1B12009WNHU

APPLICANT: U.S. Coast Guard
RECEIVING WATER: Humboldt Bay
HYDROLOGIC AREA: Eureka Plain Hydrologic Unit No. 110.00
COUNTY: Humboldt
FILE NAME: USCG Station Humboldt Bay – Shoreline Protection Project

BY THE EXECUTIVE OFFICER:

1. On February 13, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the United States Coast Guard (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) for activities associated with replacement of a rock riprap revetment along the shoreline of Humboldt Bay to prevent further erosion of the shoreline and protect existing structures. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on March 20, 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).
2. The project is located along the north spit of Humboldt Bay, adjacent to U.S. Coast Guard Station Humboldt Bay (USCG Station), 200 New Navy Base Road, Samoa. The primary mission of the USCG Station is search and rescue. The USCG Station serves the public around Humboldt Bay and over 50 miles of Pacific Ocean coastline. The USCG Station includes several buildings including

Building 8 and an associated parking area that are threatened by the ongoing erosion of the adjacent shoreline. The shoreline adjacent to the USCG Station is subject to erosive forces attributable to tidal action, storm events, wind-driven waves, and ocean waves that pass through the entrance channel. Erosion threatens to undermine the existing parking lot area and flood Building 8 during high tide storm events.

3. The Applicant has used this facility since 1878. During World War II the United States Navy built a support facility for seaplanes at the USCG Station. Sometime prior to 1958, the Navy placed a stone (riprap) shoreline protection barrier along the beach in front of Building 8 to control the shoreline erosion. Settlement, waves, storm forces, and lack of repair and maintenance of the riprap have reduced the barrier to rubble. In 1999, a K-rail barrier was installed at the top edge of the shoreline to protect the parking lot and Building 8 from high tides and winter storm waves. In 2000, the Applicant placed approximately 10,000 cubic yards of imported sand along the beach in front of the K-rail barrier to further protect the eroding shoreline. In 2001, the Applicant applied for permit authorization to implement beach maintenance and restoration activities as a method for shoreline protection. That project was denied permit authorization because consulting agencies had expressed concerns over the financial and ecological effects that could result from the continued use of beach nourishment for shoreline protection. The beach and shoreline area have continued to erode behind the remains of the deteriorated riprap barrier. Erosion in front of Building 8 allows overtopping of the K-rail barrier and flooding of the building during high tide storms. The erosion and flooding damages the facilities and impacts the Applicant's ability to conduct their mission. The Applicant determined their concerns regarding potential damage to Building 8 and the parking lot area warrants a more permanent and long-term solution to control the shoreline erosion.
4. The eroding shoreline will be protected by placing a rock riprap revetment wall along approximately 510 linear feet of shoreline. The major components of the revetment include an outer armor layer of large rock, which provides protection against wave action, and underlying geotextile and filter stone layers, which supports the armor layer and allows water to pass through the structure while preventing underlying materials from being washed out through the armor layer. The revetment will be placed parallel to the existing shoreline with the south end transitioning to existing stone shore protection and the north end transitioning to the existing shoreline grade. The revetment design includes a toe-trench that will be excavated parallel to the revetment face and backfilled with 2-3 ton toe stones to prohibit scour below the revetment.
5. Fill associated with the revetment will result in permanent impacts to waters of the United States associated with an area approximately 15-feet wide by 180-feet long (2,700 square feet) where a portion of the longer revetment footprint will be

located below the Mean Higher High Water (MHHW) elevation. The remainder of the revetment will be located above the elevation of MHHW. Compensatory mitigation is not required for the project. Non-compensatory mitigation includes the use of Best Management Practices for pollution prevention and sediment control throughout the project area during construction. To avoid direct impacts to water quality, construction activities below MHHW will be timed to coincide with low tides and the project will be completed without working within open water.

6. The DFG submitted information pertaining to protected species that could potentially be affected by the project and commented that native eelgrass and surfgrass are likely to occur at the project location. A thorough pre-construction survey was requested by DFG to determine the extent of potential impacts to these species and if the survey showed that eelgrass or surfgrass would be impacted mitigation would be required. Following submittal of these comments DFG staff participated in a pre-construction site visit and determined that eelgrass and surfgrass were not present in the project area so the previously requested pre-construction survey is no longer necessary. Existing pile cutoffs associated with a former pier were proposed for removal during the project and DFG also commented that the Regional Water Board's public notice did not contain any description of the pile composition, location, and removal method. The Applicant has eliminated removal of existing pile cutoffs from the project.
7. The Applicant has applied for authorization from the United States Army Corps of Engineers to perform the project, pursuant to Clean Water Act, section 404. A Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish and Game is not required for this project. The U.S. Coast Guard prepared a Draft Environmental Assessment (Draft EA) for the project in accordance with the National Environmental Policy Act. The impact analysis in the EA provides evidence that the project will not cause a significant impact on the environment and a Finding of No Significant Impact is anticipated to complete the NEPA process.
8. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment. The Draft EA has been supplemented to include separate discussions of topics relevant to the California Environmental Quality Act (CEQA) including discussions of mitigation measures and analysis of growth inducing impacts. The adverse environmental impacts associated with the project are generally short-term construction-related impacts. All construction activities located at or below the MHHW elevation will be conducted while the tide is out and water elevation is below the work area. Construction within the intertidal habitat area would only occur between May 15 and October 15 to avoid the migration season for salmonids. Pollution prevention and erosion control measures will be implemented to prevent impacts

from construction operations. Regional Water Board staff determined the project consists of replacement of an existing facility having substantially the same purpose and capacity as the structure being replaced, and is categorically exempt from CEQA review (Section 15302 – Replacement or Reconstruction).

9. The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. This Order is consistent with applicable federal and state antidegradation policies, as it does not authorize the discharge of increased concentrations of pollutants or increased volumes of treated wastewater, and does not otherwise authorize degradation of the waters affected by this project.
10. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification," which requires compliance with all conditions of this certification.

Receiving Water:	Humboldt Bay in the Eureka Plain Hydrologic Unit No. 110.00
Filled or Excavated Area:	Area Temporarily Impacted: None Area Permanently Impacted: 2,700 square feet of shoreline
Linear Impacts	Length Temporarily Impacted: None Length Permanently Impacted: 180 linear feet of shoreline
Dredge Volume:	None
Latitude/Longitude:	40.7687 N/124.2171 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the USCG Station Humboldt Bay – Shoreline Protection Project (WDID No.1B12009WNHU), as described in the application, will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that the Applicant complies with the following terms and conditions:

All conditions of this order apply to the Applicant (and all their employees) and all contractors (and their employees), sub-contractors (and their employees), and

any other entity or agency that performs activities or work on the project (including the off-site mitigation lands) as related to this Water Quality Certification.

1. This certification action is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of this certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 3833, and owed by the Applicant.
4. The Regional Water Board shall be notified at least five working days (working days are Monday – Friday) 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. 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.
6. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
7. The Applicant shall construct the project in accordance with the project described in the application and the findings above, and shall comply with all applicable water quality standards as detailed in the Basin Plan. 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. 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 action(s).
8. All imported fill material shall be clean and free of pollutants. All fill material shall be imported from a source that has the appropriate environmental clearances and permits.

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. The Applicant shall provide a copy of this Order and State Water Resources Control Board (SWRCB) Order No. 2003-0017-DWQ (web link referenced below) to any contractor(s), subcontractor(s), and utility company(ies) conducting work on the project, and shall require that copies remain in their possession at the work site. The Applicant shall be responsible for ensuring that all work conducted by its contractor(s), subcontractor(s), and utility companies is performed in accordance with the information provided by the Applicant to the Regional Water Board.
11. 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 waters. All BMPs shall be installed properly and in accordance with the manufacturer's specifications.
12. The Applicant shall prioritize the use of wildlife-friendly biodegradable (not photo-degradable) erosion control products wherever feasible. The Applicant shall not use or allow the use of erosion control products that contain synthetic materials within waters of the State or waters of the United States at any time. The Applicant shall not use or allow the use of erosion control products that contain synthetic netting for permanent erosion control (i.e. erosion control materials to be left in place for two years or after the completion date of the project). If the Applicant finds that erosion control netting or products have entrapped or harmed wildlife, personnel shall remove the netting or product and replace it with wildlife-friendly biodegradable products. The Applicant shall request approval from the Regional Water Board if an exception from this requirement is needed for a specific location.
13. Disturbance or removal of existing vegetation shall not exceed the minimum necessary to complete the project.
14. 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.

15. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the U.S. and the State. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to any waters of the State or the United States. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality.
16. 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.
17. In the event of any violation or threatened violation of the conditions of this Order, 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 for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order. In response to a suspected violation of any condition of this certification, the State Water Board may require the holder of any federal permit or license subject to this Order to furnish, under penalty of perjury, any technical or monitoring reports the State 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 Order, the Regional Water Board may add to or modify the conditions of this Order as appropriate to ensure compliance.
18. 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.
19. 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).

20. The authorization of this certification for any dredge and fill activities expires on May 23, 2017. Conditions and monitoring requirements outlined in this Order 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.

Matthias St. John
Executive Officer

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Weblink: State Water Resources Control Board Order No. 2003-0017 -DWQ,
General Waste Discharge Requirements for Dredge and Fill Discharges
That Have Received State Water Quality Certification can be found at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0017.pdf

Original to: Mr. Dave Stalters, U.S. Coast Guard, Civil Engineering Unit,
2000 Embarcadero, Suite 200, Oakland, CA 94606

Electronic

Copy 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