
Los Angeles Regional Water Quality Control Board

TENTATIVE WATER QUALITY ORDER NO. R4-2022-XXXX WASTE DISCHARGE REQUIREMENTS

Effective Date: Date Signed

Program Type: Fill/Excavation

Project Type: Mixed Use Development

Project: Sakioka Farms Business Park (Project)

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Attachment A Maps**Attachment B** Signatory Requirements**Attachment C** Report and Notification Requirements

I. Order

This Order for Waste Discharge Requirements (Order) is issued at the request of Sakioka Farms Rice Ave, TIC (hereinafter Permittee) for the Project. This Order is for the purpose described in the application and supplemental information submitted by the Permittee. The application was received on February 22, 2021. The application was deemed complete on May 28, 2021.

II. Public Notice

The Los Angeles Water Board provided public notice of the draft order pursuant to Water Code section 13167.5 from April 20, 2022 to May 20, 2022.

III. Project Purpose

The purpose of the Project is to develop a business park for light industrial, office, and commercial uses.

IV. Project Description

The Sakioka Farms Business Park Specific Plan (Specific Plan) was adopted by the City of Oxnard (City) on July 12, 2012 (Resolution No. 14,253) in accordance with the 2030 City of Oxnard General Plan.

The Project site is 430 acres and is in a developed area of the City of Oxnard, bounded by Highway 101 along the northern limits, Rice Avenue to the west, an industrial development to the south, and agricultural land on the east. The site has been used for agricultural land use to grow crops including strawberries, peppers, cabbage, lettuce, and celery. Within the Project site there are three drainages used as agricultural irrigation drainages which are waters of the State:

- Drainage A: runs north/south along the eastern boundary of the project site.
- Drainage B: runs east/west through the middle of the project site.
- Drainage C: runs east/west along the southern boundary of the project site.

Irrigation water for the agricultural operations is supplied mostly by on-site wells and a portion by the United Water Conservation District. The drainages support habitat and the wetland classification for the drainages is Riverine, Intermittent, Streambed, Mud, Intermittently Flooded, and Excavated.

The Project will include the development of business park infrastructure including roads, curbs, landscaping, and underground utilities consistent with the Specific Plan. Three streets will be constructed, two North-South arterial roadways and one East-West arterial roadway. A detention basin will be constructed along the southern border of the project area.

The project will fill two of the three existing agricultural irrigation drainages, Drainage B and C. Drainage A will not be filled. Drainage B and C will be filled with approximately 1,840 cubic yards and 2,387 cubic yards of native and imported dirt, respectively. The following equipment will be used to complete the construction: excavator, backhoe, grader, and work truck. Filling drainages B and C will permanently impact approximately 5,987 linear feet and approximately 1.365 acres of waters of the State.

V. Project Location

This project is located east of Rice Avenue, south of United States Highway 101, and north of Latigo Avenue in the City of Oxnard in the County of Ventura.

Latitude: 34.216540° and Longitude: -119.130152°

Maps showing the Project location are found in Attachment A of this Order.

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Los Angeles Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the applicable water quality control plan (Basin Plan) for the region and other plans and policies which may be accessed online at:

http://www.waterboards.ca.gov/plans_policies/. The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

Receiving Water: Calleguas Creek Reach 4, Revolon Slough

Designated Beneficial Uses: MUN*, IND, AGR, GWR, REC-1, REC-2, WARM, WILD, WET. *Conditional beneficial use

VII. Description of Direct Impacts to Waters of the State

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition only.

Table 1: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	1.365	4,227	5,987

VIII. Avoidance and Minimization

The project qualified as a tier 3 project and the Project is the least environmentally damaging practicable alternative. (State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State, section IV.A.1.h). Other alternatives were considered for the project design; however, if any further avoidance was implemented, the project would not be able to be constructed as an economically viable project.

The alternatives considered included no build and a residential concept at the center of the project. The no build alternative was not desirable due to the City of Oxnard's need for commercial and industrial development for the city and for the jobs created. Additionally, the no build project would leave an existing offsite intersection operating below the acceptable level of service. As part of the mitigation measures, those intersections will be upgraded either directly or through payment of traffic fees from this project. The residential concept was proposed in the center of the project and would not have changed the impacts to the east/west agricultural ditches. The City of Oxnard's General Plan and Circulation Element required two (2) north/south secondary arterials that connect Sakioka Drive (A Street) with Gonzales Road. These two secondary arterials required the area surrounding the farm ditches to be graded to allow for drainage of the buildable pads.

Two areas within waters will be avoided. These areas include a portion of Drainage B and all of Drainage A, which together total 5,386 linear feet or 2.19 acres of avoidance within the project footprint. Drainage A is the only drainage within the project area that includes wetlands, and it will be entirely avoided.

IX. Compensatory Mitigation

The Permittee has agreed to provide compensatory mitigation for direct impacts, described in section XIII.H for permanent impacts.

X. California Environmental Quality Act (CEQA)

The City of Oxnard, as lead agency, certified an environmental impact report (EIR) (State Clearinghouse (SCH) No. 2002071070 for the Project on August 14, 2011, and filed a Notice of Determination (NOD) at the SCH on June 18, 2012. The Los Angeles Water Board is a responsible agency under CEQA (Pub. Res. Code, § 21069) and has reviewed and considered the environmental document. The Los Angeles Water Board finds that the environmental document prepared by the City of Oxnard adequately addresses all environmental effects for the project activities that it is required to approve. The Project will not have significant adverse impacts on the environment provided that mitigation including the mitigation presented in the final EIR is carried out as conditioned in this Order. In adopting this Order, the Los Angeles Water Board has

eliminated or substantially lessened the less-than-significant effects on water quality, and therefore approves the Project.

XI. Human Right to Water Policy

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet contaminant levels designed to protect human health and ensure that water is safe for domestic use (Water Code section 106.3).

XII. Petitions for Reconsideration

Any person aggrieved by this action of the Los Angeles Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and title 23, California Code of Regulations, 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. Note that filing a petition does not stay the requirements of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request or may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

XIII. Fees Received

An application fee of \$2,066 was received on 23 February 2021. The fee amount for the proposed project has been determined as required by California Code of Regulations, Title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as Category A - Fill & Excavation Discharges (Fee Code 84) with the dredge and fill fee calculator. An additional fee of \$23,161 based on total Project impacts was received on 2 July 2021.

XIV. Findings

1. This Order is adopted pursuant to the California Porter-Cologne Water Quality Control Act (Water Code §§ 13000, et seq.). In the event the definition of Waters of the U.S. is altered to encompass the waters of the state in this Order, this Order also complies with, and is issued pursuant to, section 401 of the Clean Water Act. Notwithstanding any determinations made by the U.S. Army Corps or other federal agency pursuant to 40 CFR section 121.9, dischargers must comply with the entirety of this Order because the Order also serves as waste discharge requirements in accordance with State Water Board Water Quality General Order No. 2003-0017-DWQ. Discharges to waters of the state are prohibited except when in accordance with Water Code section 13264.

2. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13350.
3. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law.
4. In response to a suspected violation of any condition of this Order, the Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
5. This Order does not provide coverage under the Construction General Permit. As applicable, dischargers shall maintain compliance with conditions described in, and required by, NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ; NPDES No. CAS000002). For ground disturbing activities that do not require enrollment in Order No. 2009-0009-DWQ, project plans included with the NOI shall include appropriate erosion and sediment control measures as described in the *Best Management Practices* section below.

XV. Conditions

The Los Angeles Water Board has independently reviewed the record of the Project to analyze impacts to water quality and designated beneficial uses within the watershed of the Project. In accordance with this Order, the Permittee may proceed with the Project under the following terms and conditions:

A. Authorization

Impacts to waters of the state shall not exceed quantities shown in Table 1.

B. Reporting and Notification Requirements

Requirements for the content of these reporting and notification types are detailed in Attachment C, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment C, which must be signed by the Permittee or an authorized representative.

1. Project Reporting

- a. **Annual Reporting:** The Permittee shall submit an Annual Report each year on the anniversary of Project effective date. Annual Reporting requirements are detailed in Attachment C. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee.

2. Project Status Notifications

- a. **Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities.
- b. **Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to Los Angeles Water Board staff within thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Los Angeles Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee, which will end the active discharge period and associated annual fees.
- c. **Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and any post-construction monitoring is complete¹, and no further Project activities will occur. This request shall be submitted to Los Angeles Water Board staff within thirty (30) days following completion of all Project activities and any post-construction monitoring. Upon approval of the request, the Los Angeles Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period and associated annual fees.

3. Conditional Notifications and Reports

The following notifications and reports are required as appropriate.

a. Accidental Discharges of Hazardous Materials²

Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

¹ Completion of post-construction monitoring shall be determined by Los Angeles Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria

² "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the

- i. As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
 - a. first call – 911 (to notify local response agency)
 - b. then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
 - c. Lastly, follow the required OES procedures as set forth in:
http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf
- ii. Following notification to OES, the Permittee shall notify the Los Angeles Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, or delivered written notice.
- iii. Within five (5) working days of notification to the Los Angeles Water Board, the Permittee must submit an Accidental Discharge of Hazardous Material Report.

b. Violation of Compliance with Water Quality Standards:

The Permittee shall notify the Los Angeles Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, or delivered written notice.

- i. Examples of noncompliance events include: lack of any reporting in a timely manner, lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, water contact with uncured concrete, and exceedances of limits for the analytes for In-Water Work or Diversions listed below.
- ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.

c. In Water Work or Diversion

- i. If stream diversion will be necessary, the Permittee shall submit to Los Angeles Water Board staff a Stream Diversion Plan, with a diagram and a narrative description of the method to divert the stream and associated BMPs for acceptance, at least 30 days in advance of any stream diversion.

environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501.)

- ii. During stream diversion, water quality monitoring shall be conducted. Requirements for water quality monitoring are below.
- iii. The Permittee shall notify the Los Angeles Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be via telephone, e-mail, or delivered written notice.

d. Modifications to Project

Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Los Angeles Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform Los Angeles Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order.

e. Transfer of Property Ownership:

This Order is not transferable in its entirety or in part to any person or organization except after receiving certification for the Project from the Los Angeles Water Board. In addition:

- i. The Permittee must notify the Los Angeles Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Permittee and purchaser must sign and date the notification and provide such notification to the Los Angeles Water Board at least 10 days prior to the transfer of ownership.
- ii. Until such time as this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order.

f. Transfer of Long-Term BMP Maintenance

If maintenance responsibility for post-construction BMPs such as debris basins is legally transferred, the Permittee must submit to the Los Angeles Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer or designer specifications. The Permittee must provide such notification to the Los Angeles Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

C. Water Quality Monitoring

1. General

If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete).

2. Accidental Discharges/Noncompliance

Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Los Angeles Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

3. In-Water Work or Diversions

For projects involving planned work in water or stream diversions, a water quality monitoring plan shall be submitted to Los Angeles Water Board staff for acceptance at least 30 days in advance of any discharge to the affected water body. Water quality monitoring shall be conducted in accordance with the approved plan.

During planned work in water or stream diversions any discharge(s) to waters of the state shall conform to the following water quality standards:

- a. Oil and Grease. Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.
- b. Dissolved Oxygen. At a minimum, the mean annual dissolved oxygen concentration of all waters shall be greater than 7 mg/L, and no single determination shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations.
- c. The dissolved oxygen content of all surface waters designated as WARM shall not be depressed below 5 mg/L as a result of waste discharges.
- d. pH. The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge.
- e. Turbidity. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

Sampling shall be conducted in accordance with Table 2 sampling parameters.³

Table 2: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
Dissolved Oxygen	mg/L and % saturation	Grab	Every 4 Hours for the first week, daily, thereafter
pH	Standard Units	Grab	Every 4 Hours for the first week, daily, thereafter
Turbidity	NTU	Grab	Every 4 Hours for the first week, daily, thereafter
Temperature	°F (or as °C)	Grab	Every 4 Hours for the first week, daily, thereafter

Baseline sampling shall be conducted at a minimum of one location within the project boundary for each phase. All other sampling shall take place at a minimum of two locations. In streams or flowing water, the sample locations shall be upstream and downstream of the Project. Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. A summary of results shall discuss the analysis. Every measurement not meeting the compliance limits shall be accompanied by an explanation, the actions taken to correct the degradation to waters, and addressed in *Violation of Compliance with Water Quality Standards* report described above.

4. Post-Construction

Visually inspect the Project site during the rainy season for five (5) years to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the Project site. If water quality pollution is occurring, contact

³ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Los Angeles Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

the Los Angeles Water Board staff member overseeing the Project within three (3) working days. The Los Angeles Water Board may require the submission of a Violation of Compliance with Water Quality Standards Report. Additional permits may be required to carry out any necessary site remediation.

D. Standard Conditions

- i. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, chapter 28, Article 6 commencing with sections 3867-3869, inclusive. Additionally, the Los Angeles Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Los Angeles Water Board determines that: the Project fails to comply with any of the conditions of this Order; or, when necessary to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C. § 1313).
- ii. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.

E. General Compliance

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Los Angeles Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.
3. In response to a suspected violation of any condition of this Order, the Los Angeles Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
4. The Permittee must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Order; and all

subsequent submittals required as part of this Order. The conditions within this Order and Attachments supersede conflicting provisions within Permittee submittals.

5. The Permittee must comply with the Adaptive Management Mitigation Monitoring and Reporting Program for the Sakioka Farms Business Park Specific Plan Incorporating Mitigation Measures from the Sakioka Farms Business Park Specific Plan Final EIR (Section 7 of the Sakioka Farms Specific Plan), incorporated here by reference.

F. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment B of this Order.
2. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order held by the Permittee, the Permittee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Permittee is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.
3. The Permittee shall grant Los Angeles Water Board staff, or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:
 - a. Enter upon the Project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.
 - b. Have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order.
 - c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
 - d. Sample or monitor for the purposes of assuring Order compliance.
4. A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project site for the duration of this Order. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.

5. A copy of this Order must be available at the Project site(s) during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Order and its posted location at the Project site.
6. This Order shall expire **five (5) years** from date of this Order. The Applicant shall submit a complete application at least 90 days prior to termination of this Order if renewal is requested.

G. Best Management Practices

1. Low Impact Development
The Permittee shall comply with the 2011 Update to the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures, inclusive of the June 2018 Errata Update (LID Technical Guidance Manual). The LID Technical Guidance Manual provides guidance for the implementation of stormwater management control measures in new development and redevelopment projects in the County of Ventura and the incorporated cities therein. These guidelines are intended to improve water quality and mitigate potential water quality impacts.
2. Site Management
 - a. The Permittee shall clearly identify environmentally sensitive area boundaries around Drainage A to designate areas to stay clear of and completely avoid.
 - b. The Permittee shall restrict equipment staging and storage areas for vehicles, equipment, material, fuels, lubricants, and solvents to designated areas, a minimum of 100 feet away from Drainage A.
 - c. The Permittee shall implement BMPs, such as silt fencing, fiber rolls, weed-free straw bales, or other measures during construction to minimize dust, dirt, and construction debris from entering the drainages and/or leaving the project area.
 - d. The Permittee shall have an emergency clean-up plan to address any spills of fuel or other material. This plan shall be available to staff onsite. In the event of a spill, work where the spill occurred shall stop immediately, the emergency clean-up plan shall be executed, and the appropriate agency shall be notified, where warranted.
 - e. The Permittee shall conduct equipment refueling and maintenance in designated areas a minimum of 100 feet away from Drainage A. In addition, the Permittee shall check vehicles and equipment daily for fluid and fuel leaks. The Permittee shall place drip pans under all equipment

that that is parked and not in operation. Any leaking vehicle or equipment shall not be operated within the project area until repaired.

- f. The Permittee shall position all stationary equipment such as motors, pumps, generators, compressors, and welders over drip-pans, including when in operation.

3. Special Status Species

- a. Construction activities and ground vegetation removal activities shall take place outside of the nesting bird season recognized by the California Department of Fish and Wildlife for the species in the Project site area. If construction and vegetation removal activities must occur during nesting season, a qualified biologist shall be present to monitor the activities to ensure that no active nests will be impacted. If nests are found, a 300-foot (500 feet for raptors) buffer radius shall be established until the young have fledged, unless determined otherwise by the biological monitor.

4. Storm Water

- a. The project shall comply with the local regulations associated with the Los Angeles Water Board's Municipal Stormwater Permit issued to Los Angeles and Ventura County and co-permittees under NPDES No. CAS004004 and Waste Discharge Requirements Order No. R4-2021-0105 or subsequent order (Regional MS4 Permit).
- b. Per the Regional MS4 Permit, the Project shall ensure detention and percolation of the maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour, for each hour of a storm event; or (2) The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity (for each hour of a storm event), as determined from the local historical rainfall record, multiplied by a factor of two.
- c. If not enrolled in the General Construction Permit, the Permittee shall develop and implement a site-specific Storm Water Pollution Prevention Plan (SWPPP) and a Rain Event Action Plan (REAP) as described in the General Construction Permit.

H. Compensatory Mitigation for Permanent Impacts

1. Required Compensatory Mitigation

- a. The filling of Drainages B and C will permanently impact 5,987 linear feet and 1.365 acres of waters. Permanent impacts in waters shall be mitigated at a 2:1 ratio (2.73 acres).

- b. Total required Project compensatory mitigation information for permanent physical loss of area, ecological degradation and temporal loss is summarized in Table 3.

Table 3: Total Required Project Compensatory Mitigation Quantity for Permanent Impacts

Aquatic Resource Type	Mitigation Type ⁴	Units	Enh.
Stream Channel	Mitigation Bank Credits or Permittee Responsible	Acres	2.73

2. Compensatory Mitigation via Mitigation Bank

- a. The Permittee shall propose a compensatory mitigation plan for compensatory mitigation via mitigation bank within nine (9) months of the issuance of this Order, subject to Los Angeles Water Board approval. The nine months may be extended to 12 months with Executive Officer approval.
- b. The final compensatory mitigation plan shall include the items described in 40 CFR § 230.94(c)(5)-(6), and the name of the specific mitigation bank or in-lieu fee program to be used.
- c. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Los Angeles Water Board within ninety (90) days of approval by the Los Angeles Water Board of the compensatory mitigation plan.
- d. The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Los Angeles Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.
- e. If mitigation bank credits do not become available such that the fully executed agreement for the purchase of mitigation will be received within ninety (90) days of approval, the permittee shall propose Permittee-Responsible Compensatory Mitigation.

3. Permittee-Responsible Compensatory Mitigation

- a. If necessary, the Permittee shall propose a compensatory mitigation plan for compensatory mitigation via permittee-responsible mitigation within nine (9)

⁴ Methods include: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.).

months of the issuance of this Order, subject to Los Angeles Water Board approval. The nine months may be extended to 12 months with Executive officer approval.

- b. The final compensatory mitigation plan shall include the items described in 40 CFR § 230.94.
- c. Installation of Permittee responsible compensatory mitigation shall be completed within ninety (90) days of approval by the Los Angeles Water Board.
- d. The Permittee is responsible for the required compensatory mitigation in perpetuity. However, the Permittee may transfer the compensatory mitigation requirements associated with long-term management when the following conditions have been met:
 - i. Performance standards are met.
 - ii. A Transfer Agreement to a third party has been approved by Los Angeles Water Board staff.
 - iii. An endowment fund has been provided by the Permittee to a third party for management in perpetuity of the mitigation site.
 - iv. A conservation easement, deed restriction, or other appropriate restrictive covenant for the mitigation site has been recorded and approved by Los Angeles Water Board staff.
- e. Transfer of Long-Term Permittee-Responsible Compensatory Mitigation and Management Responsibility
 - i. A transfer agreement shall be submitted from an authorized representative of the new party (transferee) for acceptance by Los Angeles Water Board staff. This agreement shall demonstrate acceptance and understanding of the responsibility to comply with and fully satisfy the required compensatory mitigation and long-term management conditions. Failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the Los Angeles Water Board under Water Code section 13385, subdivision (a).
 - ii. Notification of transfer of responsibilities meeting the above condition must be provided to the Los Angeles Water Board staff. A draft transfer agreement is due to Los Angeles Water Board staff no less than thirty (30) days prior to the transfer of the mitigation responsibility. A final transfer agreement is due to Los Angeles Water Board staff within 30 days of the completion of the transfer.

XVI. Conclusion

I hereby issue the Order for the Sakioka Farms Business Park Project, 4WQC40121018, certifying that as long as all of the conditions listed in this Order are met, any discharge from the referenced Project will comply with the applicable provisions of Water Code section 13264 and Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, the Regional Water Boards' Water Quality Control Plans and Policies.

CERTIFICATION

I, Renee Purdy, do hereby certify that the foregoing is a full, true, and correct copy of waste discharge requirements adopted by WATER QUALITY ORDER NO. R4-2022-XXXX (WDID No. 4WQC40121018) issued on June 9, 2022.

Renee Purdy
Executive Officer
Los Angeles Water Quality Control Board



**FIGURE 1. REGIONAL LOCATION
Sakioka Farms Business Park**

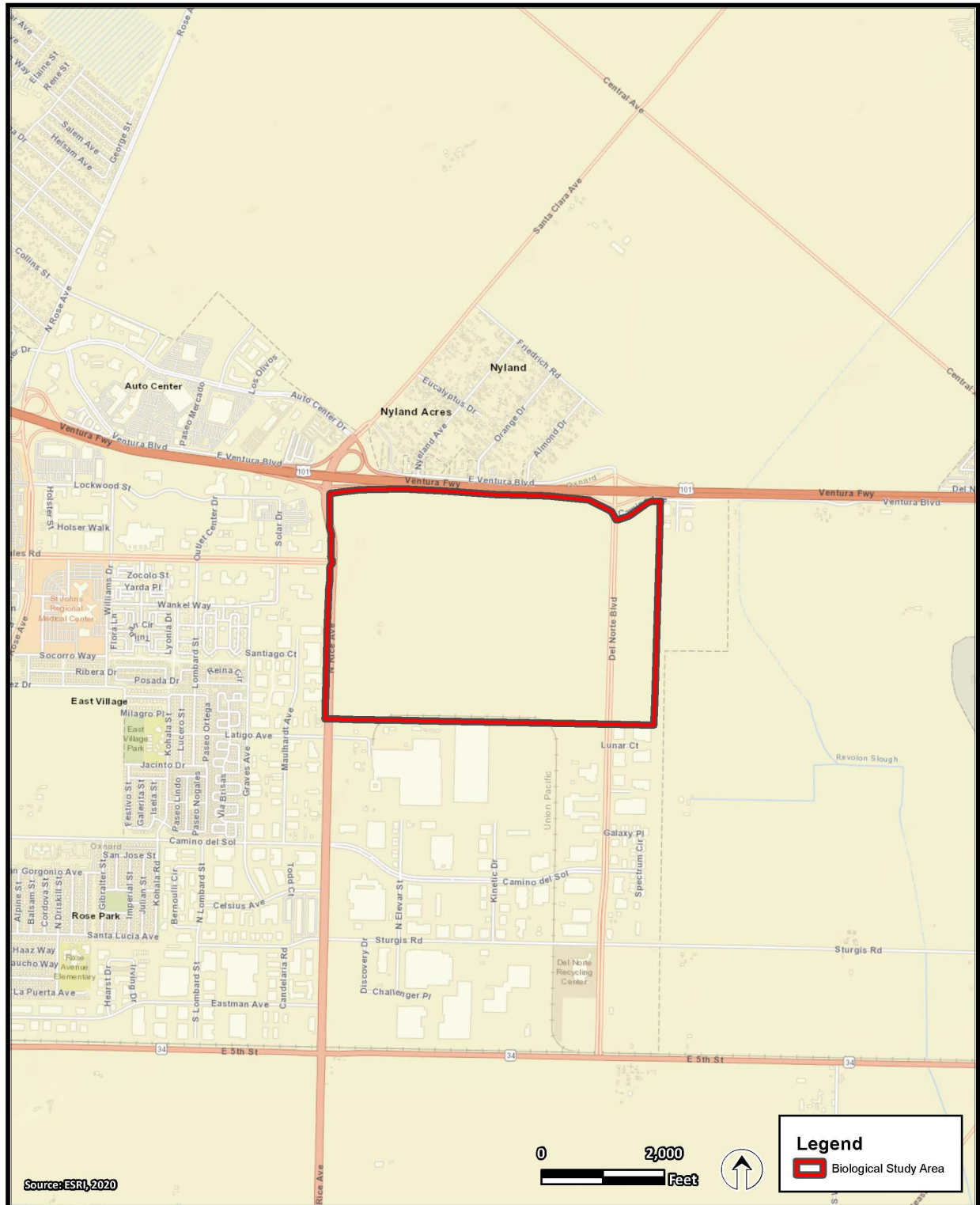
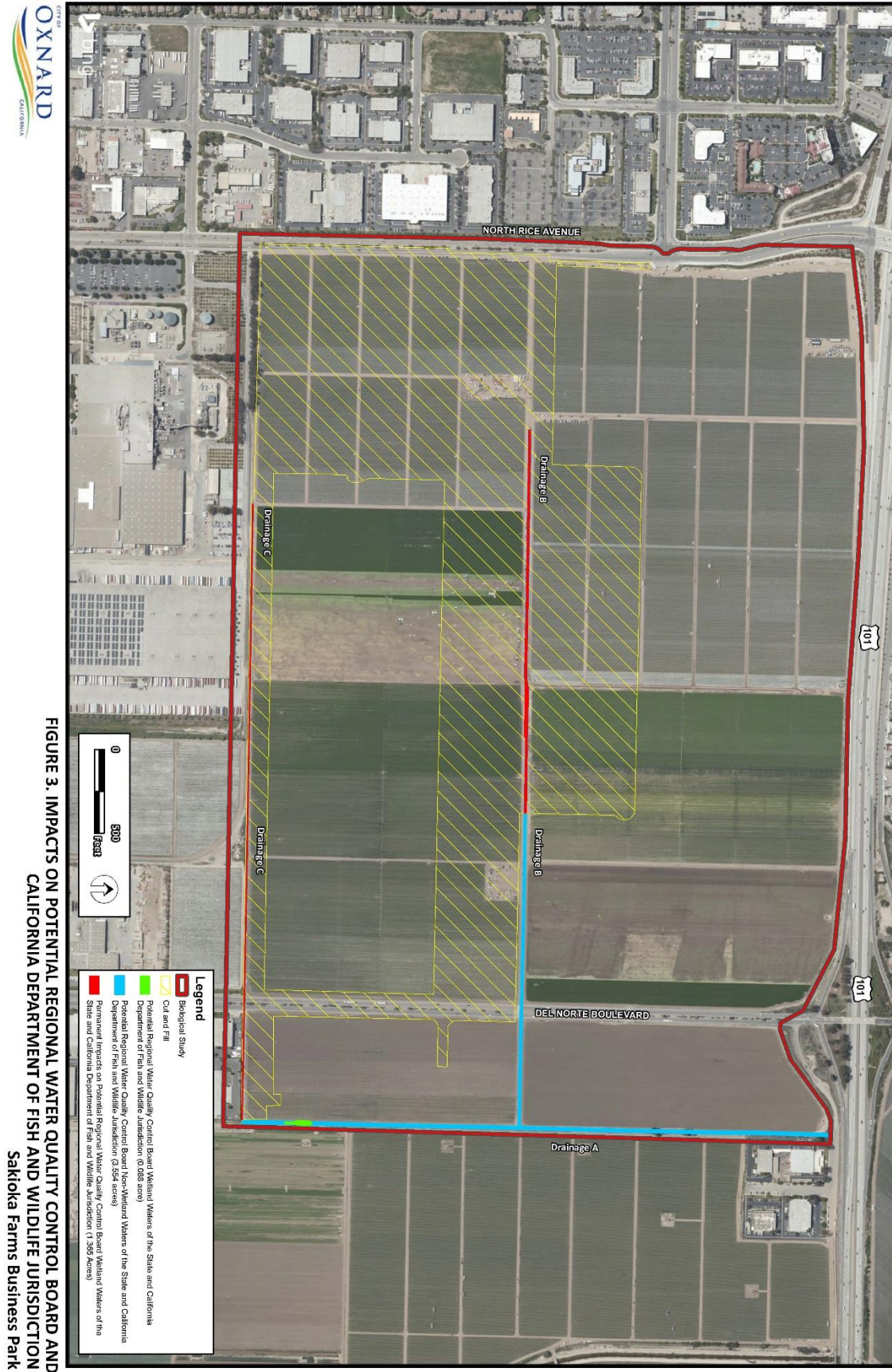


FIGURE 2. PROJECT LOCATION
Sakioka Farms Business Park



Attachment B
Signatory Requirements

SIGNATORY REQUIREMENTS

*All Documents Submitted In Compliance With This Order
Shall Meet The Following Signatory Requirements:*

1. All applications, reports, or information submitted to the Los Angeles Water Quality Control Board (Los Angeles Water Board) must be signed and certified as follows:
 - a) For a corporation, by a responsible corporate officer of at least the level of vice-president.
 - b) For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c) For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in items 1.a through 1.c above may sign documents if:
 - a) The authorization is made in writing by a person described in items 1.a through 1.c above.
 - b) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c) The written authorization is submitted to the Los Angeles Water Board Staff Contact prior to submitting any documents listed in item 1 above.
3. Any person signing a document under this section shall make the following certification:

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

Attachment C
Report and Notification Requirements

Report and Notification Requirements

Copies of this Form: Include a copy of the Project specific Cover Sheet below with your report. Please retain a copy for your records.

Report Submittal Instructions:

1. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting.
 - a) **Annual Report:** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
 - b) **Project Status Notifications:** Used to notify the Los Angeles Water Board of the status of the Project schedule that may affect Project billing.
 - c) **Conditional Notifications and Reports:** Required on a case-by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.
2. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.
3. **Electronic Report Submittal Instructions:**
 - a) Submit signed Report and Notification Cover Sheet and required information via email to: RB4-401Certification@waterboards.ca.gov.
 - b) Include in the subject line of the email: Subject: ATTN: Valerie Zara; File No: 21-018, Reg. Measure ID: 443082 Report

Definition of Reporting Terms:

Active Discharge Period: The active discharge period begins with the effective date of this Order and ends on the date that the Permittee receives a Notice of Completion of Discharges Letter or, if no post-construction monitoring is required, a Notice of Project Complete Letter. The Active Discharge Period includes all elements of the Project including site construction and restoration, and any Permittee responsible compensatory mitigation construction.

Request for Notice of Completion of Discharges Letter: This request by the Permittee to the Los Angeles Water Board staff pertains to projects that have post construction monitoring requirements, e.g. if site restoration was required to be monitored for 5 years following construction. Los Angeles Water Board staff will review the request and send a Completion of Discharges Letter to the Permittee upon approval. This letter will initiate the post-discharge monitoring period and a change in fees from the annual active discharge fee to the annual post-discharge monitoring fee.

Request for Notice of Project Complete Letter: This request by the Permittee to the Los Angeles Water Board staff pertains to projects that either have completed post-construction monitoring and achieved performance standards or have no post-construction monitoring requirements, and no further Project activities are planned. Los Angeles Water Board staff will review the request and send a Project Complete Letter to the Permittee upon approval. Termination of annual invoicing of fees will correspond with the date of this letter.

Post-Discharge Monitoring Period: The post-discharge monitoring period begins on the date of the Notice of Completion of Discharges Letter and ends on the date of the Notice of Project Complete Letter issued by the Los Angeles Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring of compensatory mitigation monitoring.

Effective Date: Date of Order issuance.

Map and Photo Documentation Information:

When submitting maps or photos, please use the following formats.

1. **Map Format Information:** preferred map formats of at least 1:24000 (1" = 2000') detail (listed in order of preference):
 - a. **GIS shapefiles.** The shapefiles must depict the boundaries of all protected areas and extent of aquatic resources impacted. Each shape should be attributed with the extent/type of aquatic resources impacted. Features and boundaries should be accurate to within 33 feet (10 meters). Identify datum/projection used and if possible, provide map with a North American Datum of 1983 (NAD38) in the California Teale Albers projection in feet.
 - b. **Google KML files** saved from Google Maps: My Maps, or Google Earth Pro. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used, include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
 - c. **Other electronic format** (CAD or illustration format) that provides a context for location (inclusion of landmarks, known structures, geographic coordinates, or USGS DRG or DOQQ). Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used, include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
 - d. Aquatic resource maps marked on paper **USGS 7.5 minute topographic maps** or **Digital Orthophoto Quarter Quads (DOQQ)** printouts. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.

- 2. Photo-Documentation:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.

Project Reporting

A. Annual Report

Report Purpose:

Notify the Los Angeles Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.

When to Submit:

Annual reports shall be submitted each year on the anniversary of Project effective date. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee.

Report Contents:

The contents of the annual report shall include the topics indicated below for each project period. Report contents are outlined in Annual Report Topics below.

During the Active Discharge Period:

- **Topic 1: Construction Summary**
- **Topic 2: Mitigation for Temporary Impacts Status**
- **Topic 3: Compensatory Mitigation for Permanent Impacts Status**

During the Post-Discharge Monitoring Period

- **Topic 2: Mitigation for Temporary Impacts Status**
- **Topic 3: Compensatory Mitigation for Permanent Impacts Status**

B. Annual Reporting Topics

1. Topic 1 – Construction Summary

When to Submit:

With the annual report during the Active Discharge Period

Report Contents:

- Project progress and schedule including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water best management practices (BMPs¹). If construction has not started, provide estimated start date and reasons for delay.
- Color photos, pre-project and current.
- Map showing general Project progress.
- If applicable:
 - a) Summary of any conditional reports sent during the year such as “Accidental Discharge of Hazardous Material Report” or “Violation of Compliance Report”.

¹ Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.

- b) Copies of revised permits from other agencies.
- c) Compilation of all water quality monitoring results for the year in a spreadsheet format.

2. Topic 2 – Mitigation for Temporary Impacts Status

When to Submit:

With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.

Report Contents: *(If not applicable, report N/A)*

- Planned date of initiation and map showing locations of mitigation for temporary impacts to waters of the state and all upland areas of temporary disturbance which could result in a discharge to waters of the state.
- If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of mitigation success.

3. Topic 3 – Compensatory Mitigation for Permanent Impact Status

When to Submit:

With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Report.

Report Contents: *(If not applicable, report N/A)*

Part A – Permittee Responsible

- Planned date of initiation of compensatory mitigation site installation.
- If installation is in progress, a map of what has been completed to date.
- If the compensatory mitigation site has been installed, provide a final map and information concerning attainment of performance standards contained in the compensatory mitigation plan.

Part B – Mitigation Bank or In-Lieu Fee

- Status or proof of purchase of credit types and quantities.
- Include the name of bank/ILF Program and contact information.
- If ILF, location of project and type if known.

Project Status Notifications

A. Commencement of Construction

Report Purpose:

Notify Los Angeles Water Board staff prior to the start of construction.

When to Submit:

Must be received at least seven (7) days prior to start of initial ground disturbance activities.

Report Contents:

- Date of commencement of construction.
- Anticipated date when discharges to waters of the state will occur.

- Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable.

B. Request for Notice of Completion of Discharge Letter

Report Purpose:

Notify Los Angeles Water Board staff that post-construction monitoring is required and that active Project construction, including any mitigation and permittee responsible compensatory mitigation is complete.

When to Submit:

Must be received by Los Angeles Water Board staff within thirty (30) days following completion of all Project construction activities.

Report Contents:

- Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized.
- An updated monitoring schedule for mitigation for temporary impacts to waters of the state and permittee responsible compensatory mitigation during the post-discharge monitoring period, if applicable.

C. Request for Notice of Project Complete Letter

Report Purpose:

Notify Los Angeles Water Board staff that construction and/or post-construction monitoring is complete, or is not required, and no further Project activity is planned.

When to Submit:

Must be received by Los Angeles Water Board staff within thirty (30) days following completion of all Project activities.

Report Contents:

Part A – Mitigation for Temporary Impacts

- A report establishing that areas of temporary impacts to waters of the state, and upland areas of temporary disturbance which could result in a discharge to waters of the state, have been successfully restored and all identified success criteria have been met. Pre- and post-photo documentation of all restoration sites.

Part B – Permittee Responsible Compensatory Mitigation

- A report establishing that the performance standards outlined in the compensatory mitigation plan have been met.
- Status on the implementation of the long-term maintenance and management plan and funding of endowment.
- Pre- and post-photo documentation of all compensatory mitigation sites.
- Final maps of all compensatory mitigation areas (including buffers).

Part C – Post-Construction Storm Water BMPs

- Date of storm water permit Notice of Termination(s), if applicable.
- Report status and functionality of all post-construction BMPs.

Conditional Notifications and Reports

A. Accidental Discharge of Hazardous Material Report

Report Purpose:

Notifies Los Angeles Water Board staff that an accidental discharge of hazardous material has occurred.

When to Submit:

Within five (5) working days following the date of an accidental discharge.
Continue reporting as required by Los Angeles Water Board staff.

Report Contents:

- The report shall include the OES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quality, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted.
- If applicable, any required sampling data, a full description of the sampling methods including frequency/dates and times of sampling, equipment, locations of sampling sites.
- Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.

B. Violation of Compliance with Water Quality Standards Report

Report Purpose:

Notifies Los Angeles Water Board staff that a violation of compliance with water quality standards has occurred.

When to Submit:

The Permittee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Los Angeles Water Board staff.

Report Contents:

The report shall include: the cause; the location shown on a map; and the period of the noncompliance including exact dates and times. If the noncompliance has not been corrected, include: the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results if required by Los Angeles Water Board staff.

C. In-Water Work and Diversions Water Quality Monitoring Report

Report Purpose:

Notifies Los Angeles Water Board staff of the completion of in-water work.

When to Submit:

Within three (3) working days following the completion of in-water work. Continue reporting in accordance with the approved water quality monitoring plan.

Report Contents:

As required by the approved water quality monitoring plan.

D. Modifications to Project Report

Report Purpose:

Notifies Los Angeles Water Board staff if the Project, as described in the application materials, is altered in any way or by the imposition of subsequent permit conditions by any local, state, or federal regulatory authority.

When to Submit:

Prior to any alteration or modification of Project activities.

Report Contents:

A description and location of any alterations of Project activities. Identify any Project modifications that will interfere with the Permittee's compliance with the Order. Any alteration may require an Amendment, to be determined by Los Angeles Water Board staff.

E. Transfer of Property Ownership Report

Report Purpose:

Notifies Los Angeles Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.

When to Submit:

At least 10 working days prior to the transfer of ownership.

Report Contents:

- A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchase understands and accepts:
 - a) the Order's requirements and the obligation to implement them or be subject to administrative and/or civil liability for failure to do so; and
 - b) responsibility for compliance with any long-term BMP maintenance plan requirements in this Order.
- A statement that the Permittee has informed the purchase to submit a written request to the Los Angeles Water Board to be named as the permittee in a revised order.

F. Transfer of Long-Term BMP Maintenance Report

Report Purpose:

Notifies Los Angeles Water Board staff of transfer of long-term BMP maintenance responsibility.

When to Submit:

At least 10 working days prior to the transfer of BMP maintenance responsibility.

Report Contents:

A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

Report and Notification Cover Sheet*

Project: Sakioka Farms Business Park
Permittee: Sakioka Farms Rice Ave, TIC

Reg. Measure ID: 443082

Place ID: 873743

File No: 21-018

Report Type Submitted

Project Reporting

☐ Annual Report

Project Status Notifications

☐ Commencement of Construction

☐ Request for Notice of Completion of Discharges Letter

☐ Request for Notice of Project Complete Letter

Conditional Notifications and Reports

☐ Accidental Discharge of Hazardous Material Report

☐ Violation of Compliance with Water Quality Standards Report

☐ In-Water Work/Diversions Water Quality Monitoring Report

☐ Modifications to Project Report

☐ Transfer of Property Ownership Report

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

Print Name²

Affiliation and Job Title

Signature

Date

²STATEMENT OF AUTHORIZATION (include if authorization has changed since application was submitted)

I hereby authorize _____ to act in my behalf as my representative in the submittal of this report, and to furnish upon request, supplemental information in support of this submittal.

Permittee's Signature

Date

***This Report and Notification Cover Sheet must be signed by the Permittee or a duly authorized representative and included with all written submittals.**