



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Nur Malhis
City of Los Angeles
1149 S. Broadway Street, Suite 750
Los Angeles, CA 90015

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7008 1830 0004 3360 1141

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED RIVERSIDE BRIDGE AND VIADUCT PROJECT (Corps non-notifying Nationwide Permit, 14 and 25), LOS ANGELES RIVER REACH 3, CITY OF LOS ANGELES, LOS ANGELES COUNTY (File No. 15-030)


Dear Mr. Nur Malhis:

Board staff has reviewed your request on behalf of City of Los Angeles (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on May 19, 2015.

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 Dana Cole, Section 401 Program, at (213) 576--5733.


Samuel Unger, P.E.
Executive Officer

Chief Deputy Exec. Officer
for

5-19-15
Date

DISTRIBUTION LIST

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ATTACHMENT A

**Project Information
File No. 15-030**

1. Applicant: Mr. Nur Malhis
City of Los Angeles
1149 S. Broadway Street, Suite 750
Los Angeles, CA 90015

Phone: (213) 485-5096 Fax: (213) 485-5192

2. Applicant's Agent: Melissa Fowler
CH2M Hill
6 Hutton Centre Drive
Santa Ana, CA 92707

Phone: (714) 435-6262 Fax: (714) 429-2050

3. Project Name: Riverside Bridge and Viaduct

4. Project Location: Los Angeles, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.083482	-118.228243
34.082905	-118.228109
34.081555	-118.227390
34.081972	-118.224858
34.082381	-118.226467
34.080772	-118.226253
34.080523	-118.226156
34.080692	-118.225233

5. Type of Project: Bridge and Viaduct Improvement

6. Project Purpose: The proposed project (Project) will complete the replacement of Riverside Drive Viaduct Bridge (No. 53C-0160) over the Los Angeles River with a two lane standard curve viaduct and a barrier protected auxiliary lane for pedestrians and cyclists, in order to eliminate vehicular, pedestrian, and bicycle safety issues.

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7. Project Description:

The Project consists of replacing the existing Riverside Drive Bridge, with a two lane standard curvature viaduct in order to improve roadway geometry, alignment, and correct sub-structure clearance deficiencies to meet current design standards. The work will also include constructing a barrier-protected auxiliary lane for pedestrians and cyclists, and a roundabout at the intersection of San Fernando Road and Riverside Drive.

The Project will include the demolition of the existing Riverside Drive Bridge and Viaduct structure, along with the construction of the standard curve and grade bridge structure approximately 1,120 feet long. The bridge construction consists of building the main span bridge and slab bridges. The main span bridge includes a five span structure and the slab bridge contains an eleven span structure. The main bridge consists of a cast in place reinforced concrete box girder span (Span 1), a precast reinforced concrete box girder span (Span 2) and post-tensioned cast in box girder spans (Spans 3,4, and 5). The foundation system of the main bridge comprises of a combination of driven H-piles and cast drill hole (CIDH) piles. CIDH piles are created by drilling a hold into the ground at the diameter and depth of the desired piles. A steel reinforced cage is then lowered into the drilled hole and the concrete is pumped in. The slab bridge consists of a reinforced concrete slab deck supported on concrete T-beams. The beams are supported on reinforced concrete columns in steel pipe pile system.

Other utility work will relocate a 40-inch waterline from the old bridge over to the new replacement bridge and relocating the same underneath the slab bridge.

Stage I of this superstructure has already been constructed during the dry season of 2013. Stage II construction (Stage II is the second half of the bridge deck, girder and opposite faux arch) of the superstructure of the bridge will take place over the Los Angeles River during the dry season. Stage II activities will consist of the pouring of a 285-foot long post-tensioned cast-in-place reinforced concrete box girder-span as well as faux arches over the Los Angeles River. The construction involves, but is not limited to, the erection of falsework over the Los Angeles River Channel (Channel), concrete pouring, post-tensioning of the bridge span, and removal of the falsework and all related construction materials after the pour.

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The construction falsework will be used to support the concrete placement for the girders and deck over the span which will be over the Channel. The falsework will be supported on the concrete lined channel. Stringers, timber bracing, steel pile poles, and steel beam caps will rest on top of a six-inch thick by five-foot wide continuous timber pad. The formwork, which will sit on top of the falsework, will consist of wooden forms which will be used to hold the concrete in place until it hardens.

A forklift, man lift, scissor lift, air compressors, hammers, cranes and cutting tools will be used to construct the falsework. The contractor will bring equipment and material into the designated laydown area from the access point of San Fernando Road as needed for day-to-day activities. Steel poles, timber, stringers, steel beam caps, and other materials and equipment will be brought into the channel by cranes, lifts, truck beds, or container trucks. The contractor will also construct temporary crossings over the water diversion or low-flow channel so as to access both sides the channel.

In order to place the falsework in the Los Angeles River, the existing runoff in the low flow channel will have to be diverted around the work area. Any diversion of water necessary for project implementation will be conducted in compliance with a water diversion plan. A Water Diversion Plan (Water Diversion Plan – 2015, as amended 5/19/2015) designates k-rail bordering the existing low flow channel that will divert the water towards the middle of the channel throughout the project site. The bottoms of the k-rail will be blocked with a fast-setting ‘three-sack’ cementitious sand slurry.

Nesting bird and bat surveys are routinely being performed per the requirements of the Section 1602 Streambed Alteration agreement (No. 1600-2002-0041-R5).

Before a forecasted rain event, the Contractor shall remove all equipment and materials out of the channel including the k-rails. The Applicant understands the importance of removal of all equipment from the channel during a rain event as loose equipment may get displaced, travel down the river, contaminate the water, or even cause damage to other job sites.

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Construction for the Riverside Drive Project began in July 2011 under Water Quality Certification No. 09-061. The Phase II included in this permit application is expected to start in the dry season of 2015 and is expected to be completed by December 2016. Although planned construction activities in the Los Angeles River are to take place during the upcoming dry season in 2015, unanticipated delays could force that work to be completed during the 2016 dry season.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP Nos. 14, and 25
9. Other Required Regulatory Approvals: California Department of Fish and Wildlife
Extension of Streambed Alteration Agreement
No. 1600-2002-0041-R5
10. California Environmental Quality Act Compliance: On January 6, 2010 a Mitigation Negative Declaration was issued for this project.
11. Receiving Water: Los Angeles River Reach 3 (Hydrologic Unit Code: 180701050402)
12. Designated Beneficial Uses: MUN*, IND, GWR, REC-1, REC-2, WARM, WILD, WET
*Conditional beneficial use
13. Impacted Waters of the United States: Federal jurisdictional wetlands: 0.04 temporary acres
14. 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.

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15. Avoidance/ Minimization Activities:

The Applicant has proposed to implement the Best Management Practices and will ensure that any contractor, employee, or third party entity will follow:

- The Contractor shall implement BMPs to contain and minimize the spread of any construction-related turbidity resulting from the project, including but not limited to sand bagging, runoff diversion, and silt curtains where applicable.
- All construction and heavy equipment will be properly maintained in working order to minimize the potential for hazardous waste spills.
- All Equipment will be inspected daily for leaks, and any leaks will be promptly repaired.
- Work areas within the Los Angeles River channel will be isolated from the river flow with a water diversion using sandbags, k-rails, rubber dams, and waterproof membranes.
- Silt fences or gravel sand bags will be placed around construction and storage areas within the Los Angeles River channel to avoid discharge of pollutants, construction dust, and debris into the river.
- Any debris tracked into public right of way will be cleaned daily with a street sweeper.
- All equipment maintenance, cleaning, fueling, and storage will be performed outside of the Los Angeles River channel.
- Drip pans will be used under all vehicles and equipment placed in the channel or on the viaduct when expected to be idle for more than one hour.
- All construction equipment entering the Los Angeles River channel will be equipped with rubber tires.
- All water from concrete curing and finishing operations will be collected and disposed or taken to a legal point of disposal.

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- All debris and waste will be stockpiled outside of the Los Angeles River channel.
- All waste will be taken to a legal point of disposal.
- Trash will be picked up and removed from the project site daily.
- In the event of a spill, cleanup will begin immediately.
- Spill cleanup kits will be kept on site to clean and dispose of contaminated materials.
- A water diversion plan has been developed and will be implemented to minimize risk to water quality from construction activities.

16. Proposed
Compensatory
Mitigation:

The Applicant has not proposed any compensatory mitigation due to the temporary nature of impacts associated with the project and the location of the project within a concrete lined channel.

17. Required
Compensatory
Mitigation:

Due to the location of the proposed project within a completely concrete-lined channel, no compensatory mitigation will be required.

See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

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Conditions of Certification File No. 15-030

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. 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.

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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. 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.
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.
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.

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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.

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.

16. All project and construction 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. The Applicant has developed and submitted a **Surface Water Diversion Plan (plan)** (Water Diversion Plan – 2015 as amended 5/19/2015) to this Regional Board. The plan includes 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. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented during any time of diversion of waters:
 - 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 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 after the diversion is removed.

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Results of the analysis shall be reviewed by the project manager or other authorized on-site personnel daily. In the event of any exceedance, the project manager or other authorized on-site personnel shall review BMPs to determine if modifications or additions to BMPs are necessary to eliminate the exceedances or potential for exceedance.

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 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.
19. The Applicant shall submit to this Regional Board **Annual 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. 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 areas;
 - (c) The overall status of project including 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 a spreadsheet format;
 - (f) A certified Statement of "no net loss" of wetlands associated with this project;

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- (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.
20. 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.
21. 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 person or persons who managed the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Executed on the _____ day of _____ at _____.

(Signature)
(Title)"

22. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **15-030**. Submittals shall be sent to the attention of the 401 Certification Unit.
23. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.

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24. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. R4-2012-0175.
25. 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. 2012-0011-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.
26. 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.
27. 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.
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

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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.