

September 7, 2012

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

**Mendocino County Department of Transportation
Sulphur Creek at Vichy Springs Road Culvert Extension Project
WDID No. 1B12160WNME**

Mendocino County

On August 13, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. George Rau, of Rau and Associates, on behalf of Mr. Tom Peters of Mendocino County Department of Transportation (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) for activities associated with construction of an extension of an existing box culvert to widen the roadway for traffic safety purposes. Project is located on Sulphur Creek, tributary to the Russian River, C.R. 215, M.P 1.1, near 1960 Vichy Springs Road, Ukiah, latitude 39.16122°N, and longitude 123.1844°W, in Mendocino County. The proposed project will cause permanent impacts to 0.04 acres of stream bed and bank of Sulphur Creek, Ukiah Hydrologic Subarea No. 114.31, Russian River Hydrologic Area 114.00.

The purpose of this project is to extend the existing box culvert for traffic safety. The project includes increasing the length of the existing box culvert by 15 feet. Reinforced concrete wing walls will extend from the two upstream corners of the box culvert to reduce the impacts on the stream by minimizing the footprint of disturbance and by retaining soil against the roadway to prevent erosion. Any flowing water in the creek will be bypassed around the construction.

Compensatory mitigation includes four or five large rocks that will be placed in the streambed to create a fish refugia pool. Three trees will be removed and will be replaced in-kind at a 2:1 mitigation ratio.

The County of Mendocino, as lead California Environmental Quality Act (CEQA) agency, had determined that the project qualifies for a Mitigated Negative Declaration and has recorded it with the County of Mendocino on March 15, 1988, pursuant to CEQA guidelines.

The Applicant has received a Lake and Streambed Alteration Agreement from the California Department of Fish and Game. The Applicant has received a Clean Water Act Section 404 Nationwide Permit 14 for Linear Transportation Projects from US Army Corps of Engineers (File Number 2012-00146N) on August 3, 2012.

Project is scheduled to start during the dry season of 2012. In-stream work should be completed by October 15, or by date determined by resource agencies.

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 Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice. The Section 401 Water Quality Certification is being issued concurrently with this Public Notice.

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