



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Ms. Julie Allen, P.E
City of Los Angeles
1149 S. Broadway, Suite 600
Los Angeles, CA 90015

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7011 2970 0000 0645 4875

WATER QUALITY CERTIFICATION FOR PROPOSED MACHADO LAKE ECOSYSTEM REHABILITATION PROJECT (Corps' Project No. 2012-00460), LOS ANGELES HARBOR, PACIFIC OCEAN, CITY OF LOS ANGELES, LOS ANGELES COUNTY (File No. 12-054)

Dear Ms. Allen:

Board staff has reviewed your request on behalf of the City of Los Angeles (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on December 4, 2012

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 CarrilloZara, Lead, Section 401 Program, at (213) 576-6759.

Samuel Unger
Samuel Unger, P.E.
Executive Officer

Aug. 29, 2013
Date

DISTRIBUTION LIST

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Los Angeles, CA 90053-2325

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Peter Beck (via electronic copy)
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ATTACHMENT A

Project Information
File No. 12-154

1. Applicant: Julie Allen, P.E
City of Los Angeles
1149 South Broadway
Los Angeles, CA 90015

Phone: (213) 485-1454 Fax: (213) 847-0656

2. Applicant's Agent: Jeff Thomas
ICF International
620 Folsom Street, 2nd Floor
San Francisco, CA 94107

Phone: (415) 677-7156 Fax: (415) 677-7177

3. Project Name: Machado Lake Ecosystem Rehabilitation Project

4. Project Location: Los Angeles, Los Angeles County

<u>Latitude</u>	<u>Longitude</u>
33.790731	118.285929
33.788636	118.285734
33.788345	118.290011
33.785320	118.292818
33.783965	118.291105
33.782107	118.294452
33.783535	118.296871
33.785890	118.296656
33.788781	118.293581
33.790584	118.291331

5. Type of Project: Ecosystem Restoration and Water Quality Improvement

6. Project Purpose: The Machado Ecosystem Project, funded under City of Los Angeles Proposition O, will provide water quality improvement measures designed to achieve TMDL targets in Machado Lake and the Los Angeles Harbor, as well as, improve habitat for fish and aquatic invertebrates, and includes terrestrial restoration to increase the quality of native habitat, and encourage inhabitation by special status and nesting bird species.

7. Project Description: The first part of the proposed project (Project 1) will include

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sediment dredging, underwater capping with Aquablok® and sand, sediment basin construction, treatment wetland installation, phosphorus removal, and installation of a hydrodynamic separator system. In order to improve habitat and result in a net increase in aquatic and wetland habitat in and around Machado Lake, the following will be implemented: lake-edge aquatic habitat restoration, floating habitat islands, removal of invasive plants, southern willow scrub creation and restoration, and wetland creation and enhancement.

Laydown areas for sediment dewatering, temporary dewatering to construct an In-Lake Sediment Basin, temporary access to construct project 77 storm drain bioswale, temporary access to construct project 510-Line C storm drain bioswale, temporary access to remove sediment south of the Machado Lake Dam, temporary access within non-wetland waters for habitat restoration and enhancement activities, and temporary access within jurisdictional waters for habitat restoration and enhancement activities will be established.

The saturated dredged sediment will be dewatered using geotextile dewatering tubes or other mechanical dewatering process within designated laydown areas and returned to the lake. The return water will be tested and treated prior to being discharged back into the lake.

Additional activities that will not include permanent fill, excavation, or access within waters will include southern tarplant creation/enhancement, mule fat scrub restoration, coastal sage scrub creation, one-time application of alum to bind phosphorus, an optional installation of an oxygenation system, dam improvements, and installation of a recycled water line for future use.

The littoral zone will extend for 31 feet from the water's edge as shown in Sheet C-118 to Attachment A to the Clean Water Act Section 401 application for Project 1 dated June 1, 2012. The slope of the underwater lake edge will be 7:1 (horizontal to vertical) for 21 feet, resulting in water depth increasing from 0 to 3 feet deep. The remaining 10 feet of the littoral zone will be a flat shelf. This 10 feet of littoral zone will be capped with a minimum of 15 inches of layer of clean, non-saline, loamy-sand. The substrate will then be contoured at a 5:1 slope for 25 feet to meet the lake bottom elevation and final water depth of 6 feet. The remainder of the lake

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bottom will be flat.

The Machado Ecosystem Project, Project 1, will be constructed as described in Attachment A and Attachment B to the Clean Water Act Section 401 application for Project 1 dated June 1, 2012, except that a minimum 6-inch layer of clean, non-saline, loamy-sand will be provided for aquatic habitat on the Lake bottom. A final 6-foot water depth in the Lake will be achieved and maintained.

The 6-foot depth will ensure compliance with the Machado Lake Nutrients TMDL according to the modeling described in the revised Machado Lake Water Quality Management Plan.

The second part of the proposed project (Project 2) will include structural support pilings for six piers, asphalt and concrete pedestrian paths, a pedestrian path in the South Marsh, a boat ramp, trench drain bioswales and rip-rap outlets.

In addition, storm drain D24010 will be reshaped, the outfall of Figueroa Drain will be improved and the drainage from Figueroa Drain to the Harbor Outfall will be cleaned.

The Machado Ecosystem Project, Project 2, will be constructed as described in Attachment A to the Clean Water Act Section 401 application for Project 2 dated June 1, 2012.

- | | |
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| 8. Federal Agency/Permit: | U.S. Army Corps of Engineers
Permit No. 2012-00460-BM |
| 9. Other Required
Regulatory Approvals: | California Department of Fish and Game
Lake Streambed Alteration Agreement |
| 10. California
Environmental Quality
Act Compliance: | The City of Los Angeles approved the project's Final
Environmental Impact Report (SCH No. 2009081093) on
September 28, 2010. |
| 11. Receiving Water: | Machado Lake (Hydrologic Unit No. 405.12) |
| 12. Designated Beneficial
Uses: | MUN*, REC-1, REC-2, WARM, WILD, RARE, WET

*Conditional beneficial use |

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13. Impacted Waters of the United States:

Project 1:

Federal jurisdictional wetlands: 3.80 temporary and 2.48 permanent acres

Non-wetland waters (streambed): 0.002 permanent acres

Lake/Reservoir: 10.47 temporary and 38.30 permanent acres

Project 2:

Federal jurisdictional wetlands: 1.18 temporary and 0.122 permanent acres

Non-wetland waters (streambed): 0.745 temporary and 0.006 permanent acres

Lake/Reservoir: 0.093 temporary and 0.022 permanent acres

14. Dredge Volume:

Approximately 216,700 cubic yards of lake bottom sediments.

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

The Wilmington Drain Multi-Use Project (File No. 10-181) began on March 14, 2012 and will continue until the anticipated completion in June 2017. The Wilmington Drain project is also being funded under City of Los Angeles Proposition O, and both projects are managed by the City of Los Angeles Bureau of Engineering. The consultant team is also the same. Both projects were evaluated under the same EIR, and most background documents (such as the Jurisdictional Delineation Report and many biological survey reports) were developed for both projects jointly. Both projects have the same overall purpose, which is to meet TMDLs and improve the beneficial uses of Machado Lake, the Dominguez Watershed, and Long Beach Harbor. Wilmington Drain is connected hydrologically to Machado Lake via the riparian woodland north of Machado Lake. Both projects will result in an overall net benefit to designated beneficial uses and include water quality improvement measures, habitat creation, restoration, and enhancement, as well as, improved recreational opportunities for local residents. The Machado Lake Ecosystem Restoration project includes wetland creation mitigation for impacts to wetland waters of the U.S./State associated with the Wilmington Drain project.

The Applicant has not identified any other related projects carried

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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:

- Project implementation of the Machado Lake Component shall be timed in such a way as to avoid impacts on foraging California least tern from the Los Angeles Harbor nesting colony, which occurs approximately between May and September. Lake dredging and recontouring shall be conducted in such a manner that the mosquitofish population is not significantly reduced and is available to foraging terns. It is estimated that limiting dredging or other project activities to no more than 50 percent of the lake with a 100-meter buffer from the 50 percent diversion between June 7 and August 15 would be enough to maintain tern foraging.
- To avoid and minimize impacts to water quality the following will be implemented during construction: turbidity control curtains, treatment of return water, lake edge erosion control measures, slope stabilization, revegetation of temporary disturbed areas, separation of treatment wetland from the underlying aquifer.
- All trash shall be properly stored.
- Vehicles and equipment shall be stored only on pre-designated staging areas in disturbed or developed areas.
- All maintenance of vehicles and equipment shall be conducted in a manner such that oils and other hazardous materials shall not discharge into Machado Lake, wetlands, or riparian habitat areas.
- Dust control measures shall be implemented to minimize the dust settling on vegetation.
- Appropriate firefighting equipment (e.g. extinguishers, shovels, water tankers) shall be available onsite during all phases of project construction and appropriate fire prevention measures shall be taken to help minimize the chance of human-caused wildfires.
- All construction shall be performed between dawn and dusk to the degree feasible to minimize potential indirect effects (e.g. increased

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depredation) on the species beyond the limits of disturbance.

- Prior to removal of freshwater marsh habitat associated with the Machado Lake Component, a Freshwater Marsh Management Plan shall be prepared that documents the location and total amount of freshwater marsh habitat that will be permanently and temporarily removed, as well as the amount of freshwater marsh that will be restored. It shall detail the phasing of freshwater marsh removal and restoration (at a 1:1 ratio) from around the perimeter of the lake.
- To the extent practicable, both lake edge recontouring and revegetation shall be completed in a phased approach, allowing for freshwater marsh to re-establish in some areas prior to removal in other areas. The phasing schedule shall be coordinated such that areas occupied by sensitive bird species shall not be affected during the breeding season (February 1 through August 31). Other species' specific avoidance measures shall be provided dependent on the species present and location.
- The Freshwater Marsh Management Plan shall include monitoring of the marsh bird species present during after project implementation and after project implementation for a minimum of 3 years.

17. Proposed Compensatory Mitigation:

The Applicant has proposed the following wetland creation as part of the overall restoration project.

Phase 1:

Wetland Creation:

Wetland 2 – 0.73 acre

Wetland 3 – 1.71 acre

Wetland 4 – 0.50 acre

Wetland 5 – 0.10 acre

Wetland 6 – 0.35 acre

Wetland Enhancement:

Two check dams will be constructed in the south marsh to slow water velocity and improve wetland hydrology.

18. Required Compensatory Mitigation:

This project is a restoration project with a goal of water quality improvements. Therefore, the Regional Board will not require any additional compensatory mitigation.

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The Machado Lake Ecosystem Project Habitat Restoration, Establishment, and Enhancement Plan dated May 2012 and the Machado Lake Ecosystem Project Habitat Mitigation and Monitoring Plan dated May, 2012 shall be adhered to.

See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed mitigation.

ATTACHMENT B

Conditions of Certification

File No. 12-054

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, 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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by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2011-0002-DWQ and 2004-0009-DWQ.

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 Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
17. 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.
18. All project construction and/or maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
19. The return water from saturated dredged sediment will be tested and treated prior to being discharged back into the lake. Applicant shall develop and submit a **Return Water Quality Plan** (plan) to this Regional Board. The plan shall include the laydown areas, treatment methods and anticipated flow rates. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any water being returned to the Lake. Monitoring for the following shall be implemented:
 - pH
 - temperature
 - dissolved oxygen
 - turbidity
 - total suspended solids(TSS)
 - PCBs

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- DDT
- DDE
- DDD
- Chlordane
- Dieldrin

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured on a daily basis during the first week dewatering activities, and then on a weekly basis, thereafter, until the 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. Return Drainage activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. TSS shall be maintained at ambient levels per the Basin Plan. 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. Waters will meet California Toxics Rule (40 CFR §131.38) Human Health Criteria for total PCBs, DDT, DDE, DDD, Chlordane and Dieldrin (water column targets for the Machado Lake Toxics TMDL).

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 to the extent possible.
21. The Applicant shall restore **all areas** of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. 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 implement project restoration in accordance with the **Machado Lake Ecosystem Rehabilitation Project (Habitat Restoration, Establishment, and Enhancement Plan)**, May 2012 and the **Habitat Mitigation and Monitoring Plan**, May 2012. This Restoration Plan was submitted as part of the 401 application package submittal.
23. The Applicant shall submit to this Regional Board **Annual Monitoring Reports** (Annual Reports) by **January 1st** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until restoration success has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including

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percent survival by plant species and percent cover. At a minimum the Annual Reports shall include the following documentation:

- (a) Color photo documentation of the pre- and post-project and mitigation/restoration site conditions;
 - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (c) The overall status of project including 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) Results (data and associated data analysis) and discussion of any monitoring activities and exotic plant control efforts, including all TMDL monitoring conducted pursuant to approved TMDL monitoring plans;
 - (g) Documentation of the minimum 6-inch depth of sand cap over the Aquablok® in the 6-foot deep area of the Lake;
 - (h) Documentation of the 15-inch minimum depth of sand cap over the Aquablok® on the littoral shelf around the Lake;
 - (i) A certified Statement of "no net loss" of wetlands associated with this project; and
 - (j) A Statement from the permittee or his/her representative that all conditions of this Certification have been met.
24. 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.

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(d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

25. 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)"

26. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number 12-054. Submittals shall be sent to the attention of the 401 Certification Unit.

27. 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.

28. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order R4-2012-0175. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment. 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. 2009-009-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.

29. 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.

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30. 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.
31. *Enforcement:*
- (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
 - (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
32. 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.