STATE OF CALIFORNIA – CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD
1515 CLAY STREET, SUITE 1400
OAKLAND, CALIFORNIA 94612

APPLICATION FOR 401 WATER QUALITY CERTIFICATION AND/OR REPORT OF WASTE DISCHARGE

(FORM R2C502-E)

1. **APPLICANT'S NAME** William Butler, Jerico Products, Inc.	4. **AUTHORIZED AGENT'S NAME AND TITLE** (an agent is not required) Christine Boudreau, Boudreau Associates Llc
2. **APPLICANT'S ADDRESS** 100 East D Street Petaluma, Ca 94952	5. **AGENT'S ADDRESS** 327 Jersey Street San Francisco, Ca 94114
3. **APPLICANT'S PHONE & FAX NOS.** (email optional) (707) 762-7251 Bill@Jericoproducts.Com	6. **AGENT'S PHONE & FAX NOS.** (email optional) 415-296-1155 Cboudreau@Boudreaullc.Com

7. **STATEMENT OF AUTHORIZATION**

I hereby authorize Christine Boudreau to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

October 7, 2013

APPLICANT'S SIGNATURE **DATE**
(This must be signed by the Applicant, not the authorized agent)

PROJECT OR ACTIVITY INFORMATION

8. **PROJECT NAME OR TITLE** (See Instructions.)
Jerico Products Sand Mining Operations: Middle Ground

9. **NAME OF AFFECTED WATERBODY(IES)** (See instructions.) Suisun Channel /Bay	10. **PROJECT STREET ADDRESS** (if applicable)

11. **LOCATION OF PROJECT**

Contra Costa		Region 2 – San Francisco Bay
COUNTY	CITY/TOWN (or unincorporated)	REGIONAL WATER BOARD REGION

12. **OTHER LOCATION DESCRIPTIONS** (watershed, latitude & longitude, river mile, etc. Attach map. See instructions.)
Sand Mining within Middle Ground private lease location between June 2014 and June 2024. See Project Description Section 1 provided in the permit application information package for detail.

13. **DIRECTIONS TO THE SITE**
See Project Description Section 1 provided in the permit application information package

14. **PROJECT PURPOSE** (Describe the reason or purpose for the overall project. See instructions.)
To mine sand at Middle Ground private lease site in Suisun Bay/Channel.

15. **DESCRIPTION OF ACTIVITY AND ENVIRONMENTAL IMPACTS** (Provide a full, technically accurate description of the entire activity and associated environmental impacts. See instructions.)
Please see attached Project Description package. Biological Assessments have been prepared and were submitted to USFWS and NMFS. An ITP application was submitted to CDFW. Formal consultations with each of these agencies have been initiated. Hard copies of the BA and Draft ITP will be distributed to RWQCB staff upon request

ADDITIONAL INFORMATION

21. HAS ANY PORTION OF THE WORK BEEN INITIATED? YES ☐ NO ☒

IF YES, DESCRIBE THE INITIATED WORK, and explain why it was initiated prior to obtaining a permit. Indicate whether any enforcement action has been taken against the project.

Please see attached Project Description. Sand mining activities are ongoing, but currently covered under Waste Discharge Requirements.

22. HAS A FEDERAL AGENCY OR THE APPLICANT PROVIDED PUBLIC NOTICE OF THIS APPLICATION FOR WATER QUALITY CERTIFICATION?

Federal Agency: YES ☒ NO ☐ Date: 4/22/2013 Type of Notification: Public Notice Agency Name and Contact: USACE, Sahrye Cohen

Applicant: YES ☐ NO ☒ **Date:** **Type of Notification:** **Media Name and Contact:**

IF PUBLIC NOTICE HAS NOT BEEN MADE, provide the name, address, and phone number (if available) of adjacent property owners, lessees, etc., and any other parties known to be interested in the project:

23. OTHER PERMITS (List other local, state or federal licenses, permits, and agreements that will be required for any construction, operation, maintenance, or other actions associated with the project. Attach copies of all draft or final documents. See instructions.)

AGENCY	CONTACT (with phone number)	TYPE OF APPROVAL	PERMIT OR ID NUMBER	DATE APPLIED	STATUS	DATE OF ACTION
US Corps of Engrs.	Sahrye Cohen 415-503-6779	SEction 10	pending		In Review	
US Fish Wildlife	Brian Hansen (916) 930-5642	Biological Opinion	pending		In Review	
Ca Dept Fish Game	Jim Starr (209) 948-7800	ITP	pending		In Review	
-Choose One-					-Choose One-	
-Choose One-					-Choose One-	
BCDC	Brenda Goeden	Individual Major Permit			In Review	
					-Choose One-	
Other or Local Agency					-Choose One-	
Other or Local Agency					-Choose One-	

24. OTHER PROJECTS (List and describe other projects implemented or planned that are related to the proposed project, or that may impact the same waterbody. See instructions. Add additional sheets if necessary.)

PROJECT NAME	DESCRIPTION	WATERBODY AND WATERSHED	DATE IMPLEMENTED/PLANNED

25. Application is hereby made for a permit or permits to authorize the work described in this application. I certify, under penalty of perjury, that this application is complete and accurate to the best of my knowledge. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

October 7, 2013

SIGNATURE OF APPLICANT DATE SIGNATURE OF AGENT DATE

The application must be signed by the person who desires to undertake the proposed activity (Applicant) or a duly authorized agent if the statement in Block 7 has been filled out and signed.

Attach fee deposit (see Instructions page 7) and any additional documents and submit this application to:

SFBRWQCB
Attention: 401 Water Quality Certification

16. AVOIDANCE OF IMPACTS (Describe efforts to avoid and minimize impacts to waters of the State. See instructions.)

See Section 4 provided in the permit application information package

17. ENVIRONMENTAL DOCUMENTS (list any non-CEQA environmental documents that have been prepared for the project and/or the project site. Provide the date of the document and the name of the individual, firm, or agency that prepared it. Provide a copy of delineations and endangered species surveys. See instructions.)

See information provided in the permit application information package

DREDGE & FILL INFORMATION

18. The following items must be completed for each action where fill or other material will be temporarily (T) or permanently (P) discharged to a wetland or other waterbody, and where material will be dredged from a waterway (add additional pages as necessary). Provide a map showing the location of each action (See instructions):

Map Location Number	LOCATION (show on plan & indicate waterbody)	REASON FOR ACTION (See instructions)	AMOUNT AND TYPE OF MATERIAL (in cubic yards, see instructions)	SURFACE AREA OF FILL (in acres and/or linear feet; specify **(T)** or **(P)**; see instructions)
	NA			

MITIGATION

19. MITIGATION (Describe the size, type, and functions, and values of the proposed mitigation. Describe success criteria, monitoring, and long-term funding, management, and protection of the mitigation site. Attach a Mitigation Plan if needed. See instructions and contact Regional Board staff for additional assistance.)

To fully mitigate incidental take of CESA protected species that fish screens cannot avoid or minimize, Hanson has committed to purchase shallow water habitat. Mitigation estimates were calculated and approved by CDFW. Liberty Island has been identified as suitable habitat and Jerico is currently coordinating with pertinent entities to purchase habitat for the proposed 10 year sand mining permit.

CEQA

20. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Documents: Indicate the status of CEQA documents prepared for the project (see instructions).

TYPE OF DOCUMENT	STATUS	DATE COMPLETED (or expected to be complete)	TYPE OF DOCUMENT	STATUS	DATE COMPLETED (or expected to be complete)
Initial Study	Complete		Notice of Preparation	Complete	
Draft Environmental Impact Report	Complete		Final Environmental Impact Report	Complete	**10/1/12**
Negative Declaration	-Choose One-		Mitigated Negative Declaration	In Preparation	
Notice of Categorical Exemption Exemption Number:	-Choose One-		Notice of Statutory Exemption Exemption Number:	-Choose One-	
Other (describe)	-Choose One-				
Notice of Determination*	-Choose One-		*Note: A Notice of Determination or Notice of Exemption from the Lead Agency is required before a certification or waiver can be issued.		

Lead Agency: SLC **Contact**: Eric Gillies **Telephone**: (916) 574-1897

State Clearing House Number: _200707_