

July 20, 2006

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

Trinity County DOT –Bank Protection, Unnamed Tributary to Weaver Creek Project
WDID No. 1A06066WNTR

Trinity County

On May 15, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Transportation requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Trinity County Department of Transportation (DOT), bank projection project for the unnamed tributary to Weaver Creek located in Weaverville, Post Mile 0.1 of Davis Drive on County Road 240 off of Highway 299, Trinity County. Regional Water Board staff deemed the application complete on July 14, 2006. The proposed project will cause disturbances to waters of the United States associated with the Weaver Creek Hydrologic Subarea No. 106.32.

The purpose of the proposed project is to control erosion along 150 linear feet of an unnamed tributary to Weaver Creek, which discharges to a Natural Resource Conservation District created wetland area before flowing into Weaver Creek. Southern Oregon/Northern California Coho Salmon are not expected to be present in the unnamed channel because the wetlands downstream prevent migration from Weaver Creek into the drainage. The timing of the work during the low flow season will also avoid impacts to aquatic species. The uplands in the vicinity of the proposed project are residential and light industrial, an urbanized area. The Trinity County Department of Transportation (applicant) is proposing to place ¼ ton rock slope protection (RSP) along the base of the bank. Presently, the unnamed tributary and the approximately 24 feet of bank are devoid of vegetation. No vegetation will be removed to access the site, which will be accessed from an existing road. RSP will be placed by an excavator staged in upland areas. The applicant proposes to place 133 cubic yards of ¼ ton RSP along a section of the base of the stream bank, 150 feet x 4 feet x 8 feet, in the unnamed creek. A layer of cobbles, gravel and cleaned cement pieces will underlay the RSP. Cement pieces are clean, devoid of cement dust, and measure approximately 6 inches thick and 2 to 3 feet wide. The area of permanent impact is approximately 0.014 acres of streambed. The applicant proposes to perform activities between June 15 and October 31 in 2006. Project activities will be conducted over the course of one week during low flow.

The applicant will stage equipment on the adjacent county road. The Department of Fish and Game do not expect the presence of any known sensitive or listed species in the project area during construction activities. Compensatory mitigation is not required for this project. No grading, disturbance to the bank or vegetation removal will be necessary. Non-compensatory mitigation measures include implementation of Best Management Practices for sediment/ erosion control and equipment. There will be no excavation

within the channel and no spoils will be removed from the site. Rock will be placed using an excavator. A floating oil absorbent boom will be placed in the stream immediately downstream of the work area. Equipment will not enter the channel.

The proposed project is authorized under the United States Army Corps of Engineers Nationwide Permit 13 for *Bank Stabilization*, pursuant to Section 404 of the Clean Water Act (33 U.S.C. Section 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. Section 403). On April 7, 2006, the DOT, as lead agency, determined that the project was categorically exempt in accordance with Article 19, section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines. The applicant has applied for a Lake and Streambed Alteration Agreement (1602) with the California Department of Fish and Game.

Regional Water Board staff propose 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 and ends at 5:00 p.m on the last day of the comment period. If you have any questions or comments, please contact Diana Henriouille at (707) 576-2350 or Catherine Woody at (707) 576-6723 or within 21 days of the posting of this notice.