



EDMUND G. BROWN, JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Mr. Michael Pashaie
Pacific Marina Venture, LLC
13737 Fiji Way, Unit C10
Marina del Rey, CA 90292

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7008 1140 0002 8671 9547

TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED PIER 44 (PARCEL 44) MARINA REDEVELOPMENT PROJECT (Corps' Project No. SPL-2015-00321-PKK), MARINA DEL REY HARBOR, CITY OF MARINA DEL REY, LOS ANGELES COUNTY (File No. 15-043)

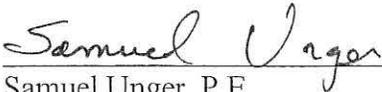
Dear Mr. Michael Pashaie

Board staff has reviewed your request on behalf of Pacific Marina Venture, LCC (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on December 10, 2015.

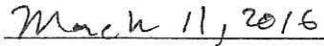
I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), 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.



Samuel Unger, P.E.
Executive Officer



Date

DISTRIBUTION LIST

Prabin Tuladhar (via electronic copy)
AECOM (dba URS Corp)
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Long Beach, CA 90802

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State Water Resources Control Board
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2177 Salk Avenue
Carlsbad, CA 92008

California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, CA 90802

ATTACHMENT A

**Project Information
File No. 15-043**

1. Applicant: Mr. Michael Pashaie
Pacific Marina Venture, LLC
13737 Fiji Way, Unit C10
Marina del Rey, CA 90292

Phone: (310) 858-6797

Michael Tripp
County of Los Angeles Department of Beaches and Harbors
13837 Fiji Way
Marina del Rey, CA 90292

Phone: (310) 305-9537 Fax: (310) 821-6345

2. Applicant's Agent: Prabin Tuladhar
AECOM (dba URS Corp)
310 Golden Shore, Suite 100
Long Beach, CA 90802

Phone: (562) 308-2300 Fax: (562) 256-7905

3. Project Name: Pier 44 (Parcel 44) Marina Redevelopment

4. Project Location: Marina del Rey, Los Angeles County

| <u>Latitude</u> | <u>Longitude</u> |
|-----------------|------------------|
| 33.980652 | 118.443477 |
| 33.979157 | 118.442675 |
| 33.979854 | 118.441254 |
| 33.981273 | 118.442230 |

5. Type of Project: Marina redevelopment

6. Project Description: The Pier 44 Marina was originally constructed in the late 1960s and is at the end of its useful life. In substantial conformance with Coastal Development Permit (CDP) No. 5-11-131, the Applicant will demolish the existing, deteriorated private anchorage and subsequently construct a new state-of-the-art private anchorage. The nine (9) gangways at the existing marina will be replaced by seven (7) new gangways, two (2) of which will be compliant with the American with Disabilities Act (ADA). The two (2) ADA-

ATTACHMENT A

Project Information File No. 15-043

compliant gangways will require respective pile-supported, concrete landing platforms to comply with access and structural loading requirements. In addition, one (1) existing swing boat hoist and platform, one (1) abandoned boat hoist platform, and one (1) pile-supported gantry crane will be removed and replaced by one (1) new pile-supported swing boat hoist and platform.

The Pier 44 Marina project site is located on the waterside portion of Parcel 44 within the horseshoe shaped portion of Basin G in Marina del Rey. The property address is 4637 Admiralty Way which is between Bali and Mindanao Ways.

The existing dock system will be disassembled in the water and will be hauled out of the water, temporarily staged on-site, and then loaded onto trucks for transport to a designated disposal site outside of the Coastal Zone. The new dock materials will be pre-fabricated at the dock manufacturer's production facility and delivered by trucks to the on-site staging area. The new dock materials will be offloaded and placed by crane into the water. The new dock system will be assembled in the water. A landside crane is anticipated to be mobilized, demobilized, and remobilized to the site on an as-needed basis to lift the existing dock materials out of the water and place the new dock materials into the water. Although the overall project duration is estimated at nine (9) months, the total on-site duration for the landside crane is estimated at thirty (30) non-consecutive days.

Pile removal and installation will include use of a pile driving barge, which will include the pile driving equipment and act as the staging area for pile driving. Removed piles will be hauled out of the water, temporarily staged on the pile driving barge, and then loaded onto trucks for transport to a designated disposal site. Deliveries of new piles will be transported by trucks to the P44 Marina parking lot. The new piles will be offloaded, temporarily staged, and loaded onto the pile driving barge for installation. Installation of new piles will be by a combination of jetting and driving. The barge-mounted pile driving crane is anticipated to be mobilized, demobilized, and remobilized to the site on an as-needed basis to remove existing piles and install new piles. Although the overall project duration is estimated at nine (9) months, the total on-site duration for the barge-mounted pile driving crane is estimated at twenty (20) non-consecutive weeks.

ATTACHMENT A

Project Information File No. 15-043

No pile driving will occur during Least Tern nesting and foraging season between April 1 and September 1 in accordance with Special Condition 5 of CDP 5-11-131.

The increase in shading attributed to gangways and gangway platforms is primarily due to compliance with ADA access requirements. The total shading impacts caused by the new P44 Marina will be approximately 957 square feet (SF) less than the shading impacts of the existing P44 Marina.

| | Existing | New | Change |
|-----------------------------------|------------------|------------------|-----------------|
| Floating Dock Area | 40,128 SF | 37,981 SF | (2,147) |
| Boat Hoist Platform | 68 SF | 108 SF | +40 SF |
| ADA-Compliant Gangway Platform | n/a | 160 SF | +160 SF |
| Gangway Over-water | 260 SF | 1,250 SF | +990 SF |
| Total Shading | 40,456 SF | 39,499 SF | (957) SF |

The proposed P44 Marina redevelopment is a redesign of an existing marina and complies with Marina del Rey Design Guidelines, California Parks and Recreation Division of Boating and Waterway's Layout and Design Guidelines for Marina Berthing Facilities, 2013 California Building Code, and ADA access requirements.

Accommodation for sewage pumpout of vessel holding tanks has been incorporated into the Project at the Transient Dock berth along with upgraded firefighting, water, electrical, television, telephone, and lighting systems. All utilities will be run in and along the new dock floats. The upgraded dock system will include one (1) new sewage pumpout incorporated into the design of this project.

The existing private anchorage has a listed slip count of 232 slips (plus 7 end ties); however, given current vessel beams (widths), the existing anchorage has an effective slip count of approximately 198 slips (plus 7 end ties). The Proposed Dock Plan will have 141 slips (plus 5 end ties), designed to accommodate vessels ranging from 20 to 75 feet in length. The Applicants will include on-dock racks for small sailboats and an in-water 1,474 square-foot low-freeboard launch float for sailing club use in storing 14-foot-long sailing vessels.

ATTACHMENT A

**Project Information
File No. 15-043**

To address recent public and California Coastal Commission concerns regarding small boat slip availability, the reconstructed marina is designed with a majority (59%) of slips <30 feet in length.

| Pier 44 Marina Existing Versus Proposed Slip Configuration | | | | |
|---|-----------------|-----------------------|------------------------------------|-----------------------|
| Slip Length | Existing | Effective Slip | Approved CDP 5-11-131 Total | Proposed Total |
| <20' | 14 | 11 | 0 | 9 |
| 21' - 25' | 131 | 105 | 12 | 8 |
| 26' - 30' | 28 | 27 | 54 | 66 |
| 31' - 35' | 59 | 54 | 21 | 38 |
| 36' - 40' | 0 | 0 | 39 | 0 |
| 41' - 45' | 0 | 1 | 0 | 9 |
| 46' - 50' | 0 | 0 | 11 | 7 |
| >51' | 0 | 0 | 4 | 4 |
| End Ties | 7 | 7 | 5 | 5 |
| Total | 232 | 198 | 141 | 141 |
| Average Length | 27.02 | n/a | 34.73 | 32.71 |

A boat repair facility and a yacht club will be located on the landside portion of Parcel 44 and are being processed by the County under a separate permit. Proposed new landside facilities for the yacht club include a new clubhouse and a boat hoist, which will provide a dual use for the aforementioned yacht club and boat repair facility. An additional proposed landside boater improvement includes the installation of 56 dry storage racks capable of storing vessels up to 35 feet in length (note: this improvement also would be authorized by a separate permit that is currently in process by the Applicants for the proposed redevelopment of the landside portion of Parcel 44).

The private anchorage's existing floating dock system has 81 concrete piles, including 10 piles for existing and abandoned boat hoists and associated platforms. These piles are 16 inches in diameter with the exception of four (4) 18-inch octagonal piles: two (2) supporting a gantry crane and two (2) acting as guide piles for a

ATTACHMENT A

Project Information File No. 15-043

50-foot-long staging dock. The proposed floating dock system for the new private anchorage will have 72 concrete piles including 60 dock system guide piles, 8 piles for new ADA gangway platforms, and 4 piles for the new boat hoist platform. Of the 60 dock system guide piles, 40 are anticipated to be 16-inch-square and 20 are anticipated to be 18-inch-square pending final geotechnical report and structural design of dock manufacturer's proprietary system. The 12 piles for the proposed gangway and hoist platforms will be 16-inch-square.

A current marine biology survey and report will be performed during the upcoming eelgrass growing season. Should eelgrass be detected, mitigation measures per the Southern California Eelgrass Mitigation Policy will be incorporated into the Project. Prior to the start of construction, surveys for nesting birds will be conducted. Should nesting birds be identified on the Project site, appropriate mitigation measures will be incorporated into the Project.

Should pre-construction surveys for *Caulerpa taxifolia* find its presence in the project or buffer areas, the invasive algae will be eradicated from the Project site in accordance with the Caulerpa Control Protocol. Finally, mollusks, echinoderms, anthropods, and other native marine animals attached to the piles and docks will be removed prior to demolition and removal of said piles and docks from the Project site. The removed animals will be relocated to another part of Marina del Rey Harbor.

7. Federal Agency/Permit: U.S. Army Corps of Engineers
Permit No. SPL-2015-00321-PKK

8. Other Required
Regulatory Approvals: California Coastal Commission
Coastal Development Permit

CDP No. 5-11-131 was approved by the California Coastal Commission on November 3, 2011, and authorizes the demolition and reconstruction of six private leasehold marinas (including the subject private marina at Pier 44/Parcel 44) and other waterside development improvements in Marina del Rey. This application is for the redevelopment of the Pier 44 (Parcel 44) Marina only.

ATTACHMENT A

Project Information File No. 15-043

9. California Environmental Quality Act Compliance: The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 Replacement or Reconstruction
10. Receiving Water: Mariana del Rey Harbor (Hydrologic Unit Code: 180701040403)
11. Designated Beneficial Uses: NAV, REC-1, REC-2, COMM, MAR, WILD, SHELL
12. Impacted Waters of the United States: Ocean: 0.9 temporary and 0.9 permanent acres
13. Dredge Volume: None
14. Related Projects Implemented/to be Implemented by the Applicant: Neither the County of Los Angeles Department of Beaches and Harbors nor Pacific Marina Venture, LLC has carried out any activity in the P44 Marina within the prior 5 years. However, as tidelands owner and co-applicant on all projects within the Marina del Rey Harbor, the County of Los Angeles Department of Beaches and Harbors has been a party of other marina redevelopment applications within the Marina del Rey Harbor.
15. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- Deployment of silt curtains to contain the spread of turbid waters beyond the Project area.
 - Provision of spill kits and cleanup materials at all pile driving locations.
 - Maintenance of leak-free equipment. Protection of hammers and other hydraulic attachments from run-on and run-off prior to the onset of rain.
 - Placement of sandbag barriers around the landside staging area to control sediment and prevent run-off.
 - Implementation of appropriate measures for storage and use of materials and equipment.
 - Disposal of all debris and trash in appropriate trash containers on

ATTACHMENT A

Project Information

File No. 15-043

land or on construction barges by the end of each construction day.

- Washout of concrete trucks in areas not subject to runoff.
- Prohibition of discharge of hazardous materials within the Project site
- A current marine biology survey and report will be performed during the upcoming eelgrass growing season. Should eelgrass be detected, eelgrass beds will be compensated at 1.2:1 ratio within or near the Project site in accordance with the Southern California Eelgrass Mitigation Policy (NMFS 2005).
- Prior to the start of construction, surveys for nesting birds will be conducted. Should nesting birds including, but not limited, the aforementioned bird species, great blue herons (*Ardea herodias*), and black-crowned night herons (*Nycticorax nycticorax*) be identified on the Project site, appropriate mitigation measures will be incorporated into the Project.
- Should pre-construction surveys for *Caulerpa taxifolia* find its presence in the project or buffer areas, the invasive algae will be eradicated from the Project site in accordance with the Caulerpa Control Protocol (NMFS 2008) and CDP 5-11131 (Special Condition No. 11).
- Mollusks, echinoderms, anthropods, and other native marine animals attached to the piles and docks will be removed prior to demolition and removal of said piles and docks from the Project site. The removed animals will be relocated to another part of Marina del Rey Harbor.
- A Water Quality Monitoring Program will be implemented at the project site to monitor suspended solids (by light transmittance measurements) during demolition and pile driving. Monitoring will occur as follows:
 - One time, no later than one week prior to the start of construction operations.
 - Three times each week for the first two weeks of demolition and

ATTACHMENT A

Project Information File No. 15-043

pile driving phases of the project and weekly thereafter for a period of six weeks. After six weeks if water quality measurements have confirmed that construction activities have not resulted in an exceedance of light transmittance, then monitoring may be suspended until a change in operational activities occurs or if the construction manager reports a spill or non-compliance with established BMPs. At such time, daily water quality monitoring will resume for a period of a week and weekly thereafter.

- One time, no earlier than one week following completion of construction operations.
- Water quality measurements shall be made at three locations: 1) at a station closest to active construction activities and outside the floating silt curtain, 2) at a station 300 feet down current from the previous station, and 3) at a control station. Water quality measurements shall be made at three depths in the water column: 1) near surface (-3 feet below the surface), 2) mid-depth, and 3) near bottom (+3 feet above the substrate).
- Water quality measurements shall be obtained for temperature, salinity, dissolved oxygen, pH, and light transmittance.
- Water quality observations shall be conducted for floating material, sheen, and odor at each station.
- Water column light transmittance values from the 300 foot downstream and control station shall be compared for the near surface, mid-depth, and near bottom measurements. If a difference of 30 percent or greater is observed at any depth, then a water sample shall be collected at the depth of exceedance and analyzed for total suspended solids.
- The Applicant also must submit a Water Quality Management Plan ("WQMP") prior to issuance of CDP 5-11-131 (Special Condition No. 7). The WQMP shall provide the operational BMPs for the Marina including, but not limited to, a solid waste management program, provision of trash and recycling receptacles, boat cleaning management measures, a liquid material control program, petroleum control management measures, and public education measures. As part of

ATTACHMENT A

Project Information File No. 15-043

implementation and monitoring of the WQMP, the Marina Operator and co-applicant, PMV, will seek certification from the California Clean Marinas program.

- The installation of a new sewage pumpout stanchion, which will be managed by the Marina's Dock Master to reduce spill potential, will further reduce potential to degrade water quality.

16. Proposed
Compensatory
Mitigation:

A water quality management plan ("WQMP") will be prepared for the P44 Marina. This Project will reduce shading by 1,000 SF. No additional mitigation measures are proposed for this Project, since it is a reconstruction of an existing marina within the water space of the existing marina.

17. Required
Compensatory
Mitigation:

The Regional Board will not require any compensatory mitigation since this will be an in-kind dock replacement project, with minimal impacts to the ocean floor or habitat unless eelgrass is detected. Should eelgrass be detected, eelgrass beds will be compensated at 1.2:1 ratio within or near the Project site in accordance with the Southern California Eelgrass Mitigation Policy (NMFS 2005). In addition, the Applicant is installing a new pumpout station, which will benefit water quality.

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. 15-043

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 Coastal Commission's Coastal Development Permit. **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 CCC's Coastal Development Permit, 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, the approved construction plan, 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. 15-043

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. Please contact the Land Disposal Unit for further information regarding the disposal of solid wastes.
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.

ATTACHMENT B

Conditions of Certification File No. 15-043

14. The Applicant shall utilize the services of a qualified biologist during pile driving activities or any activities which could affect marine or bird species. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly. 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.
15. All 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.
16. Ocean water quality monitoring shall be performed by the Applicant. A Water Quality Monitoring Plan shall be submitted prior to any project construction activities. Baseline sampling may be conducted at one location within the project boundary for each phase including demolition and pile driving. All other sampling shall take place at three locations: 1) at a station closest to active construction activities and outside the floating silt curtain, 2) at a station 300 feet down current from the previous station, and 3) at a control station. Monitoring for the following shall be included:
 - pH
 - temperature
 - dissolved oxygen
 - turbidity
 - total suspended solids (TSS)
 - visual assessment for floating particulates (oil and grease shall not be visible)

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to project commencement (baseline sampling) and then monitored on a daily basis during the first week of construction, and then on a weekly basis, thereafter, until the work is complete. Monitoring shall ensure compliance with all water quality objectives specified in the 2012 Ocean Plan.

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. Construction activities shall not result in the degradation of beneficial uses or non-compliance of any water quality objectives. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

ATTACHMENT B

Conditions of Certification

File No. 15-043

17. 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.
18. Should eelgrass be detected, eelgrass beds will be compensated at 1.2:1 ratio within or near the Project site in accordance with the Southern California Eelgrass Mitigation Policy (NMFS 2005).

Should eelgrass be detected this information shall be submitted to this Regional Board prior to any further project activities which take place within waters of the United States. Eelgrass mitigation plans, if necessary, shall be submitted to this Regional Board for approval.

19. The Applicant shall submit to this Regional Board a Final Monitoring Report (Final Report) by January 1st of the year following project completion. The Final Report shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts. At a minimum the Final Report shall include the following documentation:
 - (a) Color photo documentation of the pre- and post-project site conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (c) Copies of all permits revised as required in Additional Condition 1;
 - (d) Water quality monitoring results for each reach (as required) compiled in a spreadsheet format;
 - (e) A certified Statement of "no net loss" of wetlands associated with this project;
 - (f) Discussion of any monitoring activities and exotic plant control efforts; and
 - (g) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
20. 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.

ATTACHMENT B

Conditions of Certification
File No. 15-043

- (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.
21. 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)”

22. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **15-043**. Submittals shall be sent to the attention of the 401 Certification Unit.
23. 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.
24. 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.
25. 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

ATTACHMENT B

Conditions of Certification File No. 15-043

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.

26. 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.
27. *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.
28. 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.

