



EDMUND G. BROWN, JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Richard Nack  
City of Camarillo  
601 Carmen Drive  
Camarillo, CA 93010

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7008 1140 0002 8671 9653

**TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED CAMARILLO HILLS DRAIN CAP PROJECT (Corps' Project No. SPL-2016-0016-AJS), CAMARILLO DRAIN TRIBUTARY TO REVOLON SLOUGH, CITY OF CAMARILLO, VENTURA COUNTY (File No. 15-161)**

Dear Mr. Nack:

Board staff has reviewed your request on behalf of City of Camarillo (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on June 28, 2016.

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 Valerie Carrillo Zara, P.G., Lead, Section 401 Program, at (213).576-6759.

Samuel Unger  
Samuel Unger, P.E.  
Executive Officer

July 21, 2016  
Date

**DISTRIBUTION LIST (via electronic copy)**

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ATTACHMENT A

Project Information  
File No. 15-161

1. Applicant: City of Camarillo  
601 Carmen Drive  
Camarillo, CA 93010  
Phone: (805) 388-5344

2. Applicant's Agent: Jennifer Morrison  
GPA Consulting  
231 California Street  
El Segundo, CA 90245  
Phone: (310) 792-2690

3. Project Name: Camarillo Hills Drain Cap

4. Project Location: Camarillo, Ventura County

<u>Latitude</u>	<u>Longitude</u>
34.218537	119.066998
34.218466	119.066217
34.216034	119.068803
34.216264	119.069049

5. Type of Project: Drain cap installation

6. Project Purpose: The purpose of the project is to provide an area for commercial development above the Camarillo Hills Drain.

7. Project Description: The City of Camarillo (City) is proposing to cover an open channel drainage facility known as the Camarillo Hills Drain. The area where the concrete-lined channel exists is in very close proximity to the 101 Freeway and commercial retail complexes. Several alternatives were considered for the proposed project, and due to the very small acreage and hydrology issues associated with keeping the channel open, the proposed project was considered the best alternative in order to develop the site. This area had been designated to be developed for a significant period of time, as it is located adjacent to the Camarillo Outlets and a major shopping area.

## ATTACHMENT A

### Project Information File No. 15-161

The project is located on a vacant property owned by the City, south of United States Highway 101 (U.S. 101), east of Las Posas Road, and north and west of Ventura Boulevard. The existing drainage channel was constructed by the California Department of Transportation (Caltrans) in 1975 and is currently operated and maintained by the Ventura County Watershed Protection District (VCWPD). The channel is contained within a VCWPD drainage easement varying in width between 65 and 80 feet. Covering the open concrete drainage channel would optimize the site for future development.

The existing channel flows southwesterly as it traverses the project area. The channel has a relatively flat bottom, approximately 37 feet wide, which slopes gently (approximately one to five percent slopes) towards the center; low flows are conveyed in the middle of the channel. The concrete vertical walls are approximately eight feet high. The channel is covered at the north end under the U.S. 101, uncovered for approximately 1,020 linear feet through the vacant property, and covered at the southwest end where the channel crosses under Ventura Boulevard and Las Posas Road, then continues west to the Camarillo Airport. The Camarillo Hills Drain reinforced concrete box (RCB) culvert converges with the Crestview Drain RCB culvert at the U.S. 101. There is a splitter wall between the drainages for approximately 100 feet, then the drainages join into one drainage.

The project will include constructing two separate pre-cast concrete box conduits. A 9-foot wide by 8-foot high RCB will be constructed to carry the Crestview Drain for approximately 1000 feet, and a 24-foot wide by 8-foot high RCB will be constructed to carry the Camarillo Hills Drain for approximately 1,020 linear feet.

The project will include the removal of approximately 1,580 cubic yards (CY) of concrete/rebar and approximately 4,630 CY of soil from the channel sidewalls and bottom. Once the existing concrete sidewalls and bottom are removed, 18 inches (3,200 cubic yards) of structural backfill (fine aggregate and coarse aggregate) will be placed on the bottom of the channel. The box culverts would be installed two segments at a time.

The dirt sidewalls will be exposed during box culvert placement, and the exposed dirt sidewalls will be temporarily supported to

## ATTACHMENT A

### Project Information File No. 15-161

prevent caving of the soil. Once the box culverts are placed, 18 inches of structural backfill will be placed between the dirt sidewalls and the concrete box culvert sidewalls. The soil that is excavated from the bottom and sides of the channel will be temporarily stockpiled on site; appropriate best management practices (BMP) will be implemented to prevent soils from entering the drainage. Once the box culverts are placed, approximately one foot of soil will be placed on top of the box culverts. The remainder of the dirt will be hauled away for off-site disposal.

Approximately 0.02 acre of non-native vegetation will be removed along the top of the northeast bank of the channel, and approximately 26 trees surrounding the channel will be removed. Tree and vegetation removal will be conducted outside of bird nesting season (typically February 15 through September 14).

A water diversion will be required for construction and will be constructed in accordance with VCWPD guidelines. Sandbags will be installed at the upstream ends of the Camarillo Hills Drain and the Crestview Drain that will channelize the flow into a temporary flexible plastic pipe and through the construction area to the downstream end. The flow will be released downstream of construction activities. Construction will be conducted during the dry season (typically April 15 through October 15) when flow within the channel is expected to be at its lowest. Construction is anticipated to last approximately six months.

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|--|---|
| 8. Federal Agency/Permit:                                  | U.S. Army Corps of Engineers<br>NWP No. 39 (Permit No. 2016-0016-AJS)   |
| 9. Other Required<br>Regulatory Approvals:                 | California Department of Fish and Wildlife<br>Streambed Alteration Agreement<br><br>Ventura County Watershed Protection District<br>Encroachment Permit |
| 10. California<br>Environmental Quality<br>Act Compliance: | On January 28, 2016 a Mitigated Negative Declaration was issued for this project by the City of Camarillo.  |

## ATTACHMENT A

### Project Information File No. 15-161

11. Receiving Water: Revolon Slough (Hydrologic Unit Code: 180701030106)
12. Designated Beneficial Uses: MUN\*, IND, AGR, GWR, REC-1, REC-2, WARM, WILD, WET  
\*Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (concrete-lined channel): 0.92 permanent acres (1,050 linear feet)
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.
16. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- No work will be conducted in flowing or ponded water except as necessary to construct a water diversion. All drainage flows within the construction area will be diverted by placing flows in a temporary flexible plastic pipe that will be diverted through the construction area to ensure that no work is performed in flowing water.
  - BMPs such as fiber rolls and silt fencing will be implemented to reduce the potential for dust, dirt, and construction debris to enter the drainages.
  - Sandbags will be placed around the upstream ends of the Camarillo Hills Drain and the Crestview Drain to prevent dust, dirt and construction debris from entering the drains.
  - All equipment refueling and maintenance will be conducted outside of the drainages. In addition, BMPs will be implemented during construction to reduce potential impacts associated with leaks and spills of oil, fuel, or machinery fluids.
  - All trash and construction debris will be removed from the channel and construction areas on a daily basis. All water quality BMP materials will be properly maintained during project

ATTACHMENT A

**Project Information**  
**File No. 15-161**

construction, and removed upon completion of construction activities. After completion of the project, all construction equipment and materials will be removed from the project area.

17. Proposed  
Compensatory  
Mitigation:

None.

18. Required  
Compensatory  
Mitigation:

The Regional Board will require compensatory mitigation for the loss of an open concrete-lined channel with a required ratio of 1:1 for restoration proposed in the same watershed or 2:1 for enhancement and/or exotic removal activities.

*See Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

## ATTACHMENT B

### Conditions of Certification File No. 15-161

#### 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 and the California Department of Fish and Wildlife's (CDFW) Streambed Alteration Agreement. **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, the CDFW's Streambed Alteration Agreement, 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, the approved Construction Plan, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

## ATTACHMENT B

### Conditions of Certification File No. 15-161

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.

## ATTACHMENT B

### Conditions of Certification File No. 15-161

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.
14. If rain is predicted after operations have begun, 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. 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.

16. All project 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.
17. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or 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. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:
  - pH
  - temperature
  - dissolved oxygen
  - turbidity
  - total suspended solids(TSS)

## ATTACHMENT B

### Conditions of Certification File No. 15-161

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.

18. The Applicant shall restore **all acres** 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. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years.
19. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed permanent loss of **0.92 acres** of waters of the United States by creating or restoring riparian habitat at a minimum **1:1 area replacement ratio (0.92 acres)** or by providing enhancement of **1.84 acres (2:1 ratio)**. The mitigation site shall be located within the Calleguas-Conejo Creek Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
  - (a) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
  - (b) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
  - (c) Success criteria shall be established.

**This information shall be submitted to this Regional Board for approval prior to any project activities which take place within waters of the United States** and shall include copies of all agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

20. If the Applicant proposes funding to a third-party organization for the creation of a total of **0.92 acres** streambed riparian habitat within waters of the United States (1:1 ratio) or enhancement of **1.84 acres** (2:1 ratio), then funding shall apply to mitigation acreage only, exclusive of administrative costs. The mitigation site shall be located within the Calleguas-

## ATTACHMENT B

### Conditions of Certification

File No. 15-161

Conejo Creek Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:

- (a) Documentation from the third party indicating that funds have been used for mitigation acreage only, which do not include administrative costs.
- (b) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
- (c) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
- (d) Success criteria shall be established.

**This information shall be submitted to this Regional Board for approval prior to any disturbance within waters of the United States** and shall include copies of all agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

- 21. The Applicant shall submit to this Regional Board a **Final Monitoring Report** by **January 1<sup>st</sup>** of the year following project completion. The report shall describe in detail all of the project/construction activities performed. At a minimum the report shall include the following documentation:
  - (a) Color photo documentation of the pre- and post-project site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project 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;
  - (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.
- 22. All applications, reports, or information submitted to the Regional Board shall be signed:



## ATTACHMENT B

### Conditions of Certification File No. 15-161

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 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.

**ATTACHMENT B**

**Conditions of Certification  
File No. 15-161**

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.

