

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

RESOLUTION R6T-2008-0029

**STATE ROUTE 89 AND ALDER DRIVE/PROSSER DAM ROAD ROUNDABOUT
PROJECT - EXEMPTION TO A WASTE DISCHARGE PROHIBITION CONTAINED IN
THE WATER QUALITY CONTROL PLAN FOR THE LAHONTAN REGION**

Nevada County

WHEREAS, the California Water Quality Control Board, Lahontan Region (Water Board) finds:

1. The Town of Truckee (Applicant) submitted information to the Water Board to complete a Report of Waste Discharge (ROWD) and an Application for Clean Water Act Section 401 Water Quality Certification (Water Quality Certification) for the State Route 89 and Alder Drive/Prosser Dam Road Roundabout Project (hereinafter referred to as the "Project"). The purpose of the Project is to construct a roundabout at the intersection of State Route 89 with Alder Drive and Prosser Dam Road.
2. The Project site is located one mile north of the intersection of the Interstate 80 and State Route 89 in the Town of Truckee. The total Project size is approximately 11 acres.
3. The Project involves constructing a single-lane roundabout and bicycle/pedestrian path on State Route 89 at the intersection of State Route 89 with Alder Drive to the west and Prosser Dam Road to the east. The Project will require widening of the three existing roadways to accommodate splitter islands. Most of the widening will be accomplished by adding fill to the existing roadway. The Project includes constructing three storm water treatment/detention basins, two on either side of Alder Drive and one in the northeast quadrant that will replace an existing basin. An existing 84-inch culvert conveying the intermittent drainage beneath Alder Drive will be replaced with two, longer 60-inch culverts to accommodate the widened road section.
4. The Water Board adopted the *Water Quality Control Plan for the Lahontan Region* (Basin Plan). In Chapter 4, the Basin Plan specifies the following discharge prohibition:
 - "4.(c) The discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic or earthen materials to lands within the 100-year floodplain of the Truckee River or any tributary to the Truckee River is prohibited."
5. The proposed Project would violate the above-cited prohibition as it involves discharge of fill material within the 100-year floodplain of a seasonal wetland

adjacent to an unnamed tributary to Prosser Creek, a tributary to the Truckee River. The Project will fill a total of 22,654 square feet (0.52 acre) of the unnamed ephemeral creek's 100-year floodplain area in the northwest quadrant of the intersection. The fill consists of 16,024 square feet of 100-year floodplain area along the Alder Drive shoulders west of the intersection and 6,630 square feet of 100-year floodplain area along the west side of State Route 89 north of the existing intersection. Approximately 22,700 cubic yards of fill will be needed to raise and widen the roads for the roundabout. The volume of water storage that will be impacted is 43,670 cubic feet. The Water Board may grant an exemption to the above-cited prohibition for projects meeting exemption criteria in the Basin Plan.

6. The Basin Plan allows exemptions to the above-cited discharge prohibition for projects that meet the following exemption criteria:

- *The Project purpose is included in one or more of the five categories listed in Section 4.1 of the Lahontan Basin Plan that read as follows: "(1) projects solely intended to reduce or mitigate existing sources of erosion or water pollution, or to restore the functional value to previously disturbed floodplain areas; (2) bridge abutment, approaches, or other essential transportation facilities identified in an approved county general plan; (3) projects necessary to protect public health or safety or to provide essential public services; (4) projects necessary for public recreation; and (5) projects that will provide outdoor public recreation within portions of the 100-year floodplain that have been substantially altered by grading and/or filling activities which occurred prior to June 26, 1975."*

The Project purpose satisfies the second criteria above, "*bridge abutment, approaches, or other essential transportation facilities identified in an approved county general plan.*" The Town of Truckee 2025 General Plan identified the Project as an essential transportation feature needed to convey traffic efficiently and safely through the intersection of State Route 89 and Alder Drive/Prosser Dam Road. (For purposes of the exemption, the Town of Truckee General Plan is equivalent to a County general plan.)

- *There is no reasonable alternative to locating the project or portions of the project within the 100-year floodplain.*

There is no reasonable alternative to locating the Project or portions of the Project within the floodplain because the existing road currently crosses the wetland and associated stream whose 100-year floodplain will be affected. The existing intersection is located directly east of the affected drainage, which crosses under Alder Drive and then turns east to cross under State Route 89. It is not reasonable to move the road. Both Alder Drive and State Route 89 need to be widened to accommodate the roundabout and bike path. The Applicant investigated two alternatives, a bridge alternative and a retaining wall alternative, in an attempt to avoid or reduce fills within the 100-year floodplain. Both alternatives were cost prohibitive and fill material would still need to be placed in

the 100-year floodplain. Therefore, there is no reasonable alternative to locating portions of the Project within the 100-year floodplain.

- *The project, by its very nature, must be located within the 100-year floodplain. (The determination of whether or not a project, by its very nature, must be located within the 100-year floodplain shall not apply to projects in category 5, Section 4.1 of the Lahontan Basin Plan, and shall be based on the type of project proposed, not the particular site proposed.)*

The Project involves reconstruction of the existing intersection that is located adjacent to the affected drainage and associated 100-year floodplain. Therefore, the Project must also be located adjacent to the drainage and the 100-year floodplain.

- *The project incorporates measures that will ensure any erosion and surface runoff problems caused by the project are mitigated to levels of insignificance.*

The Project incorporates best management practices (BMPs) to ensure that erosion and surface runoff problems caused by the Project will be mitigated to levels of insignificance. The Project includes construction of curbs and gutters with drainage inlets to capture and drain storm water and snow-melt from the roadway and direct it into sediment basins for treatment. Three sedimentation basins, one on each side of Alder Drive and one in the intersection's northeast quadrant, will be installed totaling 12,144 cubic feet of capacity. The sediment basins will have sufficient capacity to capture and treat the runoff from the roundabout and allow traction sand to settle out prior to discharge into the adjacent water courses. The recently constructed or otherwise bare slopes will be revegetated with a native seed mix for erosion control. Temporary BMPs will be put in place to help mitigate erosion until the permanent erosion control is established. The Project BMPs and sediment basins will ensure erosion and surface runoff problems are mitigated to levels of insignificance.

- *The project will not individually or cumulatively with other projects, directly or indirectly, degrade water quality or impair beneficial uses of water.*

The Project will improve the hydrologic regime by replacing the existing culvert under Alder Drive, which is situated at a slight angle to the natural path of the water course, with two new culverts at the appropriate angle to match the existing flow path. In addition, the Applicant will implement measures, as outlined above, to minimize erosion and surface runoff. By implementing mitigation at the Stockrest Spring site (discussed in more detail below), this Project will not degrade water quality or impair beneficial uses of water.

- *The project will not reduce the flood flow attenuation capacity, the surface flow treatment capacity, or the ground water flow treatment capacity from existing conditions. All 100-year floodplain areas and volumes lost as a result of the*

project must be completely mitigated by restoration of previously-disturbed floodplain within or as close as practical to the project site. The restored, new, or enlarged floodplain shall be sufficient area and volume to more than compensate for the flood flow attenuation capacity, surface flow treatment capacity, and ground water flow treatment capacity which are lost as a result of the project.

Overall impervious surface will increase by 58% from 1.82 acres to 2.87 acres. The floodplain impacted in the Project area as described in Finding No. 5 above is a result of flow in the ephemeral stream backing up at the entrance to the culvert under State Route 89. Mitigation for permanent impacts to 0.52 acre of floodplain, of which 0.28 acre is wetlands, at the Project site is proposed at the Stockrest Springs mitigation site, located east of the intersection of I-80 and State Route 267 in the eastern part of the Town of Truckee. This mitigation site consists of a low-lying seasonal meadow area and adjacent upland habitat. A shallow swale has become incised along most of the length of the meadow and has resulted in conversion of wetlands area to uplands. The swale ultimately confluences with the intermittent tributary that will be impacted by the Project. In addition to mitigating for wetland impacts, the restoration of Stockrest Spring will also increase flood attenuation capacity at the mitigation site. The flood flow attenuation capacity will be maintained by restoring 0.51 acre of seasonal wetlands, which will have a capacity of approximately 44,432 cubic feet. The Applicant provided a conceptual restoration and enhancement plan for the wetland mitigation site at Stockrest Spring on June 24, 2008. The southern portion of the 40-acre site is owned by the U.S. Forest Service and northern portion is owned by the Tahoe Mountain Club and controlled by East West Partners. The U.S. Forest Service (USFS), which is drafting a collective agreement between the Town of Truckee, East West Partners and the USFS, will implement and maintain the restoration plan and mitigation site. Implementation is expected to occur in the fall of 2008 following completion of CEQA review and regulatory permitting, including additional review by the Water Board.

The Stockrest Spring site would not otherwise have funding for restoration and offers a previously-disturbed floodplain that is as close as practical to the Project site. The Project, when considered with the mitigation, will not reduce the flood flow attenuation capacity, surface flow treatment capacity, or the ground water flow treatment capacity from existing conditions.


7. California Environmental Quality Act (CEQA) Compliance – The Applicant adopted a Mitigated Negative Declaration (State Clearinghouse No. 2007122075) on February 21, 2008, and filed a Notice of Determination on March 7, 2008 for the Alder Drive/State Route 89 North/Prosser Dam Road Roundabout Project, pursuant to the California Environmental Quality Act, (CEQA Public Resources Code 21000, et seq.).
8. The Water Board has notified the Applicant and interested agencies and persons of its intent to adopt this Resolution.

9. The Water Board, in a public meeting, heard and considered all comments and determined that the Project satisfies the exemption criteria stated above.

THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to Finding No. 6, above, the criteria established for exemption to the Basin Plan prohibition stated in Finding No. 4 is satisfied for the Project.
2. The Water Board hereby grants an exemption to the Basin Plan prohibition stated in Finding No. 4 for the State Route 89 and Alder Drive/Prosser Dam Road Roundabout Project.
3. Prior to initiating any construction activity or land disturbance within the 100-year floodplain, the Applicant must obtain a Clean Water Act Section 401 Water Quality Certification Order from the Water Board. This Order will require submittal of a final mitigation and restoration plan for the Stockrest Spring mitigation site.
4. The Water Board has previously delegated to the Executive Officer authority to approve exemptions to discharge prohibitions for purposes of restoration, including additional exemptions as may be needed for restoration at Stockrest Springs.

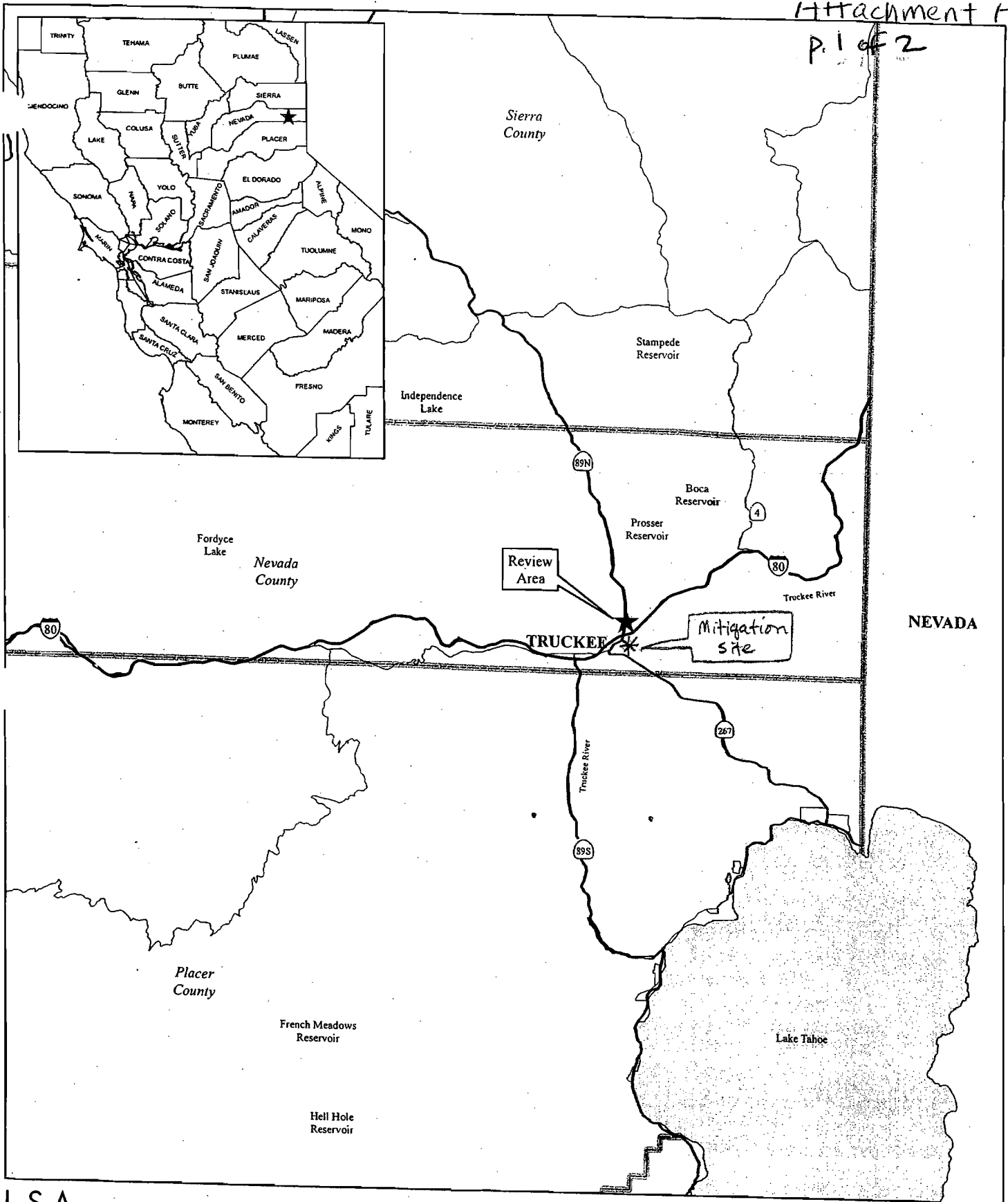
I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on **July 23, 2008**.



HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments: A. Project Vicinity Maps
B. Project Site Map
C. Project Mitigation Site Map

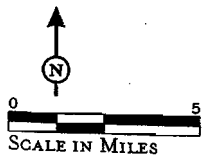
ATTACHMENT A



NEVADA

FIGURE 1

LSA



SR-89N/Alder Drive-Prosser Dam Road Roundabout

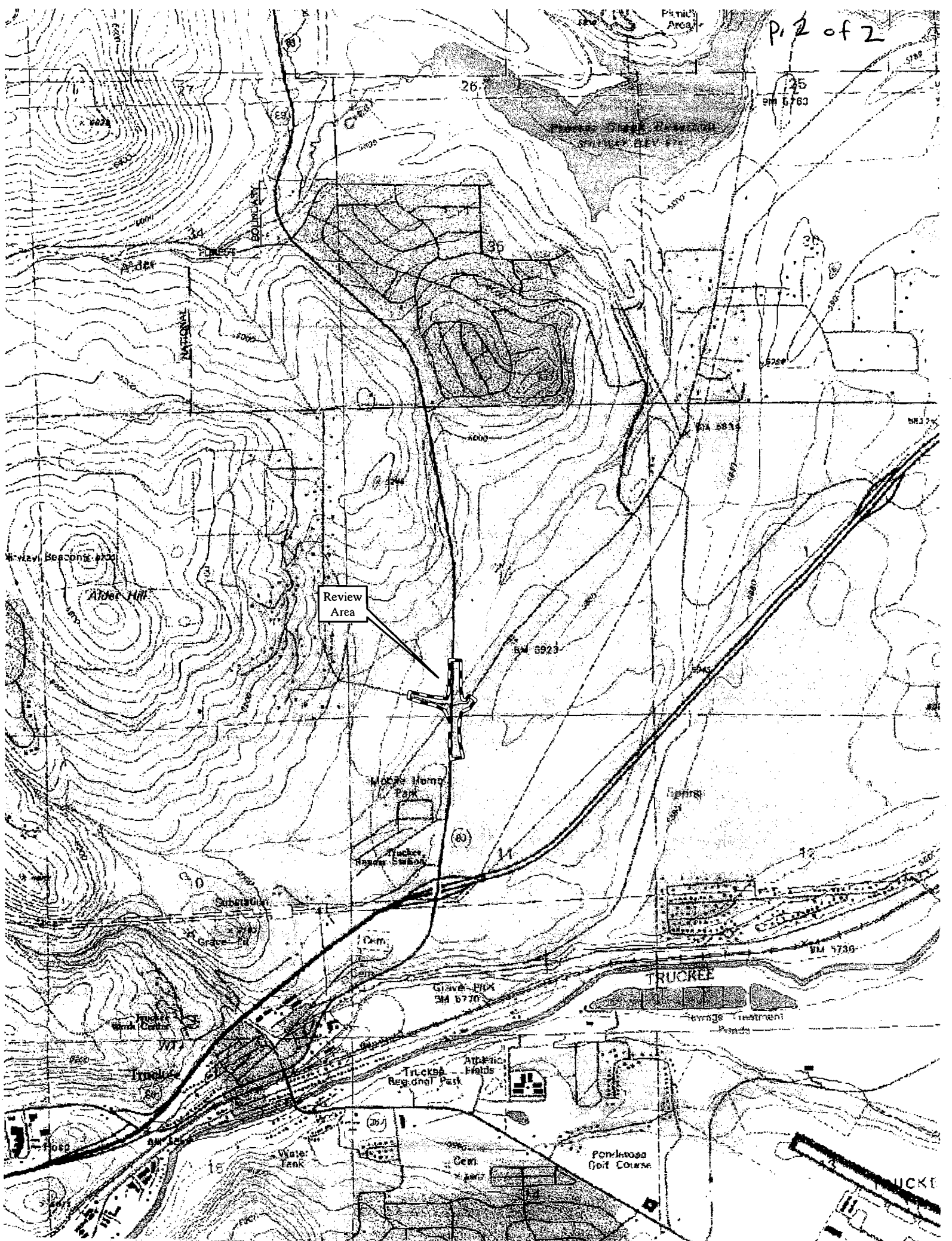
03-NeV-89N-PM 0.82/1.4

Corps File No. SPK-2007-01621

Location Map

SOURCE: U.S. CENSUS BUREAU TIGER 2K (2002)

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ATTACHMENT B

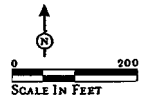


FIGURE 5

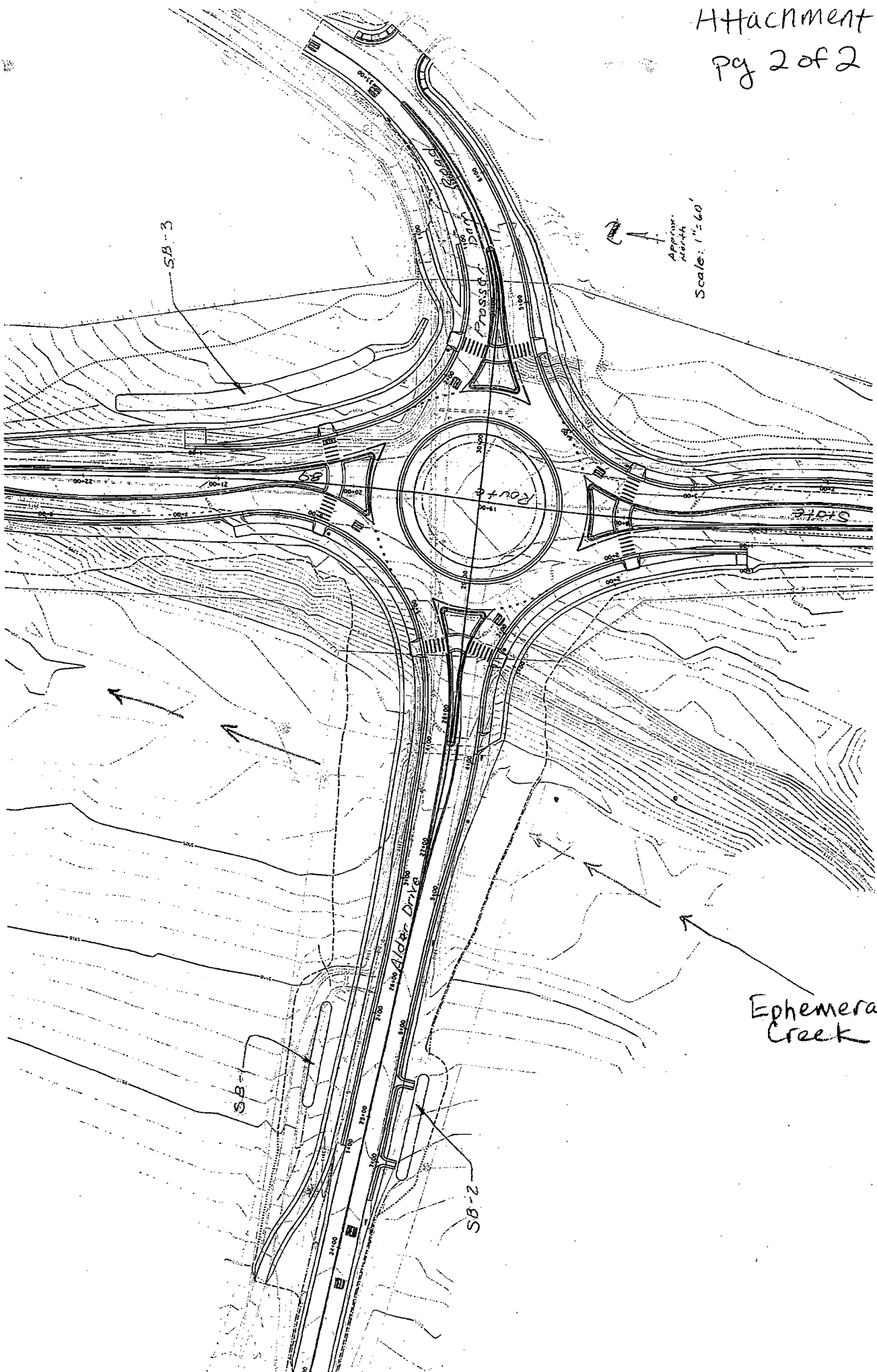
LSA

Legend

-  Review Area
-  Data Point
-  Waters of the U.S. (0.73 acre)
-  Potential Wetlands (0.73 acre)



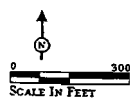
SR-89N/Alder Drive-Prosser Dam Road Roundabout
03-Neu-89N-PM 0.82/1.4
Corps File No. SPK-2007-01621
Preliminary Delineation of Waters of the U.S.



ATTACHMENT C



LSA



Legend

- Project Limits (40.5 ac)
- Approximate Limits of Wet Meadow (10 ac)
- Potential Wetland Enhancement/Restoration Area (0.5 ac)
- Property Line
- Stockrest Spring
- Reclaim Road
- Restore/Fill Incised Channel
- Sand Removal

FIGURE 2

SOURCE: BASE PHOTO - NAIP (9/2/05)
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SR-89N/Alder Drive-Prosser Dam Road Roundabout
 03-Neo-89N-PM 0.82/1.4
 Corps File No. SPK-2007-01621
 Stockrest Spring Mitigation Site Features