



Matthew Rodriguez
Secretary for
Environmental Protection

California Regional Water Quality Control Board Los Angeles Region

320 W. 4th Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • FAX (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>



Edmund G. Brown Jr.
Governor

March 7, 2012

Paul Caron
California Department of Transportation
100 S. Main Street
Los Angeles, CA 90012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7001 2510 0000 4661 9642

**MODIFICATION OF CONDITIONAL WATER QUALITY CERTIFICATIONS FOR
BRIDGE RAIL UPGRADE/ WIDENING AT SISAR AND SANTA PAULA BRIDGES ON
ROUTE 150 PROJECT (Corps' Project No. 2007-00069-PHT) (File No. 07-002) AND
STATE ROUTE 1/ LAS FLORES CREEK BRIDGE MAINTENANCE PROJECT
(BRIDGE NO. 53-0034) (Corps' Project No. 2004-01393-MDC (File No. 03-146)**

Dear Mr. Caron:

We are in receipt of your letters of February 9, 2011, and January 9, 2012 requesting modification of the Conditional Clean Water Act Section 401 Water Quality Certifications for the subject projects. The Water Quality Certification for the Bridge Rail Upgrade/Widening at Sisar and Santa Paula Bridges on Route 150 Project (File No. 07-002) (Certification 07-002) was issued on May 7, 2007. The Water Quality Certification for the State Route 1/ Las Flores Creek Bridge Maintenance Project (File No. 03-146) (Certification 03-146) was issued on July 23, 2004.

As we understand, Caltrans has been unable to find appropriate mitigation projects to satisfy the compensatory mitigation requirements in the watersheds specified in Certification 03-146 and Certification 07-002.

In response to your request, Condition 22 (Attachment B) of Certification 07-002 shall be modified as follows (additional text in underline and deleted text in ~~strikeout~~):

If the Applicant proposes funding to a third-party organization for the creation or restoration of jurisdictional wetland habitat within waters of the United States/Federal jurisdictional wetlands, then funding shall apply to mitigation acreage only, exclusive of administrative costs. The mitigation site shall be located within the Santa Clara River or Ventura River Watershed...

In response to your request, Condition 15 (Attachment B) of Certification 03-146 shall be modified as follows (additional text in underline and deleted text in ~~strikeout~~):

California Environmental Protection Agency

March 7, 2012

...the Applicant may provide adequate funding to a third-party organization for the creation or restoration of a total of 0.270 acres of riparian habitat within waters of the United States. The mitigation site shall be located within the Malibu Creek or Santa Monica Bay Watershed...

In lieu fee agreements with the Santa Monica Mountains Conservancy for Certification 03-146 and the Ojai Valley Land Conservancy for Certification 07-002 may satisfy the compensatory mitigation requirements if the agreements provide for the total required acreage. All other conditions of Certifications 03-146 and 07-002 remain in effect.

I have determined that the 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, 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 notifications to this Regional Board dated February 9, 2011, and January 9, 2012 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 Dana Cole, Section 401 Program, at (213) 576-5733.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Barbara Marquez, California Department of Transportation
Francis Appiah, California Department of Transportation
Aaron Allen, U.S. Army Corps of Engineers
Daniel Swenson, U.S. Army Corps of Engineers