



EDMUND G. BROWN JR.  
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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Los Angeles Regional Water Quality Control Board**

Ms. Mary Jacobs  
County Sanitation District No. 2  
of Los Angeles County  
1955 Workman Mill Road,  
Whittier, CA 90601

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7009 2820 0001 6537 7269

**TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR THE PROPOSED JOINT WATER POLLUTION CONTROL PLANT OUTFALL PROJECT (Corps' Project No. SPL-2008-00876-AOA), PACIFIC OCEAN, CITY OF CARSON, LOS ANGELES COUNTY (File No. 14-060)**

Dear Ms. Jacobs:

Board staff has reviewed your request on behalf of Los Angeles County Sanitation District No. 2 (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on December 30, 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 CarrilloZara, P.G., Lead, Section 401 Program, at (213) 576-6759.

Samuel Unger  
Samuel Unger, P.E.  
Executive Officer

Feb. 4, 2015  
Date

## DISTRIBUTION LIST

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ATTACHMENT A

Project Information  
File No. 14-060

1. Applicant: County Sanitation District No. 2  
of Los Angeles County  
1955 Workman Mill Road,  
Whittier, CA 90601  
Phone: (562) 908-2728 Fax: (562) 695-1874

2. Project Name: Joint Water Pollution Control Plant Outfall

3. Project Location: San Pedro, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
33.718	118.323
33.700	118.33.
33.690	118.316
33.701	118.338
33.718	118.322
33.717	118.322

4. Type of Project: Joint Outfall System rehabilitation

5. Project Purpose: To rehabilitate the existing 72-, 90-, and 120-inch diameter ocean outfalls that convey treated wastewater effluent from the Joint Water Pollution Control Plant.

6. Project Description: The Joint Water Pollution Control Plant (Site) is located on a 420-acre site at 24501 South Figueroa Street in Carson, California. Approximately 200 acres at the site create a buffer area between the operational process areas and the surrounding residential areas. The Site, which began operating in 1928, is now the largest facility in the Joint Outfall System with a permitted treatment capacity of 400 million gallons per day. It is located hydraulically downstream of the water reclamation plants and receives all Joint Outfall System flows not treated by the water reclamation plants. The wastewater undergoes full secondary treatment and is then discharged to the ocean.

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The Sanitation Districts rely on two onshore tunnels and four offshore ocean outfall structures to convey effluent from the Site to the Pacific Ocean. The two tunnels were constructed in 1937 and 1958 and have not been inspected for over 50 years. Inspection of the tunnels is not possible due to their overall length, limited access, intermediate connections between the tunnels, and continuous flow through the tunnels. Furthermore, in January 1995, the Joint Outfall System services area was inundated by two major back-to-back storm events. The resulting peak wastewater flows in the sewerage system from this storm event nearly exceeded the capacity of the Site ocean discharge system. If the tunnels were to be damaged or the capacity of the ocean discharge system exceeded, treated Site effluent would need to be bypassed into the Wilmington Drain. If sufficient capacity were not available in the Wilmington Drain, the sewers tributary to the Site could overflow and untreated wastewater could enter various water courses, such as the Dominguez Channel and the Los Angeles River.

To provide sufficient capacity in the Joint Outfall System to accommodate the estimated 2050 peak wastewater flows, and to comply with all applicable water quality standards including regulations prohibiting sewer overflows, the proposed rehabilitation work includes replacement or addition of cathodic protection for cast iron manhole covers on all three outfalls and for cast iron joints on two of the outfalls. There are approximately 600 locations where localized cathodic protection work will be performed on components of the outfall pipe to prevent corrosion. This work will be confined to very small areas where protection is required and will be done entirely by hand. A diver will remove only as much ballast and sediment as necessary to expose the work area, then will either tap into the cast iron joint with a drill or mechanically fasten a clamp to an existing manhole cover handle. A bolt will be installed and wrapped with wire that is run to a new sacrificial aluminum anode placed nearby. Epoxy will be used to cover the connection point and secure the wire, and any ballast rock will be immediately replaced on and around the outfall pipe to help secure the aluminum anode. The diver will then move to the next location on the outfall pipe and repeat the process.

The cathodic protection rehabilitation activities will cause minimal seafloor disturbance. The work will not include the joint rehabilitation or outfall re-ballasting that was analyzed in the

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EIR/EIS for the project.

All work will be done by hand and equipment will be placed on existing pipe and ballast material, not the nearby seafloor. Surface ships will use non-penetrating anchors and be subject to an anchor management plan (U.S. Army Corps of Engineers Los Angeles District, Provisional Permit No. SPL-2008-00876-AOA, approval contingent on receiving 401 Certification).

Impacts will be reduced to less than significant for submerged marine cultural resources due to construction. In the event that potentially historic resources (such as shipwrecks) are encountered in the project area during construction activities work will stop immediately until a qualified archaeologist can assess the significance of the resource. If necessary, other appropriate management measures will be activated, and may include the initiation of avoidance or buffer zones, or a data recovery program that may include excavation or documentation of the resource.

Impacts to Black Abalone by construction will be avoided. Within 90 days prior to initiation of the rehabilitation work, the existing ocean outfall pipelines will be surveyed for black abalone at depths between the 15 and 55 foot depth below surface in areas potentially affected by the work. The survey will include divers and biologists experienced in locating abalone. If black abalone is found to be present, the National Marine Fisheries Service will be consulted to develop a black abalone transportation plan that includes the identification of a suitable nearby transplant location, temporary holding and transport methods, and reporting requirements. Implementation of this plan will occur no more than 30 days preceding the in-water rehabilitation activities and will be conducted by qualified divers/biologists.

7. Federal Agency/Permit: U.S. Army Corps of Engineers  
Standard Individual Permit (Permit No. 2008-00876-AOA)
8. Other Required Regulatory Approvals: California Coastal Commissions  
Coastal Development Permit

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9. California Environmental Quality Act Compliance: The Los Angeles County Sanitation District No. 2 approved the project's Final Environmental Impact Report (SCH No. 2008101074) on November 28, 2012.
10. Receiving Water: Royal Palms Beach, Pacific Ocean (Hydrologic Unit Code: 180701040601)
11. Designated Beneficial Uses: NAV, COMM, MAR, WILD, SPWN, SHELL
12. Impacted Waters of the United States: Ocean/Estuary/Bay: 0.032 temporary acres (2,100 linear feet)
13. Dredge Volume: None
14. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.
15. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- All equipment will be placed on existing pipe and ballast material, not the seafloor.
  - Surface ships will use non penetrating anchors and be subject to an anchor management plan.
16. Proposed Compensatory Mitigation: The Applicant has not proposed any additional compensatory mitigation.

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17. Required  
Compensatory  
Mitigation:

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

## ATTACHMENT B

### Conditions of Certification File No. 14-060

#### 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. 15, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.



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6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith.
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. 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

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stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.

14. 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.
15. The Applicant shall submit to this Regional Board **Annual Monitoring Reports** (Annual Reports) by **January 1<sup>st</sup>** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until project completion has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration efforts. At a minimum the Annual Reports shall include the following documentation:
  - (a) Color photo documentation of the pre- and post-project site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project 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) A certified Statement of "no net loss" of wetlands associated with this project;
  - (f) Discussion of any monitoring activities and exotic plant control efforts; and
  - (g) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
16. All applications, reports, or information submitted to the Regional Board shall be signed:
  - (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
  - (b) For a partnership, by a general partner.
  - (c) For a sole proprietorship, by the proprietor.
  - (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

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17. 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)”

18. All communications regarding this project and submitted to this Regional Board shall identify the Project **File Number 14-060**. Submittals shall be sent to the attention of the 401 Certification Unit.
19. 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.
20. 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. 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. 2012-0011-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.
21. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.
22. 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

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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.

#### 23. *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.

24. 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.