



Los Angeles Regional Water Quality Control Board

Ms. Deanna Detchemendy
Golden Oak Ranch Properties
19802 Placerita Canyon
Newhall, CA 91321

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7008 1140 0002 8671 9318

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED DISNEY ABC SOUNDSTAGES PROJECT (Corps' Project NWP 39), PLACERITA CREEK TO SOUTH FORK SANTA CLARA RIVER, CITY OF SANTA CLARITA, LOS ANGELES (FILE NO. 12-074)

Dear Ms. Detchemendy:

Board staff has reviewed your request on behalf of Golden Oak Ranch (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on April 10, 2015.

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.

Handwritten signature of Samuel Unger, P.E.
Chief Deputy E.O. for
Samuel Unger, P.E.
Executive Officer

7-20-15
Date

## DISTRIBUTION LIST

Linda Archer (via electronic copy)  
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1650 Spruce Street, Ste 240  
Riverside, CA 92507

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State Water Resources Control Board  
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3883 Ruffin Rd Suite A  
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U.S. Army Corps of Engineers  
Regulatory Branch, Los Angeles District  
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Melissa Scianni (via electronic copy)  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
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Jim Bartel  
U.S. Fish and Wildlife Service  
6010 Hidden Valley Road  
Carlsbad, CA 92011

**ATTACHMENT A**

**Project Information  
File No. 12-074**

- 1. Applicant: Deanna Detchemendy  
Golden Oak Ranch Properties  
19802 Placerita Canyon  
Newhall, CA 91321  
  
Phone: (818) 560-8952
- 2. Applicant's Agent: Linda Archer  
Dudek  
1650 Spruce Street, Ste 240  
Riverside, CA 92507  
  
Phone: (909) 677-3775
- 3. Project Name: Disney/ABC Studios at the Ranch
- 4. Project Location: Santa Clarita, Placerita Canyon, Los Angeles County

<u>Location</u>	<u>Latitude</u>	<u>Longitude</u>
Development Area	34.377358	118.492806
	34.381222	118.488883
	34.375494	118.486103
	34.377847	118.489917
	34.377847	118.489917
Water Tank Access Road Crossing Location	34.374025	118.489817
Trail Area Crossing Location	34.380953	118.500978

- 5. Type of Project: Film studio development
- 6. Project Purpose: The purpose of the proposed project is to provide for a state-of-the-art motion picture and television studio on the westernmost portion of Golden Oak Ranch. The area where new development will occur is located within an area of historic fill placed by Caltrans in the construction of the State Route 14 Highway.
- 7. Project Description: The proposed project (Project) will provide up to twelve

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soundstages, production offices, six mills, a warehouse, talent bungalows, a commissary, and administration building, a central utility plant, and an electric distribution station within a 58.5 acres Development Area. As an alternative option, studio offices rather than four soundstages and two mills could be constructed on the northern portion of the development area.

Additional Project elements are within the Water Tank Area and Trail Area, Conditional Parking Areas, the Potential Mobile Home Relocation Areas, and the Off Site Infrastructure Improvement Areas. Within the Water Tank Area, which is located in the hillsides south of Placerita Canyon Road on the Ranch, the Project will construct a 2,000,000-gallon water tank to supply water to the Project and the surrounding area. Also within the Water Tank Area, a water line from the water tank down an existing dirt road to Placerita Canyon Road, ultimately connecting with Newhall County Water District's existing water storage system will be created. In the Conditional Parking Areas, two potential parking areas located east of the Development Area on the Ranch, would be developed only if the LADWP were to revoke the parking license for the proposed main parking lots under its transmission towers located within the Development Area. The Potential Mobile Home Relocation Areas are two areas east of the Development Area for the potential relocation of the Ranch foreman's mobile home. The Off Site Infrastructure Improvement Areas contain the domestic water and sewer infrastructure for the Project.

The Development Area will be cleared and mass graded. The fill pads will be excavated and then brought up to design elevation. The Southern fill pad will be raised a maximum of 24 feet with fill to reach the design elevation. Grading the Development Area will be completed using the following equipment: excavator, backhoe, grader, scraper, roller, vibrator compactor, pile driver, drill rig, and dump/haul trucks. A maximum of 10 acres will be graded, resulting in approximately 85 cubic yards of soil fill to be placed in an ephemeral tributary to Placerita Creek. Additionally, a 20-foot-wide temporary construction road and a temporary bridge connecting the north and south portions of the Development Area would span Placerita Creek. The bridge footings would be placed above the banks and outside riparian vegetation such that there would be no paved surfaces within Placerita Creek. Approximately 180 cubic yards of soil may be placed in Placerita Creek during the building of

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the construction road. Within the Development Area, slope stabilization will include recontouring the slopes, subsurface stabilization of soil cement, and placement of slope armor. To control surface erosion revegetation above the soil cement will occur. Recontouring the slope approximately 40 cubic yards of soil fill will be placed in Placerita Creek, and untimely will result in a broader creek.

Flood protection for the Project along Placerita Creek within the Development Area will be provided through installation of additional drainage facilities and buried bank stabilization along the sides of the stabilized fill pads on both sides of Placerita Creek. Buried bank stabilization will include a 20 to 35 3 foot-wide zone of soil cement with a keyway of soil cement 10 to 20 feet deep to mitigate a rapid drawdown event after flooding.

The Project will require new on-site storm drain facilities to convey stormwater flows from the Development Area and off-site areas that drain to the Development Area. The Project's storm drain system will be designed and sized to ensure that post-development flow rates will not exceed pre-development flow rates, such that no additional off-site downstream flooding will occur as a result of the Project. The system will include two outlets constructed with headwalls or sections with rock slope protection along the embankments of Placerita Creek in order to maintain the historic drainage patterns. This will result in placing 8 cubic yards of rock slope protection into Placerita Creek.

Within the Water Tank Area, the dirt access road is highly eroded. Due to requirements of the Project's domestic water supplier, the Newhall County Water District, the 17 foot wide access road will be paved, and an "Arizona" dip for drainage will be installed. Road construction will result in 11 cubic yards of concrete in the Placerita Creek.

Trenches for the water main installation and sewer installation will be required within the Off-Site Infrastructure Improvement Area. Water main installation will be 4 feet wide by 6 feet deep, and the sewer installation will be 4 feet wide and range from 12 to 14 feet deep. The sewer line will be encased where it crosses under Placerita Creek.

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All waters of the United States that are temporarily impacted, 0.13 acres, will be revegetated. A total of 1.90 acres will be restored to return areas that have been temporarily impacted by construction activities to pre-construction conditions.

8. Federal Agency/Permit: U.S. Army Corps of Engineers  
NWP No 39
9. Other Required Regulatory Approvals: California Department of Fish and Game  
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15301 Existing Facility.
11. Receiving Water: Placerita Creek in Placerita Canyon to South Fork Santa Clara River (Hydrologic Unit No. 180701020401)
12. Designated Beneficial Uses: MUN\*, IND, PROC, AGR, GWR, REC-1, REC-2, WARM, WILD  
\*Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (streambed): 0.12 temporary acres (787 linear feet) and 0.07 permanent acres (1,083 linear feet)  
Non-wetland waters (unvegetated streambed): 0.01 temporary acres (40 linear feet) and 0.01 permanent acres (98 linear feet)
14. Dredge Volume: None
15. 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.
16. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Minimum building setbacks of 5 feet from the top of the slopes along Placerita Creek.
  - To minimize construction noise, Project contractor(s) would equip

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all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with the equipment manufacturers' standards.

- The majority of Project construction-related truck trips will be scheduled outside of the a.m. (7:00 a.m. to 9:00 a.m.) and p.m. (4:00 p.m. to 6:00 p.m.) peak traffic hours to reduce traffic levels and associated traffic noise during peak commute periods.
- If night work occurs, haul material will be concentrated in the central portions of the site, away from the creek and adjacent habitat. Daytime work will focus on the northern pad and nighttime work will focus on the southern pad.
- Construction activities and related noise associated with the off-site infrastructure improvements will depend on the governing jurisdiction of the various segments of the water and sewer line alignments. Specifically, for segments within the jurisdiction of the County of Los Angeles or the City of Santa Clarita, construction will be permitted from 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturday. For segments under Caltrans' jurisdiction, construction hours will be from 11:00 p.m. to 5:00 a.m. Monday through Friday.
- Lighting will be directed internally and away from adjacent native habitat. The goal will be to safely light the haul area and not adjacent habitat to the greatest extent feasible.
- Lighting will be situated at least 50 feet away from the creek and retained oak woodlands to the south.
- Cut and fill slopes will be constructed no steeper than 1:2 (vertical/horizontal). All slopes will be stabilized following Los Angeles County Standard Erosion Control Policy.
- The existing vegetation will be protected to the maximum extent practicable. New slopes will be treated with erosion control materials.
- Cut and fill areas will be minimized to reduce slope lengths.
- Benches or terraces will be provided on high cut and fill slopes to

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reduce the concentration of flows.

- Slopes will be rounded and shaped to reduce concentrated flows.

17. Proposed  
Compensatory  
Mitigation:

The applicant has proposed to enhance 0.11 acres of areas that have been disturbed in the past and/or from invasive species, create 1.66 acres of riparian habitat/jurisdictional waters where they do not occur under existing conditions, and the preserve an existing 0.47 acres waters and habitat.

The enhancement would occur within Placerita Creek.

Due to slope undercutting causing erosion and portions of the existing channel being permanently removed due to the required creek slope recontouring, new braided flow lines and expanded creek edges would be established; creating 0.08 acres in mitigation. In addition following recontouring and installation of bank stabilization on the slopes of Placerita Creek, 1.58 acres will be established as a riparian and upland buffer. The buffer would consist of transitional riparian species. A portion of the plantings, up to approximately 6 feet in vertical height above the final surface toe of slope, would consist of typical riparian scrub habitat. The remainder of the slope above that elevation, within the drier portions of the slope would consist of native transitional sage scrub buffer plantings.

18. Required  
Compensatory  
Mitigation:

The Applicant shall provide compensatory mitigation to offset the proposed permanent and temporary impacts to include the following components: enhancement of **0.11 acres** of restoration of waters in previously impacted fill slope areas; creation of **1.58 acres** of riparian and upland buffer on the slopes of Placerita Creek; creation of **0.08** acres of expanded creek; and preservation of **0.47** acres of waters on-site.

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



## ATTACHMENT B

### Conditions of Certification

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#### STANDARD CONDITIONS

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

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

#### ADDITIONAL CONDITIONS

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

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

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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.
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

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by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2011-0003-DWQ, for Aquatic Animal Invasive Species Control; 2011-0004-DWQ, for Spray Applications; 2011-0002-DWQ, for Vector Control; and 2013-0002-DWQ, for Weed Control.

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 the proposed **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..
22. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed permanent impacts to **0.08 acres** of vegetation within waters of the United States by creating or restoring riparian habitat at a minimum **1:1** area replacement ratio (**0.08 acres**). In addition, the following components of mitigation and/or restoration have been incorporated into the mitigation plan: enhancement of **0.11 acres** of restoration of waters in previously impacted fill slope areas; preservation of **0.47 acres** of waters on-site; and restoration of **1.58 acres** of the slopes of Placerita Creek. 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. The Applicant shall submit to this Regional Board **Annual Mitigation Monitoring Reports** (Annual Reports) by **January 1<sup>st</sup>** 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. At a minimum the Annual Reports shall include the following documentation:
- (a) Color photo documentation of the pre- and post-project and mitigation site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
  - (c) The overall status of project including whether or not work has begun on the Project and a detailed schedule;
  - (d) Copies of all permits revised as required in Additional Condition 1;
  - (e) Water quality monitoring results for each reach (as required) compiled in a spreadsheet 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.
24. All applications, reports, or information submitted to the Regional Board shall be signed:
- (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.

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- (b) For a partnership, by a general partner.
- (c) For a sole proprietorship, by the proprietor.
- (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

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

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

Executed on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
(Signature)  
(Title)”

- 26. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **12-074**. Submittals shall be sent to the attention of the 401 Certification Unit.
- 27. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
- 28. The project shall comply with the local regulations associated with the Regional Board’s **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. 01-182. 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.
- 29. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes

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a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.

30. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
31. *Enforcement:*
  - (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
  - (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
  - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
32. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application at least 90 days prior to termination of this Certification if renewal is requested.

