

March 30, 2011

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

Niles Canyon State Route 84 Safety Improvement Project, Phase One

Alameda County

The San Francisco Bay Regional Water Quality Control Board (Water Board) issued Clean Water Act section 401 water quality certification (certification) to the California Department of Transportation (Caltrans) for the Niles Canyon State Route 84 Safety Improvement Project, Phase One (Project), on June 22, 2010. The certification required Caltrans to implement off-site riparian enhancement and restoration activities along the Arroyo Mocho, adjacent El Granada High School, in the city of Livermore, as partial mitigation for impacts to riparian habitat along Alameda Creek. In a letter to the Water Board dated March 4, 2010, Caltrans requested the certification be modified to replace the El Granada High School mitigation with a different riparian mitigation project in Livermore on the Arroyo Mocho.

Caltrans has withdrawn the El Granada High School mitigation because the school would not allow installation of a pedestrian footbridge to bypass the mitigation area. Caltrans will not commit to the El Granada mitigation project if it does not include a pedestrian bridge to reduce foot traffic through the mitigation area.

To compensate for the withdrawal of the El Granada High School mitigation, Caltrans has proposed stream channel and habitat restoration along approximately 2,560 linear feet (6.2 acres) of the Arroyo Mocho in the city of Livermore, along the north side of East Stanley Boulevard between Isabel Avenue and Murrieta Boulevard (Caltrans mitigation). The proposed Caltrans mitigation is on land owned and managed by the Zone 7 Flood Control District of Alameda County (Zone 7) and is bounded by an approximately 5,000 linear foot reach of the Arroyo that Zone 7 intends to restore (Stanley reach). Zone 7 has worked in partnership with the Urban Creeks Council to determine that mitigation at the Stanley Reach is feasible and will have significant environmental benefits.

To ensure a holistic mitigation design approach for the Stanley reach, Zone 7 is insisting that stream channel restoration and habitat creation plans be developed to encompass the entire 5,000 linear foot Stanley reach, rather than only the 2,560 linear foot Department mitigation reach. To this end, Caltrans has agreed to pay up-front for geomorphic analyses and planting plans that address the needs of the entire reach. Caltrans and Zone 7 are cooperating a cost-sharing arrangement for all design plans; the Water Board is requiring that Caltrans

develop mitigation plans for the entire Stanley reach, but is only requiring implementation of the plans within the 2,560 linear foot mitigation area.

Caltrans also has permits for this Project from the California Department of Fish and Game and the United States Army Corps of Engineers. According to Caltrans staff, these permits do not require amendments as a result of the change in mitigation.

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 Brendan Thompson at (510) 622-2506 or [BThompson@waterboards.ca.gov](mailto:BThompson@waterboards.ca.gov) within 21 days of the posting of this notice.