



Los Angeles Regional Water Quality Control Board

Ms. Patricia Wood
Los Angeles County Flood Control District
900 S. Fremont Ave.
Alhambra, CA 91803

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7012 3460 0001 6366 0342

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED BIG DALTON DAM SLUICeway REHABILITATION PROJECT (Corps' Project No. 2016-00195-BLR), BIG DALTON WASH, CITY OF GLENDORA, LOS ANGELES COUNTY (File No. 16-028)

Dear Ms. Wood:

Board staff has reviewed your request on behalf of Los Angeles County Flood Control District (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on May 3, 2016.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Please read this entire document carefully. The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Valerie Carrillo Zara, P.G., Lead, Section 401 Program, at (213) 576-6759.

Samuel Unger, P.E.
Executive Officer

Date

DISTRIBUTION LIST

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Project Information

File No. 16-028

1. Applicant: Los Angeles County Flood Control District
900 S. Fremont Ave.
Alhambra, CA 91803
- Phone: (626) 458-6131 Fax: (626) 458-5436
2. Applicant's Agent: Belinda Kwan
3. Project Name: Big Dalton Dam Sluiceway Rehabilitation Project
4. Project Location: City of Glendora, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.175556°	117.808611°
34.175278°	117.808333°
34.174167°	117.809167°
34.173611°	117.809722°
34.173056°	117.810278°
34.171944°	117.810278°
34.171111°	117.809444°
34.170556°	117.809167°

5. Type of Project: Sluiceway repairs and renovations
6. Project Purpose: The purpose of the proposed project is to rehabilitate the Big Dalton Dam sluiceway outlet for reliable and improved operations. The work will support critical flood control operations, promote stormwater capture and groundwater recharge, safely allow emergency dewatering releases, and maintain a structurally sound facility.
7. Project Description: The proposed project consists of the following construction activities in order to upgrade the flood control infrastructure of the Big Dalton Dam Sluiceway.

1. Reservoir Bottom Access Road and Work Pad Area
2. Desilting Basin
3. Drainage Chute Construction
4. Lower Dip Crossing Improvements
5. Bridge Construction
6. Sluiceway Rehabilitation (Dam Apron Segment)

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7. Sluiceway Rehabilitation (on and within the dam)
8. Regulating Gate Valve
9. Facility Maintenance Repairs
10. Existing Access Road Repair
11. Miscellaneous Repairs

Tasks 6 through 11, listed above, are located outside waters. Tasks 1 through 5 are located within waters and are described in detail below.

1. Reservoir Bottom Access Road and Work Pad Area. Construction equipment will access the face of the dam via the reservoir bottom. There is an existing access road in the upper reach of the reservoir bottom, which will be regraded and cleared of vegetation. The footprint of this existing access road (650 ft by 15 ft) is 0.22 acres. The existing reservoir access road will be extended by an additional 1,314 feet by means of grading, vegetation removal, and compaction. The work pad area in the reservoir bottom at the face of the dam will be graded at the upstream face of the dam for access and equipment staging. The footprint of the new reservoir bottom access road and work pad area is 0.56 acres. Importation of soil is not anticipated for the work. The reservoir bottom access road and work pad will be maintained after the project to enable future inspections and repairs of the dam.
2. Desilting Basin. Reservoir inflows will be captured above the existing access road and directed into a bypass pipeline that will go around work areas. The bypass pipeline will traverse along the reservoir bottom access road into a desilting basin, which will minimize any sediment-laden flow discharges. The footprint of this desilting basin is 0.55 acres.
3. Drainage Chute Construction. Drainage will be improved along the access road on the west rim of the reservoir. Washouts of the road have been problematic. A concrete chute will be constructed on the existing west rim reservoir slope. A 30 foot by 30 foot energy dissipater (consisting of large riprap) will be established at the outlet of the concrete chute to prevent undermining of the slope and the reservoir rim access road. The footprint of the drainage concrete chute construction will have 0.03 acres of permanent and 0.02 acres of temporary impact.

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4. Lower Dip Crossing Improvements. Two existing dip crossings downstream of the dam will be replaced with box culverts for all-weather access to the dam. The total footprint of the two lower dip crossing improvements will include 0.12 acres of permanent impact.
5. Bridge Construction. An existing three-barrel culvert on the existing downstream access road will be replaced with a 0.09-acre single span bridge to allow unimpeded flow and prevent clogging during storm events. The stream bottom under the bridge will be grouted rock to prevent clogging of the flow path under the bridge by vegetation growth.

Construction for this project is expected to begin spring 2017, over a 2-year work period. The construction will be done in two phases: Phase 1 - Sluiceway Rehabilitation Project, which involves mechanical and electrical work (Tasks 1, 2, 6, 7, 8, and 9); and Phase 2 - Access Road Improvement Project (Task 3, 4, 5, 10, and 11), which involves civil and structural repairs. Project activities will be sequenced such that the majority of the work in the reservoir is completed during the dry season, or during clear weather forecasts.

Prior to construction, the sluice gate will be opened to drain any pooled water and prevent further ponding behind the reservoir. If inflows are present after dewatering the dam, inflows will be captured in a bypass pipeline and a desilting basin will be placed upstream of the work area. From the desilting basin, flows will be pumped to the dam's outlet, Penstock 1, and discharged downstream of any ground disturbing activities.

The surface water diversion bypass pipeline shall have a minimum design flow of 3 cfs. The desilting basin will be able to hold a maximum of 10,000 cubic feet of inflows with 2.5 feet of freeboard. Pumps will have maximum flowrates of 1 – 2 cfs. Any electrical equipment for the pumps will be staged away from water sources.

Should forecasted summer storm inflows exceed 3 cfs and potentially overtop the desilting basin, open excavated areas will be covered, any unfinished graded slopes will be stabilized before the contractor evacuates, and all equipment will be moved away from

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the reservoir and sluiceway. In this extreme case, inflows will be allowed to exit through the sluiceway.

Grading will begin with clearing vegetation along the 650-foot long existing access road at the back of the reservoir. The grading will proceed with grading the lower reservoir area to create the 0.11-acre work pad area and 0.55-acre desilting basin. Materials removed from these two locations will be used to grade and compact the 1,314-foot long new reservoir access road that connects the 650-foot long existing access road to the 0.11-acre work pad area.

At the conclusion of the sluiceway rehabilitation construction, the contractor will remove all bypass pipelines, pumps, and dewatering wells and re-grade the desilting basin and upstream areas to drain into the invert elevation of the sluice gate. A shallow two-foot wide low flow channel will be graded immediately upstream of the sluice gate debris rack. This low flow channel will keep the rest of the work pad area dry and divert low flows directly into the sluiceway should accessing the reservoir be necessary for subsequent years.

Construction will require use of cranes, backhoes, compaction rollers, hand tools, excavators, dump trucks, water trucks, and pick-up trucks.

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| 8. Federal Agency/Permit: | U.S. Army Corps of Engineers
Permit No. 2016-00195-BLR |
| 9. Other Required
Regulatory Approvals: | California Department of Fish and Wildlife
Streambed Alteration Agreement |
| 10. California
Environmental Quality
Act Compliance: | The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Sections 15301 Existing Facilities and 15302 Replacement or Reconstruction. |
| 11. Receiving Water: | Big Dalton Wash (Hydrologic Unit Code: 180701060402) |
| 12. Designated Beneficial
Uses: | MUN*, GWR, , REC-1, REC-2, WARM, WILD

*Conditional beneficial use |

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13. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.21 permanent acres
Reservoir: 0.79 temporary and 0.59 permanent acres
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant
The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.
16. Avoidance/Minimization Activities:
The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Exclusionary measures will be employed to minimize impacts to nesting birds during construction activities. Exclusionary measures may include use of Mylar flash tape and removal of non-native vegetation within impact acres, prior to the start of bird nesting season.
 - Prior to ground disturbance activities, qualified biologists will perform a pre-construction biological survey and bird nesting survey, if construction falls within the bird nesting season.
 - If surface waters are present and aquatic species are found within the Project area, the surface water diversion bypass pipeline pump shall be equipped with a barrier to prevent harm to native aquatic species.
 - Los Angeles County Department of Public Works (LACDPW), on behalf of the Los Angeles County Flood Control District (LACFCD), will require its contractor to submit a certification of clean equipment to prevent noxious weeds and invasive species from entering the Project site and to minimize, or avoid, impacts to biological resources.
 - LACDPW will require its contractor to follow the LACDPW Standard Specifications and Construction Site Best Management Practices (BMPs) Manual pertaining to project site maintenance and construction activities. The proposed BMPs employed for this project include, but are not limited, to the following:

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1. Work within the reservoir footprint will be performed during the dry season when the dam is routinely drained. If residual pools of water are present, a dewatering and surface water diversion plan will be provided by LACDPW's contractor and submitted to the regulatory agencies prior to implementation.
2. The annual routine draining of the reservoir will occur prior to start of any construction.
3. Biological site inspectors will be present during surface water diversion setup to monitor potential impacts on wildlife and other native species.
4. Water quality tests will be conducted according to regulating permit requirements.
5. A dewatering and surface water diversion plan will be prepared by LACDPW's contractor and will be designed to minimize impacts to biological resources based on field conditions at the time of implementation.
6. Water diversion structures and bypass pipelines will be designed with sufficient capacity to divert high inflows caused by probable summer storms. Should there be any summer storm during construction, open excavated areas will be covered, any unfinished graded slopes will be stabilized before the contractor evacuates, and no equipment will be stored in the streambed.
7. Grading areas will be visually marked prior to any excavation and placement work. A water truck will be utilized in the reservoir for dust control during any grading activities.
8. Equipment staging will occur on the dam, on the existing reservoir access road, on the check dam and dam apron, and within Project work areas. Materials and equipment will be stored outside of the streambed or low flow areas.
9. Debris generated from construction activities shall be properly contained. A dust and debris containment plan will be implemented.

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10. Trash, debris, refuse, and cleared vegetation will be removed and disposed of according to local waste refusal programs.

11. All vehicles including equipment will be maintained and checked prior to entering the worksite, to ensure no oil, petroleum byproducts, and/or exotic specimen will enter the streambed.

12. If surface waters are present, water quality monitoring will be done before, during, and after construction.

- In addition, BMPs may include placing sandbags, installing desilting fences, setting up a bypass pipeline, and/or installing water diversion structures to prevent sediment from entering low flow areas.
- If inflows are present after draining the reservoir, they will be captured in a bypass pipeline using a sediment trap made of sandbags with a 12-inch PVC outlet. The details of the dewatering plan will be designed by the contractor. The bypass pipeline shall outlet directly to the sluiceway, which discharges into the downstream channel.
- If any nuisance water or bank storage flows are encountered during the excavation work at the lower reservoir area, the Contractor shall immediately contain and re-direct these flows by installing a series of dewatering wells with submersible pumps to lower the hydraulic gradient at these locations.

17. Proposed
Compensatory
Mitigation:

The Applicant has proposed to provide a total of 1.56 acres of compensatory mitigation at a 1.1:1 ratio for 0.79 acres of temporary and 0.59 acres of permanent impacts.

Mitigation will include removal of 1.38 acres of noxious weed and invasive species in the reservoir, in areas where the vegetation is present,
after the annual draining of the reservoir.

Additionally, the streambed flow path of Big Dalton Wash at the location of the existing three culverts will be restored with the removal of the culverts and installation of a single span bridge,

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providing 0.18 acres of mitigation. The new bridge will allow unimpeded flow, prevent clogging during storm events, and provide an unobstructed migration path for species along this riparian habitat. The area under the bridge will be grouted rock to prevent clogging the flow path by vegetation growth.

18. Required
Compensatory
Mitigation:

The Regional Board will require compensatory mitigation as proposed above.

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

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Conditions of Certification File No. 16-028

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Wildlife's (CDFW) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this Certification, the CDFW's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 16, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, the approved construction plan, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

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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. 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 target species and habitat. All pesticides directed toward aquatic species must be approved

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by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2011-0003-DWQ, for Aquatic Animal Invasive Species Control; 2011-0004-DWQ, for Spray Applications; 2011-0002-DWQ, for Vector Control; and 2013-0002-DWQ, for Weed Control.

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. 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. 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 consult with the Public Works' construction inspector who can stop the work, as necessary, if instructions are not followed. The biologist and Public Works inspector shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
18. 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.
19. All project activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
20. 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,

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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)

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.

21. The Applicant shall restore **all acres** of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species.
22. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary impacts of **0.79** acres and proposed permanent impacts of **0.59 acres** to the waters of the United States by creating or restoring riparian habitat at a minimum 1.1:1 area replacement ratio (1.56 acres). The mitigation site shall be located within the San Gabriel River Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
 - (a) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
 - (b) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)

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

23. The Applicant shall submit to this Regional Board a **Final Monitoring Report** by **January 1st** of the year following the project completion. The Final Monitoring Report shall describe in detail all of the project/construction activities performed and all restoration and mitigation efforts. At a minimum the Final Monitoring Report shall include the following documentation:
- (a) Color photo documentation of the pre- and post-project and restoration area conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and restoration areas;
 - (c) The overall status of project including whether or not work has begun on the Project;
 - (d) Copies of all permits revised as required in Additional Condition 1;
 - (e) Water quality monitoring results for each reach (as required) compiled in a spreadsheet format;
 - (f) A certified Statement of “no net loss” of wetlands associated with this project;
 - (g) Discussion of any monitoring activities and exotic plant control efforts; and
 - (h) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
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.

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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 at least 90 days prior to termination of this Certification if renewal is requested.