



US Army Corps  
of Engineers®

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

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RESPONSE REQUIRED BY: 9 August 2002

Regulatory Branch  
333 Market Street

San Francisco, CA 94105-2197

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1. **INTRODUCTION:** The California Department of Transportation (CALTRANS), District 1, P.O. Box 3700, Eureka, California 95502-3700, has submitted a preliminary application to the Corps of Engineers (USACE) for a Department of the Army Permit to construct a new four-lane freeway segment of U.S. Highway 101 that would bypass the City of Willits, in Mendocino County, California. Project construction would likely result in the discharge of fill material into adjacent seasonal and perennial wetlands and various tributaries to Outlet Creek, a tributary to the Middle Fork Eel River. This individual permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) and the Memorandum of Understanding for the NEPA and Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada.

2. **PROJECT DESCRIPTION:** As shown in the attached drawings, CALTRANS is evaluating four alternative freeway alignments to bypass the City of Willits. These alternatives include the C1T Alignment, the E3 Alignment, the J1T Alignment, and the LT Alignment. The typical freeway cross-section would include two 12-foot-wide travel-lanes in each direction, two 10-foot-wide paved outside shoulders, and two 5-foot-wide paved inside shoulders separated by a 45-foot-wide grass median. Cut slopes would vary between a 1:1 ratio (vertical:horizontal) and a 1:2 ratio, and fill slopes would vary between a 1:2 ratio and a 1:4 ratio. The C1T, J1T, and LT Alignments would traverse Little Lake Valley using a combination of viaducts, bridges, and earth fill embankments constructed a minimum of seven feet above the existing ground elevation. Depending on the selection of a Preferred Project Alternative, the extent of wetlands and other waters of the United States potentially impacted or displaced by project construction would vary between 15.1 and 129.1 acres. In addition to the four alternative freeway alignments, CALTRANS is evaluating a No-Build Alternative, in part, to establish an environmental baseline condition for comparative impact analyses.

**Alternative C1T Alignment:** From the south, the C1T Alignment would diverge from U.S. 101 at a new interchange spanning Haehl Creek and head northwesterly on an existing earth embankment. The alignment would continue along the east side of the Northwestern Pacific Railroad tracks, turning northeasterly as it passed west of the Little Lake Cemetery. The alignment would cross Center Valley Road and Hearst-Willits

Road east of Bray Road, and then turn northwesterly to avoid the Willits wastewater treatment plant to the south. After crossing Outlet and Mill Creeks, the alignment would turn north along the east side of the railroad tracks and begin paralleling U.S. 101. A new interchange near the truck scales would provide access to Willits on U.S. 101. Continuing north of the interchange, the alignment would converge with the existing two-lane section of U.S. 101. The C1T Alignment would include seven mainline structures and two ramp structures. A viaduct 3,000 feet in length would span the Little Lake Valley floodway at Outlet and Mill Creeks near the wastewater treatment plant to minimize any restriction of floodwaters. Bridges would be constructed over Haehl and Mill Creeks.

**Alternative E3 Alignment:** From the south, Alternative E3 would begin at the end of the existing freeway section and turn to the northwest, crossing over the railroads tracks and spanning U.S. 101 near Hollands Lane and Haehl Creek with a new interchange. Heading into the hills west of Willits, the alignment would cross Baechtel Creek and continue north on the west side of the Sherwood Valley Indian Rancheria. The alignment would continue north across the California Western Railroad (Skunk Train), Broaddus Creek, and State Route 20 west of the Willits Cemetery. A new interchange at State Route 20 would provide access to motorists traveling to Fort Bragg or Willits. The alignment would turn to the northeast and continue through the hills, crossing over Exley Lane, under Sherwood Road, and over Upp Creek Road as a new interchange. The alignment would continue north and east of the Brooktrails Community and the Willits Airport. The alignment would then cross Outlet Creek, the railroad tracks, and Skow Road before converging with the existing two-lane section of U.S. 101. The E3 Alignment would include 10 mainline structures, 6 ramp structures, and 2 structures for local roads. Bridges would be constructed over Haehl, Baechtel, Broaddus, Mill, Upp, Wild Oak Canyon, and Outlet Creeks.

**Alternative J1T Alignment:** From the south, the J1T Alignment would diverge from U.S. 101 at a new intersection spanning Haehl Creek and head northwesterly on an existing earth embankment. The alignment would continue along the east side of the railraod tracks for approximately 1.1 miles, before turning north to cross Center Valley Road and Hearst-Willits Road east of Lofling Fields and the Rodeo Grounds. The alignment would then turn northwesterly to avoid the Willits wastewater treatment plant to the east. After crossing Mill

Creek and the railroad tracks, the alignment would provide access to the north side of Willits with a new interchange at Quail Meadows. From the intersection northward, the alignment would be two lanes and converge with existing two-lane section of U.S. 101 just north of the old truck scales and south of the at-grade crossing of the railroad. The J1T Alignment would include 7 mainline structures and 2 ramp structures. A viaduct 6,000 feet in length would span the Little Lake floodway at Baechtel, Broaddus, and Mill Creeks. Bridges would be constructed over Haehl and Upp Creeks.

**Alternative LT Alignment:** From the south, the LT Alignment would diverge from U.S. 101 at a new intersection spanning Haehl Creek and head northwesterly on an existing earth embankment. The alignment would run along the east side of the railroad tracks, before turning north to pass the Little Lake Cemetery and cross East Hill Road. The alignment would be situated immediately west of Bray Road as it crossed Center Valley Road and Hearst-Willits Road and then turn westerly to continue past the wastewater treatment plant to the south. After crossing Outlet and Mill Creeks and the railroad tracks, the alignment would be similar to the J1T Alternative by providing access to the north side of Willits with a new interchange at Quail Meadows and converging with U.S. 101 to the north. The LT Alignment would include 8 mainline structures and 2 ramp structures. A viaduct 3,300 feet in length would span the Little Lake floodway at Outlet and Mill Creeks. Bridges would span Upper Haehl and Upp Creeks.

**3. PURPOSE AND NEED:** The purposes of the Willits Bypass Project are to reduce traffic delays, improve safety, and achieve a Level of Service (LOS) of at least "C" for interregional traffic within the project limits. U.S. 101 is the principal transportation route for people and commercial products between the San Francisco Bay Area and the greater Eureka-Arcata Area to the north. Travel times and the cost of transporting products to communities along the U.S. 101 corridor are increasing and are further exacerbated by congestion-related delays at Willits, where U.S. 101 traverses the business district on local roads. The bypass project embodies a recognition that traffic congestion and delays due to existing traffic controls, pedestrian and vehicle cross-traffic, and turning movements in the business district will likely worsen as future traffic volumes increase from interregional traffic and local development.

**4. AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT:** Pursuant to the requirements of the California Environmental Quality Act (P.R.C. 21000 et seq.) and the National Environmental Policy Act (42 U.S.C. 4321 et seq.), a joint Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Willits Bypass Project (May 2002) has been prepared is currently available for public review and comment. CALTRANS and the Federal Highway Administration (FHWA) are the respective State and Federal

lead agencies in the preparation of this document. The Draft EIR/EIS does not specify a Preferred Project Alternative; this determination will be made in the Final EIR/EIS, after the impacts of all alternatives, the comments on the Draft EIR/EIS, and the comments on the public hearing have been fully evaluated. The USACE is a federal cooperating agency; if the selected Preferred Project Alternative is determined to be fully compliant with the Council on Environmental Quality Regulations at 40 CFR 1500-1508 and Department of the Army Regulations at 33 CFR 230 and 325, the USACE may adopt the Final EIR/EIS and prepare a Record of Decision for the purpose of exercising its regulatory authority under the Clean Water Act.

The public comment period for the Draft EIR/EIS will close on **August 10, 2002**. The Draft EIR/EIS may be reviewed at Willits Public Library, 390 East Commercial Street, Willits, CA; Willits Environmental Center, 316 South Main Street, Willits, CA; Fort Bragg Public Library, 499 East Laurel Street, Fort Bragg, CA; Ukiah Public Library, 105 North Main Street, Ukiah, CA; and CALTRANS District 1, 1656 Union Street, Eureka, CA. The Draft EIR/EIS is also available on the CALTRANS Website:

<http://www.dot.ca.gov/dist3/departments/environmental/willits/index.htm>.

Specific questions and written comments on the Draft EIR/EIS may be submitted to the following persons: Nancy MacKenzie, Environmental Coordinator, California Department of Transportation, Office of Environmental Management S-1, 2389 Gateway Oaks Drive, Sacramento, CA 95883 (916-274-5809) or Maiser Khaled, Chief, District Operations, Federal Highways Administration, 980 9<sup>th</sup> Street, Suite 400, Sacramento, CA 95814 (916-498-5020).

**5. PUBLIC HEARING:** A Public Hearing on the Draft EIR/EIS for the Willits Bypass Project will be convened by CALTRANS and FHWA on Wednesday, **July 24, 2002**, from 4 p.m. to 8 p.m., at the Willits City Hall, 111 East Commercial Street, Willits, CA. The public hearing will be in an open house format to allow the public to discuss the project with agency personnel and to provide oral comments on project alternatives. A USACE representative will be available to address any regulatory procedures and other related issues that may be relevant to the ultimate decision on a Department of the Army Permit for the Willits Bypass Project.

**6. ENDANGERED SPECIES:** Several federally-listed threatened and endangered species are known to inhabit the project area. These species include threatened northern spotted owl (*Strix occidentalis caurina*), California Coastal threatened chinook salmon (*Oncorhynchus tshawytscha*), Southern Oregon/Northern California Coasts threatened coho salmon (*Oncorhynchus kisutch*), and Northern California Coast threatened steelhead (*Oncorhynchus mykiss*). In addition, the project area contains designated critical habitat for coho salmon and essential fish habitat for both coho and chinook salmon. As

the Federal lead agency, it will be the responsibility of the FHWA to determine whether the project will adversely affect federally-listed species, designated critical habitat, and designated essential fish habitat. Upon the selection of a Preferred Project Alternative, the FHWA will render a project effects determination on federally-listed species and critical habitat and, if required, initiate consultation with the U.S. Fish and Wildlife Service and 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.). Similarly, the FHWA will render a project effects determination on essential fish habitat and, if required, initiate consultation with the National Marine Fisheries Service, pursuant to Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act of 1996, as amended (16 U.S.C. 1801 et seq.).

**7. CULTURAL RESOURCES:** CALTRANS conducted an extensive literature review and field investigations to determine the presence of historic and archaeological resources in the project area. The survey results identified a total of 22 architectural properties and 21 archaeological sites occurring in or adjacent to the project area. Elements of two properties (California Western Railroad, Northwestern Pacific Railroad) were found to be potentially eligible for listing on the National Register of Historic Places. Upon the selection of a Preferred Project Alternative, the FHWA will render a project effects determination on cultural resources and, if required, initiate consultation with the Office of Historic Preservation, pursuant to Section 106 National Historic Preservation Act of 1966, as amended (16 U.S.C. 470).

**8. 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 (USEPA) 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 not dependent on location in or proximity to waters of the United States to achieve the basic project purpose to construct a freeway bypass. 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. A Preliminary Alternative Analysis has been included in the Draft EIR/EIS (Appendix H) and will be reviewed by the USACE and USEPA to determine project compliance with the Guidelines.

**9. PUBLIC INTEREST EVALUATION:** 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.

**10. 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 alternatives. 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 Preferred Project Alternative. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental factors to be addressed in the Final EIR/EIS. Comments are also used to determine the need for a regulatory public hearing and to determine the overall public interest of the project.

**11. SUBMITTING COMMENTS:** During the specified comment period, interested parties may submit written comments to the San Francisco District, Regulatory Branch, North Section, citing the applicant's name and Public Notice Number in the letter. Comments may include a request for a regulatory public hearing on the project prior to a final determination on the permit application; such requests shall state, with particularity, the reasons for holding a regulatory public hearing. All comments will be forwarded to CALTRANS for resolution or rebuttal. Specific questions on the USACE regulatory permitting process may be directed to Peter Straub of the Regulatory Branch at 415-977-8443.