



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

March 14, 2018

Ventura County Watershed Protection District
Glenn Shephard
800 S. Victoria Avenue
Ventura, CA 93009

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7017 1450 0002 1558 7409

Dear Mr. Shephard:

RE: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE FRESNO CANYON FLOOD MITIGATION (4WQC40117133)

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 Ventura County Watershed Protection District for Fresno Canyon Flood Mitigation (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 Ventura County Watershed Protection District for proposed Project discharges 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 LB Nye, Senior Environmental Scientist, 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 Fresno Canyon Flood Mitigation, File No. 17-133

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

Elizabeth Martinez
Ventura County Watershed Protection District

Bill Orme
CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board

Melissa Scianni
U.S. Environmental Protection Agency, Region 9

Sarah Rains
California Department of Fish and Wildlife
Streambed Alteration Team

Antal Szijj
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District

Ventura Coastkeeper
Attn: Jason Weiner
Associate Director and Staff Attorney

Stephen Henry
U.S. Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, CA 93003

Jessie Altstatt
Santa Barbara Channel Keeper
714 Bond Street
Santa Barbara, CA 93103

Los Angeles Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: March 14, 2018

Program Type: Fill/Excavation

Reg. Meas. ID:	416988
Place ID:	841422
WDID:	4WQC40117133
NWP:	43
USACOE#:	SPL-2017-725
R4 File No	17-133

Project Type: Channel Construction and Maintenance

Project: Fresno Canyon Flood Mitigation (Project)

Applicant: Ventura County Watershed Protection District

Applicant Contact: Glenn Shephard
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Applicant's Agent: Elizabeth Martinez
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Engineering Geologist
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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 the Ventura County Watershed Protection District (herein after Permittee) for the Project. This Order is for the purpose described in application and supplemental information submitted by the Permittee. The application was received on October 27, 2017. The application was deemed complete on January 24, 2018.

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 6, 2017 to the effective date of Order. The Los Angeles Water Board did not receive any comments during the comment period.

III. Project Purpose

The Project purpose is to alleviate flooding of Casitas Springs and State Route 33 by providing a bypass pipe to the Ventura River.

IV. Project Description

Much of Casitas Springs was constructed in the floodplain of lower Fresno Canyon at its confluence with the Ventura River. Storm water and debris flows from Fresno Canyon flooded this community three times between 1995 and 2005, resulting in damage to homes and requiring the closure of Ventura Avenue (SR 33) for up to two days during each flood event.

To reduce flooding in the community of Casitas Springs, the Permittee will construct a bypass new channel to transport flood waters, sediment and debris around the existing, undersized, Fresno Canyon concrete channel, to the Ventura River. The new channel has been designed to convey fully bulked flows expected from a 100-year flood event through a new, open, 12-foot diameter reinforced concrete (RC) pipe. The 12-foot RC pipe will be installed via horizontal boring and open trench method. The boring of the pipe will begin from Fresno Canyon hill side, passing under SR 33 and terminating at the end of Edison Street. West of Edison Street to Ventura River the pipe will be installed by open trench method.

At the downstream end of the new channel, the new channel will connect to a 40-foot long trapezoidal outlet apron on the east bank of the Ventura River. The apron will consist of 1-ton ungrouted rock riprap and will be 30 feet wide at the invert, 50 feet wide at the top, and 4 feet deep. The ground immediately west of the outlet apron will be graded for about 70 feet to facilitate flows from the facility into the Ventura River.

At the upstream end of the new channel, the permittee will install a 265-foot floodwall above the northwest bank of an existing natural section of Fresno Canyon. To protect the floodwall from potential scour damage, ungrouted rock riprap will be placed on the adjacent northwest bank. The inlet to the new channel will consist of a 50-foot long rock riprap trapezoidal channel and about 100 linear feet of reinforced concrete transition structure adjacent to an existing detention basin. The top width of the new inlet will be 50 feet and the bottom width will be 11 feet. The existing detention basin will no longer be required, and the basin will be filled to the original surrounding ground contours. The existing 36-inch Parkview Drain located southeast of SR-33 will be connected to the new channel.

The existing Fresno Canyon flood conveyance is a 10-foot-wide by 6-foot-high rectangular concrete channel. A 54-inch RC pipe will bypass approximately 400 cfs from the new channel to the existing Fresno Canyon concrete channel. The existing Fresno Canyon concrete channel will remain in place to carry the 400 cfs bypass flow and local overland flows. A new flap gate will be constructed at the outlet of the existing Fresno Canyon concrete channel to prevent backwater flows from the Ventura River from entering the channel. For the new flap gate, the Permittee will install 16 linear feet of 9-foot diameter RC pipe with concrete headwalls on both ends. The new flap gate will be installed on the downstream headwall. The existing ½-ton rock in this area will be removed and reinstalled over the trapezoidal channel invert and slopes upstream and downstream of the concrete headwalls for approximately 15 feet on each side. The area between the two concrete headwalls and over the 9-foot diameter RC pipe will be backfilled with soil and surfaced with crushed miscellaneous base.

Other project features include construction of a maintenance access road, fence and gates.

V. Project Location

The project is located at Fresno Canyon Creek at the Ventura River.

<u>Latitude</u>	<u>Longitude</u>
34.3644	-119.3090
34.3643	-119.3090
34.3641	-119.3090
34.3642	-119.3090
34.3637	-119.3090
34.3632	-119.3090
34.3630	-119.3100
34.3623	-119.3090

A map showing the Project location is found in Attachment A of this Order.

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.

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Receiving Water: Fresno Canyon Creek, tributary to Ventura River Reach 4

(Hydrologic Unit Code: 180701010104)

Designated Beneficial Uses: MUN, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, COLD, WILD, RARE, MIGR, SPWN, WET

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. Physical loss of area will result from the filling of the existing debris basin; degradation of ecological habitat will result from channel armoring.

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
Stream Channel	0.111		120	0.2		120	0.272		360

VIII. Compensatory Mitigation

The Permittee has agreed to provide compensatory mitigation described in section XII, H for temporary impacts that have temporal loss and/or degradation of ecological condition.

The Permittee has agreed to provide compensatory mitigation for direct impacts, described in section XII, I for permanent impacts.

IX. California Environmental Quality Act (CEQA)

On May 13, 2014, the Ventura County Watershed Protection District, as lead agency, certified a Final Environmental Impact Report (FEIR) (State Clearinghouse (SCH) No. 2013031072 for the Project and filed a Notice of Determination (NOD) at the SCH on May 13, 2014. 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 Ventura County Watershed Protection District’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 prepared by Ventura County Watershed Protection District addresses the Project’s water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by Ventura County Watershed Protection District for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, § 15091, subd. (d).)

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)

X. 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.

XI. Fees Received

An application fee of \$720 was received on October 27, 2017. An additional fee of \$7,015 based on total Project impacts was received on January 29, 2018. 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.

XII. Conditions

The Los Angeles Water Board has independently reviewed the record of the Project to analyze impacts to the environment 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. Authorization

Impacts to waters of the state shall not exceed quantities shown in Table 1.

B. Reporting and Notification Requirements

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. **Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities.
- b. **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.

- c. 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 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, or delivered written notice.

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.

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. 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 or Diversion

- i. If stream diversion will be necessary, the Permittee shall follow the Water Diversion Guide for Ventura County Maintenance Program EIR dated December 2007.
- 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.

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.
- 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.

C. 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 or stream diversions 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. 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.

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	Per VCFCD's Water Diversion Guide referenced in BMP 18
pH	Standard Units	Grab	Per VCFCD's Water Diversion Guide referenced in BMP 18
Turbidity	NTU	Grab	Per VCFCD's Water Diversion Guide referenced in BMP 18
Temperature	°F (or as °C)	Grab	Per VCFCD's Water Diversion Guide referenced in BMP 18

- 4. Post-Construction:** Visually inspect the Project site during the rainy season for 3 years 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.

D. Standard

- 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.
- 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.
- 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.

E. 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, provide that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. 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.

F. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment B 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 upon 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. 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.

G. Best Management Practices

Avoid Channel Earthwork During the Rainy Season/Events.

- Avoid earthwork in earthen and soft bottom channels from December 1 to April 1 unless water is absent.
- If work is considered critical, work in flowing water is acceptable, provided flow is diverted according to the Water Diversion Guide and sensitive aquatic species are not present.
- No earthwork shall be conducted during rain events, or if 0.25 inches or more of rain is forecast within 12 hours of scheduled work.

Prevent Discharge of Silt-Laden Water During Concrete Channel Cleaning.

- Prevent the discharge of silt-laden water or pollutants downstream when removing sediments, vegetation, algae, and trash from concrete channels.
- Install BMPs: silt barriers, sand bags, straw bales, as appropriate per Board Order No. 10-0108; NPDES Permit No. CAS004002, July 8, 2010.
- Follow the Water Diversion Guide if a flow diversion is installed.

Location of Temporary Stockpiles.

- Temporary stockpiles in the channel bottom shall be limited to one working day and not overnight.
- Temporary stockpiles may be placed in channel bottoms or debris basins if they are placed in such a manner that they would not be exposed to flowing water.
- Permanent stockpiles shall be located landward of the 100-year floodplain to the maximum extent feasible.

Survey for Habitat (nesting) Prior to Routine Maintenance Work.

- A biological survey for nesting birds shall be performed prior to work from February 1 to September 15 if in, or adjacent to, suitable habitat. Nesting habitat is defined as cattail patches, short and tall trees, and shrubby areas. Open gravel, bridges, culverts, and fence posts may also support nests.
- 'Work' means mowing/disking, earth work, clean outs, access road work lasting more than one day, and repairs where nesting bird habitat is in work area or within 300 feet.
- If active bird nests are identified, work within 300 feet (500 feet for raptors) shall be postponed until after September 15, unless the biologist determines the nest becomes inactive or a reduced buffer is approved by regulatory agencies.
- No biological survey is needed for routine herbicide application in/on facilities to sparse, short (<3 foot) weedy vegetation (includes young (<1year old) mule fat, willows or cattails).

Survey for Steelhead Migration/Rearing Conditions and Sensitive Aquatic Species Prior to Routine Maintenance Work.

- An approved biologist must survey for steelhead migration or rearing conditions and other sensitive aquatic species prior to earthwork in or within 100 feet of surface water.
- If flows are deemed sufficient for steelhead migration, earthwork within or adjacent to the channel shall be postponed until after June 15 and before October 31.
- If rearing habitat is present, an approved biologist shall determine if steelhead are present.
- If other sensitive species are found in the work area, work will stop while District environmental staff contact CDFW/USFWS. The approved biologist may be authorized to relocate these species to nearby suitable habitat.
- Special authorization is required for water diversion if flow conditions are suitable for steelhead or other aquatic species, even if the Water Diversion Guide is followed.
- Steelhead presence notification to NMFS is required at least 10 days prior to work by District environmental staff.
- If authorized by NMFS, an approved biologist shall isolate the work area with block nets and relocate any steelhead in the work area to suitable habitat with perennial surface water. The biologist shall continuously monitor during water diversion and any work within occupied steelhead habitat.
- Steelhead relocations or other impacts by flow diversion or dewatering shall be documented and reported to the NMFS within 30 days of completion of the maintenance work.
- Concrete, grout, brick & mortar or other cement products shall not be used to construct stream diversions when steelhead and other sensitive aquatic species are likely present.

- If steelhead are found dead or injured at the work site, environmental staff shall notify NMFS immediately.
- Any steep-walled excavations that may trap California red-legged frog that will be left overnight in areas within or adjacent to the Ventura River or San Antonio Creek shall be covered.

Aquatic Pesticide Application.

- Shall follow the most up-to-date Best Management Practices and the monitoring and reporting requirements in the District's NPDES Stormwater Quality Management Plan.
- Shall comply with the Ventura County Application Protocol for Pesticides, Fertilizers, and Herbicides, including working under the direction of a Qualified Applicator, using materials approved for aquatic use, following the manufacturer's application directions, avoiding application prior to forecasted storm events and ensuring wind conditions are suitable to avoid spray drift.

Maximum 15-foot Vegetation-Free Zone at the Toe of the Bank.

- A 15-foot wide vegetation-free zone at levee and bank toes shall not be exceeded when thinning or removing vegetation for inspection purposes.

Avoid Road Base Discharge.

- Road base, fill, sediments, and asphalt shall not be placed beyond the previously established road bed when working adjacent to channels and basin bottoms.

Mitigate/Replace Temporary Impacts to Habitat.

- Native vegetation in temporary work areas shall be restored after completion of repair or reconstruction work. Prior to work, a vegetation restoration plan must be submitted to the regulatory agencies for approval.
- No habitat restoration sites shall be placed within the routine maintenance limits of the repaired structures.

Concrete Wash-Out Protocols.

- Fluids associated with the curing, finishing and wash-out of concrete shall not be discharged to the channel or basin.
- Concrete wastes (liquid, dust, solids) shall be stockpiled separately from sediment and protected by erosion control measures to prevent discharge to the channel, basin, or waters of the State.
- Appropriate waste management practices shall be based on considerations of flow velocities, site conditions, suitability of erosion control materials, and construction costs.

Water Diversion Guide.

- Water diversion methods and procedures established in the District's Water Diversion Guide shall be followed.
- Baseline water quality monitoring is required PRIOR to installation of any water diversion, daily for the first 5 days the diversion is in place, and weekly thereafter.
- Fish mortality associated with stream flow diversion or dewatering shall be reported by environmental staff to the California Department of Fish & Wildlife within 24 hours of discovery.

Avoid Spills and Leaks.

- Keep all equipment in good working condition and free of leaks.
- No equipment maintenance or refueling in a channel or basin bottom.
- Place drip pans under all stationary equipment such as motors, pumps, generators, compressors, and welders.
- Spill containment materials must be on site or readily available for any equipment maintenance or refueling that occurs adjacent to a watercourse.
- Train all maintenance crews in spill containment and response.
- Immediately clean up all spills. Submit report to the Office of Spill Prevention and Response.

Biological Surveys in Appropriate Habitat Prior to Vegetation Maintenance.

- Biologists conducting surveys for tidewater goby, California red-legged frog, least Bell's vireo and southwestern willow flycatcher shall be approved by the U.S. Fish & Wildlife Service in writing.
- Prior to sediment removal, vegetation control, or repair work in earthen or earthen bottom facilities, an approved biologist shall survey for threatened, endangered, or sensitive species if suitable habitat occurs in or near work area. If such species are within or in close proximity to the work areas, the District shall reschedule the work when the species are not present.
- If it is necessary to conduct the work while sensitive species are present or in proximity to the work areas, a species protection plan shall be developed, approved by USFWS/NMFS/CDFW, then implemented.
- An approved biologist shall periodically monitor the work area during maintenance activities for wildlife and relocate species as needed to minimize mortality.
- Exotic fish, invertebrate, amphibian and reptile species shall be captured when feasible, dispatched and properly disposed of by a qualified biologist.

Invasive Plant Removal Protocols.

- Remove invasive plant species in a manner that prevents propagation.
- Spray or mow plants before seeds ripen, when feasible.
- All cut/removed invasive vegetation shall be taken to a dump as a destruction load.
- Do not stockpile invasive vegetation (including mulch) where materials would wash downstream or be allowed to propagate.
- For giant reed (*Arundo donax*), minimize ground disturbance and use foliar glyphosate treatment on smaller infestations, as feasible.

Air Quality (Dust Control). The following measures shall be incorporated into maintenance activities to minimize fugitive dust emissions during grading, excavation, and construction activities.

- Minimize the areas disturbed at any one time by clearing, grading, earth moving, or excavation operations to prevent excessive dust.
- Water grading/excavation areas prior to and during work.
- Cover all truck loads; required by California Vehicle Code §23114.
- Prevent fugitive dust (via treatment) on all graded and excavated material, exposed soil areas, stockpiles, including unpaved parking and staging areas, and other active portions of the construction site.
- District staff shall weekly monitor contractor graded and/or excavated inactive areas of the construction site for dust stabilization.

- No grading/earth work during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent excessive fugitive dust.
- Use rumble strips or track out devices where vehicles enter and exit unpaved roads onto paved road.
- All on site construction roads that have a daily traffic volume of more than 50 daily trips shall be stabilized as to minimize transport of earthen material from the site.
- There shall be at least one qualified District staff on site each work day to monitor the provisions of the Fugitive Dust Mitigation Plan and any other applicable fugitive dust rules, ordinances, or conditions.

Construction Noise.

- Noise-generating construction activities shall be restricted to the daytime (i.e., 7:00 AM to 7:00 PM, Monday through Friday).
- Minimize sustained construction noise adjacent to sensitive wildlife during the nesting season, as directed by the biological monitor.
- When construction noise is anticipated to affect sensitive wildlife, environmental staff shall consult with regulatory agencies regarding additional mitigation measures.

Stabilize Exposed Soil.

- To limit erosion, minimize soil disturbance work in channels and basins to that which can be stabilized prior to rain events.

Native Tree Removal

- Prior to vegetation removal, a qualified biologist shall prepare an inventory of all native trees in the work area exceeding 4 inches dbh.
- Native trees in temporary impact areas shall be cut to ground level to facilitate regrowth, and not removed by heavy equipment.
- Native California black walnut, cottonwood and sycamore trees exceeding 4 inches dbh shall be replaced at a 10:1 ratio, if removed.
- Replacement trees shall attain a survival rate of 75 percent the first year and 100 percent thereafter, and monitored and maintained for a 5 years after planting.

Environmental Training.

- Prior to any sediment removal, vegetation control, or repair work in earthen or earthen-bottomed channels and basins that contain surface water or native vegetation, a qualified biologist familiar with the work site shall provide training to the work crew regarding potential species present, habitats to avoid, measures to implement to minimize impacts, and events/situations that require work to be stopped and the biologist to be contacted.

Work in California Red-legged Frog Habitat.

- Any steep-walled excavations that may trap California red-legged frogs that will be left overnight in suitable habitat (Ventura River, San Antonio Creek) shall be covered.
- Approved biologists handling California red-legged frogs shall not use gloves, unless they are well-rinsed and composed of vinyl.

- Approved biologists working in California red-legged frog habitat shall follow the Declining Amphibian Task Force Fieldwork Code of Practice.

New Zealand Mudsnail Control Protocols

These protocols address three general modes of potential spread of New Zealand mudsnail; hand tools & boots, mobile equipment and vehicles, and reusable instream materials.

Part A (infested reaches):

- Wash hand tools, boots and power tools that contact surface water using Protocol 1.
- Wash mobile equipment used in surface water that may have incidental soil attached (e.g., dozers, excavators, discing equipment, wheeled loaders and motor graders) using Protocol 2A (on-site power wash, on-site or off-site hot pressure wash).
- Wash equipment that infrequently crosses the wetted channel and does not have incidental soil attached (e.g., herbicide trailers, chipper, water pumps [hand carried and trailer-mounted], mowers and motor vehicles) using Protocol 3 (on-site or off-site hot or cold pressure wash).
- Wash hard surfaced instream materials that may be transported between work sites (e.g., K-rail, diversion pipe, water hoses and concrete forms) using Protocol 4 (on-site or off-site hot pressure wash).
- Discard sand bags (and other fibrous materials that could harbor mudsnails) which have been immersed in surface waters in a landfill. Do not re-use at other sites.

Part B (borrowed equipment or used in other Zone):

- Wash mobile equipment used in surface water that may have incidental soil attached (e.g., dozers, excavators, discing equipment, wheeled loaders and motor graders) using Protocol 2B (on-site or off-site hot pressure wash).
- Wash equipment that infrequently crosses the wetted channel and does not have incidental soil attached (e.g., herbicide trailers, chipper, water pumps [hand carried and trailer-mounted], mowers and motor vehicles) using Protocol 3 (on-site or off-site hot or cold pressure wash).

Protocol 1 - Hand Tools, Boots and Wetted Power Tools

This control protocol involves cleaning any hand tools, boots and wetted portions of power tools (weed whipper, drill, concrete vibrator, etc.) that come in contact with potentially infected surface water prior to leaving the work site each day OR leaving these materials at the site until the work is complete. Hand tools, boots and wetted portions of power tools must be cleaned before leaving the site using the following procedure:

1. Remove any accumulated mud/soil from the article to be cleaned;
2. Fill a portable plastic tub (child's swimming pool, or equivalent) to a depth allowing complete submersion of the boots or tools with a 4 percent solution (5 fluid ounces per gallon) of a commercial disinfectant (GS High Dilution Disinfectant 256, Spartan Chemical Company);
3. Scrub all surfaces with a brush;
4. Let soak in the disinfectant for approximately 10 minutes;
5. Rinse with **potable** water; and

6. Dispose of the used disinfectant solution in a sewer or upland area where it cannot enter surface waters.

Protocol 2A – Instream Mobile Equipment (Infested Reaches)

This Protocol applies to equipment that is used in the wetted channel and likely to have incidental soil attached, such as dozers, excavators, discing equipment, wheeled loaders and motor graders.

1. All attached soil must be removed at the project site using a pressurized water hose provided by a water truck (or equivalent pressurized water source);
2. Wash water must be contained and not allowed to run-off into a storm drain or drainage feature;
3. The equipment must be washed on-site using a portable hot pressure washer OR taken to the nearest O & M washing facility (Saticoy or Moorpark) for a hot pressure wash.
4. Care must be taken to pressure wash all surfaces with hot water that typically come in contact with surface water and/or wet sediments, such as wheels, tires, discs, dozer tracks, excavator and loader buckets, dozer and grader blades, undercarriage, hydraulic cylinders and hoses, and fenders.

Protocol 2B – Instream Mobile Equipment (All Other Reaches)

This Protocol applies to equipment that is used in the wetted channel and likely to have incidental soil attached, such as dozers, excavators, discing equipment, wheeled loaders and motor graders.

1. The equipment must be washed on-site using a portable hot pressure washer OR taken to the nearest O & M washing facility (Saticoy or Moorpark) for a hot pressure wash.
2. Care must be taken to pressure wash all surfaces with hot water that typically come in contact with surface water and/or wet sediments, such as wheels, tires, discs, dozer tracks, excavator and loader buckets, dozer and grader blades, undercarriage, hydraulic cylinders and hoses, and fenders.

Protocol 3 – Other Mobile Equipment and Vehicles

This Protocol applies to equipment that infrequently crosses the wetted channel and does not have incidental soil attached, such as herbicide trailers, chipper, water pumps (hand carried and trailer-mounted), mowers and motor vehicles.

1. The wheels, tires and undercarriage of this equipment must be pressure washed, either on-site or the nearest O & M washing facility (Saticoy or Moorpark).
2. If washed on-site, wash water must be contained and not allowed to run-off into a storm drain or drainage feature.

Protocol 4 - Reusable Instream Materials

Materials that may be transported between work sites may include sand bags, K-rail, diversion pipe, water hoses and concrete forms (wood). Sand bags immersed in surface waters cannot be fully cleaned, and must be emptied of sand (on-site or the District's maintenance yard) and the bag deposited in a proper trash receptacle.

1. Wash hard surfaced materials on-site using a portable hot pressure washer OR take to the nearest O & M washing facility (Saticoy or Moorpark) for a hot pressure wash.
2. Care must be taken to remove all attached soil or sediment and fully contact all surfaces.

Storm Water

The project shall comply with the local regulations associated with the Regional Board's Municipal Stormwater Permit issued to Ventura County and co-permittees under NPDES No. CAS004002 and Waste Discharge Requirements Order No. R4-2010-0108. The project shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with construction activity, Order No. 2012-0011-DWQ.

H. Mitigation for Temporary Impacts

Restoration for temporary impacts 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.

I. Compensatory Mitigation for Permanent Impacts⁶ Final Compensatory Mitigation Plan

The Permittee shall provide compensatory mitigation for impacts to waters of the state in accordance with Conceptual Mitigation Plan for the Fresno Canyon Flood Mitigation Project (Compensatory Mitigation Plan) dated October 1, 2017 and incorporated herein by reference. Any deviations from, or revisions to, the Conceptual Mitigation Plan for the Fresno Canyon Flood Mitigation Project must be pre-approved by Los Angeles Water Board staff. The monitoring period shall continue until the Los Angeles Water Board staff determines that performance standards have been met. This may require the monitoring period to be extended.

2. Permittee-Responsible Compensatory Mitigation Responsibility

- a. Permittee responsible compensatory mitigation installation shall be completed within 90 days of authorized impacts.
- b. The Permittee is responsible for the required compensatory mitigation in perpetuity. However, the Permittee may transfer the compensatory mitigation requirements associated with long-term management when the following conditions have been met:
 - i. Performance standards are met.
 - ii. A Transfer Agreement to a third party has been approved by Los Angeles Water Board staff.
 - iii. An endowment fund has been provided by the Permittee to a third party for management in perpetuity of the mitigation site.
 - iv. A conservation easement, deed restriction, or other appropriate restrictive covenant for the mitigation site has been recorded and approved by Los Angeles Water Board staff.
- c. Transfer of Long-Term Permittee-Responsible Compensatory Mitigation and Management Responsibility

⁶ Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

- i. A transfer agreement shall be submitted from an authorized representative of the new party (transferee) for acceptance by Los Angeles Water Board staff. This agreement shall demonstrate acceptance and understanding of the responsibility to comply with and fully satisfy the required compensatory mitigation and long-term management conditions. Failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the Los Angeles Water Board under Water Code section 13385, subdivision (a).
- ii. Notification of transfer of responsibilities meeting the above condition must be provided to the Los Angeles Water Board staff. A draft transfer agreement is due to Los Angeles Water Board staff no less than thirty (30) days prior to the transfer of the mitigation responsibility. A final transfer agreement is due to Los Angeles Water Board staff within 30 days of the completion of the transfer.

3. Total Required Compensatory Mitigation

- a. The Permittee is required to provide compensatory mitigation for the authorized permanent impact to stream channel by rehabilitation at a minimum of 1 acre.
- b. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3.

Table 3: Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area								
Aquatic Resource Type	Comp Mit. Type ⁷	Units	Method ⁸					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	PR	Acres			1			

XIII. Water Quality Certification

I hereby issue the Order for the Fresno Canyon Flood Mitigation, 4WQC40117133 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).

⁷ Compensatory mitigation type may be: In-Lieu-Fee (ILF); Mitigation Bank (MB); Permittee-Responsible (PR)

⁸ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.

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.).

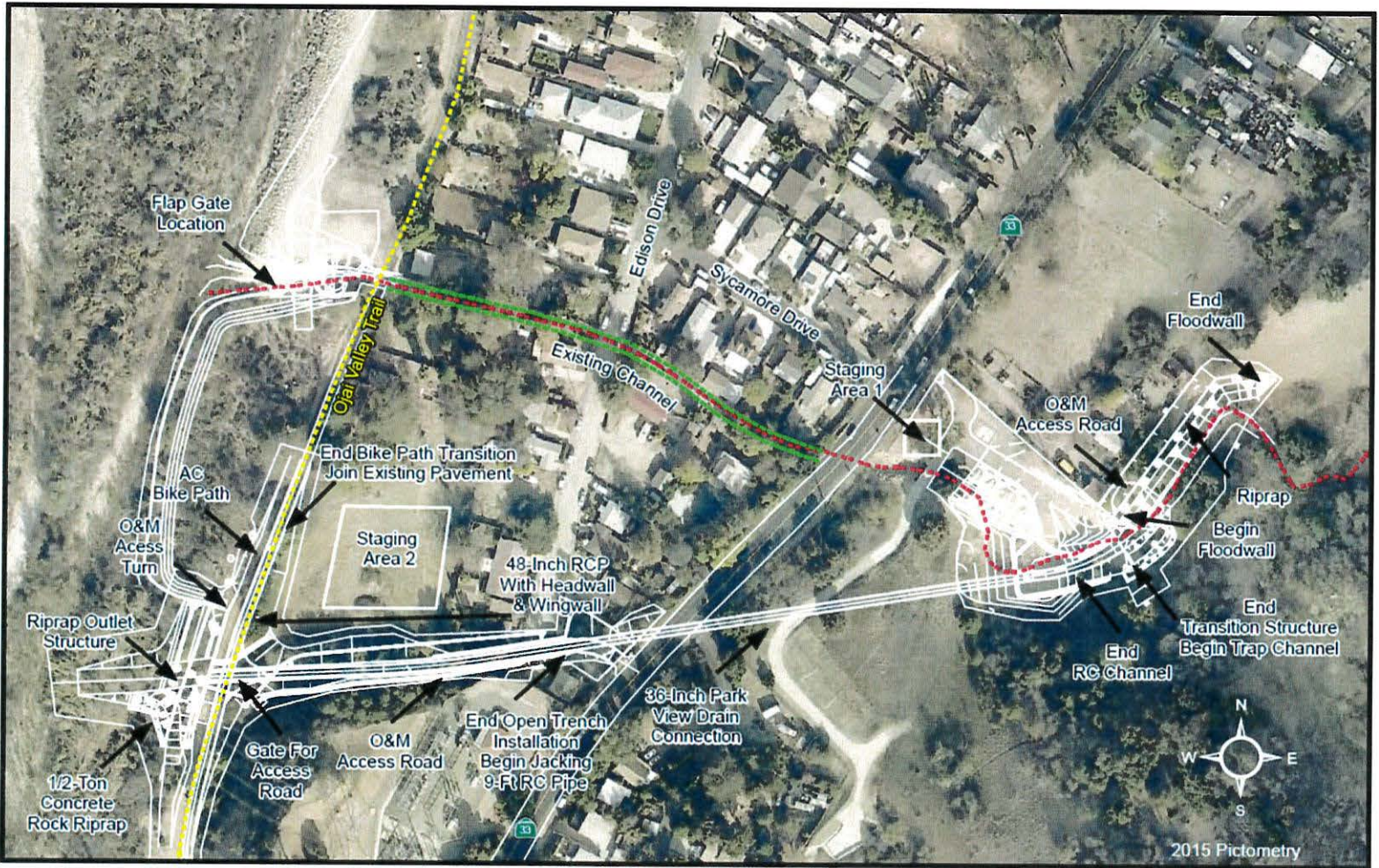
Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable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

Samuel Unger

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

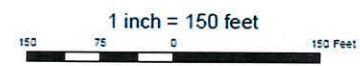
March 14, 2018

Date



- Legend**
- Existing Channel
 - Fresno Canyon Creek
 - Ojai Valley Trail
 - Project Components

**Fresno Canyon Flood Mitigation Project
Casitas Springs, Ventura County
Figure 2 : Project Plan**



Attachment B
Signatory Requirements

SIGNATORY REQUIREMENTS

*All Documents Submitted In Compliance With This Order
Shall Meet The Following Signatory Requirements:*

1. All applications, reports, or information submitted to the Los Angeles Water Quality Control Board (Los Angeles Water Board) must be signed and certified as follows:
 - a) For a corporation, by a responsible corporate officer of at least the level of vice-president.
 - b) For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c) For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in items 1.a through 1.c above may sign documents if:
 - a) The authorization is made in writing by a person described in items 1.a through 1.c above.
 - b) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c) The written authorization is submitted to the State Water Board Staff Contact prior to submitting any documents listed in item 1 above.
3. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Copies of this Form

In order to identify your project, it is necessary to include a copy of the Project specific Cover Sheet below with your report: please retain for your records

Report Submittal Instructions

1. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting.
 - **Part A (Annual Report):** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
 - **Part B (Project Status Notifications):** Used to notify the Los Angeles Water Board of the status of the Project schedule that may affect Project billing.
 - **Part C (Conditional Notifications and Reports):** Required on a case by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.
2. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.
3. **Electronic Report Submittal Instructions:**
 - Submit signed Report and Notification Cover Sheet and required information via email to: Valerie.CarrilloZara@waterboards.ca.gov
 - Include in the subject line of the email:
Subject: ATTN: Valerie CarrilloZara ; File No: 17-133, Reg. Measure ID: 416988_Report

Definition of Reporting Terms

1. **Active Discharge Period:** The active discharge period begins with the effective date of this Order and ends on the date that the Permittee receives a Notice of Completion of Discharges Letter or, if no post-construction monitoring is required, a Notice of Project Complete Letter. The Active Discharge Period includes all elements of the Project including site construction and restoration, and any Permittee responsible compensatory mitigation construction.
2. **Request for Notice of Completion of Discharges Letter:** This request by the Permittee to the Los Angeles Water Board staff pertains to projects that have post construction monitoring requirements, e.g. if site restoration was required to be monitored for 5 years following construction. Los Angeles Water Board staff will review the request and send a Completion of Discharges Letter to the Permittee upon approval. This letter will initiate the post-discharge monitoring period and a change in fees from the annual active discharge fee to the annual post-discharge monitoring fee.
3. **Request for Notice of Project Complete Letter:** This request by the Permittee to the Los Angeles Water Board staff pertains to projects that either have completed post-construction monitoring and achieved performance standards or have no post-construction monitoring requirements, and no further Project activities are planned. Los Angeles Water Board staff will review the request and send a Project Complete

Letter to the Permittee upon approval. Termination of annual invoicing of fees will correspond with the date of this letter.

4. **Post-Discharge Monitoring Period:** The post-discharge monitoring period begins on the date of the Notice of Completion of Discharges Letter and ends on the date of the Notice of Project Complete Letter issued by the Los Angeles Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.
5. **Effective Date:** Date of Order issuance.

Map/Photo Documentation Information

When submitting maps or photos, please use the following formats.

1. **Map Format Information:**

Preferred map formats of at least 1:24000 (1" = 2000') detail (listed in order of preference):

- **GIS shapefiles:** The shapefiles must depict the boundaries of all project areas and extent of aquatic resources impacted. Each shape should be attributed with the extent/type of aquatic resources impacted. Features and boundaries should be accurate to within 33 feet (10 meters). Identify datum/projection used and if possible, provide map with a North American Datum of 1983 (NAD38) in the California Teale Albers projection in feet.
- **Google KML files** saved from Google Maps: My Maps or Google Earth Pro. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
- **Other electronic format** (CAD or illustration format) that provides a context for location (inclusion of landmarks, known structures, geographic coordinates, or USGS DRG or DOQQ). Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
- Aquatic resource maps marked on paper **USGS 7.5 minute topographic maps** or **Digital Orthophoto Quarter Quads (DOQQ)** printouts. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.

2. **Photo-Documentation:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.

REPORT AND NOTIFICATION COVER SHEET

Project: Fresno Canyon Flood Mitigation
Permittee: Ventura County Watershed Protection District
Reg. Meas. ID: 416988 **Place ID:** 841422

File No: 17-133

Report Type Submitted

Part A – Project Reporting

Report Type **Annual Report**

Part B - Project Status Notifications

Report Type **Commencement of Construction**

Report Type **Request for Notice of Completion of Discharges Letter**

Report Type **Request for Notice of Project Complete Letter**

Part C - Conditional Notifications and Reports

Report Type **Accidental Discharge of Hazardous Material Report**

Report Type **Violation of Compliance with Water Quality Standards Report**

Report Type **In-Water Work/Diversions Water Quality Monitoring Report**

Report Type **Modifications to Project Report**

Report Type **Transfer of Property Ownership Report**

Report Type **Transfer of Long-Term BMP Maintenance Report**

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name ¹

Affiliation and Job Title

Signature

Date

1STATEMENT OF AUTHORIZATION (include if authorization has changed since application was submitted)

I hereby authorize _____ to act in my behalf as my representative in the submittal of this report, and to furnish upon request, supplemental information in support of this submittal.

Permittee's Signature

Date

*This Report and Notification Cover Sheet must be signed by the Permittee or a duly authorized representative and included with all written submittals.

Part A – Project Reporting

Report Type	Annual Report
Report Purpose	Notify the Los Angeles Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
When to Submit	Annual reports shall be submitted each year on the anniversary of the Project effective date. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee.
Report Contents	<p>The contents of the annual report shall include the topics indicated below for each project period. Report contents are outlined in Annual Report Topics below.</p> <p><u>During the Active Discharge Period</u></p> <ul style="list-style-type: none"> • Topic 1: Construction Summary • Topic 2: Mitigation for Temporary Impacts Status • Topic 3: Compensatory Mitigation for Permanent Impacts Status <p><u>During the Post-Discharge Monitoring Period</u></p> <ul style="list-style-type: none"> • Topic 2: Mitigation for Temporary Impacts Status • Topic 3: Compensatory Mitigation for Permanent Impacts Status
Annual Report Topics (1-3)	
Annual Report Topic 1	Construction Summary
When to Submit	With the annual report during the Active Discharge Period.
Report Contents	<ol style="list-style-type: none"> 1. Project progress and schedule including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water best management practices (BMPs). If construction has not started, provide estimated start date and reasons for delay. 2. Map showing general Project progress. 3. If applicable: <ol style="list-style-type: none"> a. Summary of Conditional Notification and Report Types 6 and 7 (Part C below). b. Summary of Certification Deviations. See Certification Deviation Attachment for further information.
Annual Report Topic 2	Mitigation for Temporary Impacts Status
When to Submit	With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.

Report Contents	<ol style="list-style-type: none"> 1. Planned date of initiation and map showing locations of mitigation for temporary impacts to waters of the state and all upland areas of temporary disturbance which could result in a discharge to waters of the state. 2. If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of performance standards contained in the restoration plan.
Annual Report Topic 3	Compensatory Mitigation for Permanent Impacts Status
When to Submit	With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.
Report Contents	<p>*If not applicable report N/A.</p> <p>Part A. Permittee Responsible</p> <ol style="list-style-type: none"> 1. Planned date of initiation of compensatory mitigation site installation. 2. If installation is in progress, a map of what has been completed to date. 3. If the compensatory mitigation site has been installed, provide a final map and information concerning attainment of performance standards contained in the compensatory mitigation plan. <p>Part B. Mitigation Bank or In-Lieu Fee</p> <ol style="list-style-type: none"> 1. Status or proof of purchase of credit types and quantities. 2. Include the name of bank/ILF Program and contact information. 3. If ILF, location of project and type if known.

Part B – Project Status Notifications

Report Type	Commencement of Construction
Report Purpose	Notify Los Angeles Water Board staff prior to the start of construction.
When to Submit	Must be received at least seven (7) days prior to start of initial ground disturbance activities.
Report Contents	<ol style="list-style-type: none"> 1. Date of commencement of construction. 2. Anticipated date when discharges to waters of the state will occur. 3. Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable.

Report Type	Request for Notice of Completion of Discharges Letter
Report Purpose	Notify Los Angeles Water Board staff that post-construction monitoring is required and that active Project construction, including any mitigation and permittee responsible compensatory mitigation, is complete.
When to Submit	Must be received by Los Angeles Water Board staff within thirty (30) days following completion of all Project construction activities.
Report Contents	<ol style="list-style-type: none"> 1. Status of storm water Notice of Termination(s), if applicable. 2. Status of post-construction storm water BMP installation. 3. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized. 4. Summary of Certification Deviation discharge quantities compared to initial authorized impacts to waters of the state, if applicable. 5. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and permittee responsible compensatory mitigation during the post-discharge monitoring period, if applicable.

Report Type	Request for Notice of Project Complete Letter
Report Purpose	Notify Los Angeles Water Board staff that construction and/or any post-construction monitoring is complete, or is not required, and no further Project activity is planned.
When to Submit	Must be received by Los Angeles Water Board staff within thirty (30) days following completion of all Project activities.
Report Contents	<p>Part A: Mitigation for Temporary Impacts</p> <ol style="list-style-type: none"> 1. A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance which could result in a discharge to waters of the state. 2. A report establishing that the performance standards outlined in the restoration plan have been met for restored areas of temporary impacts to waters of the state. Pre- and post-photo documentation of all restoration sites.

	<p>Part B: Permittee Responsible Compensatory Mitigation</p> <ol style="list-style-type: none">3. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met.4. Status on the implementation of the long-term maintenance and management plan and funding of endowment.5. Pre- and post-photo documentation of all compensatory mitigation sites.6. Final maps of all compensatory mitigation areas (including buffers). <p>Part C: Post-Construction Storm Water BMPs</p> <ol style="list-style-type: none">7. Date of storm water Notice of Termination(s), if applicable.8. Report status and functionality of all post-construction BMPs.
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Part C – Conditional Notifications and Reports

Report Type	Accidental Discharge of Hazardous Material Report
Report Purpose	Notifies Los Angeles Water Board staff that an accidental discharge of hazardous material has occurred.
When to Submit	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Los Angeles Water Board staff.
Report Contents	<ol style="list-style-type: none"> 1. The report shall include the OES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted. 2. If applicable, any required sampling data, a full description of the sampling methods including frequency/dates and times of sampling, equipment, locations of sampling sites. 3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.

Report Type	Violation of Compliance with Water Quality Standards Report
Report Purpose	Notifies Los Angeles Water Board staff that a violation of compliance with water quality standards has occurred.
When to Submit	The Permittee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Los Angeles Water Board staff.
Report Contents	The report shall include: the cause; the location shown on a map; and the period of the noncompliance including exact dates and times. If the noncompliance has not been corrected, include: the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results if required by Los Angeles Water Board staff.

Report Type	In-Water Work and Diversions Water Quality Monitoring Report
Report Purpose	Notifies Los Angeles Water Board staff of the completion of in-water work.
When to Submit	Within three (3) working days following the completion of in-water work. Continue reporting in accordance with the approved water quality monitoring plan.
Report Contents	As required by the approved water quality monitoring plan.

Report Type	Modifications to Project Report
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Report Purpose	Notifies Los Angeles Water Board staff if the Project, 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.
When to Submit	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.
Report Contents	A description and location of any alterations to Project implementation. Identification of any Project modifications that will interfere with the Permittee's compliance with the Order.

Report Type	Transfer of Property Ownership Report
Report Purpose	Notifies Los Angeles Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.
When to Submit	At least 10 working days prior to the transfer of ownership.
Report Contents	<ol style="list-style-type: none"> 1. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: <ol style="list-style-type: none"> a. the Order's requirements and the obligation to implement them or be subject to administrative and/or civil liability for failure to do so; and b. responsibility for compliance with any long-term BMP² maintenance plan requirements in this Order. 2. A statement that the Permittee has informed the purchaser to submit a written request to the Los Angeles Water Board to be named as the permittee in a revised order.

Report Type	Transfer of Long-Term BMP Maintenance Report
Report Purpose	Notifies Los Angeles Water Board staff of transfer of long-term BMP maintenance responsibility.
When to Submit	At least 10 working days prior to the transfer of BMP maintenance responsibility.
Report Contents	A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

² Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.