



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

1 July 2016

Mr. Mike Feakes
Caltrans
1657 Riverside Drive
Redding, CA 96001

CLEAN WATER ACT § 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE MUD CREEK BRIDGE REPLACEMENT PROJECT (WDID#5A47CR00043), MCCLOUD, SISKIYOU COUNTY

ACTION:

1. Order for Standard Certification
2. Order for Technically-conditioned Certification
3. Order for Denial of Certification

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to § 13330 of the California Water Code and § 3867 of the California Code of Regulations (CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR § 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action shall be conditioned upon total payment of the full fee required § 3833 of the California Code of Regulations.
4. This Certification is no longer valid if the project (as described) is modified, or coverage under § 404 of the Clean Water Act has expired.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

TECHNICALLY CERTIFICATION CONDITIONS:

In addition to the above standard conditions, the Applicant shall satisfy the following:

1. The Applicant shall notify the Central Valley Regional Water Quality Control Board (Central Valley Water Board) in writing at least **seven (7) days** in advance of the start of any work within waters of the United States. The notification shall include the name of the project and the WDID number; and shall be sent to the Central Valley Water Board Contact indicated in this Certification.
2. Except for activities permitted by the U.S. Army Corps under § 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. The Applicant shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed Project shall be adequately informed and trained regarding the conditions of this Certification.
4. The Applicant shall perform surface water sampling:
 - a) when performing any in-water work;
 - b) in the event that project activities result in any materials reaching surface waters; or
 - c) when any activities result in the creation of a visible plume in surface waters.

The monitoring requirements in Table 1 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area. The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff.

Table 1:

Parameter	Unit	Type of Sample	Minimum Sampling Frequency	Required Analytical Test Method
Turbidity	NTU	Grab ⁽¹⁾	Every 4 hours during in-water work	(2,4)
Settleable Material	mL/L	Grab ⁽¹⁾	Every 4 hours during in-water work	(2)
Visible construction related pollutants ⁽³⁾	Observations	Visual Inspections	Continuous throughout the construction period	—

(1) Grab samples shall be taken at mid-depth and be collected at the same time each day to get a complete representation of variations in the receiving water.

(2) Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136.

(3) Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

(4) A hand-held field meter may be used, provided that the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Certification shall be maintained at the Project site.

As appropriate, (e.g. Lakes) Surface water monitoring shall occur at mid-depth. A surface water monitoring report shall be submitted to the Central Valley Water Board Contact indicated in this Certification within two weeks of initiation of sampling and every two weeks thereafter. In reporting the monitoring data, the Applicant shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with Certification requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria below.

If no monitoring is conducted, the Applicant shall submit a written statement to the Central Valley Water Board Contact indicated in the Certification stating, "No monitoring was required." with the Notice of Completion.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition, revised April 2016* or *Water Quality Control Plan for the Tulare Lake Basin, 2nd Edition (Basin Plan)* that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Turbidity and settleable matter limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:

- a) Activities shall not cause turbidity increases in surface water to exceed:

- i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
- ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
- iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
- iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
- v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTUs over background turbidity. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior approval of the Central Valley Water Board staff.

- b) Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within approximately 300 feet downstream of the Project.
6. The Applicant shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, or other water quality objectives are exceeded.
 7. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Applicant must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
 8. The Applicant shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence. The Plan must also address the potential of responding to a spill or prevention of spills occurring within the Project site.
 9. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the Project.
 10. If temporary surface water diversions and/or dewatering are anticipated, the Applicant shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The

Plan(s) shall include the proposed method and duration of diversion activities. The Surface Water Diversion and/or Dewatering Plan(s) must be consistent with this Certification.

11. When work in a flowing stream is unavoidable and any dam or other artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the State below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate Technical Certification Condition 5 of this Certification.
12. Any temporary dam or other artificial obstruction constructed shall only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. Stream flow shall be temporarily diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
13. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the receiving water. The Applicant shall notify the Central Valley Water Board as soon as practicable of any spill of petroleum products or other organic or earthen materials with written follow up within 5 days.
14. The Applicant shall comply with all California Department of Fish and Wildlife requirements, including but not limited to those requirements described in Lake or Streambed Alteration Agreement No. 1600-2016-0154-R1.
15. The Conditions in this water quality certification are based on the information contained in the Applicant's application and in the attached "Project Information Sheet." If the Project, as described in the application and the attached Project Information Sheet, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
16. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable State or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order.
 - a) If Caltrans or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Order, or falsifies any information provided in the monitoring reports, the applicant is subject to civil monetary liabilities, for each day of violation, or criminal liability.
 - b) In response to a suspected violation of any condition of this certification, Central Valley Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden,

including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. (Water Code, §§ 1051, 13165, 13267 and 13383) In response to any violation of the conditions of this certification, the Central Valley Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

- c) Caltrans shall allow the staff of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the Project premises for inspection, including taking photographs and securing copies of Project-related records, for the purpose of assuring compliance with this Certification and determining the ecological success of the Project.

17. The Applicant shall provide the Central Valley Water Board Contact indicated in this Certification a Notice of Completion (NOC) no later than 30 days after the Project completion. The NOC shall demonstrate that the project has been carried out in accordance with the project description in the Certification and in any amendments approved. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Dannas Berchtold, Engineering Associate
Central Valley Regional Water Quality Control Board
364 Knollcrest Drive, Suite 205, Redding, California 96002
dberchtold@waterboards.ca.gov
(530) 224-4783

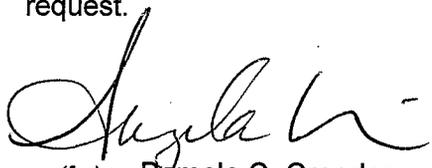
WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from Caltrans, Mud Creek Bridge Replacement Project (WDID# 5A47CR00043) will comply with the applicable provisions of § 301 ("Effluent Limitations"), § 302 ("Water Quality Related Effluent Limitations"), § 303 ("Water Quality Standards and Implementation Plans"), § 306 ("National Standards of Performance"), and § 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)."

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in compliance with conditions of this Certification, the Caltrans' application package, and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the

Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition, revised April 2016 (Basin Plan).

Any person aggrieved by this action may petition the State Water Quality Control Board to review the action in accordance with California Water Code § 13320 and California Code of Regulations, title 23, § 2050 and following. The State Water Quality Control Board must receive the petition by 5:00 p.m., 30 days after the date of this action, except that if the thirtieth day following the date of this action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Quality Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.



(for) Pamela C. Creedon
Executive Officer

DB:wrb:sjs

Enclosure: Water Quality Order No. 2003-0017 DWQ

cc w/o Mr. Matt Kelley, U.S. Army Corp of Engineers, Redding
enclosures: Ms. Donna Cobb, Department of Fish and Wildlife, Region 1, Redding
U.S. Fish and Wildlife Service, Sacramento
Mr. Bill Jennings, CALSPA, Stockton

cc w/o
enclosures Mr. Bill Orme, SWRCB, Certification Unit, Sacramento
by email: U.S. EPA, Region 9, San Francisco

PROJECT INFORMATION

Application Date: 13 April 2016

Application Complete Date: 28 April 2016

Applicant: Mr. Mike Feakes
Caltrans
1657 Riverside Drive
Redding, CA 96001

Project Name: Mud Creek Bridge Replacement Project

Application Number: WDID No. 5A47CR00043

Type of Project: Bridge replacement project.

Project Location: Section 03, Township 39 North, Range 02 West. Post Mile 20.9-21.2 on State Route 89.

County: Siskiyou County

Receiving Water(s) (hydrologic unit): Mud Creek, which is tributary to McCloud River. McCloud Hydrologic Unit-Upper McCloud Hydrologic Subarea No. 505.24

Water Body Type: Streambed, Riparian

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition, revised April 2016* (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

Project Description (purpose/goal): The Mud Creek Bridge Replacement Project is located at Post Mile 20.9-21.2 on State Route 89. The purpose of this project is to safely convey traffic over Mud Creek and to reduce overall long term maintenance of the existing bridge. The existing 42' long structure was built in 1958 and has non-standard width and rails. It began exhibiting deck issues in the mid 1980's. In 2004 the asphalt concrete (AC) deck overlay was removed and extensive repair to deteriorated deck concrete was made. The bridge deck and soffit currently have significant cracking, delamination and unsound concrete. Caltrans proposes to replace the existing bridge with a new 60' span bridge with two 12' lanes with 8' shoulders, expanding the overall bridge length by 18' and the width by approximately 8'. The new structure

will be constructed on spread footings, with pre-cast abutments and I-Type girders. The bridge deck will be pre-cast with a 1 inch polyester overlay. The new brown stained bridge deck railing will be Type 736 with a bicycle rail add-on. The bridge approaches and profile will be raised 3' from the existing elevation in order to conform to vertical curve site distance requirements, as well as to pass 100 year flood events. Rock slope protection (RSP) will be placed along the immediate upstream west bank and along the bottom of the new abutments to prevent scour.

A temporary two-lane detour road will be constructed immediately north of the existing bridge. Utilizing a clean water diversion, two temporary culverts will be placed on the east bank of Mud Creek which the stream will be temporarily routed through. The stream needs to be routed through a riparian area in order to bypass a bend in the channel which will provide a straight segment for the highway detour crossing. Excavation of riparian areas is required to place the temporary culverts, which will result in the permanent removal of root wads. The earthen detour road will be built up on top of a bottom layer of 2' of clean gravel covered with sedimentation fabric.

An approximately 0.69 acre equipment staging area will be located along U.S. Forest Service (USFS) Road 42N13, located approximately 100 feet west of Mud Creek Bridge. Bridge construction is within the existing Caltrans ROW and there will be no new ROW acquisition. Approximately 67 conifer trees ranging from 6 inches to 48 inches dbh will be removed between September and February, prior to construction, to allow for detour road construction as well as vehicle clear recovery upon project completion. Construction access will require the temporary removal of riparian vegetation, which will be trimmed to ground level and roots left intact for regeneration. The project will involve both state and federal funding sources. Work is proposed to be completed during one construction season, from April thru October of 2018. The project will permanently impact 0.05 acre/247 linear feet and temporarily impact 0.03 acre/215 linear feet of waters of the United States.

Preliminary Water Quality Concerns: Construction activities including soil disturbance, excavation, cutting/filling, and grading activities could result in increased erosion and sedimentation and may impact surface waters with increased turbidity and settleable matter.

Proposed Mitigation to Address Concerns: The Applicant will implement Best Management Practices (BMPs) to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. The Applicant will conduct turbidity and settleable matter testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed.

Fill/Excavation Area: Approximately 117 cubic yards of soil/rock and 173 cubic yards of culvert will be placed into 6.14 acres of waters of the United States.

Dredge Volume: Approximately 120 cubic yards of native soil will be dredged from 6.14 acres of waters of the United States.

California Integrated Water Quality System Impact Data: The Project will permanently impact 0.05 acre/247 linear feet of riparian and temporarily impact 0.01 acre/110 linear feet of riparian and 0.02 acre/105 linear feet of un-vegetated streambed from fill and excavation activities.

Table 1: Impacts from Fill and/or Excavation Activities

Fill Type	Permanent			Temporary		
	Acres	Linear Feet	Cubic Yards	Acres	Linear Feet	Cubic Yards
Stream Channel						
Mud Creek	--	--	--	0.02	105	45
Stream Total	--	--	--	0.02	105	45
Riparian Area						
Mud Creek	0.05	247	245	0.01	110	--
Riparian Area Total	0.05	247	245	0.01	110	--
Total Impacts	0.05	247	245	0.03	215	45

Table 2: Impacts from Dredging Activities

Dredge	Permanent			Temporary		
	Acres	Linear Feet	Cubic Yards	Acres	Linear Feet	Cubic Yards
Riparian Area						
Mud Creek	--	--	120	--	--	--
Riparian Area Total	--	--	120	--	--	--
Total Impacts	--	--	120	--	--	--

U.S. Army Corps of Engineers Permit Number: Non-Reporting

United States Army Corps of Engineers Permit Type: Nationwide Permit #14 (Linear Transportation Projects)

Department of Fish and Wildlife Lake or Streambed Alteration Agreement: The Applicant applied for a Lake or Streambed Alteration Agreement in April 2016. Lake or Streambed Alteration Agreement Number 1600-2016-0154-R1.

Possible Listed Species: Not Applicable

Status of CEQA Compliance: The proposed project is exempt from California Environmental Quality Act (CEQA) pursuant 14 CCR Section 15302 (c) Categorical Exemption for the replacement or reconstruction of an existing utility system and/or facility involving negligible or no expansion of capacity.

Compensatory Mitigation: The Central Valley Water Board is not requesting compensatory mitigation for the Project.

Application Fee Provided: An application fee of \$200.00 was submitted on 13 April 2016. A total fees of \$200.00 has been submitted to the Central Valley Water Board as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.