

DEPARTMENT OF TRANSPORTATION

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Item 18, Supportive Document 4



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August 1, 2007

Mr. John Robertus
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Request for Amendment to Clean Water Act Section 401 Water Quality Certification for South Bay Expressway (State Route 125 South) (File No. 99C-133)

Dear Mr. Robertus:

On June 14, 2007, Bruce April and Jacqueline Dompe of the State Route 125 South Project (Project) environmental compliance team met with Chris Means of your staff to review the status of various conditions associated with the project's 401 Water Quality Certification (401 Certification). At this meeting, it was agreed that an amendment to the 401 Certification is required for Section D, Item 6 of the "Special Conditions." Special Condition D6 states that *"The California Department of Transportation (Department) and California Transportation Ventures (CTV) shall plant permanent landscape material and begin irrigation within one year of ground disturbance. The areas between future Olympic Parkway (Orange Ave.) and Route 54 shall be completely landscaped with appropriate irrigation by opening day of this section of the toll road."*

The purpose of this letter is to formally request such an amendment because there is a potential that landscape and irrigation activities may not be complete prior to the scheduled road opening. The following provides information and justification for the amendment.

Status of Design and Construction

The project is a design/build project. As such, final design activities have occurred concurrently with various aspects of construction. Landscape and irrigation design has been subject to ongoing coordination with the community and adjacent municipalities, in particular the City of Chula Vista. This coordination has resulted in design plans that comply with the intent of the environmental commitments contained in the Project's regulatory approvals in addition to design guidelines set forth by the City of Chula Vista.

The 100 percent design packages for landscape and irrigation are anticipated to be approved by August, 2007. In the meantime, the design-build contractor has begun procuring plant materials and has selected two qualified landscape subcontractors who are prepared to proceed with

landscape and irrigation installation activities. The landscape and irrigation activities will overlap from one interchange to the next as work progresses. Please refer to the enclosed schedule.

It is anticipated that many of the landscape and irrigation activities will be completed prior to road opening. Specifically, landscape irrigation activities for water taps, irrigation crossover sleeves, and contracts to grow plant material have commenced. In addition, an extensive drainage system will be in place and operational to control storm water at the time of road opening. These permanent best management practices (BMPs) include:

- Extended detention basins.
- Small footprint devices (hydrodynamic separating).
- Bio-swales.
- Energy-dissipating outlet structures and bio-swales consisting of rock slope protection (riprap) at discharge points.

Landscape and irrigation associated with bio-swales and detention basins will be installed to establish vegetation prior to road opening. As required, water quality monitoring associated with the permanent BMPs will commence in accordance with the project's *Water and Sediment Monitoring Plan* following road opening.

In areas that have not been permanently landscaped prior to road opening, finished slopes and drainage inlets will continue to be monitored, maintained, and protected in accordance with the measures approved for Water Pollution Control drawings for the project. The BMPs implemented to protect slopes from erosion and drainage inlets from sedimentation include the use of:

- Staked fiber rolls, hydromulch (or equivalent), and/or approved water quality safe soil binder (i.e. M-binder) (It should be noted that the soil binder used on the project has proven to last longer than previously used products and does not inhibit vegetative growth).
- Gravel bag barriers to filter sediment before water enters the inlet.
- Staked fiber rolls/gravel bag carriers (or combination thereof) to filter sediment before water enters the inlet.
- Staked fiber rolls and gravel bag check dams to protect concrete drainage ditches.

These temporary measures will continue to be maintained until permanent landscape and irrigation are installed.


Road opening is scheduled for late September, 2007. Landscape installation and maintenance activities that take place after the estimated road opening date may benefit from the seasonal rainfall and related climatic conditions. Landscape and irrigation activities are expected to be completed by March, 2008.


Because of the reasons stated above, the Department and CTV are requesting an amendment to the 401 Certification to allow the project to be opened to traffic before the completion of permanent landscape and irrigation activities north of Olympic Parkway.

The Department and CTV are committed to complying with the numerous environmental commitments associated with this project. We are confident that you will concur that the intent of Special Condition D6 is being met via ongoing avoidance and minimization of water quality impacts.

Our public-private partnership appreciates your response to this request. Please contact either of us should you have any questions.

Sincerely,


PEDRO ORSO DELGADO
District Director
Caltrans District 11


GREG HULSIXER
Chief Executive Officer
South Bay Expressway, L.P.

Enclosures

- c: Chris Means, California Regional Water Quality Control Board, San Diego Region
- Bruce April, Branch Chief of Environmental Stewardship, Caltrans District 11
- Jacqueline Dompe, Vice President/Principal, EDAW
- Laurie Berman, Deputy District Director of State Route 125, Caltrans District 11