
North Coast Regional Water Quality Control Board

August 4, 2016

Mr. James Linderman
Mendocino Department of Public Transportation
340 Lake Mendocino Drive
Ukiah, CA 95482-9432
Lindermanj@co.mendocino.ca.us

Dear Mr. Linderman:

Subject: Notice of Applicability (NOA) for coverage under the Waiver of Waste Discharge Requirements and General 401 Water Quality Certification for County Road Management and Activities Conducted Under the Five Counties Salmonid Conservation Program (Order No. R1-2013-0004)

File: Mendocino Pass Road MP 17.08 Culvert Replacement Project
WDID No.: 1B16303WNME; ECM No.: CW-823709

Introduction

On April 6, 2016, the North Coast Regional Water Quality Control Board (Regional Water Board) received the complete application package requesting coverage under the *Waiver of Waste Discharge Requirements and General 401 Water Quality Certification for County Road Management and Activities Conducted Under the Five Counties Salmonid Conservation Program* (5C Waiver and General Certification) for the Mendocino Pass Road MP 17.08 Culvert Replacement Project (Project). The Applicant has applied for authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit, and to the California Department of Fish and Wildlife for a Streambed Alteration Agreement (SAA). The Project is located at Milepost 17.08 on Mendocino Pass Road in Mendocino County, California. Regional Water Board staff conducted a site visit to the project location on May 12, 2016.

Background

On April 16, 2014, the Regional Water Board received Mendocino County's Notice of Intent (NOI) to comply with the terms of, and obtain coverage of, county road maintenance and activities under the 5C Waiver and General Certification, Order No. R1-2013-0004. Project

proponents that have adopted the Five Counties Salmon Conservation Program (5C Program) are required, in part, to implement the best management practices (BMPs) contained within the Five Counties Roads Manual (5C Roads Manual). Projects covered under the 5C Waiver are eligible for coverage under the General 401 Water Quality Certification contained within the 5C Waiver without undergoing a project CEQA analysis. In order to receive coverage, a Project must meet the following requirements – Project activities will not 1) take place within the channels and/or banks of watercourses containing fish; 2) result in significant unavoidable environmental impacts including permanent impacts to wetlands, and/or violation of water quality standards; 3) result in the direct or indirect take of any listed species; or 4) expose people and/or structures to potential adverse effects from flooding, landslides, or soil erosion. Additionally, project proponents may use the California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Notification in-lieu of a General 401 Water Quality Certification application.

Project Purpose and Description:

Mendocino Pass Road is an unpaved rural road in a remote portion of northeastern Mendocino County, approximately 22 miles east of the town of Covelo. The Project purpose is to replace a watercourse crossing at Mile Post (MP) 17.08. Presently, the existing 18 in. by 40 ft. corrugated metal pipe (CMP) crossing is undersized, not set to stream grade, and is heavily corroded. The outlet of the pipe discharges onto the outboard fill slope of the road resulting in gully formation. Repeated plugging has caused localized roadway overtopping and flooding issues. Continued degradation of the pipe will likely result in accelerated erosion of the fill slope and possible failure of the road section.

The Project proposes to replace the existing CMP with a 24 in. by 40 ft. circular smooth-bore polyethylene (HDPE) pipe, which will be set as close to stream grade as feasible. A rock headwall measuring 4.5 ft. by 2.5 ft. by 1 ft. will be constructed by hand at the inlet with clean rock ranging in size from 6 in. to 12 in. in diameter. The new rock headwall will not encroach into the natural stream channel. On the outlet side of the crossing approximately 5 cubic yards of clean rock, ranging in size from 1/4 -ton to cobble will be placed in an 84 square foot area to armor the base of the road fill slope and to dissipate stream flow energy at the outlet of the pipe.

The proposed crossing replacement is located on an ephemeral, non-fish bearing watercourse. Work will be conducted when the watercourse is completely dry. No heavy equipment will be operated within the stream channel. Heavy equipment will be operated from the road surface and road shoulder. Vegetation removal will be minimal, consisting of poison oak and duff removal to better access the fill slope and watercourse channel. No trees will be removed. Temporary erosion and sediment control best management practices (BMPs) and materials will be stockpiled at the site during construction and will be implemented prior to the onset of a forecasted rain event. Soil disturbance beyond the limits of the road prism will be limited to the installation of the energy dissipater. No mitigation is required as the project will reduce/eliminate sediment delivery from the

failing culvert, and the larger diameter pipe will prevent plugging, also reducing threat of overtopping and sediment delivery in the future.

Impacts

Twelve linear feet of new permanent impacts will result from the installation of the energy dissipater. Temporary impacts include the loss of grasses and pruning of underbrush needed to access the road fill and to install the energy dissipater. It is anticipated that the affected vegetation will grow back within one year.

Receiving Water:	Unnamed ephemeral watercourse Twin Rocks Creek, Middle Fork Eel River Hydrologic Area, 111.73
Filled / Excavated Area:	Area Permanently Impacted: 84 square feet (.001 acres) Area Temporarily Impacted: n/a
Total Linear Impacts:	Length Permanently Impacted: 12 linear feet Length Temporarily Impacted: 12 linear feet
Fill Volume:	5 cubic yards clean rock
Latitude/Longitude:	39.8098 N, 122.9536 W
Anticipated Work Window:	June 15 – October 15, 2016

Regional Water Board staff has determined that the proposed Project meets the eligibility requirements for coverage under the 5C Waiver and General Certification. Implementation of the BMPs contained within the project description and the 5C Roads Manual will reduce the temporary impacts to a level below significance.

The Mendocino Pass Road MP 17.08 Culvert Replacement Project, WDID No. 1B16303WNME, is subject to the requirements of the 5C Waiver and General Certification, Order No. R1-2013-0004. The Monitoring and Reporting Plan for the 5C Waiver and General Certification requires that BMP implementation and effectiveness monitoring be conducted as per Item 10-B-1 and Item 10-B-2 of the 5C Manual to document the achievement of performance standards and project goals. The results of this monitoring must be included in the Annual Report and submitted to the Regional Water Board no later than March 1st of each calendar year. Finally, notification of completion must be submitted to the Regional Water Board no later than 30 days after Project completion. Please include the project name and the WDID number with all future inquiries and document submittals.

Please contact Maggie Robinson at (707) 576-2292, or at Maggie.Robinson@waterboards.ca.gov, if you have any questions.

Sincerely,

Matthias St. John
Executive Officer

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