
North Coast Regional Water Quality Control Board

June 11, 2015

Mr. Charlie Fielder, District 1 Director
California Department of Transportation
P.O. Box 3700
Eureka, CA 95501-3700

Dear Mr. Fielder:

Subject: Notice of Violation, Caltrans State Route 101 Willits Bypass Project

Files: Highway 101- Willits Bypass Project
WDID Nos. 123C366419 (CGP), 1B10019WNME (401 certification)
ECM PIN Nos.: SM-820804, CW-750104

We find that the California Department of Transportation's (Caltrans) implementation of the Highway 101 Willits Bypass (Project) has resulted in violations of its Clean Water Act Section 401 Water Quality Certification (Certification), and the Statewide Construction General Permit (State Water Resources Control Board Order No. 2012-0006-DWQ) (CGP), as a result of discharge of concrete and other construction materials to Haehl Creek.

On January 22, 2015, at approximately 14:30, a section of viaduct framing and falsework collapsed between bents 3 and 4 during a concrete pour. Construction debris and wet concrete discharged into Haehl Creek as a result. Water was present and flowing in Haehl Creek at the time of discharge. Upstream flow was diverted away from the discharge area at approximately 18:35 on the same day. The material remained in the channel until January 29, 2015. Upstream flow was restored on February 4, 2015.

401 Certification, CGP, and Basin Plan Discharge Prohibition Violations

Condition 33 of the Certification requires:

Caltrans is prohibited from discharging waste to waters of the State, unless explicitly authorized by this Order. For example, no debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or concrete washings, welding slag, oil or petroleum products, or other organic or earthen material from any

construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into waters of the State

CGP Provision III.B requires:

All discharges are prohibited except for the storm water and non-storm water discharges specifically authorized by this General Permit or another NPDES permit.

The Water Quality Control Plan for the North Coast Region (Basin Plan) includes the following waste discharge prohibition:

The discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial uses is prohibited.

Caltrans has violated these conditions as a result of the discharge of cement and construction materials into Haehl Creek. Violations of these conditions were continual between January 22, 2015, and January 29, 2015.

401 Certification, CGP and Basin Plan Water Quality Standard Violations

Condition 20 of the Certification requires:

Caltrans shall construct the project in accordance with the project described in the application and the findings above, and shall comply with all applicable water quality requirements and Water Quality Standards as detailed in the Basin Plan.

CGP Condition VI.C requires:

The discharger shall ensure that storm water discharges and authorized non-storm water discharges will not contain pollutants that cause or contribute to an exceedance of any applicable water quality objectives or water quality standards contained in a Statewide Water Quality Control Plan, the California Toxics Rule, the National Toxics Rule, or the applicable Regional Water Board's Water Quality Control Plan (Basin Plan).

Caltrans has violated these conditions as a result of daily Basin Plan pH water quality objective exceedences in Haehl Creek, January 22- 24, 2015. Downstream pH was measured at a high of approximately 11.6 at water quality monitoring station 09 shortly after the collapse, and fell below 8.5 on January 24, 2015. Water quality objectives for pH were also exceeded in Outlet Creek at water quality monitoring stations 10 and 11, where pH was measured at 8.8 and 8.7, respectively, on January 22, 2015.

The Regional Water Board has sent Caltrans a separate letter requiring submittal of a technical report to document the volume of fill discharged to Haehl Creek.

If you have any questions, please contact Brendan Thompson of my staff, at Brendan.Thompson@waterboards.ca.gov or (707) 576-2699.

Sincerely,

Shin-Roei Lee
Assistant Executive Officer

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