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## Santa Ana Regional Water Quality Control Board

December 17, 2014

Linda Bazmi  
City of Corona – Public Works  
400 S. Vicentia Avenue  
Corona, CA 92401

### **CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION FOR THE I-15/CAJALCO ROAD INTERCHANGE IMPROVEMENT PROJECT, CITY OF CORONA, RIVERSIDE COUNTY (ACOE CORPS FILE NO. N/A) (SARWQCB PROJECT NO. 332014-16)**

Dear Ms. Bazmi,

On August 29, 2014, we received an application for Clean Water Act Section 401 Water Quality Standards Certification ("Certification") from the City of Corona Public Works Department for a project in the City of Corona, Riverside County. The scope of the proposed project will replace the existing two-lane I-15/Cajalco Road overcrossing with a new six-lane overcrossing. The applicant has also submitted a filing fee of \$1,821.00, which satisfies this project's fee requirement for consideration of a 401 Certification. This fee amount was determined using the Dredge and Fill Fee Calculator on the State Water Resources Control Board (SWRCB) web site, which is based on the most current iteration of California Code of Regulations, Division 3, Chapter 9, Article 1, section 2200 (a) (3). This letter responds to your request for certification that the proposed project, described in your application and summarized below, will comply with State water quality standards outlined in the Water Quality Control Plan for the Santa Ana River Basin (1995) (Basin Plan) and subsequent Basin Plan amendments:

**Project Description:** The proposed project activities include widening Cajalco Road from the existing two lanes to six through lanes. This proposed expansion will begin at Temescal Canyon Road and extend to Bedford Canyon Road in order to address capacity and operational deficiencies projected by future growth and development. Existing ramps will be realigned and reconstructed to conform to the new geometric alignment of Cajalco Road. Temporary detours will be required, as well as adjustments to existing driveway and road approaches to maintain adequate access to existing business developments in the project area.

Additionally, the project will require utility relocation and acquisition of approximately 8.92 acres of additional right-of-way, including several temporary construction easements.

Project activities are as follows:

- Construction of the bridge will require temporary vehicle access areas and construction of a temporary wood falsework structure.
- Rock slope protection consisting of ½ ton of riprap will be installed at the new bridge abutments. Riprap within potential USACE and RWQCB jurisdictional areas will be buried following installation and the temporarily affected areas will be re-contoured to pre-project topographic conditions. Exposed riprap will be placed outside of potential USACE and RWQCB jurisdictional areas.

The work will take place within Sections 8, 16, 17, and 21 of Township 4 South, Range 6 West, of the U.S. Geological Survey *Winchester, California* 7.5 minute topographic quadrangle maps (33.818907° N/ -117.515065° W).

Receiving water:

Bedford Wash, Temescal Wash, and the Santa Ana River, which have present or potential beneficial uses, including: agricultural supply (AGR), groundwater recharge (GWR), industrial service supply (IND), municipal and domestic supply (MUN), water contact recreation (REC1), non-contact water recreation (REC2), spawning reproduction (SPWN), warm freshwater habitat (WARM), and wildlife habitat (WILD).

Fill area:

Temporary Impact to Streambed Habitat	0.08 acre	linear feet N/A
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Dredge/Fill volume: N/A

Federal permit: U.S. Army Corps of Engineers Nationwide Permit No. 14

You have proposed to mitigate water quality impacts as described in your Certification application. The proposed mitigation is summarized below:

**Onsite Water Quality Standards Mitigation Proposed:**

- Standard water quality related best management practices (BMPs) will be employed during construction activities.
- Temporary impact areas within Bedford Wash will be restored to pre-project conditions. The proposed impact area is non-vegetated ephemeral streambed; therefore restoration will involve removal of fill materials and re-contouring to original topography. A total of 0.08 acres of ephemeral streambed habitat will be restored.

**Offsite Water Quality Standards Mitigation Proposed:**

- None.

Should the proposed project impact state- or federally-listed endangered species or their habitat, implementation of measures identified in consultation with U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife will ensure those impacts are mitigated to an acceptable level. Appropriate BMPs will be implemented to reduce construction-related impacts to Waters of the State.

This Water Quality Certification is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein, or any conditions contained in any other permit or approval for this project issued by the State of California, or any subdivision thereof, may result in appropriate enforcement action, including imposition of administrative civil liability.

Pursuant to the California Environmental Quality Act (CEQA), the City of Corona Public Works has determined that the project is categorically exempt from provisions of CEQA under Guidelines Section 15061[b][3]. Regional Board staff has independently determined that the project is categorically exempt under Guidelines Section 15061[b][3] as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It was concluded, with a degree of certainty, that there is little possibility that the activities in question may pose a significant effect on the environment; therefore it was determined by the City of Corona and Regional Board staff that the activity is not subject to CEQA.

**This 401 Certification is contingent upon the execution of the following conditions:**

- 1) The applicant must comply with the requirements of the applicable Clean Water Act section 404 permit.
- 2) Proposed mitigation shall be timely implemented.
- 3) All materials generated from construction activities associated with this project shall be managed appropriately. This shall include identifying all potential pollution sources within the scope of work of this project, and incorporating all necessary pollution prevention BMPs as they relate to each potential pollution source identified.
- 4) The project proponent shall utilize BMPs during project construction to minimize the controllable discharges of sediment and other wastes to drainage systems or other waters of the state and of the United States.
- 5) Substances resulting from project-related activities that could be harmful to aquatic life, including, but not limited to, petroleum lubricants and fuels, cured and uncured cements, epoxies, paints and other protective coating materials, portland cement concrete or asphalt concrete, and washings and cuttings thereof, shall not be discharged to soils or waters of the state. All waste concrete shall be removed.
- 6) Motorized equipment shall not be maintained or parked within or near any stream crossing, channel or lake margin in such a manner that petroleum products or other pollutants from the equipment may enter these areas under any flow conditions. Vehicles shall not be driven or equipment operated in waters of the state on-site, except as necessary to complete the proposed project. No equipment shall be operated in areas of flowing water.
- 7) This Water Quality Certification is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any the conditions contained in any other permit or approval issued by the State of California or any subdivision thereof may result in the revocation of this Certification and civil or criminal liability.
- 8) Best management practices to stabilize disturbed soils must include the use of native plant species whenever feasible.

- 9) Construction de-watering discharges, including temporary stream diversions necessary for project construction may be regulated under Regional Board Order No. R8-2009-0003, General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimus) Threat to Water Quality. For more information, please review Order No. R8-2009-0003 at [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/)
- 10) Applicant shall ensure that all fees associated with this project shall be paid to each respective agency prior to conducting any on-site construction activities.

Under California Water Code, Section 1058, and Pursuant to 23 CCR §3860, the following shall be included as conditions of all water quality certification actions:

- (a) Every certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section §13330 of the Water Code and Article 6 (commencing with Section 3867) of this Chapter.
- (b) Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to Subsection §3855(b) of this Chapter and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- (c) Certification is conditioned upon total payment of any fee required under this Chapter and owed by the applicant.

If the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, the Regional Board may require the applicant to submit a report of waste discharge and obtain Waste Discharge Requirements.

In the event of any violation or threatened violation of the conditions of this certification, the holder of any permit or license subject to this certification 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. Violations of the conditions of this certification may subject the applicant to civil liability pursuant to Water Code section 13350 and/or 13385.

This letter constitutes a Water Quality Standards Certification issued pursuant to Clean Water Act Section 401. 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 (Order No. 2003-0017-DWQ), "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received Water Quality Certification" which requires compliance with all conditions of this Water Quality Standards Certification. Order No. 2003-0017-DWQ is available at:  
[www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo\\_2003-0017.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo_2003-0017.pdf)

Should there be any questions, please contact Marc Brown at (951) 321-4584, or Mark Adelson at (951) 782-3234.

Sincerely,



Kurt V. Berchtold  
Executive Officer  
Santa Ana Regional Water Quality Control Board

cc (via electronic mail):

LSA Associates, Inc. – Wendy Davis – [wendy.davis@lsa-assoc.com](mailto:wendy.davis@lsa-assoc.com)  
U. S. Army Corps of Engineers, Los Angeles Office – James Mace  
CA Department of Fish and Wildlife – Joana Gibson  
State Water Resources Control Board, Office of Chief Counsel-David Rice  
State Water Resources Control Board DWQ -Water Quality Certification Unit  
U.S. EPA -Supervisor of the Wetlands Regulatory Office WTR-8