



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. John Ballas
City of Industry
15651 East Stafford Street
City of Industry, CA 91744

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7007 2560 0001 7889 5135

WATER QUALITY CERTIFICATION FOR PROPOSED CITY OF INDUSTRY OFFICE PARK PROJECT (CORPS' PROJECT NO. SPL-2006-1900-KW), DIAMOND BAR CREEK, CITY OF INDUSTRY, LOS ANGELES COUNTY (FILE NO. 13-100)

Dear Mr. Ballas:

Regional Board staff has reviewed your request on behalf of City of Industry (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on August 27, 2013.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Please read this entire document carefully. The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Valerie Carrillo, Lead, Section 401 Program, at (213) 576-6759.

Samuel Unger
Samuel Unger, P.E.
Executive Officer

10-17-13
Date

DISTRIBUTION LIST

Alissa Cope
Sage Environmental Group
24040 Camino Del Avion, Ste A77
Monarch Beach, CA 92629

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

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

Daniel P. Swenson
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

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

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

ATTACHMENT A

**Project Information
File No. 13-100**

1. Applicant: City of Industry
15651 East Stafford Street
City of Industry, CA 91744

Phone: (626) 333-2211
2. Applicant's Agent: Alissa Cope
Sage Environmental Group
24040 Camino Del Avion, Ste A77
Monarch Beach, CA 92629

Phone: (949) 243-2282 Fax: (949) 496-9345
3. Project Name: City of Industry Office Park
4. Project Location: City of Industry, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34° 00' 32.60"	117° 49' 31.28"
34° 00' 29.71"	117° 49' 35.39"
34° 00' 27.35"	117° 49' 39.20"
34° 00' 24.01"	117° 49' 44.14"
34° 00' 19.70"	117° 49' 47.92"
34° 00' 15.69"	117° 49' 54.66"
34° 00' 13.07"	117° 49' 58.76"
34° 00' 11.08"	117° 50' 03.81"

5. Type of Project: Commercial and industrial development
6. Project Purpose: The proposed project will consist of the development of a multiphase industrial complex, including the associated streets and infrastructure, and will accommodate offices ranging from corporate headquarters to small retail facilities within an area of 591.7 acres in the City of Industry. A total of 4,146,000 square feet of commercial uses and 633,000 square feet of industrial uses are proposed.
7. Project Description: The project is located north of State Route 60, west of State Route 57, and east of Brea Canyon Road. Current and historical land use on the site is agricultural and the site has been utilized for livestock

ATTACHMENT A

Project Information File No. 13-100

grazing. The grazing over time has affected plant life and animal species diversity and abundance as well as vegetation communities present on the site. The proposed project site contains two drainage features, which total 2.2 acres of waters of the United States. This includes 1.8 acres of non-wetland streambed habitat and 0.4 acres of wetlands.

Diamond Bar Creek runs along the southern boundary of the project site and has surface flows year-round. The drainage enters the site from an underground box culvert to the north with a natural creek occurring along 4,600 linear feet through the project site, entering a concrete, open culvert 1,400 feet before leaving the project site. It then becomes piped underground under Brea Canyon Road and then eventually flows into San Jose Creek. The drainage spans 6,267 linear feet through the property and in order to develop the site, approximately 328 feet will be permanently impacted (0.18 acres), and 40 feet will be temporarily impacted (0.04 acres). In addition 0.03 acre of wetland area will be impacted. The creek will be permanently impacted by the installation of bank stabilizers, drop structures and reinforced concrete box connectors. Temporary impacts will be due to equipment maneuvering for installation of the concrete box.

Another unnamed drainage runs through the northern portion of the property and flows in a northwest direction. This short soft-bottom channel flows into an underground storm drain system and eventually into San Jose Creek. In order to develop the site, this drainage (approximately 350 feet) will be permanently impacted (0.20 acres).

Therefore, of the 2.20 acres of waters of the United States 0.38 acres will be permanently impacted and 0.04 acres will be temporarily impacted in order to develop the proposed project. The remaining 1.78 acres of waters will be preserved, and the 0.04 acres temporarily impacted will be restored.

A United States Fish and Wildlife Service Informal Section 7 Consultation was submitted to the United States Army Corps of Engineers to address potential impacts to the California gnatcatcher, *Poliophtila californica californica*, and the least Bells' vireo, *Vireo bellii pusillus*, dated December 2, 2010. Section 7 consultation authorizes the permanent loss of up to 1.10 acres of

ATTACHMENT A

Project Information File No. 13-100

riparian woodland and mulefat scrub, inhabited by Least Bells' Vireo, approximately 10.9 acres of Riversidean sage scrub scattered in remnant patches over the site and a linear strip adjacent to Diamond Bar Creek previously occupied by the California gnatcatcher, and 4.05 acres of upland scrub grassland and non-vegetated area. Section 7 consultation also authorizes the temporary loss of 0.25 acres of Least Bells' Vireo habitat.

This project was issued a Section 401 certification on March 14, 2007 (File No. 06-071) but work was delayed due to delays in project funding. Since then, project mitigation has been expanded to incorporate requirements of the United States Fish and Wildlife Service Informal Section 7 Consultation.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 39 (Permit No. SPL-2006-1900-KW)
- United States Fish and Wildlife Service: Section 7
9. Other Required Regulatory Approvals: California Department of Fish and Wildlife
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: The City Council of the City of Industry approved the project's Final Environmental Impact Report (EIR No. 91-0675, SCH No. 92041046) in October 2004.
11. Receiving Water: Diamond Bar Creek, tributary to San Jose Creek (Hydrologic Unit No. 405.41)
12. Designated Beneficial Uses: MUN*, GWR, REC-1, REC-2, WARM, WILD
- *Conditional beneficial use
13. Impacted Waters of the United States: Federal jurisdictional wetlands: 0.03 permanent acres (25 linear feet)
- Non-wetland waters (unvegetated streambed): 0.04 temporary acres (40 feet) and, 0.38 permanent acres (678 linear feet)
14. Dredge Volume: None
15. Related Projects: The Applicant has not identified any related projects carried out in

ATTACHMENT A

Project Information

File No. 13-100

Implemented/to be
Implemented by the
Applicant:

the last 5 years or planned for implementation in the next 5 years.

16. Avoidance/
Minimization
Activities:

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

- Construction phase: The proposed project improvements will comply with Section 402 (Stormwater Pollution Prevention Plan) regulations as administered by RWQCB. Water pollution control measures incorporated into the project design, construction, and operations would established compliance with current National Pollutant Discharge Elimination System (NPDES) regulations and reduce cumulative impacts to the watershed to less than significant.
- Operation phase: The project will pre-treat all first-flush storm water flows originating from the project site prior to discharge into Diamond Bar Creek. Post-project storm flow quantity at the points of off-site discharge will be less than or equal to pre-project discharge quantity and velocity, per Los Angeles County Department of Public Works (Flood Control) requirements.
- Pre-project biological surveys will be conducted according to California Department of Fish and Wildlife requirements.
- Sediment and turbidity will be controlled and monitored by the contractor during construction.
- A qualified biological monitor will be on the site during construction.
- All work areas will be flagged, in order to avoid impacts outside of the project boundaries.

17. Proposed
Compensatory
Mitigation:

To offset the proposed 0.03 permanent acre impacts to jurisdictional wetlands and 0.38 acres to unvegetated streambed associated with the project the applicant has proposed to create 0.09 acres of jurisdictional wetlands and 0.76 acres of vegetated streambed, a ratio of 3:1 and 2:1 respectively. The total creation area shall be 0.85 acres. To offset the proposed 0.04 temporary acre impact to the unvegetated streambed the applicant has proposed to restore 0.04

ATTACHMENT A

Project Information File No. 13-100

acres of unvegetated streambed.

In addition, overlapping the required 0.85 acres of waters to be created, to address potential impacts to the California gnatcatcher, *Polioptila californica californica*, and the least Bells' vireo, *Vireo bellii pusillus*, 11.0 acres of Riversidean sage scrub adjacent to Diamond Bar Creek, and up to 0.64 acres of riparian vegetation will be restored and 2.2 acres of riparian and wetland vegetation will be created. This mitigation will take place in a 26-acre habitat mitigation area, as described in the project-specific Habitat Mitigation and Monitoring Plan, Updated June 2009.

18. Required
Compensatory
Mitigation:

The applicant will create 0.09 acres of jurisdictional wetlands and 0.76 acres of vegetated streambed, a ratio of 3:1 and 2:1 respectively. The total creation area shall be 0.85 acres. To offset the proposed 0.04 temporary acre impact to the unvegetated streambed the applicant will restore 0.04 acres of unvegetated streambed.

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

ATTACHMENT B

Conditions of Certification File No. 13-100

STANDARD CONDITIONS

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

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

ADDITIONAL CONDITIONS

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

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Wildlife's (CDFW) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this Certification, the CDFW's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 16, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

ATTACHMENT B

Conditions of Certification File No. 13-100

6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith.
10. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
11. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
12. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.
13. Application of pesticides must be supervised by a certified applicator and be in conformance with manufacturer's specifications for use. Compounds used must be appropriate to the target species and habitat. All pesticides directed toward aquatic species must be approved

ATTACHMENT B

Conditions of Certification File No. 13-100

by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2011-0002-DWQ and 2004-0009-DWQ.

14. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State.
15. The stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
16. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
17. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge (ROWD)** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste.

Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.

18. All project/maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
19. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan (plan)** to this Regional Board. The plan shall include the proposed method and duration of diversion activities,

ATTACHMENT B

Conditions of Certification File No. 13-100

structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:

- pH
- temperature
- dissolved oxygen
- turbidity
- total suspended solids(TSS)

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to diversion and then monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

20. The Applicant shall restore **all areas** of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
21. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary loss of **0.04 acres** waters of the United States by creating or restoring riparian habitat at a minimum **1:1** area replacement ratio (**0.04 acres**). The Applicant shall also provide compensatory mitigation for the proposed permanent impacts to **0.03 acres** of wetlands by creating wetland habitat at a minimum **3:1** area replacement ratio (**0.09 acres**) and the Applicant shall also provide compensatory mitigation for the proposed permanent impacts to **0.38 acres** of streambed by creating streambed habitat at a minimum **2:1** area replacement ratio (**0.76 acres**).

ATTACHMENT B

Conditions of Certification File No. 13-100

22. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
- (a) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
 - (b) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
 - (c) Success criteria shall be established.

This information shall be submitted to this Regional Board for approval prior to any project activities which take place within waters of the United States and shall include copies of all agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

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

ATTACHMENT B

Conditions of Certification
File No. 13-100

24. All applications, reports, or information submitted to the Regional Board shall be signed:
- (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
 - (b) For a partnership, by a general partner.
 - (c) For a sole proprietorship, by the proprietor.
 - (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official or other duly authorized employee.

25. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

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

Executed on the _____ day of _____ at _____.

(Signature)
(Title)”

26. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **13-100**. Submittals shall be sent to the attention of the 401 Certification Unit.
27. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
28. The project shall comply with the local regulations associated with the Regional Board’s **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. R4-2012-0175. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment. The project shall also comply with all requirements of

ATTACHMENT B

Conditions of Certification

File No. 13-100

the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 2009-009-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.

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

ATTACHMENT B

Conditions of Certification

File No. 13-100

32. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application at least 90 days prior to termination of this Certification if renewal is requested.

