



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Pat Crellin
Valencia Travel Village, LLC
27946 Henry Mayo Drive
Castaic, CA 91384

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7014 2870 0001 4613 6066

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED VALENCIA TRAVEL VILLAGE RIP-RAP REMOVAL PROJECT (Corps' Project No. 2011-00308-AJS), SANTA CLARA RIVER REACH 5, CITY OF CASTAIC, LOS ANGELES COUNTY (File No. 15-140)

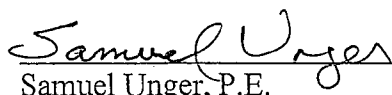
Dear Mr. Pat Crellin:

Board staff has reviewed your request on behalf of Valencia Travel Village, LLC (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on December 24, 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

Jan. 27, 2016
Date

ATTACHMENT A
Project Information
File No. 15-140

Randall McInvale
DUDEK
25124 Springfield Court, Suite 210
Valencia, CA 91355

Bill Orme (via electronic copy)
State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
Sacramento, CA 94244-2130

Karen Drewe (via electronic copy)
California Department of Fish and Wildlife
Streambed Alteration Team
3883 Ruffin Rd Suite A
San Diego, CA 92123-4813

Antal Szijj
U.S. Army Corps of Engineers
Regulatory Branch, Ventura Field Office
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

Melissa Scianni
Elizabeth Goldmann
(via electronic copy)
U.S. Environmental Protection Agency, Region 9
WRT-2-4
75 Hawthorne Street
San Francisco, CA 94105

G. Mendel Stewart
Johnathan Snyder
U.S. Fish and Wildlife Service
2177 Salk Avenue
Carlsbad CA 92008

ATTACHMENT A
Project Information
File No. 15-140

1. Applicant: Mr. Pat Crellin
Valencia Travel Village, LLC
27946 Henry Mayo Drive
Castaic, CA 91384

Phone: (818) 726-2784 Fax: (661) 257-3417

2. Applicant's Agent: Randall McInivale
DUDEK
25124 Springfield Court, Suite 210
Valencia, CA 91355

Phone: (661) 705-8614 Fax: (661) 705-3398

3. Project Name: Valencia Travel Village Rip-Rap Removal

4. Project Location: Castaic, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.428849	-118.621510
34.428850	-118.621309
34.428972	-118.621230
34.428994	-118.621324
34.428819	-118.621405
34.428928	-118.621245
34.429061	-118.621235
34.428892	-118.621442

5. Type of Project: Rip-rap removal restoration.

6. Project Purpose: The goal of this project is to remove rip-rap bank protection that was installed outside of the Valencia Travel Village property boundary and onto Newhall Land property.

7. Project Description: The proposed project (Project) is located on Newhall Land property, immediately south of Valencia Travel Village property, on the northern bank of the Santa Clara River. The Project is located

ATTACHMENT A
Project Information
File No. 15-140

immediately south of Highway 126 and approximately 0.47 mile (2,481 feet) southwest of Commerce Center Drive, in unincorporated Los Angeles County, California, just west of the City of Santa Clarita.

Access to the Project will occur via the Valencia Travel Village property. The Proposed Project will remove the existing rip-rap due to its location beyond the Valencia Travel Village property boundary. Approximately 0.091 acre (3,963 sq. ft.) of existing exposed and buried rip-rap will be removed, totaling 250 to 350 cubic yards of fill removal. Of the total area, approximately 0.026 acre (1,132 sq. ft.) falls within waters of the state and U.S. (Jurisdiction). Approximately 100 to 140 cubic yards of fill will be removed from within Waters.

An excavator with a 50-foot arm will be placed on the northern bank of the Santa Clara River in order to reach and remove the rip-rap. With the exception of the excavator arm, all equipment associated with the Proposed Project will remain on the top of the bank. Excavated material will be moved to the proposed rip-rap stockpile location at the top of the Santa Clara River bank.

Direct temporary impacts will result primarily from vehicle haul routes and excavation operations during Proposed Project activities. Temporarily impacted areas are anticipated to naturally recruit native vegetation following completion of the Proposed Project, and no long-term impacts are anticipated.

Following rip-rap removal, the riverbed will be re-contoured to match the adjacent topography and native river sediments are anticipated to fill in the excavated area upon the onset of the rainy season through natural sediment transport processes. A small amount of native vegetation will temporarily be impacted by the Proposed Project; however, due to the small sized of the impacted area and the location within a scour area, the temporarily impacted vegetation is anticipated to naturally recruit following completion of the project.

- | | |
|--|--|
| 8. Federal Agency/Permit: | U.S. Army Corps of Engineers
NWP No. 27 (Permit No. 2011-00308-AJS) |
| 9. Other Required
Regulatory Approvals: | California Department of Fish and Wildlife
Streambed Alteration Agreement |

ATTACHMENT A
Project Information
File No. 15-140

10. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15301 *Existing Facilities* (State Clearinghouse No. 2015118115). A Notice of Exemption was filed by the California Fish and Wildlife on November 12, 2015.
11. Receiving Water: Santa Clara River Reach 5 (Hydrologic Unit Code: 180701020403)
12. Designated Beneficial Uses: MUN*, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, WILD, RARE, WET

*Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (streambed): 0.026 temporary acres (80 linear feet)
14. Related Projects Implemented/to be Implemented by the Applicant: In January 2011 emergency permits (Regional General Permit (RGP) 63 and CDFW Streambed Alteration Agreement (SAA) were issued for the Valencia Travel Village property to repair the Santa Clara River bank that had experienced substantial erosion during a storm event. Approximately 500-linear feet of rip-rap bank protection were installed at that time and a portion of this rip-rap bank protection is the subject of this application.
15. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Pre-construction biological surveys for listed and non-listed special-status species determined to have potential to occur in suitable habitat within the Proposed Project area will be conducted no more than 72-hours prior to the start of construction activities.
 - If listed or special-status species are detected during pre-construction surveys, then appropriate avoidance and minimization measures will be identified by a qualified biologist.
 - A biological monitor will be present during all Proposed Project activities to flush wildlife (e.g., birds and other mobile species) and salvage individuals, if needed (e.g., slow-moving reptiles).

ATTACHMENT A
Project Information
File No. 15-140

- If listed species are encountered, Proposed Project activities will cease, and the biological monitor will consult with USFWS or CDFW, as appropriate, before activities may resume.
- The project will take place in the dry season when no surface water is present.
- During construction erodible materials within the proposed project area will be isolated from the surrounding area via the installation of temporary sediment control devices.
- Silt fencing will be installed surrounding the perimeter to eliminate project related sediment movement into the adjacent river system.
- Silt fences will be three-feet in height with approximately eight-inches of the silt fence installed below the existing ground surface to ensure that sediments are not transported under the control device.
- Following completion of the proposed project and after re-contouring of the riverbed and bank, the silt fence will be removed and the grade restored to pre-existing conditions.
- The use of native materials will eliminate the potential for non-native or man-made materials to discharge into the Santa Clara River during and following proposed project construction.

16. Proposed
Compensatory
Mitigation:

No compensatory mitigation is proposed in association with the Proposed Project as it is restoration.

17. Required
Compensatory
Mitigation:

Since the project impacts are temporary and restorative in nature, 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. 15-140

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, the approved 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. 15-140

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.

ATTACHMENT B

Conditions of Certification

File No. 15-140

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.
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 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.

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.

17. All project or 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.
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.

ATTACHMENT B

Conditions of Certification File No. 15-140

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
- 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 **0.026 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. Restoration shall include grading of disturbed areas to pre-project contours.
20. The Applicant shall submit to this Regional Board a **Final Report** by **January 1st** of each year following this issuance of 401 Certification. The Final Report shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts. At a minimum the Final Report 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) Copies of all permits revised as required in Additional Condition 1;
 - (d) Water quality monitoring results for each reach (as required) compiled in a spreadsheet format;

ATTACHMENT B

Conditions of Certification
File No. 15-140

- (e) A certified Statement of "no net loss" of wetlands associated with this project;
 - (f) Discussion of any monitoring activities and exotic plant control efforts; and
 - (g) 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 **15-140**. 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. 15-140

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 reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

ATTACHMENT B

Conditions of Certification

File No. 15-140

- (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.