California Regional Water Quality Control Board
North Coast Region
Geoffrey M. Hales, Chairman

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Linda S. Adams
Acting Secretary for Environmental Protection

Edmund G. Brown Jr.
Governor

June 13, 2011

In the Matter of

Water Quality Certification

for the

TRINITY COUNTY DOT – HALLS GULCH BRIDGE REPLACEMENT PROJECT
WDID No. 1A10126WNTR

APPLICANT:	Trinity County Department of Transportation
RECEIVING WATER:	Halls Gulch and East Fork Trinity River
HYDROLOGIC AREA:	Upper Trinity River Hydrologic Area No. 106.40
COUNTY:	Trinity
FILE NAME:	Trinity County DOT

BY THE EXECUTIVE OFFICER:

1. On May 12, 2011, 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 associated with removal and replacement of the bridge on East Fork Road over Halls Gulch. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on May 12, 2011, 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 construction of a new bridge over Halls Gulch slightly downstream of the existing bridge and realignment of East Fork Road onto the new bridge. The existing bridge is a 54-foot long and 14-foot wide, single-lane, single-span, railroad car frame with a reinforced concrete deck. The existing bridge was determined by Caltrans to be functionally obsolete and structurally deficient. The

proposed new bridge will consist of an 80-foot long and 24-foot wide, 2-lane, single-span, cast-in-place, post-tensioned concrete slab structure. The new bridge will rest on cast-in-place concrete abutments on spread footings. There will be no piers in the Halls Gulch channel.

3. A temporary traffic detour will be constructed across Halls Gulch slightly downstream of the new bridge. The temporary traffic detour will consist of culverts and clean washed gravel backfill placed in the Halls Gulch channel. After the traffic detour is in place the existing bridge will be removed. The old bridge abutments and footings will be excavated and excess earthen materials will likely be used for roadway embankment. The old bridge materials, concrete, and rebar will be disposed of at an appropriate offsite disposal facility. Construction of the new bridge will commence following removal of the existing bridge.

4. The project is anticipated to require installation of a flow diversion pipe within a 150-foot long reach of Halls Gulch through the project area. Culverts will be placed within Halls Gulch from the upstream end of the existing bridge to the confluence with the East Fork Trinity River. Clean gravels and plastic sheeting would be used to divert flows into the diversion culverts. The temporary detour crossing will be placed within the same dewatered area. The Halls Gulch diversion and temporary detour crossing will result in 150 linear feet and 3,473 square feet of temporary impacts to Halls Gulch stream channel. The proposed Halls Gulch diversion and temporary detour crossing will also result in temporary impacts to 1,265 square feet of riparian wetland.

5. East Fork Trinity River meanders within a braided channel above and below the confluence with Halls Gulch. The low-flow river channel is directly adjacent to the existing rock slope protection (RSP) embankment along East Fork Road. Authorized activities include installation of temporary diversion dams in East Fork Trinity River to dewater the low-flow channel and allow for installation of additional RSP along East Fork Road. RSP would result in permanent impacts to 300 linear feet of the East Fork Trinity River low-flow channel and streambank upstream of Halls Gulch. The purpose of the RSP is to protect the existing and realigned section of roadway from scour. A 10-foot wide flat apron of RSP would be placed within the low-flow channel at the base of the existing RSP and additional RSP would be placed to create a one-to-one RSP slope extending from the apron to the shoulder of East Fork Road. Voids in the large RSP will be filled with soil and planted with willow cuttings and cottonwood seedlings. The additional RSP in East Fork Trinity River will result in permanent impacts to 300 linear feet and 2,350 square feet of East Fork Trinity River streambank and 342 square feet of riparian wetland. RSP is also proposed along the embankments of the new bridge. RSP placed in the new bridge area will occur in areas currently occupied by the existing

bridge abutments and will also result in permanent impacts to 265 square feet of riparian wetlands along the Halls Gulch streambank.

6. In order to install the RSP in East Fork Trinity River, flows in the low-flow river channel will be diverted away from the road. A 380-foot long and approximately 8-foot wide temporary diversion channel will be excavated through the streambed approximately 60 to 140 feet west of the existing low flow channel to divert summer flows away from the roadway. Sediment and rock excavated from the diversion channel will be side-cast within a 29-foot wide corridor that includes the excavated diversion channel. The side-cast material will be used to fill the temporary channel prior to completion of the project. A temporary diversion dam will be placed across the existing low-flow channel at the upstream end of the RSP area to divert flows into the excavated diversion channel. The temporary diversion dam will consist of K-rail supported with native rock and plastic sheeting. Once the proposed RSP area is dewatered, a temporary dam may be installed across the main river channel at the downstream end of the diversion channel to prevent backwater from encroaching into the dewatered area. Activities associated with diversion and dewatering of East Fork Trinity River will result in 380 linear feet and 19,605 square feet of temporary impacts to the East Fork Trinity River streambed.

7. The applicant has obtained authorization (2008-00463) from the U.S. Army Corps of Engineers to perform the project under Nationwide Permit No. 14 pursuant to Clean Water Act, section 404. The applicant has also applied for a Lake or Streambed Alteration Agreement (1600-2010-0404-R1) from the California Department of Fish and Game.

8. On February 17, 2010, Trinity County approved a Mitigated Negative Declaration (SCH No. 2009122068) 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. The Applicant is required to implement a Riparian Wetland Mitigation and Monitoring Plan to provide mitigation for impacts to existing riparian wetlands and riparian vegetation.

9. The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. This Order is consistent with applicable federal and state

antidegradation policies, as it does not authorize the discharge of increased concentrations of pollutants or increased volumes of treated wastewater, and does not otherwise authorize degradation of the waters affected by this project.

10. 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 Waters:	Halls Gulch and East Fork Trinity River in the Upper Trinity River Hydrologic Area No. 106.40
Filled or Excavated Area:	Area Temporarily Impacted: 3,473 square feet of Halls Gulch stream channel, 19,605 square feet of East Fork Trinity River streambed, and 1,265 square feet of riparian wetland Area Permanently Impacted: 2,350 square feet of East Fork Trinity River streambank and 607 square feet of riparian wetland
Total Linear Impacts:	Length Temporarily Impacted: 150 linear feet of Halls Gulch stream channel and 380 linear feet of East Fork Trinity River streambed Length Permanently Impacted: 300 linear feet of East Fork Trinity River streambank
Dredge Volume:	None
Latitude/Longitude:	41.0149 N/122.6105 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Trinity County DOT – Halls Gulch Bridge Replacement Project (WDID No.1A10126WNTR), 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:

All conditions of this order apply to the Applicant (and all their employees) and all contractors (and their employees), sub-contractors (and their employees), and any other entity or agency that performs activities or work on the project as related to this Water Quality Certification.

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 this certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 3833, and owed by the Applicant.

4. The Regional Water Board staff 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. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.

6. 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. 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 action(s).

7. The Applicant shall provide a copy of this Order and State Water Resources Control Board (SWRCB) Order No. 2003-0017-DWQ to any contractor(s), subcontractor(s), and utility company(ies) conducting work on the project, and shall require that copies remain in their possession at the work site. The Applicant shall be responsible for ensuring that all work conducted by its contractor(s), subcontractor(s), and utility companies is performed in accordance with the information provided by the Applicant to the Regional Water Board.

8. The Applicant 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 as detailed in the Basin Plan.

9. 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 waters. All BMPs shall be installed properly and in accordance with the manufacturer's specifications.

10. The Applicant shall prioritize the use of wildlife-friendly biodegradable (not photo-degradable) erosion control products wherever feasible. The Applicant shall not use or allow the use of erosion control products that contain synthetic materials within waters of the United States or waters of the State at any time. The Applicant shall not use or allow the use of erosion control products that contain synthetic netting for permanent erosion control (i.e. erosion control materials to be left in place for two years or after the completion date of the project). If the Applicant finds that erosion control netting or products have entrapped or harmed wildlife, personnel shall remove the netting or product and replace it with wildlife-friendly biodegradable products. The Applicant shall request approval from the Regional Water Board if an exception from this requirement is needed for a specific location.

11. Disturbance or removal of existing vegetation shall not exceed the minimum necessary to complete the project.

12. The Applicant shall implement the Revised Riparian Wetland Mitigation and Monitoring Plan (Revised April 2011) and Mitigation Measures for Biological Resources, Geology and Soils, and Hydrology/Water Quality as described in the Initial Study/Mitigated Negative Declaration (SCH No. 2009122068). All annual monitoring reports and the final monitoring report shall be provided to the Regional Water Board.

13. This Water Quality Certification does not authorize the Applicant to draft surface waters.

14. If construction dewatering of groundwater 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 Order No. R1-2009-0045, Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region or individual National Pollutant Discharge Elimination System Permit and shall receive notification of coverage to discharge to surface waters prior to initiating any groundwater dewatering discharge to surface waters.

15. 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.

16. Fueling, lubrication, maintenance, storage, and staging of vehicles and equipment shall not result in a discharge or threatened discharge to any waters of the State including dry portions of the streambank and streambed. At no time shall the Applicant or its contractors allow use of any vehicle or equipment, which leaks any substance that may impact water quality. Fueling, lubrication, maintenance, storage, and staging of vehicles and equipment shall be at least 150 linear feet from waters of the State and the U.S. with the exception of cranes and stationary equipment which shall only be refueled using a certified refueling company when not located at least 150 linear feet away from waters of the United States. Proper certification and documentation of fueling (field logs) shall be provided to the Regional Water Board upon request.

17. The Applicant and their contractor(s) are not authorized to discharge wastewater (e.g., water that has contacted uncured concrete, cement, asphalt, curing compounds, etc.) to surface waters, ground waters, or land. Wastewater may only be disposed of to a sanitary waste water collection system/facility (with authorization from the facility's owner or operator) or a properly-licensed disposal or reuse facility. If the Applicant or their contractor(s) propose an alternate disposal method, the Applicant or their contractor(s) shall apply for a permit from the Regional Water Board. Any plans to reuse or recycle wastewater require prior written approval from Regional Water Board staff.

18. 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 including stopping work. 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.

19. Spill kits are required at each fueling location and at each location that where power equipment will be working within waters of the State. In the event of an unauthorized release of fuel (spill or leak) to waters of the State, the Applicant shall immediately stop work and conduct the following measures:

    a) notify the appropriate agencies including the Regional Water Board, CDFG, and the Office of Emergency Services (OES) at 1(800) 852-7550;
    b) utilize the appropriate spill kits for containment and clean up of the release;

c) collect samples within the immediate area of release, 50 feet downstream, and downstream to the full extent of the release if the release reaches surface waters; and,
d) analyze required surface water samples for all appropriate constituents including but not limited to total petroleum hydrocarbons as diesel (TPH-D), total petroleum hydrocarbons as gasoline (TPH-G), and benzene, toluene, ethlybenzene, total xylenes (BTEX).

20. Any potentially hazardous waste(s) (solids, liquids, or slurries) derived or encountered during this project shall undergo the appropriate characterization to demonstrate compliance will all applicable waste disposal laws and regulations.

21. Surface water monitoring shall be conducted whenever a project activity may alter naturally occurring background conditions in order to demonstrate compliance with applicable water quality standards. The Applicant shall establish effluent (discharge), 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 100 feet downstream from the discharge location. Any time that naturally occurring background conditions are altered by a project activity, field measurements shall be taken from each monitoring location at least four times daily. Field measurements shall be taken for pH (pH units), temperature (^{o}F), dissolved oxygen (mg/L), and turbidity (NTU) at a minimum. In addition, visual observations shall be made and reported including the appearance of the discharge and the receiving water such as color, turbidity, solids deposition, floating or suspended matter or debris, appearance of the receiving water at the point of discharge, erosion and scouring, unusual aquatic growth, and the presence or absence of aquatic life.

22. Whenever, as a result of project activities, downstream surface water measurements do not meet the following water quality objectives, the appropriate measurements shall be collected from all surface water monitoring locations every hour. Surface water monitoring shall continue until all surface water measurements taken no more than 100 feet downstream from the discharge location are meeting the following water quality objectives.

Parameter	Water Quality Objective
pH	shall not be depressed below 6.5 nor raised above 8.5, and no changes >0.5 pH units compared to naturally occurring background shall be made
temperature	naturally occurring background temperature shall not be altered and at no time or place shall the temperature of any

	surface waters be increased by more than 5^{o}F above naturally occurring background
dissolved oxygen	shall not be depressed below 7.0 milligrams per liter
turbidity	shall not be increased by more than 20% above naturally occurring background

If any surface water measurements do not meet these water quality objectives 100 feet downstream of a project related source(s), all necessary steps shall be taken to install, repair, and/or modify BMPs to control the source(s) including stopping work. In addition, the overall distance from the source(s) to the downstream extent of the exceedence shall be measured.

Surface water monitoring results shall be reported to appropriate Regional Water Board staff person by telephone within one hour of taking any measurements that do not meet the water quality objectives listed above. 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.

23. Rainy Day Reports: The Applicant 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 first rainfall event that generated runoff from the disturbed areas. Once the site has demonstrated appropriate and effective erosion and sediment control, the Applicant may request a reprieve from this condition from the Regional Water Board.

24. 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.

25. 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.

26. 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.

27. 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).

28. The authorization of this certification for any dredge and fill activities expires on June 13, 2016. 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.

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

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Catherine Kuhlman
Executive Officer

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Weblink: 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

Original sent to: Ms. Jan Smith, Trinity Co. DOT, P.O. Box 2490, Weaverville, CA 96093-2490

cc: Mr. Wirt Lanning, North State Resources, 5000 Bechelli Lane, Suite 203, Redding, CA 96002

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