
Los Angeles Regional Water Quality Control Board

WATER QUALITY ORDER NO. R4-2022-066 WASTE DISCHARGE REQUIREMENTS

Effective Date: February 10, 2022

Program Type: Fill/Excavation

Project Type: Residential

Project: Agua Dulce Residential Development Project (Project)

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I. Order

This Order for Waste Discharge Requirements (Order) is issued at the request of RTG Investments, LLC (hereinafter Permittee) for the Project. This Order is for the purpose described in the application and supplemental information submitted by the Permittee. The application was received on August 12, 2020. The application was deemed complete on June 17, 2021.

II. Public Notice

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) provided public notice of the draft order pursuant to Water Code section 13167.5 from October 19, 2020 to November 18, 2021.

III. Project Purpose

The purpose of the Project is to develop a community of single-family residential units and associated support facilities near State Route 14, in Agua Dulce, to meet the housing demand.

IV. Project Description

Project Site

The Project is located on undeveloped land within the Santa Clara River watershed. There are 12 ephemeral drainage features located on site which total 0.943 acres. The terminus of each of the ephemeral drainages lead to sheet flow surface drainage on the property. The drainages do not have surface hydrological connection to other known aquatic features and are generally dominated by non-native herbaceous plant species.

Project Activities

The Permittee intends to develop 68 single-family residential units on approximately 164 acres of land north and west of State Route 14 in the area of Acton, in Los Angeles County. The Project will also include the installation of major infrastructure, including water, wastewater, and storm drain systems.

The Project constitutes the first phase of a larger residential development that will include an additional 247 single-family residential lots along with open space on 745 acres. This Order covers Phase I of the project. Construction of Phase II will require additional Waste Discharge Requirements addressing any additional impacts to drainages on the site.

The Project will grade and fill 10 of the 12 existing watercourses and install a system of storm drains to manage post-construction flow. Stormwater facilities will include 31 inlet structures with desilting basins at the top of the slope; terrace drains, down drains, and interceptor drains to be installed above and below ground; and outlet structures to direct

flow into five (5) water detention basins at the base of the south-facing slope on the project site.

The inlet structures will be installed at the top of hillslopes to collect stormwater runoff. The structures will include a 4-foot high fence with a trash rack and 36-inch-diameter concrete pipelines leading into desilting basins.

Desilting basins will be constructed of 3-inch concrete footing over compacted native soil. Flows from desilting basins will be directed by 24- to 32-inch diameter reinforced concrete pipelines (terrace drains, down drains, and interceptor drains) to the detention basins.

Outlet structures will include a velocity reducer using a 15-foot by 15-foot area of ungrouted rip rap, a head wall fence, and a protection barrier. These structures will be installed at the downstream end of stormwater concrete pipelines before transferring flow into detention basins.

The detention basins will range in depth from approximately 0.27 to 1.2 feet and were designed to consider the future post-construction condition to capture a 50-year storm event. They will contain an outlet drainpipe and riser that will be installed to direct flow from the detention basins into spillways where stormwater may percolate into native soil.

The Project will also include fuel modification activities beyond the project grading limits.

Project Impacts by Drainage

Feature ID	Hydrologic Regime	Vegetation Community	Impact Acreage	Impact Linear Feet
Drainage 02	Ephemeral	California Juniper Woodland	0.208	2,710
Drainage 03	Ephemeral	California Juniper Woodland	0.036	535
Drainage 04	Ephemeral	California Buckwheat Scrub	0.341	1,800
Drainage 05	Ephemeral	California Juniper Woodland	0.004	135
Drainage 08	Ephemeral	Wild Oats and Annual Brome Grassland	0.030	440
Drainage 09	Ephemeral	Wild Oats and Annual Brome Grassland	0.002	75
Drainage 10	Ephemeral	Wild Oats and Annual Brome Grassland	0.013	170

Feature ID	Hydrologic Regime	Vegetation Community	Impact Acreage	Impact Linear Feet
Drainage 11	Ephemeral	California Juniper Woodland	0.021	570
Drainage 12	Ephemeral	California Juniper Woodland	0.004	200
Drainage 13	Ephemeral	California Buckwheat Scrub	0.008	175
Drainage 14	Ephemeral	Wild Oats and Annual Brome Grassland	0.000	0
Drainage 15	Ephemeral	California Buckwheat Scrub	0.010	165

Impact Acreage Total: 0.677

Impact Linear Feet Total: 6,975

The construction of this Project is expected to be completed in January 2024.

V. Project Location

The Project is located on Valley Stage Road, Agua Dulce, CA 93510, in the County of Los Angeles.

Latitude: 34.506248 and Longitude: -118.262090

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 the Los Angeles Water 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 contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Receiving Water: Agua Dulce Canyon Creek (above Escondido Canyon Rd.)
(Hydrologic Unit Code: 180701020104)

Designated Beneficial Uses: MUN*, AGR, GWR, FRESH, REC-1, REC-2, WARM, WILD

*Conditional beneficial use

VII. Description of Direct Impacts to Waters of the State

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

Table 1: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts

Aquatic Resources Type	Acres	Linear Feet
Stream Channel	0.677	6,975

VIII. Avoidance and Minimization

The Project will avoid a total of 0.265 acres of the 0.943 acres of ephemeral stream channel on site, avoiding 28% of waters on site.

Project alternatives were analyzed per the requirements of the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* as a tier 3 project and the proposed Project was found to be the least environmentally damaging practicable alternative.

IX. Compensatory Mitigation

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

X. California Environmental Quality Act (CEQA)

Los Angeles County, as lead agency, certified an environmental impact report (EIR) (State Clearinghouse (SCH) No. 1991031100) for the Project on January 25, 1993, and filed a Notice of Determination (NOD) at the SCH on May 19, 1994. Los Angeles County certified the final supplemental EIR for the Project on March 30, 2007, and filed a NOD at the SCH on April 12, 2007. The Los Angeles Water Board is a responsible agency under CEQA (Pub. Res. Code, § 21069) and has reviewed and considered the environmental document. The Los Angeles Water Board finds that the environmental document prepared by Los Angeles County adequately addresses all environmental effects for project activities that it is required to approve. The Project will not have significant adverse impacts on the environment, provided that mitigation, including the

mitigation presented in the final EIR, is carried out as conditioned in this Order. In adopting this Order, the Regional Water Board has eliminated or substantially lessened the less-than-significant effects on water quality, and therefore approves the project.

XI. Fees Received

An application fee of \$1,949.00 was received on July 22, 2020. An additional fee of \$10,573.00 based on total Project impacts was received between two payments on March 12, 2021 and March 16, 2021.

The fee amount for the proposed project has been 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. Findings

1. This Order is adopted pursuant to section 401 of the Clean Water Act and the California Porter-Cologne Water Quality Control Act (Cal. Water Code § § 13000, et seq.). Discharges to waters of the state are prohibited except when in accordance with Water Code section 13264. Notwithstanding any determinations made by the U.S. Army Corps or other federal agency pursuant to 40 C.F.R. section 121.9, dischargers must comply with the entirety of this Order because the Order also serves as waste discharge requirements in accordance with State Water Board Water Quality General Order No. 2003-0017-DWQ. Discharges to waters of the state are prohibited except when in accordance with Water Code section 13264.
2. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
3. 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.
4. In response to a suspected violation of any condition of this Order, the 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, provided 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.

5. This Order does not provide coverage under the Construction General Permit. As applicable, dischargers 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. 20090009-DWQ; NPDES No. CAS000002). For ground disturbing activities that do not require enrollment in Order No. 2009-0009-DWQ, project plans included with the NOI shall include appropriate erosion and sediment control measures as described in the *Best Management Practices* section below.

XIII. Conditions

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

A. 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. **Semi-Annual Reporting:** The Permittee shall submit a Semi-Annual Report every six (6) months following the Project effective date. Semi-Annual Reporting requirements are detailed in Attachment C. Semi-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 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,¹ 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 and any post-construction monitoring. 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 Materials²

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

¹ Any post-construction monitoring that may be required may be discontinued upon determination by Los Angeles Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

² "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:
 - a. first call – 911 (to notify local response agency)
 - b. then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
 - c. 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 the 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. In Water Work or Diversion

- i. If stream diversion will be necessary, the Permittee shall submit to Los Angeles Water Board staff a Stream Diversion Plan, with a diagram and a narrative description of the method to divert the stream and associated BMPs for acceptance, at least 30 days in advance of any stream diversion.
- ii. During stream diversion, water quality monitoring shall be conducted. Requirements for water quality monitoring are below.
- iii. The Permittee shall notify the Los Angeles Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be via telephone, e-mail, or delivered written notice.

- iv. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Los Angeles Water Board staff.

d. Modifications to Project

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

e. Transfer of Property Ownership:

This Order is not transferable in its entirety or in part to any person or organization except after receiving certification for the Project from the Los Angeles Water Board. In addition:

- 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.

f. Transfer of Long-Term BMP Maintenance

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

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

For projects involving planned work in water or stream diversions, a water quality monitoring plan shall be submitted to Los Angeles Water Board staff for acceptance at least 30 days in advance of any discharge to the affected water body. Water quality monitoring shall be conducted in accordance with the approved plan.

D. Standard Conditions

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).
2. 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.

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. 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, provided 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. The Permittee shall adhere to all requirements in the mitigation monitoring and reporting program (MMRP) for the Agua Dulce Residential Development which is incorporated herein by reference.

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 to the Los Angeles Water Board immediately upon execution and prior to any discharge to waters of the state.
 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. The Permittee shall maintain a copy of all permits on site during any construction activities.
2. The Permittee shall conduct work during dry conditions only. No standing or flowing water or saturated topsoil shall be present in construction work areas.
3. The Permittee shall not store equipment or stockpile fuels, lubricants, cements, or other materials inside washes, wetlands, waterways, or any other drainage features.

4. The Permittee shall inspect vehicles and equipment for leaks (e.g., fuel, oil, hydraulic fluids, etc.) and repair any leaks prior to work. The Permittee shall not fuel any vehicle or equipment near a drainage feature.
5. Spill kits/absorbent clean-up materials shall be available on-site and if used, disposed of properly.
6. The Permittee shall not allow water containing mud, silt, or other pollutants from equipment washing or other activities to enter a flowing stream, or dry ephemeral stream, or to be placed in locations that may be subjected to high storm flows.
7. The Permittee shall collect photo-documentation of all drainage features affected by the project prior to and upon completion of the project.
8. The Permittee shall read the Environmental Requirements to the crew to ensure requirements are understood prior to starting work.
9. The Permittee shall inspect all vehicles and equipment for invasive species prior to working on-site. No outside soils shall be allowed on the Project site.
10. The Permittee shall ensure that vehicles and equipment remain on the existing access routes and immediate vicinity of work areas identified in the project scope.
11. The Permittee shall not place sediment from project-related activities in upland areas or seasonally dry portions of the ephemeral drainages where it might be washed into the stream or inundated by high flows, or where it is likely to have a negative impact on emergent native vegetation, or where it is likely to have a negative impact on native trees.
12. Preparation shall be made so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
13. The Permittee shall not discharge or stockpile excavated or construction materials within watercourse areas and the Permittee shall dispose of any excess spoils in an appropriate location outside of any drainage feature.
14. The Permittee shall compact or stabilize excess soil from ground disturbing activities to return the area to pre-construction conditions or dispose of excess soil at an approved facility.
15. The project shall comply with the local regulations associated with the Los Angeles Water Board's Municipal Stormwater Permit issued to Discharges within the Coastal Watersheds of Los Angeles and Ventura Counties under NPDES No. CAS004004 and Waste Discharge Requirements Order No. R4-2021-0105 or subsequent order.

16. The Permittee shall develop and implement a site-specific Storm Water Pollution Prevention Plan (SWPPP) and a Rain Event Action Plan (REAP).
17. If grading is complete and construction is not anticipated to commence during the following storm season (November through March), the Permittee shall put in place additional erosion control BMPs before the storm season to ensure protection of water quality. These measures may include replanting the affected riparian zone with native species. The erosion/planting plan shall be submitted for written acceptance by Los Angeles Water Board staff. The plan shall include: a planting palette with plant species native to the Project area; seed collection location; invasive species management; performance standards; and maintenance requirements (e.g. watering, weeding, and replanting).

I. Compensatory Mitigation for Permanent Impacts³

1. Purchase of Mitigation Credits by Permittee for Compensatory Mitigation

- a. The Permittee shall provide compensatory mitigation for impacts as proposed or in an equivalent amount, subject to Executive Officer approval. The Permittee has proposed to purchase mitigation bank credits in order to fulfill requirements for compensatory mitigation. The Permittee has proposed to provide compensatory mitigation for the authorized permanent impact to Stream Channel by purchase of 2.61 acres of Alluvial Floodplain Re-establishment mitigation credits and 0.20 acres Non-wetland Riparian Enhancement mitigation credits from Petersen Ranch Mitigation Bank (approximately a 2.8:1 ratio). In addition, in order to fulfill additional mitigation requirements per the California Department of Fish and Wildlife, an additional 1.35 acres of Chaparral and 1.26 acres Cismontane/Pinyon-Juniper Woodland credits will be purchased to offset impacts for the proposed Project. In the event these mitigation bank credits are not available, the Permittee must propose an alternative, equivalent mitigation proposal to the Executive Officer, which must be approved in writing prior to implementation.
- b. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Los Angeles Water Board within 90 days of authorized impacts.
- b. The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Los Angeles Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

³ Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

2. Total Required Compensatory Mitigation

- a. Total required Project compensatory mitigation information for permanent physical loss of area, ecological degradation and temporal loss is summarized in Table 2.

Table 2: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area⁴

Aquatic Resource Type	Mitigation Type	Units	Re-establishment	Enhancement
Alluvial Floodplain	Mitigation Bank Credits	Acres	2.61	
Non-wetland Riparian				0.20

J. Financial Assurances

Failure to put in place appropriate BMPs and/or replant poses a potential nuisance and/or threatened discharge to waters of the state. The Permittee shall submit to the Los Angeles Water Board evidence of financial assurance sufficient to ensure that any maintenance, restoration, mitigation, monitoring and reporting, and other obligations related to mitigation and stormwater controls imposed by this Order, shall be supported by a demonstration of financial assurance. The financial assurance may be in the form of a performance bond, escrow account, letter of credit or other appropriate instruments, subject to the approval of the Executive Officer.

XIV. Conclusion

I hereby issue the Order for the Agua Dulce Residential Development Project 4WQC40120105 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).

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.

CERTIFICATION

I, Renee Purdy, do hereby certify that the foregoing is a full, true, and correct copy of waste discharge requirements adopted by WATER QUALITY ORDER NO. R4-2022-066 (WDID No. 4WQC40120105) adopted by the Los Angeles Water Board on February 10, 2022.

Renee Purdy
Executive Officer
Los Angeles Water Quality Control Board

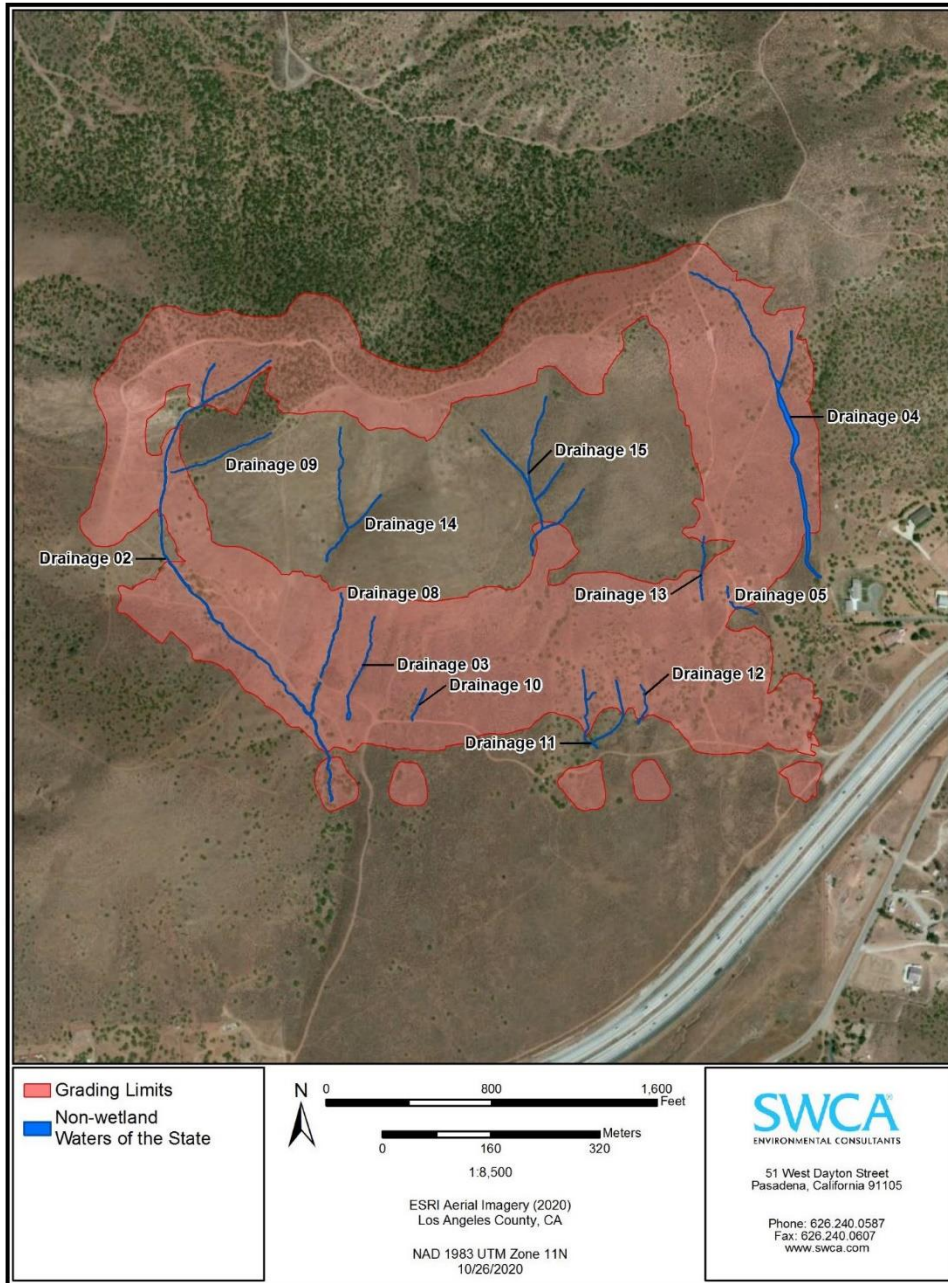


Figure 1. Mapped Jurisdiction.

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 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."

Copies of this Form

Include a copy of the Project specific Cover Sheet below with your report: please retain a copy 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 (Semi-Annual Report):** This report will be submitted every six (6) months from the 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: RB4-401Certification@waterboards.ca.gov
 - Include in the subject line of the email: Subject: ATTN: Valerie Carrillo Zara; File No: 20-105, Reg. Measure ID: 440779 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:	Agua Dulce Residential Development Project		
Permittee:	RTG Investments, LLC		
Reg. Meas. ID:	440779	Place ID:	869572
		File No:	20-105

Report Type Submitted

Part A – Project Reporting	
Report Type	<input type="checkbox"/> Semi-Annual Report
Part B - Project Status Notifications	
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
Part C - Conditional Notifications and Reports	
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 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	Semi-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	Semi-annual reports shall be submitted every six (6) months from the Project effective date. Semi-annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee.
Report Contents	<p>The contents of the semi-annual report shall include the topics indicated below for each project period. Report contents are outlined in Semi-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
Semi-Annual Report Topics (1-3)	
Semi-Annual Report Topic 1	Construction Summary
When to Submit	With the semi-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. Color photos, pre-project and current. 3. Map showing general Project progress. 4. If applicable: <ol style="list-style-type: none"> 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” b. Copies of revised permits from other agencies c. Compilation of all water quality monitoring results for the year in a spreadsheet format.
Semi-Annual Report Topic 2	Mitigation for Temporary Impacts Status
When to Submit	With the semi-annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.

Report Contents	<p>*If not applicable report N/A.</p> <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 mitigation success.
Semi-Annual Report Topic 3	Compensatory Mitigation for Permanent Impacts Status
When to Submit	With the semi-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
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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. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized.

	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.
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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> <p>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.</p> <p>Part B: Permittee Responsible Compensatory Mitigation</p> <p>2. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met.</p> <p>3. Status on the implementation of the long-term maintenance and management plan and funding of endowment.</p> <p>4. Pre- and post-photo documentation of all compensatory mitigation sites.</p> <p>5. Final maps of all compensatory mitigation areas (including buffers).</p> <p>Part C: Post-Construction Storm Water BMPs</p> <p>6. Date of storm water permit Notice of Termination(s), if applicable.</p> <p>7. Report status and functionality of all post-construction BMPs.</p>

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	<p>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.</p> <p>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.</p>

	<p>3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.</p>
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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
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	Prior to any alteration or modification of Project activities.
Report Contents	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.

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	<p>1. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts:</p> <ul 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

	<p>b. responsibility for compliance with any long-term BMP¹ maintenance plan requirements in this Order.</p> <p>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.</p>
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.

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