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**California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman**

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Arnold
Schwarzenegger
Governor

June 18, 2008

In the Matter of

Water Quality Certification

for the

**REDWOOD NATIONAL AND STATE PARKS – ELK CREEK CULVERT
REPLACEMENT AND AUBELL LANE WIDENING
WDID NO. 1A08036WNDN**

APPLICANT: Redwood National and State Parks
RECEIVING WATER: Unnamed tributary to Elk Creek
HYDROLOGIC UNIT: Smith River Plain Hydrologic Subarea No. 103.11
COUNTY: Del Norte
FILE NAME: Redwood National and State Parks - Elk Creek Culvert
Replacement/Aubell Lane Widening

BY THE EXECUTIVE OFFICER:

1. On March 6, 2008, the Redwood National and State Parks (Applicant) filed an application for water quality certification (certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities associated with relocation of the Redwood Maintenance Facility including the widening of Aubell Lane to two lanes and the replacement of an existing undersized culvert with a bottomless arch culvert. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on May 16, 2008, and posted information describing the project on the Regional Water Board's website. We did not receive any public comments on this project.
2. Aubell Lane and the project are located off Elk Valley Road, approximately 2 miles east of the Highway 101 and Elk Valley Road intersection. The project includes activities associated with widening Aubell Lane from one lane to two lanes in order to provide a safe access route to a new maintenance facility that will serve national and state park maintenance operations throughout the Redwood National and State Parks.

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3. The new maintenance facility will be constructed on an approximately 13-acre parcel off Aubell Lane in the northern area of Redwood National and State Parks. The new facility will combine the maintenance operations of Redwood National and State Parks into a single facility that is located closer to reliable transportation for increased efficiency and long-term cost effectiveness. The new maintenance facility will replace the existing National Park Service maintenance facility located at Requa which has wastewater disposal issues and is too expensive to maintain due to its age and location in a geologically unstable area. The Requa facility and its associated sewage treatment plant will be removed and the site will be restored.
4. The project includes activities associated with replacement of an existing twenty-four inch diameter and twenty-four foot long culvert under Aubell Road at an unnamed tributary to Elk Creek. The existing culvert is undersized and a barrier to fish migration. The existing culvert will be replaced with a new eighty four-inch wide and seventy four-foot long multi-plate bottomless arch culvert. The intent of the culvert design is to minimize encroachment into the stream channel and to maintain as much of the natural streambed as possible. The culvert walls extend beyond the banks of the approximately one-foot wide low-flow channel and will encompass the approximately six-foot wide bank full channel. The arch culvert is designed to restore fish passage and accommodate the 100-year storm event and associated bedload. Approximately one quarter mile of fish habitat upstream of the Aubell Lane crossing will be made available to migrating fish. The road surface above the arch culvert will be shaped with a rolling dip in order to prevent stream diversion should the culvert plug with debris or be overtopped during an extreme runoff event. The existing 300-foot long drainage ditches that parallel each side of Aubell Lane will be filled in order to widen the road to two lanes. These vegetated roadside ditches will be reconstructed on the north edge of the new two-lane road. The new roadside ditch is designed to treat storm water runoff from Aubell Lane.
5. Replacement of the existing stream crossing involves removal of the existing road fill and culvert from the stream channel. Fill will be removed by an excavator and will either be hauled by truck or pushed by a dozer to a site where woody debris can be separated from the fill. All existing road fill will be removed from the stream channel and every attempt will be made to uncover and reestablish the original stream channel. Riparian trees and vegetation will be cleared along the sides of the new road prism and downstream of the existing culvert to accommodate the wider road and new arch culvert. Removed native riparian trees with a diameter of 20 inches or greater at breast height will be replanted at a one-to-one ratio in the vicinity of the project. Disturbed areas will also be seeded or planted with native plant species.
6. If flowing water is present during construction activities, straw bale check dams will be placed approximately 30 feet above and below the culvert replacement activities and the water will be pumped around the disturbed area. The inlet of the pump hose will be screened to prevent the intake of any fish. The hay bale check dams and diversion piping will be removed once culvert and road widening activities are completed.
7. Approximately fifty cubic yards of soil will be excavated along the streambanks for construction of concrete footings that will support the culvert walls. The footing excavations will extend deeper than the thalweg to prevent potential undercutting of the culvert and road fill. The multi plate arch culvert will be attached to the footings and any excavated fill material that is suitable for reuse will be compacted around the culvert. Appropriately sized gravel will be placed over the concrete footings and

the stream bed. Approximately twelve cubic yards of rock riprap will be placed at the inlet and outlet ends to protect the structure and fill against erosion during high flows. Additional fill from the facility construction site will be used as fill for road widening. During construction of the road, a 2.5-inch water pipe and a 1.5-inch sewage pipe leading to a leach field will be laid parallel to Aubell Lane and buried in the road shoulder as it passes over the Elk Creek tributary. A 3-inch HDPE pipe will encase the sewage pipe to protect the creek in case of a pipe break.

8. Post-construction storm water treatment measures have been incorporated into the drainage plan for the new maintenance facility. Roof downspouts will not be connected to an underground drainage system so that roof runoff will be directed to landscaped areas. The storm water drainage system design incorporates two vegetated drainage swales that will collect and filter storm water runoff from the new buildings and parking areas. Both drainage swales terminate at detention/percolation basins. The down hill edge of each basin will be covered with a geo grid and rock reinforcement layer and will function as a spillway when the basins overflow. The basins have a minimum setback distance of one hundred feet from the nearest creek and are located in an area that allows for spreading of any water that flows out of the basins for additional overland filtration prior to discharging into the creek.
9. Compensatory mitigation is not required for the project. Noncompensatory mitigation includes revegetation of disturbed areas and the use of Best Management Practices for sediment and turbidity control, for use of concrete in a stream channel, and for operation of heavy equipment in a stream channel. The project is scheduled for construction between June 1, 2008 and October 15, 2009.
10. The Applicant has applied to the California Department of Fish and Game for a Lake or Streambed Alteration Agreement for the project.
11. The applicant has obtained authorization (File No. 293040N) from the United States Army Corps of Engineers to perform the project under Nationwide Permit Numbers 3, 14, and 33, pursuant to Clean Water Act, section 404.
12. On September 27, 2007, California Department of Parks and Recreation adopted a mitigated negative declaration (SCH No. 2004122039) for the project in order to comply with CEQA. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.
13. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification," which requires compliance with all conditions of this water quality certification.

Receiving Water: Unnamed tributary to Elk Creek in the Smith River Plain
Hydrologic Subarea No. 103.11

Filled or Excavated Area: Area Temporarily Impacted: 28 square feet of streambed
Area Permanently Impacted: 560 square feet of new
permanent impacts to the streambed

Total Linear Impacts: Length Temporarily Impacted: 4 linear feet of streambed
Length Permanently Impacted: 112 linear feet of new permanent impacts to the streambed

Dredge Volume: None

Latitude/Longitude: 41.76929 N/124.14775 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Elk Creek Culvert Replacement/Aubell Lane Widening Project (WDID No. 1A08036WNDN), as described in the application, will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that the Applicant complies with the following terms and conditions:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
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 title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 2200, and owed by the Applicant.
4. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, 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 or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
5. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground clearing activities or any other project activities that could result in erosion or sediment discharges to surface water.
6. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
7. A copy of this Order and the application documents submitted by the Applicant for this certification shall be provided to all contractors and subcontractors conducting the work, and shall be in their possession at the work site.

8. The mitigation measures contained in the mitigated negative declaration are hereby incorporated by reference and are conditions of approval of this certification. Notwithstanding any more specific conditions in this certification, the Applicant shall comply with all mitigation measures in the mitigated negative declaration.
9. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.
10. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project.
11. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer.
12. All project work shall be conducted as described in this Order and in the application submitted by the Applicant. If the Regional Water Board is not notified of a significant alteration to the project, it will be considered a violation of this Order, and the Applicant may be subject to Regional Water Board enforcement actions.
13. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and implementation plans adopted and approved pursuant to the Porter-Cologne Water Quality Control Act or Section 303 of the Clean Water Act.
14. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
15. In the event of any violation or threatened violation of the conditions of this certification, 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 certification. In response to a suspected violation of any condition of this certification, the Regional 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 Regional 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. In response to any violation of the conditions of this certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

16. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the project as described in this Order.

17. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited to and all proposed mitigation being completed in strict compliance with the Applicant's project description, and b) compliance with all applicable requirements of the Water Quality Control Plan for the North Coast Region (Basin Plan).

18. The authorization of this certification for any dredge and fill activities expires on June 18, 2013. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Dean Prat at (707) 576-2801.

Catherine E. Kuhlman
Executive Officer

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Original to: Mr. David Anderson, Redwood National and State Parks, 1111 Second Street, Crescent City, CA 95531

Copies to: U.S. Army Corps of Engineers, District Engineer, 601 Startare Drive, Box 14, Eureka, CA 95501
Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 1455 Market Street, San Francisco, CA 94103-1398