

September 2, 2011

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

California Department of Transportation
CDOT - Hwy 299, Blue Lake Sink Storm Damage Repair Project
WDID No. 1B10089WNHU

Humboldt County

On August 11, 2010, 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 299, Blue Lake Sink Storm Damage Project (Project). Additional information was received on April 18, 2011, May 31, 2011, June 3, 2011, August 19, 2011 and September 1, 2011. The proposed project will cause disturbances to waters of the United States (U.S.) and waters of the State associated with ephemeral and intermittent watercourses and wetlands within the Mad River Hydrologic Unit, No.109.00, and Redwood Creek Hydrologic Unit, No.106.00.

The proposed project includes roadway, drainage, and watercourse restoration at two locations along Highway 299. The proposed work at Location 1 extends from post mile (PM) 8.4 to PM 8.6 and includes the installation of a groundwater drainage gallery to dewater the hillsides adjacent to the roadway, culvert drainage repair and replacement, watercourse channel stabilization, revegetation, and enhancement. The purpose of the work at Location 1 is to remove groundwater from the hillside, which is part of an active landslide, to reduce the rate of roadway subsidence and stabilize the highway. The groundwater drainage galleries will outlet into ephemeral and intermittent watercourses which are tributaries to the North Fork Mad River. In order to demonstrate compliance with water quality objectives Caltrans has conducted initial sampling and analysis of the groundwater in the vicinity of the proposed drainage gallery wells and will be required to obtain coverage under a national pollution discharge elimination system (NPDES) permit prior to discharging groundwater to surface water.

The proposed work at Location 2 extends from PM 27.53 to PM 27.7 and includes culvert, drainage inlet, down-drain repair and replacement, watercourse channel stabilization, and revegetation. The proposed project is necessary because the highway drainage systems have been damaged and risk failure.

Caltrans has determined that the total project permanent impacts to ephemeral and intermittent watercourses identified as other waters of the U.S. will be approximately 0.054 acres (749 linear feet). The temporary project impacts to watercourses identified as other waters of the U.S. will be approximately 0.038 acres (456 linear feet). In addition, Caltrans has determined that 0.007 acres (305 feet², 24 linear feet) of wetlands identified as waters of the U.S. will be temporarily impacted. Additionally,

Caltrans has determined that temporary impacts to riparian areas (waters of the State) will total 0.008 acres (349 feet², 75 linear feet).

To mitigate project impacts Caltrans proposes to remove and control invasive species and enhance the watercourses by planting native riparian vegetation within the disturbed riparian areas and placing rock slope protection (RSP) in the unstable (degrading) watercourses. Additional trees and shrubs will be planted at onsite locations to offset impacts to riparian habitats, improve water quality by shading and cooling waters, and enhance habitat for aquatic species. Caltrans proposes to revegetate 0.147 acres (6,403 feet², 334 linear feet) of riparian habitat with native vegetation. In addition, to further mitigate project impacts Caltrans will remove an abandoned bituminous-coated culvert from waters of the U.S. located along the former Green Diamond access road, which Caltrans will use for access. Subsequent to construction Caltrans will restore the 0.055 acres of waters of the U.S, including 0.07 acres of wetlands, which will be temporarily impacted during project implementation.

Project activities will be conducted between April 15th and October 15th and are anticipated to take 135 days to complete. Work within waters of the U.S will only be conducted in the dry season (May 15 to October 15). Caltrans' contractor will be required to implement Best Management Practices (BMPs) for construction and post-construction phases of the project to provide erosion and sediment control and pollution prevention throughout the project area. All graded areas within the project affected by the construction activities will be appropriately stabilized and BMPs will be implemented to ensure erosion and potential pollution is minimized and controlled.

Caltrans has applied for authorization from the United States Army Corps of Engineers to perform the project under their Nationwide Permit No. 3 (maintenance) pursuant to Clean Water Act, section 404. In addition, Caltrans has applied for a 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Game. On March 25, 2009, Caltrans, acting as lead agency, certified a Mitigated Negative Declaration (MND) (State Clearing House No. 2009012001) for the project in order to comply with the California Environmental Quality Act (CEQA). As a Responsible Agency, the Regional Water Board complies with CEQA by considering the MND prepared by the lead agency (Caltrans) and by reaching its own conclusions on whether and how to approve the project involved. The Regional Water Board has considered the environmental documents and any proposed changes incorporated into the project or required as a condition of approval to avoid significant affects to the environment.

The Redwood Creek watershed is listed on the CWA section 303(d) list as impaired for sediment and temperature. On December 30, 1998, the U.S. EPA established sediment Total Maximum Daily Loads (TMDLs) for the Redwood Creek Watershed. The Mad River watershed is listed on the CWA section 303(d) list as impaired for sediment/turbidity and temperature. On December 21, 2007, the U.S. EPA established sediment and turbidity TMDLs for the Mad River Watershed. Roads are a significant source of sediment in the watershed (directly, from surface erosion, and, indirectly, by

triggering landslides). In addition, activities that impact the riparian zone and reduce riparian vegetation are identified as sources contributing to increased stream temperatures. 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 are essential for achieving TMDL compliance.

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 JPuget@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.