
Central Valley Regional Water Quality Control Board

25 October 2017

James Eslabon
Sacramento County Department of Transportation
4111 Branch Center Road
Sacramento, CA 95827

CERTIFIED MAIL
91 7199 9991 7035 8362 7366

***CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION; SACRAMENTO COUNTY DEPARTMENT OF TRANSPORTATION,
IONE ROAD OVER BUCKEYE BRIDGE (24C-0250) REPLACEMENT PROJECT
(WDID#5A34CR00709), SACRAMENTO COUNTY***

This Order responds to the 16 June 2017 application submitted by California Department of Transportation (Applicant) for the Water Quality Certification of a 0.5-acre transportation (bridges, overpasses, and crossings) project permanently impacting 0.009 acre and temporarily impacting 0.072 acre/156 linear feet of waters of the United States.

This Order serves as certification of the United States Army Corps of Engineers' Nationwide Permit# 14 (SPK# 2003-00536) under § 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to § 13330 of the California Water Code and § 3867 of the California Code of Regulations.
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 § 3855(b) of the California Code of Regulations, 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 non-denial Certification action shall be conditioned upon total payment of the full fee required under § 3860(c) of the California Code of Regulations.
4. This Certification is no longer valid if the project (as described) is modified, or coverage under § 404 of the Clean Water Act has expired.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.
 - (a) For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (b) For a partnership or sole proprietorship: by a general partner or the proprietor.
 - (c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition number 5 shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

TECHNICAL CERTIFICATION CONDITIONS:

In addition to the above standard conditions, the Applicant shall satisfy the following:

1. The Applicant shall notify the Central Valley Water Board in writing seven (7) days in advance of the start of any work within waters of the United States. The notification shall include the name of the project and the WDID number, and shall be sent to the Central Valley Water Board Contact indicated in this Certification.
2. Except for activities permitted by the United States Army Corps of Engineers under § 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. The Applicant shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors)

performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.

4. The Applicant shall perform surface water sampling:
 - a) when performing any in-water work;
 - b) in the event that project activities result in any materials reaching surface waters; or
 - c) when any activities result in the creation of a visible plume in surface waters. The monitoring requirements in Table 1 shall be conducted upstream out of the influence of the project, and 300 feet downstream of the work area. The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff.

Table 1: Sample Type and Frequency Requirements

Parameter	Unit	Type of Sample	Minimum Sampling Frequency	Required Analytical Test Method
Turbidity	NTU	Grab ⁽¹⁾	Every 4 hours during in-water work	(2, 4)
Visible construction related pollutants ⁽³⁾	Observations	Visual Inspections	Continuous throughout the construction period	—
pH ⁽⁵⁾	Standard Units	Grab	Every 4 hours	

⁽¹⁾ Grab samples shall not be collected at the same time each day to get a complete representation of variations in the receiving water.

⁽²⁾ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff.

⁽³⁾ Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

⁽⁴⁾ A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite

⁽⁵⁾ Sampling to be conducted if uncured concrete comes into contact with surface water.

Surface water monitoring shall occur at mid-depth. A surface water monitoring report shall be submitted to the Central Valley Water Board Contact indicated in this Certification within two weeks of initiation of sampling and every two weeks thereafter. In reporting the monitoring data, the Applicant shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the project complies with Certification requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria below.

If no monitoring is conducted, the Applicant shall submit a written statement to the Central Valley Water Board Contact indicated in the Certification stating, "No monitoring was required."

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised April 2016 (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Turbidity and pH limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:
 - a) Activities shall not cause turbidity increases in surface water to exceed:
 - i) where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;
 - ii) where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - iii) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - iv) where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and
 - v) where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.
 - b) Activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.
6. The Applicant shall notify the Central Valley Water Board immediately if the above criteria for turbidity, pH, or other water quality objectives are exceeded.
7. In-water work shall occur during periods of no precipitation and when the work area has been dewatered.
8. Activities shall not cause visible oil, grease, or foam in the receiving water.
9. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Applicant must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.

10. The Applicant shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the project. The Plan must detail the project elements, construction equipment types and location, access and staging and construction sequence. The Plan must also address the potential of responding to a spill or prevention of spills occurring within the project site.
11. Raw cement, concrete (or washing thereof), asphalt, drilling fluids, lubricants, paints, coating material, oil, petroleum products, or any other substances which could be hazardous to fish and wildlife resulting from or disturbed by project-related activities, shall be prevented from contaminating the soil and/or entering waters of the United States.
12. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances to surface water and/or soil is prohibited. In the event of a prohibited discharge, the Applicant shall notify the Central Valley Water Board Contact within 24-hours of the discharge.
13. Concrete must be completely cured before coming into contact with waters of the United States. Surface water that contacts wet concrete must be pumped out and disposed of at an appropriate off-site commercial facility, which is authorized to accept concrete wastes.
14. A method of containment must be used below the bridge(s), boardwalk(s), or temporary crossing(s) to prevent debris from falling into the water body through the entire duration of the project.
15. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the United States through the entire duration of the project.
16. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the project area.
17. All areas disturbed by project activities shall be protected from washout or erosion.
18. All temporarily affected areas shall be restored to pre-construction contours and conditions upon completion of construction activities.
19. Hydroseeding shall be performed with California native seed mix.
20. All materials resulting from the project shall be removed from the site and disposed of properly.
21. If temporary surface water diversions and/or dewatering are anticipated, the Applicant shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The

Plan(s) shall include the proposed method and duration of diversion activities. The Surface Water Diversion and/or Dewatering Plan(s) must be consistent with this Certification.

22. When work in a flowing stream is unavoidable and any dam or other artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the State below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate Technical Certification Condition 5 of this Certification.
23. If any temporary dam or other artificial obstruction is constructed, the temporary dam or other artificial obstruction shall only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. Stream flow shall be temporarily diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
24. The Applicant shall submit a copy of the final, signed and dated Lake or Streambed Alteration Agreement issued by the California Department of Fish and Wildlife within 14 days of issuance to the Central Valley Water Board Contact indicated in this Certification.
25. The Applicant shall comply with all California Department of Fish and Wildlife requirements, including, but not limited to, those requirements described in the Lake or Streambed Alteration Agreement.
26. If Valley elderberry longhorn beetle are discovered within the Project area, the Applicant shall implement the United States Fish and Wildlife Conservation Guidelines for the Valley Elderberry Longhorn Beetle dated 9 July 1999.
27. The Conditions in this Certification are based on the information in the attached "Project Information Sheet." If the actual project, as described in the attached Project Information Sheet, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
28. The Applicant shall implement each of the mitigation measures specified in the approved Mitigated Negative Declaration for the project, as they pertain to biology, hydrology and water quality impacts as required by § 21081.6 of the Public Resource Code and § 15097 of the California Code of Regulations.
29. 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 state and federal law. The applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with this Certification.
 - (a) If the Applicant or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Certification, or falsifies

any information provided in the monitoring reports, the applicant is subject to civil liability, for each day of violation, and/or criminal liability.

- (b) In response to a suspected violation of any condition of this Certification, the Central Valley Water Board may require the Applicant to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- (c) The Applicant shall allow the staff(s) of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the project premises for inspection, including taking photographs and securing copies of project-related records, for the purpose of assuring compliance with this Certification and determining the ecological success of the project.

NOTIFICATIONS AND REPORTS:

- 30. The Applicant shall provide a Notice of Completion (NOC) no later than 30 days after the project completion. The NOC shall demonstrate that the project has been carried out in accordance with the project description in the Certification and in any approved amendments. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.
- 31. The Applicant shall submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleysacramento@waterboards.ca.gov. In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID number as shown in the subject line above. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

CENTRAL VALLEY WATER BOARD CONTACT:

Nicholas White, Water Resource Control Engineer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-8114
Nicholas.White@waterboards.ca.gov
(916) 464-4856

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The County of Sacramento is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Ione Road Over Buckeye Bridge (24C-0250) Replacement Project pursuant to § 21000 et seq. of the Public Resources Code. County of Sacramento approved the Mitigated Negative Declaration on 25 May 2016. The County of Sacramento filed a Notice of Determination with the State Clearinghouse on 2 June 2016 (State Clearinghouse Number 2016042038).

The Central Valley Water Board is a responsible agency for the project. The Central Valley Water Board has determined that the Mitigated Negative Declaration is in accordance with the requirements of the California Environmental Quality Act.

The Central Valley Water Board has reviewed and evaluated the impacts to water quality identified in the Mitigated Negative Declaration. The mitigation measures discussed in the Mitigated Negative Declaration to minimize project impacts are required by this Certification.

With regard to the remaining impacts identified in the Mitigated Negative Declaration, the corresponding mitigation measures proposed are within the responsibility and jurisdiction of other public agencies.

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the California Department of Transportation, Ione Road Over Buckeye Bridge (24C-0250) Replacement Project (WDID#5A34CR00709) will comply with the applicable provisions of § 301 ("Effluent Limitations"), § 302 ("Water Quality Related Effluent Limitations"), § 303 ("Water Quality Standards and Implementation Plans"), § 306 ("National Standards of Performance"), and § 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)".

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in compliance with the conditions of this Certification, the California Department of Transportation's application package, and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised April 2016.

Original Signed By Adam Laputz for:

Pamela C. Creedon
Executive Officer

Enclosure: Project Information Sheet

Attachment: Figure 1 – Project Location Map
Figure 2 – Project Impacts Map

cc: Distribution List, page 13

PROJECT INFORMATION SHEET

Application Date: 16 June 2017

Applicant: James Eslabon
Sacramento County Department of Transportation
4111 Branch Center Road
Sacramento, CA 95827

Applicant Representative: Thomas Nguyen
Sacramento County Department of Community Development,
Planning and Environmental Review Division
827 7th Street
Sacramento, CA 95814

Project Name: Ione Road Over Buckeye Bridge (24C-0250) Replacement Project

Application Number: WDID#5A34CR00709

Date on Public Notice: 16 June 2017

Date Application Deemed Complete: 19 July 2017

Type of Project: Transportation – Bridges, Overpasses, and Crossings

Approved Months of Project Implementation: 5 March through 1 October

Project Location: Section 25, Township 7 North, Range 8 East, MDB&M.
Latitude: 38°25'29.712"N and Longitude: 121°3'9.144"W

County: Sacramento

Receiving Water(s) (hydrologic unit): Laguna Creek tributary of the Cosumnes River,
Sacramento/San Joaquin Hydrologic Basin, Valley-American Hydrologic Unit #532.21, Lower
American HSA

Water Body Type: Streambed

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised April 2016 (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development

(SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

303(d) List of Water Quality Limited Segments: Laguna Creek is the receiving water for the lone Road Over Buckeye Bridge (24C-0250) Replacement Project. Laguna Creek is not listed on the 303(d) list. This project does not impact an already impaired water body. The most recent list of approved water quality limited segments is found at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml

Project Description: The lone Road Over Buckeye Bridge (24C-0250) Replacement Project (Project) is located at lone Road approximately 0.2 miles south of the intersection of lone Road and Meiss Road in unincorporated Sacramento County. The Project consists of replacing the existing, 28-foot wide and 62-foot long reinforced concrete slab, bridge on lone Road over Buckeye Creek. The replacement bridge will be single span precast, pre-stressed wide-flange girder, bridge on abutments with 12-inch piles. The new bridge will be a 40-foot wide and 80-foot long reinforced precast concrete structure providing two, 12-foot lanes with 6-foot paved shoulders and barrier rail on both sides. Project activities include 1) demolition of the existing bridge; 2) placement of rock slope protection (RSP) and fill on the southeast bank to repair and prevent further erosion; 3) roadway improvements; 4) new bridge construction including abutments and a retaining wall; and 5) installation of metal beam guardrail and bridge railings.

Low flows are expected in the stream channel during construction, as a result dewatering will occur within the Project area by diverting flows around the construction zone. The use of heavy equipment will be limited to dewatered and dry areas. Wet concrete will be placed into the stream channel habitat in dry conditions after the area has been completely dewatered. Permanent impacts to waters of the United States will be from placement of RSP and fill on the creek banks. The Project will permanently impact 0.009 acre and temporarily impact 0.072 acre/156 linear feet of waters of the United States.

Preliminary Water Quality Concerns: Construction activities may impact surface waters with increased turbidity or pH.

Proposed Mitigation to Address Concerns: The Applicant will implement Best Management Practices to control sedimentation and erosion. The Applicant will conduct turbidity and pH testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities

Excavation/Fill Area: Approximately 50 cubic yards of RSP will be placed into 0.009 acre of waters of the United States.

Dredge Volume: None

California Integrated Water Quality System Impact Data: The Project will permanently impact 0.009 acre of stream bed habitat and temporarily impact 0.072 acre/156 linear feet of stream bed habitat from fill/excavation activities.

Table 1: Impacts from Fill/Excavation Activities									
Aquatic Resource Type	Temporary Impact¹			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition		
	Acres	CY ²	LF ²	Acres	CY	LF	Acres	CY	LF
Stream Channel	0.072	-	156	0.009	50	-	-	-	-

United States Army Corps of Engineers File Number: SPK # 2013-00536

United States Army Corps of Engineers Permit Type: Nationwide Permit #14

California Department of Fish and Wildlife Lake or Streambed Alteration Agreement: The Applicant applied for a Lake or Streambed Alteration Agreement on 16 May 2017.

Possible Listed Species: Valley elderberry longhorn beetle.

Status of CEQA Compliance: The County of Sacramento approved a Mitigated Negative Declaration on 25 May 2016. The County of Sacramento filed a Notice of Determination with the State Clearinghouse on 2 June 2016 (State Clearinghouse Number 2016042038).

The Central Valley Water Board filed a Notice of Determination with the State Clearinghouse as a responsible agency within five (5) days of the date of this Certification.

Compensatory Mitigation: The Central Valley Water Board is not requesting compensatory mitigation for the Lone Road Over Buckeye Bridge (24C-0250) Replacement Project because permanent impacts (0.009 acre) are less than 0.1 acre.

Application Fee Provided: Total fees of \$720.00 were submitted to the Central Valley Water Board on 20 June 2017. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

² Cubic Yards (CY); Linear Feet (LF)

DISTRIBUTION LIST

(w/ enclosure):

Mary Pakenham-Walsh (SPK-2013-00536)
United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
1325 J Street, Suite 1350
Sacramento, CA 95814-2922

Bill Jennings
CA Sportfishing Protection Alliance
3536 Rainier Avenue
Stockton, CA 95204

Via email only (w/ enclosure):

California Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

Elizabeth Lee
Unit Supervisor
Central Valley Regional Water Quality Control Board, Sacramento
Elizabeth.Lee@waterboards.ca.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Joe Morgan (Electronic Copy Only)
United States Environmental Protection Agency
Morgan.Joseph@epa.gov

Thomas Nguyen (Electronic Copy Only)
Sacramento County Department of Community Development
nguyentho@saccounty.net

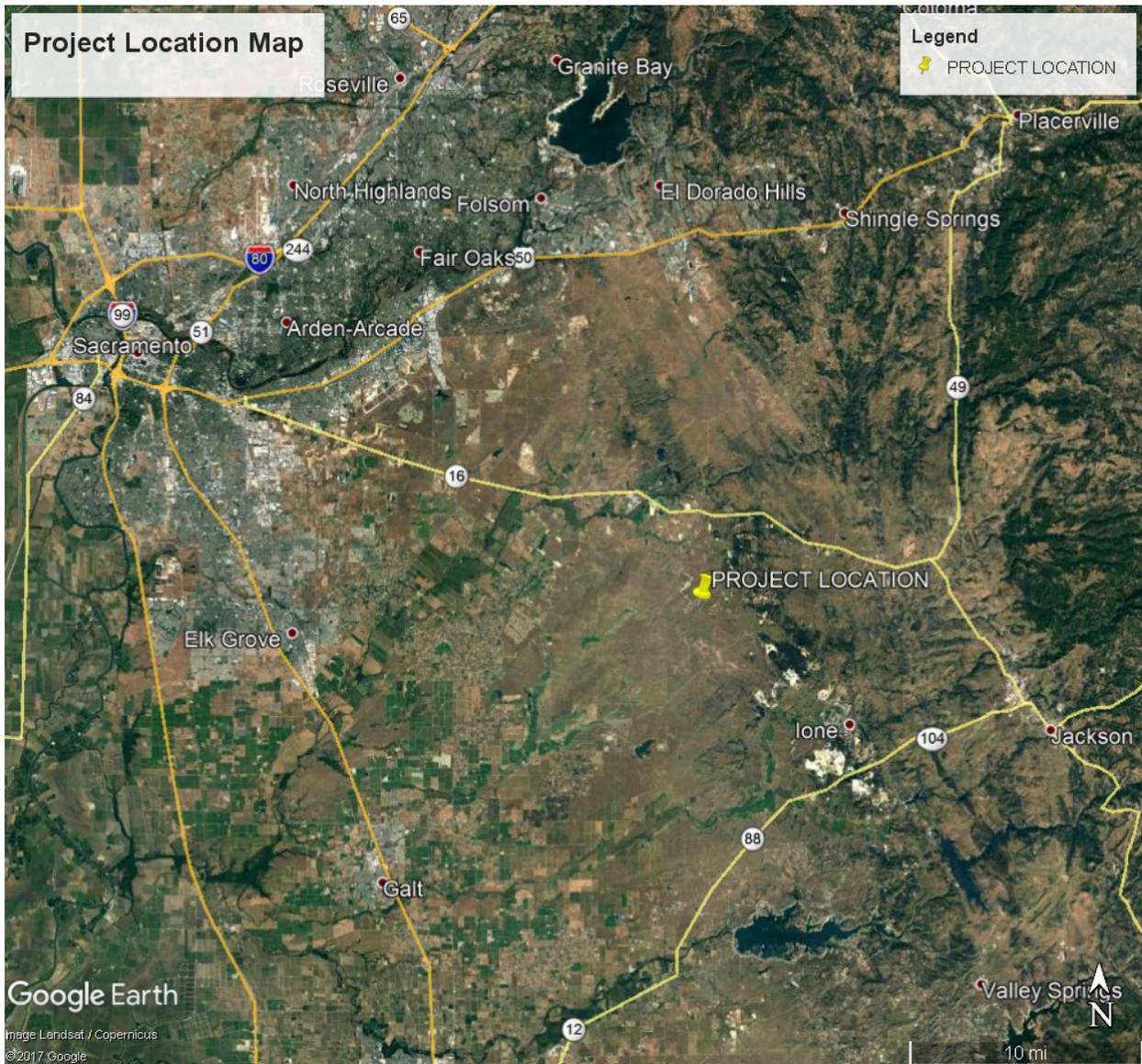


Figure 1 – Project Location Map

