California Regional Water Quality Control Board

Los Angeles Region

Winston H. Hickox
Secretary for
Environmental
Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: http://www.swrcb.ca.gov/~rwqcb4

Gray Davis
Governor

November 3, 1999

8099

Mr. Mark Subbotin, Senior Vice-President
Valencia Company
23823 Valencia Boulevard
Valencia, CA 91355-2194

WASTE DISCHARGE REQUIREMENTS – NATURAL RIVER MANAGEMENT PLAN FOR SANTA CLARA RIVER AND ITS TRIBUTARIES IN CITY OF SANTA CLARITA, LOS ANGELES COUNTY (File No. 99-009) (CI 8099)

Dear Mr. Subbotin:

Our letter dated September 30, 1999, transmitted tentative requirements for your waste discharge to Santa Clara River and its tributaries in city of Santa Clarita.

Pursuant to Division 7 of the California Water Code, this Regional Board, at a public hearing held on October 28, 1999, reviewed the tentative requirements, considered all factors in the case, and adopted Order No 99-104 (copy attached) relative to the waste discharge.

You are required to implement the Monitoring and Reporting Program (M&RP) immediately after the effective date of Order No. 99-104. Your first monitoring report (for November and December of 1999) under this Order is due on February 1, 2000. The report shall state "no discharge or no construction activities during that period" if that was the case, and no monitoring was conducted. Please submit all monitoring reports to the Regional Board to the attention of the Information and Technology Unit. When submitting monitoring, technical reports, or any correspondence regarding the discharge under Order No 99-104 to the Regional Board, please include a reference to our compliance File No. CI 8099 to assure that the reports are directed to the appropriate staff and file. Also, do not combine other reports with your monitoring reports. Please submit each type of report as a separate document.

If you have any questions, please contact me at (213) 576-6689 or Alex Fu at (213) 576-6692.

Sincerely,

Raymond R. Jay
Chief, Nonpoint Source Unit

Enclosures

cc: See attached mailing list.

Mailing List

Bill Campbell, DWQ, SWRCB
Leslie MacNair, Streambed Alteration Team, CDFG (Long Beach) (File No. 5-502-97)
Curt Taucher, CDFG (Long Beach) (File No. 5-502-97)
Leslie McNair, CDFG, 28 Beach Drive, Aliso Viejo, CA 02656
Anne Malcolm, Legal Affairs Division, C DFG, 1416 Ninth Street, 12th Floor, Sacramento, CA 95814
California Coastal Commission, South Coast District, 245 W. Broadway, Ste. 380, Long Beach, CA 90801
Aaron Allen, USACOE (Los Angeles) (File No. 94-00504-BAH)
Dick Schubel, USACOE (Los Angetes) (File No. 94-00504-BAH)
Bruce Henderson, USACOE (Ventura) (File No. 94-00504-BAH)
Steve John, USEPA (Los Angeles, WTR-8)
Aaron Setran, USEPA (San Francisco, WTR-8)
Ray Bransfield, USFWS (Ventur)
Kirk Wain, USFWS (Ventura)
Department of Conservation, Division of Mines & Geology, Environmental Review Project, 801 K Street, MS12-32, Sacramento, CA 95814
William Hogarth, National Marine Fisheries Service, 501 W. Ocean Boulevard, Suite 4200, Long Beach, California 90802
Mike Kotch, SCOPE, P,O. Box 1182, Canyon Country, CA 91351
California Coastal Commission, South Coast District, 245 W. Broadway, Ste. 380, Long Beach, CA 90801
South Coast Air Quality Management Distract, 21865 E. Copley Drive, Diamond Bar, CA 91765
Wilford Melton, Caltrans – District 7, Transportaion Planning & Analysis, 120 S. Spring Street, Los Angeles, CA 90012
Joan Ruppert, County of Los Angeles, Parks and Recreation, 433 S. Vermont Avenue, Los Angeles, CA 90020
Phil Doudar, Los Angeles County Department of Public Works - Planning Division, 900 S, Freemont Avenue, Alhambra, CA 91803
Steve Highter, Los Angeles County Sanitation District, 1955 Workman Mill Road, Whittier. CA 90601
Frank Meneses, LosAngles County Regional Planning, 1320 Temple Street, 13th Floor, Los Angeles, CA 90012
Los Angeles County, Valencia Library, 23743 W. Valencia Boulevard, Valencia, CA 91355
Charles McDonald, Angeles National Forest, 701 N. Santa Anita Avenue, Arcadia, CA 91006
Jeff Lambert, City of Santa Clarita, 23920 Valencia Boulevard, Ste, 300, Santa Clarita, CA 91355
Laura Simonek, Metropolitan Water District, Planning Division, P.O. Box 54153, Los Angeles, CA 90054
Santa Clarita Water Company, P.O. Box 903, Santa Clarita, CA 91380
Newhal County Water District, P.O. Box 220970, Santa Clarita, CA 91322
California Native Plant Society, 1722 J Street, Suite 17, Sacramento, CA 95814
Ron Bottorff, Friends of the Santa Clara River, 660 Randy Drive, Newbury Park, CA 91320
Fred Heath, President, Audubon Society, Los Angeles Chapter, 7377 Santa Monica Boulevard, W. Hollywood, CA 90046
Santa Monica Mountains Conservancy, 3700 Solstice Canyon Road, Marlbu, CA 90265
Gary Spinning, Southern California Edison, 800 W. Cienega Avenue, San Dimas, CA 91733
Jim Duzick, Agua Dulce Town Council, Aqua Dulce Canyon Road, Box 8, Aqua Dulce, CA 91350
Andrew G. Fried, Safe Action for the Environment, Inc., P,O. Box 6100, Agua Duice, CA 91350
Bob Sagehorn, General Manager, Castalc Lake Water District, 27324 Bouquet Canyon Road, Santa Clarita, CA 91350
Julie Vandermost, 30100 Crown Valley Parkway, Suite 7B, Laguna Niguel, CA 92677
John Tettemer, 3151 Airway Avenue, Suite Q-I, Costa Mesa, CA 92626
Patrick Mitchell, Downey Brand Seymour & Rohwer, 555 Capitol Mall, 10th Floor, Sacramento, CA 95814-4686
Steve Nelson, PCR, 1 Venture. Suite 150, Irvine, CA 92618
Del Holland, President, Six Flags Magic Mountain, P.O. Box 5500, Valencia, CA 91358
Ron Horn, Sikand Engineering, 15230 Burbank Boulevard, Van Nuys, CA 91411

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

Order No. 99-104

WASTE DISCHARGE REQUIREMENTS
For
VALENCIA COMPANY
Natural River Management Plan
(File 99-009)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

1. The Valencia Company, a land owner and developer, proposes to conduct several projects along an approximately 15-mile stretch of Santa Clara River and its tributaries (See attached map), within unincorporated areas of Los Angeles County and portions of the City of Santa Clarita, under a Natural River Management Plan (NRMP) for the next 15 to 20 years. In order to develop the privately owned land in the Santa Clarita Valley, the Valencia Company, in consultation with the U.S. Army Corps of Engineers (Corps) and the California Department of Fish and Game (CDFG), has prepared the NRMP to specify all proposed activities which may impact U.S. waters and associated mitigation measures to minimize impacts and compensate losses of habitats within project area.

2. The proposed projects include construction of eight new bridges, replacement of one existing bridge, and widening of six existing bridges in the project area. Besides bridge construction, the Valencia Company also will conduct activities associated with river bank protection, inlet structures, utility lines installation, and construction of storm drain outlets for the future residential, commercial, and industrial projects in the area. However, the Valencia Company proposes to transfer routine maintenance activities for the above facilities to the Los Angeles County Department of Public Works and/or City of Santa Clarita.

3. The Valencia Company also proposes to conduct the following activities:

   a) Installation of a 1,700-foot-long inlet structure on the bottom of Santa Clara River upstream of Valencia Boulevard Bridge.

   b) Install a 100-foot-long buried concrete grade stabilizer immediately upstream of the inlet structure.

   These structures will permanently impact approximately 11.3 acre of riverbed.

4. The Valencia Company will implement four types of bank protection: buried soil cement, buried gunite, ungrouted riprap, and gunite lining. All of the bank protection will be located either within the nearby watercourse, along its bank, or outside the watercourse in an upland location. The Valencia Company proposes to locate bank protection along (or as close to as applicable) the lines of 100-year flood zone, including the lowered upland areas. The NRMP estimates a net gain of 69 acres of riverbed over the life of the entire project.

5. Furthermore, the Valencia Company proposes to establish buffer zones between the proposed upland development and the river, with average width from 75 feet to 225 feet, from the landward row of soil cement stacks to the river or from the top of the buried gunite to the river. Upland species will be planted and managed for habitat and open

spaces. The buffer zone for the entire project area will eventually encompass approximately 165 acres.

6. As U.S. EPA specified in the 1992 Memorandum of Agreement (MOA) concerning Clean Water Act Section 404(q), Part IV procedures, the riverine system at the Santa Clara River and its tributaries is an Aquatic Resource of National Importance (ARNI). The implementation of the proposed NRMP will result in a total impact of approximately 130 acres, including approximately 71 acres of temporary impact and approximately 40 acres of permanent impact, to U.S. waters and jurisdictional wetlands. Furthermore, there will be approximately 2.2 acres of streambeds and jurisdictional wetlands, within the Santa Clara River whatershed, that may be impacted due to future channel clearing at three existing bridges: Bouquet Canyon Road, McBean Parkway, and the Old Road.

	Temporary Impact		Permanent Impact		**Total**	
	Riparian	Wetlands	Riparian	Wetlands	**Riparian**	**Wetlands**
Bridge Construction	14.5 acres	13.3 acres	0.5 acre	0.5 acre	15 acres	13.8 acres
Inlet Structure Construction	0.3 acre	0.3 acre	6.0 acres	5.3 acres	6.3 acres	5.6 acres
Bank Protection (including Stormdrain Outlets & Utility Line Crossings)	22 acres	21 acres	14 acres	14 acres	36 acres	35 acres
Subtotal	**36.8 acres**	**34.6 acres**	**20.5 acres**	**19.8 acres**	**57.3 acres**	**54.4 acres**

Total Temporary Impact : 71.4 acres **Total Permanent Impact : 40.3 acres**

The annual riparian/wetland impact under the NRMP will be approximately six to eight acres per year, if the Valencia Company completes the project within a period of 15 to 20 years, as proposed.

7. In order to comply with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), the Corps and the CDFG evaluated environmental impacts from the NRMP. In December 1997 and in August 1998, the Corps and CDFG issued a Draft EIS/EIR and a Final EIS/EIR (State Clearinghouse No. 97061090), respectively, to identify and evaluate anticipated impacts. After considering all alternatives, the Corps and CDFG determined a preferred plan (the Hybrid Avoidance Alternative) and environmental mitigation measures for the NRMP. The Final EIS/EIR was certified by the CDFG on November 30, 1998 and the Corps issued a Record of Decision on December 17, 1998.

8. The Regional Board is functioning as a responsible agency under CEQA (14 CCR 15096) in issuing these Waste Discharge Requirements in lieu of a 401 Water Quality Certification for the NRMP. As responsible agency, the Regional Board has considered relevant portions of the EIR/EIS, which was prepared and certified by the CDFG in late 1998, in reaching its decision to approve Waste Discharge Requirements for the NRMP (Order No. 99-104). The impacts of the NRMP on water quality are addressed in Section 3.3.2 of the Draft EIS/EIR, Section 3.3.1 of the Final EIS/EIR, and in the responses to comments (Section 4 of the Final EIS/EIR).

9. Changes regarding potentially significant water quality impacts incorporated into the NRMP are within the responsibility and jurisdiction the Regional Board. Such changes have been adopted to mitigate for environmental effects to water quality. These changes are mitigation measures WQ-1; WQ-2; BIO-1 (a) through (n); BIO-6 (a) through (l); BIO-7(c); BIO-12; BIO-15; BIO-16; and BIO-17 (See Attachment), which are listed in Exhibit 9 (Mitigation Monitoring and Reporting Program) to both CDFG's Streambed Alteration Agreement No. 5-502-97 and the Corps' Section 404 Permit No. 94-00504-BAH. These mitigation measures are also required to be complied with by Provision III (2) of the Waste Discharge Requirements contained in Order No. 99-104. The project-specific water quality impacts of the NRMP project will be less than significant provided the above mentioned water quality mitigation measures are to be fully implemented by the project proponent.

10. Section 21081.6 of the California Public Resources Code requires the Regional Board to adopt a monitoring and reporting program regarding changes in the NRMP or mitigation measures imposed to lessen or avoid significant effects on the environment. The Regional Board has incorporated additional monitoring and reporting requirements which avoid or substantially lessen the environmental effects to water quality identified in the EIR. These monitoring and reporting requirements are listed in the Monitoring and Reporting Program (MRP) No. 8099 for the NRMP (File No. 99-009). The implementation of this MRP program shall effectively fulfill the following CEQA mitigation monitoring requirements:

    a. The Mitigation Measures are specific and are incorporated into Waste Discharge Requirements contained in Order No. 99-104 and, as appropriate, define performance standards to measure compliance under the Program; and

    b. The MRP has been designed with detailed descriptions of mitigation, implementation, verification, a compliance schedule and reporting requirements to insure compliance with the Mitigation Measures.

11. The Regional Board finds that significant cumulative water quality impacts will be mitigated to below the level of significance by regional NPDES permit requirements. Additional mitigation measures may be added as necessary if determined by the MRP.

12. As to all impacts, other than water quality, changes or alterations to the NRMP project are outside the responsibility and jurisdiction of the Regional Board. Such changes or alterations are within the responsibility and jurisdiction of other public agencies, and such changes have been adopted by such other agencies, or can and should be adopted by such other agencies.

13. The location and custodian of the documents which constitute the record of proceedings on which the decision was made is California Regional Water Quality Control Board, Los Angeles Region, 320 West 4th Street, Suite 200, Los Angeles, CA 90013.

14. As the DEIR/FEIR indicates, implementation of upland development may also impact the quality of surface and ground water in the project area where the current natural drainage systems on undeveloped land will be modified to capture and convey urban stormwater runoff to the Santa Clara River. Stormwater urban runoff through new storm drainage systems will be subject to the NPDES municipal stormwater discharge permit issued to the Los Angeles County (and designated municipal co-permittees) under Regional Board Order No. 96-054 (NPDES Permit No. CAS614001), and any successive permits issued to the County and its co-permittees in the future.

15. In order to comply with Section 1603 of the CDFG Code, in 1996 the Valencia Company applied for a Streambed Alteration Agreement (File No. 5-502-97) with the CDFG. The Section 1603 Agreement, which was issued by the CDFG on November 30, 1998, specifies provisions to mitigate and offset adverse impacts to fish and wildlife that are expected from implementation of the NRMP. The Section 1603 Agreement terminates on November 1, 2018.

16. In order to comply with Section 404 of the Clean Water Act for the proposed NRMP, the Valencia Company applied for a Section 404 permit from the Corps. On December 28, 1998, the Valencia Company received a Provisional Section 404 permit (No. 94-00504-BAH) from the Corps for activities described in findings no. 2 and 3, above. Provisional Permit No. 94-00504-BAH - expires on December 28, 2018 – and will become final upon receiving a Section 401 Water Quality Certification from the State or the Waste Discharge Requirements from the Regional Board.

17. In order to comply with Section 401 of the Clean Water Act for the proposed NRMP, the Valencia Company must obtain certification from the State for all activities within U.S. waters and wetlands under the NRMP. Furthermore, the Valencia Company must comply with enumerated sections of the Clean Water Act, which include applicable water quality standards set by the Regional Board. On April 1, 1999, the Valencia Company completed an application for a Section 401 water quality certification, for disturbance of and discharges to surface waters associated with the NRMP activities proposed above which constitute a discharge of waste. Pursuant to provisions of Chapter 23 California Code of Regulations, Section 3857, the Regional Board is issuing this Order specifying Waste Discharge Requirements in lieu of Section 401 Water Quality Certification.

18. As the DEIS/DEIR and FEIS/FEIR indicated, implementation of the NRMP may potentially impact quality of surface water and ground water. It may impact biological resources, and cause cumulative impacts to wetlands/waters of U.S. from bridge construction, bank protection activities, and from upland development projects in the area.

19. In order to mitigate impacts from stormwater and urban runoff at the project site, the Valencia Company will implement Development Planning, Development Construction measures, and Best Management Practices (BMPs) approved by the Regional Board pursuant to the Los Angeles County Municipal Storm Water Permit (Board Order No. 96-054; NPDES Permit No. CAS614001) and its successor permits. In addition, the Valencia Company will obtain coverage for the project under the State General Industrial Storm Water Permit for Construction Activity, and prepare and implement a State Storm Water Pollution Prevention Plan (SWPPP). The Valencia Company proposes to implement a drainage plan which will consist construction of water quality filters[1], water quality wetlands[2], and soft-bottom channels[3]. The purpose of utilizing these treatment controls is to capture urban runoff in the project area.

20. As additional mitigation, under the NRMP, Valencia Company will be implementing a riparian habitat mitigation program for impact in the riverbed and "upland zone". The

---

1 The water quality filter, about 0.5 acre in size, is a 50-100-foot long reach of open channel near the end of a storm drain just upstream of the discharge point. The bottom of the filter would be 10 to 15 feet wide and be earthen, gravel, or grass-lined.

2. The water quality wetland, about 1.5 to 2.0 acres in size, is a constructed wetland area where nuisance and first-flush flows would be collected. The wetland functions similar to the filter except that it is has larger storage capacity, and in most cases it would be located off-line from the storm drain.

3. The soft-bottom channels are to be located in golf courses, parks, and other open space areas and to be used for percolating nuisance flows and filtering out pollutants from those areas.

mitigation program calls for creation of riparian habitats on or adjacent to impacted sites of similar functions and values in the project area. Wetland restoration will be in-kind and at a 1:1 replacement ratio for new habitat installed two years in advance of the removal of habitat at the construction site. The replacement ratio may increase to 3:1 provided the habitat replacement could not be installed two years in advance and the impacted habitat is classified as high value habitat by the Corps and CDFG. However, lower replacement ratios may be applicable if a Corps-approved hydrogeomorphic method (HGM) of assessing replacement ratios indicates that a lower ratio would ensure replacement of habitat values and functions.

21. Valencia Company may remove exotic plant species, in lieu of habitat restoration, in areas where (a) an infestation of exotics plants has substantially degraded the natural habitat functions and values, and where the cover of exotics is equal to or exceeds 25 percent of the ground; or (b) other areas where exotic removal would be strategic in a watershed approach to weed management, as determined by the Corps and CDFG. The mitigation ratios for exotic removal may be 1:1 to 3:1 for low value and high value riparian habitat removed, respectively, two years in advance. The ratios may be increased to 2:1 to 4:1 for low value and high value riparian habitat removed, respectively, less than two years in advance.

22. The Regional Board adopted a revised Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994. The Basin Plan designates beneficial uses and establishes water quality objectives for waters in the Los Angeles Region.

23. Beneficial uses designated in the Basin Plan for surface waters affected by the Valencia Company's proposed NRMP covered under these requirements include:

a) Santa Clara River South Fork (Hydrologic Unit No. 403.51) – municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat.

b) Bouquet Creek (Hydrologic Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm and cold freshwater habitat, spawning, and wildlife habitat.

c) San Francisquito Creek (Hydrological Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, rare and endangered species, spawning, and wetland habitat.

d) Santa Clara River (Hydrological Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, rare and endangered species, and wetland habitat.

e) Castaic Creek (Hydrological Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, rare and endangered species, and wildlife habitat.

Beneficial uses designated in the Basin Plan for ground waters underlying the NRMP include: municipal and domestic supply, industrial service and process supply, and agricultural supply.

24. To offset significant impacts to water quality objectives and destruction and degradation of aquatic and riparian habitats, Valencia Company, under Corps' Section 404 Permit No. 94-00504-BAH and CDFG's Section 1603 Streambed Alteration Agreement No. 5-502-97 will be required to undertake the mitigation measures as specified in the NRMP.

The Board has notified the County and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Board, in a Public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED that the Valencia Company, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act as amended and regulations and guidelines adopted thereunder, shall comply with the following:

I. DISCHARGE LIMITATIONS

Waste discharged shall be limited to construction related wastes from implementation of the NRMP only, as set below.

1. If any in-stream work or surface flows are impacted, then upstream and downstream monitoring for turbidity and total suspended solids (TSS) shall be implemented.

   - TSS and turbidity shall be monitored in accordance with the enclosed Monitoring and Reporting Program No. 8099.

   - TSS discharged by the project shall not cause nuisance nor adversely affect beneficial uses.

   - Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

   Results of the above analysis shall be submitted to the Regional Board, monthly, for review. Violations of the turbidity requirements above shall be provided in writing.

2. No wet excavation (defined as excavation less than 5 feet above the anticipated groundwater table) shall be performed, except when necessary to temporarily divert a stream or place a temporary culvert crossing for construction work in accordance with the NRMP, or to accomplish approved dewatering operations.

3. All construction activities under the NRMP shall not cause any of the following conditions in receiving waters as a result of the discharge:

   a) Formation of deposits (e.g., sediments, construction related wastes) downstream of the construction work site, that would adversely affect the composition of benthic fauna and flora or interfere with fish propagation or deleteriously affect their habitat.

b) Visible material, including oil and grease, either floating on or suspended in the water or deposited on the stream banks.

c) Objectionable odors emanating from the dredge or fill sites.

d) Depression of dissolved oxygen concentrations below 5.0 mg/l at any time and annual average dissolved oxygen concentration less than 7 mg/l beyond project site. Depression of dissolved oxygen concentrations below 6 mg/l at any time in waters designated for cold freshwater habitat beneficial uses.

e) Alteration of the natural receiving water temperature by more than 5° F above the ambient temperature.

f) Toxic substances in concentration that are toxic to or that produce detrimental physiological responses in human, animal, fish, bird or plant life.

g) Toxic pollutants at levels that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health.

h) Biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.

i) Concentration of chemical constituents in amounts that adversely affect any designated beneficial use.

j) Coloration that causes nuisance or adversely affects beneficial uses.

k) Exotic vegetation shall not be introduced around stream courses to the extent that such growth causes nuisance or adversely affects beneficial uses.

4. The water quality filters, wetland filters, and soft bottom channels specified in the NRMP shall be located, constructed and maintained in accordance with NRMP, or in accordance with approved procedures for the design and maintenance of these types of water quality facilities contained in any current or future NPDES municipal storm water permits issued to the County or other permittees in the NRMP project area, whichever is more stringent at the time that the facilities are constructed.

II. PROHIBITIONS

1. Other than as defined by this Order, disposal of sediment to areas other than approved disposal sites is prohibited.

2. Application of pesticides is prohibited.

3. Except as authorized in the Construction Stormwater General NPDES Permit or other WDR's issued by this Regional Board, discharge of equipment washwaters or any other non-stormwater associated with construction, to surface waters, ground waters or land is prohibited.

4. Discharge of concrete or grout to surface waters is prohibited.

III. PROVISIONS

1. The Valencia Company shall be in compliance with conditions specified in the Corps' Section 404 Permit No. 94-00504-BAH and CDFG's Streambed Alteration Agreement No. 5-502-97 through out the life of this Order.

2. The Valencia Company shall file, if applicable, a Notice of Intent to be covered under the State Board's General Construction Activity Storm Water Permit (General Permit No. CAS000002). Two copies of the Storm Water Pollution Prevention Plan (SWPPP) required by the General Permit shall be submitted to this Regional Board (Attn: Nonpoint Source Unit; Attn: Ventura Coastal Unit) prior to any dredge, excavation, fill, or construction activities. Please contact Mark Pumford, Ventura Coastal Unit, at (213) 576-6657 for further information.

3. The SWPPP, as required above in Item No. III. 2. shall include the information indicated in Appendix I of the General NPDES Permit and the requirements indicated in the State Board's storm water permit (General Permit No. CAS000002), or as it may be amended.

4. All surface water inflows shall be redirected away from areas undergoing construction, excavation, and/or sediment or vegetation removal. If surface flows are expected within onsite drainages during grading or construction, the project proponent shall develop and submit a water diversion plan to this Regional Board (Attn: Nonpoint Source Unit) prior to grading or construction within the existing drainages. This plan shall include structure configuration, location, construction materials, equipment, operation procedures, erosion and sediment control measures, and monitoring. This plan shall also identify contingency measures addressing various flow discharge rates and can be included in the SWPPP identified in Provisions Nos. 2 and 3 herein above.

5. No activities within surface waters shall be performed during rainfall events or within flowing water; except for the installation and maintenance of temporary diversion structures, temporary construction crossings, and groundwater dewatering operations, as indicated in the NRMP, in accordance with the provisions of the Corps and CDFG permits.

6. The project proponent shall submit a Report of Waste Discharge (an application) to this Regional Board for dewatering activities resulting in the disposal of groundwater (including subsurface water) to surface waters (including storm drains and dry streambeds), groundwater, or land. Please contact Mark Pumford, Ventura Coastal Unit, at (213) 576-6657 for further information on disposal to surface waters. Inquiries regarding disposal to groundwater or land should be directed to Rodney Nelson, Landfills & Cleanup Unit, at (213) 576-6719.

7. Each construction zone shall be visually marked (*e.g.*, with stakes) prior to grading or construction. All activities shall be limited to designated grading or construction zones.

8. No construction equipment and/or materials shall be stored within sensitive areas, including wetlands, or other surface waters. All staging and storage areas shall be located outside wetlands and other surface waters and shall be adequately contained to prevent discharges to such waters.

9. All equipment or vehicles operated within or adjacent to wetlands or other surface waters shall be checked and maintained daily to prevent leaks and discharges of

materials. No equipment maintenance shall be done within or near wetlands or other surface waters.

10. Designated spoil areas shall be visually marked prior to grading or construction. Stockpiling of excavated material shall be confined to these areas and shall not be discharged to wetlands or other surface waters unless exempted by the Executive Officer.

11. All grading and construction shall follow best management practices to minimize impacts on water quality and beneficial uses. Water used in dust control shall be minimized and managed in accordance with the Construction Stormwater General NPDES Permit. Construction, concrete and sanitary wastes or wastewater shall be properly contained, treated, and/or disposed, and not discharged to groundwater nor wetlands and other surface waters, except non-stormwater discharges authorized by another NPDES Permit or other Waste Discharge Requirements issued by this Regional Board.

12. All excess materials not used for backfilling or streambed recontouring shall be removed to an approved disposal site. The project proponent shall submit a Report of Waste Discharge to this Regional Board for inland disposal of nonhazardous contaminated soils and materials. All contaminated waste material removed shall be relocated to a legal point of disposal or recycled for use as a soil amendment, if applicable. A legal point of disposal for contaminated waste material is defined as one for which Waste Discharge Requirements have been established or waived by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact Rodney Nelson, Landfills & Cleanup Unit, at (213) 576-6719 for further information.

13. Only uncontaminated fill material shall be imported and placed in U.S. waters.

14. Any temporarily disturbed streambed shall be returned to pre-project conditions to the maximum extent practicable upon project completion.

15. To avoid potential impacts to adjacent natural habitats or sensitive species outside the project areas, work sites shall be clearly flagged or staked, depicted on photographs of the facility, or otherwise delineated, such that personnel conducting construction activities are aware of the boundaries of the work sites.

16. In November 1998 the CDFG issued a 2081 Permit to Valencia Company to permit the incidental take of threatened, endangered, and certain unlisted species. Should threatened or endangered species, in addition to those covered in the 2081 Permit, be found in a proposed work area, or are found in a location that could be impacted by the work proposed, the Valencia Company shall submit a plan to CDFG for review and approval to ensure adequate protection of the species.

17. Temporary culverts shall be placed in bypasses or dewatering trenches where equipment crossings are necessary. Repairs to roads and other appurtenances shall be limited to reconstruction to previous configurations (e.g., location, width, length, and height).

18. Emergency activities shall be limited as defined in Section 21060.3 of the Public Resources Code and Section 15269 of the California Environmental Quality Act CEQA) Procedures and Guidelines.

19. In the event of any change in name of operator, or in control or ownership of land or drainage facilities owned or controlled by the Valencia Company associated with the NRMP, the discharger shall comply with the "Standard Provision 4" attached to this Order.

20. This Order does not apply to maintenance activities for proposed drainage facilities to be transferred to agencies or organizations other than Valencia Company. A new Section 401 application must be submitted to the Regional Board at least 120 days before actual maintenance activities occur.

21. This Order is subject to final permits from and conditions and subsequent revisions set forth by the Corps, CDFG, and other appropriate authorities, including requirements of the National Environmental Policy Act and the CEQA.

22. In accordance with the California Water Code, the Valencia Company shall furnish, under penalty of perjury, technical monitoring program reports (as set forth in the Monitoring and Reporting Program No. 8099); such reports shall be submitted in accordance with specifications prepared by the Executive Officer and are subject to periodic revisions as may be warranted.

23. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions"). If there is any conflict between the provisions stated herein and said "Standard Provisions," those provisions stated herein shall prevail.

24. According to Section 13263 of the California Water Code, these requirements are subject to periodic review and revision by this Regional Board. This Order shall remain in effect until the Regional Board has issued a modified Order after review and consideration of the requirements contained within and ongoing compliance with applicable portions of the Water Code.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on October 28, 1999.

Dennis A. Dickerson

DENNIS A. DICKERSON
Executive Officer

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. 8099
For
VALENCIA COMPANY
Natural River Management Plan (File No. 99-009)

I. RECEIVING WATER CHEMICAL MONITORING COMPONENT

The following sampling protocol shall be undertaken during the implementation of Natural River Management Plan for any construction activity affecting receiving waters. Sampling for the receiving water chemical monitoring for preconstruction conditions shall commence with the collection of two receiving water samples within two weeks prior to the start of construction. Once construction work has commenced, samples shall be collected twice daily daily (one sample at pre-operation and the other at the peak of operation) during the first week of construction, then weekly for the next three weeks. Thereafter, samples shall be collected on a monthly basis until the in-stream work is completed. However, the frequency of monitoring shall return to the initial cycle (daily for one week, then weekly for three weeks, and then monthly) whenever a new stream diversion is established at an existing construction site, or whenever an existing construction related stream diversion is relocated during the course of normal construction.

All receiving water samples shall be collected by grab samples from the following stations.. Latitude and longitude coordinates shall be determined prior to sampling and submitted to the Regional Board.

A. Stations for Bridge Construction/Widening – There shall be at least one sampling station at an upstream and down stream location for each construction site. The station shall be within 100 feet of the construction zone.

B. Stations for Construction of Bank Protection – Stations shall be established at a downstream site within 500 feet from the construction zone.

C. Stations for Construction of Inlet Structures and Storm Drain Outlet Structures – There shall be at least one sampling station at no more than 100 feet downstream from the construction zone.

D. Stations for Installation of Utility Lines and Other Construction Activities within U.S. waters – There shall be one sampling station at an upstream and down stream area for each such activity. The station shall be located within 100 feet radius of the construction zone.

The following shall constitute the receiving water column monitoring program, and shall apply to all monitoring stations:

Parameters	Units	Frequency
Dissolved oxygen	mg/l	weekly♦
pH	pH units	weekly♦
Suspended solids	mg/l	weekly♦
Turbidity	NTU	weekly♦
Temperature	°F	weekly♦

The following receiving water observations shall be made and logged daily during all scheduled dry weather construction activities:

a. Date and time of observations;
b. Appearance of trash, floatable material, grease, oil or oily slick, or other objectionable materials;
c. Odors;
d. Appearance of gravel/substrate.

Monitoring reports shall be submitted within 30 days following each sampling period. In reporting, the discharger shall arrange the monitoring data in tabular form so that dates, time, parameters, test data, and observations are readily discernible. The data shall be summarized to demonstrate compliance with the waste discharge requirements. A final report for each construction event, summarizing the results of all the monitoring data, shall be submitted within one month of completion of such construction.

II. REPORTING REQUIREMENTS

A. General Requirements

1. The discharger shall implement this monitoring program on the effective date of this Order. Monitoring reports shall be addressed to the Regional Board, Attention: Information Technology Unit.

2. All chemical analyses shall be conducted at a laboratory certified for such analysis by the State Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be provided each time a new and/or renewal is obtained from ELAP.

3. Water/wastewater samples for chemicals shall be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. All QA/QC items must be run on the same dates when samples were actually analyzed. The results shall be submitted to the Regional Board with the laboratory reports. Proper chain of custody procedures shall be followed and a copy shall be submitted with report.

♦ Sampling shall be started at least two weeks before scheduled construction and continued weekly at least three weeks after the completion of each construction activity. Thereafter, the sampling frequency may be reduced to monthly until in-stream work is completed, or a stream diversion is established or modified.

If so required, monitoring data will be submitted to the Regional Board in a specified digital format.

4. The detection limits employed for sample analyses shall be lower than the permit limits established for a given parameter, unless the discharger can demonstrate that a particular detection limit is not attainable and obtains approval for a higher detection limit from the Executive Officer. At least once a year, unless no analyses are performed, the discharger shall submit a list of the analytical methods employed for each test and associated laboratory quality assurance/quality control procedures.

B. General Provisions

1. All sampling, sample preservation, and analyses for receiving water chemicals shall be performed in accordance with the latest edition of "Guidelines Established Test Procedures for Analysis of Pollutants" promulgated by the USEPA.

2. The discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to insure accuracy of measurements, or shall insure that both activities will be conducted.

3. A grab sample is defined as an individual sample collected in fewer than 15 minutes.

4. All samples shall be representative of the waste discharged under the condition of normal peak load.

III. GENERAL PROVISIONS FOR REPORTING

This Monitoring and Reporting Program includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions"). If there is any conflict between the provisions stated herein and the "Standard Provisions," those provisions stated herein will prevail.

For every item where the requirements are not met, the discharger shall submit for approval a statement of the actions undertaken or proposed that will bring the discharge into full compliance with requirements as soon as possible and submit a timetable for correction.

Each report shall contain the following completed declaration:

"I declare under penalty of perjury that the foregoing is true and correct. Executed on

the _____day of _____at

_____.

_____(Signature)

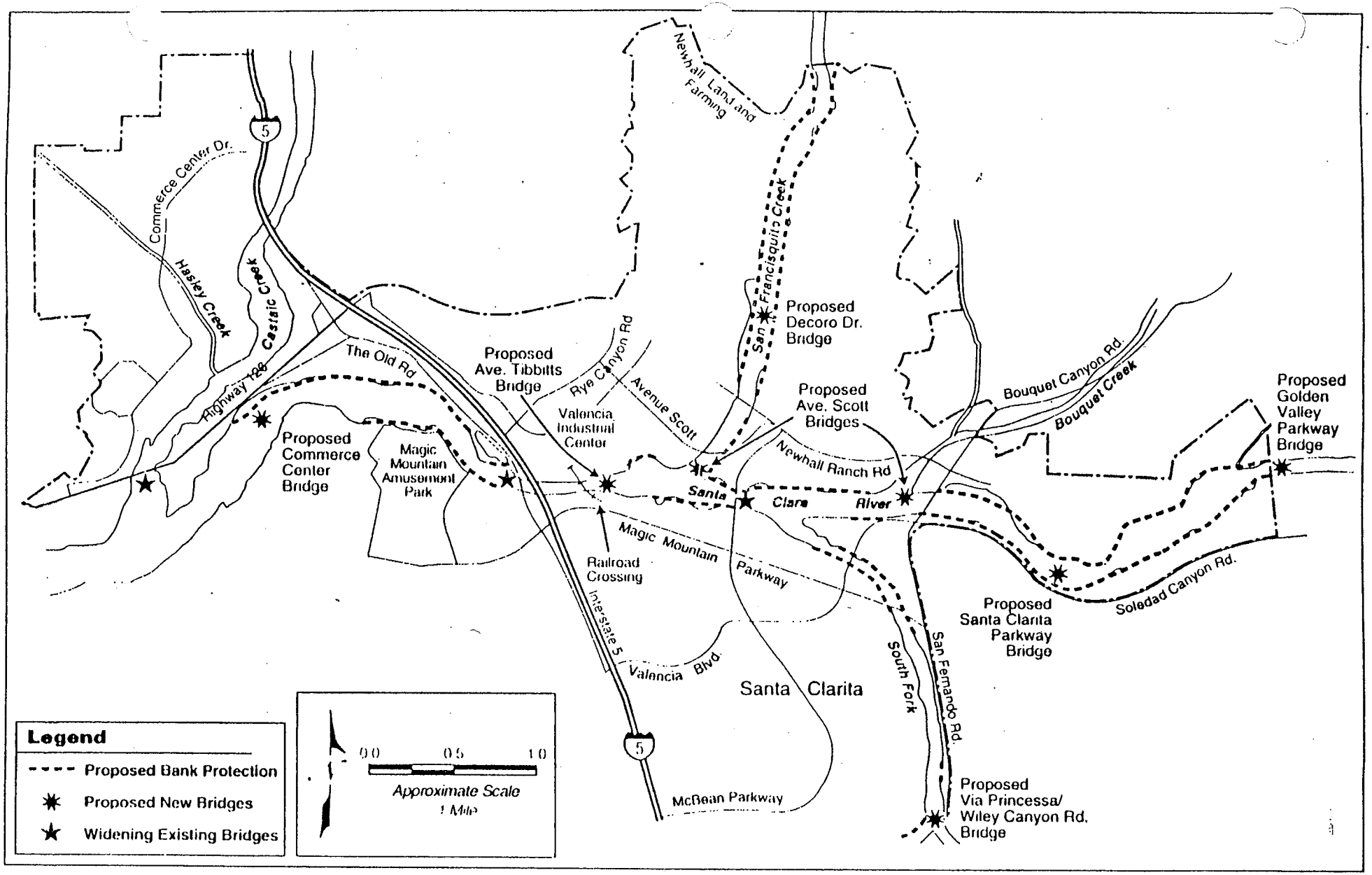
_____(Title)

These records and reports are public documents and shall be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:

DENNIS A. DICKERSON
Executive Officer

Date: October 28, 1999



Major Actions Associated with the National River Management Plan

ATTACHMENT

Mitigation Measures
For
Natural River Management Plan

(File No. 99-009)

MITIGATION MONITORING AND REPORTING PLAN
VALENCIA COMPANY
NATURAL RIVER MANAGEMENT PLAN
November 12, 1998

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
WATER QUALITY				
WQ-1 The engineering design and operational criteria of the proposed water quality wetlands and filters shall be reviewed by the Regional Board staff during the 401 certification review for individual projects. The final designs should consider optimal size, retention time, internal flow patterns, use of a forebay, selection of appropriate plants, and location of inlets and outlets.	401 certification process	Corps confirms issuance of 401 certification or waiver from Regional Water Quality Control Board to the applicant	Upon issuance of 401 certification or waiver	Corps
WQ-2 The design of the proposed treatment control BMPs must meet the requirements of any similar treatment control BMP that is formally adopted by the Regional Board for the then current municipal stormwater permit for Los Angeles County or the City of Santa Clarita.	Approval of Verification Request Letter by the Corps	Corps confirms that the treatment control BMPs included in each project meets the current requirements of NPDES municipal stormwater permit for Los Angeles County and the City of Santa Clarita	Upon approval of each Verification Request Letter	Corps
BIOLOGY - AQUATIC HABITAT AND WATER QUALITY DURING CONSTRUCTION				
BIO-1 (a) Construction activities shall be limited to the following areas of temporary disturbance: (1) an 85-foot-wide zone that extends into the river from the base of the rip-rap or gunite bank protection where it intercepts the river bottom; (2) 60 feet on either side of the outer edge of a new bridge or bridge to be modified; (3) 50-foot-wide corridor for all utility lines; and (4) 20-foot-wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the Verification Request Letters for individual projects that are submitted to the CDFG and Corps. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the post-construction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any	During plan preparation and construction	Permittee shows initial compliance on project plans and in the Verification Request Letter. Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	Upon receipt of Verification Request Letter, and after construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or significant human intrusion shall occur outside the work area and access roads.				
BIO-1 (b) Equipment shall not be operated in areas of ponded or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the Corps. Approval shall be acquired by submitting a request to CDFG and Corps no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site or along access roads. This request may be included in Verification Request Letters for individual projects that are submitted to the CDFG and Corps.	During plan preparation and construction	Permittee shows initial compliance on project plans and in the Verification Request Letter. Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	Upon receipt of Verification Request Letter, and after construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (c) Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) the construction site contains flowing or ponded water that drains off-site into the undisturbed streamflow or ponds, as allowed for certain areas under BIO-1a above; or (2) streamflow is diverted around the construction site, but the work is occurring in the period November 1st through April 15th when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy riverbottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to pre-construction grades and substrate conditions within 30 days after construction has ended at that particular site. The location and design of sediment retention ponds shall be included in the Storm Water Pollution Prevention Plan (SWPPP) prepared by Valencia Company for all construction activities that require a NPDES General Construction Activity Storm Water Permit.	During plan preparation and construction	Permittee shows initial compliance on project plans and in the Verification Request Letter. Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	Upon receipt of Verification Request Letter, and after construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (d) Installation of bridges, culverts, or other structures shall not impair	During	Permittee documents	After construction	Corps and

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
movement of fish and aquatic life. Bottoms of temporary culverts shall be placed at or below channel grade. Bottoms of permanent culverts shall be placed below channel grade.	construction of individual projects	compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	CDFG
BIO-1 (e) Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during periods when storm flows can reasonably be expected to occur.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (f) Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the 404 permit or 1603 Agreement.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (g) Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (h) If a stream channel has been altered during the construction and/or maintenance operations, its low flow channel shall be returned as nearly as practical to pre-project topographic conditions without creating a possible future bank erosion problem, or a flat wide channel or sluice like area. The gradient of	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in	After construction of a project is completed, and Corps and CDFG have received	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
the streambed shall be returned to pre-project grade, to the extent practical, unless it is represents a wetland restoration area.		Annual Permit Status Letter Report.	monitoring documentation from permittee.	
BIO-1 (i) Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (j) Staging/storage areas for construction equipment and materials shall be located outside of the ordinary high water mark.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (k) Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (l) Stationary equipment such as motors, pumps, generators, and welders which may be located within the riverbed construction zone shall be positioned over drip pans. No fuel storage tanks shall be allowed in the riverbed.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
BIO-1(m) No debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, watercourses included in the permit When construction operations are completed, any excess materials or debris shall be removed from the work area.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (n) No equipment maintenance shall be done within or near any stream where petroleum products or other pollutants from the equipment may enter these areas with stream flow.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIOLOGY-SENSITIVE AQUATIC SPECIES AVOIDANCE DURING CONSTRUCTION				
BIO-2 (a) Prior to initiating construction for the installation of bridges, storm drain outlets, utility lines, and/or bank protection, all construction sites and access roads within the riverbed, as well as all riverbed areas within 300 feet of the construction site and access road, shall be inspected at the appropriate season by a qualified biologist for the presence of the unarmored three-spine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. The Corps and the CDFG shall be notified of the inspection and shall have the option of attending. If either agency is not represented, the biologist shall file a written report of the inspection with the agency not in attendance within 14 days of the survey and no sooner than 30 days prior to any construction work in the riverbed.	Prior to and during construction of individual projects	Biologist conducts field survey and documents in a report to the agencies.	No sooner than 30 days prior to construction.	Corps and CDFG
BIO-2 (b) Construction work areas and access roads shall be cleared of the species listed in BIO-2a immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the Corps and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas.	Prior to and during construction of individual projects	Plan to relocate species submitted to agencies with Verification Request Letter. Biologist conducts relocation and documents in a report to the agencies.	Upon receipt of the relocation plan in the Verification Request Letter and upon receipt of the Annual Permit Status	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
CDFG. BIO-5 (m) If Valencia Company does not have sufficient mitigation credits for an upcoming project, and is therefore planning to restore habitat or remove exotics concurrent with project implementation, project-specific plans for restoring riparian habitats or for removing exotics from existing habitats shall be submitted to the Corps and CDFG as part of the Verification Request Letters for individual project approvals. BIO-5 (n) An Annual Mitigation Status Report shall be submitted to the Corps and CDFG by April 1st of each year for the life of the permit, or until five years after all mitigation has been completed. This report shall include any required plans for plant spacing, locations of candidate restoration and weed removal sites, restoration methods, weed removal plans, and habitat restoration performance standards. For active habitat creation sites, the report shall include the survival, percent cover, and height of planted species, the number by species of plants replaced, an overview of the revegetation effort and its success in meeting performance criteria, the method used to assess these parameters, and photographs. For active exotics removal sites, the report shall include an assessment of weed removal; a description of the relative cover of native vegetation, bare areas, and exotic vegetation; colonization by native plants; and photographs. The report shall also include the Mitigation Accounting Form (see BIO-5l above) which outlines accounting information related to species planted or exotic removed, and mitigation credit remaining. BIO-5 (o) The mitigation program shall incorporate applicable principles in the interagency "Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks" (FR 60; 58605-58614), to the extent feasible and appropriate, particularly the guidance on administration and accounting. Nothing in the 404 permit shall preclude Valencia Company from selling mitigation credits to other parties wishing to use the 404 permit for a project and/or maintenance activity included in the 404 permit.				
BIOLOGY: ROUTINE MAINTENANCE/GENERAL MEASURES				
BIO-6 (a) Temporary access roads to the work site shall be routed to avoid, to the extent feasible, riparian vegetation, live streams, and wetted areas. The	Prior to, during, and after maintenance	LACDPW describes compliance plans in Maintenance Notification to the	Upon receipt of the Maintenance Notification, and	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
boundaries of the maintenance site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No maintenance activities, vehicular access, equipment storage, stockpiling, or human intrusion shall occur outside the work area and access roads. If a live stream or pond is located within the maintenance site or access roads, the procedures described below in Measure BIO-7 to identify and relocate endangered species from live streams or ponded water would be followed. BIO-6 (b) Equipment shall not be operated in areas of ponded or flowing water unless there are no practicable alternative methods to accomplish the maintenance work, and only after prior approval by the CDFG and the Corps based on a request included in the Maintenance Notification submitted to these agencies 30 days before the planned maintenance work. BIO-6 (c) Temporary sediment retention ponds shall be constructed downstream of maintenance sites which involve grading or excavating and that contain flowing or ponded water that drains off-site into the undisturbed streamflow or ponds. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy riverbottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to pre-disturbance grades and substrate conditions within 30 days after maintenance work has ended. BIO-6 (d) Repair of in-channel facilities shall not impair movement of fish and aquatic life. Bottoms of temporary culverts shall be placed at or below channel grade. BIO-6 (e) Water containing mud, silt, or other pollutants from maintenance activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1st through April 15th. BIO-6 (f) If a stream channel has been altered during maintenance, the low flow channel shall be returned as nearly as practical to pre-project topographic	events	agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	then the post-maintenance compliance report	

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
conditions. BIO-6 (g) Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur. BIO-6 (h) Staging/storage areas for maintenance equipment and materials shall be located outside of the ordinary high water mark. BIO-6 (i) Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life. BIO-6 (j) Stationary equipment such as motors, pumps, generators, and welders, located within the riverbed maintenance zone shall be positioned over drip pans. No fuel tanks shall be allowed in the riverbed. BIO-6 (k) No debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any maintenance activity shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, watercourses included in the NRMP. When maintenance is completed, any excess materials or debris shall be removed from the work area. BIO-6 (l) No equipment maintenance shall be conducted within 50 feet of a watercourse.				
BIOLOGY: ROUTINE MAINTENANCE/SENSITIVE AQUATIC SPECIES AVOIDANCE				
BIO-7 (a) Prior to initiating in-channel maintenance activities, all work sites and access roads within the riverbed, as well as all riverbed areas within 300 feet of the maintenance site and access road, shall be inspected by a qualified biologist for the presence of the unarmored three-spine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. The Corps and the CDFG shall be notified of the inspection and shall have the option of attending.	Prior to, during, and after maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
BIO-7 (b) Except in portions of the river or creek where the unarmored three-spine stickleback is present, maintenance work areas and access roads shall be cleared of the species listed in BIO-7a immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the Corps and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas. A plan to relocate these species shall be submitted to the Corps and CDFG with the Maintenance Notification. **BIO-7 (c)** All stream flows traversing a maintenance work site or temporary access road shall be diverted around the site and under access roads (using a temporary culverts or crossings that allow fish passage). A temporary diversion channel shall be constructed using the least damaging method possible, such as blading a narrow pilot channel through an open sandy river bottom. The removal of wetland and riparian vegetation to construct the channel shall be avoided to the greatest extent feasible. The temporary channel shall be connected to a natural channel downstream of the maintenance site prior to diverting the stream. The original stream channel alignment shall be restored after maintenance work. **BIO-7 (d)** A qualified biologist shall be present when any stream diversion takes place, and shall patrol the areas both within, upstream, and downstream of the work area to rescue any species stranded by the diversion of the stream water. Species that are collected shall be relocated to suitable area downstream of the work area.				
BIOLOGY - ROUTINE MAINTENANCE - SENSITIVE BIRD AVOIDANCE				
BIO-8 All maintenance and repair work, excluding emergency work, shall occur between August 1st and March 15th (which is outside of the breeding season for sensitive riparian birds such as the least Bell's vireo) for facilities along the Santa Clara River downstream of Bouquet Canyon Bridge, and along San Francisquito Creek between Newhall Ranch Road and its confluence with the Santa Clara River. In-channel maintenance work that must occur between March 15th through August 1st in these areas shall follow the procedures in Mitigation Measure BIO-3.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
BIOLOGY-ROUTINE MAINTENANCE-RESTORATION OF TEMPORARILY DISTURBED AREAS				
BIO-9 Native vegetation within temporary maintenance work areas shall be mulched and spread over the temporary impact areas once maintenance work is complete in order to facilitate revegetation.	After maintenance events	LACDPW monitors compliance in the field, and then reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the post-maintenance compliance report	Corps and CDFG
BIOLOGY-ROUTINE MAINTENANCE-CHANNEL CLEARING NEAR BRIDGES				
BIO-10 Vegetation and/or debris will be removed from around the following bridges, on an as-needed basis, as determined by LACDPW: Bouquet Canyon Road Bridge - 50 feet upstream and 50 feet downstream; McBean Parkway Bridge - 50 feet upstream and 50 feet downstream; The Old Road Bridge - 50 feet upstream and 50 feet downstream. Vegetation and debris may be removed by heavy equipment. Equipment within the river shall be operated within the above-described removal areas which shall be demarcated with temporary fencing or staking.	Prior to maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies.	Upon receipt of the Maintenance Notification.	Corps and CDFG
BIOLOGY-ROUTINE MAINTENANCE-REMOVAL OF VEGETATION FROM RIP-RAP				
BIO-11 For existing and new rip-rap constructed under the 404 permit and 1603 Agreement, LACDPW may remove trees that grow in levees, and may remove large trees, defined as trees with trunks 4 inches in diameter at breast height (dbh), within 15 feet of the levee toe in order to maintain the structural integrity of the levees. Whenever possible this work shall be performed from the levee access road. If access to the bottom of the river is required, the work area shall be limited to a 30-foot-wide zone extending outward from the levee at the invert and 15 feet upstream and downstream on either side of the tree to be removed. Hand held equipment shall be used.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY-ROUTINE MAINTENANCE-CLEANING STORM DRAIN OUTLETS				
BIO-12 Sediment buildup at existing side drains shall be removed on an as needed basis as determined by the LACDPW. The County shall use light equipment to create a swale up to 75 feet long and 10 feet wide, to allow water to drain. Light equipment such as a Caterpillar D-8 or equivalent may enter areas of the river as long as they avoid areas of ponded or flowing water (not including water discharging from the side drain) to remove sediment. Large riparian trees defined as trees with trunks in excess of four inches in diameter at breast height (dbh) shall be avoided. The maintenance area shall be demarcated with flagging. New side drains shall be designed with a rock apron to maintain a	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
clear area large enough to provide hydraulic capacity to maintain flow from a side drain. Equipment shall be introduced into the river by means of an earth ramp constructed on the sideslope in the immediate vicinity, or from an adjacent invert access ramp if within 1,000 feet of the area to be maintained. If the equipment must access the riverbed, care will be taken to minimize impacts to vegetation and to avoid destruction of large trees, defined as trees with trunks in excess of four inches in diameter.				
BIOLOGY: ROUTINE MAINTENANCE: CONTROL OF ODOR FROM PONDS				
BIO-13 In order to drain stagnant water that is causing an odor problem, LACDPW shall dig a swale using a Caterpillar D-6 or its equivalent or may hand shovel a swale, up to 75 feet long and 10 feet wide to allow ponded water to percolate. LACDPW shall notify the Corps and CDFG prior to performing this work. The procedures described in Measure BIO-7 to identify and relocate endangered species from live streams and ponded water shall be followed.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: BRIDGE REPAIR				
BIO-14 Whenever practical, repairs to bridges shall be made from the bridge deck. If this is not practical, minimum encroachment upstream and/or downstream of the bridge will be acceptable. The maintenance work area for structural repairs shall be limited to 30 feet on either side of the bridge and under the bridge itself. Equipment shall be introduced into the river by means of an earth ramp constructed on the sideslope in the immediate vicinity, or from an adjacent invert access ramp if within 1,000 feet of the bridge. If the equipment must access the river bed, care shall be taken to minimize impacts to vegetation and to avoid destruction of large trees, defined as trees with trunks in excess of four inches in diameter at breast height (dbh).	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: REPAIRS TO BANK PROTECTION				
BIO-15 Structural repairs to levees, side drains, water quality facilities, utility crossings, etc. shall be performed on an as-needed basis to maintain the integrity of the structures. The work area shall be limited to the section of the structure, plus a 30-foot work area extending out from the levee at the invert and upstream and downstream within the 30-foot width of the structure to be repaired.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
		maintenance event.		
BIOLOGY: ROUTINE MAINTENANCE: MAINTENANCE OF WATER QUALITY FILTERS AND WETLANDS				
BIO-16 Water quality wetland basins and filters shall be installed outside of the river. These facilities shall be planted with wetland plants. The water quality wetland basins and filters shall be maintained on a regular basis, including periodic sediment removal and harvesting removal of wetland plants. Maintenance of these facilities shall occur between August 1st and March 15th. For those basins and filters constructed in areas not subject to Corps or CDFG jurisdiction, and that have not been abandoned or otherwise unmaintained, the Corps and CDFG will not exert jurisdiction unless other circumstances require otherwise.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: NOTIFICATION PROCEDURES				
BIO-17 The Corps and CDFG shall be notified of individual maintenance activities on an ongoing basis, using the notification procedures described in Section 2.13.2. Prior to any maintenance activities, LACDPW shall submit a Maintenance Notification to the Corps and CDFG containing the following information: map showing the maintenance area, current vegetation and impacts, limits of construction disturbance, stream diversions and any pertinent environmental protection measures; description of maintenance activities and schedule; statement on the consistency with NRMP, EIS/EIR, and 404 permit, including compliance with environmental protection measures for threatened and endangered species, water quality, and riparian habitat; description of post-construction restoration efforts. The notification shall be submitted to the Corps and CDFG at least 30 calendar days prior to the planned activities. The Corps and CDFG must respond within the 30 day period, either notifying LACDPW that; (1) the maintenance activities can proceed as planned because they are consistent with the NRMP, EIS/EIR, and conditions of the 404 permit or 1603 Agreement; or (2) the activities cannot proceed as planned. In the latter circumstance, the Corps and CDFG shall encourage LACDPW to submit a revised notification, and/or meet with the Corps and CDFG staffs to discuss inconsistencies or problems. The Corps and CDFG have the discretion to add conditions to the authorization for any maintenance activities if needed to ensure compliance with the applicable state and federal laws, regulations, and codes.	Prior to maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies	Upon receipt of the Maintenance Notification	Corps and CDFG
BIOLOGY: PROTECTION FOR UPLAND SPECIES AND HABITATS				
BIO-18 Thirty days prior to construction activities in areas of the "upland	Prior to	Permitee's biologist conducts	Upon receipt of	CDFG