

April 15, 2010

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

Del Norte County – Lake Earl Drive at Brush Creek Culvert Installation
WDID No. 1A10026WNDN

Del Norte County

On March 22, 2010, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Del Norte County (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with installation of an additional culvert under Lake Earl Drive at the crossing over Brush Creek. The proposed project will cause disturbance to waters of the United States associated with Brush Creek in the Smith River Plain Hydrologic Sub Area No. 103.11.

There are two 48-inch diameter culverts currently under Lake Earl Drive at the Brush Creek crossing. During heavy storm events, the existing culverts can be overtopped and the roadway floods. The purpose of the proposed project is to provide an additional overflow culvert to increase flow capacity under the roadway during heavy storm events to prevent flooding of the roadway.

The proposed project involves installation of new 48-inch wide elliptical culvert adjacent to the existing culverts. A 5-foot deep and 6-foot wide trench will be cut across the asphalt roadway and a new culvert will be installed in the excavated trench. The flow line of the new culvert will be set approximately one foot above the flow line of the existing culverts. The project will be conducted when flows in Brush Creek are below the bottom elevation of the trench. Crushed rock will be placed over the culvert and compacted. The upper three inches will be paved with asphalt to restore the roadway surface.

The proposed activities are located within existing road fill and will not result in any new permanent impacts to waters of the United States. The project will result in approximately 60 square feet of temporary impacts to the road fill embankment where the excavated trench is opened at the inlet and outlet sides of the embankment. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation will include the use of Best Management Practices for sediment and erosion control. The project is scheduled for implementation in August 2010. The project is expected to take four days to complete.

The Applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit, pursuant to Clean Water Act, section 404. The Applicant has also applied for a Lake or Streambed Alteration Agreement from the California Department of Fish and Game. Regional Water Board staff have determined that this project is categorically exempt from CEQA review (Class 2, Section 15304 – minor alterations to land) 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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