

**Public Notice for Section 401 Water Quality Certification
and/or Waste Discharge Requirements**

CDOT – Highway 101, Loleta Median Barrier Installation Project
WDID No. 1B05148WNHU

Humboldt County

On November 9, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Richard Mullen, representing the California Department of Transportation (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for a proposed project involving installation of permanent median barriers on Highway 101 between Post Miles 58.8 and 70.0 near Fortuna, Humboldt County. The application was deemed complete on January 9, 2005. The proposed project will cause disturbances to waters of the United States associated with Salmon Creek and an unnamed tributary to Humboldt Bay in the Eureka Plain Hydrologic Unit No. 110.00

The purpose of the proposed project is to prevent cross-median traffic collisions and improve highway safety within the project limits. Implementation of the proposed project involves paving the median and installing a permanent concrete median barrier and three beam median barrier. Pavement of the highway median between post miles 67.90 and 69.95 will result in the permanent loss of 0.82 acre of wetlands. The affected wetlands occupy a narrow strip of the median and are continually degraded by regular mowing and highway trash. The affected wetlands provided no recreational use and minimal wildlife habitat. To compensate for the permanent loss of wetland, the applicant will purchase 0.82 acre of mitigation credit from the Elk River Mitigation Bank administered by the California Department of Fish and Game.

The proposed project is scheduled to begin in June 2006 and is expected to take 15 months to complete. The project does not require removal of trees or mature vegetation. There will be no temporary impacts to waters of the United States. Noncompensatory mitigation measures for this project include the use of Best Management Practices for sediment and turbidity control.

The applicant has received authorization (File No. 29814N) to perform the project under Nationwide Permit Nos. 3 and 33 from the United States Army Corps of Engineers, pursuant to Clean Water Act, Section 404. The California Department of Transportation, as the lead agency for CEQA, determined that the proposed project will not have a significant effect on the environment and certified a Negative Declaration (SCH# 2005072086) on August 16, 2005. A Lake or Streambed Alteration Agreement (1600 Permit) from the California Department of Fish and Game is not required for this project.

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 received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Dean Prat at (707) 576-2801, or at dprat@waterboards.ca.gov within 21-days of the posting of this notice.

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