



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Ben Salisbury
BSVERCOM, LLC
24007 Ventura Blvd., Suite 102,
Calabasas, CA 91302

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 9409

WATER QUALITY CERTIFICATION FOR PROPOSED BSVERCOM, LLC THREE LOT HOUSING PROJECT (Corps' Project No. 2013-318-AJS), DRY CANYON CREEK, TRIBUTARY TO ARROYO CALABASAS, TRIBUTARY TO LOS ANGELES RIVER, CITY OF CALABASAS, LOS ANGELES (File No 13-055)

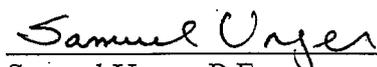
Dear Mr. Salisbury:

Board staff has reviewed your request on behalf of BSVERCOM, LLC (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on July 3, 2013.

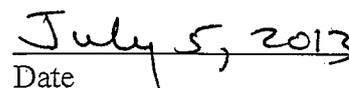
I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), 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 Dana Cole, Section 401 Program, at (213) 576-5733.



Samuel Unger, P.E.
Executive Officer


Date

DISTRIBUTION LIST

Envicom Corporation
Travis Cullen
28328 Agoura Road, Agoura Hills,
CA 91301

Bill Orme (via electronic copy)
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Division of Water Quality
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Sacramento, CA 94244-2130

Brock Warmuth (via electronic copy)
California Department of Fish and Wildlife
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Antal Szijj
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Regulatory Branch, Ventura Field Office
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Ventura, CA 93001

Paul Amato (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 92011

ATTACHMENT A

**Project Information
File No. 13-055**

1. Applicant: Mr. Ben Salisbury
BSVERCOM, LLC
24007 Ventura Blvd., Suite 102
Calabasas, CA 91302

Phone: (818) 225-2400 ext. 3
Fax: (818) 225-2406

2. Applicant's Agent: Envicom Corporation
Travis Cullen
28328 Agoura Road,
Agoura Hills, CA 91301

Phone: (818) 879-4700 Fax: (818) 879-4711

3. Project Name: BSVERCOM, LLC Three Lot Housing Project

4. Project Location: Calabasas, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.140301	118.640532
34.140107	118.638606
34.139806	118.637444
34.138400	118.638074
34.138438	118.639649

5. Type of Project: Single-family residence construction

6. Project Purpose: The proposed project (Project) will develop three family residences on undeveloped land.

7. Project Description: The Project will develop three two-story single-family residences on three parcels along Mulholland Drive, which include three private driveways, retaining walls, two entry gates, three swimming pools, drainage infrastructure, and landscaping.

Each residence will have direct access to Mulholland Highway. The

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two driveway access points will intersect with Mulholland Highway and will be located near the western and eastern property boundaries. The western driveway entrance will be shared by Lot Number One designated by APN No. 2069-065-001 (Lot One) and Lot Number Two designated by APN No. 2069-065-002 (Lot Two). The eastern driveway entrance will provide access for Lot Number Three designated by APN No. 2069-065-003 (Lot Three). The proposed driveways will traverse north over the project site's hillside terrain and terminate at each building pad location.

Grading on Lot One will involve moving a total of 26,380 cubic yards; Lot Two will involve moving a total of 31,640 cubic yards; Lot Three will involve moving a total of 21,585 cubic yards, for a total of 79,605 cubic yards. Balancing will be done on the hillside terrain, but approximately 24,000 cubic yards will be exported.

The project site includes three ephemeral drainages: Drainage 1, 2A and 2B (as designated in the MND) within two sub-watersheds of the Los Angeles River Watershed. The drainages are conveyed offsite via individual culverts beneath Mulholland Highway that enter into Dry Canyon Creek. Flows are then conveyed via a channel to Arroyo Calabasas, a tributary of the Los Angeles River.

Local fill, corrugated metal pipe, riprap pads, culverts, swales, and terrace drains will be placed in jurisdictional waters of the state and U.S. (Waters). Approximately 2,000 cubic yards of material will impact Waters along 1,040 linear feet (0.14 acres) of ephemeral drainages.

The driveway proposed for Lot One will extend approximately 690 feet north from Mulholland Highway in part within an existing jurisdictional drainage (Drainage 1) feature. Retaining walls of varying heights are proposed to run along the east and west sides of the proposed private driveway.

Sewer and water pipelines will be extended from the residence beneath the proposed driveway alignment where they will connect to the existing sewer and water main lines located in Mulholland Highway.

North of Lot One, a storm drain inlet will collect storm water flows in a basin within the parcel owned by the Calabasas Ridge

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Homeowner's Association. Future maintenance of this basin is not covered under this Authorization. From this basin, stormwater conveyance infrastructure will be constructed beneath the building pad and beneath the proposed driveway. Flow will travel through an approximate 344-foot-long plastic (PVC) pipe to the east and south of the building pad where the storm water will dissipate on a five-foot by ten-foot riprap pad. Flow will continue south for approximately 100 feet in the existing channel. It will then enter the head walls of a second approximate 80-foot-long culvert of PVC pipe, crossing from the east of the driveway to the west, before dissipating on a second five-foot by ten-foot rip-rap pad. Storm waters will follow the graded drainage channel south for approximately 210 feet adjacent to the driveway before entering a third head wall. The head wall will connect along an approximate 110-foot-long culvert, going under Mulholland Highway and connect to an existing culvert channel (PM 28.91) to the south.

Lot Two is on a 217,693 square-foot lot (about 5-acres), and is located in the central portion of the project site. The driveway proposed for Lot Two will traverse up the existing hillside terrain and will extend approximately 780-feet north from Mulholland Highway. A retaining wall of variable height is proposed to run along the upslope side of the proposed driveway.

Drainage for Lot Two will be conveyed overland to storm drain inlets proposed within the driveway. These storm drain inlets will ultimately connect to the existing culvert adjacent to Mulholland Highway (PM 28.91). Sewer and water pipelines will be extended from the residence and buried beneath the existing natural slopes where they will connect to the existing sewer and water main lines.

Lot Three is located in the eastern portion of the project site on a 220,637 square-foot lot (about 6.065 acres). The driveway proposed for Residence No. 3 will extend approximately 380-feet north from Mulholland Highway by an existing ephemeral drainage feature. Retaining walls of variable height are proposed to run along the east and west sides of the proposed private driveway. Drainage for Lot Three will be conveyed via overland flow to storm drain inlets proposed within the driveway. The drainage features will connect to the existing culvert adjacent to Mulholland Highway (PM 28.99). Sewer and water pipelines will be extended from the residence beneath the proposed driveway alignment where they will connect

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to the existing sewer and water main lines located in Mulholland Highway.

Drainage within Lot Three will flow along the undisturbed existing ephemeral drainage channel before entering the proposed head wall and draining from west of the driveway through a proposed 56-foot-long corrugated metal pipe culvert to east of the driveway at the lower five-foot by ten-foot rip-rap pad where drainage 2A joins drainage 2B. Storm water flows draining the manufactured slope north of Lot Three will collect into a approximately 200-foot-long upper, and approximately 300-foot-long lower, east-west facing terrace drain then flow east into a five-foot by 10-foot rip-rap pad to the northeast of the building pad. Storm water in drainage 2B will then flow south for approximately 510 feet along the graded margin of the construction footprint and dissipate into a lower five-foot by 10-foot rip-rap pad. The combined drainage of 2A and 2B will then flow south along the margin of the graded slope for approximately 270 feet before connecting to the existing culvert (PM 28.99) flowing under Mulholland Hwy and the existing concrete channel to the south of Mulholland Hwy.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 29 (Permit No. 2013-318-AJS)
9. Other Required Regulatory Approvals: California Department of Fish and Game
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: On April 18, 2013, the City of Calabasas Planning Commission adopted Resolution 2013-542, approving and certifying a Mitigated Negative Declaration, and adopted Resolution 2013-543. On appeal, the City Council upheld the Planning Commission's decision at a regular scheduled meeting on May 22, 2013.
11. Receiving Water: Dry Canyon Creek, Los Angeles River Watershed (Hydrologic Unit No. 404.21)
12. Designated Beneficial MUN*, GWR, REC-1, REC-2, WARM, WILD, RARE

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Uses:

*Conditional beneficial use

13. Impacted Waters of the United States:

Non-wetland waters (streambed): 0.01 temporary acres (71 linear feet) and 0.14 permanent acres (1,040 linear feet).

14. 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.

15. Avoidance/Minimization Activities:

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

- Prior to initiation of construction activity, a qualified biologist will conduct environmental sensitivity training to ensure the foreman and crew are aware of the limits of disturbance, as well as prohibitions against placing debris or disposing of liquids in jurisdictional drainages.
- During construction, project activities will adhere to requirements provided in a storm water pollution prevention plan (SWPPP) prepared for this project, which will include provisions to minimize introduction of sediment or other pollutants to the drainages.
- Erosion and sedimentation controls identified in the SWPPP will be installed prior to initiation of construction activity, or as applicable with progression of work activities.
- Erosion and sedimentation controls will be inspected periodically to ensure that the devices are effective, as well as prior to and immediately after rainfall events.
- Water diversion will be installed to intercept and convey flows beyond work areas within jurisdictional drainages if water is present in the channel during construction.
- The applicant will install exclusion fences that will be utilized to

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isolate active construction areas from jurisdictional areas outside the grading footprint.

- Vehicles and construction equipment will be periodically inspected and maintained to ensure that there are no fluid leaks.
- Equipment and materials will be stored in a designated staging area outside of drainages with adequate containment for potential spills or leaks.
- Silt fences and sandbag barriers will be employed to contain sediments on site and minimize sediment from entering jurisdictional drainages.
- Storm drain inlet protection will be provided at existing culverts adjacent to Mulholland Highway to retain sediments onsite.
- Temporary check dams will be installed within drainages where appropriate to retain sediments onsite.
- Clearing of all jurisdictional vegetation will be restricted to within grading areas.
- Excessive clearing of the vegetation will not be permitted.
- Five day weather forecasts will be conducted in order to identify potential storm events.
- Spoil sites will be located away from drainage areas.
- A stabilized construction entrance will be provided to minimize sediment track-out.
- Construction activities and BMP implementation and maintenance will be monitored by a qualified SWPPP designer or practitioner.
- Grading activities have been scheduled to occur during the non-rainy season.
- A Rain Event Action Plan will be created to stabilize disturbed areas and avoid potential pollutant discharges during a rain

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event, prior to such an event.

- Construction-related materials and wastes will be retained at the project site to avoid discharge to streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff.
- Disturbed slopes will be hydro-seeded or planted with native species as part of a restoration plan in order to expedite establishment of vegetation to stabilize soils.
- The project's landscape areas will utilize a concave design to capture irrigation runoff and the first ¾ inch of a two year storm event for the landscape areas.
- The project will construct portions of the driveway from porous materials, and runoff from impervious driveway areas will be directed to permeable areas.
- The project will not disturb natural areas on the site that are beyond the development footprint.
- The project will protect slopes and channels by establishing vegetation, and providing riprap aprons to dissipate velocity at culvert outflows.
- The project will provide storm drain system stenciling and signage as a warning to not dump pollutants.
- Runoff from roofs and other surfaces will be diverted to vegetated areas before discharge where feasible, and where such diversion will not result in slope instability.

16. Proposed Compensatory Mitigation:

The applicant is proposing to mitigate onsite with in-kind restoration for 0.23 acres by removing non-native plants and replacing with native species along the eastern driveway of the project. The hydrologic regimes of the existing ephemeral drainages impacted do not support riparian or wetland species; the proposed mitigation plan for this site does not propose to vegetate with riparian or wetland species that the onsite hydrologic regime would not support or sustain.

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Vegetation planting will stabilize the stream banks, and several rocks and boulders will be placed prior to planting to aid in erosion control and to improve the aesthetics of the site. The project restoration specialist will oversee the placement of these materials prior to plant installations.

If the required mitigation cannot be conducted onsite, the balance shall be mitigated for by providing adequate funding to a third party organization for the creation or restoration of in-kind habitat within appropriate jurisdictional areas at a 2:1 mitigation ratio, or will be payment of in lieu fees. If mitigation is implemented offsite, mitigation lands shall be located as close to the project site as feasible. Offsite land shall be preserved through a conservation easement and a habitat mitigation and monitoring plan (HMMP) that shall identify an approach for funding assurance for the long-term management of the conserved land.

17. Required
Compensatory
Mitigation:

The Applicant shall provide 0.23 acres of mitigation for temporary and permanent impacts to vegetated streambed within the Los Angeles River Watershed. 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. 13-055

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, the approved 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.
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. 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.

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14. 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.
15. 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.
16. 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.
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 (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.

18. All project or construction 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 **0.01 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. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
21. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary loss of **0.01 acres** waters of the United States by creating or restoring riparian habitat at a minimum **1:1** area replacement ratio (**0.01 acres**). The Applicant shall also provide compensatory mitigation for the proposed permanent impacts to **0.14 acres** of vegetation within waters of the United States/Federal jurisdictional wetlands (Waters) by creating or restoring riparian habitat/Federal jurisdictional wetland habitat at a minimum **1.57:1** area replacement ratio (**0.23 acres**). If the Applicant proposes funding to a third-party organization for the creation or restoration in Waters for, or in combination of, the mitigation required above then funding shall apply to mitigation acreage only exclusive of administrative costs. The mitigation site shall be located within the Los Angeles River

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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.

- 22. All open space and mitigation areas shall be placed within a conservation easement to ensure preservation in perpetuity. Documentation of proper easement placement shall be submitted to the Regional Board within one year.
- 23. 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 mitigation success 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 agreements (e.g., mitigation banking) or any delays in the mitigation process. At a minimum the Annual Reports shall include the following documentation and answered appropriately whether or not mitigation has been performed:
 - (e) Color photo documentation of the pre- and post-project and mitigation site conditions;
 - (f) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (g) The overall status of project including a detailed schedule of whether or not work has begun on the Project;
 - (h) Copies of all permits revised as required in Additional Condition 1;
 - (i) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;

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- (j) A certified Statement of "no net loss" of wetlands associated with this project;
- (k) Discussion of any monitoring activities and exotic plant control efforts; and
- (l) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.

24. 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.

25. 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)"

26. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number 13-055. Submittals shall be sent to the attention of the 401 Certification Unit.

27. 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.

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28. 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. R4-2012-0175. 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.
29. The project shall 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.
30. 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.
31. 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.
32. *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

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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.

33. 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.