

August 7, 2014

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

**Martin Slough Tide Gate Improvement Project
WDID No. 1B14051WNHU**

Humboldt County

On July 9, 2014, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Northcoast Regional Land Trust, Michael Cipra (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with the Martin Slough Tide Gate Improvement Project (Project). The proposed Project will cause disturbances to waters of the United States and the State associated with Swain and Martin Sloughs and wetlands within the Eureka Plain Hydrologic Unit No. 110.00. The Project is located at the confluence of Martin and Swain Sloughs, Eureka, Humboldt County, at latitude 40.75241°N, and longitude 124.18235°W. Permanent impacts to waters of the U.S. and State include approximately 0.122 acres of wetlands and 60 linear feet of tidal slough channel / intertidal wetlands. Temporary impacts to waters of the U.S. and State include approximately 0.495 acres of wetlands and 694 linear feet of tidal slough channel / intertidal wetlands.

The primary purpose of the Project is to replace the outdated, failing tide gates at the confluence of Swain and Martin Sloughs. The proposed Project would reduce duration of floodwaters, create a muted tide to increase sediment and nutrient flushing, enlarge estuarine habitat and improve fish passage.

The proposed Project would include installation of temporary coffer dams to dewater the construction site, creating a by-pass channel, temporary relocation of native plant populations to minimize impacts, installation of a temporary culvert tide gate, removal and replacement of the existing tide gate structure, removal of temporary structures, de-compaction of disturbed soils and replanting.

The proposed Project includes a plan to restore temporarily disturbed areas to pre-project conditions within one year of completion of construction. Additionally, the applicant proposes creation of 0.049 acres of seasonal freshwater wetlands and creation of 0.073 acres of tidal slough channel / intertidal wetlands to offset permanent impacts. The applicant has submitted a mitigation and monitoring plan that includes implementation measures, maintenance and management of post-construction restoration as well as success criteria. The Project proposes to employ best management practices to prevent or reduce any discharges during and after construction.

The Project is planned to begin in the summer and fall of 2014, or the summer and fall of 2015 depending on permitting, with construction work planned to last approximately 2.5 months.

The Applicant has applied for authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit. The Applicant has also applied to the California Department of Fish and Wildlife to obtain a Streambed Alteration Agreement.

The North Coast Regional Water Quality Control Board, as a Responsible California Environmental Quality Act (CEQA) agency, has determined that the project qualifies for a Categorical Exemption, 15302 (b) Replacement or Reconstruction, and will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

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 Project including maps and photos. 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 Gil Falcone at (707) 576-2830 or Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice.