

December 31, 2008

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

California Department of Transportation
Highway 162 – Storm Damage Repair Project
WDID No. 1B08087WNME

Mendocino County

On May 14, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Transportation (Caltrans), requesting Federal Clean Water Act (CWA), section 401, Water Quality Certification for activities related to the proposed Highway 162 – Storm Damage Repair project (project). The proposed project will cause disturbances to waters of the United States (U.S.) and waters of the State associated with the Eel River Hydrologic Unit No.111.00, and Tomki Creek Hydrologic Sub-Area No. 111.62.

The proposed project is located on Highway 162 from post mile (PM) 11.0 to 12.0, in Mendocino County. The purpose of the proposed project is to repair a portion of the highway that was damaged during the 2005/2006 storm season. The proposed project will result in temporary and permanent impacts to waters of the U.S and waters of the State. Caltrans proposes to realign, reconstruct and widen approximately 0.24 mile of roadway which requires a cut into the eastern hill slope adjacent to the roadway and the extension of an existing concrete box culvert. The project also includes construction of a rock lined v-ditch and two modified bioswales to reduce sediment and pollutant load to the unnamed tributaries that drain to the Eel River. The existing roadway will be obliterated where it is not incorporated into the new alignment. Caltrans will utilize Best Management Practices (BMPs) to provide erosion control and pollution prevention throughout the project area during construction and demolition.

Caltrans has determined that temporary impacts to waters of the U.S. (unnamed tributary to Eel River) would total 43.56 feet² (0.001 acres). Additionally, approximately 192 feet² (0.004 acres) of stream channel would be permanently impacted by the extension of an existing concrete box culvert and installation of rock slope protection. Caltrans proposes off-setting the project impacts by planting 0.009 acres (390 feet²) on-site with native trees and vegetation to provide wildlife habitat, shade and sediment reduction to the unnamed tributary location at PM 11.80. All graded areas within the project affected by the construction activities will be appropriately stabilized and/or replanted with appropriate native vegetation. In addition, construction and post construction BMPs will be implemented to ensure erosion is minimized and controlled.

The project will result in a net increase of impervious surface area of approximately 0.18 acres. Caltrans has evaluated post construction treatment controls to address storm water runoff in the vicinity of the project area and has proposed the construction of on-site modified bioswales. The proposed bioswales are considered modified since site constraints prevent sizing the swales to meet Caltrans bioswale standards. However, the proposed swales will provided an additional water quality benefit by reducing the

velocity of runoff, thus reducing sediment and pollutant load to the unnamed tributaries within the project area.

The applicant has applied for authorization from the U.S. Army Corps of Engineers to perform the project under their Nationwide Permits No. 14 (linear transportation projects) pursuant to Clean Water Act, section 404. Caltrans has also applied for a California Department of Fish and Game Streambed Alteration Agreement. Caltrans has determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review (Class 1 Categorical Exemption). In addition, Regional Water Board staff also determined that this project is categorically exempt from CEQA review (Class 1 Categorical Exemption) and anticipate filing a Notice of Exemption. The proposed project activity is scheduled to be conducted between May 2009 and October 2010, and work in all drainages will only be performed during dry weather between May 15 and October 15.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the CWA (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all phone calls and comments submitted in writing and received within 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 staff member Jeremiah Puget at (707) 576-2835 or jpuget@waterboards.ca.gov within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the applicant's proposed road construction 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 related documents and comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.