



Los Angeles Regional Water Quality Control Board

Mr. Paul Caron
Caltrans District 7
100 S. Main St.
Los Angeles, CA 90012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 7351

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED I-5 FREEWAY WIDENING AND RECONSTRUCTION PROJECT-SEGMENT 2 PROJECT (Corps' Project No. 2014-00714-SJH), COYOTE CREEK AND NORTH FORK COYOTE CREEK, CITY OF LA MIRADA AND SANTA FE SPRINGS, LOS ANGELES COUNTY (File No. 12-046)

Dear Mr. Caron:

Board staff has reviewed your request on behalf of Caltrans (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete May 4, 2015.

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.

Please read this entire document carefully. 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 DanaCole, Section 401 Program, at (213) 576-5733.

Samuel Unger

Samuel Unger, P.E.
Executive Officer

May 26, 2015

Date

DISTRIBUTION LIST

Mary Ngo
Caltrans District 7
100 S. Main St.
Los Angeles; CA 90012

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

Kelly Schmoker (via electronic copy)
California Department of Fish and Game
Streambed Alteration Team
4949 View Ridge Avenue
San Diego, CA 92123

Stephanie Hall
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
WRT-2-4
75 Hawthorne Street
San Francisco, CA 94105

G. Mendel Stewart
Johnathan Snyder
U.S. Fish and Wildlife Service
2177 Salk Ave. Carlsbad Ca, 92008.

ATTACHMENT A

Project Information
File No. 12-046

1. Applicant: Paul Caron
Caltrans District 7
100 S. Main St.
Los Angeles, CA 90012
Phone: (213) 897-0610 Fax: (213) 897-0685
2. Applicant's Agent: Mary Ngo
Caltrans District 7
100 S. Main St.
Los Angeles, CA 90012
Phone: (213) 897-8081 Fax: (213) 897-0685
3. Project Name: I-5 Freeway Widening and Reconstruction Project- Segment 2
4. Project Location: La Mirada and Santa Fe Springs, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
33.877892	-118.016269
33.877486	-118.015801
33.876941	-118.016404
33.876855	-118.017088
33.885298	-118.032927
33.885986	-118.032922
33.886013	-118.032862
33.885647	-118.017088

5. Type of Project: Road, freeway and bridge expansion
6. Project Purpose: The increased traffic demand from population and employment growth has led to increased traffic congestion and delays throughout the Interstate 5 (I-5) Corridor. The I-5 Reconstruction and Widening Project (Project) will require bridge replacements and improved storm drain connections and will increase capacity, reduce congestion, and improve safety.

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7. Project Description:

The proposed widening for I-5, Segment 2 consists of adding one High Occupancy Vehicle (HOV) lane, one mixed-flow lane (MFL), and one CHP Enforcement Area, in each direction, and upgrading the inside and outside shoulders. All of the structures, interchanges, and affected frontage roads will be reconstructed or modified to accommodate the widening. North Firestone Bridge (Bridge No. 53C2194) and Coyote Creek Bridge (Bridge No. 53-3044) will be replaced. The work in the channels will be overseen by Caltrans and performed by a third-party contractor.

The north side Firestone Bridge and I-5 Coyote Creek Bridge will be constructed over the Coyote Creek Channel. Firestone Bridge is located at the intersection of Firestone Blvd and Trojan Way. The I-5 Coyote Creek Bridge is located at I-5 Fwy and Coyote Creek Channel. Stormdrain connections (60- and 30-inch reinforced concrete pipes) will be extended to existing outlet structures.

The north side Firestone Bridge will be 44-feet wide, with one lane in each direction composed of Precast and Pre-stressed (PC/PS) Concrete Slab (33 Concrete Slabs) with a Cast In Place or Precast (CIP/PC) Concrete Overlay (87 Concrete Overlays) on Pre-stressed (PS) Class 140 piles (98 piles), two piers, and three abutments. The I-5 Coyote Creek bridge will be 205-feet wide, with six lanes in each direction, with CIP/PC on Pre-stressed Class 140 piles (362 piles), three abutments, and two piers in the channel.

Temporary impacts will include the in-stream travel route for heavy equipment and will begin at the channel entrance located at the Coyote Creek, North Fork Coyote Creek confluence. This entrance is sloped for heavy equipment to enter. Heavy equipment will either be lowered down from Firestone Blvd (when it has been permanently closed) or it will be driven down the access road. Equipment will not cross into the low flow portion of the channel.

Caltrans will work with the contractor to determine the appropriate location of heavy equipment such as 100-200 ton track crane, a backhoe, and an average sized dump truck within the temporary impact footprint described above.

Water will be diverted around the bridge construction area in Coyote Creek Channel beginning at the northern end of the in-

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channel walls (this section of Coyote Creek has channel walls and an additional set of inner walls). The water diversion will end at the southern end of in-channel walls. The contractor will place k-rail with an impermeable membrane that will be tapered from the left in-channel wall to center of channel. Temporary gravel bag berms will be placed along the bottom of the k-rail, from beginning to the end. Water will not be allowed to encounter construction equipment and activities.

Construction work within Coyote Creek Channel and North Fork Coyote Creek Channel will be limited to the dry season of April 1 through October 31. Construction is scheduled to begin April 1, 2016 and to be completed October 31, 2020.

Impacts from additional shading from the bridge replacements will be 0.5117 acres.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 14 (Permit No. 2014-00714-SJH)
9. Other Required Regulatory Approvals: California Department of Fish and Game
1601 Streambed Alteration

Los Angeles County Flood Control District
General Construction Permit
10. California Environmental Quality Act Compliance: Caltrans approved the project's Final Environmental Impact Report (Report No. FHWA-CA-EIS-06-11-F, SCH No. 2001111151) on June 19, 2007. The Notice of Determination was filed on June 16, 2008.
11. Receiving Water: Coyote Creek and North Fork Coyote Creek, San Gabriel River Watershed (Hydrologic Unit No. 180701060506)
12. Designated Beneficial Uses: MUN*, IND, PROC, REC-1, REC-2, WARM, WILD, RARE
*Conditional beneficial use

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13. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 6.18 temporary acres (14,058.16 linear feet), 0.5117 permanent acres (110 linear feet)
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant: Construction for segment 1 for I-5 Freeway Widening and Reconstruction Project (PM 1.44-1.87) began in April 2012.
16. Avoidance/Minimization Activities: The Applicant will ensure that any third-party contractors or workers will implement Best Management Practices, including, but not limited to, the following:
- The 401 Permit will be presented to the Resident Engineer to be reviewed. If the Resident Engineer or the Contractor has any questions about the permit then the Caltrans biologist will provide clarification, or contact the appropriate Regional Board staff.
 - Tracking and sediment controls will be used for concrete washouts.
 - Work will be completed in the channel during the dry season April 1-October 31.
 - A stabilized construction access will be used to reduce the tracking of mud and dirt into public roads by construction vehicles.
 - Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
 - Vehicle equipment cleaning procedures will be used to eliminate the discharge of any pollutants from vehicle and equipment cleaning operations to storm drain system or to watercourses.

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- 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 for vehicles and equipment shall be located outside of waters of the State.
- Material delivery procedures and practices for the proper handling and storage of material in a manner that eliminates the discharge of these materials to the storm drain systems or to water courses will be used.
- Stockpiling procedures will be used to eliminate storm water pollution from stock piles of soil and paving materials such as portland cement, asphalt binder, concrete, asphalt, or aggregate sub-base rubble, and pressure treated wood.
- Spill prevention and control will be implemented to prevent and control spills in a manner that prevents the discharge of spilled material to the drainage system or watercourse.
- Solid waste management procedures will be used to eliminate the discharge of pollutants to the drainage system or to watercourse as a result of creation, stockpiling or removal of construction site wastes.
- Concrete waste management procedures will be used to eliminate the discharge of concrete waste materials within the waters.
- Any construction equipment entering the channel will be equipped with rubber ties, and screens, traps to prevent construction debris 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

The Project will widen existing bridges and the channel is devoid of

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Compensatory
Mitigation:

vegetation. The channel cross-section and capacity will not be modified by the project. While permanently widened, the bridges do not seal the channel below and the channel remains open to air. Since the project impacts are temporary in nature, the Regional Board will not require any compensatory mitigation.

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. 12-046

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. **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 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.
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.
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.

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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. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
16. 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 (ROWD)** 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.

17. All project and 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.
18. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and 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 **for approval prior to implementation** of any surface water diversions. The Plan shall include (1) narrative that describes the proposed method and duration of diversion activities, (2) the structure configuration, (3) construction materials, (4) all heavy equipment used for implementation, (5) the erosion and sediment controls, (6) a map or drawing indicating the locations of diversion and discharge points, and (7) the contingency measures that shall be a part of this plan to address various flow rates.

If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:

- pH
- temperature

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- 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 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 **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.
20. The Applicant shall submit to this Regional Board **Annual Monitoring Reports** (Annual Reports) by **January 1st** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification until project completion and documented. The Annual Reports shall describe in detail all of the project or construction activities performed during the previous year. The Annual Reports shall describe the status of other agreements or any delays in the 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 and mitigation site conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (c) The overall status of project including whether or not work has begun on the Project and a detailed schedule;
 - (d) Copies of all permits revised as required in Additional Condition 1;
 - (e) Water quality monitoring results for each reach (as required) compiled in a spreadsheet 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.
21. 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.

22. 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)"

23. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **12-046**. Submittals shall be sent to the attention of the 401 Certification Unit.
24. 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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25. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to the Department of Transportation (Caltrans) under NPDES No. CAS000003 and Waste Discharge Requirements Order No. 2012-0011 - DWQ.
26. 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. 2012-0011-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 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

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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 at least 90 days prior to termination of this Certification if renewal is requested.

