March 27, 2008

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

Mendocino County DOT – Tomki Road Low Water Crossing at Cave Creek
WDID No. 1B08013WNME

Mendocino County

On January 23, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mendocino County Department of Transportation (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to the Prototype Vented Low Water Crossing/Sediment Reduction and Habitat Improvement Project on Tomki Road at Cave Creek. The proposed project is located on Tomki Road at Post Mile 6.17, approximately 10 road miles north of the West Road Redwood Valley exit on Highway 101. The proposed project will cause disturbances to waters of the United States associated with Cave Creek in the Tomki Creek Hydrologic Subarea No. 111.62. Cave Creek is tributary to Tomki Creek, a tributary to the Eel River.

Tomki Road is a gravel county road between Redwood Valley and Little Lake Valley. The roadway is adjacent to Cave Creek and has nine stream crossing fords through the creek that are impassable during parts of some winters. The crossings generate significant turbidity in the creek; lead to the introduction of oils, grease, and other vehicle fluids into the water; and may result in direct fish mortality due to crushing by cars crossing the creek. According to nearby landowners, vehicles are stranded in the creek nearly every year when drivers attempt to cross the creek and become stuck mid-stream. Staff from the National Marine Fisheries Service, California Department of Fish and Game, and Regional Water Board have expressed concerns about impacts to fish, turbidity, and sedimentation caused by use of the existing crossing.

Mendocino County Department of Transportation prepared a feasibility study to evaluate options for disconnecting Tomki Road from Cave Creek and propose installation of a prototype vented low water crossing at the most southerly ford crossing. The most southerly crossing was chosen for the prototype crossing structure because the potential road realignment options are on the east side of Cave Creek, and this crossing location would still be needed if the road was realigned in the future. If the prototype crossing is successful, the prototype design could be used as a long-term solution to improve water quality at the other crossing locations while maintaining the existing road alignment.

The proposed project includes construction of a 20 foot wide, 4 foot high, and 60 foot long pre-manufactured bottomless concrete arch structure designed to allow fish passage at all life stages and reduce impacts on salmonid populations in Cave Creek. This project is expected to improve fisheries habitat within the affected portions of Cave Creek and improve water quality by reducing turbidity and vehicle fluid discharges caused by vehicle traffic driving through the existing ford crossing. The structure is designed to pass the 10-year storm event without overtopping while meeting fish

passage criteria. The structure is also designed to safely pass the100-year storm event.

Proposed construction activities include two parallel footing excavations at the approximate limits of the bank full channel and below the anticipated scour depth. Depth to bedrock is anticipated at 2 to 3 feet below the stream bottom. Once the concrete footings have cured, the arch culvert structure will be lowered with a crane onto the footings. The sides of the culvert will be backfilled and a concrete roadway surface will be placed over the culvert to prevent erosion during high flow events. The embankments adjacent to the culvert will be protected from erosion by wingwalls and grouted rock slope protection (RSP).

Accumulated sediment downstream of the existing crossing will be removed and the channel will be reconfigured to conform to the anticipated stable channel grade, active channel width, and bank full dimensions for approximately 90 feet. Upstream and downstream segments will further be protected against erosion through the use of vegetative bioengineering treatments in conjunction with RSP. RSP wingwalls will be set at a slope of 1:3 for an approximate length of 16 feet. RSP will be used to help stabilize the reconfigured channel below the crossing.

The existing road above the crossing will be realigned for approximately 200 feet to reduce skew, allow for an elevated road elevation for structural and hydraulic considerations, and to meet minimum road width and turning requirements. The project will require a road closure and detour during the 30-day construction period. A temporary stream crossing will be constructed to allow for construction access to both sides of the project and to divert traffic through the site. The location of the proposed temporary crossing is approximately 115 feet upstream from the existing ford crossing at a point that motorists use to by pass the lower ford crossing when flooded. This upstream location has been identified as an area for bioengineering bank stabilization. The temporary ford crossing will be constructed with gravel fill and a temporary culvert that will be placed over fabric. The temporary crossing will be removed upon completion of the new crossing.

The proposed project is scheduled for construction between July 15 and October 15 of 2008. The creek is expected to be dry with a few standing pools of water during the construction window. Upstream and downstream cofferdams, fish exclusion screening, and a clean water bypass will be installed and maintained during the construction period as a precautionary measure in the event of unanticipated higher flows. A qualified biologist will relocate sensitive species from the project area prior to construction.

The proposed project will result in approximately 3142 square feet (0.07 acre) and 374 linear feet of permanent impacts to the streambed and banks. The proposed project will result in approximately 726 square feet (0.017 acre) and 68 linear feet of temporary impacts to the streambed and banks. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation includes the use of Best Management

Practices for sediment and turbidity control, for use of concrete in a stream channel, and for operation of heavy equipment in a stream channel.

The applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit No. 14, pursuant to Clean Water Act, section 404. The Applicant has applied to the California Department of Fish and Game for a Lake or Streambed Alteration Agreement. On March 11, 2008, Mendocino County Department of Transportation adopted a mitigated negative declaration (SCH No. 2003112058) for the project in order to comply with CEQA. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.

The information contained in this public notice is only a summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including maps and design drawings. The application and Regional Water Board file are available for public review.

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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