

August 2, 2013

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

California Department of Fish and Wildlife – Crescent City Marsh Wildlife Area  
WDID No. 1A13081WNDN

Del Norte County

On June 27, 2013, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Fish and Wildlife (CDFW/applicant), requesting Federal Clean Water Act, section 401, water quality certification for proposed activities associated with maintenance excavation of drainage channels at the Crescent City Marsh (CCM) and Crescent City Marsh Wildlife Area (CCMWA) to improve and manage critical habitat for the endangered western lily. The proposed CCM and CCMWA are located approximately one mile south of Crescent City. The proposed project will cause temporary disturbances to waters of the United States associated with wetlands and unnamed drainage channels in the Smith River Plain Hydrologic Subarea No. 103.11.

The primary purpose of the proposed project is to enhance and increase critical habitat for the western lily by creating and maintaining early successional habitat. The 1998 U.S. Fish and Wildlife Service (USFWS) Recovery Plan for the western lily identifies secondary succession as a primary reason for decline of western lily populations throughout its restricted range. Approximately ten years ago the CCM supported more than seventy-five percent of the total reproductive population of this endangered species.

In 1991, the largest known population of western lily was discovered at the CCMWA. Since 2006, the western lily population has declined to less than fifty percent of the 1997 population estimate and the western lily has disappeared from the lowest elevations of the marsh. Threats to the western lily populations include increased secondary succession by encroaching woody scrub vegetation and conifers, and inundation of habitat resulting from poor draining and flooding of critical and suitable habitats due to plugged culverts that drain the marsh to the beach. CDFW, in cooperation with the USFWS, seek to improve critical habitat for this state and federal endangered species by taking action to manage and maintain its critical habitat.

Proposed management and maintenance actions focus on two specific tasks. The California Department of Transportation (CDOT) will implement both tasks and all aspects of the proposed channel excavation and maintenance. Task 1 involves excavation of approximately 290 cubic yards of sediment, debris, and decomposed vegetation from an existing plugged drainage channel that originates in the CCMWA and runs parallel to Highway 101 then into the inlet of the “north culvert” that passes under Highway 101. The excavation will be approximately 315-feet long by 2.5-feet deep by 10-feet wide. Excavated muck soil and decomposed vegetation within the eastern 150 linear feet of the channel will be spread on a like-sized area on either side of the channel to raise the marsh surface approximately 2 feet or as necessary to support a slightly higher and more diverse plant community.

Task 2 involves excavation of approximately 250 cubic yards of sediment, debris, and decomposed vegetation from an existing plugged drainage channel that originates in the CCMWA and runs parallel to Highway 101 then into to the inlet of the "south culvert" that also passes under Highway 101. The excavation will be approximately 150-feet long by 3-feet deep by 15-feet wide. Excavated muck soil and decomposed vegetation will be placed adjacent to the channel and within the marsh until adequately dewatered. The dewatered muck soil materials and vegetation will be loaded into trucks and hauled to an approved disposal site.

On May 9, 2013, the CDFW approved a Mitigated Negative Declaration (SCH No. 2011082068) for the project in order to comply with CEQA. The Regional Water Board has considered the environmental document, Best Management Practices (BMPs), and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment. The environmental document includes mitigation measures for the project's impacts to biological resources including special status plants, nesting birds, and riparian, sensitive natural communities, and federally protected wetlands.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform this project under Individual Permit pursuant to Clean Water Act, section 404. The CDFW is the applicant for the proposed project and does not issue Lake and/or Streambed Alteration Agreement (1600 permit) to CDFW. The CDOT or its private contractor will be required to obtain a 1600 permit prior to initiating work.

The proposed project will result in any 5,400 square feet and 465 linear feet of temporary impacts to waters of the United States associated with wetlands and existing drainage channels. The proposed project will not result in any permanent impacts to waters of the United States. The proposed project and temporary impacts are considered to be self-mitigating and has been designed to improve habitat for the endangered western lily. BMPs will be implemented during construction to prevent adverse impacts to the environment.

The information contained in this public notice is only a summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed activities including maps and photos of the project areas. The application and Regional Water Board file are available for public review.

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 comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.