

From: Beth, Margarete@Waterboards
To: ["Jones, Matthew"](mailto:Jones.Matthew); kmurray@sfcjpa.org
Cc: [Michael Martin](mailto:Michael.Martin); [Bill Springer \(BSpringer@valleywater.org\)](mailto:BSpringer@valleywater.org); [Tami Schane \(Tami.Schane@wildlife.ca.gov\)](mailto:Tami.Schane@wildlife.ca.gov); ["Ian Liffman@usace.army.mil" \(Ian.Liffman@usace.army.mil\)](mailto:Ian.Liffman@usace.army.mil); [Joseph Terry \(Joseph.Terry@fws.gov\)](mailto:Joseph.Terry@fws.gov); [Joseph Terry@fws.gov](mailto:Joseph.Terry@fws.gov); [Gary Stern \(gary.stern@noaa.gov\)](mailto:Gary.stern@noaa.gov); [Hurley, Bill@Waterboards](mailto:Hurley.Bill@Waterboards)
Subject: San Francisquito Creek Flood Reduction Project
Date: Wednesday, September 04, 2013 9:59:00 AM

Hello Kevin and Matthew,

Per your email of August 30, 2013 (below), you have indicated that the accounting of Project impacts include all impacts within waters of the State. Therefore, the Water Board has determined that the water quality certification application submitted by SFCJPA on March 12, 2013, including supplemental information received on August 2, 2013, is complete. However, as indicated in my email of August 27, 2013 (below), the project as proposed may not comply with State and Water Board policies.

As I mentioned during our conference call on August 29, 2013, below is a list of additional questions that need further response and discussion.

The next step is to schedule a meeting (most likely with all the agencies – Corps, USFWS, CDFW, NMFS) to discuss project details to identify a project that will achieve the goals and objectives while complying with State and Water Board policies.

Please let me know if you have any questions.

Thank you.

1. The SFJPA have identified impacts in linear feet for some impacts and acres for other impacts. Below is a table that lists Project activities that may potentially impact waters of the State. Please complete the table identifying the impact area in linear feet and acres and indicate/confirm if the impact will be permanent or temporary. Please include any additional impacts that have not been identified in the table.

Activity Type	Linear Feet	Acres	Temporary (T) or Permanent (P) Impact
Floodwall (right)	2154		P
Floodwall (left)	2729		P
Channel excavation/fill			P
-Lowered terrace			P
-Levee setback (right)	2846		P
-Levee setback (left)	2727		P
-Channel bypass			
-Levee degrade (Faber Tract)	1054		P

Rock slope protection (each location)			
-2-ft		1.6	P
-3-ft		0.5	P
-floodwall		1.0	P
-levee toe		2.2	P
Concrete work (tie-ins, etc)			P
-Existing footprint			T
-New footprint			P
Boardwalk			T/P

2. Please confirm if any part of the proposed boardwalk footprint will be in waters of the State.
3. Marsh planting as mitigation for Project impacts within the footprint of the boardwalk will not be included in the mitigation accounting. If the mitigation accounting of 14.63 acres includes any part of the boardwalk footprint, then the proposed marsh planting as mitigation needs to be extended elsewhere within the Project footprint to adequately compensate for project impacts.
4. As was discussed on the conference call on August 29, SFJPA/District will coordinate with District staff to consider biotechnical methods given the project design will widen the channel and rock slope protection may not be necessary.
5. Reuse of excavated sediment. Does the creek have any existing soil contaminant problems that need to be addressed during construction (e.g. residual soil contaminant exposure)? The Project may be subject to sediment characterization prior to reuse.
6. PG&E Tower. The tower needs to be design and constructed with adequate BMPs to avoid and minimize impacts to waters of the State and beneficial uses.
7. Project Alternative Analysis. Further discussion is needed to fully understand the benefits and constraints of project alternative #3. Topics of discussion include the following:
 - a. Please explain why the bypass design would not perform as well as the proposed project for hydraulic conveyance.
 - b. Why would the Faber Tract marsh preserve be required for alternative #3 for flood flow detention given the other alternative #3 design features (e.g. golf course bypass, floodwalls, and lowered terrace)?
 - c. Please explain how this alternative would not reduce impacts to waters of the State as compared to the proposed design given channel excavation would be reduced. In addition, how would alternative #3 result in more significant impacts to traffic, air quality, GHG emissions, especially since the alternative analysis said these impacts would be similar.
8. Mitigation and Monitoring Plan (MMP), dated June 2013
 - a. Table 4: Summary of Impacts (page 19 of the MMP)
 - i. Does the table include replacement of tree removal (other than the 0.75 mitigation riparian)?
 - ii. What type of trees (riparian, ornamental) will be impacted?
 - b. P.6 need to include post-project erosion control.
 - c. Turbidity testing and exceedence levels must be consistent with Basin Plan

(>50 NTU cannot exceed by 10% background)

- d. How will the groundwater located within the project site be tested and treated, if necessary, prior to discharge? Define “high levels of groundwater”.
- e. Monitoring and reporting is proposed for 5 years. SFJPA/District will rely on existing data and continuing monitoring by the Don Edwards Wildlife Refuge, PRBO, and others. This does not provide commitment to maintain and monitor the Project site annually. SFJPA/District needs to provide the responsible party for monitoring and reporting of the Project.
- f. Please explain further: “The SFJPA will attempt to quantify the number of events that result in fluvial connection between [S.F.] Creek and the Faber Tract annually; however, this may not always be possible as events may occur when it is not safe to monitor the creek.”
- g. Criteria:
 - i. The MMP should also include annual criteria including, health & vigor, monitoring of special status indicator species (clapper rail, SMHM, etc.)?
 - ii. Faber Tract monitoring
 - 1. Need to include a water quality monitoring plan
 - 2. Monitoring of sediment deposition due to overflow
 - 3. Monitoring of changes in habitat.
 - 4. Need RWQCB approval to mitigation/monitoring completion

9. Maintenance

- a. Why is maintenance proposed for only 3 years
- b. Please indicate who the response party is for maintenance (e.g. District’s SMP).

10. Temporary Water Diversion Plan

- a. Please provide a diagram of the cofferdams including diversion pipe, discharge locations, energy dissipater, and pump locations.
- b. What is the dewatering duration?
- c. Will the stormwater runoff that will be diverted from the pump stations be treated prior to discharge to the creek or is it treated at the pump station prior to being diverted to the creek?
- d. How will the contractor manage and treat outfall flows into the work area?
- e. What are the protective measures of tidal waters piling up against the downstream cofferdam?
- f. What are Sections 49-2.058 (steel sheet piles) and 13-5.02G (gravel bags)?
 - i. Please explain further: “The second paragraph of this section does not apply.”
- g. How will erosion be avoided and minimized during removal?
- h. Provide a water quality monitoring plan and treatment methods to be implemented for the ponded water, groundwater, and diverted water. SFJPA/District will be required to conduct water quality monitoring and treatment (if necessary) to ensure water quality objectives, as specified in the Basin Plan, are being met.

S.F. Estuary Partnership
1515 Clay Street, 14th Floor
Oakland, CA 94612
Ph: 510:622-2338
Fx: 510-622-2501
mabeth@waterboards.ca.gov

From: Jones, Matthew [mailto:Matthew.Jones@icfi.com]
Sent: Friday, August 30, 2013 9:14 AM
To: Beth, Margarete@Waterboards
Cc: Kevin Murray; Michael Martin; Bill Springer (BSpringer@valleywater.org)
Subject: RE: San Francisquito Creek Flood Reduction Project

Maggie,

Following up on our call yesterday, I have confirmed that our numbers for State Waters are accurate and inclusive of bed and bank. If there is an area you think we've missed, I am happy to go back and double-check.

I can also confirm that rock slope protection within those areas is classified as fill and included in the impact calculations for fill.

Thank you,
Matthew

MATTHEW JONES | Office: 408.216.2815 | Mobile: 408.391.7418 | matthew.jones@icfi.com | icfi.com

ICF INTERNATIONAL | 75 East Santa Clara Street, Suite 300, San Jose, CA 95113

From: Beth, Margarete@Waterboards [<mailto:Margarete.Beth@waterboards.ca.gov>]
Sent: Tuesday, August 27, 2013 3:54 PM
To: Jones, Matthew; Schane, Tami@Wildlife
Cc: Kevin Murray; Michael Martin; Navroop Jassal (njassal@valleywater.org); Bill Springer (BSpringer@valleywater.org); Hurley, Bill@Waterboards
Subject: San Francisquito Creek Flood Reduction Project

Hi Matthew and Kevin,

I have reviewed the JPA's response to the Water Board's incomplete application letter for the San Francisquito Creek Flood Reduction Project. I have a couple of clarifying questions to help me determine the completeness of the application. At this time, the project as proposed in the application, including the response to the incomplete application, may not comply with State and Water Board policies.

The next step is to have a conference call to discuss additional information to determine completeness of the application. Then, schedule another meeting (most likely with all the agencies) to discuss project details to identify a project that will achieve the goals and objectives while complying with State and Water Board policies.

Can we schedule a call in the next two days to discuss?

Thank you.

Margarete "Maggie" Beth
Environmental Specialist
S.F. Regional Water Quality Control Board
S.F. Estuary Partnership
1515 Clay Street, 14th Floor
Oakland, CA 94612
Ph: 510:622-2338
Fx: 510-622-2501
mabeth@waterboards.ca.gov

From: Jones, Matthew [<mailto:Matthew.Jones@icfi.com>]
Sent: Monday, August 05, 2013 10:16 AM
To: Schane, Tami@Wildlife; Beth, Margarete@Waterboards
Cc: Kevin Murray; Michael Martin; Navroop Jassal (njassal@valleywater.org); Bill Springer (BSpringer@valleywater.org)
Subject: Incomplete Application Responses

Tami/Maggie,

Incomplete application responses were sent to both RWQCB and CDFW last week. The responses were sent in hardcopy and hopefully contain all the materials you both need to complete your reviews. If you need any of the supplied materials in electronic format or have any additional questions, do not hesitate to contact myself, Kevin Murray, or SCVWD staff.

We would also like to schedule time to meet with you both, either together or individually, once you've had time to review the packages to discuss any remaining questions or concerns that need to be addressed prior to issuing permits. I am tentatively targeting the week of August the 19th to meet, but let me know if you need more time to review materials or the week will not work (We would gladly meet sooner if preferred).

Thank you,
Matthew

MATTHEW JONES | Principal | Environment & Planning

ICF INTERNATIONAL | 75 East Santa Clara Street, Suite 300, San Jose, CA 95113 | 408.216.2815
| matthew.jones@icfi.com | icfi.com

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