

August 28, 2007

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

Trinity County DOT – East Weaver Creek Road Embankment Repair/Protection
WDID No. 1A07099WNTR

Trinity County

On June 25, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Trinity County Department of Transportation (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to repairing an eroded road fill and embankment slope on the north bank of East Weaver Creek near Weaverville. The proposed project will cause disturbances to waters of the United States associated with East Weaver Creek in the Weaver Creek Hydrologic Subarea No. 106.32.

The proposed project is located along East Weaver Creek Road approximately 1.4 miles from the intersection of East Weaver Creek Road and Highway 3. The purpose of the proposed project is to repair a fifteen foot long eroded section of road fill and streambank directly upstream of a private bridge to prevent further erosion and potential failure of the road surface and/or the private road bridge. The proposed project involves installation of approximately twenty cubic yards of clean two-ton (two to three foot diameter) rock slope protection (RSP). The RSP will armor the embankment and replace the material that eroded from the scallop-shaped slope failure. The RSP fill section will be approximately fifteen feet long measured parallel to the creek and ten feet high measured from the road shoulder to the edge of the low flow channel. The toe of the RSP slope will extend six feet from the base of the eroded slope to the edge of the low flow channel. The RSP fill prism will taper from six feet thick at the base to two feet thick at the road shoulder. Himalaya blackberries in the project area may be removed, trimmed or buried. The existing alders and willows adjacent to the eroded slope will not be disturbed.

The proposed project will result in 90 square feet (0.002 acre) and 15 linear feet of permanent impacts to the streambank. The proposed project will not result in any temporary impacts to waters of the State. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation for this project includes the use of Best Management Practices for sediment and turbidity control and for the use of heavy equipment near a waterway. The proposed project is scheduled for the summer when the flows in East Weaver Creek are very low. The proposed project does not involve any work within the actively flowing stream channel. Equipment used for placing the RSP will be operated from the road surface. Construction activities are expected to take two days to complete.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 13, pursuant to Clean Water Act, section 404. The application indicates that California Department of Fish and Game staff waived the requirement for a Lake or Streambed Alteration

Agreement for the project. The Trinity County Planning Department has determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review (section 15301 – existing facilities). Based on a review of the project information submitted to date, Regional Water Board staff have determined that this project is categorically exempt from CEQA review (Class 1, Section 15301 – existing facilities) and anticipate filing a Notice of Exemption 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 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, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.

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