



Central Valley Regional Water Quality Control Board

27 April 2018

Kent Hallen
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P.O. Box 2176
Chico, CA 95927

CERTIFIED MAIL
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CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE AUBURN CREEKSIDE CENTER PROJECT, PLACER COUNTY (WDID#5A31CR00466)

Enclosed please find a Clean Water Act Section 401 Water Quality Certification and Order, authorized by Central Valley Regional Water Quality Control Board Incoming Executive Officer, Patrick Pulupa, on behalf of Executive Officer, Pamela C. Creedon. This Order is issued to Auburn Pacific Properties, LLC for the Auburn Creekside Center Project (Project). Attachments A through F of the Enclosure are also part of the Order.

This Order is issued in response to an application submitted by Auburn Pacific Properties, LLC for proposed Project discharges to waters of the state, to ensure that the water quality standards for all waters of the state impacted by the Project are met. You may proceed with your Project according to the terms and conditions of the enclosed Order.

Please review your Order carefully to ensure that you understand all aspects of the Order. Note that this Order requires reporting and notification. Requirements for the content of the reporting and notification requirements are detailed in Attachment F, 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 F, which must be signed by the Permittee or an authorized representative.

These reports, notifications, and other submissions must be submitted in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleysacramento@waterboards.ca.gov. In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

If you require further assistance, please contact me by phone at (916) 464-4644 or by email at Stephanie.Tadlock@waterboards.ca.gov.

Original Signed By:

Stephanie Tadlock
Environmental Scientist
401 Water Quality Certification Unit

Enclosures (1): Order for Auburn Creekside Center Project

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

Sam Ziegler (Electronic Copy Only)
United States Environmental Protection Agency
Ziegler.Sam@epa.gov

California Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

cc: (w/ enclosure):

Bill Guthrie (SPK-2006-00653)
United States Army Corps of Engineers
Sacramento District Headquarters
1325 J Street, Room 1350
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Stockton, CA 95204



Central Valley Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: 27 April 2018	Reg. Meas. ID: 412953 Place ID: 834749 WDID: 5A31CR00466 USACOE#: SPK-2006-00653 NWP 14, 39
Expiration Date: 26 April 2023	
Program Type: Fill/Excavation	
Project Type: Commercial	
Project: Auburn Creekside Center Project (Project)	
Applicant: Auburn Pacific Properties, LLC	
Applicant Contact: Kent Hallen PO BOX 2176 Chico, CA 95927 Phone: (530) 898-0640 Email: kent@pacificpropertiesgroup.com	
Applicant's Agent: Bruce Barnett Barnett Environmental 5214 El Cemonte Avenue Davis, CA 95618 Phone: (530) 758-9235 Email: bdbarnet@sbcglobal.net	
Water Board Staff: Stephanie Tadlock Environmental Scientist 11020 Sun Center Drive, Suite 200 Rancho Cordova, CA 95670 Phone: (916) 464-4644 Email: Stephanie.Tadlock@waterboards.ca.gov	

Water Board Contact Person:

If you have any questions, please call Central Valley Regional Water Quality Control Board (Central Valley Water Board) Staff listed above or (916) 464-3291 and ask to speak with the Water Quality Certification Unit Supervisor.



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I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of Auburn Pacific Properties, LLC (herein after Permittee) for the Project. This Order is for the purpose described in application and supplemental information submitted by the Permittee. The application was received on 26 April 2017. The application was deemed complete on 25 May 2017. Central Valley Water Board staff requested additional information necessary to supplement the contents of the complete application and the Permittee responded to the request for supplemental information on the following dates (Table 1).

Table 1: Record of Supplemental Application Information	
Date of Request for Supplemental Information	Date all requested information was received.
25 May 2017	27 July 2017
9 February 2018	7 March 2018

II. Public Notice

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 28 April 2017 to 19 May 2017. The Central Valley Water Board did not receive any comments during the comment period.

III. Project Purpose

The Project purpose is to modify the existing road and drainage infrastructure to support the future development of a commercial retail center.

IV. Project Description

The 6.6-acre Auburn Creekside Center Project consists of roadway improvements, drainage course modifications, culvert removal, and constructing soil retaining walls in preparation for constructing the Auburn Creekside Center.

V. Project Location

Address: East of Highway 49N and south of Rock Creek Road

County: Placer

Nearest City: Auburn

Section 28, Township 13 North, Range 8 East, MDB&M.

Latitude: 38.9447° N and Longitude: 121.0961° W

Maps showing the Project location are found in Attachment A of this Order.

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Central Valley Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition, revised April 2016 (Basin Plan) The Basin Plan for the region and other plans and policies 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.

Project impact and receiving waters information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity is shown in Table 2 of Attachment B.

VII. Description of Direct Impacts to Waters of the State

The Project includes developing 7.11 acres for commercial uses and preserving 2.66 acres for right-of way dedications and 3.43 acres as open space on the 13.2-acre project site.

Education Street will be extended to cross Rock Creek tributary to connect a western and eastern planned retail area. Grading activities will impact the edge of an unnamed wetland where a toe of slope is planned. An existing 45-inch by 78-inch culvert located beneath Rock Creek Road will be replaced with multiple, precast box culverts to allow for an increased storm water flow due to road expansion. Concrete debris accumulated due to culvert removal will be hauled to a nearby landfill for disposal. Drainage will be reconfigured along Rock Creek Road. On-site storm water will be routed into treatment device prior to discharge. Road expansion, grading, and culvert removal and replacement will permanently impact 0.261 acre and temporarily impact 0.140 acre of wetland habitat.

Dewatering will occur within the Project area. No wet concrete will be placed into wetlands or riparian habitat.

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.

Table 2: Total Project Fill/Excavation Quantity									
Aquatic Resource Type	Temporary Impact¹			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition		
	Acres	CY²	LF²	Acres	CY	LF	Acres	CY	LF
Wetland	0.140	-	-	0.260	-	-	-	-	-

VIII. Description of Indirect Impacts to Waters of the State – NOT APPLICABLE

IX. Avoidance and Minimization

Construction is expected to occur during the dry season of the year. If work is necessary during the wet season (October – April), activities will not occur during, or immediately after, storm events. Only clean rock and soil will be used to fill permitted wetlands on the Project site. No soil, silt, or other organic material will be placed where materials could pass into surface water or drainage courses. All disturbed areas will be protected from washout and erosion. During construction, best management practices will be implemented to prevent erosion, sediment, and other pollutants from entering surface water and include covering exposed soil with straw mats, tarps, or similar materials. All personnel performing work on the proposed Project will be adequately informed and trained regarding any conditions of

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition.

² Cubic Yards (CY); Linear Feet (LF)

certification. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of Project activities.

X. Compensatory Mitigation

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

XI. California Environmental Quality Act (CEQA)

On 25 August 2016, Placer County, as lead agency, certified an Environmental Impact Report (EIR) (State Clearinghouse (SCH) No. 2006032114) for the Project and filed a Notice of Determination (NOD) at the SCH on 11 October 2016. Pursuant to CEQA, the Central Valley Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

XII. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Resources Control Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

XIII. Fees Received

An application fee deposit of \$720.00 was received on 25 April 2017. The remaining application fee balance of \$4,158.00 based on total Project impacts was received on 27 July 2017.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

XIV. Conditions

The Central Valley 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 2.

B. Reporting and Notification Requirements

The following section details the reporting and notification types and timing of submittals. Requirements for the content of these reporting and notification types are detailed in Attachment D, 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 D, which must be signed by the Permittee or an authorized representative.

The Permittee must submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleysacramento@waterboards.ca.gov. In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID.

Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

1. Project Reporting

- a. Monthly Reporting:** The Permittee must submit a Monthly Report to the Central Valley Water Board on the 30th day of each month beginning the month after the submittal of the Commencement of Construction Notification. Monthly reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

If no sampling is required, the Permittee shall submit a written statement stating, "No sampling was required" within two weeks of initiation of in-water construction, and every month thereafter.

- b. Annual Reporting:** The Permittee shall submit an Annual Report each year on the 1st day of June starting one year after the effective date of the Order. 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 which includes the corresponding Waste Discharge Identification Number (WDID#) issued under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ; NPDES No. CAS000002).

- b. Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to the Central Valley Water Board staff within thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Central Valley Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee which will end the active discharge period and associated annual fees.

- c. Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete,³ and no further Project activities will occur. This request shall be submitted to Central Valley Water Board staff within thirty (30) days following completion of all Project activities. Upon approval of the request, the Central Valley 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 Completion of post-construction monitoring shall be determined by Central Valley Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

(footnote continued on next page)

3. Conditional Notifications and Reports: The following notifications and reports are required as appropriate.

a. Accidental Discharges of Hazardous Materials⁴

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

- i. As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
 - first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at:(800) 852-7550 or (916) 845-8911
 - Lastly follow the required OES procedures as set forth in:
http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf
- ii. Following notification to OES, the Permittee shall notify Central Valley Water Board, as soon as practicable (ideally within 24 hours). Notification may be delivered via written notice, email, or other verifiable means in accordance with section XIV.B.
- iii. Within five (5) working days of notification to the Central Valley 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 Central Valley Water Board of any event causing a violation of compliance with water quality standards. Notification may be delivered via written notice, email, or other verifiable means in accordance with section XIV.B.

- i. 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 and Diversions

- i. The Permittee shall notify the Central Valley Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be delivered via written notice, email, or other verifiable means in accordance with section XIV.B.
- ii. 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 Central Valley Water Board staff.

⁴ "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501.)

d. Modifications to Project

Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Central Valley 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 Central Valley Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order. Notification may be made in accordance with conditions in the certification deviation section of this Order.

e. Transfer of Property Ownership: This Order is not transferable in its entirety or in part to any person or organization except after notice to the Central Valley Water Board in accordance with the following terms:

- i. The Permittee must notify the Central Valley 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 Central Valley 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 is legally transferred, the Permittee must submit to the Central Valley 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 Central Valley 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:** Continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete). The Permittee shall perform surface water sampling⁵:
 - a. when performing any in-water work;
 - b. during the entire duration of temporary surface water diversions;
 - c. in the event that the Project activities result in any materials reaching surface waters; or
 - d. when any activities result in the creation of a visible plume in surface waters.
2. **Accidental Discharges/Noncompliance:** Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Central Valley Water Board staff may require water quality monitoring based

⁵ Sampling is not required in wetlands, where the entire wetland is being permanently filled; provided there is no outflow connecting the wetland to surface waters.

on the discharge constituents and/or related water quality objectives and beneficial uses.

3. In-Water Work or Diversions:

During planned in-water work or during the entire duration of temporary water diversions, any discharge(s) to waters of the state shall conform to the following water quality standards:

- a. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
- b. Activities shall not cause turbidity increases in surface water to exceed:
 - I. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
 - II. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - III. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - IV. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
 - V. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior permission of the Central Valley Water Board Executive Officer.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 3 sampling parameters. The sampling in Table 3 shall be conducted in the wetlands outside the influence of the Project to obtain a representative sample and within the in-water work area, discharge area, or within the visible plume to characterize the discharge to the wetlands.

The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff. An In-Water Work and Diversions Water Quality Monitoring Report, as described in Attachment D, shall be submitted within two weeks on initiation of in-water construction, and with every monthly report thereafter. In reporting the data, the Permittee shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with Order requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria in XIV.C.3.d.

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
Turbidity	NTU	Grab	Every 4 hours

- 4. Post-Construction:** Visually inspect the Project site during the rainy season for one year to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the Project site. If water quality pollution is occurring, contact the Central Valley Water Board staff member overseeing the Project within three (3) working days. The Central Valley Water Board may require the submission of a Violation of Compliance with Water Quality Standards Report. Additional permits may be required to carry out any necessary site remediation.

D. Standard

1. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, chapter 28, Article 6 commencing with sections 3867-3869, inclusive. Additionally, the Central Valley Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Central Valley Water Board determines that: the Project fails to comply with any of the conditions of this Order; or, when necessary to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C. § 1313). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.
2. This Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent certification application was filed pursuant to subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.
4. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties, processes, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order.

E. General Compliance

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act and the Clean Water Act. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.

2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Central Valley 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 Central Valley 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. This Order and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.
6. **Construction General Permit Requirement.** The Permittee shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended, for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavation, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

F. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment E 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, sections 2050-2097) or the federal Endangered Species Act (16 U.S.C. sections 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 Central Valley 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 Central Valley Water Board immediately upon execution and prior to any discharge to waters of the state.

G. Construction

1. Dewatering

- a. The Permittee shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The Plan(s) must be developed prior to initiation of any water diversions. The Plan(s) shall include the proposed method and duration of diversion activities and include water quality monitoring conducted, as described in section XIV.C.3, during the entire duration of dewatering and diversion activities. The Plan(s) must be consistent with this Order and must be made available to the Central Valley Water Board staff upon request.
- b. For any temporary dam or other artificial obstruction being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the state below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate section XIV.C.3.
- c. The temporary dam or other artificial obstruction shall only be built from clean materials, including, but not limited to, sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. Stream flow shall be temporarily diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.

2. Directional Drilling – NOT APPLICABLE

3. Dredging – NOT APPLICABLE

4. Fugitive Dust – NOT APPLICABLE

5. Good Site Management “Housekeeping”

- a. The Permittee shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence. The Plan must be made available to the Central Valley Water Board staff upon request.
- b. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Permittee must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
- c. All materials resulting from the Project shall be removed from the site and disposed of properly.
- d. A method of containment shall be used below the bridges and temporary crossings to prevent debris from falling into the waterbody through the entire duration of the Project.

6. Hazardous Materials

- a. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to fish and wildlife resulting from or disturbed by project-related activities is prohibited and shall be prevented from contaminating the soil and/or entering waters of the state. In the event of a prohibited discharge, the Permittee shall comply with notification requirements in sections XIV.B.3.a and XIV.B.3.b.

7. Invasive Species and Soil Borne Pathogens – NOT APPLICABLE**8. In-Water Work**

- a. Work in the wetland and riparian area shall occur during periods of no precipitation and when the work area has been completely dewatered.

9. Post-Construction Storm Water Management

- a. The Permittee must minimize the short and long-term impacts on receiving water quality from the Project by implementing the following post-construction storm water management practices and as required by local agency permitting the Project, as appropriate:
 - i. Minimize the amount of impervious surface;
 - ii. Reduce peak runoff flows;
 - iii. Provide treatment BMPs to reduce pollutants in runoff;

- iv. Ensure existing waters of the state (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
- v. Preserve and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
- vi. Limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
- vii. Use existing drainage master plans or studies to ensure incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;
- viii. Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss; and
- ix. Control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.

10. Roads – NOT APPLICABLE

11. Sediment Control

- a. Except for activities permitted by the United States Army Corps of Engineers under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
- b. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the state through the entire duration of the Project.
- c. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project area.

12. Special Status Species – NOT APPLICABLE

13. Stabilization/Erosion Control

- a. All areas disturbed by Project activities shall be protected from washout and erosion.
- b. Hydroseeding shall be performed with California native seed mix.

14. Storm Water

- a. During the construction phase, the Permittee must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include the following:
 - i. The Permittee must comply with the Statewide Construction Storm Water Permit, including, but not limited to, preparation and implementation of a Storm Water Pollution Prevention Plan; and

- ii. An effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working prior to the rainy season and during all phases of construction.

H. Site Specific – NOT APPLICABLE

I. Total Maximum Daily Load (TMDL) – NOT APPLICABLE

J. Mitigation for Temporary Impacts – NOT APPLICABLE

K. Compensatory Mitigation for Permanent Impacts⁶

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

1. Final Compensatory Mitigation Plan – NOT APPLICABLE

2. Compensatory Mitigation Monitoring Requirements – NOT APPLICABLE

3. Irrevocable Letter of Credit – NOT APPLICABLE

4. Permittee-Responsible Compensatory Mitigation Responsibility – NOT APPLICABLE

5. Purchase of Mitigation Credits by Permittee for Compensatory Mitigation

- a. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to start of construction.
- b. The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

6. Total Required Compensatory Mitigation

- a. The Permittee is required by the United States Army Corps of Engineers to provide compensatory mitigation for the authorized impact to wetlands by purchasing 0.61 wetland creation (establishment) credits from the Toad Hill Ranch Mitigation Bank or another approved mitigation bank that services the watershed area.
- b. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 5.

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

(footnote continued on next page)

Table 5: Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area								
Aquatic Resource Type	Comp Mit. Type ⁷	Units	Method ⁸					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Wetland	MB	Acres	0.61	-	-	-	-	-

L. Certification Deviation

1. Minor modifications of Project locations or predicted impacts may be necessary as a result of unforeseen field conditions, necessary engineering re-design, construction concerns, or similar reasons. Some of these prospective Project modifications may have impacts on water quality. Some modifications of Project locations or predicted impacts may qualify as Certification Deviations as set forth in Attachment F. For purposes of this Certification, a “Certification Deviation” is a Project locational or impact modification that does not require an immediate amendment of the Order, because the Central Valley Water Board has determined that any potential water quality impacts that may result from the change are sufficiently addressed by the Order conditions and the CEQA Findings. After the termination of construction, this Order will be formally amended to reflect all authorized Certification Deviations and any resulting adjustments to the amount of water resource impacts and required compensatory mitigation amounts.
2. A Project modification shall not be granted a Certification Deviation if it warrants or necessitates changes that are not addressed by the Order conditions or the CEQA environmental document such that the Project impacts are not addressed in the Project's environmental document or the conditions of this Order. In this case a supplemental environmental review and different Order will be required.

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

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

XV. Water Quality Certification

I hereby issue the Order for the Auburn Creekside Center Project, (WDID#5A31CR00466) certifying that as long as all of the conditions listed in this Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes this Order to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, section 13000 et seq.).

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

Original Signed By Adam Laputz for:

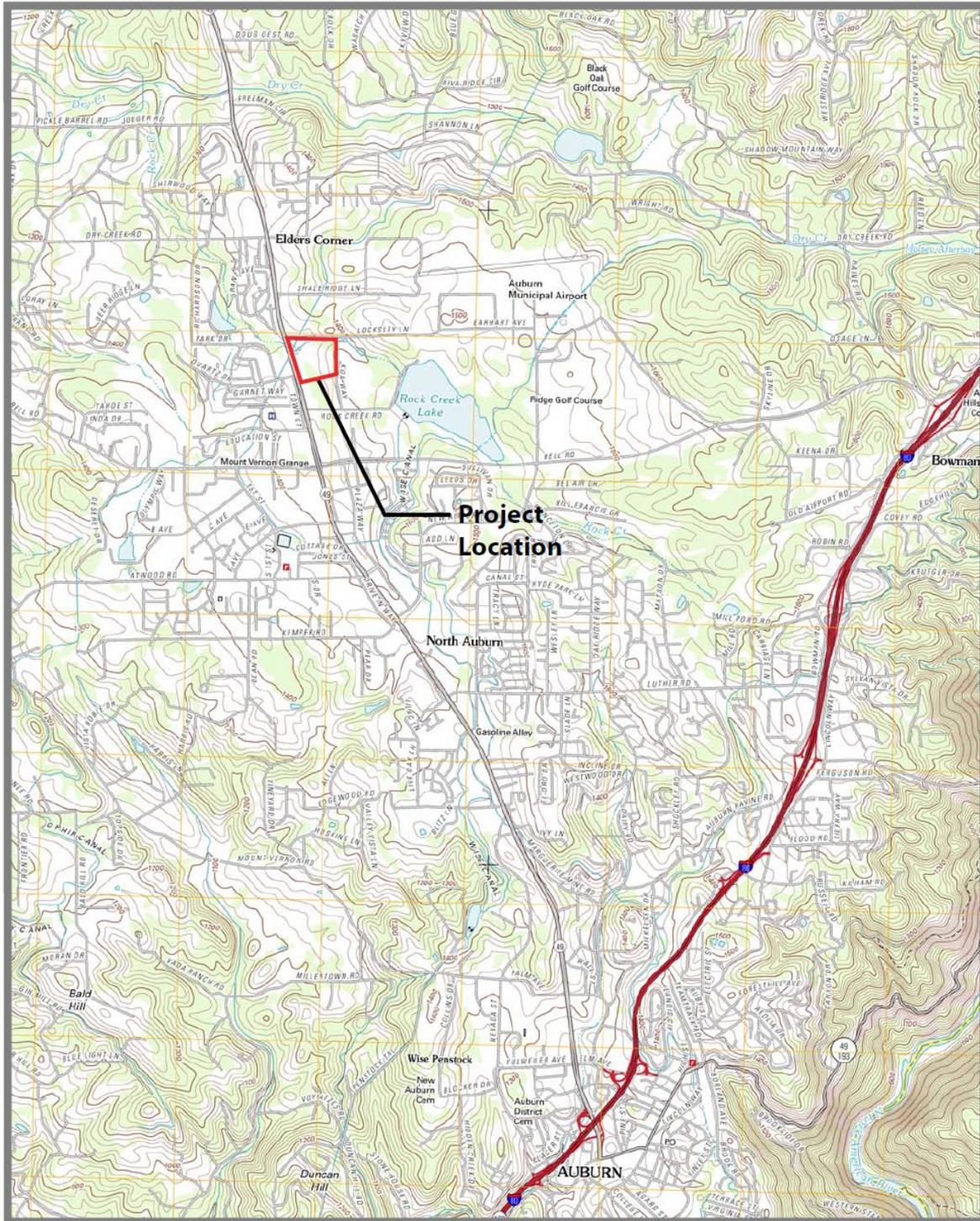
Patrick Pulupa, Incoming Executive Officer for
Pamela C. Creedon, Executive Officer
Central Valley Regional Water Quality Control Board

27 April 2018

Date

Attachment A

- Attachment B** Project Map
- Attachment C** Receiving Waters, Impact, and Mitigation Information
- Attachment D** CEQA Findings of Facts
- Attachment E** Report and Notification Requirements
- Attachment F** Signatory Requirements



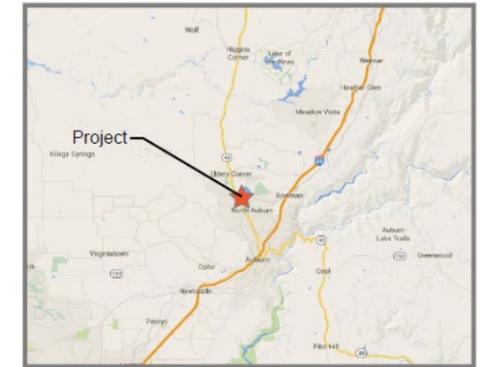
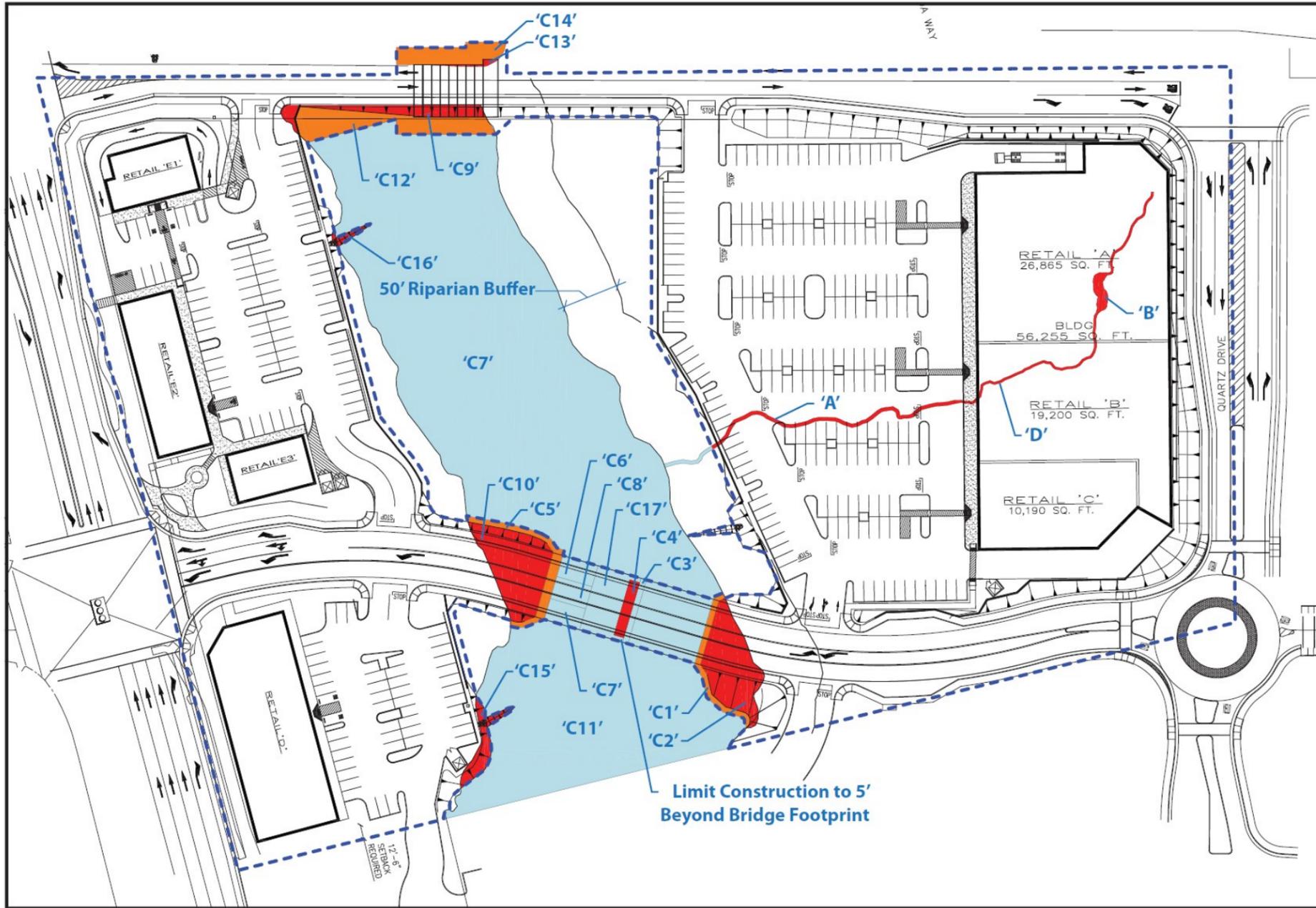
Source: USGS 7.5-Minute Series Topographic Map - Auburn Quadrangle

to Specific Scale

↑ N

DATE: December 15, 2015

Figure 1 – Project Location Map



Vicinity Map - Not to Scale

Impacts to Wetlands and "Other Waters of the U.S."

Description	Area (SF)	Area (AC)	Volume (CY)
Nationwide Permit (NWP) #14 Impacts			
Permanent			
Riparian Wetland			
C2	3,262	0.075	725
C4	450	0.010	133
C9	1,365	0.031	162
C10	3,585	0.082	465
C13	109	0.003	12
Subtotal	8,771	0.201	1,497
Temporary			
Riparian Wetland			
C1	712	0.016	79
C5	1,083	0.025	140
C12	2,852	0.065	316
C14	1,470	0.034	163
Subtotal	6,117	0.140	698
Total NWP #14 Impacts	14,888	0.341	2,195
Nationwide Permit (NWP) #39 Impacts			
Permanent			
Ephemeral Drainage			
D	190	0.004	58
Riparian Wetland			
C15	879	0.020	179
C16	195	0.004	7
Subtotal	1,074	0.024	186
Seasonal Swale			
A1	724	0.017	27
B	660	0.015	24
Subtotal	1,384	0.032	51
Total NWP #39 Impacts	2,648	0.060	295

Legend

Wetlands	Boundaries
Avoided	Limits of Construction
Temporary Impacts	Project Boundary
Permanent Impacts	Parcel Boundary

Figure 2 – Site Location Map

Receiving Waters

The following table shows the receiving waters associated with each impact site.

Table 1: Receiving Water(s) Information								
Non-Federal Waters	Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	eCRAM ID ⁹
<input type="checkbox"/>	Site 1	Unnamed Wetland	Wetland	519.22	Dry Creek (Placer and Sacramento Counties)	n/a	n/a	n/a
<input type="checkbox"/>	Site 2	Unnamed Riparian Wetland at Rock Creek	Wetland	519.22	Dry Creek (Placer and Sacramento Counties)	n/a	n/a	n/a

Individual Direct Impact Locations

The following table shows individual impact locations.

Table 2: Individual Direct Impact Information											
Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
Site 1	38.9447°N	121.0961°W	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Temporary	-	-	-	-	-	-
					Permanent	-	-	-	0.04	-	-
Site 2	38.9447°N	121.0961°W	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Temporary	-	-	-	0.14	-	-
					Permanent	-	-	-	0.22	-	-

⁹ California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.

Compensatory Mitigation Information

The following table(s) show individual compensatory mitigation information and locations.

Mitigation Bank Compensatory Mitigation Site Information

Table 3: Mitigation Bank			
Mitigation Bank	Name:	Toad Hill Ranch Mitigation Bank	
	Website:	www.wildlandsinc.com	
Contact Information	Name:	Julie Maddox	
	Phone:	(916) 435-3555	
	Email:	jmaddox@wildlandsinc.com	
Mitigation Location	County:	Placer	
	Latitude:	TBD	
	Longitude:	TBD	
Aquatic Resource Credit Type		Mitigation Quantity	
		Acres	Linear Feet
		Number of Credits Purchased	
Wetland Creation		0.61	-

A. Environmental Review

On 25 August 2016, Placer County, as lead agency, certified a Final Environmental Impact Report (FEIR) (State Clearinghouse (SCH) No. 2006032114) for the Project and filed a Notice of Determination (NOD) at the SCH on 11 October 2016. The Central Valley Water Board is a responsible agency under CEQA (Pub. Resources Code, section 21069) and in making its determinations and findings, must presume that Placer County's certified environmental document complies with the requirements of CEQA and is valid. (Pub. Resources Code, section 21167.3.) The Central Valley Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by Placer County addresses the Project's water quality impacts. (Cal. Code Regs., tit. 14, section 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by Placer County for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, section 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, section 15091, subd. (d).)

B. Incorporation by Reference

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the Project FEIR, the application for this Order, and other supplemental documentation.

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project FEIR which is incorporated herein by reference. The Project FEIR is available at: 3091 County Center Drive, Auburn, CA 95603.

Requirements under the purview of the Central Valley Water Board in the MMRP are incorporated herein by reference.

The Permittee's application for this Order, including all supplemental information provided, is incorporated herein by reference.

C. Findings

The FEIR describes the potential significant environmental effects to water quality. Having considered the whole of the record, including comments received during the public review process, the Central Valley Water Board makes the following findings: Findings regarding impacts that will be avoided or mitigated to a less than significant level. (Pub. Resources Code, section 21081, subd. (a)(1); Cal. Code Regs., tit. 14, section 15091, subd. (a)(1).)

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

a.i. Potential Significant Impact:

Impacts to special-status plant species; impacts to special-status bird species and non-special status migratory birds and raptors; impacts to special-status bat species; impacts to western pond turtle; Have a substantial adverse effect on riparian habitat or other sensitive natural community, or federally protected wetlands as defined by Section 404 of the Clean Water Act (CWA) (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; conflict with any local policies or ordinances protection biological resources,

such as a tree preservation policy or ordinance; substantially alter the existing drainage pattern of the site or area, or create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during construction; violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during operation; substantially deplete groundwater supplies or interfere substantially with groundwater recharge; and place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or flood hazard delineation map, or place within a 100-year floodplain structures which would impede or redirect flood flows.

a.ii. Facts in Support of Finding:

6-1 - Prior to Improvement Plan approval for each phase of the project, focused surveys shall be performed by a qualified botanist in order to determine the presence or absence of the following special-status plant species: Jepson's onion, big-scale balsamroot, Stebbin's morning glory, Pine Hill ceanothus, Red Hills soaproot, Butte County fritillary, El Dorado bedstraw, Layne's ragwort, El Dorado mule ears, oval-leaved viburnum, and Brandegees's clarkia. The survey(s) shall be conducted on-site as well as in any off-site improvement areas, as applicable for each phase, during the identification periods (bloom periods) for all of the special-status plant species listed above. If the special status plant species are not found to be present during the focused survey(s), then no further action is required.

If any special-status plant species are found, a mitigation plan shall be prepared in consultation with the California Department of Fish and Wildlife and submitted to the Placer County Community Development Resources Agency. The plan shall detail the various mitigation approaches to ensure no net loss of the special-status plant(s). Mitigation could include, but would not be limited to, avoidance of the plant species, salvage of plant materials where possible, acquisition of credits at an approved mitigation bank, or acquisition and preservation of property that supports the plant species.

In the event the Placer County Conservation Program (PCCP) is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-2(a) - Prior to Improvement Plan approval, if construction is expected to occur during the raptor nesting season (1 February to 31 August), a pre-construction raptor survey shall be performed to determine if active raptor nests are present on-site. The survey shall be conducted by a qualified biologist not more than 30 days prior to the onset of construction activities. If active raptor nests are not found on or within 500 feet of the project site, further mitigation is not necessary. In addition, if construction activities are proposed to occur during the non-breeding season (1 September to 31 January), a survey is not required and further studies are not necessary. However, if active raptor nests are found on or within 500 feet of the site, the project applicant shall implement

Mitigation Measure 6-2(b). The preconstruction raptor survey shall be submitted to the Placer County Community Development Resources Agency.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-2(b) - During construction, ground disturbing activities shall not occur within 500 feet of the active raptor nests until the young have fledged or until the biologist has determined that the nest is not active any longer.

6-2(c) - Prior to Improvement Plan approval, if any vegetation removal is expected to occur as a result of the project during the typical avian nesting season (1 February to 31 August), a pre-construction survey shall be performed to determine if active migratory bird nests are present on-site. The survey shall be conducted by a qualified biologist not more than two weeks prior to the onset of vegetation removal. The pre-construction survey shall be submitted to the Placer County Community Development Resources Agency. If active migratory bird nests are found on-site, disturbance or removal of the nest shall be avoided until the young have fledged and the nest is not active any longer.

It should be noted that extensive buffers, such as those recommended for nesting raptors, are not necessary for nesting avian species protected solely by the Migratory Bird Treaty Act. However, depending on the bird species, site conditions, and the proposed construction activities near an active nest, a small buffer could be prescribed, as determined by the biologist. Alternatively, vegetation removal could be scheduled to avoid all potential impacts. Vegetation removal conducted between 1 September and 31 January will prevent impacts to nesting birds and unfledged young.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-3(a) - A pre-construction survey for roosting bats shall be performed by a qualified biologist within 30 days prior to any removal of trees or rock outcroppings on the site. If active roosts are not found, then further action would not be warranted. If either a maternity roost or hibernacula (structures used by bats for hibernation) is present, the following mitigation measures shall be implemented. The pre-construction survey shall be submitted to the Placer County Community Development Resources Agency.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one

or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-3(b) - If active maternity roosts or hibernacula are found in trees or rock outcroppings which will be removed as part of project construction, the project shall be redesigned to avoid the loss of the tree or rock outcropping occupied by the roost to the extent feasible as determined by the State Department. If an active maternity roost is located and the project cannot be redesigned to avoid removal of the occupied tree or rock outcropping, demolition shall commence before maternity colonies form (i.e., prior to 1 March) or after young are Volant (flying) (i.e., after 31 July).

Disturbance-free buffer zones, as determined by a qualified biologist, shall be observed during the maternity roost season (1 March - 31 July).

6-3(c) - If a non-breeding bat hibernacula is found in a tree or rock outcropping scheduled for removal, the individuals shall be safely evicted, under the direction of a qualified biologist (i.e., a biologist holding a California Department of Fish and Wildlife (CDFW) collection permit and a Memorandum of Understanding with CDFW allowing the biologist to handle bats), by opening the roosting area to allow airflow through the cavity. Demolition shall then follow at least one night after initial disturbance for airflow. This action should allow bats to leave during darkness, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees or rock outcroppings with roosts that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-4(a) - A qualified biologist shall conduct a preconstruction survey of the work areas in the tributary to Rock Creek on-site, and if a western pond turtle is identified in the work areas, the turtle shall be relocated to suitable habitat downstream. The work areas adjacent to Rock Creek tributary shall be isolated with exclusion fencing that will prevent western pond turtle from entering the work site and accidentally being harmed by construction activities. The preconstruction survey shall be completed 48 hours prior to initiation of ground disturbance activities and shall be submitted to the Placer County Community Development Resources Agency.

6-4(b) - Preconstruction surveys for turtle nest sites in uplands adjacent to suitable aquatic habitat during spring and summer months shall be conducted within 30 days prior to beginning any activities. The pre-construction survey shall be submitted to the Placer County Community Development Resources Agency. If no nests are found, no further consideration for western pond turtle nests is warranted. If nest sites are located during preconstruction surveys adjacent to a proposed work area, the nest site plus a 50-foot buffer around the nest site shall be fenced where it intersects a project work area to avoid impacts to the eggs or hatchlings which over-winter at the nest site. In addition, if nest(s) are located during surveys, moth balls (naphthalene) should be

sprinkled around the vicinity of the nest (no closer than 10 feet) to mask human scent and discourage predators.

Construction at the nest site and within the 50-foot buffer area shall be delayed until the young leave the nest (this could be a period of many months) or as otherwise advised and directed by the CDFW, the agency responsible for overseeing the protection of the pond turtle. If CDFW allows translocation of any nestling pond turtles this shall be completed by a qualified biologist under the direction of CDFW.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-5(a) - Prior to Improvement Plan approval for the project site, a Section 404 permit for fill of jurisdictional wetlands shall be acquired, and mitigation for impacts to jurisdictional waters that cannot be avoided shall conform with the United States Army Corps of Engineers (USACE) "no-net-loss" policy.

Mitigation for impacts to both federal and state jurisdictional waters shall be addressed using these guidelines.

If a Section 404 permit is obtained, the applicant must also obtain a water quality certification from the Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act (CWA).

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-5(b) - Prior to Improvement Plan approval for areas that would affect any stream crossing, or bed, bank or associated riparian vegetation of the riverine riparian and seasonal wetlands, a Streambed Alteration Agreement shall be entered into by the applicant, for the review and approval by the CDFW.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-7(a) - The project applicant shall make an in-lieu payment to the County to mitigate for oak woodland losses within the project site at a 1:1 ratio. The payment shall be equivalent to the fair market value of a conservation easement on oak woodland property in Placer County, with such fair market value established at the time of

approval of the use permit for the project. The funds will include both a conservation component and an in perpetuity management component. These funds will be used by the County to purchase land or conservation easements over land that contains in-kind oak woodlands in the County. All such payments shall be due to the County prior to approval of improvement plans for the project.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-7(b) - Each Significant Tree (24 inches DBH or greater) identified for removal (other than those identified by an arborist, Registered Professional Forester or other qualified professional for removal due to poor health or structure [i.e., rated 1 or 2]) shall be mitigated by either of the following methods:

1. Prior to Grading Plan approval, the applicant shall submit payment to the Placer County Tree Preservation Fund for impacts to Significant Trees on-site. If changes in the project are required during the Grading Plan process that result in changes in impacts to Significant Trees, this figure shall be revised accordingly consistent with this Mitigation Measure 6-5(b);
2. For the Significant Trees to be removed because of project development, the project shall include planting of on-site 24-inch box trees and 15- gallon trees (cumulatively 25 percent), 5-gallon trees (25 percent) and D-pots (50 percent) at the ratios outlined in Table 6-5 below:

Condition	Replacement Value/ Inch of Impact	Percent of Total Mitigation
24-inch box	1/3	25% Cumulative
15-gallon	1/2	
5-gallon	2/1	25%
D-pot	5/1	50%

Mitigation tree planting shall occur in the open space area specified on the project site. These planting areas on-site, once planted with replacement oak trees, will also serve as replacement habitat for oak woodland values lost on the project site. Mitigation tree planting shall be installed by the applicant and inspected and approved by an authorized representative of the Development Review Committee (DRC) prior to acceptance of improvements by the Engineering and Surveying Department. At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement; or in the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as

mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

6-7(c) - Prior to Improvement Plan approval, the plans shall include a list of tree protection methods, for review and approval by the Planning Services Division. The list of tree protection methods shall be implemented during construction of the project. The list of tree protection methods shall include, but not limited to, the following:

- The applicant shall install a four-foot tall, brightly colored (yellow or orange), synthetic mesh material fence around all oak trees to be preserved that are greater than six inches DBH (or 10 inches DBH aggregate for multi-trunked trees). The fencing shall delineate an area that is at least the radius of which is equal to the largest radius of the protected tree's drip line plus one foot. The fence shall be installed prior to any site preparation or construction equipment being moved onsite or any site preparation or construction activities taking place. Development of this site, including grading, shall not be allowed until this condition is satisfied. Any encroachment within the areas listed below, including within driplines of trees to be saved, must first be approved by a designated representative of the DRC. Grading, clearing, or storage of equipment or machinery may not occur until a representative of the DRC has inspected and approved all temporary construction fencing. Trees shall be preserved where feasible. This may include the use of retaining walls, planter islands, or other techniques commonly associated with tree preservation. The Improvement Plans shall indicate the location of the fencing and include a note describing the fencing requirements consistent with this mitigation measure.
- The project applicant shall implement the following guidelines before and during grading and construction for protection of all oak trees to be preserved:
 - Plans and specifications shall clearly state protection procedures for oak trees on the project site. The specifications shall also include a provision for remedies if oak trees are damaged;
 - Before construction commences, those oak trees within 25 feet of construction sites shall be pruned and the soil aerated and fertilized;
 - Vehicles, construction equipment, mobile offices, or materials shall not be parked, stored, or operated within the driplines of oak trees to be preserved;
 - Cuts and fills around trees shall be avoided where feasible;
 - Soil surface removal greater than one foot shall not occur within the driplines of oak trees to be preserved. Cuts shall not occur within five feet of their trunks;
 - Earthen fill greater than one foot deep shall not be placed within the driplines of oak trees to be preserved, and fill shall not be placed within five feet of their trunks;
 - Underground utility line trenching shall not be placed within the driplines of oak trees to be preserved where feasible without first obtaining approval from a designated representative of the DRC. If it is necessary to install underground utilities within the driplines of oak trees, boring or drilling rather than trenching shall be used;
 - Paving shall not be placed in the vicinity of oak trees to be preserved (at a minimum, within the dripline of any oak tree) without first

obtaining approval from a designated representative of the DRC; and Irrigation lines or sprinklers shall not be allowed within the dripline of native oak trees.

In the event the PCCP is adopted prior to submittal of improvement plans for this project, then the above mitigation measure may be replaced with standard mitigation fees and conservation protocol to address this resource impact as set forth in the PCCP implementation document. If PCCP enrollment is chosen as mitigation for one or more biological resource area impacts, then the Program must apply to all biological resource mitigation for the project.

8-2(a) - The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Division (ESD) for review and approval of each project phase. The plans shall show all physical improvements as required by the conditions for the project as well as pertinent topographical features both on and off site. All existing and proposed utilities and easements, on site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees and Placer County Fire Department improvement plan review and inspection fees, if applicable, with the first Improvement Plan submittal. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or Development Review Committee (DRC) review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD in both hard copy and electronic versions in a format to be approved by the ESD prior to acceptance by the County of site improvements.

Any Building Permits associated with this project shall not be issued until, at a minimum, the Improvement Plans are approved by the Engineering and Surveying Division.

8-2(b) - The Improvement Plans shall show all proposed grading, drainage improvements, vegetation and tree removal and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) and Stormwater Quality Ordinance (Ref. Article 8.28, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at a maximum of 2:1 (horizontal: vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Division (ESD) concurs with said recommendation. Fill slopes shall not exceed 1.5:1 (horizontal: vertical).

The applicant shall revegetate all disturbed areas. Revegetation, undertaken from 1 April to 1 October, shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to ensure proper installation and maintenance of erosion control/winterization before, during, and after project construction. Soil stockpiling or borrow areas, shall have proper erosion control measures applied for the duration of the construction as specified in the Improvement Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Division (ESD).

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. One year after the County's acceptance of improvements as complete, if there are no erosion or runoff issues to be corrected, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

8-2(c) - The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Division (ESD) such as the Stormwater Quality Design Manual for the Sacramento and South Placer Regions).

Construction (temporary) BMPs for the project include, but are not limited to: Hydroseeding (EC-4), Straw Mulch (EC-6), Velocity Dissipation Devices (EC-10), Silt Fencing (SE-1), Fiber Rolls (SE-5), Storm Drain Inlet Protection (SE-10), Wind Erosion Control (WE-1), and Stabilized Construction Entrances (TC-1).

8-2(d) - Prior to construction commencing, the applicant shall provide evidence to the Engineering and Surveying Division of a WDID number generated from the RWQCB's Stormwater Multiple Application & Reports Tracking System (SMARTS). This serves as the Regional Water Quality Control Board approval or permit under the National Pollutant Discharge Elimination System (NPDES) construction stormwater quality permit.

8-2(e) - The Improvement Plan(s) shall identify the stockpiling and/or vehicle staging areas with locations as far as practical from existing dwellings and protected resources in the area.

10-1(a) - As part of the Improvement Plan submittal process, the preliminary Drainage Report provided during environmental review shall be submitted in final format. The final Drainage Report may require more detail than that provided in the preliminary report, and will be reviewed in concert with the Improvement Plans to confirm conformity between the two. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the proposed improvements, all appropriate calculations, watershed maps, changes in flows and patterns, and proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used during construction, as well as long-term postconstruction water quality measures. The final Drainage Report shall be prepared in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of improvement plan submittal.

10-1(b) - The Improvement Plan submittal and final Drainage Report shall provide details showing that storm water run-off shall be reduced to pre-project conditions through the installation of detention/detention facilities.

Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Division (ESD) and shall be shown on the Improvement Plans. The ESD may, after review of the project final drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees payable prior to Improvement Plan approval as prescribed by County Ordinance. Maintenance of detention facilities by the property owner's association, property owner, or entity responsible for project maintenance shall be required. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

10-1(c) - The Improvement Plan submittal and final Drainage Report shall evaluate the existing culvert under Rock Creek Road for condition and capacity and shall be upgraded, replaced, or mitigated as specified by the Engineering and Surveying Division to ensure that overtopping of Rock Creek Road does not occur up to the 25-year storm event (as previously evaluated in the Preliminary Drainage Report included in the EIR). The Improvement Plans shall provide details of the location and specifications of all proposed drainage facility improvements and drainage easements to accommodate the improvements. Prior to Improvement Plan approval, the applicant shall obtain all drainage easements and necessary permits required by outside agencies.

10-1(d) - The Improvement Plan submittal and final Drainage Report shall provide details showing that the proposed Education Street bridge shall be constructed to convey the 100-year peak flow without any backwater effects.

10-2 - Implement Mitigation Measures 8-2(a) through 8-2(e).

10-3(a) - The Improvement Plans shall include the message details, placement, and locations showing that all storm drain inlets and catch basins within the project area

shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek." Or other language and/or graphical icons to discourage illegal dumping as approved by the Engineering and Surveying Division (ESD). ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The Property Owners' association is responsible for maintaining the legibility of stamped messages and signs.

10-3(b) - The Improvement Plans shall show that all stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use.

10-3(c) - The Improvement Plans shall show that loading dock areas shall be covered and run-on and/or runoff of stormwater to the dock area shall be minimized. Direct connections to storm drains or sanitary sewers from depressed loading docks (truck wells or sumps) are prohibited.

10-3(d) - The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD) such as the Stormwater Quality Design Manual for the Sacramento and South Placer Regions).

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department (ESD).

BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: water quality inlets (TC-50), wet ponds (TC-20), detention basins (TC-22), vegetated swales (TC-30), and Bioretention (TC-32). No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to ensure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance.

Contractual evidence of a monthly parking lot sweeping and vacuuming, and catch basin cleaning program shall be provided to the ESD upon request. Failure to do so

will be grounds for discretionary permit revocation. Prior to Improvement Plan approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance.

10-3(e) - This project is located within the permit area covered by Placer County's Small Municipal Separate Storm Sewer System (MS4) Permit (State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004, Order No. 2013-0001-DWQ), pursuant to the NPDES Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit.

The project shall implement permanent and operational source control measures as applicable. Source control measures shall be designed for pollutant generating activities or sources consistent with recommendations from the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment, or equivalent manual, and shall be shown on the Improvement Plans.

The project is also required to implement Low Impact Development (LID) standards designed to reduce runoff, treat stormwater, and provide baseline hydromodification management.

10-3(f) - Per the State of California NPDES Phase II MS4 Permit, this project is a Regulated Project that creates and/or replaces 5,000 square feet or more of impervious surface. A final Storm Water Quality Plan (SWQP) shall be submitted, either within the final Drainage Report or as a separate document that identifies how this project will meet the Phase II MS4 permit obligations. Site design measures, source control measures, and Low Impact Development (LID) standards, as necessary, shall be incorporated into the design and shown on the Improvement Plans. In addition, per the Phase II MS4 permit, projects creating and/or replacing one acre or more of impervious surface are also required to demonstrate hydromodification management of stormwater such that post-project runoff is maintained to equal or below pre-project flow rates for the 2 year, 24-hour storm event, generally by way of infiltration, rooftop and impervious area disconnection, bioretention, and other LID measures that result in post-project flows that mimic pre-project conditions.

10-4 - The Improvement Plans shall include a continuous subdrain system installed near the western border of the eastern development area of the site (as identified in the preliminary Geologic Hazards and Geotechnical Investigation Report prepared with the EIR) consistent with the recommendations included in the final Geologic Hazards and Geotechnical Investigation Report.

10-5(a) - On the Improvement Plans and Informational Sheet(s) filed with the appropriate Final Parcel Map(s) show the limits of the future, unmitigated, fully developed, 100-year flood plain (after grading) for the main on site drainage tributary running through the middle of the project site and designate same as a building setback line unless greater setbacks are required by other conditions contained herein.

10-5(b) - On the Improvement Plans and Informational Sheet(s) filed with the appropriate Final Parcel Map(s) show finished building pad elevations for all Lots. The finished building pad elevation shall be a minimum of two feet above the 100-year

flood plain line (or finished floor -three feet above the 100-year floodplain line). The final pad elevation shall be certified by a California registered civil engineer or licensed land surveyor and submitted to the Engineering and Surveying Division. This certification shall be done prior to construction of the foundation or at the completion of final grading, whichever comes first. No building construction is allowed until the certification has been received by the Engineering and Surveying Division and approved by the floodplain manager. Benchmark elevation and location shall be shown on the Improvement Plans and Final Parcel Map(s) to the satisfaction of Development Review Committee.

10-5(c) - The Final Drainage Report shall demonstrate that the proposed project will not increase the limits or water surface elevation of the off-site 100-year floodplains both upstream and downstream of the project site to the satisfaction of the ESD and Placer County Flood Control District.

10-5(d) - In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream/drainage way, unless otherwise approved as a part of this project. All work shall conform to provisions of the County Flood Damage Prevention Regulations (Section 15.52, Placer County Code). A standard note to this effect shall be included on the Improvement Plans. The location of the 100-year flood plain shall be shown on the Improvement Plans.

D. Determination

The Central Valley Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this Order, will not result in any significant adverse water quality or supply impacts. (Cal. Code Regs., tit. 14, section 15096, subd. (h).) The Central Valley Water Board will file a NOD with the SCH within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, sections 15096, subd. (i).)

Copies of this Form

In order to identify your project, it is necessary to include a copy of the Project specific Cover Sheet below with your report: please retain for your records. If you need to obtain a copy of the Cover Sheet you may download a copy of this Order as follows:

1. Go to: http://www.waterboards.ca.gov/water_issues/programs/cwa401/certifications.shtml
2. Find your Order in the table based on Applicant, Date, and Subject headers.

Report Submittal Instructions

1. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting.
 - **Part A (Annual Report):** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
 - **Part B (Project Status Notifications):** Used to notify the Central Valley 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: centralvalleysacramento@waterboards.ca.gov and cc: Stephanie.Tadlock@waterboards.ca.gov
 - Include in the subject line of the email:
Subject: ATTN: Stephanie Tadlock; Reg. Measure ID: 412953_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 Central Valley 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. Central Valley 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 Central Valley 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. Central Valley 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 Central Valley Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.
5. **Effective Date:** 27 April 2018

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:	Auburn Creekside Center Project		
Permittee:	Auburn Pacific Properties, LLC		
Reg. Meas. ID:	412953	Place ID:	834749
WDID:	5A31CR00466	Construction Storm Water General Permit WDID#:	_____
Order Effective Date:	27 April 2018		
Order Expiration Date:	26 April 2023		

Report Type Submitted

Part A – Project Reporting

- Report Type 1 Monthly Report # _____
 Report Type 2 Annual Report # _____

Part B - Project Status Notifications

- Report Type 3 Commencement of Construction
 Report Type 4 Request for Notice of Completion of Discharges Letter
 Report Type 5 Request for Notice of Project Complete Letter

Part C - Conditional Notifications and Reports

- Report Type 6 Accidental Discharge of Hazardous Material Report
 Report Type 7 Violation of Compliance with Water Quality Standards Report
 Report Type 8 In-Water Work/Diversions Water Quality Monitoring Report
 Report Type 9 Modifications to Project Report
 Report Type 10 Transfer of Property Ownership Report
 Report Type 11 Transfer of Long-Term BMP Maintenance Report

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

Print Name ¹

Affiliation and Job Title

Signature

Date

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

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

Permittee's Signature

Date

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

Part A – Project Reporting

Report Type 1	Monthly Report
Report Purpose	Notifies Central Valley Water Board staff of the Project status and environmental compliance activities on a monthly basis.
When to Submit	On the 30th day of each month after the submittal of the Commencement of Construction Notification until a Notice of Project Complete Letter is issued to the Permittee.
Report Contents	<ol style="list-style-type: none"> 1. Construction Summary Describe 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 (BMPs¹⁰). If construction has not started, provide estimated start date. 2. Event Summary Describe distinct Project activities and occurrences, including environmental monitoring, surveys, and inspections. 3. Photo Summary Provide photos of Project activities. For each photo, include a unique site 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. 4. Compliance Summary <ol style="list-style-type: none"> a) List name and organization of environmental surveyors, monitors, and inspectors involved with monitoring environmental compliance for the reporting period. b) List associated monitoring reports for the reporting period. Include sampling reports. If no sampling was required, a monitoring report must be submitted stated, “No sampling was required”. c) Summarize observed incidences of non-compliance, compliance issues, minor problems, or occurrences.

¹⁰ Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.

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

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

Part B – Project Status Notifications

Report Type 3	Commencement of Construction
Report Purpose	Notify Central Valley 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. 4. Construction Storm Water General Permit WDID No. 5. Proof of purchase of compensatory mitigation for permanent impacts from the mitigation bank or in-lieu fee program.

Report Type 4	Request for Notice of Completion of Discharges Letter
Report Purpose	Notify Central Valley 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 Central Valley Water Board staff within thirty (30) days following completion of all Project construction activities.
Report Contents	<ol style="list-style-type: none"> 1. Status of storm water Notice of Termination(s), if applicable. 2. Status of post-construction storm water BMP installation. 3. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized. 4. Summary of Certification Deviation discharge quantities compared to initial authorized impacts to waters of the state, if applicable. 5. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and permittee responsible compensatory mitigation during the post-discharge monitoring period, if applicable. 6.

Report Type 5	Request for Notice of Project Complete Letter
Report Purpose	Notify Central Valley 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 Central Valley Water Board staff within thirty (30) days following completion of all Project activities.
Report Contents	<p>Part A: Mitigation for Temporary Impacts</p> <ol style="list-style-type: none"> 1. A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance which could result in a discharge to waters of the state. 2. A report establishing that the performance standards outlined in the restoration plan have been met for restored areas of temporary impacts to waters of the state. Pre- and post-photo documentation of all restoration sites. <p>Part B: Permittee Responsible Compensatory Mitigation</p> <ol style="list-style-type: none"> 3. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met. 4. Status on the implementation of the long-term maintenance and management plan and funding of endowment. 5. Pre- and post-photo documentation of all compensatory mitigation sites. 6. Final maps of all compensatory mitigation areas (including buffers). <p>Part C: Post-Construction Storm Water BMPs</p> <ol style="list-style-type: none"> 7. Date of storm water Notice of Termination(s), if applicable. 8. Report status and functionality of all post-construction BMPs.

Part C – Conditional Notifications and Reports

Report Type 6	Accidental Discharge of Hazardous Material Report
Report Purpose	Notifies Central Valley 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 Central Valley Water Board staff.
Report Contents	<ol style="list-style-type: none"> 1. The report shall include the OES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted. 2. If applicable, any required sampling data, a full description of the sampling methods including frequency/dates and times of sampling, equipment, locations of sampling sites. 3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.

Report Type 7	Violation of Compliance with Water Quality Standards Report
Report Purpose	Notifies Central Valley 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 Central Valley 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 Central Valley Water Board staff.

Report Type 8	In-Water Work and Diversions Water Quality Monitoring Report
Report Purpose	Notifies Central Valley Water Board staff of the start and completion of in-water work. Reports the sampling results during in-water work and during the entire duration of temporary surface water diversions. If no sampling was required, a monitoring report must be submitted stating, "No sampling was required."
When to Submit	Forty-eight (48) hours prior to the start of in-water work. Within three (3) working days following the completion of in-water work. Surface water monitoring reports to be submitted two (2) weeks on initiation of in-water construction and during entire duration of temporary surface water diversions. Continue reporting in accordance with the approved water quality monitoring plan or as indicated in XIV.C.3.

Report Contents	As required by the approved water quality monitoring plan or as indicated in XIV.C.3.
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Report Type 9	Modifications to Project Report
Report Purpose	Notifies Central Valley Water Board staff if the Project, as described in the application materials, is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.
When to Submit	If Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.
Report Contents	A description and location of any alterations to Project implementation. Identification of any Project modifications that will interfere with the Permittee's compliance with the Order.

Report Type 10	Transfer of Property Ownership Report
Report Purpose	Notifies Central Valley Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.
When to Submit	At least 10 working days prior to the transfer of ownership.
Report Contents	<ol style="list-style-type: none"> 1. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: <ol style="list-style-type: none"> a. the Order's requirements and the obligation to implement them or be subject to administrative and/or civil liability for failure to do so; and b. responsibility for compliance with any long-term BMP¹¹ maintenance plan requirements in this Order. 2. A statement that the Permittee has informed the purchaser to submit a written request to the Central Valley Water Board to be named as the permittee in a revised order.

Report Type 11	Transfer of Long-Term BMP Maintenance Report
Report Purpose	Notifies Central Valley 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.

¹¹ Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.

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 Central Valley Water Quality Control Board (Central Valley 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 Central Valley 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."

Certification Deviation Procedures

Introduction

These procedures are put into place to preclude the need for Order amendments for minor changes in the Project routing or location. Minor changes or modifications in project activities are often required by the Permittee following start of construction. These deviations may potentially increase or decrease impacts to waters of the state. In such cases, a Certification Deviation, as defined in Section L of the Order, may be requested by the Permittee as set forth below:

Process Steps

Who may apply: The Permittee or the Permittee's duly authorized representative or agent (hereinafter, "Permittee") for this Order.

How to apply: By letter or email to the 401 staff designated as the contact for this Order.

Certification Deviation Request: The Permittee will request verification from the Central Valley Water Board staff that the project change qualifies as a Certification Deviation, as opposed to requiring an amendment to the Order. The request should:

1. Describe the Project change or modification:
 - a. Proposed activity description and purpose;
 - b. Why the proposed activity is considered minor in terms of impacts to waters of the state;
 - c. How the Project activity is currently addressed in the Order; and,
 - d. Why a Certification Deviation is necessary for the Project.
2. Describe location (latitude/longitude coordinates), the date(s) it will occur, as well as associated impact information (i.e., temporary or permanent, federal or non-federal jurisdiction, water body name/type, estimated impact area, etc.) and minimization measures to be implemented.
3. Provide all updated environmental survey information for the new impact area.
4. Provide a map that includes the activity boundaries with photos of the site.
5. Provide verification of any mitigation needed according to the Order conditions.
6. Provide any other information required by Central Valley Water Board staff to determine whether the Project change or modification necessitates additional environmental review. (Cal. Code Regs., tit. 14, sections 15061, 15162-15164.)

Post-Discharge Certification Deviation Reporting:

1. Within 30 calendar days of completing the approved Certification Deviation activity, the Permittee will provide a post-discharge activity report that includes the following information:
 - a. Activity description and purpose;
 - b. Activity location, start date, and completion date;
 - c. Erosion control and pollution prevention measures applied;
 - d. The net change in impact area by water body type(s) in acres, linear feet and cubic yards;
 - e. Mitigation plan, if applicable; and,
 - f. Map of activity location and boundaries; post-construction photos.

Annual Summary Deviation Report:

1. Until a Notice of Completion of Discharges Letter or Notice of Project Complete Letter is issued, include in the Annual Project Report (see Construction Notification and Reporting attachment) a compilation of all Certification Deviation activities through the reporting period with the following information:
 - a. Site name(s).
 - b. Date(s) of Certification Deviation approval.
 - c. Location(s) of authorized activities.
 - d. Impact area(s) by water body type prior to activity in acres, linear feet and cubic yards, as originally authorized in the Order.
 - e. Actual impact area(s) by water body type in, acres, linear feet and cubic yards, due to Certification Deviation activity(ies).
 - f. The net change in impact area by water body type(s) in acres, linear feet and cubic yards;
 - g. Mitigation to be provided (approved mitigation ratio and amount).