



# Enforcement News

## **North Coast Regional Water Board and Caltrans Reach \$2 Million Settlement for Discharges to Haehl Creek in Willits**

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**SANTA ROSA** – The North Coast Regional Water Quality Control Board has reached a \$2 million settlement agreement with the California Department of Transportation regarding alleged water quality violations of stormwater permits associated with construction of the Highway 101 Willits Bypass project.

The settlement resolves allegations that work on the Caltrans project, and inadequate pollution prevention measures, resulted in the discharge of approximately 3.4 million gallons of sediment-laden stormwater to Haehl Creek. The creek is a tributary of Baechtel Creek, Outlet Creek, and the South Fork Eel River.

“Project planning and erosion protection must take the highest priority in any construction project when large amounts of dirt are being disturbed next to creeks in the rainy season,” said Matt St. John, Regional Water Board Executive Officer. “We believe that Caltrans has made positive efforts to improve the water quality associated with its construction projects since the Willits Bypass discharges and we look forward to continuing to work cooperatively with Caltrans on construction-related water quality concerns.”

As a condition of the agreement, Caltrans will pay \$1,954,999.00 to the State Water Resources Control Board’s Cleanup and Abatement account, and will apply \$45,000 towards a Supplemental Environmental Project. Supplemental Environmental Projects, or SEPs, allow a portion of a penalty to be applied to an environmentally beneficial project or purpose. The Caltrans SEP, to be conducted by San Francisco Estuary Institute, will consist of posting 35 Clean Water Act Section 401-certified Caltrans projects and maps in the North Coast on [EcoAtlas](#), a database of aquatic resources.

The issue began in February 2013 when Caltrans began constructing the 6-mile long Willits Bypass to provide an uninterrupted route for Highway 101 around the City of Willits. The Willits Bypass connects to the City of Willits through both a northern and southern interchange. Construction of the southern interchange began in 2013 and required vegetation removal and grading across hilly terrain, as well as construction of six bridges, including four crossings over Haehl Creek.

Between February 2013 and April 2014, water quality monitoring data and reports from Caltrans engineers indicated that approximately 3.4 million gallons of sediment-laden stormwater from the construction site entered Haehl Creek and significantly elevated the creek’s turbidity levels.





North Coast Regional Water Quality Control Board staff also documented inadequate erosion and sediment controls at the southern interchange before the winter rains in 2013, in violation of the Clean Water Act and California Water Code.

The Clean Water Act and California Water Code require erosion and sediment controls of construction sites to protect nearby waterways. Abnormally high levels of sediment in stormwater runoff can smother aquatic animals and habitats; alter or obstruct flows resulting in flooding; and reduce water clarity, which makes it difficult for organisms to breathe, find food and refuge, and reproduce.

For more information about the North Coast Regional Water Quality Control Board's enforcement efforts, visit: [http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/enforcement/)

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