10 December 2018

John Wiersma
Henry Miller Reclamation District #2131
11704 W. Henry Miller Ave.
Dos Palos, CA 93620

NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION, SB18054IN, FOR REGIONAL GENERAL PERMIT 8 FOR HENRY MILLER RECLAMATION DISTRICT #2131, EMERGENCY SACK DAM RETROFIT PROJECT, FRESNO AND MADERA COUNTIES, WDID NO. 5B10CR00088

This letter serves to notify Henry Miller Reclamation District #2131 that the Emergency Sack Dam Retrofit Project conducted under the Army Corps of Engineers Regional General Permit 8 (RGP 8) to stabilize the dam structure on the San Joaquin River between Fresno and Madera counties (WDID No. 5B10CR00088) is certified under the State Water Resources Control Board Clean Water Act (CWA) Section 401 General Water Quality Certification SB18054IN.

EMERGENCY WORK DESCRIPTION

An engineering evaluation identified several factors, including: 1) land subsidence, 2) concerns regarding the stability of the dam based on as-built information, and 3) the inability of the dam structure to effectively manage and measure flow rates past the structure, requiring modifications to the dam structure to prevent potential failure of the structure and potential loss of property.

The project will include driving sheet piles on the downstream and upstream sides of the dam, extending the pier height by three feet, and pouring a ballast slab of concrete on the downstream side of the structure. Rip rap the on downstream side of structure will be replaced after sheet piling installation.

Impacts to Aquatic Resources - Fill						
Aquatic Resource Type	Temporary Impact			Permanent Impact		
	Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
Stream Channel	0.10	--	--	0.10	--	--

FINDING OF APPLICABILITY

Henry Miller Reclamation District #2131 must provide the State Water Resources Control Board and the Central Valley Regional Water Quality Control Board copies of all correspondence and reports that are submitted to the United States Army Corps of Engineers to satisfy the

requirements of RGP 8. This letter serves as formal notice that CWA Certification SB18054IN is applicable to this project. Your waste discharge identification (WDID) number is 5B10CR00088. Coverage under the Notice of Applicability is not effective until coverage under the Army Corps of Engineers RGP 8 is granted.

REPORTING

A Notice of Completion (NOC) shall be submitted by the applicant no later than 45 days after the emergency work has been completed. The NOC shall demonstrate that the work has been carried out in accordance with the description provided in the applicant's Notice of Intent (NOI).

Failure to comply with the terms and conditions of this Certification may expose the Henry Miller Reclamation District #2131 to enforcement action pursuant to the Clean Water Act and California Water Code.

If you have any questions, please contact Debra Mahnke at (559) 445-6281, debra.mahnke@waterboards.ca.gov.

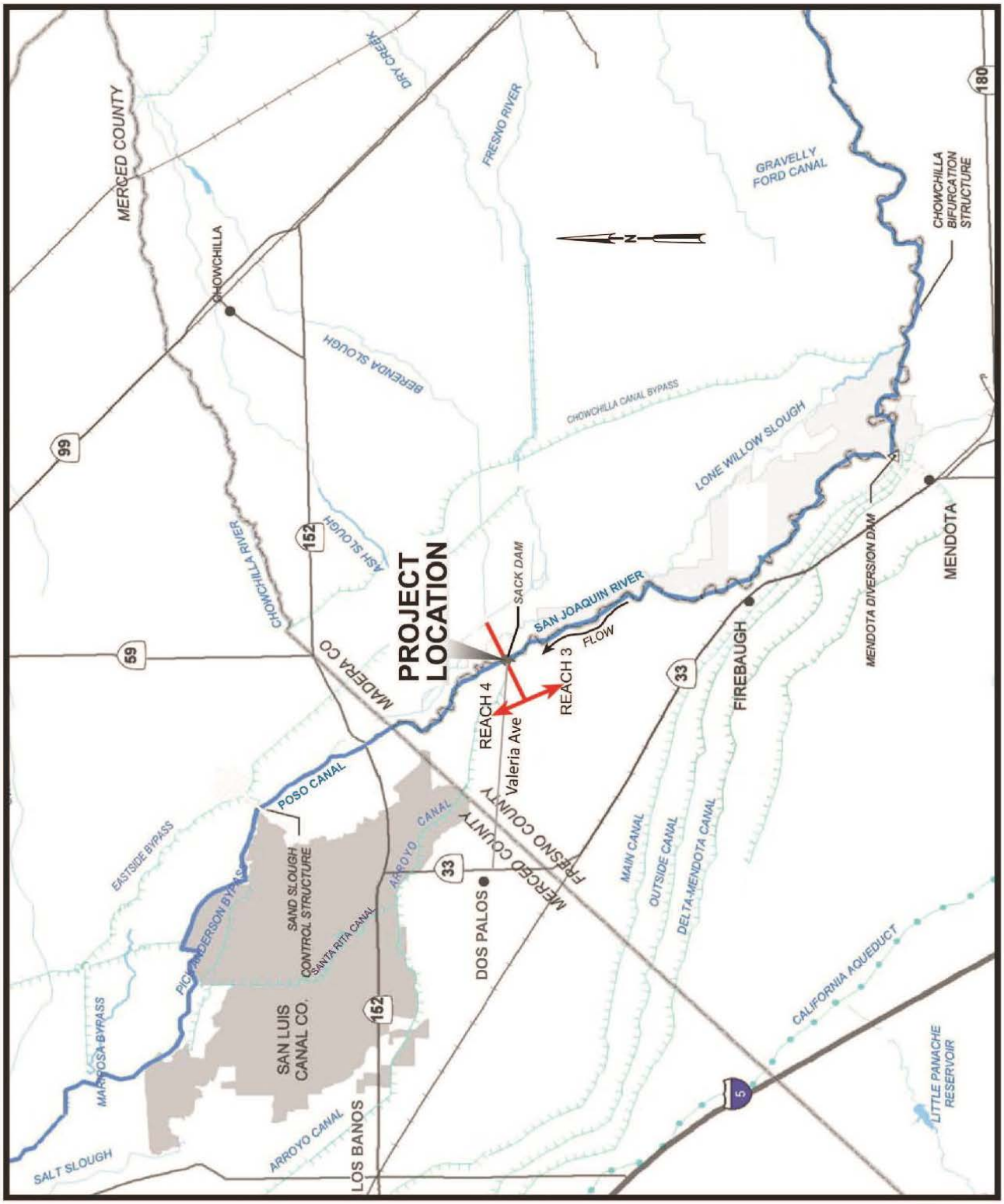
Original signed by Clay L. Rodgers for

Patrick Pulupa
Executive Officer

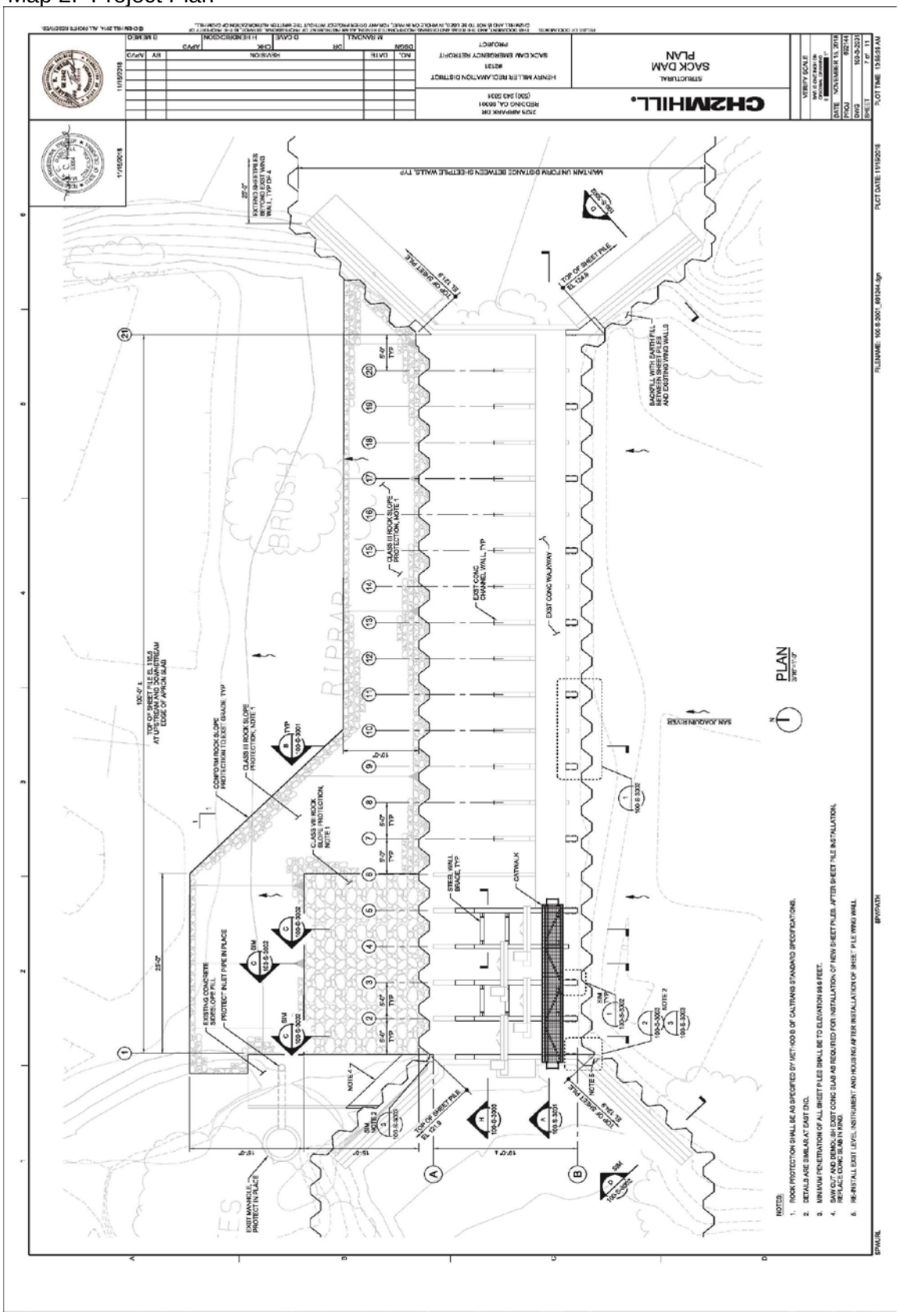
Enclosure: State Water Resources Control Board Clean Water Act Section 401 Water Quality Certification of United States Army Corps of Engineers Regional General Permit 8

cc: Sam Ziegler, U.S. EPA, Region 9, San Francisco (email only)
U.S. Army Corp of Engineers, Sacramento (email only)
State Water Resources Control Board, 401 Certification Unit, Sacramento (email only)
California Department of Fish and Wildlife, Region 4 (email only)
Patricia Cole, U.S. Fish and Wildlife Service, Sacramento (email only)
Palmer McCoy, Henry Miller Reclamation District #2131, palmer@hmrd.net (email only)

Site Map 1. Location of Project.



Site Map 2. Project Plan



October 9, 2018

Michael Jewell
U.S. Army Corps of Engineers, Sacramento District
1325 J Street
Sacramento CA, 95814

Dear Mr. Jewell:

RE: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE REGIONAL GENERAL PERMIT (RGP) 8 FOR EMERGENCY REPAIR AND PROTECTION ACTIVITIES (SB18054IN)

Enclosed please find a Clean Water Act Section 401 Water Quality Certification and Order (Order), authorized by the State Water Resources Control Board. This Order is issued to the U.S. Army Corps of Engineers, Sacramento District for Regional General Permit 8 for Emergency Repair and Protection Activities (Project). Attachments A through E of the Enclosure are also part of the Order.

If you require further assistance, please contact me by phone at (916) 341-5462 or by email at Brendan.Reed@waterboards.ca.gov. You may also contact Beth Payne, Chief of the Water Quality Certification Unit, by phone at (916) 341-5579 or email at Elizabeth.Payne@waterboards.ca.gov.

Sincerely,

Brendan Reed
Environmental Scientist
Division of Water Quality – Water Quality Certification Unit
State Water Resources Control Board

Enclosures (1): Clean Water Act Section 401 Water Quality Certification and Order for Regional General Permit (RGP) 8 for Emergency Repair and Protection Activities

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

Sam Ziegler
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(WTR-8)
U.S. Environmental Protection Agency, Region 9
Ziegler.Sam@epa.gov

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Karen Mogus, Deputy Director
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State Water Resources Control Board
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CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

cc: Continued on next page

cc: (Continued)

Stephen Bargsten
Program Manager
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Stephen.Bargsten@waterboards.ca.gov

Stephanie Tadlock
Water Quality Certifications Unit Supervisor
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Lynn Coster
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Jan Zimmerman
Program Manager
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Elizabeth vanDiepen
Program Manager – Alternative
Lahontan Regional Water Quality Control Board, South Lake Tahoe
Elizabeth.vanDiepen@waterboards.ca.gov

Lisa Gibson
Regulatory Permit Specialist
U.S. Army Corps of Engineers, Sacramento District
Lisa.M.Gibson2@usace.army.mil

WATER QUALITY ORDER NO. 2018-0025-EXEC CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: October 9, 2018

Program Type: Fill/Excavation

Reg. Meas. ID:	425023
SWRCB ID:	SB18054IN
USACOE#:	SPK-1997-00652

Project: Regional General Permit (RGP) 8 for Emergency Repair and Protection Activities (Project)

Applicant: U.S. Army Corps of Engineers, Sacramento District

Applicant Contact: Mr. Michael Jewell
Chief, Regulatory Division
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922
Phone: (916) 557-6605
Email: Michael.S.Jewell@usace.army.mil

Applicant's Agent: Lisa Gibson
Regulatory Permit Specialist
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922
Phone: (916) 557-5288
Email: Lisa.M.Gibson@usace.army.mil

State Water Board Staff: Brendan Reed
Environmental Scientist
State Water Resources Control Board
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Sacramento, CA 95814
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Email: Brendan.Reed@waterboards.ca.gov

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Attachment B Signatory Requirements
Attachment C Reporting and Notification Requirements
Attachment D Notice of Intent Form
Attachment E Notice of Completion Form

I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) and attachments A through E is issued at the request of the U.S. Army Corps of Engineers, Sacramento District (Corps), for Certification of Regional General Permit (RGP) 8 for Emergency Repair and Protection Activities (Project). This Order is for the purpose described in the application submitted by the Corps. The application was received on July 20, 2018. The application was deemed complete on August 30, 2018.

II. Public Notice

The State Water Resources Control Board (State Water Board) provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from September 11, 2018 to October 2, 2018. The State Water Board did not receive any comments during the comment period.

III. Project Purpose and Description

RGP 8 serves as the federal Clean Water Act section 404 authorization for permanent or temporary work or structures in navigable waters of the U.S., and/or the permanent or temporary discharge of dredged and/or fill material into waters of the U.S., including wetlands, for repair or protection activities for which the Corps has determined that an emergency situation exists. An emergency situation, as determined by the Corps, is one which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a Department of the Army permit is not undertaken within a time period less than the normal time to process the request under standard processing procedures.

The definition of an emergency used in the Corps' RGP 8 differs from the definition of an emergency in the California Environmental Quality Act (CEQA). The CEQA definition of an emergency does not include an immediate, unforeseen, and significant economic hardship. **This Order only applies to projects that are defined as an emergency pursuant to CEQA (Pub. Resources Code, § 21060.3)**. See the General Compliance Conditions (section IX.D) of this Order for more details.

Activities covered under RPG 8 consist of permanent or temporary work or structures in navigable waters of the U.S., and/or the permanent or temporary discharge of dredged and/or fill material into waters of the U.S., including wetlands, for repair or protection activities for which the Corps has determined that an emergency situation exists. Typical activities authorized under this RGP include, but are not limited to: bank stabilization; restoration of damaged areas; temporary fills for staging, access, and dewatering; and, repair, replaces of rehabilitation of existing structures and/or fills (i.e. roads, bridges, utility pipelines and flood control structures, including attendant features, irrigation pumps or intakes, and other existing structures located in waters of the U.S.).

IV. Project Location

In any jurisdictional waters of the United States throughout the Sacramento District of the U.S. Army Corps of Engineers in: all of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, and Yuba counties; eastern portions of Alameda, Contra Costa, and Solano

counties; north-western portion of Kern County, and northern portion of Mono County. A map showing the Project location is found in Attachment A of this Order.

V. Project Impact and Receiving Waters Information

Individual projects authorized under this Order may be located within the jurisdiction of North Coast, Central Valley, or Lahontan Regional Water Quality Control Boards (collectively Regional Water Boards). Receiving waters and groundwater potentially impacted by individual projects authorized under this Order are protected in accordance with the applicable water quality control plans (Basin Plan) for the regions and other plans and policies which may be accessed online at: http://www.waterboards.ca.gov/plans_policies/. The Basin Plans include 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.

Dischargers must identify the receiving waters, as listed in the applicable Basin Plan, that would be impacted by a proposed project. This information must be included in the Notice of Intent (NOI; Attachment D).

A. Projects located within the Carson River, Lake Tahoe, Little Truckee River, Truckee River, or Walker River Hydrologic Units must work with Regional Water Board staff to ensure that the following criteria are satisfied in order to be exempted from waste discharge prohibitions:

1. There is no feasible alternative to the project that would comply with the Basin Plan prohibitions, and
2. All applicable control and mitigation measures that are practicable have been incorporated to minimize potential adverse impacts to water quality and beneficial uses.

VI. California Environmental Quality Act (CEQA)

The State Water Board has determined that the Project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the activities described herein are exempt by statute pursuant to Public Resources Code section 21080, subsections (b)(2)-(4). Additionally, State Water Board staff concludes that no exceptions to the CEQA exemptions apply to the activities approved by this Order. The State Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days of issuance of this Order in accordance with the California Code of Regulations, title 14, section 15062.

VII. Petitions for Reconsideration

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

VIII. Fees Received

The application fee amount for individual projects authorized under this Order is determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and is calculated as category F - Emergency Projects authorized by a Water Board Order (fee code 85) with the dredge and fill fee calculator located at https://www.waterboards.ca.gov/water_issues/programs/cwa401/. Note that fees are

periodically adjusted. Dischargers should confirm the correct fee amount prior to submitting payment.

IX. Conditions

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

A. 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 Attachments C, D, and E.

Written reports and notifications, other than the Notice of Intent, must be submitted using the Reporting and Notification Cover Sheet located in Attachment C, which must be signed by the Enrollee or an authorized representative.

1. Notice of Intent and Fee Requirements

a. The prospective Enrollee must notify the appropriate Regional Water Board and the State Water Board as early as possible, and no less than forty-eight (48) hours prior to initiating the emergency project. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means. If not included as part of the notification, the notification must be followed within three (3) business days by submission of all of the information in the Notice of Intent (NOI) form, provided in Attachment D.

i. Notification may be via telephone, e-mail, written notice, or other verifiable means. A staff directory that includes contact information for State and Regional Program Managers is found at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf

- A map of Regional Board boundaries is found at: https://www.waterboards.ca.gov/waterboards_map.html

Electronic Submittal:

- Address e-mail to the "State Program Manager" and the appropriate "Region Program Manager" from the staff directory linked above.
- Include "Attention – RGP 8 Notice of Intent" in the subject line.

Hardcopy Submittal Addresses:

ATTN: Program Manager
CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
1001 "I" St. 15th Floor
Sacramento, CA 95814

AND

ATTN: Program Manager
CWA Section 401 WQC Program
Insert mailing address of appropriate Regional Water Board from the staff directory linked above

b. The Water Boards recognize there may be situations where imminent threats to life or property occur and the Enrollee has not received a notice of applicability. If immediate, specific actions, as defined in the California Code of Regulations, title 14, section 15269(c), are required by the Enrollee and prior notice to the appropriate Regional Water Board and the State Water Board is not possible, then the Enrollee must contact the appropriate Regional Water Board and the State Water Board within one (1) business day of the action. As provided above, this notification must be followed within three (3) business days by submission of all of the information in the NOI (Attachment D).

c. The Enrollee must provide the appropriate fee to the Regional Water Board in accordance with California Code of Regulations, title 23, section 2200 within forty-eight (48) hours of project initiation. Failure to promptly pay the correct fee amount may result in a disqualification for enrollment pursuant to this Certification.

d. Once the appropriate Regional Water Board receives a completed NOI and the correct fee from the Enrollee, the Water Board will transmit a Notice of Applicability (NOA) to the Enrollee verifying enrollment in this Certification.

2. Project Status Notifications

a. The Enrollee must provide the appropriate Regional Water Board and State Water Board copies of all correspondence and reports that are submitted to the Corps to satisfy the requirements of RGP 8. In addition, the Enrollee must file the Notice of Completion (NOC) form provided in Attachment E.

b. A completed NOC must be submitted to the appropriate Regional Water Board and State Water Board within 45 calendar days of completion of any action conducted under RGP 8.

c. Failure to submit a complete NOC within 45 calendar days of completion of any action conducted under this Order may result in the imposition of administrative and/or civil liability pursuant to Water Code section 13385.

3. Project Reporting

Annual Reporting: If required by the NOA, the Enrollee shall submit an Annual Report each year on the anniversary of the date that the individual project is authorized under this Order. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Enrollee.

4. Conditional Notifications and Reports: The following notifications and reports are required as appropriate. Reporting requirements are found in Attachment C of this Order.

a. Accidental Discharges of Hazardous Materials[1]

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) Enrollee 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 Enrollee shall notify the appropriate Regional Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

iii. Within five (5) working days of notification to the Regional Water Board, the Enrollee must submit an Accidental Discharge of Hazardous Material Report.

b. Violation of Compliance with Water Quality Standards: The Enrollee shall notify the appropriate Regional Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

i. Examples of noncompliance events include: lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.

ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.

c. Transfer of Property Ownership: Authorization under this Order is not transferable in its entirety or in part to any person or organization except after notice to the appropriate Regional Water Board in accordance with the following terms:

i. The Enrollee must notify the Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Enrollee and purchaser must sign and date the notification and provide such notification to the Water Board at least 10 days prior to the transfer of ownership. The purchaser must also submit a written request to the State Water Board to be named as the Enrollee in a revised order.

[1] "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.)

ii. Until such time as this Order has been modified to name the purchaser as the Enrollee, the Enrollee shall continue to be responsible for all requirements set forth in this Order.

d. Transfer of Long-Term BMP Maintenance: If maintenance responsibility for post-construction BMPs is legally transferred, the Enrollee must submit to the appropriate Regional 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 Enrollee must provide such notification to the Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

B. Water Quality Monitoring

1. **General:** If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete).

2. **Accidental Discharges/Noncompliance:** Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

C. 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 section 3867.

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 Enrollee (i.e. the person or entity proposing to enroll under the Corps' RGP 8 to conduct activities which may result in a discharge to a water of the U.S.).

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.

D. General Compliance

1. This certification is limited to emergency actions that meet the CEQA definition of an "emergency," which is defined as follows:

> *A sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movement, as well as such occurrences as riot, accident, or sabotage.* [(Pub. Resources Code, § 21060.3) (emphasis added).]

Emergency actions must meet the CEQA definition of an "emergency" and demonstrate an imminent threat to qualify for enrollment under this Order. For actions that do not qualify for enrollment under this Order, the Enrollee must contact either the State Water Board or the appropriate Regional Water Board to apply for an individual or other suitable general water quality certification.

2. This Order is limited to projects that satisfy one or more of the following exemption criteria, as defined by the CEQA Guidelines (Cal. Code Reg., tit. 14, § 15269):

a. Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with section 8550 of the Government Code.

b. Emergency repairs to publicly or privately-owned service facilities necessary to maintain service essential to the public health, safety, or welfare.

c. Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term.

d. Projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is within the existing right of way of that highway and is initiated within one year of the damage occurring. This does not apply to highways designated as official State scenic highways, nor any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.

e. Seismic work on highways and bridges pursuant to section 180.2 of the Streets and Highways Code, section 180 et seq.

3. This Order is limited only to sudden, unexpected emergency situations that: (1) have occurred, or (2) have a high probability of occurring in the short term as a result of recently discovered factors or events not related to known or expected conditions. Additionally, the sudden, unexpected emergency situation must have the potential to result in an unacceptable hazard to life or a significant loss of property if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.

4. Emergency repairs and construction must commence within fourteen (14) calendar days of receiving a Notice of Applicability (NOA) from the Water Boards unless an extension is granted by the Corps and agreed to, in writing, by the appropriate Regional Water Board.

5. Authorized work in waters of the state shall be completed within 180 days of the enrollment date. If it is anticipated that work will not be completed prior to the expiration of enrollment, the Enrollee shall request an extension at least thirty (30) days prior to the expiration date. The request shall include justification for the extension.

6. All repairs and construction shall be kept to the minimum necessary to alleviate the immediate emergency and limited to in-kind replacement or refurbishment of on-site features. Minor upgrading may be considered if the Enrollee uses bioremediation or other environmentally sensitive solutions. Permanent restoration work other than that performed as an associated part of the emergency operations, including any minor upgrades, shall not be performed without prior approval and authorization by the Water Boards.

7. 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 Enrollee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.

8. 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 Regional 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.

9. In response to a suspected violation of any condition of this Order, the State Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provide that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.

10. The Enrollee 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 Enrollee submittals.

11. 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.

E. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment B of this Order.

2. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order held by the Corps, the Corps and/or the Enrollee 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 Corps is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.

3. The Corps and/or the Enrollee shall grant State Water Board staff, North Coast, Central Valley, and Lahontan Regional Water Quality Control 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 Enrollee 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.

F. Construction

1. At all times, appropriate types and sufficient quantities of materials shall be maintained on site to contain and clean up any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the state. Construction personnel must know how to use appropriate containment and clean up materials.

2. Fueling, lubrication, maintenance, storage, and staging of vehicles and equipment must not result in a discharge to any waters of the state, and shall be located outside of waters of the state in areas where accidental spills will not enter or affect such waters.

3. If construction related materials reach surface waters, appropriate spill response procedures must be initiated as soon as the incident is discovered. In addition, the State Water Board staff contact identified in this Order must be notified via email and telephone within twenty-four (24) hours of occurrence.

4. Construction materials and debris from all construction work areas shall be removed from the site and disposed of properly following completion of individual projects enrolled under this Order.

5. Water diversion activities must not result in the degradation of beneficial uses or exceedances of water quality objectives of any of the receiving waters. Any temporary dam or other constructed obstruction must only be built from materials which will cause little or no siltation (e.g. clean gravel). Normal flows must be restored to the affected water immediately upon completion of work at that location.

6. Effective best management practices (BMPs) must be implemented to control erosion and runoff from areas associated with the emergency project, this includes access roads. All areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the U.S. and/or state must be restored. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species.

7. All repairs and reconstruction shall be kept to the minimum necessary to alleviate the immediate emergency and limited to in-kind replacement or refurbishment of on-site features. Minor upgrading may be considered if the Enrollee uses bioremediation or other environmentally sensitive solutions. Permanent restoration work other than that performed as an associated part of the emergency operations, including any minor upgrades, shall not be performed without prior approval and authorization by the Water Boards.

G. Total Maximum Daily Load (TMDL)

To the maximum extent practicable, the individual projects authorized under this Order shall not contribute to, or cause, an exceedance of an established TMDL.

H. Mitigation Conditions

Permitted activities shall be the minimum necessary to alleviate the immediate emergency and a sequence of actions must be taken to first avoid and then to minimize adverse impacts to aquatic resources. Compensatory mitigation may be required to offset any remaining unavoidable adverse impacts to aquatic resources.

X. Water Quality Certification

I hereby issue the Order for the Regional General Permit (RGP) 8 for Emergency Repair and Protection Activities, 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). The State Water Board will file a Notice of Exemption (NOE) at the SCH within five (5) working days of issuance of this Order. This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes this Order to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.).

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

Eileen Sobeck
Executive Director
State Water Resources Control Board

10/9/18
Date

Attachment A	RGP 8 Area Map
Attachment B	Signatory Requirements
Attachment C	Reporting and Notification Requirements
Attachment D	Notice of Intent Form
Attachment E	Notice of Completion Form

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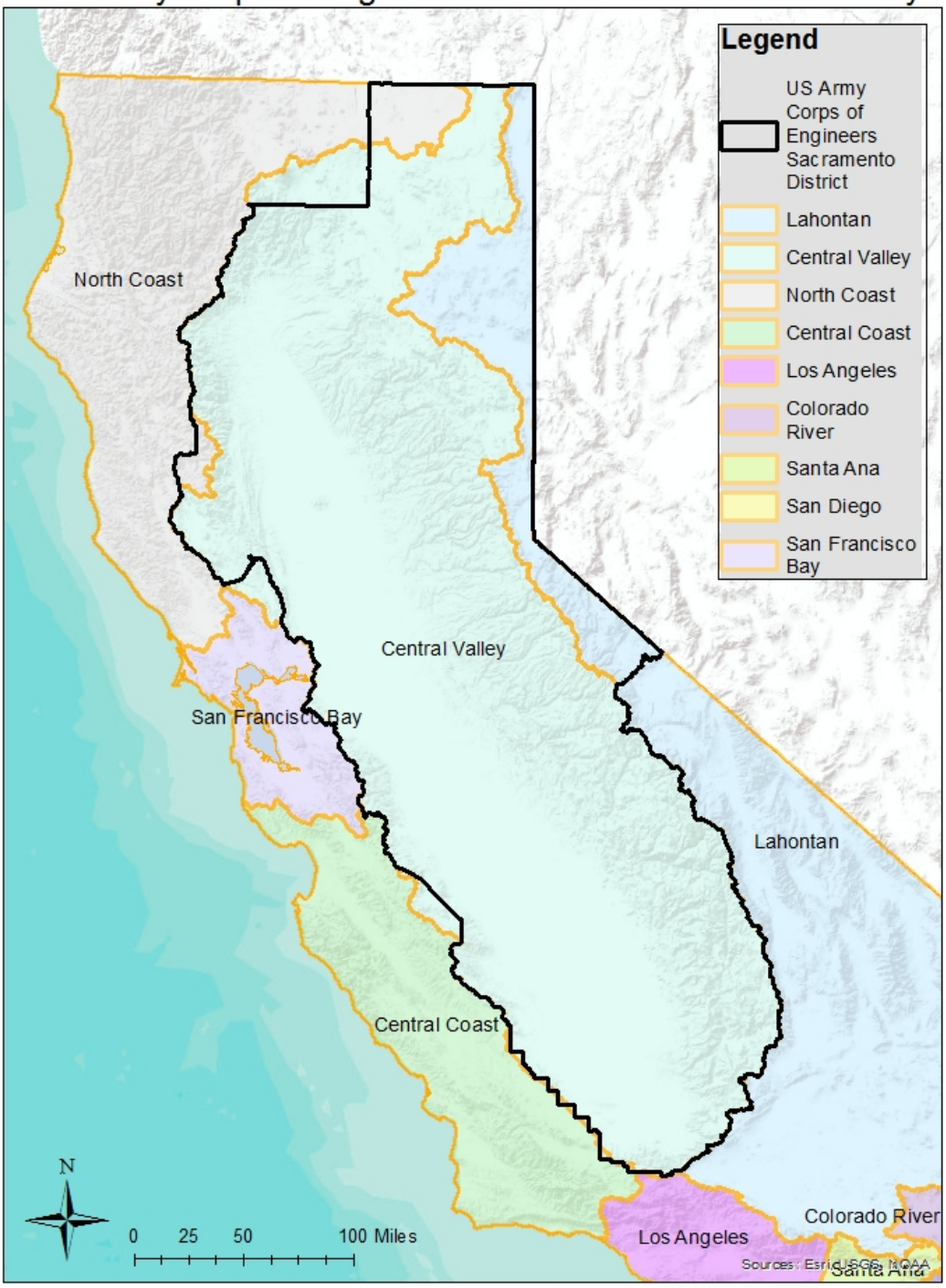
Regional Water Quality Control Boards with the
U.S. Army Corps of Engineers Sacramento District Boundary



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SIGNATORY REQUIREMENTS

All Documents Submitted In Compliance With This Order Shall Meet The Following Signatory Requirements:

1. All applications, reports, or information submitted to the Water Boards 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 State 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."

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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):** If required by the NOA this report will be submitted annually from the anniversary of the date that the project is authorized under this Order until a Notice of Project Complete Letter is issued.
- **Part B (Project Status Notifications):** Used to notify the Water Board of the status of the Project schedule that may affect 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 the State Program Manager and the appropriate Regional Program Manager

Terms

1. **Notice of Intent (NOI):** The application to enroll a project under this Order. The NOI form is found in Attachment D.
2. **Notice of Applicability (NOA):** The authorization for enrollment under this Order. The NOA is issued by the Water Board upon approval of the NOI.
3. **Notice of Completion (NOC):** This notice, found in Attachment E of this Order, is submitted by the Enrollee to the Water Board. Water Board staff will review the request and send a Completion of Discharges Letter to the Enrollee upon approval. If monitoring is required to continue after the discharge period, 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. If no monitoring is required after the discharge period, then the Project Complete Letter described below may be issued in response to the NOC.

4. **Request for Notice of Project Complete Letter:** This request by the Enrollee to the Water Board 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. Water Board staff will review the request and send a Project Complete Letter to the Enrollee upon approval. Termination of annual invoicing of fees will correspond with the date of this letter.
5. **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 Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring, temporary impact restoration monitoring, or compensatory mitigation monitoring.

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:

Enrollee:

Reg. Meas. ID: **Place ID:**

Order Effective Date:

Report Type Submitted

Part A – Project Reporting		
Report Type 1	☐	**Annual Report**
Part B - Project Status Notifications		
Report Type 2	☐	**Request for Notice of Project Complete Letter**
Part C - Conditional Notifications and Reports		
Report Type 3	☐	**Accidental Discharge of Hazardous Material Report**
Report Type 4	☐	**Violation of Compliance with Water Quality Standards Report**
Report Type 5	☐	**In-Water Work/Diversions Water Quality Monitoring Report**
Report Type 6	☐	**Transfer of Property Ownership Report**
Report Type 7	☐	**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**

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

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

_____ Enrollee's Signature

_____ Date

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

Part A – Project Reporting

Report Type 1	**Annual Report**
Report Purpose	Notify Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
When to Submit	If required by the NOA, annual reports shall be submitted each year on the anniversary of the date that the project was authorized by this Order. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Enrollee.
Report Contents	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. • **Topic 1: Construction Summary** • **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**
Report Contents	**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). **2.** Map showing general Project progress. **3.** If applicable: **a.** Summary of Conditional Notification and Report Types 6 and 7 (Part C below).
Annual Report Topic 2	**Mitigation for Temporary Impacts Status**
Report Contents	**1.** Planned or actual 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 information concerning attainment of performance standards.
Annual Report Topic 3	**Compensatory Mitigation for Permanent Impacts Status**
Report Contents	***If not applicable report N/A.** **Part A. Permittee (Enrollee) Responsible** **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. **Part B. Mitigation Bank or In-Lieu Fee** **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 2	Request for Notice of Project Complete Letter
Report Purpose	Notify 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 Water Board staff within thirty (30) days following completion of all Project activities.
Report Contents	**Part A: Mitigation for Temporary Impacts** **1.** A report establishing that the performance standards have been met for restored areas of temporary impact and restored upland areas of temporary disturbance which could result in a discharge to waters of the state. **Part B: Permittee (Enrollee) Responsible Compensatory Mitigation** **2.** Pre- and post-photo documentation of all compensatory mitigation sites. **Part C: Post-Construction Storm Water BMPs** **3.** Date of storm water Notice of Termination(s), if applicable. **4.** Report status and functionality of all post-construction BMPs.

Part C – Conditional Notifications and Reports

Report Type 3	**Accidental Discharge of Hazardous Material Report**
Report Purpose	Notifies 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 Water Board staff.
Report Contents	**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 4	**Violation of Compliance with Water Quality Standards Report**
Report Purpose	Notifies Water Board staff that a violation of compliance with water quality standards has occurred.
When to Submit	The Enrollee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to 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 Water Board staff.

Report Type 5	**In-Water Work and Diversions Water Quality Monitoring Report**
Report Purpose	Notifies Water Board staff of the completion of in-water work.
When to Submit	Within three (3) working days following the completion of in-water work. Continue reporting in accordance with the approved water quality monitoring plan.
Report Contents	As required by the approved water quality monitoring plan.

Report Type 6	**Transfer of Property Ownership Report**
Report Purpose	Notifies Water Board staff of change in ownership of the Project or Permittee (Enrollee)-responsible mitigation area.
When to Submit	At least 10 working days prior to the transfer of ownership.
Report Contents	**1.** A statement that the Enrollee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: **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 BMP[1] maintenance plan requirements in this Order. **2.** A statement that the Enrollee has informed the purchaser to submit a written request to the Water Board to be named as the Enrollee in a revised order.

Report Type 7	**Transfer of Long-Term BMP Maintenance Report**
Report Purpose	Notifies Water Board staff of transfer of long-term BMP maintenance responsibility.
When to Submit	At least 10 working days prior to the transfer of BMP maintenance responsibility.
Report Contents	A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

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

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NOTICE OF INTENT (NOI) FORM FOR REGIONAL GENERAL PERMIT (RGP) 8 FOR REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS

(Attach fee check here)

Instructions for Notice of Intent (Attachment D)

The prospective Enrollee must notify the State Water Board and the applicable Regional Water Board as early as possible, and no less than forty-eight (48) hours prior to initiating the emergency project. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means. If not included as part of the notification, **the notification must be followed within three (3) business days by electronic or written submission of all of the information in this notice of intent (NOI).**

Locate the Regional Water Quality Control Board your emergency project is located in at: https://www.waterboards.ca.gov/waterboards_map.html

Locate the contact information for the "**State Program Manager**" and the appropriate "**Region Program Manager**" from the website: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf

- Address notification email to the state program manager and appropriate region program manager and include in the subject line: (Attention: RGP 8 – Notice of Intent); or
- Call the state program manager and appropriate region program manager; or
- Send written notification to the following addresses:

  ATTN: Program Manager
  CWA Section 401 WQC Program
  Division of Water Quality
  State Water Resources Control Board
  1001 "I" St. 15th Floor
  Sacramento, CA 95814

  ATTN: Program Manager
  CWA Section 401 WQC Program
  Insert address of appropriate Regional Water Board from the staff directory linked above

The Enrollee must provide to the appropriate Regional Water Board the fee for review and processing of the NOI in accordance with California Code of Regulations, title 23, section 2200 within forty-eight (48) hours of project initiation. Failure to promptly pay the correct fee amount may result in a disqualification for enrollment pursuant to this water quality certification.

The fee amount is calculated using the "**Emergency Projects authorized by a Water Board General Order**" fee category within the **Dredge and Fill Fee Calculator** located at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/l. Note that fees are adjusted periodically. Enrollees should confirm the correct fee amount prior to submitting an NOI.

The Water Boards recognize there may be situations where imminent threats to life or property occur and the Enrollee has not received a notice of applicability (i.e., the notification from the Water Board that the Enrollee has successfully enrolled under this Certification). If immediate, specific actions, as defined in the California Code of Regulations, title 14, section 15269(c), are required by the Enrollee and prior notice to the State Water Board and the applicable Regional Water Board is not possible, then the Enrollee must contact the State Water Board and the applicable Regional Water Board within one (1) business day of the action. **As provided above, this notification must be followed within three (3) business days by electronic or written submission of all of the information in this NOI.**

NOTICE OF INTENT (NOI) FORM FOR REGIONAL GENERAL PERMIT (RGP) 8 FOR REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS

PROPERTY OWNER		
Name:	Phone Number:	
Mailing Address:		
City:	State:	ZIP Code:
Contact Person:	E-Mail:	

PROSPECTIVE ENROLLEE (If different from owner)		
Name:	Phone Number:	
Mailing Address:		
City:	State:	ZIP Code:
Contact Person:	E-Mail:	

PROJECT SITE LOCATION	
Street (include address, if any):	
Nearest Cross Street(s):	
County:	Total size of project site (acres):

Latitude/Longitude (Center of Discharge Area) in degrees/minutes/seconds (DMS) to the nearest ½ second OR decimal degrees (DD) to four decimals (0.0001 degree)

DMS: N. Latitude Deg. _____ Min. _____ Sec. _____

W. Longitude Deg. _____ Min. _____ Sec. _____

DD: N. Latitude _____

W. Longitude _____

Map Attached: ☐Yes ☐ No

Photos Attached: ☐Yes ☐ No

DISCHARGE INFORMATION	
Names of Receiving Water(s):	
Receiving Water Types:	
☐Lake/Reservoir ☐Ocean/Estuary/Bay ☐River/Streambed	☐Riparian Area ☐Vernal Pool ☐Wetland
Emergency Project Description:	

Proposed Solution to Emergency:
Erosion and Sediment Control Measures Proposed:
Description of how Emergency Definition is Satisfied: (i.e., unexpected; potential loss of life or property)
Which of these criteria does the project satisfy? (Check all that apply)
☐ Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with section 8550 of the Government Code.
☐ Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare.
☐ Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term.
☐ Projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is within the existing right of way of that highway and is initiated within one year of the damage occurring. This does not apply to highways designated as official State scenic highways, nor any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.
☐ Seismic work on highways and bridges pursuant to section 180.2 of the Streets and Highways Code, section 180 et seq.

Fill and Excavation Discharges: For each aquatic resource type listed below indicate in acres, cubic yards, and linear feet the estimated discharge to waters of the state, and identify the impact(s) as permanent and/or temporary.

Aquatic Resource Type	**Temporary Impact**			**Permanent Impact**		
	Acres	*Cubic Yards*	*Linear Feet*	*Acres*	*Cubic Yards*	*Linear Feet*
Lake/Reservoir						
Ocean/Estuary/Bay						
Riparian Zone						
Stream Channel						
Vernal Pool						
Wetland						

CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of this Certification and Corps Regional General Permit No. 8 will be complied with."

Signature of Discharger	Title
Printed or Typed Name	Date

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NOTICE OF COMPLETION FORM FOR REGIONAL GENERAL PERMIT (RGP) 8 FOR REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS

Instructions for Notice of Completion Form

The Enrollee must provide the State Water Board and the applicable Regional Water Board copies of all correspondence and reports that are submitted to the Corps to satisfy the requirements of RGP 8. In addition, the Enrollee must file this notice of completion (NOC) form. **This information must be submitted to the State Water Board and appropriate Regional Water Quality Control Board within 45 calendar days of completion of any action conducted under RGP 8.**

Failure to submit a complete NOC within 45 calendar days of completion of any action conducted under this water quality certification may result in the imposition of administrative and/or civil liability pursuant to Water Code section 13385.

Notice of Completion Form and Document Submittal Information

Electronic Submittal:

- Locate the email addresses of the "**State Program Manager**" and the appropriate "**Region Program Manager**" from the website: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf

- Address email to the state program manager and appropriate region program manager and include in the subject line: (Attention - RGP 8 Notice of Completion)

Hardcopy Submittal Addresses:

ATTN: Program Manager
CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
1001 "I" St. 15th Floor
Sacramento, CA 95814

ATTN: Program Manager
CWA Section 401 WQC Program
Insert mailing address of appropriate Regional Water Board, obtained from the staff directory linked above.

NOTICE OF COMPLETION FORM FOR REGIONAL GENERAL PERMIT (RGP) 8 FOR REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS

PROPERTY OWNER		
Name:	Phone Number:	
Mailing Address:		
City:	State:	ZIP Code:
Contact Person:	E-Mail:	
BILLING ADDRESS		
Name:	Phone Number:	
Mailing Address:		
City:	State:	ZIP Code:
Contact Person:	E-Mail:	
ENROLLEE (If different from owner)		
Name:	Phone Number:	
Mailing Address:		
City:	State:	ZIP Code:
Contact Person:	E-Mail:	
PROJECT SITE LOCATION		
Street (include address, if any):		
Nearest Cross Street(s):		
County:	Total size of project site (acres):	
Photos Attached: ☐Yes ☐ No		

Latitude/Longitude (Center of Discharge Area) in degrees/minutes/seconds (DMS) to the nearest ½ second OR decimal degrees (DD) to four decimals (0.0001 degree)

DMS: N. Latitude Deg. _____ Min. _____ Sec. _____

W. Longitude Deg. _____ Min. _____ Sec. _____

DD: N. Latitude _____

W. Longitude _____

Attach a map of at least 1:24000 (1" = 2000') detail of the impact site(s).

Indicate the map format used (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 aquatic resource type. 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.

☐ **Google KML files** saved from Google Maps: My Maps (free) or Google Earth Pro (not free). Maps must show the boundaries of all project areas and extent/type of aquatic resources

impacted.*

☐ Aquatic resource maps marked on paper USGS 7.5 minute **topographic maps** or DOQQ printouts. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted.

*** If using Google Maps: My Maps or similar, provide URL(s) of maps.**

DISCHARGE INFORMATION	
Project Start Date:	Project Completion Date:
Names of Receiving Water(s):	
Receiving Water Types:	
☐Lake/Reservoir ☐Ocean/Estuary/Bay ☐River/Streambed	☐Riparian Area ☐Vernal Pool ☐Wetland
Regulatory Agencies with Jurisdiction Over Project and Associated Permits/Agreements:	
Emergency Project Description: (e.g. discharge of riprap; discharge of fill; excavation for a utility line)	
Purpose of the Entire Project Activity: (e.g. stream-bank erosion control; maintain, repair, or restore damaged property)	
Erosion and Sediment Control Measures Implemented:	
Pollution Prevention Measures Implemented:	

Fill and Excavation Discharges: For each aquatic resource type listed below indicate in acres, cubic yards, and linear feet the actual discharge to waters of the state, and identify the impact(s) as permanent and/or temporary.

Aquatic Resource Type	**Temporary Impact**			**Permanent Impact**		
	Acres	*Cubic Yards*	*Linear Feet*	*Acres*	*Cubic Yards*	*Linear Feet*
Lake/Reservoir						
Ocean/Estuary/Bay						
Riparian Zone						
Stream Channel						
Vernal Pool						
Wetland						

COMPENSATORY MITIGATION	
Required: ☐ Yes ☐ No	Photos Attached: ☐Yes ☐ No
Compensatory Mitigation Description (include aquatic resource type and acres and linear feet):	

MITIGATION SITE LOCATION
Street (include address, if any):
Nearest Cross Street(s):
County:
Latitude/Longitude (Center of Mitigation Area) in degrees/minutes/seconds (DMS) to the nearest ½ second OR decimal degrees (DD) to four decimals (0.0001 degree) DMS: N. Latitude Deg. _____ Min. _____ Sec. _____ W. Longitude Deg. _____ Min. _____ Sec. _____ DD: N. Latitude _____ W. Longitude _____ **Attach a map of at least 1:24000 (1" = 2000') detail of the mitigation site.** **Indicate the map format used** (listed in order of preference): ☐ **GIS shapefiles**. The shapefiles must depict the boundaries of all project(s) and extent of aquatic resources. Each shape should be attributed with the aquatic resource type. 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. ☐ **Google KML files** saved from Google Maps: My Maps (free) or Google Earth Pro (not free). Maps must show the boundaries of all project(s) and extent/type of aquatic resources.* ☐ Aquatic resource maps marked on paper USGS 7.5 minute **topographic maps** or DOQQ printouts. Maps must show the boundaries of all project(s) and extent/type of aquatic resources. *** If using Google Maps: My Maps or similar, provide URL(s) of maps.**

CERTIFICATION	
"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of this Certification and Corps Regional General Permit No. 8 will be complied with."	
Signature of Discharger	Title
Printed or Typed Name	Date