



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Kaili Taniguchi
United Water Conservation District
106 N. 8th Street
Santa Paula, CA 93060

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 7160

**WATER QUALITY CERTIFICATION FOR PROPOSED LAKE PIRU MARINA
PARKING LOT REPAIR PROJECT (Corps' Project No. 2013-00819-AJS), LAKE PIRU,
VENTURA COUNTY (File No. 13-147)**

Dear Mr. Taniguchi:

Board staff has reviewed your request on behalf of United Water Conservation District (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete February 3, 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.

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

Samuel Unger, P.E.
Executive Officer

March 12, 2014

Date

DISTRIBUTION LIST

<p>Kaili Taniguchi United Water Conservation District 106 N. 8th Street Santa Paula, CA 93060</p>	<p>Ventura Coastkeeper Attn: Jason Weiner Associate Director and Staff Attorney 3875-A Telegraph Rd #423 Ventura, CA 93003</p>
<p>Brian Trautwein (via electronic copy) Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101</p>	
<p>Jessie Altstatt Santa Barbara Channel Keeper 714 Bond Street Santa Barbara, CA 93103</p>	
<p>Peter Brand Coastal Conservancy 1330 Broadway, Suite 1100 Oakland, CA 94612</p>	
<p>Antal Szijj Matthew Vandersande/ Crystal Huerta U.S. Army Corps of Engineers Regulatory Branch, Ventura Field Office 2151 Alessandro Drive, Suite 255 Ventura, CA 93001</p>	
<p>Paul Amato U.S. Environmental Protection Agency, Region 9 75 Hawthorne Street San Francisco, CA 94105</p>	
<p>Diane Noda U.S. Fish and Wildlife Service 2493 Portola Road, Suite B Ventura, CA 93003</p>	
<p>Amber Tysor California Coastal Commission South Central Coast Area 89 South California St., Suite 200 Ventura, Ca 93001</p>	

ATTACHMENT A

Project Information
File No. 13-147

1. Applicant: Mr. Kaili Taniguchi
United Water Conservation District
106 N. 8th Street
Santa Paula, CA 93060
Phone: (805) 525-4431 Fax: (805) 525-2661

2. Project Name: Lake Piru Marina Parking Lot Repair

3. Project Location: Lake Piru, Ventura County

<u>Latitude</u>	<u>Longitude</u>
34.476510	118.760411
34.476711	118.760326
34.476916	118.760249
34.476791	118.759893
34.476649	118.759482
34.476418	118.759551
34.476240	118.759612
34.476373	118.759981

4. Type of Project: Parking lot repair

5. Project Purpose: The Applicant will repair an existing marina parking lot at the Lake Piru Recreation Area at Lake Piru Reservoir in Ventura County, California. The northerly slope has eroded away and is undermining the existing parking lot. The damaged parking lot is a safety hazard to park visitors and boaters.

6. Project Description: To prevent further damage, the Applicant is proposing to restore the existing three to one slope, place approximately 290 cubic yards rock riprap, repair approximately 1,900 square feet of existing pavement, replace damaged concrete curbs, and slurry seal and restripe the existing parking lot (approximately 85,000 square feet). The existing embankment shall be over-excavated and placed in compacted lifts. The total volume to rebuild the embankment is

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approximately 720 cubic yards. Approximately 70 cubic yards of additional material shall be borrowed from the adjacent reservoir bed, along the north side of the project area, as necessary.

Since the project area is subject to periodic inundation and flooding, the parking lot and the adjacent boat launch ramp is used when the reservoir water surface elevation falls below 1,022 feet. The maximum water surface elevation is 1,055 feet. The project site is currently dry and is anticipated to stay dry until construction begins. No construction will take place in the wetted portion of the reservoir. Should the water level rise above the project site, the project will be postponed until the reservoir surface elevation returns to existing conditions. Currently the reservoir levels are below elevation 980 feet.

Upon completion of the work, the project site will be returned to the pre-project contours of the reservoir bed with the same equipment used to excavate and fill the slope, and excavate the borrow area. The following is an estimate for the footprint of the project:

- Excavation, fill and riprap cover area (4,500 square feet)
- Borrow area (2,000 square feet)
- Repair pavement area (1,900 square feet)
- Pavement slurry and restripe existing parking lot area (85,000 square feet)

Approximately 0.75 acres of reservoir bed may be temporarily disturbed. The expected project start is May 2014, and the duration is approximately 30 working days. Completion is planned for July 2014.

7. Federal Agency/Permit:

U.S. Army Corps of Engineers
NWP No. 13, 18 (Permit No. 2013-00819-AJS)

8. Other Required
Regulatory Approvals:

California Department of Fish and Wildlife
Streambed Alteration Agreement

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9. California Environmental Quality Act Compliance: The proposed project is Categorically Exempt from CEQA pursuant to the CEQA Guidelines, Section, 15301 Existing Facilities. A Notice of Determination was filed with the Ventura County Clerk on January 14, 2014.
10. Receiving Water: Lake Piru, Santa Clara River Watershed (Hydrologic Unit Code 180701020603)
11. Designated Beneficial Uses: MUN*, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, COLD, WILD, RARE, MIGR, SPWN, WET
- *Conditional beneficial use
12. Impacted Waters of the United States: Lake/Reservoir: 0.75 temporary acres (300 linear feet)
13. 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.
14. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Work shall not take place in the wetted portion of the reservoir.
 - Vegetation will be avoided outside the project boundaries.
 - Sediment control measures will be maintained on-site throughout the duration of the project.
 - Temporary sediment controls and rapid response to failures or emergencies will be in place in the event of predicted rain.
 - Street sweeping and vacuuming will be performed as needed.
 - Wind erosion control and dust control will be implemented.

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15. Proposed
Compensatory
Mitigation:

None

16. Required
Compensatory
Mitigation:

The Applicant shall provide 0.75 acres of mitigation for temporary impacts to Lake/Reservoir waters of the state. 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. 13-147

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. 14, 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.

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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. 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 and 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. 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)

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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 the proposed **0.75 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 and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years.
20. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary loss of **0.75 acres** waters of the United States by creating, restoring or enhancing vegetated lake/reservoir habitat at a minimum **1:1** area replacement ratio (**0.75 acres**). If the Applicant proposes funding to a third-party organization for the creation or restoration of a total of **0.75 acres** onsite or in combination for vegetated lake/reservoir habitat within waters of the United States/Federal jurisdictional wetlands, then funding shall apply to mitigation acreage only, exclusive of administrative costs. The mitigation site shall be located within the Santa Clara River Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
 - (a) Documentation from the third party indicating that funds have been used for mitigation acreage only, which do not include administrative costs.
 - (b) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
 - (c) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
 - (d) Success criteria shall be established.

This information shall be submitted to this Regional Board for approval prior to any disturbance within waters of the United States and shall include copies of all agreements

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made between the Applicant and a third party organization regarding compensatory mitigation efforts.

21. All open space and mitigation areas shall be placed within a conservation easement to ensure preservation in perpetuity. Documentation of proper easement placement shall be submitted to the Regional Board within one year.
22. 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 or project completion has been achieved and documented. The Annual Reports shall describe in detail all of the project and construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. The Annual Reports shall describe the status of other agreements (e.g., mitigation banking) or any delays in the mitigation process. At a minimum the Annual Reports shall include the following documentation:
 - (a) Color photo documentation of the pre- and post-project and mitigation site conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (c) The overall status of project and schedule including 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 for each reach (as required) compiled in a spreadsheet format;
 - (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.
23. 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.

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29. 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.
30. *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.
31. 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.

