
North Coast Regional Water Quality Control Board

October 11, 2012

ATTACHMENT A – PROJECT LIST

Bridge Construction Inspections / Caltrans 401 Certification Compliance Evaluation

401 Certification Violations:

1. Highway 3 – Trinity River Bridge (WDID No. 1A10020WNTR)

401 Certification Condition No. 11

All activities and best management practices (BMPs) shall be implemented according to the submitted application and the conditions in this certification. BMPs for erosion, sediment, turbidity and pollutant control shall be implemented and in place at commencement of, during, and after any ground clearing activities, construction activities, or any other project activities that could result in erosion, sediment, or other pollutant discharges to waters of the State. The BMPs shall be implemented in accordance with the CCSBMPPM and all contractors and subcontractors shall comply with the CCSBMPPM. In addition, BMPs for erosion and sediment control shall be utilized year round, regardless of season or time of year. Caltrans shall stage erosion and sediment control materials at the work site. All BMPs shall be installed properly and in accordance with the manufacturer's specifications. If the project Resident Engineer elects to install alternative BMPs for use on the project, Caltrans shall submit a proposal to Regional Water Board staff for review and concurrence.

August 3, 2011 – Inspection noted:

- a. Welding directly on gravel bar without using adequate BMPs, and discharge of slag, and sawdust on the gravel bar (throughout the gravel bar);*
- b. Loose soil and debris on the gravel bar (throughout the gravel bar);*
- c. Equipment that is mobile on the bar without containment (three locations);*

December 29, 2011 – Inspection noted:

- a. Loose soil and debris on the gravel bar (throughout the gravel bar);*

Review of SWPPP records and Notices of Discharge indicate that the clear water diversion was not properly installed to contain the work area and resulted in a discharge when the river level rose.

401 Certification Condition No. 14

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. In addition, none of the materials listed above shall be placed within 150 linear feet of waters of the State or where the materials may be washed by rainfall into waters of the State.

August 3, 2011 – Inspection noted:

- a. Welding directly on gravel bar without using adequate BMPs, and discharge of slag, and sawdust on the gravel bar (throughout the gravel bar);*
- b. Loose soil and debris on the gravel bar (throughout the gravel bar);*
- c. Equipment that is idle on the bar without containment (three locations);*

401 Certification Condition No. 18

Caltrans shall implement appropriate BMPs to prevent the discharge of equipment fluids to the stream channel. The minimum requirements will include: storing hazardous materials at least 150 linear feet outside of the stream banks; checking equipment for leaks and preventing the use of equipment with leaks; pressure washing or steam cleaning equipment to remove fluid residue on any of its surfaces prior to its entering any stream channel in a manner that does not result in a discharge to waters of the State.

August 3, 2011 – Inspection noted:

- a. Oil and grease observed on the bar; and*
- b. Not all equipment or generators with 150 of water had drip pans or containment BMPs.*

401 Certification Condition No. 15. Caltrans shall submit, subject to approval by the Regional Water Board staff, a dewatering and/or diversion plan that appropriately describes the dewatered or diverted areas and how those areas will be handled during construction. The diversion/dewatering plans shall be submitted no later than 30 days prior to conducting the proposed activity. Information submitted shall include the area or work to be diverted or dewatered and method of the proposed activity. All diversion or dewatering activities shall be designed to minimize the impact to waters of the State and maintain natural flows upstream and downstream. All dewatering or diversion structures shall be installed in a manner that does not cause sedimentation, siltation or erosion upstream or downstream. All dewatering or diversion structures shall be removed immediately upon completion of project activities. The in-channel work will only be conducted between May 15th and October 15th. This Water Quality Certification does not authorize Caltrans to draft surface waters.

Additionally, information (including pictures) submitted in discharge reports indicates the diversions in the summer of 2011 and 2012 were not built properly or in accordance with the BMP manual and resulted in discharges of fine sediment and unnecessary erosion of the river bank. Plans were submitted; however, that does not relieve Caltrans from complying with the BMP manual or condition 15 which requires all diversion structures shall be installed in a manner that does not cause sedimentation, siltation or erosion upstream or downstream.

401 Certification Condition No. 26

Only clean washed spawning gravel (0.5" – 4") with a cleanliness value of at least 85, using the Cleaness Value Test Method for California Test No. 227 will be placed in the streams. Gravel bag fabric shall be nonwoven polypropylene geotextile (or comparable polymer) and shall conform to the following requirements:

- a. Mass per unit area, grams per square meter, min ASTM Designation: D 5261 – 270;
- b. Grab tensile strength (25-mm grip), kilonewtons, min. ASTM Designation: D4632* 0.89;
- c. Ultraviolet stability, percent tensile strength retained after 500 hours, ASTM Designation: D4355, xenon arc lamp method 70 or appropriate test method for specific polymer;
- d. Gravel bags shall be between 600 mm and 800 mm in length, and between 400 mm and 500 mm in width;
- e. Yarn used in construction of the gravel bags shall be as recommended by the manufacturer or bag supplier and shall be of a contrasting color. Gravel shall be between 0.5" – 4" in diameter, and shall be clean and free from clay balls, organic matter, and other deleterious materials. The opening of gravel-filled bags shall be secured to prevent gravel from escaping. Gravel-filled bags shall be between 13 kg and 22 kg in mass; and
- f. Caltrans shall request approval from the Regional Water Board if an exception from this requirement is needed for a specific location.

August 3, 2011 – Inspection noted very dirty gravel, requested clean wash gravel test results, follow up meetings requested clean wash gravel test results, and still no test results were provided.

401 Certification Condition No. 28

Caltrans shall establish effluent, upstream (background) and downstream monitoring locations to demonstrate compliance with all applicable water quality objectives as detailed in the Basin Plan. The downstream location shall be no more than 50 feet from the effluent location. Field measurements shall be taken from each location four times daily for flow, pH, temperature, dissolved oxygen, total dissolved solids, turbidity and specific conductance. In addition, visual observations shall be made four times daily and include the appearance of the discharge including color, turbidity, floating or suspended matter or debris, appearance of the receiving water at the point of discharge (occurrence of erosion and scouring, turbidity, solids

deposition, unusual aquatic growth, etc.), and observations about the receiving water, such as the presence of aquatic life. Measurements shall be collected from each sampling location four times daily while work is being conducted within waters of the State.

Information required by permits and provided by Caltrans indicates that sampling was not conducted in all instances of discharge or work within waters. The frequency was not followed nor was the list of constituents or required observations.

401 Certification Condition No. 29

Whenever, as a result of project activities, downstream measurements exceed the following water quality objectives, appropriate measurements shall be collected from all monitoring locations every hour during the period of increase, and shall continue until measurements demonstrate compliance with receiving water limitations and the water quality parameters are no longer increasing as a result of project activities.

pH	<7.0 or >8.5 (any changes >0.5 units)
temperature	>0.5oF above background
dissolved oxygen	<7 milligrams per liter (mg/L)
total dissolved solids	20% above natural background
turbidity	20% above natural background
specific conductance	200 micromhos @ 77oF

If any measurements are beyond the water quality objectives 50 feet downstream of the source(s), all necessary steps shall be taken to install, repair, and/or modify BMPs to control the source(s). In addition, the overall distance from the source(s) to the downstream extent of the exceedance shall be measured.

Monitoring results shall be reported to appropriate Regional Water Board staff person by telephone within one hour of taking any measurements that exceed the limits detailed above (turbidity only if it is higher than 20 NTU as well). Upstream and downstream pictures within the working and/or disturbed area shall be taken and submitted to the appropriate Regional Water Board staff via e-mail or fax within 24 hours of the incident. All other monitoring data shall be reported on a monthly basis and is due to the Regional Water Board by the 15th of the following month.

Early turbidity readings were inaccurate as all measurements upstream and downstream were at 10 NTU. Measurements were not taken when rock was added to the river, or when the river levels came up and consumed the diversion area in 2011.

401 Certification Condition No. 30

Monthly Monitoring Reports: shall be submitted to the Executive Officer of the Regional Water Board. The monthly monitoring reports shall include at a minimum a summary of discharges, a summary of corrective actions taken (if necessary),

photographs, all field sampling measurements and/or results, project status (i.e. upcoming construction schedule and disturbed soil area updates), water quality monitor reports and field logs, and all field monitoring equipment calibration logs. Monthly monitoring reports are due to the Regional Water Board by the 15th of each month once work on the project has been initiated.

Monthly reports have only been submitted for a limited amount of time and work in July and August 2011 and in recent months including June 2011 and July 2012. The reports have either been absent or incomplete with no field monitoring equipment calibration logs, no corrective actions or summaries.

401 Certification Condition No. 31

Rainy Day Reports: Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures are present and have been installed appropriately and successfully. A brief report containing these photos shall be submitted within 30 days of the rainfall event that generated runoff from the disturbed areas. Once the site has demonstrated appropriate and effective erosion and sediment control, Caltrans may request a reprieve from this condition from the Regional Water Board.

No rainy day reports have been received.

Construction General Permit Violations:

Section XV. Regional Water Board Authorities

- A. In the case where the Regional Water Board does not agree with the discharger's self-reported risk level (e.g., they determine themselves to be a Level 1 Risk when they are actually a Level 2 Risk site), Regional Water Boards may either direct the discharger to reevaluate the Risk Level(s) for their site or terminate coverage under this General Permit.

On June 13, 2011, The Regional Water Board sent a letter requesting Caltrans reevaluate the risk levels for the projects as the original risk level 2 determination was not done properly. The project proceeded under the risk level 2 requirement until July 2013.

Section XVI. Annual Reporting Requirements

- A. All dischargers shall prepare and electronically submit an Annual Report no later than September 1 of each year.

No annual report was submitted.

- B. The discharger shall certify each Annual Report in accordance with the Special Provisions.

No annual report was submitted.

- C. The discharger shall retain an electronic or paper copy of each Annual Report for a minimum of three years after the date the annual report is filed.

No annual report was submitted.

- D. The discharger shall include storm water monitoring information in the Annual Report consisting of:

No annual report was submitted.

- E. The discharger shall provide training information in the Annual Report consisting of:...

No annual report was submitted.

Section B. Good Site Management "Housekeeping"

- a. Prevent oil, grease, or fuel to leak in to the ground, storm drains or surface waters.

August 3, 2011 – Inspection noted:

- a. *Oil and grease observed on the bar; and*
- b. *Not all equipment or generators with 150 of water had drip pans or containment BMPs.*

Section B. Good Site Management "Housekeeping"

- 3. b. Place all equipment or vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.

August 3, 2011 – Inspection noted: Not all equipment or generators with 150 of water had drip pans or containment BMPs.

Section B. Good Site Management "Housekeeping"

- 3. c. Clean leaks immediately and disposing of leaked materials properly.

Section G. Inspection, Maintenance and Repair

- 2. Risk Level 2 dischargers shall perform weekly inspections and observations, and at least once each 24-hour period during extended storm events, to identify and record BMPs that need maintenance to operate effectively, that have failed, or that could fail to operate as intended. Inspectors shall be the QSP or be trained by the QSP.

Caltrans SWPPP records indicate inspections were not conducted during all storm events.

Section G. Inspection, Maintenance and Repair

3. Risk Level 2 Upon identifying failures or other shortcomings, as directed by the QSP, Risk Level 2 dischargers shall begin implementing repairs or design changes to BMPs within 72 hours of identification and complete the changes as soon as possible.

Caltrans SWPPP records indicate an in-house inspection was performed on July 26, 2011, and identified several compliance issues with the 401 Certification and Construction General Permit. The in-house memo was dated July 27, 2011. Regional Water Board staff inspected the site on August 3, 2011, and noted many of the same issues more than 6 working days later.

Section H. Rain Event Action Plan

Additional Risk Level 2 Requirement: The discharger shall ensure a QSP develop a Rain Event Action Plan (REAP) 48 hours prior to any likely precipitation event. A likely precipitation event is any weather pattern that is forecast to have a 50% or greater probability of producing precipitation in the project area. The discharger shall ensure a QSP obtain a printed copy of precipitation forecast information from the National Weather Service Forecast Office (e.g., by entering the zip code of the project's location at <http://www.srh.noaa.gov/forecast>).

Caltrans SWPPP records indicate that several REAPs were not prepared or properly prepared in advance of pending rain events.

Section I. Risk Level Monitoring and Reporting Requirements

4. Risk Level 02 – Water Quality Sampling and Analysis

a. Risk Level 2 dischargers shall collect storm water grab samples from sampling locations, as defined in Section I.5. The storm water grab sample(s) obtained shall be representative of the flow and characteristics of the discharge.

Caltrans SWPPP records indicate that sampling and analysis was not performed during every qualifying rain event, or at every location identified for sampling.

b. At minimum, Risk Level 2 dischargers shall collect 3 samples per day of the qualifying event.

Caltrans SWPPP records indicate that sampling and analysis was not performed during every qualifying rain event, or at every location identified for sampling.

c. Risk Level 2 dischargers shall ensure that the grab samples collected of stored or contained storm water are from discharges subsequent to a qualifying rain event (producing precipitation of ½ inch or more at the time of discharge).

Caltrans SWPPP records indicate that sampling and analysis was not performed during every qualifying rain event, or at every location identified for sampling.

401 Certification Violations:

2. Highway 3 – Minnehaha Creek Bridge (WDID No. 1A10021WNTR)

401 Certification Condition No. 11

All activities and best management practices (BMPs) shall be implemented according to the submitted application and the conditions in this certification. BMPs for erosion, sediment, turbidity and pollutant control shall be implemented and in place at commencement of, during, and after any ground clearing activities, construction activities, or any other project activities that could result in erosion, sediment, or other pollutant discharges to waters of the State. The BMPs shall be implemented in accordance with the Caltrans Construction Site Best Management Practice Manual (CCSBMPM) and all contractors and subcontractors shall comply with the CCSBMPM. In addition, BMPs for erosion and sediment control shall be utilized year round, regardless of season or time of year. Caltrans shall stage erosion and sediment control materials at the work site. All BMPs shall be installed properly and in accordance with the manufacturer's specifications. If the project Resident Engineer elects to install alternative BMPs for use on the project, Caltrans shall submit a proposal to Regional Water Board staff for review and concurrence.

August 3, 2011 – Inspection noted

- a. Silt fence near the banks was overloaded in areas and absent in others;*
- b. Loose soil, bark, slash and debris on the banks and within the creek with no BMPs to treat prior to discharging to the creek ;*
- c. Some of the rip-rap placed had lots of loose soil, and was not clean or washed prior to placement;*
- d. Not all of the equipment or generators location within 150 feet of streams had drip pans or containment BMPs;*
- e. Trash around, near and on the bridge deck; and*
- f. Overall housekeeping was poor.*

December 29, 2011 – Inspection noted, Sandblast materials and welding slag was observed within the creek and around the banks in an amount that indicated no deployment of containment BMPs or adequate clean up.

401 Certification Condition No. 14

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. In addition, none of the materials listed above shall be placed within 150 linear feet of waters of the State or where the materials may be washed by rainfall into waters of the State.

August 3, 2011 – Inspection noted

- a. Loose soil, bark, slash, sawdust, and debris on the banks and within the creek with no BMPs to treat prior to discharging to the creek ;*
- b. Some of the rip-rap placed had lots of loose soil, and was not clean or washed prior to placement;*
- c. Not all of the equipment or generators location within 150 feet of streams had drip pans or containment BMPs; and*
- d. Trash around, near and on the bridge deck.*

December 29, 2011 – Inspection noted

- a. Sandblast materials and welding slag was observed within the creek and around the banks;*
- b. Asphalt chunks and grindings were observed within the creek banks within waters of the State; and*
- c. Excess concrete curing compound residue within waters of the State.*

401 Certification Condition No. 18

Caltrans shall implement appropriate BMPs to prevent the discharge of equipment fluids to the stream channel. The minimum requirements will include: storing hazardous materials at least 150 linear feet outside of the stream banks; checking equipment for leaks and preventing the use of equipment with leaks; pressure washing or steam cleaning equipment to remove fluid residue on any of its surfaces prior to its entering any stream channel in a manner that does not result in a discharge to waters of the State.

August 3, 2011 – Inspection noted

- a. Silt fence near the banks was overloaded in areas and absent in others;*
- b. Loose soil, bark, slash and debris on the banks and within the creek with no BMPs to treat prior to discharging to the creek ;*
- c. Some of the rip-rap placed had lots of loose soil, and was not clean or washed prior to placement;*
- d. Not all of the equipment or generators location within 150 feet of streams had drip pans or containment BMPs;*
- e. Trash around, near and on the bridge deck; and*
- f. Overall housekeeping was poor.*

401 Certification Condition No. 28

Caltrans shall establish effluent, upstream (background) and downstream monitoring locations to demonstrate compliance with all applicable water quality objectives as detailed in the Basin Plan. The downstream location shall be no more than 50 feet from the effluent location. Field measurements shall be taken from each location four times daily for flow, pH, temperature, dissolved oxygen, total dissolved solids, turbidity and specific conductance. In addition, visual observations shall be made four times daily and include the appearance of the discharge including color, turbidity, floating or suspended matter or debris, appearance of the receiving water at the point of discharge (occurrence of erosion and scouring, turbidity, solids deposition, unusual aquatic growth, etc), and observations about the receiving water, such as the presence of aquatic life. Measurements shall be collected from each sampling location four times daily while work is being conducted within waters of the State.

Information required by permits and provided by Caltrans indicates that sampling was not conducted in all instances of discharge or work within waters such as placement of rip-rap, discharges of concrete debris, or the discharge of silt and fines from unwashed rip-rap. The frequency was not followed, nor was the list of constituents, nor required observations.

401 Certification Condition No. 29

Whenever, as a result of project activities, downstream measurements exceed the following water quality objectives, appropriate measurements shall be collected from all monitoring locations every hour during the period of increase, and shall continue until measurements demonstrate compliance with receiving water limitations and the water quality parameters are no longer increasing as a result of project activities.

pH	<7.0 or >8.5 (any changes >0.5 units)
temperature	>0.5oF above background
dissolved oxygen	<7 milligrams per liter (mg/L)
total dissolved solids	20% above natural background
turbidity	20% above natural background
specific conductance	>200 micromhos @ 77oF

If any measurements are beyond the water quality objectives 50 feet downstream of the source(s), all necessary steps shall be taken to install, repair, and/or modify BMPs to control the source(s). In addition, the overall distance from the source(s) to the downstream extent of the exceedance shall be measured.

Monitoring results shall be reported to appropriate Regional Water Board staff person by telephone within one hour of taking any measurements that exceed the limits detailed above (turbidity only if it is higher than 20 NTU as well). Upstream and downstream pictures within the working and/or disturbed area shall be taken and

submitted to the appropriate Regional Water Board staff via e-mail or fax within 24 hours of the incident. All other monitoring data shall be reported on a monthly basis and is due to the Regional Water Board by the 15th of the following month

No reports were received.

401 Certification Condition No. 30

Monthly Monitoring Reports: shall be submitted to the Executive Officer of the Regional Water Board. The monthly monitoring reports shall include at a minimum a summary of discharges, a summary of corrective actions taken (if necessary), photographs, all field sampling measurements and/or results, project status (i.e. upcoming construction schedule and disturbed soil area updates), water quality monitor reports and field logs, and all field monitoring equipment calibration logs. Monthly monitoring reports are due to the Regional Water Board by the 15th of each month once work on the project has been initiated.

Monthly reports have only been submitted for a limited amount of time and work in July and August 2011 and in recent months including June 2011 and July 2012. The reports have either been absent or incomplete with no field monitoring equipment calibration logs, no corrective actions or summaries.

401 Certification Condition No. 31

Rainy Day Reports: Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures are present and have been installed appropriately and successfully. A brief report containing these photos shall be submitted within 30 days of the rainfall event that generated runoff from the disturbed areas. Once the site has demonstrated appropriate and effective erosion and sediment control, Caltrans may request a reprieve from this condition from the Regional Water Board.

No rainy day reports have been received, and no reprieve was requested.

Construction General Permit Violations:

Section XV. Regional Water Board Authorities

- B. In the case where the Regional Water Board does not agree with the discharger's self-reported risk level (e.g., they determine themselves to be a Level 1 Risk when they are actually a Level 2 Risk site), Regional Water Boards may either direct the discharger to reevaluate the Risk Level(s) for their site or terminate coverage under this General Permit.

On June 13, 2011, The Regional Water Board sent a letter requesting Caltrans reevaluate the risk levels for the projects as the original risk level

determination was not done properly. Reevaluation was not done and bridge construction has been completed.

1. Section XVI. Annual Reporting Requirements

- E. All dischargers shall prepare and electronically submit an Annual Report no later than September 1 of each year.

No annual report was submitted.

- F. The discharger shall certify each Annual Report in accordance with the Special Provisions.

No annual report was submitted.

- G. The discharger shall retain an electronic or paper copy of each Annual Report for a minimum of three years after the date the annual report is filed.

No annual report was submitted.

- H. The discharger shall include storm water monitoring information in the Annual Report consisting of:

No annual report was submitted.

- E. The discharger shall provide training information in the Annual Report consisting of:...

No annual report was submitted.

Section B. Good Site Management "Housekeeping"

3. a. Prevent oil, grease, or fuel to leak in to the ground, storm drains or surface waters.

August 3, 2011 – Inspection noted

- a. Not all of the equipment or generators location within 150 feet of streams had drip pans or containment BMPs; and
b. Overall housekeeping was poor.*

Section B. Good Site Management "Housekeeping"

3. b. Place all equipment or vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.

August 3, 2011 – Inspection noted

- a. *Not all of the equipment or generators location within 150 feet of streams had drip pans or containment BMPs; and*
- b. *Overall housekeeping was poor.*

SWPPP records indicate cleanup materials were improperly handled

Section E. Sediment Controls

1. Risk Level 2 dischargers shall establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site

August 3, 2011 and December 29, 2011 – Inspection noted

- a. *Silt fences and Fiber rolls were improperly installed overloaded or overtopped*

Section G. Inspection, Maintenance and Repair

2. Risk Level 2 dischargers shall perform weekly inspections and observations, and at least once each 24-hour period during extended storm events, to identify and record BMPs that need maintenance to operate effectively, that have failed, or that could fail to operate as intended. Inspectors shall be the QSP or be trained by the QSP.

Caltrans SWPPP records indicate inspections were not conducted during all storm events.

2. Section G. Inspection, Maintenance and Repair

3. Risk Level 2 Upon identifying failures or other shortcomings, as directed by the QSP, Risk Level 2 dischargers shall begin implementing repairs or design changes to BMPs within 72 hours of identification and complete the changes as soon as possible.

Caltrans SWPPP records indicate an in-house inspection was performed on July 26, and identified several compliance issues with the 401 Certification and Construction General Permit. The in-house memo was dated July 27th. Regional Water Board staff inspected the site on August 3, 2011, and noted many of the same issues more than 6 working days later.

3. Section H. Rain Event Action Plan

Additional Risk Level 2 Requirement: The discharger shall ensure a QSP develop a Rain Event Action Plan (REAP) 48 hours prior to any likely precipitation event. A likely precipitation event is any weather pattern that is forecast to have a 50% or greater probability of producing precipitation in the project area. The discharger shall ensure a QSP obtain a printed copy of precipitation forecast information from the National Weather Service Forecast

Office (e.g., by entering the zip code of the project's location at <http://www.srh.noaa.gov/forecast>).

Caltrans SWPPP records indicate that several REAPs were not prepared or properly prepared in advance of pending rain events.

4. Section I. Risk Level Monitoring and Reporting Requirements
4. Risk Level 02 – Water Quality Sampling and Analysis

a. Risk Level 2 dischargers shall collect storm water grab samples from sampling locations, as defined in Section I.5. The storm water grab sample(s) obtained shall be representative of the flow and characteristics of the discharge.

Caltrans SWPPP records indicate that sampling and analysis was not performed during every qualifying rain event, or at every location identified for sampling.

b. At minimum, Risk Level 2 dischargers shall collect 3 samples per day of the qualifying event.

Caltrans SWPPP records indicate that sampling and analysis was not performed during every qualifying rain event, or at every location identified for sampling.

c. Risk Level 2 dischargers shall ensure that the grab samples collected of stored or contained storm water are from discharges subsequent to a qualifying rain event (producing precipitation of ½ inch or more at the time of discharge).

Caltrans SWPPP records indicate that sampling and analysis was not performed during every qualifying rain event, or at every location identified for sampling.

401 Certification Violations:

3. Highway 299 – China Slide Safety Project (WDID No. 1A08121WNTR)

Original 401 Certification Dated 09/29/08

401 Certification Condition No. 18

All mitigation activities shall be conducted in accordance with the application package *China Slide Mitigation and Monitoring Proposal*, dated September 26, 2008. Monitoring reports shall be submitted annually and include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation.

Revised 401 Certification dated 10/20/10

401 Certification Condition No. 27

All mitigation activities shall be conducted in accordance with the application package *China Slide Mitigation and Monitoring Proposal*, dated September 26, 2008. Monitoring reports shall include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation. Annual mitigation monitoring reports shall be submitted to the Regional Water Board, the initial monitoring report is due no later than December 31, 2010.

We received the 2010 report in January of 2012, after three requests. We have yet to receive the 2011 report.

4. Highway 20 – Storm Damage Repair Project (WDID No. 1B08177WNME):401 Certification Condition No. 25

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures have been successful. A brief report containing these photos shall be submitted within 60 days of the rainfall event that generated runoff from the disturbed areas. In addition, Caltrans shall provide photos of the completed work to the appropriate Regional Water Board staff person, in order to document compliance.

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 60 inches of rain in 2010 and 66 inches in 2011.

5. Highway 96 – Storm Damage (Five Locations) Project (WDID No. 1B09002WNHU)401 Certification Condition No. 21

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures have been successful. A brief report containing these photos shall be submitted within 60 days of the rainfall event that generated runoff from the disturbed areas. In addition, Caltrans shall provide photos of the completed work to the appropriate Regional Water Board staff person, in order to document compliance.

No reports were received after any rainfall event. The area had approximately 60 inches of rain in 2010 and 70 inches in 2011. The erosion assessment reports per condition 22 were received in September 2012.

6. Highway 101, Rio Dell Roadway Rehabilitation Project (WDID No. 1B07124WNHU)

401 Certification Condition No. 16

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after the first rainfall event that generates visible runoff from these areas in order to demonstrate that erosion control measures have been successful. A report containing these photos shall be submitted within 60 days of the first rainfall event that generates runoff from the disturbed areas. Reports shall be provided for each year of construction and a final report shall be provided for the season subsequent to the completion of the project.

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 60 inches of rain in 2010 and 70 inches in 2011.

401 Certification Condition No. 19

All wetland creation activities shall be completed as proposed in the application and the Rio Dell Roadway Rehabilitation Wetland Mitigation/Creation Plan received by Regional Water Board via e-mail on March 14, 2008. This includes the creation of 200 square feet of seasonal wetlands on-site. In addition, revegetation and willow planting shall be conducted in accordance with the application package and take place along 900 feet of the project to improve riparian vegetation within the project area.

No reports have been received.

401 Certification Condition No. 20

All revegetation, wetland creation, and maintenance efforts shall be monitored yearly, to ensure the establishment of native tree and plant species and stabilization of the stream banks. Monitoring reports shall be submitted annually and include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation. Subsequent to the completion of the project, monitoring reports shall be submitted for the following five years and are due to the Regional Water Board on July 1, annually.

No reports have been received.

7. Highway 253 – Storm Damage Repair Project (WDID No. 1B08162WNME)

401 Certification Condition No. 21

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff

from these areas in order to demonstrate that erosion control and revegetation measures have been successful. A brief report containing these photos shall be submitted within 60 days of the rainfall event that generated runoff from the disturbed areas. In addition, Caltrans shall provide photos of the completed work to the appropriate Regional Water Board staff person, in order to document compliance.

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 45 inches of rain in 2010 and 47 inches in 2011.

8. Highway 299 –Culvert Rehabilitation Project (WDID No. 1B08109WNHU)

401 Certification Condition No. 21

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures have been successful. A brief report containing these photos shall be submitted within 60 days of the rainfall event that generated runoff from the disturbed areas. In addition, Caltrans shall provide photos of the completed work to the appropriate Regional Water Board staff person, in order to document compliance.

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 60 inches of rain in 2010 and 70 inches in 2011.

9. Highway 101/Highway 36, Alton Interchange (WDID NO. 1B07140WNHU)

401 Certification Condition No. 5

Compensatory mitigation shall include creation of 4.9 acres of three-parameter wetlands in existing upland areas; create 5.9 acres of two-parameter wetlands in existing upland areas; plant 4.4 acres of upland area with native riparian trees and shrubs; and enhance 1.5 acres of existing three-parameter wetlands through vegetation removal and revegetation. Compensatory mitigation activities shall be conducted in accordance with the Caltrans-prepared *Wetland Mitigation and Monitoring Plan Alton Interchange*, dated January 2009.

Construction activities were completed in 2010. A mitigation report was due December 2011. No reports have been received.

10. Highway 253 – Gino’s Wall (WDID No. 1B09012WNME)401 Certification Condition No. 19

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after the first rainfall event that generates visible runoff from these areas in order to demonstrate that erosion control measures have been successful. A report containing these photos shall be submitted within 60 days of the first rainfall event that generates runoff from the disturbed areas. Reports shall be provided for each year of construction and a final report shall be provided subsequent to the completion of the project.

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 45 inches of rain in 2010 and 47 inches in 2011.

401 Certification Condition No. 20

Caltrans shall implement compensatory mitigation in accordance with the Mitigation and Monitoring Plan dated, January 2009. On-site revegetation and wetland and riparian restoration shall be conducted on-site at a 1:1 ratio to off-set project impacts. The off-site mitigation project shall result in the restoration and enhancement of at least 0.0076 acres. Subsequent to implementation of restoration, monitoring reports documenting all mitigation activities shall be submitted to the Regional Water Board annually for a minimum of five years. Reports shall include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation.

No reports have been received.

11. Highway 101 & 271 – Mendocino County, Culvert Rehabilitation Project: (WDID No. 1B08025WNME)401 Certification Condition No. 17

To compensate for the loss of waters of the State and waters of the U.S. associated with project, Caltrans proposes to plant approximately 562 feet² of riparian vegetation on-site at locations PM 54.63 and PM 59.30. These activities shall be conducted in accordance with the Caltrans prepared Revegetation Plan, received by the Regional Water Board on August 26, 2008. Monitoring reports shall be submitted annually and include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation.

No reports have been received.

12. Highways 253 & 162 – Anderson Creek Bridge, Soda Creek Bridge, and Outlet Creek Bridge Project, Mendocino County (WDID No. 1B06010WNME)

401 Certification Condition No. 21

Construction and mitigation work shall be implemented as proposed in the application and the following monitoring shall occur: Caltrans shall monitor revegetation areas on a semi-annual basis and prepare an annual report including photo documentation as to the success of the revegetation. The annual report shall be submitted to the Regional Water Board within 30 days of the one year anniversary of project completion. At the end of the monitoring period, in this case one year, there shall be at least an 80 percent survival rate of all vegetation, or the Caltrans shall submit a supplemental revegetation plan to the Regional Water Board and implement the plan.

No reports have been received.

13. Highway 128 and 253 – Culvert Rehabilitation Project Phase 1: (WDID No. 1B09135WNME)

401 Certification Condition No. 24

Post Storm Event Reports: Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures are present and have been installed appropriately and successfully. A brief report containing these photos shall be submitted within 30 days of the rainfall event that generated runoff from the disturbed areas. Once the site has demonstrated appropriate and effective erosion and sediment control, Caltrans may request a reprieve from this condition from the Regional Water Board.

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 45 inches of rain in 2010 and 47 inches in 2011.

14. Highway 162 – Storm Damage Repair (WDID No. 1B09087WNME)

401 Certification Condition No. 18

To compensate for the loss of waters of the State and waters of the U.S. associated with project, Caltrans will plant 0.009 acres (390 feet²) with native trees and vegetation on-site. Project restoration activities shall be conducted in accordance with the Caltrans-prepared *Conceptual Revegetation Plan, State Route 162 Storm Damage Project, Mendocino County, EA 01-47630*, dated December 2008. All graded areas within the project affected by the construction activities shall be appropriately stabilized and/or replanted with appropriate native vegetation. Monitoring reports shall be submitted annually for a five year period (pending

approval of successful restoration), and include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation.

No reports have been received.

15. Highway 175 - Trimble Ditch (WDID No. 1B08001WNME)

General Waste Discharge Requirements for Impacts Outside Corps Jurisdiction

Soil disposal report due Oct 15, 2009.
No report was submitted.

Annual wetland revegetation reports due June 1st annually.
No 2009, 2010 or 2011 reports were received.

16. Highway 128 Storm Damage Repair (county line) (WDID No. 1B09005WNME)

401 Certification Condition No. 17

All revegetation activities performed within the project area shall be conducted in accordance with the *Caltrans Revegetation Plan, State Route 128 in Mendocino County, near the Mendocino/Sonoma County line*, dated May 28, 2008.

401 Certification Condition No. 18

Monitoring reports shall be submitted annually and include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation. Subsequent to the completion of the project, monitoring reports shall be submitted for the following five years and are due to the Regional Water Board on July 1, annually

No reports have been received.

17. Highway 1 Tieback Retaining Wall (WDID No. 1B07151WNME)

401 Certification Finding 9.

Compensatory mitigation for the permanent loss of a 0.06 acres roadside ditch will be attained through the creation of a similar ditch along the newly widened highway. Temporary impacts shall be mitigated by the revegetation of all exposed soils. Revegetation shall consist of seeding all areas of exposed soil with a non-invasive seed mix as well as planting with a mix of appropriate native plants, as described in the Coastal Wetland/ESHA Study submitted by Caltrans. All mitigation shall be monitored to ensure success. Monitoring shall include inspecting for plant establishment, cover, and growth, as well as for problems such as erosion control, drainage, weeds, watering needs, and/or plant mortality.

401 Certification Condition 4

Except 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 strict compliance with the Applicant's project description, and b) compliance with all applicable requirements of the Basin Plan.

401 Certification Condition 5

Caltrans shall construct the project in accordance with the conditions described in the application and the findings above, and shall comply with all applicable water quality standards.

No reports have been received.

18. Highway 222 - Russian River Bridge Replacement Project (WDID No. 1B07108WNME)

401 Certification Condition No. 25

On-site mitigation shall include the replanting and revegetation of 0.43 acres of temporarily impacted waters of the U.S. and State. Additional mitigation shall be achieved by cooperating with the MCRCD on the Forsythe Creek restoration project. The off-site mitigation project shall result in the restoration and enhancement of at least 0.86 acres of riparian habitat. Caltrans shall provide compensatory mitigation in accordance with the MCRCD-prepared *Mitigation and Monitoring Plan for Off-site Mitigation*, dated July 2009.

The 2010 and 2011 off-site mitigation reports were received late after inquiry. There are no plans for on-site mitigation and no reports have been received.

19. Highway 36 - Storm Damage Repair (The Matterhorn) Project (WDID No. 1B10007WNHU)

401 Certification Condition No. 13

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures have been successful. A brief report containing these photos shall be submitted within 60 days of the rainfall event that generated runoff from the disturbed areas. In addition, Caltrans shall provide photos of the completed work to the appropriate Regional Water Board staff person, in order to document compliance

No reports were received after any rainfall events and no completed work photos were received. The area had approximately 60 inches of rain in 2010, 73 inches in 2011, and 50 inches in 2012.

20. Highway 20 Post Mile 0.3 – 2.4 Left Turn Lane and Shoulder Widening Project (WDID NO. 1B05159WNME)401 Certification Condition No.17

All mitigation activities shall be completed as proposed in the MEN 20 Left-Hand Turn and Shoulder Widening Habitat Mitigation and Monitoring Proposal, revised December 2006. This includes a 1.33:1 (0.12 acres: 0.09 acres) mitigation ratio for permanent impacts to seasonal wetlands at the Cleone Mitigation Parcel as described above, a 2:1 (0.164:0.082) mitigation ratio for permanent impacts to wetland ditches, and a 1:1 (0.016:0.016) mitigation ratio for temporary impacts to wetland ditches. Impacts to wetland ditches shall be mitigated on-site.

No reports have been received.

401 Certification Condition No.18

On-site mitigation shall include the creation of 0.18 acres of wetland ditches. Mitigation at the Cleone Mitigation Parcel shall include the use of 0.12 acres credit that may not be used for mitigation for any other project.

No reports have been received.

21. Highway 161- Lost River Bridge Replacement (WDID No. 1A05144WNSI)401 Certification Condition No. 15

The applicant shall take photos of the project during and after construction in order to document compliance with this Certification. Photos of the wetland area to be permanently impacted and the constructed wetland area shall be included. A report containing these photos shall be submitted within 60 days of project completion. Additional photos of the constructed wetland shall be submitted as necessary or as requested by Regional Water Board staff in order to demonstrate that wetland mitigation was successful.

No reports have been received.

22. Highway 101 – Redcrest Roadway Restoration (WDID No. 1B07028WNHU)401 Certification Finding No. 5

As a compensatory mitigation measure and improvement to beneficial uses, approximately 166 feet of drainage culvert (PM 41.52) will be replaced with a rock lined channel supplemented with natural vegetation. Mitigation to offset the temporary impacts to wetlands will include temporary reseeded, monitoring and maintenance to ensure the establishment of native plant species. Additional mitigation will include stream bank stabilization and restoration to address an increase in scouring downstream of the culvert outfall at PM 41.50.

The stream bank stabilization has not been done.

401 Certification Condition No. 18

All mitigation activities shall be completed as proposed in the Focused Initial Study with a Mitigated Negative Declaration, dated January 25, 2008. This includes a 1:1 (0.08 acres: 0.08 acres) mitigation ratio for temporary impacts to seasonal wetlands for the purpose of accessing the inlets of the culverts; daylighting 166 feet of drainage culvert (PM 41.52) with a rock lined channel supplemented with natural vegetation; and stream bank stabilization and restoration to address an increase in scouring at four locations downstream of the culvert outfall at PM 41.50. Additional mitigation shall include the implementation of the Redcrest Roadway Rehabilitation Revegetation Plan.

The stream bank stabilization has not been done. No reports have been received.

401 Certification Condition No. 19

All mitigation and maintenance efforts shall be monitored, at least semi-annually (wet and dry seasons), to ensure the establishment of native tree and plant species and stabilization of the stream banks. Mitigation monitoring reports shall be submitted annually and include, at a minimum, the following information: name and title of personnel conducting monitoring and/or maintenance; observation dates; vegetation summaries; site photographs; and success evaluation. Subsequent to the completion of the project, monitoring reports shall be submitted for the following five years (pending approval of successful restoration), and are due to the Regional Water Board on July 15th annually.

No reports have been received.

23. Highway 254 – Storm Damage Project (WDID No. 1B08182WNHU)

401 Certification Condition No. 20

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after the first rainfall event that generates visible runoff from these areas in order to demonstrate that erosion control measures have been successful. A report containing these photos shall be submitted within 60 days of the first rainfall event that generates runoff from the disturbed areas. Reports shall be provided for each year of construction and a final report shall be provided for the season subsequent to the completion of the project.

No reports have been received.

24. Highway 128 - Slope Stabilization and Fish Passage Facilitation Project: (WDID NO. 1B06060WNME)

401 Certification Condition No. 17

All mitigation activities shall be completed as proposed in the application. This includes the planting of willows at the outlet of Location Two, and the seeding and mulching of all disturbed areas.

No reports have been received.

25. Highway 175 – Storm Damage Repair Project: (WDID No. 1B09016WNME)401 Certification Condition No.13

Caltrans shall take photos of all areas disturbed by project activities, including all excess materials disposal areas, after rainfall events that generate visible runoff from these areas in order to demonstrate that erosion control and revegetation measures are present and have been installed appropriately and successfully in accordance with the Caltrans Construction Site Best Management Practice Manual (CCSBMPM.) A brief report containing these photos shall be submitted within 60 days of the rainfall event that generated runoff from the disturbed areas. In addition, Caltrans shall provide photos of the completed work to the appropriate Regional Water Board staff person, in order to document compliance. Reports shall be provided for each year of construction and a final report shall be provided for the season subsequent to the completion of the project. Additional reports throughout construction and the wet season may be required as requested by Regional Water Board staff.

No reports or photos have been received.

26. Highway 96 - Storm Damage Restoration (WDID No. 1A08018WNSI)401 Certification Condition No. 17

All revegetation activities performed within the project area shall be conducted in accordance with the application package and supplemental information submitted via e-mail dated May 21, 2008.

No reports have been received

27. Highway 299 – Rock Point Passing Lanes (WDID No. 1A03165WNTR)401 Certification Finding No. 9

The applicant will monitor the revegetation site on a quarterly basis and prepare an annual report as to the success of the re-vegetation. It is expected that at the end of the monitoring period, there will be at least an 80 percent survival rate.

Water Quality Certification

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 strict compliance with the applicant's project description, and b) compliance with all applicable requirement of the Regional Water Quality Control Plan for eth North Coast Region (Basin Plan).

No reports have been received.

28. Highway 101 – Rattlesnake Creek Crossing (WDID no. 1B03169WNME)401 Certification Finding

An access road to the culvert will be constructed during this project. The access road will be designed to have an inboard ditch with a basin at the downstream end to filter sediment. Riparian vegetation will be removed from the roadway and to provide access for equipment to the construction area. Vegetation will be replanted to provide bank stabilization and shade for the creek. Removed vegetation is to be replanted at a ratio of 2:1.

Water Quality Certification

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 strict compliance with the applicant's project description, and b) compliance with all applicable requirement of the Regional Water Quality Control Plan for eth North Coast Region (Basin Plan).

No vegetation was replanted. No reports have been received.