



Los Angeles Regional Water Quality Control Board

Mr. Omar Rivera
Southern California Gas Company
9400 Oakdale Ave. SC9314
Chatsworth, CA 91311

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7008 1140 0002 8671 9288

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED SOUTHERN CALIFORNIA GAS COMPANY SULLIVAN CANYON LINES 3003 AND 407 PIPELINE PROTECTION PLAN PROJECT (Corps' Project No. 2009-00087-KW), SULLIVAN CANYON CREEK, CITY OF LOS ANGELES, LOS ANGELES COUNTY (File No. 14-034)

Dear Mr. Rivera:

Board staff has reviewed your request on behalf of Southern California Gas Company (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete January 21, 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 CarrilloZara, P.G., Lead, Section 401 Program, at (213) 576-6759.

Samuel Unger
Samuel Unger, P.E.
Executive Office

July 22, 2013
Date

DISTRIBUTION LIST

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ATTACHMENT A

**Project Information
File No. 14-034**

1. Applicant: Omar Rivera
Southern California Gas Company
9400 Oakdale Ave. SC9314
Chatsworth, CA 91311
Phone: (818) 701-4534 Fax: (818) 701-4588
2. Applicant's Agent: Jason Kirschenstein
Sage Institute Inc.
1065 Higuera Street, Suite 301
San Luis Obispo, CA 93401
Phone: (805) 434-2804 x101 Fax: (805) 980-5886
3. Project Name: California Gas Company Sullivan Canyon Lines 3003 and 407 Pipeline Protection and Maintenance Plan
4. Project Location: Los Angeles, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
34.125575	118.525902
34.074835	118.509665

5. Type of Project: High pressure natural gas pipeline inspection and maintenance
6. Project Purpose: The Proposed Project (Project) will maintain two essential high-pressure natural gas transmission pipelines to ensure safe and reliable natural gas service to serve millions of residential, commercial, and industrial customers in the Los Angeles region. A maintenance road will provide access for ongoing routine inspection and maintenance operations required under federal and state regulations, and Applicant policy.

The Project incorporates the following requirements:

- Compliance with the existing Department of Transportation (DOT) and California Public Utilities Commission (CPUC);
- The continued safe, secure and reliable supply of natural gas to residential, commercial and industrial customers.
- Infrastructure with structural integrity to provide the needed flexibility and reliability to meet customer demand
- Protected pipelines and access to pipelines to comply with

ATTACHMENT A

Project Information File No. 14-034

federal and state regulations.

- Responsibility to rate payers to meet the purpose and need in a cost-effective manner.
- Access agreements and easement rights from adjoining landowners.

7. Project Description:

The Project is located within the Sullivan Canyon floodplain, approximately 2.5 miles west of State Highway 405 in the Brentwood area of the City of Los Angeles. The Sullivan Canyon project area includes approximately 4.5 mile reach from San Vicente Mountain to the Los Angeles County debris basin near Queensferry Road in the Brentwood area of the City of Los Angeles.

The Regional Board previously issued a Section 401 Water Quality Certification on March 26, 2009 for a similar pipeline repair project. The following project components will be authorized under this Certification:

Current Planned Road Repair

The maintenance road has experienced degradation from hillside erosion and stream flows. Southern California Gas has identified ten locations on the existing maintenance road that will be repaired with ungrouted rip-rap. Seven of the ten identified areas will have a rip-rap installation, while the remaining areas will undergo an articulated concrete mat sediment control berm installation that requires two articulated mats within existing road prism. The sediment control berm was proposed due to the shallow pipe within the active roadway/channel. A total of 0.01 temporary acres (330 square feet) of Waters of U.S wetlands, 0.02 temporary acres (660 square feet) of Water of U.S non wetlands, and 0.04 permanent acres (1700 square feet) of Water of U.S non wetlands will be impacted.

Location ID	Activity Description	Notes
R14	Riprap Installation / Maintenance Road Erosion Repair	Verified delineation shows activity in adjacent upland bench above waters of U.S. Total riprap footprint to be approximately 200sf.
R15	Riprap Installation / Maintenance Road Erosion Repair	Verified delineation shows activity in adjacent upland bench above waters of U.S.; impacts are considered worst case based on current site conditions / road drainage pattern.

ATTACHMENT A

Project Information File No. 14-034

R16	Riprap Installation / Maintenance Road Erosion Repair	Verified delineation shows activity in adjacent upland bench above waters of U.S.; impacts are considered worst case based on current site conditions / road drainage pattern.
R17	Riprap Installation / Maintenance Road Erosion Repair	Repair will extend existing riprap between PID1 and PID2.
R18	Riprap Installation / Maintenance Road Erosion Repair	--
R19	Articulated Concrete Mat Sediment Control Berm Installation	Sediment Control Berm proposed due to shallow pipe within active roadway/channel. Activity was previously approved in 2012. Will require two articulated mats within existing road prism.
R20	Riprap Installation / Maintenance Road Erosion Repair	Riprap proposed up and downstream of low-water crossing adjacent to E11.1
R9.8	Articulated Concrete Mat Sediment Control Berm Installation	Sediment Control Berm proposed due to shallow pipe within active roadway/channel. Will require two articulated mats within existing road prism.
R21	Articulated Concrete Mat Sediment Control Berm Installation	Sediment Control Berm proposed due to shallow pipe within active roadway/channel. Will require two articulated mats within existing road prism.
R13.1	Riprap Installation / Maintenance Road Erosion Repair	Riprap extension area downstream of R13 articulated concrete mat road crossing (upstream end of debris basin).

Ongoing Routine Maintenance Activities

The following is a list of typical maintenance actions that must be routinely conducted within Sullivan Canyon to safely maintain the pipeline system and maintenance road. The actions described below are regulated by the DOT and/or CPUC and are considered safety related actions. Some of these actions are conducted on a specific schedule and some are conducted in response to storm flows or other unforeseen events. Southern California Gas' goal is to maintain the safe and reliable operation of its system while minimizing impacts to the extent practicable while ensuring the habitat values and functions of waters of the U.S. within Sullivan Canyon's natural resources are maintained.

Pipeline Inspection. Pipeline inspection uses on-the-ground visual inspection using maintenance roads and support facilities. Personnel check and record pipeline conditions, replace missing or

ATTACHMENT A

Project Information File No. 14-034

damaged pipeline markers and patrol signs, assure that pipeline markers are clearly visible, perform minor maintenance activities, and record any conditions that may affect pipeline operations. Surveillance (i.e. locating and marking of pipelines and facilities) is necessary to ensure no damage is caused by third party excavation or construction activities. Leakage surveys are completed at least once each year and more frequently if needed. Cathodic protection surveys are completed bimonthly. Copper Sulfate Surveys are conducted as a result of low pipe to soil electrical potentials.

Unscheduled maintenance and inspection may be initiated as a result of conditions encountered during normal maintenance activities. Unscheduled maintenance may also include special patrols conducted after heavy rains, fires, or other natural disasters to assess damage to maintenance roads and facilities and to insure that underground pipe has not been exposed as a consequence of erosion. Personnel also inspect for subsidence that may threaten to wash out a pipeline.

Access road maintenance includes grading of the existing maintenance access road and spot-repair of erosion sites subject to scouring to allow for the passage of inspection vehicles. This is done as necessary, usually following seasonal rains. The area of repair is usually limited to the width of the access road (approximately 12 feet wide).

Where practical, grass mowing, weed whipping, or other mechanical methods will be employed before using pesticides. Pesticide use typically refers to applications of 0.25 acres or greater on pipeline areas. These applications are used to maintain access to pipeline facilities and are performed either by the Applicant or a contractor. Prior to application, a site and product specific recommendation is obtained by the Applicant from a State Certified Pest Control Advisor and reviewed by employees and contractors. The Applicant will also follow any applicable statewide general permit for the discharge of aquatic pesticides.

Below grade pipe and coating inspections are conducted as a result of low pipe-to-soil electrical potentials (the low readings may occur at one point or can be several miles in length), or from internal inspection equipment. An excavation for this purpose would disturb an area of approximately 1,000 to 2,000 square feet in size (less than 0.05 acre).

ATTACHMENT A

Project Information **File No. 14-034**

Leak Excavations. Excavations are necessary in order to repair leaks reported as a result of leakage surveys. The affected pipeline segment would be isolated and the pipe segment would be cleared of residual natural gas. An excavation for this purpose would disturb an area of approximately 1,000 to 2,000 square feet (less than 0.05 acre) annually.

Installation of Magnesium Anodes. Magnesium anodes are installed near the pipeline at its approximate depth. Installation of the magnesium anodes is normally done as a result of isolated low pipe to soil electrical potentials discovered through routine cathodic protection surveys. There are typically three to six magnesium anode installations each year. An excavation for this purpose would disturb an area of approximately 10 to 20 square feet (less than .0005 acre) annually.

Pipeline Excavation and Recoating. Excavating pipe segments occur after subsurface inspections indicate failed coating. When over 100 square feet of coal tar pipe wrap that may contain asbestos is present, asbestos abatement contractors will remove the failed coating material and dispose of it in an approved landfill. The area of disturbance depends on the extent of the failed coating. Recent experience has indicated an excavation for this purpose would disturb an area of approximately 1,000 to 2,000 square feet (less than 0.05 acre) annually.

Pipeline Segment Replacement. Replacing pipe segments typically occurs after subsurface inspections reveal severe corrosion. The area of disturbance and the time to complete the task depends on the length of pipeline segment replaced. However, for the purpose of the ongoing maintenance activities, the Applicant will only be seeking prior approval for pipeline segment replacement of less than 200 linear feet. Replacement pipe is hydrostatically tested with water. Segments greater than 80 feet will be tested in the field. A Baker tank will be brought on site for water storage during hydrostatic tests if needed.

Pipeline Protection. Exposed pipeline projects involve excavating a section of exposed pipeline to inspect for damage, repairing the pipe wrap, and installing pipeline protection structures including riprap/bank protection. These projects are designed to avoid, minimize, and compensate for impacts on waters of the U.S. to the maximum extent practicable. Permanent impacts are tempered due

ATTACHMENT A

Project Information File No. 14-034

to the methods and materials used, allowing incorporation of the design with the in-stream habitat. Vegetated riprap is installed with the intent of increasing the stability of the re-configured bank and to create vegetated habitat.

Pipeline Integrity Correlation/Inspection Digs and Repairs. The Applicant is mandated by DOT and Office of Pipeline Safety (OPS) to internally inspect high-pressure gas transmission pipelines for internal corrosion or other anomalies. This is to ensure continued safe, secure and reliable supply of natural gas to residential and commercial customers. Following the internal inspections (smart pigging), the Applicant is required to physically inspect the pipeline and correlate the data provided by the inline inspection tool (smart pig). To accomplish these inspections/repairs, the Applicant excavates the pipeline, removes pipe wrap, and visually inspects the pipeline. If repairs are required, then the Applicant would perform these repairs while the excavation is open, incurring no further impact to the area. Excavations are generally 40 feet long, by 15 feet wide, to approximately 2 feet below the pipeline. Depending on the depth of the pipeline, either a rubber tire backhoe, or a track excavator would be utilized, along with 2 to 3 pickup trucks, and a crew/gang truck. Recent experience has indicated an excavation for this purpose would disturb an area of approximately 1,000 to 2,000 square feet (less than 0.05 acre) annually.

Pipeline Safety Enhancement Plan (PSEP). All natural gas transmission operators in the State of California are regulated by the California Public Utilities Commission (CPUC), and in 2011 the CPUC ordered the operators to each develop an Implementation Plan to achieve the goal of orderly and cost-effectively testing or replacing all natural gas transmission pipelines in their system that have not been pressure-tested. Southern California Gas supports this extra added measure of pipeline safety ordered by the CPUC, and submitted a proposed Pipeline Safety Enhancement Plan (PSEP) to implement the directives of the CPUC for their approval. PSEP activities typically require hydrostatic testing and valve replacement/modification. Impacts associated with this activity are similar to those described above for Pipeline Segment Replacement and Pipeline Integrity Correlation/Inspection Digs and Repairs.

The ongoing routine maintenance activities consist of a series of anticipated ongoing activities to maintain pipeline safety in accordance with DOT and CPUC regulations over a five-year period from 2014 to 2019 and beyond for the life of the pipelines.

ATTACHMENT A

Project Information File No. 14-034

Sullivan Canyon supports mostly non-wetland waters of the U.S. with varied composition, density, and vertical structure of woody tree and shrub riparian vegetation across the floodplain in the broad canyon bottom. A natural, low-flow channel typically 10 to 20 feet wide runs through the canyon bottom. The two natural gas pipelines and maintenance road were installed approximately 50 years ago, and follow, in some areas, where the natural low-flow channel exists today. In other areas, current surface flows have found the pipeline backfill and created a new low-flow channel represented by clear physical evidence of an ordinary high water mark (OHWM). In the lower reaches, continued deposition of coarse alluvial material from flood events have allowed for the development of an alluvial layer that currently covers both pipelines. Through some of this area, an incised channel has developed as an erosion gully through the recently deposited alluvial material. A natural channel through established riparian habitat runs parallel to the east and west of the erosion gully channel within the existing maintenance road as it meanders through the canyon bottom.

Sullivan Canyon is a very active system that is subject to regular natural realignment of the active creek channel(s) after large storm events. Some areas of the creek flow through the summer with one small reach of year-round surface flow likely a result of shallow bedrock under the coarse alluvium. Flows are highly variable with a significant flow and sediment transport and deposition occurring during major storm events with flows receding to be confined in a low-flow channel following storm events. The majority of the canyon channel is dry by the end of the summer. This system also has the potential to transport a substantial amount of sediment throughout the system. It is for this reason that the LACDPW operates a debris basin at the mouth of the canyon.

Direct impacts will be mostly to the non-wetland waters of the U.S. that convey flow intermittently following small and moderate storm events. Repair of the maintenance road through the canyon bottom will parallel the low-flow channel, cross the channel, and at times functionally become the low-flow channel in narrow portions of the canyon. Maintaining the maintenance road alignment colinear with the current low-flow channel zone is preferred over a substantial amount of riparian vegetation removal to realign and construct the maintenance road above the flow line. It is expected that regular (yearly) repairs of the maintenance road will be required in areas

ATTACHMENT A

Project Information **File No. 14-034**

subject to erosion from large storm event flood flows. Areas of riparian scrub wetland will be impacted by pipeline protection activities and road repair. The riparian scrub is composed mostly of stands of mulefat that have developed along the active channel with small willow trees in some areas. Mulefat is the dominant riparian scrub species throughout the project area likely because it is a good pioneer species for floodplain areas subject to regular seasonal scouring events in areas that are generally dry during the summer months. Direct impacts from pipeline protection activities will occur in areas of channel down cutting that have exposed the previously buried pipeline. This occurs in the relatively newly formed low-flow channel and in areas of natural channel as these two types of channel features cross and intermix throughout the canyon bottom. The project will result in direct impacts on channel and associated riparian scrub vegetation as needed for access to the pipeline and repair of the maintenance road. Most impacts to both the non-wetland channel and riparian scrub habitat will be temporary.

Temporary and permanent impacts and fill are required for implementation of the ongoing routine maintenance. Impacts will be determined on a case-by-case basis for the routine maintenance activities. Impacts will occur within two water body types: jurisdictional wetland (riparian scrub wetland) and non-wetland waters (streambed unvegetated). The streambed unvegetated type is the 12-ft wide maintenance access road that traverses Sullivan Canyon.

The following summarizes the surface area of permanent and temporary fill into waters of the U.S. for the project over the 5 year period. Exact impacts are not known at this time and therefore these are limits for the purpose of the permit. Impact limits shall include:

1.25 acres of wetland (riparian scrub) waters of the U.S. for permanent fill associated with road repair and pipeline protection measures

1.25 acres of wetland (riparian scrub) waters of the U.S. for temporary fill associated with road repair and pipeline protection measures

1.25 acres of non-wetland waters of the U.S. for temporary fill associated with road repair and pipeline protection measures

ATTACHMENT A

Project Information File No. 14-034

- 1.25 acres of non-wetland waters of the U.S. for permanent fill associated with road repair and pipeline protection measures.
8. Federal Agency/Permit: U.S. Army Corps of Engineers
Individual Permit (Permit No. 2009-00087-KW)
9. Other Required Regulatory Approvals: California Department of Fish and Wildlife
Streambed Alteration Agreement
No. 1600-2008-0406-R5
10. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 Replacement or Reconstruction.
11. Receiving Water: Sullivan Canyon Creek (Hydrologic Unit Code: 180701040402)
12. Designated Beneficial Uses: MUN*, REC-1, REC-2, WARM, WILD

*Conditional beneficial use
13. Impacted Waters of the United States: Federal jurisdictional wetlands: 1.25 temporary and 1.25 permanent acres

Non-wetland waters (unvegetated streambed): 1.25 temporary and 1.25 permanent acres
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant: This permit request is intended to replace Certification No. 08-162, which expired on March 26, 2014. The Applicant is proposing to continue the ongoing routine maintenance activities authorized under Certification No. 08-162 for an additional five (5) year period to ensure consistency with the Section 404 permit and Streambed Alteration Agreement.
16. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- A pre-construction survey “tailgate” session will be conducted with the construction crew by a qualified biologist. The purpose will be to discuss specific resources in the area and the need to protect these resources and comply with all relevant permits/authorizations.

ATTACHMENT A

Project Information

File No. 14-034

- A litter control and site cleanup program will be implemented onsite
- All exposed soil will be permanently stabilized at the earliest practicable date
- Temporary impact areas will be minimized to the extent feasible
- All construction related debris will be removed from the site
- Weather will be monitored to avoid construction during rainfall events.
- Original soil contours will be restored to the extent feasible following completion of construction activities.
- Minimal vegetation clippings will be disposed of at an upland location above the canyon floor.
- Weather will be monitored to avoid potential storms during project implementation.

17. Proposed
Compensatory
Mitigation:

The Applicant has proposed to restore 6.25 acres for permanent impacts and 1.25 acres for temporary impacts, a 5:1 and 1:1 ratio, respectively. Impacts will be mitigated, principally, through an in-lieu fee payment to the Mountains Restoration Trust at \$175,000 per 1 acre of riparian wetland. Compensatory mitigation required for temporary and permanent impacts when occurring beyond the 12-foot wide established access road within waters of the U.S. No compensatory mitigation required for impacts within the 12-foot wide established access road.

18. Required
Compensatory
Mitigation:

The Regional Board will require the Applicant to provide compensatory mitigation as proposed above.

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. 14-034

STANDARD CONDITIONS

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

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

ADDITIONAL CONDITIONS

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

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

ATTACHMENT B

Conditions of Certification File No. 14-034

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 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

ATTACHMENT B

Conditions of Certification File No. 14-034

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. 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.
20. All project/construction/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.
21. 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

ATTACHMENT B

Conditions of Certification File No. 14-034

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.

22. The Applicant shall restore all areas of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years.
23. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary loss of 1.25 acres waters of the United States by creating or restoring riparian habitat at a minimum 1:1 area replacement ratio (1.25 acres). The Applicant shall also provide compensatory mitigation for the proposed permanent impacts to 1.25 acres of vegetation within waters of the United States/Federal jurisdictional wetlands by creating or restoring riparian habitat/Federal jurisdictional wetland habitat at a minimum 5:1 area replacement ratio (6.25 acres). The mitigation site shall be located within the Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a Proposed Mitigation Report which shall include:

ATTACHMENT B

Conditions of Certification File No. 14-034

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

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

24. If the Applicant proposes funding to a third-party organization for the creation or restoration of a total of **7.50 acres** of (vegetated, unvegetated, etc) streambed riparian habitat within waters of the United States/Federal jurisdictional wetlands, then funding shall apply to mitigation acreage only, exclusive of administrative costs. The mitigation site shall be located within the (Name of) Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
- (a) Documentation from the third party indicating that funds have been used for mitigation acreage only, which do not include administrative costs.
 - (b) 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.
 - (c) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
 - (d) 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.

25. The Applicant shall submit to this Regional Board **Annual Mitigation Monitoring Reports** (Annual Reports) by **January 1st** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until mitigation success has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. The Annual Reports shall describe the status of other agreements (e.g., mitigation banking) or any delays in the mitigation process. At a minimum the Annual Reports shall include the following documentation:
- (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;

ATTACHMENT B

Conditions of Certification

File No. 14-034

28. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **14-034**. Submittals shall be sent to the attention of the 401 Certification Unit.
29. 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.
30. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. R4-2012-0175. 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. 2012-0011-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.
31. 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.
32. 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.
33. *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

ATTACHMENT B

Conditions of Certification File No. 14-034

(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.
34. 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.