

Central Valley Regional Water Quality Control Board

7 October 2013

Cheryl Davis
Contra Costa Water District
P.O. Box H20
Concord, CA 94524

CERTIFIED MAIL
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***CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION; CONTRA COSTA WATER DISTRICT, LOS VAQUEROS
RESERVOIR DAM OUTFALL MAINTENANCE PROJECT (WDID#5B07CR00133),
CONTRA COSTA COUNTY***

This Order responds to the 19 June 2012 application submitted by the Contra Costa Water District (Applicant) for the Water Quality Certification of a channel maintenance project temporarily impacting 0.209 acre/745 linear feet of waters of the United States.

This Order serves as certification of the United States Army Corps of Engineers' Nationwide Permit# 3 (SPK# 2012-00459) under § 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act and State Board Order 2003-0017-DWQ.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to § 13330 of the California Water Code and § 3867 of the California Code of Regulations.
2. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to § 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial Certification action shall be conditioned upon total payment of the full fee required under § 3860(c) of the California Code of Regulations.

4. This Certification is no longer valid if the project (as described) is modified, or coverage under § 404 of the Clean Water Act has expired.
5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.
 - (a) For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (b) For a partnership or sole proprietorship: by a general partner or the proprietor.
 - (c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition number 5 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

TECHNICAL CERTIFICATION CONDITIONS:

In addition to the above standard conditions, the Applicant shall satisfy the following:

1. The Applicant shall notify the Central Valley Water Board in writing seven (7) days in advance of the start of any work within waters of the United States. The notification shall include the name of the project and the WDID number, and shall be sent to the Central Valley Water Board Contact indicated in this Certification.
2. Except for activities permitted by the United States Army Corps of Engineers under § 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. The Applicant shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site

personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.

4. The Applicant shall perform surface water sampling:
 - a) when performing any in-water work;
 - b) in the event that project activities result in any materials reaching surface waters; or
 - c) when any activities result in the creation of a visible plume in surface waters.

The monitoring requirements in Table 1 shall be conducted upstream out of the influence of the project, and 300 feet downstream of the work area. The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff.

Table 1:

Parameter	Unit	Type of Sample	Minimum Sampling Frequency	Required Analytical Test Method
Turbidity	NTU	Grab ⁽¹⁾	Every 4 hours during in-water work	(2, 4)
Settleable Material	mL/L	Grab ⁽¹⁾	Every 4 hours during in-water work	(2)
Visible construction related pollutants ⁽³⁾	Observations	Visual Inspections	Continuous throughout the construction period	—
Dissolved Oxygen (DO)	mg/L & % saturation	Grab ⁽¹⁾	Every 4 hours during in-water work	(2, 4)

⁽¹⁾ Grab samples shall not be collected at the same time each day to get a complete representation of variations in the receiving water.

⁽²⁾ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff.

⁽³⁾ Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

⁽⁴⁾ A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

Surface water monitoring shall occur at mid-depth. A surface water monitoring report shall be submitted to the Central Valley Water Board Contact indicated in this Certification within two weeks of initiation of sampling and every two weeks thereafter. In reporting the monitoring data, the Applicant shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the project complies with Certification requirements. The report shall include surface water sampling results, visual

observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria below.

If no monitoring is conducted, the Applicant shall submit a written statement to the Central Valley Water Board Contact indicated in the Certification stating, "No monitoring was required." with the Notice of Completion.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Turbidity, settleable matter, and dissolved oxygen limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:

- a) Activities shall not cause turbidity increases in surface water to exceed:
 - i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;
 - ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and
 - v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTUs over background turbidity. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior approval of the Central Valley Water Board staff.

- b) Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within 300 feet downstream of the project.
 - c) Activities shall not cause dissolved oxygen to be reduced below 5.0 mg/L for waters designated with the WARM beneficial use, and 7.0 mg/L for waters designated with the COLD or SPWN beneficial uses, in surface water.
6. The Applicant shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, dissolved oxygen or other water quality objectives are exceeded.
7. In-water work shall occur during periods of no flow and no precipitation.

8. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Applicant must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
9. The Applicant shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the project. The Plan must detail the project elements, construction equipment types and location, access and staging and construction sequence. The Plan must also address spill response and prevention measures for potential spills that may occur within the project site.
10. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the United States through the entire duration of the project.
11. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the project area.
12. All areas disturbed by project activities shall be protected from washout or erosion.
13. All temporarily affected areas shall be restored to pre-construction contours upon completion of construction activities.
14. Hydroseeding shall be performed with California native seed mix.
15. The Applicant shall submit to the Central Valley Water Board a Re-vegetation Plan for impacted areas within 15 days of completion of construction activities within waters of the United States. Re-vegetation of impacted areas within the stream bed shall include non-woody, native species. This Re-vegetation Plan shall include the following information:
 - a) A description of and drawings showing the existing contours and existing vegetation of the temporary impact area(s). This information shall include site photographs taken of the temporary impact area(s). For linear projects, these photographs shall be taken from the alignment, in both directions and taken every 50 feet within waters of the United States for the length of the temporary impact areas.
 - b) The methods used to restore the site to its original contour and conditions, as well as a plan for the re-vegetation of the site following construction activities.

- c) The proposed schedule for the re-vegetation activities.

The Applicant shall submit, to the Central Valley Water Board, a Post Re-vegetation Report within 90 days following completion of re-vegetation activities. This Report should describe the Re-vegetation Plan's activities and include photographs of the re-vegetated areas. The camera position and view angles of the photographs shall be identical to pre and post construction photographs required in the Notice of Completion.

16. All materials resulting from the project shall be removed from the site and disposed of properly to ensure that such materials may not be washed into waters of the United States.
17. All dislodged and removed vegetation resulting from the project activities, shall be collected and removed from the site to an appropriate disposal site.
18. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances to surface water and/or soil is prohibited. In the event of a prohibited discharge, the Applicant shall notify the Central Valley Water Board Contact within 24-hours of the discharge. Activities shall not cause visible oil, grease, or foam in the receiving water.
19. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the project.
20. The Applicant shall apply for a name change or amendment to this Certification should any of the following occur: (a) a change in the ownership of all or any portion of the Los Vaqueros Reservoir Dam Outfall Maintenance Project; (b) any change in the project description; (c) any change involving discharge amounts, temporary impacts, and/or permanent impacts; and/or (d) amendments, modifications, revisions, extensions, and/or changes to the United States Army Corps of Engineers' Permit, the United States Fish and Wildlife Service decision document(s), and/or the California Department of Fish and Wildlife Streambed Alteration Agreement.
21. The Applicant shall submit a copy of the final, signed and dated Lake or Streambed Alteration Agreement issued by the California Department of Fish and Wildlife within 14 days of issuance to the Central Valley Water Board Contact indicated in this Certification.
22. The Applicant shall comply with all California Department of Fish and Wildlife requirements, including, but not limited to, those requirements described in the Lake or Streambed Alteration Agreement.
23. The Applicant shall comply with all United States Fish and Wildlife Service requirements, including but not limited to those requirements described in the Programmatic Biological Opinion (08ESMF00-2012-F-0646), provided to the United States Bureau of Reclamation dated 7 November 2012.

24. The Conditions in this Certification are based on the information in the attached "Project Information Sheet." If the actual project, as described in the attached Project Information Sheet, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
25. The Applicant shall implement each of the mitigation measures specified in the certified Environmental Impact Report and Addendum to the Environmental Impact Report for the project, as they pertain to biology, hydrology and water quality impacts as required by § 21081.6 of the Public Resource Code and § 15097 of the California Code of Regulations.
26. 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 and federal law. The applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with this Certification.
 - (a) If the Applicant or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Certification, or falsifies any information provided in the monitoring reports, the applicant is subject to civil liability, for each day of violation, and/or criminal liability.
 - (b) In response to a suspected violation of any condition of this Certification, the Central Valley Water Board may require the Applicant to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) The Applicant shall allow the staff of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the project premises for inspection, including taking photographs and securing copies of project-related records, for the purpose of assuring compliance with this Certification and determining the ecological success of the project.
27. The Applicant shall provide a Notice of Completion (NOC) no later than 30 days after the project completion. The NOC shall demonstrate that the project has been carried out in accordance with the project description in the Certification and in any approved amendments. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.

28. The Applicant shall provide evidence of all on-site and off-site compensatory mitigation to the Central Valley Water Board, including, but not limited to, the restoration of 745 linear feet of Kellogg Creek as required by the California Department of Fish and Wildlife. The Applicant shall submit a Mitigation Plan to the Central Valley Water Board within 30 days of completion of the vegetation removal activities and before proceeding with the Mitigation Plan. Evidence of the restoration project shall consist of an As-built Mitigation Report, as required by the California Department of Fish and Wildlife, and be submitted within 90 days of construction of the mitigation project.

Compensatory mitigation must comply with the effective policy at the time of Certification, which ensures no overall net loss of wetlands for impacts to waters of the State.

CENTRAL VALLEY WATER BOARD CONTACT:

Marisa Van Dyke, Environmental Scientist
Central Valley Regional Water Quality Control Board
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Rancho Cordova, CA 95670-8114
marisa.vandyke@waterboards.ca.gov
(916) 464-4644

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Contra Costa Water District is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Los Vaqueros Reservoir Dam Outfall Maintenance Project pursuant to § 21000 et seq. of the Public Resources Code. The Contra Costa Water District certified an Environmental Impact Report on 31 March 2010. The Contra Costa Water District filed a Notice of Determination with the State Clearinghouse on 1 April 2010 (State Clearinghouse Number 2006012037). The Contra Costa Water District prepared an Addendum to the Environmental Impact Report in August 2013.

The Central Valley Water Board is a responsible agency for the project. The Central Valley Water Board has determined that the Environmental Impact Report and Addendum to the Environmental Impact Report is in accordance with the requirements of the California Environmental Quality Act.

The Central Valley Water Board has reviewed and evaluated the impacts to water quality identified in the Environmental Impact Report and Addendum to the Environmental Impact Report. The mitigation measures discussed in the Environmental Impact Report and Addendum to the Environmental Impact Report to minimize project impacts are required by this Certification.

With regard to the remaining impacts identified in the Environmental Impact Report and Addendum to the Environmental Impact Report, the corresponding mitigation measures proposed are within the responsibility and jurisdiction of other public agencies.

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the Contra Costa Water District's, Los Vaqueros Reservoir Dam Outfall Maintenance Project (WDID#5B07CR00133) will comply with the applicable provisions of § 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. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)".

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in compliance with the conditions of this Certification, the Contra Costa Water District's application package, and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011.


for Pamela C. Creedon
Executive Officer

Enclosure: Project Information Sheet

Attachment: Figure 1 – Los Vaqueros Dam Outfall Location
Figure 2 – Impacts to Potentially Jurisdictional Waters of the State

cc: Distribution List, page 14

PROJECT INFORMATION SHEET

Application Date: 19 July 2012

Applicant: Cheryl Davis
Contra Costa Water District
P.O. Box H20
Concord, CA 94524

Applicant Representative: None

Project Name: Los Vaqueros Reservoir Dam Outfall Maintenance Project

Application Number: WDID#5B07CR00133

Date Application Deemed Complete: 1 October 2013

Type of Project: Channel maintenance

Timeframe of Project Implementation: The Project must be constructed between 1 September through 15 November or as required by the California Department of Fish and Wildlife.

Project Location: Section 14, Township 1 South, Range 2 East, MDB&M.
Latitude: 37°50'18.637"N and Longitude: 121°43'32.765" W

County: Contra Costa County

Receiving Water(s) (hydrologic unit): Kellogg River, San Joaquin Hydrologic Basin, North Diablo Range Hydrologic Unit #543.00

Water Body Type: Wetland, Riparian

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A

comprehensive and specific list of the beneficial uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

303(d) List of Water Quality Limited Segments: Kellogg Creek is the receiving water for the Los Vaqueros Reservoir Dam Outfall Maintenance Project. Kellogg Creek is on the 303(d) list for *Escherichia coli*, Dissolved Oxygen, Salinity, Sediment Toxicity, and Unknown Toxicity. This project, as conditioned with mitigation to prevent transport of sediment due to project activities, should not impact an already impaired water body. The most recent list of approved water quality limited segments is found at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

Project Description: The Los Vaqueros Reservoir Dam Outfall Maintenance Project (Project) is located near the toe of the Los Vaqueros Reservoir Dam (Dam) directly downstream of the outfall to Kellogg Creek. The Dam outfall and adjacent Kellogg Creek allows the reservoir to be drained. The Applicant is required to maintain a specific conveyance capacity to meet State requirements for reservoir drainage during an emergency. In addition, the Applicant is required to provide continual flow of water, in the amount of 5 cubic feet per second, to support downstream stream habitat. The Project consists of substantial vegetation clearing and removal within 745 linear feet of the stream channel and banks directly downstream of the Dam outfall.

The proposed vegetation clearing and removal will involve the use of chainsaws and weed-whackers with potential assistance from a backhoe on the stream banks. The Applicant will not operate heavy machinery in the stream bed. The existing tall-emergent wetland plant species, including roots and shoots, will be removed from the channel to improve flow conveyance. The Applicant's employees will enter the stream channel on foot, using weed-whackers and chainsaws and other hand-held tools, to mow dense vegetation to ground level. Trees with a diameter at breast height of greater than 4 inches, that obstruct flow in the stream channel bottom and interior banks, will be cut to ground level. The tree removal activities will be conducted in accordance with California Department of Fish and Wildlife requirements and restrictions. As part of this Project, vegetation management will not include herbicide application.

The excavated vegetative material will be loaded directly into a haul truck and disposed of at an appropriate off-site facility. The Project will not include grubbing, channel grading, or soil excavation apart from the necessary removal of soil associated with the vegetation. The Applicant regulates the flow of water in the stream channel directly below the Dam outfall and will maintain no flow conditions during the Project activities. Temporary water diversions will not be constructed as part of this Project.

This Certification does not authorize subsequent annual vegetation management of this channel maintenance area, which takes place outside of the 2013 calendar year. In addition, this Certification does not authorize a one-time exercise of the Dam's emergency discharge cone valve to temporarily discharge approximately 150 cubic feet per second of water directly into Kellogg Creek.

The project will temporarily impact 0.209 acre/745 linear feet of waters of the United States.

Preliminary Water Quality Concerns: Construction activities may impact surface waters with increased turbidity, settleable matter, and decreased dissolved oxygen.

Proposed Mitigation to Address Concerns: The Applicant will implement Best Management Practices to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours upon completion of construction activities. The Applicant will conduct turbidity, settleable matter, and dissolved oxygen testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed.

Excavation/Fill Area: Approximately 15 cubic yards of vegetation will be excavated from 0.209 acre of waters of the United States.

Dredge Volume: None

California Integrated Water Quality System Impact Data: The Project will permanently and temporarily impact wetlands and riparian areas as described in Table 2.

Table 2: Impacts from Excavation Activities

Water Feature Type	Permanent			Temporary		
	Acres	Linear Feet	Cubic Yards	Acres	Linear Feet	Cubic Yards
Wetlands						
Wetland tributary	0	0	0	0.197	745	15
Seasonal wetland-1	0	0	0	0.003	-	-
Seasonal wetland-2	0	0	0	0.009	-	-
Wetlands Total	0	0	0	0.209	745	15
Riparian Area						
Riparian vegetation	0.396	745	0	0	0	0
Riparian Area Total	0.396	745	0	0	0	0
Total Impacts	0.396	745	0	0.209	745	0

United States Army Corps of Engineers File Number: SPK #2012-00459

United States Army Corps of Engineers Permit Type: Nationwide Permit #3

California Department of Fish and Wildlife Lake or Streambed Alteration Agreement: The Applicant applied for a Lake or Streambed Alteration Agreement and the Agreement number is 1600-2012-0270-R3.

Possible Listed Species: Alameda whipsnake, California red-legged frog, California tiger salamander, Diamond-petaled California poppy, San Joaquin kit fox, San Joaquin whipsnake, Western pond turtle.

Status of CEQA Compliance: The Contra Costa Water District certified an Environmental Impact Report on 31 March 2010. The Contra Costa Water District filed a Notice of Determination with the State Clearinghouse on 1 April 2010 (State Clearinghouse Number 2006012037). The Contra Costa Water District prepared an Addendum to the Environmental Impact Report in August 2013.

The Central Valley Water Board will file a Notice of Determination with the State Clearinghouse as a responsible agency within five (5) days of the date of this Certification.

Compensatory Mitigation: As required by the California Department of Fish and Wildlife (CDFW), the Applicant will restore 745 linear feet of Kellogg Creek downstream of the Project impact area to mitigate for 0.209 acre of temporary impacts to waters of the United States and 745 linear feet of permanent impacts to the riparian areas. Consistent with the CDFW requirements, the Applicant will submit a Mitigation Plan to the Central Valley Water Board for review within 30 days of completion of the vegetation removal activities and before proceeding with the Mitigation activities.

The Central Valley Water Board is not requesting additional compensatory mitigation for the Los Vaqueros Reservoir Dam Outfall Maintenance Project.

Application Fee Provided: Total fees of \$7,033.00 have been submitted to the Central Valley Water Board as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.

DISTRIBUTION LIST

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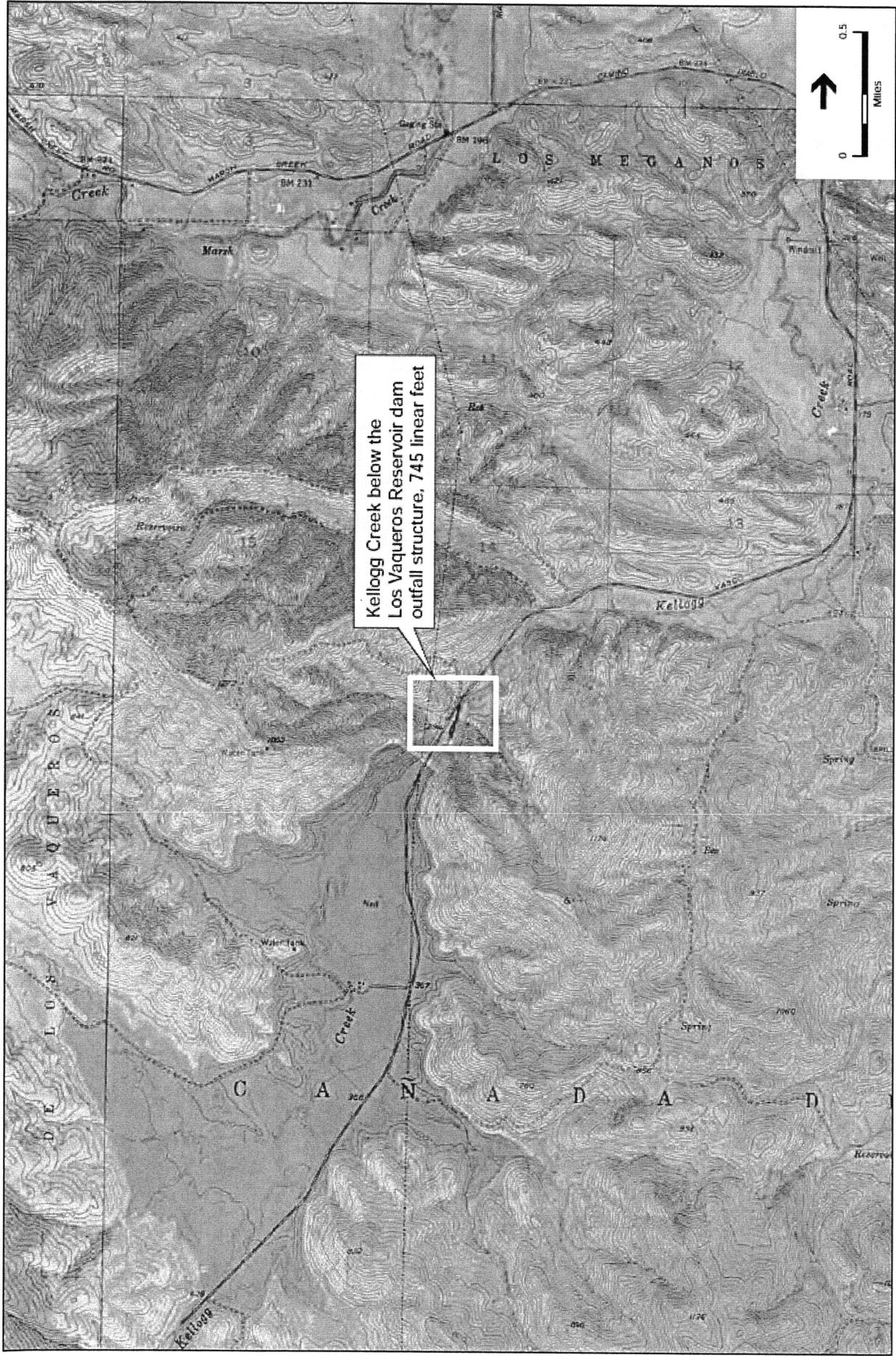
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Los Vaqueros Reservoir Expansion EIR/EIS - EIR Addendum . 201110
Figure 1
 Los Vaqueros Dam Outfall Location

SOURCE: U.S. Geological Survey

