



Los Angeles Regional Water Quality Control Board

April 17, 2017

Ms. Heather Tomley Director of Environmental Planning Port of Los Angeles 4801 Airport Plaza Drive Long Beach, CA 90815

WASTE DISCHARGE REQUIREMENTS PORT OF LONG BEACH, MIDDLE HARBOR REDEVELOPMENT PROJECT (FILE NO. 09-204)

Dear Ms. Tomley:

Reference is made to our letter of February 15, 2017, which transmitted copies of tentative waste discharge requirements (WDRs) and a receiving water monitoring program for dredging and disposal of dredged material from the Middle Harbor Redevelopment Project, Port of Long Beach, Los Angeles County.

In accordance with the California Water Code, this Board, at a public meeting held on April 6, 2017, at 9:00 a.m., at the City of Culver City Council of Chambers, located at 9770 N. Culver Blvd., Culver City, California, considered all factors in the case and adopted Order No. R4-2014-0202-A01 relative to this waste discharge (copy enclosed). The Standard Provisions, which were sent to you with the tentative requirements, were adopted without change and are part of this order.

All monitoring reports should be submitted electronically to the Regional Board via the Geo Tracker database sysem (<u>http://geotracker.waterboards.ca.gov</u>). Reference all technical monitoring reports required by the Order to our Compliance File No. 9578. Please do not combine reports – each should be submitted as a separate document.

Should you have any questions, please telephone me at (213) 576-6718.

Sincerely,

J. Michael Lyons Senior Environmental Scientist

Enclosures

IRMA MUÑOZ, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

cc: Bill Orme, Non-point Source Unit, SWRCB Jennifer Fordyce, Office of Chief Counsel, SWRCB Larry Simon, California Coastal Commission (San Francisco) Bill Paznokas, California Department of Fish and Game (San Diego) Theresa Stevens, U.S. Army Corps of Engineers (Ventura) Allan Ota, U.S. Environmental Protection Agency (San Francisco) Melissa Scianni, U.S. Environmental Protection Agency (San Francisco) Carol Roberts, U.S. Fish and Wildlife Service (Carlsbad) Bryant Chesney, National Marine Fisheries Service (Long Beach) Steven Johnson, Heal the Bay Janna Watanabe, Port of Long Beach James Vernon, Port of Long Beach Dylan Porter, Port of Long Beach

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

ORDER NO. R4-2014-0202-A01

WASTE DISCHARGE REQUIREMENTS FOR PORT OF LONG BEACH (MIDDLE HARBOR REDEVELOPMENT PROJECT) (FILE NO. 09-204)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) issues this Order pursuant to California Water Code section 13263, and finds:

- 1. The Port of Long Beach (POLB) began construction of the Middle Harbor Redevelopment Project in 2011 to expand and modernize existing marine terminals and other Port land and water areas within the Middle Harbor area of Long Beach Harbor (Figure 1). Dredge and fill operations associated with the first two phases of the project have been completed (pursuant to Regional Board Orders R4-2010-0020 and R4-2014-0202). Phase 3 of the fill began in March 2016 and is estimated to be completed at the end of 2017. Phase 4, which is the final phase of the fill, is scheduled to begin in 2018 and is estimated to be completed in 2021.
- 2. Pursuant to California Water Code (Water Code) section 13260, POLB filed for a report of waste discharge seeking an amendment of Waste Discharge Requirements contained in Order No. R4-2014-0202, adopted on October 9, 2014, for dredging, disposal and construction activities within the Middle Harbor area of Long Beach Harbor. The amendment is necessary to allow for disposal of surcharge material at an open water site within Long Beach Harbor. The dredging and disposal operations needed to complete Phases 3 and 4 of the Middle Harbor Redevelopment Project fill site were authorized under Order No. R4-2014-0202 and will proceed as planned.

For each phase of the fill, surcharge material is placed on top of the fill area to promote settling and compression of the new fill area to achieve the desired density. As each phase of the fill is completed, the surcharge is reused for the next phase of the fill. However, upon completion of the last phase of the fill (Phase 4), the surcharge material will not be needed and must be hauled off site.

POLB proposes to store the surcharge material at the Western Anchorage Sediment Storage Site (WASSS). The WASSS is located in the port's outer harbor, between the Navy Mole and the breakwater (Figure 2). It consists of two borrow pits that were used by POLB between the 1950s and 1970s to mine sand for use as fill material during the creation of Pier J and other terminal development projects. The WASSS was designated as beneficial reuse storage in 1998 for placement of dredged February 14, 2017

sediments that could be reused in future POLB fill projects. Current depths at the WASSS range from -48 to -70 feet mean lower low water.

It is estimated that up to 400,000 cubic yards of final surcharge material will be placed at the WASSS. Material stored at WASSS will be available for beneficial reuse for future port fill projects.

The source of the surcharge material will be clean, geotechnically suitable marine sediments dredged from the POLB Pier T/West Basin area. These sediments were sampled in 2014 and found suitable for open water placement at the WASSS.

3. To date, approximately 600,000 cubic yards of material has been dredged and disposed of in the Middle Harbor under Order R4-2014-0202. This material includes project dredge material and borrow material from Pier T, the West Basin and Pier Echo. Under Phase 3 of the Middle Harbor Redevelopment Project, approximately 1.6 million cubic yards of material will be dredged from the Pier T, West Basin, Pier Echo and East basin areas. Under Phase 4, approximately 850,000 cubic yards of material from the Pier T, West Basin area and Pier F cut will be dredged and/or excavated.

All dredged and excavated material will be disposed of as fill in the Middle Harbor confined disposal facility (Figure 2). Placement of contaminated and uncontaminated dredged materials into an authorized Port-constructed fill site is defined as "beneficial reuse" by the Los Angeles Contaminated Sediments Task Force's Longterm Management Strategy. Material will be placed at the fill site by bottom dump scows, mechanical or hydraulic placement methods, or brought to the fill site by trucks. The project also will include wharf demolition and construction activities at Pier E and Pier F, and rock dike construction at Slip 1, the East Basin and Slip 3.

- 4. The U.S. Army Corps of Engineers (COE) issued Permit No. SPL-2004-01053-AOA to POLB for the Middle Harbor Redevelopment Project pursuant to section 404 of the Clean Water Act. The COE permit has an expiration date of February 28, 2022. This Order provides certification pursuant to section 401 of the Clean Water Act.
- 5. On April 13, 2009, the Long Beach Board of Harbor Commissioners, as the lead agency for the project, certified the Middle Harbor Redevelopment Project Environmental Impact Report (EIR) with Resolution Number HD-2498 in compliance with the California Environmental Quality Act (CEQA). The Regional Board is a responsible agency under CEQA and considered the EIR in approving the Waste Discharge Requirements contained in Order No. R4-2014-0202, adopted on October 9, 2014. Impacts on water quality were evaluated in the EIR and found to be less than significant, and mitigation would not be required. However, POLB proposed to implement several Best Management Practices to control runoff of soils and pollutants from construction activities and from potential spills.

APPLICABLE PLANS, POLICIES AND REGULATIONS

- 6. The following plans, policies and regulations apply to the discharges authorized by this Order to protect waters of the state.
- 7. Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties Basin Plan) On June 13, 1994, the Regional Board adopted a revised Basin Plan. The Basin Plan: (i) designates beneficial uses for surface and groundwater, (ii) establishes narrative and numeric water quality objectives that must be attained or maintained to protect the designated beneficial uses, and (iii) sets forth implementation programs to protect the beneficial uses of the waters of the state. The Basin Plan also incorporates State Water Board Resolution 68-16, Anti-degradation Policy. The Basin Plan has been amended occasionally since 1994. In accordance with Water Code section 13263, this Order implements the plans, policies and provisions of the Regional Board's Basin Plan.

The beneficial uses of the Los Angeles-Long Beach inner harbor and marina waters are: industrial service supply, navigation, water contact recreation (potential), non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare, threatened and endangered species, and shellfish harvesting (potential). The beneficial uses of the outer harbor waters are: navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare, threatened and endangered species, and shellfish harvesting (potential).

- 8. State Water Board Resolution No. 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California" (also called the "Anti-degradation Policy") requires the Regional Board, in regulating the discharge of waste, to maintain the high quality of waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the State Water Board's policies (e.g., quality that exceeds water quality objectives). Further, any activity that produces waste must meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.
- 9. Consistent with Resolution 68-16, this Order requires best practicable treatment or control of the discharge to assure that pollution will not occur. With proper management of the dredging and disposal operations, in compliance with this Order, the project is not expected to release significant levels of wastes to the Harbor waters or other State waters nor adversely impact beneficial uses.

Order No. R4-2014-0202-A01

The Regional Board has notified POLB 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 written comments and make oral comments at a public meeting.

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

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with California Water Code Section 13320 and California Code of Regulations, title 23, Sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: <u>http://www.waterboards.ca.gov/public_notices/petitions/water_quality</u> or will be provided upon request.

IT IS HEREBY ORDERED that the Port of Long Beach, 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:

A. Discharge Requirements

- 1. The removal and placement of dredged/excavated material shall be managed such that the concentrations of toxic pollutants in the water column, sediments or biota shall not adversely affect beneficial uses, in particular those identified in Finding number 7 above.
- Enclosed bay and estuarine communities and populations, including vertebrate, invertebrate and plant species, shall not be degraded as a result of the discharge of waste.
- 3. The natural taste and odor of fish, shellfish or other enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.
- 4. Toxic pollutants shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.
- There shall be no acute toxicity or chronic toxicity in ambient waters as a result of the discharge of waste.

- 6. POLB shall conduct the monitoring required and comply with the reporting requirements outlined in the attached Monitoring and Reporting Program, which is incorporated by reference as part of these Waste Discharge Requirements.
- 7. Dredging, excavation or disposal of dredge spoils shall not cause any of the following conditions in the receiving waters:
 - a. The formation of sludge banks or deposits of waste origin that would adversely affect the composition of the bottom fauna and flora, interfere with the fish propagation or deleteriously affect their habitat, or adversely change the physical or chemical nature of the bottom.
 - b. Turbidity that would cause substantial visible contrast with the natural appearance of the water outside the construction project boundary.
 - c. Discoloration outside the construction project boundary.
 - d. Visible material, including oil and grease, either floating on or suspended in the water or deposited on beaches, shores, or channel structures outside the construction project boundary.
 - e. Objectionable odors emanating from the water surface.
 - f. Depression of dissolved oxygen concentrations below 5.0 mg/l at any time outside the construction project boundary.
 - g. Any condition of pollution or nuisance.
- B. Provisions
 - 1. This Order authorizes excavation and dredging of a maximum volume of 2.45 million cubic yards of material from the Pier T, West Basin, Pier Echo, East basin and Pier F cut areas, and for disposal of this material within the Middle Harbor Confined Disposal Facility. This Order authorizes disposal of a maximum volume of 400,000 cubic yards of final surcharge material at the Western Anchorage Sediment Storage Site.
 - 2. POLB shall manage the Middle Harbor Confined Disposal Facility to effectively contain chemically contaminated materials and to prevent migration of wastes from the disposal sites into waters of the State.

- 3. POLB shall notify the Regional Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials; written confirmation by POLB to the Regional Board shall follow within one week.
- 4. A copy of this Order shall be made available at all times to project construction personnel.
- 5. POLB shall provide the following information to the Regional Board:
 - a. A copy of the final permit issued by the Department of the Army for the dredge and disposal operations.
 - b. The scheduled date of commencement of each dredging operation and an engineering plan and profile of the excavation and the disposal site at least two weeks prior to commencement.
 - c. Notice of termination of the operation, within one week following the termination date.
- 6. POLB shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with the Monitoring and Reporting Program.
- 7. In accordance with section 13260(c) of the Water Code, POLB shall file a report of any material change or proposed change in the character, location, or volume of the waste.
- 8. This Order does not exempt POLB from compliance with any other laws, regulations, or ordinances which may be applicable and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
- 9. In accordance with Water Code section 13263(g), this Order shall not create a vested right to continue to discharge and is subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.
- 10. This Order includes Attachment N: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions") and the attached Monitoring and Reporting Requirements, both of which are incorporated herein by reference. If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated hereinbefore prevail. If there is any conflict between requirements stated in

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the attached Monitoring and Reporting Program and said "Standard Provisions", the former shall prevail.

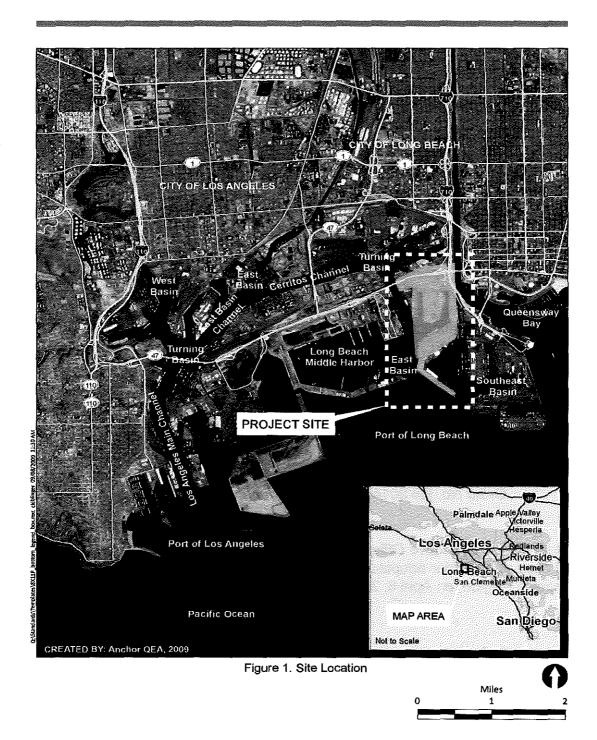
- 11. This Order fulfills the requirements for a Clean Water Act Section 401 Water Quality Certification for the proposed project. Pursuant to section 3860 of title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:
 - a. this certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with 23 CCR section 3867);
 - b. 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;
 - c. this certification is conditioned upon total payment of any fee required pursuant to 23 CCR division 3, chapter 28, and owed by the applicant.
- 12. This Order shall expire on January 31, 2022.
- 13. This Order terminates the requirements and provisions of Regional Board Order No. R4-2014-0202, except for enforcement purposes.

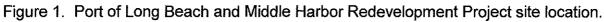
I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 6, 2017.

Samuel Urger

SAMUEL UNGER, P.E. Executive Officer

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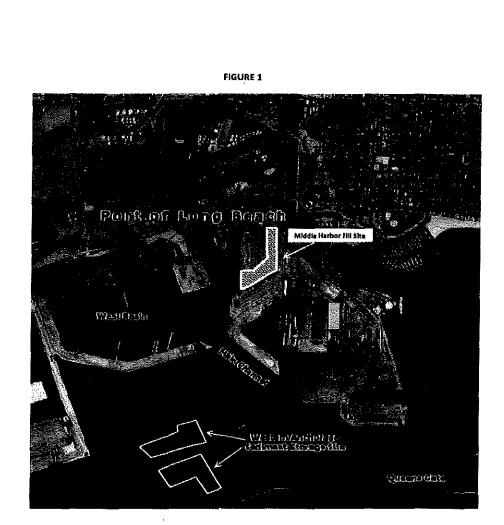


Figure 2. Middle Harbor confined disposal facility (fill site) and Western Anchorage Sediment Storage Site (WASSS).

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

MONITORING AND REPORTING PROGRAM NO. 9578 FOR PORT OF LONG BEACH (MIDDLE HARBOR REDEVELOPMENT PROJECT) (FILE NO. 09-204)

1. Receiving Water Monitoring

The following sampling protocol shall be undertaken by the Port of Long Beach (POLB) during the proposed project. Sampling for the receiving water monitoring shall commence at least one week prior to the start of the dredging and fill operations and continue at least one week following the completion of all such operations. Sampling shall be conducted a minimum of once per week during dredging operations (twice per week during the first two weeks of dredging operations). Sampling shall be conducted down-current of the dredge sites at least one hour after the start of dredging operations. All receiving water monitoring data shall be obtained via grab samples or remote electronic detection equipment. Receiving water samples shall be taken at the following stations:

Station Description

- A Station A is located approximately 1000 feet up-current (on a flooding tide) of the construction project boundary (figure 1). This station defines the near-dredging background for informational purposes.
- B Station B is located approximately 200 feet beyond the construction project boundary (figure 1). This station represents an early-warning screening station to determine if Best Management Practices may need to be implemented.
- C Station C is located approximately 300 feet from the construction project boundary (figure 1). This station defines the dredging mixing zone boundary, beyond which temporary water quality impacts related to dredging activities are not to occur.
- D Station D is located approximately 1,500 feet from the construction project boundary. This station defines the harbor background and provides a baseline for comparison to determine if temporary water quality impacts are present at station C.

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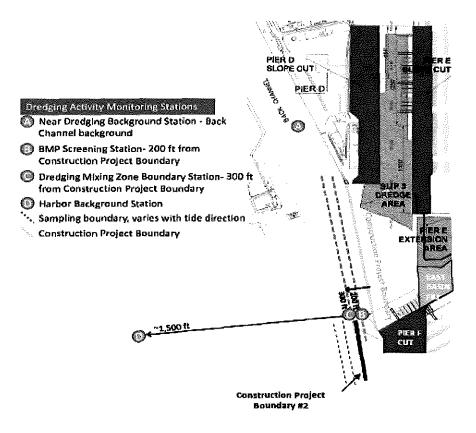


Figure 1. Location of water quality monitoring stations.

The following shall constitute the receiving water monitoring program:

| Parameters | <u>Units</u> | Station | Frequency |
|--|-------------------------------------|--------------|--------------|
| Dissolved oxygen ¹ Light transmittance ¹ pH ¹ | mg/l % Transmittance pH units | A - D """ | Weekly² " |
| Suspended solids ³ | mg/l | 11 11 | 17 |

¹Measurements shall be taken near the surface (1 meter below the water surface), near the bottom (1 meter above the sediment surface) and mid-water throughout the water column (at a minimum at 2-meter increments).

²During the first two weeks of dredging, stations shall be sampled two times per week. ³Mid-depth shall be sampled.

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The station locations represented in Figure 1 are approximate locations. The exact locations of the sampling stations along the construction boundary will vary. The locations of Stations B and C will be determined in the field based on the tide and where active in-water activities are occurring within the Middle Harbor project site. Stations B and C shall be located as close as possible to dredging/excavation, fill, and in-water construction/demolition activities within the Middle Harbor project site. If dredging/excavation, fill, and in-water construction/demolition activities are occurring simultaneously within the Middle Harbor project site, an additional two samples (one at Station B and one at Station C) shall be taken at a second location along the construction boundary. For dredging activities (e.g., Project borrow sites) that are not located within the Middle Harbor project site, POLB will base the monitoring station locations off of the dredge operations, safety permitting.

During the final phase of the Middle Harbor fill site, a portion of Pier F will be cut or excavated to remove a portion of the land area needed for the final wharf configuration. A second construction boundary (Construction Boundary #2 in Figure 1) will be used for compliance monitoring during the final phase of the Middle Harbor fill site project.

Water column light transmittance values from Stations C and D shall be compared for the near surface (1 meter below the surface), for mid-water (averaged values throughout the water column, excluding the near surface and bottom) and for the bottom (1 meter above the bottom). When the difference in % light transmittance between stations C and D (for the near surface or mid-water or bottom) is 30% or greater, POLB shall notify the contractor and implement additional BMPs. Station C shall be resampled after BMPs have been in place for at least two hours. If after resampling, light transmittance values still exceed the 30% monitoring trigger, then water samples shall be collected on the first date of exceedance at mid-depth (or the depth at which the maximum turbidity occurs) and analyzed for trace metals, DDTs, PCBs and PAHs (these chemical analyses do not need to be performed on the second or third day following an exceedance, but will be required whenever a subsequent exceedance event occurs). At a minimum, one set of water samples shall be collected and analyzed for these chemical constituents during the first month of the dredging operation, even if no exceedances of the light transmittance monitoring criteria occur.

In the event that the water column light transmittance values from Stations C and D, exceed the 30% monitoring trigger described above, POLB shall conduct light transmittance monitoring described above daily until two consecutive days with no exceedances have been demonstrated. POLB shall notify the Regional Board, the California Coastal Commission, the United States Environmental Protection Agency and the United States Army Corps of Engineers within 24 hours following observance of a transmissivity exceedance. PLOB shall investigate whether the exceedance is due to obvious dredging operational problems and can be corrected easily and quickly. However, if the turbidity problem persists or recurs, the POLB shall look for other causes of the problem and evaluate whether additional, more aggressive best management practices are required to eliminate the exceedances; this evaluation shall be performed in consultation with the four regulatory agencies listed above.

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In the event that light transmittance at Station B is less than that measured at Stations A and D, indicating that elevated suspended particulates in the area may be due to dredging activities, the dredge contractor will be notified immediately and Best Management Practices to improve water quality will be implemented. Sampling at Station C will resume within 2 hours of the BMP implementation.

Color photographs shall be taken at the time of sampling to record the presence and extent of visible effects of dredging operations. These photographs shall be submitted with the receiving water monitoring reports.

POLB shall provide Regional Board staff with a receiving water monitoring program field schedule at least one week prior to initiating the program. Regional Board staff shall be notified of any changes in the field schedule at least 48 hours in advance.

2. Observations

The following receiving water observations shall be made and logged daily during dredging or excavating operations:

- a. Date and time;
- b. Direction and estimated speed of currents;
- c. General weather conditions and wind velocity;
- d. Tide stage;
- e. Appearance of trash, floatable material, grease, oil or oily slick, or other objectionable materials;
- f. Discoloration and/or turbidity;
- g. Odors;
- h. Depth of dredge operations during previous day;
- i. Amount of material dredged the previous day;
- j. Cumulative total amount of material dredged to date.
- 3. General Provisions

All sampling, sample preservation, and analyses shall be performed in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" promulgated by the

Monitoring and Reporting Program No. 9578 Port of Long Beach Middle Harbor Redevelopment Project

United States Environmental Protection Agency.

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.

POLB 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 by third parties under POLB supervision.

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

All samples shall be representative of the waste discharge under normal operating conditions.

4. Reporting

Monitoring reports shall be submitted within 10 days following each weekly sampling period. In reporting, the Port 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, summarizing the results of the weekly monitoring and reporting the total volume discharged, shall be submitted within one month of completion of the project.

Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

Each monitoring report must affirm in writing that:

All analyses were conducted at a laboratory certified for such analyses by the Department of Health Services or approved by the Executive Officer and in accordance with current EPA guidelines or as specified in the Monitoring Program.

For any analysis preformed for which no procedure is specified in the EPA guidelines or in the Monitoring Program, the constituent or parameter analyzed and the method or procedure used must be specified in the report.

5. General Provisions for Reporting

For every item where the requirements are not met, POLB shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at

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the earliest time and submit a timetable for correction.

Each report shall contain the following completed declaration:

"I certify 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 manage the system, or those persons 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 a fine and imprisonment for knowing violations.

| Executed on the | day of | , 20, | | |
|-----------------|--------|-------|---|-------------|
| 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:

Samuel ! SAMUEL UNGER, P.E.

Executive Officer

Date: April 6, 2017