



EDMUND G. BROWN, JR.
GOVERNOR



MATTHEW ROBINSON
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. John Harlan
Southern California Edison
28460 Avenue Stanford
Valencia, CA 91355

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7012 3460 0001 6366 0717

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED SOMIS SUBSTATION EROSION REPAIR PROJECT (Corps' Project No. 2014-424-AJS), FOX BARRANCA CHANNEL, CITY OF SOMIS, VENTURA COUNTY (File No. 14-058)

Dear Mr. Harlan:

Board staff has reviewed your request on behalf of Southern California Edison (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on June 17, 2014.

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.

Please read this entire document carefully. 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 Valerie Carrillo Zara, P.G., Lead, Section 401 Program, at (213) 576-6759.

Samuel Unger

Samuel Unger, P.E.
Executive Officer

9/19/14

Date

DISTRIBUTION LIST

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Jason Weiner (via electronic copy)
Associate Director and Staff Attorney
3875-A Telegraph Rd #423
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ATTACHMENT A

**Project Information
File No. 14-058**

1. Applicant: Southern California Edison
28460 Avenue Stanford
Valencia, CA 91355
Phone: (661) 382-2837
2. Applicant's Agent: Stantec
38 Technology Drive, Suite 100
Irvine, CA 92618
Phone: (949) 923-6981 Fax: (949) 923-6121
3. Project Name: Southern California Edison (SCE) Substation Erosion Repair
4. Project Location: Somis, Ventura County

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.264557 | 119.011053 |
| 34.264533 | 119.011053 |
| 34.264532 | 119.010630 |
| 34.265562 | 119.010624 |
| 34.264570 | 119.010589 |
| 34.264596 | 119.010524 |
| 34.264638 | 119.010540 |
| 34.264638 | 119.010540 |
| 34.264623 | 119.010595 |
| 34.264616 | 119.010676 |
| 34.214664 | 119.010876 |
| 34.264671 | 119.010892 |
| 34.264656 | 119.010923 |
| 34.764588 | 119.010872 |
| 34.264557 | 119.010872 |

5. Type of Project: Bank stabilization
6. Project Purpose: The purpose of the project is to protect the SCE substation adjacent to Fox Barranca where erosion has compromised the southern bank slope which is steep at this location.

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7. Project Description:

Due to the slope angle of the eroded section, the original proposed project called for the use of a gabion wall structure to fill in the voided section and protect the bank slope. After further consideration, the project has been redesigned to utilize grouted riprap and to recontour the channel to its original dimensions.

The project will consist of an area within a 125-foot (linear) section (0.06 acres), 9 to 12 feet high along the toe of the channel at a 2:1 maximum slope. There is an existing soldier pile retaining wall that will be removed. Riprap is proposed at the base to protect against erosion. In addition, an existing corrugated metal pipe and mccarthy drain that outlet to the channel from the Substation will be removed and replaced with storm drain inlets and PVC pipes. An existing mccarthy drain impacted by the slope rehabilitation on the neighboring property to the east will also be removed and replaced.

A v-ditch is proposed along the north substation fence line (out of waters) to capture runoff and direct to the channel via storm drain pipes to further protect the slopes.

Hydraulic modeling of the channel using NEC-RAS was conducted to evaluate the impact to the Fox Barranca channel. The state of the channel remains subcritical. At the project location, the channel is curved with an undersized road crossing directly downstream. In addition, private property on the opposite side does not provide enough space to restore this channel section without the use of a hardened structure to prevent further erosion. The water elevation at and downstream of the project site remains the same or was reduced. The water within the channel reaches equilibrium approximately 15 feet downstream of the project site.

8. Federal Agency/Permit:

U.S. Army Corps of Engineers
NWP No. 13 (Permit No. 2014-424-AJS)

9. Other Required
Regulatory Approvals:

California Department of Fish and Wildlife
Streambed Alteration Agreement

10. California
Environmental Quality
Act Compliance:

The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15301 (Existing Facilities).

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11. Receiving Water: Fox Barranca Channel, a tributary of Arroyo Las Posas (Hydrologic Unit Code: 180701030103)
12. Designated Beneficial Uses: MUN*, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, COLD, WILD
- *Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (streambed): 0.06 permanent acres (125 linear feet)
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.
16. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- A v-ditch is proposed along the north substation fence line to capture runoff and direct to the channel via storm drain pipes to further protect the slopes.
 - The general drainage pattern of the proposed condition was maintained the same as existing and the water surface of the channel at and downstream of the project site remains the same or was improved.
 - The project team will work with involved agencies on the appropriate re-vegetation of the disturbed slope areas to minimize impact.

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17. Proposed Compensatory Mitigation: The Applicant has not proposed any additional compensatory mitigation.
18. Required Compensatory Mitigation: The Regional Board will require compensatory mitigation for all permanent impacts associated with this project at a ratio of 3:1.
- See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

ATTACHMENT B

Conditions of Certification File No. 14-058

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 Wildlife's (CDFW) 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 CDFW'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. 16, 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.

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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. 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.
8. 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 for further information regarding the disposal of solid wastes.
9. 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.
10. 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.
11. 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.
12. Application of pesticides must be supervised by a certified applicator and be in conformance with manufacturer's specifications for use. Compounds used must be appropriate to the target species and habitat. All pesticides directed toward aquatic species must be approved by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2011-0002-DWQ and 2004-0009-DWQ.

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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. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
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. All project/ 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.
17. 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)

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

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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.

18. The Applicant shall restore **all acres** 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. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years.
19. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed proposed permanent impacts to **0.06 acres** of vegetation within waters of the United States by creating or restoring riparian habitat at a minimum **3:1** area replacement ratio (**0.18 acres**). The mitigation site shall be located within the watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
 - (a) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
 - (b) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
 - (c) Success criteria shall be established.

This information shall be submitted to this Regional Board for approval prior to any project activities which take place within waters of the United States and shall include copies of all agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

20. The Applicant shall submit to this Regional Board **Annual Mitigation 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 mitigation success 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

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describe the status of other agreements (e.g., mitigation banking) or any delays in the mitigation process. At a minimum the Annual Reports shall include the following documentation and answered appropriately whether or not mitigation has been performed:

- (a) Color photo documentation of the pre- and post-project and mitigation 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 whether or not work has begun on the Project and a detailed schedule;
- (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;
- (g) Discussion of any monitoring activities and exotic plant control efforts; and
- (h) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.

21. All applications, reports, or information submitted to the Regional Board shall be signed:

- (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
- (b) For a partnership, by a general partner.
- (c) For a sole proprietorship, by the proprietor.
- (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

22. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

"I declare under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the

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authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

28. *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 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.

29. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application at least 90 days prior to termination of this Certification if renewal is requested.

