

Los Angeles Regional Water Quality Control Board

April 23, 2019

Michael Shull
General Manager
City of Los Angeles
221 N. Figueroa Street 3rd Floor
Los Angeles, CA 90012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7008 1140 0002 8672 0635

Dear Mr. Shull:

RE: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE VENICE PIER REFURBISHMENT AND EMERGENCY REPAIR PROJECT (4WQC40118116)

Enclosed please find a Clean Water Act Section 401 Water Quality Certification and Order, authorized by Los Angeles Regional Water Quality Control Board Executive Officer. This Order is issued to Michael Shull and the City of Los Angeles for the Venice Pier Refurbishment and Emergency Repair Project. Attachments A through C of the Enclosure are also part of the Order.

This Order is issued in response to an application submitted by the City of Los Angeles for proposed Project discharges to waters of the state, to ensure that the water quality standards for all waters of the state impacted by the Project are met. You may proceed with your Project according to the terms and conditions of the enclosed Order.

If you require further assistance, please contact Valerie Carrillo Zara by phone at (213) 576-6759 or by email at Valerie.CarrilloZara@waterboards.ca.gov

You may also contact LB Nye, Senior Environmental Scientist, by phone at (213) 576-6785 or by email at LB.Nye@waterboards.ca.gov

Sincerely,

LB Nye, Senior Environmental Scientist
Section 401 Certification and Wetlands Unit
Los Angeles Water Quality Control Board

Enclosures (1): Order for Venice Pier Refurbishment and Emergency Repair Project, File No. 18-116

cc: [Via email only] (w/ enclosure):

Talmage Jordan
City of Los Angeles

Elizabeth Payne
CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board

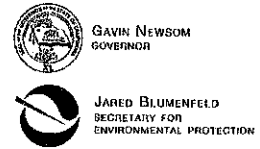
Zachary Schakner
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District

Bill Pasnokis
California Department of Fish and Wildlife
Streambed Alteration Team
Los Alamitos Field Office

Melissa Scianni
Office of Water
US EPA, Region 9

Jonathan Snyder
U.S. Fish and Wildlife Service

Eric Stevens
California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, CA 90802



Los Angeles Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: April 23, 2019

Program Type: Fill/Excavation

| | |
|----------------|--------------------|
| Reg. Meas. ID: | 428636 |
| Place ID: | 855889 |
| WDID: | 4WQC40118116 |
| NWP: | 3 |
| USACOE#: | SPL-2018-00483-ZAC |
| R4 File No | 18-116 |

Project Type: Boating and Navigation

Project: Venice Pier Refurbishment and Emergency Repair Project

Applicant: City of Los Angeles

Applicant Contact: Michael Shull
General Manager
City of Los Angeles
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Water Board Staff: Valerie Carrillo Zara
Engineering Geologist
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Los Angeles, CA 90013
Phone: 213-576-6759
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Water Board Contact Person:

If you have any questions, please call Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) Staff listed above or (213) 576-6600 and ask to speak with the Water Quality Certification and Wetlands Unit Program Manager.

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I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of the City of Los Angeles (herein after Permittee) for the Project. This Order is for the purpose described in the application submitted by the Permittee. The application was received on November 1, 2018. The application was deemed complete on February 12, 2019.

II. Public Notice

The Los Angeles Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from November 1, 2018 to the effective date of Order. The Los Angeles Water Board did not receive any comments during the comment period.

III. Project Purpose

In April 2017, an assessment of the Venice Fishing Pier documented the existing deteriorating conditions of the pier. Results of the assessment concluded that most of the pier piles are deteriorated, and the concrete on one segment of the pier is laminated. Repairs were deemed urgent to ensure safety and usability of the pier. Beneficiaries of the project would be the local fishermen and all the users of Venice Beach.

IV. Project Description

In total, the project includes repairs on 39 piles and 155 cap beams, deck surface and soffit repairs, the replacement of the restrooms that were lost at sea and the removal and replacement of existing utilities.

Phases I and II, which will include repairs on 29 piles and 39 cap beams, will be started as soon as permits become available and will last two months. Phases III and IV will be implemented when funds become available.

Piles will be repaired with jacket encasements or simple covers. Piles will be cleaned and every piece of unsound concrete and non-concrete material will be removed. If necessary, steel will be reinforced. Subsequently, fiberglass jacket encasements will be installed and voids between the jacket system and the old pile will be filled with epoxy.

Cap beams repair will include the removal and replacement of damaged concrete, the replacement of damaged and corroded steel rods, as well as crack repairs with epoxy.

Deck and soffit repairs will include removal and replacement of damaged concrete.

The methods of these repairs have not been fully developed at this time, but will follow industry standards for repair work for piers such as this, including a water quality management plan and best management practices to protect the work site from storm surges.

A temporary wood platform will be constructed beneath the pier sections to be repaired to prevent debris from falling into the water.

V. Project Location

It is located at the western terminus of Washington Boulevard in Venice, Los Angeles, California.

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 33.9788 | -118.4672 |
| 33.9769 | -118.4705 |
| 33.9767 | -118.4706 |

| | |
|---------|-----------|
| 33.9768 | -118.4708 |
| 33.9770 | -118.4708 |
| 33.9766 | -118.4705 |
| 33.9788 | -118.4673 |
| 33.9788 | -118.4672 |

A map showing the Project location is found in Attachment B of this Order.

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of Los Angeles Regional Water Quality Control 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.

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.

Receiving Water: Venice Beach
(Hydrologic Unit Code: 180701040403)

Designated Beneficial Uses: NAV, COMM, MAR, WILD, RARE, MIGR, SPWN, SHELL

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 | | | | | | | | | |
|---|-------------------------------|-----------------|----|-----------------------|----|----|--|----|----|
| Aquatic Resource Type | Temporary Impact ¹ | | | Permanent Impact | | | | | |
| | | | | Physical Loss of Area | | | Degradation of Ecological Condition Only | | |
| | Acres | CY ² | LF | Acres | CY | LF | Acres | CY | LF |
| Ocean/bay/estuary | 0.705 | | | | | | | | |

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

² Cubic Yards (CY); Linear Feet (LF)

VIII. California Environmental Quality Act (CEQA)

The Los Angeles Water Board has determined that the Project is exempt from review under CEQA pursuant to California Water Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations title 14, section(s) 15301 Existing Facilities. Additionally, the Los Angeles Water Board concludes that no exceptions to the CEQA exemption apply to the activities approved by this Order.

IX. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

X. Fees Received

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 Fill and Excavation Discharges with the dredge and fill fee calculator.

| Date Received | Check No. | Amount |
|----------------------|------------------|------------------------|
| November 1, 2018 | 0300902057 | \$1,500 |
| November 1, 2018 | 0300902058 | \$8,584 |
| March 21, 2019 | 1279 | \$203 |
| | | Total: \$10,287 |

XI. 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. **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 the 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.
- b. **Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete,³ 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. 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 Materials⁴

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

- 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:
- first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
 - Lastly, follow the required OES procedures as set forth in:

³ 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.

⁴ "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 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.)

http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf

- ii. Following notification to OES, the Permittee shall notify 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**
- i. If in water work will be necessary, the Permittee shall submit to the Los Angeles Water Board staff an In-Water Work Plan, with a diagram and a narrative description of the methods and associated BMPs for acceptance at least 30 days in advance of any in-water work.
 - ii. During in water work, 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. Notification may be via telephone, e-mail, or delivered written notice.
 - iv. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Los Angeles Water Board staff.
- 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.

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:**

During planned work in water 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.** The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally.
- c. **pH.** The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.
- d. **Turbidity.** Natural light shall not be significantly reduced and the discharge shall not cause aesthetically undesirable discoloration of the ocean surface.

Sampling shall be conducted in accordance with Table 3 sampling parameters.⁵

⁵ 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.

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

Baseline sampling shall be conducted at least one location within the project boundary for each phase. All other sampling shall take place at a minimum of two locations. 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* reporting above.

D. Standard

1. 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). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.
2. This Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent certification application was filed pursuant to subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. 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.
4. 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. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties,

processes, 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 Order.

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 and the Clean Water 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, provide 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. This Order and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.
6. **Construction General Permit Requirement:** If enrolled, the Permittee 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. 2012-0011-DWQ; NPDES No. CAS004001) (General Construction Permit).

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 The following are conditions of approval for the City of Los Angeles:

1. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**
 - a. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
 - b. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
 - c. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
 - d. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
 - e. The Permittee shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
 - f. All stock piles and construction materials shall be covered, shall be enclosed on

all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.

- g. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- h. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials.
- i. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- j. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

2. Public Access to and Along the Shoreline.

- a. The Permittee and the refurbishment shall not interfere with public access along the shoreline under the Venice Pier, except for the temporary disruptions that may occur during the completion of the permitted repair.
- b. During the work activity to repair the piles, deck soffits, and pile cap beams between Platform 1 and Platform 5, no public shall be allowed to have access under the Venice Pier, due to the safety aspect of work being accomplished above the beach area.

3. Measures to Eliminate Potential Impact of the Repairs on the Marine Environment.

- a. Throughout the site, pollutants and other discharge associated with the construction process shall be prevented from entering the storm water system or the ocean.
- b. All material to be used in the construction process shall be stored at the site in a covered storage unit, or with some form of overhead covering either by a tarp or in a storage unit and off the ground during storage. Any debris created in the construction process will be collected and disposed of in the appropriate covered dumpster at the end of each day of work.
- c. All tarps shall be weighted and tied down with sand bags to help hold against the winds off the ocean.
- d. During construction of the facilities over the water, material shall be stored off the deck and covered with a tarp if not in use and rain is suspected and/or forecasted as a 50% or greater chance. All excess material will be removed at the end of the day and disposed of in the proper disposal bins.
- e. Should any work be in progress during rain events, that might allow runoff to enter into the ocean or the storm drain system, work shall be immediately stopped, and all work areas will be covered in tarps.
- f. These measures shall be implemented prior to the commencement of work and will remain in effect until such time as the work is completed. All subcontractors shall be informed on these practices prior to the commencement of work and shall be held to these standards for the duration of their work at the site.

4. Best Management Practices for the Construction Site.

- a. No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to tidal and wave erosion and dispersion.
- b. Machinery or construction materials not essential for project improvements shall

- not be allowed at any time in the intertidal zone.
- c. Sand from the beach, cobbles, or shoreline rocks will not be used for construction material.
 - d. All non-buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible after loss, but no later than the end of each day.
 - e. Contractor shall ensure that no debris, soil, silt, sand, sawdust, rubbish, cement or concrete washings, oil or petroleum products, from construction will be allowed to enter into or placed where it may be washed by rainfall or runoff into coastal waters.
 - f. Reasonable and prudent measures shall be taken by the contractor to prevent any discharge of fuel or oily waste from heavy machinery, construction equipment or power tools into coastal waters. Contractor shall have adequate equipment available to contain any such discharge immediately. All stockpiles and construction materials shall be covered, enclosed on all sides, be located as far away as possible from drain inlets and any waterway, and not be stored in contact with the soil.
 - g. Netting, sandbags, tarps and/or other forms of barriers shall be installed between the water and work areas and equipment storage areas to prevent any unpermitted material from entering the ocean.
 - h. Spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
 - i. Construction vehicles operating at the project site shall be inspected daily to ensure there are no leaking fluids. If there are leaking fluids, the construction vehicles shall be serviced immediately. Equipment and machinery shall be serviced, maintained and washed only in confined areas specifically designed to control runoff and prevent discharges into the ocean thinners, oils or solvents shall not be discharged into sanitary or storm sewer systems.
 - j. Hazardous materials management equipment including oil containment booms and absorbent pads shall be available immediately on-hand at the project site, and a registered first-response, professional hazardous materials clean-up/remediation service will be locally available on call.
 - k. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all storm drains, open ditches and surface waters.
 - l. Fuels, lubricants, and solvents shall not be allowed to enter the coastal waters and all equipment used during construction will be free of leaks at all times.
 - m. At the end of the construction period, the contractor shall ensure that no debris, trash or construction material has been left on the shore or in the water, and that the project has not created any hazard to navigation.

5. 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 County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. R4-2012-0175.
- b. 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. On-site Mitigation for Temporary Impacts

1. The Permittee shall restore all areas of temporary impacts to waters of the state.
2. Restoration shall include grading of disturbed areas to pre-project contours.

| Aquatic Resource Type | Mit. Type ⁶ | Units | Method ⁷ | | | | | |
|---------------------------|------------------------|-------|---------------------|---------|-------|------|-------|---------|
| | | | Est. | Re-est. | Reh. | Enh. | Pres. | Unknown |
| Ocean/ Bay/ Estuary | PR | Acres | | | 0.705 | | | |

XII. Water Quality Certification

I hereby issue the Order for the Venice Pier Refurbishment and Emergency Repair Project, 4WQC40118116 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 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).

This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes this Order to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.).

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.

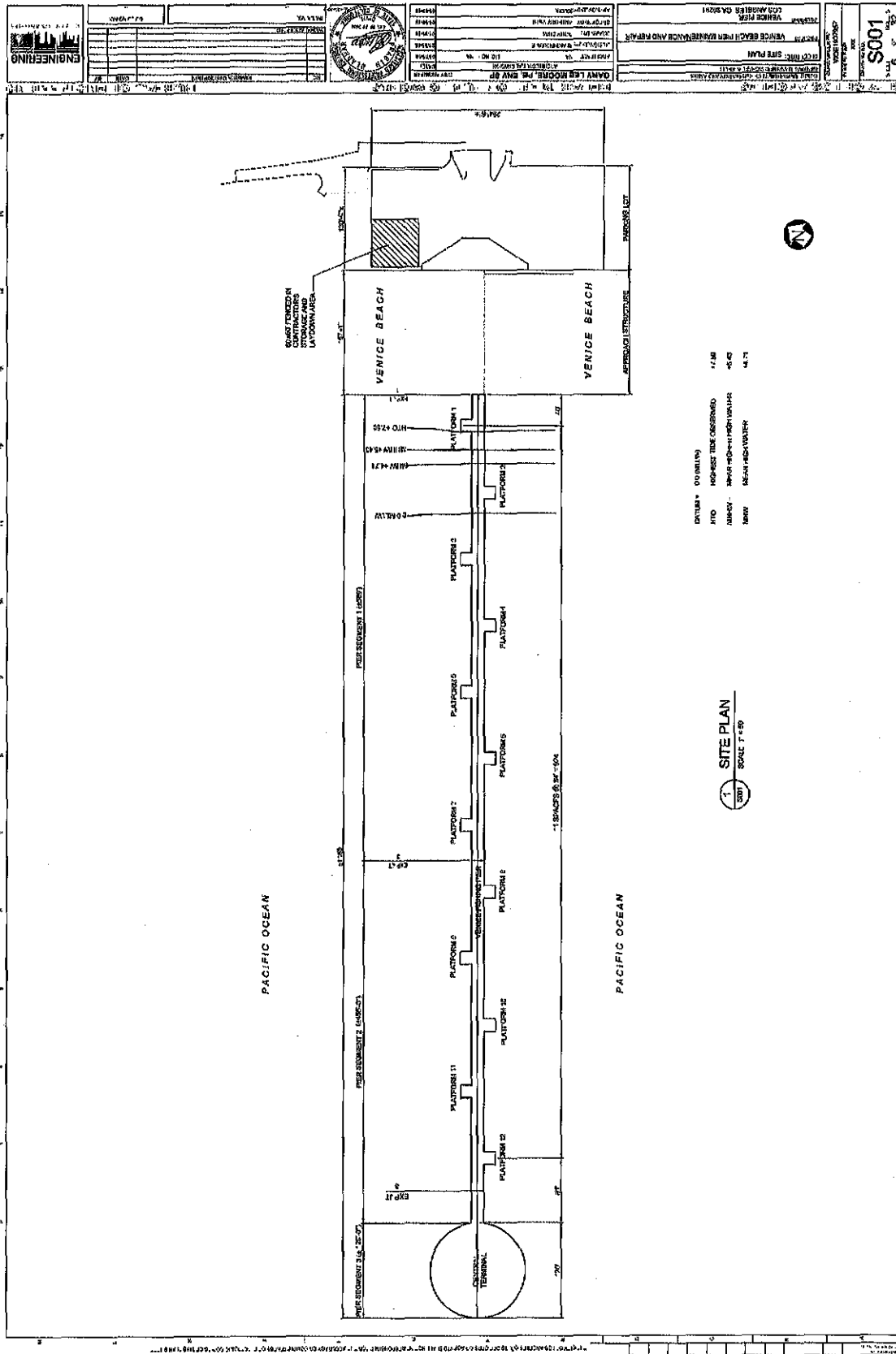

Executive Officer

Los Angeles Water Quality Control Board

4/23/19
Date

⁶ Mitigation type for onsite restoration of temporary impacts is Permittee Responsible (PR).

⁷ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.



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

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.
 - **Part 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.
 - **Part B (Project Status Notifications):** Used to notify the Los Angeles Water Board of the status of the Project schedule that may affect Project billing.
 - **Part 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:**
 - Submit signed Report and Notification Cover Sheet and required information via email to: Valerie.CarrilloZara@waterboards.ca.gov
 - Include in the subject line of the email: Subject: ATTN: Valerie Carrillo Zara ; File No: 18-116, Reg. Measure ID: 428636 Report

Definition of Reporting Terms

1. **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.
2. **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.

3. **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.
4. **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 or compensatory mitigation monitoring.
5. **Effective Date:** Date of Order issuance.

Map/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):

- **GIS shapefiles:** The shapefiles must depict the boundaries of all project 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.
 - **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.
 - **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.
 - 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.

REPORT AND NOTIFICATION COVER SHEET

Project: Venice Pier Refurbishment and Emergency Repair Project

Permittee: Michael Shull

Reg. Meas. ID: 428636 **Place ID:** 855889 **File No:** 18-116

Report Type Submitted

Part A - Project Reporting

Report Type **Annual Report**

Part B - Project Status Notifications

Report Type **Commencement of Construction**

Report Type **Request for Notice of Completion of Discharges Letter**

Report Type **Request for Notice of Project Complete Letter**

Part C - Conditional Notifications and Reports

Report Type **Accidental Discharge of Hazardous Material Report**

Report Type **Violation of Compliance with Water Quality Standards Report**

Report Type **In-Water Work/Diversions Water Quality Monitoring Report**

Report Type **Modifications to Project Report**

Report Type **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 Name ¹

Affiliation and Job Title

Signature

Date

¹STATEMENT 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.**

Part A – Project Reporting

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|-----------------------------------|--|
| Report Type | 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 | <p>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.</p> <p><u>During the Active Discharge Period</u></p> <ul style="list-style-type: none"> • Topic 1: Construction Summary • Topic 2: Mitigation for Temporary Impacts Status • Topic 3: Compensatory Mitigation for Permanent Impacts Status <p><u>During the Post-Discharge Monitoring Period</u></p> <ul style="list-style-type: none"> • Topic 2: Mitigation for Temporary Impacts Status • Topic 3: Compensatory Mitigation for Permanent Impacts Status |
| Annual Report Topics (1-3) | |
| Annual Report Topic 1 | Construction Summary |
| When to Submit | With the annual report during the Active Discharge Period. |
| Report Contents | <ol style="list-style-type: none"> 1. 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 (BMPs). If construction has not started, provide estimated start date and reasons for delay. 2. Color photos, pre-project and current. 3. Map showing general Project progress. 4. If applicable: <ol style="list-style-type: none"> a. Summary of any conditional reports sent during the year such as "Accidental Discharge of Hazardous Material Report" or "Accidental Discharge of Hazardous Material Report" b. Copies of revised permits from other agencies c. Compilation of all water quality monitoring results for the year in a spreadsheet format. |
| Annual Report 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. |

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| | <ol style="list-style-type: none"> 1. 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. 2. If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of mitigation success. |
| Annual Report Topic 3 | Compensatory Mitigation for Permanent Impacts Status |
| When to Submit | With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period. |
| Report Contents | <p>*If not applicable report N/A.</p> <p>Part A. Permittee Responsible</p> <ol style="list-style-type: none"> 1. Planned date of initiation of compensatory mitigation site installation. 2. If installation is in progress, a map of what has been completed to date. 3. 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. <p>Part B. Mitigation Bank or In-Lieu Fee</p> <ol style="list-style-type: none"> 1. Status or proof of purchase of credit types and quantities. 2. Include the name of bank/ILF Program and contact information. 3. If ILF, location of project and type if known. |

Part B – Project Status Notifications

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| Report Type | 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 | <ol style="list-style-type: none"> 1. Date of commencement of construction. 2. Anticipated date when discharges to waters of the state will occur. 3. Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable. |

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| Report Type | Request for Notice of Completion of Discharges 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 | <ol style="list-style-type: none"> 1. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized. 2. 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. |

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| Report Type | Request for Notice of Project Complete Letter |
| Report Purpose | Notify Los Angeles Water Board staff that construction and/or any 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 | <p>Part A: Mitigation for Temporary Impacts</p> <ol style="list-style-type: none"> 1. 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. <p>Part B: Permittee Responsible Compensatory Mitigation</p> <ol style="list-style-type: none"> 2. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met. 3. Status on the implementation of the long-term maintenance and management plan and funding of endowment. 4. Pre- and post-photo documentation of all compensatory mitigation sites. 5. Final maps of all compensatory mitigation areas (including buffers). <p>Part C: Post-Construction Storm Water BMPs</p> <ol style="list-style-type: none"> 6. Date of storm water permit Notice of Termination(s), if applicable. 7. Report status and functionality of all post-construction BMPs. |

Part C – Conditional Notifications and Reports

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| Report Type | 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 | <ol style="list-style-type: none"> 1. 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 quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted. 2. 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. 3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring. |

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| Report Type | 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. |

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| Report Type | 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. |

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| Report Type | 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. |

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| Report Type | 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 | <ol style="list-style-type: none"> 1. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: <ol style="list-style-type: none"> 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 |

| | |
|--|---|
| | <p>b. responsibility for compliance with any long-term BMP¹ maintenance plan requirements in this Order.</p> <p>2. A statement that the Permittee has informed the purchaser to submit a written request to the Los Angeles Water Board to be named as the permittee in a revised order.</p> |
|--|---|

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