

Los Angeles Regional Water Quality Control Board

Chi Hermann
Ventura Regional Sanitation District
1001 Partridge Drive, Suite 150
Ventura, CA 93003

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 28200001 6537 9423

MODIFICATION OF CONDITIONAL CERTIFICATION FOR PROPOSED LANDFILL DRAIN OUTFALL MAINTENANCE PROJECT (Corps' Project No. 2009-00498-CLH), SANTA CLARA RIVER, CITY OF OXNARD, VENTURA COUNTY (File No. 09-089)

Dear Ms. Hermann:

We are in receipt of your notification on June 3, 2013, requesting modification of your Conditional Clean Water Act Section 401 Water Quality Certification (File No. 09-089) for the subject project issued on March 22, 2010 (WQC 09-089).

The Ventura Regional Sanitation District is requesting to change the description of impacted acreage of U.S. waters in WQC 09-089 because, while the extent of areas to be impacted has not changed, the proposed length and width of the McGrath Drain and the East Landfill Drain areas has changed. The Patterson Drain impact dimensions will remain the same

In response to your request, under Attachment A, Item 7, impacts to U.S. Waters, will read (deletions ~~striked~~ through, new text underlined):

7. Project Description:

McGrath Drain

VRSD will remove sediment from the metal pipe culverts, through flushing and mechanical removal. In addition, a pilot channel will be recovered and cleared of vegetation to provide a path for storm flows discharged by the McGrath Drain. The pilot channel will be ~~approximately 100~~ 200 feet long, ~~20~~ 10 feet wide, and about three feet deep (approximately 222 cubic yards). The total impact area is anticipated to be about 0.05 acres. The work is projected to take a few days to complete. The pilot channel will be reestablished every three to five years, depending on the rate of sediment accumulation at the drain outlet.

The proposed pilot channel will result in the loss of 0.05 acres of immature arroyo willow riparian forest, dominated by *Arundo donax*, and red willow and arroyo willow trees mostly less than 3 inches in diameter. Reestablishment of the pilot channel every 3 to 5 years could prevent maturation of the riparian forest. However, mature riparian forest in the project area is rare due to channel scouring associated with flood flows. Therefore, the proposed project will not result in the loss of mature riparian forest.

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

East Landfill Drain

VRSD will remove riparian vegetation and sediment to provide a path for storm flows discharged by the East Landfill Drain. The pilot channel will be approximately ~~160~~ 320 feet long and ~~20~~ 10 feet wide and about 3 feet deep (356 cubic yards). The total impact area is anticipated to be about 0.07 acres. Work is projected to take a few days to complete. The pilot channel would be re-established every 3 to 5 years, depending on the rate of sediment accumulation at the drain outlet.

The proposed pilot channel will result in the loss of 0.07 acres of arroyo willow riparian forest, dominated by *Arundo donax* and arroyo willow. Reestablishment of the pilot channel every 3 to 5 years could prevent maturation of the riparian forest. However, mature riparian forest in the project area is rare due to channel scouring associated with flood flows. Therefore, the proposed project will not result in the loss of mature riparian forest.

Patterson Drain

Sediment removal was conducted at the drain terminus by the City of Oxnard in 2008. The river end of the trench has begun to fill with sediment and extension of the French drain as a pilot channel is needed. VRSD will convert the existing trench to a pilot channel and extend it an additional 50 feet to provide a path for storm flows discharged by the Patterson Drain. The resulting pilot channel will be approximately 265 feet long and 20 feet wide and about 3 feet deep. The total impact area is anticipated to be about 0.12 acres. Work is projected to take a few days to complete. The pilot channel will be reestablished every 3 to 5 years, depending on the rate of sediment accumulation at the drain outlet.

The proposed pilot channel will result in the loss of 0.12 disturbed arroyo willow riparian forest dominated by the invasive *Arundo donax*. Most of this area was disturbed by sediment removal in 2008, and plant cover and habitat value is low. Reestablishment of the pilot channel every three to five years could prevent maturation of the riparian forest. However, mature riparian forest in the project area is rare due to channel scouring associated with flood flows. Therefore, the proposed project will not result in the loss of mature riparian forest.

Arundo donax will be removed completely and VRSD will ensure that no *Arundo donax* debris is reintroduced to the waterway. Debris containing *Arundo donax* will be disposed of in a manner that will ensure no *Arundo donax* will enter any waterway.

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. 07-131 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 8, 2008 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) 576-6759.

Sincerely,

Samuel Unger
Samuel Unger, P.E.
Executive Officer

Aug. 30, 2013
Date

Attached: Distribution List

DISTRIBUTION LIST

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