

# **INFORMATION HANDOUT**

**For Contract No. 02-4E8904  
At 02-Sha-299-47.5/48.1**

**Identified by  
Project ID 0212000062**

## **PERMITS**

PLAC – PLAC Condition Responsibility Summary

PLAC - United States Army Corps of Engineers, Sacramento District

Non-Reporting Nationwide 404  
Application and Conditions for Nonreporting Nationwide Permit No. 14  
Dated: December 9, 2014

## **WATER QUALITY**

PLAC - California Regional Water Quality Control Board, Central Valley Region

Section 401 Water Quality Certification  
Board Order No. WDID No. 5A45CR00472  
Dated: November 25, 2014

## **AGREEMENTS**

PLAC - California Department of Fish and Wildlife, Northern Region

1602 Lake and Streambed Alteration Agreement  
Notification No. 1600-2014-0323-R1  
Dated: March 4, 2015

## **MATERIALS INFORMATION**

Optional Disposal Site

Water Source Information

Memo on McCandless Gulch Material and Rippability Descriptions

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## ***PLAC CONDITION RESPONSIBILITY (PCR) SUMMARY***

**General:**

This PCR Summary clarifies various PLAC requirements. Perform all work described in the PLACs on behalf of the Department unless otherwise stated below in Table 2. If a discrepancy exists between the PCR Summary and the PLAC, the PCR Summary governs.

**Definitions:**

**Agency:** A board, agency, or other entity that issues a PLAC

**Activity:** A task, event or other project element

**PLAC Condition:** a work activity and/or submittal required by a PLAC

**Table 1 - Clarification of PLAC Requirements**

PLAC Name	Section of the PLAC	PLAC Requirement
All PLACs	Applicable PLAC sections	<p><b>Submittals:</b> Submit to the Engineer when PLAC conditions require:</p> <ol style="list-style-type: none"> <li>1. Communications. The Engineer will contact the agencies.</li> <li>2. Records to be maintained, within 5 working days after the activity.</li> <li>3. Submittals 5 days before the agencies require them. The Engineer will review and submit to the agencies.</li> </ol>
<p><b>Department of the Army Requirements</b> Letter Dated: December 9, 2014 File Number: SPK-2014-00966</p>	Special Condition 3, "...adjacent upland areas within 25 feet of the U.S....;"	Work must be performed within the job site limits only.
<p><b>Central Valley Regional Water Quality Control Board</b> <b>General 401 Water Quality Certification for Discharge of Dredged and/or Fill Materials for the McCandless Gulch Safety Improvement Project</b> WDID#5A45CR00472</p>	Additional Technically Conditioned Certification Condition 7	Submit sampling results as specified in section 13-11.

**PLAC CONDITION RESPONSIBILITY (PCR) SUMMARY**

**Table 2 - Work to be Performed by the Department**

PLAC Name	Section of the PLAC	PLAC Requirement
<b>North Coast Regional Water Quality Control Board General 401 Water Quality Certification for Discharge of Dredged and/or Fill Materials for the McCandless Gulch Safety Improvement Project WDID#5A45CR00472</b>	<p align="center">All Sections</p>	<p align="center">All Requirements</p>
<b>Department of the Army Requirements Letter Dated: December 9, 2014 File Number: SPK-2014-00966</b>	<p align="center">Special Conditions 1,2,3a,3b, and 3c</p>	<p align="center">All Requirements</p>
	<p align="center">Regional Conditions 1-4, 8-10, 13,15-26</p>	<p align="center">All Requirements</p>
	<p align="center">General Conditions: 1, 3, 5, 15, 22, 23, 26, and 28-31</p>	<p align="center">All Requirements</p>
<b>California Department of Fish and Game Streambed Alteration Agreement Notification No: 1600-2014-0323-R1</b>	<p align="center">Section 3.1, 3.2, 4.1 and 4.2</p>	<p align="center">All Requirements</p>

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DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO CA 95814-2922

REPLY TO  
ATTENTION OF

December 9, 2014

Regulatory Division (SPK-2014-00966)

California Department of Transportation  
Attn: Mr. Phil Baker  
1031 Butte Street, MS 30  
Redding, California 96003

Dear Mr. Baker:

We are responding to your October 20, 2014, request for a Department of the Army Nationwide Permit (NWP) verification for the McCandless Gulch Safety Improvement (EA 02-4E890, PM 47.5/48.1) project. This approximately 12.9-acre project involves activities, including discharges of dredged or fill material, in waters of the United States to widen and modify State Route (SR) 299 between post mile 47.5 and 48.1. The project is located in Section 31, Township 34 North, Range 1 West, Mount Diablo Meridian, Latitude 40.76260°, Longitude -122.01199°, Round Mountain, Shasta County, California.

We understand the California Department of Transportation (Caltrans) is the National Environmental Policy Act (NEPA) lead Federal agency for this project, and as such, will ensure the authorized work complies with the NEPA, the Endangered Species Act, the National Historical Preservation Act, and any other applicable federal laws. As the applicant, you shall include this office in any future consultations involving compliance with the Endangered Species Act, the National Historic Preservation Act, and any other applicable federal laws, as they pertain to the activities authorized herein, so that we may consult as appropriate or designate you to consult on our behalf.

Based on the information you provided, the proposed activity, resulting in the permanent loss of approximately 0.02 acres of intermittent and ephemeral stream and temporary impacts to approximately 0.02 acres of intermittent and ephemeral stream, is authorized by NWP 14. Your work must comply with the general terms and conditions listed on the NWP information sheet, applicable regional conditions, and the following special conditions. The NWP information sheet and regional general conditions can be found on our website at <http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/NationwidePermits.aspx>. If you do not have access to the internet, a hard copy of the NWP information sheet and regional general conditions will be provided upon request.

### Special Conditions

1. To mitigate for the loss of 0.02 acres of riverine, you shall purchase at 3.8:1 ratio, 0.0762 aquatic resource credits from the National Fish and Wildlife Foundation's (NFWF) Sacramento District California In-Lieu Fee Program for the Northeast Sacramento River Watershed Service Area. Contact information for NFWF can be found on their website at: [www.nfwf.org/ilf](http://www.nfwf.org/ilf). Evidence of this purchase shall be provided to this office prior to initiation of construction activities within waters of the U.S.

2. The enclosed map figures entitled *McCandless Gulch Safety Improvement Project, Figure 1. McCandless Gulch and Cedar Creek* and *Figure 2. Ephemeral Channel Impact Map*, are incorporated by reference as a condition of this authorization. Any deviations from the work as authorized, which result in additional impacts to waters of the U.S., including wetlands, must be coordinated with this office prior to impacts.

3. You shall restore all temporary impacts to waters of the U.S. and adjacent upland areas within 25 feet of waters of the U.S. to their original contour and condition within 30 days following completion of construction activities. In order to ensure compliance with this condition, you shall:

a. Prior to initiation of any construction activities within waters of the U.S., submit to this office, for review and approval, a plan for the restoration of temporary impact areas prior to initiation of any construction activities. You shall include the following information within this plan:

(1) A description of and drawings showing the existing contours (elevation) and existing vegetation of the temporary impact areas. This information shall include site photographs taken of the temporary impact area. For linear projects, these photographs shall be taken from the alignment, in both directions and taken every 50-foot for the length of the temporary impact area;

(2) The methods used to restore the site to the original contour and conditions, as well as a plan for the revegetation of the site following construction activities;

(3) The proposed schedule for the restoration activities, and;

(4) A mitigation and monitoring plan, to be approved by this office, for the temporary impact area to ensure success of the restoration. Monitoring shall be conducted for a minimum of three growing seasons after completion of restoration activities. The plan shall be presented in the format of the Sacramento District's Habitat Mitigation and Monitoring Proposal Guidelines, dated December 30, 2004.

b. Within 30 days following completion of restoration activities, submit to this office a report describing the restoration activities including color photographs of the restored area. The compass angle and position of all photographs shall be similar to pre-construction photographs.

c. Submit to this office a Monitoring Report by October 1 of each year of required monitoring period. This report shall be submitted in the format shown on the enclosed Regulatory Guidance Letter 08-03, dated 10 October 2008, or subsequent guidance as appropriate. Reports may be submitted in hard copy or electronically.

4. Excavated materials from the permit area shall not be stockpiled or disposed of outside the permit area. Disposal and stockpile areas must be reviewed and approved by this office prior to commencement of construction activities. Plans, maps and/or drawings may be submitted electronically to [regulatory-info@usace.army.mil](mailto:regulatory-info@usace.army.mil).

5. If any of the above conditions are violated or unauthorized activities occur, you shall stop work immediately and notify this office. You shall provide us with a detailed description of the unauthorized activity(s), photo documentation, and any measures taken to remedy the violation.

6. Prior to initiation any construction activities within waters of the U.S., you shall employ construction best management practices (BMPs) onsite to prevent degradation to on-site and off-site waters of the U.S. Methods shall include the use of appropriate measures to intercept and capture sediment prior to entering waters of the U.S., as well as erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. All BMPs shall be in place prior to initiation of any construction activities and shall remain until construction activities are completed. You shall maintain erosion control methods until all on-site soils are stabilized. You shall submit a description of and photo-documentation of your BMPs to our office within 10 days of commencement of construction. Photos may be submitted electronically to [regulatory-info@usace.army.mil](mailto:regulatory-info@usace.army.mil).

7. No construction activities shall occur within standing or flowing waters. In perennial streams, this may be accomplished through dewatering the work area. Dewatering plans must be approved, in writing, by this office prior to commencement of construction activities. Plans, maps and/or drawings may be submitted electronically to [regulatory-info@usace.army.mil](mailto:regulatory-info@usace.army.mil).

8. You shall comply with all terms and condition of the enclosed November 25, 2014, (WDID#5A45CR00472) Section 401 Water Quality Certification (enclosure 2).

You must sign the enclosed Compliance Certification and return it to this office within 30 days after completion of the authorized work.

This verification is valid until March 18, 2017, when the existing NWP's are scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified, reissued or revoked, you will have twelve (12) months from the date of the modification, reissuance or revocation of the NWP to complete the activity under the present terms and conditions. Failure to comply with the General and Regional Conditions of this NWP, or the project-specific Special Conditions of this authorization, may result in the suspension or revocation of your authorization.

We would appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2014-00966 in any correspondence concerning this project. If you have any questions, please contact Mr. Peck Ha at the California North Branch Office, Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, or by email at [Peck.Ha@usace.army.mil](mailto:Peck.Ha@usace.army.mil), or telephone at 916-557-6617. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

Sincerely,



Nancy A. Haley  
Chief, California North Branch  
Regulatory Division

Enclosures

cc: (w/o encls)

Mr. Jamie Galos, Caltrans, [john.galos@dot.ca.gov](mailto:john.galos@dot.ca.gov)

Mr. Scott A. Zaitz, R.E.H.S., Regional Water Quality Control Board,  
[scott.zaitz@waterboards.ca.gov](mailto:scott.zaitz@waterboards.ca.gov)

Mr. Paul Jones, U.S. Environmental Protection Agency, Region IX, [Jones.Paul@epa.gov](mailto:Jones.Paul@epa.gov)

Ms. Tina Bartlett, California Department of Fish and Game, [R2Info@wildlife.ca.gov](mailto:R2Info@wildlife.ca.gov)

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## Central Valley Regional Water Quality Control Board

25 November 2014

Mr. Phil Baker  
Caltrans  
1031 Butte Street, MS30  
Redding, CA 96003

### **CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE MCCANDLESS GULCH SAFETY IMPROVEMENT PROJECT (WDID#5A45CR00472), ROUND MOUNTAIN, SHASTA COUNTY**

#### **ACTION:**

1.  Order for Standard Certification
2.  Order for Technically-conditioned Certification
3.  Order for Denial of Certification

#### **WATER QUALITY CERTIFICATION STANDARD CONDITIONS:**

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and §3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action shall be conditioned upon total payment of the full fee required under 23 CCR §3833, unless otherwise stated in writing by the certifying agency.
4. Certification is valid for the duration of the described project. Caltrans shall notify the Central Valley Water Board in writing within 7 days of project completion.

**ADDITIONAL TECHNICALLY CONDITIONED CERTIFICATION CONDITIONS:**

In addition to the four standard conditions, Caltrans shall satisfy the following:

1. Caltrans shall notify the Central Valley Water Board in writing 7 days in advance of the start of any in-water activities.
2. Except for activities permitted by the U.S. Army Corps under §404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. All areas disturbed by project activities shall be protected from washout or erosion.
4. Caltrans shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.
5. An effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working during all phases of construction.
6. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
7. Caltrans shall perform surface water sampling: 1) When performing any in-water work; 2) In the event that project activities result in any materials reaching surface waters or; 3) When any activities result in the creation of a visible plume in surface waters. The following monitoring shall be conducted immediately upstream out of the influence of the project and 300 feet downstream of the active work area. Sampling results shall be submitted to this office within two weeks of initiation of sampling and every two weeks thereafter. The sampling frequency may be modified for certain projects with written permission from the Central Valley Water Board.

<b>Parameter</b>	<b>Unit</b>	<b>Type of Sample</b>	<b>Frequency of Sample</b>
Turbidity	NTU	Grab	Every 4 hours during in water work
Settleable Material	ml/l	Grab	Same as above.
Visible construction related pollutants	Observations	Visible Inspections	Continuous throughout the construction period

8. Activities shall not cause turbidity increases in surface water to exceed:
- (a) where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
  - (b) where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
  - (c) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
  - (d) where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
  - (e) where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTU over background turbidity as measured in surface waters 300 feet downstream from the working area. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be assessed by prior permission of the Central Valley Water Board.

9. Activities shall not cause settleable matter to exceed 0.1 ml/l in surface waters as measured in surface waters 300 feet downstream from the project.
10. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the work area or downstream. Caltrans shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.
11. Caltrans shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.
12. Caltrans shall comply with all Department of Fish and Wildlife 1600 requirements for the project.
13. Caltrans must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board for any project disturbing an area of 1 acre or greater.
14. The Conditions in this water quality certification are based on the information in the attached "Project Information." If the information in the attached Project Information is modified or the project changes, this water quality certification is no longer valid until amended by the Central Valley Water Board.
15. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under State law and section 401 (d) of the federal 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 ensure compliance with this Order.

- a. If Caltrans or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Order, or falsifies any information provided in the monitoring reports, the applicant is subject to civil monetary liabilities, for each day of violation, or criminal liability.
- b. In response to a suspected violation of any condition of this Order, the Central Valley Water Board may require Caltrans to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- c. Caltrans shall allow the staff(s) of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the project premises for inspection, including taking photographs and securing copies of project-related records, for the purpose of assuring compliance with this certification and determining the ecological success of the project.

**REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

Dannas J. Berchtold, Engineering Associate, Redding Branch Office, 364 Knollcrest Drive, Suite 205, Redding, California 96002, dberchtold@waterboards.ca.gov, (530) 224-4783

**WATER QUALITY CERTIFICATION:**

I hereby issue an order certifying that any discharge from Caltrans, McCandless Gulch Safety Improvement Project (WDID# 5A45CR00472) will comply with the applicable provisions of §301 ("Effluent Limitations"), §302 ("Water Quality Related Effluent Limitations"), §303 ("Water Quality Standards and Implementation Plans"), §306 ("National Standards of Performance"), and §307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)."

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with Caltrans's project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the Water Quality Control Plan *for the Sacramento River and San Joaquin River*, Fourth Edition, revised October 2011 (Basin Plan).

Any person aggrieved by this action may petition the State Water Quality Control Board to review the action in accordance with California Water Code § 13320 and California Code of Regulations, title 23, § 2050 and following. The State Water Quality Control Board must receive the petition by 5:00 p.m., 30 days after the date of this action, except that if the thirtieth day following the date of this action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Quality Control Board by 5:00 p.m. on the next business day.

Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.



(for) PAMELA C. CREEDON  
Executive Officer

DLB:lmw

Enclosure: Water Quality Order No. 2003-0017 DWQ

cc w/o Mr. Peck Ha, U.S. Army Corp of Engineers, Sacramento  
enclosures: Department of Fish and Wildlife, Region 2, Rancho Cordova  
U.S. Fish and Wildlife Service, Sacramento  
Mr. Bill Jennings, CALSPA, Stockton

cc w/o U.S. EPA, Region 9, San Francisco  
enclosures Mr. Bill Orme, SWRCB, Certification Unit, Sacramento  
by email:

## PROJECT INFORMATION

**Application Date:** 27 October 2014

**Application Complete Date:** 27 October 2014

**Applicant:** Caltrans, Attn: Mr. Phil Baker

**Project Name:** McCandless Gulch Safety Improvement Project

**Application Number:** WDID No. 5A45CR00472

**U.S. Army Corps File Number:** SPK-2014-00966

**Type of Project:** Widening and overall safety improvements of a curve at State Route 299 PM 47.5 to 48.1, near Round Mountain.

**Project Location:** Section 31, Township 34 North, Range 01 West, MDB&M.

Latitude: 40°45'45" and Longitude: -122°00'42"

**County:** Shasta County

**Receiving Water(s) (hydrologic unit):** McCandless Gulch and Cedar Creek, which are tributary to Pitt River. Pitt River Hydrologic Unit-Montgomery Creek Hydrologic Subarea No. 526.13

**Water Body Type:** Streambed

**Designated Beneficial Uses:** The Water Quality Control Plan for the Sacramento River and San Joaquin River, Fourth Edition, revised October 2011, has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Groundwater Recharge, Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and /or Early Development (SPWN); and Wildlife Habitat (WILD).

**Project Description (purpose/goal):** The McCandless Gulch Safety Improvement Project consists of improving roadway geometrics; increasing sight distance; improving super-elevation rates and transition lengths; and smoothing the "S" curve between post mile (PM) 47.5 and 48.1 on State Route 299 in Shasta County. The project will also widen and modify the alignment of roadway to accommodate 12 foot lanes, 8 foot shoulders, 3 foot shoulder backing, and the installation and extension of metal beam guard rail (MBGR). Ground disturbing activities include tree and vegetation removal, road cut and fill, culvert replacement and extension, drainage improvements, utility relocation, and installation of signs and posts for the MBGR. Work will involve replacement/extension and modification of 5 culverts that intersect SR 299 along the realignment segment. Traffic controls will be required during construction. Excess material generated by the project will be hauled to Bear Gulch Quarry for disposal. Additional right-of-way is required to incorporate proposed roadway improvements. The project is tentatively scheduled for construction in 2015 and is estimated to take one construction season to complete.

Site reconnaissance and investigation of waters of the U.S. (WOTUS) within the project area was conducted by Caltrans biologist Jeanne Mayer, with several site visits occurring in the Spring and Summer of 2014. Caltrans biologist Jamie Galos conducted a site visit on October 1, 2014. WOTUS within the project area include the perennial Cedar Creek, intermittent McCandless Gulch, and two unnamed ephemeral tributaries to Cedar Creek. No jurisdictional wetlands were identified within the approximately 12.9 acre Environmental Study Limits (ESL) or project area.

Three of the five culverts proposed to be replaced convey flow of WOTUS. Cedar Creek flows southwest along the south border of the project area. The box culvert at McCandless Gulch was identified as a partial barrier to fish passage and this project will incorporate fish passage design elements into the culvert extension to improve fish migration upstream and downstream at the McCandless Gulch location. A small portion of McCandless Gulch immediately upstream of the box culvert will be realigned to account for the new design of the proposed culvert extension, and will be dredged to remove excess sediment and rock accumulation. McCandless Gulch is an intermittent tributary to Cedar Creek.

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

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

**Fill/Excavation Area: Waters of the United States:** Project implementation will permanently impact 0.02 acre (188 linear feet) of un-vegetated streambed and temporarily impact 0.02 acre (99 linear feet) of un-vegetated streambed.

**Non-Federal Waters:** Project implementation will permanently impact 0.28 acre of riparian and temporarily impact 0.02 acre of riparian.

**Dredge Volume:** 135 cubic yards of river rock, sand and soil, and 4 cubic yards of concrete.

**U.S. Army Corps of Engineers Permit Number:** Nationwide Permit #14 (Linear Transportation Projects)

**Department of Fish and Wildlife Streambed Alteration Agreement:** Caltrans applied for a Streambed Alteration Agreement on 18 October 2014.

**Possible Listed Species:** None

**Status of CEQA Compliance:** Caltrans issued a Notice of Exemption on 22 April 2014 approving a Categorical Exemption pursuant Class 1 (PRC 21084; 14 CCR 15300 et seq.) of the State CEQA Guidelines. (State Clearinghouse Number 2014048252).

**Compensatory Mitigation:** The project as proposed is self-mitigating.

**Application Fee Provided:** On 27 October 2014 a certification application fee of \$8,845.00 was submitted as required by 23 CCR §3833b(3)(A) and by 23 CCR §2200(e).

**STATE WATER RESOURCES CONTROL BOARD**

**WATER QUALITY ORDER NO. 2003 - 0017 - DWQ**

**STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR  
DREDGED OR FILL DISCHARGES THAT HAVE RECEIVED  
STATE WATER QUALITY CERTIFICATION (GENERAL WDRs)**

The State Water Resources Control Board (SWRCB) finds that:

1. Discharges eligible for coverage under these General WDRs are discharges of dredged or fill material that have received State Water Quality Certification (Certification) pursuant to federal Clean Water Act (CWA) section 401.
2. Discharges of dredged or fill material are commonly associated with port development, stream channelization, utility crossing land development, transportation water resource, and flood control projects. Other activities, such as land clearing, may also involve discharges of dredged or fill materials (e.g., soil) into waters of the United States.
3. CWA section 404 establishes a permit program under which the U.S. Army Corps of Engineers (ACOE) regulates the discharge of dredged or fill material into waters of the United States.
4. CWA section 401 requires every applicant for a federal permit or license for an activity that may result in a discharge of pollutants to a water of the United States (including permits under section 404) to obtain Certification that the proposed activity will comply with State water quality standards. In California, Certifications are issued by the Regional Water Quality Control Boards (RWQCB) or for multi-Region discharges, the SWRCB, in accordance with the requirements of California Code of Regulations (CCR) section 3830 et seq. The SWRCB's water quality regulations do not authorize the SWRCB or RWQCBs to waive certification, and therefore, these General WDRs do not apply to any discharge authorized by federal license or permit that was issued based on a determination by the issuing agency that certification has been waived. Certifications are issued by the RWQCB or SWRCB before the ACOE may issue CWA section 404 permits. Any conditions set forth in a Certification become conditions of the federal permit or license if and when it is ultimately issued.
5. Article 4, of Chapter 4 of Division 7 of the California Water Code (CWC), commencing with section 13260(a), requires that any person discharging or proposing to discharge waste, other than to a community sewer system, that could affect the quality of the waters of the State,<sup>1</sup> file a report of waste discharge (ROWD). Pursuant to Article 4, the RWQCBs are required to prescribe waste discharge requirements (WDRs) for any proposed or existing discharge unless WDRs are waived pursuant to CWC section 13269. These General WDRs fulfill the requirements of Article 4 for proposed dredge or fill discharges to waters of the United States that are regulated under the State's CWA section 401 authority.

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<sup>1</sup> "Waters of the State" as defined in CWC Section 13050(e)

IT IS HEREBY ORDERED that WDRs are issued to all persons proposing to discharge dredged or fill material to waters of the United States where such discharge is also subject to the water quality certification requirements of CWA section 401 of the federal Clean Water Act (Title 33 United States Code section 1341), and such certification has been issued by the applicable RWQCB or the SWRCB, unless the applicable RWQCB notifies the applicant that its discharge will be regulated through WDRs or waivers of WDRs issued by the RWQCB. In order to meet the provisions contained in Division 7 of CWC and regulations adopted thereunder, dischargers shall comply with the following:

1. Dischargers shall implement all the terms and conditions of the applicable CWA section 401 Certification issued for the discharge. This provision shall apply irrespective of whether the federal license or permit for which the Certification was obtained is subsequently deemed invalid because the water body subject to the discharge has been deemed outside of federal jurisdiction.
2. Dischargers are prohibited from discharging dredged or fill material to waters of the United States without first obtaining Certification from the applicable RWQCB or SWRCB.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 19, 2003.

AYE: Arthur G. Baggett, Jr.  
Peter S. Silva  
Richard Katz  
Gary M. Carlton  
Nancy H. Sutley

NO: None.

ABSENT: None.

ABSTAIN: None.

  
Debbie Irvin  
Clerk to the Board

# INFORMATION HANDOUT

For Contract No. 02-4E8904  
At 02-Sha-299-47.5/48.1

Identified by  
Project ID 0212000062

## PERMITS

PLAC – PLAC Condition Responsibility Summary

PLAC - United States Army Corps of Engineers, Sacramento District

Non-Reporting Nationwide 404  
Application and Conditions for Nonreporting Nationwide Permit No. 14  
Dated: December 9, 2014

## WATER QUALITY

PLAC - California Regional Water Quality Control Board, Central Valley Region

Section 401 Water Quality Certification  
Board Order No. WDID No. 5A45CR00472  
Dated: November 25, 2014

## AGREEMENTS

PLAC - California Department of Fish and Wildlife, Northern Region

1602 Lake and Streambed Alteration Agreement  
Notification No. 1600-2014-0323-R1  
Dated: March 4, 2015

## MATERIALS INFORMATION

Optional Disposal Site

Water Source Information

Memo on McCandless Gulch Material and Rippability Descriptions

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**  
NORTHERN REGION  
601 LOCUST STREET  
REDDING, CA 96001



**STREAMBED ALTERATION AGREEMENT**

NOTIFICATION NO. 1600-2014-0323-R1  
McCandless Gulch tributary to Cedar Creek and two unnamed  
intermittent streams, both tributaries to Cedar Creek.

CALIFORNIA DEPARTMENT OF TRANSPORTATION  
MCCANDLESS GULCH SAFETY IMPROVEMENT PROJECT

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (DFW) and the California Department of Transportation (Permittee) as represented by Mr. Phil Baker.

**RECITALS**

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, Permittee notified DFW on October 27, 2014 that Permittee intends to complete the project described herein;

WHEREAS, pursuant to FGC section 1603, DFW 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 along State Route 299, approximately 23 miles east of the city of Redding, in the County of Shasta, State of California. Location is at T34N, R1W, sec. 31, NE 1/4, Mt.Diablo Meridian.

**PROJECT DESCRIPTION**

The project proposed by the Permittee is a highway safety improvement project on State Route 299, approximately 23 miles east of Redding. The project proposes to realign and widen the roadway, adjust the road curvature, improve and enlarge drainage facilities, improve fish passage through the McCandless Gulch culvert, and

add new pavement. The following descriptions are summaries from the complete application package submitted to DFW. The full descriptions and accompanying maps, figures, and tables are made a part of this Agreement by reference herein.

#### Location 1, Ephemeral Channel 1, Culvert replacement

The unnamed intermittent stream crosses beneath the State Route 299 at PM 47.54 in an existing corrugated metal pipe 2 feet (ft) in diameter by 42 ft long. It will be replaced with a 2 ft diameter by 62 ft long plastic pipe on the same alignment. New concrete headwalls will be added to the inlet and outlet and a box of rocks 4 ft X 5 ft X 2 ft (W X L X D) will be placed at the outlet.

#### Location 2, Ephemeral Channel 2, Culvert replacement

The unnamed intermittent stream crosses beneath the State Route 299 at PM 47.65 in an existing corrugated metal pipe 2 feet (ft) in diameter by 62 ft long. It will be replaced with a 2 ft diameter by 71 ft long plastic pipe on the same alignment. A drop inlet with an opening for trash collection will be constructed at the inlet side. The opening will be parallel to the road in the ditch parallel to the road. A 2 ft headwall will be built at the outlet and a box of rocks 4 ft X 8 ft X 2 ft (W X L X D) will be placed at the outlet.

#### Location 3, McCandless Gulch Culvert Expansion and Fish Passage

McCandless Gulch flows through a box culvert with two portals beneath State Route 299 and has been a partial barrier to fish passage. One portal of the culvert is a level floor of concrete with sheet flow and the other side is plugged with boulders and cobbles, which have been deposited over the years. The culvert will have an extension of approximately 14 ft for the highway expansion. The existing culvert will be retrofitted with a series of baffles to allow fish passage. Two weirs will be constructed between the outlet of the culvert and Cedar Creek to allow improved fish passage into McCandless Gulch from Cedar Creek. The channel of McCandless Gulch heading to Cedar Creek will be improved to allow better stream flow and gradient between the two creeks. Currently, the reach between the culvert and Cedar Creek is full of many large boulder and cobbles and there is no thalweg that consistently allows fish movement. Additional modifications to the box culvert to allow fish passage include: a sill to route low flows to one side of the box culvert; adding baffles to the new and existing portions of the culvert; construction of rock weirs. The channel will be revegetated with native willows (*Salix* spp.) and alders (*Alnus* spp.) these replantings should come from native material derived from within 10 miles of the intersection of McCandless Gulch and Cedar Creek. A temporary clear water diversion may be needed in McCandless Gulch depending upon the water flow at the time of construction. A temporary coffer dam may be necessary for work in Cedar Creek near the outlet of McCandless Gulch to conduct the channel work for connectivity between McCandless Gulch and Cedar Creek.

#### Location 4, Floodplain Work along Cedar Creek

There will be realignment work of highway 299 that will result in some grading and filling activities that will occur within portions of the floodplain of Cedar Creek. Approximately 0.28 acres of riparian habitat is proposed to be removed by the grading and filling work. There will be no in-stream work for the proposed fill along the edge of the Cedar Creek floodplain.

### **PROJECT IMPACTS**

Project impacts are summarized below; complete impacts tables and figures are found within the application package submitted to DFW. The full descriptions and accompanying maps, figures, and tables are made a part of this Agreement by reference herein.

#### Location 1, Ephemeral Channel 1, Culvert replacement

The Project will result in approximately 23 linear feet of permanent impacts to this channel due to culvert replacement.

#### Location 2, Ephemeral Channel 2, Culvert replacement

The Project will result in approximately 77 linear feet of permanent impacts to this channel due to culvert replacement.

#### Location 3, McCandless Gulch Culvert Expansion and Fish Passage

Within the area of the McCandless Gulch culvert and Cedar Creek confluence work area there will be approximately 0.02 acre of permanent impact and 0.02 acre of temporary impact to McCandless Gulch. At Cedar Creek there will be less than 0.01 acre of permanent impacts and 0.01 acre of temporary impact to Cedar Creek. Losses or riparian habitat will be approximately 0.01 acre of permanent loss, and 0.02 acre of temporary loss. With the restoration of the channel and improved connectivity between McCandless Gulch and Cedar Creek there will be a net increase in streambed and bank of approximately 0.004 acre.

#### Location 4, Floodplain Work along Cedar Creek

The grading and filling work along the floodplain of Cedar Creek will result in the permanent loss of approximately 0.28 acres of riparian habitat.

## **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 and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to DFW 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 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 DFW 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, DFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that DFW personnel may enter the project site at any time, after notifying the Resident Engineer, to verify compliance with the Agreement.

### **2 Avoidance and Minimization Measures**

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

#### PROJECT TIMING

- 2.1 General Work Period for Stream Channel and Banks All work on the stream banks or within the stream channel, shall be confined to the period commencing June 1, and ending October 15, of any year in which this Agreement is valid when there is low or no stream flow. If weather conditions permit, and the stream remains in low flow conditions or dry, the Permittee may perform work within the stream channel or on the banks after October 15, provided a written request is made to the Department at least 5 days before the proposed work period variance. Written approval from the Department for the proposed work period variance must

be received by the Permittee prior to the start or continuation of work after October 15.

- 2.2 Required Measures for Work after October 15. If work is performed within the stream channel or on the banks after October 15, the Permittee shall do all of the following:
- a. Stage erosion and sediment control materials at the work site.
  - b. Monitor the seventy-two (72) hour forecast from the National Weather Service.
  - c. When the 72-hour forecast indicates a probability of precipitation of 60% or greater, or at the onset of any precipitation, ground disturbing activities shall cease and erosion control measures shall be implemented to stabilize exposed soils and prevent the mobilization of sediment into the stream channel or adjacent wetland or riparian areas.

#### HABITAT AND SPECIES PROTECTION

- 2.3 Delineating Limits of Work. Prior to initiating vegetation- or ground-disturbing Project activities, Permittee shall clearly delineate the limits of the work area. Permittee shall restrict all Project activities to the designated work area and shall maintain all fencing, stakes and flags until the completion of Project activities.
- 2.4 Minimize Loss of Riparian Vegetation. Removal of existing riparian vegetation shall not exceed the minimum necessary to complete operations.
- 2.5 Take of State Threatened or Endangered Species. This Agreement does not authorize the take of any State threatened or endangered species. If the project could result in the "take" of a state listed threatened or endangered species, the Permittee has the responsibility to obtain from the Department, a California Endangered Species Act Permit (CESA 2081 Permit). The Department may formulate a management plan that will avoid or mitigate take. If appropriate, contact the Department CESA coordinator at (530) 225-2300.
- 2.6 Environmentally Sensitive Areas. All areas designated as Environmentally Sensitive Areas (ESAs) on the preliminary plan sheets, provided by the Permittee, shall be off limits to construction equipment and personnel except as specifically authorized in this Agreement.
- 2.7 Installation of ESA Fencing. ESA fencing shall be installed as the first order of work. The placement of ESA fencing shall be inspected by the Environmental Construction Liaison, and the results forwarded to DFW as a courtesy.

- 2.8 ESA Fencing Shown on Project Plans. ESA fencing shall consist of temporary orange construction fence or other highly visible material that clearly delineates the limits of the work area. Environmentally Sensitive Areas shall be clearly described in the contract documents. The Permittee shall ensure that the contractor, subcontractors, and all personnel working on the Project are instructed on the purpose of the ESA fencing and understand the limits of the work area.
- 2.9 Vegetation Removal Period and Nesting Birds. Removal of trees and shrubs from the work area shall take place between September 1 and February 15 to avoid impacts to nesting birds. Take of migratory birds will be avoided during construction activities. In no case shall active nests with eggs or young be removed during construction.
- 2.10 Materials for Rock Slope Protection. RSP and energy dissipation materials shall consist of clean (quarry run or equivalent) rock, competent for the application, sized and properly installed to resist washout. RSP slopes shall be supported with competent boulders keyed into a footing trench with a depth sufficient to properly seat the footing course boulders and prevent instability (typically at least 1/3 diameter of footing course boulders). Excavation spoils shall not be side-cast into the channel nor is any manipulation of the substrate of the channel authorized except as herein expressly provided.
- 2.11 Executive Order 13112 requires federal agencies to prevent and control the introduction and spread of invasive species, therefore all equipment shall be washed pre – and post - construction to prevent the spread of any noxious weeds. All areas left disturbed at the end of construction will be seeded and mulched, with certified weed free straw or hay, to prevent the importation and establishment of invasive weeds.

## PETROLEUM, CHEMICAL AND OTHER POLLUTANTS

- 2.12 Storage of Materials All construction-related materials and equipment shall be stored in designated staging areas located outside of the floodplain in upland areas located within Caltrans right-of-way.
- 2.13 Work Adjacent to Watercourses. As part of the proposed construction activities, heavy equipment (drilling trucks, backhoe, excavator, etc.) may be required to work within and/or adjacent to perennial watercourses. Therefore, there is potential for chemical contamination as a result of a leak or spill of petroleum or hydraulic products into a channel. Measures will be taken to avoid or minimize potential chemical contamination, which will include no staging, storage and re-fueling of vehicles and equipment within 100 feet of any watercourse. In the event

of a leak or spill, the project shall cease immediately and the Regional Water Quality Control Board (RWQCB) and CDFW shall be notified.

- 2.14 Refueling. Refueling and vehicle maintenance shall be performed at least 100 feet from streams or other water bodies unless approved in writing by DFW. If equipment must be washed, washing will occur where the water cannot flow into a creek channel.
- 2.15 Use of Equipment Prohibited in Live Streams. No equipment or machinery shall be operated within any flowing stream.
- 2.16 Maintenance and Inspection of Equipment to Prevent Leaks. 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, if introduced to water, could be deleterious to aquatic life, wildlife, or riparian habitat.
- 2.17 Drip Pans. Stationary equipment such as motors, pumps, generators, and welders that contain deleterious materials, located adjacent to the stream channel shall be positioned over drip pans, for any part of the equipment that drips fluids.
- 2.18 Pollution of Waters of the State Prohibited . 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.
- 2.19 Disposal of Concrete Water. Water that has been in contact with uncured concrete shall be contained in a sealed concrete washout facility or other impervious container and shall not be discharged to surface or ground waters.
- 2.20 Fluid Spill Response. In the event of an unexpected fluid spill, the equipment operator will immediately stop work and contain the escaping fluids and mitigate any further potential fluid loss. Any fluid that should leak onto the ground will be collected by placing absorbent pads and absorbent material. These used pads and material will then be placed in 55 gallon drums for disposal.
- 2.21 Spill Containment, Clean up and Discharge Notification. 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 at 1-800-852-7550 and immediately initiate

clean up activities. DFW shall be notified by the Permittee and consulted regarding clean-up procedures.

## EROSION AND SEDIMENT CONTROL

- 2.22 Erosion Control Measures Required. The project shall, at all times, feature adequate erosion and sediment control devices to prevent the degradation of water quality.
- 2.23 Installation and Maintenance of Best Management Practices. Soils exposed by project operations shall be treated to prevent sediment runoff and transport. Erosion control measures shall include the proper installation and maintenance of approved Best Management Practices (BMPs) and may include applications of seed, certified weed-free straw, compost, fiber, stabilizing emulsion and mulch, or combinations thereof.
- 2.24 Soil Stabilization and Sediment Prevention. Soils adjacent to the stream channel that are exposed by project operations shall be adequately stabilized when rainfall is reasonably expected during construction, and immediately upon completion of construction, to prevent the mobilization of such sediment into the stream channel or adjacent riparian areas. National Weather Service forecasts shall be monitored by the Permittee to determine the chance of precipitation.
- 2.25 Erosion Control Seeding. Prior to the end of construction, all disturbed areas shall be stabilized and reseeded with a suitable cover crop (such as winter wheat) that will not persist on site. A regionally appropriate California native seed mix shall be applied during the first or second year to provide succession from the erosion control cover crop for the establishment of native plants.
- 2.26 Timing of Work. All work within the watercourses shall take place during the summer low flow period between June 1 and October 15.
- 2.27 Spill Prevention Plan. Temporary construction site BMPs shall be implemented using a Spill Prevention Plan (SPP) which will be kept on site, along with all materials and equipment necessary to implement the SPP should it be needed. The temporary BMPs are aimed at reducing erosion and subsequent sediment transport, and preventing accidental spills during construction and may include check dams, straw bales, hydraulic mulch, sediment traps, concrete washouts, fiber rolls, and temporary Hot Mix Asphalt (HMA) dikes.
- 2.28 Temporary Fill. Temporary fills will be removed within 30 days after completion of work at a given location and/or prior to the onset of the rain season, and in accordance with the Section 401 and 404 Clean Water Act requirements. These

areas will be returned to their pre-construction contours, and treated with erosion control seed mix.

### **3 Compensatory Measures**

To compensate for adverse impacts to fish and wildlife resources identified above that cannot be avoided or minimized, Permittee shall implement each measure listed below.

- 3.1 On-Site Riparian Planting Plan, Monitoring, and Reporting. Permittee shall submit a proposed planting plan prior to completion of construction activities that consists of: (a) species to be planted; (b) type of reproductive element for each species (pole cuttings, seed, container stock, etc.); (c) justification for use of species; (d) quantity of plants to be planted; (e) proposed areas to be planted; (f) plan for planting and dates; and (g) plan to ensure that *Phytophthora tentaculata* is not transmitted to site, if container stock is used. Within one month of the completion of all planting, the Permittee shall submit a map of the site and photographic monitoring of the planting site, with notations on the map of photographs and view.
- 3.2 Off-site Riparian Restoration. To compensate for the permanent loss of 0.28 acre of montane riparian habitat and the loss of 100 linear feet of ephemeral channels, Permittee shall establish 0.84 acres (a 3:1 mitigation ratio) of riparian vegetation at the Jelly's Ferry Mitigation Site in Tehama County; because the mitigation is off-site and out-of-kind. The mitigation shall occur prior to or concurrently with project construction. A draft riparian restoration plan shall be reviewed and approved by DFW prior to conducting planting activities at the site.

### **4 Reporting Measures**

Permittee shall meet each reporting requirement described below.

- 4.1 Post-Construction On-Site Monitoring and Reporting. At the end of three years the DFW will review this project with the Permittee, to determine if the site has met restoration success. This site is part of a pilot project to determine if annual monitoring is not necessary for successful growth and establishment of riparian vegetation; and can occur on small restoration sites, which are revegetated with specific criteria, in areas where supplemental irrigation is unlikely to be needed. If this site fails to meet expected revegetation success, then a remediation plan will be required to be prepared and submitted to DFW for review and approval for implementation. If a remediation plan is needed, then DFW will consult with the

Permittee to determine the level of future monitoring necessary to bring the site up to conditions that meet compliance for successful establishment of native plants.

- 4.2 Post-Construction Monitoring and Annual Reporting. Permittee shall monitor riparian plantings at the Jelly's Ferry Mitigation Site for a minimum of five years following planting. Annual reports shall be submitted to DFW by December 31 of each year. Reports shall document the survival, growth and vigor of riparian plantings, including any replacement plantings required.

## **CONTACT INFORMATION**

Any communication that Permittee or DFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or DFW specifies by written notice to the other.

### To Permittee:

Mr. Phil Baker  
Project Manager  
Department of Transportation  
1031 Butte Street, MS 30  
Redding, CA 96001  
Fax: (530) 225-3019  
Email: [phil.baker@dot.ca.gov](mailto:phil.baker@dot.ca.gov)  
cc: [john.galos@dot.ca.gov](mailto:john.galos@dot.ca.gov)

### To DFW:

Department of Fish and Wildlife  
Northern Region  
601 Locust Street  
Redding, CA 96001  
Attn: Lake and Streambed Alteration Program – Dr. Richard Lis  
Notification #1600-2014-0323-R1  
Fax: (530) 225-2267  
Email: [richard.lis@wildlife.ca.gov](mailto:richard.lis@wildlife.ca.gov)

## **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 DFW'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**

DFW 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 DFW 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 DFW 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 DFW to issue the notice.

## **ENFORCEMENT**

Nothing in the Agreement precludes DFW 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 DFW'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**

DFW may amend the Agreement at any time during its term if DFW 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 DFW and Permittee. To request an amendment, Permittee shall submit to DFW a completed DFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in DFW's current fee schedule (see Cal. Code Regs., tit. 14, § 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 DFW 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 DFW a completed DFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in DFW's current fee schedule (see Cal. Code Regs., tit. 14, § 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 DFW a completed DFW

“Request to Extend Lake or Streambed Alteration” form and include with the completed form payment of the extension fee identified in DFW’s current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). DFW shall process the extension request in accordance with FGC 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 (Fish & G. Code, § 1605, subd. (f)). .

### **EFFECTIVE DATE**

The Agreement becomes effective on the date of DFW’s signature, which shall be: 1) after Permittee’s signature; 2) after DFW 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.DFW.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.DFW.ca.gov/habcon/ceqa/ceqa_changes.html).

### **TERM**

This Agreement shall expire on December 31, 2018, 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 DFW in accordance with FGC section 1602.

**CONCURRENCE**

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

**FOR DEPARTMENT OF TRANSPORTATION**



Phil Baker  
Project Manager

3-2-15

Date

**FOR DEPARTMENT OF FISH AND WILDLIFE**



Michael R. Harris  
Habitat Conservation Planning Supervisor

3-9-15

Date

Prepared by: Richard Lis, Ph.D.  
Senior Environmental Scientist

# INFORMATION HANDOUT

For Contract No. 02-4E8904  
At 02-Sha-299-47.5/48.1

Identified by  
Project ID 0212000062

## PERMITS

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Dated: November 25, 2014

## AGREEMENTS

PLAC - California Department of Fish and Wildlife, Northern Region

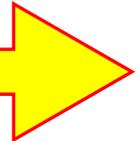
1602 Lake and Streambed Alteration Agreement  
Notification No. 1600-2014-0323-R1  
Dated: March 4, 2015

## MATERIALS INFORMATION

Optional Disposal Site

Water Source Information

Memo on McCandless Gulch Material and Rippability Descriptions



# INFORMATIONAL HANDOUT

FOR A CONSTRUCTION CONTRACT  
ON STATE ROUTE 299  
IN SHASTA COUNTY  
(Near Ingot, about 5 to 4.3 miles west of Buzzard Roost Road)

The  
**McCandless Gulch Curve Improvement Project**  
SHA-299-R47.5/48.1

For an  
**Optional Location for Permanent Disposal of  
Earthen and Processed Roadway Material at:**

**SWA @ BEAR GULCH QUARRY, A PRIVATELY  
OWNED COMMERCIAL QUARRY**

Located off of Hwy 299, approximately 1 mile east of the project location.

Note: The records from this compilation may be inspected in the District Office at 1657 Riverside Drive Redding, CA 96001 or Contact the Disposal Site Coordinator, Russ Irvin, (530) 225-2084, e-mail: [Russell\\_Irvin@dot.ca.gov](mailto:Russell_Irvin@dot.ca.gov)

Facts stated herein are as known to the State of California, Caltrans, and are to be verified by the Contractor prior to bid in accordance with Section 2 "Bidding" of the 2010 Standard Specifications.

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## General Information

This commercial site is provided by Caltrans, at the option of the contractor, for the disposal of excavated materials generated from the McCandless Gulch Curve Improvement Project, in compliance with the provisions below.

SWA @ Bear Gulch Quarry has agreed to accept earthen material from the McCandless Gulch Project; however, no formal arrangement has been made for the disposal of material at this private site. The contractor shall make arrangements with the Operations Manager of the Bear Gulch Quarry prior to use. The contractor is responsible for all liability, agreements, costs and fees associated with using this or any other site.

### **Contact information:**

The commercial quarry is owned and operated by Stimpel-Wiebelhaus Assoc., Inc. (SWA) Phone (530) 221-3406; Operations Manager Corkey Harmon.

Business Address:

Stimpel-Wiebelhaus Assoc., Inc.

1170 Industrial St.

Redding, CA 96003

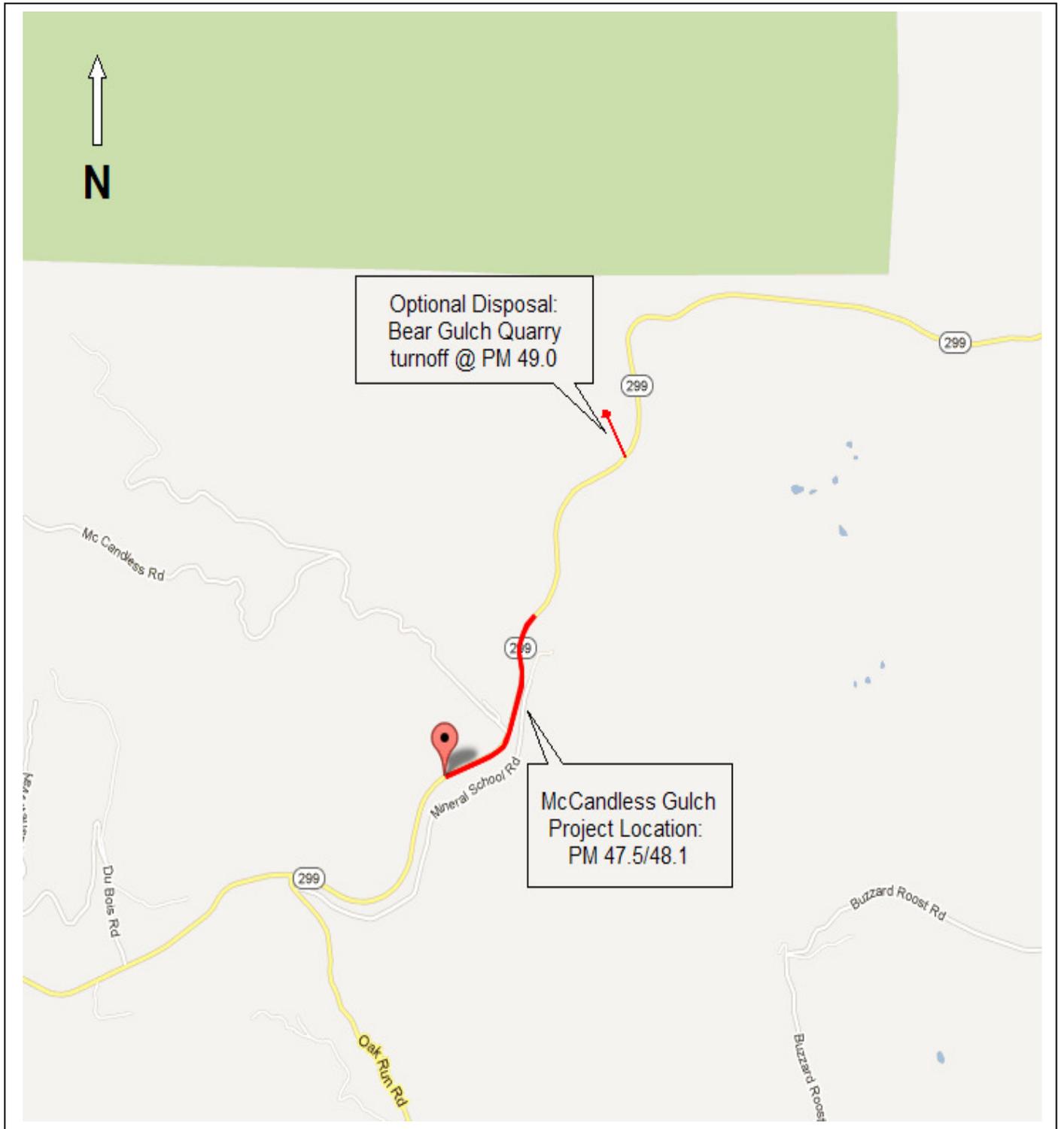
At the time of this handout, this site was listed on the SMARA 3098 list, as an active SMARA approved site, indicating the owner is compliant with all permits, regulations and laws. This information should be verified prior to use.

The following information was confirmed on January 20, 2015, between Russ Irvin, Disposal Site Coordinator of Caltrans and Corkey Harmon, Operations Manager of SWA. Caltrans makes no guarantee that use of this site would extend to a future agreement.

### **Provisions that apply:**

- The financial charge to dispose of excess material from this project shall be negotiated between the manager of the quarry and the contractor.
- Delivery of material shall be coordinated with the quarry manager.
- Disposal material from this project is expected to be earthen material only (soil and rock). Estimated quantity is 28,000 cubic yards.
- Existing facilities at the disposal site shall be protected from damage by the Contractor in accordance with Section 5-1.36 "Property and Facility Preservation", of the 2010 Standard Specifications.
- Materials are to be placed within the site limits in an organized and safe manner, with no risk of instability to embankments, and shall be compacted in accordance with section 19-5 "Compaction" of the 2010 Standard Specifications. Placement of materials shall be coordinated with the quarry manager.
- The State assumes no liability for damage to contractor's equipment. No compensation will be made to the contractor for the handling of non-hazardous man-made material.
- The access road to this site may be narrow in certain sections; proceed with caution.

# Location Map: Project Site and Disposal Quarry



# Aerial Map: Bear Gulch Quarry



# INFORMATION HANDOUT

For Contract No. 02-4E8904  
At 02-Sha-299-47.5/48.1

Identified by  
Project ID 0212000062

## PERMITS

PLAC – PLAC Condition Responsibility Summary

PLAC - United States Army Corps of Engineers, Sacramento District

Non-Reporting Nationwide 404  
Application and Conditions for Nonreporting Nationwide Permit No. 14  
Dated: December 9, 2014

## WATER QUALITY

PLAC - California Regional Water Quality Control Board, Central Valley Region

Section 401 Water Quality Certification  
Board Order No. WDID No. 5A45CR00472  
Dated: November 25, 2014

## AGREEMENTS

PLAC - California Department of Fish and Wildlife, Northern Region

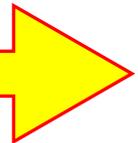
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## **Potential Water Sources**

It is the responsibility of the contractor to acquire an adequate and reliable source of water for construction activities for this project. Potential sources of water near the project location are included in, but not limited to, the following list.

### **Potable suppliers:**

Bella Vista Water District  
(530) 241-1085

Burney Water District  
(530) 335-3582

# INFORMATION HANDOUT

For Contract No. 02-4E8904  
At 02-Sha-299-47.5/48.1

Identified by  
Project ID 0212000062

## PERMITS

PLAC – PLAC Condition Responsibility Summary

PLAC - United States Army Corps of Engineers, Sacramento District

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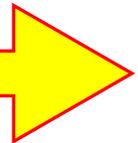
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# Memorandum

*Flex your power!  
Be energy efficient!*

To: MR. AL TRUJILLO

Date: March 10, 2014

Attn: Mr. Shaun Alexander

File: 02-SHA-299-PM 47.5/48.1  
02-4E890  
McCandless Gulch Curve  
Improvement

From: **DEPARTMENT OF TRANSPORTATION**  
**Division of Engineering Services**  
Geotechnical Services

Subject: McCandless Gulch- Material and Rippability Descriptions

Per your request, our Office is providing this memo describing the rippability and material properties of material to be excavated from slopes on the McCandless Gulch Curve Improvement project located in Shasta County on State Route 299 between postmile 47.5 and 48.1.

The excavated material from the McCandless Gulch project will likely consist of slightly weathered to moderately weathered fractured shale (about 40%), highly weathered fractured shale (about 30%), brown to dark brown gravelly lean clay (CL) (about 15%) with a plasticity index between 15 and 25, and a brown to dark brown clayey gravel (GC) (about 15%) with a plasticity index between 10 and 20. The soil is generally considered fair to good for fill purposes, with a low shrink-swell potential, based on Table 5 in the Soil Survey of Shasta County Area, Ca (USDA, 1974).

Rippability estimates are based on seismic velocities (P-wave Refraction) and engineering and structural characteristics of the rock. Two scales of correlation between seismic velocity and rippability are presented here in order to provide the range of rippability of the material: one based on unpublished internal Caltrans data for a Caterpillar D9 Series bulldozer with a single-tooth ripper and another scale taken from the Caterpillar Rippability Manual (Caterpillar, 1982) involving a D10 bulldozer with a single-tooth ripper.

Caltrans data for a single-tooth ripper on a D9 dozer indicates the following correlations:

<u>Velocity (feet/s)</u>	<u>Rippability</u>
<3444	Easily Ripped
3444-4921	Moderately Difficult
4921-6562	Difficult Ripping
>6562	Not Rippable

Caterpillar data for a single-tooth ripper on a D10 dozer in shale indicates the following correlations:

<u>Velocity (feet/s)</u>	<u>Rippability</u>
<10000	Rippable
10,000-12,000	Marginally Rippable
> 12,000	Non-Rippable

Data from three seismic refraction lines shot in the area of the proposed slope excavations (Caltrans, 2013) indicates the presence of material ranging in velocity from 1000 feet per second (ft/s) to as high as 8000 ft/s. Based on geological reconnaissance of existing cut slopes, the location and estimated depth of imaging of the seismic data, and cross-sections of the planned cuts, our Office (Office of Geotechnical Design North- OGDN) estimates that approximately 10% of planned excavation will be in material deemed not-rippable under Caltrans' rippability scale, while all material planned for excavation is deemed rippable under Caterpillar's scale.

If you have any questions or comments, please call Mr. Scott Lewis at (530) 225-3516.



J. SCOTT LEWIS, P.G., C.E.G., P.G.P.

Associate Engineering Geologist  
Office of Geotechnical Design – North



ec: Al Trujillo  
Chris Harvey – Project Manager  
Reza Mahallati-OGDN File  
R.E. Pending File – Shaun Alexander (Project Engineer)  
District 2 O.E. – Deena Matagulay  
Byron Berger, D02 Materials Lab

## REFERENCES

Caltrans, March 2013, Seismic Refraction Survey, McCandless Gulch Curve Improvement, Geotechnical Services, Geophysics and Geology Branch, 8 pages.

Caterpillar, October, 1982, Caterpillar Performance Handbook, Edition 13, Caterpillar Tractor Co., Peoria, Illinois.

U.S. Dept. Agriculture, Soil Conservation Service, August, 1974, Soil Survey of Shasta County Area, California,