

Los Angeles Regional Water Quality Control Board

Ms. Rhiannon Bailard
Pepperdine University
24255 Pacific Coast Highway
Malibu, CA 90263-4702

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7008 1140 0002 8671 9189

**AMENDMENT OF WATER QUALITY CERTIFICATION FOR PEPPERDINE
UNIVERSITY FLOOD CONTROL MAINTENANCE PROJECT (Corps' Project No.
2013-00484-AOA), UNNAMED TRIBUTARIES TO MALIBU LAGOON, CITY OF
MALIBU, LOS ANGELES COUNTY (FILE No. 13-148)**

Dear Ms. Bailard:

We are in receipt of your notification on October 22, 2014 via your agent, Envicom Corporation, requesting an amendment of your Conditional Clean Water Act Section 401 Water Quality Certification for the subject project issued on December 27, 2013 (Certification).

Pepperdine University is requesting to amend the assessment of impact in the Certification and change temporary impacts to permanent impacts. As we understand, the impacts have been previously permitted as permanent impacts and Pepperdine intends to continue maintenance as needed over time.

In response to your request, the Certification is modified as shown below. Deleted text is shown in ~~strike-out~~, and additional text is shown underlined.

Under Attachment A, Item 2, Applicant's Agent, will read:

2. Applicant's
Agent:

~~Primo Tapia
Envicom Corporation
28328 Agoura Rd.
Agoura Hills, CA 91301~~

~~Phone: (818) 879-4700 Fax: (818) 879-4711~~

Primo Tapia
Envicom Corporation
4165 E. Thousand Oaks Blvd., Suite 290,
Westlake Village, CA 91362

Phone: (818) 879-4700 Fax: (818) 879-4711

Under Attachment A, Item 7, Project Description, will read:

7. Project
Description:

The proposed project includes maintenance and sediment/debris removal at six flood control facilities. Debris and sediment removed will be stored at a separate, long-term, stockpile area for future campus construction and maintenance projects, and will be kept from entering any waters of the U.S.

Project implementation will ~~temporarily~~ permanently impact approximately 0.72 acres of vegetated streambed and debris basins.

The six flood control facilities include two debris basins and four inlet/outlet structures. Each facility will be maintained on an as-needed basis when the accumulated debris/sediment reaches 25% of its capacity in normal conditions or 5% under burn watershed conditions. The sediment/debris to be removed comprises of silts, sands, and other organic material, which are derived entirely from natural areas. Removed sediments will be trucked either to another location within the campus for use in construction or to the stockpile area to be stored for future use.

The proposed stockpile operation is expected to be in place during the entire period when campus construction and maintenance projects result in excess fill material as the university builds out its approved Long Range Development Plan (LRDP). The physical characteristics of the stockpile will change with time, depending on the need to store soil and the need to use it for construction purposes. The soil will be taken in and out of the stockpile as needed, and it is expected to reach its full capacity (23,000 cubic yards) during peak construction periods and revert for a smaller size to accommodate small-scale maintenance activities within the campus.

The proposed mitigation for project impacts includes continuous maintenance/monitoring of an existing 0.93-acre mitigation site on the slopes of Marie Canyon debris basin, ~~and~~ the creation/enhancement of 0.718 acre of native ~~riparian~~ habitat, and reducing maintenance frequency to leave flood control facilities in their natural conditions to serve as

wildlife habitat between maintenance activities.

Under Attachment A, Item 13, Impacts to U.S. Waters, will read:

13. Impacted Waters of the United States: Non-wetland waters (streambed): ~~0.73 temporary~~ 0.72 permanent acres

I have determined that the above-proposed modifications do not constitute a significant change in the nature or scope of the activities described for the project in your original application. Therefore, all of the proposed modifications are hereby incorporated into 401 Certification No. 13-148 and no additional action by this agency pursuant to Section 401 of the Clean Water Act is necessary. This determination is limited to the proposed modifications contained in your notification to this Regional Board dated October 22, 2014 and described herein, and 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 Zara, P.G., Lead, Section 401 Program, at (213) 576-6759.

Sincerely,

Samuel Unger
Samuel Unger, P.E.
Executive Officer

Feb. 4, 2015
Date

cc: Distribution List

DISTRIBUTION LIST

Primo Tapia (via electronic copy)
Envicom Corporation
4165 E. Thousand Oaks Blvd., Suite 290,
Westlake Village, CA 91362

Bill Orme (via electronic copy)
State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
Sacramento, CA 94244-2130

Brock Warmuth (via electronic copy)
California Department of Fish and Wildlife
Streambed Alteration Team
3883 Ruffin Rd Suite A
San Diego, CA. 92123-4813

Aaron Allen (via electronic copy)
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Paul Amato (via electronic copy)
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Jim Bartel
U.S. Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011