



Linda S. Adams  
Secretary for  
Environmental Protection

**California Regional Water Quality Control Board**  
**North Coast Region**  
**Bob Anderson, Chairman**

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Arnold  
Schwarzenegger  
Governor

June 5, 2008

In the Matter of

**Water Quality Certification**

for the

**YREKA, CITY OF – STORM DRAIN IMPROVEMENT PROJECT**

**WDID NO. 1B08026WNSI**

APPLICANT: City of Yreka  
RECEIVING WATER: Yreka Creek  
HYDROLOGIC UNIT: Shasta Valley Hydrologic Area No. 105.50  
COUNTY: Siskiyou  
FILE NAME: Yreka, City of – Storm Drain Improvement Project

**BY THE EXECUTIVE OFFICER:**

1. On February 22, 2008, the City of Yreka (Applicant) filed an application for water quality certification (certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities associated with the replacement of two existing subsurface storm drain systems and their outfalls to Yreka Creek in the City of Yreka. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on May 9, 2008, and posted information describing the project on the Regional Water Board's website. We did not receive any public comments on this project.
2. The purpose of the project is to implement storm drain improvements that are recommended in the City of Yreka's Master Plan of Drainage. Storm drain piping replacement is designed to lessen flooding in downtown Yreka along Yreka Creek. The project involves installation of approximately 2,810 linear feet of upgraded storm drain piping within the City's existing storm drain infrastructure systems located under Yreka Street and Center Street. The existing storm drain systems will be replaced with larger diameter pipes. Hydrodynamic storm water debris separators will also be added to both of the new storm drain systems to treat storm water runoff prior to discharge into Yreka Creek. The debris separators use a patented technology that is designed to screen, separate, and trap sediment, debris, and oil and grease from storm water runoff.

**California Environmental Protection Agency**

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3. The project includes replacement of two existing storm drain outfalls that extend through the bank of Yreka Creek. The existing outfalls are located on concrete armored sections of the creek bank. Project activities include boring through the concrete armoring to allow for installation of larger diameter pipes. Approximately two cubic yards of rock riprap will also be placed below the Yreka Street storm drain outfall.
4. The Yreka Street storm drain outfall and rock riprap will result in 20 linear feet and 0.01 acre of permanent impacts to the stream bank. The Center Street storm drain outfall will result in 3.5 linear feet and .0002 acre of permanent impacts to the stream bank. The permanent impacts will occur along sections of the stream bank that are currently armored with concrete. Compensatory mitigation is not required for the project. Noncompensatory mitigation for this project includes the use of Best Management Practices for sediment and erosion control and for the operation of heavy equipment near a waterway.
5. The Applicant has obtained authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 3 (File No. 2008-00086), pursuant to Clean Water Act, section 404. The applicant has also obtained a Lake or Streambed Alteration Agreement from the California Department of Fish and Game.
6. On June 7, 2007, the City of Yreka approved a Mitigated Negative Declaration (State Clearinghouse number 2007032159) for the project in order to comply with the California Environmental Quality Act. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.
7. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification," which requires compliance with all conditions of this water quality certification.

Receiving Water: Yreka Creek in the Shasta Valley Hydrologic Area No. 105.50

Filled or Excavated Area: Area Temporarily Impacted: None  
Area Permanently Impacted: 0.0102 acre of stream bank

Total Linear Impacts: Length Temporarily Impacted: None  
Length Permanently Impacted: 23.5 linear feet of stream bank

Dredge Volume: None

Latitude/Longitude: Yreka Street Outfall: 41.72764 N/122.63690 W  
Center Street Outfall: 41.73123 N/122.63206 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the City of Yreka Storm Drain Improvement Project

(WDID No. 1A08026WNSI), as described in the application, will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that the Applicant complies with the following terms and conditions:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
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 title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 2200, and owed by the Applicant.
4. The Regional Water Board shall be notified annually, in writing, at least five working days (working days are Monday – Friday) prior to the commencement of ground disturbing activities in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
5. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
6. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
7. The Applicant shall provide a copy of this Order and the application documents submitted for this certification to all contractors and subcontractors conducting the work, and shall require that a copy of the Order remain in their possession at the work site. The Applicant shall be responsible for work conducted by its contractors or subcontractors.
8. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the Applicant shall cease the associated project activities immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.

9. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project.
10. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer.
11. All project work shall be conducted as described in this Order and in the application submitted by the Applicant. If the Regional Water Board is not notified of a significant alteration to the project, it will be considered a violation of this Order, and the Applicant may be subject to Regional Water Board enforcement actions.
12. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and implementation plans adopted and approved pursuant to the Porter-Cologne Water Quality Control Act or Section 303 of the Clean Water Act.
13. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
14. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable State or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification. In response to a suspected violation of any condition of this certification, the Regional Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
15. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must

also describe any changes to the project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the project as described in this Order.

16. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited to and all proposed mitigation being completed in strict compliance with the Applicant's project description, and b) compliance with all applicable requirements of the Water Quality Control Plan for the North Coast Region (Basin Plan).
17. The authorization of this certification for any dredge and fill activities expires on June 5, 2013. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Dean Prat at (707) 576-2801.

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Catherine Kuhlman  
Executive Officer

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Original to: Mr. Brian Meek, City of Yreka, 701 Fourth Street, Yreka, CA 96097

Copies to: U.S. Army Corps of Engineers, District Engineer, 601 Startare Drive, Box  
14, Eureka, CA 95502  
Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions,  
1455 Market Street, San Francisco, CA 94103-1398