



# California Regional Water Quality Control Board

## Los Angeles Region



Linda S. Adams  
Agency Secretary

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Arnold Schwarzenegger  
Governor

Linda Moore  
City of Los Angeles, Dept. of Public Works  
221 N. Figueroa Street, Suite 350  
Los Angeles, CA 90012

**WATER QUALITY CERTIFICATION FOR PROPOSED COLFAX AVE. BRIDGE OVER LOS ANGELES RIVER REPLACEMENT, BRIDGE 53C-1141 PROJECT (Corps' NON-NOTIFYING NWP 14), LOS ANGELES RIVER, CITY OF LOS ANGELES, LOS ANGELES COUNTY (File No. 09-184)**

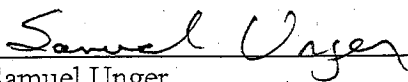
Dear Ms. Moore,

Board staff has reviewed your request on behalf of City of Los Angeles, Department of Public Works (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete June 29, 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.

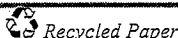
The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Dana Cole, Section 401 Program, at (213) 576-5733.

  
\_\_\_\_\_  
Samuel Unger  
Interim Executive Officer

8-18-10  
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. 09-184

1. Applicant: Linda Moore  
City of Los Angeles, Dept. of Public Works  
221 N. Figueroa Street, Suite 350  
Los Angeles, CA 90012  
Phone: (213) 202-5575 Fax: (213) 202-5518

2. Project Name: Colfax Avenue Bridge Over Los Angeles River  
Bridge No. 53C-1141

3. Project Location: City of Los Angeles, Los Angeles County

<u>Latitude</u> (decimal degrees)	<u>Longitude</u> (decimal degrees)
34.1422	118.3878
34.1435	118.3878
34.1430	118.3875
34.1421	118.3876
34.1428	118.3878
34.2143	118.3876
34.1426	118.3876
34.1421	118.3877

4. Type of Project: New bridge construction

5. Project Purpose: The new bridge will be built by the Bridge Improvement Program under the Federal Highway Bridge Program. The proposed scope of work involves providing a wider roadway on the bridge to improve functionality and safety.

The existing steel deck truss bridge, built in 1956, has been identified with major deficiencies:

The City of Los Angeles Bureau of Engineering evaluated the feasibility of widening the existing structure versus replacement, and concluded the most cost-effective solution with the least long-



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term impacts to the community and the environment would be to replace the Colfax Avenue Bridge over the Los Angeles River. In considering the vulnerabilities of steel deck truss bridges, as evidenced by the 2007 collapse of the I-35W Bridge in Minneapolis, the City of Los Angeles determined the replacement of the Colfax Avenue Bridge to be mandatory.

#### 6. Project Description:

The existing steel deck truss style bridge was seismically retrofitted in 1994 to add isolation bearings to reduce seismically induced lateral inertial forces to pilasters in the vertical concrete walls of the river channel lining on which the bridge is supported. Due to increased traffic, the bridge is now functionally obsolete due to its narrow width. Widening the deck will overload the steel trusses and increase its vulnerability to collapse in a major earthquake.

The new structure will be approximately 28 feet wider than the existing bridge and will accommodate one lane of traffic, a five-foot wide bike lane and a seven-foot wide sidewalk in each direction with a ten-foot wide painted median. The total length of the new bridge will be approximately 343 feet, approximately 39 feet longer than the existing bridge. The new bridge will be a cast-in-place post-tensioned concrete arched box girder structure clear spanning the concrete lined river channel.

Clearance under the approach spans will enable channel maintenance road and bike path on both sides of the river channel. The current pedestrian connection between street level and the existing pedestrian bridge immediately adjacent to the Colfax Avenue Bridge will be replaced with a stairway and Americans with Disability Act compliant ramp at the southeast corner of the new bridge.

The new bridge will incorporate architectural features that enhance the aesthetics including small overlooks on each side of the bridge, decorative metal railing with integral LED lighting, two public art pieces, colored concrete, and street lights.

Construction vehicles will access the maintenance road along the north side of the river channel by an existing maintenance driveway from Colfax at the northwest corner of the bridge. Materials and small equipment needed in the river channel will be lowed by crane;





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no vehicles will need to access the concrete-lined river channel. The area disturbed by construction activities would be limited to the area beneath the bridge and extending approximately 15 feet on either side of the replacement bridge.

Construction staging will occur in a portion of Colfax Avenue closed to traffic immediately north of the bridge. Protection for the concrete river channel will be installed covering the flow in the low-flow channel. The existing deck and sidewalk will be removed from the bridge using equipment located on the bridge. The approach spans will be dismantled, lowered to the ground outside the river channel and processed for removal from the site. Portions of the truss will be dismantled so the remaining truss structure will progressively settle onto temporary support work in the river channel, where it will be further dismantled to segments suitable to haul from the site. The existing concrete abutments will then be broken up using a hoe ram and hauled from the site.

New foundations for the replacement bridge consist of 72-inch diameter cast in-place-as-drilled piles; six for each abutment and each pier installed outside the concrete river channel on both sides. A single reinforced concrete pile cap will cover the abutment and pier piles on each side. The cast-in-place reinforced concrete abutment walls will then be constructed on the pile caps. Since foundation construction occurs completely outside the river channel, the work may be performed during the rainy season.

Temporary support work for supporting the formwork for the cast-in-place concrete arched box girder superstructure will be installed for each abutment, including within the concrete river channel. The superstructure will be formed, reinforced, cast, finished, cured and then post-tensioned once the concrete reaches strength.

The temporary support work will be removed. The abutments will be backfilled and the sidewalks, railings, lighting and other aesthetic features of the bridge will be completed. The approach roadways will be reconstructed to tie into the new bridge deck.

7. Federal Agency/Permit:

U.S. Army Corps of Engineers  
NWP No. 14 (Non-Notifying)



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8. Other Required Regulatory Approvals: California Department of Fish and Game Streambed Alteration Agreement
9. California Environmental Quality Act Compliance: The proposed project was determined Categorical Exempt from CEQA pursuant to the *CEQA Guidelines, Section (15300 et seq.) Class 1- 4* by the City of Los Angeles on August 19, 2003.
10. Receiving Water: Los Angeles River (Hydrologic Unit No. 405.21)
11. Designated Beneficial Uses: MUN\*, IND, REC-1, REC-2, WARM, WILD, WET  
\*Conditional beneficial use
12. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.43 temporary acres (155 linear feet)
13. Related Projects Implemented/to be Implemented by the Applicant: The Bridge Improvement Program for the City of Los Angeles is an on-going program to improve all bridges within the jurisdiction of the City. The Department of Public Works and the Bureau of Engineering of the City of Los Angeles manages the design and construction of approximately 80 bridge improvement projects. These projects consist of replacement, widening, seismic retrofits, structural improvements, and historical renovations. A total of twenty-one of the bridges span the Los Angeles River.
14. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- All supports, piers and abutments will be outside the channel.
  - The work area within the channel during construction is minimized to the area under the bridge plus 15 feet additional width on both sides. Only smaller construction equipment (forklift and bobcat loader) will need to be in the channel.
  - The low-flow channel will be covered to prevent any construction equipment or materials from contacting or



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contaminating the water.

- Construction vehicles and equipment will be maintained in operating condition and checks for leaks regularly.
- Work activities within the channel will not occur during the rainy season.
- No temporary fills will be used within the channel to divert flows.
- Demolished segments, scrap material and all debris from the existing bridge will be collected and transported from the site as soon as possible.
- Excavations for new foundations are all completely outside the channel.
- Temporary construction materials including timber planks for channel protection and steel or timber support work will not contact water in the low-flow channel and will be completely removed following construction.
- The staging area will be located in a closed off portion of Colfax Avenue immediately north of the bridge outside the river banks.
- Runoff flowing into and from within the construction limits will be controlled and retained to allow sediment settlement or debris removal prior to discharge.
- All non-native material will be removed from the site prior to project completion.
- Access into the concrete lined river channel will not be required by large vehicles or equipment; all work requiring the use of such large vehicles and equipment will be performed from the maintenance road or Colfax Ave outside the channel on either side.
- Heavy equipment will be contained or lined to prevent any leaks and spills.



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- The replacement bridge is a reinforced, pre-stressed concrete structure. The chemical products used for the finishing and curing of the structure will be properly stored, handled, controlled and any excess will be taken of a legal point of disposal.
- Water curing will utilize wet blankets to minimize excess cure water and any excess cure water or material from sand or water blasting will be collected and transported or disposed of in a non-erodible manner.
- Demolished segments, scrap material and all debris from the existing bridge will be collected and transported from the site as soon as possible.
- Foreign material or discharges from construction activities over the river will be prevented from entering the river channel.
- All hazardous materials will be properly stored and controlled.

15. 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.

16. Required  
Compensatory  
Mitigation:

Since the project impacts temporary and all impacts are to the concrete-lined channel, the Regional Board will not require any compensatory mitigation. See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions.





## ATTACHMENT B

### Conditions of Certification File No. 09-184

#### 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. 14*, are herein incorporated as additional conditions.
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.

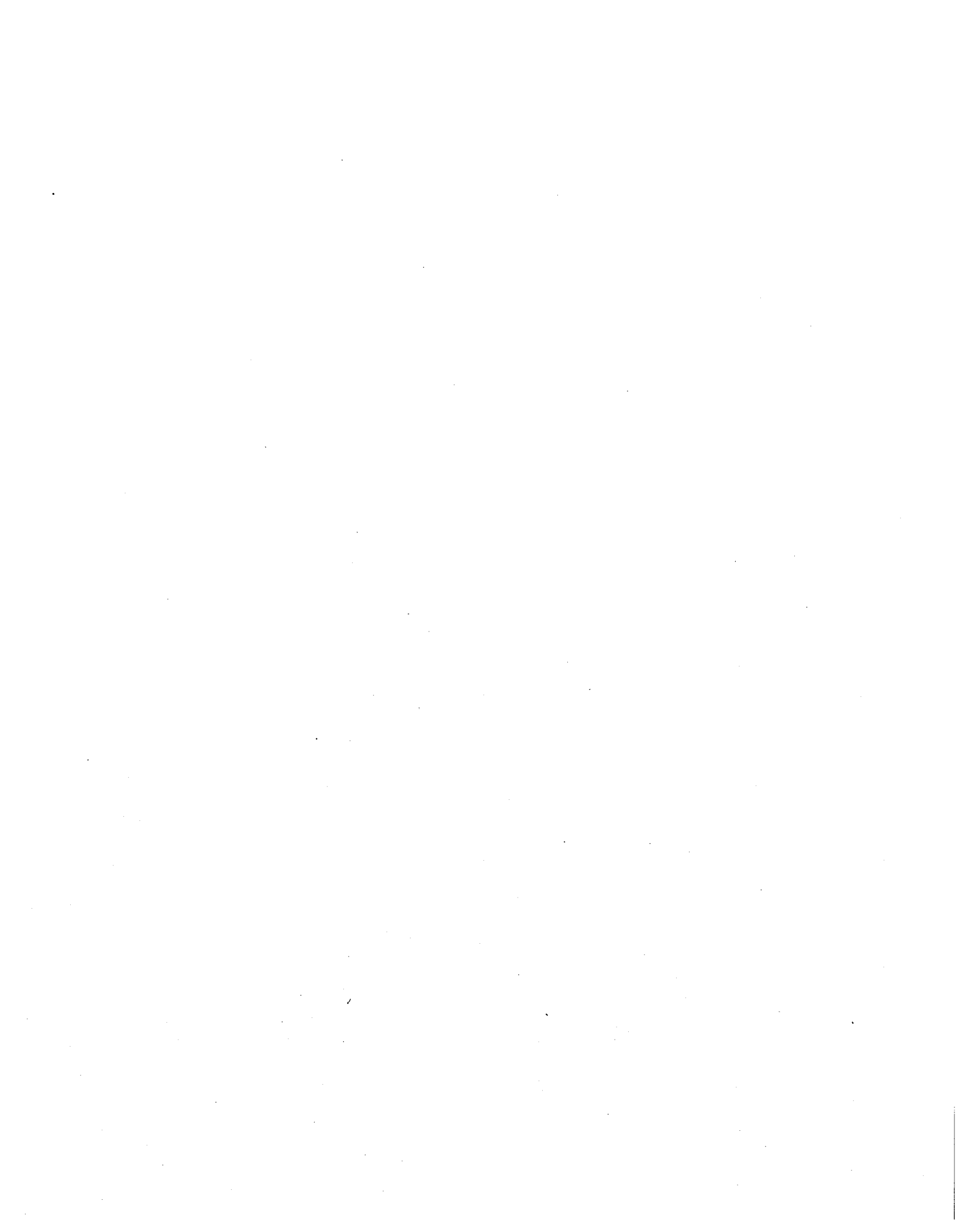


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6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. 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 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 the Regional Board for further information.
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. 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.
14. If rain is predicted after operations have begun, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
15. 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.
16. All project construction 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.
17. 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



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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.

18. 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.
19. The Applicant shall submit to this Regional Board **Annual Monitoring Reports** (Annual Reports) by **January 1<sup>st</sup>** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until project completion has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. The Annual Reports shall describe the status of other agreements (e.g., mitigation banking) or any delays in the mitigation process. At a minimum the Annual Reports shall include the following documentation and answered appropriately whether or not mitigation has been performed:
  - (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 for each reach (as required) compiled in an easy to interpret format;





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- (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.

20. 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.

21. 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)"

22. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number 09-184. Submittals shall be sent to the attention of the 401 Certification Unit.

23. 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.



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24. 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.
25. The project shall 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.
26. 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.
27. 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.
28. *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



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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.

29. 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.

