

August 10, 2016

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

**City of Arcata
Humboldt Bay Trail North
WDID No. 1B16205WNHU, ECM PIN CW-822766**

Humboldt County

On March 7, 2016, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the City of Arcata (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) for activities related to the proposed Humboldt Bay Trail North Project (Project).

Receiving Waters

The proposed Project would disturb tributaries of Humboldt Bay, including Butcher's Slough, Gannon Slough, Jacoby Creek, and Old Jacoby Creek. The entire Project is within the Eureka Plain Hydrologic Unit (Basin Planning Area No. 110.00).

Project Description

The City of Arcata is proposing to construct an approximately 3-mile-long, Class I, non-motorized multi-use paved trail along the Humboldt Bay coastline and Arcata waterfront. The purpose of the Project is to provide nature study opportunities, enhance non-motorized transportation/commuter corridor access, increase pedestrian connectivity, and increase public access to and along Arcata's Waterfront on Humboldt Bay.

The proposed trail route would begin just south of State Route (SR) 255 (Samoa Boulevard), run south through the Arcata Marsh and Wildlife Sanctuary (AMWS), and then along the North Coast Railroad Authority right of way, paralleling SR 101 before terminating just to the north of Brainard's Slough, north of Eureka. The trail would be 14-foot-wide, consisting of a 10-foot-wide paved width (on average) with 2-foot-wide unpaved, compacted shoulders on either side.

The trail would cross an unnamed drainage, Butcher's Slough, Gannon Slough, Jacoby Creek, and Old Jacoby Creek, all of which are tidally-influenced through the Project area. The bridges over these drainages would be 10-foot-wide. The Butcher's Slough Bridge would be a pre-manufactured, 80-foot-long bridge and not require any pile installation. The Gannon Slough Bridge would be approximately 180-foot-long and be located between the current railroad bridge to the west and the southbound lanes of the SR 101 Bridge to the east, and require installation of eighteen 18-20-inch-diameter cast-in-place steel shell (CISS) piles within the slough channel. The Jacoby Creek and Old Jacoby Creek Bridges

would be 80-foot-long, pre-manufactured, fiberglass bridges and each require installation of four 18-20-inch-diameter CISS piles within the adjacent mudflats and floodplains.

Approximately 3,510 cubic yards of cut and 10,440 cubic yards of fill would be needed to bring the trail to the design grade. Construction staging areas would be located east of I Street, along the north side of G Street, and at the southern terminus of the Project.

Impacts

The proposed Project would result in permanent impacts to approximately 0.48 acres of estuarine wetlands, approximately 1.32 acres of palustrine wetlands, and approximately 0.08 acres of riparian habitat as a result of trail construction, including bridge construction. Maps with the individual impact locations are on file in our office and are available upon request.

Project temporary impacts were calculated by applying a five-foot construction access area to either side of the trail width. The proposed Project would result in approximately 1.03 acres of temporary impacts to jurisdictional palustrine and estuarine wetland.

Avoidance and Minimization Measures

According to the Applicant, the trail alignment was designed to avoid wetland impacts whenever possible. Piles would be driven using a vibratory hammer, rather than an impact hammer. Pile driving would be limited to between July 1 and September 30 and occur only during the latter two hours of outgoing tides and beginning two hours of incoming tides. All construction vehicles would be steam-cleaned before they conduct any operation below the ordinary high water mark.

Mitigation

To mitigate for permanent impacts to jurisdictional wetlands, the Applicant is proposing to create no less than 2.26 acres of palustrine wetland habitat and enhance no less than 9.4 acres of estuarine salt marsh habitat.

Palustrine Wetland Creation

Palustrine wetland creation would occur at the "Lanphere Parcel," adjacent to the Mad River Slough in north Humboldt Bay. The Lanphere Parcel is roughly bounded by Lanphere Road on the north and west sides, an earthen levee and the Mad River Slough on the east side, and the parcel boundary with the "Ralph Property" on the south side. The United States Fish and Wildlife Service Lanphere Dunes Unit of Humboldt Bay National Wildlife Refuge flanks the Lanphere Parcel to the west. Wetland creation would occur within the southwestern quarter of the parcel, which has been identified by the United States Army Corps of Engineers (Corps) as an upland area.

The California Department of Transportation (Caltrans) would be responsible for implementing and monitoring mitigation on the Lanphere Parcel. The Lanphere Parcel is part of a larger mitigation effort by Caltrans to provide mitigation for the forthcoming

Eureka/Arcata Corridor Improvement Project (Corridor Project). Project palustrine wetland creation mitigation would be constructed at the time Caltrans is prepared to implement Corridor Project mitigation at the Lanphere Parcel. The Regional Water Board has not yet received a 401 water quality certification application for the Corridor Project.

The Project application notes that the wetlands would be “capable of being grazed, should an agricultural use be re-initiated on the parcel.” The Regional Water Board Project certification would require that any grazing on mitigation land be subject to submittal of a grazing plan found acceptable by the Regional Water Board and other applicable resource agencies. Any grazing on mitigation lands must contribute to the improvement of ecological values on the mitigation parcel.

Estuarine Wetland Enhancement

The Applicant is proposing to enhance estuarine wetlands by eradicating invasive *Spartina densiflora* on 9.4 acres within the Arcata Marsh Wildlife Sanctuary at South I Street, in the city of Arcata. Eradication would involve a primary treatment using handheld brush cutters and/or rototillers or manual removal in locations where the mechanical removal is infeasible. Follow-up treatments would focus on removal of re-sprouts and seedlings using brush cutters and/or propane torches.

Construction Timing

Project construction would require approximately 100-150 work days between March 2017 and October 2018. The Applicant has proposed to complete estuarine enhancement prior to Project construction completion and palustrine wetland creation after Project completion. The Regional Water Board Project certification would include a due date for palustrine wetland creation, with a requirement for additional mitigation in the event of late implementation.

Disturbed Soil Area

Project implementation would result in greater than one acre of disturbed soil area. The Applicant would apply for coverage under the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ) and prepare a Stormwater Pollution Prevention Plan detailing best management practices (BMPs) to control pollution from the Project area during construction. All temporarily disturbed areas within the Project area would be appropriately stabilized and/or replanted with appropriate native vegetation.

Other Agency Permits

The Applicant has applied to the Corps for coverage under Nationwide Permit No. 14, Linear Transportation Projects, pursuant to section 404 of the Clean Water Act. The Project was issued a Biological Opinion from the National Oceanic and Atmospheric Administration on September 22, 2015, (NMFS No. WCR-2015-3179), concurring that the proposed Project may affect, but would be not likely to adversely affect federally-listed fish species or their individual designated critical habitat. The Applicant has applied to the

California Coastal Commission for a Coastal Development Permit and to the California Department of Fish and Wildlife for a 1600 streambed alteration agreement.

CEQA

As lead agency, the City of Arcata prepared a Mitigated Negative Declaration for the Project (SCH no. 2013032008) in order to comply with the California Environmental Quality Act (CEQA). A Notice of Determination adopting the Mitigated Negative Declaration was signed by the City of Arcata on May 7, 2013. The City of Arcata is preparing an addendum to the Mitigated Negative Declaration to address environmental impacts associated with the off-site mitigation activities.

Public Comments

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 phone calls and comments submitted in writing and received within a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions or comments, please contact staff member Brendan Thompson at (707) 576-2699 or Brendan.Thompson@waterboards.ca.gov within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the Applicant's proposed activities. The Regional Water Board's Project file includes the application for certification and additional details of the proposed Project, including maps and design drawings. Project documents and any comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.