



California Regional Water Quality Control Board
Los Angeles Region

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Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

Mr. Sterling Klippel
Los Angeles County Flood Control District
900 S. Fremont Avenue
Alhambra, CA 91803

WATER QUALITY CERTIFICATION FOR PROPOSED SAN DIMAS DAM
MAINTENANCE PROJECT (Corps' Project No. 2011-01029-CO), SAN DIMAS WASH,
LA VERNE, LOS ANGELES COUNTY (File No. 11-159)

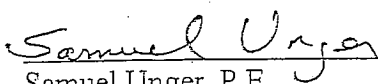
Dear Mr. Klippel:

Board staff has reviewed your request on behalf of Los Angeles County Flood Control District (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on November 30, 2011.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 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, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Valerie Carrillo, Lead, Section 401 Program, at (213) 576-6759.


Samuel Unger, P.E.
Executive Officer

Feb. 23, 2012
Date

DISTRIBUTION LIST

Ms. Grace Yu (via electronic copy)
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State Water Resources Control Board
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U.S. Environmental Protection Agency, Region 9
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Jim Bartel
U.S. Fish and Wildlife Service
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Carlsbad, CA 92009

ATTACHMENT A

Project Information
File No. 11-159

1. Applicant: Mr. Sterling Klippel
Los Angeles County Flood Control District
900 S. Fremont Ave
Alhambra, CA 91803
Phone: (626) 458-6351 Fax: (626) 979-5436

2. Applicant's Agent: Ms. Grace Yu
Los Angeles County Flood Control District
900 S. Fremont Avenue
Alhambra, CA 91803
Phone: (626) 458-6139 Fax: (626) 979-5436

3. Project Name: San Dimas Dam Maintenance Project

4. Project Location: La Verne, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.154786	117.772314
34.160733	117.768003
34.160711	117.77025
34.155678	117.773689
34.158767	117.771967
34.162236	117.770167
34.157589	117.773472
34.154517	117.772917

5. Type of Project: Dam maintenance

6. Project Purpose: The Project is necessary for maintaining a safe and reliable operation of San Dimas Dam. The recommended work will support critical flood control operations, promote water conservation efforts, safely allow emergency dewatering releases, and guarantee a structurally sound flood control facility.

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7. Project Description

There are five main parts of the proposed project

1. There will be the removal of temporary steel plates on the debris rack. The plates are no longer necessary, as they were put up as part of post-fire mudflow mitigation measures after the Williams Fire in 2002.
2. The large and small debris racks and flood control gates (sluice gate and two slide gates) need to be recoated with epoxy paint certified for use with potable water in order to maintain reliable flood control and groundwater recharge operations. The recoating will take place off-site and not in the reservoir.
3. The reservoir stilling well, which is used to measure the reservoir water surface elevation, is corroded and needs to be replaced. The upstream catwalks and ladders necessary for accessing the debris racks for maintenance work also need to be replaced and upgraded to meet current safety requirements.
4. The dam outlet tunnel will be resurfaced. The 14-foot by 6 feet dam outlet tunnel is deteriorating and needs to be resurfaced to prevent further concrete deterioration. The hydraulic actuators and gates will be removed, rehabilitated, and reinstalled.

Lastly, minor grading within the reservoir area may be necessary to provide access to the upstream face of the dam. Grading work will be conducted within the dry footprint of the reservoir. It may also be necessary to move material from the upper reservoir area to stabilize the access path.

8. Federal Agency/Permit:

U.S. Army Corps of Engineers
Permit No. 2011-01029-CO

9. Other Required
Regulatory Approvals:

California Department of Fish and Game
Streambed Alteration Agreement

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10. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 (Existing Facilities)
11. Receiving Water: San Dimas Dam and Reservoir is tributary to San Dimas Wash (Hydrologic Unit No. 405.44)
12. Designated Beneficial Uses: MUN*, GWR, REC-1, REC-2, WARM, COLD, WILD
*Conditional beneficial use
13. Impacted Waters of the United States: Lake/Reservoir: 3.31 temporary acres
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant: The proposed San Dimas Maintenance Project will occur within the same footprint as the 2008-2009 San Dimas Reservoir Sediment Removal Project that started in August 2008. The Sediment Removal Project removed an estimated 522,500 tons of sediment from the reservoir and was completed in July 2009. Environmental monitoring and mitigation measures in the reservoir area were implemented during the course of the previous sediment removal work.
16. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Work will begin after storm season and will be performed when reservoir inflows are low. The reservoir will be dewatered prior to the start of any project activities. Any residual pools of water will be pumped out of the reservoir through the outlet tunnel. Efforts will be made to minimize sediment-laden flows discharged from the reservoirs.

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- The bypass pipeline and/or pump used to dewater any residual flow will include a screen filtering mesh with sufficient area to reduce the velocities so that fishes are not trapped. Pump intakes shall have a 1/8 inch, or smaller, screen mesh with pumping velocity not exceeding 0.33 fps for a non-self-cleaning net/screen, or 0.4 fps for a self-cleaning net/screen. The screen area shall be monitored at a rate recommended by a biologist
- BMPs will be implemented to minimize project sediment runoff and deposition. BMPs include but are not limited to: placing sandbags, installing desilting fences, setting up a bypass pipeline, and/or installing water diversion structures to prevent sediment from entering low flow areas.
- A Surface Water Diversion Plan will be provided by the contractor and submitted to the regulatory agencies prior to the start of work. Reservoir inflows will be captured using a bypass pipeline and/or water diversion structures. Low flows will be released through the outlet tunnel and low flow 16" valve. Surface water will be directed around the project site to ensure the work area remains dry. Changes to the proposed length of the bypass pipeline have been made to minimize impacts.
- Water diversion structures and bypass pipelines will be designed with sufficient capacity to divert high inflows caused by probable summer storms. Should there be any summer storms during construction, open excavated areas will be covered, any unfinished graded slopes will be stabilized before the contractor evacuates, and no equipment will be stored in the streambed.
- Grading areas will be visually marked prior to any excavation and placement work. A water truck will be utilized in the reservoir for dust control during grading activities.
- Debris generated from construction activities shall be properly contained using appropriate BMPs. A dust and debris containment plan will be implemented.
- No oil and/or petroleum byproducts will be discharged into the streambed. Vehicles will be maintained and checked prior to entering the worksite.

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- Equipment staging will occur on the dam, on the existing reservoir access road, and within project work area. Materials and equipment will be stored outside of the streambed or low flow areas.
- Work activities will be conducted on the face of the dam and within the project work area.
- The contractor will be required to submit a certification of clean equipment to prevent noxious weeds and invasive species from entering the project site and to minimize or avoid impacts to biological resources.
- Fish exclusionary fencing will be installed upstream of project activities to prevent fish from entering the work area.
- Work sites will be clearly flagged or staked to avoid potential impacts to adjacent natural habitats or sensitive areas.
- Prior to ground disturbing activities, qualified biologists will conduct a biological preconstruction survey. All species will be relocated by the biologists out of the work area prior to construction.
- Project activities will be limited within an existing reservoir footprint and will only temporarily impact a small disturbed reservoir area generally inundated by water and denude by vegetation.

17. Proposed
Compensatory
Mitigation:

The Applicant has proposed to provide enhancement within the reservoir.

18. Required
Compensatory
Mitigation:

The Regional Board will require a onetime removal of noxious or invasive species within a 3.31 acre area within the reservoir.

See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

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Conditions of Certification File No. 11-159

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867)
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Game's (CDFG) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this Certification, the CDFG's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 16, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

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6. Fueling, lubrication, maintenance, operation and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact the Land Disposal Unit at the Regional Board for further information regarding the disposal of solid wastes.
10. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
11. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
12. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.

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13. Application of pesticides must be supervised by a certified applicator and be in conformance with manufacturer's specifications for use. Compounds used must be appropriate to the target species and habitat. All pesticides directed toward aquatic species must be approved by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2004-0008-DWQ and 2004-0009-DWQ.
14. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a five-day (5-day) clear weather forecast before conducting any operations within waters of the State.
15. If rain is predicted after operations have begun, activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
16. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
17. All project/construction/maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting.
18. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** (plan) to this Regional Board. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:
 - pH
 - temperature
 - dissolved oxygen
 - turbidity
 - total suspended solids(TSS)

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Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to diversion and then monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

19. The Applicant shall restore the proposed **3.31 acres** of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. The Applicant will also implement a one-time removal of noxious weeds and invasive species in a 3.31 acre area within the reservoir boundary. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
20. The Applicant shall submit to this Regional Board a **Final Monitoring Report** (Final Report) before **January 1st** of the year following project completion. The Final Report shall describe in detail all of the project/construction activities performed during the previous year and all enhancement efforts; At a minimum the Final Report shall include the following documentation:
 - (a) Color photo documentation of the pre- and post-project and enhancement area conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the enhancement areas;
 - (c) The overall status of project including a detailed schedule of work;
 - (d) Copies of all permits revised as required in Additional Condition 1;
 - (e) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;
 - (f) A certified Statement of "no net loss" of wetlands associated with this project;

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- (g) Discussion of any monitoring activities and exotic plant control efforts; and
- (h) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
21. Prior to any subsequent maintenance activities within the subject drainages/basin, including clearing, maintenance by-hand, and/or the application of pesticides, the Applicant shall submit to this Regional Board a NOTIFICATION of any such activity. Notification shall include: (a) the proposed schedule; (b) a description of the drainage's/basin's existing condition/capacity; (c) the area of proposed temporary impact within waters of the State; (d) a description of any existing aquatic resources (e.g., wetland/riparian vegetation); and (e) any proposed compensatory mitigation. Notifications must be submitted a minimum of three (3) weeks prior to commencing work activities.
22. All applications, reports, or information submitted to the Regional Board shall be signed:
- (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
- (b) For a partnership, by a general partner.
- (c) For a sole proprietorship, by the proprietor.
- (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
23. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

"I declare 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system or those 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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Executed on the _____ day of _____ at _____.

(Signature)
(Title)"

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24. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number 11-159. Submittals shall be sent to the attention of the 401 Certification Unit.
25. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
26. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. 01-182. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment. The project shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 2009-009-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.
27. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.
28. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
29. *Enforcement:*
 - (a) 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 law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a

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limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.

- (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
30. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.