

Los Angeles Regional Water Quality Control Board

September 1, 2017

John Orme
Forest Lawn Memorial-Park Association
1712 South Glendale Avenue
Glendale, CA 91205

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7016 0750 0000 8035 3704

Dear Mr. Orme:

RE: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE FOREST LAWN MEMORIAL-PARK HOLLYWOOD HILLS MASTER PLAN (4WQC40117058)

Enclosed please find a CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER, authorized by Los Angeles Regional Water Quality Control Board Executive Officer, Samuel Unger. This Order is issued to John Orme, Forest Lawn Memorial-Park Association for Forest Lawn Memorial-Park Hollywood Hills Master Plan (Project). Attachments A through C of the Enclosure are also part of the Order.

This Order is issued in response to an application submitted by Forest Lawn Memorial-Park Association for proposed Project discharge to waters of the state, to ensure that the water quality standards for all waters of the state impacted by the Project are met. You may proceed with your Project according to the terms and conditions of the enclosed Order.

If you require further assistance, please contact Valerie Carrillo Zara by phone at (213) 576-6759 or by email at Valerie.CarrilloZara@waterboards.ca.gov. You may also contact me by phone at (213) 576-6785 or by email at LB.Nye@waterboards.ca.gov.

Sincerely,

LB Nye, Senior Environmental Scientist
Section 401 Certification and Wetlands Unit
Los Angeles Water Quality Control Board

Enclosures (1): Order for Forest Lawn Memorial-Park Hollywood Hills Master Plan, File No. 17-058

cc: [Via email only] (w/ enclosure):

Samuel Reed Organization
TeraCor Resource Management

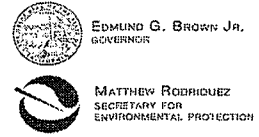
Bill Orme
CWA Section 401 WQC Program
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Los Angeles Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: August 30, 2017

Program Type: Fill/Excavation

Reg. Meas. ID:	413107
Place ID:	835031
WDID:	4WQC40117058
USACOE#:	2006-1951-DS
R4 File No	17-058

Project Type: Restoration Bank Stabilization and/or Adjacent Upland Area

Project: Forest Lawn Memorial-Park, Hollywood Hills Master Plan (Project)

Applicant: Forest Lawn Memorial-Park Association

Applicant Contact: John Orme
Forest Lawn Memorial-Park Association
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Phone: (323) 340-4519
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Applicant's Agent: Samuel Reed
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Temecula, CA 92591
Phone: (951) 694-8000
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Water Board Staff: Valerie Carrillo-Zara
Engineering Geologist
320 W. 4th Street, Suite 200
Los Angeles, CA 90013
Phone: (213) 576-6759
Email: valerie.carrillozara@waterboards.ca.gov

Water Board Contact Person:

If you have any questions, please call Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) Staff listed above or (213) 576-6600 and ask to speak with the Water Quality Certification and Wetlands Unit Program Manager.

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I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of Forest Lawn Memorial-Park Association (herein after Permittee) for the Project. This Order is for the purpose described in application submitted by the Permittee. The application was received on November 10, 2016. The application was deemed complete on December 9, 2016.

II. Public Notice

The Los Angeles Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from November 10, 2016 to the effective date of Certification. The Los Angeles Water Board did not receive any comments during the comment period.

III. Project Purpose

The overall purpose of the proposed Certification is for the continuation of the development of the existing Forest Lawn Memorial-Park Master Plan to provide various types of interment spaces and cemetery facilities that accommodate diverse religious, non-religious, ethnic and socio-economic groups to meet existing and future cemetery demands in the Los Angeles area through 2050. The proposed cemetery plans include low-impact development implementation with the integration of newer designs for small rock façade structures to house cremation remains in a low-impact nature path along Sennett Creek.

Water Quality Certification 10-146 (Certification 10-146) was issued on October 23, 2012. for the expansion of Forest Lawn and associated maintenance activities. All permanent impacts in waters authorized by Certification 10-146 (1.60 acres of impact) have been completed; this Order 17-058 authorizes continued maintenance and operational activities including maintenance of debris basins, culverts/crossings, trimming of vegetation, and minor slope/drainage repairs.

An additional component included in this Order 17-058 is the restoration and restabilization of Sennett Creek at, and downstream of, the existing Evergreen Drive crossing within the Forest Lawn Master Plan area. This restoration component within Sennett Creek will permanently impact 0.1 acre of waters and temporarily impact 0.113 acre.

IV. Project Description

Certification No. 10-146

The project authorized under Certification 10-046, as originally proposed, would have preserved the main stem of Sennett Creek (Drainage A) and restored and enhanced Drainage L, but would have filled several tributaries to Sennett Creek on-site, including the three largest drainage segments (Drainages D, F, and H) that support the most diverse and least disturbed biological resources after Sennett Creek.

Through the development of the Alternatives Analysis, the originally proposed project was modified to decrease impacts to waters of the United States. Alternative 4 was originally identified as the Least Environmentally Damaging Practicable Alternative ("LEDPA") in the 404(b)(1) Alternatives Analysis prepared for the project. A modified alternative, referred to as

Alternative 4A, was the preferred alternative and was incorporated into the 404(b)(1) Alternatives Analysis for the project.

Alternative 4A included impacts to approximately 133 acres of undeveloped land, resulting in approximately 106 acres of usable acreage, including approximately 93 acres of developable acreage and approximately 13 acres of support acreage (mortuary, maintenance yard, equipment storage areas, etc.). The Alternative 4A allowed for 87,447 built interment spaces and 107,010 ground interment spaces for a total of 194,457 interment spaces.

With this reduced-impact alternative, total impacts authorized with Certification No. 10-146 within waters were reduced from 2.48 acres of waters to 1.60 acres of waters. This reduction corresponds to avoidance of drainage areas and decreased impacts within waters. Within streambeds, the proposed impact decreased from 10,104 linear feet of impact to 5,359 total linear feet of impact under Alternative 4A.

The impact to waters of the U.S. under Alternative 4A was 1.60 acres, which included 1.40 acres of on-site impacts (1.02 acres of non-wetland waters and 0.38 acre of wetland waters) and 0.20 acre of impact to non-wetland waters off-site in connection with the debris basin at the edge of the property boundary with Griffith Park.

Alternative 4A included construction of a new, soft-bottomed arched culvert crossing over Sennett Creek and the replacement of 2 former crossings over Drainages D and F. The former crossing at Drainage D was comprised of a corrugated steel arched, soft-bottomed culvert and 2 headwalls.

The former crossing at Drainage F was comprised of 2 small diameter ceramic pipes which drained a small basin within Drainage F. Implementation of Alternative 4A replaced the unimproved road and associated crossings over Drainages D and F. Alternative 4A replaced the road crossing over Drainage D with a relatively narrow bridge crossing. Additionally, the replacement crossing over Drainage F eliminated and replaced the former basin and pipes in Drainage F with a soft-bottomed arched culvert to improve hydrological and ecological connectivity in Drainage F.

Alternative 4A also included a foot path ("Sennett Nature Path") along the Sennett Creek tree canopy within the Forest Lawn Property. The Sennett Nature Path provides access to approximately 1,250 low-scale interments (inground interment of cremated remains under stone memorial markers and low scale (under 4.5 feet in height) columbaria for above ground interment of cremated remains) in a natural setting without substantial grading or landscape modification. The Sennett Nature Path includes two foot bridges (relocation of an existing wooden pedestrian crossing over Sennett Creek and installation of a pedestrian crossing over Drainage B) that avoid effects to jurisdictional waters. No impacts within waters occurred due to implementation of the Sennett Nature Path.

The maintenance/operational activities, authorized by this Order 17-058 (and described, below) were also authorized under Certification 10-046.

Order 17-058

Maintenance and Operations

This current Order 17-058 authorizes maintenance/operational activities which may occur throughout the life of Alternative 4A. Operations and maintenance activities include:

1. Maintenance/clean out of 4 debris basins (Drainage J Basin, Basin 7/K [Mitigation Basin], Basin 12 and Basin 13)
2. 25-foot clear zones for the 3 existing (both upstream and downstream) and 1 new Sennett Creek crossing (downstream only)
3. Maintenance/sediment removal near or within crossings in Sennett Creek and Drainages D and F
4. 25-foot clear zones/maintenance for the Drainage H, Drainage I, and Drainage L4 inlet culverts
5. Trimming of vegetation along the Sennett Nature Path to allow for safe public passage and access to low scale interment sites
6. Los Angeles Department of Water and Power (LADWP) trimming and shaping of the upper canopy of Sennett Creek within the existing DWP easement. Trimming will be supervised by a biological monitor
7. Minor slope/drainage repairs following high intensity flows or unanticipated events to restore existing conditions and flood control functions.

Restabilization and Restoration at Evergreen Drive

In addition, restabilization and restoration will occur at, and downstream of, the existing Evergreen Drive crossing in Sennett Creek. Activities will include:

1. Replacement of the downstream end of the existing arched culvert with a box culvert that would be slightly larger and join the arched culvert at an adjusted angle to direct stormflows away from existing adjacent interments and inurnments at the top of the slope.
2. Removal and recompaction of existing slopes. Existing slopes consist of uncompacted fill placed decades ago. The bed of the creek will be substantially widened to spread flows and decrease velocity and erosion potential. The stabilization and subsequent restoration of the creek will result in a wider, more stable creek system that will support a more diverse tree and associated forest vegetation profile.
3. Creation of curves in the Creek. As part of the restoration project, the bed of the creek will be made more curvilinear, bending toward the north and east, widening the creek bed. The length of the creek will be increased by 25 feet from 395 feet to 420 feet. The existing ordinary high water mark ("OHWM") is 12 feet to 34 feet wide, but will be widened to 46 feet throughout the project zone. The project will increase the waters of the U.S. within the project site from 0.21 acre to 0.46 acre.

V. Project Location

Project is located in the Hollywood Hills in the City of Los Angeles in Los Angeles County. A map showing the Project location, including all activities authorized in this certification, is found in Attachment B of this Order 17-058.

<u>Latitude</u>	<u>Longitude</u>
34.147141	-118.330968

34.147136	-118.329432
34.142296	-118.326933
34.145409	-118.325155
34.144995	-118.309619
34.143880	-118.322191
34.139803	-118.318912
34.138937	-118.315000
34.140672	-118.309738
34.145289	-118.315867

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of Los Angeles Regional Water Quality Control Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the applicable water quality control plan (Basin Plan) for the region and other plans and policies which may be accessed online at:

http://www.waterboards.ca.gov/plans_policies/. The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

Receiving Water: Sennett Creek and unnamed tributary drainages to the Los Angeles River Channel
(Hydrologic Unit Code: 405.21)

Designated Beneficial Uses: MUN*, IND, GWR, REC-1, REC-2, WARM, WILD, WET

*Conditional beneficial use

VII. Description of Direct Impacts to Waters of the State

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition only.

Permanent Impacts:

Permanent impacts to waters of the state will include: 0.1 acres permanent impact within Sennett Creek associated with the restoration and restabilization at, and downstream of, the existing Evergreen Drive crossing

Temporary Impacts:

Temporary impacts to waters of the state will include:

Continued maintenance and operational activities (debris basin maintenance, culverts/crossings, trimming of vegetation, and minor slope/drainage repairs)

1. Maintenance/clean out of 4 debris basins (Drainage J Basin, Basin 7/K [Mitigation Basin], Basin 12 and Basin 13)

- Basin J – 0.15 acre;
- Basin K (Mitigation Basin) – 0.002 acre;

- Basin 12 – 0.34 acre;
 - Basin 13 – 0.20 acre;
2. 25-foot clear zones for the 3 existing (both upstream and downstream) and 1 new Sennett Creek crossing (downstream only)
 - 25 feet upstream and downstream of the Evergreen Drive, Memorial Drive and Magnolia Drive culvert crossings – 0.06 acre;
 - 25 feet downstream of the newly-constructed Sennett Creek culvert crossing – 0.01 acre;
 3. Maintenance/sediment removal near or within crossings in Sennett Creek and Drainages D and F
 - 25 feet upstream and downstream of the Drainage F culvert crossing – 0.02 acre;
 - Newly-constructed Sennett Creek culvert crossing – 0.115 acre
 - Drainage F culvert crossing – 0.022 acre
 4. 25-foot clear zones/maintenance for the Drainage H, Drainage I, and Drainage L4 inlet culverts
 - 25 feet upstream of the Drainage H culvert inlet – 0.01 acre;
 - 25 feet upstream of the Drainage I culvert inlet – 0.01 acre;
 - 25 feet upstream of the Drainage L4 culvert inlet – 0.01 acre
 5. Trimming of vegetation along the Sennett Nature Path to allow for safe public passage and access to low scale interment sites
 6. Los Angeles Department of Water and Power (LADWP) trimming and shaping of the upper canopy of Sennett Creek within the existing DWP easement. Trimming will be supervised by a biological monitor
 7. Minor slope/drainage repairs following high intensity flows or unanticipated events to restore existing conditions and flood control functions.
 8. Restabilization and Restoration at Evergreen Drive
 - 0.113 temporary acres within Sennett Creek associated with the restoration and restabilization at and downstream of the existing Evergreen Drive crossing

Table 1: Total Project Fill/Excavation Quantity									
Aquatic Resource Type	Temporary Impact ¹			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY ²	LF	Acres	CY	LF	Acres	CY	LF
Lake									
Riparian Zone									

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

² Cubic Yards (CY); Linear Feet (LF)

Table 1: Total Project Fill/Excavation Quantity									
Stream Channel	1.06			0.1					
Wetland									

VIII. Avoidance and Minimization

Through the development of the Alternatives Analysis, the originally proposed Master Plan project was modified to decrease impacts to waters of the United States. Alternative 4 was originally identified as the Least Environmentally Damaging Practicable Alternative (“LEDPA”) in the Draft 404(b)(1) Alternatives Analysis prepared for the project. In response to discussions with the U.S. Army Corps of Engineers (Corps), U.S. Environmental Protection Agency (EPA), the Los Angeles Regional Water Quality Control Board, and comments from other interested agencies and parties, Alternative 4 was modified to further reduce effects to waters of the U.S. This modified alternative, referred to as Alternative 4A, is the preferred alternative and was incorporated into an updated 404(b)(1) Alternatives Analysis for the long-term Master Plan project.

IX. Compensatory Mitigation

The Regional Board required the Applicant to provide compensatory mitigation in accordance with the HMMP (Habitat Mitigation and Monitoring Plan) as proposed in the original application submittal packages (File No. 10-146). Required mitigation ratios correlated to an overall mitigation ratio of 4.1:1.

No additional compensatory mitigation is required for continued project activities because total impacts have been addressed pursuant to the HMMP as authorized by Certification 10-146.

X. California Environmental Quality Act (CEQA)

In May of 2012, the City of Los Angeles, as lead agency, certified an environmental impact report (EIR) (State Clearinghouse (SCH) No. 2008111048) for the Project. The Los Angeles Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that the City of Los Angeles’s certified environmental document comports with the requirements of CEQA and is valid. (Pub. Resources Code, § 21167.3.) The Los Angeles Water Board has reviewed and considered the environmental document and finds that the environmental document addresses the Project’s water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).)

XI. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

XII. Fees Received

An application fee of \$40,000 was received on December 7, 2010 for impacts associated with Certification 10-146. The fee amount was determined as required by California Code of

Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

The Certification is conditioned upon the total payment of \$11,839, based on total project impacts. The application fee of \$600 was assessed on November 11, 2016. An additional \$11,239 was assessed for impacts associated with the project on August 4, 2017. Impacts based on continued maintenance activities (0.95 acre), and 0.1 acre of permanent impact and 0.113 acre of temporary impact associated with the Sennett Creek restoration and restabilization work at and downstream of the existing Evergreen Drive crossing.

XIII. Conditions

The Los Angeles Water Board has independently reviewed the record of the Project to analyze impacts to water quality and designated beneficial uses within the watershed of the Project. In accordance with this Order, the Permittee may proceed with the Project under the following terms and conditions:

A. Reporting and Notification Requirements

The following section details the reporting and notification types and timing of submittals. Requirements for the content of these reporting and notification types are detailed in Attachment C, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment C, which must be signed by the Permittee or an authorized representative.

1. Project Reporting

- a. Annual Reporting:** The Permittee shall submit an Annual Report each year on the anniversary of Project effective date. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee.

2. Project Status Notifications

- a. Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to the Los Angeles Water Board staff within thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Los Angeles Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee which will end the active discharge period and associated annual fees.
- b. Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete,³ and no further Project activities will occur. This request shall be submitted to Los Angeles Water Board staff within thirty (30) days

³ Completion of post-construction monitoring shall be determined by Los Angeles Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

following completion of all Project activities. Upon approval of the request, the Los Angeles Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period and associated annual fees.

3. Conditional Notifications and Reports: The following notifications and reports are required as appropriate.

a. Accidental Discharges of Hazardous Materials⁴

Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

- i. As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
 - first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
 - Lastly follow the required OES procedures as set forth in:
[http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill Booklet Feb2014 FINAL BW Acc.pdf](http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill%20Booklet%20Feb2014%20FINAL%20BW%20Acc.pdf)
- ii. Following notification to OES, the Permittee shall notify Los Angeles Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- iii. Within five (5) working days of notification to the Los Angeles Water Board, the Permittee must submit an Accidental Discharge of Hazardous Material Report.

b. Violation of Compliance with Water Quality Standards: The Permittee shall notify the Los Angeles Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

- i. Examples of noncompliance events include: lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.
- ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.

c. In-Water Work

⁴ "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501.)

- i. If stream diversion will be necessary, the Permittee shall submit to the Los Angeles Water Board staff a Stream Diversion Plan, with a diagram and a narrative description of the method to divert the stream and associated BMPs for acceptance at least 30 days in advance of any stream diversion.
- ii. During stream diversion, water quality monitoring shall be conducted. Requirements for water quality monitoring are below.
- iii. The Permittee shall notify the Los Angeles Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- iv. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Los Angeles Water Board staff.

d. Modifications to Project

Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Los Angeles Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform Los Angeles Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order.

e. Transfer of Property Ownership: This Order is not transferable in its entirety or in part to any person or organization except after notice to the Los Angeles Water Board in accordance with the following terms:

- i. The Permittee must notify the Los Angeles Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Permittee and purchaser must sign and date the notification and provide such notification to the Los Angeles Water Board at least 10 days prior to the transfer of ownership. The purchaser must also submit a written request to the Los Angeles Water Board to be named as the permittee in a revised order.
- ii. Until such time as this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order.

f. Transfer of Long-Term BMP Maintenance: If maintenance responsibility for post-construction BMPs is legally transferred, the Permittee must submit to the Los Angeles Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer or designer specifications. The Permittee must provide such notification to the Los Angeles Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

B. Water Quality Monitoring

1. **General:** If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete).
2. **Accidental Discharges/Noncompliance:** Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Los Angeles Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

3. In-Water Work or Diversions:

During planned work in water any discharge(s) to waters of the state shall conform to the following water quality standards:

- a. **Oil and Grease.** Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.
- b. **Dissolved Oxygen.** At a minimum, the mean annual dissolved oxygen concentration of all waters shall be greater than 7 mg/L, and no single determination shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations.

The dissolved oxygen content of all surface waters designated as WARM shall not be depressed below 5 mg/L as a result of waste discharges.

- c. **pH.** The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge.
- d. **Turbidity.** Downstream turbidity 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%.

Sampling shall be conducted in accordance with Table 2 sampling parameters.⁵

⁵ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Los Angeles Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
Dissolved Oxygen	mg/L & % saturation	Grab	Daily for the first week, weekly, thereafter
pH	Standard Units	Grab	Daily for the first week, weekly, thereafter
Turbidity	NTU	Grab	Daily for the first week, weekly, thereafter
Temperature	°F (or as °C)	Grab	Daily for the first week, weekly, thereafter

4. Post-Construction: Visually inspect the Project site during the rainy season for the duration of the Certification to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the Project site. If water quality pollution is occurring, contact the Los Angeles Water Board staff member overseeing the Project within three (3) working days. The Los Angeles Water Board may require the submission of a Violation of Compliance with Water Quality Standards Report. Additional permits may be required to carry out any necessary site remediation.

C. Standard

1. This 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 sections 3867-3869, inclusive. Additionally, the Los Angeles Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Los Angeles Water Board determines that: the Project fails to comply with any of the conditions of this Order; or, when necessary 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 federal Clean Water Act section 303 (33 U.S.C. § 1313). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.
2. This 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 that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.
4. In the event of any violation or threatened violation of the conditions of this Order, 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 Order.

D. General Compliance

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act and the Clean Water Act. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
2. 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 Los Angeles Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.
3. In response to a suspected violation of any condition of this Order, the Los Angeles Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, providing 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. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
4. The Permittee must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Order; and all subsequent submittals required as part of this Order. The conditions within this Order and Attachments supersede conflicting provisions within Permittee submittals.
5. This Order and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.

E. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment A of this Order.
2. This Order 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 Order held by the Permittee, the Permittee 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 Permittee is responsible for

meeting all requirements of the applicable endangered species act for the Project authorized under this Order.

3. The Permittee shall grant Los Angeles Water Board staff, or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:
 - a. Enter the Project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.
 - b. Have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order.
 - c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
 - d. Sample or monitor for the purposes of assuring Order compliance.
4. A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project site for the duration of this Order. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.
5. A copy of this Order must be available at the Project site(s) during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Order and its posted location at the Project site.
6. Lake and Streambed Alteration Agreement – The Permittee shall submit a signed copy of the Department of Fish and Wildlife’s lake and streambed alteration agreement to the Los Angeles Water Board immediately upon execution and prior to any discharge to waters of the state.
7. 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

F. Best Management Practices

1. **The Applicant has proposed to implement and shall implement several Best Management Practices, including, but not limited to, the following:**

A qualified biologist will assume responsibility of oversight of all grading and construction activities.

The qualified biologist/ecologist will adequately delineate and flag the proposed mitigation areas for which activities are to be conducted at the appropriate time to insure that preservation areas are distinguished from proposed development areas and that enhancement and restoration programs are initiated and provided for as described.

The qualified biologist/ecologist will oversee the control of invasive, non-native species in the on-site mitigation areas.

The qualified biologist/ecologist will review the mitigation plan activities with all construction personnel involved.

Orange construction fencing and/or silt fencing will be installed as appropriate prior to construction activities to prevent spillage from adjacent construction operations or entry into areas not intended for construction/mitigation.

The qualified biologist/ecologist will monitor construction activities when in close proximity to natural areas to ensure habitat outside of the Project site is not adversely affected.

The qualified biologist/ecologist will have authorization to stop construction activities if a violation of a permit condition or state and/or federal environmental regulation has occurred.

A qualified biologist/ecologist will assume responsibility of overseeing all planting activities to ensure proper placement and installation of plant material.

Project grading plans will include details and notes to protect the mitigation areas and to specify soil compaction, topsoil salvage, topsoil stockpiling, topsoil placement methods and locations.

Plant propagules and seed shall be from locally derived sources in order to maintain genetic integrity within the mitigation areas. For some common, uniformly distributed species, commercially available sources are acceptable.

A minimum of 2 pre-construction surveys for nesting birds shall be conducted within the disturbance footprint plus a 100-foot buffer 5 days apart prior to construction during the breeding season for birds. The last survey shall be conducted no more than 3 days prior to the initiation of clearance/construction work.

If pre-construction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required.

If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until a qualified biologist determines that all young have fledged (no longer reliant upon the nest).

All vegetation clearance activities will be monitored by a qualified biologist/restoration ecologist.

2. Storm Water

The project shall comply with the local regulations associated with the Regional Board's Municipal Stormwater Permit issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. R4-2012-0175.

The project shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity, Order No. 2009-0009-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.

G. Ecological Restoration and Enhancement: The quantity of waters of the state permanently gained by the Project restoration of Sennett Creek at Evergreen Drive is shown in Table 3.

Table 3: Total Ecological Restoration and Enhancement Quantity							
Aquatic Resource Type	Res. ⁶ Type	Units	Method ⁷				
			Est.	Re-est.	Reh.	Enh.	Pres.
Stream Channel	PR	Acres	0.25				

XIV. Water Quality Certification

I hereby issue the Order for the Forest Lawn Memorial-Park, Hollywood Hills Master Plan, 4WQC40117058 certifying that as long as all of the conditions listed in this Order 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 Order 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 Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; 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.

⁶ Restoration (Res.)

⁷ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.).

Samuel Unger

Samuel Unger, PE
Executive Officer
Los Angeles Water Quality Control Board

Aug. 30, 2017

Date