

March 2, 2010

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

California Department of Transportation
Highway 36 – Storm Damage Repair (The Matterhorn) Project
WDID No. 1B09148WNHU

Humboldt County

On December 17, 2009, 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 36 Storm Damage Repair (The Matterhorn) Project (project). The proposed project will cause disturbances to waters of the United States (U.S.) and waters of the State associated with intermittent and ephemeral tributaries to the Van Duzen River located within the Eel River Unit No.111.00, and Bridgeville Hydrologic Sub-Area No. 111.22.

The proposed project is located on Highway 36 from post mile (PM) 39.40 to 39.56, in Humboldt County. The purpose of the proposed project is to modify the elevation and alignment of a section of the Highway that has shifted due to an earth flow. Caltrans proposes: installing three drainage systems; abandoning one drainage system; installing rock slope protection; installing an underdrain; relocating utilities; excavating areas adjacent to and beneath the roadway; and paving the roadway. The proposed project will result in temporary and permanent impacts to waters of the U.S and waters of the State.

Caltrans has determined the temporary impacts to waters of the U.S. and State would total approximately 1,581 feet² (869 linear feet). The proposed project would result in 552 feet² (275 linear feet) of permanent impacts to waters of the U.S., and 1,005 feet² (590 linear feet) of permanent impacts to waters of the State. Caltrans proposes to offset the impacts to waters of the U.S and State by routing the flow of water at PM 39.50 back into the historic drainage channel, which will likely improve beneficial uses and reduce sediment transport into the Van Duzen River. By reconnecting the headwater drainage to the historic channel, flows will be restored to approximately 650 linear feet (1,300 feet²) of waters of the State. Therefore, compensatory mitigation is not required for the proposed project. Caltrans will utilize Best Management Practices (BMPs) to provide erosion control and pollution prevention throughout the project area during construction. All graded areas within the project affected by the construction activities will be appropriately stabilized and/or replanted with appropriate native vegetation. Caltrans has evaluated implementing post-construction storm water treatment at the site and determined that implementing them within the project area was not feasible.

The proposed project will be conducted in summer months during low flow conditions; however, a water diversion may be required. The proposed project activity is scheduled to be conducted between May 15th, 2010 and October 15th, 2010. The entire project is

expected to take 50 days to complete. The proposed in-channel work will only be conducted between July 16th and October 14th.

Caltrans has applied for authorization from the United States Army Corps of Engineers to perform the project under their Nationwide Permits No. 14 (linear transportation projects) pursuant to Clean Water Act, section 404. In addition, Caltrans has applied to the California Department of Fish and Game (CDFG) for a 1602 Lake and Streambed Alteration Agreement. Caltrans has determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review (Class 2 Categorical Exemption). In addition, Regional Water Board staff also determined that this project is categorically exempt from CEQA review (Class 2 Categorical Exemption) and anticipates filing a Notice of Exemption.

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.