



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Ms. Meredith Reynolds  
City of Long Beach  
2760 Studebaker Rd.  
Long Beach, CA 90815

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7015 3010 0001 9147 7468

**TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR PROPOSED WILLOW SPRINGS WETLAND PROJECT (Corps' Project No. SPL-2016-00269-JMV), LOS ANGELES RIVER, CITY OF LONG BEACH, LOS ANGELES COUNTY (File No. 16-032)**

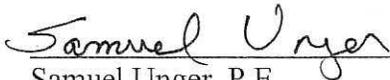
Dear Ms. Reynolds:

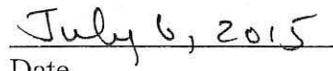
Board staff has reviewed your request on behalf of City of Long Beach (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on June 28, 2016.

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

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Berkeley, CA 94710

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Division of Water Quality  
P.O. Box 944213  
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G. Mendel Stewart  
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2177 Salk Ave. Carlsbad Ca, 92008

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

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**Project Information**  
**File No. 16-032**

1. Applicant: City of Long Beach  
2760 Studebaker Rd.  
Long Beach, CA 90815  
Phone: (562) 570-3165
2. Applicant's Agent: Restoration Design Group  
2612 8<sup>th</sup> St., Suite B  
Berkeley, CA 94710  
Phone: (510) 644-2798
3. Project Name: Willow Springs Wetland Project
4. Project Location: 2745 Orange Ave., Long Beach, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
33.808220	118.180304
33.808024	118.178997
33.808885	118.177832
33.808229	118.177527
33.807314	118.178899
33.806327	118.177450
33.806354	118.179574
33.807127	118.180259

5. Type of Project: Wetland restoration
6. Project Purpose: The Willow Springs Wetland Project is a restoration project that proposes to restore 12 acres of wetland and upland habitat on former industrial lands at Willow Springs Park in Long Beach. The project will improve existing wetland habitat and hydrology, reduce flooding, provide public access through the restored habitat, and allow for connectivity with the greater Willow Springs Park.
7. Project Description: The Willow Springs Wetland Project will activate new community space by restoring 11.5 acres of lowlands and hill slopes, creating a system of bioswales and ponding areas to divert, treat and infiltrate stormwater and dry weather flows, convert existing dirt/access roads for pedestrian use and provide interpretive signage.

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The project will reroute how water moves across the site. Most of the water currently arrives through a 108-inch storm drain in the northeast corner of the site, deposits in a detention basin, and is routed through a pipe into an existing wetland or continues through storm drains to the Los Angeles River, depending on the flow rate and position of valves. The project will improve the detention basin to make it a biofiltration wetland, and direct a small amount of runoff that currently flows from the southeast corner of the site through a ditch. The ditch will be improved to create a bioswale and direct water into new infiltration basins and into a new wetland.

The project will place 700 CY of soil material to create a two foot layer of clean soil over a geotextile and gravel (175 CY) drainage layer to convert the existing concrete reservoir into a Bioretention Wetland. The Bioretention Wetland will function in a similar manner to typical LID Bioretention facilities, but without any infiltration into the soil due to the concrete bottom of the reservoir which will remain in place. The Bioretention Wetland will be planted with willows, mulefat, and possibly cattail marsh bulbs (though the cattails are expected to colonize on their own).

The Southwest Wetland is an existing low point on-site adjacent to the City Yard that is not a delineated wetland. Water from the Bioretention Wetland will be sent through 1400 linear feet of new swale with some grade control steps constructed of on-site remnant/recycled concrete to the Southwest Wetland to expand and enhance planted stands of willow and mulefat at the Southwest Wetland.

The Southwest Wetland will be partially re-graded to provide small vernal pool depressions on either side of the road and reduce nuisance flooding that currently occurs at the City Yard during storm events. The grading and layout will remove the man-made debris in the vicinity while preserving and protecting the existing tarplant population at the north end of the Southwest Wetland.

The project will grade in Infiltration Basins that will be shallow depressions connected by the new swales. The Infiltration Basins will receive and infiltrate storm water from the southern portion of the site and from the adjacent cemetery. They will receive passive runoff that now runs along the sides of the main road, and will provide both storm water flow attenuation and additional habitat for

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seasonal wetland species at the site.

Currently, excess water from the detention basin is diverted through a sluice gate into a series of 20 to 24-inch pipes and discharged into a low area in the northwest portion of the project site. This NW Wetland currently supports a healthy stand of willow-mulefat riparian habitat, and will not be appreciably modified by the project. The only modification might be a change to the outfall pipe at the NW Wetland.

This project will be funded by a \$924,000 grant from State of California Prop 84 Urban Greening Grant. Prop 84 Grant Funds are to be used to preserve, enhance, increase or establish community green areas such as urban forest, open spaces, wetlands and community spaces (e.g., community gardens), in accordance with the provisions contained in the Urban Greening for Sustainable Communities Grant Program and this Agreement. The grant funded work must be fully completed and the contract closed out by May 1, 2017.

- |  |  |
|--|--|
| 8. Federal Agency/Permit:                                  | U.S. Army Corps of Engineers<br>NWP No. 43 (Permit No. SPL-2016-00269-JMV)   |
| 9. Other Required<br>Regulatory Approvals:                 | California Department of Fish and Wildlife<br>Streambed Alteration Agreement   |
| 10. California<br>Environmental Quality<br>Act Compliance: | The City of Long Beach approved the project's Final Environmental Impact Report (SCH No. 1999091108) on January 8, 2013. |
| 11. Receiving Water:                                       | Unnamed Tributary to the Los Angeles River Estuary (Hydrologic Unit Code: 180701050402)                                  |
| 12. Designated Beneficial<br>Uses:                         | IND, NAV, REC-1, REC-2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN, SHELL, WET   |
| 13. Impacted Waters of the<br>United States:               | Federal jurisdictional wetlands: 0.76 temporary acres  |
| 14. Dredge Volume:   | None   |

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15. Related Projects  
Implemented/to be  
Implemented by the  
Applicant:

The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.

16. Avoidance/  
Minimization  
Activities:

The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:

- Prior to issuance of a grading permit, the construction contractor shall submit a Stormwater Pollution Prevention Plan to the City that shall include the BMP types listed in the California Stormwater BMP Handbook—Construction Activity.
- The City of Long Beach shall ensure that construction plans for the project shall include features meeting the applicable construction activities BMPs and erosion and sediment control BMPs published in the California Stormwater BMP Handbook—Construction Activity. A copy of the SWPPP shall be kept at the project site.
- The construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. The construction contractor shall inspect BMP facilities before and after every rainfall event predicted to produce observable runoff and at 24-hour intervals during extended rainfall events, except on days when no ongoing site activity takes place. Prestorm activities will include inspection of the major storm drain grate inlets and examination of other on-site surface flow channels and swales, including the removal of any debris that blocks the flow path. Poststorm activities will include inspection of the grate inlets, looking for evidence of unpermitted discharges. The construction contractor shall implement corrective actions specified by the Department of Public Works, as necessary, at the direction of the Director of Public Works. Inspection records and compliance certification reports shall be submitted to the Director of Public Works on a monthly basis and shall be maintained for a period of three years. Inspection schedules shall be monthly during the dry season and weekly during the wet season for the duration of project construction or until all lots and common areas are landscaped.
- The City of Long Beach shall ensure that the project complies with the requirements of the State General Construction Activity NPDES Permit. The construction contractor shall demonstrate to the City

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that coverage has been obtained under the State General Construction Activity NPDES Permit by providing a copy of the NOI submitted to the SWRCB and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) number or other proof of filing to the Department of Public Works.

- The City of Long Beach shall ensure that a project SUSMP is prepared for the project in accordance with the Los Angeles County SUSMP and the Municipal NPDES Permit. The project SUSMP shall identify all of the nonstructural and structural BMPs that will be implemented as part of the project in order to reduce impacts to water quality to the maximum extent practicable by addressing typical land use pollutants and pollutants that have impaired the Los Angeles River.
- Prior to issuance of any demolition or grading permits, the Department of Public Works shall verify that tree and shrub removal on the project site is allowed between August 1 to December 31, which is outside the normal nesting season for most raptors and other birds protected by the Migratory Bird Treaty Act. If it is necessary to conduct tree and shrub removal between January 1 and July 31, a qualified biologist must be retained by the City of Long Beach to survey the area for active nests prior to removal and to monitor the area during the removal process. In the event of discovery of active nests in an area to be cleared, protective measures shall be taken to avoid any impacts to the nests until the nesting activity is completed.
- In conjunction with the submittal of applications for rough grading permits for the proposed project, the Department of Public Works shall verify that a paleontologist who is listed on the County of Los Angeles list of certified paleontologists has been retained and will be on site during all rough grading and other significant ground-disturbing activities in paleontologically sensitive sediments. A paleontologist will not be required on site if excavation is only occurring in artificial fill.
- The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) consistent with the Guidelines of the Society of Vertebrate Paleontology (SVP 1995).

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- In conjunction with the submittal of applications for rough grading permits, the Department of Public Works, shall verify that a Los Angeles County certified archaeologist has been retained, shall be present at the pregrading conference, and shall establish procedures for temporarily halting or redirecting work if unrecorded archaeological resources are discovered during grading to permit the sampling, identification, and evaluation of archaeological materials as appropriate. If archaeological materials are identified during construction, standard professional archaeological practices shall be initiated to characterize the resources and mitigate any impacts to those resources.
- In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately.
- Grading plan review shall also be performed by the project geotechnical consultant prior to the start of grading to verify that the recommendations developed during the geotechnical design evaluation have been appropriately incorporated into the project plans. All design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the Department of Public Works prior to issuance of grading permits.
- Proposed permanent cut and fill slopes shall not exceed a surface gradient of 2:1 (horizontal:vertical). Pending future final design evaluations, granular soils shall be excluded from the outer 10 to 12 feet of any proposed slope face within the anticipated inundation area of planned detention basins, and/or this portion of the slope can be reinforced appropriately. Additional site-specific final design evaluations shall be performed by the project geotechnical consultant to evaluate the stability conditions of proposed slopes, including the surficial stability/erosion potential, and with particular regard to slopes within the planned detention basins.
- In general, proposed temporary cut slopes shall not exceed a

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gradient of 1:1 (horizontal:vertical). Pending future site-specific final design evaluations, planned construction slope excavations at a 1:1 gradient (45-degree angle) shall not exceed a height of 16 feet, and those excavated at a 1.5:1 gradient shall not exceed a height of 37 feet. Proposed temporary slope excavations in undocumented fill and alluvium adjacent to Spring Street and California Avenue shall be subject to additional site-specific exploration, testing, and stability evaluations by the project geotechnical consultant to refine and enhance the preliminary recommendations. Temporary construction slopes shall be reviewed by the project geotechnical consultant during excavation to assess and mitigate potential unanticipated structural anomalies and/or unforeseen groundwater conditions.

- Unreinforced fill slopes shall not exceed a gradient of 2:1 (horizontal:vertical). Any portion of a proposed slope with gradients steeper than 2:1 shall require appropriate reinforcement and/or installation of a retaining wall. The project geotechnical consultant shall perform additional site-specific final design evaluations of the proposed retaining walls to refine and enhance the preliminary recommendations. These evaluations shall address wall drainage and surficial stability/erosion potential of the adjoining sections of the fill slope. Geotechnical evaluations of proposed retaining walls within planned detention basins shall also include development of the appropriate geotechnical criteria for the wall design under rapid draw-down groundwater conditions.
- The surficial stability/erosion potential of the proposed graded slopes shall be evaluated by the project geotechnical consultant as a part of the geotechnical design evaluation. Best management practices (BMPs) shall be employed during construction to minimize the potential for erosion, and the project shall conform to applicable National Pollution Discharge Elimination System (NPDES) requirements and regulations. Appropriate landscape planting shall be installed as soon as is practical after completion of grading, particularly in the graded slope areas. Erosion control recommendations and design provisions shall be developed and incorporated into grading plans prepared by the project civil engineer for implementation during construction.
- Surface drainage provisions for the project shall be evaluated and designed by the project civil engineer and shall be reviewed and

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approved by the project geotechnical consultant prior to the start of grading activities.

17. Proposed  
Compensatory  
Mitigation:

Impacts are expected to be temporary and native plantings within the bioretention wetland will restore and improve wetland function.

The Willow Spring Wetland Project is a habitat creation and enhancement project and expected to be self-mitigating

18. Required  
Compensatory  
Mitigation:

The Regional Board will not require compensatory mitigation, as this is a restoration project.

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. 16-032

#### 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, 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.

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

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### Conditions of Certification File No. 16-032

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

14. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State.
15. If rain is predicted after operations have begun, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
16. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
17. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
18. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge (ROWD)** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste.
19. All project activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
20. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** (plan) to this Regional Board. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls,

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and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:

- pH
- temperature
- dissolved oxygen
- turbidity
- total suspended solids(TSS)

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to diversion and then monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

**Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month.** A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

21. The Applicant shall restore **all 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.
22. The Applicant shall submit to this Regional Board a **Final Monitoring Report** at project completion. The Final Monitoring Report shall describe in detail all of the project/construction activities performed and all restoration efforts; including percent survival by plant species and percent cover. At a minimum the Final Monitoring Report shall include the following documentation and answered appropriately whether or not mitigation has been performed:
  - (a) Consistent with the grant requirements, color photograph documentation of the site during and after implementation of Project;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;

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- (c) The overall status of project including a detailed schedule of whether or not work has begun on the Project;
  - (d) Copies of all permits revised as required in Additional Condition 1;
  - (e) Water quality monitoring results for each reach (as required) compiled in an easy to interpret 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.
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)

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Conditions of Certification  
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\_\_\_\_\_ (Title)”

25. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **16-032**. 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 the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to the City of Long Beach under NPDES No. CAS004003 and Waste Discharge Requirements Order No. 99 - 06 - DWQ. 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.
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

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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.

