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## North Coast Regional Water Quality Control Board

September 9, 2016

Mr. James Linderman  
Mendocino Department of Public Transportation  
340 Lake Mendocino Drive  
Ukiah, CA 95482-9432  
[Lindermanj@co.mendocino.ca.us](mailto: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:** Fish Rock Two Culvert Replacements Project  
WDID No. 1B16952WNME, ECM PIN: CW-826053

### Introduction

On July 1, 2016, the North Coast Regional Water Quality Control Board (Regional Water Board) received the 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 Fish Rock Road Two Culvert Replacements Project (Project). The Applicant will be conducting the work under a Clean Water Act Nationwide Permit 3(a), Maintenance, and has applied to the California Department of Fish and Wildlife for a Streambed Alteration Agreement (SAA). The Project is located at Milepost 26.87 and Milepost 28.72 on Fish Rock Road in Mendocino County, California.

### 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:

Fish Rock Road is a rural road connecting Highway 128 and Highway 1 in Mendocino County, California. The culverts serve as minor stream crossings and road drainage ditch relief points. The culvert at milepost 26.87 is a crossing for the headwaters of Mill Creek which is a tributary to the Garcia River. The watercourse associated with the culvert at milepost 28.72 is an un-named ephemeral stream and is a tributary to Rancheria Creek.

#### Culvert Replacement at Milepost 26.87

The existing pipe at MP 26.87 is a 48 inch-diameter by 37 foot-long corrugated metal pipe (CMP) that has extensive corrosion throughout. The project proposes to replace the existing CMP with a 60 inch-diameter by 40 foot-long circular smooth-bore High Density Polyethylene (HDPE) pipe. The length of the pipe will be increased by 3 feet so that the inlet and outlets will extend farther to the toe of the road fill.

#### Culvert Replacement at Milepost 28.72

The existing pipe at MP 28.72 is a 24 inch-diameter by 60 foot-long CMP, with a flared inlet, that has extensive corrosion throughout. The formation of a sinkhole within the road shoulder at this location is believed to have been caused by the failing culvert pipe. The pipe discharges to a 27 foot-long corrugated metal flume which has also failed due to extensive corrosion. Presently, stream water passes through holes in the flume resulting in erosion of the road fill underneath.

The project proposes to replace the existing CMP with a similarly-sized 24 inch-diameter by 60 foot-long circular smooth bore HDPE pipe with a flared inlet. Due to buried fiber optic lines within the roadway, the new culvert pipe will be installed at the same depth and location as the existing pipe. The existing corrugated metal flume will be replaced with a new flume of the same length, which will extend from the outlet of the new pipe to the toe

of the road fill. The erosional gully in the road fill will be filled in with approximately 2.5 cubic yards of rock.

### Impacts

Three feet of new permanent impacts and 49 feet of temporary impacts are anticipated as a result of this Project. Permanent impacts are from the additional three feet of length on the new culvert at MP 26.87. Temporary impacts will result from the loss of grass and underbrush that will be trimmed back in order to access the project area and from foot traffic from county workers during project implementation. It is anticipated that the vegetation will re-establish within one year after project completion. No trees will be removed.

The two existing crossings are located on ephemeral and non-fish bearing watercourses. The culvert replacements will take place within the footprint of the existing road fill. Work will be conducted when streams are completely dry. No heavy equipment will be operated within stream channels. Heavy equipment will be operated from the road surface. Temporary erosion and sediment control BMPs and materials will be stockpiled at the sites during construction and will be implemented prior to the onset of a forecasted rain event. Soil disturbance will be limited to within the footprint of the road prism.

Receiving Water, MP 26.87:	Unnamed Tributary Mill Creek, Navarro River Hydrologic Area, 113.50
Receiving Water, MP 28.72:	Unnamed Tributary Rancheria Creek, Navarro River Hydrologic Area, 113.50
Filled / Excavated Area:	Area Permanently Impacted: 6 square feet (.0001 acres) Area Temporarily Impacted: 410 square feet (.009 acres)
Total Linear Impacts:	Length Permanently Impacted: 3 linear feet Length Temporarily Impacted: 49 linear feet
Fill Volume:	None
Latitude/Longitude, MP 26.87:	38.919619, -123.294898
Latitude/Longitude, MP 28.72:	39.906109, -123.326403

Regional Water Board staff has reviewed the Project and determined that the mitigation proposed will reduce the permanent impacts to a level below significance. As such, the proposed project meets the eligibility requirements for coverage under the General 401 Water Quality Certification contained within the 5C Waiver. 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 together with the requirements described in the signed SAA and 404 permits will reduce the temporary impacts to a level below significance.

The Fish Rock Two Culvert Replacements Project is now subject to the requirements of the 5C Waiver and General Certification, Order No. R1-2013-0004. The MRP 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 1 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](mailto:Maggie.Robinson@waterboards.ca.gov), if you have any questions.

Sincerely,

Matthias St. John  
Executive Officer

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