



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Tom Weiner
City of Walnut
21201 La Puente Road
Walnut, CA 91789

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 9362

AMENDMENT OF CONDITIONAL WATER QUALITY CERTIFICATION FOR PROPOSED MEADOWPASS ROAD EXTENSION PROJECT (CORPS' PROJECT NO. SPL-2006-2046-PHT), TRIBUTARIES TO LEMON CREEK AND SAN JOSE CREEK, SAN GABRIEL RIVER WATERSHED, LOS ANGELES COUNTY (File No. 09-015)

Dear Mr. Weiner:

This California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is in receipt of your letter of September 14, 2012 (Letter), requesting modification of the Conditional Clean Water Act Section 401 Water Quality Certification (WQC 09-015) for the subject project issued on July 30, 2009.

The City of Walnut completed the Meadowpass Road extension project in accordance with the project description in WQC 09-015 except that the City additionally placed ungrouted riprap at the outlets to Lemon Creek and (due to the placement of riprap) did not restore 0.05 acres of creek of the 0.30 acres that was to be restored. The purpose of the additional riprap was to slow stream velocity and protect against erosion.

Per the Letter, you request an amendment to WQC 09-015 to allow the additional ungrouted riprap and additional compensatory mitigation.

Accordingly, the following shall be modifications to WQC 09-015 (deletions in ~~strikeout~~, additions in underline):

Attachment A, Item 6 "Project Description" the following paragraph is added:

Approximately 0.017 acres (46 linear feet) of ungrouted riprap will be installed within unvegetated streambed at the inlets and outlets permitted by this certification at four locations within the project site.

Attachment A, Item 13:

13. Impacted
Waters of the
United States:

Federal jurisdictional wetlands: 0.007 permanent acres (30 linear feet)

Non-wetland waters (streambed): 0.04 temporary acres (58 linear feet) and ~~0.12~~ 0.137 permanent acres (~~536~~ 582 linear feet)

Attachment A, Items 17 and 18:

17. Proposed
Compensatory
Mitigation:

The Applicant has proposed to create 0.02 acres of wetland habitat onsite. The Applicant also proposes to create 0.50 acres, restore ~~0.30~~ 0.25 acres, and enhance 0.73 acres of vegetated streambed onsite. In addition, the applicant has proposed to conduct additional restoration to replace 0.05 acres of willows not restored as originally planned and to compensate for the 0.017 acres of ungrouted riprap placement (0.067 acres total).

18. Required
Compensatory
Mitigation:

The Applicant shall provide mitigation for impacts to jurisdictional wetland and vegetated streambed as described in the first sentence of Item 17, above which represents a 2.8:1 ratio for wetland habitat created to wetland habitat impacted and a 6.6:1 ratio for streambed created or restored to streambed impacted. In addition, the Applicant shall provide an additional 0.355 acres mitigation, a 5:1 ratio for 0.067 acres additional impact. The applicant shall submit a Proposed Mitigation Plan for the additional 0.355 acres of mitigation. (See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

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 notification to this Regional Board 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.

Samuel Unger
Samuel Unger, P.E.
Executive Officer

June 12, 2013
Date

cc: Distribution List

Tom Weiner
City of Walnut

- 4 -

Megan Jamison
ICF International
1 Ada, Suite 100,
Irvine, CA 92618

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

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

Phuong Trinh
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 92009