California Water Boards

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Santa Ana Regional Water Quality Control Board

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DRAFT FINAL INTEGRATED FEASIBILITY REPORT AND ENVIRONMENTAL IMPACT STATEMENT/ DRAFT ENVIRONMENTAL IMPACT REPORT, "WESTMINSTER EAST GARDEN GROVE, CALIFORNIA FLOOD RISK MANAGEMENT STUDY" – U.S. ARMY CORPS OF ENGINEERS AND ORANGE COUNTY PUBLIC WORKS

Dear Mr. Padilla:

Staff of the Regional Water Quality Control Board, Santa Ana Region (Regional Board) has reviewed the Integrated Feasibility Report and Environmental Impact Statement/ Draft Environmental Impact Report (DEIR) for the "Westminster-East Garden Grove, California Flood Risk Management Study" (Project). The Project will modify the channel cross-sections of two major systems in urbanized Orange County to achieve greater stormflow capacity, and to evacuate 100-year flows from their respective watersheds into two Huntington Beach estuaries. Westminster/ Bolsa Chica Channel (C04/C02) discharges into Huntington Harbour (eastern Anaheim Bay), and the Oceanview/East Garden Grove Wintersburg Channel (C06/C05) discharges into Outer Bolsa Bay of the Bolsa Chica Ecological Reserve (BCER).

Interagency meetings since 2018 have resulted in modifications to the original version of the Project and its earlier mitigation options. The revised Project resolves mitigation more toward measures meant to provide compensation for inundation and associated velocity impacts, at the downstream ends of each system, by 100-year or greater flows.

The revised Project would remove the defective tide gates at the terminus of C05, allowing peak and sustained stormflows to meet tidal fluctuations (and rising sea level) from Outer Bolsa Bay. Of two plans considered for channel enlargement, the Maximized Channel Modifications Plan or Locally Preferred Plan ("LPP") appears to be generally finalized.

We understand that the LPP would widen the channel connecting Outer Bolsa Bay and Huntington Harbour, as well as the Warner Ave Bridge and Bolsa Chica Visitor Center pedestrian bridge crossing the channel. The adjacent promontory (Visitor Center native vegetation garden) constricting this channel will have 0.85 ac removed, so that tidal currents and stormwater surges from the C05 terminus will have lower velocity than at present within a widened channel beneath the Warner Ave Bridge (Appendix B - Civil Engineering p.12-15).

The BCER's Muted Tidal Pocket (MTP), the partly inundated marsh along the northern side of the C05 northern levee, will remain connected by culverts beneath C05 to the Full Tidal Basin. Also, an earlier concept for a protective floodwall for Pacific Coast Highway (PCH), on its inner shoreline of Outer Bolsa Bay, appears to no longer be a Project component but the DEIR may clarify.

A Westminster Mall Diversion Channel will take high flows from the C04 channel near Hoover Street to the north and around the City's major shopping center (Appendix B - Civil Engineering p.13-14). The diversion will follow an abandoned railway alignment that passes beneath Interstate 405. The delayed flows will be reintroduced to C04 at the corner of Edwards Street and Bolsa Avenue.

At downstream portions of both channels, sheet piles will be driven into the top of current levee slopes, with the slope toes removed in order to widen the channels. The terminus of C02 will have sheet piling in only the southern levee, to protect adjacent streets and residences (none to the north of the channel) and to better convey future larger stormwater volumes from C04 and tributary channels into Huntington Harbour.

Regional Board staff recommends that the DEIR incorporate the following comments in order for the Project to best protect water quality standards (water quality objectives, beneficial uses, and antidegradation policy), as defined in the Water Quality Control Plan for the Santa Ana River Basin (i.e., Basin Plan):

Of several mitigation combinations discussed in the DEIR, the "Selected Mitigation Plan" is "Alternative 4" (Appendix M–Mitigation Strategy p.57). These measures would:

- Construct a "hydraulic stoplog structure" (adjustable weir) upstream of the terminus of C05, as part of its northern levee. It would allow stormflow to spill into the southeastern portion of the MTP. Santa Ana Water Board staff are in favor of this breach in the northern levee, in part to enhance hydrological mixing in the 35-acre MTP marsh. The mix of fresh and brackish water should pose no harm to estuarine biota. Additionally, tidal fluctuations would be conveyed between Outer Bolsa Bay and the southwest corner of the MTP through a proposed modified culvert.

- Increase the height of the two least tern nesting sites designated in the BCER ("north and south tern islands"), using inert commercial sand. The "sand addendum" is meant to increase the islands' resiliency to future sea-level rise. The "North Tern Island" would be increased upon a 1.16-acre area and the "South Tern Island" would be increased upon a 1.31-acre area.

- Transplant eelgrass from a permitted donor site in Huntington Harbour to a 0.5-acre planting-grid site in Outer Bolsa Bay (Mitigation Plan p. 61), likely southeast of the Warner Avenue Bridge. This mitigation will be in-kind for the probable loss of eelgrass to stormflow velocity at the terminus of both C05 and C02, as well as for direct impacts to 0.15 acre of estuarine wetlands. Out-of-kind mitigation for eelgrass loss would be restoration of rocky reef habitat (3.6 acres) at an established Palos Verdes Reef Restoration Project site. Eelgrass progress will be monitored against success criteria included in the mitigation plan summary. Please note that Appendix M Table 38 lists both "10522 square meters" and "1052 square meters" of eelgrass replacement, a likely typographical error.

  Following our participation in the interagency meetings that discussed appropriate Project mitigation alternatives, Santa Ana Water Board staff agree to the above measures.

The DEIR estimates in its Jurisdictional Delineation (Appendix L–Environmental Considerations, p.13) that for the LPP option, 1,814,500 cubic yards (CY) of soil, sediment, uncontaminated levee material, and waste concrete would be dredged from the channels, tide gates, and the Warner Avenue Bridge area, and 481,100 CY of inert fill (new concrete, sheet piles, etc.) will be emplaced. Final acreage and linear feet of all channels must be reported in the eventual application submitted for a Clean Water Act Section 401 Water Quality Standards Certification (Certification). Waste material removed for these measures, with no untreated tailwater (p.30), would be disposed of at an appropriate upland landfill.

Interagency discussion has included how present methods and programs to arrest floating and saltating trash in the subject flood control channels would be expanded for future high stormwater volumes. The DEIR does not appear to address, and should address, these additional methods, devices, and other protocols anticipated for intercepting trash, as well as for recovering it once in Huntington Harbour and Outer Bolsa Bay. The Certification would include these measures.

Santa Ana Water Board staff find satisfactory the "*Preliminary Compendium Report for Water Quality and Sediment in the C05 (Garden Grove-Wintersburg Channel), Westminster, California*," which evaluates sediment and water quality, and toxicity, against objectives from the Basin Plan, the California Toxics Rule, the California Ocean Plan, the County of Orange Health Care Agency and other sources. During construction progress, please continue to confer with our office on further analytical results.

If you have any questions, please contact Glenn Robertson at (951) 782-3259 and Glenn.Robertson@waterboards.ca.gov , or me at (951) 782-4995 and Terri.Reeder@waterboards.ca.gov

Sincerely,

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