



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Number: 200200557

Date: March 16, 2004

Comments Due: April 6, 2004

**SUBJECT:** Application for a Department of the Army permit to discharge dredged and fill material and excavate in Grizzly Creek, under the authority of Section 404 of the Clean Water Act, to widen and realign State Route 20 (SR 20) as shown in the attached drawings and tables.

**APPLICANT:** Jean L. Baker, Chief, Environmental Management, M2 Branch,  
California Department of Transportation, District 3,  
703 B Street, P.O. Box 911, Marysville, CA 95901-0911

**LOCATION:** The proposed SR 20 Rehabilitation project is located along two segments of Grizzly Creek from post mile (PM) 38.6 to PM 40.0 and from PM 41.9 to PM 45.3 in Sections 3, 4, 5, 25, 31, 32, 35, 36, Townships 13 and 14 North, Range 6 West, in Lake County, California.

**PROJECT DESCRIPTION:** The purpose of the project is to improve safety on SR 20. The applicant has stated the project would result in the permanent loss of approximately 2.14 acres of waters of the United States, including wetlands. The project would also temporarily impact approximately 10.20 acres of waters of the United States, including wetlands, from excavating and recontouring the creek channel. The project would include excavating sediment from Grizzly Creek from PM 38.6 to PM 39.4. Cleaning and/or replacing existing culverts would occur from PM 38.67 to PM 39.3. As part of the project, rock slope protection (RSP) and filter fabric would be placed at the culvert outlets to dissipate energy. The project also includes paving, rehabilitating, and reconfiguring a curve and shoulder. RSP would also be placed along the impacted reaches of Grizzly Creek alternating with new riparian vegetation plantings. The applicant has stated that waters of the U.S. would not be impacted in Section 2 between PM 41.9 and PM 44.5. From PM 44.5 to 45.3 there will be a profile grade raise of 5 feet and shoulder widening that would impact waters of the U.S., including wetlands. The applicant has proposed to use wetland habitat credits at their Beach Lake Mitigation Bank and develop and implement a restoration plan and to plant regionally appropriate riparian vegetation to restore the affected reaches of Grizzly Creek.

**AREA DESCRIPTION:** The project is located along a rural stretch of SR20 in an area of Blue Oak Woodland/Grassland landscape with scattered rural homesites. The applicant has stated this part of Grizzly Creek is mainly an intermittent/partially subterranean stream corridor feed by seasonal storm runoff and natural springs. The creek supports mature riparian vegetation along the affected stretches.

**ADDITIONAL INFORMATION:** The Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans) have completed a Final Environmental Assessment/Initial Study for the Pavement Rehabilitation and Grizzly Creek Excavation of State Route 20 Project. FHWA has made a finding of no significant impact. This project may affect federally listed species and unknown cultural resources may be in the project area. The U.S. Fish and Wildlife Service (FWS) issued a Biological Opinion (#1-1-02-F-0082 dated February 11, 2003) to FHWA for project related impacts to endangered species under Section 7 of the Endangered Species Act. FHWA has consulted, under Section 106 of the National Historic Preservation Act, with the State Historical Preservation Officer (SHPO). The SHPO has concurred that cultural resources within the project area are not eligible for the National

Register of Historic Places (NRHP). The applicant has stated that archival research indicates that prehistoric archaeological sites existed within the area of potential affect for the project, but these were not located during field surveys. Caltrans would avoid impacts to cultural resources whenever possible. If buried cultural materials are encountered during construction, Caltrans stated work in that area would stop until a qualified archaeologist could evaluate the nature and significance of the find.

The District Engineer has made these determinations based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **April 10, 2004**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

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 will be considered by the Corps of Engineers to determine whether to issue, modify, 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 of the proposed activity.

If additional information is required, please contact Jennifer Olah at the California Department of Transportation, telephone (530) 740-4807, or William Guthrie, at the letterhead address, telephone (916) 557-5269 or email [William.H.Guthrie@usace.army.mil](mailto:William.H.Guthrie@usace.army.mil).

Michael J. Conrad, Jr.  
Colonel, US Army  
District Engineer

Enclosures: 5 Drawings