

November 20, 2012

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

California Department of Transportation  
Highway 101 – Rattlesnake Creek Culvert Repair Project  
WDID No. 1B03169WNME

Mendocino County

On May 9, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Transportation (Caltrans), requesting Federal Clean Water Act (CWA), section 401, Water Quality Certification for activities related to the proposed Highway 101 – Rattlesnake Creek Culvert Repair Project (project). The proposed project will cause disturbances to waters of the United States (U.S.) and waters of the State associated with the Eel River Hydrologic Unit No.111.00 (Benbow Hydrologic Sub-Area 111.32).

The proposed project is located on Highway 101 at post mile (PM) 84.0, in Mendocino County. The purpose of the project is to repair and lower the elevation of the bottom of the southern barrel in a 300 foot long double barrel culvert. The scope of work includes repairing the outlet apron, repairing and elevating the outlet weir, and reinforcing the culvert inlet. In addition, the repairs to the culvert and weir include design elements to improve passage conditions at the site for adult and juvenile salmonids.

Caltrans has determined that the proposed project will result in 0.20 acres (9,946 feet<sup>2</sup>) of temporary impacts to waters of the U.S. (Rattlesnake Creek) and an additional 0.023 acres (1,100 feet<sup>2</sup>) of temporary impacts to waters of the State (riparian areas). Caltrans proposes to replace the riparian vegetation in kind after the completion of the project.

The proposed project will be conducted in summer months during low flow conditions between June 15<sup>th</sup> and October 15<sup>th</sup>. The project will result in less than one acre disturbed soil area. Caltrans will utilize Best Management Practices (BMPs) to provide erosion control and pollution prevention throughout the project area during construction. All graded areas within the project affected by the construction activities will be appropriately stabilized and/or replanted with appropriate native vegetation.

Caltrans has received authorization from the U.S. Army Corps of Engineers to perform the project under their Nationwide Permits No. 27 (aquatic habitat restoration projects) pursuant to Clean Water Act, section 404. Caltrans has also applied for a California Department of Fish and Game 1602 Streambed Alteration Agreement. On June 19, 2003, Caltrans, acting as lead agency, certified a Mitigated Negative Declaration for the proposed project in order to comply with the California Environmental Quality Act (CEQA) (State Clearing House No. 20120102048). The Regional Water Board has considered the environmental documentation, including any proposed changes, and incorporates any avoidance, minimization, and mitigation measures into the project as a condition of approval to avoid significant affects to the environment.

The Eel River watershed is listed on the Clean Water Act section 303(d) list as impaired for sediment and temperature. In 1999, the U.S. EPA established sediment and temperature total maximum daily loads (TMDLs) for the South Fork Eel River Watershed. Roads are a significant source of sediment in the watershed (directly, from surface erosion, and, indirectly, by triggering landslides). In addition, activities that impact the riparian zone and reduce riparian vegetation are identified as sources contributing to increased stream temperatures. A focus on measures to reduce sediment discharges to surface waters from roads in the watershed, and measures to avoid, minimize, and mitigate impacts on riparian zones is essential for achieving TMDL, Basin Plan, and CEQA compliance.

To ensure compliance with Water Quality Objectives within the Basin Plan, adequate wetland and riparian protection and stringent requirements to avoid, minimize, and mitigate the sediment and temperature impacts associated with the proposed project will be incorporated as enforceable conditions in this Water Quality Certification. In addition, Caltrans will be required to conduct surface water monitoring, sampling, and to assess the adequacy of BMPs during construction as well as site specific mitigation measures proposed to minimize impacts to the environment, including sediment and temperature impacts.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the CWA (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 letter 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 Jeremiah Puget at (707) 576-2835 or [Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@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 road construction activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including maps and design drawings. The related documents and 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.