

May 25, 2005

**Public Notice for 401 Water Quality Certification
and/or
Waste Discharge Requirements (Dredge/Fill Projects)**

**California Department of Transportation
Drain Repair and Metal Beam Guardrail Installation
Highway 101 near Hopland
WDID No. 1B04168WNME
Mendocino County**

On December 20, 2004, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Transportation (Caltrans), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the repair of an overside drain and the installation of a Metal Beam Guardrail (MBGR) along Highway 101 seven miles south of Hopland. The proposed project will cause disturbances to the waters of the state associated with Russian River Hydrologic Unit No. 114.00, Ukiah subunit 114.31.

The proposed project involves the reconstruction and stabilization of the embankment beneath a five foot by five foot concrete box culvert in order to support the installation of the MBGR. The project will be located about seven miles south of Hopland between postmile 4.05 and 4.10. The purpose of the project is to stabilize the erosion underneath the drainage in order to support the new MBGR.

The project involves the placement of 163.8 cubic yards of fill within an ephemeral drainage. The fill will consist of dirt, rock slope protection (RSP) and fabric. The embankment reconstruction and RSP will be performed from the existing roadway shoulder in order to minimize the impact to the slope. An excavator or large backhoe will be used to place and compact the imported borrow for the embankment reconstruction adjacent to the north side of the box culvert. An excavator with a thumb will be used to place the RSP over the embankment slope and below the box culvert. The project will be performed between June 15th and October 15th so that the channel is dry during construction. Due to the close proximity to the Russian River, it should also be noted that all work will be performed above the ordinary high water mark (OHWM) of the Russian River.

The project affects 0.0014 acres of jurisdictional Waters of the United States as delineated by Kelley Phillips, Caltrans Associate Biologist. There will be no permanent impacts to plant and/or animal species due to the fact that the project will only change the elevation of where the ephemeral drain outlets and will not reduce the area of the Waters of the U.S. Temporary impacts include the removal of roadside vegetation and possible trimming of hillside trees and shrubs. It will not be necessary to remove any trees.

Caltrans is proposing construction activity between June 15th and October 15th, 2005 or 2006. Construction is not proposed for the rainy season between October 15th and May 15th. In the event that it becomes necessary for construction to occur during this rainy season, the project will be subject to additional conditions to ensure winterization techniques are implemented, and to safeguard water quality. Caltrans may need to have the water quality certification amended in that case.

Compensatory Mitigation is not required for this project. Non-compensatory mitigation measures include the following: (1) All work will be performed between June 15th and October 15th when the ephemeral drainage is dry and when salmonids are least likely to be present in or migrating through the Russian River below the project area; (2) The embankment reconstruction and RSP placement will be performed from the existing roadway shoulder in order to minimize the impact to the Russian River overflow area; (3) A biologist will be periodically present during the work at the box culvert, specifically the placement of RSP to ensure there are no impacts to the Russian River from construction; (4) In areas along the roadway shoulder where vegetation has been removed for this project leaving bare ground, Caltrans will hand-seed and cover with straw; (5) Caltrans will also place a silt fence or straw bale barrier below the work area to avoid discharge of sediment to the Russian River.

Caltrans has applied for a Nationwide Permit No. 14 from the United States Army Corps of Engineers and a Lake or Streambed Alteration Permit from the California Department of Fish and Game.

Regional Water Board staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this notice. If you have any questions or comments please contact staff member Mona Dougherty at (707) 570-3761 or at mdougherty@waterboards.ca.gov or staff member Kevin Oertel at (707) 576-6716 or at Koertel@waterboards.ca.gov within 21 days of the posting of this notice.