



**Los Angeles Regional Water Quality Control Board**

April 24, 2019

Rhiannon Bailard  
Pepperdine University  
24255 Pacific Coast Highway  
Malibu, CA 90263

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7008 1140 0002 8672 0758

Dear Ms. Bailard:

RE: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE PEPPERDINE UNIVERSITY FLOOD CONTROL MAINTENANCE (WDID FILE #4WQC40118083)

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, Deborah J. Smith. This Order is issued to Pepperdine University for the Pepperdine University Flood Control Maintenance (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 Pepperdine University for the 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](mailto: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](mailto: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 Pepperdine University Flood Control Maintenance, File No. 18-083

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

Primo Tapia  
Envicom Corporation

Elizabeth Payne  
CWA Section 401 WQC Program  
Division of Water Quality  
State Water Resources Control Board

Aaron Allen  
Regulatory Division, Ventura Field Office  
Army Corps of Engineers

Brock Warmuth  
California Department of Fish and Wildlife  
Streambed Alteration Team  
Los Alamitos Field Office

Melissa Scianni  
US EPA, Region 9

Jonathan Snyder  
U.S. Fish and Wildlife Service



Los Angeles Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: April 24, 2019

Program Type: Fill/Excavation

Reg. Meas. ID:	423082
Place ID:	849536
WDID:	4WQC40118083
RGP:	51
USACOE#:	SPL-2013-00484-AOA
R4 File No	18-083

Project Type: Commercial

Project: Pepperdine University Flood Control Maintenance (Project)

Applicant: Pepperdine University

Applicant Contact: Rhiannon Bailard
24255 Pacific Coast Highway
Malibu, CA 90263
Phone: (310) 506-4702
Email: Rhiannon.bailard@pepperdine.edu

Applicant's Agent: Primo Tapia
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4165 E. Thousand Oaks Blvd, Suite 290
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Water Board Staff: Valerie CarrilloZara
Engineering Geologist
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Los Angeles, CA 90013
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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 Pepperdine University (hereinafter 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 July 23, 2018. The application was deemed complete on October 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 July 30, 2018 to the effective date of Order. The Los Angeles Water Board did not receive any comments during the comment period.

**III. Project Purpose**

The purpose of the Project is to maintain six existing flood control facilities.

**IV. Project Description**

Pepperdine University currently maintains six flood control facilities and a stockpile on its 830-acre Malibu Campus and performs routine maintenance and construction activities at these locations.

**Regulatory History**

A CWA Water Quality Certification for maintenance of the flood control facilities on the Pepperdine University campus was first issued to Pepperdine University in 1997 under File No. 97-086. It was renewed under the same certification number in 2002. In 2008, the certification was reissued under File No. 08-094 and again in 2013 under File No. 13-148. Certification 13-148 was issued on December 27, 2013 and amended on February 4, 2015. In 2016, permit File No. 15-149 was issued for the relocation of the Marie Canyon Debris Basin approximately 400 feet upstream. This relocation was completed in 2018.

Certification File No.13-148 authorized the maintenance of six (6) flood control facilities including:

1. Drainage Inlet in Tributary Above Page Apartments
2. Middle Canyon Subdrain Outlet
3. Winter Canyon Detention Basin
4. First Huntsinger Drainage Outlet
5. Second Huntsinger Drainage Outlet
6. Marie Canyon Debris Basin

**Facility I -Drainage Inlet in Tributary Above Page Apartments**

The inlet is located in a small canyon above Baxter Drive and the Page Apartments (see Attachment A -Drainage Inlet in Tributary Above Page Apartments). The site consists of a concrete apron leading to a buried culvert, with a wire-mesh debris fence located ten feet upstream. The 10 x 8-foot area leading into the inlet is filled with loose soil and does not contain vegetation, except for a small patch of hoary mustard (*Hirschfeldia incana*). The upstream side of the wire-mesh debris fence is filled to capacity with soils and vegetation. The slopes surrounding the inlet are comprised of coastal sage vegetation.

Action to be taken: The drainage inlet above Page Apartments will be periodically dredged with hand equipment.

Project Impact: Periodic clean out will impact 0.017 acres and 20 linear feet of unnamed tributary to Marie Canyon Creek.

#### **Facility 2 -Middle Canyon Subdrain Outlet**

The outlet is located at the northwest corner of Malibu Canyon Road and Pacific Coast Highway (see Attachment A -Middle Canyon Subdrain Outlet). The site consists of a water-filled depression located above a culvert, which passes downstream under PCH. The 10 x 11-foot holding basin contained standing water and a slow discharge from the culvert, supplemented from the irrigated lawns on the slopes above. The basin is protected with a chain-link fence cover. No native species are currently at the site. There are several non-native herbaceous species scattered on the slopes above the culvert.

Action to be taken: The Middle Canyon subdrain outlet will be periodically cleared and maintained with mechanized equipment and hand tools.

Project impact: Periodic maintenance will impact 0.003 acres and 11 linear feet of Middle Canyon Creek.

#### **Facility 3 - Winter Canyon Detention Basin**

The basin is located in Winter Canyon, above the lower portion of Seaver Drive (see Attachment A - Winter Canyon Debris Basin). The southwestern portion of the detention basin was cleared of vegetation in 2016. The re-emerging vegetation within the basin is non-native species Geraldton carnation spurge (*Euphorbia terracina*) and fountain grass (*Pennisetum setaceum*). A seep exuding from the western bank over the paved access roadway to the basin created a small area of permanently saturated soil that supported stands of umbrella sedge (*Cyperus involucratus*) and cattails (*Typha* sp.). The stand-pipe in the center of the basin and overflow culvert along the south edge of the debris basin are free of vegetation.

Action to be taken: Winter Canyon Debris Basin will be periodically dredged and maintained with mechanized equipment and hand tools.

Project Impact: Periodic clean out will impact 0.129 acres and 130 linear feet of Winter Canyon Creek.

#### **Facility 4 - First Huntsinger Drainage Outlet**

The outlet is located in a small canyon west of Huntsinger Circle (see Attachment A - First Huntsinger Drainage Outlet). The site consists of a concrete apron leading to an underground culvert. The upstream drainage is dominated by coastal sage scrub on the south-facing slopes and chaparral vegetation on the north-facing slopes. Dominant native species on these slopes include laurel sumac, birchleaf mountain-mahogany, bush sunflower (*Encelia californica*), sticky monkey flower (*Mimulus aurantiacus*), and ashy-leaf buckwheat. A steep, southeast-trending concrete swale drains into the small canyon above the drainage outlet.

Action to be taken: The first Huntsinger drainage outlet will be periodically dredged and maintained with hand tools.

Project Impact: Periodic clean out will impact 0.002 acres and 30 linear feet of unnamed tributary to Marie Canyon Creek.

**Facility 5 - Second Huntsinger Drainage Outlet**

The outlet is located in a canyon northwest of Huntsinger Circle (See Attachment A - Second Huntsinger Drainage Outlet). Two (2) concrete swales originating from the upper slopes northeast of Via Pacifica drain into a densely vegetated debris basin comprising a stand-pipe and a drain inlet located directly north of Huntsinger Circle. The drain inlet is covered by a metal grate, measuring approximately 10 feet by 5 feet, and terminates into a reinforced concrete pipe that conveys flows into the subterranean storm drain system. A kikuyu grass (*Pennisetum clandestinum*) colony has invaded the basin at the confluence of the two (2) culverts. Flows entering the upper basin drain into the lower basin comprising a stand-pipe basin and overflow culvert.

Action to be taken: The second Huntsinger drainage outlet will be periodically dredged and maintained with hand tools.

Project Impact: Periodic clean out will impact 0.004 acres and 40 linear feet of unnamed tributary to Marie Canyon Creek.

**Facility 6 - Marie Canyon Debris Basin**

The Marie Canyon Debris Basin is located north of Huntsinger Circle and the Page Terrace parking lot, northeast of the existing recreational field (See Attachment A – Marie Canyon Debris Basin). The site is barren with no vegetation.

Action to be taken: The Marie Canyon Debris Basin will be periodically dredged and maintained with mechanized equipment and hand tools.

Project Impact: Periodic clean out will impact 0.52 acres and 225 linear feet of Marie Canyon Creek.

**V. Project Location**

Pepperdine University is located approximately twenty-five miles west of downtown Los Angeles, adjacent to the City of Malibu and is bordered by the Santa Monica Mountains on the north, east, and west. Pacific Coast Highway and the Malibu Bluffs State Recreation Area are located immediately to the south of the campus.

<u>Latitude</u>	<u>Longitude</u>
34.045911	-118.707823
34.034855	-118.704073
34.040615	-118.703173
34.041810	-118.713855
34.043973	-118.712754
34.047224	-118.711047

Maps showing the Project location are 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/](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 contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Receiving Water: Unnamed Ephemeral Tributaries to Malibu Lagoon  
(Hydrologic Unit Code: 180701040104)

Designated Beneficial Uses: NAV, REC-1, REC-2, EST, MAR, 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.

Table 1: Total Project Fill/Excavation Quantity									
Aquatic Resource Type	Temporary Impact <sup>1</sup>			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY <sup>2</sup>	LF	Acres	CY	LF	Acres	CY	LF
Riparian Zone							0.67		456

**VIII. Compensatory Mitigation**

No additional compensatory mitigation was required for permanent impacts because these impacts are a continuation of permanent impacts which have been mitigated for under previous certifications.

Water Quality Certification 97-086 required two mitigation sites: 1) a 0.93-acre upland vegetation mitigation site and 2) a 0.719-acre native habitat consisting of the repair and

<sup>1</sup> 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.

<sup>2</sup> Cubic Yards (CY); Linear Feet (LF)



vegetation of an erosional feature in Marie Canyon. During the permitting for the Marie Canyon Debris Basin (File No. 15-149), the 0.93-acre mitigation site was replaced by a 5.97-acre preservation in Little Las Flores Canyon and further onsite enhancement of Winter Canyon totaling 0.48 acres (in progress), and off-site restoration of 0.48 acres of riparian and upland habitat in Escondido Canyon via the Mountains Recreation and Conservation Authority.

**IX. California Environmental Quality Act (CEQA)**

The Los Angeles Water Board has determined that the Project is exempt from review under CEQA pursuant to California Water Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations title 14, section(s) 15301 Existing Facilities. Additionally, the Los Angeles Water Board concludes that no exceptions to the CEQA exemption apply to the activities approved by this Order.

**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**

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 Fill and Excavation Discharges, with the dredge and fill fee calculator.

Table 2: Record of Fees Received		
Date Received	Check No.	Amount
7/23/2018	0007028909	\$720
9/3/2018	007030304	\$720
12/10/2018	007033725	\$7,450
	<b>Total</b>	<b>\$8,890</b>

**XII. 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. 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 requirements are detailed in Attachment C. 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,<sup>3</sup> 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 Materials<sup>4</sup>**

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

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<sup>3</sup> 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.

<sup>4</sup> "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. 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_Booklet_Feb2014_FINAL_BW_Acc.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, or delivered written notice.
  - 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.
- i. Examples of noncompliance events include: lack of any reporting in a timely manner, lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, water contact with uncured concrete, and exceedances of limits for the analytes for *In-Water Work or Diversions* listed below.
  - ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.
- c. 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.
- d. 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 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.** 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 5mg/L as a result of waste discharge.
  - c. **pH.** The pH 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 TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

Sampling shall be conducted in accordance with Table 3 sampling parameters.<sup>5</sup>

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<sup>5</sup> 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.

**Table 3: Sample Type and Frequency Requirements**

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

Baseline sampling shall be conducted at a minimum of one location per facility within the project boundary for each phase. All other sampling shall take place at a minimum of two locations per facility. In streams or flowing water the sample locations shall be upstream and downstream. Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. A summary of results shall discuss the analysis. Every measurement not meeting the compliance limits shall be accompanied by an explanation, the actions taken to correct the degradation to waters, and addressed in *Violation of Compliance with Water Quality Standards* report described above.

- 4. Post-Construction:** Visually inspect the Project site every year during the rainy season 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**

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.

#### **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.

6. **Construction General Permit Requirement:** If enrolled, the Permittee shall maintain compliance with conditions described in, and required by, NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-009-DWQ and NPDES No. CAS 000002 as amended by Order No. 2010-0014-DWQ, Order No. 2012-0006-DWQ, and any amendments thereto) (General Construction Permit).

#### 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. 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 or any update to the agreement to the Los Angeles Water Board immediately upon execution.

7. This Order shall expire **five (5) years** from date of this Order. The Applicant shall submit a complete application at least 90 days prior to termination of this Order if renewal is requested.

**G. Best Management Practices**

1. To avoid impacts to nesting birds, the Operator will avoid vegetation removal within the flood control facilities from Feb. 1 to Sept. 1 to the extent feasible.
2. If it is necessary to remove vegetation from the flood control facilities from Feb. 1 to Sept. 1, a nesting bird survey shall be conducted no more than three days prior to vegetation removal.
3. If nesting birds, their young, or eggs are found during the survey, no vegetation removal shall occur until the young have left the nest and there is no second attempt at nesting.
4. No activities will be conducted within surface waters during rainfall events or within flowing water;
5. No construction equipment will be stored within any jurisdictional areas;
6. All grading/construction activities shall follow best management practices to minimize impacts on water quality and beneficial uses.
7. The project shall comply with the local regulations associated with the Los Angeles Water 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.

**H. Compensatory Mitigation for Permanent Impacts**

1. Mitigation has been required for these impacts under earlier certifications and includes: 1) onsite Enhancement of Winter Canyon totaling 0.48 acres (in progress), 2) off-site restoration of 0.48 acres of riparian and upland habitat at Escondido Canyon and 3) 5.97 acres of preservation in Little Las Flores Canyon.
2. This mitigation shall be maintained in perpetuity.



**XIII. Water Quality Certification**

I hereby issue the Order for the Pepperdine University Flood Control Maintenance Project, 4WQC40118083 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.).

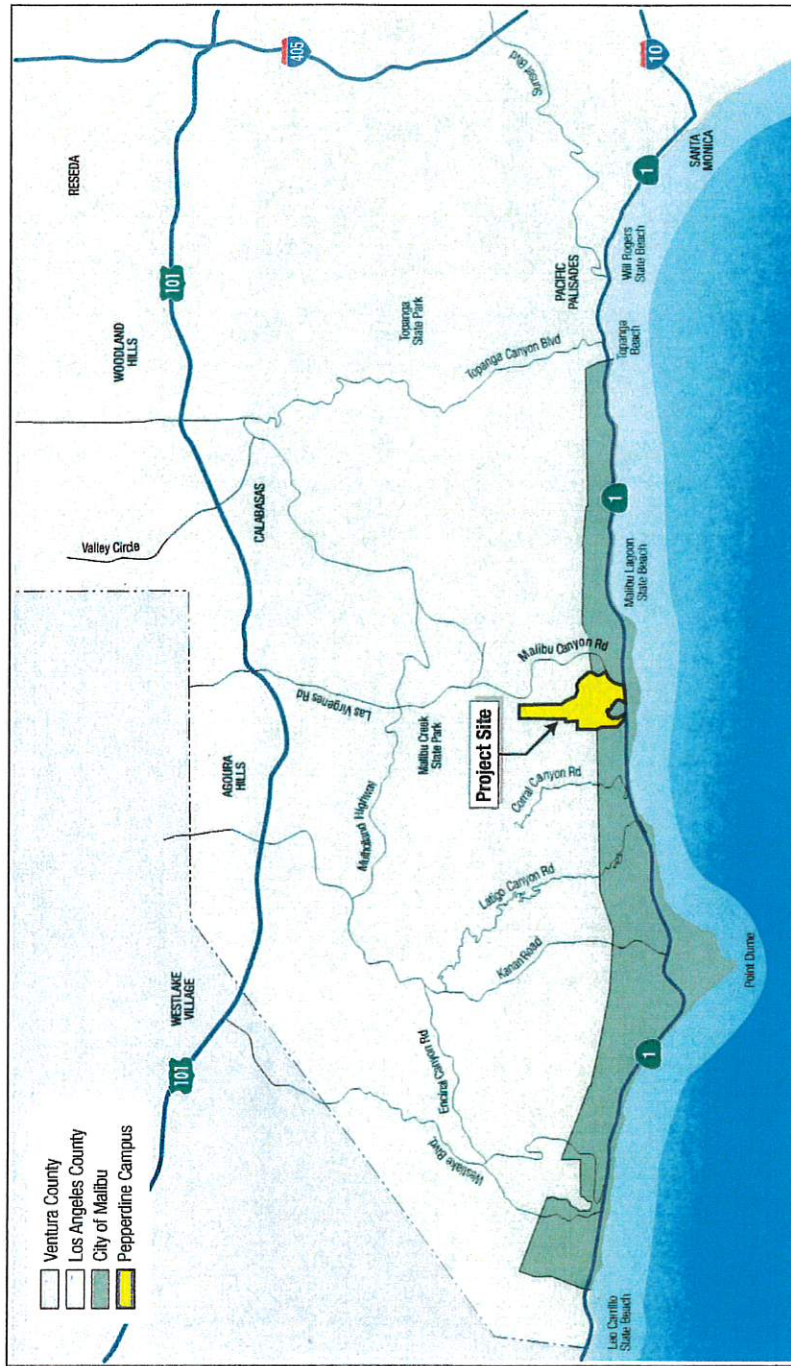
Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable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



Executive Officer  
Los Angeles Water Quality Control Board

4/24/19  
Date

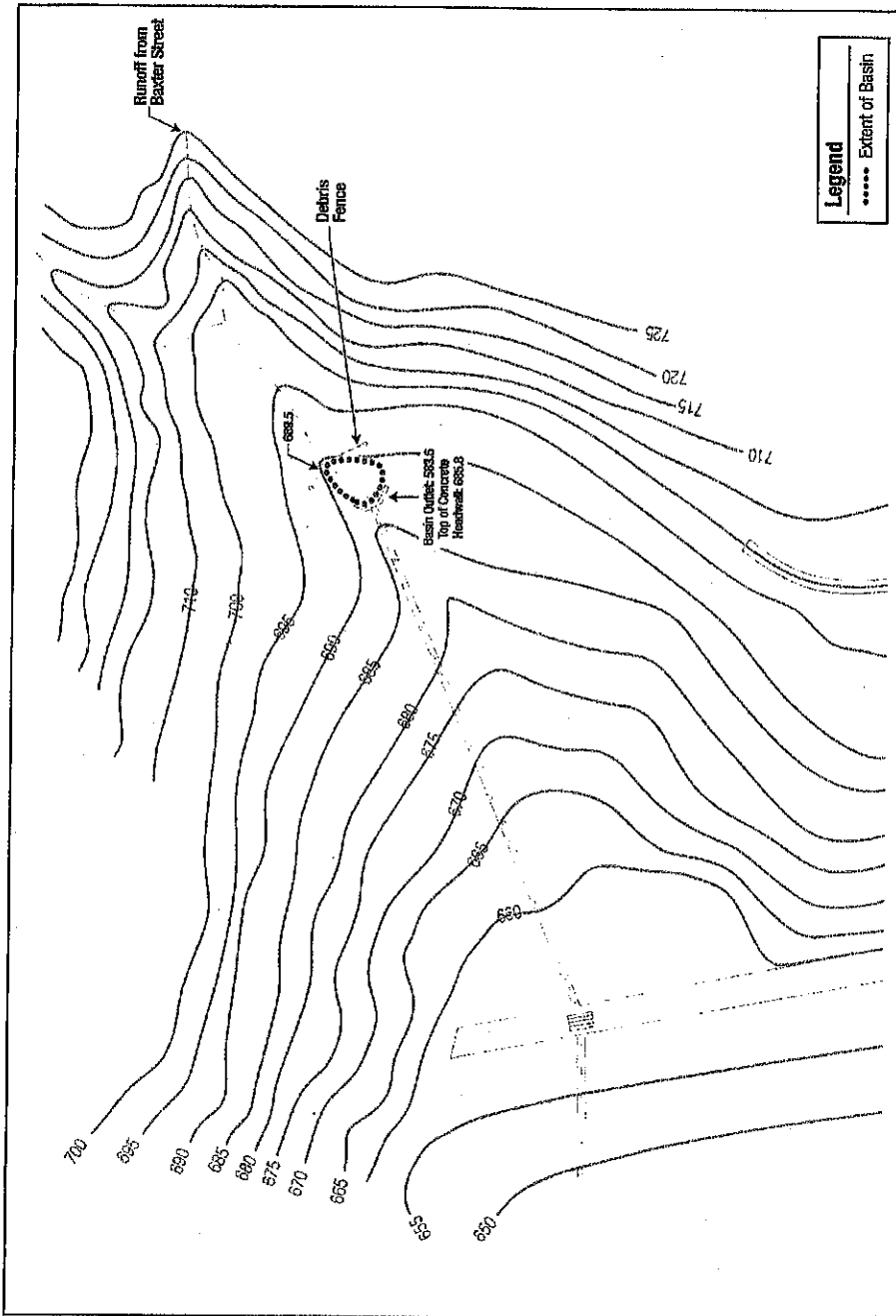




Revised Aug. 18, 2017

PEPPERDINE UNIVERSITY – FLOOD CONTROL FACILITY PERMITTING

Regional Location



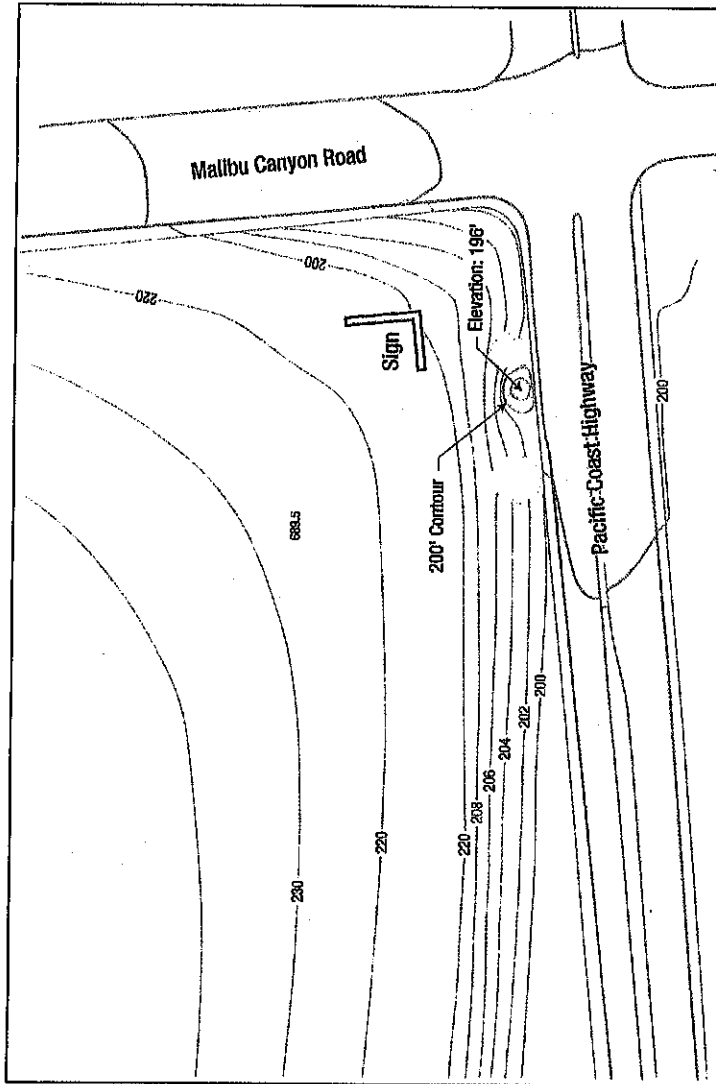
Revised Aug. 18, 2017



PEPPERDINE UNIVERSITY - FLOOD CONTROL FACILITY PERMITTING

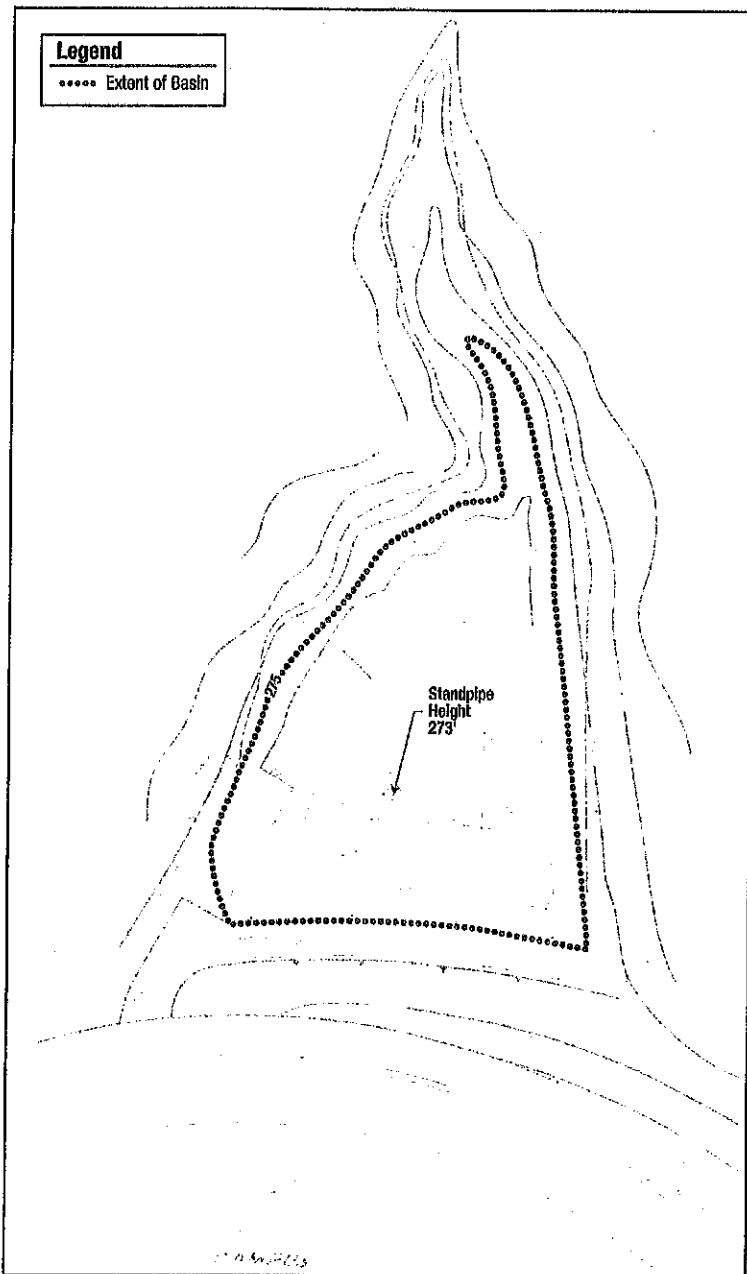
### Area 1 - Drainage Inlet in Tributary Above Page Apartments





PEPPERDINE UNIVERSITY - FLOOD CONTROL FACILITY PERMITTING

### Facility 2 - Middle Canyon Subdrain Outlet

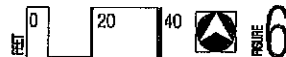


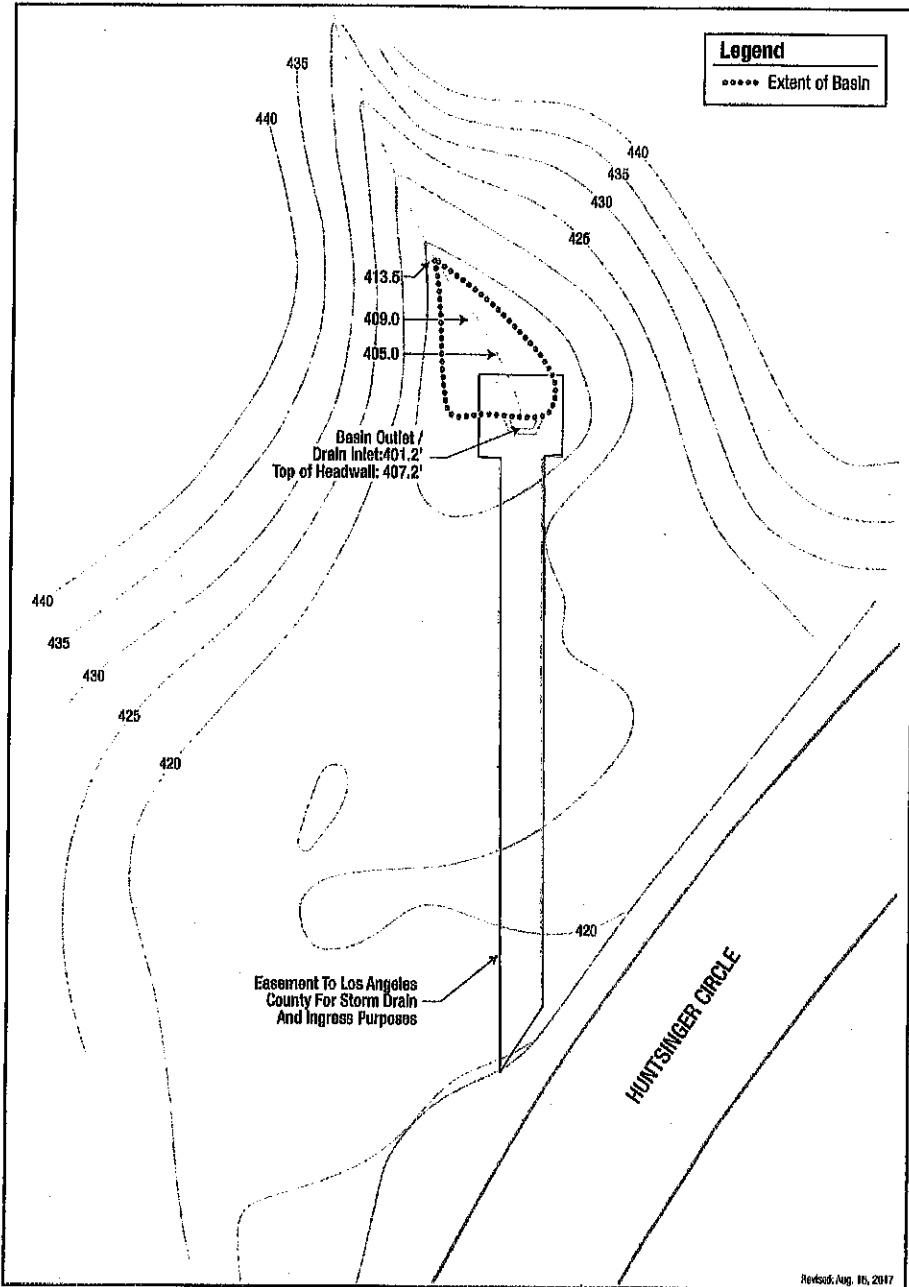
Revised: Aug. 18, 2017

PEPPERDINE UNIVERSITY – FLOOD CONTROL FACILITY PERMITTING

envicom

### Facility 3 – Winter Canyon Debris Basin

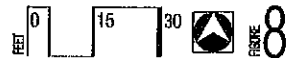


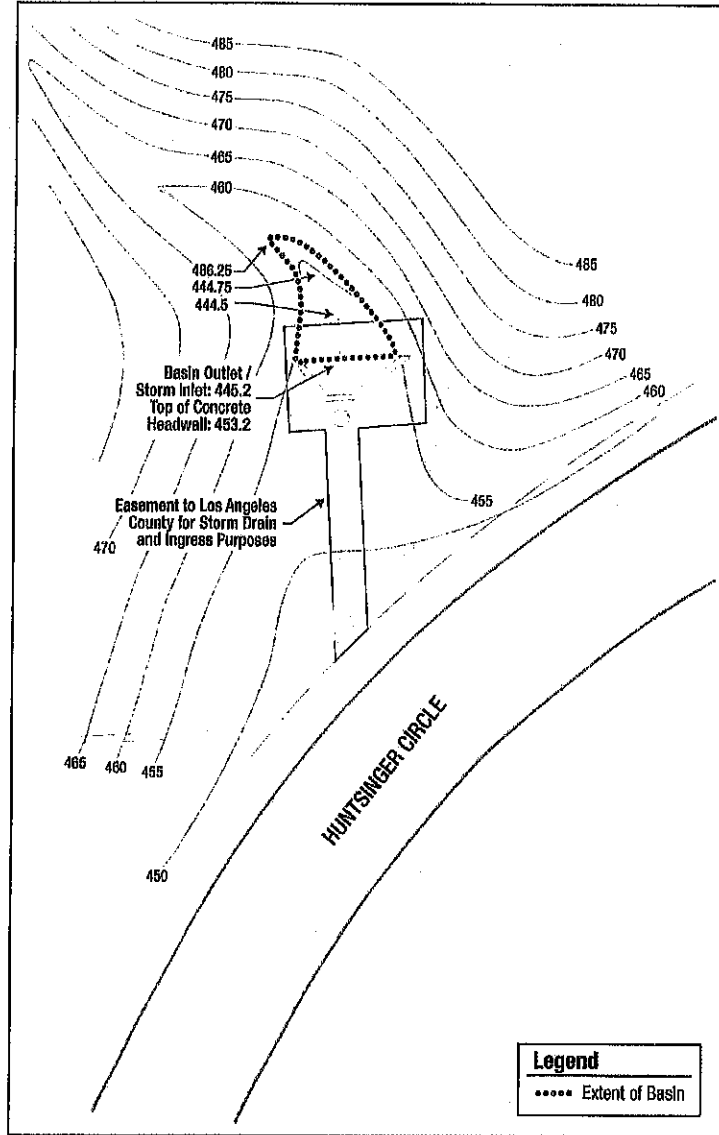


PEPPERDINE UNIVERSITY - FLOOD CONTROL FACILITY PERMITTING

envicam

Facility 4 - First Huntsinger Drainage Outlet

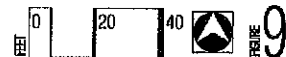




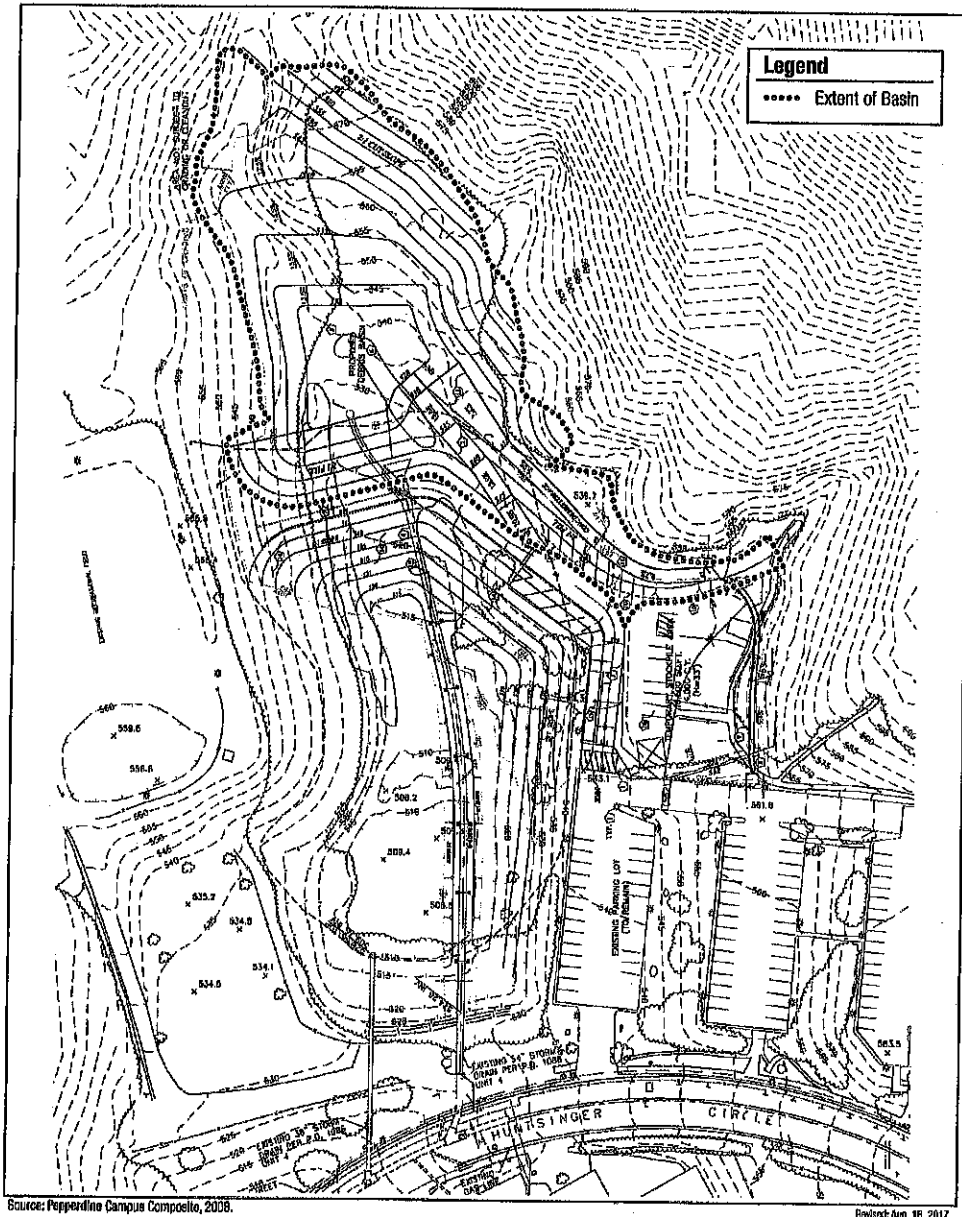
PEPPERDINE UNIVERSITY -- FLOOD CONTROL FACILITY PERMITTING



### Facility 5 -- Second Huntsinger Drainage Outlet



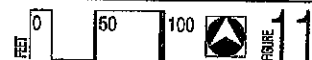




PEPPERDINE UNIVERSITY – FLOOD CONTROL FACILITY PERMITTING



### Facility 6 – Marie Canyon Debris Basin



Attachment B  
Signatory Requirements

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## 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 Los Angeles 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."

Attachment C  
Report and Notification Requirements

---

## Failure to Submit Required Reports Is a Violation of The Conditions of This Order

### 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](mailto:Valerie.CarrilloZara@waterboards.ca.gov)
  - Include in the subject line of the email:  
Subject: ATTN: Valerie CarrilloZara ; File No: 18-083, Reg. Measure ID: 423082 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			
<b>Project:</b>	Pepperdine University Flood Control Maintenance		
<b>Permittee:</b>	Pepperdine University		
<b>Reg. Meas. ID:</b>	423082	<b>Place ID:</b>	849536
		<b>File No:</b>	18-083

Report Type Submitted	
<b>Part A – Project Reporting</b>	
Report Type	<input type="checkbox"/> Annual Report
<b>Part B - Project Status Notifications</b>	
Report Type	<input type="checkbox"/> Commencement of Construction
Report Type	<input type="checkbox"/> Request for Notice of Completion of Discharges Letter
Report Type	<input type="checkbox"/> Request for Notice of Project Complete Letter
<b>Part C - Conditional Notifications and Reports</b>	
Report Type	<input type="checkbox"/> Accidental Discharge of Hazardous Material Report
Report Type	<input type="checkbox"/> Violation of Compliance with Water Quality Standards Report
Report Type	<input type="checkbox"/> In-Water Work/Diversions Water Quality Monitoring Report
Report Type	<input type="checkbox"/> Modifications to Project Report
Report Type	<input type="checkbox"/> Transfer of Property Ownership 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 <sup>1</sup>

Affiliation and Job Title

Signature

Date

**<sup>1</sup>STATEMENT 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**

<b>Report Type</b>	<b>Annual Report</b>
<b>Report Purpose</b>	Notify the Los Angeles Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
<b>When to Submit</b>	Annual reports shall be submitted each year on the anniversary of Project effective date. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee.
<b>Report Contents</b>	<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><b><u>During the Active Discharge Period</u></b></p> <ul style="list-style-type: none"> <li>• <b>Topic 1: Construction Summary</b></li> <li>• <b>Topic 2: Mitigation for Temporary Impacts Status</b></li> <li>• <b>Topic 3: Compensatory Mitigation for Permanent Impacts Status</b></li> </ul> <p><b><u>During the Post-Discharge Monitoring Period</u></b></p> <ul style="list-style-type: none"> <li>• <b>Topic 2: Mitigation for Temporary Impacts Status</b></li> <li>• <b>Topic 3: Compensatory Mitigation for Permanent Impacts Status</b></li> </ul>
<b>Annual Report Topics (1-3)</b>	
<b>Annual Report Topic 1</b>	<b>Construction Summary</b>
<b>When to Submit</b>	With the annual report during the Active Discharge Period.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Color photos, pre-project and current.</li> <li>3. Map showing general Project progress.</li> <li>4. If applicable: <ol style="list-style-type: none"> <li>a. Summary of any conditional reports sent during the year such as “Accidental Discharge of Hazardous Material Report” or “Accidental Discharge of Hazardous Material Report”</li> <li>b. Copies of revised permits from other agencies</li> <li>c. Compilation of all water quality monitoring results for the year in a spreadsheet format.</li> </ol> </li> </ol>
<b>Annual Report Topic 2</b>	<b>Mitigation for Temporary Impacts Status</b>
<b>When to Submit</b>	With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.

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

<b>Part B – Project Status Notifications</b>
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<b>Report Type</b>	<b>Request for Notice of Completion of Discharges Letter</b>
<b>Report Purpose</b>	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.
<b>When to Submit</b>	Must be received by Los Angeles Water Board staff within thirty (30) days following completion of all Project construction activities.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>1. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized.</li> <li>2. 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.</li> </ol>

<b>Report Type</b>	<b>Request for Notice of Project Complete Letter</b>
<b>Report Purpose</b>	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.

<b>When to Submit</b>	Must be received by Los Angeles Water Board staff within thirty (30) days following completion of all Project activities.
<b>Report Contents</b>	<p><b>Part A: Mitigation for Temporary Impacts</b></p> <ol style="list-style-type: none"> <li>1. A report establishing that areas of temporary impacts to waters of the state, and upland areas of temporary disturbance which could result in a discharge to waters of the state, have been successfully restored and all identified success criteria have been met. Pre- and post-photo documentation of all restoration sites.</li> </ol> <p><b>Part B: Permittee Responsible Compensatory Mitigation</b></p> <ol style="list-style-type: none"> <li>2. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met.</li> <li>3. Status on the implementation of the long-term maintenance and management plan and funding of endowment.</li> <li>4. Pre- and post-photo documentation of all compensatory mitigation sites.</li> <li>5. Final maps of all compensatory mitigation areas (including buffers).</li> </ol> <p><b>Part C: Post-Construction Storm Water BMPs</b></p> <ol style="list-style-type: none"> <li>6. Date of storm water permit Notice of Termination(s), if applicable.</li> <li>7. Report status and functionality of all post-construction BMPs.</li> </ol>

<b>Part C – Conditional Notifications and Reports</b>
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<b>Report Type</b>	<b>Accidental Discharge of Hazardous Material Report</b>
<b>Report Purpose</b>	Notifies Los Angeles Water Board staff that an accidental discharge of hazardous material has occurred.
<b>When to Submit</b>	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Los Angeles Water Board staff.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.</li> </ol>

<b>Report Type</b>	<b>Violation of Compliance with Water Quality Standards Report</b>
<b>Report Purpose</b>	Notifies Los Angeles Water Board staff that a violation of compliance with water quality standards has occurred.
<b>When to Submit</b>	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.

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

<b>Report Type</b>	<b>Modifications to Project Report</b>
<b>Report Purpose</b>	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.
<b>When to Submit</b>	Prior to any alteration or modification of Project activities.
<b>Report Contents</b>	A description and location of any alterations of Project activities. Identify any Project modifications that will interfere with the Permittee's compliance with the Order. Any alteration may require an Amendment, to be determined by Los Angeles Water Board staff.

<b>Report Type</b>	<b>Transfer of Property Ownership Report</b>
<b>Report Purpose</b>	Notifies Los Angeles Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.
<b>When to Submit</b>	At least 10 working days prior to the transfer of ownership.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>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"> <li>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</li> <li>b. responsibility for compliance with any long-term BMP<sup>1</sup> maintenance plan requirements in this Order.</li> </ol> </li> <li>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.</li> </ol>

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<sup>1</sup> Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.