

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Laurence Netherton
Sage Live Oak, LLC
3 Corporate Plaza, Suite 102
Newport Beach, CA 92660

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7012 3460 0001 6366 0885

WATER QUALITY CERTIFICATION FOR PROPOSED TRIANGLE RANCH (TRACT 52419) RESIDENTIAL DEVELOPMENT PROJECT (CORPS' PROJECT NO. 2005-01592-BEM), MEDEA CREEK WATERSHED, UNINCORPORATED LOS ANGELES COUNTY (File No. 13-103)

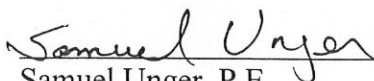
Dear Mr. Netherton:

Board staff has reviewed your request on behalf of Sage Live Oak, LLC (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete August 13, 2014.

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

10-10-14
Date

DISTRIBUTION LIST

Martin A. Rasnick (via electronic copy)
Glenn Lukos Associates
29 Orchard
Lake Forest, CA 92630

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

Sarah Rains (via electronic copy)
California Department of Fish and Wildlife
Streambed Alteration Team
3883 Ruffin Rd Suite A
San Diego, CA. 92123-4813

Brianne McGuffie (via electronic copy)
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Paul Amato (via electronic copy)
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Jim Bartel
U.S. Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

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Project Information File No. 13-103

1. Applicant: Sage Live Oak, LLC
3 Corporate Plaza, Suite 102
Newport Beach, CA 92660
Phone: (949) 644-3514, X 24 Fax: (949) 644-3977
2. Applicant's Agent: Glenn Lukos Associates
Martin A. Rasnick
29 Orchard
Lake Forest, CA 92630
Phone: (949) 837-0404, X 20 Fax: (949) 837-5834
3. Project Name: Triangle Ranch (Tract 52419) Residential Development Project
4. Project Location: Unincorporated area of Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.134649	118.770009
34.138101	118.762723
34.132744	118.738437
34.132598	118.764768
34.140898	118.756819
34.137157	118.748297
34.132699	118.752196
34.136301	118.756291

5. Type of Project: Residential development project
6. Project Purpose: Construct a residential development to partially meet housing needs within the County of Los Angeles.
7. Project Description: The proposed project encompasses approximately 320.30 acres and is located 1/4 -mile west of U.S. Highway 101, in the County of Los Angeles adjacent to the City of Agoura Hills. The Applicant proposes to sub-divide the 320.30-acre site into 61 single-family residential lots, four (4) landscape lots and five (5) open space lots.

The project will consist of two distinct sub-units of development,

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which are divided by Kanan Road. Proposed development west of Kanan Road will consist of 40-single family residential lots in a northern and southern enclave. The proposed development east of Kanan Road within the northern portion of the Project area will consist of a total of 21 developable lots.

In order to develop the proposed project, 50.61 acres within the 320.30-acre site will be impacted (which comprises 16% of the project area). In addition to the fuel modification areas within the project site, the remaining 265.87 acres of land will be designated as open space to be dedicated to either a conservancy or other acceptable entity (as approved by the Regional Board).

The project lies within the greater Medea Creek Watershed, and is comprised of four (4) sub-drainages.

Waters associated with the Project site total approximately 6.76 acres, of which 2.11 acres consist of wetlands. A total of 16,724 linear feet of streambed is present.

Table 1: Total Waters

Drainage Name	Non-Wetland Waters (Acres)	Wetlands (Acres)	Total Waters (Acres)	Linear Feet of Streambed (Acres)
Drainage A	3.00	2.11	5.11	4,010
Drainage B	0.36	0	0.36	1,556
Drainage C	0.17	0	0.17	960
C2	0.01	0	0.01	187
C3	0.01	0	0.01	98
Drainage D	0.69	0	0.69	3,523
D1	0.01	0	0.01	183
D2	0.03	0	0.03	851
D3	0.002	0	0.002	126
D4	0.03	0	0.03	401
Drainage E	0.08	0	0.08	1,039
E1	0.04	0	0.04	650
E2	0.03	0	0.03	409
E3	0.12	0	0.12	1,353
Drainage I	0.01	0	0.01	224
Drainage J	0.02	0	0.02	248
Drainage K	0.01	0	0.01	278
Drainage L	0.03	0	0.03	628
TOTAL	4.65	2.11	6.76	16,724

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The Project will result in permanent impacts to 0.32 acre of waters, none of which is jurisdictional wetland. A total of 2,891 linear feet of streambed will be permanently impacted. No temporary impacts are associated with the Project.

Permanent impacts will consist of the construction of single-family residential housing, graded slopes, water quality basin construction, and road construction.

Table 2: Total Impacts to waters

Drainage Name	Non-Wetland Impacts (Acres)	Wetland Impacts (Acres)	Total Impacts (Acres)	Impacts to Linear of Streambed (Acres)
Drainage A	0	0	0	0
Drainage B	0.002	0	0.002	30
Drainage C	0.13	0	0.13	560
C2	0	0	0	0
C3	0	0	0	0
Drainage D	0	0	0	0
D1	0	0	0	0
D2	0	0	0	0
D3	0	0	0	0
D4	0	0	0	0
Drainage E	0.06	0	0.06	587
E1	0.04	0	0.04	611
E2	0.02	0	0.02	242
E3	0.07	0	0.07	861
Drainage I	0	0	0	0
Drainage J	0	0	0	0
Drainage K	0	0	0	0
Drainage L	0	0	0	0
TOTAL	0.32	0	0.32	2,891

Avoidance and Minimization

All drainages within the proposed Project footprint are tributary to Medea Creek. A total of 6.44 acres (13,833 linear feet of streambed) of waters, of which 2.11 acres consist of jurisdictional wetlands, or 95 percent of waters, will be preserved on-site.

Post construction, urban runoff that reaches the streets will be conveyed through the tract and into underground storm drain piping in a system dedicated only to urban runoff. This storm water will then be directed to one of three water cleansing devices proposed for the project at each of the three drainage outlets into Medea Creek. The

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type of water cleansing devices to be constructed on the storm water system have not been identified. At this time, the equipment is anticipated to be either a vortex system or a chamber media filter system. The proposed equipment will be in conformance with the regulations of the County of Los Angeles Municipal Separate Storm sewer permit (Los Angeles County MS4).

Best Management Practices will also be incorporated into the design of the project's grading and landscaping to cause infiltration of storm runoff in private yard areas, in open space landscaped areas, and also in permeable areas of residential driveways.

- | | |
|-------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8. Federal Agency/Permit: | U.S. Army Corps of Engineers
NWP No. 29 (Permit No. 2005-01592-BEM) |
| 9. Other Required
Regulatory Approvals: | California Department of Fish and Wildlife
Streambed Alteration Agreement |
| 10. California
Environmental Quality
Act Compliance: | The Los Angeles County Department of Regional Planning approved the Environmental Impact Report (SCH No. 1998111091) and a Notice of Determination was filed on October 2, 2007. |
| 11. Receiving Water: | Unnamed tributaries to Medea Creek (Hydrologic Unit Code: 180701040102) |
| 12. Designated Beneficial
Uses: | MUN*, GWR, REC-1, REC-2, WARM, COLD, WILD, RARE,
WET

*Conditional beneficial use |
| 13. Impacted Waters of the
United States: | Non-wetland waters (streambed): 0.32 permanent acres
(2,891 linear feet) |
| 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. |

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16. Avoidance/ Minimization Activities:

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

- The Applicant proposes to follow the BMPs provided in the document titled "Preliminary and Standard Urban Stormwater Mitigation Plan (SUSMP); Tentative Tract 52419; Triangle Ranch; County of Los Angeles," dated May 2007, prepared by Halladay & Mim Mack, Inc.
- Best Management Practices will also be incorporated into the design of the project's grading and landscaping to cause infiltration of storm runoff in private yard areas, in open space landscaped areas, and also in permeable areas of residential driveways.
- Construction activity BMP's proposed for the project site will follow those identified by the California Storm Water Best Management Practices Hand Book, which is supported by the County of Los Angeles.
- The proposed BMP's are identified on the following list and are shown on the Preliminary SUSMP Plan.
 - EC-1 Scheduling
 - EC-2 Preservation of Existing Vegetation
 - EC-4 Hydroseeding
 - EC-7 Geotextiles and Mats
 - EC-9 Earth Dikes and Drainage Swales
 - EC-10 Velocity Dissipation Devices
 - EC-11 Slope Drains
 - NS-1 Water Conservation Practices
 - NS-2 Dewatering Operations
 - NS-3 Paving and Grinding Operations
 - NS-4 Temporary Stream Crossing
 - NS-8 Vehicle and Equipment Cleaning
 - NS-9 Vehicle and Equipment Fueling
 - NS-10 Vehicle & Equipment Maintenance
 - SE-1 Silt Fence
 - SE-2 Sediment Basin
 - SE-4 Check Dams
 - SE-10 Storm Drain Inlet Protection
 - TR-1 Stabilized Construction Entrance-Exit
 - TR-2 Stabilized Construction Roadway
 - WE-1 Wind Erosion Control
 - WM-1 Material Delivery and Storage

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- WM-2 Material Use
- WM-4 Spill Prevention and Control
- WM-5 Solid Waste Management
- WM-6 Hazardous Waste Management
- WM-8 Concrete Waste Management

In general, the construction related BMP's listed above are intended to reduce the discharge of pollutants from the site by controlling storm runoff water, intercepting it at basins, allowing for sedimentation of silt, debris or other pollutants so that the pollutants can be readily collected and safely conveyed from the site.

17. Proposed Compensatory Mitigation:

Approximately 0.75 acre of habitat will be established on-site, composed of a combination of mule fat scrub and mixed oak woodland habitat within Drainage D. The mitigation site is presently subject to no public use and provides low to moderate value to wildlife. If left undisturbed, the site would continue to function as low to moderate wildlife habitat.

Drainage D is a four to 23-foot wide cobbled, compacted channel supporting occasional sparse mule fat and arroyo willow habitat (i.e., mule fat scrub habitat). The proposed mitigation area is located on the banks and low terraces along the lowest reach of Drainage D as it exits the property near Cornell Road and flows into Medea Creek through a culvert.

The area proposed for mitigation consists of a flat, low-lying area dominated by non-native annual grasses including red brome (*Bromus rubens*), soft brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), and wild oat (*Avena fatua*), as well as ruderal species including yellow sweetclover (*Melilotus indica*), tocalote (*Centaurea melitensis*), mustard (*Hirschfeldia incana*), scarlet pimpernel (*Anagallis arvensis*), and filaree (*Erodium cicutarium*).

The mitigation site will require minor grading with small equipment such as a Bobcat tractor. Grading will consist of creation of slight contours to create topographic variation within the site to create micro-habitats within the proposed mitigation site. This will occur in the lower 200 feet of the drainage, with minor excavation and widening within, or adjacent to, the existing streambed to create a wider, more pronounced channel to facilitate the establishment of the southern

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willow scrub and mixed oak woodland habitats.

The mitigation site will be planted with native plant species common to mule fat scrub and coast live oak and valley oak woodland habitats in the region. Dominant species in the mixed oak woodland will include valley oak (*Quercus lobata*), coast live oak (*Quercus agrifolia*), scrub oak (*Quercus berberidifolia*), and blue elderberry (*Sambucus nigra ssp. caerulea*). The understory will be comprised of squaw bush (*Rhus trilobata*), golden currant (*Ribes aureum*), giant wild rye (*Leymus condensatus*), coffee berry (*Rhamnus californica*), purple sage (*Salvia leucophylla*), needle grass (*Stipa pulchra*), and blue-eyed grass (*Sisyrinchium bellum*).

Dominant species in the mulefat scrub habitat will include mule fat (*Baccharis salicifolia*), coyote brush (*Baccharis pilularis*), and arroyo willow (*Salix lasiolepis*). The understory will be comprised of California black berry (*Rubus ursinus*), giant wild rye (*Leymus condensatus*), creeping wild rye (*Leymus triticoides*), mugwort (*Artemisia douglasiana*), and creek monkey flower (*Mimulus guttatus*).

Prior to or concurrent with construction of the proposed Project, removal of perennial non-native invasive species including giant cane (*Arundo donax*) and salt cedar (*Tamarix ramosissima*) will commence in Medea Creek and continue, as needed, through the five-year mitigation monitoring period.

After plan implementation, the mitigation site will function as enhanced wildlife habitat. No public access will be permitted into the mitigation site. The mitigation area will be placed under a conservation easement, restrictive covenant, and/or another form of protection in perpetuity. This will increase the overall function and value of waters within the Malibu Creek Watershed.

18. Required
Compensatory
Mitigation:
- The Regional Board will require compensatory mitigation as specified above.

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

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STANDARD CONDITIONS

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

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

ADDITIONAL CONDITIONS

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

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and 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, 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. 2011-0002-DWQ and 2004-0009-DWQ.

14. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State.
15. 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 stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
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/maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
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, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points.

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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 areas** of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
22. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed permanent impacts to **0.32 acres** of vegetation within waters of the United States by creating or restoring riparian habitat at a minimum **2.3:1** area replacement ratio (**0.75 acres**). 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.)
 - (c) Success criteria shall be established.

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This information shall be submitted to this Regional Board for approval prior to any project activities which 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. In addition, the Applicant will dedicate **265.87 acres of open space** within the project site to an approved conservancy for preservation in perpetuity.

23. The Applicant shall submit to this Regional Board **Annual Mitigation Monitoring Reports** (Annual Reports) by **January 1st** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until mitigation success has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. At a minimum the Annual Reports shall include the following documentation:
- (a) Color photo documentation of the pre- and post-project and mitigation site conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (c) The overall status of project including whether or not work has begun on the Project and a detailed schedule;
 - (d) Copies of all permits revised as required in Additional Condition 1;
 - (e) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;
 - (f) A certified Statement of “no net loss” of wetlands associated with this project;
 - (g) Discussion of any monitoring activities and exotic plant control efforts; and
 - (h) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
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.

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- (c) For a sole proprietorship, by the proprietor.
 - (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
25. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

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

Executed on the _____ day of _____ at _____.

(Signature)

(Title)"

26. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **13-103**. Submittals shall be sent to the attention of the 401 Certification Unit.
27. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
28. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. R4-2012-0175. This includes all related implementing local ordinances and regulations for the control of pollutants in stormwater from new and significant redevelopment. The project shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 2009-009-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.
29. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes

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a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.

30. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
31. *Enforcement:*
 - (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
 - (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
32. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application at least 90 days prior to termination of this Certification if renewal is requested.