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March 7, 2014

Fred J. Blatt
Division Chief
North Coast Regional Water Quality Control Board
Nonpoint Source and Timber Harvest Division
5550 Skylane Blvd. Suite A
Santa Rosa, CA 95403

Subject: Response to February, 26, 2014, Notice of Violation for Willits Bypass Project, 401 Certification WDID: 1B10019WNME, CGP WDID: 1_23C366419

Dear Mr. Blatt,

The California Department of Transportation (Caltrans) has prepared this report in response to a Notice of Violation dated February 26, 2014 (NOV) alleging violations of the Clean Water Act, Section 401 Water Quality Certification and the statewide Construction General Permit, Order Number 2009-0009-DWQ (CGP). These alleged violations were identified by the North Coast Regional Water Quality Control Board (RWQCB) upon review of monitoring data and photos submitted by Caltrans in accordance with the above referenced permits. The submitted information documented the site conditions at the Highway 101 Willits Bypass Project after the rain event that occurred beginning February 7, 2014.

As a result of the rain event and the existing site conditions, the stormwater discharges were apparently not in compliance with 401 Certification Condition 20, which requires that Caltrans comply with all applicable water quality requirements and Water Quality Standards as detailed in the Basin Plan, and also Provision VI.C of the CGP, which requires that storm water discharges not cause or contribute to violations of Basin Plan water quality standards. The daily exceedances of the Basin Plan water quality objectives for turbidity between February 7, 2014 and February 17, 2014, were caused by a combination of factors, including soil characteristics, geologically unstable slopes, unforeseen run-on, natural springs, concentrated flow, and ineffective Best Management Practices (BMP). Caltrans and the Joint Venture (JV) of DeSilva Gates and Flatiron immediately began work following the rain event to correct the conditions that lead to the exceedances. See Attachment A for the JV's report containing photographs, descriptions of BMP improvement work, and planned improvements of the areas identified in the NOV.

In the NOV, the RWQCB identified omission of photos from the January 2014 monthly monitoring report. Caltrans has recently submitted an amended January 2014 monthly monitoring report to address your concern regarding Condition 54 of the 401 Certification. Future monthly monitoring reports will include daily inspection photographs.

Although the NOV states, "Only bonded fiber matrix and fiber rolls were provided on many of the slopes," Bonded Fiber Matrix (BFM) and fiber rolls have proven successful for Caltrans

throughout the State as temporary erosion control for slopes. Unfortunately, the application rate of the BFM, which was relatively high, proved less than successful given the intensity of the rainfall, steepness and length of slopes, and erosivity of the soils. To compound the situation, the grade also experienced heaving due to several freeze/thaw cycles in December. Caltrans will re-evaluate its BMP application for each site specific area and incorporate a combination of BMPs, including, but not limited to, use of heavier BFM application rates, installation of erosion control blankets, and/or installation of tackified straw to help guard against future slope erosion.

Caltrans agrees with the RWQCB that some of the temporary drainage plans require further refinement. The temporary drainage was designed to allow ponding, which encourages settlement of solids prior to entering temporary draws. The system did not function as well as we had hoped in some areas. Caltrans has improved site drainage in many locations with installation of additional temporary slope drains, water bars, and containment berms to better contol concentrated flows. The "low-grade, mainline area south of Haehl Creek," identified in the NOV, was designed to drain to the main sediment trap basin via a 6-inch pipe that crossed the construction access roadway. It wasn't until the rain event that Caltrans discovered the pipe had been compromised, which caused the flow to overtop the bermed collection area and erode the access roadway that crosses Haehl Creek. To prevent a recurrence, the eroded roadway has been repaired and bermed, the containment berm for the upgradient collection area has been increased in height, and an improved pipe with greater strength has been installed. Additionally, the storm water collection area at the low point of the roadway has been lined with plastic to prevent scour and minimize flow over the adjacent embankments and into receiving waters.

The left bank slope, immediately upstream of the temporary South Haehl Creek culvert, was heavily eroded during the rain event. Caltrans has applied temporary plastic cover, geotextile fabric, and rock slope protection adjacent to the channel to reduce soil exposure to both rainfall and flow from the creek. As weather allows, erosion control BMPs will be improved as necessary. Construction at the South Haehl Creek Interchange is currently anticipated to be completed by the end of the next construction season. At that time, temporary drainage systems will be replaced by final design drainage facilities, and temporary slopes will be constructed to final design which will include soil surface preparation, placement of rolled erosion control blanket and fiber rolls, followed by application of permanent vegetative seed mix. Additionally, the South Haehl Creek Interchange area is scheduled to receive permanent treatment BMPs in the future, including biofiltration strips.

Caltrans has investigated the use of both a traditional chemical ATS, and a new innovative Bio-media ATS, which does not require the use of chemicals. As your staff may have already informed you, we are currently arranging for a demonstration of a Bio-media ATS. If Caltrans decides to operate an ATS system, we will submit a plan that describes the ATS types, locations, and planned implementation dates for RWQCB approval. The plan would certify that the ATS will be installed and operated consistent with criteria in Attachment F of the CGP.

As you know, Caltrans has installed an extensive water quality monitoring system throughout the Little Lake Valley watershed. This water quality monitoring system provides real-time water quality data. Please be aware that reporting exceedances within the required one hour time frame may lead to some inaccurate preliminary reporting. We want to assure you that Caltrans is actively managing the system in order to respond to any exceedances and continue to be in compliance with Condition 53 of the 401 Certification.

The Willits Bypass Project is a large, complex, and important project for both Caltrans and the community. We appreciate your staff's participation in our monthly Caltrans/Interagency meetings to facilitate project communication and coordination. We will continue to work closely with you and your staff to facilitate successful project construction, while protecting and improving water quality benefits to the valley.

For any additional concerns that your agency may have with regard to the NOV, please don't hesitate to contact me at (707) 496-4354.

Sincerely,

Susan Tappan

Susan Tappan
Construction Manager, West Area, North Region Construction
(for Charles Fielder, Caltrans District 1 Director)

cc:
Charles Fielder, Caltrans District 1 Director
Ardine Zazzeron, Deputy Attorney, Caltrans
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