

INFORMATION HANDOUT

For Contract No. 02-4F1004

At 02-Plu-070-23.7/23.9

Identified by

Project ID 0212000110

PLAC CONDITION RESPONSIBILITY

PLAC Condition Responsibility Summary

PERMITS

United States Army Corps of Engineers

Non-Reporting Nationwide Permit No.14 with Special Conditions

WATER QUALITY

California Regional Water Quality Control Board

Central Valley Region
Board Order No. WDID#5A32CR00119

AGREEMENTS

California Department of Fish and Wildlife

Notification No. 1600-2013-0130-R2

MATERIALS INFORMATION

Optional Disposal Site for Earthen Material

Aerially Deposited Lead and Naturally Occurring Asbestos Site Investigation Report

PLAC CONDITION RESPONSIBILITY

PLAC CONDITION RESPONSIBILITY SUMMARY

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 in Table 2 below. 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 section	Submittals: Submit to the Engineer when PLAC conditions require: 1. Communications. The Engineer will contact the agencies. 2. Records to be maintained, within 5 working days after the inactivity. 3. Submittals 5 days before the agencies require them. The Engineer will review and submit to the agencies.
Central Valley Regional Water Quality Control Board WDID# 5A32CR00119	Additional Technically Conditioned Certification Conditions	Condition 15c - Both the Contractor and the Department "shall allow the staff of the Central Valley Water Board ... to enter the project premises for inspection ... for the purpose of assuring compliance with this certification and determining the ecological success of the project."

<p>United States Army Corps of Engineers Permit No. SPK-2013-00556</p>	<p>Special Conditions</p>	<p>Condition 4: An optional disposal site is available for use</p>
<p>California Department of Fish and Wildlife Streambed Alteration Agreement Notification No. 1600-2013-0130-R2</p>	<p>Section 1 - Administrative Measures</p>	<p>Measure 1.4 - Both the Contractor and the Department "agrees that DFW personnel may enter the project site at any time to verify compliance with the Agreement."</p>
	<p>Section 2 - Avoidance and Minimization Measures</p>	<p>Measure 2.1 & 2.3 - Low stream flow is flow below the ordinary high water, which at the project site is a water surface elevation of 2698 feet. Dry weather is when the National Weather Service 72-hour weather forecast indicates a 20% or less chance of precipitation</p>

Table 2 - Work to be Performed by the Department

PLAC Name	Section of the PLAC	PLAC Requirement
Central Valley Regional Water Quality Control Board WDID# 5A32CR00119	Additional Storm Water Quality Conditions	Conditions 2, 3 & 4
United States Army Corps of Engineers Permit No. SPK-2013-00556	Special Conditions	Conditions 1 - 2
	Regional Conditions	Conditions 1, 2 & 19

PERMITS

UNITED STATES ARMY CORPS OF ENGINEERS

NON-REPORTING NATIONWIDE 404



DEPARTMENT OF THE ARMY

U.S. ARMY ENGINEER DISTRICT, SACRAMENTO

CORPS OF ENGINEERS

1325 J STREET

SACRAMENTO CA 95814-2922

August 15, 2013

REPLY TO
ATTENTION OF

Regulatory Division (SPK-2013-00556)

State of California
Department of Transportation, District 2
Attn: Mr. Eric Orr
1031 Butte Street, MS 30
Redding, California 96001

Dear Mr. Orr:

We are responding to your August 12, 2013, request for a Department of the Army Nationwide Permit verification for the Plumas 70 Permanent Restoration (PM 23.7/23.9, EA 02-4F100) project. This approximately 2.07-acre project involves activities, including discharges of dredged or fill material, in waters of the United States to repair a failing slope on State Route 70 from postmile 23.7 to 23.9. The project is located on the North Fork Feather River, in Section 17, Township 25 North, Range 8 East, Mount Diablo Meridian, Latitude 40.0239120477164°, Longitude -121.120359036444°, Town of Crescent Mills, Plumas County, California.

Based on the information you have provided, the proposed activity, resulting in the discharge of approximately 0.06 acre of rock slope protection and 0.07 acre of temporary fill material for the construction of a diversion dam within North Fork Feather River, is authorized by Nationwide Permit Number (NWP) 14. **However, until Section 401 Water Quality Certification for the activity has been issued or waived, our authorization is denied without prejudice. Once you have provided us evidence of water quality certification, the activity is authorized and the work may proceed subject to the conditions of certification and the NWP.** Your work must comply with the General Terms and Conditions listed on the enclosed NWP 14 information sheets (enclosure 1), the Final Sacramento District NWP Regional Conditions for California (enclosure 2), and the following Special Conditions:

Special Conditions

1. We understand the State of California, Department of Transportation (Caltrans) is the National Environmental Policy Act (NEPA) lead federal agency for this project, and as such, will ensure compliance with NEPA and all other applicable federal laws. You shall include this office in all future consultation and coordination activities involving compliance with the Endangered Species Act, the Magnuson-Stevens Act, and the National Historic Preservation Act, as they pertain to the activities authorized herein, so that we may consult as appropriate or designate you to consult on our behalf.
2. The plan drawing entitled *Ordinary High Water Permanent and Temporary Impacts* dated June 10, 2013 (enclosure 3), created by Caltrans, is incorporated 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. 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.
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.

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.

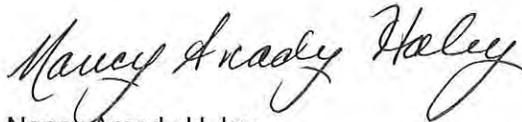
You must sign the enclosed Compliance Certification and return it to this office within 30 days after completion of the authorized work.

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-2013-00556 in any correspondence concerning this project. If you have any questions, please contact Mr. Peck Ha at our California North Branch Office, Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, email Peck.Ha@usace.army.mil, or telephone 916-557-6617. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Nancy Arcady Haley,
Chief, California North Branch

Enclosures

cc: (w/o encls)

Ms. Sharon Stacey, California Department of Transportation, Environmental Management Office, 1031 Butte Street, Suite 205, MS 30, Redding, California 96001
Mr. Paul Jones, U.S. Environmental Protection Agency, Region IX, Wetlands Regulatory Office (WTR-8), 75 Hawthorne Street, San Francisco, California, 94105-3901
Mr. Scott Zaitz, California Regional Water Quality Control Board, Central Valley Region, 364 Knollcrest Drive, Suite 205, Redding, California 96002
Ms. Tina Bartlett, California Department of Fish and Wildlife, Northern Central Region, 1701 Nimbus Road, Rancho Cordova, California 95670

COMPLIANCE CERTIFICATION

Permit File Name: Plumas 70 Permanent Restoration

Permit File Number: SPK-2013-00556

Nationwide Permit Number: 14 – Linear Transportation Project

Permittee: State of California Department of Transportation
1031 Butte Street, MS 30
Redding, California 96001

County: Plumas

Date of Verification: August 15, 2013

Within 30 days after completion of the activity authorized by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Sacramento District
1325 J Street, Room 1350
Sacramento, California 95814-2922
DLL-CESPK-RD-Compliance@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of the permit your authorization may be suspended, modified, or revoked. If you have any questions about this certification, please contact the Corps of Engineers.

I hereby certify that the work authorized by the above-referenced permit, including all the required mitigation, was completed in accordance with the terms and conditions of the permit verification.

Signature of Permittee

Date





U S Army Corps of
Engineers
Sacramento District

Nationwide Permit Summary

33 CFR Part 330; Issuance of Nationwide
Permits – March 19, 2012

14. Linear Transportation Projects. Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 31.) (Sections 10 and 404)

Note: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

A. Regional Conditions

1. Regional Conditions for California, excluding the Tahoe Basin

http://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2012_nwps/2012-NWP-RC-CA.pdf

2. Regional Conditions for Nevada, including the Tahoe Basin

http://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2012_nwps/2012-NWP-RC-NV.pdf

3. Regional Conditions for Utah

http://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2012_nwps/2012-NWP-RC-UT.pdf

4. Regional Conditions for Colorado.

http://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2012_nwps/2012-NWP-RC-CO.pdf

B. Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer.

Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR §§ 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR § 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation.

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters,

BUILDING STRONG®

U.S. ARMY CORPS OF ENGINEERS – SACRAMENTO DISTRICT

1325 J ST. – SACRAMENTO, CA 95814

www.spk.usace.army.mil

www.facebook.com/sacramentodistrict

www.youtube.com/sacramentodistrict

www.twitter.com/USACEsacramento

www.flickr.com/photos/sacramentodistrict

the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. **Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.
3. **Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
4. **Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
5. **Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.
6. **Suitable Material.** No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
7. **Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.
8. **Adverse Effects From Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
9. **Management of Water Flows.** To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).
10. **Fills Within 100-Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.
11. **Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
12. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
13. **Removal of Temporary Fills.** Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.
14. **Proper Maintenance.** Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.
15. **Single and Complete Project.** The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.
16. **Wild and Scenic Rivers.** No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).
17. **Tribal Rights.** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
18. **Endangered Species.**
- (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.
- (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to

demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the NWP activity, or whether additional ESA consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.noaa.gov/fisheries.html> respectively.

19. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

20. **Historic Properties.**

(a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the NWP activity, or whether additional section 106 consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified

historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or

ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NHPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NHPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 31, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NHPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in minimal adverse effects on the aquatic environment.

(2) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

- (3) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) – (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).
- (4) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.
- (5) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.
- (d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.
- (e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.
- (f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the restoration or establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to establish a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or establishing a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.
- (g) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.
- (h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.
- 24. Safety of Impoundment Structures.** To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.
- 25. Water Quality.** Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.
- 26. Coastal Zone Management.** In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.
- 27. Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required compensatory mitigation. The success of any required permittee responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

31. Pre-Construction Notification.

(a) **Timing.** Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification

(PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer’s receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 20 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is “no effect” on listed species or “no potential to cause effects” on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee’s right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2)..

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;

(3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property

may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) Form of Pre-Construction Notification: the standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) Agency Coordination:

(1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States, for NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of intermittent and ephemeral stream bed, and for all NWP 48 activities that require pre-construction notification, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where

there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

C. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. For a linear project, this determination will include an evaluation of the individual crossings to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to intermittent or ephemeral streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51 or 52, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in minimal adverse effects. When making minimal effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

2. If the proposed activity requires a PCN and will result in a loss of greater than 1/10- acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining

whether the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

3. If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either: (a) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or (c) that the project is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period, with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

D. Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWP's do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWP's do not grant any property rights or exclusive privileges.
4. NWP's do not authorize any injury to the property or rights of others.
5. NWP's do not authorize interference with any existing or proposed Federal project.

E. Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term "discharge" means any discharge of dredged or fill material.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in

which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWP, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of standing or flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas (see 33 CFR 328.3(e)).

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility"). Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a wetland (i.e., water of the United States) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line, which is defined at 33 CFR 328.3(d).

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a jurisdictional water of the United States. If a jurisdictional wetland is adjacent – meaning bordering, contiguous, or neighboring – to a waterbody determined to be a water of the United States under 33 CFR 328.3(a)(1)-(6), that waterbody and its adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of “waterbodies” include streams, rivers, lakes, ponds, and wetlands.

Final Sacramento District Nationwide Permit
Regional Conditions for California, excluding the Lake Tahoe Basin
(Effective March 19, 2012 until March 18, 2017)

1.* When pre-construction notification (PCN) is required, the permittee shall notify the U.S. Army Corps of Engineers, Sacramento 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 project 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. For all Nationwide Permits (NWP), the permittee shall submit a PCN in accordance with General Condition 31 and Regional Condition 1, in the following circumstances:

a. For all activities that would result in the discharge of fill material into any vernal pool;

b. For any activity in the Primary and Secondary Zones of the Legal Delta, the Sacramento River, the San Joaquin River, and the immediate tributaries of these waters;

c. For all crossings of perennial waters and intermittent waters;

d. For all activities proposed within 100 feet of the point of discharge of a known natural spring source, which is any location where ground water emanates from a point in the ground excluding seeps or other discharges which lack a defined channel; and

e.* 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 FR 11092)), 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. The permittee shall record the NWP verification with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property for areas (1) designated to be preserved as part of compensatory mitigation for authorized impacts, including any associated covenants or restrictions, or (2) where boat ramps or docks, marinas, piers, and permanently moored vessels will be constructed or placed in or adjacent to navigable waters. The recordation shall also include a map showing the surveyed location of the preserved area or authorized structure.

* Regional Condition developed jointly between Sacramento District, Los Angeles District, and San Francisco District.

4. For all waters of the U.S. proposed to be avoided on a site, unless determined to be impracticable by the Corps, the permittee shall:

- a. Establish and maintain, in perpetuity, a preserve containing all avoided waters of the U.S. to ensure that the functions of the aquatic environment are protected;
- b. Place all avoided waters of the U.S. and any upland buffers into a separate parcel prior to discharging dredge or fill material into waters of the U.S., and
- c. Establish permanent legal protection for all preserve parcels, following Corps approval of the legal instrument;

If the Corps determines that it is impracticable to require permanent preservation of the avoided waters, additional mitigation may be required in order to compensate for indirect impacts to the waters of the U.S.

5. For all temporary fills, the PCN shall include a description of the proposed temporary fill, including the type and amount of material to be placed, the area proposed to be impacted, and the proposed plan for restoration of the temporary fill area to pre-project contours and conditions, including a plan for the re-vegetation of the temporary fill area, if necessary. In addition, the PCN shall include the reason(s) why avoidance of temporary impacts is not practicable.

In addition, for all activities resulting in temporary fill within waters of the U.S., the permittee shall:

- a. Utilize material consisting of clean and washed gravel. For temporary fills within waters of the U.S. supporting anadromous fisheries, spawning quality gravel shall be used, where practicable, as determined by the Corps, after consultation with appropriate Federal and state fish and wildlife agencies;
- b. Place a horizontal marker (e.g. fabric, certified weed free straw, etc.) to delineate the existing ground elevation of the waters temporarily filled during construction; and
- c. Remove all temporary fill within 30 days following completion of construction activities.

6. In addition to the requirements of General Condition 2, unless determined to be impracticable by the Corps, the following criteria shall apply to all road crossings:

a.* 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;

b. Road crossings shall be designed to ensure that no more than minor impacts would occur to fish and wildlife passage or expected high flows, following the criteria listed in Regional Condition 6(a). Culverted crossings that do not utilize a bottomless arch culvert with a natural stream bed may be authorized for waters that do not contain suitable habitat for Federally listed fish species, if it can be demonstrated and is specifically determined by the Corps, that such crossing will result in no more than minor impacts to fish and wildlife passage or expected high flows;

c. No construction activities shall occur within standing or flowing waters. For ephemeral or intermittent streams, this may be accomplished through construction during the dry season. In perennial streams, this may be accomplished through dewatering of the work area. Any proposed dewatering plans must be approved, in writing, by the Corps prior to commencement of construction activities; and

* Regional Condition developed jointly between Sacramento District, Los Angeles District, and San Francisco District.

d. All bank stabilization activities associated with a road crossing shall comply with Regional Condition 19.

In no case shall stream crossings result in a reduction in the pre-construction bankfull width or depth of perennial streams or negatively alter the flood control capacity of perennial streams.

7.* 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, pursuant to 50 CFR Part 402.07, Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (EFH), pursuant to 50 CFR 600.920(b) and/or Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, pursuant to 36 CFR 800.2(a)(2), the lead Federal agency shall provide all relevant documentation to the 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.

8. For all NWPs which require a PCN, the permittee shall submit the following additional information with the compliance certificate required under General Condition 30:

a. As-built drawings of the work conducted on the project site and any on-site and/or off-site compensatory mitigation, preservation, and/or avoidance area(s). The as-builts shall include a plan-view drawing of the location of the authorized work footprint (as shown on the permit drawings), with an overlay of the work as constructed in the same scale as the permit drawings. The drawing shall show all areas of ground disturbance, wetland impacts, structures, and the boundaries of any on-site and/or off-site mitigation or avoidance areas. Please note that any deviations from the work as authorized, which result in additional impacts to waters of the U.S., must be coordinated with the appropriate Corps office prior to impacts; and

b. Numbered and dated post-construction color photographs of the work conducted within a representative sample of the impacted waters of the U.S., and within all avoided waters of the U.S. on and immediately adjacent to the proposed project area. The compass angle and position of all photographs shall be similar to the pre-construction color photographs required in Regional Condition 1(c) and shall be identified on the plan-view drawing(s) required in subpart a of this Regional Condition.

9. For all activities requiring permittee responsible mitigation, the permittee shall develop and submit to the Corps for review and approval, a final comprehensive mitigation and monitoring plan for all permittee responsible mitigation prior to commencement of construction activities within waters of the U.S. The plan shall include the mitigation location and design drawings, vegetation plans, including target species to be planted, and final success criteria, presented in the format of the *Sacramento District's Habitat Mitigation and Monitoring Proposal Guidelines*, dated December 30, 2004, and in compliance with the requirements of 33 CFR 332.

10.* 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.

11. The permittee is responsible for all authorized work and ensuring that all contractors and workers are made aware and adhere to the terms and conditions of the permit authorization. The permittee shall ensure

* Regional Condition developed jointly between Sacramento District, Los Angeles District, and San Francisco District.

that a copy of the permit authorization and associated drawings are available and visible for quick reference at the site until all construction activities are completed.

12. The permittee shall clearly identify the limits of disturbance in the field with highly visible markers (e.g. construction fencing, flagging, silt barriers, etc.) prior to commencement of construction activities within waters of the U.S. The permittee shall maintain such identification properly until construction is completed and the soils have been stabilized. The permittee is prohibited from any activity (e.g. equipment usage or materials storage) that impacts waters of the U.S. outside of the permit limits (as shown on the permit drawings).
13. For all activities in which a PCN is required, the permittee shall notify the appropriate district office of the start date for the authorized work within 10 days prior to initiation of construction activities.
14. The permittee shall allow Corps representatives to inspect the authorized activity and any mitigation areas at any time deemed necessary to determine compliance with the terms and conditions of the NWP verification. The permittee will be notified in advance of an inspection.
15. For all activities located in the Mather Core Recovery Area in Sacramento County, as identified in the U.S. Fish and Wildlife Service's *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* dated December 15, 2005, NWPs 14, 18, 23, 29, 39, 40, 42, 43 and 44 are revoked from use in vernal pools that may contain habitat for Federally-listed threatened and/or endangered vernal pool species.
16. For activities located in the Primary or Secondary Zone of the Legal Delta, NWPs 29 and 39 are revoked.
17. For all activities within the Secondary Zone of the Legal Delta, the permittee shall conduct compensatory mitigation for unavoidable impacts within the Secondary Zone of the Legal Delta.
18. For NWP 12: Permittees shall ensure the construction of utility lines does not result in the draining of any water of the U.S., including wetlands. This may be accomplished through the use of clay blocks, bentonite, or other suitable material (as approved by the Corps) to seal the trench. For utility line trenches, during construction, the permittee shall remove and stockpile, separately, the top 6 – 12 inches of topsoil. Following installation of the utility line(s), the permittee shall replace the stockpiled topsoil on top and seed the area with native vegetation. The permittee shall submit a PCN for utility line activities in the following circumstances:
 - a. The utility line crossing would result in a discharge of dredged and/or fill material into perennial waters, intermittent waters, wetlands, mudflats, vegetated shallows, riffle and pool complexes, sanctuaries and refuges or coral reefs;
 - b. The utility line activity would result in a discharge of dredged and/or fill material into greater than 100 linear feet of ephemeral waters of the U.S.;
 - c. The utility line installation would include the construction of a temporary or permanent access road, substation or foundation within waters of the U.S.; or
 - d. The proposed activity would not involve the restoration of all utility line trenches to pre-project contours and conditions within 30 days following completion of construction activities.
19. For NWP 13 and 14: All bank stabilization activities shall involve either the sole use of native vegetation or other bioengineered design techniques (e.g. willow plantings, root wads, large woody debris, etc.), or a combination of hard-armoring (e.g. rip-rap) and native vegetation or bioengineered design

techniques, unless specifically determined to be impracticable by the Corps. The permittee shall submit a PCN for any bank stabilization activity that involves hard-armoring or the placement of any non-vegetated or non-bioengineered technique below the ordinary high water mark or, if tidal waters, the high tide line of waters of the U.S. The request to utilize non-vegetated techniques must include information on why the sole use of vegetated techniques is not practicable.

20. For NWP 23: The permittee shall submit a PCN for all activities proposed for this NWP, in accordance with General Condition 31 and Regional Condition 1. The PCN shall include a copy of the signed Categorical Exclusion document and final agency determinations regarding compliance with ESA, EFH and NHPA, in accordance with General Conditions 18 and 20 and Regional Condition 7.

21. For NWP 27: The permittee shall submit a PCN for aquatic habitat restoration, establishment, and enhancement activities in the following circumstances:

a. The restoration, establishment or enhancement activity would result in a discharge of dredged and/or fill material into perennial waters, intermittent waters, wetlands, mudflats, vegetated shallows, riffle and pool complexes, sanctuaries and refuges or coral reefs; or

b. The restoration, establishment or enhancement activity would result in a discharge of dredged and/or fill material into greater than 100 linear feet of ephemeral waters of the U.S.

22. For NWPs 29 and 39: The channelization or relocation of intermittent or perennial drainages is not authorized, except when, as determined by the Corps, the relocation would result in a net increase in functions of the aquatic ecosystem within the watershed.

23.* 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 and Regional Condition 1;

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.

24. For NWPs 29, 39, 40, 42, and 43: The permittee shall establish and maintain upland vegetated buffers in perpetuity, unless specifically determined to be impracticable by the Corps, next to all preserved open waters, streams and wetlands including created, restored, enhanced or preserved waters of the U.S., consistent with General Condition 23(f). Except in unusual circumstances, as determined by the Corps, vegetated buffers shall be at least 50 feet in width.

25. For NWP 46: The discharge shall not cause the loss of greater than 0.5 acres of waters of the United States or the loss of more than 300 linear feet of ditch, unless specifically waived in writing by the Corps.

26. All NWPs except 3, 6, 20, 27, 32, and 38 are revoked for activities in histosols, fens, bogs and peatlands and in wetlands contiguous with fens. Fens are defined as slope wetlands with a histic epipedon that are hydrologically supported by groundwater. Fens are normally saturated throughout the growing season, although they may not be during drought conditions. For NWPs 3, 6, 20, 27, 32, and 38, the permittee shall submit a PCN to the Corps in accordance with General Condition 31 and Regional Condition 1. This condition does not apply to NWPs 1, 2, 8, 9, 10, 11, 24, 28, 35 or 36, as these NWPs either apply to Section 10 only activities or do not authorize impacts to special aquatic sites.

WATER QUALITY

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

WDID#5A32CR00119

Central Valley Regional Water Quality Control Board

WATER QUALITY CERTIFICATION: RECEIPT OF APPLICATION

DATE: 1 August 2013 **SUPPLEMENTAL DOCUMENTATION RECEIVED:** 23 July 2013

APPLICANT: Mr. Eric Orr
 Caltrans
 1031 Butte Street
 Redding, CA 96002

PROJECT: **Plumas 70 Rock Slope Protection Embankment Repair Project-WDID
 No. 5A32CR00119**

LOCATION: City: **Greenville** County: **Plumas** Other: **S17, T25N, R8E**

Thank you for your application for Clean Water Act §401 water quality certification, received on the date indicated above.

- Your application is complete. We normally process §401 water quality certification applications within 60 days.
- Your application is incomplete. In order to finish processing we will need:
- We need additional information to process your application:
- An application form and/or additional information is attached.

If you need further assistance please call Scott A. Zaitz at (530) 224-4784 or the footer address.

SAZ: wrb:lmw

cc w/o encl: Mr. Matt Kelley, U.S. Army Corp of Engineers, Redding

cc by email w/o encl: U.S. EPA, Region 9, San Francisco

U:\Clerical\Storm_water\SZaitz\2013\ROA 5A32CR00119 Plumas 70 RSP Embankment Repair Project V2, Caltrans.doc

Central Valley Regional Water Quality Control Board

1 August 2013

Mr. Eric Orr
Caltrans
1031 Butte Street
Redding, CA 96002

**CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE
PLUMAS 70 ROCK SLOPE PROTECTION EMBANKMENT REPAIR PROJECT
(WDID#5A32CR00119), GREENVILLE, PLUMAS 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.

Parameter	Unit	Type of Sample	Frequency of Sample
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. The California Department of Transportation shall comply with their General NPDES Permit Order No 99-06-DWQ (NPDES No. CAS 000003) issued by the State Water Resources Control Board.
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 into 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.

ADDITIONAL STORM WATER QUALITY CONDITIONS:

Caltrans shall also satisfy the following additional storm water quality conditions:

1. During the construction phase, Caltrans must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include the following:
 - (a) the Storm Water Pollution Prevention Plan (SWPPP) must be prepared during the project planning and design phases and before construction;
 - (b) an effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working prior to the rainy season and during all phases of construction.
2. Caltrans must minimize the short and long-term impacts on receiving water quality from the Plumas 70 Rock Slope Protection Embankment Repair Project by implementing the following post-construction storm water management practices:
 - (a) minimize the amount of impervious surface;
 - (b) reduce peak runoff flows;
 - (c) provide treatment BMPs to reduce pollutants in runoff;
 - (d) ensure existing waters of the State (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
 - (e) preserve and, where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
 - (f) limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
 - (g) use existing drainage master plans or studies to estimate increases in pollutant loads and flows resulting from projected future development and require incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;

- (h) identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss;
 - (i) control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
3. Caltrans must ensure that all development within the project provides verification of maintenance provisions for post-construction structural and treatment control BMPs. Verification shall include one or more of the following, as applicable:
- (a) the developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; or
 - (b) written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; or
 - (c) written text in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control BMPs; or
 - (d) any other legally enforceable agreement that assigns responsibility for storm water BMP maintenance.
4. Staff of the Central Valley Water Board has prepared total maximum daily load (TMDL) allocations that, once approved, would limit methylmercury in storm water discharges to the Sacramento-San Joaquin Delta. The Central Valley Water Board has scheduled these proposed allocations to be considered for adoption. When the Central Valley Water Board adopts the TMDL and once approved by the Environmental Protection Agency, the discharge of methylmercury may be limited from the proposed project. The purpose of this condition is to provide notice to Caltrans that methylmercury discharge limitations and monitoring requirements may apply to this project in the future and also to provide notice of the Central Valley Water Board's TMDL process and that elements of the planned construction may be subject to a TMDL allocation.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Scott A. Zaitz, R.E.H.S., Redding Branch Office, 364 Knollcrest Drive, Suite 205, Redding, California 96002, szaitz@waterboards.ca.gov, (530) 224-4784

WATER QUALITY CERTIFICATION:

I hereby issue an order certifying that any discharge from Caltrans, Plumas 70 Rock Slope Protection Embankment Repair Project (WDID# 5A32CR00119) 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 September 2009 (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 or will be provided upon request.



(for) PAMELA C. CREEDON
Executive Officer

SAZ:lmw

Enclosure: Water Quality Order No. 2003-0017 DWQ

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

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

PROJECT INFORMATION

Application Date: 10 June 2013

Applicant: Caltrans, Attn: Mr. Eric Orr

Project Name: Plumas 70 Rock Slope Protection Embankment Repair Project

Application Number: WDID No. 5A32CR00119

U.S. Army Corps File Number: SPK-2013-00556

Type of Project: Repair of a failing embankment on State Route 70 in the Feather River Canyon from Post Mile 23.7 to 23.9.

Project Location: Section 17, Township 25 North, Range 8 East, MDB&M.
Latitude: 40°01'26" and Longitude: -121°07'26"

County: Plumas County

Receiving Water(s) (hydrologic unit): East Branch North Fork Feather River. Feather Hydrologic Unit-Crescent Mills Hydrologic Subarea No. 518.53

Water Body Type: Streambed

Designated Beneficial Uses: The Basin Plan for the Central Valley Water Board has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include: Groundwater Recharge, Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Cold Freshwater Habitat (COLD); Cold Spawning, Reproduction, and /or Early Development (SPWN); and Wildlife Habitat (WILD).

Project Description (purpose/goal): The Plumas 70 Rock Slope Protection Embankment Repair Project consists of reconstructing the highway embankment with rock slope protection (RSP) on a section of State Route 70 in Plumas County at post mile 23.7, approximately 9.2 miles west of the junction of State Route 89. High flows in the East Branch of the North Fork Feather River have eroded a section of highway embankment, approximately 400 feet in length and the slope is now within 18 inches of the paved roadway. Continued erosive action could result in damage to or loss of this section of highway.

It is anticipated that the work will be performed with two excavators. One excavator would be positioned halfway down the embankment to place RSP on the slope. The other excavator would be positioned on the road shoulder to pass material to the machine below. The existing embankment would be partially excavated to create an access road and operating platform for the equipment and also to create a stable foundation upon which to construct the new RSP embankment. Construction fabric would be placed on the prepared slope followed by the first course of RSP consisting of a two foot thick layer of small backing rock. A layer of 4-ton RSP approximately 7 feet thick would be placed at the base of the slope. Two-ton RSP would be placed above the 4-ton RSP and would extend to the upper portion of the embankment above the 100 year flood elevation at a 1:1 (horizontal/vertical) slope. Above the 100 year floodplain elevation, native material would be used to top off the embankment to the elevation of the

roadway at a 1.5/1 slope. An earth retaining structure may be necessary at a cross-drain outlet at the west end of the project. The traveled way would be repaved and restriped. New metal beam guardrail may be installed for safety. Additional construction staging will occur in existing disturbed, wide areas immediately north of the work area.

Vegetation removal will be limited to the extent necessary to construct the project. Anticipated plant removal consists of approximately six live oaks ranging from 6-10 inches dbh, one incense cedar, 10 willow saplings, 10 alder saplings, and various shrubs. Placement of RSP at the foot of the embankment will extend below the ordinary high water elevation of the East Branch of the North Fork Feather River at some locations.

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: Project implementation will permanently impact 0.04 acres of un-vegetated streambed.

Dredge Volume: Not Applicable

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 7 June 2013. Lake & Streambed Alteration Agreement Number: 1600-2013-0130-R2

Possible Listed Species: None

Status of CEQA Compliance: The California Department of Transportation signed a Notice of Exemption on 14 November 2014 approving Categorical Exemption pursuant Class 1.

Compensatory Mitigation: Not Applicable

Application Fee Provided: On 10 June 2013 a certification application fee of \$2,974.00 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,¹ 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.

¹ "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

AGREEMENTS

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

NOTIFICATION NO. 1600-2013-0130-R2



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

EDMUND G. BROWN, Governor
CHARLTON H. BONHAM, Director



OCT 21 2013

Date

Eric Orr
California Department of Transportation
1031 Butte Street
Redding, CA 96001

Subject: Final Streambed Alteration Agreement
Notification No. 1600-2013-0130 -R2
East Branch of North Fork Feather River

Dear Mr. Orr:

Enclosed is the final Streambed Alteration Agreement (Agreement) for the PLU 70 Permanent Restoration Project (Project). Before the Department of Fish and Wildlife (Department) may issue an Agreement, it must comply with the California Environmental Quality Act (CEQA). In this case, the Department, acting as a lead agency, determined your project is exempt from CEQA and filed a notice of exemption (NOE) on the same date it signed the Agreement.

Under CEQA, filing a NOE starts a 35-day period within which a party may challenge the filing agency's approval of the project. You may begin your project before the 35-day period expires if you have obtained all necessary local, state, and federal permits or other authorizations. However, if you elect to do so, it will be at your own risk.

If you have any questions regarding this matter, please contact Tim Nosal, Environmental Scientist at (916) 358-2853 or tim.nosal@wildlife.ca.gov.

Sincerely,


Tina Bartlett
Regional Manager

ec: Tim Nosal, Environmental Scientist
Tim.Nosal@wildlife.ca.gov

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
NORTH CENTRAL REGION
1701 NIMBUS ROAD, SUITE A
RANCHO CORDOVA, CA 95670



STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. 1600-2013-0130-R2
East Branch of North Fork Feather River

California Department of Transportation
PLU 70 PERMANENT RESTORATION

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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, Permittee notified the Department on June 10, 2013 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, the Department 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 70 near Rush Creek Road, between Post Mile (PM) 23.7 and 23.9 adjacent to the East Branch North Fork Feather River, in the County of Plumas, State of California; Latitude 40.0240, Longitude -121.1199 (Attachment A Maps and Plans).

PROJECT DESCRIPTION

The project entails placing large rock slope protection (RSP) at the bottom of the embankment with smaller RSP up the slope to the roadway. Two-ton RSP will be used to reconstruct the embankment below the 100-year flood elevation., except at the toe where 4-ton RSP will be

used. RSP fabric will underlay the larger rock to prevent fine soil particles from migrating through the rock.

For most of the project length, the RSP will be keyed into exposed bedrock that will provide a sure footing and prevent scour holes from developing below the RSP toe. Additional RSP will be mounded at the toe where there is insufficient bedrock to support placement of the rock. Toe mounding will not require excavation in the river and allows the rock to slough into scour holes if they develop. The project extends 400 feet in length, 70 feet in height, and 7-10 feet thick along the existing embankment. A 4-foot paved shoulder and metal beam guardrail will also be included in the project (Attachment A: Maps and Plans).

A temporary construction road will be required to access the toe of the slope. The removal of trees will be limited to the extent necessary to construct the project.

During construction, if necessary, water will be diverted away from the project area using clean materials such as sandbags, gravel bags, water dams or clean/washed gravel. This will allow for dewatering of the river within the area where RSP will be emplaced at the bottom of the slope.

All figures and minimization measures included in the Notification of Streambed Alteration No. 1600-2013-0130-R2 shall be implemented.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: riparian vegetation, nesting migratory birds, reptiles, other aquatic and terrestrial plant and wildlife species, and cold water fish species.

The adverse effects the project could have on the fish or wildlife resources identified above include: temporary diversion of flow water from, or around, activity site; short-term increased turbidity; increased sedimentation from adjacent construction; short-term release of sediment (e.g. incidental from construction); loss or decline of riparian and wetland habitat; disturbance from project activity; direct take of terrestrial species and of non-fish aquatic species; loss of natural bed or bank; soil compaction or other disturbance; disruption to nesting birds and other wildlife; dewatering; flow deflection; change in fluvial geomorphology; and direct (seasonal) loss of resources for aquatic organisms.

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 the Department 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 the Department 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, the Department shall contact Permittee to resolve any conflict.
- 1.4 **Project Site Entry.** Permittee agrees that Department personnel may enter the project site at any time to verify compliance with the Agreement.
- 1.5 **Does Not Authorize "Take".** This Agreement does not authorize "take" of any listed species. Take is defined as hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture, or kill. If there is potential for take of any listed species to occur, the Permittee shall consult with the Department as outlined in FGC Section 2081 and shall obtain the required state and federal threatened and endangered species permits.
- 1.6 **Notification of Project Modification.** Permittee agrees to notify the Department of any modifications made to the project plans submitted to the Department.

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.

- 2.1 **Work Period.** The time period for completing the work within the active channel shall be restricted to periods of low stream flow and dry weather and shall be confined to the period of June 15 to October 15. Construction activities shall be timed with awareness of precipitation forecasts and likely increases in stream flow. Construction activities within the project area shall cease until all reasonable erosion control measures, inside and outside of the project area, have been implemented prior to all storm events. Restoration and erosion control work is not confined to this time period.
- 2.2 **Work Period Modification.** If Permittee needs more time to complete the project activity, the work may be permitted outside of the work period and extended on a day-to-day basis

(or for some other set period of time) by the Department representative who reviewed the project, or if unavailable, through contact with the Regional office. Permittee shall submit a written request for a work period variance to the Department. The work period variance request shall: 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) detail the time required to complete each of the remaining activities; and 4) provide photographs of both the current work completed and the proposed site for continued work. The work period variance request should consider the effects of increased stream flows and rain delays. Work period variances are issued at the discretion of the Department. The Department will review the written request to work outside of the established work period. The Department reserves the right to require additional measures to protect fish and wildlife resources as a condition for granting the variance. The Department will have ten (10) calendar days to review the proposed work period variance.

- 2.3 **Work Period in Dry Weather Only.** Work within the East Branch North Fork Feather River shall be limited to periods of low stream flow and dry weather. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation. Construction activities halted due to precipitation may resume when precipitation ceases and the National Weather Service 72 hour weather forecast indicates a 20% or less chance of precipitation, provided no work occurs in the stream bed if water is flowing. If a construction phase may cause the introduction of sediments into the stream: 1) no phase of the project shall be started in May or November of any year, unless all work for that phase and all associated erosion control measures are completed prior to the onset of precipitation; and 2) no phase of the project shall commence unless all equipment and materials are removed from the channel at least 12 hours prior to the onset of precipitation and all associated erosion control measures are in place prior to the onset of precipitation. No work shall occur during a dry-out period of 24 hours after the above referenced wet weather. Weather forecasts shall be documented upon request by the Department.
- 2.4 **Stream Diversions / Dewatering.** If work in the flowing portion of the stream is unavoidable, the entire stream flow shall be diverted around the work area during the construction operations. When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code section 5937. Any temporary dam or other artificial obstruction constructed shall only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. The Department will review the proposed water diversion method, to approve the plan or provide the requirements for that approval. The Permittee may not commence the diversion of water without the explicit approval from the Department.
- 2.5 **Bird Nests.** It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by the Fish and Game Code. No vegetation that contains active nests of birds shall be disturbed until all eggs have hatched and young

birds have fledged without prior consultation and approval of a Department representative.

- 2.6 **Removal of Trees/Shrubs During Fall/Winter Months.** To avoid potential impact to nesting birds, trees and shrubs designated for removal may be cut down during the time period of August 31 to February 15. Tree and shrub removal may commence provided that that no birds are nesting, or using the site as a rookery at the time of removal.
- 2.7 **Special Status Plants** Should a special status plant species [as per CEQA sections 15380 and 15125 (c)] be discovered before or during the life of the project, a 25-foot no-operations buffer shall be flagged around the area and the Department shall be immediately notified. Consultation with the Department and/or USFWS shall ensure that potential impacts are avoided or minimized, and that project activities do not inhibit long-term conservation efforts for the survival of special status plant species.
- 2.8 **Vegetation Removal.** Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. Except for the trees specifically identified for removal in the notification, no native trees with a trunk diameter at breast height (DBH) in excess of **four (4)** inches shall be removed or damaged without prior consultation and approval of a Department representative. Using hand tools (clippers, chain saw, etc.), trees (including willows near the waterline) may be trimmed to the extent necessary to gain access to the work sites. All cleared material/vegetation shall be removed out of the riparian/stream zone.
- 2.9 **Sediment Control.** Precautions to minimize turbidity/siltation shall be taken into account during project planning and implementation. This may require the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. Materials composing the silt barrier shall not pose an entanglement risk to fish or wildlife such as monofilament mesh and non-biodegradable synthetic erosion blankets. Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures shall be taken. The sediment barrier(s) shall be maintained in good operating condition throughout the construction period and the following rainy season. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged siltation barriers. The Permittee is responsible for the removal of non-biodegradable silt barriers (such as plastic silt fencing) after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season). Upon Department determination that turbidity/siltation levels resulting from project related activities constitute a threat to aquatic life, activities associated with the turbidity/siltation shall be halted until effective Department approved control devices are installed or abatement procedures are initiated.
- 2.10 **Rock Slope Protection.** Un-grouted rock slope protection (RSP) and energy dissipater materials shall consist of clean 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). .

- 2.11 **Pollution Control.** Utilize Best Management Practices (BMPs) to prevent spills and leaks into water bodies. If maintenance or refueling of vehicles or equipment must occur on-site, use a designated area and/or a secondary containment, located away from drainage courses to prevent the runoff of storm water and the runoff of spills. Ensure that all vehicles and equipment are in good working order (no leaks). Place drip pans or absorbent materials under vehicles and equipment when not in use. Ensure that all construction areas have proper spill clean up materials (absorbent pads, sealed containers, booms, etc.) to contain the movement of any spilled substances. Any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the waters of the state. Any of these materials, placed within or where they may enter a stream or lake by the Applicant or any party working under contract or with the permission of the Permittee, shall be removed immediately. The Department shall be notified immediately by the Permittee of any spills and shall be consulted regarding clean-up procedures.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

- 3.1 The Permittee shall notify the Department within two working days of beginning work within the stream zone. Notification shall be submitted as instructed in Contact Information section below. Email notification is preferred.
- 3.2 Upon completion of the project activities described in this agreement, the project area shall be digitally photographed. Photographs shall be submitted to the Department within fifteen (15) days of project completion. Photographs and notification of project completion shall be submitted as instructed in Contact Information section below. Email submittal is preferred.

CONTACT INFORMATION

Any communication that Permittee or the Department 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 the Department specifies by written notice to the other.

To Permittee:

Eric Orr
California Department of Transportation
1031 Butte Street Redding, CA 96001
Fax – (530) 225-3146
Email – eric.orr@dot.ca.gov

To The Department:

Department of Fish and Wildlife
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
Attn: Lake and Streambed Alteration Program – Tim Nosal
Notification #1600-2013-0130 R2

Fax: 916-358-2912
Email: r2lsa@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 the Department'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

The Department 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 the Department 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 the Department 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 the Department to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes the Department 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 the Department'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

The Department may amend the Agreement at any time during its term if the Department 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 the Department and Permittee. To request an amendment, Permittee shall submit to the Department a completed Department "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in the Department'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 the Department 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 the Department a completed Department "Request to Amend Lake or Streambed Alteration" form

and include with the completed form payment of the minor amendment fee identified in the Department'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 the Department a completed Department "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in the Department's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). The Department 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 & Game Code, § 1605, subd. (f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of the Department's signature, which shall be: 1) after Permittee's signature; 2) after the Department 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.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall expire within five (5) years of the Department's signature, 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.

EXHIBIT

The document listed below is included as an exhibit to the Agreement and incorporated herein by reference.

Attachment A: Maps and Plans

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.

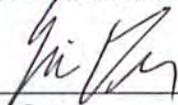
AUTHORIZATION

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 the Department in accordance with FGC section 1602.

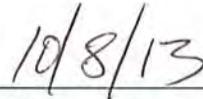
CONCURRENCE

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

FOR CALTRANS



Eric Orr
Project Manager

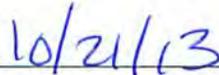


Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Tina Bartlett
Regional Manager



Date

Prepared by: Tim Nosal
Environmental Scientist

**Attachment A:
Project Maps and Plans**

**Caltrans: Plumas 70 Permanent Restoration
Plumas County**

LSA#1600-2013-0130-R2

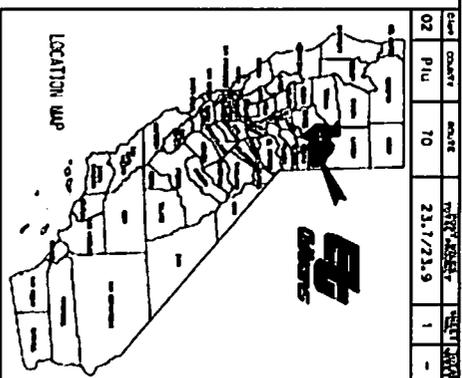
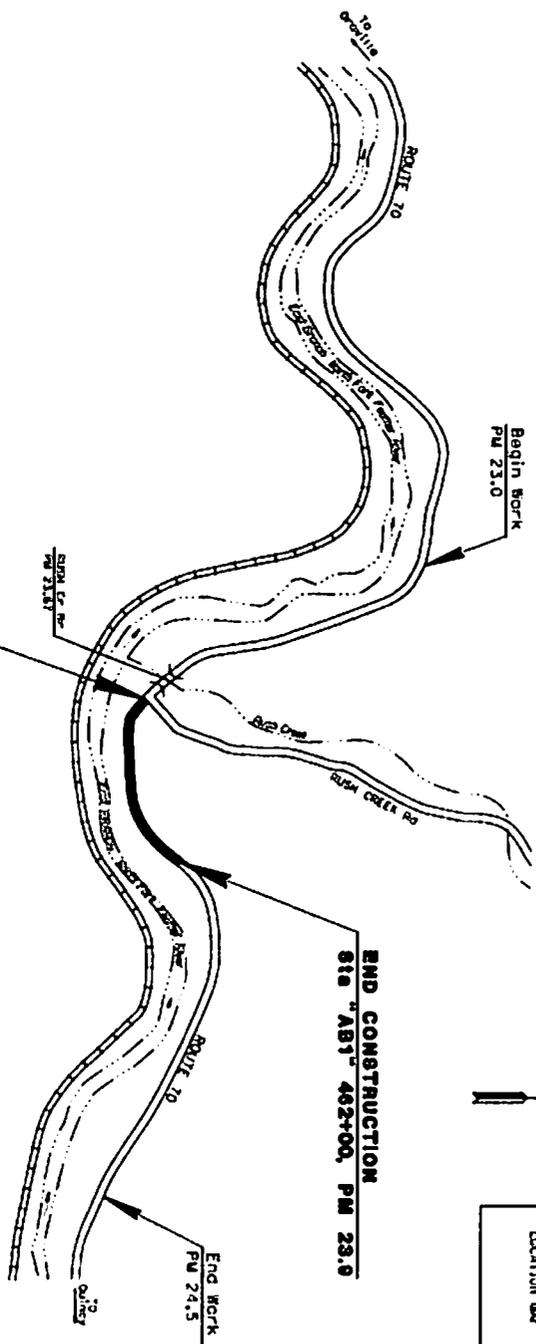
INDEX OF PLANS
 SHEET No. 1
 DESCRIPTION
 TITLE SHEET

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PLANS FOR CONSTRUCTION ON
 STATE HIGHWAY

IN PLUMAS COUNTY NEAR RICH BAR
 FROM RUSH CREEK ROAD TO
 0.2 MILE EAST OF RUSH CREEK ROAD.

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2008

THE STANDARD PLANS LIST APPLICABLE TO THIS
 CONTRACT IS LOCATED IN THE NOTICE TO
 BIDDERS AND RELATED PROVISIONS BOOK.



DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE

THE CONTRACTOR SHALL PROVIDE THE PLANS FOR CLARIFICATION
 LISTED AS PROVIDED IN THE NOTICE TO BIDDERS.

NO SCALE

CONTRACT NO. 02-471004
 PROJECT ID 0212000110

CONTRACT NO. 02-471004
 PROJECT ID 0212000110

CONTRACT NO. 02-471004
 PROJECT ID 0212000110



DATE PLOTTED: 02/12/08
 PLOTTER: HP DesignJet 5000

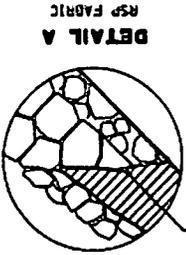
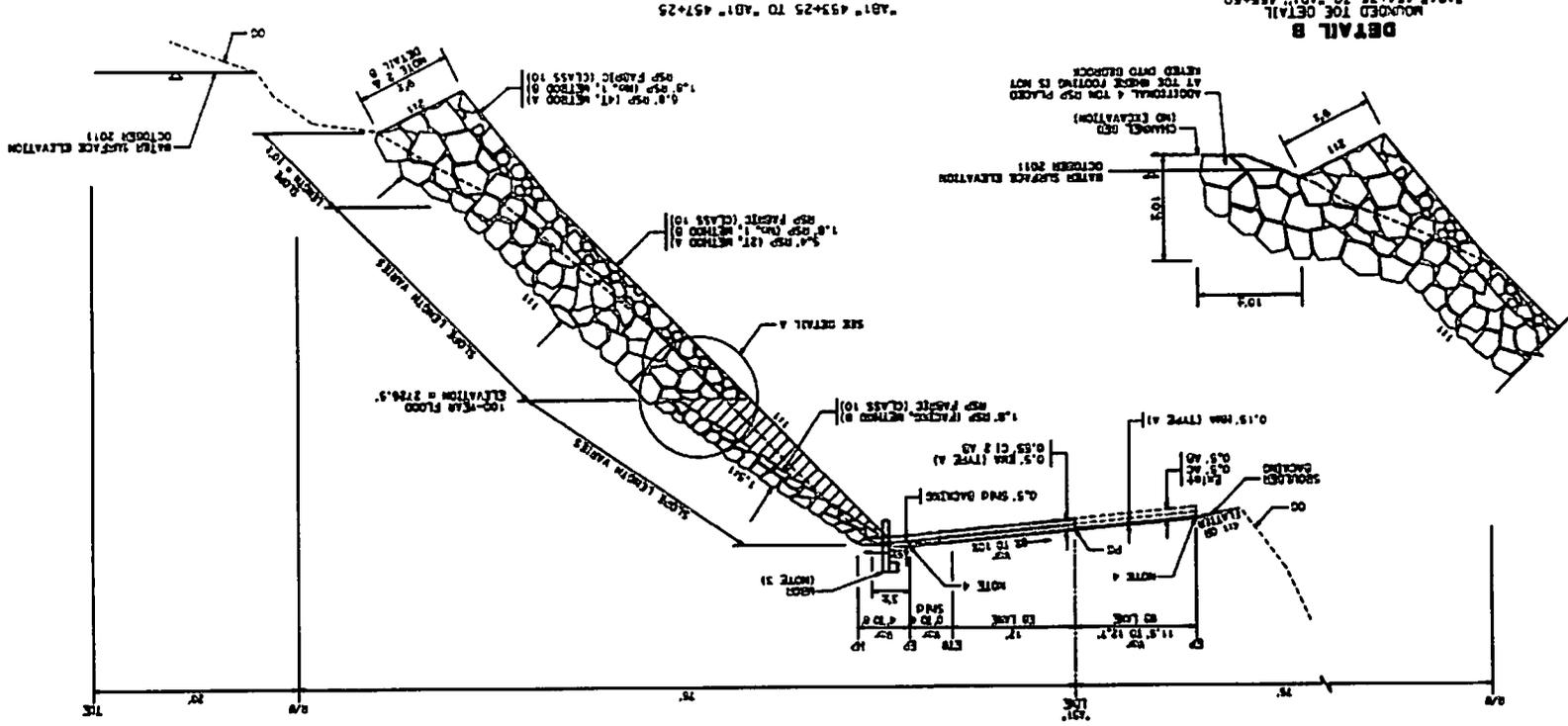
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL DIVISION	SECTION NO.	DESIGNED BY	REVISED BY
DESIGN	STRM 1074		CAJN	

CONTRACT LAST REVISED 7/8/2010
 CONTRACT NO. 07-00000000
 SHEET NO. 13 OF 13

PROJECT NUMBER & PHASE
 UNIT 0319
 ROUTE 70

SCALE: 1" = 5'
 X-1

TYPICAL CROSS SECTIONS
 X-1



- NOTES:
1. DIMENSIONS OF THE PAVEMENT STRUCTURES (STRUCTURAL SECTIONS) ARE SUBJECT TO FOLLOWANCES SPECIFIED BY THE STANDARD SPECIFICATIONS.
 2. EXCAVATE UNDERNEATH INTO BEDROCK AT TOE OF RSP (2 TOPI). IN LOCATIONS WHERE BEDROCK IS NOT PRESENT, USE WORKED FOR DETAIL.
 3. REFER TO LAYOUTS AND QUANTITY SHEETS FOR METAL BEAM GUARD RAILING LOCATIONS.
 4. PLACE PAVEMENT EDGE TREATMENT (SAFETY EDGES) AS DETAILLED IN REVISED STANDARD PLANS P14, P15, AND P16.

PRELIMINARY

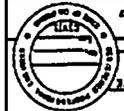
DATE: 2/21/2010

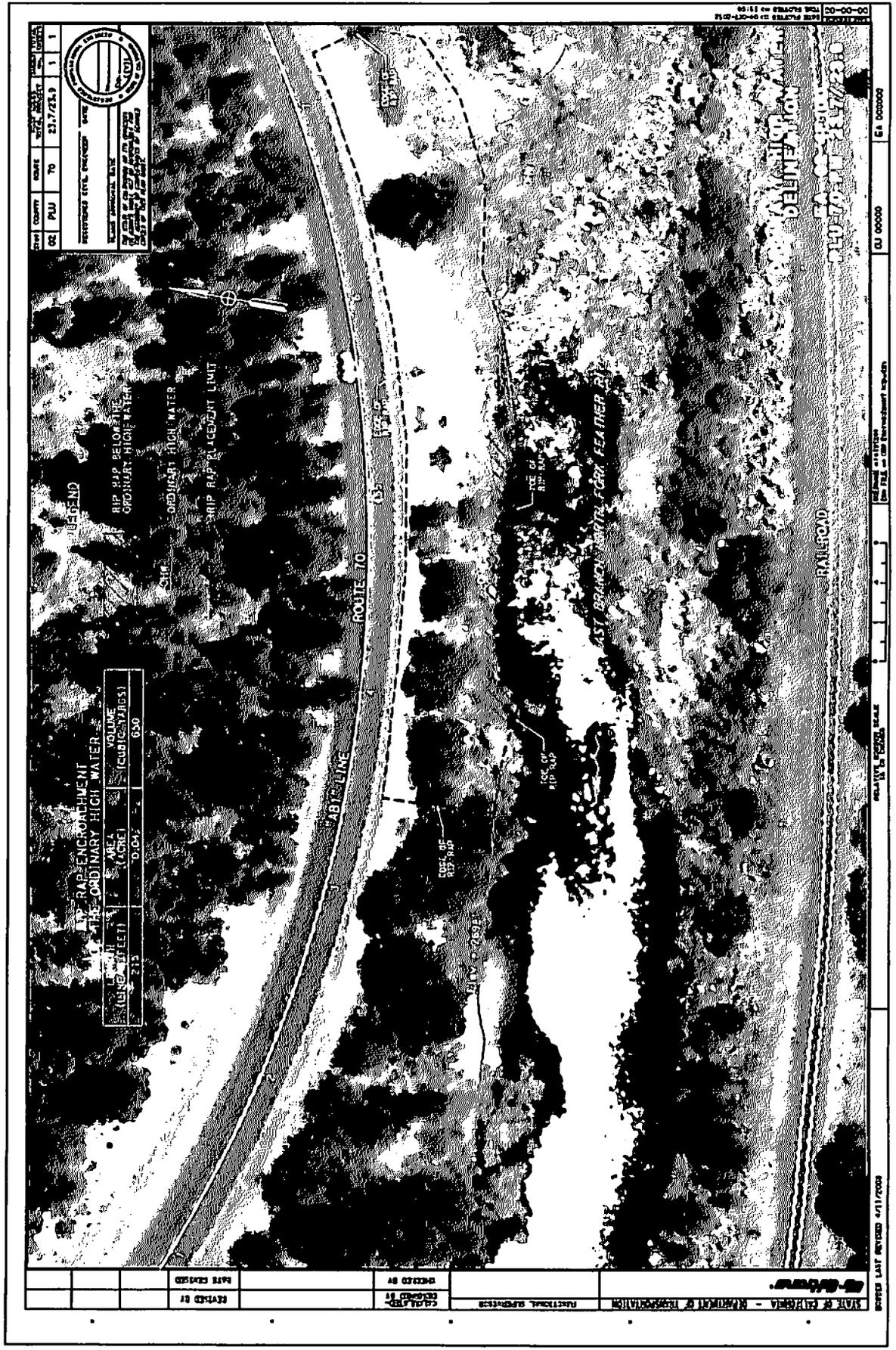
BY: CAJN

PROJECT: ROUTE 70

UNIT: 0319

SHEET: 13 OF 13





COUNTY	DATE	SCALE	PROJECT NO.	DATE
70	2.17.2013	1:1		

LINEAL FEET	VOLUME (CUBIC FEET)
2.13	0.04

DESIGNED BY	CHECKED BY	DATE ENDED

PROJECT NO.	DATE

SCALE	PROJECT NO.
AS SHOWN	

DATE ENDED	CHECKED BY

DESIGNED BY	PROJECT NO.

DATE ENDED	CHECKED BY

PROJECT NO.	DATE

MATERIALS INFORMATION

OPTIONAL DISPOSAL SITE FOR EARTHEN MATERIAL

INFORMATIONAL HANDOUT
FOR A CONSTRUCTION CONTRACT
ON ROUTE 70
IN PLUMAS COUNTY

The
Plumas 70 Permanent Restoration Project
PLU-070-PM 23.7/23.9

For an
Optional Disposal Site for Earthen Material
TWIN DISPOSAL SITE
PLU-070-PM 26.9

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, email: 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 as per Section 2 "Bidding" of the 2010 Standard Specifications.

Table of Contents

General Information	2
Location Map.....	3
Site Plan Map.....	4

General Information

This disposal site is provided by Caltrans, at the option of the contractor for the disposal of excavated earthen materials (including material containing naturally occurring asbestos) generated from the Plumas 70 Permanent Restoration Project. The earthen material will be deposited at an existing Caltrans disposal site on an undeveloped lot on US Forest Service property. It is located off of State Route 70 at PM 26.9 within Plumas County.

This disposal site may be used by Caltrans Maintenance and other contractors, without exclusive use to anyone. Use of this site must be coordinated with the Caltrans Quincy Maintenance Supervisor, Eddie Roberts, who shall be contacted at least 2 weeks prior to the beginning of construction activities at (530) 283-2612.

Road Restrictions:

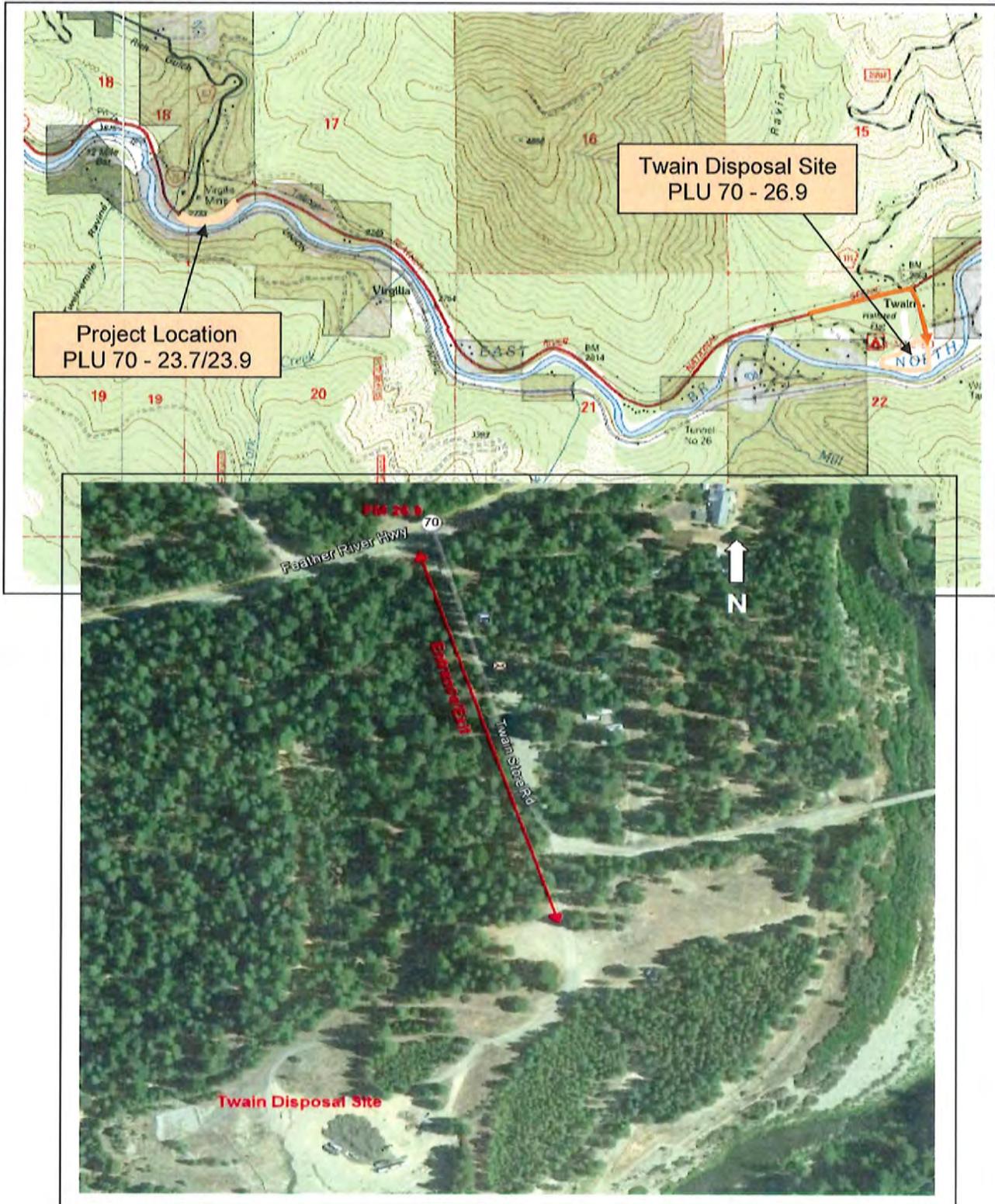
- This site is on USFS property and operation granted by Special Use Permit. The entrance to the site passes through the small town of Twain and Hallsted Campground. Reduce speed; watch for RVs and pedestrians. All safety precautions must be observed.
- BMPs shall be applied by the contractor to eliminate vehicle tracking. The contractor must have a water truck available to control dust at the site and through the town of Twain.

Material placement and requirements for this disposal site:

- The only materials to be disposed of at this site are earthen or rock materials; estimated quantity is 1,000 CY. Any slash or man-made materials must be disposed of at a landfill.
- Any material containing non-hazardous Naturally Occurring Asbestos will be encapsulated in accordance of Section 14 of the 2010 Standard Specifications and must be placed in the area indicated on the attached site plan.
- Disposal or reuse of salvaged materials will be in accordance with section 14 and section 15 of the 2010 Standard Specifications.
- Section 19 of the 2010 Standard Specifications will apply to all disposal of earthen material from this project, including any material delivered to this site.
- The contractor bears all liability for damage to haul vehicles and any facility or equipment damaged by the contractor's use of the site. The State assumes no liability for damage to contractor's equipment.
- All temporary materials or equipment must be removed at the close of this project and the site returned to the original or better condition. The finished surface shall be uniformly graded.
- Materials shall be compacted to the extent that it firmly supports rubber tire equipment, and there is no visible evidence of further consolidation of the material being compacted.
- Construction Storm Water Best Management Practices shall apply to this site. Final Erosion Control on newly finished slopes shall be the same as those for the project and must be included in the contractor's Storm Water Pollution Control Plan. No additional compensation shall be made for placement of the erosion control measures at the disposal site.

This site must be included in the Asbestos Compliance, Dust Control, and Lead Compliance Plan, with no additional compensation made for inclusion.

Location Map



Site Plan Map

Twain Disposal Site PLU-70-026.9



MATERIALS INFORMATION

AERIALY DEPOSITED LEAD AND NATURALLY
OCCURRING ASBESTOS SITE INVESTIGATION REPORT

AERIALY DEPOSITED LEAD AND NATURALLY OCCURRING ASBESTOS SITE INVESTIGATION REPORT

State Route 70 (02-PLU-70)
Post Mile 23.8 to 23.9
Plumas County, California

PREPARED FOR:

**CALIFORNIA DEPARTMENT OF TRANSPORTATION – DISTRICT 3
ENVIRONMENTAL ENGINEERING OFFICE
703 B STREET
MARYSVILLE, CALIFORNIA 95901**



PREPARED BY:

**GEOCON CONSULTANTS, INC.
3160 GOLD VALLEY DRIVE, SUITE 800
RANCHO CORDOVA, CALIFORNIA 95742**



**GEOCON PROJECT NO. S9805-01-01
TASK ORDER NO. 1, EA 02-4F1001**

NOVEMBER 2013



Project No. S9805-01-01
November 1, 2013

Rajive Chadha
California Department of Transportation - District 3
Environmental Engineering Office
703 B Street
Marysville, California 95901

Subject: AERIALY DEPOSITED LEAD AND NATURALLY OCCURRING ASBESTOS
SITE INVESTIGATION REPORT
STATE ROUTE 70 (02-PLU-70) POST MILE 23.8 TO 23.9
PLUMAS COUNTY, CALIFORNIA
CONTRACT NO. 03A2132, TASK ORDER NO. 1, EA 02-4F1001

Dear Mr. Chadha:

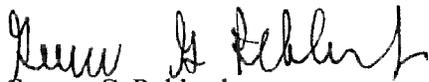
In accordance with California Department of Transportation (Caltrans) Contract No. 03A2132, Task Order No. 1, and Expense Authorization 02-4F1001, we have performed environmental engineering services at the project site. The Site consists of State Route 70 at approximate Post Mile 23.8 to 23.9 in Plumas County, California. The accompanying report summarizes the services performed including the excavation of fifteen hand-auger borings for the collection of soil samples for aerially deposited lead and naturally occurring asbestos analysis.

The contents of this report reflect the views of the author, who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the State of California or the Federal Highway Administration. This report does not constitute a standard, specification, or regulation.

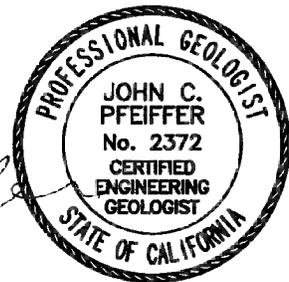
Please contact us if you have any questions concerning the contents of this report or if we may be of further service.

Sincerely,

GEOCON CONSULTANTS, INC.


Gemma G. Reblando
Project Geologist


John C. Pfeiffer, PG, CEG
Senior Geologist



(3 + 2 CD) Addressee

TABLE OF CONTENTS

AERIALY DEPOSITED LEAD AND NATURALLY OCCURRING ASBESTOS SITE INVESTIGATION REPORT		PAGE
1.0	INTRODUCTION.....	1
1.1	Project Description and Proposed Improvements	1
1.2	General Objectives	1
2.0	BACKGROUND.....	1
2.1	Potential Lead Soil Impacts	1
2.2	Hazardous Waste Determination Criteria	2
2.3	Naturally Occurring Asbestos	2
3.0	SCOPE OF SERVICES	3
3.1	Pre-field Activities	3
3.2	Field Activities.....	3
4.0	INVESTIGATIVE METHODS	4
4.1	Soil Sampling Procedures	4
4.2	NOA Investigation	4
4.3	Quality Assurance/Quality Control (QA/QC) Procedures	4
4.4	Laboratory Analyses	5
4.4.1	ADL Soil Samples	5
4.4.2	NOA Samples	5
4.4.3	Laboratory QA/QC Procedures.....	5
5.0	FIELD OBSERVATIONS AND INVESTIGATIVE RESULTS.....	5
5.1	Site Geology.....	5
5.2	ADL Soil Analytical Results.....	6
5.3	NOA Results	6
5.4	Laboratory QA/QC	6
5.5	Statistical Evaluation for Lead Detected in Soil Samples.....	6
5.5.1	Calculating the UCLs for the True Mean.....	7
6.0	CONCLUSIONS AND RECOMMENDATIONS.....	8
6.1	ADL	8
6.2	Naturally Occurring Asbestos.....	8
6.2.1	NOA-containing Soil Management.....	8
6.2.2	Asbestos Worker Protection.....	9
7.0	REPORT LIMITATIONS.....	10

FIGURES

1. Vicinity Map
2. Site Plan

TABLES

1. Summary of Soil Boring Coordinates
2. Summary of Soil Analytical Results – Lead
3. Summary of Soil Analytical Results – Asbestos

APPENDIX

- A. Laboratory Reports and Chain-of-custody Documentation
- B. Lead Statistics

AERIALY DEPOSITED LEAD AND NATURALLY OCCURRING ASBESTOS SITE INVESTIGATION REPORT

1.0 INTRODUCTION

This Aerially Deposited Lead (ADL) and Naturally Occurring Asbestos (NOA) Site Investigation Report for State Route 70 (SR-70) Post Mile (PM) 23.8 to 23.9 was prepared under California Department of Transportation (Caltrans) Contract No. 03A2132, Task Order (TO) No. 1, and Expense Authorization (EA) 02-4F1001.

1.1 Project Description and Proposed Improvements

The project area consists of the unpaved shoulder along eastbound (EB) SR-70 from the Rush Creek Road/SR-70 intersection extending approximately one-tenth mile to the east (PM 23.8 to 23.9) (the Site) near the town of Twain in Plumas County, California. The approximate project location is depicted on the attached Vicinity Map, Figure 1. Caltrans proposes to perform roadway improvements along the EB shoulder of SR-70. The approximate sampling locations are depicted on the attached Site Plan, Figure 2.

1.2 General Objectives

Construction of planned roadway improvements along EB SR-70 will require the disturbance of soil at the Site and may generate excess soil. The purpose of the scope of services outlined in TO No. 1 was to evaluate the Site for potential impacts due to ADL from motor vehicle exhaust in the surface and near-surface soils and the presence of NOA derived from ultramafic rock within the project boundaries. The investigative results will be used by Caltrans to inform the construction contractor if ADL- and/or NOA-impacted soils are present within the project boundaries for construction worker health and safety, and soil management and disposal purposes.

2.0 BACKGROUND

Caltrans requested the site investigation to provide data regarding the potential presence of ADL and/or NOA within the proposed roadway improvement areas.

Regulatory criteria to classify a waste as "California hazardous" for handling and disposal purposes are contained in the California Code of Regulations (CCR), Title 22, Division 4.5, Chapter 11, Article 3, § 66261.24. Criteria to classify a waste as "Resource, Conservation, and Recovery Act (RCRA) hazardous" are contained in Chapter 40 of the Code of Federal Regulations (40 CFR), § 261.

2.1 Potential Lead Soil Impacts

Ongoing testing by Caltrans has indicated that ADL exists along major freeway routes due to emissions from vehicles powered by leaded gasoline.

2.2 Hazardous Waste Determination Criteria

For waste containing metals, the waste is classified as California hazardous when: 1) the representative total metal content equals or exceeds the respective Total Threshold Limit Concentration (TTLC); or 2) the representative soluble metal content equals or exceeds the respective Soluble Threshold Limit Concentration (STLC) based on the standard Waste Extraction Test (WET). A waste may have the potential of exceeding the STLC when the waste's total metal content is greater than or equal to ten times the respective STLC value, since the WET uses a 1:10 dilution ratio. Hence, when a total metal is detected at a concentration greater than or equal to ten times the respective STLC, and assuming that 100 percent of the total metals are soluble, soluble metal analysis is required. A material is classified as RCRA hazardous, or Federal hazardous, when the representative soluble metal content equals or exceeds the Federal regulatory level based on the Toxicity Characteristic Leaching Procedure (TCLP).

The above regulatory criteria are based on chemical concentrations. Wastes may also be classified as hazardous based on other criteria such as ignitability and corrosivity; however, for the purposes of this investigation, toxicity (i.e., representative lead concentrations) is the primary factor considered for waste classification since waste generated during the construction activities would not likely warrant testing for ignitability or corrosivity. Waste that is classified as either California-hazardous or RCRA-hazardous requires management as a hazardous waste.

The Department of Toxic Substances Control (DTSC) regulates and interprets hazardous waste laws in California. DTSC generally considers excavated or transported materials that exhibit "hazardous waste" characteristics to be a 'waste' requiring proper management, treatment and disposal. Soil that contains lead above hazardous waste thresholds and is left in-place would not be necessarily classified by DTSC as a 'waste.' The DTSC has provided site-specific determinations that "movement of wastes within an area of contamination does not constitute 'land disposal' and, thus, does not trigger hazardous waste disposal requirements." Therefore, lead-impacted soil that is scarified in-place, moisture-conditioned, and recompacted during roadway improvement activities might not be considered a 'waste.' DTSC should be consulted to confirm waste classification. It is noted that in addition to DTSC regulations, health and safety requirements and other local agency requirements may also apply to the handling and disposal of lead-impacted soil.

2.3 Naturally Occurring Asbestos

The construction activities proposed by Caltrans may disturb NOA-containing soil and/or rock units, if present at the Site. The California Air Resources Board (CARB) has mitigation practices for construction, grading, quarrying and surface mining operations that may disturb natural occurrences of asbestos as outlined in CCR Title 17, § 93105. NOA potentially poses a health hazard when it becomes an airborne particulate. Mitigation practices can reduce the risk of exposure to asbestos-containing dust. The primary mitigation practice used for controlling exposure to potentially asbestos-containing dust is the

implementation of engineering controls including wetting the materials being disturbed. If engineering controls do not adequately control exposure to potentially asbestos-containing dust, the use of personal protective equipment including wearing air purifying respirators with High Efficiency Particulate Air (HEPA) filters is required during construction activities. Dust control methods similar to those in CCR Title 17, § 93105 are outlined in CCR Title 17, § 93106 for airborne asbestos in road surfacing applications. Using surfacing material with 0.25% or more asbestos material is not permitted and wetting of the material or the application of a surface sealant is recommended to minimize disturbance of the asbestos material. Onsite reuse or disposal of NOA-containing materials is allowed by CCR Title 17, § 93106 and CCR Title 17, § 93105 if it is buried under at least 3 inches of material that does not contain NOA.

3.0 SCOPE OF SERVICES

The scope of services requested by Caltrans in TO No. 1 included the collection of soil samples for analysis to determine lead and asbestos content, and the preparation of this report.

3.1 Pre-field Activities

- Utilized a *Health and Safety Plan* dated December 2009 from previous TO No. 108 (03A1368, S9300-06-108) to provide guidelines on the use of personal protective equipment and the health and safety procedures implemented during the field activities.
- Retained the services of Advanced Technologies Laboratories (ATL), a Caltrans-approved and California-certified analytical laboratory, to perform the chemical analyses of soil samples.
- Retained the services of EMSL Inc., a Caltrans-approved analytical laboratory, to perform the asbestos analyses of samples.
- Reviewed documents pertaining to the geologic setting of the site vicinity.

3.2 Field Activities

On September 17, 2013, a Geocon Professional Geologist performed geologic reconnaissance of the Site. Subsequently, we advanced fifteen hand-auger borings to an approximate sampling depth of 3.0 feet along the EB shoulder of SR-70. Soil samples were collected at depth intervals of 0.0 to 1.0 foot, 1.0 to 2.0 feet, and 2.0 to 3.0 feet.

The sample locations were selected in the field by Geocon's Professional Geologist and Caltrans' TO Manager. Following sample collection, the borings were backfilled with excess soil cuttings. Details of the field activities are presented in the following sections.

4.0 INVESTIGATIVE METHODS

4.1 Soil Sampling Procedures

A total of 37 soil samples were collected for lead analysis from 15 ADL borings at the Site (EB1 through EB15). Twelve of the borings (EB1 through EB12) were located within the soil disturbance area of the planned roadway improvement project. Three of the borings (EB13 through EB15) were located outside (east) of the project's soil disturbance area. Three soil samples were collected from each boring except where refusal conditions were encountered. Refusal conditions were encountered in eight borings (EB6, EB8, EB9, and EB11 through EB15) at depths between 1.0 and 2.0 feet. The soil samples were placed in labeled Ziploc® re-sealable plastic bags for field homogenization and subsequently labeled, placed in an ice chest, and delivered to ATL for analytical testing under chain-of-custody (COC) documentation. Following sample collection, the borings were backfilled with excess soil cuttings.

The coordinates of the boring locations were determined using a global positioning system (GPS) except borings EB7 and EB9. Coordinates for these borings could not be obtained due to failed satellite connection. The GPS was utilized during the field activities to locate the horizontal position of the boring locations with an error of no more than 3.3 feet. The latitude and longitude of the boring locations are summarized in Table 1. The approximate ADL boring locations at the Site are shown on Figure 2.

4.2 NOA Investigation

One soil sample collected between depths of 1.0 and 3.0 feet in each boring was homogenized in a Ziploc® plastic bag and then split into two parts. The second portion was then placed in a Ziploc® plastic bag. The discrete sample splits were then combined in the field into three-point composite soil samples. The five composite sample bags were labeled, placed in a cooler, and delivered to EMSL for asbestos analysis under COC protocol.

4.3 Quality Assurance/Quality Control (QA/QC) Procedures

QA/QC procedures were performed during the field exploration activities. These procedures included the decontamination of sampling equipment before each sample was collected and providing COC documentation for each sample submitted to the laboratories. The soil sampling equipment was cleansed between borings by washing the equipment with an Alconox® solution followed by a double rinse with deionized water. The decontamination water was discharged to the ground surface within the Caltrans right-of-way, away from the roadway and storm drain inlets.

4.4 Laboratory Analyses

4.4.1 ADL Soil Samples

Thirty-seven soil samples were analyzed for total lead following United States Environmental Protection Agency (EPA) Test Method 6010B under five-day turnaround time (TAT). The laboratory was instructed to homogenize the soil samples prior to analysis in accordance with Contract 03A2132 requirements.

4.4.2 NOA Samples

EMSL performed asbestos fiber analysis on the five composite soil samples under two-week TAT. EMSL analyzed the samples for asbestos using polarized light microscopy (PLM) by CARB Method 435 (CARB 435). The CARB 435 preparation includes milling the sample to a -200 mesh size which also homogenizes the sample. The analytical sensitivity of the PLM analysis was 0.25% by area.

4.4.3 Laboratory QA/QC Procedures

QA/QC procedures were performed by ATL as applicable for the method of analysis with specificity for each analyte listed in the test method's QA/QC. QA/QC measures for the lead analysis included the following:

- One method blank for every ten samples, batch of samples or type of matrix, whichever was more frequent.
- One sample analyzed in duplicate for every ten samples, batch of samples or type of matrix, whichever was more frequent.
- One spiked sample for every ten samples, batch of samples or type of matrix, whichever was more frequent, with the spike made at ten times the detection limit or at the analyte level.

Prior to submitting the samples to the laboratories, the COC documentation was reviewed for accuracy and completeness. Copies of the laboratory reports and COC documentation are presented in Appendix A.

5.0 FIELD OBSERVATIONS AND INVESTIGATIVE RESULTS

5.1 Site Geology

We reviewed the following documents pertaining to the geologic setting of the Site:

1. *Geologic Atlas of California – Westwood Sheet*, California Geological Survey, Geologic Atlas of California Map No. 027, Scale 1:250,000, 1960.
2. *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos*, California Department of Conservation, Division of Mines and Geology, Open-File Report 2000-19, Scale 1:1,100,000, 2000.
3. *Fault Activity Map of California and Adjacent Areas, Map No. 6*, Department of Conservation, Division of Mines and Geology, Scale 1:750,000, 1994.

Reference 1 depicts the rock units underlying the Site as Triassic marine rocks. Reference 2 does not depict the Site as an ultramafic area. Based on our review of Reference 2, the nearest ultramafic rocks are located at least ¼ mile west of the Site. The Site is located within the Melones Fault zone as depicted on Reference 3.

John Pfeiffer, a California Certified Engineering Geologist (CEG 2372) with experience in the assessment of NOA, performed the geologic assessment of the site vicinity. The observed geology of the Site was steeply dipping slate overlain in some areas by river terrace deposits. We did not observe serpentine or obvious asbestos-bearing rock at or near the Site.

5.2 ADL Soil Analytical Results

Total lead was detected in each of the 37 soil samples analyzed at concentrations ranging from 7.6 to 55 mg/kg. Only one of the 37 soil samples had a total lead concentration greater than 50 mg/kg (i.e., ten times the STLC value for lead of 5.0 mg/l).

A summary of the ADL analytical results are presented on Table 2. A copy of the ATL laboratory report and COC documentation are in Appendix A.

5.3 NOA Results

Results for four of the five composite samples (EB1,2,3 Comp, EB4,5,6 Comp, EB7,8,9 Comp and EB10,11,12 Comp) were reported as none detected for asbestos and 100% non-fibrous. One composite sample (EB13,14,15 Comp) was reported to contain chrysotile asbestos at less than 0.25%. A summary of NOA analytical results is on Table 3. Copies of the EMSL laboratory report and COC documentation are in Appendix A.

5.4 Laboratory QA/QC

We reviewed the QA/QC provided with the ATL laboratory report. The relative percent differences for a few sample duplicates were outside acceptance criteria. Calculation is based on raw values as noted in the laboratory report. Based on the laboratory QA/QC data, no additional qualification of the data presented herein is necessary, and the data are of sufficient quality for the purposes of this report.

5.5 Statistical Evaluation for Lead Detected in Soil Samples

Statistical methods were applied to the total lead data to evaluate the upper confidence limits (UCLs) of the arithmetic means of the total lead concentrations for each sampling depth. The total lead data were treated as one sample population for statistical evaluation.

5.5.1 Calculating the UCLs for the True Mean

Non-parametric bootstrap techniques were used to calculate the UCLs. The upper one-sided 90% and 95% UCLs of the arithmetic mean are defined as the values that, when calculated repeatedly for randomly drawn subsets of site data, equal or exceed the true mean 90% and 95% of the time, respectively. Statistical confidence limits are the classical tool for addressing uncertainties of a distribution mean. The UCLs of the arithmetic mean concentration are used as mean concentrations because it is not possible to know the true mean due to the essentially infinite number of soil samples that could be collected from a site. The UCLs therefore account for uncertainties due to limited sampling data. As data become less limited at a site, uncertainties decrease, and the UCLs move closer to the true mean.

The bootstrap results are in Appendix B. The calculated UCLs and statistical results for the lead data are summarized in the table below:

Borings EB1 through EB15

SAMPLE INTERVAL (feet)	90% TOTAL LEAD UCL (mg/kg)	95% TOTAL LEAD UCL (mg/kg)	TOTAL LEAD MEAN (mg/kg)	MINIMUM VALUE (mg/kg)	MAXIMUM VALUE (mg/kg)
0.0 to 1.0	22.0	22.8	18.5	12	55
1.0 to 2.0	20.7	21.4	18.4	7.6	34
2.0 to 3.0	19.2	20.0	16.9	13	26

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 ADL

Total lead concentrations for the soil samples collected at the Site ranged from 7.6 to 55 mg/kg, with an average total lead concentration of 18.2 mg/kg. Soil excavated to the maximum sampling depth of 3.0 feet or shallower within the project limits as represented by borings EB1 through EB15 will not require special soil handling and disposal procedures based on lead content and can be reused or disposed of as non-hazardous soil since the calculated total lead UCLs are less than 50 mg/kg (ten times the lead STLC of 5.0 mg/l).

6.2 Naturally Occurring Asbestos

Geologic conditions observed at the Site are consistent with the mapped geology of the area, consisting of slate overlain by marine terrace deposits. We did not observe ultramafic rock or other geologic conditions conducive to the formation of NOA on the Site.

The four samples submitted for NOA analysis from the project area (EB1,2,3 Comp; EB4,5,6 Comp; EB7,8,9 Comp; and EB10,11,12 Comp) were reported as none detected for asbestos and 100% non-fibrous. Since we did not observe serpentine in the project area and the laboratory did not report asbestos in the samples, engineering controls to minimize the aerial dispersion of NOA are not required for operations within the project area as represented by borings EB1 through EB12, and soils generated from this area during construction can be reused or disposed of without restrictions with regards to NOA.

The composite sample collected outside (east) of the project area (EB13,14,15 Comp) was reported to contain chrysotile asbestos at less than 0.25%. While this result is below CARB's regulatory limit (0.25%), we recommend that if Caltrans extends the project area east of EB12, then the contractor(s) should implement NOA-containing soil management practices and asbestos worker protection measures as discussed in the following sections.

6.2.1 NOA-containing Soil Management

If the project area is extended east of boring EB12, then the contractor(s) should prepare and implement an Asbestos Dust Mitigation Plan (ADMP) that describes measures that will be taken to control the potential release of NOA-containing dust from the stockpiled materials as a result of construction excavation activities. Asbestos dust control activities to be implemented shall be in compliance with the following:

- CCR § 93105 – Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (ATCM 93105);
- CCR § 93106 – Asbestos Airborne Toxic Control Measure for Surfacing Applications (ATCM 93106); and
- Northern Sierra Air Quality Management District (AQMD) guidelines.

Since NOA was not detected at or above the CARB regulatory limit of 0.25% in the samples analyzed, material excavated on the Site may be reused onsite or elsewhere within Caltrans right-of-way (including surface applications), or disposed of in a landfill without restriction.

6.2.2 Asbestos Worker Protection

If the project area is extended east of boring EB12, then Caltrans will require that the contractor(s) prepare a project-specific Asbestos Compliance Plan (CCR Title 8, §1529, the “Asbestos in Construction” standard) to minimize potential worker exposure to asbestos-containing materials at the project area. The plan should include protocols for environmental and personnel monitoring, requirements for personal protective equipment, and other health and safety protocols and procedures for the handling of asbestos-containing soil.

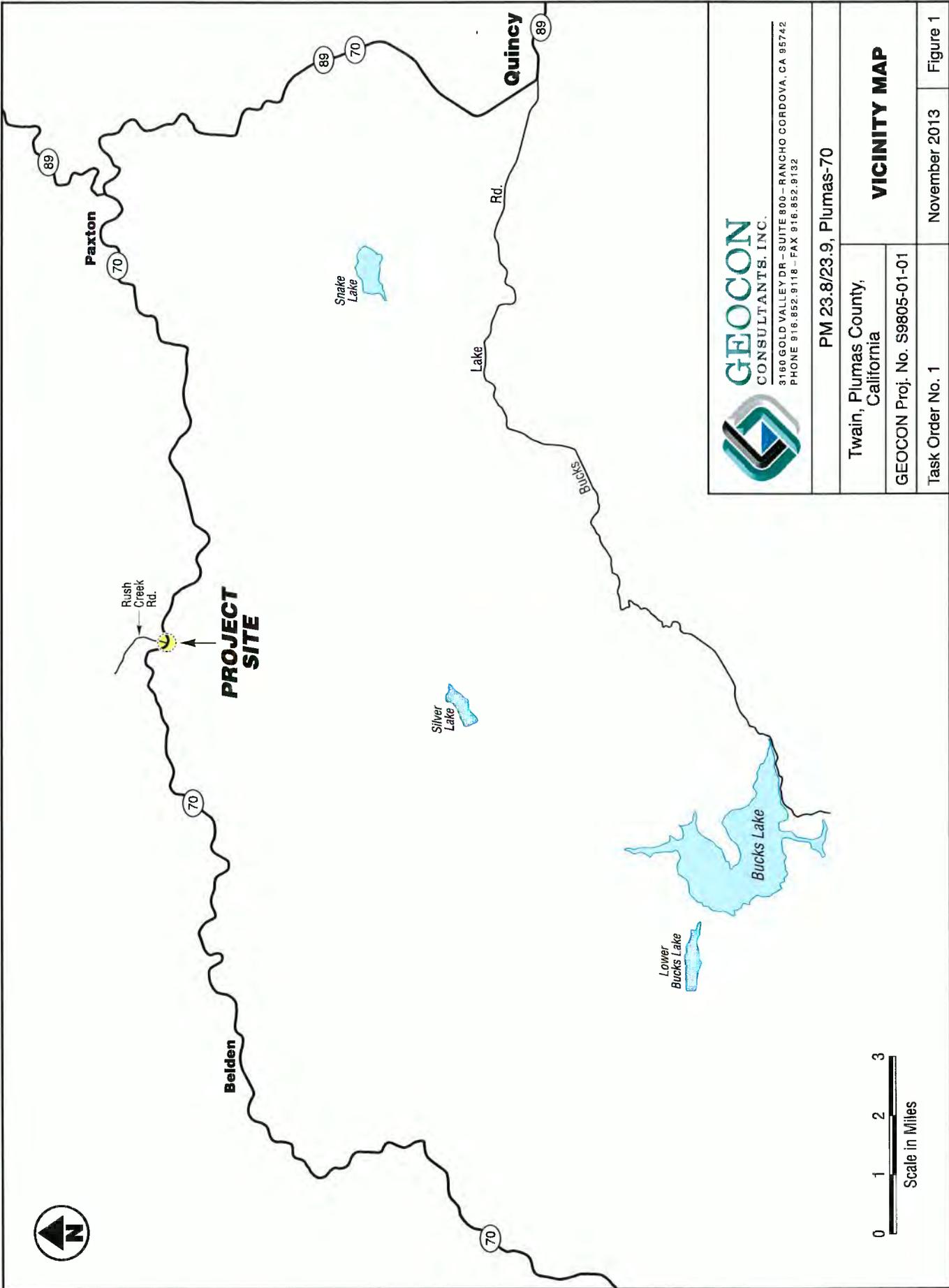
Construction/maintenance activities involving potentially asbestos-containing materials may fall under regulatory jurisdiction of the California Division of the Occupational Safety and Health Administration (Cal-OSHA) under CCR Title 8, §5208. Mitigation measures during construction/maintenance activities should be utilized to minimize potential releases of NOA to air (dust control) and surface waters (stormwater discharge).

Currently, regulatory exposure limits and health hazard data are not available for NOA in soils. Federal regulations governing asbestos define it as the asbestiform variety of the amphibole minerals actinolite, amosite, anthophyllite, crocidolite, and tremolite, and the asbestiform variety of serpentine, chrysotile. Asbestos fibers occurring in industrial materials are considered by the National Institute for Occupational Safety and Health as potential occupational carcinogens. Prudence is recommended, therefore, in dealing with soils potentially containing NOA. Engineering controls, such as wet methods for dust suppression, should be utilized to minimize aerial dispersion of NOA fibers in planned work areas during excavation and construction activities. Under CCR Title 8, §5208, disturbance of asbestos-containing materials requires wet working methods and possible respiratory protection and air monitoring. The CARB has established protocols outlined in CCR Title 17, §93105 for the implementation of worker health, safety and monitoring plans for excavation, grading and transport of NOA-containing soils. The excavation contractor should consult CCR Title 17, §93105 and contact Cal-OSHA to establish the appropriate regulatory protocol and actions necessary for excavation and/or disturbance of asbestos-containing soils.

7.0 REPORT LIMITATIONS

This report has been prepared exclusively for Caltrans. The information contained herein is only valid as of the date of the report and will require an update to reflect additional information obtained.

This report is not a comprehensive site characterization and should not be construed as such. The findings as presented in this report are predicated on the results of the limited sampling and laboratory testing performed. In addition, the information obtained is not intended to address potential impacts related to sources other than those specified herein. Therefore, the report should be deemed conclusive with respect to only the information obtained. We make no warranty, express or implied, with respect to the content of this report or any subsequent reports, correspondence or consultation. We strived to perform the services summarized herein in accordance with the local standard of care in the geographic region at the time the services were rendered.



3160 GOLD VALLEY DR - SUITE 800 - RANCHO CORDOVA, CA 95742
PHONE 916-852-9118 - FAX 916-852-9132

PM 23.8/23.9, Plumas-70

Twain, Plumas County,
California

VICINITY MAP

GEOCON Proj. No. S9805-01-01

Task Order No. 1

November 2013

Figure 1



GEOCON
CONSULTANTS, INC.
3760 GOLD VALLEY DR - SUITE 800 - RANCHO CORDOVA, CA 95742
PHONE 916.892.5115 FAX 916.892.5125

PM 23.8/23.9, Plumas-70

Twain, Plumas County,
California

GEOCON Proj. No. 59805-01-01

Task Order No. 1

November 2013

Figure 2

SITE PLAN



LEGEND:
EB15 ⓧ Approximate Boring Location

TABLE 1
SUMMARY OF SOIL BORING COORDINATES
EA 02-4F1001
STATE ROUTE 70 (02-PLU-70) POST MILE 23.8 TO 23.9
PLUMAS COUNTY, CALIFORNIA

BORING ID	SAMPLE DATE	LATITUDE	LONGITUDE
EB1	09/17/13	40.024412825	-121.122337488
EB2	09/17/13	40.024399112	-121.122340808
EB3	09/17/13	40.024383076	-121.122359531
EB4	09/17/13	40.024095963	-121.121658866
EB5	09/17/13	40.024072972	-121.121679694
EB6	09/17/13	40.024062952	-121.121692198
EB7	09/17/13	---	---
EB8	09/17/13	40.023920848	-121.121103318
EB9	09/17/13	---	---
EB10	09/17/13	40.024004317	-121.120044161
EB11	09/17/13	40.024023455	-121.119849861
EB12	09/17/13	40.024087900	-121.119744189
EB13	09/17/13	40.024260473	-121.119258669
EB14	09/17/13	40.024233271	-121.119240653
EB15	09/17/13	40.024409367	-121.119009280

Note: --- = GPS data not available

TABLE 2
 SUMMARY OF SOIL ANALYTICAL RESULTS - LEAD
 EA 02-4F1001
 STATE ROUTE 70 (02-PLU-70) POST MILE 23.8 TO 23.9
 PLUMAS COUNTY, CALIFORNIA

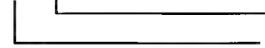
BORING ID	SAMPLE DEPTH (feet)	TOTAL LEAD (mg/kg)
EB1-0	0.0	13
EB1-1	1.0	27
EB1-2	2.0	14
EB2-0	0.0	22
EB2-1	1.0	22
EB2-2	2.0	13
EB3-0	0.0	19
EB3-1	1.0	22
EB3-2	2.0	15
EB4-0	0.0	16
EB4-1	1.0	15
EB4-2	2.0	23
EB5-0	0.0	19
EB5-1	1.0	13
EB5-2	2.0	13
EB6-0	0.0	14
EB6-1	1.0	18
EB7-0	0.0	12
EB7-1	1.0	15
EB7-2	2.0	26
EB8-0	0.0	13
EB8-1	1.0	10
EB9-0	0.0	17
EB9-1	1.0	12
EB10-0	0.0	13
EB10-1	1.0	27
EB10-2	2.0	14
EB11-0	0.0	17
EB11-1	1.0	34
EB12-0	0.0	55
EB12-1	1.0	21
EB13-0	0.0	13
EB13-1	1.0	15
EB14-0	0.0	22
EB14-1	1.0	17

TABLE 2
SUMMARY OF SOIL ANALYTICAL RESULTS - LEAD
EA 02-4F1001
STATE ROUTE 70 (02-PLU-70) POST MILE 23.8 TO 23.9
PLUMAS COUNTY, CALIFORNIA

BORING ID	SAMPLE DEPTH (feet)	TOTAL LEAD (mg/kg)
EB15-0	0.0	13
EB15-1	1.0	7.6

Notes:

EB1-0



Top of sampling depth interval in feet below ground surface
Boring identification

mg/kg = Milligrams per kilogram

TABLE 3
SUMMARY OF SOIL ANALYTICAL RESULTS - ASBESTOS
EA 02-4F1001
STATE ROUTE 70 (02-PLU-70) POST MILE 23.8 TO 23.9
PLUMAS COUNTY, CALIFORNIA

SAMPLE I.D.	SAMPLE DESCRIPTION	ANALYTICAL METHOD	ASBESTOS %	ASBESTOS TYPE
EB1,2,3 Comp	Composite	PLM	ND	None Reported
EB4,5,6 Comp	Composite	PLM	ND	None Reported
EB7,8,9 Comp	Composite	PLM	ND	None Reported
EB10,11,12 Comp	Composite	PLM	ND	None Reported
EB13,14,15 Comp	Composite	PLM	<0.25%	Chrysotile

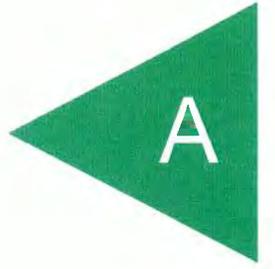
Notes:

PLM = Polarized Light Microscopy

ND = Not detected

< = Less than the laboratory reporting limit

APPENDIX




ADVANCED TECHNOLOGY
LABORATORIES

September 26, 2013

Rebecca Silva
Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742
Tel: (916) 852-9118
Fax: (916) 852-9132



Re: ATL Work Order Number : 1302897
Client Reference : Plumas 70 ADL, S9805-01-01

Enclosed are the results for sample(s) received on September 19, 2013 by Advanced Technology Laboratories. The sample(s) are tested for the parameters as indicated on the enclosed chain of custody in accordance with applicable laboratory certifications. The laboratory results contained in this report specifically pertains to the sample(s) submitted.

Thank you for the opportunity to serve the needs of your company. If you have any questions, please feel free to contact me or your Project Manager.

Sincerely,



Eddie Rodriguez
Laboratory Director

The cover letter and the case narrative are an integral part of this analytical report and its absence renders the report invalid. Test results contained within this data package meet the requirements of the National Environmental Laboratory Accreditation Conference and/or applicable state-specific certification programs. The report cannot be reproduced without written permission from the client and Advanced Technology Laboratories.

3275 Walnut Avenue, Signal Hill, CA 90755 • Tel: 562-989-4045 • Fax: 562-989-4040
www.atlglobal.com



Certificate of Analysis

Geocon Consultants, Inc.

Project Number : Plumas 70 ADL, S9805-01-01

3160 Gold Valley Drive, Suite 800

Report To : Rebecca Silva

Rancho Cordova , CA 95742

Reported : 09/26/2013

SUMMARY OF SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
EB1-0	1302897-01	Soil	9/17/13 10:08	9/19/13 8:10
EB1-1	1302897-02	Soil	9/17/13 10:10	9/19/13 8:10
EB1-2	1302897-03	Soil	9/17/13 10:12	9/19/13 8:10
EB2-0	1302897-04	Soil	9/17/13 10:13	9/19/13 8:10
EB2-1	1302897-05	Soil	9/17/13 10:14	9/19/13 8:10
EB2-2	1302897-06	Soil	9/17/13 10:15	9/19/13 8:10
EB3-0	1302897-07	Soil	9/17/13 10:18	9/19/13 8:10
EB3-1	1302897-08	Soil	9/17/13 10:19	9/19/13 8:10
EB3-2	1302897-09	Soil	9/17/13 10:20	9/19/13 8:10
EB4-0	1302897-10	Soil	9/17/13 10:33	9/19/13 8:10
EB4-1	1302897-11	Soil	9/17/13 10:34	9/19/13 8:10
EB4-2	1302897-12	Soil	9/17/13 10:35	9/19/13 8:10
EB5-0	1302897-13	Soil	9/17/13 10:36	9/19/13 8:10
EB5-1	1302897-14	Soil	9/17/13 10:37	9/19/13 8:10
EB5-2	1302897-15	Soil	9/17/13 10:38	9/19/13 8:10
EB6-0	1302897-16	Soil	9/17/13 10:40	9/19/13 8:10
EB6-1	1302897-17	Soil	9/17/13 10:41	9/19/13 8:10
EB7-0	1302897-18	Soil	9/17/13 10:55	9/19/13 8:10
EB7-1	1302897-19	Soil	9/17/13 10:57	9/19/13 8:10
EB7-2	1302897-20	Soil	9/17/13 10:58	9/19/13 8:10
EB8-0	1302897-21	Soil	9/17/13 11:00	9/19/13 8:10
EB8-1	1302897-22	Soil	9/17/13 11:02	9/19/13 8:10
EB9-0	1302897-23	Soil	9/17/13 11:05	9/19/13 8:10
EB9-1	1302897-24	Soil	9/17/13 11:07	9/19/13 8:10
EB10-0	1302897-25	Soil	9/17/13 11:25	9/19/13 8:10
EB10-1	1302897-26	Soil	9/17/13 11:27	9/19/13 8:10
EB10-2	1302897-27	Soil	9/17/13 11:28	9/19/13 8:10
EB11-0	1302897-28	Soil	9/17/13 11:31	9/19/13 8:10
EB11-1	1302897-29	Soil	9/17/13 11:33	9/19/13 8:10
EB12-0	1302897-30	Soil	9/17/13 11:35	9/19/13 8:10
EB12-1	1302897-31	Soil	9/17/13 11:38	9/19/13 8:10
EB13-0	1302897-32	Soil	9/17/13 11:41	9/19/13 8:10
EB13-1	1302897-33	Soil	9/17/13 11:45	9/19/13 8:10
EB14-0	1302897-34	Soil	9/17/13 11:58	9/19/13 8:10



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Plumas 70 ADL, S9805-01-01

Report To : Rebecca Silva

Reported : 09/26/2013

EB14-1	1302897-35	Soil	9/17/13 12:00	9/19/13 8:10
EB15-0	1302897-36	Soil	9/17/13 12:02	9/19/13 8:10
EB15-1	1302897-37	Soil	9/17/13 12:05	9/19/13 8:10



Certificate of Analysis

Geocon Consultants, Inc.
3160 Gold Valley Drive, Suite 800
Rancho Cordova, CA 95742

Project Number : Plumas 70 ADL, S9805-01-01

Report To : Rebecca Silva

Reported : 09/26/2013

Lead by ICP-AES EPA 6010B

Analyte: Lead

Analyst: SB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time	
									Analized	Notes
1302897-01	EB1-0	13	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:35	
1302897-02	EB1-1	27	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:36	
1302897-03	EB1-2	14	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:36	
1302897-04	EB2-0	22	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:37	
1302897-05	EB2-1	22	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:39	
1302897-06	EB2-2	13	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:40	
1302897-07	EB3-0	19	mg/kg	1.0	NA	1	B3I0421	09/25/2013	09/25/13 12:41	
1302897-08	EB3-1	22	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:49	
1302897-09	EB3-2	15	mg/kg	0.99	NA	1	B3I0422	09/25/2013	09/25/13 12:49	
1302897-10	EB4-0	16	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:50	
1302897-11	EB4-1	15	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:51	
1302897-12	EB4-2	23	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:51	
1302897-13	EB5-0	19	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:52	
1302897-14	EB5-1	13	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:53	
1302897-15	EB5-2	13	mg/kg	0.99	NA	1	B3I0422	09/25/2013	09/25/13 12:55	
1302897-16	EB6-0	14	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:56	
1302897-17	EB6-1	18	mg/kg	0.99	NA	1	B3I0422	09/25/2013	09/25/13 12:56	
1302897-18	EB7-0	12	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:58	
1302897-19	EB7-1	15	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 12:59	
1302897-20	EB7-2	26	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 13:00	
1302897-21	EB8-0	13	mg/kg	0.99	NA	1	B3I0422	09/25/2013	09/25/13 13:00	
1302897-22	EB8-1	10	mg/kg	0.99	NA	1	B3I0422	09/25/2013	09/25/13 13:01	
1302897-23	EB9-0	17	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 13:04	
1302897-24	EB9-1	12	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 13:04	
1302897-25	EB10-0	13	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 13:05	
1302897-26	EB10-1	27	mg/kg	0.99	NA	1	B3I0422	09/25/2013	09/25/13 13:06	
1302897-27	EB10-2	14	mg/kg	1.0	NA	1	B3I0422	09/25/2013	09/25/13 13:06	
1302897-28	EB11-0	17	mg/kg	1.0	NA	1	B3I0423	09/25/2013	09/25/13 14:01	
1302897-29	EB11-1	34	mg/kg	0.99	NA	1	B3I0423	09/25/2013	09/25/13 14:02	
1302897-30	EB12-0	55	mg/kg	0.99	NA	1	B3I0423	09/25/2013	09/25/13 14:02	



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Plumas 70 ADL, S9805-01-01

Report To : Rebecca Silva

Reported : 09/26/2013

Lead by ICP-AES EPA 6010B

Analyte: Lead

Analyst: SB

Laboratory ID	Client Sample ID	Result	Units	PQL	MDL	Dilution	Batch	Prepared	Date/Time	
									Analized	Notes
1302897-31	EB12-1	21	mg/kg	0.99	NA	1	B3I0423	09/25/2013	09/25/13 14:03	
1302897-32	EB13-0	13	mg/kg	1.0	NA	1	B3I0423	09/25/2013	09/25/13 14:04	
1302897-33	EB13-1	15	mg/kg	1.0	NA	1	B3I0423	09/25/2013	09/25/13 14:04	
1302897-34	EB14-0	22	mg/kg	1.0	NA	1	B3I0423	09/25/2013	09/25/13 14:05	
1302897-35	EB14-1	17	mg/kg	0.99	NA	1	B3I0423	09/25/2013	09/25/13 14:06	
1302897-36	EB15-0	13	mg/kg	1.0	NA	1	B3I0423	09/25/2013	09/25/13 14:06	
1302897-37	EB15-1	7.6	mg/kg	1.0	NA	1	B3I0423	09/25/2013	09/25/13 14:09	



Certificate of Analysis

Geocon Consultants, Inc.
 3160 Gold Valley Drive, Suite 800
 Rancho Cordova, CA 95742

Project Number : Plumas 70 ADL, S9805-01-01
 Report To : Rebecca Silva
 Reported : 09/26/2013

QUALITY CONTROL SECTION

Lead by ICP-AES EPA 6010B - Quality Control

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec % Rec	Limits Limits	RPD RPD	Limit	Notes
Batch B310421 - EPA 3050 Modified									
Blank (B310421-BLK1)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	ND	1.0			NR				
Blank (B310421-BLK2)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	ND	1.0			NR				
LCS (B310421-BS1)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	47.8888	1.0	50.0000		95.8	80 - 120			
Duplicate (B310421-DUP1)		Source: 1302897-07			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	20.7304	1.0		19.0684	NR		8.35	20	
Duplicate (B310421-DUP2)		Source: 1302896-30			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	53.9194	0.99		79.4922	NR		38.3	20	R
Matrix Spike (B310421-MS1)		Source: 1302897-07			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	278.860	0.99	247.525	19.0684	105	51 - 106			
Matrix Spike (B310421-MS2)		Source: 1302896-30			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	290.944	1.0	250.000	79.4922	84.6	51 - 106			
Matrix Spike Dup (B310421-MSD1)		Source: 1302897-07			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	283.971	1.0	250.000	19.0684	106	51 - 106	1.82	20	
Batch B310422 - EPA 3050 Modified									
Blank (B310422-BLK1)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	ND	1.0			NR				
Blank (B310422-BLK2)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	ND	1.0			NR				
LCS (B310422-BS1)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	52.4735	1.0	50.0000		105	80 - 120			
Duplicate (B310422-DUP1)		Source: 1302897-27			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	11.4826	1.0		14.1606	NR		20.9	20	R
Duplicate (B310422-DUP2)		Source: 1302897-17			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	19.1626	1.0		18.1184	NR		5.60	20	
Matrix Spike (B310422-MS1)		Source: 1302897-27			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	265.809	1.0	250.000	14.1606	101	51 - 106			
Matrix Spike (B310422-MS2)		Source: 1302897-17			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	259.122	1.0	250.000	18.1184	96.4	51 - 106			



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Plumas 70 ADL, S9805-01-01

Report To : Rebecca Silva

Reported : 09/26/2013

Lead by ICP-AES EPA 6010B - Quality Control (cont'd)

Analyte	Result (mg/kg)	PQL (mg/kg)	Spike Level	Source Result	% Rec % Rec	% Rec Limits	RPD	RPD Limit	Notes
Batch B3I0422 - EPA 3050 Modified (continued)									
Matrix Spike Dup (B3I0422-MSD1)		Source: 1302897-27			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	263.812	1.0	250.000	14.1606	99.9	51 - 106	0.754	20	
Batch B3I0423 - EPA 3050 Modified									
Blank (B3I0423-BLK1)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	ND	1.0					NR		
Blank (B3I0423-BLK2)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	ND	1.0					NR		
LCS (B3I0423-BS1)					Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	46.8294	1.0	50.0000		93.7	80 - 120			
Duplicate (B3I0423-DUP1)		Source: 1302899-10			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	7.66425	1.0		7.50989			2.03	20	
Duplicate (B3I0423-DUP2)		Source: 1302897-37			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	13.3274	1.0		7.56664			55.1	20	R
Matrix Spike (B3I0423-MS1)		Source: 1302899-10			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	235.906	1.0	250.000	7.50989	91.4	51 - 106			
Matrix Spike (B3I0423-MS2)		Source: 1302897-37			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	235.067	1.0	250.000	7.56664	91.0	51 - 106			
Matrix Spike Dup (B3I0423-MSD1)		Source: 1302899-10			Prepared: 9/25/2013 Analyzed: 9/25/2013				
Lead	225.200	1.0	250.000	7.50989	87.1	51 - 106	4.64	20	



Certificate of Analysis

Geocon Consultants, Inc.

3160 Gold Valley Drive, Suite 800

Rancho Cordova, CA 95742

Project Number : Plumas 70 ADL, S9805-01-01

Report To : Rebecca Silva

Reported : 09/26/2013

Notes and Definitions

R	RPD value outside acceptance criteria. Calculation is based on raw values.
ND	Analyte is not detected at or above the Practical Quantitation Limit (PQL). When client requests quantitation against MDL, analyte is not detected at or above the Method Detection Limit (MDL)
PQL	Practical Quantitation Limit
MDL	Method Detection Limit
NR	Not Reported
RPD	Relative Percent Difference
CA1	CA-NELAP (CDPH)
CA2	CA-ELAP (CDPH)
OR1	OR-NELAP (OSPHL)
TX1	TX-NELAP (TCEQ)

Notes:

- (1) The reported MDL and PQL are based on prep ratio variation and analytical dilution.
- (2) The suffix [2C] of specific analytes signifies that the reported result is taken from the instrument's second column.

CHAIN OF CUSTODY RECORD

2 of 4

FOR LABORATORY USE ONLY

Advanced Technology Laboratories

3275 Walnut Avenue
Signal Hill, CA 90755
Tel: (562) 989-4045 • Fax: (562) 989-4040

Method of Transport
Client ATL FedEx Other: _____
CA OverN ATL FedEx Other: _____

Sample Condition Upon Receipt
1 CHILLED Y N 4. SEALED Y N
2. HEADSPACE (VOA) Y N 5. # OF SPLS MATCH COC Y N
3. CONTAINER INTACT Y N 6. PRESERVED Y N

Address: 3160 Gold Valley Drive
City: Rancho Cordova State: CA Zip Code: 95742 Tel: 916.852.9118
Project #: S9805-01-01 Sampler: (Printed Name) Mike O'Brien (Signature) *John Pfeiffer* Fax: 916.852.9132
Relinquished by: (Signature and Printed Name) *John Pfeiffer* Date: 9/18/13 Time: 1400 Received by: (Signature and Printed Name) *John Pfeiffer* Date: 9/19/13 Time: 600
Relinquished by: (Signature and Printed Name) _____ Date: _____ Time: _____ Received by: (Signature and Printed Name) _____ Date: _____ Time: _____
Relinquished by: (Signature and Printed Name) _____ Date: _____ Time: _____ Received by: (Signature and Printed Name) _____ Date: _____ Time: _____

Special Instructions/Comments: Caltrans 03A2132 Homogenize Samples prior to analysis.
Please copy Kari Cook on the results and include an excel file. Thank you. (cook@geoconinc.com)

Bill To: _____ Attn: _____
Co: SAME AS ABOVE
Address: _____ City: _____ State: _____ Zip: _____
Circle or Add Analyte(s) Requested: 801A (Pesticides) 802 (PCB) 820B (Volatiles) 827C (SVOCs) 801B (Total Lead) Bid Item #67 8015B (GRO) 8015B (DROV/GRO) 801B (BTEX) CAN 17 MTBE (220B) PH (9045) WATER SOIL WASTEWATER CARBON

LAB USE ONLY:	Sample ID / Location	Sample Description	Date	Time	Container Type	Remarks
130157-01	E134-1		9/17/13	1035	E 1	baggie
-0	E134-2			1036		
-0	E135-0			1037		
-0	E135-1			1038		
-0	E136-0			1040		
-0	E136-1			1041		
-0	E137-0			1055		
-0	E137-1			1057		
-0	E137-2			1058		

QA/QC RTNE CT SWRCB Logcode OTHER _____
SPECIFY APPROPRIATE MATRIX: WATER, SOIL, WASTEWATER, CARBON
TAT: A = Overnight 5-24 hrs B = Emergency Next Workday C = Critical 2 Workdays D = Urgent 3 Workdays E = Routine 7 Workdays
Container Types: T=Tube V=VOA L=Liter P=Plint P=Plastic G=Glass B=Bedlar J=Jar M=Metal
Preservatives: H=HCl N=HNO3 S=H2SO4 C=4°C Z=Zn(AC)2 O=NaOH T=Na2S2O3

CHAIN OF CUSTODY RECORD

3054

FOR LABORATORY USE ONLY

Advanced Technology Laboratories
 3275 Walnut Avenue
 Signal Hill, CA 90755
 Tel: (562) 989-4045 • Fax: (562) 989-4040

Method of Transport
 Client ATL FedEx Other: _____
 P.O. #: _____ Date: _____
 Sample Condition Upon Receipt
 1. CHILLED Y N 4. SEALED Y N
 2. HEADSPACE (VOA) Y N 5. # OF SPLS MATCH COC Y N
 3. CONTAINER INTACT Y N 6. PRESERVED Y N

Address: 3160 Gold Valley Drive
 City: Rancho Cordova State: CA Zip Code: 95742
 Project #: S9805-01-01
 Sampler: (Printed Name) Mike O'Brien
 State: CA Zip Code: 95742 Fax: 916.852.9132
 Received by: (Signature and Printed Name) John Pfeiffer
 Date: 1/13/13
 Received by: (Signature and Printed Name) [Signature]
 Date: _____
 Relinquished by: (Signature and Printed Name) [Signature]
 Date: _____

Relinquished by: (Signature and Printed Name) John Pfeiffer
 Date: 1/13/13
 Relinquished by: (Signature and Printed Name) [Signature]
 Date: _____
 Relinquished by: (Signature and Printed Name) [Signature]
 Date: _____

I hereby authorize ATL to perform the work indicated below:
 Project Mgr./Submitter: John Pfeiffer 9/18/13
 Print Name: John Pfeiffer Date: 9/18/13
 Signature: [Signature]
 City: _____ State: _____ Zip: _____
 Special Instructions/Comments:
 Caltrans 03A2132
 Homogenize Samples prior to analysis.
 Please copy Karl Cook on the results and include an excel file. Thank you. (cook@geoconinc.com)

LAB USE ONLY:	Lab No.	Sample ID / Location	Date	Time	Sample Description	SPECIFY APPROPRIATE MATRIX		CONTAINER TYPE	REMARKS
						Container(s)	Type		
	1302897-0	E38-0	9/17/13	1100		SOIL	X	E 1	baggie
	-02	E38-1		1102		GROUND WATER			
	-03	E39-0		1105		WASTEWATER			
	-04	E39-1		1107		CARBON			
	-05	E310-0		1125		WATER			
	-07	E310-1		1127		SOIL			
	-08	E311-0		1129		GROUND WATER			
	-09	E311-1		1131		WASTEWATER			
	-10	E312-0		1133		CARBON			
	-11	E312-1		1135		WATER			

Circle or Add Analysis(es) Requested: 8081A (Pesticides), 8092 (PCB), 8208 (Volatiles), 8270C (SVOCs), 80108 (Total Lead), 80158 (GRO), 80158 (DRO)(GRO), 8021 (ATEX), CAM 17, MTBE (8260B), PH (9045)

Preservatives: H=HCl N=HNO₃ S=H₂SO₄ C=4°C Z=Zn(AC)₂ O=NaOH T=Na₂S₂O₃

Container Types: T=Tube V=VOA L=Liter P=Pint J=Jar B=Tedlar G=Glass P=Plastic M=Metal

TAT: A = Overnight 5-24 hrs B = Emergency Next Workday C = Critical 2 Workdays D = Urgent 3 Workdays E = Routine 7 Workdays

■ TAT starts 8AM the following day if samples received after 3 PM

CHAIN OF CUSTODY RECORD

4 of 4

Advanced Technology Laboratories
 3275 Walnut Avenue
 Signal Hill, CA 90755
 Tel: (562) 989-4045 • Fax: (562) 989-4040

FOR LABORATORY USE ONLY

Method of Transport: Client ATL CA OverN FedEx Other: _____

Sample Condition Upon Receipt: 1. CHILLED 2. HEADSPACE (VOA) 3. CONTAINER INTACT 4. SEALED 5. # OF SPLS MATCH COC 6. PRESERVED

P.O. #: _____ Date: _____

Logged By: _____

Address: 3160 Gold Valley Drive
 City: Rancho Cordova State: CA Zip Code: 95742 Tel: 916.852.9118 Fax: 916.852.9132

Client: GEOCON Consultants, Inc
 Attention: Rebecca Silva
 Project Name: Plumas 70 ADL Project #: S9805-01-01

Relinquished by: (Signature and Printed Name) Mike O'Brien / John Pfeiffer
 Date: 9/18/13 Time: 1600
 Received by: (Signature and Printed Name) John Pfeiffer
 Date: 9/18/13 Time: 1600

Relinquished by: (Signature and Printed Name) _____
 Date: _____ Time: _____

Special Instructions/Comments:
 Caltrans 03A2132
 Homogenize Samples prior to analysis.
 Please copy Kari Cook on the results and include an excel file. Thank you. (cook@geoconinc.com)

Bill To: _____
 Attn: _____
 Co: SAME AS ABOVE
 Addr: _____
 City: _____ State: _____ Zip: _____

Send Report To: _____
 Attn: _____
 Co: SAME AS ABOVE
 Addr: _____
 City: _____ State: _____ Zip: _____

I hereby authorize ATL to perform the work indicated below:
 Project Mgr / Submitter: John Pfeiffer 9/18/13
 Date: 9/18/13
 Signature: [Signature]

Sample/Records - Archival & Disposal
 Unless otherwise requested by client, all samples will be disposed 45 days after receipt and records will be disposed 1 year after submittal of final report.

Storage Fees (applies when storage is requested):
 ■ Sample: \$2.00 / sample /mo (after 45 days)
 ■ Records: \$1 /ATL workorder /mo (after 1 year)

LAB USE ONLY:	Sample Description		Date	Time	Container(s)	TAT #	Type	REMARKS
	LAB No.	Sample ID / Location						
1332497-31	EB12-1	9/17/13 1138				E	1	baggie
-32	EB13-0	1145						
-33	EB13-1	1145						
-34	EB14-0	1158						
-35	EB14-1	1200						
-35	EB15-0	1202						
-17	EB15-1	1205						

Circle or Add Analysis(es) Requested:
 8081A (Pesticides) X
 8082 (PCB) X
 8260B (Volatiles) X
 8010B (Total Lead) Bid Item #67
 8015B (GRO) X
 8015B (DRO)/(ORO) X
 8021 (BTEX) X
 CAM 17
 MTBE (8260B) X
 PH (9045) X

SPECIFY APPROPRIATE MATRIX:
 SOIL X
 WATER X
 GROUND WATER X
 WASTEWATER X
 CARBON X

QA/QC:
 RTNE
 CT
 SWRCB
 Logcode _____
 OTHER _____

Preservatives:
 H=HCl N=HNO₃ S=H₂SO₄ C=4°C
 Z=Zn(Ac)₂ O=NaOH T=Na₂S₂O₃

Diane Galvan

From: Rebecca Silva [silva@geoconinc.com]
Sent: Friday, September 20, 2013 1:24 PM
To: Diane Galvan
Subject: Plumas 70

Hi Diane - The Client would like to change the Plumas 70 samples to 5-day TAT. Thanks!



Rebecca Silva | *Senior Environmental Scientist*
Geocon Consultants, Inc.
3160 Gold Valley Drive Suite 800, Rancho Cordova, CA 95742
Tel 916.852.9118 Fax 916.852.9132 Cell 916.508.1910
Visit our NEW website at www.geoconinc.com

**EMSL Analytical, Inc**

2235 Polvorosa Ave , Suite 230, San Leandro, CA 94577

Phone/Fax: (510) 895-3675 / (510) 895-3680

<http://www.EMSL.com>sanleandrolab@emsl.com

EMSL Order:	091315707
CustomerID:	GECN80
CustomerPO:	S9805-01-01
ProjectID:	

Attn: **John Pfeiffer**
Geocon Consultants, Inc.
3160 Gold Valley Drive
Suite 800
Rancho Cordova, CA 95742

Phone: (916) 852-9118
 Fax: (916) 852-9132
 Received: 09/19/13 9:00 AM
 Analysis Date: 10/1/2013
 Collected: 9/17/2013

Project: **PLUMAS 70 S9805-01-01**

**Test Report: PLM Analysis of Bulk Samples for Asbestos via EPA 600/R-93/116 Method
 with CARB 435 Prep (Milling) Level A for 0.25% Target Analytical Sensitivity**

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
EB1,2,3 COMP <small>091315707-0001</small>		Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
EB 4,5,6 COMP <small>091315707-0002</small>		Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
EB 7,8,9 COMP <small>091315707-0003</small>		Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
EB, 10, 11, 12 COMP <small>091315707-0004</small>		Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
EB, 13,14, 15 COMP <small>091315707-0005</small>		Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	<0.25% Chrysotile

Analyst(s)

Matthew Batongbacal (5)Baojia Ke, Laboratory Manager
or other approved signatory

This report relates only to the samples listed above and may not be reproduced except in full, without EMSL's written approval. This report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the federal government. EMSL is not responsible for sample collection activities or method limitations. Some samples may contain asbestos fibers below the resolution limit of PLM. EMSL recommends that samples reported as none detected or less than the limit of detection undergo additional analysis via TEM. Samples received in good condition unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc San Leandro, CA

Initial report from 10/01/2013 17:53:13

#091315707



Asbestos Lab Services Chain of Custody
EMSL Order Number (Lab Use Only):

[Empty box for EMSL Order Number]

Company: Geocon Consultants, Inc		EMSL-BHI to: <input checked="" type="checkbox"/> Same <input type="checkbox"/> Different <small>If BHI to is Different note instructions in Comments*</small>	
Street: 3188 Gold Valley Drive, Suite 800		Third Party Billing requires written authorization from third party	
City/State/Zip: Rancho Cordova, CA 95742			
Report To (Name): John Pfeiffer	Fax:		
Telephone: 916-852-9118	Email Address: pfeiffer@geoconinc.com		
Project Name/Number: Plumas 70 / SR805-01-01			
Please Provide Results: Email		Purchase Order:	
State Samples Taken: CA			

Turnaround Time (TAT) Options* - Please Check

3 Hour
 6 Hour
 24 Hour
 48 Hour
 72 Hour
 96 Hour
 1 Week
 2 Week

*For TEM Air 3 hr through 6 hr, please call ahead to schedule. *There is a premium charge for 3 Hour TEM AHERA or EPA Level II TAT. You will be asked to sign an authorization form for this service. Analysis completed in accordance with EMSL's Terms and Conditions located in the Analytical Price Guide.

PCM - Air <input type="checkbox"/> Check if samples are from NY <input type="checkbox"/> NIOSH 7400 <input type="checkbox"/> w/ OSHA 8hr. TWA PLM - Bulk (reporting limit) <input type="checkbox"/> PLM EPA 800/R-93/116 (<1%) <input type="checkbox"/> PLM EPA NOB (<1%) Point Count <input type="checkbox"/> 400 (<0.25%) <input type="checkbox"/> 1000 (<0.1%) Point Count w/Gravimetric <input type="checkbox"/> 400 (<0.25%) <input type="checkbox"/> 1000 (<0.1%) <input type="checkbox"/> NYS 198.1 (friable in NY) <input type="checkbox"/> NYS 198.6 NOB (non-friable-NY) <input type="checkbox"/> NIOSH 9002 (<1%)	TEM - Air <input type="checkbox"/> 4-4.5hr TAT (AHERA only) <input type="checkbox"/> AHERA 40 CFR, Part 763 <input type="checkbox"/> NIOSH 7402 <input type="checkbox"/> EPA Level II <input type="checkbox"/> ISO 10312 TEM - Bulk <input type="checkbox"/> TEM EPA NOB <input type="checkbox"/> NYS NOB 198.4 (non-friable-NY) <input type="checkbox"/> Chatfield SOP <input type="checkbox"/> TEM Mass Analysis-EPA 600 sec. 2.5 TEM - Water, EPA 100.2 Fibers >10µm <input type="checkbox"/> Waste <input type="checkbox"/> Drinking All Fiber Sizes <input type="checkbox"/> Waste <input type="checkbox"/> Drinking	TEM-Dust <input type="checkbox"/> Microvac - ASTM D 5755 <input type="checkbox"/> Wipe - ASTM D6480 <input type="checkbox"/> Carpet Sonication (EPA 600/J-93/167) Soil/Rock/Vermiculite <input checked="" type="checkbox"/> PLM CARB 435 - A (0.25% sensitivity) <input type="checkbox"/> PLM CARB 435 - B (0.1% sensitivity) <input type="checkbox"/> TEM CARB 435 - B (0.1% sensitivity) <input type="checkbox"/> TEM CARB 435 - C (0.01% sensitivity) <input type="checkbox"/> EPA Protocol (Semi-Quantitative) <input type="checkbox"/> EPA Protocol (Quantitative) Other: <input type="checkbox"/>
--	--	--

Check For Positive Stop - Clearly Identify Homogenous Group Filter Pore Size (Air Samples): 0.8µm 0.45µm

Samplers Name: _____ Samplers Signature: _____

Sample #	Sample Description	Volume/Area (Air) HA # (Bulk)	Date/Time Sampled
E1,2,3 Comp			9/17/13
E14,5,6 Comp			↓
E17,8,9 Comp			
E110,11,12 Comp			
E113,14,15 Comp			

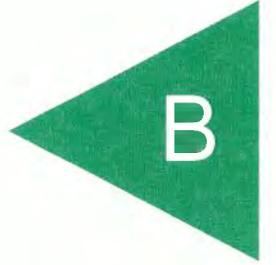
Client Sample # (s): _____ Total # of Samples: **5**

Relinquished (Client): **John Pfeiffer** Date: **9/18/13** Time: **1600**

Received (Lab): **Rebecca Cas** Date: **9-19-13** Time: **9:00am**

Comments/Special Instructions: **Caltrans Contract 03A2132**

APPENDIX



Project Name: State Route 70 (02-PLU-70) PM 23.8 to 23.9

Geocon Project No.: S9805-01-01

Lead - 0.0 ft

Number of Valid Observations	15
Number of Distinct Observations	8
Minimum	12
Maximum	55
Mean	18.5
Geometric Mean	17.0
Median	16
SD	10.63
Variance	113
Std. Error of Mean	2.744
Coefficient of Variation	0.574
Skewness	3.249
Mean of log data	2.831
SD of log data	0.383
90% Standard Bootstrap UCL	22.0
95% Standard Bootstrap UCL	22.8

Lead - 1.0 ft

Number of Valid Observations	15
Number of Distinct Observations	11
Minimum	7.6
Maximum	34
Mean	18.4
Geometric Mean	17.1
Median	17
SD	7.162
Variance	51.29
Std. Error of Mean	1.849
Coefficient of Variation	0.39
Skewness	0.638
Mean of log data	2.838
SD of log data	0.402
90% Standard Bootstrap UCL	20.7
95% Standard Bootstrap UCL	21.4

Lead - 2.0 ft

Number of Valid Observations	7
Number of Distinct Observations	5
Minimum	13
Maximum	26
Mean	16.9
Geometric Mean	16.23
Median	14
SD	5.336
Variance	28.48
Std. Error of Mean	2.017
Coefficient of Variation	0.317
Skewness	1.272
Mean of log data	2.787
SD of log data	0.286
90% Standard Bootstrap UCL	19.2
95% Standard Bootstrap UCL	20.0