



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

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June 12, 2008

Arianne Preite
Caltrans District 12
3337 Michelson Drive, Suite CN380
Irvine, CA 92612-0699

CERTIFIED MAIL

7007 3020 0001 0040 7362

In reply refer to:

NWU:18-2006018.02:cloflen

Regulatory Measure ID: 341954
Place No. 714438

Dear Ms. Preite:

SUBJECT: Amendments to CWA Section 401 Water Quality Certification
No. 06C-018

On May 9, 2008 the California Regional Water Quality Control Board, San Diego Region (Regional Board) received a request from Caltrans District 12 to amend the State Route 74 Safety Improvements (Project) Section 401 Water Quality Certification, File No. 06C-018, (Certification) to allow for proposed changes to the Project's impacts and compensatory mitigation.

The Project is a safety improvement project for the two existing lanes of the Ortega Highway in Orange County, CA. Caltrans District 12 proposes to retrofit an additional 2 existing culverts for the Project, which will result in an increase in the permanent and temporary impacts of the Project. Caltrans is requesting an amendment to the Certification for the additional impacts and additional compensatory mitigation for those impacts.

After review of the Project's file, the additional wetland delineation for proposed impacts by Bonterra Consults and the mitigation for those impacts, we concur that the proposed changes are reasonable modifications to the original Section 401 Water Quality Certification. As a result, the Section 401 Water Quality Certification for the State Route 74 Safety Improvements Project has been amended to reflect the proposed changes. The amendments are included as Enclosure 1.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter. If you have any questions regarding this notification, please contact Chad Loflen at (858) 467-2727 or cloflen@waterboards.ca.gov.

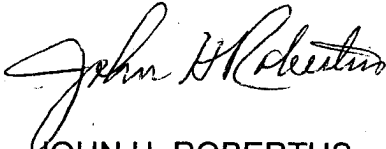
California Environmental Protection Agency

Arianne Preite
06C-018 Amendments

- 2 -

June 12, 2008

Respectfully,



JOHN H. ROBERTUS
Executive Officer

Enclosures

1. Addendum to Clean Water Act Section 401 Water Quality Certification No. 06C-018
2. Clean Water Act Section 401 Water Quality Certification No. 06C-018, dated May 18, 2006

cc (via email only):

Stephanie Hall, US Army Corps of Engineers Regulatory Branch, Los Angeles CA

Laurie.A.Monarres@usace.army.mil

Bill Orme, State Water Resources Control Board, Division of Water, Quality 401 Water
Quality Certification and Wetlands Unit, BOrme@waterboards.ca.gov

Tamara Spear, California Department of Fish and Game
tspear@dfg.ca.gov

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN DIEGO REGION

ADDENDUM TO

CLEAN WATER ACT SECTION 401
WATER QUALITY CERTIFICATION NO. 06C-018

FOR

STATE ROUTE 74 IMPROVEMENTS PROJECT

Condition D.1 is modified:

D.1. Mitigation for permanent impacts to 0.05 acres and temporary impacts to 0.06 acres, will be achieved by implementation of the *Draft Fencing and Restoration Plan* (Caltrans, March 2006) as modified to meet the requirements of this Certification and requirements from the U.S. Fish and Wildlife Service, U.S. Forest Service, U.S. Army Corps of Engineers, and the California Department of Fish and Game. **In addition to original impacts, project impacts requiring the Amendment of the original Certification include an additional .08 acres of permanent impacts and .06 acres of temporary impacts. Mitigation for the additional impacts will be achieved by implementation of the updated Amended Final Fencing and Updated Restoration Plan/Mitigation Plan.** Mitigation for original **and additional impacts** shall consist of:


- a. Restoration of 0.44 acre of riparian vegetation and 0.03 acre of wetland at the Lower San Juan Picnic Area **for original project impacts; for additional impacts (see above), restoration of an additional .06 acres of wetland and .26 acres of riparian vegetation on-site and at the Lower San Juan Picnic Area. Updated mitigation maps for the additional mitigation are required to be submitted to the Regional Board within 30 days of the issuance of the Amended Certification.**

Condition D.8 is modified:

D.8. Mitigation monitoring reports shall be submitted annually until mitigation has been deemed successful by the mitigation monitor with written concurrence by the Regional Board. Annual monitoring reports shall be submitted prior to **August 1** of each year. Monitoring reports shall include, but not be limited to, the following:

- b. Names, qualifications, and affiliations of the persons contributing to the report;

- c. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data at the ~~Lower San Juan Picnic Area~~ **each mitigation site**, including at a minimum;
- i. Topographic complexity characteristics;
 - ii. Upstream and downstream habitat and hydrologic connectivity;
 - iii. Source of hydrology (note that urban runoff is not sufficient);
and
 - iv. Width of native vegetation buffer around the entire mitigation site.



JOHN H. ROBERTUS
Executive Officer

6/12/2008

Date