



California Regional Water Quality Control Board San Diego Region



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March 29, 2011

In reply refer to:
732207: clofen

Jeffery J. Hitch
City of Murrieta
24601 Jefferson Ave.
Murrieta, CA 92562

Dear Mr. Hitch:

**SUBJECT: CLARIFICATION AMENDMENT TO CWA SECTION 401 WATER
QUALITY CERTIFICATION NO. 09C-003 FOR THE GUAVA STREET
IMPROVEMENT PROJECT**

On December 23, 2010 San Diego Regional Water Quality Control Board (San Diego Water Board) took a Certification action on the Guava Street Improvement Project (Project), Section 401 Water Quality Certification Application No. 09C-003 (Certification).

The project is a roadway improvement project located at Guava Street between Adams Avenue and Jefferson Avenue in the City of Murrieta, Riverside County, CA. The project will elevate and replace an existing paved section of Guava Street and its approaches beginning at the intersection with Adams Avenue from the west and extending to Jefferson Avenue to the east. Currently an unnamed blue-line stream (referred to by Riverside County Flood Control and Water Conservation District as "Line D") bisects Guava Street from the north and flows over and westerly along-side the roadway, before reaching an improperly sized culvert, where flows are directed at a ninety degree angle south to Murrieta Creek. The project will raise Guava Street and result in the construction of an underground box culvert from the intersection of the streambed to Murrieta Creek. The construction of the box culvert will require the placement of fill, resulting in 0.26 acres (493 linear feet) of permanent impacts to the Line D stream.

Pursuant to California Water Code Section 13381, the San Diego Water Board is amending the Certification to provide clarifications regarding project impacts. Amendments to the Certification are necessary for clarification purposes to provide additional specificity regarding the project impacts and mitigation for those impacts in

California Environmental Protection Agency

the Certification. The project, as Certified, will permanently impact 0.26 acres (493 linear feet) of un-vegetated waters of the United States by the construction of a box culvert. Additionally, the proposed box culvert will require on-going maintenance consisting of sediment removal as necessary from the bottom of the box culvert. Temporal maintenance impacts were considered, though not specified, within the Certification conditions. Maintenance activities are necessary during two phases of the project, as the box culvert will be constructed according to design specifications based upon the future restoration of Murrieta Creek during Phase IV of the Murrieta Creek Flood Control and Environmental Restoration Project. Phase IV will widen, deepen and conduct habitat restoration activities for the section of Murrieta Creek that includes the box culvert discharge point. Therefore, sediment removal maintenance by the City of Murrieta is needed due to the anticipated temporary elevation difference between the box culvert terminus and Murrieta Creek prior to completion of Phase IV of the Murrieta Creek Flood Control and Environmental Restoration Project. Following completion of Phase IV of the Murrieta Creek Flood Control and Environmental Restoration Project, it is anticipated that maintenance responsibility will be transferred to the Riverside County Flood Control and Water Conservation District, who will continue maintenance on an as-needed basis.

The Certified mitigation requirements are intended to compensate for the discharge of permanent fill associated with culvert construction, and for impacts associated with the on-going maintenance activities. However, the Certification does not explicitly state that impacts from maintenance of the box culvert is considered within the scope of project impacts.

Therefore, Condition V.A of the Certification (enclosed) is amended as follows:

Mitigation for permanent discharges to 0.26 acres (493 linear feet) of unvegetated waters of the United States, **including impacts associated with on-going as-needed maintenance of the box culvert**, must be achieved as described in the *Habitat Mitigation and Monitoring Plan for Impacts to Riparian Scrub Habitat at the Guava Street Improvement Project, Murrieta, Riverside, California* (prepared by Michael Brandman Associates and Dated December 16, 2010), and as follows:

1. Through the off-site creation (establishment) of a minimum of 0.86 acres (approximately 952 linear feet) of vegetated and unvegetated waters of the United States.

Mr. Jeffrey Hitch
09C-003 Amendments

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The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter. If you have any questions regarding this notification, please contact Chad Loflen at (858) 467-2727 or cloflen@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures

1. Clean Water Act Section 401 Water Quality Certification No. 09C-003

cc electronic copy:

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Tech Staff Info & Use	
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