



**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

September 26, 2008

In the Matter of  
**Water Quality Certification**

for the

**CALIFORNIA DEPARTMENT OF TRANSPORTATION – DISTRICT 2  
Interstate 5 – Shasta River Bridge Deck Rehab  
WDID No. 1A08098WNSI**

APPLICANT:	California Department of Transportation – District 2
RECEIVING WATER:	Shasta River
HYDROLOGIC AREA:	Klamath River Hydrologic Unit No.105.00, Shasta Valley Hydrologic Area No. 105.50.
COUNTY:	Siskiyou County
FILE NAME:	CDOT – Siskiyou I-5 Shasta River Bridge Deck Rehab

**BY THE EXECUTIVE OFFICER:**

1. On June 12, 2008, the California Department of Transportation (Caltrans) filed an application and fee of \$850.24 for water quality 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 the Interstate 5 Shasta River Bridge Deck Rehab project (project). Additional information was received on July 30, 2008. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on August 13, 2008, and posted information describing the project on the Regional Water Board’s website. No comments were received.
2. The project is located on Interstate-5 at post mile (PM) 22.6, in Siskiyou County. The purpose of the proposed project is to repair and upgrade the northbound and southbound bridges to accommodate truck load weights and withstand potential earthquakes. Caltrans proposes repairing and retrofitting the northbound bridge and replacing the deck of the southbound bridge, which span the Shasta River, a tributary to the Klamath River. The proposed project will include girder strengthening on each of the bridges, placing a concrete overlay on the new southbound bridge deck, replacing the metal beam guard rails, improving bridge approach rails and new joint seals, and providing permanent post construction storm water treatment within the project area.
3. The proposed project will result in temporary impacts to a waterway that is within the U.S. Army Corps of Engineers (USACE) jurisdiction. The scope of work will require the installation of a water diversion that will temporarily impact approximately 7,000 square feet of the Shasta River. In addition, access to the

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river will require the excavation of the stream bank, resulting in an additional 375 square feet of temporary impacts associated with the project. Additionally, approximately 0.79 acres of upland area will be disturbed during the project activities. The total area of soil disturbance within the project is 1.6 acres. However, the scope of work for the project does not propose any permanent impacts to waters of the U.S. or waters of the State. Caltrans will utilize Best Management Practices (BMPs) to provide erosion control and pollution prevention throughout the project area. As an additional BMP, the proposed in channel work will only be conducted during the summer when flows are low.

4. Caltrans proposes revegetation activities by planting approximately 563 square feet of willow stakes to off-set the temporary impacts to riparian vegetation from construction access. All graded areas within the project affected by the construction activities will be appropriately stabilized and/or replanted with native vegetation. In addition, construction and post construction BMPs will be implemented to ensure erosion is minimized and controlled.
5. Non-compensatory mitigation measures have been incorporated into the project to reduce potential impacts to water quality, including erosion and sediment control BMPs to reduce the potential for turbid discharges to surface waters. All BMPs and control measures shall be implemented as described in the project description and in compliance with the Caltrans Construction Site Best Management Practices Manual (CCSBMPM).
6. The project would not result in a net increase of impervious area. However, due to the Total Maximum Daily Load (TMDL) implementation plan for the Shasta River, Caltrans has evaluated post-construction treatment controls to address storm water runoff in the vicinity of the project area. Road safety concerns and physical constraints prevented the treatment of storm water generated from the bridge deck. However, Caltrans has determined the landscape adjacent to the roadway north of the bridges will meet the criteria for biostrips and bioswales and will preserve and maintain approximately two acres for storm water treatment. In addition, post- construction BMPs, including the sweeping of traction sands, will be implemented during the winter months to prevent direct discharges to the Shasta River.
7. The majority of proposed project activity is scheduled to begin in the summer of 2009. Construction work within the channel will only be conducted between June 1<sup>st</sup> to October 15<sup>th</sup> and only during dry weather. In addition, to accommodate a deer migration path beneath the bridges, no work will be conducted underneath the bridges from April 1<sup>st</sup> to May 31<sup>st</sup> and October 1<sup>st</sup> to November 30<sup>th</sup>. The entire project is expected to take eight months to complete and is anticipated to be conducted between April 1<sup>st</sup>, 2009 and November 30<sup>th</sup>, 2009; however, a second construction season may be required.
8. Caltrans has applied for authorization from the United States Army Corps of Engineers (USACE) to perform the project under their Nationwide Permits No. 14 (linear transportation projects) and No. 33 (Temporary Construction, Access and Dewatering) pursuant to Clean Water Act, section 404. Caltrans has determined that this project is categorically exempt from California Environmental Quality Act

(CEQA) review [Class 1 Categorical Exemption (SCH No.2006128235)]. In addition, Regional Water Board staff also determined that this project is categorically exempt from CEQA review (Class 1 Categorical Exemption) and anticipate filing a Notice of Exemption. Caltrans has also applied to California Department of Fish and Game for a Lake or Streambed Alteration Agreement.

Receiving Water: Klamath River Hydrologic Unit No.105.00,  
Shasta Valley Hydrologic Sub-Area No. 105.50.

Filled or Excavated Area: Temporary impacts: 7,145 square feet – Shasta River  
375 square feet – Riparian Vegetation

Latitude/Longitude: 41.4373 N/122.4307 W

Expiration: September 25, 2013

ACCORDINGLY, BASED ON ITS INDEPENDENT REVIEW OF THE RECORD, THE REGIONAL WATER BOARD CERTIFIES THAT THE CALTRANS – INTERSTATE 5 - SHASTA RIVER BRIDGE REHAB PROJECT WDID NO. 1A08098WNSI, 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 CALTRANS 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. The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under title 23, California Code of Regulations, section 3833, unless otherwise stated in writing by the certifying agency.
4. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed revegetation being completed in strict compliance with the Applicant's project description, and b) compliance with all applicable requirements of the Basin Plan.
5. Caltrans shall construct the project in accordance with the project described in the application and the findings above, and shall comply with all applicable water quality standards.

6. Any change in the implementation of the project that would have a significant or material effect on the findings, conclusions, or conditions of this Order must be submitted to the Executive Officer of the Regional Water Board for prior review and written approval.
7. Caltrans shall provide Regional Water Board staff access to the project site to document compliance with this order.
8. Caltrans shall provide a copy of this order and attachments to the contractor and all subcontractors conducting the work, and require that copies remain in their possession at the work site. Caltrans shall be responsible for work conducted by its contractor or subcontractors.
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. 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 or be placed where it may be washed by rainfall into waters of the State.
11. When operations are complete, any excess material or debris shall be removed from the work area and disposed of properly and in accordance with the Special Provisions for the project and/or Standard Specification 7-1.13, Disposal of Material Outside the Highway Right of Way. Caltrans shall submit to the Regional Water Board the satisfactory evidence provided to the Caltrans engineer by the Contractor referenced in Standard Specification 7-1.13.
12. Work in flowing or standing surface waters, unless otherwise proposed in the project description and approved by the Regional Water Board, is prohibited. If construction dewatering is found to be necessary, the Applicant shall use a method of water disposal other than disposal to surface waters (such as land disposal) or the Applicant shall apply for coverage under the General Construction Dewatering Permit and receive notification of coverage to discharge to surface waters, prior to the discharge.
13. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the United States and the State. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to any waters of the State or the United States. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality.
14. BMPs for erosion, sediment and turbidity 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 or sediment discharges to surface water. The BMPs shall be implemented in accordance with the CCSBMPM and all contractors and subcontractors shall comply with the CCSBMPM.

15. All conditions required by this Order shall be included in the Plans and Specifications prepared by Caltrans for the Contractor. In addition, Caltrans shall require compliance with all conditions included in this Order in the bid contract for this project.
16. The Resident Engineer shall hold on-site water quality permit compliance meetings (similar to tailgate safety meetings) to discuss permit compliance, including instructions on how to avoid violations and procedures for reporting violations. The meetings shall be held at least every other week, and particularly before forecasted storm events and when a new contractor or subcontractor arrives to begin work at the site. The contractors, subcontractors and their employees, as well as any inspectors or biological monitors assigned to the project, shall be present at the meetings. Caltrans shall maintain dated sign-in sheets for attendees at these meetings, and shall make them available to the Regional Water Board on request.
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 July 30, 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. Subsequent to the completion of the project, monitoring reports shall be submitted for the following three to five years (pending successful establishment) and are due to the Regional Water Board on July 1, annually.
18. Permanent storm water treatment shall be provided through biostrips and bioswales which will be preserved and maintained in accordance with the supplemental information provided on July 30, 2008.
19. Only clean washed gravel with a cleanliness value of at least 85, using the Caltrans Test No. 227, will be placed in the river. Visual observations of the Shasta River shall be conducted whenever a project activity has the potential to increase the turbidity and/or pH of the Shasta River. In order to demonstrate compliance with receiving water limitations, field turbidity and/or pH measurements shall be collected whenever a project activity causes turbidity and/or a potential increase of pH in the Shasta River above background concentrations.
20. Whenever turbidity and/or pH in the Shasta River may be increased above background as a result of project activities, turbidity and/or pH measurements shall be conducted upstream (within 50 feet) of project activities (background) and downstream (within 100 feet) of the source. The frequency of turbidity and/or pH monitoring shall be a minimum of every hour during periods of increased turbidity and/or pH and shall continue until measurements demonstrate compliance with receiving water limitations and turbidity and/or pH levels are no longer increasing as a result of project activities. If turbidity levels are greater than 20 percent above

background or pH levels are beyond the water quality objective (7.0 – 8.5) 100 feet downstream of the source(s), all necessary steps shall be taken to install, repair, and/or modify BMPs to control the source(s) of sediment and/or increased pH. In addition, the overall distance from the source(s) of turbidity and/or pH to the downstream extent of the increased turbidity or pH (20 percent above background / 7.0 - 8.5) shall be measured.

21. Turbidity and/or pH monitoring results shall be reported to appropriate Regional Water Board staff person by telephone within 1 hour of taking any turbidity measurement higher than 20 percent above background or pH measurements outside of 7.0 – 8.5 at a point 100 feet or more downstream of the source(s). Pictures of the Shasta River upstream, downstream and within the working and/or disturbed area shall be taken and submitted to the appropriate Regional Water Board staff via e-mail within 24 hours of the incident.
22. All field monitoring equipment shall be appropriately calibrated prior to each day of use. In addition, calibration logs for all field monitoring equipment shall be maintained and be available to the Regional Water Board on request.
23. The applicant 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.
24. In the event of any violation or threatened violation of the conditions of this Order, 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 for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order. In response to a suspected violation of any condition of this certification, the State Water Board may require the holder of any federal permit or license subject to this Order to furnish, under penalty of perjury, any technical or monitoring reports the State 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 Order, the Regional Water Board may add to or modify the conditions of this Order as appropriate to ensure compliance.
25. 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 or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
26. This Order is not transferable. 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. The successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of this Order to discharge dredged or fill material under this Order. The request must contain the following:

- a. requesting entity's full legal name
  - b. the state of incorporation, if a corporation
  - c. address and phone number of contact person
  - d. description of any changes to the project or confirmation that the successor-in-interest intends to implement the project as described in this Order.
27. The authorization of this certification for any dredge and fill activities expires on September 25, 2013. Conditions and monitoring requirements outlined in this Order are not subject to the expiration date outlined above, and remain in full effect and are enforceable.
28. Please contact Jeremiah Puget of our staff at (707) 576-2835 or [jpuget@waterboards.ca.gov](mailto:jpuget@waterboards.ca.gov) if you have any questions.

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Catherine Kuhlman  
Executive Officer

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Web link: 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 can be found at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0017.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0017.pdf)

Original sent to: Mr. Edward Espinoza, California Department of Transportation, P.O. Box 496073, Redding, CA 96049-6073

Copies sent to: Mr. Bill Orme, SWRCB, Acting 401 Program Manager, Clean Water Act Section 401 Certification and Wetlands Unit Program

Ms. Samantha Olson and Ms. Kim Niemeyer, SWRCB, Office of the Chief Counsel

Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 1455 Market Street, San Francisco, CA 94103-1398

Mr. Miguel Villicana, California Department of Transportation, P.O. Box 496073, Redding, CA 96049-6073

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