US Army Corps of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 2002-272520N DATE: 10 December2008
RESPONSE REQUIRED BY: 12 January 2009

Regulatory Division
1455 Market Street, 16th Floor
San Francisco, CA 94103-1398

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1. **INTRODUCTION**: The County of Sonoma, Department of Transportation and Public Works, 2300 County Center Drive, Suite B100, Santa Rosa, California 95403 (POC: Mr. Richard Stabler; 707-565-8352), has applied to the U.S. Army Corps of Engineers (USACE) for a Department of the Army Permit to continue the installation and removal of a seasonal road crossing on the Russian River, via an extension of Washington School Road, near the Town of Asti, in Sonoma County, California. The project was previously authorized under Department of the Army Permit No. 272520N that expires on December 31, 2008. The proposed project and its associated impacts on the aquatic ecosystem would be similar in scope and magnitude to the previously authorized project, but the authorization period would be extended from five to ten years. This individual permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. § 1344).

2. **PROPOSED PROJECT**:

Project Description: As shown in the attached drawings, the project entails the seasonal installation and removal of a bridge and gravel roadbed that extends across an exposed gravel bar to the opposite bank. An existing bridge on the east side of the river consists of a 60-foot-long, two span temporary bridge with three (3) permanent concrete abutments and piers on steel pilings to accommodate two 30-foot-long removable deck panels that straddle the current low-flow channel. A crane situated on the adjacent bank is used to install the deck panels on the abutments and piers. A bulldozer is used to skim and stockpile gravel from the exposed bar to provide base material for the roadbed. The constructed roadbed is approximately 510 feet in length, 24 to 26 feet in width with 2:1 side slopes, and 8 feet in height above the bar. Depending on the seasonal morphology of the low-flow channel, the roadbed traverses up to 60 lineal feet (0.08 acre) of flowing water to the west abutment of the bridge. In the late fall, the deck panels are removed and the roadbed is graded out to approximate the pre-construction contour and condition of the exposed bar. Gravel discharged into the low-flow channel is partially removed to an elevation of two feet above the water surface to minimize turbidity and downstream sedimentation. These construction activities would utilize up to 6,900 cubic yards of dredged material (skimmed gravel) and cause temporary disturbance to approximately 2.5 acres of riverbed below the plane of ordinary high water.

Purpose and Need: The County of Sonoma indicates the purpose and need for the project are to provide vehicular access across the Russian River for emergency services, local residents, recreational users, and tourists. The road crossing would be installed no earlier than May 15 and removed no later than November 15 of each year; in the event the California Department of Forestry extends the fire season beyond November 15, the road crossing would be removed at the closure of the fire season but no later than December 15. During the summer and fall, fire danger is high in the Alexander Valley area of Sonoma County, and the local fire services have consistently advocated the use of the seasonal road crossing to assist in their response time. The detour route, when the road crossing is closed, is nearly ten miles of narrow two-lane road with many vertical and horizontal curves and can add 20 minutes or more to the response time. When the road crossing is open, the average traffic count (eastbound and westbound combined) on Washington School Road is 1,171 vehicles per day. A seasonal road crossing has been installed at this location since the late 1800's.

Site Description: The Upper Alexander Valley Reach of the Russian River is characterized by a series of low-gradient meander bends and the formation of point bars that tend to accumulate large volumes of sand and gravel originating from the upper watershed. The channel and meander bends are typically confined by levees constructed along the outer banks. Water flow exhibits extreme seasonal variation, from perennial to episodic in magnitude, even though the daily flows are partially regulated by Coyote Dam. The quality of riparian habitat ranges from relatively intact to highly disturbed, with extensive areas essentially cleared for agricultural purposes and the adjacent banks armored with riprap. Where native riparian vegetation persists on the banks, it is comprised of Fremont cottonwood, Oregon ash, California black walnut, narrow-leaf willow, and arroyo willow. The exposed bars are generally devoid of woody vegetation but are seasonally colonized by various herbaceous plant species, including white sweet clover, cocklebur, Jerusalem oak, birds-foot lotus, and Indian tobacco. Slightly elevated areas of these bars are often characterized by stands of narrow-leaf willow, arroyo willow, Pacific willow, and giant reed. At the project location, the Russian River is approximately 570 feet in width (top-of-bank to top-of-bank), and its morphology is highly influenced by a large, dynamic gravel bar. The low-flow channel currently exists on the east side of the riverbed but has been located on the west side as recently as 1996. The low-flow channel typically narrows to 75

to 130 feet in width during the summer and fall.

Mitigation: The following avoidance and minimization measures would be implemented as Special Conditions to any Department of the Army Permit issued for the project: (1) Confine the installation of the seasonal road crossing to the period of 15 June to 1 November to avoid the principal migratory period for salmonid fish species; (2) Comply with the terms and conditions for incidental take of salmonids specified in the Biological Opinion; (3) Limit discharges of dredged and fill material below ordinary high water only to river-run cobble, gravel, and sand, or quarry rock; (4) Minimize work, operation of equipment, and discharges of dredged and fill material in flowing water; (5) Restore the affected bar to its pre-construction condition after the bridge deck panels have been removed; (6) Avoid and minimize the loss of riparian vegetation and provide replacement plantings as compensation for any unavoidable loss of riparian vegetation; (7) Incorporate appropriate best management practices to further reduce turbidity and sedimentation. Due to the temporary nature of the impacts, no compensatory mitigation to offset permanent adverse effects would be required.

3. **STATE APPROVALS**: State water quality certification or a waiver is a prerequisite for the issuance of a Department of the Army Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341). The County of Sonoma is hereby notified that, unless the USACE is provided documentation indicating a complete application for water quality certification has been submitted to the Regional Water Quality Control Board (RWQCB) within 30 days of the Public Notice date, the District Engineer may consider the Department of the Army permit application to be withdrawn. No Department of the Army Permit will be issued until the County of Sonoma obtains the required certification or waiver. A waiver can be explicit, or it may be presumed if the RWQCB fails or refuses to act on a complete application for water quality certification within 60 days after receipt, unless the District Engineer determines a shorter or longer period is a reasonable time for the RWQCB to act. Water quality issues should be directed to the Executive Officer, Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403, by the close of the public notice comment period.

Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1456(c)), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to furnish a certification that indicates the activity conforms with the State's coastal zone management program. Generally, no federal license or permit will be issued until the appropriate State agency has concurred with the certification statement or has waived its right to do so. The project does not occur in the coastal zone, and a preliminary review by the USACE indicates that the project would not likely affect coastal zone resources. This presumption on effect, however, remains subject to a final determination by the California Coastal Commission.

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

National Environmental Policy Act of 1969 (NEPA): At the conclusion of the public comment period, the USACE will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347), the Council on Environmental Quality's Regulations at 40 C.F.R. Parts 1500-1508, and USACE Regulations at 33 C.F.R. Part 325. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of the USACE and other non-regulated activities the USACE determines to be within its purview of Federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

Endangered Species Act of 1973 (ESA): Naturally spawned populations of coho salmon (*Oncorhynchus kisutch*), Central California Coast steelhead (*Oncorhynchus mykiss*), and California Coastal chinook salmon (*Oncorhynchus tshawytscha*) inhabiting the California Coast Province, including the Russian River Basin, have been federally-listed under the Endangered Species Act. Critical habitat has been also designated for each species to include all estuarine and river reaches accessible to salmonids below longstanding, naturally impassable barriers. Designated critical habitat consists of the water, streambed, and adjacent riparian zone. The Upper Alexander Valley Reach of the Russian River principally serves as a migratory corridor for adult and juvenile salmonids, although steelhead and chinook salmon may be spawning in the project vicinity. Adult coho salmon generally enter the Russian River Basin and migrate upstream to spawn from late October to mid-February and die within two weeks after spawning. Yearling juvenile coho salmon tend to migrate downstream to the ocean from March to mid-June. Steelhead are capable of repeat spawning episodes. Adult steelhead enter the Russian River Basin from late fall through April and begin spawning in December. Juvenile steelhead will remain in fresh water from one to three years and tend to migrate downstream to the ocean during the spring and early summer months. Chinook salmon begin their upstream migration in the late fall, with the advent of heavy rains, and spawn shortly after returning to their natal streams; this migratory period may continue into March and generally peaks in December and January. Juvenile chinook salmon begin their downstream migration in late March or early April, with out migration peaking in mid-May. No other federally-listed threatened or endangered species are known to occur within the

immediate project area or in the project vicinity.

The USACE has made a preliminary determination that the project is not likely to adversely affect threatened salmonids or critical habitat. To address project-related impacts to salmonid fish species and designated critical habitat for coho salmon, the USACE will initiate informal consultation with the National Marine Fisheries Service, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq*.). The consultation process must be concluded prior the issuance of any Department of the Army Permit for the project.

Magnuson-Stevens Fishery Conservation and Management Act of 1996 (MSFCMA): The Russian River Basin occurs within essential fish habitat for the Pacific Salmon Fishery that includes both coho and chinook salmon. Essential fish habitat for these species essentially corresponds to the constituent habitat elements of designated critical habitat for coho salmon. The USACE has made a preliminary determination that the project is not likely to adversely affect essential fish habitat or federally managed fisheries in California waters. The aforementioned Section 7 consultation process will also address project-related impacts to essential fish habitat.

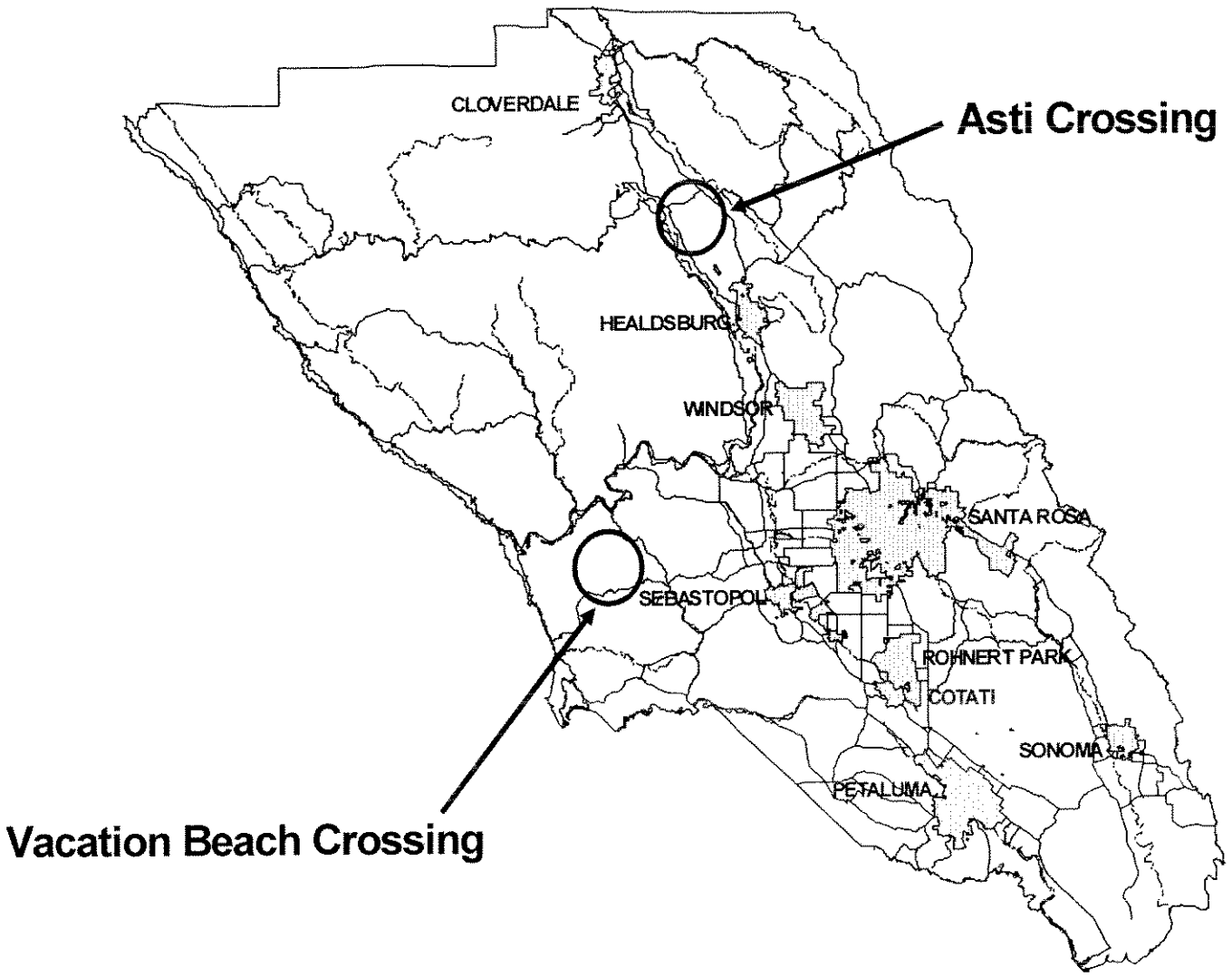
National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State, and Federal agencies, no historic or archaeological resources are known to occur on-site or in the project vicinity. Since the exposed bars are comprised of sediments recently deposited by high water-flow events, the proposed bar skimming work would not likely encounter intact archaeological resources. If unrecorded historic or archaeological resources were discovered during excavation work, such operations would be suspended until the USACE concluded Section 106 consultation with the State Historic Preservation Officer to take into account any project-related impacts to these resources.

5. **COMPLIANCE WITH THE 404(b)(1) GUIDELINES**: Projects resulting in dredged or fill material discharges into waters of the United States must comply with the Guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. § 1344(b)). An evaluation pursuant to the Guidelines indicates the project is dependent on location in or proximity to waters of the United States to achieve the basic project purpose of providing vehicular access across the Russian River. This conclusion raises the (rebuttable) presumption of the availability of a practicable alternative to the project-related discharges into waters of the United States that would result in less adverse impact to the aquatic ecosystem, while not causing other major adverse environmental consequences. The County of Sonoma has been informed to submit an analysis of project alternatives to be reviewed for compliance with the Guidelines.

6. **PUBLIC INTEREST EVALUTION**: The decision on whether to issue a Department of the Army Permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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.

7. **CONSIDERATION OF COMMENTS**: The USACE 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 the project. All comments received by the USACE will be considered in the decision on whether to issue, modify, condition, or deny a Department of the Army Permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental factors addressed in a final Environmental Assessment or Environmental Impact Statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project.

8. **SUBMITTING COMMENTS**: During the specified comment period, interested parties may submit written comments concerning this activity to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, North Branch, 1455 Market Street, San Francisco, California 94103-1398, citing the applicant's name and Public Notice Number and date in the letter. Comments may include a request for a public hearing on the project prior to a determination on the permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All comments will be forwarded to the County of Sonoma for resolution or rebuttal. Additional information may be obtained from the County of Sonoma or by contacting Mr. Jim Mazza of the Regulatory Division, North Branch, at telephone 415-503-6775 or E-mail: James.C.Mazza@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.

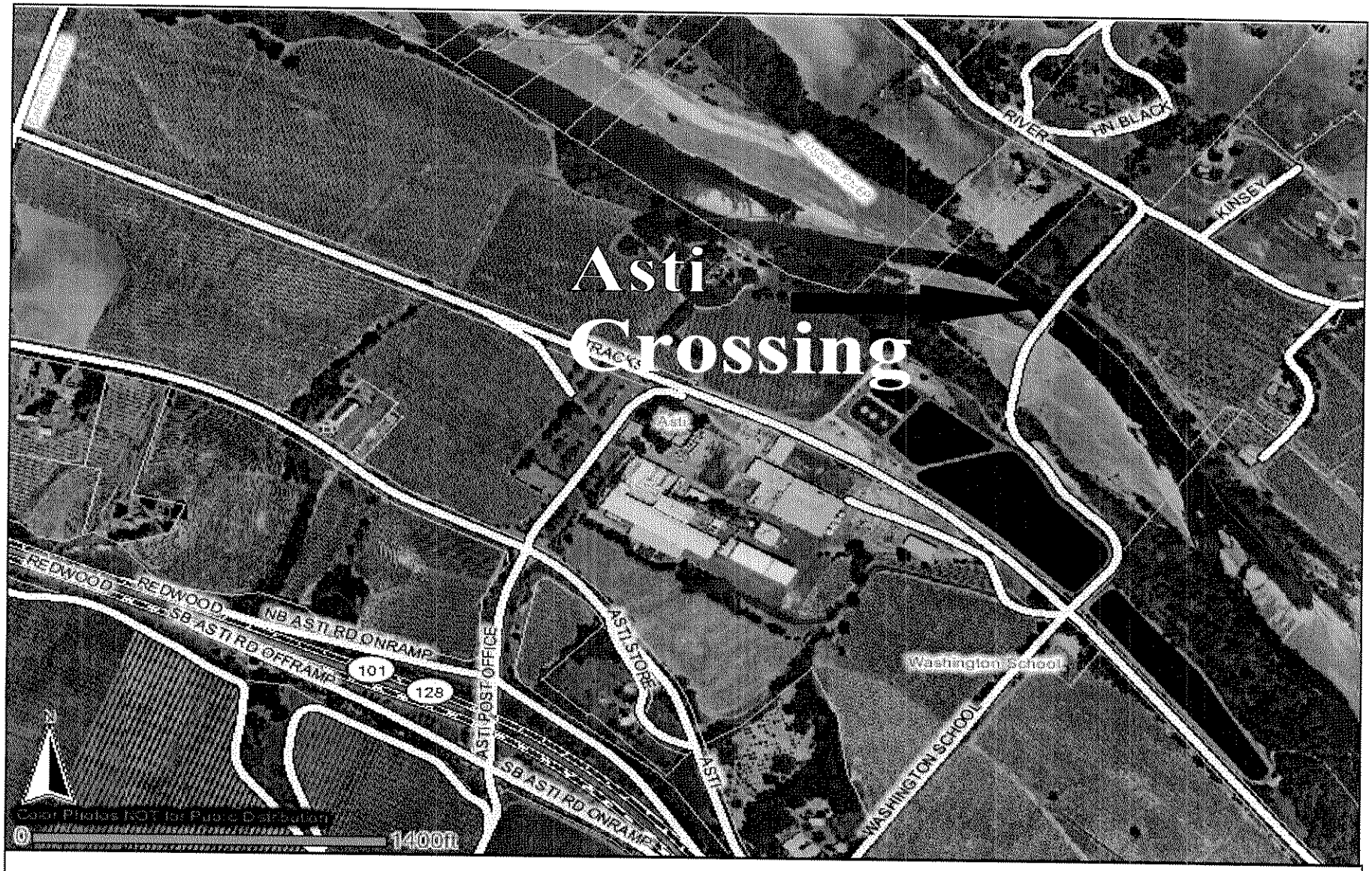


PROJECT VICINITY MAP

Sonoma County Summer Crossings

Source: Sonoma County Department of Permit and Resource Management, 2008. RAS

Figure 1

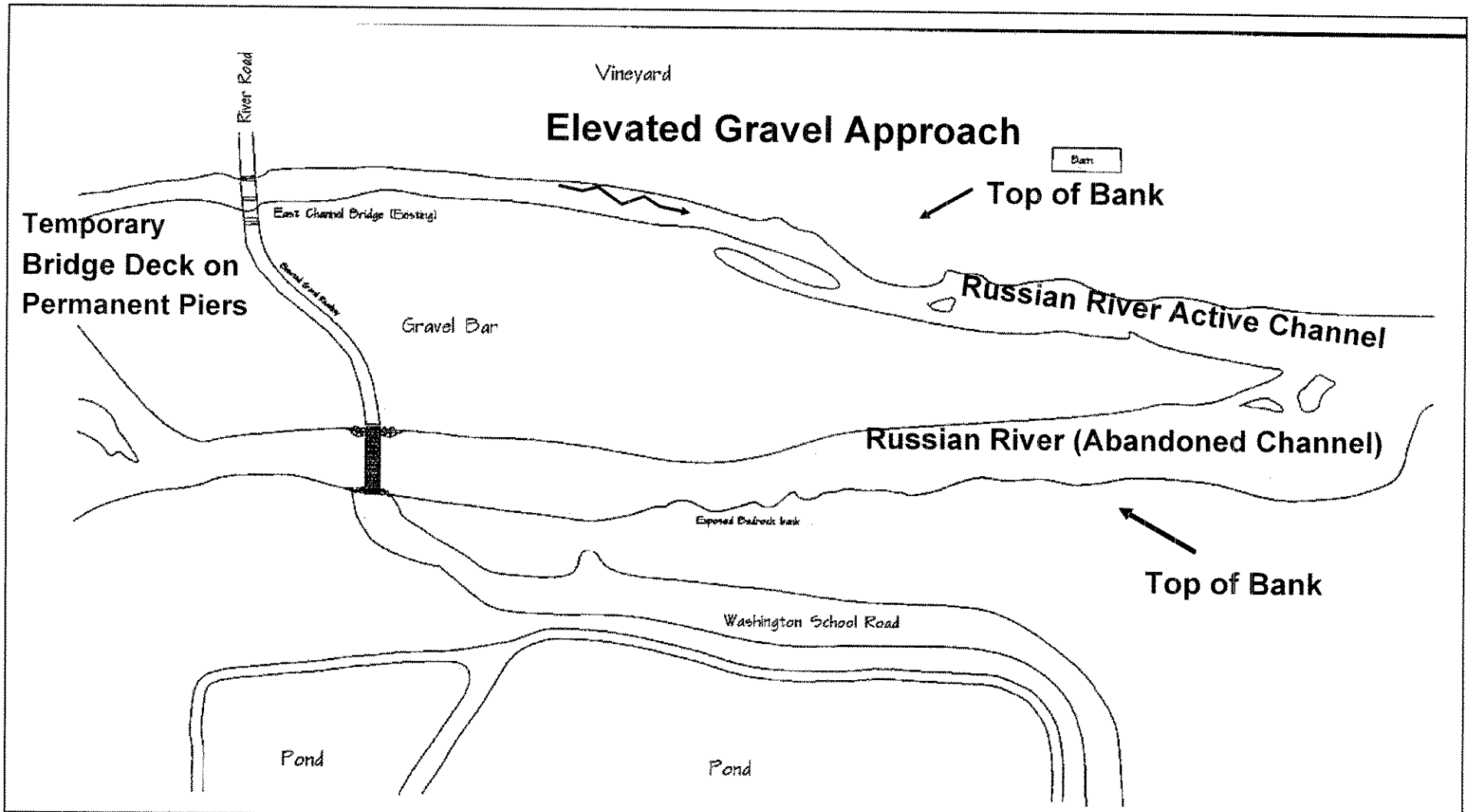


PROJECT LOCATION MAP

Sonoma County Summer Crossing at Asti

Source: Sonoma County Department of Permit and Resource Management, 2008. RAS

Figure 2b



Project Plan View
Sonoma County Summer Crossing at Asti

Source: Sonoma County Department of Permit and Resource Management, 2008. RAS

FIGURE 3b

Photo 5. Washington School Road at Asti Russian River Summer Crossing Constructing the Gravel Approach.

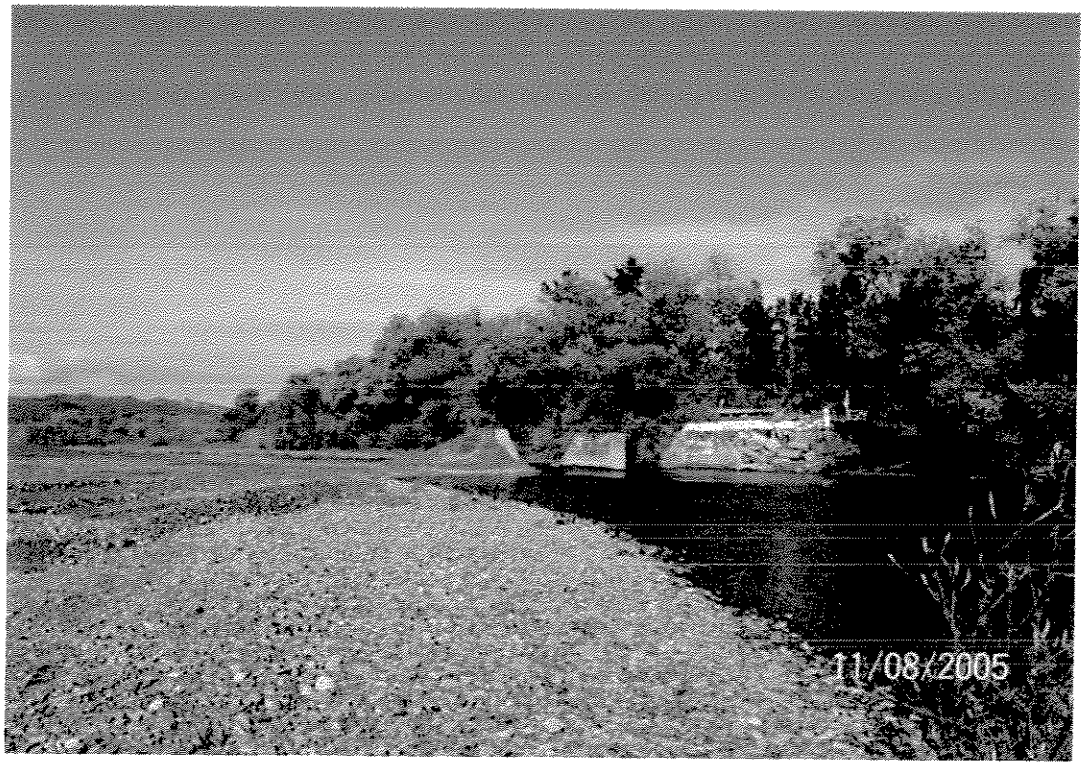


Photo 6. Washington School Road at Asti Russian River Summer Crossing After the Removal of the Deck and Approach Roadway.

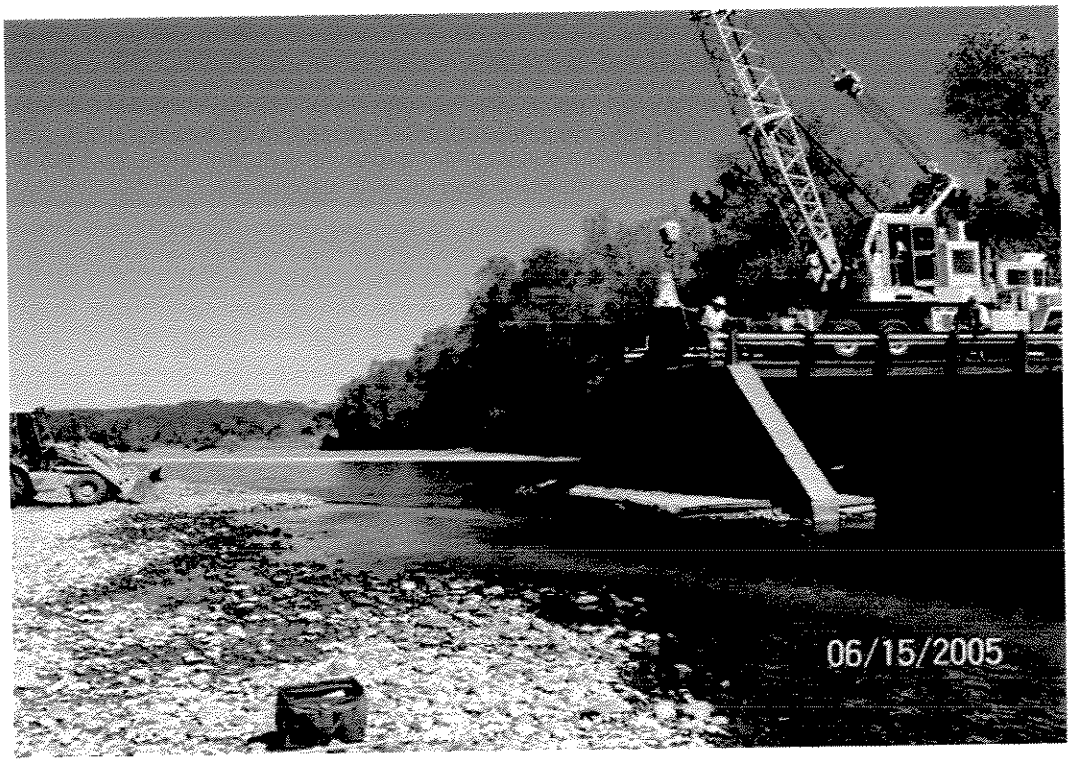


Photo 7. Washington School Road at Asti Russian River Summer Crossing Placing the Temporary Bridge Decks.

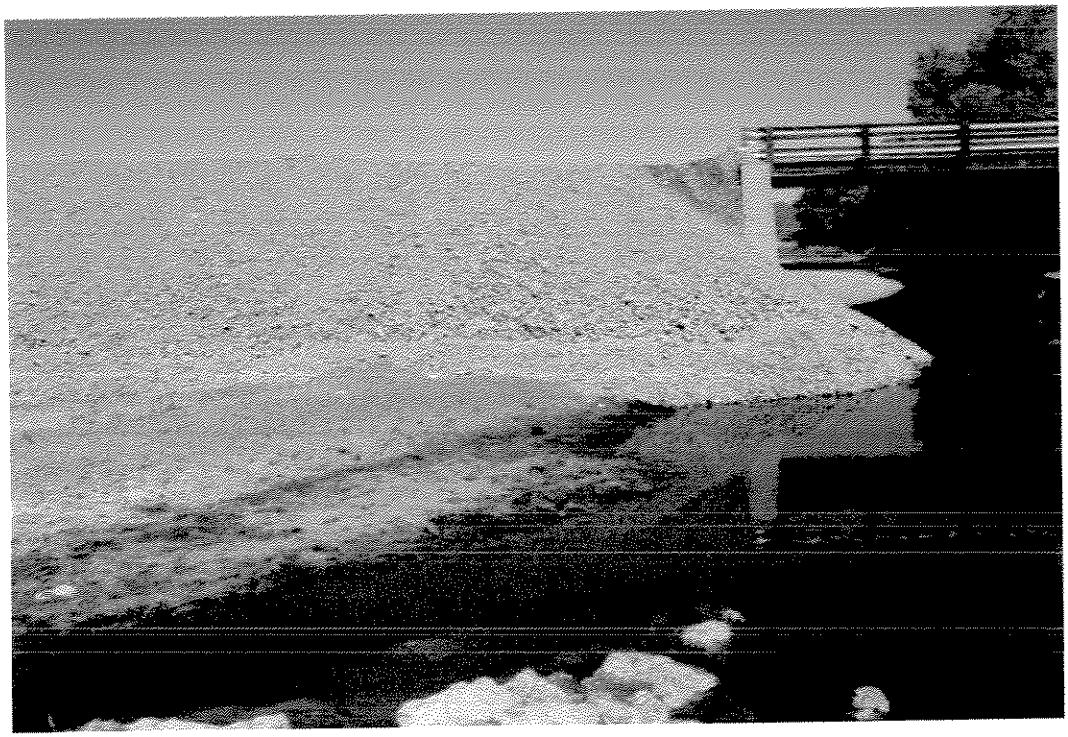


Photo 8. . Washington School Road at Asti Russian River Summer Crossing Gravel Approach and Bridge Deck Installed.