David Hutchins
Centex Homes Corporation
27101 Puerta Real, Suite 300
Mission Viejo, California 92691

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 2820 0001 6537 9331

WATER QUALITY CERTIFICATION FOR PROPOSED STERLING PROJECT (Corps' Project No. 2003-00370-AOA), DAYTON CANYON CREEK, TRIBUTARY TO THE LOS ANGELES RIVER, CITY OF WEST HILLS, LOS ANGELES (File No. 10-177)

Dear Mr. Hutchins:

Board staff has reviewed your request on behalf of Centex Homes (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on April 8. 2013.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Please read this entire document carefully. The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Dana Cole, Section 401 Program, at (213) 576-5733.

Samuel Unger

Samuel Unger, P.E.
Executive Officer

10-17-13
Date

ATTACHMENT A

Project Information
File No. 10-177

1. Applicant:

David Hutchins
Centex Homes Corporation
27101 Puerta Real, Suite 300
Mission Viejo, California 92691

Phone: (949) 330-8536 Fax: (949) 623-3701

2. Applicant's Agent:

David Hughes
Bon Terra Consulting
3452 E. Foothill Boulevard, Suite 420
Pasadena, California 91107

Phone: (626) 351-2000 Fax: (626) 351-2030

3. Project Name:

Sterling Development Project

4. Project Location:

Community of West Hills, City of Los Angeles

Latitude (Decimal Degrees)	Longitude (Decimal Degrees)
34.219231	118.646650
34.222188	118.646835
34.222185	118.651017
34.222611	118.650940
34.222716	118.651092
34.223037	118.650948
34.223543	118.651470
34.223593	118.653050
34.222185	118.652340
34.221736	118.652737
34.221526	118.653906
34.220764	118.653912
34.220932	118.654534
34.221748	118.654508
34.222897	118.657325
34.222953	118.658436
34.217035	118.658320
34.217511	118.655897

In addition, Centex Homes Corporation will implement the following to minimize potential water quality issues:

- Polypropylene catch basin filter inserts will be installed at each on-site catch basin location (twenty in total). The catch basin filters are designed to remove debris, sediment, petroleum hydrocarbons, and heavy metals, and will be maintained to manufacturer specification, including cleaning and replacement by the Sterling Homeowner's Association.

- Energy dissipaters will be installed at outlet points into Dayton Creek or at points where drainage outlets (v-ditches and subterranean storm drains) interface with streambed areas to reduce flow velocity and to minimize erosion of the bed and bank.

- Velocity dissipation devices will be utilized.

Six debris basins will be constructed; one debris basin will be constructed within waters of the state and U.S. in the southwest corner of the project site, five others constructed in upland areas and a 0.4-acre water infiltration basin will be constructed near the downstream end of Dayton Creek.

The water infiltration basin is designed to capture the first-flush storm runoff allowing it to percolate into the ground rather than the storm drain system. The infiltration basin will be constructed outside of waters of the U.S. and state. The basin will be approximately 140 feet long by 140 feet wide by 8 feet deep. It will filled with boulders for stability, covered with Pyramat-brand geotextiles and then semi-compacted with fill (to 90%), and then vegetated with native species. Water will enter the basin through subterranean pipes in two locations.

A portion of Dayton Creek in the middle of the project site will be temporarily impacted to facilitate the creation of an emergency access road that will run along the southern edge of Dayton Creek. Soil will be excavated in areas either adjacent to, or within, the creek for the construction of a retaining wall that will support the emergency access road to the western portion of the site. Construction of the retaining wall will require excavation into

activities are described in detail in the Debris Basin Maintenance Plan to maintain basin functionality and would consist of: (1) removing vegetative debris (i.e., branches, fallen trees); (2) removing or trimming trees; (3) performing regular removal of vegetation for compliance with the City of Los Angeles Fire Code: (4) maintaining areas around the standpipe to prevent clogging; (5) removal of excess sediment; (6) maintaining access roads or other structures; (7) storm damage repair; and (8) emergency maintenance activities.

An Environmental Site Assessment Report was prepared as part of the Environmental Impact Report (EIR) process in 1998. At that time hazardous substances were not detected. In response to community concerns from possible contaminants from the nearby Boeing Santa Susana Field Laboratory, Allwest Remediation, Inc. was contracted in May 2005 to conduct soil and sediment testing within the property boundary. In the center of the site within the surface soils of the Creek unusually high levels of perchlorate were detected. Subsequent soils testing along the Creek bed has detected perchlorate in a number of areas.

The California Department of Toxic Substance Control conducted a Preliminary Endangerment Assessment (PEA) and Radiological Characterization of Dayton Canyon with environmental investigations from September 2005 to April 2006 and identified no significant health risks and concluded that no further action was necessary.

Approximately 3.5 acres of southern mixed chaparral and 0.8 acre of riparian coast live oak woodland will be avoided during grading activities. It is expected that the Homeowners Association (to be established) will maintain these areas, in addition to all graded slopes that will be utilized for mitigation activities, as permanent open space.

An additional 296.8 acres of open space, located adjacent to the project site, will be dedicated to the Santa Monica Mountains Conservancy for permanent conservation.

The current project schedule includes vegetation removal in Fall 2013 after the bird nesting season, with rough grading activities to begin in Spring 2014, after the seasonal rainy period. Rough

- Existing vegetation will be preserved to the extent possible within and adjacent to streambed areas for soil stabilization purposes.

- A combination of hydraulic mulch, hydroseeding, soil binders, straw mulch, and geotextiles will be used on exposed slopes for stabilization throughout the project site.

- Silt fences will be installed at the downhill limits of grading for sediment control purposes.

- Sediment basins and traps will be constructed at the downstream end of Dayton Creek to allow sediment to settle out before water leaves the site.

- Slope drains will be used to direct water flows away from unstable areas.

- Temporary check dams will be created using sand bags and will be installed along all asphalt surfaces.

- Street sweeping and vacuuming will be performed regularly along all paved surfaces to minimize potential sediment that may erode during wind and rain events.

- Sandbag barriers will be used to prevent water flow from paved areas or equipment storage and maintenance areas.

- Storm drain inlets will be protected by installing sand bags along all storm drain inlets throughout the project.

- Wind erosion control measures will include the use of water trucks to wet dirt construction roads and earth-moving activities will be minimized during high wind days which by performing the following:

  All active construction areas or on-site dirt or debris stockpiles will be covered or watered at least twice daily;

  Unpaved parking and staging areas will be watered four times daily;

  All operations on unpaved surfaces will be suspended if

U.S.

17. Required Compensatory Mitigation:	The Applicant shall provide 0.24 acres of restoration in the southern bank of Dayton Creek, 1.13 acres of enhancement of Dayton Creek and preservation of 1.57 acres of waters of the U.S dedicated to the MRCA for impacts to waters of the U.S. and state in accordance with the *Draft Riparian Habitat Mitigation Plan* submitted to this Regional Board on February 11, 2013. The re-contouring and revegetating the southern bank of Dayton Creek mitigates for the temporal loss of Dayton Creek at a 1:1 mitigation ratio. The enhancement of Dayton Creek through the removal of nonnative trees mitigates for permanent loss of waters at a 4.9:1 mitigation ratio. See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

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 and/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, at (213) 620-6119 for further information.

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

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, 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.

    The Applicant shall submit a **Monitoring Report File No. 10-177** for the results of the analyses, and shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A summary of the results shall include and discuss:

    - copies of the chain-of command forms used
    - the name and license of the laboratory (if used)
    - monitoring results
    - if any downstream monitored constituent levels were higher than upstream
    - a map or drawing indicating the locations of sampling points.

    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 the proposed **0.24 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 in accordance with the *Draft Riparian Habitat Mitigation Plan* submitted to this Regional Board on February 11, 2013. Restoration shall include grading of disturbed areas to pre-project contours and revegetation

(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.

25. 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.

26. 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)"

27. The Applicant shall ensure a Report of Waste Discharge (RoWD) be filed for the proposed project, should any person discharge waste, or propose to discharge waste, other than into a community sewer system, which could affect the quality of the waters of State per Section 13260(a) of the California Water Code. Please note that the Applicant is required to file a complete RoWD/Form 200 with this Regional Board at least 120 days prior to commencing the discharge from the prop0sed project.

(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.

35. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.