

State Water Resources Control Board  
Division of Water Quality --- Water Quality Certification Program

**Public Notice for Water Quality Certification (Dredge/Fill Projects)  
California Department of Transportation  
Donner Segment 3 Roadway Rehabilitation Project**

State Water Resources Control Board file no. SB SB110006IN  
U.S. Army Corps of Engineers file no. SPK-2001-00227.

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

**Applicant: California Department of Transportation (DOT)**

**Applicant Contact:** Suzanne Melim  
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The California Department of Transportation (DOT)  
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**Project Name:** Donner Segment 3 Roadway Rehabilitation Project

**Date of Application:** August 25, 2011

**Affected County:** Nevada

On August 25, 2011, the State Water Resources Control Board (State Water Board) received an application from the California Department of Transportation (DOT, or applicant), requesting Federal Clean Water Act section 401 Water Quality Certification

(Certification) for activities related to the Donner Segment 3 Roadway Rehabilitation Project (Project) which proposes rehabilitation of 13 miles of Interstate Highway 80 (I-80) in Nevada County between the Soda Springs over-crossing and Trout Creek. The primary purpose of the Project is to rehabilitate the roadway with new concrete, upgrade the on-site storm water treatment systems, and repair the existing drainage systems. The proposed Project will also include pavement rehabilitation, upgrade of drainage facilities, and distressed median slope repair.

Most of the Project has already been constructed under the previous Certification. The Project's previous Certification expired. Caltrans now seeks Certification for the remaining sixteen drainage systems (of the total 130 that were part of the Project) that fall under the jurisdiction of the State Water Board and the U.S. Army Corps of Engineers (Corps). A map of the Project area is attached to this Notice.

DOT, acting as lead agency for CEQA compliance, has approved a Categorical Exemption and Negative Declaration for the Project.

The Project will not affect any candidate, sensitive or special status species; consultation has been completed with the California Department of Fish and Game and the US Fish and Wildlife Service.

The proposed activities involve work within waters of the State, including wetlands, and including waters of the U.S. The proposed activities would entail permanent impacts to 0.006 acre of wetlands and 0.011 acre (79 linear feet) of streams. The Project would also entail temporary impacts to 0.007 acre of wetlands and 0.029 acre (145 linear feet) of streams. A combination of avoidance, minimization and compensatory mitigation measures are proposed to offset potential effects of Project implementation, operation and maintenance to wetlands and waters of the U.S. and the state. Caltrans has prepared a Mitigation and Monitoring Plan (MMP) for the Project. This MMP was approved in 2008 by the State Water Board and will remain in effect. Proposed compensatory mitigation for the remaining Project impacts includes 0.021 acres of wetland creation, 0.041 acre of wetland restoration, 0.141 acre of streambed creation and 0.285 acre of streambed restoration.

All feasible and practical measures will be undertaken to avoid or minimize impacts to waters of the state during Project activities. The contractor has prepared a SWPPP to address construction related potential stormwater impacts. The contract has the previous permit conditions identified. In addition, the contractor has installed environmentally sensitive area fencing to identify areas to be avoided during construction. A Storm Water Pollution Prevention Plan (SWPPP) is in place.

In compliance with federal Clean Water Act, section 404 and USACE regulations, all Project activity will occur under Nationwide Permit number 23, Corps file no. SPK-2001-00227.

Water Board staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office

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 Cliff Harvey at (916) 558-1709. ([charvey@waterboards.ca.gov](mailto:charvey@waterboards.ca.gov)).

**Date Posted: August 30, 2011**

**State Water Resources**

**Control Board Staff Contact:**

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**Note: No regulatory decision on the application  
is implied or intended in this public notice.**

***KEEP INFORMED OF PROJECT MILESTONES***

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

Click the SUBSCRIBE button under the "Quick Links" section of the 401 Program Webpage at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml)

By enrolling in this list, you will receive notices for all current 401 project applications, including the project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris list, contact the staff person named in the notice to express your interest in receiving notices by other means.

You can enroll or un-enroll at any time. The State Water Board will not disclose your name or e-mail information to any outside parties, and will not use this information for any other purpose.

