

INFORMATION HANDOUT

For Contract No. 01-0B3404

Men-101-45/50.8

IN MENDOCINO COUNTY IN AND NEAR WILLITS AT VARIOUS LOCATIONS

Identified by

Project ID 0112000118

PERMITS

UNITED STATES ARMY CORPS OF ENGINEERS PERMIT

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, NORTH COAST REGION

WDID NO. 1B14130WNHU, ECM PIN CW-811655

STATE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, STREAMBED ALTERATION AGREEMENT,
MARCH 13, 2015

NOTIFICATION NO. 1600-2010-0369-R1

For Contract No. 01-0B3404

Men-101-45/50.8

IN MENDOCINO COUNTY IN AND NEAR WILLITS AT VARIOUS LOCATIONS

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Project ID 0112000118

UNITED STATES ARMY CORPS OF ENGINEERS PERMIT

San Francisco District Regional Conditions

A. General Regional Conditions that apply to all NWP in the Sacramento, San Francisco, and Los Angeles Districts:

1. When pre-construction notification (PCN) is required, the permittee shall notify the U.S. Army Corps of Engineers, San Francisco District (Corps) in accordance with General Condition 31 using either the South Pacific Division Preconstruction Notification (PCN) Checklist or a signed application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions. In addition, the PCN shall include:
 - a. A written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States;
 - b. Drawings, including plan and cross-section views, clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the site. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high water mark or, if tidal waters, the mean high water mark and high tide line, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation. All drawings for activities located within the boundaries of the Los Angeles District shall comply with the September 15, 2010 Special Public Notice: *Map and Drawing Standards for the Los Angeles District Regulatory Division*, (available on the Los Angeles District Regulatory Division website at: www.spl.usace.army.mil/regulatory/); and
 - c. Numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the site, and all waters of the U.S. proposed to be avoided on and immediately adjacent to the activities site. The compass angle and position of each photograph shall be identified on the plan-view drawing(s) required in subpart b of this Regional Condition.
2. The permittee shall submit a PCN, in accordance with General Condition 31, For all activities located in areas designated as Essential Fish Habitat (EFH) by the Pacific Fishery Management Council (i.e., all tidally influenced areas - Federal Register dated March 12, 2007, 72 C.F.R. 11,092, in which case the PCN shall include an EFH assessment and extent of proposed impacts to EFH. Examples of EFH habitat assessments can be found at: <http://www.swr.noaa.gov/efh.htm>.
3. For activities in which the Corps designates another Federal agency as the lead for compliance with Section 7 of the Endangered Species Act (ESA) of 1973 as amended, 16 U.S.C. §§ 1531-1544, Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (EFH), 16 U.S.C. § 1855(b)(4)(B) and/or Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, 16 U.S.C. §§ 470-470h, the lead Federal agency shall provide all relevant documentation to the appropriate Corps demonstrating any previous consultation efforts, as it pertains to the Corps Regulatory permit area (for Section 7 and EFH compliance) and the Corps Regulatory area of potential effect (APE) (for Section 106 compliance). For activities requiring a PCN, this information shall be submitted with the PCN. If the Corps does not designate another Federal agency as the lead for ESA, EFH and/or NHPA, the Corps will initiate consultation for compliance, as appropriate.

4. For all activities in waters of the U.S. that are suitable habitat for Federally-listed fish species, the permittee shall design all road crossings to ensure that the passage and/or spawning of fish is not hindered. In these areas, the permittee shall employ bridge designs that span the stream or river, including pier- or pile-supported spans, or designs that use a bottomless arch culvert with a natural stream bed unless determined to be impracticable by the Corps.
5. The permittee shall complete the construction of any compensatory mitigation required by special condition(s) of the NWP verification before or concurrent with commencement of construction of the authorized activity, except when specifically determined to be impracticable by the Corps. When mitigation involves use of a mitigation bank or in-lieu fee program, the permittee shall submit proof of payment to the Corps prior to commencement of construction of the authorized activity.
6. Any requests to waive the 300 linear foot limitation for intermittent and ephemeral streams for NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51 and 52, or to waive the 500 linear foot limitation along the bank for NWP 13, must include the following:
 - a. A narrative description of the stream. This should include known information on: volume and duration of flow; the approximate length, width, and depth of the waterbody and characteristics observed associated with an Ordinary High Water Mark (e.g. bed and bank, wrack line or scour marks); a description of the adjacent vegetation community and a statement regarding the wetland status of the adjacent areas (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information;
 - b. An analysis of the proposed impacts to the waterbody, in accordance with General Condition 31;
 - c. Measures taken to avoid and minimize losses to waters of the U.S., including other methods of constructing the proposed activity(s); and
 - d. A compensatory mitigation plan describing how the unavoidable losses are proposed to be offset, in accordance with 33 CFR 332.

B. General Regional Conditions that apply to all NWPs in the San Francisco District:

1. Notification to the Corps (in accordance with General Condition No. 31) is required for any activity permitted by NWP if it will take place in waters or wetlands of the U.S. that are within the **San Francisco Bay diked baylands** (see figure 1) (undeveloped areas currently behind levees that are within the historic margin of the Bay. Diked historic baylands are those areas on the Nichols and Wright map below the 5-foot contour line, National Geodetic Vertical Datum (NGVD) (see Nichols, D.R., and N. A. Wright. 1971. Preliminary map of historic margins of marshland, San Francisco Bay, California. U.S. Geological Survey Open File Map)). The notification shall explain how avoidance and minimization of losses of waters or wetlands are taken into consideration to the maximum extent practicable (see General Condition 23).
2. Notification to the Corps (in accordance with General Condition No. 31) is required for any activity permitted by NWP if it will take place in waters or wetlands of the U.S. that are within the **Santa Rosa Plain** (see figure 2). The notification will explain how avoidance and minimization of losses of waters or wetlands are taken into consideration to the maximum extent practicable in accordance with General Condition No. 23.
3. Notification to the Corps (in accordance with General Condition No. 31), including a compensatory mitigation plan, habitat assessment, and extent of proposed-project impacts

to Eelgrass Beds are required for any activity permitted by NWP if it will take place within or adjacent to **Eelgrass Beds**.

C. Regional Conditions that apply to specific NWPs in the San Francisco District:

3. MAINTENANCE:

1. To the extent practicable, excavation equipment shall work from an upland site (e.g., from the top of the bank, the road bed of the bridge, or culverted road crossing) to minimize adding fill into waters of the U.S. If it is not practicable to work from an upland site, or if working from the upland site would cause more environmental damage than working in the stream channel, the excavation equipment can be located within the stream channel but it must minimize disturbance to the channel (other than the removal of accumulated sediments or debris). As part of the notification to the Corps (in accordance with General Condition No. 31), an explanation as to the need to place excavation equipment in waters of the U.S. is required, as well as a statement of any additional necessary fill (e.g., cofferdams, access road, fill below the OHW mark for a staging area, etc.).
2. If the activity is proposed in a special aquatic site, the notification to the Corps (in accordance with General Condition No. 31) shall include an explanation of why the special aquatic site cannot be avoided, and the measures to be taken to minimize impacts to the special aquatic site.

11. TEMPORARY RECREATIONAL STRUCTURES:

1. Notification to the Corps (in accordance with General Condition No. 31) is required if any temporary structures are proposed in wetlands or vegetated shallow water areas (e.g. in eelgrass beds). The notification shall include the type of habitat and areal extent affected by the structures.

12. UTILITY LINE ACTIVITIES:

1. Excess material removed from a trench, associated with utility line construction, shall be disposed of at an upland site away from any wetlands or other waters of the U.S. so as to prevent this material from being washed into aquatic areas.
2. This NWP permit does not authorize the construction of substation facilities. Utility line substations can usually be constructed in uplands.

13. BANK STABILIZATION:

1. Notification to the Corps (in accordance with General Condition No. 31) is required for all activities stabilizing greater than 300 linear feet of channel. Where the removal of wetland vegetation (including riparian wetland trees, shrubs and other plants) or submerged, rooted, aquatic plants over a cumulative area greater than 1/10 acre or 300 linear feet is proposed, the Corps shall be notified (in accordance with General Condition No. 31). The notification shall include the type of vegetation and extent (e.g., areal dimension or number of trees) of the proposed removal. The notification shall also address the effect of the bank stabilization on the stability of the opposite side of the streambank (if it is not part of the stabilization activity), and on adjacent property upstream and downstream of the activity.
2. This permit allows excavating a toe trench in waters of the U.S., and, if necessary, to use the material for backfill behind the stabilizing structure. Excess material is to be disposed of in a manner that will have only minimal impacts to the aquatic environment. The notification to the Corps (in accordance with General Condition No. 31) shall include location of the disposal site.
3. For man-made banks, roads, or levees damaged by storms or high flows, the one cubic yard per running foot limit is counted only for that additional fill which encroaches (extends) beyond the pre-flood or pre-storm shoreline condition of the waterway. It is not counted for

the fill that would be placed to reconstruct the original dimensions of the eroded, man-made shoreline.

4. For natural berms and banks, the one cubic yard per running foot limit applies to any added armoring.
5. To the maximum extent practicable, any new or additional bank stabilization must incorporate structures or modifications beneficial to fish and wildlife (e.g., soil bioengineering or biotechnical design, root wads, large woody debris, etc.). Where these structures or modifications are not used, the applicant shall demonstrate why they were not considered practicable.

14. LINEAR TRANSPORTATION PROJECTS:

1. Notification to the Corps (in accordance with General Condition No. 31) is required for all projects filling greater than 300 linear feet of channel. For projects involving greater than 300 linear feet of bank stabilization, the project proponent shall address the effect of the bank stabilization on the stability of the opposite side of the streambank (if it is not part of the stabilization activity), and on adjacent property upstream and downstream of the activity.
2. This permit does not authorize construction of new airport runways and taxiways.
3. If this NWP has been used to authorize previous project segments within the same linear transportation project, justification must be provided demonstrating that the cumulative impacts of the proposed and previously authorized project segments do not result in more than minimal impacts to the aquatic system.
4. To the maximum extent practicable, any new or additional bank stabilization required for the crossing must incorporate structures or modifications beneficial to fish and wildlife (e.g., soil bioengineering or biotechnical design, root wads, large woody debris, etc.). Where these structures or modifications are not used, the applicant shall demonstrate why they were not considered practicable. Bottomless and embedded culverts are encouraged over traditional culvert stream crossings.

23. APPROVED CATEGORICAL EXCLUSIONS:

1. Use of this NWP requires notification to the Corps (in accordance with General Condition No. 31). The notification shall include the following:
 - a. A copy of the Federal Categorical Exclusion (Cat/Ex) document signed by the appropriate federal agency. If the Cat/Ex is signed by a state or local agency representative instead of by a federal agency representative, then copies of all documentation authorizing alternative agency signature shall be provided.
 - b. Written description of Corps authority (e.g., Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act.);
 - c. a list of conditions described in the Cat/Ex and/or attachments outlining measures that must be taken prior to, during, or after project construction to minimize impacts to the aquatic environment;
 - d. a copy of the jurisdictional delineation performed by qualified specialists showing the project limits and the location (delineated boundaries) of Corps jurisdiction within the overall project limits;
 - e. map(s) showing the locations of potentially permanent and temporary project impacts to areas within Corps jurisdiction;

- f. a clear and concise description of all project impacts including, but not necessarily limited to:
 - 1. quantification and description of permanent project impacts to areas within Corps jurisdiction,
 - 2. quantification and description of temporary impacts to areas within Corps jurisdiction, and
 - 3. linear extent of Corps jurisdiction affected by the project;
 - g. a general description of activities covered by the Cat/Ex that do not require Corps authorization but are connected or related to the activities in Corps jurisdiction;
 - h. a complete description of any proposed mitigation and/or restoration including, but not necessarily limited to, locations of any proposed planting, short- and long-term maintenance, proposed monitoring, success criteria and contingency plans;
 - i. written justification of how the project complies with the Nationwide Permit Program including less than minimal impact to the aquatic environment and compliance with the General Conditions.
 - j. For Federal Highway Administration (FHWA) Cat/Ex projects, the notification should describe how activities described in the Cat/Ex meet the description of the Cat/Ex project published in the August 28, 1987 Federal Register part 771.117 (a)(b)(c) and (d) (Volume 52, No. 167) or any updated version published in the Federal Register.
2. Only activities specifically described in the Cat/Ex project description will be covered by the NWP 23 authorization. If other activities not described in the Cat/Ex project description will be performed (e.g., dewatering, slope protection, etc.), these activities must receive separate NWP authorizations.
 3. Notification to the Corps (in accordance with General Condition 31) must include a copy of the signed Cat/Ex document and final agency determinations regarding compliance with Section 7 of the Endangered Species Act (ESA), Essential Fish Habitat (EFH) under the Magnussen-Stevens Act, and Section 106 of the National Historic Preservation Act.

27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities

1. Notification to the Corps (in accordance with General Condition 31) must include documentation of a review of project impacts to demonstrate that at the conclusion of the work that the project would result in a net increase in aquatic function. Additionally, the documentation must include a review of project impacts on adjacent properties or structures and must also discuss cumulative impacts associated with the project.

29. Residential Developments:

1. When discharge of fill results in the replacement of wetlands or waters of the U.S. with impervious surfaces, to ensure that the authorized activity does not result in more than minimal degradation of water quality (in accordance with General Condition 25), the residential development shall incorporate low impact development concepts (e.g. native landscaping, bioretention and infiltration techniques, and constructed green spaces) to the extent practicable. A description of the low impact development concepts proposed in the project shall be included with the permit application. More information including low impact development concepts and definitions is available at the following website:
<http://www.epa.gov/owow/NPS/lid/>.
2. Use of this NWP is prohibited within the San Francisco Bay diked baylands (undeveloped areas currently behind levees that are within the historic margin of the Bay. Diked historic baylands are those areas on the Nichols and Wright map (see figure 1) below the 5-foot

contour line, National Geodetic Vertical Datum (NGVD) (see Nichols, D.R., and N. A. Wright. 1971. Preliminary map of historic margins of marshland, San Francisco Bay, California. U.S. Geological Survey Open File Map)).

33. TEMPORARY CONSTRUCTION, ACCESS, AND DEWATERING:

1. Access roads shall be designed to be the minimum width necessary and shall be designed to minimize changes to the hydraulic flow characteristics of the stream and degradation of water quality (in accordance with General Conditions 9 and 25). The following Best Management Practices (BMPs) shall be followed to the maximum extent practicable to ensure that flow and circulation patterns of waters are not impaired and adverse effects on the aquatic environment will be kept to a minimum:
 - a. The road shall be properly stabilized and maintained during and following construction to prevent erosion.
 - b. Construction of the road fill shall occur in a manner that minimizes the encroachment of trucks, tractors, bulldozers, or other heavy equipment within waters of the United States (including adjacent wetlands) that lie outside the lateral boundaries of the fill itself.
2. Vegetative disturbance in the waters of the U.S. shall be kept to a minimum.
3. Borrow material shall be taken from upland sources whenever feasible.
4. Stream channelization is not authorized by this NWP.

35. MAINTENANCE DREDGING OF EXISTING BASINS:

1. Use of this NWP will require notification to the Corps (in accordance with General Condition No. 31). The notification information should be provided on the Consolidated Dredging-Dredged Material Reuse/Disposal Application. This application and instructions for its completion can be found on our web site at: <http://www.spn.usace.army.mil/conops/applications.html>. The information must include the location of the proposed upland disposal site. A jurisdictional delineation of the proposed upland disposal site prepared in accordance with the current method required by the Corps may also be required.
2. The U.S. Coast Guard will be notified by the permittee at least 14 days before dredging commences if the activity occurs in navigable waters of the U.S. (Section 10 waters).
3. The permittee will be required to provide the following information to the Corps:
 - a. Dredge Operation Plan: Submit, for approval by this office, no earlier than 60 calendar days and no later than 20 calendar days before the proposed commencement of dredging, a plan which includes the following: **Corps file number**, a copy of the dredging contract or description of the work under which the contractor will do the permitted work; name and telephone numbers of the dredging contractor's representative on site; proposed dredging start and completion dates; quantity of material to be removed; dredging design depth and typical cross section including overdepth; and date of last dredging episode and design depth. The Dredge Operational Plan shall also provide the following information: The controls being established to insure that dredging operations occur within the limits defined by the basin or channel dimensions and typical channel section.
 - b. Pre-Dredge Survey: Submit no earlier than 60 calendar days and no later than 20 calendar days before commencement of dredging, a survey with accuracy to one-tenth foot that delineates and labels the following: areas to be dredged with overdepth allowances; existing depths; estimated quantities to be dredged to the design depth; and

estimated quantities for overdepth dredging. **All surveys shall be signed by the permittee to certify their accuracy. Please include the Corps file number.**

- c. Solid Debris Management Plan: Submit no earlier than 60 calendar days and no later than 20 calendar days before commencement of work, a plan which describes measures to ensure that solid debris generated during any dredging operation is retained and properly disposed in areas not under Corps jurisdiction. **At a minimum, the plan shall include the following: source and expected type of debris; debris retrieval method; Corps file number; disposal method and site; schedule of disposal operations; and debris containment method to be used, if floatable debris is involved. (Please note that failure to provide all of the information requested in a, b, and c above may result in delays to your project. When your Dredge Operation Plan has been approved, you will receive a written authorization to commence with your project.)**
- d. Post-Dredge Survey: Submit, **within 30 days of the last disposal activity** ("last" is defined as that activity after which no further activity occurs for 15 calendar days), a survey with accuracy to one-tenth foot that delineates and labels the areas dredged and provides the dredged depths. **Also, include the Corps file number, actual dates of dredging commencement and completion, actual quantities dredged for the project to the design depth, and actual quantities of overdepth.** The permittee shall substantiate the total quantity dredged by including calculations used to determine the volume difference (in cubic yards) between the Pre- and Post-Dredge Surveys and **explain any variation in quantities greater than 15% beyond estimated quantities or dredging deeper than is permitted (design plus overdepth allowance).** **All surveys shall be accomplished by a licensed surveyor and signed by the permittee to certify their accuracy.** A copy of the post dredge survey should be sent to the National Ocean Service for chart updating:
NOAA/National Ocean Service,
Nautical Data Branch
N/CS26, SSMC3, Room 7230
1315 East-West Highway
Silver Spring, Maryland 20910-3282.
- e. **The permittee or dredge contractor shall inform this office when: 1) a dredge episode actually commences, 2) when dredging is suspended (suspension is when the dredge contractor leaves the dredge site for more than 48 hours for reasons other than equipment maintenance), 3) when dredging is restarted, and 4) when dredging is complete. Each notification should include the Corps file number.** Details for submitting these notifications will be provided in the verification letter (to whom and how).

39. Commercial and Institutional Developments:

1. When discharge of fill results in the replacement of wetlands or waters of the U.S. with impervious surfaces, to ensure that the authorized activity does not result in more than minimal degradation of water quality (in accordance with General Condition 25), the commercial and institutional development shall incorporate low impact development concepts (e.g. native landscaping, bioretention and infiltration techniques, and constructed green spaces) to the extent practicable. A description of the low impact development concepts proposed in the project shall be included with the permit application. More information including low impact development concepts and definitions is available at the following website: <http://www.epa.gov/owow/NPS/lid/>.
2. Use of this NWP is prohibited within the San Francisco Bay diked baylands (undeveloped areas currently behind levees that are within the historic margin of the Bay. Diked historic baylands are those areas on the Nichols and Wright map (see figure 1) below the 5-foot

contour line, National Geodetic Vertical Datum (NGVD) (see Nichols, D.R., and N. A. Wright. 1971. Preliminary map of historic margins of marshland, San Francisco Bay, California. U.S. Geological Survey Open File Map)).

40. AGRICULTURAL ACTIVITIES:

1. This NWP does not authorize discharge of fill into the channel of a perennial or intermittent watercourse that could impede high flows. This limitation does not apply to watercourses that flow only when there is an irregular, extraordinary flood event.

41. RESHAPING EXISTING DRAINAGE DITCHES:

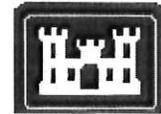
1. Compensatory mitigation may be required if the Corps determines there will be a detrimental impact to aquatic habitat.
2. Notification to the Corps (in accordance with General Condition 31) is required if the applicant proposes to re-grade, discharge, install channel lining, or redeposit fill material.
3. The notification to the Corps (in accordance with General Condition 31) shall include an explanation of the project's benefit to water quality and a statement demonstrating the need for the project.

42. RECREATIONAL FACILITIES:

1. If buildings are proposed to be built in waters of the United States, including wetlands, the applicant must demonstrate that there is no on-site practicable alternative that is less environmentally damaging as defined by the Section 404(b)(1) guidelines.

Non-Reporting Nationwide Permit 14

U. S. Army Corps of Engineers
South Pacific Division



Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the U. S. Army Corps of Engineers Nationwide Permit Program within the South Pacific Division (SPD), including General and Regional Conditions. You MUST fill out all boxes related to the work being done. Fillable boxes in this form expand if additional space is needed.

Box 1 Project Name Larabee Slips Repair Project			
Applicant Name Talitha Hodgson		Applicant Title Project Manager	
Applicant Company, Agency, etc. California Department of Transportation		Applicant's internal tracking number (if any) EA 01-0B340; EFIS Number 0112000118	
Mailing Address 1656 Union Street, Eureka, CA 95501			
Work Phone with area code (707) 441-2097	Mobile Phone with area code	Home Phone with area code	Fax # with area code (707) 445-7810
E-mail Address Talitha.Hodgson@dot.ca.gov		Relationship of applicant to property: <input type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Other: Caltrans PM	
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a U.S. Army Corps of Engineers Nationwide Permit or Permits as described herein. I certify that I am familiar with the information contained in this application and, that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made the right to enter the above-described location to inspect the proposed, in-progress, or completed work. I agree to start work <u>only</u> after all necessary permits have been received and to comply with all terms and conditions of the authorization.			
Signature of applicant <i>Talitha Hodgson</i>			Date (mm/dd/yyyy) 12/10/2014
If anyone other than the person named as the Applicant will be in contact with the U. S. Army Corps of Engineers representing the Applicant regarding this project during the permit process, Box 2 MUST be filled out.			
Box 2 Authorized Agent/Operator Name Allison Kunz		Agent/Operator Title Project Biologist	
Agent/Operator Company, Agency, etc. California Department of Transportation		E-mail Address Allison.Kunz@dot.ca.gov	
Mailing Address 703 B Street, Marysville, CA 95901			
Work Phone with area code (530) 741-4103	Mobile Phone with area code	Home Phone with area code	Fax # with area code (530) 741-4457
I hereby authorize the above named authorized agent to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant <i>Allison Kunz</i>			Date (mm/dd/yyyy) 12/10/2014
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent			Date (mm/dd/yyyy)

Non-Reporting Nationwide Permit 14

Box 3 Name of property owners(s), if other than applicant: Construction of the proposed project will occur within Caltrans right-of-way.		
Owner Title	Owner Company, Agency etc.	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 4 Name of contractor(s) (if known): The contractor is unknown at this time.		
Contractor Title	Contractor Company, Agency, etc.	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 5 Site Number <u>1</u> of <u>1</u>. Project location(s), including street address, city, county, state, zip code where proposed activity will occur: State Route 36 in Humboldt County, approximately 1 miles west of Bridgeville.	
Name of Waterbody(ies) (if known, otherwise enter "an unnamed tributary to"): an unnamed tributary to Tributary to what known, downstream waterbody: Van Duzen River	
Latitude & Longitude (D/M/S, DD, or UTM with Zone): Loc #1: 40.46773 & -123.8182 Loc #2: 40.48662 & -123.7598	Section, Township, Range: Township 01N, Range 03E, Section 15 Township 01N, Range 04E, Section 7
County Assessor parcel number (include county name): All work will be done within Caltrans right-of-way.	USGS Quadrangle map name: Bridgeville
Watershed (HUC and watershed name ¹): 180101050905/Eel River Hydrologic Unit ¹ http://water.usgs.gov/GIS/regions.html	Size of permit area or project boundary: 1.5 acres linear feet
Directions to the project location and other location descriptions, if known: From SR 101, travel for 22 miles east on SR 36. Project is located 1.05 miles west of the town of Bridgeville.	
Access limitations or restrictions (if any): None	

Non-Reporting Nationwide Permit 14

Box 6 Nature of Activity (Description of project, include all features):

Caltrans proposes to reconstruct the roadway, replace and line culverts, construct underdrains and underdrain outlets, construct downdrains, and place erosion control on State Route (SR) 36 between post miles (PM) 22.80 - 27.70 in Humboldt County, California. Work will occur at two (2) locations within the Caltrans right of way.

Reconstruction of the roadway involves grinding and removal of existing pavement, excavation of the existing roadway, addition of imported borrow material within the roadway profile, construction and compaction of aggregate base layers, and placement of hot mix asphalt. A geosynthetic reinforced embankment will be used to reconstruct portions of the roadway subgrade. Three (3) deep underdrains will be constructed and placed adjacent to the reconstructed roadway. One (1) existing culvert will be replaced. One (1) existing culvert will be lined with a high density polyethylene slipliner. Staging will be limited to paved roadway and existing pullouts within the project limits. One way traffic control will be required during construction.

Scope of Work

- Location 1- PM 22.80: : Reconstruct roadway using standard reconstruction methods and partial geosynthetic reinforced embankment, construct and place two (2) deep underdrains, construct underdrain outlet, remove and replace one (1) culvert, place rock slope protection at culvert outlet and underdrain outlet.
- Location 2- PM 27.61: Reconstruct roadway using standard reconstruction methods and partial geosynthetic reinforced embankment, construct and place deep underdrain, construct underdrain outlet, construct downdrain, line culvert with high density polyethylene slipliner, replace flared end section of culvert inlet, and place rock slope protection at downdrain outlet.

Construction equipment will include dump trucks, excavators, rollers, stripers, sweepers, water trucks, grinders, contractor trucks, a small crane and a directional drilling machine. Construction will occur in the summer and early fall and have a duration of approximately 130 days. Construction is programmed for 2015.

Project Purpose (Description of the reason or purpose of the project):

The purpose of this project is to restore the roadway to its original condition prior to the storm event.

Reason(s) for discharge into Waters of the United States (Description of why dredged and/or fill material needs to be placed in Waters of the United States):

Replacement, repair, or maintenance of existing drainage facilities.

Non-Reporting Nationwide Permit 14

Proposed discharge of dredge and/or fill material. Indicate total surface area in **acres** and **linear feet** (where appropriate) of the proposed impacts to Waters of the United States, indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.), and identify the impact(s) as permanent and/or temporary for each requested Nationwide Permit¹:

¹Enter the intended permit number(s). See Nationwide Permit regulations for permit numbers and qualification information: <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

Water Body Type	Requested NWP Number: 14 (non-reporting)				Requested NWP Number:				Requested NWP Number:			
	Permanent		Temporary		Permanent		Temporary		Permanent		Temporary	
	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length
Other	0.0018	20	0.0092	40								
Total:	0.0018	20	0.0092	40								

Total volume (in cubic yards) and type(s) of material proposed to be dredged from or discharged into Waters of the United States:

Material Type	Total Volume Dredged	Total Volume Discharged
Rock Slope Protection (RSP)		4.44 cubic yards
Clean spawning gravel		
River rock		
Soil/Dirt/Silt/Sand/Mud		
Concrete		
Structure		
Stumps/Root wads		
Other:		
Total:		4.44 cubic yards

Activity requires a written waiver to exceed specified limits of the Nationwide Permit? YES NO
 If yes, provide Nationwide Permit number and name, limit to be exceeded, and rationale for each requested waiver:

Activity will result in the loss of greater than 1/2-acre of Waters of the United States? YES NO
 If yes, provide an electronic copy (compact disc) or multiple hard copies (7) of the complete PCN for appropriate Federal and State Pre-discharge Notification (See General Condition #31, Pre-construction Notification, Agency Coordination, Section 2 and 4):

Describe direct and indirect effects caused by the activity and how the activity has been designed (or modified) to have minimal adverse effects on the aquatic environment (See General Condition #31, Pre-construction Notification, District Engineer's Decision, Section 1):

A potential indirect impact to waters of the U. S. associated with the project could include a temporary degradation of water quality. In order to avoid potential impacts to water quality, erosion control and soil stabilization measures will be implemented in accordance with Caltrans'

Non-Reporting Nationwide Permit 14

Best Management Practices (BMPs). These BMPs could include, but are not limited to, the use of silt fences, fiber rolls, and the application of fiber matrix on unfinished slopes. Disturbed soils will also be treated with an erosion control seed mixture. To protect water quality, in-water work (work below the ordinary high water mark of the unnamed seasonal tributary) will be restricted to the dry/low flow season (May 15 to October 15).

Potential cumulative impacts of proposed activity (if any): To avoid and/or minimize impacts to waters of the U. S. the following measures would be incorporated into the project: use of clean fill, Best Management Practices (BMPs) for slope stabilization and erosion control. These BMPs could include, but are not limited to, the use of silt fences, fiber rolls, and the application of fiber matrix on unfinished slopes. Disturbed soils will also be treated with an erosion control seed mixture. The majority of the work would be done during the dry/low flow season (May 15 to October 15). Any work conducted outside of that time period would be limited to when the channel is dry (no flowing water).

Non-Reporting Nationwide Permit 14

Drawings and figures (see each U. S. Army Corps of Engineers District's Minimum Standards Guidance):

Vicinity map: Attached (or mail copy separately if applying electronically)

To-scale Plan view drawing(s): Attached (or mail copy separately if applying electronically)

To-scale elevation and/or Cross Section Drawings(s): Attached (or mail copy separately if applying electronically)

Numbered and dated pre-project color photographs: Attached (or mail copy separately if applying electronically)

Sketch drawing(s) or map(s): Attached (or mail copy separately if applying electronically)

Has a wetland/waters of the U.S. delineation been completed?

Yes, Attached² (or mail copy separately if applying electronically) No

If a delineation has been completed, has it been verified in writing by the Corps?

Yes, Date of approved jurisdictional determination (m/d/yyyy): _____ Corps file number: _____ No

²If available, provide ESRI shapefiles (NAD83) for delineated waters

For proposed discharges of dredged material resulting from navigation dredging into inland or near-shore waters of the U.S. (including beach nourishment), please attach³ a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available), or if disposed offshore, a proposed SAP prepared according to the Ocean Disposal Manual.

³Or mail copy separately if applying electronically

Is any portion of the work already complete? YES NO

If yes, describe the work:

Box 7 Authority:

Is Section 10 of the Rivers and Harbors Act applicable?: YES NO

Is Section 404 of the Clean Water Act applicable?: YES NO

Is the project located in U. S. Army Corps of Engineers property or easement?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Would the project affect a U. S. Army Corps of Engineers structure?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Is the project located on other Federal Lands (USFS, BLM, etc.)?: YES NO

Is the project located on Tribal Lands?: YES NO

Box 8 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: YES NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

Not applicable.

Location of larger development (if discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Not applicable.

Box 9 Measures taken to avoid and minimize impacts to waters of the United States:

To avoid and/or minimize impacts to waters of the U. S. the following measures would be incorporated into the project: use of clean fill, Best Management Practices (BMPs) for slope

Non-Reporting Nationwide Permit 14

stabilization and erosion control. These BMPs could include, but are not limited to, the use of silt fences, fiber rolls, and the application of fiber matrix on unfinished slopes. Disturbed soils will also be treated with an erosion control seed mixture. The majority of the work would be done during the dry/low flow season (May 15 to October 15). Any work conducted outside of that time period would be limited to when the channel is dry (no flowing water).

Box 10 Proposed Compensatory Mitigation related to fill/excavation and dredge activities. Indicate in **acres** and **linear feet** (where appropriate) the total quantity of Waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.) or non-jurisdictional (uplands¹). Indicate mitigation type (permittee-responsible on-site/off-site, mitigation bank, or in-lieu fee program). If the mitigation is purchase of credits from a mitigation bank, indicate the bank to be used, if known:

¹ For uplands, please indicate if designed as an upland buffer.

Site Number	Water Body Type	Created		Restored		Enhanced		Preserved		Mitigation Type
		Area	Length	Area	Length	Area	Length	Area	Length	
1	Other			0.011	60					On-site restoration of temporarily disturbed areas.
Total:										
				0.011	60					

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary:
Not applicable.

If permittee-responsible mitigation is proposed, provide justification for not utilizing a Corps-approved mitigation bank or in-lieu fee program: **Not applicable.**

Has a draft/conceptual mitigation plan been prepared in accordance with the April 10, 2008 Final Mitigation Rule² and District Guidelines?

²http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx

³**Sacramento and San Francisco Districts**-http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/Mitigation_Monitoring_Guidelines.pdf

⁴**Los Angeles District**-http://www.spl.usace.army.mil/regulatory/mmg_2004.pdf

⁵**Albuquerque District**-http://www.spa.usace.army.mil/reg/mitigation/SPA%20Final%20Mitigation%20Guidelines_OLD.pdf

Yes, Attached (or mail copy separately if applying electronically) No

If no, a mitigation plan must be prepared and submitted, if applicable.

Mitigation site(s) Latitude & Longitude (D/M/S, DD, or UTM with Zone):

USGS Quadrangle map name(s):

Assessor Parcel Number(s):

Section(s), Township(s), Range(s):

Other location descriptions, if known:

Directions to the mitigation location(s):

Non-Reporting Nationwide Permit 14

Box 11 Threatened or Endangered Species and Essential Fish Habitat

Please list any federally-listed (or proposed) threatened or endangered species or critical habitat (or proposed critical habitat) within the project area (include scientific names (e.g., Genus species), if known):

a. None. Please see the Natural Environment Study for information regarding species considered during studies for this project.

b.
c.
d.
e.
f.

Have surveys, using U.S. Fish and Wildlife Service/NOAA Fisheries protocols, been conducted?

Yes, Report attached (or mail copy separately if applying electronically) No

Has a biological assessment or evaluation been completed for the proposed project?

Yes, Report attached (or mail copy separately if applying electronically) Not attached

Has Section 7 consultation been initiated by another federal agency?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has Section 10 consultation been initiated for the proposed project?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has the USFWS/NOAA Fisheries issued a Biological Opinion?

Yes, Attached (or mail copy separately if applying electronically) No

If yes, list date Opinion was issued (m/d/yyyy):

Is the project located within Essential Fish Habitat (EFH)? Yes No

¹http://swr.nmfs.noaa.gov/hcd/HCD_webContent/EFH/index_EFH.htm

Box 12 Historic Properties and Cultural Resources

Are any cultural resources of any type known to exist on-site? YES NO

Please list any known historic properties listed, or eligible for listing, on the National Register of Historic Places:

a. None.
b.
c.
d.
e.
f.

Has a cultural resource records search been conducted?

Yes, Report attached (or mail copy separately if applying electronically) No

Has a cultural resource pedestrian survey been conducted for the site?

Yes, Report attached (or mail copy separately if applying electronically) No

Has another federal agency been designated the lead federal agency for Section 106 consultation?

Yes, Designation letter/email attached (or mail copy separately if applying electronically) No

Has Section 106 consultation been initiated by another federal agency?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has a Section 106 MOA or PA been signed by another federal agency and the SHPO?

Yes, Attached (or mail copy separately if applying electronically) No

If yes, list date MOA or PA was signed (m/d/yyyy):

Non-Reporting Nationwide Permit 14

Box 13 Section 401 Water Quality Certification:

Applying for certification? Yes, Attached (or mail copy separately if applying electronically) No
 Not Applicable (projects proposed for authorization under RHA Section 10 only)

Certification issued? (including Programmatically)?

Yes, Attached (or mail copy separately if applying electronically) No

Certification waived? Yes, Attached (or mail copy separately if applying electronically) No

Certification denied? Yes, Attached (or mail copy separately if applying electronically) No

Exempted Activity? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 14 Coastal Zone Management Act

Is the project located within the Coastal Zone? Yes No (If no, proceed to Box 15)

If yes, applying for a coastal commission-approved Coastal Development Permit?

Yes, Attached (or mail copy separately if applying electronically) No

If no, applying for separate CZMA-consistency certification?

Yes, Attached (or mail copy separately if applying electronically) No

Permit/Consistency issued? Yes, Attached (or mail copy separately if applying electronically) No

Exempt? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 15 List of other certification or approval/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type Approval ⁴	Identification Number	Date Applied	Dated Approved	Date Denied
NCRWQCB	401 Water Quality Cert	Pending	December 2014		

⁴Would include but is not restricted to zoning, building, and flood plain permits

Non-Reporting Nationwide Permit 14

Nationwide Permit General Conditions (GC) checklist:

(<http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>)

Check	General Condition	Rationale for compliance with General Condition
<input checked="" type="checkbox"/>	1. Navigation	The proposed project will not have an adverse impact on navigation.
<input checked="" type="checkbox"/>	2. Aquatic Life Movements	The proposed project will not disrupt the life cycle movements of aquatic life.
<input checked="" type="checkbox"/>	3. Spawning Areas	This project will not affect spawning areas.
<input checked="" type="checkbox"/>	4. Migratory Bird Breeding Areas	The project will not affect migratory breeding areas.
<input checked="" type="checkbox"/>	5. Shellfish Beds	The project will not occur in areas of concentrated shellfish populations.
<input checked="" type="checkbox"/>	6. Suitable Material	All materials used for the construction of the proposed project will comply with Caltrans materials standards.
<input checked="" type="checkbox"/>	7. Water Supply Intakes	The proposed project will not occur in the proximity of a public water supply intake.
<input checked="" type="checkbox"/>	8. Adverse Effects from Impoundments	The proposed project will not result in the impoundment of water.
<input checked="" type="checkbox"/>	9. Management of Water Flows	The proposed project will maintain pre-construction flow conditions. The project will not permanently restrict or impede the passage of normal or expected high flows, and will withstand expected high flows.
<input checked="" type="checkbox"/>	10. Fills Within 100-Year Floodplains	The proposed project is not within 100-Year Floodplain.
<input checked="" type="checkbox"/>	11. Equipment	The contractor will take measures to minimize soil disturbance by heavy equipment during construction.
<input checked="" type="checkbox"/>	12. Soil Erosion and Sediment Controls	Appropriate soil erosion and sediment controls will be used and maintained during construction. Exposed soils and areas of work below the ordinary high water mark will be stabilized at the earliest possible date.
<input checked="" type="checkbox"/>	13. Removal of Temporary Fills	Temporary fills are not expected to be needed during the construction of this project, but if they become necessary they will be removed in their entirety upon project completion. The affected areas will be returned to their preexisting elevation and reseeded with native species as appropriate.
<input checked="" type="checkbox"/>	14. Proper Maintenance	The project will be constructed in accordance with Caltrans codes and standards, and will be properly maintained by Caltrans Maintenance.
<input checked="" type="checkbox"/>	15. Single and Complete Project	The proposed project is a single and complete project.
<input checked="" type="checkbox"/>	16. Wild and Scenic Rivers	The proposed project will not take place in or near a river designated as a Wild and Scenic River.
<input checked="" type="checkbox"/>	17. Tribal Rights	The construction of this project will not impair reserved tribal rights.
<input checked="" type="checkbox"/>	18. Endangered Species	See Box 11 above
<input checked="" type="checkbox"/>	19. Migratory Bird and Bald and Golden Eagle Permits	The proposed project will comply with this condition
<input checked="" type="checkbox"/>	20. Historic Properties	See Box 12 above
<input checked="" type="checkbox"/>	21. Discovery of Previously Unknown Remains and Artifacts	The proposed project will comply with this condition.
<input checked="" type="checkbox"/>	22. Designated Critical Resource Waters	The proposed project will not take place in or near Designated Critical Resource Waters.
<input checked="" type="checkbox"/>	23. Mitigation	See Box 10 above
<input checked="" type="checkbox"/>	24. Safety of Impoundment Structures	The proposed project will comply with this condition.

Non-Reporting Nationwide Permit 14

<input checked="" type="checkbox"/>	25. Water Quality	See Box 13 above
<input checked="" type="checkbox"/>	26. Coastal Zone Management	See Box 14 above
<input checked="" type="checkbox"/>	27. Regional and Case-by-Case Conditions	The proposed project will comply with any case-by-case conditions.
<input checked="" type="checkbox"/>	28. Use of Multiple Nationwide Permits	The Applicant is aware that if total proposed acreage of impact exceeds acreage limit of NWP with highest specified acreage, no NWP can be issued.
<input checked="" type="checkbox"/>	29. Transfer of Nationwide Permit Verifications	The Applicant is aware of this permit transfer requirement.
<input checked="" type="checkbox"/>	30. Compliance Certification	The Applicant is aware of this compliance certification requirement.
<input checked="" type="checkbox"/>	31. Pre-Construction Notification	The applicant is aware of the pre-construction notification requirements.

Non-Reporting Nationwide Permit 14

San Francisco District (SPN) in California:

A. General Regional Conditions that apply to all NWP's in the Sacramento, San Francisco, and Los Angeles Districts:

1. Is pre-construction notification (PCN) required? Yes No

If yes, then in accordance with General Condition 31, the appropriate U.S. Army Corps of Engineers (Corps) District shall be notified using either the South Pacific Division PCN Checklist or a signed application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions. The PCN Checklist and application form are available at:

<http://www.spn.usace.army.mil/regulatory/index.html>. In addition, the PCN shall include:

- a. A written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States; and
- b. Drawings, including plan and cross-section views, clearly depicting the location, size and dimensions of the proposed activity as well as the location of delineated waters of the U.S. on the site. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high water mark or, if tidal waters, the mean high water mark and high tide line, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation. All drawings for projects located within the boundaries of the Los Angeles District shall comply with the most current version of the Map and Drawing Standards for the Los Angeles District Regulatory Division (available on the Los Angeles District Regulatory Division website at: www.spl.usace.army.mil/regulatory/); and
- c. Numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the project site, and all waters proposed to be avoided on and immediately adjacent to the project site. The compass angle and position of each photograph shall be documented on the plan-view drawing required in subpart b of this regional condition.

If yes, is the PCN attached? Yes No Not Applicable

2. Is the activity located in an area designated as Essential Fish Habitat (EFH) by the Pacific Fishery Management Council (i.e., all tidally influenced areas - Federal Register dated March 12, 2007 (72 FR 11092)).
 Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall include an EFH assessment and extent of proposed impacts to EFH. Examples of EFH habitat assessments can be found at:
<http://www.swr.noaa.gov/efh.htm>.

3. Are any other Federal agencies involved? Yes No

If yes, for activities in which the Corps designates another Federal agency as the lead for compliance with Section 7 of the Endangered Species Act (ESA) of 1973 as amended (50 CFR Part 402.07), Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (EFH) (50 CFR 600.920(b)) and/or Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR 800.2(a)(2)), the lead Federal agency shall provide all relevant documentation to the appropriate Corps demonstrating any previous consultation efforts, as it pertains to the Corps Regulatory permit area (for Section 7 and EFH compliance) and the Corps Regulatory area of potential effect (APE) (for Section 106 compliance). For activities requiring a PCN, this information shall be submitted with the PCN. If the Corps does not designate another Federal agency as the lead for ESA, EFH and/or NHPA, the Corps will initiate consultation for compliance, as appropriate.

Non-Reporting Nationwide Permit 14

4. Is the project located within a waterbody supporting any federally-listed threatened or endangered fish species?
 Yes No

If yes, unless determined to be impracticable by the Corps, the permittee shall design all road crossings to ensure that the passage and/or spawning of fish is not hindered. In these areas, the permittee shall employ bridge designs that span the stream or river, including pier- or pile-supported spans, or designs that use a bottomless arch culvert with a natural streambed.

5. Will the permittee complete the construction of any compensatory mitigation required by special condition(s) of the NWP verification before or concurrent with commencement of construction of the authorized activity?
 Yes No

If no, then the proposed activity may not be in compliance with Regional Condition 10, unless construction of compensatory mitigation prior to or concurrent with commencement of construction of the authorized activity is specifically determined impracticable by the Corps.

Will the mitigation involve use of a mitigation bank or in-lieu fee program? Yes No

If yes, then the permittee shall submit proof to the Corps of payment prior to commencement of construction of the authorized activity.

6. Will the activity result in the loss of greater than 300 linear feet of intermittent and/or ephemeral streams for NWPs 29, 39, 40, 42, 43, 44, 51, and 52 or result in the loss of greater than 500 linear feet along the bank for NWP 13? Yes No

If yes, is the applicant requesting a waiver of the linear foot limit? Yes No Not Applicable

If yes, then the request shall include the following:

- a. A narrative description of the stream. This should include known information on: volume and duration of flow; the approximate length, width, and depth of the water body and characters observed associated with an Ordinary High Water Mark (e.g. bed and bank, wrack line, or scour marks); a description of the adjacent vegetation community and a statement regarding the wetland status of the associated vegetation community (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information; and
- b. An analysis of the proposed impacts to the waterbody in accordance with General Condition 31 and Regional Condition 3; and
- c. Measures taken to avoid and minimize losses, including other methods of constructing the proposed project; and
- d. A compensatory mitigation plan describing how the unavoidable losses are proposed to be compensated, in accordance with 33 CFR Part 332.

B. SPN Regional Conditions to be applied across the entire San Francisco District:

1. Is the project located within the **San Francisco Bay diked baylands** (undeveloped areas currently behind levees that are within the historic margin of the Bay)? Diked historic baylands are those areas on the Nichols and Wright map below the 5-foot contour line, National Geodetic Vertical Datum (NGVD) (see Nichols, D.R., and N. A. Wright. 1971. Preliminary map of historic margins of marshland, San Francisco Bay, California. U.S. Geological Survey Open File Map, Figure 1 on the Public Notice for Federal Register Notice Announcing the Reissuance of the Nationwide Permits and the San Francisco District Regional Conditions:
<http://www.spn.usace.army.mil/regulatory/nwp/2012/final%20NWPs.pdf>)? Yes No

Non-Reporting Nationwide Permit 14

If yes, notification pursuant to General Condition 31 is required. The PCN must include an explanation of how avoidance and minimization of losses of waters or wetlands are taken into consideration to the maximum extent practicable (see General Condition 23(a)).

2. Is the project located within the **Santa Rosa Plain** (<http://www.spn.usace.army.mil/regulatory/srp/srpmmap.pdf>)?
 Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN must include an explanation of how avoidance and minimization of losses of waters or wetlands are taken into consideration to the maximum extent practicable (see General Condition 23(a)).

3. Will the proposed project impact **Eelgrass Beds**? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN must include a compensatory mitigation plan, habitat assessment, and extent of proposed-project impacts to Eelgrass Beds.

C. SPN Regional Conditions to be applied to specific Nationwide Permits (NWP):

NWP 3:

Will excavation equipment operate from an upland site? Yes No

If no, an explanation as to need to place equipment in waters of the U.S. must be included in the PCN.

Will work occur within a special aquatic site? Yes No

If yes, an explanation why the special aquatic site cannot be avoided, as well as impact minimization measures, must be included in the PCN.

NWP 11:

Are temporary structures proposed in wetlands or vegetated shallow water areas? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall include the type of habitat and aerial extent affected by the structure(s).

NWP 12:

Will excess material removed from any trenching that is not used for backfilling of the trench be disposed of at an upland site? Yes No

Does the proposed project include construction of substation facilities? Yes No

If yes, NWP 12 cannot be used to authorize this project.

NWP 13:

Will more than 300 linear feet of bank be stabilized? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall address the effect of the bank stabilization on the stability of the opposite side of the waterway's bank, and on the adjacent property upstream and downstream of the activity.

Will wetland vegetation or submerged, rooted, aquatic plants be removed from an area greater than 0.1 acre or 300 linear feet? Yes No

If yes, notification pursuant to General Condition 31 is required and shall include vegetation type and extent of removal.

Will excess material excavated from a toe trench be disposed of in an upland location? Yes No

If yes, the PCN shall include the location of the disposal site.

Will additional fill extend beyond the original shoreline in excess of one cubic yard per running foot?

Yes No

Non-Reporting Nationwide Permit 14

Will bank stabilization incorporate structures or modifications beneficial to fish and wildlife? Yes No
If no, the applicant shall demonstrate why the structures or modifications were not considered practicable.

NWP 14:

Will the proposed project fill greater than 300 linear feet of a jurisdictional waterway? Yes No
If yes, notification pursuant to General Condition 31 is required. The PCN shall address the effect of the activity on the stability of the opposite side of the waterway's bank, and on the adjacent property upstream and downstream of the activity.

Is the proposed project to construct taxiways or runways? Yes No
If yes, NWP 14 cannot be used to authorize this project.

Has this NWP been used to authorize previous project segments within the same linear transportation project?
 Yes No
If yes, justification must be provided demonstrating that the cumulative impacts of the proposed and previously authorized project segments do not result in more than minimal impacts to the aquatic system.

Has any new or additional bank stabilization required for the crossing incorporated structures or modifications beneficial to fish and wildlife? Yes No
If no, the applicant shall demonstrate why they were not considered practicable. Bottomless and embedded culverts are encouraged over traditional culvert stream crossings.

NWP 23:

Use of this NWP requires notification pursuant to General Condition 31. Please refer to Regional Conditions for additional information on PCN requirements.

NWP 27:

The PCN shall include documentation of a review of the project's impacts to demonstrate that at the conclusion of work the project would result in a net increase of aquatic function. The documentation must also include a review of the project's impacts on adjacent properties or structures and must also discuss cumulative impacts associated with the project.

NWP 29:

Will the activity result in the replacement of wetlands or waters of the U.S. with impervious surfaces?
 Yes No

If yes, the residential development shall incorporate low impact development concepts to the extent practicable, and a description of those concepts proposed shall be included with the PCN. Additional information on concepts and definitions are available at the following website: <http://www.epa.gov/owow/NPS/lid>

Is the proposed project located within the San Francisco Bay diked baylands (Figure 1 on the Public Notice for Federal Register Notice Announcing the Reissuance of the Nationwide Permits and the San Francisco District Regional Conditions: <http://www.spn.usace.army.mil/regulatory/nwp/2012/final%20NWPs.pdf>)?

Yes No

If yes, NWP 29 cannot be used to authorize this project.

NWP 33:

Are access roads designed to be the minimum width necessary? Yes No Not Applicable (N/A)

Are access roads designed to minimize changes to the hydraulic flow characteristics of waterways and degradation of water quality for project implementation? Yes No N/A

Will the road(s) be properly stabilized and maintained during and after construction? Yes No N/A

Will fill be placed to minimize encroachment of equipment within waters of the U.S.? Yes No N/A

Non-Reporting Nationwide Permit 14

Will vegetative disturbance be minimized? Yes No N/A

Will borrow material be taken from an upland source, where feasible? Yes No N/A

If no to any of the above, NWP 33 cannot be used to authorize the project.

Will the proposed project result in stream channelization? Yes No N/A

If yes, NWP 33 cannot be used to authorize the project.

NWP 35:

Use of this NWP requires notification pursuant to General Condition 31. Please refer to Regional Conditions for additional information on PCN requirements.

NWP 39

Will the activity result in the replacement of wetlands or waters of the U.S. with impervious surfaces?

Yes No

If yes, the commercial or institutional development shall incorporate low impact development concepts to the extent practicable, and a description of those concepts proposed shall be included with the PCN. Additional information on concepts and definitions are available at the following website: <http://www.epa.gov/owow/NPS/lid>

Is the proposed project located within the San Francisco Bay diked baylands (Figure 1 on the Public Notice for Federal Register Notice Announcing the Reissuance of the Nationwide Permits and the San Francisco District Regional Conditions: <http://www.spn.usace.army.mil/regulatory/nwp/2012/final%20NWPs.pdf>)?

Yes No

If yes, NWP 39 cannot be used to authorize the project.

NWP 40:

Will work impede flows during high volume events of a perennial or intermittent watercourse? Yes No

If yes, NWP 40 cannot be used to authorize the project.

NWP 41:

If the Corps determines that there will be a detrimental impact to aquatic habitat, compensatory mitigation may be required.

Will fill material be re-deposited, re-graded, and/or discharged, or will channel lining be installed?

Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall include a statement demonstrating the need for the project and an explanation of the project's benefit to water quality.

NWP 42:

Are buildings proposed in waters of the U.S.? Yes No

If yes, the applicant must demonstrate that there is no on-site practicable alternative less environmentally damaging as defined by the Section 404(b)(1) guidelines.

For Contract No. 01-0B3404
Men-101-45/50.8

IN MENDOCINO COUNTY IN AND NEAR WILLITS AT VARIOUS LOCATIONS

Identified by
Project ID 0112000118

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, NORTH
COAST REGION



North Coast Regional Water Quality Control Board

March 24, 2015

**In the Matter of
Water Quality Certification**

for the

**California Department of Transportation
State Route 36 Larabee Slips Repair Project
WDID No. 1B14130WNHU, ECM PIN CW-811655
Caltrans EA No. 01-0B340
EFIS No. 01-1200-0118**

APPLICANT: California Department of Transportation
RECEIVING WATERS: Little Larabee Creek, Van Duzen River
HYDROLOGIC AREA: Hydrologic Planning Sub-Area 111.22, Bridgeville
COUNTY: Humboldt
FILE NAME: CDOT Larabee Slips Project Highway 36
(01-HUM-36 PM 22.80-27.70)

FINDINGS BY THE EXECUTIVE OFFICER:

1. On December 16, 2014, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Transportation (Caltrans) requesting Federal Clean Water Act (CWA) section 401, Water Quality Certification (certification) for activities related to the State Route 36 Larabee Slips Repair Project (Project).
2. **Hydrologic Unit:** The proposed Project would cause impacts to jurisdictional waters that are tributaries of the Van Duzen River and Little Larabee Creek (Basin Plan Hydrologic Planning Sub-Area 111.22, Bridgeville).

JOHN W. CORRETT, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

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3. **Public Notice:** The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on February 26, 2015, and posted information describing the Project on the Regional Water Board's website. No comments were received.
4. **Project Description:** The Project would make drainage improvements and reconstruct unstable portions of State Route 36 at three locations between post-miles 22.80 and 27.20, in the vicinity of Bridgeville. The purpose of the Project is to maintain public safety by abating and preventing further roadway damage.

Work would be performed at three locations:

- **Post-Mile 22.80 (40.4677, -123.818):** Work at this location involves: Reconstruction of the roadway structural section; installation of two deep underdrains and one underdrain outlet; replacement of a 24" culvert; and placement of rock slope protection at the outlet of the 24" culvert. This location discharges to a tributary drainage that only reaches the Van Duzen River during very high flows.
- **Post-Mile 25.69 (40.4784, -123.7735):** Work at this location involves: reconstructing the roadway structural section; installing a deep underdrain and a 12" downdrain to connect with an existing 24" corrugated plastic pipe; replacing a culvert that carries drainage beneath a driveway; replacing two existing flared inlet sections; and, placing rock slope protection at the outlet of an existing driveway culvert.

Also, the site drainage currently discharges from a 24" corrugated plastic pipe after travelling overland and down a steep embankment to Little Larabee Creek. The historical discharge from this pipe has created significant erosion at the outlet, causing sediment discharge to Little Larabee Creek. Caltrans will repair and stabilize the current erosional features and modify the drainage system outlet to prevent future erosion and discharge of sediment to Little Larabee Creek. The existing corrugated plastic pipe shall be relocated to the east of its current location and lengthened to discharge to a new rip-rap pad, immediately above the ordinary high water mark of Little Larabee Creek.

- **Post-Mile 27.61 (40.4867, -123.760):** Work at this location involves: reconstructing the roadway structural section using a geosynthetic reinforced embankment; installing a deep underdrain and underdrain outlet; constructing a downdrain to convey underdrain flows; installing a culvert slip-liner; replacing one flared-end inlet section; and, placing rock slope protection at the underdrain outlet.

5. **Construction Timing:** The Project is expected to be completed within approximately 130 working days in the spring and fall of 2015. Work would only be performed in State waters between June 15 and October 15.
6. **Permanent Impacts:** Caltrans has determined that the proposed Project would result in approximately 20 linear feet (0.002 acres) of permanent impacts to jurisdictional waters as a result of placement of approximately four cubic yards of rip-rap at Post-Mile 22.80. Tree removal would not be necessary at any of the three locations.
7. **Temporary Impacts:** Caltrans has determined that the proposed Project would result in approximately 40 linear feet (0.009 acres) of temporary impacts to jurisdictional waters due to construction access.
8. **Mitigation for Project Impacts:** Caltrans shall enhance an approximately 0.02 acre jurisdictional wetland within its right-of-way at Post-Mile 25.69, by removing debris (e.g., soil bags, plastic buckets) from an abandoned marijuana grow operation. Caltrans shall also restore all temporarily impacted Project areas using native plant species.
9. **Post-Construction Stormwater Treatment:** Post-construction storm water treatment is not required because Project implementation would result in less than 5,000 square feet of added impervious area.
10. **Disturbed Soil Area:** Project implementation at the three locations would collectively result in greater than one acre of disturbed soil area. Caltrans shall apply for coverage under the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ) and prepare a Stormwater Pollution Prevention Plan detailing Best Management Practices to control pollution from the Project area during construction. All disturbed areas within the Project area shall be appropriately stabilized and/or replanted with appropriate native vegetation.
11. **Utility Relocations:** Utility relocations affecting jurisdictional waters are not proposed for this Project.
12. **Other Agency Actions:** Caltrans intends to obtain coverage under U.S. Army Corps of Engineers non-reporting Nationwide Permit No. 14, *Linear Transportation Projects*, pursuant to CWA, section 404. Caltrans has also submitted a section 1600 Notification of Lake or Streambed Alteration to the California Department of Fish and Wildlife in November 2014.
13. **CEQA Compliance:** On June 26, 2014, Caltrans certified a Mitigated Negative Declaration (State Clearinghouse No. 2014052042) for the project in order to comply

with the California Environmental Quality Act. The Regional Water Board has considered the environmental document.

14. **Total Maximum Daily Load:** The Van Duzen River watershed is listed on the Clean Water Act Section 303(d) list as impaired for sediment. In December 1999, the U.S. EPA established sediment Total Maximum Daily Loads (TMDLs) for the Van Duzen River. The TMDL identifies State Route 36 as a sediment delivery risk in the watershed. Excessive sediment in the Van Duzen River is particularly harmful to cold freshwater habitat, including anadromous salmonid habitat. This certification includes measures to reduce sediment discharges to surface waters as well as measures to avoid, minimize, and mitigate impacts in riparian zones. Accordingly, this certification is consistent with, and implements portions of the Van Duzen River TMDL.
15. **Antidegradation Policy:** 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 certification 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.
16. 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 certification. A weblink to this Order is included at the end of this certification.

Receiving Water:	Little Larabee Creek and tributaries to the Van Duzen River Basin Plan Hydrologic Planning Sub-Area 111.22, Bridgeville	
Filled and/or Excavated Areas:	Permanent – jurisdictional waters	20 linear feet (0.002 acres)
	Temporary – jurisdictional waters	40 linear feet (0.009 acres)
Dredge Volume:	none	
Latitude/Longitude:	40.4677, -123.818; 40.4784, -123.7735; 40.4867, -123.760	

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the State Route 36 Larabee Slips Repair Project (WDID No. 1B14130WNHU), 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 Caltrans complies with the following terms and conditions:

All conditions of this certification apply to Caltrans (and all its 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 (including the off-site mitigation lands) as related to this Water Quality Certification.

Project-Specific Conditions Requiring Reports

1. The Regional Water Board shall be notified in writing (e-mail is acceptable) at least five working days prior to commencement of ground disturbing activities for each construction season.
2. Caltrans shall remove debris (e.g., soil bags, plastic buckets) from an abandoned marijuana grow operation within its right-of-way at Post-Mile 25.69. The debris is within the boundaries of a jurisdictional wetland, just east of the proposed corrugated plastic pipe down drain location. Caltrans shall send a report documenting debris removal to the Regional Water Board no later than November 30, 2015. The report shall include before and after pictures of the wetland area.
3. Caltrans shall stabilize the existing erosional feature created at the current discharge location of the flexible corrugated plastic pipe, at Post-Mile 25.69. Caltrans shall send photographs of the stabilized area no later than November 30, 2015.

Project-Specific Conditions

4. Tree removal is prohibited.
5. Construction shall occur only between May 15 and October 15. Deviations from this time period are subject to prior acceptance of Regional Water Board staff.
6. Project implementation at Post-Mile 25.69 shall be consistent with the *01-0B340 Location 2 Final Plans* sent by Caltrans to the Regional Water Board via e-mail on March 10, 2015. Any deviation from these plans is subject to prior review and acceptance by Regional Water Board staff.

Standard Conditions

7. Herbicides and other pesticides shall not be used within the Project limits. If Caltrans has a compelling case as to why pesticides should be used, then a request for pesticide use and a BMP plan may be submitted to the Regional Water Board staff for review and acceptance.
8. All Project activities and BMPs shall be implemented according to the submitted

Standard Conditions (continued)

application package and the findings and conditions of this certification. Subsequent changes to the Project that could significantly impact water quality shall first be submitted to Regional Water Board staff for prior review, consideration, and written concurrence. If the Regional Water Board is not notified of an alteration to the Project that results in an impact to water quality, it will be considered a violation of this Order, and Caltrans may be subject to Regional Water Board enforcement actions.

9. All conditions required by this Order shall be included in the Contract Documents prepared by Caltrans for the contractor. In addition, Caltrans shall require compliance with all conditions included in this Order in the bid contract for this Project.
10. Caltrans is prohibited from discharging waste to waters of the State, unless explicitly authorized by this certification. For example, no debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or concrete washings, welding slag, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, shall be allowed to enter into State waters.
11. Except for temporary stockpiling of waste generated during demolition operations ("temporary" in this instance means generated and removed during the same working day), waste materials shall not be placed in a manner where the materials may be transported into waters of the State. Waste materials shall not be placed within 100 linear feet of State waters. Exceptions to the 100-foot limit may be granted on a case-by-case basis provided Caltrans first submits a proposal in writing that is found acceptable by Regional Water Board staff.
12. Caltrans is liable and responsible for the proper disposal, reuse, and/or recycling of all Project-generated waste in compliance with applicable State and Federal laws and regulations, and as described in Caltrans 2010 Standard Specifications 13-4.03D, Waste Management. Additionally, when handling, transporting, disposing, reusing, and/or recycling Project-generated waste, Caltrans and their contractors shall:
 - i) Provide the Regional Water Board with a copy of the Solid Waste Disposal and Recycling Report prepared for Caltrans by the contractor per Caltrans 2010 Standard Specification 14-10.02A(1), Submittals. These reports shall be provided not later than January 31 for each year work is performed during the previous calendar year. A copy of the final Solid Waste Disposal and Recycling Report shall be submitted to the Regional Water Board within 30 days after being received by Caltrans from the contractor.
 - ii) For waste other than solid waste, obtain evidence that waste has been appropriately disposed, reused, and/or recycled. Evidence shall include type and quantity of waste and may include, but not be limited to, property owner agreements, permits, licenses, and environmental clearances. Evidence shall

Standard Conditions (continued)

- be provided to the Regional Water Board upon request; and
- iii) For waste other than solid waste, ensure the Resident Engineer has given written permission for disposal, reuse, and/or recycling, prior to the actual disposal, reuse, and/or recycling.
13. Asphalt-concrete grindings shall not be placed in any location where they may, at any time, be directly exposed to surface waters or seasonally high ground water, except asphalt-concrete grindings may be re-used and incorporated into hot mix asphalt products or encapsulated within the roadway structural section.
14. Caltrans and their contractors shall comply with the activity restrictions detailed in Caltrans 2010 Standard Specifications 13-4.03C(1). In addition, fueling, maintenance, storage and staging of vehicles and equipment shall be prohibited within waters of the State (e.g., gravel bars, seeps, ephemeral streams) and riparian areas.
15. Fueling, maintenance, and/or staging of individual equipment types within waters of the State or riparian areas may be authorized if Caltrans first prepares a plan that:
- i) Identifies the specific piece of machinery that may require fueling, maintenance, and/or staging within waters of the State or riparian areas;
 - ii) Provides justification for the need to refuel, maintain, or stage within State waters or riparian areas. The justification shall describe why conducting the activity outside of jurisdictional waters is infeasible; and
 - iii) Includes a narrative of specific BMPs that shall be employed to prevent discharges to State waters and riparian areas;
16. Caltrans shall not use leaking vehicles or equipment within State waters or riparian areas.
17. Only 100-percent biodegradable erosion and sediment control products that will not entrap or harm wildlife shall be used. Photodegradable synthetic products are not considered biodegradable. If Caltrans 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. This condition does not prohibit the use of plastic sheeting used in water diversion or dewatering activities. Caltrans shall request approval from the Regional Water Board if an exception to this requirement is needed for a specific location.
18. Work in flowing or standing surface waters, unless otherwise proposed in the project description and approved by the Regional Water Board, is prohibited.

Standard Conditions (continued)

19. Non-stormwater discharges are prohibited unless the discharge is first approved by the Regional Water Board and in compliance with the Basin Plan. If dewatering of groundwater is necessary, then Caltrans shall use a method of water disposal other than disposal to ground or surface waters, such as land disposal. Groundwater disposed of to land shall not enter State waters. Alternatively, Caltrans may apply for coverage under the Low Threat Discharge Permit or an individual National Pollutant Discharge Elimination System (NPDES) Permit. If Caltrans applies for coverage under either of these permits, then discharge is prohibited until Caltrans has received notification of coverage under the respective permit.

20. Gravel bags used within State waters shall:

- i) Comply with Caltrans 2010 Standard Specifications sections 13-5.02G and 88-1.02F;
- ii) Be immediately removed and replaced if the bags have developed or are developing holes or tears; and
- iii) Be filled only with clean washed gravel.

Exceptions to these criteria are subject to the review and acceptance of Regional Water Board staff;

21. This Order does not authorize drafting of surface waters.

22. Caltrans shall provide access to the Project construction site upon request by Regional Water Board staff.

23. Initial water pollution control training described in Caltrans 2010 Standard Specifications 13-1.01D(2), Training, shall apply to all Caltrans employees, contractors, and sub-contractors. Initial water pollution control training topics shall include Regional Water Board 401 certification and construction general permit requirements, identification of state waters and riparian areas, and violation avoidance and discharge reporting procedures.

24. Caltrans shall maintain logs of all Caltrans staff, contractors, and sub-contractors trained pursuant to the Caltrans 2010 Standard Specifications 13-1.01D(2). The logs shall include the names of trainees, training dates, and summary of the scope of training. Caltrans shall provide evidence of this documentation upon the request of the Regional Water Board.

25. If an unauthorized discharge to surface waters (including wetlands, rivers or streams) occurs, or any other threat to water quality arises as a result of Project

Standard Conditions (continued)

- implementation, the associated Project activities shall cease immediately until the threat to water quality is otherwise abated. If there is a discharge to State waters, the Regional Water Board shall be notified no more than 24 hours after the discharge occurs.
26. Uncured concrete shall not be exposed to State waters or surface waters that may discharge to State waters. Concrete sealants may be applied to the concrete surface where difficulty in excluding flow for a long period may occur. If concrete sealant is used, water shall be excluded from the site until the sealant is cured. If groundwater comes into contact with fresh concrete, it shall be prevented from flowing towards surface water.
 27. Ground and surface water that has come into contact with fresh concrete, and all other wastewater, shall not be discharged to State waters or to a location where it may discharge to State waters; the wastewater shall be collected and re-used or disposed of in a manner approved by the Regional Water Board.
 28. All imported fill material shall be clean and free of pollutants. All fill material shall be imported from a source that has the appropriate environmental clearances and permits. The reuse of low-level contaminated solids as fill on-site shall be performed in accordance with all State and Federal policies and established guidelines and must be submitted to the Regional Water Board for review and consideration of acceptance.
 29. Caltrans shall provide a copy of this certification and State Water Resources Control Board (SWRCB) Order No. 2003-0017-DWQ (web link referenced below) to the contractor and all subcontractors conducting the work, and require that copies remain in their possession at the work site. Caltrans shall be responsible for work conducted by its contractor and subcontractors.
 30. The validity of this certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 3833. The total Application fee is \$200. The Regional Water Board received \$200 from Caltrans on December 19, 2014.
 31. This certification will be subject to annual billing during the construction phase ("Annual Active Discharge Fee") and during the monitoring phase of the Project ("Annual Post Discharge Monitoring Fee"), per the current fee schedule, which can be found on our website:
http://www.swrcb.ca.gov/northcoast/water_issues/programs/water_quality_certification.shtml. These fees will be automatically invoiced to Caltrans.
 32. Caltrans shall notify the Regional Water Board upon Project construction completion to request termination of the Annual Active Discharge Fee and to receive a "Notice of

Standard Conditions (continued)

Completion of Discharges Letter.” If the Project is subject to the Annual Post Discharge Monitoring Fee, then Caltrans shall also notify the Regional Water Board at the end of the monitoring period to request termination of the fee and receive a “Notice of Project Complete Letter.” Caltrans may be required to submit completion reports at the end of each of these phases. Regional Water Board staff may request site visits at the end of each Project phase to confirm Project status and compliance with this Order.

33. 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.
34. 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 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 certification. 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 certification 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 certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
35. 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.
36. This certification is not transferable. In the event of any change in control of ownership of land presently owned or controlled by Caltrans, Caltrans shall notify the successor-in-interest of the existence of this certification by letter and shall forward a copy of the letter to the Regional Water Board. The successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of this certification to discharge dredged or fill material under this Order. The request must contain the following:

Standard Conditions (continued)

- i) Requesting entity's full legal name;
- ii) The state of incorporation, if a corporation;
- iii) The address and phone number of contact person; and
- iv) A description of any changes to the project or confirmation that the successor-in-interest intends to implement the project as described in this Order.

37. Except as may be modified by any preceding conditions, all certification actions are contingent on:

- i) The discharge being limited, and all proposed revegetation, avoidance, minimization, and mitigation measures being completed, in strict compliance with Caltrans's project description and CEQA documentation, as approved herein;
- ii) Caltrans shall construct the project in accordance with the project described in the application and the findings above; and
- iii) Compliance with all applicable water quality requirements and water quality control plans including the requirements of the Water Quality Control Plan for the North Coast Region (Basin Plan), and amendments thereto.

Any change in the design or implementation of the project that would have a significant or material effect on the findings, conclusions, or conditions of this Order must be submitted to the Executive Officer of the Regional Water Board for prior review, consideration, and written concurrence. 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 Caltrans may be subject to Regional Water Board enforcement actions.

38. The authorization of this certification for any dredge and fill activities expires five years from the date of this Order. 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.

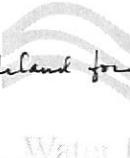
Conditions 1-3 include requirements for information and reports. Any requirement for a report made as a condition to this certification is a formal requirement pursuant to California Water Code section 13267, and failure or refusal to provide, or falsification of such required report is subject to civil liability as described in California Water Code, Section 13268.

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

March 24, 2015

plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.

Please contact our staff Environmental Scientist, Brendan Thompson at (707) 576-2699, or via e-mail, at Brendan.Thompson@waterboards.ca.gov, if you have any questions.

 Digitally signed by
David F. Leland for David F. Leland
Date: 2015.03.24
11:37:43 -07'00'

Matthias St. John
Executive Officer

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Web link: 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 to: Ms. Talitha Hodgson, Caltrans, District 1, 1656 Union Street, Eureka, CA 95501 Talitha.Hodgson@dot.ca.gov

cc: Holly Costa, U.S. Army Corps of Engineers holly.n.costa@usace.army.mil
JoAnn Dunn, California Department of Fish and Wildlife JoAnn.Dunn@wildlife.ca.gov
State Water Resources Control Board stateboard401@waterboards.ca.gov
Environmental Protection Agency, Region 9 R9-WTR8-Mailbox@epa.gov
Allison Kunz, Caltrans Allison.Kunz@dot.ca.gov

For Contract No. 01-0B3404
Men-101-45/50.8

IN MENDOCINO COUNTY IN AND NEAR WILLITS AT VARIOUS LOCATIONS

Identified by
Project ID 0112000118

STATE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE,
STREAMBED ALTERATION AGREEMENT, MARCH 13, 2015

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 1 - NORTHERN
619 SECOND STREET
EUREKA, CALIFORNIA, 95501

RECEIVED

MAR 19 2015

CDFW - EUREKA



STREAMBED ALTERATION AGREEMENT
NOTIFICATION No. 1600-2014-0369-R1
UNNAMED TRIBUTARIES TO VAN DUZEN RIVER AND LITTLE LARABEE CREEK
STREAM ENCROACHMENTS ON SR 36 AT PMs 22.8, 25.69, AND 27.7

CALIFORNIA DEPARTMENT OF TRANSPORTATION
HUMBOLDT COUNTY SR 36 LARABEE SLIPS REPAIR PROJECT
EA 01-0B340; SR 36, PMs 22.8, 25.69, AND 27.61

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and the California Department of Transportation (Caltrans) (Permittee) as represented by Ms. Talitha Hodgson.

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) Section 1602, Permittee notified CDFW on December 22, 2014, that Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC Section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project is located in Humboldt County on State Route (SR) 36 between Post Mile (PM) markers 22.8 and 27.61, approximately 1 mile west of the town of Bridgeville. The project is situated on an Unnamed Tributary to Van Duzen River, and Unnamed Tributaries to Little Larabee Creek, tributary to Van Duzen River, tributary to Eel River, tributary to Pacific Ocean. The project is located in the County of Humboldt; State of California; Section 15, Township 1 North, Range 3 East; and Section 7, Township 1 North, Range 4 East, Humboldt Base and Meridian; Bridgeville U.S. Geological Survey 7.5-minute quadrangle.

PROJECT DESCRIPTION

Caltrans is proposing to reconstruct the roadway, including constructing 2 deep underdrains and an underdrain outlet, removing and replacing a culvert, and installing rock slope protection (RSP) to dissipate water energy and control erosion below the culvert and underdrain outlet at PM 22.80.

At PM 25.69, Caltrans proposes to construct a deep underdrain that drains via a new culvert to an existing downdrain, realign and extend the existing downdrain, and install a large riprap energy dissipater to control erosion below the extended downdrain, as shown in revised plans received on March 10, 2015.

At PM 27.61, Caltrans proposes to reconstruct the roadway, including constructing a deep underdrain and outlet, constructing a downdrain, lining a culvert and replacing the inlet, and installing RSP to dissipate water energy and control erosion below the downdrain outlet.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: **Chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*O. kisutch*), steelhead (*O. mykiss*), northern red-legged frog (*Rana aurora*), foothill yellow-legged frog (*R. boylei*)**, amphibians, reptiles, aquatic invertebrates, mammals, nesting resident and migratory birds, and other aquatic and riparian species.

The adverse effects the project could have on the fish or wildlife resources identified above include:

- direct and/or indirect mortality of fish, amphibians and other aquatic species;
- impede up- and/or down- stream migration of aquatic species;
- injury to downstream fish and benthic invertebrates and spawning and/or rearing habitats through sediment transport and deposition and/or spills of deleterious materials;
- changes in channel form and contour of bed, bank, or channel;
- changes in flow depth, width, or velocity;
- temporary increase of sediment and turbidity

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons in responsible positions who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the project site at any time to verify compliance with the Agreement.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and other aquatic species, Permittee shall implement each measure listed below.

- 2.1 Except where otherwise stipulated in this Agreement, all work shall be in accordance with Permittee's notification, including all maps, plans, photographs, drawings, and all other supporting documents submitted as part of the notification and received as of March 10, 2015. The Permittee shall use the mitigative features described in the notification and supporting documents, unless such features are modified by the provisions of this Agreement, in which case the activities shall be conducted as described in this Agreement.
- 2.2 If sightings or den sites of ring-tailed cat (*Bassariscus astutus*), Pacific fisher (*Martes pennanti*), or marten (*Martes americana*) are encountered in the course of activities at project sites, the Permittee shall immediately notify and consult with CDFW to identify any measures that may be needed to avoid take or minimize adverse impacts to these species.
- 2.3 All work within the bed, bank or channel shall be confined to the period June 1 to October 15 of any year in which this Agreement is valid.
- 2.4 Except as described in this Agreement, all work within stream channels or on the banks shall be performed when streams are dry or at low flow. If water is present

during construction, all work shall be performed in isolation from surface flow or subsurface flow to the maximum extent feasible.

- 2.5 No fill material shall be placed within a stream except as specified in this Agreement. Any fill excavated from project work shall be placed in stable areas where it cannot enter or erode into a stream.
- 2.6 Where flowing water is present during operations:
- a) A biologist shall be on-site to identify and, if necessary, remove and relocate amphibians, reptiles or other aquatic species.
 - b) A temporary clear water diversion for instream excavation work shall be constructed using cofferdams to divert stream flow and isolate and dewater the work site, and to catch any sediment-laden water and minimize sediment transport downstream. Cofferdams shall be constructed of non-polluting materials including sand bags, rock, K-rails, and/or plastic tarps. Mineral soil shall not be used in the construction of cofferdams.
 - c) Flowing water shall be cleanly bypassed and/or prevented from entering the work area through pumping or gravity flow, and cleanly returned to the stream below the work area. Flow diversions shall be done in a manner that shall prevent pollution and/or siltation and provides flows to downstream reaches.
 - d) The Permittee shall remove any turbid water and sediment present in the work area prior to restoring water flow through the project site, and place them in a location where they cannot enter the Waters of the State. Turbid water pumped from the work area shall properly disposed of in an upland area where it will not drain to surface waters or wetlands. Once work is completed cofferdams shall be removed and stream flow restored.
- 2.7 Adequate and effective erosion and siltation control measures shall be used at all times to prevent sediment or turbid or silt-laden water from entering streams. Where needed, the Permittee shall use native vegetation or other treatments including native slash, jute netting, straw wattles, and geotextiles to protect and stabilize soils. Geotextiles, fiber rolls, and other erosion control treatments shall not contain plastic mesh netting that can entrap or harm wildlife. Photodegradable synthetic products are not considered biodegradable.
- 2.8 All bare mineral soil exposed in conjunction with construction, deconstruction, maintenance or repair, including the length of the access trail created to place RSP at the end of the downdrain at PM 25.69, shall be treated for effective erosion control prior to the onset of precipitation capable of generating run-off or the end of the yearly work period, whichever comes first.

- 2.9 Erosion control measures shall include the proper installation and maintenance of approved BMPs and may include applications of seed, weed-free straw, compost, fiber, commercial fertilizer, stabilizing emulsion and mulch, or combinations thereof. Non-vegetative methods such as jute mat, coir mat, wood chip mat, straw mat or wattle, straw mulch, native duff (leaves, needles, fine twigs, etc.), or lopped native slash may be used as erosion control to protect and stabilize soils. Straw mulching shall utilize at least 2 to 4 inches of clean straw (such as rice, barley, wheat) or weed-free straw. Seeding shall use regional native seed or non-native seed that is known not to persist or spread [e.g., barley (*Hordeum vulgare*), or wheat (*Triticum aestivum*)]. No known invasive grass seed such as annual or perennial ryegrass (*Lolium multiflorum* or *L. perenne*, which are now referred to as *Festuca perennis*), shall be used in erosion control or revegetation seed mixes.
- 2.10 Encroachments and associated structures, fills, and other exposed soils shall be armored as needed to protect fill, abutments, and the stream channel and banks from erosion. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the Ordinary High Water Mark before such flows occur or the end of the yearly work period, whichever comes first.
- 2.11 The Permittee shall provide site maintenance during the life of the Agreement and the life of the structures, including, but not limited to, re-applying erosion control to minimize surface erosion and ensuring drainage structures, streambeds and banks remain sufficiently functional, armored and/or stable.
- 2.12 No equipment or machinery shall be operated within any flowing stream. All machinery or heavy equipment that will be working in the stream bed, channel, and bank shall be cleaned of materials deleterious to aquatic life including oil, lubricants, coolants, hydraulic fluid, soil, and other debris. Cleaning of equipment shall take place outside of the stream bed, channel, and bank.
- 2.13 Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within stream bed, channel, and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel, and bank shall use drip pans or other devices (i.e., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.14 Any equipment or vehicles driven and/or operated within or adjacent to the stream channel shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic and terrestrial life or riparian habitat.
- 2.15 All asphalt debris found on site adjacent to streams shall be removed from locations where it can enter the stream channel and appropriately disposed of off-site.

- 2.16 All construction activities performed in or near the stream shall have absorbent materials designated for spill containment and clean-up activities on-site for use in an accidental spill. In the event of a discharge, the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550 and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours and consulted regarding clean-up procedures.
- 2.17 Except as otherwise stipulated in this Agreement, no debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, asphalt, paint or other coating material, oil or petroleum products or other organic or earthen material from any construction, or associated activity of whatever nature shall be allowed to enter into, or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.

SITE-SPECIFIC MEASURES:

- 2.18 At PM 22.8, two trees at the culvert outlet may be removed during culvert removal and replacement. The outlet of the new culvert shall be placed such that it will not be angled toward or undermine the tree that will remain proximate to the culvert outlet.
- 2.19 The most recent revised plans submitted by Caltrans on March 10, 2015, shall be used at RP 25.69. The relocated and extended downdrain shall be staked or otherwise securely anchored to the fill slope, and shall have an energy dissipater below the outfall of sufficient size to effectively control erosion.
- 2.20 All soil exposed to access RP 25.69, including the length of the access trail created to place RSP at the end of the downdrain, shall be treated to effectively control sediment from leaving the project site prior to the onset of precipitation capable of generating run-off or the end of the yearly work period, whichever comes first.

CONTACT INFORMATION

Written communication that Permittee or CDFW submits to the other shall be delivered to the address below unless Permittee or CDFW specifies otherwise:

To Permittee:

Ms. Talitha Hodgson
Caltrans
1656 Union St.
Eureka, CA 95501
Email: talitha.hodgson@dot.ca.gov

To CDFW:

California Department of Fish and Wildlife
Northern Region
619 2nd Street
Eureka, CA 95501
Attn: Lake or Streambed Alteration Program
Notification #1600-2014-0369-R1
Fax: (707) 441-2021

LIABILITY

Permittee shall be solely liable for any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require Permittee to proceed with the project. The decision to proceed with the project is Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety the Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Calif. Code Regs., Title 14, Section 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Calif. Code Regs., Title 14, Section 699.5).

EXTENSIONS

In accordance with FGC Section 1605(b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Calif. Code Regs., Title 14, Section 699.5). CDFW shall process the extension request in accordance with FGC Section 1605(b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC Section 1605(f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC Section 711.4 filing fee listed at http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall expire **two years** from the effective date, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC Section 1605(a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC Section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

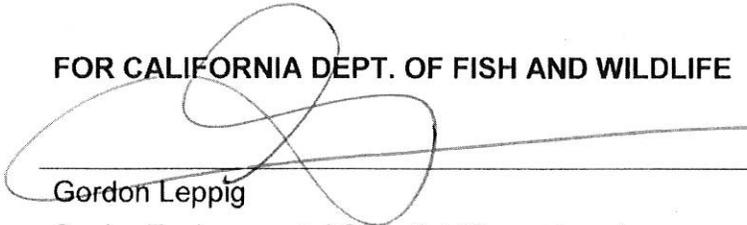
FOR CALIFORNIA DEPT. OF TRANSPORTATION



Talitha Hodgson
Project Manager

3/19/15
Date

FOR CALIFORNIA DEPT. OF FISH AND WILDLIFE



Gordon Leppig
Senior Environmental Scientist (Supervisory)

5/4/15
Date