
North Coast Regional Water Quality Control Board

TO: California Department of Transportation
Attention: Gillian Levy
North Region Environmental–District 1
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Gillian.Levy@dot.ca.gov

FROM: Susan Stewart, Environmental Scientist / Caltrans Liaison
NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

DATE: September 18, 2024

**SUBJECT: WESTPORT CULVERTS PROJECT
DRAFT INITIAL STUDY WITH PROPOSED MITGATED NEGATIVE
DECLARATION
SCH# 2024080750 (EA: 01-0K170)**

Dear Gillian Levy,

On September 3, 2024, the North Coast Regional Water Quality Control Board (RWB) received a Draft Initial Study and Proposed Mitigated Negative Declaration (IS/MND) from the California Department of Transportation (Caltrans) for the Westport Culvert Project (Project), Mendocino County, California. The draft IS/MND notes that comments must be submitted no later than September 18, 2024. The RWB hereby submits the following comments.

Project Description

Caltrans proposes to improve drainage systems and reduce erosion by replacing five culvert systems along State Route 1 (SR1) in Mendocino County, from PM 75.47 to PM 84.10, between Blue Slide Gulch Bridge and Hardy Creek Bridge.

Regional Water Board Permitting

The proposed Project will require a Water Quality Certification under section 401 of the Clean Water Act (33 U.S.C. § 1341) for activities related to Project construction within or affecting waters of the U.S. and waters of the State.

The Regional Water Board understands that Project construction may require a Temporary Creek Diversion System for diverting water at any or all the locations. Minor tree removal, clearing, and grubbing would be required for construction access, culvert replacement, and installation of bank stabilization activities.

RWB Comment 1): Alternatives Analysis - Requires applicants to propose the least environmentally damaging practicable alternative (LEDPA) for their project, to avoid and minimize impacts, and provide mitigation for unavoidable impacts. This alternatives analysis should include more than build and no-build alternatives and is distinct from an alternative analysis required to comply with other statutory or regulatory requirements, such as the California Environmental Quality Act (CEQA). (Procedures for Discharges of Dredged or Fill Material to Waters of the State, section IV. A.)

RWB Comment 2): Riparian habitat is considered an aquatic resource and is included within the jurisdiction of the Regional Water Board. The proposed project has the potential to result in permanent and temporary impacts on Coastal Dune Willow Thickets SNC, which is also considered riparian habitat. Permanent impacts due to culvert realignment, restoration of flow lines, installation of headwalls, flared end sections (FES), and rock slope protection (RSP), and the extension of culvert systems would result in permanent impacts. Delayed replacement of riparian trees that are removed for construction may result in a requirement for a higher mitigation ratio to account for temporal loss.

RWB Comment 3): No net loss of wetlands - Consistent with Executive Order W-59-93, California Wetlands Conservation Policy, commonly referred to as the “No Net Loss Policy” for wetlands, requires restoration of temporary impacts to wetlands. In all cases where temporary impacts are proposed, an application for 401 water quality certification will require a draft restoration plan that outlines design, implementation, assessment, and maintenance for restoring areas of temporary impact to pre-project conditions.

RWB Comment 4): Any compensatory mitigation to be implemented off-site must be clearly defined in a complete mitigation plan. If a mitigation bank is proposed, plan for the transaction for credit purchase to be completed prior to issuance of the 401 certification.

Thank you for providing the Regional Water Board with the opportunity to comment on this draft IS/MND. If you have any questions or comments or would like to discuss these recommendations, please contact Environmental Scientist, Susan Stewart at (707) 576-2657 or by email at Susan.Stewart@waterboards.ca.gov.

Best regards,

Susan Stewart

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