



# California Regional Water Quality Control Board Los Angeles Region



Linda S. Adams  
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Arnold Schwarzenegger  
Governor

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Mr. Safa Kaddis  
City of Los Angeles  
221 N. Figueroa Street, Suite 350  
Los Angeles, CA 90012

## WATER QUALITY CERTIFICATION FOR PROPOSED WINNETKA AVENUE BRIDGE RESTORATION PROJECT (Corps' NWP. 14), LOS ANGELES RIVER, CITY OF RESEDA, LOS ANGELES COUNTY (File No. 10-027)

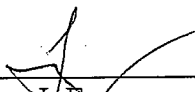
Dear Mr. Kaddis:

Board staff has reviewed your request on behalf of City of Los Angeles (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on March 9, 2010.

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.

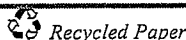
The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

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

  
\_\_\_\_\_  
Tracy J. Egoscue  
Executive Officer

3/29/10  
\_\_\_\_\_  
Date

*California Environmental Protection Agency*



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

## DISTRIBUTION LIST

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**ATTACHMENT A**

**Project Information  
File No. 10-027**

1. Applicant: Safa Kaddis  
City of Los Angeles  
221 N. Figueroa Street, Suite 350  
Los Angeles, CA 90012  
Phone: (213) 202-5570 Fax: (213) 202-5518

2. Applicant's Agent: Linda Moore,  
Los Angeles Dept. of Public Works  
221 N. Figueroa St., Suite 350  
Los Angeles, CA 90012  
Phone: (213) 202-5575 Fax: (213) 202-5518

3. Project Name: Winnetka Avenue Bridge Restoration

4. Project Location: Reseda, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.1908	118.5699

5. Type of Project: Bridge restoration project

6. Project Purpose: The Winnetka Avenue Bridge is on the Eligible Bridge List (EBL) of the Local Federal Highway Bridge Replacement (HBRR) program. The Bridge has received a low Sufficiency Rating (SR) because the geometry of the Bridge's deck is not 'sufficient to handle the current or projected number of Average Daily Trips (ADT).' The proposed project would improve the load capacity and geometry of the bridge deck to handle current and projected ADT.

7. Project Description: Winnetka Avenue accommodates traffic traveling from the 101 freeway over the Los Angeles River to the community of Reseda. Winnetka Avenue roadway narrows significantly at the approach to

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the Winnetka Avenue Bridge. The bridge's deck width is less than acceptable for the Average Daily Trips (ADT) and number of lanes. Caltrans Bridge Inspection Report finds that it is intolerable and requires corrective action. In addition to inadequate deck width, key safety issues with the bridge are substandard barrier railing and approach transition barrier.

The City of Los Angeles proposes to improve the Winnetka Avenue/Los Angeles River Bridge to improve the safety of pedestrian and motorists. The project will widen the bridge deck by 38 feet, 19 feet on each side to match the existing approach of Winnetka Avenue. Construction will include improvements to both the substructure and the superstructure to support the widened deck. The proposed project will also provide improvements to other elements bridge such as railings, approach guardrails, transition guardrails, and signage.

The existing bridge is a double span, concrete structure (pre-stressed precast girder bridge), approximately 172 feet in length, 62 feet in width and accommodates two-way traffic within four undivided 12.5-foot travel lanes (with no shoulders). The existing bridge has 5-foot wide sidewalks and guardrails on both sides for the length of the bridge.

The bridge abutments and pier (the reinforced concrete structures providing support for the bridge deck) will be widened by 20-feet on each side. Once completed, the new bridge abutments will lie completely outside of the Los Angeles River channel.

Construction will require the temporary removal of selected concrete-channel wall and channel floor sections: An approximately 20-foot section of channel on each side of the bridge (east and west of the bridge deck) and the area around the pier will be removed to accommodate construction of the new abutments and pier extension. After the new abutment and pier structures have been constructed, the channel walls and channel floor will be restored to their original dimensions. Once the bridge improvements have been implemented the bridge will not require any future construction other than standard maintenance.

In addition to the bridge improvements, the proposed project includes construction of a key link in a future bike path extended

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along the south-bank of the Los Angeles River. Currently, the path extends along an unpaved maintenance road along the top of the channel, which is broken by the existing bridge. The bike path will follow the existing service road to where it dead ends at Winnetka Avenue Bridge. At the end of the service road the bike path will dip into wall of the Los Angeles River channel beneath the Winnetka Avenue Bridge and connect with the service road, which continues on the east side of the bridge. The completed bike path will eventually link North Los Angeles to the communities of Woodland Hills and Tarzana and partially fulfill the City's goal of completing a comprehensive bikeway system for the City of Los Angeles.

8. Federal Agency/Permit: U.S. Army Corps of Engineers  
NWP No. 14
9. Other Required Regulatory Approvals: California Department of Fish and Game  
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 Replacement or Reconstruction.
11. Receiving Water: Receiving water from Los Angeles River (Hydrologic Unit No. 405.21)
12. Designated Beneficial Uses: MUN\*, IND, GWR, REC-1, REC-2, WARM, WILD, WET  
\*Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.01 temporary acres
14. Dredge Volume: None
15. Related Projects Implemented/to be: Several bridge projects are planned. Impacts will be similar to the proposed project at the following bridge locations:

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Implemented by the Applicant:

- Tujuinga Avenue Bridge Restoration Project
- Radford Avenue Bridge Restoration Project
- Fulton Avenue Bridge Restoration Project
- Moorpark Street Bridge Restoration Project
- Saticoy Street Bridge Restoration Project
- Vanowen Street Bridge Restoration Project

16. Avoidance/Minimization Activities:

The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:

- Appropriate erosion control techniques including silt fences, hay bales and sand bags. These required erosion control measures have been incorporated into the proposed project design and contractor specifications;
- Construction operation will occur in dry seasons or when there is little or no flow in the channel;
- Any flow within the channel during the construction will be diverted away to attain a dry work environment; and
- Construction equipment will be properly maintained to prevent pollutants from entering the channel.

17. Proposed Compensatory Mitigation:

The Applicant has not proposed any compensatory mitigation due to the temporary nature of impacts associated with the project and the location of the project within a concrete-lined channel.

18. Required Compensatory Mitigation:

Since the project impacts are temporary in nature and within a concrete-lined channel, the Regional Board will not require any additional compensatory mitigation.

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

## ATTACHMENT B

### Conditions of Certification File No. 10-027

#### 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, the approved, 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. 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.
8. All waste and/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 (213) 620-6119 for further information.
9. 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.
10. 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.
11. 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.
12. 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.



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13. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
14. All project/maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
15. 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)

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

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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.

16. The Applicant shall restore **all areas** 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. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
17. The Applicant shall submit to this Regional Board a **Final Project Monitoring Report** (Final Report) by **January 1<sup>st</sup>** of the year following project completion. The Annual Reports shall describe in detail all of the project/construction activities performed, as well as any restoration activities. At a minimum the Final Report shall include the following documentation:
  - (a) Color photo documentation of the pre- and post-project site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project 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 (as required) compiled in an easy to interpret format;
  - (f) A certified Statement of "no net loss" of wetlands associated with this project;
  - (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.
18. 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 (d)

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any proposed compensatory mitigation. Notifications must be submitted a minimum of **three (3) weeks** prior to commencing work activities.

- 19. 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.

20. 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)"

- 21. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **10-027**. Submittals shall be sent to the attention of the 401 Certification Unit.
- 22. 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.
- 23. 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

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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. 99-08-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.

24. 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.
25. 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.
26. *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 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.

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- (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.
27. 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.