

September 29, 2015

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

**Dennis Leonardi Property Bank Slope Stabilization Project  
WDID No. 1B15120WNHU**

**Humboldt County**

On September 2, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Dennis Leonardi (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with the Dennis Leonardi Property Bank Slope Stabilization Project (Project). The proposed Project will cause disturbances to waters of the United States associated with Francis Creek within the Eel River Hydrologic Unit No. 111.11. The Project is located on the bank of Francis Creek at 161 Francis Street, Ferndale, Humboldt County, at latitude 40.5748°N, and longitude 124.2663°W. Permanent impacts to waters of the U.S. include approximately 25 linear feet of stream bank.

The primary purpose of the Project is to replace the existing failed bank stabilization retaining wall below intact gabion retaining structures that protect a residential structure. The Applicant proposes to implement Rock Slope Protection (RSP) and bioengineering to stabilize the failing bank. The proposed Project would include disturbance to approximately 20 linear feet of Francis Creek by removing the failed wall and wing wall, keying in RSP at the toe of the slope, placing RSP up the slope with "live staked" native willow plantings along the bank of the channel.

To mitigate for the placing of RSP on the banks, the proposed Project includes a plan to use willow "live stakes" among the RSP to create a bioengineered structure as well as additional native riparian plantings at the top of bank.

The Project is planned to begin in the fall of 2015 with construction work planned to last approximately two weeks.

The Applicant has applied for authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit, Nationwide No 13. The Applicant has also applied to the California Department of Fish and Wildlife and has obtained a Streambed Alteration Agreement (LSAA#1600-2015-0146-R1).

The North Coast Regional Water Quality Control Board, as lead California Environmental Quality Act (CEQA) agency, has determined that the project qualifies for a Categorical Exemption, 15301 (d) Existing Facilities, 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.

The Project is scheduled to start as soon as possible to reduce the water quality impact issues of significant erosion and sediment delivery along the river bank during the next wet season. Under Title 23, California Code of Regulations, Section 3858(a): "The executive director or the executive officer with whom an application for certification is filed shall provide public notice of an application at least twenty-one (21) days before taking certification action on the application, unless the public notice requirement has been adequately satisfied by the applicant or federal agency. If the applicant or federal agency provides public notice, it shall be in a manner and to an extent fully equivalent to that normally provided by the certifying agency. If an emergency requires that certification be issued in less than 21 days, public notice shall be provided as much in advance of issuance as possible, but no later than simultaneously with issuance of certification." Due to the risk of impacts to the existing structure due to flooding and further bank failure if work is not completed prior to fall precipitation, the 401 Water Quality Certification will be issued during the 21-day public comment period. Public comments will still be accepted and reviewed during the entire 21-day comment period.

If you have any questions, please contact staff member Gil Falcone [gil.falcone@waterboards.ca.gov](mailto:gil.falcone@waterboards.ca.gov) at (707) 576-2830 or Stephen Bargsten [stephen.bargsten@waterboards.ca.gov](mailto:stephen.bargsten@waterboards.ca.gov) at (707) 576-2653 within 21 days of the posting of this notice.