



California Regional Water Quality Control Board Los Angeles Region



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Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

Ms. Grace David
City of Los Angeles
Bureau of Engineering
Bridge Improvement Group
1149 S. Broadway, Room 750
Los Angeles, CA 90015

Certified Mail Return Receipt Requested
Claim No. 7010 3090 0002 1021 9292

WATER QUALITY CERTIFICATION FOR PROPOSED NORTH SPRING STREET VIADUCT WIDENING AND REHABILITATION PROJECT Corps' Project No. 2011-00746-MAS), LOS ANGELES RIVER, CITY OF LOS ANGELES, LOS ANGELES COUNTY (File No.11-167)

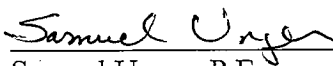
Dear Ms. David:

Board staff has reviewed your request on behalf of the City of Los Angeles, Bureau of Engineering, Bridge Improvement Group (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete February 13, 2012.

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.

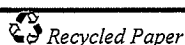
Should you have questions concerning this Certification action, please contact Dana Cole, Section 401 Program, at (213) 576-5733.



Samuel Unger, P.E.
Executive Officer

Feb. 28, 2012
Date

California Environmental Protection Agency



DISTRIBUTION LIST

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ATTACHMENT A

**Project Information
File No. 11-167**

1. Applicant: Ms. Grace David
Bridge Improvement Group
City of Los Angeles, Bureau of Engineering
1149 S. Broadway, Room #750
Los Angeles, CA 90015

Phone: (213) 485-5194 Fax: (213) 485-5192
2. Applicant's Agent: Ms. Anissa Voyiatzes
Psomas
555 South Flower Street, Suite 4400
Los Angeles, CA 90071

Phone: (714) 481-7998 Fax: (714) 545-8883
3. Project Name: North Spring Street Viaduct Widening and Rehabilitation Project
over Los Angeles River
4. Project Location: City of Los Angeles, Los Angeles County
- | <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.0707551 | -118.2246044 |
| 34.0709407 | -118.2238380 |
| 34.0706162 | -118.2245777 |
| 34.0701762 | -118.2258510 |
| 34.0710783 | -118.2238635 |
| 34.0701102 | -118.2258193 |
| 34.0710087 | -118.2238523 |
| 34.0700498 | -118.2257970 |
5. Type of Project: Viaduct Widening
6. Project Purpose: The proposed project (Project) will:

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- (1) Eliminate the existing geometrical and design deficiencies associated with the North Spring Street viaduct and its approach roadways;
- (2) Correct existing seismic vulnerability issues specific to the viaduct; and
- (3) Improve the pedestrian and bicycle travel through the Project area and connections with regional bicycle routes and mass-transit facilities.

Project Description:

Work within the Los Angeles River will construct the bridge foundation, river pier extension, and debris nosing. Five foot diameter cast in place drilled hole piles (CIDH), a cast-in-place concrete pile cap, the extension of the river pier, and debris nosing in order to protect the river pier from debris will be installed. The widened viaduct will be supported with CIDH or driven as reinforced precast concrete piles. Details of work within, above, and adjacent to the channel are described in the following paragraphs:

Drill and Drive Piles, Place Pile Caps

The widened viaduct will be supported with cast-in-drilled-hole piles or, where specifically required, driven reinforced precast concrete piles. CIDH are created by drilling a hole into the ground at the diameter and depth of the desired pile. A steel reinforced cage is then lowered into the drilled hole, and concrete pumped in.

Work will encroach into the five-foot groundwater buffer as is common in work within the river. The ground water elevation is about equal with the channel bottom.

If groundwater is encountered during the installation of CIDH or foundation, groundwater will be tested. If contaminated, the groundwater will be pumped into storage baker tanks and then disposed of at a legal point of disposal. If not contaminated, then the Applicant will obtain a U-Permit from the Bureau of Engineering Permit Section and the groundwater will be pumped to the closest sewer maintenance hole for disposal.

If dewatering is needed, the Applicant will follow the guidelines and meet the requirements of the City of Los Angeles Bureau of

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Sanitation (BOS).

The cast-in-drilled-hole method will be used at the east and west arch abutments, and the center pier. All of the work associated with constructing the footing and the piers up to the bottom of the arches will be performed during the dry season. The channel bed restoration will be finished before the start of the wet season.

Pour Columns

Following construction of the viaduct footings, the columns and piers will be formed, reinforcement placed, and concrete poured.

Construction Falsework

Falsework (which are temporary structures used to support structural members or forms to hold concrete in place until it hardens) will be used to support the concrete placement for the arches, arch girders, and the viaduct deck.

Viaduct Construction

Following erection of the falsework, cast-in-place girders for the widening will be placed, new utility conduits will be installed, and the viaduct deck will be poured.

Water Diversion

Portions of the existing Los Angeles River channel will be removed for the installation of the above mentioned improvements. In order to construct the piles, pile cap, extension of the river pier, and the new debris nosing, the existing runoff in the concrete low flow channel will be diverted around the work area on a temporary basis. Any diversion of water necessary for project implementation shall be conducted in compliance with a water diversion plan. The Applicant will be required to prepare a water diversion plan that complies with all regulatory permits and agreements. This plan will be submitted and approved by the City and this Regional Board prior to construction.

After forms are removed, the remaining portion of the concrete channel will be replaced including the low flow channel in its original location. The extension of the center pier and debris nose will impact 1,618 square feet of the Los Angeles River on a permanent basis. The work on bridge abutments will also impact 860 square feet on the west side of the Los Angeles River and 880

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square feet on the east side of the Los Angeles River. The total permanent impacts to the Los Angeles River will be 3,358 square feet or 0.084 acres.

The construction is estimated to take 18 months with a construction started date on July 20, 2012.

7. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 14, 25 (Permit No. 2011-00746-MAS)
8. Other Required Regulatory Approvals: California Department of Fish and Game
Streambed Alteration Agreement
9. California Environmental Quality Act Compliance: Caltrans approved the project's Revised Final Environmental Impact Report/Finding of No Significant Impact with Environmental Assessment and Programmatic Section 4(f) Evaluation (EIR No. EA 931701, State Clearinghouse No. 2006091076) on June 30, 2011.
10. Receiving Water: Los Angeles River (Hydrologic Unit No. 405.15)
11. Designated Beneficial Uses: MUN*, IND, GWR, REC-1, REC-2, WARM, WILD, WET
*Conditional beneficial use
12. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.11 temporary and 0.084 permanent acres
13. Dredge Volume: None
14. Related Projects Implemented/to be Implemented by the Applicant: The Bridge Improvement Program for the City of Los Angeles is an on-going program to improve all bridges within the jurisdiction of the city. The Department of Public Works and the Bureau of Engineering of the City of Los Angeles manages the design and

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construction of approximately 80 bridges improvement projects. These projects consist of replacements, widenings, seismic retrofits, structural improvements, and historic renovations. Twenty-one of the bridges span over the Los Angeles River.

15. Avoidance/ Minimization Activities:

The widening of the North Spring Street bridge and associated improvements will comply with the latest version of the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP). Low Impact Development (LID) design has been incorporated into the Project by minimizing the bridge pier and foundation and pier extension footprint within the Los Angeles River.

During construction, the Applicant will be required to implement all erosion and stormwater pollution control measures required of the NPDES General Permit including preparation of a Stormwater Pollution Prevention Plan (SWPPP).

In order to minimize debris deposition into the Los Angeles River channel, the following special BMPs will be applicable for the Construction work on the viaduct:

- Non-shattering methods will be employed for demolition activities (wrecking balls will not be acceptable).
- Place platforms under or adjacent to the viaduct to collect debris.
- Water tight curbs or toe-boards on the viaduct using waterproof membrane will be provided.
- Materials and wood cut and formed to block the catch basin inlets will contain spills and prevent materials, tools, and debris from falling from the viaduct.
- Attachments on equipment, such as backhoes, to catch debris from small demolition operations will be employed.
- Work areas within the Los Angeles River channel will be isolated from the river flow using sandbags, k-rails, rubber dams, and waterproof membranes.

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The Applicant has also proposed additional several Best Management Practices, including, but not limited to, the following:

- Silt fences or gravel sand bags will be placed around disturbed areas within the Los Angeles River channel.
- Stabilized entrances and concrete washout areas will be located outside of the Los Angeles River channel near the channel access connection within the public right of way at the river maintenance access located off San Fernando Road under Arroyo Seco Parkway.
- Any debris tracked into public right of way will be cleaned daily with a street sweeper per the City of Los Angeles specifications.
- All equipment maintenance, cleaning, fueling, and storage will be performed outside of the Los Angeles River channel.
- Drip pans will be used under all vehicles and equipment placed in the channel or on the viaduct when expected to be idle for more than one hour.
- Equipment will be limited to dump trucks and loaders for concrete demolition and removal and a crane for structural shoring placement and structural member placement.
- All equipment used in the channel will be properly maintained to prevent pollutants from entering the channel.
- All construction equipment entering the Los Angeles River channel will be equipped with rubber tires.
- Screens and traps will be employed to prevent construction debris or silt from entering the channel.
- Trash will be removed from the project site daily.
- Applicant will use tarps and limit construction activities during windy conditions for drilling activities, stockpile areas, and grading to prevent impacts to the Los Angeles River.
- Applicant will collect all water from concrete curing and

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finishing operations and will be disposed of at an approved landfill.

- All debris and waste will be stockpiled outside of the Los Angeles River channel.
- All waste will be taken to a legal point of disposal.

16. 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.

Since the Project impacts are concrete to concrete in nature, the Regional Board will not require any additional compensatory mitigation.

17. Required Compensatory Mitigation:

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. 11-167

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)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 15, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

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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. Please contact the Land Disposal Unit at the Regional Board for further information regarding the disposal of solid wastes.
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.
13. Application of pesticides must be supervised by a certified applicator and be in conformance with manufacturer's specifications for use. Compounds used must be appropriate to the

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target species and habitat. All pesticides directed toward aquatic species must be approved by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2011-0004-DWQ and 2004-0009-DWQ.

14. 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.
15. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
16. 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.
17. 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/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 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.

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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)

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.

20. The Applicant shall restore the proposed **0.11 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** 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/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. The Annual Reports shall describe the status of other regulatory agreements or any delays in the process. At a minimum the Annual Reports shall include the following documentation and answered appropriately:
 - (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;

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- (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. 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.
 - (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
23. 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)"

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24. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **11-167**. Submittals shall be sent to the attention of the 401 Certification Unit.
25. 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.
26. 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. 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. 2009-009-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.
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

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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.
30. 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.