



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



Linda S. Adams
Secretary for
Environmental Protection

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**Arnold
Schwarzenegger**
Governor

June 20, 2008

In the Matter of

Water Quality Certification

for the

**SISKIYOU COUNTY DPW – JENNY CREEK BRIDGE REPLACEMENT
WDID NO. 1A07076WNSI**

APPLICANT:	Siskiyou County Department of Public Works
RECEIVING WATER:	wetlands, Jenny Creek, and Iron Gate Reservoir
HYDROLOGIC UNIT:	Iron Gate Hydrologic Subarea No. 105.37
COUNTY:	Siskiyou
FILE NAME:	Siskiyou County DPW – Jenny Creek Bridge Replacement

BY THE EXECUTIVE OFFICER:

1. On May 23, 2007, the Siskiyou County Department of Public Works (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 replacement of the Copco Road Bridge over Jenny Creek at Iron Gate Reservoir. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on January 15, 2008 and May 28, 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. The project involves replacement of the existing bridge over Jenny Creek with a 109-foot long and 24-foot wide single-span concrete structure. The bridge is designed to span Jenny Creek within the existing right-of-way. The proposed bridge will rest on concrete abutments without any piers in the stream channel. The purpose of the project is to improve access for emergency vehicles and recreational users of Iron Gate Reservoir, and to meet minimum recommended standards of the California Department of Transportation and the Federal Highway Administration.
3. The existing bridge is supported on two rows of wooden piles in the stream channel with five 16-inch diameter piles in each row. The existing bridge will be removed and the support piles will be pulled from the channel with an excavator or crane. A temporary detour route will be established on an old road alignment located a short

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distance to the north and upstream of the bridge replacement project. An 80-foot long temporary bridge will be installed where the detour route crosses Jenny Creek.

4. A temporary access road and temporary work trestle will also be installed along the south side of the existing bridge. The temporary trestle will be approximately 15-feet wide and 100-feet long. The trestle will primarily be used by the girder transport truck to position the pre-cast concrete girders along the bridge alignment. Cranes operating behind each of the new bridge abutments will lift the pre-stressed deck bulb-t girders from their position along the trestle and set the girders in position on the new abutments. Construction of the temporary trestle involves driving several rows of 12- inch diameter temporary piles into the channel and parallel to the bridge. Each row will consist of four piles and as many as seven rows (28 piles) will be required. Timber or steel pile caps will be placed across the tops of each row of piles. Timber or steel stringers will be placed between the pile caps and heavy timber decking will be placed across the stringers to create the trestle deck.
5. The project includes installation of rock slope protection (RSP) around the western bridge abutment to protect the abutment area from erosion during flood events. Fabric backed RSP will be placed along a 110-foot section of the streambank that wraps around and under the western bridge abutment. The toe of the RSP will be placed in a 15-foot wide and 6-foot deep toe trench excavated parallel to the streambank and a few feet below the ordinary high water elevation. The RSP will extend up the streambank to the abutment face.
6. Construction of new bridge abutments and installation of approximately 370 cubic yards of RSP around the western bridge abutment will result in 0.06 acre and 110 linear feet of permanent impacts to the streambank. The proposed RSP area on the north side of the abutment will permanently impact 0.01 acre of riparian wetlands. Installation of the piers used for the temporary trestle will result in approximately 16 square feet (0.0004 acre) of temporary impacts to the streambed. Construction of the temporary detour and temporary bridge crossing will result in temporary impacts to 0.12 acre of riparian wetland vegetation.
7. Compensatory mitigation is required for the permanent impacts to the riparian wetlands at the western bridge abutment and for temporary impacts to riparian wetland vegetation at the temporary detour crossing over Jenny Creek. The applicant has prepared a Wetland Mitigation and Monitoring Plan that provides for creation of 0.01 acre of riparian wetlands near the south abutment of the temporary bridge over Jenny Creek. The wetland mitigation area will be created by excavating and lowering the elevation of a 0.01 acre area near the shoreline and planting the area with white alder, Arroyo willow, and Oregon ash. Compensatory mitigation includes planting additional trees onsite to replace any mature trees that were removed during construction activities. Non-native species will be replaced with native species. Implementation of the Plan is scheduled to begin after the permanent bridge construction is completed and the temporary detour bridge has been removed. All planting and seeding activities will be implemented between October 15 and November 15. The project is expected to take six months to complete.
8. Noncompensatory mitigation includes the use of Best Management Practices (BMPs) for erosion control and the operation of heavy equipment in a waterway.

9. The Applicant has obtained authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 3 (File No. 200-303460), pursuant to Clean Water Act, section 404. The applicant has also obtained a Lake or Streambed Alteration Agreement from the California Department of Fish and Game.
10. The Siskiyou County Public Works Department adopted a mitigated negative declaration (SCH No. 2007022037) for the project in order to comply with CEQA and filed a Notice of Determination on March 12, 2007. 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.
11. 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: Wetlands and Jenny Creek in the Iron Gate Hydrologic Subarea No. 105.37

Filled or Excavated Area: Area Temporarily Impacted: 0.12 acre of riparian wetland
0.0004 acre of streambed
Area Permanently Impacted: 0.01 acre of wetland
0.06 acre of streambank

Total Linear Impacts: Length Temporarily Impacted: 150 linear feet of streambank
Length Permanently Impacted: 110 linear feet of streambank

Dredge Volume: None

Latitude/Longitude: 41.97884 N/122.39890 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Jenny Creek Bridge Replacement Project (WDID No. 1A07076WNSI), 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. The Regional Water Board shall be notified in writing at least five working days (working days are Monday – Friday) prior to the commencement of ground disturbing activities, with details regarding the construction schedule, in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
5. 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.
6. 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.
7. The Applicant shall implement the Wetland Mitigation and Monitoring Plan (Plan) including any changes that were submitted as a condition of approval. The Applicant shall submit annual mitigation monitoring reports as described in the approved Plan.
8. The mitigation measures contained in the mitigated negative declaration for this project 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. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
10. 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.
11. 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.

12. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project.
13. 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.
14. 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.
15. 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.
16. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
17. 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.
18. 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.

19. 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).
20. The authorization of this certification for any dredge and fill activities expires on June 20, 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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