



California Regional Water Quality Control Board Los Angeles Region



Linda S. Adams
Acting Secretary for
Environmental Protection

320 West Fourth 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

Ms. Linna Wei
Caltrans
100 South Main Street
Los Angeles, CA 90012

WATER QUALITY CERTIFICATION FOR PROPOSED I-710 BRIDGE WIDENING PROJECT (Corps' Project No. 2011-00206-SJH) LOS ANGELES RIVER, CITY OF DOWNEY, LOS ANGELES COUNTY (File No. 11-020)

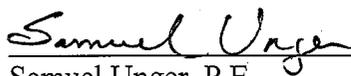
Dear Ms. Wei:

Board staff has reviewed your request on behalf of Caltrans(Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on May 10, 2011

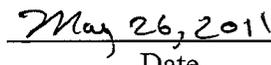
I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. 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.

The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Dana Cole, Section 401 Program, at (213) 576-5733.

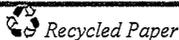


Samuel Unger, P.E.
Executive Officer



Date

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.

DISTRIBUTION LIST

Linna Wei
Caltrans
100 South Main Street
Los Angeles, California 90012

Bill Orme (via electronic copy)
State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
Sacramento, CA 94244-2130

Rick Mayfield
(via electronic copy)
California Department of Fish and Game
Streambed Alteration Team
4949 View Ridge Avenue
San Diego, CA 92123

Cherry Oo
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Eric Raffini (via electronic copy)
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Jim Bartel
U.S. Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92009

ATTACHMENT A

Project Information

File No. 11-020

1. Applicant: Linna Wei
Caltrans
100 South Main Street
Los Angeles, California 90012

Phone: (213) 897-0840 Fax: (213) 897-9572

2. Project Name: I-710 Bridge Widening Project

3. Project Location: Downey, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
33.9359	118.1753
33.9360	118.1751
33.9355	118.1753
33.9355	118.1752
33.9360	118.1753
33.9359	118.1751
33.9359	118.1750
33.9355	118.1750

4. Type of Project: Rehabilitation and Extension of I-710 Roadway

5. Project Purpose: The proposed project (Project) for the 710 Bridge over the Los Angeles River (53-828) (Bridge) will rehabilitate the Long Beach Freeway (Route 710) to enhance safety, improve ride quality, and reduce the need for maintenance. The Bridge will be widened to achieve standard lane, median and shoulder width.

6. Project Description: The Project will widen the northbound side of Route 710 by approximately 16 feet and the southbound side by 12 feet. The Project will also widen the existing piers, abutments and bridge deck over the Los Angeles River (River).

Portions of the Bridge deck and piers will be demolished. Temporary falsework will be installed. The Project will also require

ATTACHMENT A

Project Information File No. 11-020

pile driving, temporary access ramps to the river bottom, and a temporary river crossing. The heavy construction equipment to be used will include excavators, loaders, pile driving equipment, cranes, and dump trucks.

Water diversion will be implemented prior to the construction activities in the River. A Surface Water Diversion Plan shall be submitted prior to diversion in compliance with Condition 18 of Attachment B of this certification.

The project is located in a heavily urbanized area. Adjacent land uses are zoned as industrial and commercial, and includes a train yard, warehouses, and office parks. The River at the Long Beach Freeway within the Project area is completely concrete-lined.

The construction window for the bridge work is approximately four months. Work will be performed outside the rain season.

The only vegetation located within the project area is outside of the River and is either ruderal (associated with pre-disturbed areas) or ornamental landscape. No native plant communities are present.

Future maintenance of this bridge will consist of minor construction activities such as sealing joints and re-striping of the roadway. Such construction work can be accessed and conducted from the top of the bridge deck and will not result in any impacts to the River.

- | | |
|---|---|
| 7. Federal Agency/Permit: | U.S. Army Corps of Engineers
NWP No. 33 (Permit No. 2011-206-SJH) |
| 8. Other Required
Regulatory Approvals: | California Department of Fish and Game
Streambed Alteration Agreement |
| 9. California
Environmental Quality
Act Compliance: | The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15301, Existing Facilities. |
| 10. Receiving Water: | Los Angeles River (Hydrologic Unit No. 405.15) |

ATTACHMENT A

Project Information

File No. 11-020

11. Designated Beneficial Uses: MUN*, IND, GWR, REC-1, REC-2, WARM, WILD, RARE, MIGR, SPWN, SHELL, WET
- *Conditional beneficial use
12. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.06 temporary acres (2,574 linear feet) and 0.05 permanent acres (1,980 linear feet)
13. Dredge Volume: None.
14. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has identified the following related projects carried out in the last 5 years or planned for implementation in the next 5 years:
- Widening of Long Beach Freeway: Los Angeles County in Long Beach between Pico Ave & Long Beach Boulevard (from Post Mile 4.9 to 24.9). Tentative construction window: April 2012 through August 2013.
 - Widening of Long Beach Freeway Shoemaker Bridge. Tentative construction window: November 2014 through October 2016.
15. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Construction materials such as Portland Cement and concrete or asphalt or aggregate will be prevented from coming in contact with storm water.
 - Temporary barriers will be installed around stockpiled perimeters to prevent contact of materials with storm water.
 - Oil, lubricants, or any hazardous or contaminant waste will be kept 100 feet from the top of banks of the River.
 - Temporary barriers and containers will be used to confine any contaminated materials.

ATTACHMENT A

Project Information File No. 11-020

- Upon completion of construction all contaminated material will be removed to a legal point of disposal.
- A temporary spill containment system will be installed and maintained within Project limits during construction.
- A containment plan will be provided in the event of a hazardous material spill.
- Entrances and exits will be stabilized.
- Non-paved surfaces will be watered.
- Paved surfaces will be swept and vacuumed.
- Silt fences will be installed at the toe of excavation and embankment slopes.
- Sand or gravel bag berms will be installed along the top of slopes.
- Slope protection such as geotextiles, plastic covers, soil binders, and erosion control mats, and fiber rolls will be installed.
- Storm drain inlets will be protected with inserts or linear interrupters such as gravel bag and/or sand bag berms.
- Work will be conducted outside the winter rain season from November 1st through April 1st.
- Storage of materials will not occur in the channel, below the top of bank of the River.
- Project limits will be marked upstream and downstream of the work area.

16. Proposed
Compensatory
Mitigation:

None.

ATTACHMENT A

Project Information File No. 11-020

17. Required
Compensatory
Mitigation:

The Regional Board will not require compensatory mitigation due to the small size of the impact and because the modifications are concrete-to-concrete. . See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions.

ATTACHMENT B

Conditions of Certification File No. 11-020

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Game's (CDFG) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this Certification, the CDFG's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 15, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

ATTACHMENT B

Conditions of Certification File No. 11-020

6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste or dredged material removed shall be relocated to a legal point of disposal 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 the Land Disposal Unit at (213) 620-2253 for further information regarding the disposal of solid wastes.
10. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
11. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
12. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.

ATTACHMENT B

Conditions of Certification File No. 11-020

13. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State.
14. If rain is predicted after operations have begun, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
15. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge (ROWD)** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste.
16. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
17. All project, construction, or maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
18. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** (plan) to this Regional Board. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:
 - pH
 - temperature
 - dissolved oxygen
 - turbidity
 - total suspended solids(TSS)

ATTACHMENT B

Conditions of Certification

File No. 11-020

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to diversion and then monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

19. The Applicant shall restore any areas of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
20. The Applicant shall submit to this Regional Board **Annual Project and Monitoring Reports** (Annual Reports) by **January 1st** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until project completion has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. The Annual Reports shall describe the status of other agreements. At a minimum the Annual Reports shall include the following documentation:
 - (a) Color photo documentation of the pre- and post-project site conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (c) The overall status of project including a detailed schedule of work;
 - (d) Copies of all permits revised as required in Additional Condition 1;
 - (e) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;
 - (f) A certified Statement of "no net loss" of wetlands associated with this project;

ATTACHMENT B

Conditions of Certification

File No. 11-020

25. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to the Department of Transportation (Caltrans) under NPDES No. CAS000003 and Waste Discharge Requirements Order No. 99 - 06 - DWQ. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment.
26. The project shall comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 2009-009-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.
27. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.
28. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
29. *Enforcement:*
 - (a) 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 State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
 - (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification

ATTACHMENT B

Conditions of Certification File No. 11-020

to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

- (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
30. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.