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## Central Valley Regional Water Quality Control Board

7 September 2017

Jerry Snow  
Department of Water Resources  
1416 9<sup>th</sup> Street  
Sacramento, CA 95814

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***ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; DEPARTMENT OF WATER RESOURCES, HOUSTON CANAL AND WEST CANAL EROSION REPAIR AND ROAD GRADING PROJECT (WDID#5B07CR00168A3), CONTRA COSTA COUNTY***

This Order responds to the 22 December 2016 request for an amendment of the Houston Canal and West Canal Erosion Repair and Road Grading Project Section 401 Water Quality Certification (WDID#5B07CR00168). The original Water Quality Certification (Certification) was issued on 29 January 2015 and amended on 3 February 2017 and 21 April 2017. The third requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

**AMENDMENT:**

The Department of Water Resources is requesting an increase to the amount of permanent impacts to waters of the United States due to increased erosion at several repair sites. The repair to the erosion sites will increase permanent impacts to waters of the United States from 0.1306 acre to 0.177 acre/152 linear feet. The amount of riprap fill materials placed below the ordinary high water mark is increasing from 20 to 500 cubic yards to provide adequate repair for the increased project footprint. The United States Corps of Engineers authorized the increased permanent impacts to waters of the United States on 12 June 2017 (SPK-2015-00375).

The Certification is amended as shown in underline/strikeout format below:

This Order responds to the 10 April 2015 application submitted by the California Department of Water Resources (Applicant) for the Water Quality Certification of the Houston Canal and West Canal Erosion Repair and Road Grading Project (Project), permanently impacting ~~0.1306 acre~~ 0.177 acre/152 linear feet of waters of the United States.

Technical Condition 22 is amended as shown in underline/strikeout format below:

The Applicant shall provide evidence of all on-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Evidence of mitigation includes, but is not limited to, creation or restoration of ~~0.0062 acre~~ 0.177 acre of stream bed habitat, or as required by the United States Army Corps of Engineers.

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

**Project Description:** The Houston and West Canal Erosion Repair and Road Grading Project (Project) is located at Clifton Forebay. The Project consists of repairing 13 erosion sites along the levees of Houston Canal and West Canal and access road grading following repair of all erosion sites.

The staging area for equipment used during Project activities will be located at existing staging areas adjacent to Clifton Forebay, located on the southern end of Italian Slough and southern end of West Canal, as shown on Figure 1. Equipment will be moved from the staging area to the repair activity planned for the day, then moved back to the appropriate staging area at the end of the day.

Levee erosion repair sites will be repaired to their original 4:1 slope ratio using native soil and 12-inch riprap or greater to reinforce the bank and levee. Approximately ~~20~~ 500 cubic yards of riprap will be placed below the ordinary high water mark to repair the levee erosion. Road grading will occur along the levee road along Houston Canal and West Canal. Grading will occur within the existing footprint of the levee road extent and will not involve widening or lengthening the existing road. New aggregate base will be applied only on the driving surface of the road. New v-ditches may be cut along roadway margins as needed to perform as temporary runoff facilities for the newly graded road. Levee erosion repairs and grading activities will impact ~~0.1306 acre~~ 0.177 acre/152 linear feet of waters of the United States.

Riprap reserved for use during local repair Projects will be used for the Project. Riprap will be washed using a water cannon mounted on a water truck located adjacent to the bed of the dump truck transporting the riprap. Riprap washing will occur within the truck bed. Minimal runoff is expected. Wash water will be contained on land and not discharged into surface waters. Discharge of wash water into surface waters is not permitted by this Certification.

No dewatering will occur within the Project area. Wet concrete will not be placed in waters of the United States. Work will be performed during low tide when the water level is below the construction area. The Project will permanently impact ~~0.1306 acre~~ 0.177 acre/152 linear feet of waters of the United States.

**Table 2: Impacts from Fill Activities**

Aquatic Resource Type	Temporary			Permanent					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet
Stream Channel	-	-	-	<del>0.1306</del> 0.177	-	152	-	-	-

**Compensatory Mitigation:** The Applicant shall provide evidence of all on-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Evidence of mitigation includes, but is not limited to, on-site creation or restoration of ~~0.1306 acre~~ 0.177 acre/152 linear feet of stream bed habitat, or as required by the United States Army Corps of Engineers.

**Table 3: Compensatory Mitigation for Permanent Physical Loss of Area**

Aquatic Resource Type	Temporary			Permanent					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet
Stream Channel	-	-	-	<del>0.1306</del> 0.177	-	-	-	-	-

**APPLICATION FEE RECEIVED:**

Fees of \$1,231.00 were submitted for this amendment. Total fees of \$741.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by Section 3833(b)(3)(A) and by Section 2200(a)(3) of the California Code of Regulations.

**CENTRAL VALLEY WATER BOARD CONTACT:**

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The Central Valley Water Board has determined that this project meets the Categorical Exemption, under Section 15301 and Section 15304 of the California Code of Regulations, which exempts: 1) the repair and maintenance of existing public or private structures or topographical features that does not extend past the existing footprint of the Project area, and 2) minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Houston Canal and West Canal Erosion Repair and Road Grading Project (WDID#5B07CR00168A3). 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.

*Original Signed By Adam Laputz for:*

Pamela C. Creedon  
Executive Officer

cc: Distribution List, page 5

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