

State Water Resources Control Board

**PUBLIC NOTICE FOR
CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER**
State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

The State Water Resources Control Board (State Water Board) has received an application from the California Department of Transportation to replace six (6) failed culverts on route 121 in Napa County. This project would result in temporary and permanent impacts to waters of the United States. The State Water Board is considering issuing a Clean Water Act 401 Water Quality Certification pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401) for impacts to federal waters.

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 Water Quality Certification Program. This document serves as public notice for the Project impacts to Waters of the United States.

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 Board has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

Applicant: California Department of Transportation

Applicant Contact: Susan Simpson
Telephone: (510) 286-4436
Email: susan.simpson@dot.ca.gov

**Project Name: Nap-121 PM 17.4/18.3 Culvert Replacement Project
(RM 416692, WDID SB17029IN)**
Date of Application: 08/04/2017

On August 4, 2017, the State Water Resources Control Board (State Water Board) received an application requesting Federal Clean Water Act section 401 water quality certification for activities related to the Nap-121 PM 17.4/18.3 Culvert Replacement Project (Project), from the California Department of Transportation (Applicant). The application indicates proposed activities and impacts within the jurisdiction of more than one Regional Water Quality Control Board, the Central Valley and San Francisco Bay Regions; therefore, the State Water Board has jurisdiction over the Project. The application has not yet been deemed complete.

The purpose of this project is to replace six failed culverts on Route 121. Since the application was received, the Applicant has decided that two of the culverts, one of which is completely plugged and one of which is seriously damaged, will be considered emergency repairs. Impacts associated with these two culverts will be permitted in an expedited process through the San Francisco Bay Regional Board. Impacts for the remaining four culverts will be permitted through the State Water Board.

The remaining project that will be considered by the State Water Board consists of removal of four (4) failed culverts and associated headwalls and replacement with new culverts and headwalls. Sediment removal is proposed upstream of one culvert and regrading is proposed upstream of another culvert. Energy dissipators/armoring is proposed at the downstream end of two of the culverts in order to reduce the potential for downstream erosion. These culverts are located between post mile 17.4 and post mile 18.3 of state route 121 in Napa County. All equipment will be operated from the roadway to limit impacts to sensitive environments and all work will be completed when there is no water flowing through the culverts to minimize the discharge of wastes to receiving waters.

Projected permanent and temporary impacts to waters of the U.S. are summarized in table 1 below.

Table 1: Proposed Project Fill/Excavation Quantity¹ for Waters of the U.S									
Aquatic Resource Type	Temporary Impact²			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY	LF	Acres	CY	LF	Acres	CY	LF
Stream Channel	0.003		65				0.002		22

¹ Cubic Yards (CY); Linear Feet (LF)

² Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

Proposed length and area of aquatic resources to be restored to pre-project conditions and proposed as compensatory mitigation for temporary and permanent impacts associated with the Project are summarized in Table 2, below.

Table 2: Proposed Restoration and Mitigation Quantity							
Aquatic Resource Type	Res. ³ Type	Units	Method ⁴				
			Est.	Re-est. ^{Error!} Bookmark not defined.	Reh. ⁵	Enh. ^{Error!} Bookmark not defined.	Pres.
Stream Channel	PR	Acres			0.003	0.002	
Stream Channel	PR	LF			192		

Status of CEQA and other Natural Resource Documents and Permits

Caltrans has determined that the Project is exempt from review under CEQA. Specifically, the exemption criteria under California Code of Regulations, title 14, section 15301 Existing Facilities.

The impacts associated with this Project will be authorized by the U.S. Army Corps of Engineers under a non-reporting Nationwide Permit 3.

Staff will consider all comments submitted in writing and received at this office by mail 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 Brendan Reed at (916) 341-5462 or Brendan.Reed@waterboards.ca.gov.

Date Posted: November 2, 2017

State Water Resources Control Board Contact:
 Brendan Reed, Environmental Scientist
 Water Quality Certification Unit, Division of Water Quality
 State Water Resources Control Board
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Note: No regulatory decision on the application is implied or intended in the public notice.

³ Restoration (Res.)

⁴ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.).

⁵ Rehabilitation of areas that are temporarily impacted.

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

Select "CWA401 Certification and Wetlands Program." 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.