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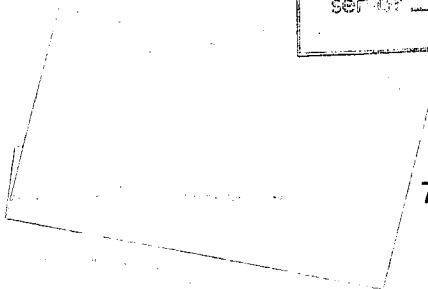
MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

APPROVED	
author	<u>LWD</u>
signature	

Central Valley Regional Water Quality Control Board

29 August 2014

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



CERTIFIED MAIL
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ORDER AMENDING CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; CONTRA COSTA WATER DISTRICT, LOS VAQUEROS RESERVOIR DAM OUTFALL MAINTENANCE PROJECT (WDID#5B07CR00133A1), CONTRA COSTA COUNTY

This Order responds to the 26 June 2014 request for an amendment of the Los Vaqueros Reservoir Dam Outfall Maintenance Project § 401 Water Quality Certification (WDID#5B07CR00133). The original Water Quality Certification (Certification) was issued on 7 October 2013. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

The Contra Costa Water District (Applicant) requested an amendment to the original Certification to include minor changes in the project description (described below). The changes include the addition of subsequent annual maintenance of vegetation within Kellogg Creek and authorization to exercise the Los Vaqueros Dam's emergency discharge cone valve.

The Project Information Sheet is amended as shown in underline/strikeout format below:

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 Project also involves annual vegetation management within the 745 linear foot segment of Kellogg Creek to maintain the required conveyance capacity.

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.

In addition, the California State Division of Safety of Dams recommends the exercise of Los Vaqueros Dam's emergency discharge cone valve annually. The exercise activities involve releasing approximately 150 cubic feet per second into Kellogg Creek for five minutes. The water will be released from the Los Vaqueros Dam Intake structure.

The Applicant plans to conduct the exercise activities a maximum of one time per year. The exercise activities will be planned after a period of time following routine vegetation management to allow the creek bed substrate to stabilize. The exercise activities will not be conducted when the channel contains loose debris and un-stabilized soil. The Applicant will conduct an inspection of the channel prior to the annual exercise activities to ensure that the area is stabilized. The inspection reports will be retained by the Applicant.

~~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 up to five times through 18 March 2017.¹

¹ The verification of Nationwide Permit-3 (SPK-2012-00459) is valid until 18 March 2017.

Additional Technically Conditioned Certification Conditions are amended as shown in underline/strikeout format below

1. The Applicant shall notify the Central Valley Water Board in writing (7) days in advance of the start of any each phase of 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.

[...]

27. The Applicant shall provide a Notice of Completion (NOC) no later than 30 days after each phase of 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

APPLICATION FEE RECEIVED:


Additional fees were not collected for this amendment. Total fees of \$7,033.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by § 3833 (b)(3)(A) and by § 2200 (a)(3) of the California Code of Regulations.

CENTRAL VALLEY WATER BOARD CONTACT:

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WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Los Vaqueros Reservoir Dam Outfall Maintenance Project (WDID#5B07CR00133A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

for 
Pamela C. Creedon
Executive Officer

cc: Distribution List, page 5

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