



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Executive Office

Charles R. Hoppin, Chairman  
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Arnold Schwarzenegger  
Governor

**JAN 14 2010**

Mr. Michael Gunby  
Pacific Gas & Electric Company  
2730 Gateway Oaks Drive, Room 220  
Sacramento, CA 95833

Dear Mr. Gunby,

**CLEAN WATER ACT (CWA) SECTION 401 WATER QUALITY CERTIFICATION FOR THE PACIFIC GAS AND ELECTRIC COMPANY (PG&E) VACAVILLE-DIXON—BIRDS LANDING 230 kV RECONDUCTORING PROJECT, SOLANO COUNTY, CALIFORNIA (CORPS FILE # SPN-2008-00243-N, SWRCB FILE # SB09006IN)**

Pacific Gas and Electric Company (PG&E) submitted an application on June 19, 2008 for CWA section 401 Water Quality Certification (Certification). A complete application for Certification was received on October 9, 2008. State Water Resources Control Board (State Water Board) staff reviewed the information submitted by PG&E describing the project activities and the proposed water quality protection measures.

The State Water Board is responsible for permitting projects that extend into more than one Regional Water Quality Control Board. This Certification will allow PG&E to replace the wires on approximately 30 miles of power line to increase transmission capacity to residents of Solano and Contra Costa counties. Consultations regarding this program were conducted with the San Francisco Bay Regional Water Quality Control Board, Central Valley Regional Water Quality Control Board, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.

Pursuant to Title 23, section 3838 of the California Code of Regulations, I hereby make the Certification determination described in Enclosure for these projects. Attachments A through D to the Enclosure are also a part of this Certification.

If you require further assistance, please contact Amna Hawatky, the staff person most knowledgeable on the subject, at (916) 341-5483 ([ahawatky@waterboards.ca.gov](mailto:ahawatky@waterboards.ca.gov)). You may also contact Bill Orme, Chief of the 401 Certification and Wetlands Protection Unit, at (916) 341-5464 ([borme@waterboards.ca.gov](mailto:borme@waterboards.ca.gov)).

Sincerely,

Dorothy Rice  
Executive Director

cc: (See next page)

*California Environmental Protection Agency*



Enclosure: Certification Order with Attachments A-D

cc: Mr. Craig Lawrence  
CH2M HILL  
155 Grand Avenue, Suite 1000  
Oakland, CA 94612  
craig.lawrence@ch2m.com

Mr. Philip Shannin  
Regulatory Branch  
San Francisco District  
U.S. Army Corps of Engineers  
1455 Market Street  
San Francisco, CA 94103-1398  
Philip.A.Shannin@usace.army.mil

Mr. Dave Smith, Chief  
Wetlands Regulatory Office  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Mr. Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
bwolfe@waterboards.ca.gov

Ms. Pamela C. Creedon, Executive Officer  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114  
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Mr. Greg Martinelli  
California Department of Fish and Game  
P.O. Box 47  
Yountville, CA 94599  
gmartinelli@dfg.ca.gov

Ms. Michelle Tovar  
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2800 Cottage Way, Room W2605  
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# State Water Resources Control Board

## Executive Office

**Charles R. Hoppin, Board Chair**  
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**Arnold Schwarzenegger**  
Governor

**ACTION ON REQUEST FOR CLEAN WATER ACT (CWA) SECTION 401  
WATER QUALITY CERTIFICATION FOR THE PACIFIC GAS AND ELECTRIC  
COMPANY (PG&E) VACAVILLE-DIXON—BIRDS LANDING 230 kV  
RECONDUCTORING PROJECT, SOLANO COUNTY, CALIFORNIA  
(CORPS FILE # SPN-2008-00243-N)  
(SWRCB FILE # SB09006IN)**

**PROJECT:** CWA Section 401 Certification Vacaville-Dixon -Birds Landing 230 kV  
Reconductoring Project, Solano County

**APPLICANT:** Mr. Michael Gunby  
2730 Gateway Oaks Drive, Room 220  
Sacramento, CA 95833

This Order responds to your request for a 401 Water Quality Certification (Certification) for Pacific Gas and Electric Company's (PG&E) Vacaville-Dixon—Birds Landing 230 kV Reconductoring Project (Project). PG&E has applied for a U.S. Army Corps of Engineers (USACE) Individual Permit (Corps No. SPN-2008-00243-N) pursuant to section 404 of the CWA (33 U.S.C. 1344) for the proposed Project. PG&E has applied to the State Water Resources Control Board (State Water Board) for a Certification that the Project will not violate State water quality standards.

### ACTION

- |   |   |
|---|---|
| <input type="checkbox"/> Order for Standard Certification                             | <input type="checkbox"/> Order for Denial of Certification                |
| <input checked="" type="checkbox"/> Order for a Technically Conditioned Certification | <input type="checkbox"/> Order for Waiver of Waste Discharge Requirements |

### PROJECT DESCRIPTION:

PG&E proposes to replace approximately 30 miles of power line to increase transmission capacity to residents of Solano and Contra Costa counties, which will require electrical tower modifications for 105 towers to accommodate the new heavier wires. Electrical tower modifications will be accomplished mainly by helicopters. Temporary work areas will include construction access roads, conductor pull and tension sites, helicopter landing zones, guard structure locations, and installation of grounding rods.

**STANDARD CONDITIONS:**

- 1 This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with section 3867) of Chapter 28, Title 23 of the California Code of Regulations (CCR).
2. This certification action 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 CCR, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Certification is conditioned upon total payment of any fee required under Chapter 28, Title 23 of the CCR and owed by the applicant.

**ADMINISTRATIVE CONDITIONS:**

PG&E shall construct the Project in accordance with the conditions described in the application, supporting documents and this Certification Order.

2. This Certification shall expire upon the expiration or retraction of the CWA Section 404 permit issued by the USACE, or five (5) years from the date of issuance of this Certification, whichever comes first.
3. PG&E shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.
4. PG&E shall grant State Water Board and Regional Water Quality Control Board (Regional Water Board) staff, or an authorized representative, upon presentation of credentials and other documents as may be required by law, permission to enter the project site at reasonable times, to ensure compliance with the terms and conditions of this Certification and/or to determine the impacts the project may have on the waters of the State.
5. A copy of the Storm Water Pollution Prevention Plan (SWPPP) shall be provided to the State Water Board at least 30 days prior to the start of construction. Except as expressly allowed in the Certification, the discharge, or creation of the potential for discharges, to waters of the State of any construction wastes and/or soil materials including cement, fresh concrete, or washings thereof, silts, clay, sand, oil or petroleum products and other organic materials to waters of the State is prohibited.
6. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must be subject to any remedies, penalties, processes, or sanctions as provided for under state or federal law. For



purposes of the CWA 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 Certification.

7. In response to a suspected violation of any condition of this Certification, the State Water Board may require the holder of this Certification to furnish, under the penalty of perjury, any technical or monitoring reports the State Water Board deems 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.
8. The State Water Board may add to or modify the conditions of this Certification, as appropriate, to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the CWA.
9. The State Water Board reserves the right to suspend, cancel, or modify and reissue this Certification, after providing notice to PG&E and/or responsible Project Site Supervisor, if the State Water Board determines that the project fails to comply with any of the terms or conditions of the Certification.
10. Permitted activities shall not result in the taking of any State endangered species, threatened species, or candidate species, or the habitat of such a species unless the activity is authorized by the California Department of Fish and Game (CDFG) pursuant to a permit, memorandum of understanding, or other document or program in accordance with Fish and Game Code sections 2081, 2081.1, or 2086.
11. Permitted activities must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Water Quality Control Plan (Basin Plan) by a Regional Water Board or the State Water Board.
12. This Certification does not obviate the need to obtain other permits that may be required by federal, state, or local authorities.
13. Failure to comply with any condition of this Certification shall constitute a violation of the CWA and the Porter-Cologne Water Quality Control Act. Any such Certification previously granted shall immediately be revoked, and any or all discharges shall cease. PG&E may then be subject to administrative and/or civil liability pursuant to Water Code 13385.
14. All protective measures included in the Biological Opinion (#81420-2008-F-1725-2) issued by the United States Fish and Wildlife Service (USFWS) on November 20, 2008 for this project shall be implemented.
15. PG&E shall adhere to the conditions imposed by the Project Nationwide Permit 12, issued to PG&E by the USACE.



16. Any significant modifications to the Mitigation and Monitoring Report Plan (MMRP) (Attachment D) must be approved by the State Water Board before implementation.
17. Certification is conditioned upon total payment of the full fee required in State regulations (23 CCR Section 3833). State Water Board staff received payment of \$1386.00 on June 19, 2008 and \$209.00 on January 12, 2009.

**ADDITIONAL CONDITIONS:**

**A. General Discharge Conditions**

1. This Project shall comply with all applicable National Pollutant Discharge Elimination System permits and Waste Discharge Requirements.
2. This Project shall not discharge substances in concentrations toxic to human, plant, animal, or aquatic life or that produce detrimental physiological responses.
3. This Project shall not discharge waste classified as "hazardous" as defined in Title 22 CCR section 66261 and CWA section 13173.
4. No equipment shall be operated in areas of flowing or standing water.
5. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the United States and the State. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to any waters of the State or the United States. At no time shall PG&E use any vehicle or equipment which leaks any substance that may impact water quality.
6. Vehicle and equipment fueling and maintenance operations shall be at least 50 feet away from vernal pools and other aquatic habitats.
7. All entrances and exits onto connecting roads shall be kept clean of mud and debris.
8. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
9. Except as expressly allowed in this Certification, the discharge, or creation of the potential for discharge, of any soil materials including fresh concrete, cement, silts, clay, sand and other organic materials to waters of the State is prohibited.
10. All hazardous materials, including fuels, lubricants, and cleaning solutions, shall be stored, handled,
11. No debris, soil, silt, sand, cement, concrete, or washings thereof, other construction related materials or wastes, oil or petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into jurisdictional wetlands or waters. Upon completion of construction, all construction-related materials shall be removed from the work area and any areas adjacent to the work area.



12. Daily visual inspections for waste releases of all vehicles and equipment parked or operating in areas that could potentially drain to surface waters shall be conducted before the vehicles or equipment begin conducting work for the day. Any spillage and leaks shall be noted during any point that they occur during the day. Presence of any spillage leaks must be noted and contaminated soils must be immediately removed from the area for disposal at a permitted facility.
13. A daily log shall be maintained to note the presence and absence of waste releases from vehicles and equipment operating near surface waters. How waste release clean-ups were resolved should be noted. Copies of the daily log shall be maintained on site for inspection and submitted to the 401 Program Managers of the State Water Board and the appropriate Regional Water Board(s) on a monthly basis.

#### **B. Best Management Practices (BMPs)**

Appropriate BMPs shall be implemented throughout the project activities to help minimize sediment disturbance and suspension within the water. All BMP materials shall be on site and ready for use prior to project implementation. BMPs shall be in full compliance with all specifications governing the proper design, installation, operation, and maintenance of such management practices.

2. Appropriate erosion control BMPs shall be used to minimize any wind-or water-related erosion. Install sandbags or other erosion control measures to prevent silt runoff to public roads, storm drains, or streams/channels.
3. Disturbance or removal of vegetation shall be minimized. The site shall be stabilized utilizing BMPs, including the successful re-establishment of native vegetation, to enhance wildlife habitat values, and to prevent and control erosion and sedimentation. Re-vegetation work must be completed in the same calendar year.
4. Disturbed construction areas will be restored to pre-project conditions, reseeded planted if appropriate.
5. Geotextile fabric and a layer of gravel shall be used to protect the original contour of all wetland pools that cannot be avoided within the identified temporary impact areas adjacent to or within the Right of Way (ROW). After construction, the gravel and fabric shall be removed and the disturbed area restored to pre-project conditions, and reseeded if appropriate.
6. During the wet season, temporary access road entrances, exits, and fly sites shall be rocked and all access road areas shall be stabilized with the placement of geotextile mats and rock.
7. Dust control shall be implemented during construction in the dry season to minimize dust and soil particles generated by construction activities. Apply water three times daily (during dry conditions), or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.



8. Project vehicles shall observe a 15-mile per hour speed limit on all project areas, except on county roads and State and Federal highways.
9. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of free board.
10. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
11. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
12. Equipment engines shall be covered. PG&E shall ensure that mufflers are in good working condition and equipment is no leaking oil, grease, or other fluids.

### **C. Noise and Traffic Conditions**

Works hours shall be restricted for all noise generating construction activities from 7:00 A.M. to 7:00 P.M. Monday through Friday and from 8:00 A.M. to 6:00 P.M. on Saturdays and Sundays whenever possible.

2. All stationary equipment such as compressors and welding machines shall be located away from noise receptors to the extent practicable.
3. Pneumatic tools to be used within 1,500 feet of a residence shall have an exhaust muffler on the pressed air exhaust. This shall be included in the construction specifications.
4. Helicopter landing/staging areas will be sited along the existing alignment, away from residences.
5. The construction contractor will prepare a construction Traffic Management Plan that addresses timing of heavy equipment and building material deliveries, signing, lighting, traffic control device placement, guard structures, onsite and offsite parking and staging, construction worker pedestrian public roadway crossing, and establishing work hours outside of peak traffic periods. Emergency service providers shall be notified of the timing, location and duration of construction activities.

### **D. Biological Conditions**

1. A biological monitor shall be onsite during all work within sensitive biological areas. Off-road access routes shall be flagged and monitored. Work within sensitive biological areas shall be done during the dry season. Additionally, no work activities shall be allowed to occur north of Creed Road during the Delta green ground beetle flight season, which is May 15 to October 31.
2. Environmentally sensitive area (ESA) fencing shall be installed around sensitive habitats as discussed in the biological assessment. All ESA fencing shall be inspected by a qualified biologist before construction in the area of concern and monitored on a regular basis during construction to ensure its integrity. The limits of



the construction area throughout the Project will be flagged if not already marked by ROW or other fencing, and all activity will be confined within the marked area. A qualified biologist shall be on-site during all activities that could result in the take of a listed species.

3. Prior to construction activities, a qualified botanist shall establish exclusion zones for special status plants within 50 feet of impact areas. These exclusion zones will include known populations and, where practicable, a 50-foot buffer zone. Construction equipment and personnel will be restricted from entering the exclusion zones, except where allowed under specific mitigation measures. An environmental monitor will be onsite during construction activities in the vicinity of sensitive biological resources. If direct or indirect impacts to special-status plant species are observed then the monitor shall notify the construction manager immediately. If any populations of special-status plants are impacted, work in that area will be halted. The environmental monitor, in consultation with PG&E, will contact the CDFG and/or the USFWS
4. Vehicle access north of Creed Road shall be limited to two total vehicle round-trips: one round-trip during guard structure installation, and one during removal. The speed limit on the temporary access route will be restricted to 2 mph. A qualified botanist will escort vehicles along the temporary access route. Ingress and egress to the guard structure site will occur along different routes (i.e. new tire tracks each trip) to minimize damages to individual plants. Pappose tarplant tolerates disturbance and the impacts shall be temporary, with full recovery of disturbed areas within 1-2 years.
5. A qualified botanist will conduct preconstruction surveys around the proposed fly site (F-8) for pappose tarplant to determine the population's extent. The location and/or dimensions of the fly site shall be altered to avoid pappose tarplant, and the population will be protected with high-visibility fencing or signage.
6. A qualified botanist will conduct preconstruction surveys for brittlescale to determine the population's extent. The botanist will identify brittlescale plants in the immediate vicinity of the proposed guard structure north of Creed Road and will assist PG&E in adjusting the placement of the structure as necessary. If work occurs in the area in May or June or before bracts necessary for identification are fully developed, all plants of genus *Atriplex* will be avoided.
7. To avoid or minimize potential impacts to northwestern pond turtles, a qualified biologist shall conduct a pre-construction survey for pond turtles no more than 30 days prior to construction in suitable aquatic habitats within Project impact areas. If turtles are found in aquatic habitat, then clearance of the nearby (300 ft) terrestrial habitat that would be impacted shall occur prior to construction activities; the biologist(s) shall look for eggs and western pond turtle individuals including over-wintering hatchlings. If eggs are found, the monitor shall contact CDFG for the appropriate measures to relocate the eggs. If pond turtles are located near any proposed construction areas, impacts to individuals and their habitat will be avoided to the extent feasible. The Environmental Monitor will be onsite during all construction activity in the vicinity of individual pond turtles or their nests.



8. For Project construction activities occurring during the bird nesting season of February 1 through August 31, a qualified ornithologist shall conduct pre-construction surveys for nesting birds within two weeks of construction. These surveys will cover the transmission line route, staging areas, pull sites, fly sites, and access routes. Additional pre-construction surveys shall be conducted for each new phase of Project implementation that occurs during the nesting season, no more than two weeks prior to construction. For any nests that are found, nest protection zones will be established. For passerine birds, a 50 to 100-foot protection zone shall be established around active nests; for raptors, a 300-foot protection zone and for golden eagles a 500-foot protection zone shall be established around active nests. These protection zones may be modified on a site-specific basis as determined by the Environmental Monitor or in coordination with CDFG. Active nests within the Project area would be monitored for signs of disturbance. If the biological monitor determines that a disturbance is occurring, construction shall be halted, and the agencies shall be contacted as to the measures that shall be implemented.
9. Phase III Burrow Surveys (nesting season surveys) shall be conducted in five locations in accordance with the Burrowing Owl Survey Protocol and Mitigation Guidelines. No disturbance should occur within 50 meters (approx. 160 ft.) of occupied burrows during the non-breeding season of September 1 through January 31 or within 75 meters (approx. 250 ft.) during the breeding Season of February 1 through August 31. Burrowing owls shall not be relocated during the breeding season. During the non-breeding season, if avoidance requirements can not be met, the applicant shall submit a site specific proposal for burrowing owl relocation and mitigation to CDFG and the State Water Board for review and approval. The applicant shall be required to mitigate for impacts as 6.5 acres per relocation/burrow impact.

#### **E. Archaeological and Cultural Conditions**

1. If concentrations of prehistoric or historic-period materials are encountered during ground-disturbing work at any of the Project work sites, all work in the immediate vicinity of the discovery shall be halted until a qualified archaeologist can evaluate the significance of the find. If the find is determined to be significant, PG&E shall determine the appropriate avoidance measures or other appropriate mitigation in consultation with a qualified archaeologist and the State Water Board. Significant cultural materials shall be curated according to current professional standards.
2. If unanticipated paleontological resources are discovered during ground-disturbing activities during the Project, excavations in the immediate vicinity of the find shall be temporarily halted until the discovery is examined by a qualified paleontologist per Society of Vertebrate Paleontology standards. If the find is determined to be significant, PG&E shall determine the appropriate avoidance measures or other appropriate mitigation in consultation with a qualified paleontologist and the State Water Board. Significant paleontological finds shall be curated according to current professional standards.
3. If human remains are encountered, work in the immediate vicinity shall stop and the County Coroner shall be notified immediately. A qualified archaeologist shall be contacted immediately to evaluate the discovery. If the human remains are of Native



American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission then has 48 hours to identify a Most Likely Descendent.

#### **F. Monitoring**

PG&E is responsible for the implementation of the *PG&E Vaca Dixon Birds-Landing 230 kV Reconductoring Project Mitigation Monitoring and Reporting Plan (MMRP)*. The success of the mitigation efforts detailed in the MMRP will be monitored annually by a habitat restoration specialist or qualified biologist for a five-year period. Yearly reporting will be required for a minimum of five years. A five year monitoring plan will be implemented with an 80 percent survival rate of all proposed plant species. If vegetative cover does not meet the survival rate performance standard, PG&E shall consult with the appropriate Regional Water Board regarding remedial actions. Failure to meet any of the final 5-year performance criteria will result in an extension of the monitoring period until that particular criterion is met. Remedial actions might include additional planting of appropriate species.

Monitoring reports will be submitted by November 1<sup>st</sup> of each monitoring year to the 401 Program Managers of the State Water Board and the appropriate Regional Water Board(s) documenting work undertaken the previous year(s). The reports, at a minimum, shall include:

- i. Names, titles, and affiliations of all persons who prepared the report and conducted field work;
- ii. Copies of USACE permits, any special Conditions, and subsequent Letters of Memorandum;
- iii. Analysis of all quantitative monitoring data;
- iv. Electronic or color copies of all photo-documentation;
- v. Maps showing the monitoring area, vegetation survey sites, and photo-documentation points; and remedial action recommendations, as needed.

Reports shall be directed to: Program Manager, Certification and Wetlands Program: at the following State and appropriate Regional Water Board office(s):

State Water Resources Control Board  
Division of Water Quality  
1001 "I" Street, 15<sup>th</sup> Floor  
Sacramento, CA 95814

San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Central Valley Regional Water Quality Control Board  
Sacramento Office  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670-6114

***California Environmental Protection Agency***

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1. PG&E shall notify the State Water Board within 24 hours of any noncompliance that may impact the beneficial uses of waters of the State. The notification shall include the volume and type of materials discharged and recovered, measures used to contain the discharge, and measures used to prevent future discharges.
2. All information requested in this Certification, including mitigation and monitoring reporting, is pursuant to CWC section 13267. Civil liability may be administratively imposed by the State Water Board for failure to furnish requested information pursuant to CWC section 13268.
3. PG&E shall submit a notice of mitigation completion and final mitigation report to the State Water Board which must be approved by the State Water Board staff contact for this project

**STATE WATER BOARD CONTACT PERSON:**

If you have any questions, please contact State Water Board Environmental Scientist Amna Hawatky at (916) 341-5483 ([ahawatky@waterboards.ca.gov](mailto:ahawatky@waterboards.ca.gov)). You may also contact Bill Orme, Chief of the 401 Certification and Wetlands Protection Unit, at (916) 341-5464 ([borme@waterboards.ca.gov](mailto:borme@waterboards.ca.gov)).

**WATER QUALITY CERTIFICATION:**

I hereby issue an order certifying that 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), if all of the conditions listed in the certification action are met. This discharge is also regulated pursuant to State Water Board Quality Order No. 2003-0017-DWQ, which authorizes this certification 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 certification actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the MMRP for Jurisdictional Waters of the U.S, Project Information Sheet (Attachment A), and (b) compliance with all applicable requirements of the Regional Water Board's Water Quality Control Plan.

  
 \_\_\_\_\_  
 Dorothy Rice, Executive Director  
 State Water Resources Control Board

1-13-10  
 \_\_\_\_\_  
 Date

- Attachments (4):
- A. Signatory Requirement
  - B. Project Information Sheet
  - C. Project Impacts
  - D. Mitigation and Monitoring Report Plan

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