



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Brian Kanegawa
City of Los Angeles,
Bureau of Engineering
1149 S. Broadway, 7th Floor,
Los Angeles, CA 90015
Mail Stop 495-1

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 7191

WATER QUALITY CERTIFICATION FOR PROPOSED VANOWEN STREET BRIDGE WIDENING OVER BULL CREEK PROJECT (CORPS' PROJECT NO. 2004-01366-KW), BULL CREEK, TRIBUTARY TO LOS ANGELES RIVER, CITY OF LOS ANGELES, LOS ANGELES COUNTY (FILE NO. 13-090)


Dear Mr. Kanegawa:

Board staff has reviewed your request on behalf of City of Los Angeles, Bureau of Engineering (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on June 30, 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.

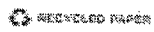
Please read this entire document carefully. The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Dana Cole, Section 401 Program, at (213) 576-5733



Samuel Unger, P.E. *for*
Executive Officer

8-12-14
Date



DISTRIBUTION LIST

Stephen Hawkins
MGE Engineering Inc.
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State Water Resources Control Board
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U.S. Environmental Protection Agency, Region 9
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San Francisco, CA 94105

Jim Bartel
U.S. Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

ATTACHMENT A

**Project Information
File No. 13-090**

1. Applicant:

Mr. Brian Kanegawa
City of Los Angeles,
Bureau of Engineering
1149 S. Broadway, 7th Floor,
Los Angeles, CA 90015
Mail Stop 495-1

Phone: (213) 485-5342 Fax: (213) 485-5192

2. Applicant's Agent:

Stephen Hawkins
MGE Engineering Inc.
7415 Greenhaven Dr. Suite 100
Sacramento, CA 95831

Phone: (916) 421-1000 Fax: (916) 421-1002

3. Project Name:

Vanowen Street Bridge Widening

4. Project Location:

City of Los Angeles, Lake Balboa Community, Los Angeles County

Latitude

Longitude

34.193724

118.497089

34.193725

118.496801

34.193780

118.496789

34.193778

118.497076

34.193981

118.497029

34.194132

118.496996

34.194132

118.496718

34.193982

118.496741

5. Type of Project:

Bridge improvement

6. Project Purpose:

The proposed project (Project) will widen and seismically retrofit the Vanowen Street Bridge over Bull Creek to meet current California State seismic standards.

ATTACHMENT A

Project Information

File No. 13-090

7. Project Description:

The Vanowen Street Bridge over Bull Creek spans a concrete lined, channelized portion of this tributary of the Los Angeles River for a total length of 60.5 feet. The current curb-to-curb width of the bridge is 50.0 feet. The north upstream side of the structure will be widened by 9 feet and the south downstream portion by 11.5 feet. The total width including cantilever sidewalks will be 84.75 feet. However, no new through lanes will be added over the bridge in either direction.

The increased load demand of the wider superstructure requires lengthening of the central pier substructures in the channel and abutments at the channel edges. The new portion of the rehabilitated bridge will be constructed of reinforced concrete. The widened structure is designed to provide resistance to seismic loads and will bring the structure in compliance with current seismic standards.

It will be necessary to dig within the channel (north of the existing structure) to determine the exact location and depth of an AT&T 24-inch conduit. The digging will occur within the footprint of the channel that will be removed for the pier extension construction.

Central pier substructures:

New pier extensions will require footing and piles, including 27 cubic yards of permanent concrete in the channel. In order to extend the piers it will be necessary to remove a portion of the channel liner in the bottom of the channel. The north side will require removal of 279 square feet (9 feet by 31 feet) of liner and the south side will require 126 square feet (14 feet by 9 feet) of liner removal to provide for construction of the pier extensions.

The installation of the new piers and bridge deck will require the construction of falsework, which will require the placement of approximately 50 cubic yards of temporary construction materials in the channel.

The bottom of the deepest cast-in-drilled-hole pile is expected to be 32 feet above groundwater elevation and no groundwater pumping is proposed.

Abutments at channel edges:

The abutment extensions will occur outside of the channel. In order to provide room to form and construct the channel abutments, the top

ATTACHMENT A

Project Information

File No. 13-090

one foot of the concrete channel lining will be removed and replaced for a length of 13 feet on the north side of the structure and 16 feet on the south side of the structure. The liner removal and replacement will occur at the four corners of the bridge widening.

Flows through the work site will be managed. Dams approximately 20 feet upstream and downstream of the pier extensions ends will be installed and a pipe will be installed to convey the expected flows through the site.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
Non-notifying NWP No. 14
9. Other Required Regulatory Approvals: California Department of Fish and Wildlife
(1600-2002-0041-R5)
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 Replacement or Reconstruction.
11. Receiving Water: Bull Creek, tributary to the Los Angeles River (Hydrologic Unit No. 180701050204)
12. Designated Beneficial Uses: MUN*, GWR, REC-1, REC-2, WARM, WILD
*Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.42 temporary acres (300 linear feet) and 0.007 permanent acres (40 linear feet)
14. Dredge Volume: None

ATTACHMENT A

Project Information

File No. 13-090

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 Contractor will be required to comply with all applicable provisions of the Development Best Management Practices Handbook - Part A Construction Activities, current edition.
- Only rubber tired construction equipment shall be utilized within the channel during construction.
- The Contractor shall submit a list of all heavy construction equipment to be used in the channel area to the Applicant.
- The Contractor will be required to provide engineering calculations showing that no part of the existing channel will be damaged by the use of the equipment listed above.
- Falsework loads to the channel floor would be distributed in a manner approved by the Los Angeles County Flood Control District.
- Construction equipment will be properly maintained to prevent motor vehicle fuels or lubricants from entering the channel.
- Power equipment will be diapered.
- All vehicle maintenance, staging, storage and dispensing of fuels occur in a designated upland staging area not located within waters.
- All staging areas will be located in such a manner as to prevent any runoff from entering waters of the U.S.
- Upon completion of the work within the channel, the work area will be cleaned completely prior to the removal of water diversion and the restoration of flow to the channel.

ATTACHMENT A

**Project Information
File No. 13-090**

17. Proposed
Compensatory
Mitigation: None

18. Required
Compensatory
Mitigation: The Applicant has not proposed any compensatory mitigation due to the nature of impacts associated with the project, location and activities within a concrete lined channel which is devoid of vegetation. The channel cross-section and capacity will not be modified by the project.

Since the project impacts are minor in nature and scope, the Regional Board will not require any additional compensatory mitigation.

ATTACHMENT B

Conditions of Certification

File No. 13-090

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.

ATTACHMENT B

Conditions of Certification

File No. 13-090

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. Please contact the Land Disposal Unit for further information regarding the disposal of solid wastes.
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. 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

ATTACHMENT B

Conditions of Certification

File No. 13-090

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.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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

ATTACHMENT B

Conditions of Certification

File No. 13-090

- 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 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.

19. The Applicant shall restore **0.42 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. 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** (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 or construction activities performed during the previous year and all restoration and mitigation efforts. 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 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;

ATTACHMENT B

Conditions of Certification
File No. 13-090

- (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 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)"

23. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number 13-090. Submittals shall be sent to the attention of the 401 Certification Unit.
24. 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.

ATTACHMENT B

Conditions of Certification File No. 13-090

25. 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. The project shall also 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 reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

ATTACHMENT B

Conditions of Certification

File No. 13-090

- (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.