

July 28, 2006

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

CDOT – Hardscrabble Creek Replacement Project
WDID No. 1A06056WNDN

Del Norte County

On April 28, 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 Hardscrabble Creek Bridge Replacement project located in the vicinity of Route 199, Post Mile 10.8/11.3 (S26, T17N, R1E) Del Norte, County. Regional Water Board staff deemed the application complete on July 13, 2006. The proposed project will cause disturbances to waters of the United States associated with the Middle Fork Smith River Hydrologic Area No. 103.30.

The existing Hardscrabble Creek Bridge (DN-199-11.0) built in 1929 has pier deterioration. Hardscrabble Creek, a steep perennial channel, has approximately 6 miles of sparsely vegetated rocky terrain with an elevation ranging from 390 to 1400 feet. The steepness of the channel moves the fines and gravels readily downstream in the winter months to the Smith River. The steepness and the lack of suitable spawning substrate decrease the value of the habitat for Coho salmon. The existing six-pier bridge will be replaced with a single span, concrete box girder bridge, consisting of a steel beam built up to form a hollow cross-section that will be 15 feet wider than the existing structure; each lane will be 12 feet with 8 feet of shoulder. The proposed new structure includes design features to withstand a maximum credible earthquake. The proposed project will eliminate the in-stream piers of the existing bridge, creating a more natural unobstructed channel configuration. The applicant proposes to replace the existing bridge by 1) installing a temporary detour bridge upstream of the existing bridge; 2) demolition of the existing bridge including the 6 piers and footings within the stream channel; 3) falsework construction; and 4) construction of the new, single-span bridge. Hardscrabble Creek will be diverted by placing approximately 200- feet of 36-48 diameter steel pipe in the channel below the bridge and slowly introducing approximately 200 cubic yards of washed, native gravel into the Creek to displace the water. The gravel will be removed at the completion of the project phase requiring dewatering. The applicant proposes to install the new bridge deck to the north of the existing bridge using temporary abutments on spread footings which will serve as a temporary bridge. Traffic will be diverted to the temporary detour bridge during the removal of the existing bridge.

The existing bridge has 6 piers with spread footings; each footing is 3.3 X 3.3 feet. Removal of the existing bridge involves removal of the deck, piers, and footings; rebar

from the existing bridge will be cut off level with the stream bed to prevent injury to wildlife and recreational users of Hardscrabble Creek. The applicant proposes to remove the piers either in their entirety or by cutting them off level with the streambed, depending on whether the footings are keyed into the bedrock. Waste materials from the demolition of the existing bridge will be disposed of at an approved site outside of the Six River National Forest.

The applicant proposes to widen the roadway 15 feet to the south; this will involve the removal of approximately 330 yards of soil and rock. Shrubs, herbaceous vegetation, and approximately 6 trees, five Douglas-fir 6" to 28" diameter at breast height (DBH) and one Madrone 10" DBH, will be removed to accommodate the widening. All felled trees will be left on-site as large woody debris for fish and wildlife habitat. Branches and shrubs will be chipped, and the spoils used for erosion control on site. All soil and rock spoils will be transported to an approved disposal site. All disturbed soil will be revegetated, with a 5:1 in-kind plant replacement ratio.

The applicant proposes to conduct the project between April and November of a single year, but the project may require another year depending on unforeseen delays and weather conditions. Construction within the creek will occur during the dry season, between June 15 and October 15. Equipment that may be used during construction and demolition includes pile-drivers, jackhammers, hoe-rams, drill rig with core barrel/rock auger, chainsaws, chippers, excavators, backhoes, loaders, cranes, dump trucks, pavers, rollers, graders, and pumps. The applicant proposes to stage equipment on existing paved or gravel pullouts along Route 199 east and west of the project area. In addition, a staging area off of Route 199 to the northwest of the existing bridge will require grading and the removal of some shrubs to allow access and placement of gravel. The staging areas will not be enlarged.

The natural setting in the project area is predominately Douglas fir, with madrone, live oak, manzanita, and tan oak saplings. Hardscrabble Creek has a shallow channel with a bedrock substrate and sparse riparian cover, and is not suitable habitat for salmonids, although federally listed Southern Oregon/Northern California Coastal (SONCC) Coho salmon and Chinook salmon are located downstream in the Smith River. Chinook redds in the Smith River near the mouth of Hardscrabble Creek usually number from 0-3 per year. Activities upstream associated with this project will be conducted in such a way as to avoid and/or minimize sedimentation impacts. The project is not expected to result in any cumulative adverse impacts to the stream or available spawning or rearing habitat, nor is it expected to result in adverse modification of designated critical habitat for salmonids. The project will not result in adverse modification to Coho critical habitat, Essential Fish Habitat (EFH) for SONCC Coho or the California Coastal Chinook salmon. Night work will only be allowed before February 1 and after July 31, in order to avoid potential impacts to the Northern Spotted Owl. If night lighting is required during the permitted construction time, it will be directed to the roadway. Noise impact is not expected to impact federally listed birds, such as marbled murrelets, as they travel during dusk and dawn hours. Construction activities will not be allowed before at least two hours after sunrise, and activities will stop at least two hours before sunset.

Compensatory mitigation for this project includes the replanting of riparian vegetation in a 5:1 ratio, and the removal of the old piers from the channel. The planting success criteria will be monitored for 4 years; an 80% success rate is expected. Non-compensatory mitigation measures include implementation of Best Management Practices for sediment, erosion control and equipment. The applicant proposes to use silt fences, straw bales, fiber blankets and/or fiber rolls to control sediment and prevent erosion. All areas with bare soil will be reseeded and mulched. The applicant will ensure development and implementation of site-specific BMPs, a Water Pollution Control Plan, and emergency spill plan.

The proposed project is authorized under the United States Army Corps of Engineers Nationwide Permits 3 for *Maintenance* and 33 for *Temporary Construction, Access, and Dewatering* (67 Fed. Reg. 2020, January 15, 2002), pursuant to Section 404 of the Clean Water Act (33 U.S.C. Section 1344). The California Department of Transportation, as lead agency has determined that the project is 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.