

January 19, 2007

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

California Department of Transportation – High Rock Culvert Rehabilitation Project
WDID No. 1B06177WNHU

Humboldt County

On November 13, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Richard Mullen, representing California Department of Transportation (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for proposed activities to rehabilitate a culvert on a unnamed tributary to the Eel River located approximately 2 miles south of the community of Redcrest, Humboldt County. The proposed project will cause disturbances to waters of the United States associated with the Scotia Hydrologic Subarea No. 111.12.

An existing 53-inch diameter culvert on State Route 101 at Post Mile 37.68 has a down drain that has become separated at several locations; the invert is also in poor condition. The existing culvert was extended several decades ago into the channel; over the years the culvert has separated, creating sinkholes, erosion and tree growth on top of the culvert. The existing condition of the system has caused transportation of large amounts of sediment downstream into State Park Property. The purpose of the proposed project is to stabilize the roadway, rehabilitate the drainage system, and minimize sediment transport. Roadway runoff has caused the fill prism on the inlet side of the culvert to erode. The project will involve the removal of trees, including Douglas fir and redwoods ranging in diameter from 8-21 inches in diameter at breast height (DBH), to facilitate culvert removal and to daylight the channel.

The proposed project will include extending the inlet by 7 feet inlet to accommodate a 3-foot debris riser, installing a new headwall, and lining a 190 foot culvert with a 48-inch diameter polyethylene pipe. The applicant proposes to construct a new concrete endwall for the outlet. After removing the separated segments of the corrugated steel pipe down drain, the applicant proposes to line approximately 230 feet of ditch with 667 cubic yards rock of various sizes to prevent further erosion at the site. The flow line of the rock-lined channel will mimic that of the down drain, and will simulate natural stream conditions. The applicant will use two abandoned roads adjacent to the proposed project site to access the inlet and outlet. Gravel will be placed on the roads to control soil disturbance and to prevent the spread of the non-native French broom seeds; the roads are not accessible to the public. The applicant proposes to block the access roads with vehicles during construction and to permanently block vehicular passage by placing boulders at the entrance upon completion of the construction activities.

Work at the inlet involves removal of herbaceous vegetation and an existing debris rack, and installing a headwall and debris riser. California Conservation Corps crews will remove French broom plants in the project area to prevent spread of the invasive non-native plant and will perform maintenance for five years after project completion. No riparian vegetation will be removed.

Work at the outlet will include removal of downed trees that will be used in the restoration, and excavation of material that will be used to form the slopes of the rock-lined channel. If there is flowing water in the drainage, a temporary cofferdam, water bladder, or sandbag barrier will be used to dewater the channel. The water will be pumped or gravity fed through the culvert to an area downstream of the project site. Although fish do not have access to the project site, intakes will be screened to prevent uptake of other aquatic species.

Trees designated for removal do not provide habitat to threatened or endangered species. The proposed project includes revegetation with native woody riparian and upland vegetation to improve bank stability and to provide permanent erosion control. The applicant proposes to plant big leaf maple and California bay, interspersed with hazelnut, thimbleberry, and salmonberry, on the lower part of the slope. The upper part of the slope will be planted with Douglas fir and coast redwood with huckleberry bushes. In order to avoid increasing the roughness coefficient at the outfall, the applicant does not propose to plant any trees within 10 feet of the outfall. The applicant proposes to amend soil with compost prior to revegetation, and to use felled trees either for habitat enhancement or, chipped, as mulch. All bare areas will be hydro-seeded and/or planted with native trees and shrubs. Seeds used will be from species native to the general vicinity of the proposed project. Planting is estimated to begin in October, and will be completed within two weeks. Monitoring for planting success and erosion control will occur once a month during the first spring and summer after planting. In the second year after planting, the applicant proposes to inspect the site in June and September to document plant success. The applicant proposes at least one such inspection in the third year, as well.

The steep, rock-lined steep stream channel below the culvert precludes fish passage into the project area. Although Marbled Murrelet habitat is present in the vicinity of the proposed project site, there is none within 490 feet of the site; none of the trees in the proposed project limits have suitable nesting conditions for the species. The only potential impact for the Marbled Murrelet is noise generated by the construction activity. Activities may affect, but are not likely to adversely affect, the marbled murrelets. Activities are scheduled to occur late in the breeding season, noise will be restricted after sunrise and before sunset, and the location is subject to high levels of normal vehicular ambient noise due to the location near a major highway.

Installation of the rock-lined channel will result in approximately 0.1 acre (4460 square feet) of permanent impact to waters of the United States. Compensatory mitigation is not required. Noncompensatory mitigation for the project includes the use of Best Management Practices (BMPs) for heavy equipment operation near a waterway, and for

sediment and erosion control. The proposed project is scheduled to start August 1, 2007, with an estimated completion time of 45 days. The daily work window for activities such as jackhammer use, heavy equipment operation at the outlet and rock placement between August 1 and September 15 is limited to two hours after sunrise and two hours before sunset. All work will be completed by October 15.

The applicant has applied to the United States Army Corps of Engineers for authorization to perform the project under Nationwide Permit Number 3 for *Maintenance*, pursuant to Clean Water Act, section 404. The Regional Water Board has determined that this project will have no significant effect on the environment, and is categorically exempt from CEQA (Class 1, Section 15301 Existing Facilities). The applicant has applied to the California Department of Fish and Game for a Lake or Streambed Alteration Agreement.

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 submitted in writing and received at this office by mail 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 email DHenriouille-Henry@waterboards.ca.gov or Catherine Woody at (707) 576-6723 or email Cwoody@waterboards.ca.gov within 21 days of the posting of this notice.