



US Army Corps  
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SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

Regulatory Branch  
333 Market Street  
San Francisco, CA 94105-2197

## HIGHWAY 101 WIDENING – SAN MATEO COUNTY

NUMBER: 25935S      DATE: 1 May 2002      RESPONSE REQUIRED BY: 31 May 2002  
PROJECT MANAGER: John Yeakel      PHONE: (415) 977-8472      E-MAIL: john.i.yeakel@spd.usace.army.mil

**1. INTRODUCTION:** The California Department of Transportation (Caltrans), District 4, 111 Grand Avenue, Oakland, 94623 [contact: Mr. Abolfazl Emadzadeh, (510) 286-4895], has applied for a Department of the Army permit to conduct work and place fill within Corps jurisdiction associated with the construction of auxiliary lanes along U.S. Highway 101 between the Marsh Road and Ralston Avenue interchanges in San Mateo County, California (Sheets 1 and 2). This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. 403).

**2. SITE DESCRIPTION:** The proposed project extends along Route 101 from the Marsh Road interchange in Menlo Park to the Ralston Avenue interchange in Belmont, San Mateo County, California (Sheet 1). The approximately 6-mile (9.7 kilometer) long project alignment also extends through Redwood City and San Carlos. The surrounding land use includes a mixture of commercial, light industrial, residential development and open space baylands (Inner Bair Island). The work area spans four drainages including Belmont, Pulgas, Cordilleras, and Redwood Creeks.

Jurisdictional waters within the project alignment total approximately 8.70 acres (3.52 hectares) [Sheets 3-22]. These include wetlands (6.7 acres) and waters of the U.S. (2 acres). Wetland habitats observed on site include isolated, seasonal wetlands, tidal salt marshes and wetlands associated with drainages.

**3. PURPOSE AND NEED:** The portion of Route 101 that occurs within the project alignment serves several cities along the San Francisco Peninsula including Menlo Park, Redwood City, Atherton, San Carlos, Belmont and San Mateo. This freeway corridor is heavily used throughout the day and is at full capacity during the morning and afternoon peak periods. During the past several years, there has been a large increase in traffic on the Route 101 corridor caused by the expansion of residential, industrial, and commercial developments in San Mateo County.

**4. PROJECT DESCRIPTION:** The proposed project includes two major design components that are discussed in more detail below. These components include freeway improvements and the construction of a bicycle/pedestrian pathway (required as a condition of Bay Conservation and Development Commission permit approval).

Freeway Improvements Component: The project will add a 12-foot (3.6 meter) wide auxiliary lane in each direction of Route 101 from the Marsh Road interchange to the Ralston Avenue interchange in order to address existing and future operational problems. The auxiliary lanes will minimize weaving, speed changes and maneuvering of traffic entering and exiting the freeway, thus improving the operation and efficiency of the freeway along this corridor. These extra lanes will also alleviate congestion and delay, and enhance safety. The auxiliary lanes will end at the ramp termini and will not pass through the interchanges. High Occupancy Vehicle (HOV) bypass lanes will be installed at most of the on-ramps. Ramp metering equipment will be placed on all the ramps within the project limits except at the Holly Street southbound on-

ramp, the Brittan Avenue southbound on-ramp and the Marsh Road northbound on-ramp. These ramps are already fitted with ramp metering. As a result of right-of-way and environmental considerations, the project will have some non-standard (narrower) inside shoulder widths and horizontal clearances. In areas where there is insufficient Caltrans right-of-way to accommodate an auxiliary lane and standard outside shoulders, it will be necessary to modify the adjacent frontage roads. However, all work will remain within the public right-of-way. The project will not result in impacts to jurisdictional waters at Redwood, Pulgas and Cordilleras Creeks since there is sufficient existing pavement to accommodate the proposed auxiliary lanes. At Belmont Creek, the existing box culvert will be extended 23.5 feet (7.2 meters) upstream to accommodate an auxiliary lane along southbound Route 101.

Bicycle/pedestrian Pathway Component: The project also includes the construction of a Class I bicycle/pedestrian pathway along the northbound direction of the Route 101 shoulder between Whipple Avenue and Sky Way, a distance of approximately 6,000 feet (1.8 kilometers). The construction of a bicycle/pedestrian pathway is a condition of BCDC permit approval that is required for this project. The purpose of the bicycle/pedestrian pathway is to meet BCDC's public access requirements, thereby providing a connection to link Bay trails to the north and south. The pathway will be 12 feet (3.6 meters) wide.

The Project will permanently impact approximately 2.00 acres of Waters of the U.S., including 1.98 acres of wetlands and 0.02 acre within channels. The majority of the wetland impact areas comprise low quality, heavily disturbed muted-tidal salt marsh habitat between the existing Route 101 shoulder and adjacent commercial development. Many of the wetland impact sites are dominated by native salt marsh plant species including pickleweed (*Salicornia virginica*), saltgrass (*Distichlis spicata*), alkali bulrush (*Scirpus maritimus*), and marsh gumplant (*Grindelia hirsutula*).

**5. PROPOSED MITIGATION:** Permanent wetland impacts will be mitigated at a ratio of 2:1 at two locations in close proximity to the impact sites: The Whipple Avenue Mitigation Site and the Foster

City Mitigation Site. Both sites abut existing high quality tidal salt marsh fringing San Francisco Bay. The majority of wetland mitigation will occur at the Foster City Mitigation Site. This mitigation site is located on a Caltrans-owned parcel adjacent to the San Mateo County Golf Course north of the project boundary (Sheet 3). The Foster City site will total at least 3.5 acres of wetlands.

The Whipple Avenue site is located adjacent to the Whipple Avenue interchange with Route 101, immediately east of the project area's boundary (Sheet 3). This mitigation site will comprise a tidal wetland composed of pickleweed and other native saltmarsh species it totals approximately 0.5 acres.

The mitigation plans for both these sites are being developed.

**6. STATE APPROVALS:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification or waiver before a Corps permit may be issued. No Corps permit will be granted until the applicant obtains the required certification or waiver. A waiver shall be explicit, or it will be deemed to have occurred 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 issues 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.

## **7. COMPLIANCE WITH VARIOUS FEDERAL LAWS:**

**National Environmental Policy Act of 1969 (NEPA):** An Initial Study/ Environmental Assessment (IS/EA) was prepared for the Route 101 Auxiliary Lanes Project in 1998. Please note that the bicycle/pedestrian pathway component was not a component of the project design at that time. A

Negative Declaration (ND) for the project was prepared and approved by Caltrans as the State lead agency on May 3, 1999. Under the concurrent National Environmental Policy Act (NEPA) review, a Finding of No Significant Impact (FONSI) was prepared and approved by the Federal Highway Administration (FHA) as the federal lead agency on June 8, 1999.

Since the 1999 ND/FONSI approval, the scope of the project was expanded to include the construction of a bicycle/pedestrian pathway along the northbound shoulder between the Whipple Avenue interchange and Sky Way. The bicycle/pedestrian pathway is necessary in order to meet the public access requirements of a BCDC permit that was issued for the project on June 27, 2000. Caltrans prepared a draft addendum to the IS/EA in February 2002.

**Endangered Species Act of 1973 (ESA):** A biological inventory of the project corridor was conducted by De Leuw, Cather & Company between May 1997 and April 1998. Through informal consultation with the U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (CDFG), special-status species that could be affected by the proposed project were identified. A Biological Assessment was prepared and submitted to the Service in 1998.

The initial project design (between Marsh Road and Route 92) would have resulted in approximately 0.89 acres (0.36 hectares) of impact (fill) to salt marsh habitat. The BA concluded that this initial project design would have likely resulted in adverse effects to the federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*). Three other special-status species that are not listed, but could be adversely affected by the project include: Alameda Song Sparrow (*Melospiza melodia pusillula*), San Francisco (Salt Marsh) Common Yellowthroat (*Geothlypis trichas sinuosa*) and salt marsh wandering shrew (*Sorex vagrans halocoetes*). Upon identification of these potential adverse effects, Caltrans and the San Mateo County Transportation Authority added retaining walls to the design so that impacts to salt marsh habitat would be avoided. The 1998 BA concluded that as a result of this project redesign, direct, indirect or

cumulative effects to special-status species would be avoided.

The Service issued a Letter of Concurrence to the Federal Highways Administration on January 28, 2000 that stated that the proposed project, along with the avoidance and minimization measures, is not likely to adversely affect the salt marsh harvest mouse and California Clapper Rail.

**National Historic Preservation Act of 1996 (NHPA):** Addition of auxiliary lanes is a type of project that has been categorized by Caltrans as having a minimal area of potential effect (APE). No historical properties are involved in this project.

**8. COMPLIANCE WITH THE 404 (b) (1) GUIDELINES:** Projects resulting in the discharge of dredged or fill material into waters of the U.S. must comply with 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. 1344(b)). An evaluation pursuant to the guidelines indicates the project is not water dependent.

The initial alignment of the bicycle/ pedestrian pathway was to be located through lands of Inner Bair Island located east of Route 101. This alignment would have directly impacted approximately 0.03 acres (0.01 hectares) of tidal marsh habitat for the California Clapper Rail and/or salt marsh harvest mouse. In addition, the project would indirectly impact approximately 20 acres (8.09 hectares) of existing Clapper Rail and salt marsh harvest mouse habitat through construction-related and recreational disturbance and predation. Therefore, during the Section 7 consultation process, the Service concluded in its Biological Opinion that this alignment would jeopardize the continued existence of the Clapper Rail and the salt marsh harvest mouse. As a reasonable and prudent alternative that would nullify the jeopardy opinion, the Service required that the proposed trail be located in the presently proposed location.

For clarification, due the constraints of the study area as outlined above, the subsequent roadway “alternatives” cannot vary greatly from one another in terms of alignment. It is more accurate to define

these “alternatives” as design options of a particular engineering plan that has been shaped by the projects environmental, economic, regulatory and logistical constraints.

Three project designs were analyzed in regards to consistency with the project purpose, feasibility and environmental impact. These design options are described as follows:

- Design Option Number 3 proposes standard 10-foot (3 meter) inside and outside shoulders, a bicycle/pedestrian pathway and inclusion of retaining wall numbers 1 and 2.
- Design Option Number 2 proposes standard 10-foot (3 meter) outside shoulders, non-standard inside shoulders (4 feet or 1.2 meters) and a bicycle/pedestrian pathway without retaining wall numbers 1 and 2.
- The **Preferred Alternative** (Design Option Number 1) proposes standard 10-foot (3 meter) outside shoulders, non-standard inside shoulders (4 feet or 1.2 meters), a bicycle/pedestrian pathway and inclusion of retaining wall numbers 1 and 2. Sheet 3 provides an index of sheets that show the location of a particular jurisdictional water impact for the Preferred Alternative. Although no impacts are shown on Sheet 11, it is presented here since it is an area of the alignment where redesign has removed impacts entirely. The Preferred Alternative would permanently impact approximately 2.00 acres (0.81 hectares) of jurisdictional waters (Sheets 4-19). Of this total impact amount, approximately 0.87 acres (0.35 hectares) would result from the construction of the bicycle/pedestrian pathway.

Retaining walls 1 and 2 are proposed along the eastern edge of the bicycle/pedestrian pathway (Sheets 20 and 21) in order to: 1) minimize impacts to jurisdictional wetlands and 2) avoid impacting adjacent salt marsh that provides habitat for the salt marsh harvest mouse and the salt marsh wandering shrew. The total distance of the two retaining walls is approximately 850 linear feet (259 meters). Sheet 22 provides a cross-sectional view of the type of retaining wall that is proposed. Through redesign, overall

impacts to Waters of the U.S. have been reduced from approximately 2.28 acres (0.92 hectares) to approximately 2.00 acres (0.81 hectares).

**9. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all those factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. 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 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, 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.

**11. SUBMISSION OF COMMENTS:** Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on page one of this notice. Comments should be sent to the Regulatory Branch at the address shown on the title page. It is Corps policy to forward any such comments, which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment

period of 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. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice, or by contacting John Yeakel of our office at telephone 415-977-8472. Details on any changes of a minor nature that are made in the final permit action will be provided on request.