



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



Linda S. Adams
Secretary for
Environmental Protection

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

**Arnold
Schwarzenegger**
Governor

August 28, 2008

In the Matter of

Water Quality Certification

for the

**TRINITY COUNTY DOT – NORTH FORK TRINITY RIVER BRIDGE ABUTMENT
REPAIR
WDID NO. 1A08107WNTR**

APPLICANT:	Trinity County Department of Transportation
RECEIVING WATER:	North Fork Trinity River
HYDROLOGIC UNIT:	Helena Hydrologic Subarea No. 106.15
COUNTY:	Trinity
FILE NAME:	Trinity County DOT – North Fork Trinity River Bridge Abutment Repair

BY THE EXECUTIVE OFFICER:

1. On June 23, 2008, the Trinity County Department of Transportation (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 related to repairing the south abutment of the East Fork Road Bridge over the North Fork Trinity River near Helena. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on August 4, 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. During the winter storms of late December 2005 and early January 2006, a 60-foot long by 35-foot high area along the south bridge abutment was undermined and damaged. The existing slope around the south abutment was previously protected with a blanket of grouted small rock. High flows undermined the slope and blocks of the armoring broke off and slid down the streambank. The armoring is currently undermined and there are large cracks in the remaining grout blanket.
3. The purpose of the project is to repair and restore the abutment armoring and adjacent streambank areas. The area of undermined armoring below the ordinary high water elevation will be replaced by filling the void with 2-ton to 4-ton rock riprap. The large rock will be placed into the undermined areas slowly in order to allow fish

California Environmental Protection Agency

Recycled Paper

to relocate. NOAA Fisheries concurred that this method is less likely to impact fish because replacing the armoring with the same material would require electroshocking, dewatering the low flow area, and pouring grout in the channel. The new riprap armoring will not extend into the stream channel beyond the previous limits of the eroded grout armoring. The remaining damaged area above the ordinary high water elevation will be repaired by placing a 1.5-foot thick layer of lighted grouted rock (quarter-ton to half-ton) over a layer of woven geotextile fabric.

4. When possible, project activities will be conducted with equipment working from the road and bridge. Grout will be pumped from the bridge. Silt fence, straw wattles and/or sandbags will be used to form a barrier along the base of the slope during removal of the old grout and pouring the new grout. Placing the large rocks below the ordinary high water elevation in a slow and controlled manner will require access for heavy equipment to reach the south bank. Access will be created by grading a road from the east side of East Fork Road to the south bank. Two 3-inch diameter fir trees, one 8-inch diameter madrone tree, two vine maple clusters, and several clusters of small willows will be removed to create the access road. The access road will be seeded with native grasses and mulched after the project is complete.
5. Compensatory mitigation is not required for the project. Noncompensatory mitigation for this project includes the use of Best Management Practices for sediment and erosion control, and the operation of heavy equipment near a waterway. An oil-absorbent boom will be placed in the stream below the work area and spill containment and cleanup supplies will be onsite during the project. The proposed project will be conducted during the late summer when flows are low.
6. The Applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 3, pursuant to Clean Water Act, section 404. The Applicant has also applied for a Lake or Streambed Alteration Agreement from the California Department of Fish and Game.
7. The Regional Water Board, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project qualifies for a Categorical Exemption, section 15301 – existing facilities, pursuant to CEQA.
8. 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: North Fork Trinity River in the Helena Hydrologic Subarea No. 106.15

Filled or Excavated Area: Area Temporarily Impacted: None
Area Permanently Impacted: 360 square feet of previously armored streambank

Total Linear Impacts: Length Temporarily Impacted: None

Length Permanently Impacted: 60 linear feet of previously armored streambank

Dredge Volume: None

Latitude/Longitude: 40.78411 N/123.13036 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the North Fork Trinity River Bridge Abutment Repair Project (WDID No.1A08107WNTR), 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 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. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.

8. 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.
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 August 28, 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 Kuhlman
Executive Officer

082808_DLP_trinityco_northfrktrinitybrdgabut_401cert.doc

Original to: Ms. Janice Smith, Trinity County Department of Transportation,
P.O. Box 2490, Weaverville, CA 96093

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