



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Acting Secretary for
Environmental Protection

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Edmund G. Brown Jr.
Governor

March 2, 2011

Ms. Jemelle Cruz
Los Angeles County Department of Public Works
P.O. Box 1460
Alhambra, CA 91803-1460

DENIAL WITHOUT PREJUDICE OF AMENDMENT REQUEST (SEDIMENT PLACEMENT ACTIVITIES) FOR WATER QUALITY CERTIFICATION NO. 10-133 (PROPOSED CRIB DAM REPAIRS AND SLOPE PROTECTION PROJECT), CITY OF LA CRESCENTA, LA CANADA FLINTRIDGE, AND GLENDALE, LOS ANGELES COUNTY (File No. 10-133)

Dear Ms. Cruz:

We are in receipt of your request for an amendment (dated January 19, 2011) of the above-referenced Section 401 Water Quality Certification issued on October 28, 2010.

As we understand, the Los Angeles County Department of Public Works (Applicant) is requesting to amend the existing Certification to include the following additional activities:

1. Proposed relocation of Accumulated Sediment in Lieu of Complete Removal (Pickens Canyon)
2. Emergency Repair of Crib Dam Structure P-1
3. Emergency Repair of Crib Dam Structure P-8

This denial without prejudice is solely for the request to change the scope of work for sediment removal activities. Emergency repairs on crib dams P-1 and P-8 will be addressed separately. The original Certification issued on October 28, 2010 authorized the complete removal of 2,225 cubic yards of accumulated sediment between crib structures P11 and P12A. In the request letter, it states the reason for the amendment request is, "Because an emergency contractor requested a few changes to efficiently and cost-effectively complete the needed tasks."

The proposed sediment placement activity would spread sediment (in lieu of complete removal) between crib structures P-11 and P-10, downstream over an approximate area of 300-feet long, by 50-feet wide, and approximately 4-feet deep. The sediment spreading/placement area would impact approximately 0.52 acre.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Jemelle Cruz
Los Angeles County Department of Public Works

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File No. 10-133

In our review of this amendment request, we do not find that the potential significant impacts have been minimized to the fullest degree possible and we do not find an analysis of alternatives which would include alternatives with less impact. In general, the Regional Board would not authorize sediment spreading in a channel and would consider this a significant environmental impact. In addition, LACDPW has not demonstrated compliance with CEQA review for significant environmental impacts.

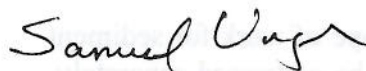
At this time, we are unable to amend the Certification for the sediment removal activities proposed, because we cannot conclude that impacts to waters of the United States have been appropriately avoided and minimized and that the project would not result in an unacceptable degradation of water quality. Section 401 of the Clean Water Act requires that we certify that the sediment placement activities will not cause or contribute to a violation of the State water quality standards.

I hereby deny your amendment request without prejudice pursuant to §3859(d) of Title 23 of the California Code of Regulations (23 CCR) because it is inadequate.

You may choose to revise or submit any pertinent updated information in the future. Additional fees may be required, pursuant to 23 CCR §3833(4), if the revised application is not filed within twelve months of the date of this action; the revised application does not correct the procedural problems which led to this denial without prejudice; or the project has changed significantly in scope or its potential for adverse impact.

Should you have questions concerning this Certification action, please contact Valerie Carrillo, Section 401 Program, at (213) 576-6759 or LB Nye at (213) 576-6785.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Bill Orme, State Water Resources Control Board
Eric Raffini, US Environmental Protection Agency
Cherry Oo (File No. 2010-00833-CO), US Army Corps of Engineers
Sarah Rains, California Department of Fish and Game
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California Environmental Protection Agency



DISTRIBUTION LIST

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