North Coast Regional Water Quality Control Board

TO: California Department of Transportation
District 4, Environmental Division
Attention: Daniel Chan, Environmental Scientist
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FROM: North Coast Regional Water Quality Control Board

DATE: December 8, 2025

SUBJECT: **State Route 116 Green Valley Road Safety Improvements Project (EA 04-3Q640, SCH# 2025110306)**

Dear Daniel Chan,

On November 14, 2025, the North Coast Regional Water Quality Control Board (Regional Water Board) received an Initial Study with proposed Negative Declaration (draft IS/ND) from the California Department of Transportation (Caltrans) for the State Route 116 (SR 116) Green Valley Road Safety Improvements Project (Project). The draft IS/ND reviews and evaluates the impacts of two alternatives to improve safety at the intersection of Green Valley Road and SR 116. The draft IS/ND comment period requires submittal of comments no later than December 7, 2025. The Regional Water Board hereby submits the following comments.

Project Description
Caltrans proposes the Project on SR 116 in Sonoma County between postmiles 21.63 and R22.63. SR 116 is a two-lane conventional highway, and the intersection is controlled by stop signs only on Green Valley Road in both directions of travel. The Project alternatives propose to replace the stops signs with either a signalized intersection or roundabout. The signalized intersection would realign and widen the SR 116 and Green Valley Road intersection. The roundabout would construct an 180-foot-diameter roundabout shifted about 35 feet southwest of the existing intersection. Both alternatives would improve safety for the traveling public by reducing the potential and severity of collisions at the intersection.

Regional Water Board Permitting
The proposed Project will require a waste discharge requirement (WDR) under the Porter-Cologne Water Quality Control Act (Water Code, § 13000 et seq.). The Construction General Permit will also apply to the proposed Project.

Regional Water Board Comments:

Draft IS/ND Chapter 1 Proposed Project

Section 1.8: Permits and Approvals Needed. Table 3. Permits and approvals needed for Project, page 15.

Comment 1): Correct the permit/approval entitled "water" discharge requirement to "waste" discharge requirement.

Comment 2): Table 3 should include mention of compliance with the National Pollutant Discharge Elimination System Program (NPDES) and the Construction General Permit (CGP) as it is mentioned in other areas that Caltrans will enroll the project in this General Permit.

Comment 3): According to the Right of Way subsections under Section 1.4.1 Build Alternatives (pages 9 and 12), both alternatives would require Permits to Enter and Construct from the County of Sonoma; these should be added to this section and Table 3.

Comment 4): According to a separate "Project Description" document submitted to the Regional Water Board, Section 1.7.2 Impacts on Vegetation (on document page 7) states that the Project may also require a tree removal permit from Sonoma County if trees greater than 4 inches in diameter at breast height will be removed from outside the Caltrans right-of-way. Both alternatives identify numerous trees to be removed, therefore this permit should likely be added to the table.

Draft IS/ND Chapter 2 CEQA Evaluation

Section 2.1: CEQA Environmental Checklist. Second paragraph, page 16 – "Project features, which can include both design elements of the project and standardized measures that are applied to all or most Caltrans projects such as Best Management Practices and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the project and have been considered prior to any significance determinations documented below."

Comment 5): The Regional Water Board recommends that project features which are standardized measures should be considered mitigation. Under CEQA, mitigation is defined as avoiding, minimizing, rectifying, reducing, and compensating for any potential impacts (CEQA 15370). Per Lotus vs. Department of Transportation (2014) 223 Cal.App.4th 645 (Lotus) and California Code of Regulations, Title 14 Section 15370, significance determinations should be made prior to inclusion of avoidance and minimization measures. If a Project's impact is considered significant, mitigation

measures are applied to reduce impacts to be less-than-significant. Avoidance and minimization measures should only be used when the impacts addressed are not inherently significant.

Section 2.1 CEQA Environmental Checklist, third paragraph, page 16 – "'No Impact' determinations in each section are based on the scope, description, and location of the proposed project as well as the appropriate technical report (bound separately in Volume 2), and no further discussion is included in this document."

Comment 6): The Regional Water Board recommends including supporting information from technical studies instead of referencing them in a line of text before the significance determinations. The CEQA process is intended to facilitate public participation; referencing these studies while making them an additional document request is an unnecessary obstacle to the intended transparency of the process.

Section 2.1.4 Biological Resources, Question a), Less that Significant Impact, page 31 and California Red-legged Frog (CRLF), second paragraph, page 34 – "Caltrans has concluded that this project may affect, and is likely to adversely affect, CRLF. The implementation of Project features and AMMs will reduce the likelihood of take to occur. However, not all adverse effects and potential for take would be eliminated as disturbance of marginally suitable upland and dispersal habitat is essential to the Project. The Project may result in direct temporary effects on both suitable upland dispersal habitat and individual CRLF if they were to occur within the project area during construction."

Comment 7): The Regional Water Board recommends a significance determination of Less than Significant Impact with Mitigation Incorporated. Caltrans has determined that the Project "may affect, and is likely to adversely affect" California red-legged frog. Avoidance and minimization measures are not sufficient to reduce the potential for take and Caltrans initiated formal consultation with the U.S. Fish and Wildlife Service for a Biological Opinion. By seeking a permit for potential impacts, and abiding by AMMs and permit conditions, the Project is mitigating the impact to a less than significant level and should be stated as such.

Because much of the technical discussion for Section 2.1.4 Biological Resources is referred to the Natural Environment Study (NES), comments on this document are as follows.

NES Chapter 1 Introduction

Figure 1-2A, Maps 2 through 5; Roundabout Alternative Project Footprint, Elements and Biological Study Area (BSA), pages between 1-4 and 1-5.

NES Comment 8): The red-lined boundary in this figure should be identified in the map legend.

Figure 1-2B, Maps 1 through 5; Signal Alternative Project Footprint, Elements and BSA, pages between 1-4 and 1-5.

NES Comment 9): This figure should include the BSA boundary.

Figures 1-2A and 1-2B, all Map pages.

NES Comment 10): The Regional Water Board recommends adding the mapped drainage features in their entirety to both figures, so the location of the project footprint of each alternative will depict impact and avoidance of each feature.

NES Section 1.3.1 Pre-Construction Site Preparation, third paragraph, page 1-5 – "The project would reseed or plant locally native species to revegetate disturbed areas. Replacement planting would include a minimum 1-year plant establishment period. A truck-watering irrigation system will be used during this period based on type of plants and season."

NES Comment 11): For any impacted waters of the state or riparian areas the application package for the Project's WDRs should include this and other details in support of a restoration plan for temporary impacts. In accordance with the State Wetland Definition and Procedures for Discharges of Dredge or Fill Material to Waters of the State (Procedures), "In all cases where temporary impacts are proposed, a draft restoration plan that outlines design, implementation, assessment, and maintenance for restoring areas of temporary impact to pre-project conditions. The design components shall include the objectives of the restoration plan; grading plan of disturbed areas to pre-project contours; a planting palette with plant species native to the area; seed collection locations; and an invasive species management plan. The implementation component shall include all proposed actions to implement the plan (e.g., re-contouring, initial planting, site stabilization, removal of temporary structures) and a schedule for completing those actions. The maintenance and assessment components shall include a description of performance standards used to evaluate attainment of objectives; the timeframe for determining attainment of performance standards; and maintenance requirements (e.g., watering, weeding, replanting and invasive species control)." For revegetation of disturbed soil areas in uplands please comply with the Construction General Stormwater NPDES permit standards.

NES Section 1.3.7 Right of Way, first paragraph, page 2-1 – "There is a known fuel hydrocarbon groundwater plume within the Project Area originating from a commercial service station located at the northeast corner of the intersection. The proposed alternatives will be designed in such a way to avoid this station."

NES Comment 12): Because the Project proposes excavation depths of up to eight feet and pile-drilling of up to fourteen feet, and because work within the compacted road-lens may occur year-round, the Project may be required to have a plan for encountering and dewatering contaminated groundwater and proper disposal thereof. Consultation with Regional Water Board staff overseeing groundwater cleanup for CASE #: 1TSO249

may be advised to ensure your project does not impact contamination or cleanup efforts. Link to case in Geotracker: GeoTracker https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0609700188

NES Chapter 3 Environmental Setting

NES Figure 3-1, Vegetation Types and Aquatic Resources, Maps 1 through 5, pages between 3-3 and 3-4.

NES Comment 13): Culverted features should be added to the map legend for this figure. Greater distinction between representations of existing drainages and waters of the state would also improve understanding; these features' colors are very similar.

NES Chapter 4 Results: Biological Resources, Discussion of Impacts and Mitigation

Figure 4-1A Roundabout Alternative, Potential Impacts to Vegetation Types and Aquatic Resources, Maps 2 and 3, pages between 4-4 and 4-5.

NES Comment 14): Culverted features should be added to the map legend for this figure.

NES Section 4.1.3. Wetlands and Other Water of the United States, 4.1.3.1 Survey Results, Table 4-2. Aquatic Resources within the Study Area, page 4-8.

NES Comment 15): The Regional Water Board recommends depicting the feature identifications in Table 4-2 as labels for the aquatic resources depicted on Figures 3-1 and 4-1. Example: from table 4-2 features D-1, D-2 where are these on any of the included maps? They should be identified along with the culverts. In section 4.1.3 Caltrans discusses jurisdictional waters of the state so it may be more appropriate for the title of this section to include "other waters of the United States and state of California". Maps that depict jurisdictional features such as waters of the US, jurisdictional wetlands, non-wetland "other" waters of the state and non-jurisdictional features such as stormwater BMPs, should label them as such. Maps included such as 1-3 and 4-1A and B should clearly identify the jurisdictional waters of the state since the Regional Water Board had previously determined their jurisdiction rather than just listing them as "drainage".

NES Section 4.1.3.2 Project Impacts, page 4-9 – "Both the signal and roundabout alternatives would result in the relocation of the roadside ditches deemed jurisdictional by North Coast Regional Water Quality Control Board. The signal alternative would impact up to 506 linear feet of jurisdictional ditch, while the roundabout would impact up to 100 linear feet of jurisdictional ditch. However, impacts would be considered temporary as new roadside ditches would need to be constructed to convey stormwater runoff and the ditches would be replaced in kind. The exact amount of replacement ditch will be determined in the design phase."

NES Comment 16): Temporary and permanent impacts will be determined with the final design and quantity of replacement ditch proposed in the application package of the Project's WDR. If the difference between impacted ditch and constructed ditch results in an overall loss of linear feet, this loss may be considered a permanent impact.

Chapter 5 Permits, Laws, Regulations, and Conclusions

Section 5.4 Wetlands and Other Waters Coordination Summary, first paragraph, page 5-2 – "The State Water Resources Control Board consists of various regional water quality control boards (RWQCBs); the North Coast RWQCB regulates waters of the state in the BSA."

NES Comment 17): The State Water Resources Control Board and the nine Regional Water Quality Control Boards, collectively the Water Boards, are semiautonomous and regulate water quality within their jurisdiction. The North Coast Regional Water Quality Control Board will regulate the Project's impacts to waters of the state.

Section 5.4 Wetlands and Other Waters Coordination Summary, second paragraph, page 5-2 – "Waters of the U.S. and waters of the state may include navigable waters such as streams and rivers and other waters with a hydrologic connection to navigable water bodies (wetlands, backwaters, sloughs, marshes) including up to the OHWM. In addition, waters of the state may include "isolated" waters and wetlands that may not be jurisdictional under Section 404 of the CWA. A Section 404 permit may be necessary if a project will result in the fill or dredging of waters under USACE jurisdiction."

NES Comment 18): The Regional Water Board recommends edits to better distinguish between USACE and Water Boards' jurisdictions. The terms "waters of the U.S." and "ordinary high-water mark" (OHWM) are federal terms. Waters of the state are defined in the Porter-Cologne Water Quality Control Act as "any surface or groundwater, including saline waters, within the boundaries of the state." All waters of the U.S. are also waters of the state, so waters of the U.S. are a subset of waters of the state. Water Boards' jurisdiction for waters of the state may extend to an area beyond the federal OHWM where Project activities may impact beneficial uses of water.

Section 2.1.9 Hazards and Hazardous Materials, Environmental Consequences, d) Less than Significant, page 41 – "The project may encounter contaminated groundwater from a previously leaking underground fuel tank at the gas station on the northeast of the intersection. Caltrans special provisions for investigation, characterization, and disposal (PF-HAZ-02 and PF-HAZ-03) would reduce the risk of worker and public exposure to a less-than-significant level."

Comment 19): The Regional Water Board recommends that Caltrans consult with Regional Water Board staff who oversee the groundwater protection and cleanup at the cleanup site (information linked above) during project development. Groundwater protection and permitting would be outside the scope of the WDRs permit for impacts to surface waters. Authorization for work that may impact groundwater or interfere with

ongoing groundwater cleanup or requirements for addressing what to do if you encounter contaminated groundwater needs to be handled by the Regional Water Board's groundwater protection unit (Case file linked above).

Because the technical discussion for Section 2.1.10 Hydrology and Water Quality is referred to the Water Quality Study, this document was obtained for review and informed comments below on the draft IS/ND.

Section 2.1.10 Hydrology and Water Quality, Question c) parts (i-iii), No Impact, page 42.

Comment 20): The draft IS/ND references the Project's Water Quality Study but does not explicitly quantify the area of new impervious surface proposed for each Project alternative. Quantities for each alternative should be identified, and because both Project alternatives would increase the impervious surface area as identified in the Water Quality Study, a rationale to support the "No Impact" significance determination should be provided.

Draft IS/ND, Appendix B Summary of Project Features and Avoidance, Minimization, and/or Mitigation Summary

Project feature PF-WQ-01: Compliance with Water Quality Permits and Programs, page 67:

a) "The Project will comply with the provisions of the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Caltrans Order No. 2020-0033-DWQ, NPDES No. CAS00003, for projects that result in a land disturbance of one acre or more, and the Construction General Permit (Order 2009 – 0009-DWQ), and any subsequent permits in effect at the time of construction."
b) "Since the Project has an approved Project Initiation Report prior to January 1, 2023, it will be 'grandfathered' and can continue to apply one-acre minimum threshold of the 2012 Caltrans Permit."
c) "As a component of the CGP, the Project will prepare and implement a SWPPP to address all construction related activities, equipment, and materials that have the potential to impact water quality. The SWPPP will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-stormwater BMPs."

Comment 21): The Order and NPDES Nos. of the Caltrans Statewide Stormwater Permit Order are incorrect. The Regional Water Board recommends the following citation for this Order: "NPDES Statewide Stormwater Permit and WDRs for State of California Department of Transportation, (Order 2022-0033-DWQ; NPDES No. CAS000003)", effective January 1, 2023. Also, the reissued CGP can be cited as

follows: NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (General Permit; Order 2022-0057-DWQ; NPDES No. CAS000002)", effective September 1, 2023.

Comment 22): The Regional Water Board recommends either removing or clarifying the statement regarding the Project's "grandfathered" status to apply a "one-acre minimum threshold" from the NPDES Statewide Storm Water Permit WDRs for State of California Department of Transportation (Order 2012-0011-DWQ, NPDES No. CAS000003), effective July 1, 2013. This Order was replaced by Order 2022-0033-DWQ. Furthermore, the Water Quality Study quantifies new impervious surface area for both alternatives as greater than or equal to one acre. It is therefore unclear how "grandfathering" applies to the Project given the statement implies that the Project's impacts are less than one acre.

Comment 23): The Regional Water Board recommends parsing discussion of compliance with the Caltrans Statewide Stormwater Permit Order and CGP in PF-WQ-01 to avoid potential confusion or conflation of permit requirements.

Thank you for providing the opportunity for the Regional Water Board to comment on this draft IS/ND. If you have any questions or comments or would like to discuss these recommendations, please contact Environmental Scientist, Susan Stewart at Susan.Stewart@waterboards.ca.gov or Sr. Environmental Scientist, Gil Falcone at Gil.Falcone@waterboards.ca.gov .

Best regards,

Gil Falcone Digitally signed by Gil Falcone
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