



US Army Corps  
of Engineers®

Regulatory Division  
1455 Market Street  
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

## Project: State Route 4 (East) Widening Project in Pittsburg & Antioch

NUMBER: 2002-26746S  
PROJECT MANAGER: Hal Durio

DATE: Dec 12, 2008  
PHONE: 415-503-6785

RESPONSE REQUIRED BY: Jan. 12, 2009  
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**1. INTRODUCTION:** The California Department of Transportation (Caltrans) in conjunction with the Federal Highway Administration (FHWA), and the Contra Costa Transportation Authority (CCTA) propose to widen and improve State Route 4 (SR-4) in the cities of Pittsburg and Antioch, Contra Costa County, California. The project would widen SR-4 from the existing four lanes to eight lanes with one High-Occupancy Vehicle lane (HOV) in each direction. The project also includes redesign and reconstruction of the interchanges within the project limits and the addition of auxiliary lanes between on-ramps and off-ramps.

The project manager and contact person at Caltrans is Ms. Laurie Lau, (510) 286-5568, Department of Transportation, P.O. Box 23660, Oakland, CA 94623-0660. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

### 2. PROPOSED PROJECT:

**Location:** The project site is located in Contra Costa County, California, on State Route 4 (SR-4) starting 1.33 kilometers (0.8 mile) west of Loveridge Road to approximately 1.24 kilometers (0.7 mile) east of Hillcrest Avenue (Figure 1).

**Project Description:** The proposed project would widen SR-4 from the existing four lanes to the eight lanes, one HOV lane and three mixed-flow lanes in each direction. Sufficient width would be left in the median through the Loveridge Road Interchange to accommodate the possibility of future public transit

improvements. Auxiliary lanes (lanes that run between a highway entrance and the next exit) would be added between the main intersections.

The highway would be designed to provide space to create ramp metering facilities and California Highway Patrol (CHP) enforcement areas where feasible. The Roosevelt Lane pedestrian undercrossing and the Cavallo Road undercrossings (Figure 23) would be widened. Drainage facilities that cross SR4 would have culvert extensions to accommodate the necessary widening of the highway.

The five main intersections within the project boundary would be redesigned to improved traffic flow within the community and to provide the space to widen SR-4. The five intersections that would be redesigned are Loveridge Road (Figure 17), Somersville Road (Figures 18 & 19), Contra Loma Boulevard-L Street (Figure 20 & 21), Lone Tree Way-A Street (Figure 22), and Hillcrest Avenue (Figure 24). A sixth intersection at G Street (Figure 21) would eliminate its westbound entrance and its eastbound highway exist ramp and would be redesigned to accommodate a new SR-4 overstructure.

**Purpose and Need:** The purpose of the proposed project is to reduce existing congestion, improve traffic operations, encourage HOV use, and accommodate anticipated travel demand through the year 2030 by providing sufficient right-of-way to accommodate multi-modal transportation.

The SR 4 corridor from west of Loveridge Road to east of Hillcrest Avenue is currently facing severe problems which include traffic congestion causing increases in travel time, inefficient energy use, deteriorating air quality and deteriorating levels of traffic safety. Correcting these conditions as well as encouraging public transportation and improving Freight movement along the corridor are the major objectives of the transportation program through this region of northern Contra Costa County.

**Impacts to Corps of Engineers Jurisdiction:** All of the impacts to wetlands and waters of the United States are a result of culvert extensions over open channels that cross SR-4 at various points along the highway corridor. Some of the waterways crossing the highway are remnants of natural creeks that have been modified over the years into channels. Others are manmade drainage channels or flood control channels. Figure 1 shows the extent of the project and the location of the major intersections. Figures 2-16 show all of the jurisdictional wetlands and waters of the U.S. that are located within the project study limits.

Kirker Creek and Kirker Canal, located approximately 1950 feet west of Loveridge Road, approach the existing SR-4 from the south and both enter separate culverts to pass under an old railroad grade. North of the railroad grade both culverts merge into an open 0.047 acre concrete lined common channel that flows toward SR-4. At SR-4 the common channel separates again into a large corrugated metal pipe (CMP) culvert and a large double barrel concrete box culvert (dbCBC) which, parallels the highway for about 120 feet before turning north under SR-4 (Figure 2). Both culverts merge again on the north side of SR-4.

Highway widening would require that the 0.47 acre concrete lined common channel be placed in a culvert and filled. This 0.047 acre channel is considered a wetland impact because it is deeply silted and overgrown with cattails and other wetland vegetation. This site is not quality habitat and is subject to being cleared out when the vegetation becomes thick

enough to become a flood hazard. Both the large CMP and the dbCBC would be extended under the widened highway southward to railroad tract grade (Figure 2).

Where the existing culverts of Kirker Creek and Kirker Canal pass under the old railroad grade, a collection-distribution basin would be created which would open up 0.051 acre of a previously culverted waters of the U.S. In the building of the collection-distribution basin, there would be approximately 0.013 acre of temporary impacts to the concrete lined Kirker Canal (Figure 2).

On the north side of SR-4 the channels associated with the Kirker Creek and Kirker Canal culverts form two areas of open waters of the U.S. These waters would not be impacted by this project (Figure 3).

Old Kirker Creek crosses SR-4 from the south about 920 feet east of Loveridge Road. In the area adjacent to SR-4, this channel is a wetland overgrown in cattails and other wetland vegetation. Approximately 89 feet of this channel would be filled and placed into a culvert to accommodate highway widening. This fill would permanently impact 0.027 acre of wetlands and 0.006 acre of waters of the U.S. (Figure 5).

Old Kirker Creek is culverted for approximately 780 feet from its start at the south side of SR-4 before emerging on the north side of Loveridge Road (Figure 4) as a wetland associated with the continuation of the creek. Project work along Loveridge Road, as part of the intersection improvement, would require filling approximately 0.005 acre of this wetland.

Approximately 2300 feet west of Somersville Road, the Los Mendanos Wasteway, which appears to be an overflow channel of the Contra Costa Canal, crosses under SR-4 from the south. In the area of SR-4, this channel is a waters of the U.S. The highway widening on the south side of SR-4 would require approximately 52 feet (0.01 acre) of this channel to be placed into a culvert; and on the north side of SR-4, approximately 65 feet (0.011 acre) would be placed in

a culvert (Figure 6). There would also be small areas of temporary impacts associated with this work.

Approximately 1550 feet east of Somersville Road the Markley Creek channel crosses SR-4. This channel is completely culverted within the project study area on the south side of SR-4 but is day-lighted as an open wetland channel on the north side of SR-4. This channel is far enough away from the highway that there would be no impacts at this location (Figure 7).

Impacts on West Antioch Creek are illustrated on Figures 8-12. The impact areas are illustrated on the Figures using letters A, B, C, etc. West Antioch Creek is mostly a waters of the U.S. but has areas of wetland at the channel edges and in places is overgrown with cattails.

The first impact on West Antioch Creek is indicated as “A” on Figure 8. The power company burying a cable line under the creek would cause this impact. This work is considered a temporary impacts to 0.015 acre to waters of the U.S. and 0.008 acre of wetlands.

A tributary to West Antioch Creek illustrated as “B” on Figure 8 would be permanently filled when this section is placed into a culvert because a new entrance ramp is planned over the site. This work would permanently impact 0.01 acre of wetland and 0.004 acre of waters of the U.S.

A large section of West Antioch Creek near L Street (Contra Loma Blvd) illustrated as site “C” on Figure 9 would be impacted when a new entrance ramp is constructed. This work would permanently impact 0.027 acre of waters of the U.S. and permanently impact 0.014 acre of wetland. There would also be temporary impacts to 0.002 acre of wetland and 0.004 acre to waters of the U.S.

At letter “D” on Figure 9, a new lane would widen Contra Loma Blvd to the west requiring another section of West Antioch Creek to be culverted. This work would permanently impact 0.004 acre of wetland and 0.003 acre of waters of the U.S.

On the south side of SR-4 and on the east side of Contra Loma Blvd, Figure 10 and Figure 11 illustrate work that is planned in the construction of a new eastbound entrance lane. The construction would impact West Antioch Creek by converting sections of the creek that are illustrated as letter “E” and “F” on Figures 10 and 11. At these locations, there would be permanent impacts to approximately 0.007 acre of wetland and 0.007 acre of waters of the U.S. There would also be temporary impacts to 0.002 acre of wetlands and 0.002 acre of waters of the U.S.

On Figure 10 at letter “G”, an approximate 144-foot long ditch runs parallel to Contra Loma Blvd. This ditch is a wetland and would be completely culverted because of widening work on Contra Loma Blvd. Impacts would amount to fill of 0.002 acre of wetland.

Traveling east up the main channel of West Antioch Creek, the Creek passes under L Street through a concrete box culvert. This culvert heads east for a few hundred feet before passing under SR-4 to the south side of the highway. The culvert then passes under Firzuren Road and once again becomes an open creek channel. By the letter “H” on Figure 12, there would be power line work, which may cause temporary impacts in the creek. It is estimated that there may be temporary impacts to 0.009 acre of wetlands and 0.003 acre of waters of the U.S.

On Figure 13 there is an unnamed creek-like channel which, eventually flows into Lake Alhambra. The source of water is apparently from a culvert located approximately 607 feet south of SR-4. The creek crossing is located approximately 1927 feet west of Hillcrest Avenue. This creek channel forms a 0.055 acre wetland that is within the study area of the project but would not be impacted by the project.

North of SR-4 and north of Sunset Drive, west of Hillcrest Ave is a small 0.023 acre channel that emerges from a culvert which is thought to originate from the south side of SR-4 (Figure 14). This channel was in the study area of the project but would not be

impacted by the project. Figure 15 shows the extension of the Figure 14 culvert to the south side of SR-4.

A small unnamed channel passes under SR-4 approximately 5718 feet (1.083 miles) east of Hillcrest Avenue. On the north side of SR-4 the culvert opens into a wetland channel within the project study area but outside of the construction zone (Figure 16). This 0.035 acre wetland would not be impacted by the project.

**Summary of Corps Impacts:** Within the project study area there is approximately 0.325 acres of wetlands and approximately 0.264 acres of waters of the U.S. Most of the wetlands within the project consist of cattails within the drainage channels and all of the channels are subject to periodic cleaning by local city or county agencies. Of the wetlands and waters of the U.S. found within the project study area, 0.117 acre of wetlands and 0.068 acre of waters of the U.S. would be permanently impacted as a result of culvert extensions needed to widen the highway. Within the project limits, other culverts would be un-culverted (day-lighted), the effective loss of open waters of the U.S. would be 0.017 acre as a result of this project.

**Mitigation:**

Caltrans / CCTA would mitigate for wetland loss by purchasing wetland credits at the Elsie N. Gridley Mitigation Bank in Solano, County, California. The Corps of Engineers would require that a minimum of 1.2 acres of wetland credit be purchased to compensate for wetland losses due to this project. For the relatively small impact to 0.017 acre of waters of the United States, Caltrans / CCTA would use erosion control best management practices on all disturbed ground around the work areas where culverts were improved. Disturbed ground would be planted with an appropriate seed mix.

**3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:**

**National Environmental Policy Act of 1969 (NEPA):** The Corps would assess the environmental

impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment would describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment would be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398.

**Endangered Species Act of 1973 (ESA):** Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat.

**U.S. Fish and Wildlife Service:** Caltrans requested formal consultation with USFWS on June 7, 2004 seeking the Services biological opinion of the effects of the SR-4 project on the threatened California red-legged frog (*Rana aurora draytonii*), the salt marsh harvest mouse (*Reithrodontomys raviventris*) and the threatened giant garter snake (*Thamnophis gigas*). The Biological Opinion was received June 13, 2005 (1-1-05-F-0158). The conclusions were that the proposed project is not likely to adversely affect the endangered salt marsh harvest mouse and the threatened giant garter snake due to an apparent lack of suitable habitat for these two listed animal species in the action area. For the California red-legged frog, the Service concluded that the SR-4 project is not likely to jeopardize the continued existence of the frog. Critical habitat has been proposed for the California red-legged frog but none is within the project action area and therefore none would be affected by the proposed project. The Corps agrees with this opinion.

**National Marine Fisheries Service:** Caltrans requested consultation with NMFS on June 1, 2004, asking for a review of the SR-4 project for possible effects on threatened Central Valley steelhead (*Oncorhynchus mykiss*), the endangered Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*) and its designated critical habitat and on the threatened Central Valley spring-run Chinook salmon. In an informal consultation letter (No. 151422SWR04SR9275:ES) dated June 1, 2004, NMFS determined that the project is not likely to adversely affect salmonids listed under the Endangered Species Act because listed salmon and steelhead do not occur within the action area of the proposed project. The Corps agrees with this determination.

**Magnuson-Stevens Fisheries Conservation and Management Act:** Essential Fish Habitat - The Magnuson-Stevens Fishery Conservation and Management Act requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions permitted by the agency that may adversely affect Essential Fish Habitat (EFH). The Corps has made a determination that the proposed action would have no effect on EFH or federally managed fisheries in California Waters.

**Clean Water Act of 1972 (CWA):**

**a. Water Quality:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341); an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. No Corps permit would be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water

Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612 by the close of the comment period of this Public Notice.

**b. Alternatives:** Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is not water dependent. The applicant has submitted an Analysis of Alternatives as required. The Analysis of Alternatives to the proposed project is being reviewed by the Corps for compliance with the guidelines.

**Coastal Zone Management Act of 1972 (CZMA):** Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program, if applicable. The proposed project is not within the Coastal Zone.

**National Historic Preservation Act of 1966 (NHPA):** Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations would be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

**4. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit would be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision would reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the

proposal would be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the second paragraph of this Public Notice or by contacting Hal Durio of our office at telephone 415-503-6785 or E-mail: hal.e.durio@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action would be provided upon request.

**5. CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received would be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

**6. SUBMISSION OF COMMENTS:** Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests