



**Los Angeles Regional Water Quality Control Board**

Mr. Oscar Pena  
Ventura Port District  
1603 Anchors Way Drive  
Ventura, CA

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7009 2820 0001 6537 9416

**WATER QUALITY CERTIFICATION FOR PROPOSED VENTURA HARBOR PUBLIC RAMP REPLACEMENT PROJECT (Corps' Project No. 2012-00583-AJS), VENTURA HARBOR, VENTURA COUNTY (File No. 12-115)**

Dear Mr. Oscar Pena:

Board staff has reviewed your request on behalf of Ventura Port District (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on July 20, 2013.

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*  
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Samuel Unger, P.E.  
Executive Officer

*Aug. 14, 2013*  
\_\_\_\_\_  
Date

## DISTRIBUTION LIST

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Attn: Jason Weiner  
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Ventura, CA 93003

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U.S. Army Corps of Engineers  
Regulatory Branch, Ventura Field Office  
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Amber Tysor  
California Coastal Commission  
South Central Coast Area  
89 South California St., Suite 200  
Ventura, CA 93001

**ATTACHMENT A**

**Project Information  
File No. 12-115**

1. Applicant: Mr. Oscar Pena  
Ventura Port District  
1603 Anchors Way Drive  
Ventura, CA  
  
Phone: (805) 642-8538 Fax: (805) 658-2249
2. Applicant's Agent: Richard Parsons  
2271 Los Encinos Rd.  
Ojai, CA 93023  
  
Phone: (805) 890-8505 Fax: (805) 649-9759
3. Project Name: Ventura Harbor Public Ramp Replacement
4. Project Location: Ventura Harbor, Ventura County
- | <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.145928       | 119.154809       |
| 34.145817       | 119.154859       |
| 34.145707       | 119.154571       |
| 34.145818       | 119.154809       |
5. Type of Project: Launch ramp replacement
6. Project Purpose: The proposed project (Project) will replace the existing launch ramp (266 feet wide) with a smaller ramp (170 feet wide by 110 feet long) due to the cracks on the perimeter of the existing ramp and the ramp having insufficient grooves for tire traction.
7. Project Description: The existing facility consists of a 266-foot wide by 116-foot long concrete ramp on a grade of a 7:1 (horizontal/vertical) slope that operates as a six-lane ramp.  
  
The new ramp will continue to have six lanes for vehicles plus a 50-

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foot wide area for launching non-motorized boats. In accordance with California Department of Boating and Waterways design guidelines, this capacity translates to a minimum requirement of six lanes for boat launching. Therefore the vehicle launching portion of the ramp must be reduced in width, but an area for launching personal watercraft by hand will be added.

The new ramp will consist of a 170-foot wide by 110-foot long reinforced concrete slab placed over a prepared subgrade. A vertical curve transition between the existing apron and the new ramp section will be added.

The construction work will consist of the following:

#### Demolition

All existing ramp pavement, light poles, guide piles, a portion of the sidewalk, and other miscellaneous improvements will be removed and taken to a legal point of disposal. One timber boarding float with concrete pontoons shall be removed from the site.

#### Earthwork

The smaller launching ramp footprint will create approximately 100 linear feet of new shoreline by removal of a portion of the existing launching ramp. Material along this section will be excavated to project depth and removed from the site thereby converting the section into submerged tidelands. Conventional earth moving equipment will be used to perform the excavation and prepare the subgrade for the new launch ramp foundation. Existing soil, subgrade, and some quarry stone will be removed from the site and replaced with new material. Side slopes will be re-graded to flatter and more stable grades and protected from erosion using geotextile fabric and ¼-ton size quarry stone slope protection.

Construction of the new boat launching ramp will be facilitated by erection and maintenance of a temporary sheet pile cofferdam (248 feet by 130 feet) so that the entire new ramp construction area may be built in the dry. The cofferdam will be built by driving steel sheet piles with a vibratory hammer to enclose the ramp footprint and allow the construction area to be dewatered and temporarily exposed. The cofferdam will be completely removed upon project completion.

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The interior basin leading to the launch ramp will be dredged to remove a modest volume of shoal sediment to restore the small basin to its design project depth of minus 10 feet (below) the Mean Lower Low Water (MLLW). Material will be excavated and removed using a combination of clamshell dredges operating from a barge or onshore. The dredged material shall be loaded into 18-wheel trucks and hauled to a legal point of disposal.

#### Pavement

The new boat launching ramp will be built as a conventional eight-inch thick reinforced concrete pavement section. The sidewalk at the top of the ramp will be rebuilt.

#### Boarding floats

Two of the three existing boarding float shall be salvaged and relocated to their new positions at the rehabilitated launching ramp. Each float shall be secured on the landward end at new concrete abutments. In addition three 16-inch diameter guide piles shall be driven within the permanently floating section to anchor each boarding float in place.

The following equipment may be used during construction of the project:

- One 25 to 50-ton barge mounted crane;
- One vibratory pile driving hammer;
- One diesel pile driving hammer;
- One four cubic yard capacity crawler excavator;
- One road grader (blade);
- One eight cubic yard capacity front end loader;
- One 25-ton capacity hydraulic crane;
- Miscellaneous small trucks, compressors, and welding machines.

The project will take approximately eight months to complete.

An Essential Fish Habitat Assessment and surveys for eelgrass and *Caulerpa taxifolia* were performed on January 6, 2012. Neither eelgrass nor *Caulerpa taxifolia* were present. Pre- and post-construction surveys will be conducted.

8. Federal Agency/Permit: U.S. Army Corps of Engineers  
NWP No. 3 (Permit No. 2012-00583-AJS)

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9. Other Required Regulatory Approvals: California Coastal Commission  
Coastal Development Permit
10. California Environmental Quality Act Compliance: The Ventura Port District filed a Notice of Exemption with the Ventura County Clerk that the Project. The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 Replacement or Reconstruction.
11. Receiving Water: Ventura Marina (Hydrologic Unit No. 403.11)
12. Designated Beneficial Uses: IND, NAV, REC-1, REC-2, COMM, MAR, WILD, SHELL
13. Impacted Waters of the United States: Ocean/Estuary/Bay: 0.78 permanent acres (262 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:
- The Applicant will keep a weather forecast for rainfall.
  - Fiber rolls and gravel bags will be used where appropriate around the perimeter of the job site to intercept runoff of sediment prior to discharge into Ventura Harbor waters or storm drains.
  - The job site shall be swept daily.

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- The launch ramp pavement area within the cofferdam will be dewatered by discharging all water collected from within a silt curtain. All sediment will be removed from the job site and disposed of at a legal point of disposal.
- The launch ramp pavement area will be completely enclosed within the sheet pile cofferdam, and all pavement work will be done in dry conditions.
- The launch ramp pavement within the confines of the cofferdam will use methods that minimize the use of water.
- All demolition work will be done within the confines of the cofferdam.
- Spill and clean up materials will be kept at the site as well as personnel trained in their use and emergency procedures.
- No equipment or vehicle cleaning will be allowed at the job site.
- Equipment that will be used onsite will consist of small trucks, off road vehicles, large track mounted equipment, and miscellaneous small equipment. All small trucks and similar street legal equipment shall be refueled offsite. The off road and track mounted equipment will be on the job site for varying amounts of time throughout the eight month project duration.
- Off road and track mounted equipment will be refueled on level ground that is located at the parking lot near Anchors Way and at least 50 feet away from any storm drain. Drip pans and absorbent pads will be used. The perimeter of the fueling area will be protected with an absorbent berm to contain spills.
- Fuel cans will be placed within secondary containment.
- Spill kits will be kept at the fueling area.
- Equipment and operations conducted from over water barges shall be done with equipment that is leak free, and secure materials to prevent overboard discharge.
- Trained personnel and spill contingency plans for response

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procedures will be on site.

- Stockpiles and bagged materials will be placed on pallets under cover.
- Stockpiles will be placed on plastic sheeting, and the perimeter confined.
- Concrete wash out will not be place onto surrounding pavement or soil.
- Temporary sanitary facilities on site will be maintained by a licensed service.

17. Proposed  
Compensatory  
Mitigation:

The Applicant has not proposed any compensatory mitigation due to the temporary nature of impacts associated with the project.

18. Required  
Compensatory  
Mitigation:

Since the project impacts are temporary in nature, and will reduce the size of the ramp, the Regional Board will not require any additional compensatory mitigation.

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. 12-115

#### 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 Coastal Commission (CCC) Coastal Development Permit. **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 CCC's Coastal Development Permit, 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 in all approvals.

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### Conditions of Certification

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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. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
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.
17. Ocean water quality monitoring shall be performed by the Applicant. Baseline sampling shall be conducted at one location within the project boundary prior to the project. All other sampling shall take place at a minimum of two locations. Monitoring for the following shall be included:
  - pH
  - temperature
  - dissolved oxygen
  - turbidity
  - total suspended solids (TSS)
  - visual assessment for floating particulates (oil and grease shall not be visible)

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to project commencement (baseline sampling) and then monitored on a daily basis during the first week of construction, and then on a weekly basis, thereafter, until the work is complete. Monitoring shall ensure compliance with all water quality objectives specified in the 2005 Ocean Plan.

**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. Construction activities shall not result in the degradation of beneficial uses or non-compliance of any water quality objectives. 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. Restoration shall include grading of disturbed areas to pre-project contours.

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### Conditions of Certification File No. 12-115

19. 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 Monitoring Reports** by **January 1<sup>st</sup>** of each year until project completion has been achieved and documented. The Annual Reports shall describe in detail all of the project or construction activities performed during the previous year. The Annual Reports shall describe the status or any delays in the process. At a minimum the Annual Reports shall include the following documentation and answered appropriately:
  - (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 of whether or not work has begun on the Project;
  - (d) Copies of all permits revised as required in Additional Condition 1;
  - (e) Water quality monitoring results (as required) compiled in an easy to interpret format;
  - (f) A certified Statement of “no net loss” of waters of the state or U.S. 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.



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### Conditions of Certification File No. 12-115

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.