

State Water Resources Control Board

December 18, 2014

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Dear Mr. Henwood:

Please find enclosed the signed Clean Water Act section 401 Water Quality Certification for the Los Padres National Forest Road Repairs Project. Please contact me if you have any questions pertaining to this certification or its attachments.

Sincerely,



Cliff Harvey, Environmental Scientist
Division of Water Quality – 401 Certification and Wetlands Unit

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State Water Resources Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION

Effective Date: December 18, 2014

Reg. Meas. ID:	397745
Place ID:	808576
SWRCB ID:	SB14004IN
Corps File No.	SPL-2014-00281-BAH

Program Type: Fill/Excavation

Project Type: Roads and Highways

Project: Los Padres National Forest Road Repair Project (Project)

Applicant: Federal Highway Administration (FHWA),
Central Federal Lands Highway Division (CFLHD)

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- You will be informed if a new designated staff contact person is assigned to your Project.
- If you have any questions, please call State Water Resources Control Board (State Water Board) Designated Staff or (916) 341-5569 and ask to speak with the 401 Certification and Wetlands Unit Program Manager.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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I. Certification Action

This Certification Order serves as a Clean Water Act (CWA) Section 401 Water Quality Certification (Certification) and responds to the request on behalf of the U.S. Department of Transportation Federal Highway Administration's Central Federal Lands Highway Division (FHWA, or Applicant) for Certification for the Project. This Certification is for the purpose and design described in the application and supplemental information submitted by the Applicant. The application for Certification was received on June 17, 2014. On July 10, 2014, the State Water Board notified the Applicant that the application was incomplete because it lacked required application information. On September 19, 2014, the Applicant submitted supplemental information intended to complete the application. All required application information was submitted by the Applicant and the application was deemed complete on September 19, 2014. The State Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 on September 22, 2014 via the State Water Board website. The State Water Board received one comment during the 36-day comment period regarding one CEQA mitigation measure.

II. Project Purpose

The Project's purpose is to maintain and stabilize existing vehicular travel routes used for recreational, commercial, and forest management access, including fire management, in the Los Padres National Forest (LPNF). The Project will repair flood and storm-related damage that occurred in December 2011 and subsequent storm events.

III. Project Description

The Project will repair or replace flood damaged National Forest system roads at 18 sites throughout the LPNF. Project elements include replacement of damaged culvert crossings, repair of road fill slumps, and addition of flow energy dissipation structures below existing concrete low water crossings.

IV. Project Location

The 18 project sites are dispersed throughout the LPNF as shown in Attachment A, Project Area Map. Additional location information is provided in Attachment B.

V. Receiving Waters Information

Definition "Waters of the United States" means surface water and water bodies as defined by United States Environmental Protection Agency (USEPA) regulations (40 C.F.R. § 122.2). This definition, which establishes the limits of federal jurisdiction over state waters, does exclude some surface water and water body types recognized under the California Water Code (Water Code). The latter defines "waters of the state" more broadly as "any surface water or ground water, including saline waters, within the boundaries of the state." [Wat. Code, § 13050, subd. (e)]. Waters of the state that fall outside of federal jurisdiction are nonetheless fully protected under the Water Code.

According to California Code of Regulations, title 23, section 3831, a "water quality certification" means a certification that any discharge or discharges to waters of the United States, resulting from an activity that requires a federal license or permit, will comply with water quality standards and other appropriate requirements. As such, this Certification is issued in response to a proposed Project discharge or discharges to waters of the United States, and ensures that the water quality standards for all waters of the state impacted by the

Project are met. Discharges shall be delineated according to U.S. Army Corps of Engineers' (Corps) delineation methods.

The Project is located within the jurisdiction of the Central Valley and Los Angeles Regional Water Quality Control Boards (Regional Water Boards). The receiving waters and beneficial uses of those waters potentially impacted by this Project are outlined in water quality control plans (Basin Plans) for the regions and other plans and policies which may be accessed online at: http://www.waterboards.ca.gov/plans_policies/.

Receiving waters and beneficial uses of waters of the state that are potentially impacted by the Project are presented in Attachment B, Table B.1.

VI. Project Impacts

This Certification authorizes direct permanent and temporary impacts to waters of the state associated with the Project to the 18 sites described above. Individual impact locations and impact amounts are presented in Table B.2 of Attachment B.

Total Project dredge (excavation) quantities for all impacts are summarized in Table 1.

Table 1: Total Project Dredge (Excavation) Information						
Resource Type	Temporary			Permanent		
	Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
Lake						
Ocean						
Riparian Zone						
Stream Channel	0.098	0.000*	637	0.007	0.000	259
Vernal Pool						
Wetland						
*All temporary and permanent excavation involves removal and replacement of existing fill with minimal change, so cubic yards impacts are reported as zero.						

VII. Mitigation

Projects receiving certification from the State Water Board that authorize impacts to waters of the state must demonstrate the Project design has avoided and minimized impacts to waters of the state to the maximum extent practicable. Permanent impacts due to Project implementation were examined in the field and found to be negligible in area and in effect to stream and watershed function. In addition, the proposed road repairs will improve the function of existing forest roads through remediation of erosion hazards, and thus provide a net benefit to the affected streams. Compensatory mitigation is therefore not required.

The Applicant will avoid and minimize direct impacts to waters of the state through implementation of various measures including standard federal best management practices (BMPs), additional water and wildlife protection mitigation measures as described in the Project's CEQA documentation, and the conditions of this Certification.

All areas subject to temporary impacts to Waters of the U.S. and associated riparian areas will be restored to original landform and function at a 1:1 ratio. No compensatory mitigation for temporary impacts is required.

VIII. Certification Fees

According to the State Water Board's *Billing Guidelines For Federal Facilities* (as revised September 12, 2006), fees are not required for this federal undertaking on federal lands.

IX. California Environmental Quality Act (CEQA) Findings

On September 27, 2014, the State Water Board provided notice of intent to adopt a mitigated negative declaration (MND) (State Clearinghouse (SCH) No. 2014091071) for the Project. (Cal. Code Regs., tit. 14, § 15072) The Initial Study, MND, and the findings contained therein, reflect the State Water Board staff's independent judgment and analysis. Changes or alterations have been required in, or incorporated into the Project which avoid or substantially lessen the significant environmental effects as identified in the MND. Pursuant to California Code of Regulations, title 14, section 15097, the State Water Board has adopted a program for monitoring or reporting on the revisions required, and the adopted measures imposed, to mitigate or avoid significant environmental effects in the Project. A more complete review of specific impacts, mitigation measures, findings and Notice of Determination are presented in Attachment C. The Mitigation and Monitoring Reporting Program (MMRP) is hereby incorporated by reference and included in Attachment D of this Certification. After considering the environmental document and comments received during the public review process, the State Water Board staff hereby determines that the proposed Project with mitigation measures will not result in a significant effect on the environment.

The Mitigated Negative Declaration is hereby adopted. The environmental document and other materials, which constitute the record, are located at the State Water Board Division of Water Quality 401 Certification and Wetlands Unit. In accordance with California Code of Regulations, title 14, section 15075, State Water Board staff will file a Notice of Determination with the SCH within five (5) days from the issuance of this Order.

X. Reconsideration of Water Quality Certification

Any person aggrieved by this action of the State Water Board may petition the State Water Board to reconsider the action in accordance with California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition on or before 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or State holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the laws, regulations, and procedures applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

XI. Conditions

The State Water Board has independently reviewed the record of the Project to analyze impacts to the environment, water quality, and designated beneficial uses within the watersheds of the Project. In accordance with this Order, the Applicant may proceed with the Project under the following terms and conditions.

A. Standard Conditions

1. This Certification action and Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, chapter 28, article 6 (commencing with section 3867).
2. This Certification action and Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent Certification application was filed pursuant to subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Certification is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Applicant.
4. 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 and federal law. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties, processes, 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 Order.

B. General Conditions

1. Signatory requirements for all document submittals required by this Certification are presented in Attachment E of this Certification.
2. A copy of this Certification shall be provided to any contractor and all subcontractors conducting the construction work, and copies shall remain in their possession at the Project site during the life of the Project. The Applicant shall be responsible for work conducted by its contractor and any subcontractors.
3. A copy of this Certification, the application, and all supporting documentation must be available at the Project sites during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Certification and its posted location at the Project site.
4. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Regional Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The State Water Board may impose additional monitoring requirements at any time in order to ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
5. The Applicant must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Certification; and all subsequent submittals required as part of this Certification. The conditions within this Certification and attachments supersede conflicting provisions within Applicant submittals.

C. Administrative Conditions

1. The State Water Board reserves the right to suspend, cancel, or modify and reissue this Certification, after providing notice to the Applicant, if the State Water Board determines that the Project fails to comply with any of the terms or conditions of this Certification.
2. The State Water Board may add to or modify the conditions of this Certification, as appropriate, to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or Clean Water Act section 303 (33 U.S.C. § 1313).
3. This Certification Order and all of its conditions contained herein are not subject to the expiration or retraction of the Clean Water Act section 404 (33 U.S.C. § 1344) permit issued by the Corps for this Project. This Certification Order and all of its conditions contained herein shall remain in full effect, and are enforceable until deemed complete by the State Water Board. For purposes of Clean Water Act, section 401(d), the completion of all conditions contained in this Certification Order constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.
4. This Certification does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Certification held by the Applicant, the Applicant must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Applicant is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Certification.
5. The Applicant shall grant Water Boards staffs, or authorized representatives (including an authorized contractor acting as a Water Boards representative), upon presentation of credentials and other documents as may be required by law, permission to:
 - a. Enter upon the Project sites where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and
 - d. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance.
6. This Certification is not transferable in its entirety or in part to any person or organization except after notice to the State Water Board in accordance with the following terms:
 - a. **Transfer of Property Ownership:** The Applicant must notify the State Water Board of any change in ownership of the Project area, prior to transferring ownership of the Project area. Notification of change in ownership must include, but not be limited to,

- a statement that the Applicant has provided the purchaser with a copy of the CWA § 401 Water Quality Certification and that the purchaser understands and accepts the Certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the State Water Board no less than thirty (30) days prior to the transfer of ownership. The new owner, or transferee, must also submit a written request to the State Water Board to be named as the Applicant in a revised Certification and/or WDR.
- b. Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the State Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the State Water Board no less than thirty (30) days prior to the transfer of the mitigation responsibility.
 - c. Transfer of Post-Construction BMP Maintenance Responsibility:** The new Applicant (transferee) is required to assume responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the original Applicant and the transferee must submit to the State Water Board a copy of such documentation, and the original Applicant shall provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications and/or standard industry practices. The Applicant shall provide such notification to the State Water Board no later than thirty (30) days prior to the transfer of BMP maintenance responsibility.
 - d. Transferee Responsibility:** Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the original Applicant of this Certification of all responsibilities in the event that a transferee fails to fully comply with the conditions of this Certification.

D. Construction Conditions

- 1. Water Quality BMPs and Specifications:** Standard federal practices (BMPs) and specifications for protection of water quality, as required in the LPNF Forest Plan,¹ shall be in effect for all phases of project activity (as noted in parentheses below). Key elements of those specifications include:
 - a.** Areas beyond the construction limits shall not be disturbed. Trees, shrubs, or vegetated areas damaged by construction operations shall be replaced in

¹ "FP" means *Standard Specifications For Construction Of Roads And Bridges On Federal Highway Projects FP-03 U.S. Customary Units U.S. Department Federal of Transportation, Federal Highway Administration, Federal Lands Highway* during construction (available at: <http://flh.fhwa.dot.gov/resources/pse/specs/fp-03/fp-03usc.pdf>).

accordance with LPNF requirements. Any damaged limbs of existing trees shall be removed by an approved arborist (FP-03; Section 107.02).

- b.** Mechanized equipment shall not operate or otherwise discharge or place any material within the wetted perimeter of any waters of the state except as specifically authorized in this Certification (FP-03; Section 107.10).
- c.** Any culvert placed within a stream where aquatic species may occur, shall be designed, constructed and maintained such that it does not constitute a barrier to upstream or downstream movement of aquatic life, or cause an avoidance reaction by species that impedes their upstream or downstream movement (FP-03; Section 107.10).
- d.** Work areas, including material sources, shall be separated from waters of the state by the use of a dike or other suitable barrier that prevents sediment, petroleum products, chemicals, or other liquid or solid material from entering the waters. Barriers shall be constructed and removed in a manner that will avoid any discharge of material into, or the siltation of, the water. Sediment or other material collected by the barrier shall be removed and properly disposed of (FP-03; Section 107.10).
- e.** Installation of new poured-in-place concrete structures will occur when creek beds are dry and no significant seepage of concrete solids or fluids to subsurface waters (i.e., near surface ground waters) is expected. No concrete or any cement product may be poured if measurable rain is forecasted within fifteen (15) days. If any concrete is poured during the rainy season (between November 1 and April 30), a quick cure ingredient should be added to the concrete mix to ensure a faster set or drying time. Cement and concrete should not be poured within 150 feet of a stream during the rainy season. To reduce the potential for significant adverse impacts to streams, water, or biota, concrete or cement products shall not be poured in or near a flowing stream, without prior approval. To prevent the release of materials that may be toxic to fish and other aquatic species, the poured concrete structure(s) should be isolated (e.g. temporary dewatering and diversion of stream flows, cofferdams, etc) from the water and allowed to dry/cure for a minimum of 30 days. As an alternative, the applicant may monitor the pH of any water that has come into contact with the poured concrete. If this water has a pH of 9.0 or greater, the water should be pumped to tanker truck or to a lined off-channel basin and allowed to evaporate or be transported to an appropriate facility for disposal. During the pH monitoring period, all water that has come in contact with poured concrete should be isolated and not allowed to enter the water or otherwise come in contact with fish and other aquatic resources. The water should be retested until pH values become less than 9.0. Once this has been determined, the area no longer needs to be isolated. A non-toxic substance that can buffer the pH should be made available on site to use if any contamination to water occurs (FP-03; Section 107.10).
- f.** Vehicles shall not be driven or equipment operated in water covered portions of a stream, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed (FP-03; Section 107.10).
- g.** Oaks will be avoided wherever feasible. No equipment should be operated within the dripline of oaks that can be avoided. Protective fencing should be placed around the dripline of oaks to prevent compaction of the root zone (FP-03; Section 107.10).

- h. When leaks of any fluids are detected on any mechanical equipment, operation of that equipment shall cease immediately. Leaks on equipment shall be repaired immediately, or the equipment shall be removed from the Project site. A supply of acceptable absorbent materials shall be kept and maintained at the Project site in the event of spills. Acceptable absorbent materials are those that are manufactured specifically for the containment and clean up of hazardous materials (FP-03, Section 107.10).
 - i. Staging/storage areas for equipment and materials shall be located outside of the any waters of the state (FP-03, Section 107.10).
 - j. Placement of stationary equipment such as motors, pumps, generators, and welders, in any delineated waters of the U.S. shall be avoided to the greatest feasible extent, even if surface water is not present. When such placement is unavoidable, equipment shall be positioned over drip pans or other containment devices (FP-03, Section 107.10).
 - k. The clean-up of all spills shall begin immediately. If vacuum trucks or pumps are used to clean up any contamination in water, or for any other use, the vacuum hose should be placed in a 3 to 4 square foot area, protected on all side by exclusionary fencing to lower velocities and to prevent the uptake of any aquatic life (FP-03, Section 107.10).
 - l. If welders are used, fire suppression equipment shall be on site at all times the welder is being used (FP-03, Section 107.10).
2. **Fire Plan:** The Applicant shall comply with fire prevention and suppression practices described in the *Fire Plan For Construction And Service Contracts*. This plan is included in Attachment D, the Project MMRP.
3. **Erosion and Sediment Control BMPs:** The Applicant shall ensure that effective pre- and post-construction erosion and sediment control practices are implemented throughout the Project. Erosion and sediment control plans for the Project were developed, and shall be implemented, based on the Federal Highway Administration – Central Federal Lands Highway Division (FHWA-CFLHD) Project Development & Design Manual (PDDM). FHWA-CFLHD or its Contractor(s) are required to develop and submit a Storm Water Pollution Prevention Plan (SWPPP) prior to beginning any work. General guidance for these plans is provided in *Erosion and Sediment Control BMPs*, included in the Project MMRP (Attachment D).
4. **Dewatering Plan:** The Applicant shall obtain approval of a dewatering plan by the State Water Board before commencement of any work in standing or flowing water.

E. Surface Water Monitoring Conditions

Surface water monitoring conditions shall be addressed in any dewatering plans presented by the Applicant for approval to the State Water Board.

F. Mitigation Conditions for Temporary Impacts

1. **Temporary Impacts:** The Applicant shall restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge of pollutants to waters of the state in accordance with the MMRP and BMPs. Restoration shall include grading of disturbed areas to pre-project contours and re-vegetation with plant species native to the Project area. The Applicant shall implement all necessary BMPs to control erosion and runoff from areas associated with the Project as described in the standard federal guidelines provided with the application and CEQA documentation.
2. **Temporary Impacts:** Mitigation construction for temporary impacts shall be completed within thirty (30) days following completion of Project activity at the individual project impact sites to be restored (i.e., the mitigation locations). This period may be extended to accommodate proper planting times.
3. **Notice of Restoration and Mitigation Completion:** Once the Applicant has determined that the performance standards specified in the MMRP have been achieved for a restored temporary impact location, the Applicant shall submit a notice of restoration completion, for approval, to the State Water Board. After approval of the notice of restoration completion in writing by the State Water Board, the Applicant's submittal of annual compensatory mitigation monitoring reports for that location is no longer required.

G. Violations and Non-Compliance

1. The Applicant shall report any noncompliance which may endanger human health or the environment. Any such information shall be communicated to the designated staff person by telephone message and email within twenty-four (24) hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five (5) calendar days of the time the Applicant becomes aware of the circumstances. The written submission shall contain the following: a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times; the anticipated time until the noncompliance will be corrected, if not already corrected; and steps taken or planned to be taken to reduce, eliminate, and prevent recurrence of the noncompliance. The State Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
2. Except for a discharge that is made in compliance with this Certification, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the state, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Counties of Ventura or Santa Barbara, in accordance with California Health and Safety Code section 5411.5, and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to Government Code title 2, division 1, chapter 7, article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.

3. Except for a discharge that is made in compliance with this Certification, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the state, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the state, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan.
4. Failure to comply with any condition of this Certification shall constitute a violation of the Clean Water Act and the Porter-Cologne Water Quality Control Act. Any such Certification previously granted shall immediately be revoked, and any or all discharges shall cease. The Applicant and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
5. In response to a suspected violation of any condition of this Certification, the State Water Board may require the holder of this Certification to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provide that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

H. Certification Deviation Condition

Minor modifications of Project locations or predicted impacts may be necessary as a result of unforeseen field conditions, necessary engineering re-design, construction concerns, or similar reasons. Some of these prospective Project modifications may have impacts on water resources. Some modifications of Project locations or predicted impacts may qualify as Certification Deviations. For purposes of this Certification, a "Certification Deviation" is a Project locational or impact modification that does not require an immediate amendment of the Certification, because the State Water Board has determined that any potential water resource impacts that may result from the change are sufficiently addressed by the Certification conditions and the MND. Project modification that warrant or necessitate changes to Certification conditions that are not addressed by existing environmental documents will require an amendment to this Certification and do not qualify for the Certification Deviation procedures set forth in Attachment F of this Certification. After the termination of construction, this Certification will be amended to reflect all authorized Certification Deviations and any resulting adjustments to the amount of water resource impacts and required compensatory mitigation amounts.

I. Project Construction Reporting and Notification Requirements

1. All Project reporting and notification documents shall include a completed cover letter page found in Attachment G of this Certification.
2. Electronic notification, and document submittal, via email is preferred; however, notification may be via facsimile (Fax) or delivered written notice unless oral notification is required in conditions herein. Include in the subject line of any email the: Project name, Certification Regulatory Measure ID (Reg. Meas. ID), and Place ID, all of which are located on the cover page and header of this Certification.

3. Reports may be submitted via email to the designated staff contact, by fax to (916) 341-5463, or by mail or delivery to:

ATTN: Manager, c/o [*designated staff contact*]
CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
1001 I Street 15th Floor
P.O. Box 100
Sacramento, CA 95814

4. The Applicant shall give advance notice to the State Water Board of any planned changes in the Project which may result in noncompliance with Certification conditions or requirements.
5. State Water Board staff shall be notified if Project implementation as described in the 401 Water Quality Certification application is altered by the imposition of subsequent permit conditions by any local, state or federal regulatory authority. The Applicant shall inform State Water Board staff of any modifications that interfere with compliance with this Certification.
6. The Applicant shall notify the State Water Board, in writing, a minimum of seven (7) days prior to the commencement of any ground disturbing or grubbing activities, with details outlining the Project construction schedule.
7. Construction Annual Status Reports: Following the issuance of this Certification the Applicant shall submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the State Water Board prior to December 31 of each year following the issuance of this Certification (except December 31, 2014), until the Project has reached completion. At a minimum, the report must include the following information:
 - a. The Certification Regulatory Measure ID (Reg. Meas. ID) and Place ID (both of which are located on the cover page and header of this Certification);
 - b. The names, qualifications, and affiliations of the persons contributing to the report;
 - c. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices for erosion and storm water quality treatment;
 - d. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
 - e. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
8. The Applicant shall notify the State Water Board no later than seven (7) days after completing the Project construction activities. State Water Board staff may inspect the

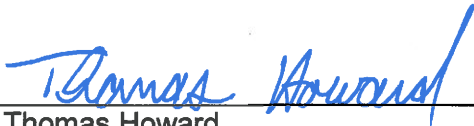
Project for compliance with this Certification prior to the Applicant submitting the Project Completion Report.

9. Project Completion Report: The Applicant must submit a Final Project Completion Report to the State Water Board within thirty (30) days of completion of the Project construction activities. At a minimum, the final report must include the following information:
- a. The Certification Regulatory Measure ID (Reg. Meas. ID) and Place ID (all of which are located on the cover page and header of this Certification);
 - b. Date of construction initiation;
 - c. Date of construction completion;
 - d. BMP installation and operational status during the Project and post construction;
 - e. As-built drawings of the Project, no bigger than 11"X17";
 - f. Photo documentation of implemented post-construction BMPs. Photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points.

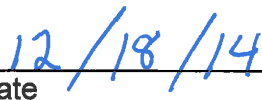
XII. Water Quality Certification

I hereby issue the Certification for the Los Padres Road Repair Project, SB 14004IN, certifying that as long as all of the conditions listed in this Certification are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act 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). This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes this Certification to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.).

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Certification and the attachments to this Certification, and (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, the Regional Water Boards' Water Quality Control Plans and Policies, and the MND for the Project.



Thomas Howard
Executive Director
State Water Resources Control Board



Date

Attachment A	Project Area Maps and Figures
Attachment B	Receiving Waters and Beneficial Uses
Attachment C	CEQA Findings
Attachment D	Mitigation Monitoring and Reporting Plan
Attachment E	Signatory Requirements
Attachment F	Certification Deviation Procedure
Attachment G	Notification Cover Letter