



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Joe Chrisman
Wood-Claeysens Foundation
P.O. Box 30586
Santa Barbara, CA 93103

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 9454

**WATER QUALITY CERTIFICATION FOR PROPOSED DIABLO CANYON CREEK
STREAM CROSSING PROJECT (Corps' Project No. SPL-2012-518-AJS), DIABLO
CANYON CREEK, CITY OF VENTURA, VENTURA COUNTY (File No. 12-075)**

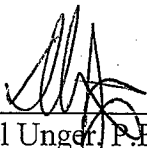
Dear Mr. Chrisman

Board staff has reviewed your request on behalf of Wood-Claeysens Foundation (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete October 23, 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 Dana Cole, Section 401 Program, at (213) 576-6759.



Samuel Unger, P.E. *for*
Executive Officer

11-27-13
Date

DISTRIBUTION LIST

Anna Huber (via electronic copy)
R.A. Atmore & Sons, Inc.
Natural Resources Division
2977 Sexton Canyon Road
Ventura, CA 93003

Brian Trautwein (via electronic copy)
Environmental Defense Center
906 Garden Street
Santa Barbara, CA 93101

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

Jessie Altstatt (via electronic copy)
Santa Barbara Channel Keeper
714 Bond Street
Santa Barbara, CA 93103

Natasha Lohmus (via electronic copy)
California Department of Fish and Wildlife
Streambed Alteration Team
4949 View Ridge Avenue
San Diego, CA 92123

Ventura Coastkeeper (via electronic copy)
Attn: Jason Weiner
Associate Director and Staff Attorney
3875-A Telegraph Rd #423
Ventura, CA 93003

Antal Szijj (via electronic copy)
U.S. Army Corps of Engineers
Regulatory Branch, Ventura Field Office
2151 Alessandro Drive, Suite 255
Ventura, CA 93001

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

Diane Noda (via electronic copy)
U.S. Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, CA 93003

ATTACHMENT A

**Project Information
File No. 12-075**

1. Applicant: Mr. Joe Chrisman
Wood-Claeyssens Foundation
P.O. Box 30586
Santa Barbara, CA 93103

Phone: (805) 966-0543 Fax: (805) 966-1415

2. Applicant's Agent: Anna Huber
R.A. Atmore & Sons, Inc.
Natural Resources Division
2977 Sexton Canyon Road
Ventura, CA 93003

Phone: (805) 644-6851 Fax: (805) 642-2127

3. Project Name: Diablo Canyon Creek Stream Crossing Project

4. Project Location: Ventura, Ventura County

<u>Latitude</u>	<u>Longitude</u>
34.32308333	119.33553889
34.32306389	119.33531389
34.32287778	119.33525278
34.32288056	119.33549167
34.32313056	119.33541111
34.32301111	119.33523056
34.32278611	119.33539167
34.32299444	119.33556944

5. Type of Project: Culvert installation

6. Project Purpose: The current absence of a crossing poses a significant limitation on emergency escape routes for oil crews who may be working in the area, as well as for fire crews who may need to respond to an emergency in that area.

ATTACHMENT A

Project Information

File No. 12-075

The proposed project (Project) will install a culvert to cross Diablo Canyon Creek. This will establish an access and escape route between Area Energy's Taylor Lease and Occidental Petroleum's Grubb Lease in case of emergencies, including but not limited to, wildfire, mudslides, and earthquakes.

7. Project Description:

The Project will involve installation of a ten-foot diameter corrugated metal pipe (CMP), and accompanying head wall, tail wall, and un-concreted rip-rap. The Project impacts are calculated as 150 feet in length which includes the permanent impact to 0.0236 acres, and the temporary impact area of 0.015 acres.

The Project will take approximately one month and will require use of heavy machinery such as a bull-dozer, loader-backhoe, excavator, concrete truck, dump truck, water truck, compactor and other miscellaneous items such as generators and water pumps for construction. Work will cease prior to and during rain events. If rain events are forecast the site will be secured with straw wattles, silt fencing, and other appropriate best management practices to prevent offsite movement of silt and sediment. An appropriate amount of time will be allowed for the soil to dry out prior to any resumption of work.

Flow is not anticipated to be present in the channel at the time of construction; however, small areas of standing water may persist. If such water is present, a temporary cofferdam will be constructed, and water will be pumped out of the work area and reintroduced into the channel immediately downstream of the work area.

Implementation is scheduled to occur outside the bird breeding season and the raptor breeding season to avoid impacts to these species. Riparian trees greater than three inches Diameter at Breast Height (DBH) (generally 4.5 feet high) will be protected to the extent possible. A qualified biological monitor will oversee Project implementation and ensure environmental impacts are minimized.

A small area of native habitat will be impacted as a result of the construction activities, soil disturbance, and a permanent loss of native vegetation, including two to three arroyo willow trees (*Salix lasiolepis*) and two southern California black walnut trees (*Juglans californica*).

ATTACHMENT A

Project Information

File No. 12-075

Areas of temporary disturbance or bare soil will be restored through the application of an appropriate native seed mix and a flexible growing medium via hydroseeding to facilitate the reestablishment of vegetative cover. Arroyo willow (*Salix lasiolepis*) cuttings will be installed along slope toes in the work area and southern California black walnut (*Juglans californica*) seeds will be planted throughout upper slope areas in the work area. Specific quantities that will be installed for each of the species will be a function of the actual number of arroyo willow trees (approximately two to three) and southern California black walnut trees (possibly two) that will be impacted by construction.

Three nearby areas of habitat will be enhanced through the removal of arundo (*Arundo donax*), castor bean (*Ricinus communis*), and tree tobacco (*Nicotiana glauca*). These areas are located adjacent to an ephemeral channel which is a tributary to Diablo Canyon Creek. The confluence of the ephemeral channel and Diablo Canyon Creek is immediately upstream of the construction location. The stands of these invasive, non-native species are located at the upper extent of this subwatershed and represent a potential source of infestation for downstream areas of relatively high quality habitat. The removal of these species will eliminate this potential. The removal areas will be regularly maintained in order to prevent re-establishment of the target species.

The Project will take about one month.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 14 (Permit No. SPL-2012-518-AJS)
9. Other Required
Regulatory Approvals: California Department of Fish and Game
Streambed Alteration Agreement

Ventura County Grading
Exemption Confirmation
10. California
Environmental Quality
Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section (15301 Existing Facilities).

ATTACHMENT A

Project Information File No. 12-075

11. Receiving Water: Diablo Canyon Creek (Hydrologic Unit No. 402.10)
12. Designated Beneficial Uses: MUN*, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, COLD, WILD, RARE, MIGR, SPWN, WET
- *Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (streambed): 0.15 temporary acres (60 linear feet) and 0.236 permanent acres (90 linear feet)
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:
- Project design will be minimized for the construction of the crossing.
 - Preconstruction surveys will be performed by a qualified biologist to determine the presence of any special status species or nesting birds.
 - Construction activities will be monitored by a qualified Biologist to ensure that no inadvertent impacts to biological resources occur.
 - If special status species are present, appropriate regulatory agencies will be contacted immediately.
 - Riparian trees greater than three inches DBH will be protected to the maximum extent possible.
 - No work will occur in flowing or standing water.

ATTACHMENT A

Project Information

File No. 12-075

- If precipitation is predicted to occur while construction is in progress, the site will be secured with straw wattles and silt fencing.
- No work will occur during precipitation events.
- Should significant precipitation occur while construction is in progress, the site will be allowed to dry-out prior to the re-initiation of work.
- Areas of temporary disturbance and bare soil will be hydro-seeded with a native seed mix and flexible growing medium in order to re-establish vegetative cover and to prevent any potential erosion after construction.

16. Proposed
Compensatory
Mitigation:

The Applicant has proposed to provide 0.015 acres of vegetated streambed habitat onsite within channel, and 0.070 acres offsite within the Ventura River Channel.

17. Required
Compensatory
Mitigation:

For temporary and permanent impacts, the Applicant shall provide a total of 0.085 acres of mitigation of vegetated streambed. See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

ATTACHMENT B

Conditions of Certification File No. 12-075

STANDARD CONDITIONS

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

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

ADDITIONAL CONDITIONS

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

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

ATTACHMENT B

Conditions of Certification File No. 12-075

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

ATTACHMENT B

Conditions of Certification File No. 12-075

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.

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

19. All project/construction 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.

ATTACHMENT B

Conditions of Certification

File No. 12-075

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, 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 the proposed **0.015 acres** 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 loss of **0.015 acres** waters of the United States by creating or restoring riparian habitat at a minimum **1:1** area replacement ratio (**0.015 acres**). The Applicant shall also provide compensatory mitigation for the proposed permanent impacts to **0.0236 acres** of

ATTACHMENT B

Conditions of Certification

File No. 12-075

vegetation within waters of the United States/Federal jurisdictional wetlands by creating or restoring riparian habitat/Federal jurisdictional wetland habitat at a minimum **3:1** area replacement ratio (**0.07** acres). The mitigation site shall be located within the Ventura River Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:

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

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

- 23. All open space and mitigation areas shall be placed within a conservation easement to ensure preservation in perpetuity. Documentation of proper easement placement shall be submitted to the Regional Board within one year.
- 24. The Applicant shall submit to this Regional Board **Annual 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 and project success and completion has been achieved and documented. The Annual Reports shall describe in detail all of the project and 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:
 - (d) Color photo documentation of the pre- and post-project and mitigation site conditions;
 - (e) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (f) The overall status of project including whether or not work has begun on the Project and a detailed schedule;
 - (g) Copies of all permits revised as required in Additional Condition 1;
 - (h) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;

ATTACHMENT B

**Conditions of Certification
File No. 12-075**

- (i) A certified Statement of "no net loss" of wetlands associated with this project;
 - (j) Discussion of any monitoring activities and exotic plant control efforts; and
 - (k) 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)
(Title)"

27. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **12-075**. 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.

ATTACHMENT B

Conditions of Certification

File No. 12-075

29. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Ventura County and co-permittees under NPDES No. CAS004002 and Waste Discharge Requirements Order No. R4-2010-0108. This includes the Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) 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, 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

ATTACHMENT B

Conditions of Certification

File No. 12-075

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 prior to termination of this Certification if renewal is requested.