

March 10, 2010

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

California Department of Transportation
Highway 128 and Highway 253 – Culvert Rehabilitation Project Phase One
WDID No. 1B09135WNME

Mendocino County

On November 16, 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 128/Highway 253 Culvert Rehabilitation Project – Phase One (project). Additional project information was received on February 8, 2010 and March 1, 2010. The proposed project will cause disturbances to waters of the United States (U.S.) and waters of the State associated with intermittent, ephemeral and perennial streams located within the Russian River Hydrologic Unit No. 114.00 (Ukiah Hydrologic Sub-Area 114.31) and Mendocino Coast Hydrologic Unit No. 113.00 (Navarro River Hydrologic Area 113.50).

The proposed project is Phase One of a three phase culvert rehabilitation project within Mendocino County. A total of 274 culverts will be repaired or replaced as part of the entire rehabilitation project. The purpose of Phase One is to upgrade or repair 52 culverts. A 401 Certification is required for 14 of the culverts located along Highway 128 and 34 of the culverts located along Highway 253. The proposed project will be conducted at various locations along Highway 128 from post mile (PM) 40.85 to PM 50.00 and from PM 0.99 to PM 14.62 along Highway 253. Activities proposed by Caltrans include: abandoning culverts, installing new culverts, installing rock slope protection; installing headwalls; installing downdrains; 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 streams identified as waters of the U.S. and State would total approximately 0.41 acres (7,094 linear feet). In addition, the temporary impacts to wetlands identified as waters of the U.S. and State would total approximately 0.23 acres. The proposed project would result in 0.141 acres (980 linear feet) of permanent impacts to streams identified as waters of the U.S and State. Additionally, the permanent impacts to wetlands identified as waters of the U.S. and State would total approximately 0.019 acres. Phase One construction activities would cumulatively result in approximately 1.5 acres of disturbed soil area (DSA).

Caltrans proposes to mitigate the impacts to streams identified as waters of the U.S and State by funding a Mendocino County Resource Conservation District (MCRCD) Riparian Restoration Project along Robinson Creek (tributary to Anderson Creek, tributary to the Navarro River). The MCRCD restoration project includes planting native riparian vegetation and trees, removing invasive species, and monitoring and maintenance activities for approximately 2.33 acres of degraded riparian habitat. Caltrans proposes utilizing the restoration project as mitigation credit for the impacts associated with the entire culvert rehabilitation project: Phases One, Two and Three. Caltrans will provide additional mitigation in the Russian River watershed during the

implementation of Phase One by upgrading the culvert along Edwards Creek at PM 49.66 on Highway 128 for fish passage. Additionally, Caltrans proposes to create and enhance approximately 0.05 acres of wetlands to mitigate for the permanent impacts of 0.019 acres.

Caltrans will utilize Best Management Practices (BMPs) to provide erosion control and pollution prevention throughout the project area during construction. All DSA 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, temporary water diversions may be required. The proposed project activity is scheduled to be conducted between September 1, 2010 and October 1, 2011. Phase One of the project is expected to take 120 days to complete and all project activities will be conducted between May 15th and October 15th. The proposed in-channel work within fish bearing streams will only be conducted between June 15th and October 15th.

Caltrans has applied for authorization from the United States Army Corps of Engineers to perform the project under their Nationwide Permits No. 3 (maintenance 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. On June 14, 2005, Caltrans certified a Negative Declaration (State Clearing House No. 2005042089) for the project in order to comply with the California Environmental Quality Act. The Regional Water Board has considered the environmental document.

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.