



California Regional Water Quality Control Board

Colorado River Basin Region



Matthew Rodriguez
Secretary for
Environmental Protection

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Edmund G. Brown Jr.
Governor

November 23, 2011

Mr. Tom Rafferty, P.E.
City of Indio
100 Civic Center Mall
Indio, CA 92201

**RE: ORDER FOR TECHNICALLY-CONDITIONED CLEAN WATER ACT SECTION 401
WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR
FILL MATERIALS**

PROJECT: City of Indio - Indio Boulevard over the Coachella Storm Drain Seismic Retrofit
and Scour Project

APPLICANT: City of Indio

- ACTION:**
1. Order for Standard Certification
 2. Order for Technically-Conditioned Certification
 3. Order for Denial of Certification

STANDARD CONDITIONS:

The following standard conditions apply to all certification actions, except as noted above under Action 3 for denials.

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility 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 section 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. The validity of any non-denial certification action (Actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.
4. 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 Clean Water Act (CWA) section 401(d), 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 Water Quality Certification (WQC).
 - a. In response to a suspected violation of any condition of this WQC, the Regional Water Quality Control Board (Regional Water Board) 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 Regional Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - b. In response to any violation of the conditions of this WQC, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

ADDITIONAL CONDITIONS:

The following additional conditions apply to this certification:

1. This WQC applies towards the proposed project (Project) as described in the 401 application received by the Regional Water Board on September 15, 2011. An updated application was received on November 16, 2011.

The Applicant shall provide the Regional Water Board and other interested agencies with written notification of any significant modifications made to the Project prior to implementation of the modifications.

2. This WQC does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
3. This WQC does not authorize the Applicant or any associated party to trespass on any land or property unless the applicant has obtained written authorization or acquired a special use authorization permit from the land or property owner.
4. A copy of this WQC shall be provided to the appropriate onsite Supervisor for the Project. All personnel performing work on the proposed Project shall be familiar with the content



of this WQC. Copies of the WQC shall be readily available at the Project site at all times during periods of active work and shall be presented to regulatory agency representatives upon request.

5. The Applicant shall grant Regional Water Board staff, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to enter the Project site at reasonable times, to ensure compliance with the terms and conditions of this WQC and/or to determine the impacts the Project may have on waters of the United States.
6. The proposed Project shall not be enlarged or extend beyond the proposed Project impact area. The Applicant shall delineate the Project boundaries and staging areas with stakes, flags and/or temporary construction fencing.
7. The area of vegetation and soil disturbance shall be restricted to the smallest extent possible.
8. The Project shall not discharge substances in concentrations toxic to human, plant, animal, or aquatic life or that produce detrimental physiological responses.
9. The Project shall not discharge waste classified as "hazardous" as defined in Title 23 California Code of Regulations (CCR) section 2521, California Health and Safety Code section 25140, and Title 22, CCR, section 66260.10 et seq.
10. No oil, petroleum products, or rubbish shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the United States.
11. No equipment maintenance will be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter waters of the United States.
12. Equipment refueling shall not occur within waters of the United States.
13. Any oil or grease leaks shall be immediately cleaned up.
14. The Applicant shall ensure that all contaminated material and/or contaminated soil removed or excavated from the Project site is properly loaded, transported, and disposed of in accordance with Federal, State, and local regulations.
15. Staging/storage areas for equipment and materials shall be located outside of waters of the United States.
16. The Applicant shall ensure that all disturbed and filled areas are adequately stabilized and protected from erosion and siltation by implementing appropriate soil stabilization, sedimentation and silt control measures.



17. Any flow diversion used during construction shall be designed in a manner to prevent pollution, minimize siltation, and shall provide flows to downstream reaches. Flows shall be maintained to support existing aquatic life and riparian wetlands and habitat that may be located upstream and downstream from any temporary diversion.
18. The Applicant shall restore drainages, to the greatest extent possible, to the original bank configuration, stream bottom width, and channel gradient.
19. All temporary facilities and impacts shall be removed and restored to the preexisting conditions and contours to the extent practicable.
20. Construction related materials and wastes shall be removed from the Project site upon completion of the Project.
21. The Applicant shall submit Notice to the Regional Water Board within 60-days of completion of the Project. The Notice shall include: 1) a detailed summary of the mitigation and restoration activities implemented during the Project and 2) provide photographic documentation that supports the information summarized in the Notice.
22. The Regional Water Board reserves the right to suspend, cancel, or modify and reissue this WQC, after providing notice to the Applicant and/or responsible Site-Supervisor, if the Regional Water Board determines that the Project fails to comply with any of the terms or conditions of this WQC.
23. The Applicant shall orally notify the Regional Water Board of any noncompliance that may impact the beneficial uses of waters of the United States, as soon as notification is possible and notification can be provided without substantially impeding measures necessary to address the noncompliance.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

If you have any questions, please contact Jay Mirpour, Water Resources Control Engineer, at (760) 776-8981 or jmirpour@waterboards.ca.gov.



WATER QUALITY CERTIFICATION:

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.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' Project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).



ROBERT PERDUE, Executive Officer
Colorado River Basin Regional Water Quality Control Board

JJM/

cc: Jim Mace, U.S. Army Corps of Engineers, Riverside Regulatory Field Office
Bill Orme, SWRCB, Division of Water Quality, Water Quality Certification Unit
Elizabeth Goldmann, U.S. Environmental Protection Agency, Region 9
Thomas A. Vandenberg, Office of Chief Counsel, SWRCB

File: City of Indio - Indio Boulevard over the Coachella Storm Drain Seismic Retrofit and Scour Project, WDID No. 7A333122001



Mailing List:

Jim Mace
U.S. Army Corps of Engineers
Riverside Regulatory Field Office
1451 Research Park Drive, Suite 100
Riverside, CA 92507-2154

Bill Orme (*)
Water Quality Certification Unit
Division of Water Quality
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Elizabeth Goldmann
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Thomas A. Vandenberg (*)
Staff Counsel
Office of Chief Counsel
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Note: (*) will e-mail electronic copy



PROJECT INFORMATION

Application Date: The application was received on September 15, 2011.
An updated application was received on November 16, 2011.

Applicant: City of Indio

Contact: Mr. Tom Rafferty, P.E.
(760) 391-4017 x4270

Applicant Representative: Dokken Engineering
Contact: Namat Hosseinion
(916) 858-0642

Project Name: City of Indio - Indio Boulevard over the Coachella Storm Drain
Seismic Retrofit and Scour Project, WDID No. 7A333122001

Project Start and Completion: January 1, 2012 – December 1, 2015

Project Description (purpose/goal): The proposed project's purpose is to meet the standards of the Mandatory Seismic Retrofit Program in order to enhance public safety by upgrading the bridge's seismic safety to current standards.

The City of Indio, in conjunction with the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) propose seismic retrofit and scour counter measures for the existing northbound Indio Boulevard Bridge (Bridge No. 56C-0292) over the Coachella Storm Drain. The existing northbound Indio Boulevard Bridge is a 16 span concrete tee beam structure on concrete pile extensions. It is approximately 482 feet long and 33 feet wide. The structure was built in 1956 and has a sufficiency rating of 62.6. The existing southbound bridge (Br. No. 56C-0293), constructed in 1925, is a similar structure to the northbound bridge with a 12-inch waterline supported from the right overhang with straps at mid-span and wooden wedges at the bents.

Seismic retrofit work for the northbound bridge consists of pile shaft retrofit (steel casing around existing columns), hinge retrofit (addition of pipe and cable restraints), and foundation retrofit (placement of grade beams). All work will be staged and conducted from under the bridge at the specified locations. Scour



countermeasures are also proposed as part of the project and include new concrete channel bottom lining and repair of existing channel side under mining.

Project Location: City or Area: City of Indio, County: Riverside
Longitude/Latitude 116°14'41.48"W / 33°44'7.32"N
Township/Range T5S, R7E, S15

Receiving Water(s): The Coachella Valley Storm Water Channel, which is a tributary to the Salton Sea.

Fill/Excavation Area (acres): 0.88 acre (143 linear feet) permanent
1.24 acre (450 linear feet) temporary.

Dredge Volume (cy): No discharge of dredge material.

Mitigation: Temporary and permanent impacts to the Coachella Storm Drain, which is a jurisdictional water, will be compensated for through the purchase of mitigation bank credits from the Coachella Valley Multiple Species Habitat Conservation Plan. The project contains 0.88 acres of permanent impacts. These impacts will be mitigated at a 2:1 ratio for permanent impacts to waters of the US. This mitigation results in the need to purchase a total credit of 1.76 acres. The project will purchase this mitigation through the Coachella Valley Multiple Species Habitat Conservation Plan.

Best Management Practices:

- Land disturbing activities and the installation of erosion and sedimentation control practices shall be coordinated to reduce on-site erosion and off-site sedimentation. These measures may include mulches (above the mean high water line only), soil binders and erosion control blankets, silt fencing, fiber rolls, sediment desilting basins, sediment traps, and check dams.
- Existing vegetation shall be protected where feasible to provide an effective form of erosion and sediment control, as well as watershed protection, landscape beautification, dust and pollution control, noise reduction, and shade.
- Loose bulk materials may be applied to the soil surface as a temporary cover to protect bare soils from rainfall impact, increase infiltration, and reduce runoff and erosion.



- Stabilizing materials shall be applied to the soil surface to prevent the movement of dust at the project site due to traffic, wind, and grading activities.
- All areas shall be restored to pre-construction contours and revegetated with native species. Hydroseeding will be implemented as a temporary measure, if feasible.
- Provide berms along the tops of slopes to prevent water from running uncontrolled down the slopes.
- Collect the water in these berms and take it down the slopes in an erosion-proof drainage system. Sediment that is collected within these berms will be allowed to "settle out" and will be removed from the site.
- Provide energy dissipaters and erosion control pads at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures should also be implemented.
- All construction related materials will be hauled off-site after completion of construction.
- All erosion control measures and stormwater control measures will be properly maintained until the site has returned to a pre-construction state.
- All construction roadway areas will be properly protected to prevent excess erosion, sedimentation, and water pollution.
- No toxic and/or hazardous materials shall be stored near or within wash/drainage areas. To extent possible, these materials will be offsite and/or placed in appropriate secondary containment.
- Work will be performed under "no flow" conditions to preclude potential impacts to water quality.
- Work and staging areas and temporary access routes will be sized, located and flagged so as to limit potential impacts to natural areas. Previous disturbed areas will be used to the extent feasible.
- No fueling or maintenance of equipment and/or vehicles shall occur adjacent or within the wash/drainage areas.



- Spoil sites shall not be located where spoil could be washed back into the river, or where spoil will cover aquatic or riparian vegetation. Any materials placed in seasonally dry portions of the canal/ drainage areas that could be washed downstream or could be harmful to aquatic life shall be removed from the streambed prior to inundation by high flows.
- All construction roadway areas will be properly protected to prevent excess erosion, sedimentation, and water pollution.
- After completing the activities, the disturbed area will be restored to pre-existing contours and conditions to the extent feasible.

Federal Permit(s):

The applicant will apply for "Letter of Permission" under the U.S. Army Corps of Engineers.

Status of CEQA:

City of Indio adopted a Categorical Exemption 15301(d) (Existing Facilities) for the Project on March 25, 2010. 15301(d) consists of Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

In accordance with CEQA Guidelines section 15062, the Regional Water Board shall file a Notice of Exemption with the Office of Planning and Research upon approval of the CWA section 401 WQC.

File: City of Indio - Indio Boulevard over the Coachella Storm Drain Seismic Retrofit and Scour Project, WDID No. 7A333122001



NOTICE OF EXEMPTION

To:
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

From:
California Regional Water Quality Control Board
Colorado River Basin Region (Region 7)
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Project Title:
City of Indio - Indio Boulevard over the Coachella Storm Drain Seismic Retrofit and Scour Project

Project Description:
The proposed project's purpose is to meet the standards of the Mandatory Seismic Retrofit Program in order to enhance public safety by upgrading the bridge's seismic safety to current standards. The City of Indio, in conjunction with the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) propose seismic retrofit and scour counter measures for the existing northbound Indio Boulevard Bridge (Bridge No. 56C-0292) over the Coachella Storm Drain.

Project Location (City and County):
City of Indio, County: Riverside, Longitude/Latitude 116°14'41.48"W / 33°44'7.32"N
Township/Range T5S, R7E, S15

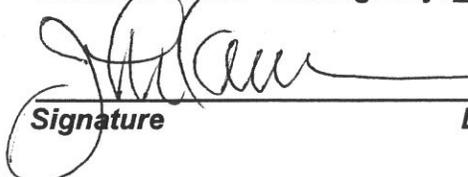
Name of Public Agency Approving Project: California Regional Water Quality Control Board, Colorado River Basin Region

Name of Agency Carrying Out Project: The City of Indio, in conjunction with the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA)

Exempt Status (CEQA Guidelines Section and Class): The Regional Water Board determined that the proposed project is categorically exempt from CEQA per CEQA Guidelines §15301(d) (Existing facilities).

Reasons Why Project is Exempt: The proposed project, as described above is categorically exempt from the California Environmental Quality Act in accordance with CEQA Guidelines §15301(d) – Existing Facilities. 15301(d) consists of Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

Contact Person - lead agency: John Carmona, Senior WRCE Phone: (760) 340-4521

 11/18/11 Senior Water Resources Control Engineer
Signature **Date** **Title**

Date received for filing at OPR: _____

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