



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from *Keep California Beautiful*

Arnold Schwarzenegger
Governor

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

Joel J. Sandberg
Expo Metro Line Construction Authority
707 Wilshire Boulevard, 34th Floor
Los Angeles, CA 90017

WATER QUALITY CERTIFICATION FOR PROPOSED MID-CITY EXPOSITION LIGHT RAIL TRANSIT PROJECT (Corps' Project No. 2008-438-KW), BALLONA CREEK, LOS ANGELES (File No. 08-012)

Dear Mr. Sandberg:

Board staff has reviewed your request on behalf of Expo Metro Line Construction Authority (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced Project. Your application was deemed complete on May 28, 2008.

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.

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 Dana Cole, Section 401 Program, at (213) 576-5733.

_____[Original Signed by]_____
Tracy J. Egoscue
Executive Officer

June 4, 2008
Date

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

DISTRIBUTION LIST

Diane Kravif
FCI/ Fluor/ Parsons
707 Wilshire Boulevard, 34th Floor
Los Angeles, CA 90017

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

Betty Courtney
California Department of Fish and Game
Streambed Alteration Team
4949 View Ridge Avenue
San Diego, CA 92123

Kenneth Wong/ Ted Magisat
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Eric Raffini (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

ATTACHMENT A

**Project Information
File No. 08-012**

1. Applicant: Expo Metro Line Construction Authority
707 Wilshire Boulevard, 34th Floor
Los Angeles, CA 90017
Phone: (213) 243-5500 Fax: (213) 243-5553

2. Applicant's Agent: FCI/ Fluor/ Parsons
707 Wilshire Boulevard, 34th Floor
Los Angeles, CA 90017
Phone: (213) 243-5691 Fax: (213) 243-5656

3. Project Name: Mid-City Exposition Light Rail Transit Project

4. Project Location: Los Angeles , Los Angeles County

<u>Longitude</u>	<u>Latitude</u>
-118.3769	34.0268
-118.3767	34.0268
-118.3763	34.0268
-118.3764	34.0267
-118.3764	34.0266
-118.3767	34.0266
-118.3770	34.0266
-118.3770	34.0267

5. Type of Project: Bridge construction

6. Project Purpose: The proposed project (Project) will alleviate traffic and enhance public mass transit opportunities by providing light rail transit (LRT) from the 7th Street Metro Center Station in Downtown Los Angeles to the intersection of Washington and National Boulevards in Culver City.

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7. Project Description:

The Project will provide LRT along a segment of National Boulevard that crosses over Ballona Creek. The Project will consist of removal and replacement of the existing National Boulevard (South) bridge over Ballona Creek to provide the new light rail transit (LRT) system. This segment of National Boulevard will be comprised of two parallel bridges over Ballona Creek (a bridge for vehicles and the LRT bridge).

The Project will require limited work in the concrete-lined flood control channel of Ballona Creek, approximately four miles upstream of the Ballona Wetlands. Work in the creek will include partial diversion of the creek using one layer of sand bag berms that would be placed on one side of the creek. All work within or above Ballona Creek will be conducted using best management practices identified in the Storm Water Pollution Prevention Plan (SWPPP) dated September 2006.

The Project will include relocation of utilities (burial of the overhead electrical line above the west side of Ballona Creek and removal of the fuel line on the south side of National Boulevard South).

The National Boulevard (South) replacement bridge will not have columns or piers in the rectangular channel as the abutments will be located within the trapezoidal section. The existing channel wall and pier footings would remain in place, while the existing abutments (including anchor rod and anchor wall) will be removed.

The work on the National Boulevard (South) replacement bridge will be immediately followed by construction of the Ballona Creek substructure for the LRT bridge over the existing railroad bridge. The LRT bridge will have columns that are outside both the rectangular portion of the channel and the trapezoidal portion. No columns or piers will be placed within the channel of the creek up to the ordinary high water mark.

Equipment, machinery, and materials will enter and exit the Project area immediately east and immediately west of the existing National Boulevard bridge. Equipment to be used in the channel will access the site via the maintenance access ramp from the immediate northwest point of National Blvd north bridge. Bridge demolition will occur from the top down. Debris that may fall through the

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protective nets below will be cleaned up.

Upon completion of work, the concrete-lined channel will be returned to its current condition.

This Project will not result in any discharge into Ballona Creek. The Applicant will take all practicable measures to avoid impacts, and no permanent impacts are expected. There is no vegetation present in this concrete lined channel of Ballona Creek. With implementation of the BMPs identified in this application, there will be no discharge that could directly or indirectly destabilize a bed of a receiving water; contribute to significant cumulative effects; cause pollution, contamination, or nuisance; adversely affect any special status species; degrade water quality or beneficial uses; be toxic; or, include "hazardous" or "designated" material

- | | |
|--|--|
| 8. Federal Agency/Permit: | U.S. Army Corps of Engineers
NWP No. 33 (Permit No. 2008-438-KW) |
| 9. Other Required
Regulatory Approvals: | California Department of Fish and Game
Streambed Alteration Agreement |
| 10. California
Environmental Quality
Act Compliance: | The Los Angeles County Metropolitan Transportation Authority approved the Project's Final Environmental Impact Report (State Clearinghouse No. 2000051058) and a Notice of Determination was filed on December 15, 2005. |
| 11. Receiving Water: | Ballona Creek (Hydrologic Unit No. 405.15) |
| 12. Designated Beneficial
Uses: | MUN*, REC-1, REC-2, WARM, WILD

*Conditional beneficial use |
| 13. Impacted Waters of the
United States: | Non-wetland waters (unvegetated streambed): 0.83 temporary acres
(145 linear feet) |
| 14. Dredge Volume: | None |

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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 Best Management Practices, including, but not limited to, the following:

Erosion Control:

- Scheduling (BMP No. SS-1): A schedule will be developed for every work package, to include sequencing of construction activities with the implementation of construction site BMPs such as temporary soil stabilization (erosion control) and temporary sediment controls measures. The purpose of this BMP is to reduce the amount and duration of soil exposed to erosion by wind, rain, runoff and vehicle tracking.
- Soil Binders (BMP No. SS-5): This BMP will consist of applying and maintaining a soil stabilizer to exposed soil surfaces. This will temporarily prevent water-induced erosion of exposed soils on the construction site. Soil binders also provide temporary dust, wind, and soil stabilization benefits to control erosion.
- Earth Dikes/Drainage Swales (BMP No. SS-9): This BMP will be used to intercept, divert and convey surface run-on, generally sheet flow, to prevent erosion.

Sediment Control:

- Sediment Basins (BMP No. SC-2) may be used to contain sediment from the area of construction within the concrete-lined channel. The sediment basin will be a temporary embankment to detain sediment-laden runoff and allow it to settle out before runoff is discharged.
- Check Dam (BMP No. SC-4) may be used with other BMPs when determined to be necessary to reduce flow velocity and

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encourage sediment settlement. The check dam would be constructed of rock, gravel bags, sandbags, fiber rolls or other material and placed across the concrete-lined channel.

- Fiber Rolls (BMP No. SC-5) may be used with other BMPs when determined to be necessary to reduce flow velocity, release runoff as sheet flow and provide removal of sediment from the runoff. Fiber rolls would be wood excelsior, rice or wheat straw or coconut fibers rolled or bound into a tight tubular roll and placed on the toe and face of slopes.
- Gravel Bag Berm (BMP No. SC-6) may be constructed as a single row of gravel bags installed end to end to form a barrier across a slope. The gravel bag berm would intercept runoff, reduce its flow velocity, release runoff as sheet flow and provide some sediment removal for places such as storm drain inlets to divert or detain flows.
- Street Sweeping and Vacuuming (BMP No. SC-7): This BMP will be used to remove tracked sediment and prevent the sediment from entering the concrete-lined channel of Ballona Creek. Street sweeping and vacuuming will be conducted at points of ingress/egress.
- Storm Drain Inlet Protection (BMP No. SC-10): This BMP will be implemented to detain and/or filter sediment-laden runoff to allow sediment to settle before it flows down the concrete-lined channel of Ballona Creek.

Wind Erosion Control:

- Wind Erosion Control (BMP No. WE-1): This BMP will be accomplished by applying water and/or other dust palliatives as necessary to prevent or alleviate erosion by the forces of wind. Covering of small stockpiles or areas is an alternative to applying water or other dust palliatives.

Tracking Control:

- Stabilized Construction Entrance/Exit (BMP No. TC-1): This BMP will require limiting speed of vehicles to control dust, proper grading to prevent runoff from leaving the construction

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site, routing runoff through a sediment-trapping device before any discharge, proper design of the entrance/exit to accommodate the largest vehicles, and appropriate selection of stabilization materials.

- Water Conservation Practices (BMP No. NS-1): Water leaks will be repaired promptly, vehicle and equipment washing will be discouraged, and water runoff will be directed to areas where it can infiltrate into the ground.
- Paving and Grinding Operations (BMP No. NS-3): Any residues generated by paving, saw cutting, and grinding operations will be collected to avoid allowing this material to enter the channel or storm drains. Substances used to coat asphalt transport trucks, asphalt trucks and asphalt spreading equipment shall not contain soap and shall be non-foaming and non-toxic. Sweepings from exposed aggregate concrete will not be washed into the storm drain system, and will be returned to aggregate base stockpiles or disposed properly.
- Clear Water Diversion (BMP No. NS-5): This BMP will be used in the waterway to enclose a construction area and reduce sediment pollution from construction work occurring in or adjacent to the waterway.
- Illicit Connection/Discharge (BMP No. NS-6): Illicit discharges will be reported to the Resident Engineer. This BMP establishes a procedure and practice for the construction contractor to recognize illicit connections or illegally dumped or discharged materials on a construction site.
- Vehicle and Equipment Cleaning (BMP No. NS-8): Vehicles will be managed to minimize or eliminate discharge of pollutants into the storm drain system or the concrete-lined Ballona Creek channel. Cleaning of vehicles and equipment with soap, solvents or steam will not occur on the site.
- Vehicle and Equipment Fueling (BMP No. NS-9): Fueling will be conducted to minimize or eliminate the discharge of fuel spills and leaks into the storm drain or the concrete-lined channel of Ballona Creek.

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- **Pile Driving Operations (BMP No. NS-11):** Pile driving will be conducted with proper control and use of equipment, materials, and waste products. Pile driving operations will include availability of spill kits and cleanup materials. Equipment used in or over water bodies shall be kept leak free. Equipment shall be parked over plastic sheeting or equivalent where possible.
- **Concrete Curing (BMP No. NS-12):** Chemical curing will be applied to avoid over-spraying and to minimize drift of the compound (without runoff). Drain inlets will be protected before commencing of spraying. Cure water will be directed away from Ballona Creek, and collected for removal or disposal.
- **Material and Equipment Use Over Water (BMP No. NS-13):** Drip pans, absorbent material, and spill cleanup materials will be available. Drip pans will be placed under all vehicles and equipment placed over water bodies whenever the vehicle or equipment is expected to be idle for more than one hour. Any discharges to Ballona Creek will be reported to the Resident Engineer immediately upon discovery, and a written discharge notification will follow within seven days. Equipment will be inspected daily for leaks and spills, and all necessary repairs conducted as soon as possible.
- **Concrete Finishing (BMP No. NS-14):** The contractor shall follow specific permit requirements for concrete finishing operations, including requirements for containment. Water and solid waste from blasting operations will be collected and properly disposed of, and directed away from the concrete-lined channel of Ballona Creek. Dust and drift of blast material will be minimized as much as possible by keeping the blasting nozzle close to the surface.
- **Demolition Adjacent to Water (BMP No. NS-15):** Demolished material will not be allowed to enter Ballona Creek. Attachments on construction equipment will be used to catch debris. Covers or platforms will be used to collect debris. Accumulated debris and waste generated during demolition will be stockpiled away from Ballona Creek. Safe passage of wildlife will be ensured. Any discharges to Ballona Creek will be immediately reported to the Resident Engineer. Demolition area over and near Ballona Creek will be inspected on a daily basis.

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Waste Management and Materials Pollution Control:

- **Material Delivery and Storage (BMP No. WM-1):** This BMP will include, but not be limited to, training of employees and subcontractors, locating temporary storage areas away from vehicular traffic, covering temporary containment facilities during the rainy season, separation of incompatible materials, proper labeling and spill clean-up.
- **Material Use (BMP No. WM-2):** This BMP will include, but not be limited to, proper cleaning of paint brushes, use of recycled products, proper labeling, and spill clean-up.
- **Stockpile Management (BMP No. WM-3):** Protection of stockpiles will be required year-round, and will be located a minimum of 50 feet from the water flow along Ballona Creek. Bagged materials will not be placed on pallets and covered.
- **Spill Prevention and Control (BMP No. WM-4):** This BMP includes education of workers at the site, cleanup and storage procedures, maintenance and inspection.
- **Solid Waste Management (BMP No. WM-5):** Solid waste management procedures and practices will be practiced to minimize or prevent discharge of spilled material into Ballona Creek as a result of the creation, stockpiling, or removal of construction site wastes.
- **Hazardous Waste Management (BMP No. WM-6):** Procedures will be implemented for construction activities that generate waste from the use of petroleum products, asphalt products, concrete curing compounds, pesticides, acids paints, stains, solvent, wood preservatives roofing tar or any materials deemed a hazardous waste in California, Title 22 division 4.5, or listed in 40 CFR parts 110, 117, 261 or 302.
- **Contaminated Soil Management (BMP No. WM-7):** This BMP will be implemented where soil contamination may have occurred due to spills, illicit discharges, leaks from underground storage tanks, or where a roadway may have soils that have been contaminated by aerially deposited lead (ADL). As part of this

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BMP, precautions and measures to prevent the flow of water, including ground water, from mixing with hazardous substances will be used.

- Concrete Waste Management (BMP No. WM-8): This BMP includes education of workers, prohibiting concrete slurry wastes from entering Ballona Creek, disposal of hardened wastes, monitoring onsite concrete work by a foreman and/or construction supervisor, and the removal of any temporary concrete washout facilities.
- Sanitary/Septic Waste Management (BMP No. WM-9): The construction site will use temporary or portable sanitary/septic waste systems that will be located away from the storm drain, traffic circulation and the concrete-lined channel of Ballona Creek. Reputable, licensed sanitary/septic waste haulers will be used.

17. Proposed
Compensatory
Mitigation:

The Applicant has not proposed any compensatory mitigation due to the temporary nature of impacts associated with the Project and the location of the Project within a concrete lined channel.

18. Required
Compensatory
Mitigation:

The Project activities are temporary within the concrete channel, which is devoid of vegetation. The channel cross-section and capacity will not be modified by the Project. Since the Project impacts are temporary in nature, the Regional Board will not require any additional compensatory mitigation.

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

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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 Game's (CDFG) 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 CDFG'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)*.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. **16**, are incorporated as additional conditions herein.

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5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, the approved maintenance plan, and all other regulatory approvals for this Project on site at all times and shall be familiar with all conditions set forth.
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 and/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. Please contact Rodney Nelson, Land Disposal Unit, at (213) 620-6119 for further information.
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.

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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.
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. The Applicant shall not conduct any maintenance activities within waters of the State during a rainfall event, or at any period when site conditions would lead to excessive erosion. If any maintenance activities are to be held within five (5) days of a predicted rainfall event, the Applicant shall stage materials necessary to prevent water degradation on site, and shall ensure that all stabilization procedures are completed prior to the rainfall event.
15. If rain is predicted after operations have begun, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
16. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
17. 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** 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.
18. All Project construction and maintenance 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.
19. 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

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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)
- 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%.

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be 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. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

20. The Applicant shall restore the proposed **0.83 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. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this Project.
21. The Applicant shall submit to this Regional Board **Annual Monitoring Reports** (Annual Reports) by **January 1st /May 1st** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until Project completion has been achieved and documented. The Annual Reports shall describe in detail all of the Project or construction activities performed during the previous year. The Annual Reports shall describe the status or any delays in the process. At a minimum the Annual Reports shall

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include the following documentation and answered appropriately whether or not mitigation has been performed:

- (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 a detailed schedule of work;
 - (d) Copies of all permits revised as required in Additional Condition 1;
 - (e) Water quality monitoring results for each reach (as required) compiled in an easy to interpret 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. Prior to any subsequent maintenance activities within the subject drainages, including clearing, maintenance by-hand, and/or the application of pesticides, the Applicant shall submit to this Regional Board a NOTIFICATION of any such activity. Notification shall include: (a) the proposed schedule; (b) a description of the drainage’s existing condition or capacity; (c) the area of proposed temporary impact within waters of the State; (c) a description of any existing aquatic resources (e.g., wetland/riparian vegetation); and (d) any proposed compensatory mitigation. Notifications must be submitted a minimum of **three (3) weeks** prior to commencing work activities.
23. All applications, reports, or information submitted to the Regional Board shall be signed:
- (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
 - (b) For a partnership, by a general partner.
 - (c) For a sole proprietorship, by the proprietor.

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(d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

24. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

“I declare under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Executed on the _____ day of _____ at _____.

(Signature)
(Title)”

25. All communications regarding this Project and submitted to this Regional Board shall identify the Project File Number **08-012**. Submittals shall be sent to the attention of the 401 Certification Unit.

26. Any modifications of the proposed Project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.

27. The Project shall comply with the local regulations associated with the Regional Board’s **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. 01-182. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment.

28. The Project shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 99-08-DWQ. All 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.

29. 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

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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.

30. 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.
31. *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.
32. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.