

October 10, 2012

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

California Department of Transportation  
Highway 162 – Replace Culvert (Post Mile 5.49) Project  
WDID No. 1B11192WNME

Mendocino County

On December 5, 2011, 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 – Replace Culvert (Post Mile 5.49) 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 (Outlet Creek Hydrologic Sub-Area 111.61).

The proposed project is located on Highway 162 at post mile (PM) 5.49, in Mendocino County. The purpose of the project is to replace a 24-inch corrugated metal pipe and down-drain with a corrugated steel pipe (CSP) that will also include a CSP down-drain.

Caltrans has determined that the proposed project will result in 7 feet<sup>2</sup> of permanent impacts to a stream identified as waters of the U.S. and waters of the State. Temporary impacts to the stream identified as waters of the U.S. associated with construction would total 284 feet<sup>2</sup>. Based on the minor amount of impacts compensatory mitigation is not required.

The proposed project will be conducted in summer months during low flow conditions between June 15<sup>th</sup> and October 15<sup>th</sup>. The project will result in less than one acre disturbed soil area. 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.

The applicant has applied for authorization from the U.S. Army Corps of Engineers to perform the project under their Nationwide Permits No. 3 (maintenance projects) pursuant to Clean Water Act, section 404. Caltrans has also applied for a California Department of Fish and Game 1602 Streambed Alteration Agreement. Caltrans has determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review. In addition, Regional Water Board staff has determined that this project is categorically exempt from CEQA review (Class 1 Categorical Exemption) and anticipates filing a Notice of Exemption.

The Eel River watershed is listed on the Clean Water Act section 303(d) list as impaired for sediment and temperature. In 2004, the U.S. EPA established sediment TMDLs for the Upper Main Eel River and tributaries (including Tomki Creek, Outlet Creek and Lake Pillsbury). Roads are a significant source of sediment in the watershed (directly, from surface erosion, and, indirectly, by triggering landslides). Such projects may involve

removal of vegetation and/or channel alteration, and also have potential to increase sediment loads. A focus on measures to reduce sediment discharges to surface waters from roads in the watershed, and measures to avoid, minimize, and mitigate impacts on riparian zones is essential for achieving TMDL, Basin Plan, and CEQA compliance.

To ensure compliance with Water Quality Objectives within the Basin Plan, adequate wetland and riparian protection and stringent requirements to avoid, minimize, and mitigate the sediment and temperature impacts associated with the proposed project will be incorporated as enforceable conditions in this Water Quality Certification. In addition, Caltrans will be required to conduct surface water monitoring, sampling, and analysis in accordance with the conditions of the Water Quality Certification. Additionally, storm water runoff monitoring, sampling, and analysis will be conducted as required by the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges from the State of California, Department of Transportation (Caltrans) Properties, Facilities and Activities Order No. 99 – 06 - DWQ. The surface water data collected will be utilized to assess the adequacy of BMPs during construction as well as site specific mitigation measures proposed to minimize impacts to the environment, including sediment and temperature impacts.

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 [Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@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.