

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice of Application for
Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: California State Lands Commission

Applicant Contact: Chandrashekar Basavalinganadoddi

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Project Name: The Santa Barbara Channel Hazards Removal Program

Date of Application: November 03, 2014

**Public Notice of Application for
Water Quality Certification for the California State Lands Commission
Santa Barbara Channel Hazards Removal Program**
Affected Counties: Santa Barbara and Ventura

On November 3, 2014, the State Water Board received an application from the California State Lands Commission (Applicant) requesting Federal Clean Water Act, section 401 Water Quality Certification for activities related to the Santa Barbara Channel Hazards Removal Program (Program). The purpose of the Program is to remove derelict structures within the Applicant's jurisdiction in Santa Barbara and Ventura Counties. The Applicant is responsible for public trust in lands that are used for public purposes such as commerce, navigation, fishing, recreation, environmental protection, open space, and habitat. The twenty two hazard sites (including a deep water hazard), located along the Santa Barbara Channel Coastline, are remnants of oil, gas, and other development. The remnants include, but are not limited to, steel beams, wooden posts, wooden and steel sheet piles, railroad irons, abandoned pipelines and electrical cables, well conductors, well casings, and well caissons. These hazards are identified as decaying structures that impede public trust uses, as well as, pose a potential threat to public health and safety.

Proposed Program activities would include exposing the hazards by excavation and removing them by chain saw, oxyacetylene torch, or underwater torch, as appropriate. Hazards will be removed from the beach, intertidal and subtidal zones. This will require shallow diving in some cases, or for one site, deep diving with approach from a boat. The sites will be accessed, from pre-existing access roads and equipment will be staged in pre-existing areas as per an

individual plan for each specific site. Projected temporary impacts to Waters of the U.S. and waters of the state are summarized in Table 1, below.

TABLE 1: Summary of Impacts to Waters of the State and U.S.				
Feature	Permanent Impacts (acre)	Permanent Impacts (linear feet)	Temporary Impacts (acre)	Temporary Impacts (linear feet)
Wetland				
Streambed				
Lake/Reservoir				
Ocean/Estuary/Bay			0.365	
Riparian				
Isolated Waters				
Total Impacts				

Status of CEQA and Other Natural Resource Documents and Permits:

The Applicant, acting as lead agency under CEQA, submitted the Mitigated Negative Declaration (MND) for the Program to the State Clearinghouse (SCH# 2002071146) in July 2002. The Applicant filed a Notice of Determination with the State Clearinghouse on April 23, 2014, approving the MND. The MND covers 21, of the 22 sites. The final site, site 11, has been determined to be exempt from review under CEQA. The Applicant, as lead agency, filed a Notice of Exemption under section 15061(b) (1) on August 9, 2005.

The State Water Board originally certified the Project in 2003, that certification was amended in 2005 to add site 11. The project was then re-certified in 2008.

The Los Angeles District of the U.S. Army Corps of Engineers (Corps) issued a Provisional Permit Modification (Corps File No. SPL-2008-00769-JWM), that authorizes activities implemented under the Program within the Corps' Los Angeles District. The Provisional Permit Modification is contingent upon the issuance of a Clean Water Act 401 Certification.

The California Coastal Commission issued a Coastal Development Permit (File No. E-02-024), adopted February 27, 2003. The Coastal Development Permit was amended on November 23, 2005 (E-02-024-A1), June 20, 2006 (E-02-024), and on October 15, 2008 (E-02-024-A3).

Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact Ana Maria Saenz at (916) 341-5480 or Anamaria.Saenz@waterboards.ca.gov.

Date Posted: December 11, 2014

State Water Resources

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Note: No regulatory decision on the application is implied or intended in this public notice.