

August 4, 2006

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

CDOT – DN 199 PM 23.6 and 24.00 Culvert Replacement Project
WDID No. 1A06097WNDN

Del Norte County

On June 29, 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 California Department of Transportation (CDOT), Del Norte (DN) 199 Post Mile (PM) 23.6 and 24.00 Culvert Replacement project located in the Six Rivers National Forest (S9 & 8, T17N, R3E), Del Norte County. Regional Water Board staff deemed the application complete on July 24, 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.

On August 2, 2006 we posted a public notice regarding the project. During the comment period, the applicant advised us that the public notice included information regarding the installation of sand traps that the applicant has determined will not be required. The grade of the road, approximately 0.5%, will likely prevent sand from reaching a sand trap; sand will settle on the shoulder of the road. The applicant has determined that a sand trap at this location would have limited benefit. We have revised the public notice accordingly; all other information remains unchanged from the August 2 notice.

The proposed project is located along the Smith River Scenic Byway within the Smith Rivers National Recreation Area in the Six Rivers National Forest which is managed by the United States Forest Service. The Smith River and its tributaries are covered under the Wild and Scenic River Act. The one quarter mile corridor on each side of the river is included in the Wild and Scenic River status. The proposed project is within this designated corridor.

The primary purpose of the proposed project is to replace undersized and damaged culverts to improve drainage and protect the waterways. The proposed project involves: 1) removing and repaving an approximately 4-foot wide existing shoulder to road thickness; 2) paving a 4 foot wide shoulder adjacent to the turn-out lane; 3) regrading a berm from a 5-foot width to a 2-foot width to accommodate the proposed shoulder construction; 4) replacing a 18-inch diameter culvert with a 30-inch diameter culvert at PM 23.74 and 23.8; 6) paving an approximately 7,266 square foot area adjacent to the southbound lane, between the hillside and a K-rail, which functions as a catch basin for rock and vegetation that falls from the hillside. CDOT (applicant) proposes to replace two culverts at post miles 23.8 and 23.74 on Highway 199, east of Crescent City, Del Norte County. New culverts would be installed on the same alignment as the existing culverts. In addition, the applicant proposes to install a 3-foot by 8-foot concrete grated drop inlet at each of the new culverts. Runoff from the project site will be collected within the proposed paved south east shoulder and asphalt concrete dike

where it will discharge onto the existing rock covered slope before flowing into the Middle Fork of the Smith River. The two replaced culverts will also discharge onto the existing rock covered slope. The rock slope protection at the culvert outlets will be reconstructed as needed.

The applicant proposes to locate staging areas at the end of PM 23.74 and further southwest at PMs 23.58 and 23.63. The area at PM 23.74 is an existing gravel pullout with an unimproved pathway leading to the Smith River. The staging areas are located approximately 60 feet from the Smith River. A smaller pullout, located north of the proposed project site, at PM 24.0, will accommodate up to two vehicles. Public access to the Smith River will not be affected by the proposed project. Waste materials will be transported to an approved disposal site.

The applicant estimates that the project will be conducted between July and November of a single year. The duration of the proposed project activities is estimated to be no more than 30 days. The U. S. Fish and Wildlife Service (USFWS) and the National Oceanic Atmospheric Administration (NOAA) have determined that the proposed project will not affect any federally listed species. No known sensitive biological resources will be impacted by the proposed project. The Smith River is known to have Coho salmon, but the proposed project activities will not impact the Smith River.

No compensatory mitigation is required for this project. Non-compensatory mitigation measures include implementation of Best Management Practices for sediment, erosion control and equipment. No vegetation, with the exception of low growing plants that colonize disturbed areas (ruderal vegetation); will be removed during the construction, staging, and or storage activities. The applicant proposes to use silt fences to control sediment and to prevent erosion. The applicant will ensure development and implementation of site-specific BMPs, a Water Pollution Control Plan, and an emergency spill plan. No known archaeological or cultural resources are located within the proposed project area.

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 the project to be categorically exempt, in accordance with Article 19, Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

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 Henrioulle at (707) 576-2350 or Catherine Woody at (707) 576-6723 or within 21 days of the posting of this notice.