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GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

July 17, 2014

Certified Mail – Return Receipt Requested
Article Number: 7009 1410 0002 2347 3346

Mr. Don Neal
Southern California Edison
1218 South 5th Avenue
Monrovia, CA 92016

In reply/refer to:
793178:dbradford

**Subject: Clean Water Act Section 401 Water Quality Certification No. R9-2013-0071
for the San Onofre Nuclear Generating Station (SONGS), Unit 1 Intake &
Discharge Conduits Decommissioning Project**

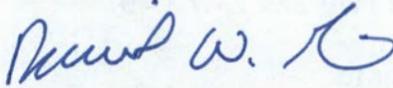
Mr. Neal:

Enclosed find Clean Water Act Section 401 Water Quality Certification No. R9-2013-0071 (Certification) issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) in response to an application submitted by Southern California Edison for the San Onofre Nuclear Generating Station (SONGS), Unit 1 Intake & Discharge Conduits Decommissioning Project (Project). A description of the Project and Project location can be found in the Certification and site maps which are included as attachments to the Certification.

Southern California Edison is enrolled under State Water Resources Control Board Order No. 2003-017-DWQ as a condition of the Certification and is required to implement and comply with all terms and conditions of the Certification in order to ensure that water quality standards are met for the protection of wetlands and other aquatic resources. Failure to comply with this Certification may subject Southern California Edison to enforcement actions by the San Diego Water Board including administrative enforcement orders requiring Southern California Edison to cease and desist from violations or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

In the subject line of any response, please include reference number 793178:dbradford. For questions or comments, please contact Darren Bradford by telephone at (619) 521-3356 or by email at darren.bradford@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. R9-2013-0071 for the San Onofre Nuclear Generating Station (SONGS), Unit 1 Intake & Discharge Conduits Decommissioning Project

DWG:jgs:db:kd:dlb

cc:

U.S. Army Corps of Engineers, Regulatory Branch
San Diego Field Office
Robert Smith
Robert.R.Smith@usace.army.mil

U.S. EPA, OWOW, Region 9
R9-WTR8-Mailbox@epa.gov

State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

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Tech Staff Info & Use	
Certification No.	R9-2013-0071
Party ID	527103
File No.	R9-2013-0071
WDID	9000002580
NPDES No.	None
Regulatory ID	389771
Place ID	793178
Person ID	535161
Inspection ID	None

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

2375 Northside Drive, Suite 100, San Diego, CA 92108
Phone (619) 516-1990 • Fax (619) 516-1994
<http://www.waterboards.ca.gov/sandiego/>

**Clean Water Act Section 401 Water Quality Certification
and Waste Discharge Requirements
for Discharge of Dredged and/or Fill Materials**

**PROJECT: San Onofre Nuclear Generating Station (SONGS):
Unit 1 Intake & Discharge Conduits
Decommissioning Project
Certification Number R9-2013-0071
WDID: 9000002580**

Reg. Meas. ID: 389771
Place ID: 793178
Party ID: 527103
Person ID: 535161

**APPLICANT: Southern California Edison
1218 South 5th Avenue
Monrovia, CA 92016**

ACTION:

<input type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input checked="" type="checkbox"/> Order for Technically-conditioned Certification	<input type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017-DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004-DWQ

PROJECT DESCRIPTION

An application dated April 2, 2013 was submitted by Southern California Edison (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) for the San Onofre Nuclear Generating Station (SONGS), Unit 1 Intake & Discharge Conduits Decommissioning Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on May 7, 2014. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2013-00290-RRS).

The Project is located within the City of San Clemente, San Diego County, California approximately 3,200 feet offshore of the SONGS Unit 1 facility at a depth of approximately 30 feet below the surface of the Pacific Ocean. The Project center reading is located at latitude 33.366260 and longitude -117.561907. The Applicant has paid all required fees for this Certification in the amount of \$944.00. On April 4, 2013, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Applicant proposes to perform the final decommissioning of the offshore cooling water conduits which originally supported SONGS Unit 1. SONGS Unit 1 was retired in 1992 and dismantlement of the Unit is essentially complete. The intake and discharge conduits are still in place and extend horizontally from 2,600 feet (discharge conduit) to 3,200 feet (intake conduit) from the shore. Each conduit is constructed of 12-foot diameter steel-reinforced concrete pipe, buried beneath the ocean bottom and covered with approximately four feet of sand/sediment, in an average water depth of 25 feet. The Project is required in order to remove structures associated with the conduits pursuant to an existing California State Lands Commission (SLC) lease agreement with the Applicant. Upon completion of the Project the lease will be terminated and the land will be returned back to the SLC.

Vertical conduit terminal structures (VCTS) have been constructed at the seaward end of both the intake and discharge conduits. The VCTS extend vertically with outside horizontal dimensions of 20 by 27.5 feet. The intake structure rises vertically approximately 15.5 feet above the ocean floor and has a 1-foot thick velocity cap atop the vertical riser sections. The discharge structure rises vertically approximately 11 feet above the ocean floor. Manhole risers, also referred to as manhole access port structures (MAPS), are spaced every 500 feet for access/maintenance along the length of the conduits, for a total of nine manhole risers (five on the intake conduit, four on the discharge conduit). The MAPS risers originally extended between approximately one and five feet above the seafloor and are currently either covered by sand/sediment or barely rising above the sea floor.

The Project includes the removal of two VCTS risers, plus the removal of nine MAPS/manhole risers. The vertical riser sections above the ocean floor will be either cut or dismantled and removed. Construction will require some excavation of accumulated material immediately adjacent to vertical structures. The depth of the sediment varies between approximately one to four feet, consisting of primarily sand with some gravel. All excavated sand material will be side cast and dispersed by natural surf and swell action. The surrounding seafloor is unvegetated and has a similar sediment composition. The method of sediment removal will be determined by the contractor, and will be conducted per industry standard and approved methods. The existing horizontal conduit structures will remain in place, but will be modified to ensure that entry by humans and large marine organisms is prevented. These access barriers will allow sand migration and other microorganism movement. The structures will eventually be naturally backfilled with seabed material.

Project construction will temporarily impact 3.65 acre of ocean waters of the United States and/or State. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Project impacts have been minimized by removing only the vertical risers and maintaining the existing buried conduits in place. Compensatory mitigation is not required for this Project because the Project impacts are temporary and will result in improvements to the beneficial uses of waters of the United States and/or State by restoring a more natural environment along the ocean floor and removing artificial structures.

Additional Project details are provided in Attachments 1 through 4 of this Certification.

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Attachments:

1. Definitions
2. Project Location Maps
3. Project Site Plans
4. CEQA Mitigation Monitoring and Reporting Program

I. STANDARD CONDITIONS

Pursuant to section 3860 of title 23 of the California Code of Regulations, the following three standard conditions apply to all water quality certification actions:

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the Water Code and chapter 28, article 6 (commencing with title 23, section 3867), of the California Code of Regulations.
- B. This Certification action is not intended and shall not be construed to apply to any discharge from 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 California Code of Regulations title 23, section 3855 subdivision (b), and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. This Certification action is conditioned upon total payment of any fee required under title 23, chapter 28 (commencing with section 3830) of California Code of Regulations and owed by the applicant.

II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. R9-2013-0071 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 U.S.C. §1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf

- D. Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality certification are incorporated by reference into this Certification as if fully stated herein. Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.
- E. Project Conformance with Water Quality Control Plans or Policies.** Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the *Water Quality Control Plan, Ocean Waters of California* (Ocean Plan), Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 U.S.C §1313.)
- F. Project Modification.** The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification.
- G. Certification Distribution Posting.** During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.
- H. Inspection and Entry.** The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and

4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.

- I. **Enforcement Notification.** 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.
- J. **Certification Actions.** This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
 1. Violation of any term or condition of this Certification;
 2. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
 3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 4. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.

The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.

- K. **Duty to Provide Information.** The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- L. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.
- M. **Petition.** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the internet at:
http://www.waterboards.ca.gov/public_notices/petitions/water_quality
or will be provided upon request.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Applicant shall not commence Project construction until all necessary federal, state, and local approvals are obtained.
- B. **Personnel Education.** Prior to the start of the Project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response measures, and BMP implementation and maintenance measures.
- C. **Spill Containment Materials.** The Applicant must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.
- D. **General Construction Storm Water Permit.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- E. **Water Quality Management.** At a minimum, the Applicant must implement the *Turbidity Monitoring Plan*, *Dredging Plan*, *Oil Spill Response Plan*, and the *SONGS Unit 1 Work Implementation Plan* to monitor and prevent the discharge of sediment and other pollutants causing or contributing to violations of water quality standards during construction activities.
- F. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff. The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050. Upon Project completion, all Project generated debris, building materials, excess material, waste, and trash shall be removed from the Project site(s) for disposal at an authorized landfill or other disposal site in compliance with federal, state and local laws and regulations.
- G. **Waste Management.** Except for a discharge permitted under this Certification, the dumping, deposition, or discharge of trash, rubbish, unset cement or asphalt, concrete, grout, damaged concrete or asphalt, concrete or asphalt spoils, wash water, organic or earthen material, steel, sawdust or other construction debris waste from Project activities directly into waters of the United States and or State, or adjacent to such

waters in any manner which may permit its being transported into the waters, is prohibited.

- H. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- I. **Process Water.** Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or State or placed in locations that may be subjected to storm water runoff flows.
- J. **Hazardous Materials.** Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- K. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or through application of United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to minimize adverse effects to beneficial uses of waters of the United States and/or State. Discharges related to the application of aquatic pesticides within waters of the United States must be done in compliance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, the *Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable.
- L. **On-site Qualified Biologist.** The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- M. **Beneficial Use Protection.** The Applicant must take all necessary measures to protect the beneficial uses of waters of the Pacific Ocean. This Certification requires compliance with all applicable requirements of the Ocean Plan and the Basin Plan. If at any time, an unauthorized discharge to ocean waters occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification.

Associated Project activities may not resume without approval from the San Diego Water Board.

IV. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.
- B. **Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to the Pacific Ocean must not exceed the type and magnitude of impacts described in the table below. Compensatory mitigation is not required for this Project because the impacts are temporary and will result in improvements to the beneficial uses of waters of the United States and/or State by restoring a more natural environment along the ocean floor and removing artificial structures.

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
Temporary Impacts ¹ - Ocean	3.65	N/A	3.65	1:1	N/A	N/A

1. All excavated sand material will be side cast and dispersed by natural surf and swell action.

V. MONITORING AND REPORTING REQUIREMENTS

- A. **Representative Monitoring.** Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. **Monitoring Reports.** Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section V of this Certification.
- C. **Monitoring and Reporting Revisions.** The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. **Records of Monitoring Information.** Records of monitoring information must include:
1. The date, exact place, and time of sampling, measurements, or visual observation;
 2. The individual(s) who performed the sampling, measurements, or visual observation;
 3. The date(s) analyses were performed;
 4. The individual(s) who performed the analyses;

5. The analytical techniques or methods used; and

6. The results of such analyses.

E. Receiving Water Turbidity Monitoring. The Applicant must conduct turbidity monitoring consistent with the *Turbidity Monitoring Plan*.

F. Annual Project Progress Reports. The Applicant must submit annual Project progress reports describing compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. The report must include the following information:

1. The following identification numbers in the header or subject line: Certification No. R9-2013-0071, PIN 793178;
2. The names, qualifications, and affiliations of the persons contributing to the report;
3. The status, progress, and anticipated schedule for completion of Project construction activities;
4. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
5. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

G. Final Project Completion Report. The Applicant must submit a Final Project Completion Report to the San Diego Water Board **within 30 days of completion of the Project**. The final report must include the following information:

1. Date of construction initiation;
2. Date of construction completion;
3. Photo documentation required under V.E. of this Certification; and
4. An evaluation, interpretation, and tabulation of the turbidity monitoring as required under section V.E of this Certification, and a discussion of any response actions taken.

- H. **Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.
- I. **Electronic and Paper Media Documents.** The Applicant must submit all reports and information required under this Certification in both hardcopy (paper) and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable. All paper and electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2013-0071:PIN 793178.
- J. **Document Signatory Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be signed as follows:
1. For a corporation, by a responsible corporate officer of at least the level of vice president.
 2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
 4. A duly authorized representative may sign applications, reports, or information if:
 - a. The authorization is made in writing by a person described above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the San Diego Water Board Executive Officer.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

- K. **Document Certification Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be certified as follows:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

- L. **Document Submittal Address.** The Applicant must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. R9-2013-0071:PIN 793178
2375 Northside Drive, Suite 100
San Diego, California 92108

VI. NOTIFICATION REQUIREMENTS

- A. **Twenty Four Hour Non-Compliance Reporting.** The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board 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 San Diego Water Board, 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.
- B. **Hazardous Substance Discharge.** Except for a discharge which is in compliance with this Certification, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.

- C. **Oil or Petroleum Product Discharge.** Except for a discharge which is in compliance with this Certification, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- D. **Anticipated Noncompliance.** The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- E. **Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
1. **Transfer of Property Ownership:** The Applicant must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board **within 10 days of the transfer of ownership.**
 2. **Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**
 3. **Transfer of Post-Construction BMP Maintenance Responsibility:** The Applicant assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred

the Applicant must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Applicant must provide such notification to the San Diego Water Board within **10 days** of the transfer of BMP maintenance responsibility.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of this Certification in the event that a transferee fails to comply.

- F. **Discharge Commencement.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The California State Lands Commission is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated October 24, 2005 for the Final Environmental Impact Report (FEIR) titled *Disposition of Offshore Cooling Water Conduits, SONGS Unit 1 Final Environmental Impact Report (EIR)* (State Clearing House Number 2004061092). The Lead Agency has determined the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project.
- B. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's FEIR and finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- C. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.
- D. The Lead Agency has adopted a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the FEIR are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 4 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FEIR, as it pertains to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMRP requirements as specified in section V of this Certification.
- E. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

VIII. SAN DIEGO WATER BOARD CONTACT PERSON

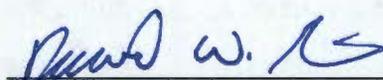
Darren Bradford, Environmental Scientist
California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, California 92108
Telephone: (619) 521-3356
Email: darren.bradford@waterboards.ca.gov

IX. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **San Onofre Nuclear Generating Station (SONGS): Unit 1 Intake & Discharge Conduits Decommissioning Project** (Certification No. R9-2013-0071) 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. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited to, and all proposed mitigation being completed in strict compliance with, the applicants' Project description and/or the description in this Certification, and (b) compliance with all applicable requirements of the Basin Plan.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. R9-2013-0071 issued on July 17, 2014.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

17 JULY 2014
Date

ATTACHMENT 1

DEFINITIONS

Activity - when used in reference to a permit means any action, undertaking, or project including, but not limited to, construction, operation, maintenance, repair, modification, and restoration which may result in any discharge to waters of the state.

Buffer - means an upland, wetland, and/or riparian area that protects and/or enhances aquatic resource functions associated with wetlands, rivers, streams, lakes, marine, and estuarine systems from disturbances associated with adjacent land uses.

California Rapid Assessment Method (CRAM) - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

Compensatory Mitigation Project - means compensatory mitigation implemented by the Applicant as a requirement of this Certification (i.e., applicant -responsible mitigation), or by a mitigation bank or an in-lieu fee program.

Discharge of dredged material – means any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States and/or State.

Discharge of fill material – means the addition of fill material into waters of the United States and/or State.

Dredged material – means material that is excavated or dredged from waters of the United States and/or State.

Ecological Success Performance Standards – means observable or measurable physical (including hydrological), chemical, and/or biological attributes that are used to determine if a compensatory mitigation project meets its objectives.

Enhancement – means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Establishment – means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Creation results in a gain in aquatic resource area.

Fill material – means any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body.

Isolated wetland – means a wetland with no surface water connection to other aquatic resources.

Mitigation Bank – means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing mitigation for impacts authorized by this Certification.

Preservation - means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

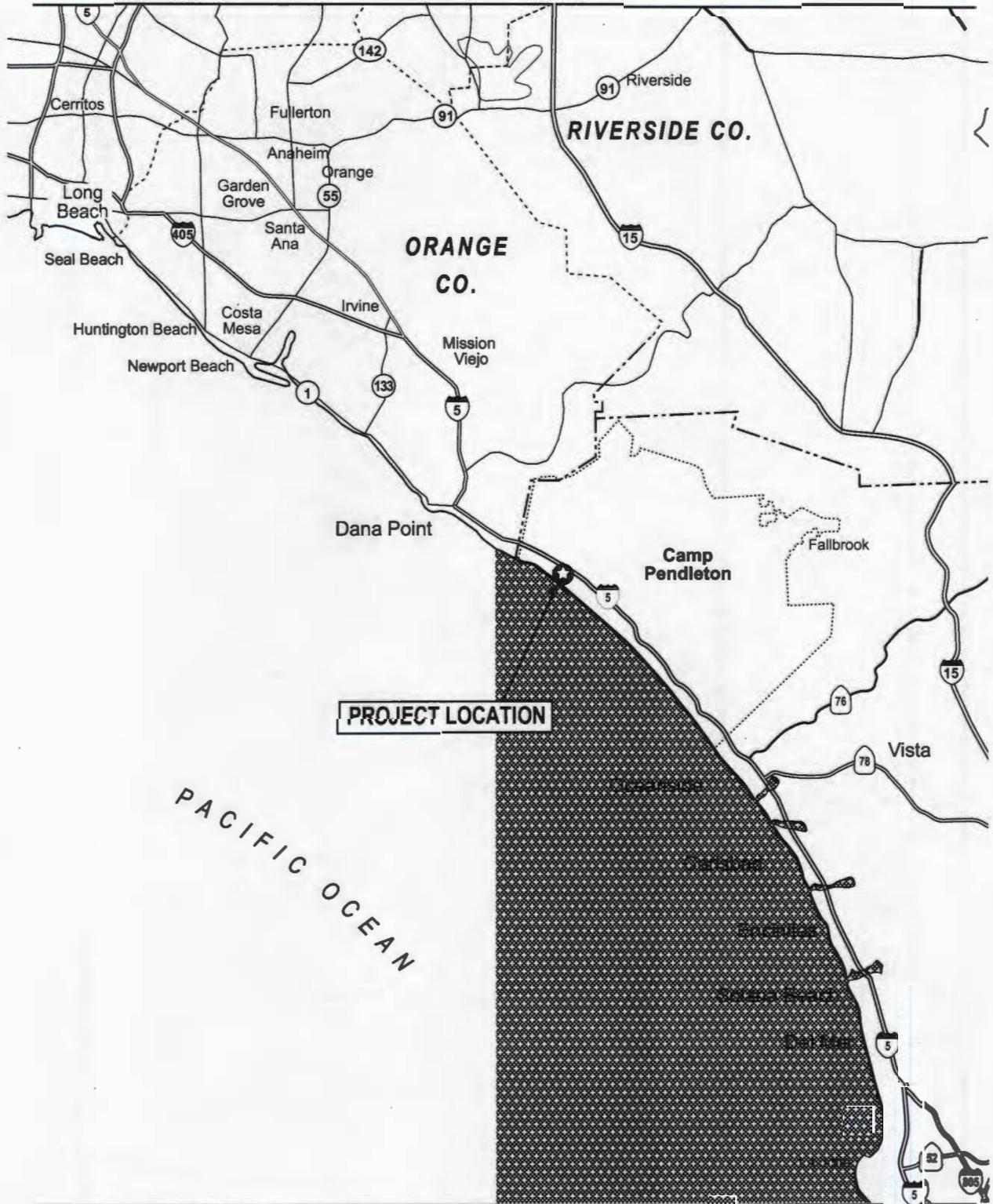
Start of Project Construction - For the purpose of this Certification, "start of Project construction" means to engage in a program of on-site construction, including site clearing, grading, dredging, landfilling, changing equipment, substituting equipment, or even moving the location of equipment specifically designed for a stationary source in preparation for the fabrication, erection or installation of the building components of the stationary source within waters of the United States and/or State.

Uplands - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and constructed stock ponds lack aboveground hydrological connection to other aquatic areas. In the watershed context, uplands comprise the landscape matrix in which aquatic areas form. They are the primary sources of sediment, surface runoff, and associated chemicals that are deposited in aquatic areas or transported through them.

Water quality objectives and other appropriate requirements of state law – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate requirement of state law.

Southern California Edison
Unit 1 Intake & Discharge Conduits Decommissioning Project
Certification No. R9-2013-0071

**ATTACHMENT 2
PROJECT LOCATION MAPS**



**Figure 2-1
Regional Location Map**



No Scale



Source: ESRI, 2004



3500 1750 0 3500 Feet



Scale: 1 : 42,000; 1 inch = 3,500 feet

Figure 4.4-1
Local Beaches in Project Vicinity

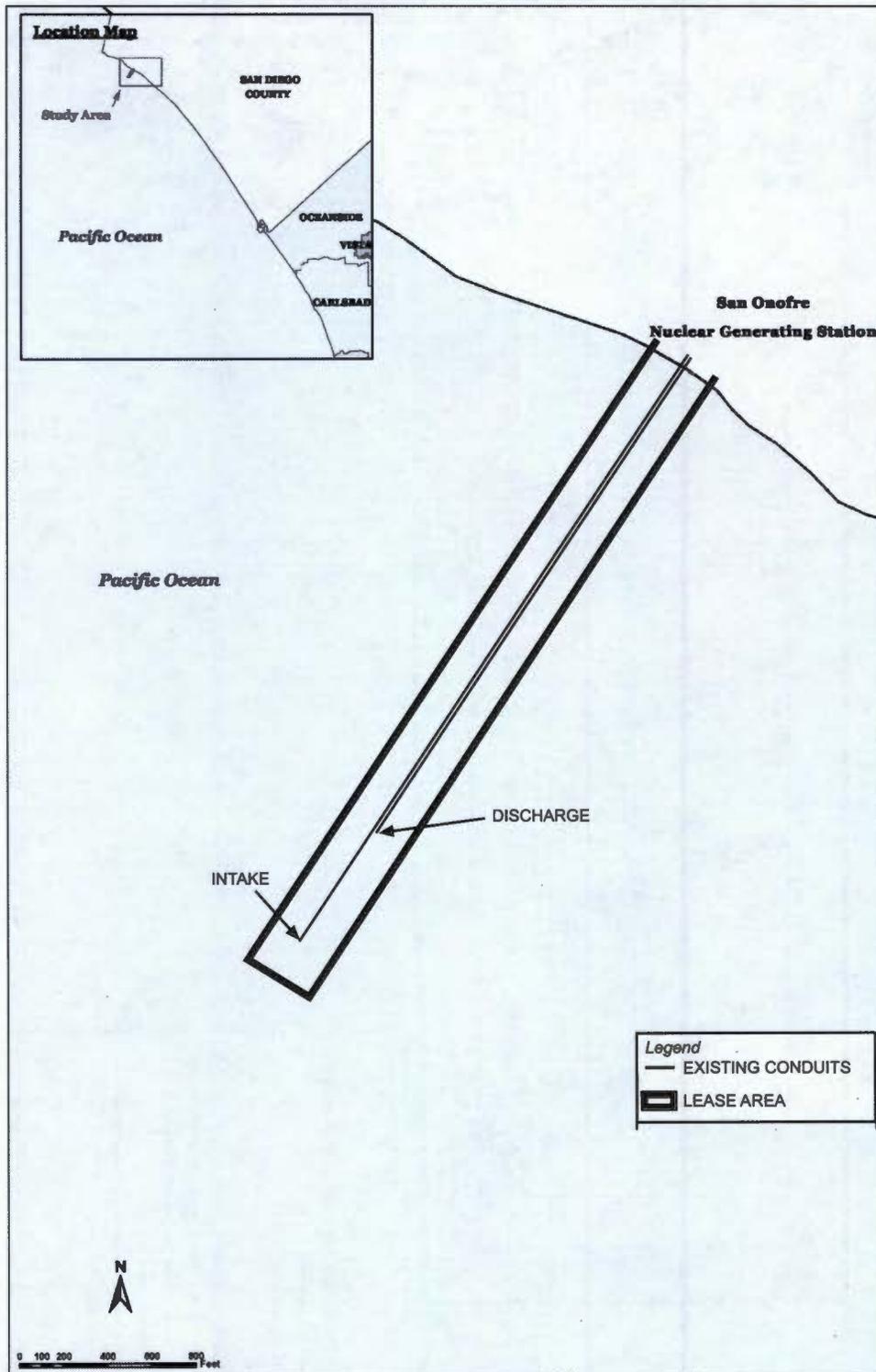


Figure 2-2
SONGS and Offshore Lease Area

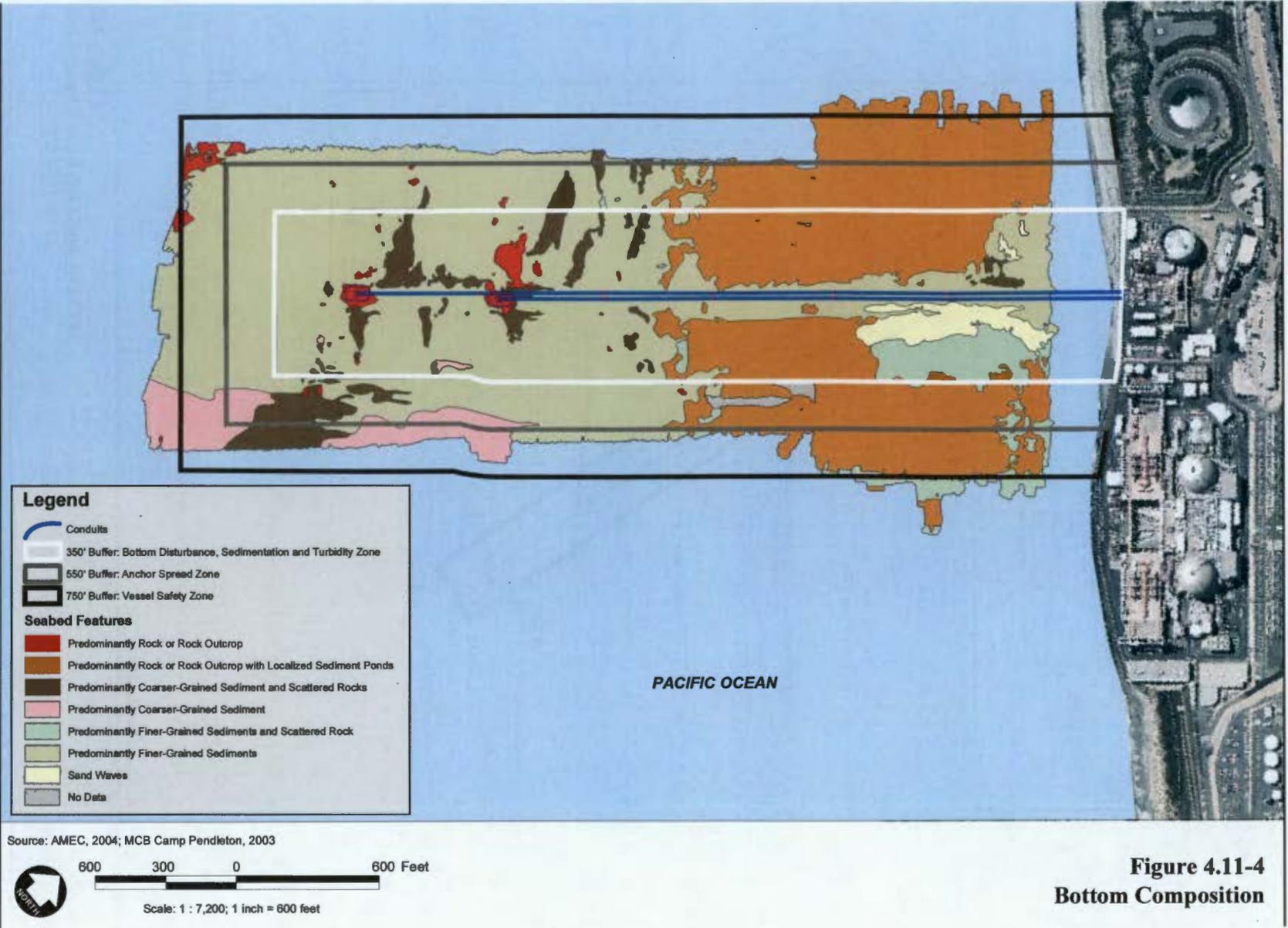


Figure 4.11-4
Bottom Composition

Southern California Edison
Unit 1 Intake & Discharge Conduits Decommissioning Project
Certification No. R9-2013-0071

**ATTACHMENT 3
PROJECT SITE PLANS**

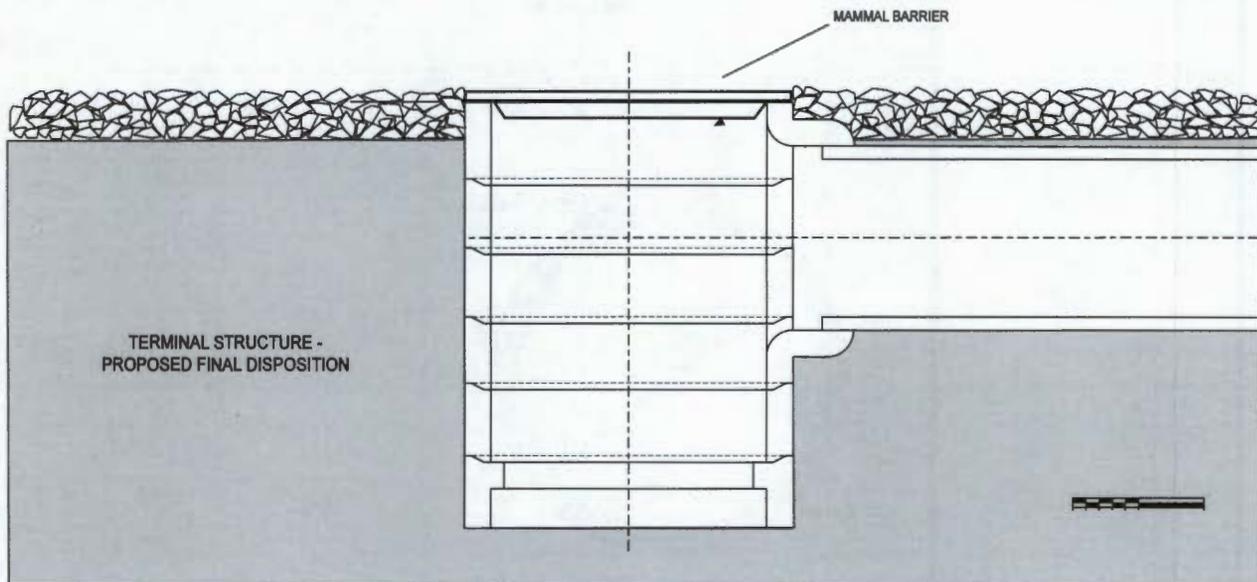
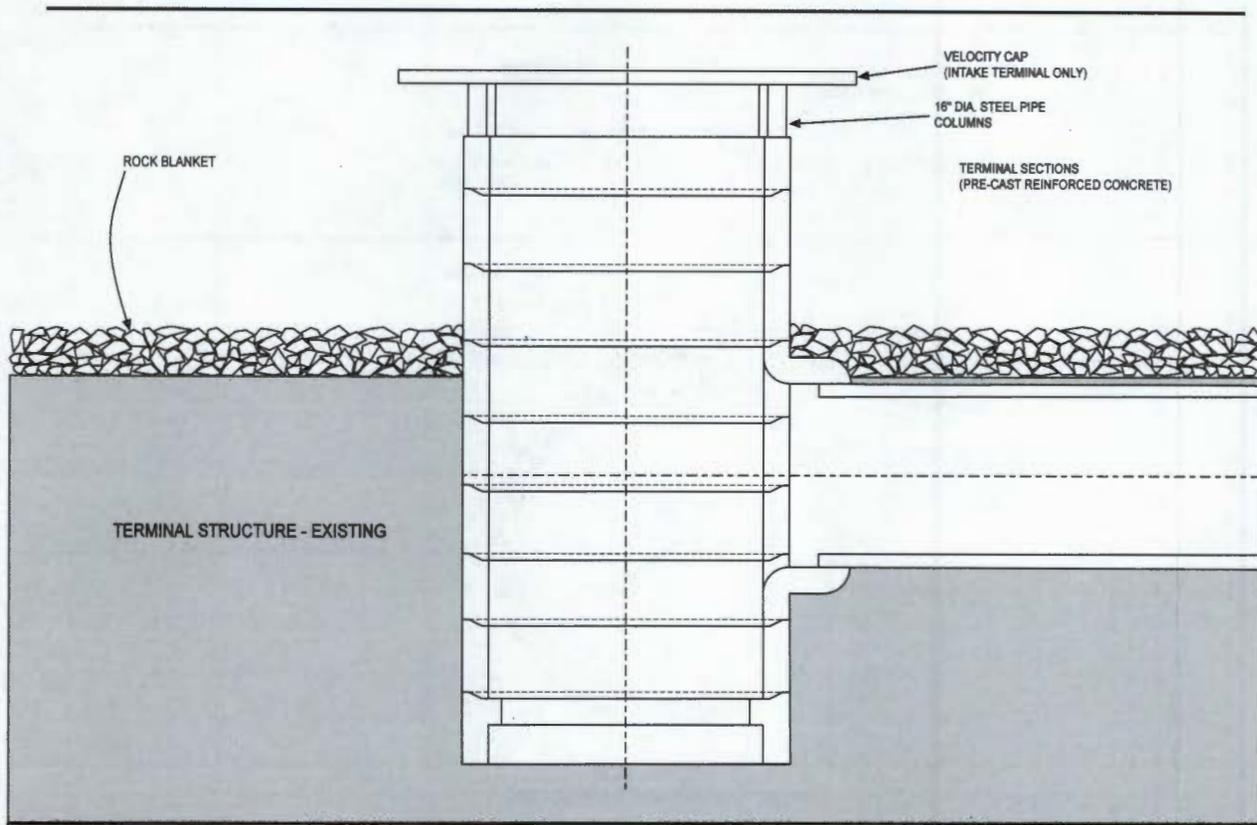


Figure 2-3
Cross Sections of Intake Terminal Structure
(Discharge Structure Identical Except for Velocity Cap)

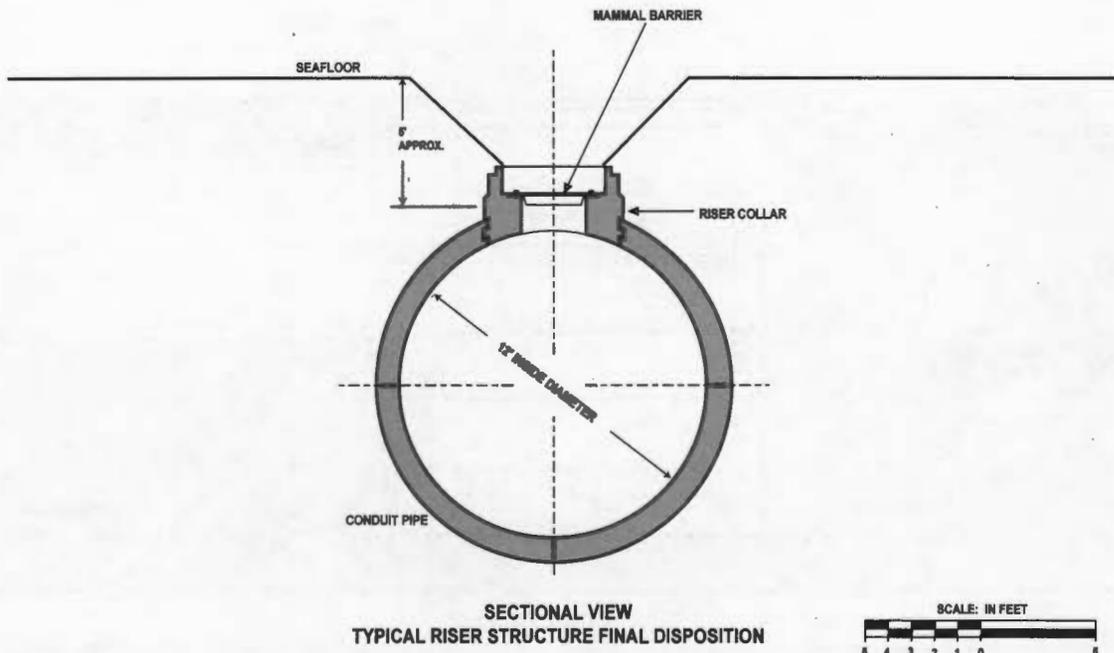
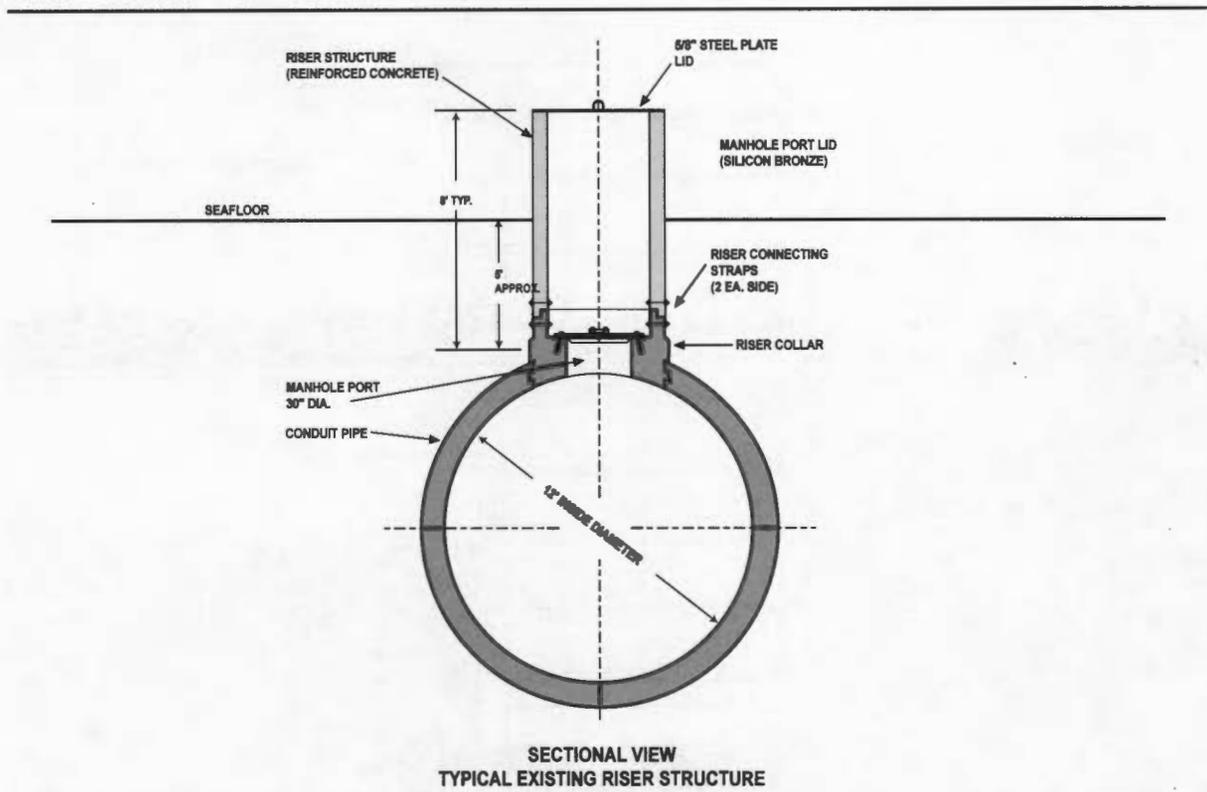


Figure 2-6
Manhole Risers

Southern California Edison
Unit 1 Intake & Discharge Conduits Decommissioning Project
Certification No. R9-2013-0071

ATTACHMENT 4
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

1

Mitigation Monitoring Program

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Section 4.1 – Marine Biological Biological Resources						
BIO-1: Project activities could impact groundfish and pelagic Essential Fish Habitat by disturbing existing habitat from anchoring, excavation, and sedimentation.	WAT-1a. Use closed-cap dredge bucket.	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b. Minimize sediment drop height to 10 feet (3 m) maximum.	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c. Minimize spoil placement distance from excavation; create heightened spoil profile.	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d. Minimize anchor dragging	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
BIO-2: The Proposed Project could directly impact biologically significant habitats such as surfgrass beds and kelp forests by damaging the substrate, and increasing turbidity and sedimentation.	WAT-1a. Use closed-cap dredge bucket.	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b. Minimize sediment drop height to 10 feet (3 m) maximum.	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c. Minimize spoil placement distance from excavation; create heightened spoil profile.	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d. Minimize anchor dragging	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring
BIO-3: Proposed activities could result in indirect impacts to sensitive habitat beyond the footprint of the Proposed Project.	WAT-1a. Use closed-cap dredge bucket.	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b. Minimize sediment drop height to 10 feet (3 m) maximum.	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
	WAT-1c. Minimize spoil placement distance from excavation; create heightened spoil profile.	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d. Minimize anchor dragging	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring
Section 4.2 – Commercial Fishing						
FSH-2: The proposed disposition could substantially interfere with commercial fishing in the disposition area for more than 1 month during open fishing season(s) or preclude setting lobster or fish traps within a substantial area where it would otherwise be permitted.	FSH-2. Schedule offshore project activities to begin after the close of lobster season (the first Wednesday after March 15) and conclude 2 weeks prior to the opening of the subsequent lobster season (the first Wednesday in October).	Offshore portion of conduits	Set offshore start date	Avoidance of lobster season	CSLC	Prior to excavation
Section 4.3 – Marine Water Quality						
WAT-1: Turbidity impacts during operations would reduce water column light transmittance and clarity.	WAT-1a: Minimize turbidity by using a closed-cap buckets for mechanical dredging around the terminal structures and all excavation areas	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
	WAT-1b: Minimize turbidity by minimizing horizontal and vertical travel of sediment spoils using a maximum drop height of 10 feet	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c: Minimize dredge spoils footprint by placing spoils upcurrent and as close to excavated area as possible, configure spoil height to take advantage of nearshore current infill, and partially fill excavations of depths greater than 21 feet	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d: suspend anchors within the water column using a support vessel before dropping	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring
Section 4.4 – Recreation						
REC-2: Project activities could pose a safety hazard for recreational boaters	PM REC-2: Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Recreational marine vessels have awareness of project	U.S. Coast Guard	Prior to and during disposition
REC-3: Project activities could interfere with coastal recreational activities	PM REC-2 Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Recreational marine vessels have awareness of project	U.S. Coast Guard	Prior to and during disposition

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Section 4.6 – Transportation						
TRA-2: Project activities could create a short-term hazard to waterborne navigation	PM REC-2: Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Marine vessels have awareness of project	U.S. Coast Guard	Prior to disposition
Section 4.7 – Geology and Soils						
GEO-1: Dredging during the Proposed Project would cause sedimentation effects in downcoast areas	WAT-1a: Minimize turbidity by using a closed-cap buckets for mechanical dredging around the terminal structures and all excavation areas	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b: Minimize turbidity by minimizing horizontal and vertical travel of sediment spoils using a maximum drop height of 10 feet	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c: Minimize dredge spoils footprint by placing spoils upcurrent and as close to excavated area as possible, configure spoil height to take advantage of nearshore current infill, and partially fill excavations of depths greater than 21 feet	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavation
	WAT-1d: suspend anchors within the water column using a support vessel before dropping	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Section 4.8 Hazards						
HAZ-1: Activities could expose people to potential hazards, including explosion, exposure to hazardous substances, and/or spills from marine vessels.	PM REC-2: Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Marine vessels have awareness of project	U.S. Coast Guard	Prior to disposition
HAZ-2: Activities could interfere with Emergency Response or Evacuation Plans	PM REC-2: Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Emergency marine vessels have awareness of project	U.S. Coast Guard	Prior to disposition

1
2

Notice of Determination

Appendix D

To:

Office of Planning and Research
 U.S. Mail: Street Address:
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk

County of: _____
 Address: _____

From:

Public Agency: RWQCB - San Diego Region
 Address: 2375 Northside Drive
San Diego, CA 92108
 Contact: Darren Bradford
 Phone: (760) 619-3356

Lead Agency (if different from above):

City of Laguna Beach
 Address: 505 Forest Avenue
Laguna Beach, CA 92651
 Contact: Scott Drapkin, Senior Planner
 Phone: (949) 497-0362

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2013091032

Project Title: Laguna Beach Water Tank Burn Site Remediation and Restoration Project

Project Applicant: City of Laguna Beach

Project Location (include county): APN No. 629-031-23 (Dewitt Parcel) Laguna Beach, Orange County, California

Project Description:

Construction of single-family houses on 93.5 acres. The development includes 206 residential lots, associated infrastructure and utilities, a sewer lift station, parks and open space, and stream channel impacts. Stream channel impacts include lowering and widening of the existing channel, a combination of earthen and hardened side slopes, access roads, and maintenance ramps. Additionally, two roadway crossings will be constructed for traffic circulation. These crossings consist of a double 10 by 4 foot box culvert at Cebalo Street, and two double 10 by 4 foot box culverts at Woolpert Lane.

This is to advise that the RWQCB - San Diego Region has approved the above
 Lead Agency or Responsible Agency

described project on July 17, 2014 and has made the following determinations regarding the above
 (date)

described project.

1. The project will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was was not] adopted for this project.
5. A statement of Overriding Considerations was was not] adopted for this project.
6. Findings were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

http://www.lagunabeachcity.net/cityhall/pw/burn_site_remediation_project.asp

Signature (Public Agency):  Title: Executive Officer

Date: July 17, 2014 Date Received for filing at OPR: _____