

Appendix E

Section 401 WCQ

Appendix E-1: 1996 WQC

Appendix E-2: 2012 Application

Appendix E-1: 1996 WQC



Pete Wilson
Governor

Ca/EPA

State Water
Resources
Control Board

SEP 11 1996

Mailing Address:
P.O. Box 100
Sacramento, CA
95812-0100

901 P Street
Sacramento, CA
95814
(916) 657-1025
FAX (916) 657-2127

Mr. Robert S. Joe
Chief, Planning Division
U.S. Army Corps of Engineers
P.O. Box 2711
Los Angeles, CA 90053-2325

Dear Mr. Joe:

CONDITIONAL CERTIFICATION UNDER CLEAN WATER ACT (CWA)
SECTION 401: PROPOSED SANTA PAULA CREEK FLOOD CONTROL
PROJECT, CITY OF SANTA PAULA, VENTURA COUNTY

This letter responds to your request for CWA Section 401 Water Quality Certification in connection with the subject project. The project involves the removal of an existing concrete channel and subsequent construction and maintenance of an earthen bottom, grouted stone sideslope channel for flood control purposes. The project, identified as Alternative E in the environmental documentation, will impact 1.65 miles of the Santa Paula River in Hydrologic Unit No. 403.21. A total of 21.82 acres of waters of the United States will be affected by the project, 3.51 acres of which are riparian/riparian scrub habitat. The project involves a construction phase conducted by the U.S. Army Corps of Engineers (Corps) and a maintenance phase performed by the Ventura County Flood Control District (VCFCD) under a Corps General Permit.

The construction and maintenance phases will take place only during the months of April through December. The applicants propose to mitigate for riparian habitat loss through the preservation of 7.2 acres of riparian habitat upstream from the project site, 2.4 acres of which are within waters of the United States. Giant Reed (*Arundo donax*) will be removed and replaced with riparian vegetation on a one-acre site upstream from the project site. Best Management Practices to be followed during construction and maintenance operations include, but are not limited to, the use of pipe culverts, silt fencing, and a meandering low flow channel. In addition, a fish passage structure will be constructed at the project inlet and outlet, and native vegetation will be planted above the grouted sideslopes for erosion control and esthetic purposes.

SEP 11 1996

In a July 22, 1996 memorandum, staff of the Los Angeles Regional Water Quality Control Board (LARWQCB) reviewed the project in more detail and recommended conditional certification. In a subsequent August 22, 1996 memorandum, staff of the LARWQCB clarified the project description and revised the identified conditions (Enclosure). I hereby certify the proposed project, subject to compliance with the revised conditions specified in the enclosed August 22, 1996 LARWQCB memorandum.

If you require further assistance, please telephone Oscar Balaguer at (916) 657-1025. You may also call Bill Campbell, Chief of the Nonpoint Source Certification and Loans Unit, at (916) 657-1043.

Sincerely,

Original Signed By:

Walt Pettit
Executive Director

Enclosure

cc: (all with enclosure)
Mr. Mark Delaplaine
North Central Coast Area Office
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Field Supervisor
Ventura Field Office
U.S. Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, CA 93003

Robert P. Ghirelli, D. Env.
Executive Officer
California Regional Water Quality
Control Board, Los Angeles Region
101 Centre Plaza Drive
Monterey Park, CA 91754-2156

Mr. Bruce Henderson
Ventura Field Office
U.S. Army Corps of Engineers
2151 Allesandro Drive
Ventura, CA 93001

ENCLOSURE

Memorandum

To : Mr. Walt Pettit, Executive Director
State Water Resources Control Board

Date: August 22, 1996

File : 96-094



ROBERT P. GHIRELLI, D.Env.
Executive Officer

From : CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—LOS ANGELES REGION
101 Centre Plaza Drive, Monterey Park, CA 91754-2156
Telephone: (213) 266-7500

Subject: SECTION 401 WATER QUALITY CERTIFICATION - PROPOSED SANTA PAULA
CREEK FLOOD CONTROL PROJECT, CITY OF SANTA PAULA, VENTURA COUNTY

On July 22, 1996, I forwarded my recommendations to you on the above-mentioned project. Subsequent to my submittal, Regional Board staff discussed issues of concern on August 15 with the project proponents: the U.S. Army Corps of Engineers (Corps) and its co-sponsor, the Ventura County Public Works Agency (VCPWA, as identified in the original memorandum). This memorandum addresses changes to the project description and provides clarification of conditions and appropriate revisions.

Clarification of background

First of all, the co-sponsor has indicated that the entity responsible for subsequent maintenance activities, identified as OMRR&R, is actually the Ventura County Flood Control District (VCFCD). All reference to the co-sponsor should site this entity instead of VCPWA.

Secondly, the proposed project location has been extended to account for: (1) the proposed downstream pilot channel construction identified in item 4, page 2 of the original memorandum, and (2) the proposed grouted stone extension for the protection of the fish ladder identified in item 5, page 3 of the original memorandum. The revised project location would extend from STATION 20+00 (which is at the confluence of the Santa Clara River) to the upstream end at STATION 117+00 (downstream of Donya/Stewart's Crossing). As a result, condition 4 is modified to reflect this change. In addition, the Corps emphasizes that even though the stone chute (item 5, page 3 of the original memorandum) would be constructed with a 5:1 slope, the "stone berm" would be constructed with a 13.5:1 slope and located on the west side of the channel for protection of the fish ladder.

VCFCD has indicated that further clarification of item 8, page 3 (original memorandum), is needed. According to VCFCD, only the excavated material from the construction activities would be processed and sorted on site at the identified staging and stockpile area. The processing and sorting of the excavated material from the maintenance activities, however, will not be

limited to that specific staging and stockpile area. Other approved upland sites may be utilized instead.

Clarification of conditions

Construction and OMRR&R Phases

Conditions 1 and 2: Clarification is being provided to minimize confusion on the frequency of submittals and concern about prior approval of plans. In addition, clarification is requested by the project proponents regarding the term "fish exclusion." First of all, separate plans must be submitted for the construction phase and the OMRR&R phase of the project. For each stage within the phase, new plans and/or addenda must be submitted only if the plans change or minor modifications occur. Changes might include changes in methods for diversion or erosion control, monitoring locations, or extent of excavation. Furthermore, I understand the concern for prior approval of plans when activities are being coordinated with contractors. Therefore, modification in the language of conditions is proposed (see conditions). In regards to the term "fish exclusion," let me emphasize that the intent of the term is to indicate that methodologies used in diversion must be done in such a way that fish are not left stranded in the former channels or isolated pools when construction and OMRR&R activities occur.

Condition 10: I propose a modification (see condition) to clarify that the concern about impacts is directed toward the protection of the water table below the unsaturated zone. In addition, a provision is included indicating that a request for modification must be made if the water table would be encountered during construction and OMRR&R activities.

Condition 15: Notification prior to and after each phase refers to the two proposed construction phases and each OMRR&R phase/stage that could occur as frequently as once per year.

Condition 18: VCFCD proposes that the certification expiration date be extended from 5 years to 10 years because of concern that future certification requests may be denied. This Regional Board recognizes that VCFCD will be required by the Corps to maintain the channel in perpetuity. However, the concern that there is potential for denial of certification is not justified, especially if VCFCD demonstrates compliance with the proposed conditions. It is more likely that certification conditions may change to reflect changes in water quality standards rather than that renewal of certification will be denied. Therefore, no changes to the condition are proposed.

Construction Phases

Condition 2: This condition has been modified to reflect various permitting options.

OMRR&R Phases

Condition 1: This condition has been modified to address VCFCD's concerns about providing authority to the fisheries biologist.

Recommendations

Below is our revised list of recommended conditions for certification:

Construction and OMRR&R Phases

1. For each phase the project proponent shall develop and submit a detailed sediment erosion control and pollution prevention plan (two copies) to this Regional Board (Attn: Surveillance) 15 days prior to any excavation and construction within Santa Paula Creek. If this Regional Board requires modifications prior to or during the construction or OMRR&R phases, plan(s) shall be modified by the project proponents, accordingly. The plan(s) shall include the use of settling basins, hay bales, and silt fences (or other appropriate measures) for any surface water diversion and groundwater (subsurface water) dewatering activities within the project site or work within any flowing streams. This plan shall also include stormwater pollution prevention measures specific to this project, such as protection of exposed slopes/banks, access routes, and temporary onsite stockpiles of excavated materials.

Upstream and downstream monitoring for turbidity and total suspended solids (TSS) shall be implemented.

- These constituents shall be monitored on a daily basis during the first week of diversion/dewatering activities or work within any flowing streams, and then on a weekly basis, thereafter, until the streambed bottoms are restored.
 - Downstream TSS shall be maintained at ambient levels.
 - Where natural turbidity is between 0 and 50 NTU, increased turbidity due to project activities shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.
2. For each phase, 15 days prior to any excavation/construction within Santa Paula Creek, the project proponent shall submit to this Regional Board (Attn: Surveillance) a final water diversion plan, including structure configuration, location, construction materials, equipment, operation procedures,

erosion and sediment control measures, and fish exclusion provisions. If this Regional Board requires modifications prior to or during the construction or OMR&R phases, this plan shall be modified by the project proponents, accordingly. This plan may be combined with item no. 1 above. During construction, operation, and removal of the water diversion structure, any fish that may be impacted shall be removed, held, and released back or relocated to another suitable habitat prior to the activities.

3. The project proponent shall apply for a permit from this Regional Board for any dewatering activity (other than diversion) where pumping is required and results in the disposal of groundwater (including subsurface water) to surface waters, groundwater, or land. Please contact Mark Pumford, Ventura Coastal Unit, at (213) 266-7596 for further information.
4. All excavation/construction activities shall be limited to designated construction zones within Stations 20+00 and 117+00 for each phase.
5. No excavation/construction equipment and/or materials shall be stored within *Santa Paula Creek*, including wetlands and dry streambeds. All staging and storage areas shall be located outside any surface waters and equipped with adequate containment provisions.
6. All equipment or vehicles operated within or adjacent to surface waters shall be checked and maintained daily to prevent leaks/discharges of materials. No equipment maintenance shall be done within or near surface waters.
7. Designated spoil areas shall be visually marked prior to any excavation/construction activity. Stockpiling of excavated material shall be confined to these areas, and not discharged to surface waters, or wherever the spoil could be transported back to the creek or into other surface waters. The only exception is the redeposition of excess excavated material to the borrow site for the creation of the low-flow channel.
8. All construction activities shall follow best management practices to minimize impacts on water quality and beneficial uses. Dust control activities shall be conducted in such a manner that would not produce downstream runoff. Construction and sanitary wastes/wastewater shall be properly contained, treated, and/or disposed of, and not discharged to surface waters or groundwater.
9. No permanent diversion berms shall be constructed.

10. Sediment removal for the purpose of reaching and maintaining channel design capacity shall not involve wet excavations (i.e., an unsaturated zone of at least five feet above the highest anticipated level of the water table shall be preserved). Prior to each excavation phase, the project proponent shall notify this Regional Board (Attn: Surveillance) as to the status of excavation and potential impacts to groundwater. If the water table were encountered, all project activities shall stop and the project proponent(s) shall submit a request for modification to this Regional Board (Attn: Surveillance Unit).
11. All the excess materials that are not used for backfilling or recontouring of the streambed shall be removed from the creek. The project proponent shall apply for Waste Discharge Requirements, as applicable, from this Regional Board for inland disposal of nonhazardous contaminated soils and materials. All other waste material removed shall be relocated to a legal point of disposal or recycled for use as a soil amendment, if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact John Lewis, Technical Support Unit, at (213) 266-7552 for further information.
12. The project proponent shall comply with requirements set forth in the *Water Quality Control Plan, Los Angeles Region (1994)* as indicated in Appendix I.
13. The project proponent shall comply with the local regulations associated with the Regional Board's municipal storm water permit that is issued to Ventura County and co-permittees under NPDES No. CAS0063339 and Waste Discharge Requirements Order No. 94-082 and any subsequent order.
14. The project proponent shall implement the proposed mitigation and monitoring measures indicated in the "Santa Paula Creek, California, General Reevaluation Report (June 1995)," "Final Environmental Impact Statement/Environmental Impact Report for Santa Paula Creek Flood Control Project (June 1995)" and corresponding appendices and modifications identified in the "Final Environmental Assessment for Santa Paula Creek Flood Control Project (June 1996)."
15. The project proponent shall notify this Regional Board (Attn: Surveillance) in writing at least two weeks prior to project commencement of each phase and within two weeks upon project completion of each phase.

16. All communications with this Regional Board shall identify the case file number 96-094.
17. All revegetation monitoring reports shall be submitted to this Regional Board (Attn: Surveillance Unit) at the time each report is due to be submitted to the U.S. Army Corps of Engineers.
18. This certification expires July 22, 2001. Any modifications to the project or extension of the certification shall require submittal of a separate application for Water Quality Certification and/or Waste Discharge Requirements.

Construction Phases

1. Prior to the relocation of the oil pipelines, the project proponent shall develop and submit to this Regional Board (Attn: Surveillance) a spill contingency plan for review and approval. This plan shall identify measures to be implemented to eliminate the potential of spills into *Santa Paula Creek* and contingency measures to be implemented in case of spills.
2. Discharges resulting from air-water blasting for grouted stone treatment shall require prior approval from this Regional Board. Unless the project proponent can demonstrate that all runoff resulting from air-water blasting can be contained outside of *Santa Paula Creek*, the project proponent shall:
 - (1) apply for a non-stormwater NPDES permit for that specific activity if it is proposed that there will be a discharge to surface waters and no containment measures will be implemented; or,
 - (2) apply for general Waste Discharge Requirements if there will be a discharge to land or groundwater (e.g., if there will be a discharge to the dry streambed portion of *Santa Paula Creek*, and containment measures are implemented to isolate the discharge from the flowing stream and allow it to percolate to the groundwater); or,
 - (3) notify this Regional Board if containment measures within the creek will be implemented so that there is no percolation to the groundwater and no flow to the creek of any water contaminated with solids, chlorine, high pH, or other pollutants.

OMRR&R Phases

1. The project proponent shall have a fisheries biologist at the site when excavation activities occur during the months of April and May. This fisheries biologist shall observe activities twice a week to ensure that there is no hindrance or impact to fish migration. If any hindrance or impact is

Mr. Walt Pettit
State Water Resources Control Board

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observed, the project proponent shall immediately stop activities until approval from this Regional Board is given to continue with the activities. During the months of April and May, a weekly report from the fisheries biologist shall be submitted directly (without project proponent's prior approval) to this Regional Board (Attn: Surveillance Unit) on the progress of construction, potential violations, and subsequent remediation of such violations. However, this weekly report can be submitted concurrently to the project proponent.

Should you or your staff have any questions concerning this project, please contact Lauma Jurkevics at (213) 266-7609.

cc: Bill Campbell/Oscar Balaguer, Non-point Source Loan Unit, DWQ,
SWRCB
Mary Meyer, California Department of Fish and Game (Ojai)
Mark Delaplaine, California Coastal Commission
(San Francisco)
Bruce Henderson, U.S. Army Corps of Engineers (Ventura)
Field Supervisor, U.S. Fish and Wildlife Service (Ventura)
James Romero, U.S. Environmental Protection Agency
(San Francisco, W-7-2)
Robert S. Joe, U.S. Army Corps of Engineers (Los Angeles)
Joy Jaiswal, U.S. Army Corps of Engineers (Los Angeles)
Alex Sheydayi, Ventura County Public Works Agency (Ventura)

Appendix I

In accordance with the *Porter-Cologne Water Quality Control Act* (§13243), the following represent specific discharge prohibitions for the proposed project and are identified in the *Water Quality Control Plan (Basin Plan), Los Angeles Region (1994)*:

- Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses.
- Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.
- Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.
- Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses.
- Waters shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
- All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in, human, plant, animal, or aquatic life.
- Waters shall be free of substances that result in increases in the biochemical oxygen demand (BOD₅) which adversely affected beneficial uses.
- Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.
- Surface waters shall not contain concentrations of chemical constituents in amounts that adversely affect any designated beneficial use.
- Exotic vegetation shall not be introduced around stream courses to the extent that such growth causes nuisance or adversely affects beneficial uses.

The following are specific water quality objectives for the proposed project and are identified in the *Basin Plan (1994)* for the protection of wetlands:

- Natural hydrologic conditions necessary to support the physical, chemical, and biological characteristics present in wetlands shall be protected to prevent significant adverse effects on:
 - natural temperature, pH, dissolved oxygen, and other natural physical/chemical conditions,
 - movement of aquatic fauna,
 - survival and reproduction of aquatic flora and fauna, and
 - water levels.
- Existing habitats and associated populations of wetlands fauna and flora shall be maintained by:
 - maintaining substrate characteristics necessary to support flora and fauna which would be present naturally,
 - protecting food supplies for fish and wildlife,
 - protecting reproductive and nursery areas, and
 - protecting wildlife corridors.

Appendix E-2: 2012 Application



California Regional Water Quality Control Board Los Angeles Region



Matthew Rodriquez
Secretary for
Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • FAX (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>

Edmund G. Brown Jr.
Governor

SECTION 401 WATER QUALITY CERTIFICATION APPLICATION FORM

Applications for Water Quality Certification shall be filed in accordance with Sections 3830 through 3869 of Title 23 of the California Code of Regulations. An initial deposit of **\$944** must accompany all applications. Please include a check made out to the State Water Resources Control Board. The schedule of fees can be found at:

http://www.waterboards.ca.gov/losangeles/water_issues/programs/401_water_quality_certification/.

Failure to submit this fee deposit will make this application incomplete. Submit your completed application form to the address above, Attn: 401 Certification Staff. Attach additional sheets as necessary.

1. APPLICANT/AGENT INFORMATION

a) Applicant: U.S. Army Corps of Engineers - Los Angeles District	b) Agent/Consultant*:
Main Contact: Christopher Jones	Main Contact:
Address: 915 Wilshire Blvd., LA, CA 90017	Address:
Email: christopher.t.jones@usace.army.mil	Email:
Phone No. (213) 304-6234	Phone No.
Fax No. (213) 452-4204	Fax No.

*Complete only if applicable

2. PROJECT DESCRIPTION

a) Project Title: Santa Paula Creek Project
b) Purpose/Goal: The purpose of the proposed action is to provide and maintain flood risk management and fish passage for federally endangered southern steelhead (<i>Oncorhynchus mykiss</i>) within the Santa Paula Creek flood risk management channel (FRMC).
c) Project Activities: (Attach additional sheets as necessary) <i>Please provide a detailed explanation of all project activities. Include information such as: avoidance and minimization measures for project impacts; alternatives analysis; project activity impacts to waterbodies and/or water quality; and implementation of Low Impact Development (LID) strategies.</i> <i>*Please note that the Regional Board will not allow stormwater treatment facilities to be placed within waters of the United States*</i>
Please refer to the attached Supplemental Environmental Assessment for a detailed description of the project action and area. In summary, the project activities consist of repairs to the existing fish ladder weirs and clarification of operations and maintenance (O&M) activities for the overall Santa Paula Creek Flood Control Project, including a refinement to the allowable sediment profile and design invert for the existing flood risk management channel (FRMC). Fish ladder repairs and O&M activities involve equipment and vehicle use within the river bed and channel area. Temporary structures or berm/fills may be required to divert/re-route flowing water around the work area should water be flowing in the river when work occurs. Pumping pooled water from the work area may also be required. The water that is diverted or pumped from the work area would be discharged into or remain within the channel. The diversion structures would be removed at completion of the construction/O&M activities. Project components have been included to avoid impacts on biological resources and a Biological Assessment has been prepared. Additionally, project BMPs will be implemented to avoid and minimize impacts on water quality O&M responsibilities will be transferred to the Local Sponsor, the Ventura County Watershed Protection District (VCWPD), upon Notice of Completion.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

d) Proposed Schedule (Start-up, duration, and completion dates): Weir repair would commence in summer of 2012 and be completed by November 1, 2012 (3.5 months max). Ongoing routine maintenance activities (sediment removal from fish ladder pools, channel, emergency repairs) would be conducted between June 30 and November 1 or as otherwise coordinated with the National Marine Fisheries Service (NMFS) and California Department of Fish and Game (CDFG) in 2012 and subsequent years, in accordance with the O&M Manual. Maintenance may be necessary outside of the June 30 to November 1 window. This type of maintenance would follow measures provided in project permits including, but not limited to, the biological opinion and streambed alteration agreement.



3. FEDERAL LICENSES/PERMITS

a) Federal Agency(ies)/File Number(s): U.S. Army Corps of Engineers Representative _____
 U.S. Army Corps of Engineers _____ Other _____
 File No.(s) _____

b) Permit Type(s) (please provide permit number(s):
 Nationwide Permit No.(s) _____ Regional General Permit No.(s) _____
 Individual Permit _____ Other _____

c) Does the project require any Federal Application(s), Notification(s) or Correspondence?
 Yes (attach copy(ies)) No _____ (Attach detailed explanation)

4. OTHER LICENSES/PERMITS/AGREEMENTS

a) Please list all other required regulatory approvals (submit final or draft copy if available):

Agency	Agency Representative	License/Permit/Agreement	Approval Date
U.S. Army Corps of Engineers		CWA 404 b 1 Evaluation	
California Department of Fish and Game		Lake and Streambed Alteration Agreement	

b) Does the project require a Federal Energy Regulatory Commission (FERC) license or amendment to a FERC license?
 No Yes _____ (Attach application copy)

5. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Indicate CEQA Document (submit final or draft copy*) and Lead Agency:

Categorical Exemption__ Negative Declaration__ Environmental Impact Report__

Has the document been certified/approved, or has a Notice of Exemption been filed? _____

If yes, date of approval/filing _____ If no, expected approval/filing date: _____

Lead Agency: A Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Santa Paula Flood Control Project was certified in 1995. A Supplemental Environmental Assessment (SEA)/Addendum (attached) has been prepared for the project as required by NEPA and CEQA by the U.S. Army Corps of Engineers and VCWPD, respectively, to document less than significant modifications to the Final EIS/EIR (attached).

*Note, ample time must be provided to the certifying agency to properly review a final copy of valid CEQA documentation before certification can occur.

6. PROJECT SITE DESCRIPTION (INCLUDES AREAS OUTSIDE OF U.S. WATERS)

a) Project Location (Attach map of suitable quality and detail):		
City or Area <u>Santa Paula, CA</u>	County <u>Ventura</u>	
b) Longitude/Latitude		
<i>[Information regarding submittal of longitude and latitude coordinates can be found at : http://www.swrcb.ca.gov/~rwqcb4/html/meetings/401wqc.html]</i>		
<i>[A minimum of eight (8) coordinates – All project areas or zones must be delineated with enough waypoints to accurately depict polygons or polylines with at least two (2) points per line segment.]</i>		
(Decimal-Degrees) <u>Lat: 34.374762 Long: -119.057388</u>	(Decimal-Degrees) <u>Lat: 34.374905 Long: -119.056173</u>	
(Decimal-Degrees) <u>Lat: 34.373997 Long: -119.056752</u>	(Decimal-Degrees) <u>Lat: 34.374188 Long: -119.055478</u>	
(Decimal-Degrees) <u>Lat: 34.373137 Long: -119.056346</u>	(Decimal-Degrees) <u>Lat: 34.373424 Long: -119.055304</u>	
(Decimal-Degrees) <u>Lat: 34.348670 Long: -119.049170</u>	(Decimal-Degrees) <u>Lat: 34.351250 Long: -119.045813</u>	
Township/Range: T3N R21W		
c) Total Project Size:		
Approximately 21 Acres*	9,250 linear feet (if appropriate)	
d) Area Type/Description (check as appropriate):		
Urban X_____	Residential X_____	Recreation_____
Agriculture X_____	Open Space X_____	Wildlife Corridor X_____
Migratory Pathway X_____	Spawning Habitat_____	
Threatened/Endangered Species Habitat X_____	Other_____	

*This information is required.

7. IMPACTED WATER BODIES

a) Name(s) of Receiving Water Body(ies)*:

Santa Paula Creek

b) Indicate in ACRES and LINEAR FEET (where appropriate) the proposed **waters of the United States** to be impacted by any discharge other than dredging, and identify the impacts(s) as permanent and/or temporary for each water body type listed below:

Jurisdictional Wetland:	_____ permanent,	_____ temporary ACRES
	_____ permanent,	_____ temporary LINEAR FEET
Streambed (vegetated):	_____ permanent,	_____ temporary ACRES
	_____ permanent,	_____ temporary LINEAR FEET
Streambed (unvegetated):	_____ permanent,	_____ temporary ACRES
	_____ permanent,	_____ temporary LINEAR FEET
Lake/Reservoir:	_____ permanent,	_____ temporary ACRES
	_____ permanent,	_____ temporary LINEAR FEET
Ocean/Estuary/Bay:	_____ permanent,	_____ temporary ACRES
	_____ permanent,	_____ temporary LINEAR FEET
Isolated waters:	_____ permanent,	_____ temporary ACRES
	_____ permanent,	_____ temporary LINEAR FEET

Please explain exactly how waters will be impacted by proposed project activities.
(Attach additional sheets as necessary)

c) Indicate in CUBIC YARDS the volume of Dredged material to be discharged in waters of the United States: Construction includes excavation of the weirs which is estimated to require approximately 300 cubic yards of material be removed and disposed of at an off-site landfill approximately 5 miles (8 km) away. This would be a low-impact discharge with the implementation of best management practices (BMPs) and other environmental commitments (i.e., conservation measures) as described in the attached SEA. Ongoing sediment removal activities throughout the entire channel would take place on every three years on average to maintain the allowable sediment profile and design invert for the existing flood risk management channel. This would entail the removal of up to 335,000 cubic yards of material, which would be disposed of at the same off-site landfill and not discharged to waters of the U.S. The amount of sediment removed would typically be less than 335,000 cubic yards, however, 335,000 cubic yards of sediment removal may be required following a design storm event. This sediment removal would also be a low-impact discharge as described in the attached. Other O&M activities, such as emergency repairs and annual removal of sediment in the fish ladder weir pools, that would require work in the channel would occur when needed as identified per criteria specified the O&M Manual. These activities would involve smaller amounts of sediment removal than the sediment removal throughout the entire channel and would also be a low-impact discharge.

d) Indicate type(s) of material proposed to be discharged in waters of the United States:
Sediment in the project area consists primarily of sands and cobbles transported from upstream reaches of the creek.

*All receiving water bodies must be identified in the *Water Quality Control Plan, Los Angeles Region* (Basin Plan). Any unnamed/unidentified waters must be extended to an identifiable tributary.

8. COMPENSATORY MITIGATION

a) Indicate in ACRES and LINEAR FEET (where appropriate) the total quantity of **waters of the United States** proposed to be Created, Restored and/or Enhanced for purposes of providing Compensatory Mitigation:

Water Body Type	Created	Restored	Enhanced
Jurisdictional Wetland			
Streambed (vegetated)			
Streambed (unvegetated)			
Lake/Reservoir			
Ocean/Estuary/Bay			

Please describe mitigation activities proposed (Attach additional sheets as necessary).

b) If contributing to a Mitigation or Conservation Bank, indicate the agency, dollar amount, acreage, and water body type (omit if not applicable):

Conservation Agency _____

\$ _____ for _____ acres of _____ (water body type)

How many acres of this qualify as waters of the United States?

c) Other Mitigation (omit if not applicable):

How many acres of this qualify as waters of the United States?

e) Location of Compensatory Mitigation Site(s) (Attach map of suitable quality and detail):

City or Area _____ County _____

Longitude/Latitude (Decimal-Degrees) _____

[A minimum of eight (8) coordinates]

9. OTHER ACTIONS/BEST MANAGEMENT PRACTICES (BMPs)

Briefly describe other actions/BMPs to be implemented to Avoid and/or Minimize impacts to waters of the United States, including SUSMPs/Low Impact Development (LID), habitat preservation, erosion control measures, project scheduling, flow diversions, etc.

BMPs will be implemented during to control soil erosion and site runoff. With the implementation of BMPs such as use of straw wattles, silt fence, or other erosion control mechanisms and storage of construction materials in appropriate containment facilities, the effects related to stormwater and urban runoff during construction would be minimized or avoided. Additionally, O&M activities would occur during the dry season between June 30 and November 1 or as otherwise coordinated with NMFS and CDFG, minimizing the need for flow diversions, etc. However, temporary diversion structures or berms/fill may still be required. The temporary diversion structures would not interrupt flows and would be removed at project completion. The timing of construction would be outside of the migratory season for endangered steelhead, thus avoiding impacts to the species.

For sediment removal actions that disturb one or more acres of soil, a Storm Water Pollution Prevention Plan (SWPPP) that identifies BMPs would be required. O&M activities would also be required to comply with measures identified in a Streambed Alteration Agreement to protect water quality, such as requiring staging/storage and spoils areas to be located outside of the creek and where it cannot be washed into creek waters by runoff or rainfall, immediate cleanup of any spills, maintaining equipment daily to prevent leaks of materials into creek waters, and taking measures to minimize turbidity/siltation.

In addition, the following measures will be implemented to avoid and/or minimize impacts to biological resources (for details associated with each measure, see attached SEA):

B-1 Activities between the grouted side slopes (in-channel) associated with construction and regular maintenance of the fish ladder, excluding monitoring, shall be planned to avoid flowing water during the potential steelhead migration period. The normal in-channel work period would occur between June 30 and November 1.

B-2 In-channel work and channel diversion activities for construction of the Proposed Action shall be conducted in a manner to reduce potential impacts to migrating steelhead.

B-3 If flowing water will be disturbed by construction or operation and maintenance activities, a qualified biologist/technician shall survey the complete area that may be disturbed, including by downstream turbidity, within one week of the beginning of in-water work. The fishery biologist shall be present during activities that occur within flowing water, if necessary, the biologist would coordinate with the construction representative to cease the work, and provide recommended measures to avoid potential construction related effects to steelhead and their habitat.

B-4 Following removal of sediment from the FRMC, those disturbed areas should be returned to the condition they were in prior to the disturbance.

10. PAST/FUTURE PROPOSALS BY THE APPLICANT

Briefly list/describe any projects carried out in the last 5 years or planned for implementation in the next 5 years that are in any way related to the proposed activity or may impact the same receiving body of water. Include estimated adverse impacts.

The U.S. Army Corps of Engineers completed the Santa Paula Creek Sediment Removal Project which began in October 2009 and was completed January 2010. During that project, approximately 300,000 cubic yards of material was removed from the Santa Paula Creek flood risk management channel. Prior to construction of the Sediment Removal Project, in September 2009, the National Marine Fisheries Service (NMFS) issued a letter amending the original 2000 Biological Opinion (BO) and identifying the conservation measures and monitoring elements to be required to implement the sediment removal. These conservation measures and monitoring elements were implemented during the Sediment Removal Project to avoid and/or minimize impacts to endangered southern steelhead, as required by the 2000 BO and 2009 BO Amendment. In addition, measures required in the SAA (dated October 11, 1999) were implemented.

A Biological Assessment was prepared for the current proposed action for consultation with NMFS. It is anticipated that the same conservation measures will be implemented for the current proposed action, or as modified in consultation with NMFS, in addition to the requirements of the SAA.

Applicant's Signature
(Agent may not sign for Applicant)

Date

Should you have any questions regarding the water quality certification process, please contact Ms. Valerie Carrillo (213) 576-6759 or Mr. Dana Cole (213) 576-5733.