

Los Angeles Regional Water Quality Control Board

Mr. Hazem Gabr  
Southern California Edison  
1218 South 5<sup>th</sup> Avenue  
Monrovia, CA, 91016

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7009 2820 0001 6537 7412

**TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED ALISO CANYON TURBINE REPLACEMENT PROJECT (Corps' Project No. 2014-00492-PKK), SANTA CLARA RIVER, CITY OF SANTA CLARITA, LOS ANGELES AND VENTURA COUNTY (File No. 14-101)**

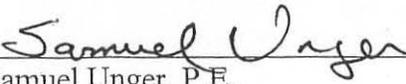
Dear Mr. Gabr,

Board staff has reviewed your request on behalf of Southern California Edison (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete June 12, 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 Dana Cole, Section 401 Program, at (213) 576-5733.

  
\_\_\_\_\_  
Samuel Unger, P.E.  
Executive Officer

June 18, 2014  
Date

## DISTRIBUTION LIST

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Southern California Edison  
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Amber Tysor  
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South Central Coast Area  
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Ventura Coastkeeper  
Attn: Jason Weiner  
Associate Director and Staff Attorney  
3875-A Telegraph Rd #423  
Ventura, CA 93003

**ATTACHMENT A**

**Project Information  
File No. 14-101**

1. Applicant: Mr. Hazem Gabr  
Southern California Edison  
1218 South 5<sup>th</sup> Avenue  
Monrovia, CA, 91016  
  
Phone: (626) 462-8715 Fax: (626) 462-2583
2. Applicant's Agent: Richard Haywood  
Southern California Edison  
1218 South 5<sup>th</sup> Avenue  
Monrovia, CA, 91016  
  
Phone: (626) 462-8632 Fax: (626) 462-2583
3. Project Name: Aliso Canyon Turbine Replacement
4. Project Location: Santa Clarita, Los Angeles and Ventura County

Project North of the I-5

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.378584       | -118.558087      |
| 34.337486       | -118.511899      |

Project South of the I-5

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.332366       | -118.512525      |
| 34.309825       | -118.561151      |

Drainage 1

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.355542       | -118.546995      |

Drainage 2

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.352622       | -118.544691      |

Drainage 3 and 3.1

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.350854       | -118.537862      |

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Drainage 4

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.350051       | -118.535041      |

Drainage 5

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 34.343255       | -118.522286      |

5. Type of Project: Road widening, new culvert placement
6. Project Purpose: The project purpose is to maintain or improve the reliability and efficiency of storage facility operations at the Aliso Canyon Natural Gas Storage Field (Storage Field).
7. Project Description: Southern California Edison will improve the reliability and efficiency of storage facility operations at the Aliso Canyon Natural Gas Storage Field (Storage Field) in order to support increased energy needs, pursuant to the Settlement Agreement (Decision D.08-12-020) with the California Public Utilities Commission. In support of the larger Aliso Canyon Turbine Replacement (ACTR), the proposed Natural Substation Project (Project) will provide adequate, reliable electrical power to the upgraded Storage Field facilities.

The Storage Field has an inventory of approximately 165 billion cubic feet, and is the largest underground natural gas storage field operated by the Applicant. The ACTR will construct and operate a new compressor station at the Storage Field which will include the following:

- Three new electric-driven, variable-speed compressors and pipelines to connect the station to existing facilities;
- A 12 kilovolt (kV) plant power line;
- Rough grading for the Project and access road;
- Main office and crew-shift buildings;
- New guardhouse on a widened segment of the existing entry road to the Storage Field;
- Reconductoring [replacement of a high-voltage transmission

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line with a capacity for greater electric-current-carrying capability] of a 66-kV sub transmission line;

- Installation of telecommunications lines; and
- Construction of Natural Substation.

The new 56-megavolt-amperes 12,000 volt Natural Substation (located within the Storage Field) will also replace the lattice steel towers from the City of Santa Clarita to the Natural Substation.

The entire project alignment can be accessed on existing roads, so impacts to waters of the State and United States only include repair or replacement of six drainage crossings and one cross-culvert for road protection. All other activities will avoid jurisdictional waters. Existing drainage crossings have washed out during past storm events.

#### Permanent Impacts

A total of 0.026 acres of permanent impacts will occur in waters of the State and U.S. All impacts involve the placement or replacement of structures of corrugated metal pipe (CMP) culverts and a McCarthy Drain and associated construction or native fill necessary to restore roads.

#### Drainage 1: Cross-Culvert Extension and McCarthy Drain Installation

The culvert replacement will allow a wider road surface and allow safe vehicle and equipment access to the project site. The existing 36-inch diameter CMP culvert located under the adjacent dirt access will be replaced in-kind to prevent upstream ponding of storm water.

The new culvert outlet and associated grading will be located within the existing stream bank and channel of Drainage 1. An armored downstream McCarthy Drain will be installed along the edge of the existing access road (downstream side) to prevent erosion and scour from occurring on or to the road over time.

#### Drainage 2: Culvert Extension and Road Widening

The road surface over Drainage 2 will be widened to allow safe equipment and vehicle access to the project site. The crossing will direct ephemeral flows under the roadway. The culverts will be

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extended by attaching an additional length of 48-inch CMP to the end of the existing pipe. The extension will be attached with metal straps. Fill material will be placed over the extension and compacted to widen the road base. The new side slope will be compacted and stabilized.

#### Drainage 3 and 3.1: Culvert Extension and Road Widening

Drainage 3 and Tributary 3.1 intersect or confluence on the southern side of the Road Widening. In order to accommodate large construction equipment safe access along the existing access road, proposed fill will be used to widen the existing crossing over Drainage 3 and 3.1 to accommodate a larger vehicle turning radius.

Extension of the existing 36-inch diameter CMP culverts will be performed by attaching an additional length of the same size diameter CMP pipe to the end of the existing CMP pipe. The extension will be attached with metal straps. Fill material will be placed over the extension and compacted to widen the road base. The new side slope will be graded, compacted, and stabilized.

#### Drainage 4: Crossing Reconstruction and Access Road Restoration

The crossing was destroyed by past storm events preventing equipment access to Tower Site 25 and beyond. The culvert replacement involves the installation of two 48-inch diameter CMP culverts along with the grading needed to bury the culvert. A segment of the channel immediately upstream of the proposed crossing will be redirected to the new culverts as part of rebuilding the culvert.

#### Drainage 5: Culvert Replacement and Riprap Energy Dissipater

An existing 36-inch diameter culvert will be replaced with a new 36-inch diameter CMP culvert and realigned. Fill will be placed and the area graded. Energy dissipaters will be installed to reduce potential scour at the downstream end.

#### Temporary Impacts

All temporary impacts combined equal 0.03 acre of jurisdictional waters of the State and U.S.

Temporary impacts have been identified as the buffer area around the proposed grading and fill necessary for the work to be completed, including crew work areas, material staging a

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placement. At Drainages 1, 2, 3 and tributary 3.1, large equipment will be staged on the existing roadway and the construction buffer will be limited to crew access and some construction fill as the material is put into place and stabilized. Drainages 4 and 5, which require a larger construction effort, will include staging of construction equipment, material staging including fill and rip rap, and crew access.

8. Federal Agency/Permit: U.S. Army Corps of Engineers  
NWP No. 12 (Permit No. 2014-00492-PKK)
9. Other Required Regulatory Approvals: California Department of Fish and Wildlife  
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: The California Public Utilities Commission approved the project's Final Environmental Impact Report on November 14, 2013.
11. Receiving Water: Unnamed tributaries of Santa Clara River's South Fork to Santa Clara River Reach 6 to the Pacific Ocean (Hydrologic Unit Code: 180701020403)
12. Designated Beneficial Uses: MUN\*, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, WILD, RARE, WET  
  
\*Conditional beneficial use
13. Impacted Waters of the United States: Non-wetland waters (streambed): 0.03 temporary acres (604 linear feet) and 0.026 permanent acres (509 linear feet)  
  
The Table 1 describes how each impacted feature totals to equal the acres and linear feet above:

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**Table 1**

| Feature              | Acres        |              | Length (feet) |            |
|----------------------|--------------|--------------|---------------|------------|
|                      | Permanent    | Temporary    | Permanent     | Temporary  |
| <b>Drainage 1</b>    | 0.002        | 0.004        | 39            | 45         |
| <b>Drainage 2</b>    | 0.002        | 0.004        | 31            | 68         |
| <b>Drainage 3</b>    | <0.001       | 0.002        | 11            | 15         |
| <b>Tributary 3.1</b> | <0.001       | 0.001        | 14            | 15         |
| <b>Drainage 4</b>    | 0.017        | 0.015        | 337           | 412        |
| <b>Drainage 5</b>    | 0.004        | 0.004        | 77            | 49         |
| <b>Total (acre)</b>  | <b>0.026</b> | <b>0.030</b> | <b>509</b>    | <b>604</b> |

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 will ensure that the best management practices (BMPs) as proposed, but not limited to, will be implemented:

- The proposed project will implement a project Storm Water Pollution Prevention Plan that will include site specific BMPs to control erosion and sedimentation due to ground disturbing activities.
- If work is suspended due to adverse weather conditions, all temporary stockpiles shall be removed from construction work areas before work stoppage is complete.
- All construction personnel will receive a list of phone numbers for key personnel associated with the proposed project including the archeological and biological monitors, environmental compliance coordinator, and regional spill response coordinator(s).

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- Biological monitors will establish and maintain a minimum exclusionary buffer of 50-feet from the delineated extent of all jurisdictional wetland features during project construction.
- Any proposed project component that requires altering, removing, or filling the bed or bank of seasonal drainages, or other jurisdictional or potential jurisdictional water feature which cannot maintain the 50-foot exclusionary buffer zone will be performed only when water is not present.
- A qualified ecologist will survey and determine the extent of riparian zones within the area of project disturbance in the areas of the Storage Field, the 66-kV sub-transmission line, and telecommunications.
- Site vehicles will be properly muffled.
- Where riparian vegetation will be impacted by project construction activities, the Applicant will consult with CDFW.
- In those areas where riparian vegetation is required to be removed, the Applicant will work with a qualified arborist to determine the minimum amount of vegetation required to be removed in order to accommodate project construction, and the correct trimming procedures to employ.
- The Applicant will ensure that erosion and sediment control measures will be implemented in each of the project component areas during construction activities to reduce the amount of soil displaced and transported to other areas by storm water, wind, or other natural forces.
- Gravel bag berms will be placed around temporary stockpiles, pole removals, and installation site area perimeters to prevent sheet flow from running uninterrupted into existing drainage systems.
- The Applicant will place gravel bags downstream of work areas to intercept runoff, reduce flow velocity, and to provide removal of sediment from runoff.
- The areas behind the gravel bags will collect and hold runoff in

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order to allow suspended sediment to settle out.

- The Applicant will remove this sediment periodically, and especially after heavy rains.
- Gravel bags, which become clogged with sediment, will be replaced as necessary to ensure the free flow of water.
- To minimize site disturbance, the Applicant will remove only the vegetation that is absolutely necessary to remove (e.g., trim or mow instead of grub where feasible).
- Off-road vehicle use outside work zones will be avoided.
- All construction personnel will be instructed on storm water pollution prevention concepts to ensure that erosion is prevented.
- Prior to construction, the Applicant will develop and implement Worker Environmental Awareness Training based on the final engineering design, the results of preconstruction surveys, and a list of mitigation measures developed by California Public Utilities Commission staff to mitigate environmental impacts of the Project.
- Prior to start of work, presentations will be prepared by the Applicant and shown to all workers who will be present on the proposed project component sites during construction.
- A record of all trained personnel (including logs of training sessions signed by all workers who attended each session) will be kept with the construction foreman.
- California Public Utilities Commission staff will conduct regular (monthly and random) audits to ensure that workers on the project component sites have received the appropriate training.
- Audits will include worker tests and interviews to confirm adequate instruction in construction procedures and mitigation measures.

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- The biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.
- Biological monitoring will be conducted during construction work in areas in close proximity to native habitat to assure project compliance with all habitat and mitigation measures.
- The Applicant will ensure that trimming of all native vegetation, riparian vegetation, and vegetation that provides potential habitat for coastal California gnatcatcher will be monitored by a qualified biologist.
- Trimming of native trees and native arborescent shrubs will be monitored by a qualified arborist.
- Construction work areas will be clearly staked and flagged to ensure that areas supporting sensitive resources (special-status plants and wildlife, waters of the state and U.S.) avoid construction activities that are confined to designated work zones.
- The Applicant will direct construction contractors to perform initial site cleanup immediately following construction activities at each of the Project components.
- Site cleanup at each project component area will remove all construction debris or recycling, and taken to a legal point of disposal.
- All Portable toilets shall include secondary containment.
- The Project component sites will be inspected to ensure that cleanup activities are successfully implemented.

16. Proposed  
Compensatory  
Mitigation:

The Applicant will provide in-lieu fees of \$777,000.00 to the Santa Paula Creek Mitigation Bank for 5.9 acres of jurisdictional streambed.

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17. Required  
Compensatory  
Mitigation:

The Applicant shall provide **0.081 acres** of vegetated streambed riparian habitat as mitigation for impacts created within jurisdiction. 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. 14-101

#### 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.

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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. 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.

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### Conditions of Certification

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14. 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.
15. 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.
16. 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.
17. 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.

18. All project and 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.
19. 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.

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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.

20. The Applicant shall restore **0.03 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.
21. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary loss of **0.03 acres** waters of the United States by creating or restoring riparian habitat at a minimum **1:1** area replacement ratio (**0.03 acres**). The Applicant shall also provide compensatory mitigation for the proposed permanent impacts to **0.026 acres** of vegetation within waters of the United States by creating or restoring riparian habitat at a minimum **3:1** area replacement ratio (**0.078 acres**). If the Applicant proposes funding to a third-party organization in part or in whole for the creation or restoration of a total of **0.081 acres** of vegetated 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 Santa Clara River Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:

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- (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.

22. 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 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 or Project process. At a minimum the Annual Reports shall include the following documentation and answered appropriately whether or not mitigation has been performed:
- (a) Color photo documentation of the pre- and post-project and mitigation site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
  - (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.

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23. 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.

24. 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)”

25. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **14-101**. Submittals shall be sent to the attention of the 401 Certification Unit.
26. 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.
27. The project shall 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.

## ATTACHMENT B

### Conditions of Certification File No. 14-101

28. 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.
29. 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.
30. *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.
31. 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.

