



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Santa Ana Regional Water Quality Control Board**

September 16, 2015

Mr. Annesley Ignatius  
San Bernardino County Flood Control  
825 E. Third Street  
San Bernardino, CA 92415

aignatius@dpw.sbcounty.gov

**AMENDED CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS  
CERTIFICATION FOR THE WILSON CREEK CHANNEL IMPROVEMENT PROJECT, CITY  
OF YUCAIPA, COUNTY OF SAN BERNARDINO, CALIFORNIA (ACOE REFERENCE NO.  
SPL-2013-00168-SLP) (SARWQCB PROJECT NO. 362014-28)**

Dear Mr. Ignatius,

On December 17, 2014, the Santa Ana Regional Water Quality Control Board (Regional Board) issued a Clean Water Act Section 401 Water Quality Standards Certification ("Certification") to San Bernardino County Flood Control District for the construction of the Wilson Creek Channel Improvement Project (Project) located in the City of Yucaipa, San Bernardino County. On February 9, 2015, the Regional Board issued an amendment to the subject Certification to clarify the project's location and Federal Permit issued for project activities, and to modify the project description. Additionally, a project condition to perform a California Rapid Assessment Method functional assessment of Waters of the United States (WOUS) to be impacted by the project was removed in the February 9, 2015 amended Certification.

On August 17, 2015, we received a request from San Bernardino County Department of Public Works to amend the Certification to modify the previously approved mitigation required to offset the Projects impacts to WOUS. The Project has the following on-site impacts to WOUS:

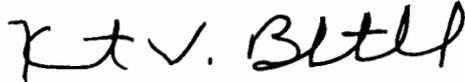
Permanent Impact to ephemeral streambed	0.16 acres
Permanent Impact to Wetlands	0.19 acres

The mitigation specified in the Project's in the revised Certification was the purchase of "mitigation credits for habitat maintenance in the Santa Ana River through the Riverside-Corona Resource Conservation District (RCRCD) at a 1:1 ratio." San Bernardino County Flood Control District has requested an amendment to the required off-site compensatory mitigation because habitat maintenance credits are not currently available from RCRCD, therefore, the offsite mitigation as detailed in the amended Certification cannot be implemented.

San Bernardino County Flood Control District proposes to mitigate for proposed impacts to WOUS that will result from the construction of the Wilson Creek Channel Improvement Project by purchasing 0.35 acres of restoration credits, rather than habitat maintenance credits, from the Riverside-Corona Conservation District (RCRCD). The Certification dated February 9, 2015 is hereby amended to incorporate this change to 0.35 acres restoration mitigation credit.

Should there be any questions, please contact Jason Bill at (951) 782-3295 or [Jason.Bill@waterboards.ca.gov](mailto:Jason.Bill@waterboards.ca.gov) or Wanda Cross at (951) 782-4468 or [wanda.cross@waterboards.ca.gov](mailto:wanda.cross@waterboards.ca.gov).

Sincerely,



Kurt V. Berchtold  
Executive Officer

cc (via electronic mail):

San Bernardino County Department of Public Works - Nancy Sansonetti —

[Nancy.Sansonetti@dpw.sbcounty.gov](mailto:Nancy.Sansonetti@dpw.sbcounty.gov)

U. S. Army Corps of Engineers, Los Angeles Office - Shannon Pankratz

CA Department of Fish and Wildlife – Kim Freeburn-Marquez

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

U.S. EPA -Supervisor of the Wetlands Section – Jason A. Brush