

FOR CONTRACT NO.: 10-0P2604

PROJECT ID: 1000000185

INFORMATION HANDOUT

PERMITS

ARMY CORP OF ENGINEERS 404 NON-REPORTING PERMIT

CALIFORNIA REGIONAL WATER QUALITY CONTROL 401 PERMIT

DEPARTMENT OF FISH AND GAME STREAMBED ALTERATION AGREEMENT
EXCEPTION

ROUTE: Tuo-49-R12.2/12.0

Nationwide Permit Information

Project Information

District No: 10	Project Title: State Route 108 and 49 Acceleration Lane
County: Tuolumne	Project EA: 10-0P260
Route: 108/49	Post Miles: TUO 49 PM-R12.0-12.2
Project Manager: Ajaib Brar	Phone No.: (209) 948-7990
Project Biologist/Contact: Dr.Rajiv Mishra	Phone No.: (209) 932-2371
7.5-Minute Quadrangle Name: Sonora	Water body/Watershed: Seasonal Unnamed Creek
Latitude/Longitude: 37°52'30"/120°15'00'	

Nationwide Permit requested: #14 (Linear Transportation Projects)

Project Description:

The California Department of Transportation (Caltrans) proposes to construct an acceleration lane on the eastbound side of SR 108, at the junction with SR 49, in Tuolumne County (Refer to Figure 1). The proposed acceleration lane will be 12 feet (ft) wide and 1680 ft long, which includes a 720-ft transition taper at the end. The project includes the construction of a standard 4-ft wide paved shoulder. The new embankment will have a 2:1 slope to avoid impact to an existing creek and potentially jurisdictional wetlands along the south side of SR 49. As a safety measure, 640 ft of metal beam guardrail (MBGR) will be installed along this embankment between STA 287+77 to STA 294+00. Design plans are located in Appendix A of NES MI.

Approximately 16 ft (12 ft lane and 4 ft shoulder) of pavement will be added to the eastbound lane of SR 108 at Station 13+95.77 and taper down to an additional 3.6 ft of pavement at Station 31+00. The length of the proposed work is 1680 ft, which includes 960 ft of acceleration lane and 720 ft of merging lane. Due to the topography of the site, it will be necessary to add fill to the area south of the eastbound lane of travel in order to accommodate the additional 16 ft of roadway (Refer to photographs of PIA in Appendix B of NES MI)

The existing 18 inch (in) corrugated steel pipes (CSP) at Station 14+33.00 (Culvert # 1), Station 17+83.00 (culvert #2), and Station 25 + 67.00 (Culvert # 3) will involve lining the existing culverts with cured-in-place pipe-liner and will also have flare end sections (FES). Three CSPs (each 24 in in diameter) are present at Station 30 + 53.60 (Culvert # 4). They will be replaced by a single 42 in CSP without any extension (Please see photographs in dry and rainy season for this culvert location. Appendix B of NES MI, Photographs 4-10). The existing headwall on the north side of project will be replaced by a standard (cement concrete) headwall. A new headwall will be constructed on the south side of the project at this location.

Lead Federal Agency

Caltrans (under NEPA Delegation)

Federal Endangered Species Act (FESA)

The above activities will have no effect to any federally listed threatened or endangered species. No critical habitat will be affected.

Permit Being Requested (check one that applies)

Reporting Nationwide Permit (NWP)

Non-Reporting NWP #14

Corps Authority Information

Section 404:

A section 404 permit is required from the ACOE when a project requires fill or other modification of waters of the U.S., wetlands and other waters of the U.S. are regulated under section 404 of the Federal Clean Water Act. The project proposes to rebuild existing drainage pipes on an unnamed creek which is connected to a potentially jurisdictional wetland and is under the jurisdiction of ACOE as "Waters of the United States" (U.S.). The proposed project qualifies for a Nationwide Permit #14 (Linear Transportation Projects).

Minimal Impact Criteria

The project will result in minimum impact to the aquatic environment. The contractor must take steps to minimize to the greatest extent possible, potential impacts as directed in Caltrans' Standard Specifications. The contractor is also required by the same

Standard Specifications section to give the Resident Engineer in charge of this project written Storm Water Pollution Prevention Plan and a Water Pollution Control Plan. The project will result in 0.001 acres of permanent and 0.024 acres of temporary impacts as a result of replacement of culvert at the unnamed seasonal creek.

1. No work will be conducted outside the project limits.
2. All culvert replacement related work will be conducted in the dry season (June to September)

Permit Compliance Information

Compliance with Nationwide General Conditions:

1. Navigation: There are no navigable waterways within the project study area that will be affected by construction activities. There will be no effects on navigation.
2. Proper Maintenance: The maintenance of the roadway will be the responsibility of Caltrans.
3. Soil Erosion and Sedimentation Controls: Caltrans' standard erosion controls will be utilized to prevent soil erosion and prevent sedimentation.
4. Aquatic Life Movements: No disruption of aquatic life movement will take place as a result of this project. Near normal downstream flows will be maintained to the greatest extent possible. All work associated with construction activities will take place during low-flow conditions and/ or dry season.
5. Equipment: Minimization measures will be taken to avoid soil disturbance in wetland areas. Such minimization measures will include avoidance of operation of heavy equipment when soils are saturated. Environmentally Sensitive Areas (ESAs) will be established around and near potential jurisdictional wetlands when construction is taking place.
6. Regional and Case-by-Case Conditions: Any regional or case specific conditions added by the ACOE or the RWQCB in its 401 Certification will be complied with. The proposed project does not occur within the vicinity or manner of any Regional Conditions outlined by the ACOE.
7. Wild and Scenic Rivers: There are no wild and scenic rivers within the project impact area.
8. Tribal Rights: There are no tribal rights issues within the project area.

9. Water Quality: A 401-certification package has been completed and will be submitted to the State Regional Water Quality Control Board.
10. Coastal Zone Management: Does not apply to this project.
11. Endangered Species: No threatened or endangered species will be impacted as a result of this project. Minimization measures to protect threatened and endangered species will be implemented during construction activities.
12. Historic Properties: There are no historic properties listed, or eligible for listing, in the National Register of Historic Places within the project area.
13. Notification: A Preconstruction Notification (PCN) is not required for NWP #14 as the loss of waters of the United States does not exceed 1/10 of an acre and there is no discharge in aquatic site including wetlands.
14. Compliance Certification: Caltrans will submit a signed certification regarding the completed work and the required mitigation to ACOE.
15. Use of Multiple Nationwide Permits: Caltrans is only applying for a NWP # 14 for this project.
16. Water Supply Intakes: There will be no discharge of dredged or fill material in the proximity of a public water supply intake.
17. Shellfish Beds: There are no areas of concentrated shellfish production within the project study area.
18. Suitable Material: Fill will meet suitable material standards and will be free from toxic pollutants. Fill will be limited to the minimal amount necessary to accomplish the project.
19. Mitigation: This project has been designed to avoid and minimize adverse effects to waters of the US and wetlands to the maximum extent practicable within the project study area.
20. Spawning Areas: There are no spawning areas within the project area.
21. Management of Water Flows: The project is designed to maintain pre-construction downstream flow conditions. The project will not permanently restrict or impede the passage of normal or expected high water flows.
22. Adverse Effects from Impoundments: Impoundments will not be included in construction activities. Adverse effects will not result from impoundments.

23. Waterfowl Breeding Areas: There are not designated waterfowl breeding areas within or adjacent to the project study area.
24. Removal of Temporary Fills: The temporary fill used in this project will be removed and the fill area will be returned to pre-existing elevation and contour.
25. Designated Critical Waters: There are no designated critical resource waters within the project area.
26. Fills within 100-Year Floodplains: As defined in 23 CFR Section 650.105(q), the project does not constitute a significant floodplain encroachment.

Nationwide Permit Requested

Nationwide Permit #14: NWP #14 is required for activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g. roads, highways, railways, trails, airport runways, and taxiways) crossings in waters of the U.S., including wetlands. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than ½ acre of the waters of the United States.

Project Impact Information [Area Affected (acres)]

Wetlands (permanent): 0.0

Wetlands (temporary): 0.0

Waters of the U.S. (permanent): 0.001

Waters of the U.S. (temporary): 0.024

Project Mitigation Information

No mitigation is being proposed.

Avoidance and minimization Measures include:

1. Prior to the start of construction, the project site would be clearly flagged or fenced so that the contractor would be aware of the limits of allowable site access and disturbance.
2. All equipment staging areas would be cleared by a Caltrans biologist.
3. To control erosion during and after construction, Caltrans Best Management Practices will be implemented and a project Erosion Control Plan would be prepared.
4. During construction, erosion control measures would be implemented.
5. To avoid the impacts on potential wetlands and other WOUS, Environmentally Sensitive Area (ESA) fencing would be installed prior to construction between the project site and adjacent potentially jurisdictional wetlands and other WOUS. Additionally a silt fencing

would be installed to avoid potential impacts on water quality due to road run off and construction site activities. ESA and silt fencing would be checked and maintained on a daily basis throughout the construction period.

6. The project would be constructed during the dry season (June to September) to avoid impacts to potential wetlands/other WOUS through construction activities such as spills and rain water runoff.
7. Should the project description and design change, the project should be re-evaluated for biological resources.

Prepared by:

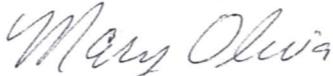


Dr Rajiv Mishra, Associate Biologist
Central Region Biology Branch

01/11/2011

Date:

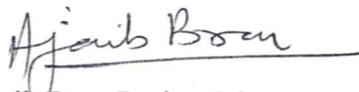
Supervisory Concurrence:



Mary Oliva, Branch Chief
Northern San Joaquin Environmental Management Branch

Date: 1/11/11

Project Manager:



Ajai Brar, Project Manager
Program Project Management

1. 11. 11

Date:

Attachments

- 1: 1602 (Streambed Alteration Agreement Application)
- 2: 401 (Water Quality Certification Application)
- 3: Project Plans
- 4: NES MI
- 5: Copy of CE/CE

cc: U.S. Army Corps of Engineers
District Engineer
District Project Manager



California Regional Water Quality Control Board
Central Valley Region

65



Linda S. Adams
Acting Secretary for
Environmental Protection

Katherine Hart, Chair

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
(916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.
Governor

1 March 2011

Ajaib Brar, Project Manager
California Department of Transportation
1976 Dr. Martin Luther King Jr. Boulevard
Stockton, CA 95201

**CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE
STATE ROUTE 108 AND 49 ACCELERATION LANE PROJECT, (WDID#5B55CR00062),
TUOLUMNE COUNTY**

This Order responds to your 11 January 2011 application submittal for the Water Quality Certification for the construction of an acceleration lane permanently impacting approximately 0.001 acres and temporarily impacting approximately 0.024 acres waters of the United States.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that 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. This Certification is valid for the duration of the described project. This Certification is no longer valid if the project (as currently described) is modified, or coverage under Section 404 of the Clean Water Act has expired.
5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.

California Environmental Protection Agency

- (a) For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (b) For a partnership or sole proprietorship: by a general partner or the proprietor.
 - (c) For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition number 5 shall make the following certification, whether written or implied:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

ADDITIONAL TECHNICALLY CONDITIONED CERTIFICATION CONDITIONS:

In addition to the above standard conditions, California Department of Transportation shall satisfy the following:

1. California Department of Transportation shall notify the Central Valley Water Board in writing 7 days in advance of the start of any in-water activities. The notification should include the name of the project and the WDID number, and should be sent to the Central Valley Water Board contact person shown on page 5 of this Certification.
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. California Department of Transportation 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. California Department of Transportation 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	Visual 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. California Department of Transportation shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.
11. California Department of Transportation shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.

12. California Department of Transportation shall comply with all California Department of Fish and Game requirements for the project.
13. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project Area.
14. California Department of Transportation must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board for any project disturbing an area of 1 acre or greater.
15. The Conditions in this Certification are based on the information in the attached "Project Information." If the information in the attached Project Information Sheet is modified or the project changes, this Certification is no longer valid until amended by the Central Valley Water Board.
16. All areas temporarily disturbed during the State Route 108 and 49 Acceleration Lane Project shall be restored to pre-project conditions.
17. All disturbed areas must be seeded with native seed mix.
18. 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 and Federal law. The applicability of any State law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with this Order.
 - (a) If California Department of Transportation 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, 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 California Department of Transportation 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) California Department of Transportation 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.
19. California Department of Transportation shall provide a Notice of Completion (NOC) no later than 30 days after the project completion. The NOC shall demonstrate that that the project has been carried out in accordance with the project's description (and any amendments approved). The NOC shall include a map of the project location(s), including final boundaries of any in situ restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.

ADDITIONAL STORM WATER QUALITY CONDITIONS:

California Department of Transportation shall also satisfy the following additional storm water quality conditions:

1. During the construction phase, California Department of Transportation 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 implemented, as appropriate, 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. California Department of Transportation must minimize the short and long-term impacts on receiving water quality from the State Route 108 and 49 Acceleration Lane Project by implementing the following post-construction storm water management practices and as required by the local agency permitting the project, as appropriate:
 - (a) ensure existing waters of the State (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
 - (b) preserve and, where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
 - (c) control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.

CENTRAL VALLEY WATER BOARD CONTACT:

Genevieve Sparks, Environmental Scientist
11020 Sun Center Drive #200
Rancho Cordova, California 95670-6114
gsparks@waterboards.ca.gov
(916) 464-4745

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the California Department of Transportation, State Route 108 and 49 Acceleration Lane Project (WDID#5B55CR00062) 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 California Department of Transportation'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.



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Pamela C. Creedon
Executive Officer
Central Valley Regional Water Quality Control Board

Enclosure: Project Information

cc: See enclosure, page 9

PROJECT INFORMATION

Application Date: 11 January 2011

Applicant: Ajaib Brar, Project Manager
California Department of Transportation
1976 Dr. Martin Luther King Jr. Boulevard
Stockton, CA 95201

Project Name: State Route 108 and 49 Acceleration Lane Project

Application Number: WDID#5B55CR00062

Type of Project: Road Improvement Project

Approximate Timeframe of Project Implementation: 1 June 2011 to 20 September 2011

Project Location: Section 21, Township 01 North, Range 14 East, MDB&M. Latitude: 37°52'30" and Longitude: 120°15'00"

County: Tuolumne

Receiving Water(s) (hydrologic unit): Unnamed seasonal creek, San Joaquin Hydrologic Basin, Tuolumne River Hydrologic Unit #536.31, Sonora HSA

Water Body Type: Streambed

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River and San Joaquin River*, Fourth Edition, revised September 2009 (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND), Hydropower Generation (POW); Groundwater Recharge, Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); and Wildlife Habitat (WILD). A comprehensive and specific list of the Beneficial Uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

303(d) List of Water Quality Limited Segments: The receiving water is not listed on the 303(d) list. The most recent list of approved water quality limited segments can be found at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/docs/303dlists2006/epa/r5_06_303d_reqtmlds.pdf

Project Description (purpose/goal): The State Route 108 and 49 Acceleration Lane Project consists of constructing an acceleration lane on the eastbound side of State Route 108, at the junction with State Route 49, in Tuolumne County.

The proposed acceleration lane will be 12-feet-wide and 1680-feet-long. The length of the proposed work includes 960-feet of acceleration lane and 720-feet of merging lane. The project includes the construction of a standard 4-foot-wide paved shoulder.

The embankment will have a 2:1 slope to avoid impact to an existing creek within approximately 5 feet of the project and potentially jurisdictional wetlands along the south side of State Route 49. Three existing 8-inch corrugated steel pipes (CSP) culverts will be lined with cured-in-place pipe-liner and will also have flare end sections.

Three existing 24-inch-diameter CSP culverts will be replaced by a single 42-inch CSP culvert. The existing headwall on the north side of the culvert will be replaced by a standard concrete headwall and a new headwall will be constructed on the south side of the culvert.

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

Proposed Mitigation to Address Concerns: California Department of Transportation 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. California Department of Transportation will conduct turbidity and settleable matter testing during in-water work, stopping work if the Basin Plan criteria are exceeded or are observed.

Fill/Excavation Area: Approximately 7.0 cubic yards of concrete and 16.4 cubic yards of soil and rock will be placed into unvegetated streambed (for a total of 0.025 acres of fill).

Dredge Volume: None

U.S. Army Corps File Number: California Department of Transportation applied for a Nationwide Permit on 11 January 2011.

U.S. Army Corps of Engineers Permit Number: Nationwide Permit #14

Department of Fish and Game Streambed Alteration Agreement: California Department of Transportation applied for a Streambed Alteration Agreement on 11 January 2011.

Possible Listed Species: None

Status of CEQA Compliance: The California Department of Transportation approved the Categorical Exemption and filed a Notice of Exemption on 15 May 2009

The Central Valley Water Board concurs that this project meets the Categorical Exemption, under Title 14, Section 15301 of the California Code of Regulations, which exempts the operation, repair, maintenance, or minor alteration of existing structures or facilities not expanding existing uses.

Application Fee Provided: Total fees of \$709.00 have been submitted to the Central Valley Water Board as required by 23 CCR §3833b(3)(A) and by 23 CCR §2200(e).

DISTRIBUTION LIST

United States Army Corp of Engineers
Sacramento District Office
Regulatory Section, Room 1480
1325 J Street
Sacramento, CA 95814-2922

United States Fish & Wildlife Service
Sacramento Fish & Wildlife Office
2800 Cottage Way
Sacramento, CA 95825

Jeff Drongesen
Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Bill Jennings
CA Sportfishing Protection Alliance
3536 Rainier Avenue
Stockton, CA 95204

(Electronic copy only) Bill Orme
State Water Resources Control Board
401 Certification and Wetlands Unit Chief

(Electronic copy only) Dave Smith
Wetlands Section Chief (W-3)
United States Environmental Protection Agency



January 24, 2011

Ajaib Brar
California Department of Transportation
1976 East Dr. Martin Luther King Jr. Boulevard
Stockton, California 95205

Subject: No Lake or Streambed Alteration Agreement Needed
Notification No. 1600-2011-0010-R4
Unnamed seasonal drainage in Tuolumne County
SR 49 – SR 108 Acceleration Lane
10-TUO-49 PM 12.2-12.0 EA 10-0P2604 ID 10-0000-0185

Dear Mr. Brar:

The Department of Fish and Game (DFG) has reviewed your Lake or Streambed Alteration Notification (Notification). We have determined that your Project is subject to the notification requirement in Fish and Game Code Section 1602, including payment of the notification fee.

DFG has also determined that your Project will not substantially adversely affect an existing fish or wildlife resource. As a result, you will not need a Lake or Streambed Alteration Agreement for your Project. You are responsible for complying with all applicable local, state, and federal laws in completing your work. A copy of this letter and your notification with all attachments should be available at all times at the work site.

Please note that if you change your Project so that it differs materially from the Project you described in your original Notification, you will need to submit a new Notification and corresponding fee to DFG.

Thank you for notifying us of your project. If you have any questions, please contact Laura Peterson-Diaz, Environmental Scientist, at the address provided on this letterhead, by e-mail at lpdiaz@dfg.ca.gov, or by telephone at (559) 243-4017, extension 225.

Sincerely,

Jeffrey R. Single, Ph.D.
Regional Manager
Central Region

cc: 1600 file 1600-2011-0010-R4

