



Central Valley Regional Water Quality Control Board

24 July 2017

Wendy Longley
Federal Highway Administration
Central Federal lands Highway Division
12300 West Dakota Avenue, Suite 380
Denver, CO 80228

CERTIFIED MAIL
91 7199 9991 7035 8418 2888

ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; FEDERAL HIGHWAY ADMINISTRATION, BUCHANAN ROAD IMPROVEMENT PROJECT (WDID#5B55CR00074A1), TUOLUMNE COUNTY

This Order responds to the 21 March 2017 request for an amendment of the Buchanan Road Improvement Project Section 401 Water Quality Certification (WDID#5B55CR00074). The original Water Quality Certification (Certification) was issued on 12 September 2012. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

The Federal Highway Administration reduced project impacts to waters of the United States and is requesting an amendment to the Certification to reflect the revised project. In addition, the Federal Highway Administration previously received a Federal Clean Water Act Section 404 Nationwide Permit (NWP) under the United States Army Corps of Engineers (USACE) 2012 Nationwide Permits authorizing impacts to waters of the United States. The 2012 Nationwide Permits expired on 18 March 2017. As part of the reissuance of the 2017 NWPs, the USACE reissued 50 existing NWPs and issued two (2) new NWPs. The NWPs are effective beginning 19 March 2017 and will expire on 18 March 2022.

Through this amendment, the Central Valley Water Board authorizes a one-time extension of the authorized time frame for the Certification for the Buchanan Road Improvement Project (WDID#5B55CR00074). The Certification will expire on 18 March 2022. A new Certification application and applicable fees may be required for any Project activities that will occur after the expiration date.

The amendment to the Certification is shown in underline/strikeout format in Attachment A.

APPLICATION FEE RECEIVED:

No fees are required for this amendment. Total fees of \$1,786.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by § 3833 (b)(3)(A) and by § 2200(a)(3) of the California Code of Regulations.

CENTRAL VALLEY WATER BOARD CONTACT:

Peter Minkel, Engineering Geologist
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WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Buchanan Road Improvement Project (WDID#5B55CR00074A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

Original Signed By Adam Laputz for:

Pamela C. Creedon
Executive Officer

Attachment A: Clean Water Act Section 401 Technically Conditioned Water Quality Certification;
Federal Highway Administration, Buchanan Road Improvement Project
(WDID#5B55CR00074), Tuolumne County

cc: Marc A. Fugler (Non-Reporting)
United States Army Corps of Engineers
Sacramento District Headquarters
1325 J Street, Room 1350
Sacramento, CA 95814-2922

Joe Morgan (Electronic Copy Only)
United States Environmental Protection Agency
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State Water Resources Control Board
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Bill Jennings
CA Sportfishing Protection Alliance
3536 Rainier Avenue
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Central Valley Regional Water Quality Control Board

ATTACHMENT A

12 September 2012

~~Allen Grasmick~~ Wendy Longley
Federal Highway Administration
Central Federal Lands Highway Division
12300 West Dakota Avenue, Suite 380
Lakewood, CO 80228

CERTIFIED MAIL
7011 2970 0003 8939 5345

***CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION; FEDERAL HIGHWAY ADMINISTRATION, BUCHANAN ROAD
IMPROVEMENT PROJECT (WDID#5B55CR00074), TUOLUMNE COUNTY***

This Order responds to your 5 June 2012 application submittal for the Water Quality Certification of a road improvement project permanently impacting ~~0.024 acre~~ 0.018 acre/212 linear feet and temporarily impacting ~~0.065 acre~~ 0.002 acre/14 linear feet of waters of the United States.

This Order serves as certification of the United States Army Corps of Engineers' Nationwide Permit# 3 and 14 (~~SPK# 2011-01188~~) (Non-Reporting) 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 § 3833 of the California Code of Regulations, unless otherwise stated in writing by the certifying agency.

4. ~~This Certification is valid for the duration of the described project. The Certification expires on 18 March 2022.~~ This Certification is no longer valid if the project (as currently described) is modified, or coverage under § 404 of the Clean Water Act has expired.
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 Federal Highway Administration shall satisfy the following:

1. The Federal Highway Administration shall notify the Central Valley Water Board in writing 7 days in advance of the start of any work within waters of the United States or State. 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 Federal Highway Administration 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 Federal Highway Administration shall perform surface water sampling: 1) when performing any in-water work; 2) in the event that project activities result in any materials reaching surface waters; or 3) 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:

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

⁽¹⁾ Grab sample 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, 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⁾ pH water quality monitoring is required due to the use of concrete and/or cement slurry within the project area.

Sampling during in-water work shall be conducted in accordance with Table 1 sampling parameters. The sampling requirements in Table 1 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

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 Federal Highway Administration 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.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised ~~October 2014~~ 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, settleable matter 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.

~~Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTUs over background turbidity.~~ In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior approval of ~~the Central Valley Water Board staff~~ permission of the Central Valley Water Board Executive Officer.

B. Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within 300 feet downstream of the project.

C. Activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.

6. The Federal Highway Administration shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter and pH are exceeded.
7. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the work area or 300 feet downstream of the work area. The Federal Highway Administration shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.
8. Activities shall not cause degradation of waters of the State.

9. The Federal Highway Administration shall comply with all United States Fish and Wildlife Service requirements and recommendations, including, but not limited to, those requirements and recommendations described in Biological Opinion (81240-2008-F-0009-2), provided to the Federal Highway Administration, dated 16 July 2008.
10. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the project area.
11. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
12. All areas disturbed by project activities shall be protected from washout or erosion.
13. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the project.
14. 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 or waters of the State.
15. Concrete must completely be cured before coming into contact with waters of the United States and/or waters of the State. 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.
16. A method of containment must be used below the existing and new bridge to prevent debris from falling into the water body.
17. 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, strict 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 Federal Highway Administration 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.
18. The Federal Highway Administration 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.

19. If unanticipated discharges to the waters of the State and/or waters of the United States and/or soil occur, The Federal Highway Administration shall notify the Central Valley Water Board Contact indicated in this Certification in writing within 5 calendar days of occurrence. Unanticipated discharges may include, but are not limited to, 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.
20. The Federal Highway Administration shall obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavation, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.
21. The Conditions in this Certification are based on the information in the attached "Project Information Sheet." If the information in the attached Project Information Sheet is modified or the project changes, this Certification is no longer valid until amended by the Central Valley Water Board.
22. The Federal Highway Administration 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 CEQA Guidelines, § 15097 of the California Code of Regulations.
23. 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 Federal Highway Administration 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 Federal Highway Administration 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 Federal Highway Administration 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.

24. The Federal Highway Administration 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's description in the Certification and in any amendments approved. 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.
25. If Valley elderberry longhorn beetle (VELB) are discovered within the Project area, the Federal Highway Administration will follow the United States Fish and Wildlife Conservation Guidelines for the Valley Elderberry Longhorn Beetle, dated 9 July 1999.
26. In-water work shall occur during periods of no precipitation and when the work area is naturally dry.

CENTRAL VALLEY WATER BOARD CONTACT:

~~Skyler Anderson, Environmental Scientist~~ Peter Minkel, Engineering Geologist
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Rancho Cordova, CA 95670-6114
sanderson@waterboards.ca.gov PeterG.Minkel@waterboards.ca.gov
~~(916) 464-4849~~ (916) 464-4684

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The County of Tuolumne is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Buchanan Road Improvement Project pursuant to § 21000 et seq. of the Public Resources Code. The Board of Supervisors for the County of Tuolumne approved the Mitigated Negative Declaration on 16 February 2010 (State Clearinghouse Number 2009102047).

The Central Valley Water Board is a responsible agency for the project. In making the determinations and findings, the Central Valley Water Board has determined that the Mitigated Negative Declaration is in accordance with the requirements of the California Environmental Quality Act and is valid pursuant § 21167.3(b) of the Public Resources Code. The Central Valley Water Board has reviewed and considered the environmental documents and all proposed mitigation measures.

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

Central Valley Water Board finds that these mitigation measures, along with the conditions of this Certification, are adequate to reduce water quality impacts to less than significant levels.

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 which can and should implement the proposed mitigation measures.

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the Federal Highway Administration, Buchanan Road Improvement Project (WDID#5B55CR00074) 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 Federal Highway Administration's project description, 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 ~~October 2014~~ April 2016.

Original signed by Frederich Moss for

Pamela C. Creedon
Executive Officer

Enclosure: Project Information

Attachment: Figure 1 – Project Location Map

cc: Distribution List, page 43 17

PROJECT INFORMATION SHEET

Application Date: 5 June 2012

Applicant: ~~Allen Grasmick~~ Wendy Longley
Federal Highway Administration
Central Federal Lands Highway Division
12300 West Dakota Avenue, Suite 380
Lakewood, CO 80228

Project Name: Buchanan Road Improvement Project (Project)

Application Number: WDID#5B55CR00074

Type of Project: Road improvement project

Timeframe of Project Implementation: 1 April 2013-through 31 August-2014

Project Location: Sections 33 and 34, Townships 1 and 2 North, Range 16 East, MDB&M.
The Project will begin at- Latitude: 37°58'53" N and Longitude: 120°13'58" W
The Project will finish at- Latitude: 37°59'29" N and Longitude: 120°12'20" W

County: Tuolumne County

Receiving Water(s) (hydrologic unit): Upper Tuolumne River, San Joaquin Hydrologic Basin, Tuolumne River Hydrologic Unit #536.31, Sonora HSA

Water Body Type: Wetland, Streambed, Riparian

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (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); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); 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: Upper Tuolumne River is the receiving water for the Project. The Upper Tuolumne River is not listed on the 303(d) list. The Project will not impact an already impaired water body. The most recent list of approved water quality limited segments can be found at:

http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

Project Description: The proposed Project is located in the Sierra Nevada foothills in Tuolumne County. The Federal Highway Administration is proposing to conduct road improvements to CA 191 (Buchanan Road) and CA 190 (Fish Hatchery Road). The Project consists of a minor realignment to 2.5 miles of Buchanan Road from Carter Street east to the Buchanan Mine Road (BMR) Bridge. Fish Hatchery Road will be resurfaced and rehabilitated east of the BMR Bridge for a distance of 1.9 miles.

Forty seven (47) culverts along Buchanan Road will be replaced, realigned, or installed. Only three of the 47 culverts will impact waters of the United States. The impacts to waters of the United States by the three culverts are summarized in Table 2:

Table 2:

<u>Culvert ID</u>	<u>Station</u>	<u>Impact Amount (acre/linear feet)</u>	<u>Description of Work</u>
<u>1</u>	<u>16+60</u>	<u>0.0002 acre/6 linear feet (permanent)</u>	<u>Replacement of existing culvert headwall with a pre-cast headwall.</u>
<u>2</u>	<u>59+66</u>	<u>0.008 acre/101 linear feet (permanent)</u>	<u>Replacement of culvert.</u>
<u>3</u>	<u>101+35</u>	<u>0.010 acre/105 linear feet (permanent)</u>	<u>Replacement of culvert.</u>

The proposed Project includes the replacement of the BMR Bridge, which crosses the North Fork Tuolumne River on Buchanan Road, and a new bridge adjacent to the existing bridge. The existing BMR Bridge is a 16-foot wide single lane structure that is composed of three spans and is 116-feet in length. The bridge was inspected in 2007 and rated functionally obsolete. The existing BMR Bridge will be replaced with a new two-lane, 170-foot long three-span structure just south of the existing bridge. Upon completion of the new bridge the old bridge will be removed. ~~The abutments of the old bridge located below the ordinary high water mark in the North Fork Tuolumne River will be removed.~~

The new bridge will span the river, and all new piers, abutments, and other bridge components will be above the ordinary high water mark. Installation of the new bridge will involve borings for the new piers, excavation for the abutments. The pier installation will temporarily impact 0.002 acre/14 linear feet of waters of the United States (riparian).

The Project is located on United States Forest Service Land. The Federal Highway Administration, Central Federal Lands Highway Division is a sub-contractor for the United States Forest Service for the subject Project.

No work is proposed for the road that continues south from the bridge. The Project will result in ~~0.024-acre~~ 0.018 acre/212 linear feet of permanent impacts and ~~0.065-acre~~ 0.002 acre/14 linear feet of temporary impacts to waters of the United States.

Preliminary Water Quality Concerns: Construction activities may impact surface waters with increased turbidity, settleable matter and pH.

Proposed Mitigation to Address Concerns: The Federal Highway Administration will implement Best Management Practices to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of

construction activities. The Federal Highway Administration will conduct turbidity, settleable matter and pH testing during in-water work, stopping work if exceedance of Basin Plan criteria are exceeded or are observed.

Fill Area: ~~Approximately 28 cubic yards of concrete and approximately 50 cubic yards of rock will be placed into 0.0186 acre of waters of the United States.~~ Approximately 1 cubic yard of culvert material and 206 cubic yards of fill material will be placed into 0.018 acre of waters of the United States

Excavation Volume: ~~Approximately 41 cubic yards of concrete and approximately 33 2.57 cubic yards of soil will be removed from 0.0057~~ 0.002 acre of waters of the United States.

California Integrated Water Quality System Impact Data: The Project will permanently impact 0.018 acre/212 linear feet of streambed habitat and temporarily impact 0.002 acre/14 linear feet of streambed habitat from fill and excavation activities.

Table 3: Impacts from Fill and Excavation Activities

<u>Aquatic Resource Type</u>	<u>Temporary</u>			<u>Permanent</u>					
				<u>Physical Loss of Area</u>			<u>Degradation of Ecological Condition Only</u>		
	<u>Acres</u>	<u>Cubic-yards</u>	<u>Linear-feet</u>	<u>Acres</u>	<u>Cubic-yards</u>	<u>Linear-feet</u>	<u>Acres</u>	<u>Cubic-yards</u>	<u>Linear-feet</u>
<u>Stream Channel</u>	-	-	-	<u>0.018</u>	-	<u>212</u>	-	-	-
<u>Riparian</u>	<u>0.002</u>	-	<u>14</u>	-	-	-	-	-	-

United States Army Corps of Engineers File Number: SPK# 2011-01188 Non-Reporting

United States Army Corps of Engineers Permit Type: Nationwide Permit# 3 and 14

California Department of Fish and Game Streambed Alteration Agreement: Not applicable
A federal agency is exempt from the requirement of Section 1602 of the Fish and Game Code.

Possible Listed Species: Valley elderberry longhorn beetle (VELB), Keeled Sideband snail, Tuolumne sideband snail, Foothill yellow-legged frog, Northwestern pond turtle, Southwestern pond turtle, Fawn Lily, Mariposa Clarkia, Western red bat, Pallid bat, Fisher, and Pacific Fisher.

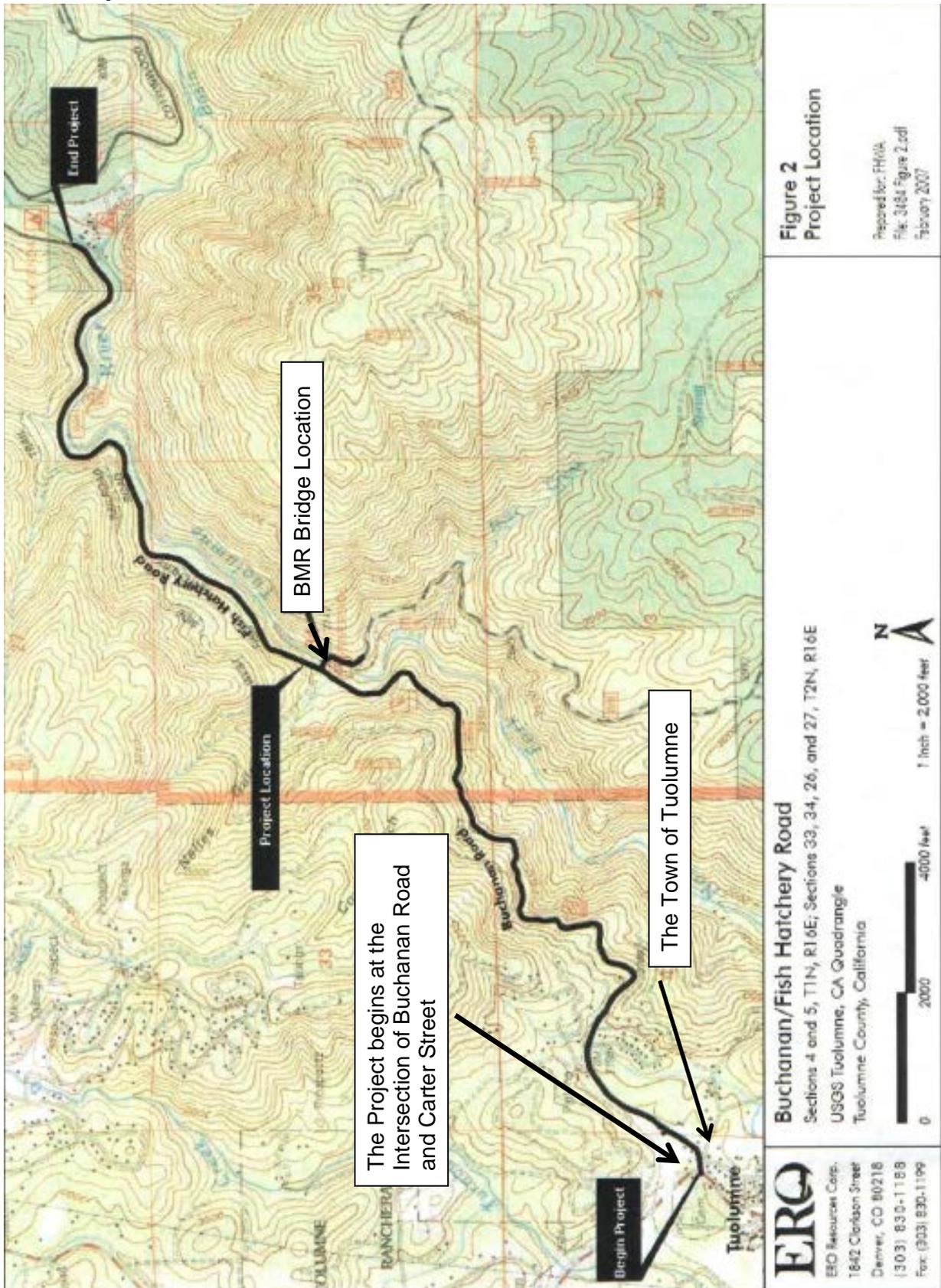
Status of CEQA Compliance: The County of Tuolumne approved the Mitigated Negative Declaration on 16 February 2010. The County of Tuolumne filed a Notice of Determination with the State Clearinghouse on 17 February 2010 (State Clearinghouse Number 2009102047).

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

Compensatory Mitigation: The Central Valley Water Board is not requesting compensatory mitigation for this Project.

Application Fee Provided: Total fees of \$1,786.00 have been submitted to the Central Valley Water Board as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.

Figure 1- Project Location



DISTRIBUTION LIST

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