

State Water Resources Control Board

Public Notice of Application for Water Quality Certification for Federal Highway Administration, Central Federal Lands Highway Division Donner Pass Road Improvements Project

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: August 8, 2019

Affected Counties: Nevada and Placer

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.

State Water Resources Control Board (State Water Board) staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. **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 (August 8, 2019) and ends at 5:00 p.m. on the last day of the comment period (August 29, 2019).** To submit comments, or if you have any questions, please contact the State Water Board staff person listed below.

State Water Resources Control Board Contact:

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

Project Name: Donner Pass Road Improvements Project

(Reg. Meas. ID: 431571 and SWRCB ID: SB19021IN)

Background: On May 7, 2019 a Federal Highway Administration (FHWA) application for Clean Water Act Section 401 water quality certification was deemed complete for the Donner Pass Road Improvements Project (Project).

Project Description: The purpose of the proposed Project is enhancement of public access and safety along Donner Pass Road and to the Tahoe National Forest, including roadway widening for safety, adding riprap and headwalls to prevent scour, and extending, replacing, or installing new inlets/culverts to improve drainage.

The proposed Project is located on Donner Pass Road, beginning near the I-80/Donner Pass Road interchange in Soda Springs, California (I-80 Exit 174), extending over Donner Pass Summit, and ending at the Truckee town limits east of the pass. The project starts at Milepost 0.0 at the I-80 Exit 174 Bridge and ends at Milepost 6.5 at the Truckee town limits. The approximate geographic coordinates of the center of the Project are 39.314006° N, -120.340744°.

The proposed Project consists of rehabilitation and shoulder widening on the 6.5 miles of Donner Pass Road between the Soda Springs exit and the Truckee town limit east of the summit. Currently, the road consists of two lanes with no bicycle accommodations. After construction, a typical road section will consist of two 11-foot lanes with 4-foot shoulders plus safety edges, except in the downhill direction on the east side due to topographical constraints. The Project will also improve recreational and sightseeing access, with enhanced parking on the east side of the summit that connects to rock climbing, hiking, and biking amenities, as well as to historic and prehistoric features. Bicycling conditions will be improved with bike lanes in both directions on the west side and in the uphill direction on the east side. Enhanced pullouts and parking areas include the Rainbow Bridge parking lot, School House pullout, Star Wall pullout, Snow Shed North and South pullouts, Space Wall pullout, and Black Wall pullout. During the winter, widening of the road will also provide additional snow storage and improve access to winter recreational destinations. Nevada County received California Federal Lands Access Program (FLAP) funding for this project in 2015. The Project is being managed and delivered by the FHWA's Central Federal Lands Highway Division (CFLHD).

The Project application reports impacts to waters of the state, including waters of the U.S., as shown in Table 1 below. Temporarily impacted areas would be restored to pre-project condition once the project is complete. The FHWA proposes to compensate for permanent loss of waters through purchase of in-lieu fee credits.

Based on the information available at the time of this public notice, the project may qualify for Class 1 and Class 4 Categorical Exemptions from the California Environmental Quality Act (CEQA) which provide for “*the operation, repair, maintenance...or minor alteration of existing public or private structures [and] facilities...*” and “*minor alterations to land*” for creation of bicycle lanes (California Code of Regulations, title 14, sections 15301(c) and 15304(h).)

Table 1: Total Project Fill/Excavation Quantity

Aquatic Resource type	Wetland	Stream Channel
Acres of temporary impact	0.0094	0.0641
Linear feet of temporary impact		1,369
Acres of permanent physical loss of area	0.0019	0.0440
Linear feet of permanent physical loss of area		1,443

A Certification or Denial will be prepared by the State Water Board in response to this application.

Applicant: Federal Highway Administration

Applicant Contact: Seth Wilcher

Telephone: (720) 963-3691

Email: Seth.Wilcher@dot.gov

Date Application Deemed Complete: May 7, 2019

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

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.