

Los Angeles Regional Water Quality Control Board

Ms. Charmaine Yambao
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301-2583

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7012 3460 0001 6366 0540

WATER QUALITY CERTIFICATION FOR PROPOSED AGOURA ROAD WIDENING PROJECT (Corps' Project No. 2013-551-AJS), MEDEA CREEK AND 3 UNNAMED TRIBUTARIES TO LINDERO CREEK, CITY OF AGOURA HILLS, LOS ANGELES COUNTY (FILE No. 13-132)

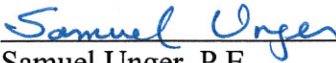
Dear Ms. Yambao:

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

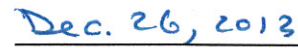
I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), 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 Zara, P.G., Lead, Section 401 Program, at (213) 576-6759.



Samuel Unger, P.E.
Executive Officer



Date

DISTRIBUTION LIST

Allison Cook (via electronic copy)
Rincon Consulting Inc.
180 N. Ashwood Avenue
Ventura, CA 93003

Bill Orme (via electronic copy)
State Water Resources Control Board
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California Department of Fish and Wildlife
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3883 Ruffin Rd Suite A
San Diego, CA. 92123-4813

Antal Szijj (via electronic copy)
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

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**Project Information
File No. 13-132**

1. Applicant: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301-2583

Phone: (818) 597-7360 Fax: (818) 597-7352
2. Applicant's Agent: Lacrissa Cook Davis
Rincon Consulting Inc.
180 N. Ashwood Avenue
Ventura, CA 93003

Phone: (805) 644-4455 Fax: (805) 644-4240
3. Project Name: Agoura Road Widening Project
4. Project Location: City of Agoura Hills, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.144727	118.783989
34.145154	118.783961
34.144551	118.789016
34.143414	118.788681
34.144805	118.774763
34.143446	118.756213
34.144331	118.761604
34.139398	118.760451

5. Type of Project: Road Widening
6. Project Purpose: The City proposes to widen Agoura Road to its maximum build-out width within the City limits to ensure road safety requirements are met for pedestrians, bicyclists and vehicles. The project also proposes to repave and stabilize the hillside along Canwood Street and the U.S. Highway 101 for public safety. The proposed project is identified in the City's 2035 General Plan and in the City's Capital Improvements Program.
7. Project Description: The proposed project will include widening Agoura Road from two to four lanes from the westerly City limits to just west of Reyes Adobe Road, and again from Ladyface Court to Kanan Road. For

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the segment between Reyes Adobe Road and Ladyface Court, there will only be a pavement overlay. Agoura Road will remain a two-lane roadway from Kanan Road to Cornell Road with the addition of diagonal parking spaces on both sides of the road.

Improvements at the Agoura Road/Kanan Road intersection will also be conducted, including widening Kanan Road between Agoura Road and 500 feet north and 1600 feet south of the intersection, and widening Agoura Road approximately 600 feet on either side of the intersection to allow for turning movements. Beyond these limits, Kanan road would remain a two-lane road.

On both sides of Agoura Road, the project will include constructing a Class II bike lane and curb/gutters, installing landscaped medians, and meandering sidewalks with landscaped parkways. A second pedestrian-only bridge over Medea Creek will be constructed as a separate structure adjacent to the roadway bridge.

In addition to improvements on Agoura Road, the project will also include repaving Canwood Street from Reyes Adobe Road to Forest Cove Lane, and repairing pavement and stabilizing a portion of the hillside along Canwood Street from Forest Cove Lane to approximately 650 feet east of Forest Cove Lane.

Work activities are required within six (6) jurisdictional features and include: grading and fill to accommodate the project, excavation and infrastructure modifications within the two detention basins, storm drain and culvert modifications, and fill associated with driveway expansion and replacement. Construction is anticipated to last approximately one year.

Within the scope of this project, three inlets leading to three unnamed tributaries to Lindero Creek will be reconstructed. A fourth inlet is located on the roadway bridge over Medea Creek. These existing drainage features and associated outlet structures require realignment and other modifications in order to widen the roadway.

The road widening and activities within the basins will result in permanent impacts of approximately 0.03 acres (111.32 linear feet) and temporary impacts of approximately 0.16 acre (399.70 linear feet) of non-wetland waters of the U.S. In addition, implementation

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of the project will result in temporary direct impacts to approximately 0.06 acre (131.61 linear feet) of wetland due to fill and grading activities.

Roadway widening and grading will require removal of approximately 204 oak trees, 44,406 square feet (0.001 acre) of oak scrub habitat, and other vegetation within the project area, mostly within the Agoura Road corridor, which could affect existing views from the roadway. Slope reconstruction along Canwood Street will also require vegetation removal along a portion of the roadway. Grading and terracing of portions of the hillsides south of Agoura Road will be required, which could affect the appearance of these slopes. In addition, soldier piles will be placed along the top slope of Canwood Street to minimize impacts to vegetation on the slope and maintain the appearance of the slope.

Modified drainages and slopes will be designed to tie into the existing drainage system and to accommodate existing and expected drainage flows from the roadways, landscaping, and other flows passing through the area.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 14 (Permit No. 2013-551-AJS)
9. Other Required Regulatory Approvals: California Department of Fish and Wildlife
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: On December 26, 2012 a Mitigation Negative Declaration was issued for this project.
11. Receiving Water, and Designated Beneficial Uses: Medea Creek Reach 1 (Hydrologic Unit No. 404.23)
MUN*, GWR, REC-1, REC-2, WARM, COLD, WILD, RARE, WET
3 Unnamed Tributaries To Lindero Creek Reach 1 (Hydrologic Unit No. 404.23)
MUN*, REC-1, REC-2, WARM, WILD

*Conditional beneficial use

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12. Impacted Waters of the United States: Federal jurisdictional wetlands: 0.06 temporary acres (131.61 linear feet)
Non-wetland waters (streambed): 0.16 temporary acres (399.70 linear feet) and 0.03 permanent acres (11.32 linear feet)
13. Dredge Volume: None
14. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.
15. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Work within unlined drainages may be required, which would have the potential to result in erosion and siltation that could affect water quality; however, standard construction BMPs, including but not limited to, the use of temporary soil stabilizers (terracing, mulching blankets), berms or swales, straw bales, silt fences, sediment traps, or sediment basins, would be implemented in compliance with NPDES requirements that would minimize erosion on site and off site.
 - The use of temporary soil stabilizers (terracing, mulching blankets), berms or swales, straw bales, silt fences, sediment traps, or sediment basins, would be incorporated into the design to ensure that erosion and siltation are minimized and that NPDES requirements are achieved during project operation.
 - Standards BMPs would be incorporated into the design to ensure that pollutants do not enter the drainage system and that water quality requirements are achieved during project operation.
 - Environmentally sensitive habitat areas, including wetlands, waters of the U.S., open water, and riparian habitat adjacent to construction areas but not proposed for disturbance shall be fenced off using high visibility tape with wooden stakes, or similar methods to prevent entry of personnel and equipment, but allow continuous movement of wildlife.

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- Environmentally sensitive habitat areas, including wetlands, waters of the U.S., open water, and riparian habitat adjacent to construction areas but not proposed for disturbance shall be fenced off using high visibility tape with wooden stakes, or similar methods to prevent entry of personnel and equipment, but allow continuous movement of wildlife.
- A biologist approved by the City's Environmental Analyst shall be on site during installation to ensure that the fences are correctly placed. The City or appointed staff shall also monitor to ensure that this fencing is properly maintained throughout the construction period.
- If silt fencing is required for erosion control measures, contractor-grade silt fence shall be used and shall be installed securely, without gaps. Fencing shall be monitored daily by a qualified biologist throughout the construction period to ensure it is in good condition and functioning properly. Further inspection shall be conducted after rain events to ensure that any animals attempting to disperse are not restricted by the fencing.
- To compensate for the temporary loss of non-wetland waters of the U.S. and waters of the state, the City shall follow all requirements, including identified mitigation, of the appropriate regulatory agencies, including California Department of Fish and Wildlife (CDFW), Army Corps of Engineers (ACOE), and the Los Angeles Regional Water Quality Control Board (RWQCB).
- At a minimum, the City shall be responsible for restoring the same or similar habitat in the same location that is disturbed for temporary impacts at a ratio of 1:1 (restoration: loss). If restoration in the same area is not feasible, then the restoration shall be completed as close to the impact area as possible.
- To compensate for the permanent loss of non-wetland waters of the U.S. and waters of the state, the City shall follow all requirements, including identified mitigation, of the appropriate regulatory agencies, including CDFW, ACOE, and RWQCB.
- At a minimum, the City shall be responsible for restoring the same or similar habitat in an existing degraded portion of the same

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drainage or water feature, or a similar one in the general area of the project, at a ratio of 1:1 (restoration: loss). If a location in the general area of the project is not feasible, then the City shall restore another appropriate area within the City limits as close to the impacted area as possible

- Standard Best Management Practices (BMPs) will be utilized in compliance with the current National Pollutant Discharge Elimination System (NPDES) regulations that would prevent pollutants such as loose soils, other construction wastes, or fuels from being carried off site to adjacent drainages and waterways that would compromise water quality. These may include, but are not limited to, erosion prevention measures, including the use of temporary soil stabilizers (terracing, mulching blankets) and structures such as berms or swales, to prevent and/or slow runoff across disturbed areas and/or divert runoff to sediment traps or basins; and sediment control measures, including the use of straw bales, silt fences, sediment traps, and/or sediment basins. Such standard BMPs have been incorporated into the project design to ensure that erosion and siltation on and off site are minimized and that water quality requirements are achieved prior to project operation.

16. Proposed
Compensatory
Mitigation:

The majority of the native and non-native trees to be removed by the project are outside of jurisdictional waters, it is important to note that the City will be mitigating for these trees in accordance with the City's Oak Tree Ordinance and Oak Tree Preservation Guidelines. As stated in Mitigation Measure BIO-9 of the MND, the City shall compensate for the loss of coast live oak and valley oak trees at a ratio of 4:1, with at least two (2) 24-inch box specimens and one (1) 36-inch box specimen, with the remaining tree diameter dependent on the size of the individual tree to be removed, pursuant to the City's Oak Tree Ordinance and Oak Tree Preservation Guidelines. Compensation for the loss of one (1) landmark oak tree shall be two (2) container grown 60-inch box size trees. Compensation for the loss of scrub oaks shall be at a ratio of 1:1 (square footage to square footage). Scrub oak shall be replaced in kind.

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17. Required
Compensatory
Mitigation:

In addition to the compensatory mitigation proposed above, the Regional Board will require mitigation at a ratio of 3:1 for any wetland impacts and 2:1 for all other permanent or temporary impacts associated with the proposed project, which shall be included in the comprehensive mitigation plan and will be included with other habitat mitigation requirements for trees and CDFW habitat.

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

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Conditions of Certification File No. 13-132

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 (CDFG) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this Certification, the CDFW's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 15, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.

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

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target species and habitat. All pesticides directed toward aquatic species must be approved 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. If rain is predicted after operations have begun, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
16. The grading, 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.
17. 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.
18. 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.
19. 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.
20. 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, structure configuration, construction materials, equipment, erosion and sediment controls,

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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.

21. 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.
22. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary and permanent loss of a total of **0.19** acres waters of the United States by creating or restoring riparian habitat at a minimum **2:1** area replacement ratio (**0.38 acres**). The Applicant shall also provide compensatory mitigation for the proposed permanent impacts to **0.06 acres** wetlands by creating or restoring riparian habitat/Federal jurisdictional wetland habitat at a minimum **3:1** area replacement ratio (**0.18 acres**). 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.

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- (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. If the Applicant proposes funding to a third-party organization for the creation or restoration of streambed riparian habitat within waters of the United States/Federal jurisdictional wetlands, then funding shall apply to mitigation acreage only, exclusive of administrative costs. The mitigation site shall be located within the Malibu Creek Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:

- (d) Documentation from the third party indicating that funds have been used for mitigation acreage only, which do not include administrative costs.
- (e) 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.
- (f) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
- (g) Success criteria shall be established.

This information shall be submitted to this Regional Board for approval prior to any disturbance 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.

24. 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;

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- (c) The overall status of project and a detailed schedule including 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.
25. 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.
26. 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)

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_____ (Title)”

27. All communications regarding this project and submitted to this Regional Board shall identify the Project **File Number 13-132**. Submittals shall be sent to the attention of the 401 Certification Unit.
28. 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.
29. 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 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.
30. 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.
31. 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.
32. *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,

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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.
33. 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.