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Central Valley Regional Water Quality Control Board

21 September 2017

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**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR
WILLOW CREEK MEADOW RESTORATION PROJECT (WDID 5B20CR00091), MADERA
COUNTY**

Enclosed please find a Clean Water Act Section 401 Water Quality Certification and Order, authorized by Central Valley Regional Water Quality Control Board Executive Officer, Pamela C. Creedon. This Order is issued to the U.S. Department of Agriculture- Forest Service, Sierra National Forest for the Willow Creek Meadow Restoration Project (Project). Attachments A through E of the Enclosure are also part of the Order.

This Order is issued in response to an application submitted by the U.S. Department of Agriculture- Forest Service, Sierra National Forest for proposed Project discharge 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.

If you require further assistance, please contact me by phone at 559-445-6281 or by email at debra.mahnke@waterboards.ca.gov. You may also contact Matt Scroggins, Senior Engineer, by phone at 559-445-6042 or by email at matt.scroggins@waterboards.ca.gov.

A handwritten signature in black ink that reads "Debra Mahnke".

Debra Mahnke
Water Resource Control Engineer
Central Valley Water Quality Control Board

Enclosures (2): Order for Willow Creek Meadow Restoration Project
Water Quality Order No. 2003-0017-DWQ

cc: See following page

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Central Valley Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: 21 September 2017	Reg. Meas. ID: 411915
Expiration Date: 17 March 2022	Place ID: 832958
	WDID: 5B20CR00091
	USACE: NW 27

Program Type: Fill/Excavation

Project Type: Ecological Aquatic/Stream/Habitat Restoration

Project: Willow Creek Meadow Restoration Project (Project)

Applicant: U.S. Department of Agriculture- Forest Service, Sierra National Forest

Applicant Contact: Thomas Klopf
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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 (559) 445-5116 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 the U.S. Department of Agriculture- Forest Service, Sierra National Forest (hereinafter Permittee) for the Willow Creek Meadow Restoration Project. This Order is for the purpose described in the application submitted by the Permittee. The application was received on 3 January 2017. The application was deemed complete on 3 February 2017.

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 17 February 2017 to 10 March 2017. The Central Valley Water Board did not receive any comments during the comment period.

III. Project Purpose

The Forest Service is proposing restoration activities at 22 Watershed Improvement Needs (WIN) sites located in 21 montane meadows within the Willow Creek watershed located in the Bass Lake Ranger District of the Sierra National Forest. WIN surveys conducted in summer of 2014 concluded that 22 out of 51 WIN survey sites were in need of restoration work. The proposed restoration activities will provide mitigation primarily for the effects of prolonged and inadequately managed livestock grazing and also for other less significant contributors to meadow dewatering like road drainage systems, timber harvesting, and unauthorized off highway vehicle disturbance.

The proposed meadow restoration sites all exhibit some indication of accelerated channel erosion such as headcutting, knickpoint down cutting, gully formation, over-steepened banks, or a combination of some or all of these indicators. Continued channel erosion leads to lowering of the meadow water table, conifer encroachment, and eventual change in vegetative cover type from wetland (grass) species to upland (coniferous tree) species. The proposed restoration activities are necessary to prevent and potentially reverse near surface dewatering and change in habitat type that is occurring in these montane meadow wetlands at a rate that is significantly faster than would normally occur in a meadow unaffected by land management. The protection of montane meadow wetland habitat is a priority due to the presence or potential occupation by listed amphibian species Yosemite toad and Sierra-Nevada yellow-legged frog on some or potentially all of the project meadows.

IV. Project Description

The project is limited to the following activities within waters of the U.S. to restore and enhance the condition of 22 sites within 21 montane meadows:

- Conifer encroachment removal
- Sod plug transplant of sedges, rushes and grasses
- Headcut erosion repair with logs or rocks
- Knickpoint erosion repair with rocks and sod plugs
- Vertical bank layback with willow and alder cuttings re-planted
- Stabilizing incised channels with willow and alder cuttings re-planted
- Temporary livestock fencing to protect re-planting

V. Project Location

The WIN sites proposed for restoration are located within the Bass Lake Ranger District of the Sierra National Forest about 40 miles northeast of Fresno, in Madera County, CA. All

restoration sites are located on montane meadows within the Willow Creek watershed, a sub-watershed of the Upper San Joaquin River.

Maps showing the Project locations 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 July 2016 (Basin Plan). The 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

Total Project fill/excavation quantities for all impacts are summarized in Table 1. In all, the project would directly affect approximately 27.1 acres of waters of the U.S.

Permanent impacts to Waters of the U.S. are caused by stream and meadow restoration activities that will add fill material (in the form of logs, sod plugs, large woody debris etc.) to stream channels within the project area. Fill materials and stabilization structures are designed and planned with the objective to provide a net benefit to meadow condition, water quality, site productivity, and habitat values. Project activities will also prevent the loss of jurisdictional wetland area and have the potential to increase total wetland area.

Temporary impacts originate from ground disturbance associated with the removal of encroaching conifers within project meadows. This disturbance is short term and is prescribed to provide a long-term benefit to meadow condition and hydrologic stability. These impacts will be mitigated by the following guidelines for conifer removal: 1) only trees with a diameter at breast height (dbh) of 12" or less shall be cut; 2) only light equipment (gas-powered wheelbarrows) shall be operated within the channel or meadow surface (no heavy equipment); 3) operations on meadow surfaces will be limited to the late spring, summer, and early fall months (June-October) when meadow conditions are the driest and most stable.

Table 1: Summary of permanent and temporary acre Impacts to Waters of the U.S. (wet meadows) from the Willow Creek Meadow Restoration Project (acres; (t): temporary, (p): permanent)

WIN	Meadow ID	Conifer Removal	Headcut Repair	Incised Channel Stabilization	Wetlands Restored/ Protected	Total Cubic Yards of Fill
51030	504M282a	2.5 (t)	0.001 (p)		2.0 (p)	1
55431	504M258	0.1 (t)	0.002 (p)		2.0 (p)	4.5
55429	504M260		0.001 (p)		0.6 (p)	1

WIN	Meadow ID	Conifer Removal	Headcut Repair	Incised Channel Stabilization	Wetlands Restored/ Protected	Total Cubic Yards of Fill
55433	504M267	0.5 (t)		0.018 (p)	0.5 (p)	9
55435	504M269b	2.0 (t)			0.5 (p)	0
55437	504M269a	1.0 (t)	0.002 (p)	0.021 (p)	0.5 (p)	20
55439	504M270	0.1 (t)	0.0004 (p)		0.1 (p)	2
55438	504M274		0.005 (p)	0.006 (p)	0.5 (p)	12
51043	504M288	0.1 (t)	0.003 (p)	0.003 (p)	4.0 (p)	10
51021	504M286	6.0 (t)		0.002 (p)	1.0 (p)	0
51027	504M284					4
55361	504M218	0.5 (t)	0.017 (p)		1.0 (p)	16
55131	504M124a	1.0 (t)	0.001 (p)		1.0 (p)	5.5
55261	504M123	0.5(t)	0.007 (p)	0.026 (p)	1.6 (p)	21
55270	504M124a	1.0 (t)	0.002 (p)	0.002 (p)	2.0 (p)	5
55352	504M125	0.25(t)	0.008 (p)		7.0 (p)	9
55127	504M135	0.1 (t)	0.001 (p)		0.6 (p)	3
55356	504M124b	0.25 (t)	0.002 (p)		0.1 (p)	5
55128	504M176	0.3 (t)		0.113 (p)	1.1 (p)	20
55422	504M183	0.1 (t)	0.002 (p)		0.1 (p)	3
55266	504M143		0.004 (p)		2.0 (p)	5
55109	504M42	0.1 (t)	0.001 (p)		0.6 (p)	4
55111	504M40	0.7 (t)			0.4 (p)	0
	Total:	17.1 (t)	0.043 (p)	0.200 (p)	27.1 (p)	160

VIII. Avoidance and Minimization

In the certification application, the Permittee indicated they will implement the following best management practices (BMP):

BMP 1-18 Meadow Protection during Timber Harvesting: To avoid damage to the ground cover, soil, and hydrologic function of meadows, mechanical equipment is not permitted in meadows. Additionally, the Permittee has implemented a 100' protection buffer around meadows that are equipment exclusion zones. Access is not permitted in meadows or the 100' buffer unless specifically authorized by an aquatic biologist, soil scientist, and/or hydrologist. Use of power-wheelbarrows will be approved by the hydrologist, soil scientist, and aquatic biologist prior to use in each meadow.

BMP 2-12 *Servicing and refueling equipment*: To prevent pollutants such as fuels, lubricants, bitumens and other harmful materials from being discharged into or near rivers, streams and impoundments, or into natural or man-made channels, storage of hazardous materials (including fuels) and servicing and refueling of equipment will be conducted at pre-designated locations outside of riparian conservation areas (RCAs) and critical aquatic refuges (CARs). If fueling and/or storage of hazardous materials are needed within RCAs or CARs, those sites must be reviewed and approved by the District Hydrologist or Aquatic Biologist. Additional protection measures, such as containment devices, may be necessary. Only power-wheelbarrows and handheld chainsaws will be used for this project.

IX. Compensatory Mitigation

No compensatory mitigation is proposed because the fills are for the restoration of montane wet meadow complexes. This is a mitigation project and is self-mitigating.

X. California Environmental Quality Act (CEQA)

The Central Valley Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section(s) 15333 –Small Habitat Restoration Projects.

Additionally, the Central Valley Water Board concludes that no California Code of Regulations, title 14, section exceptions to the CEQA exemption apply to the activities approved by this Order.

The Central Valley Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, § 15062.)

XI. 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.

XII. Fees Received

A fee is not required for a federal project conducted on federal land.

XIII. 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 1.

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 C, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and

Notification Cover Sheet located in Attachment C, which must be signed by the Permittee or an authorized representative.

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: centralvalleyfresno@waterboards.ca.gov.

In the subject line of the email, include the Central Valley Water Board Contact, Willow Creek Meadow Restoration Project, 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. **Annual Reporting:** The Permittee shall submit an Annual Report each year on the anniversary of the effective date of the Certification. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee.

2. Project Status Notifications

- a. **Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities.
- b. **Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to 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,¹ 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. **Conditional Notifications and Reports:** The following notifications and reports are required as appropriate.

¹ 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.

a. Accidental Discharges of Hazardous Materials²

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

- 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 XIII.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 XIII.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 via delivered written notice, email, or other verifiable means in accordance with section XIII.B.
- ii. Bi-weekly surface water quality monitoring reports shall be submitted to Central Valley Water Board staff, in accordance with section XIII.C.3.
- iii. 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.

² "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501.)

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 attachment of this Order.

- e. Transfer of Long-Term Best Management Practice Maintenance:** If maintenance responsibility for post-construction best management practices (BMP) 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 sampling:
 - 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 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. Activities shall not cause visible oil, grease, or foam in the receiving water.
 - b. Activities shall not cause the pH in surface waters to be depressed below 6.5 nor raised above 8.5.
 - c. Activities shall not cause turbidity increases in surface water to exceed:
 - where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;

- where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
- where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
- where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and
- where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

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.

- d. Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within 300 feet downstream of the Project sites.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 2 sampling parameters.³ The sampling requirements in Table 2 shall be conducted upstream out of the influence of the Project sites, and approximately 300 feet downstream of the work area.

The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff. A surface water monitoring report, as described in Attachment C, shall be submitted within two weeks on initiation of in-water construction, and every two weeks 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 XIII.C.3.c.

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

³ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
pH	Standard Units	Grab	Every 4 hours
Turbidity	NTU	Grab	Every 4 hours
Settleable Material	ml/L	Grab	Every 4 hours

- 4. Post-Construction:** Visually inspect the Project sites during the rainy season for two years following completion of construction to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the Project sites. 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 D of this Order.
2. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order held by the Permittee, the Permittee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The

Permittee is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.

3. The Permittee shall grant 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.

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 XIII.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 XIII.C.3.
 - c. The temporary dam or other artificial obstruction shall only be built from clean materials such as 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.
 - d. If water is present, the area must be dewatered prior to start of work.
 - e. This Order does not allow permanent water diversion of flow from the receiving water. This Order is invalid if any water is permanently diverted as a part of the project.
-

2. 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.

3. 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 XIII.B.3.a and XIII.B.3.b.

4. Invasive Species and Soil Borne Pathogens

Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spreading of noxious weeds.

5. In-Water Work

Restoration work in the meadows shall occur during the dry season (June-October).

6. Post-Construction Storm Water Management- Not applicable**7. 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. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project area.

8. Special Status Species

a. Valley Elderberry Longhorn Beetle

If Valley elderberry longhorn beetles are discovered within 100 feet of the Project area, the Permittee shall implement the United States Fish and Wildlife Conservation Guidelines for the Valley Elderberry Longhorn Beetle dated 9 July 1999.

b. Yosemite Toad and Sierra Yellow-Legged Frog

- i. In meadows and streams that are occupied by Yosemite Toad (YT) and/or Sierra Yellow-Legged Frog (SYLF), a biological monitor must be onsite during project activities that may affect individuals or habitat.
- ii. The District aquatic biologist must review and approve all meadow and stream specific restoration plans and designs prior to implementation to ensure appropriate aquatic and terrestrial habitat elements are retained and promoted for YT and SYLF.
- iii. From October 15 to June 15 no activity can occur within 25 meters / 82 feet any stream channel or meadow identified as SYLF occupied habitat to protect adult dispersal, breeding, egg masses and tadpoles in stream /meadow habitats.
- iv. On a daily basis, prior to starting work, inspection of the work site shall take place to locate any SYLF or YT individuals that have moved into the area. If species are found directly within project area prior to work or during daily work, project activities shall stop until individuals can be moved by the District Aquatic biologist to a safe location.
- v. If water diversion is necessary for any project related activities, no de-watering of occupied stream habitats shall occur during implementation, unless only temporary for a short segment of stream, and then only after a site specific survey has been conducted by the aquatic biologist to determine whether YT or SYLF individuals are present within the stream segment.
- vi. All boots and equipment shall be free of mud and dirt and properly disinfected prior to beginning work at each site to prevent the spread of Chytrid fungus. Clean all gear prior to bring on site. Decontamination of equipment and gear that may become wet should occur. This is to avoid the spread of the potentially devastating Chytrid fungus which is known to occur throughout the forest. Decontamination between sites in other areas of the project is required. Decontamination can be accomplished by:
 - Prior to arriving at the site scrape off all mud/dirt from boots and equipment that may have come in contact with water or sediments
 - Scrub and soak boots and equipment with either a quaternary ammonium compound 128 or a 10% fresh bleach / water solution (1 part bleach to 9 parts water)
 - Make sure to get all surfaces thoroughly wet with the solution
 - All traces of the disinfectant should be rinsed clean and removed from equipment before entering the next aquatic habitat.

- vii. Materials used for habitat restoration shall come from an approved location (i.e., rock quarries).
- viii. No piling of materials shall occur within 100 feet of occupied stream or meadow habitat.
- ix. If conifers are cut within meadows occupied by Yosemite toad, either lop and scatter or pile. Do not burn piles within occupied meadows. If piles have been left to dry for more than two weeks, move them to a new location prior to burning to avoid harming toads that are using the piles as cover.
- x. No piling on or around old stumps for up to 20 feet (for protection of YT summer and overwintering terrestrial habitats).
- xi. Slash / brush piles located within 300 feet of occupied YT meadows should be burned in the fall at a location identified in consultation with the district aquatic biologist to minimize impacts to terrestrial habitats and spring dispersal of adult YT. (Professional opinion: for conservation of individuals during spring and summer dispersal).
- xii. All operations in YT habitat (including project related road maintenance and reconstruction) shall start 60 days after breeding is completed. Occupancy and timing of breeding would be determined annually by the District aquatic biologist. Start date can be as early as 30 July, or as late as 7 September.
- xiii. All operations shall end by 1 October to allow for overwintering migrations and protection of overwintering YT. End timing of 1 October may be adjusted up to 1 November on an annual basis dependent on weather conditions.
- xiv. All operations shall cease for 24 hours after rainfall more than 0.1 inch occurs to allow for dispersal across terrestrial habitats.
- xv. Mechanical operations shall cease before dusk and not continue until after dawn.
- xvi. For protection of adult microsites, the following measures shall apply to open, dry lupine areas:
 - Where possible, flag open dry lupine areas as avoidance locations for all activities associated with the Willow Creek Meadow Restoration Project (including temporary roads, power wheelbarrow routes and other access trails, tree falling zones, etc).
 - Avoid working or walking in or crossing open dry areas where numerous rodent burrows and/or lupine are observed.
 - Do not use open and dry lupine areas as turn-around locations, vehicle storage or landing sites.
- xvii. Implement the 16 measures described in BMP 2.11 to prevent adverse effects from fuels, lubricants, cleaners, and other harmful materials that are discharged

into nearby surface waters or infiltrate through soils to contaminate groundwater resources on skin-respiring amphibians resulting from equipment refueling and servicing.

xviii. Within YT critical habitat in breeding meadows the following measures shall be applied to minimize alteration of water chemistry in meadows or around streams during conifer encroachment treatments:

- Tarps will be placed around tree to be cut to capture most of the sawdust.
- Sawdust will be disposed of at an approved location off-site.

xix. Within known YT or SYLF occupied habitat, fuels and other toxic materials shall be stored outside of associated riparian conservation areas and critical aquatic refuges to limit the exposure of the three amphibian species to the toxic materials associated with vegetation management activities unless locations are authorized by the District aquatic biologist.

xx. For chainsaws and other gas powered equipment: Refueling may not occur in Streamside Management Zones or Riparian Management Areas. In the remainder of the RCA and CAR, refueling may occur with the use of an absorbent spill pad.

xxi. An emergency response plan shall be created and implemented to prevent contamination of waters from accidental spills of hazardous substances. Project personnel shall be aware of the Forest Spill Plan, including who to contact and other steps to take in case of a spill. A spill kit shall be kept onsite. All waste oil, containers, and other materials shall be removed from the project area and properly disposed of.

xxii. To avoid damage to the ground cover, soil, and the hydrologic function of meadows:

- Conduct restoration activities in the late summer/fall or when the water table is low to avoid conflicts with local aquatic/riparian species and habitat.
- Limit trips across meadow when possible. Rehabilitate areas damaged from accessing restoration site (trailing, stream bank stability).
- Avoid crossing wet meadow habitats (including by foot). Rehabilitate areas damaged from accessing restoration site (trailing, stream bank stability).

9. 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.

10. 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 Storm Water Pollution Prevention Plan must be prepared during the Project planning and design phases and implemented, as appropriate, before construction; 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. Mitigation for Temporary Impacts

1. The Permittee shall restore all areas of temporary impacts, including Project site upland areas, which could result in a discharge to waters of the state to pre-construction contours and conditions upon completion of construction activities as described in a restoration plan. The restoration plan shall be submitted for written acceptance by Central Valley Water Board staff within (ninety days (90)) of issuance of this Order. The restoration plan shall provide the following: a schedule; plans for grading of disturbed areas to pre-project contours; planting palette with plant species native to the Project area; seed collection location; invasive species management; performance standards; and maintenance requirements (e.g. watering, weeding, and replanting).
2. The Central Valley Water Board may extend the monitoring period beyond requirements of the restoration plan upon a determination by Executive Officer that the performance standards have not been met or are not likely to be met within the monitoring period.

I. Mitigation for Permanent Impacts⁴

1. Monitoring to evaluate the success of the Project is required following completion of Project construction. The Applicant shall provide to the Central Valley Water Board for Executive Officer approval, prior to commencement of Project construction, a copy of a Monitoring Plan that will document the following:
 - a. Function of the restored water resource;
 - b. Project purpose and goals;
 - c. Measureable performance standards appropriate to each goal;
 - d. Monitoring parameters and protocols to determine if performance standards have been met;
 - e. The timeframe and responsible party for determining attainment of performance standards; and
 - f. The appropriate monitoring schedule as needed to determine achievement of performance standards.
2. The Applicant shall implement the approved Monitoring Plan and shall provide Monitoring Reports annually, **by January 31**, for a minimum of **five years** following completion of construction. The Monitoring Report shall document status of

⁴ Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

performance standards and project goals for the previous calendar year, and shall include:

- a. A summary of findings;
- b. Identification and discussion of problems with achieving performance standards;
- c. Proposed corrective measures, to be approved by the Central Valley Water Board staff; and
- d. Monitoring data and photographs.

J. 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 E. 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.

XIV. Water Quality Certification

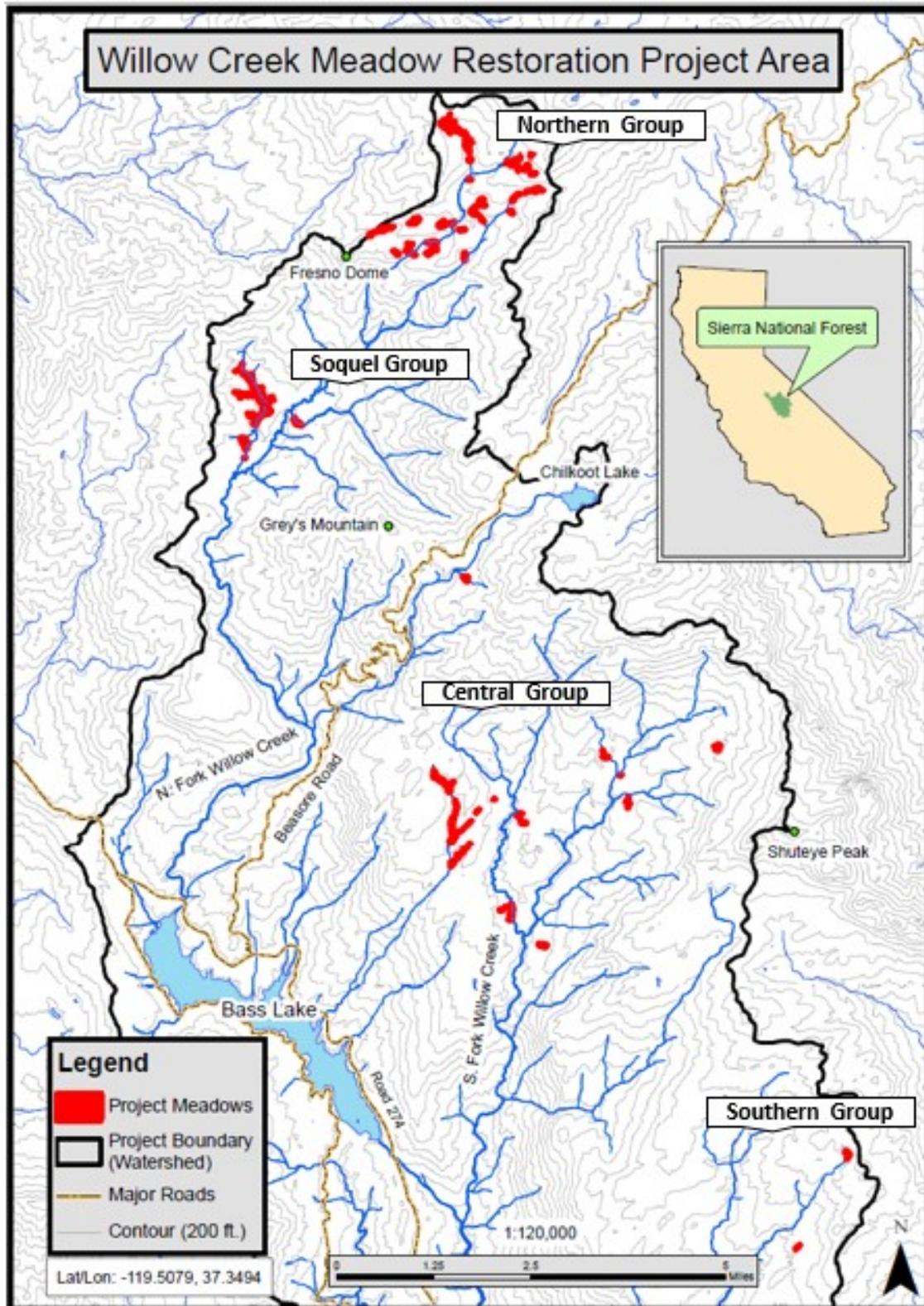
I hereby issue the Order for the Willow Creek Meadow Restoration Project, WDID 5B20CR00091, certifying that as long as all of the conditions listed in this Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 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 Central Valley Water Board will file a Notice of Determination (NOD) 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.).

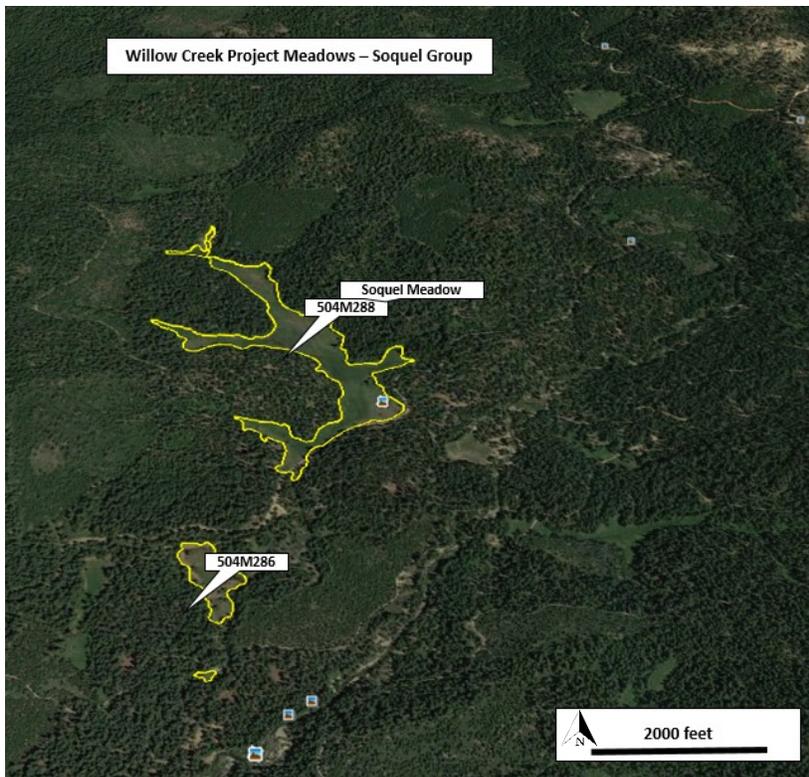
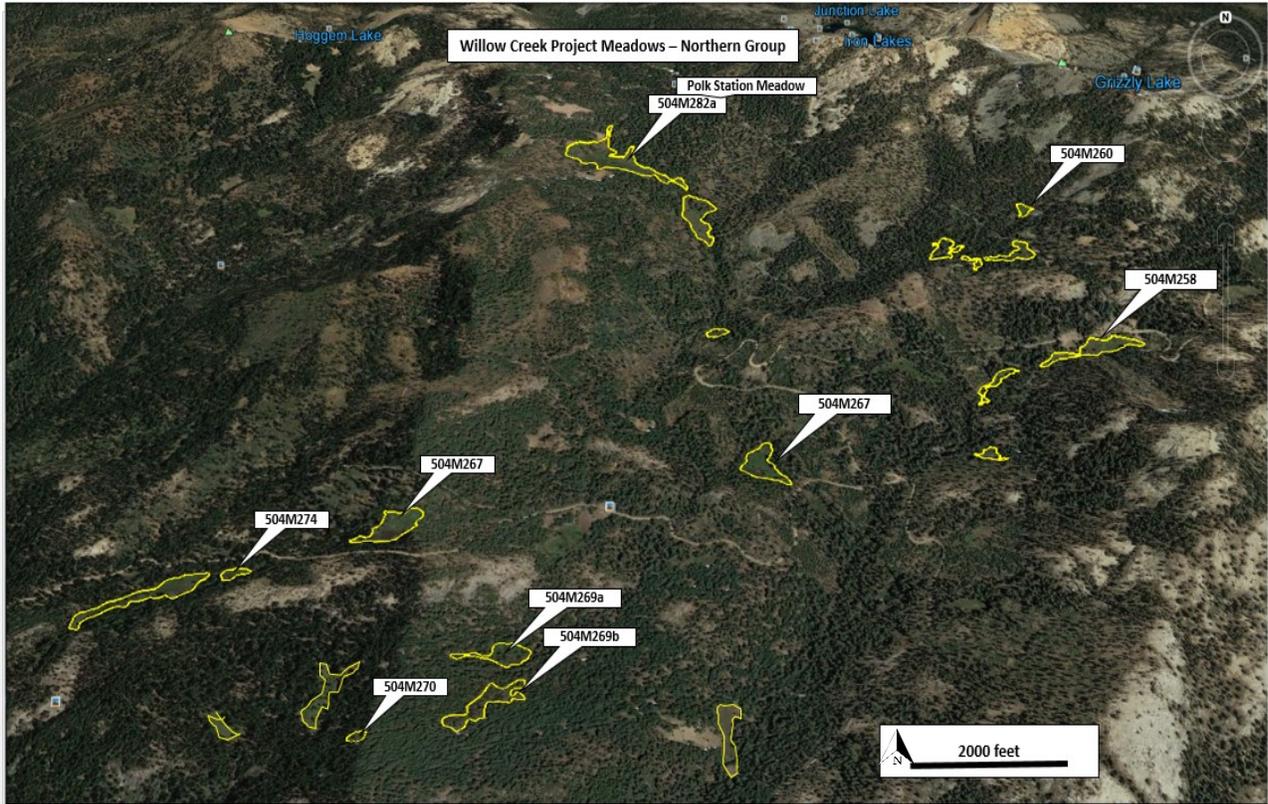
Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable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

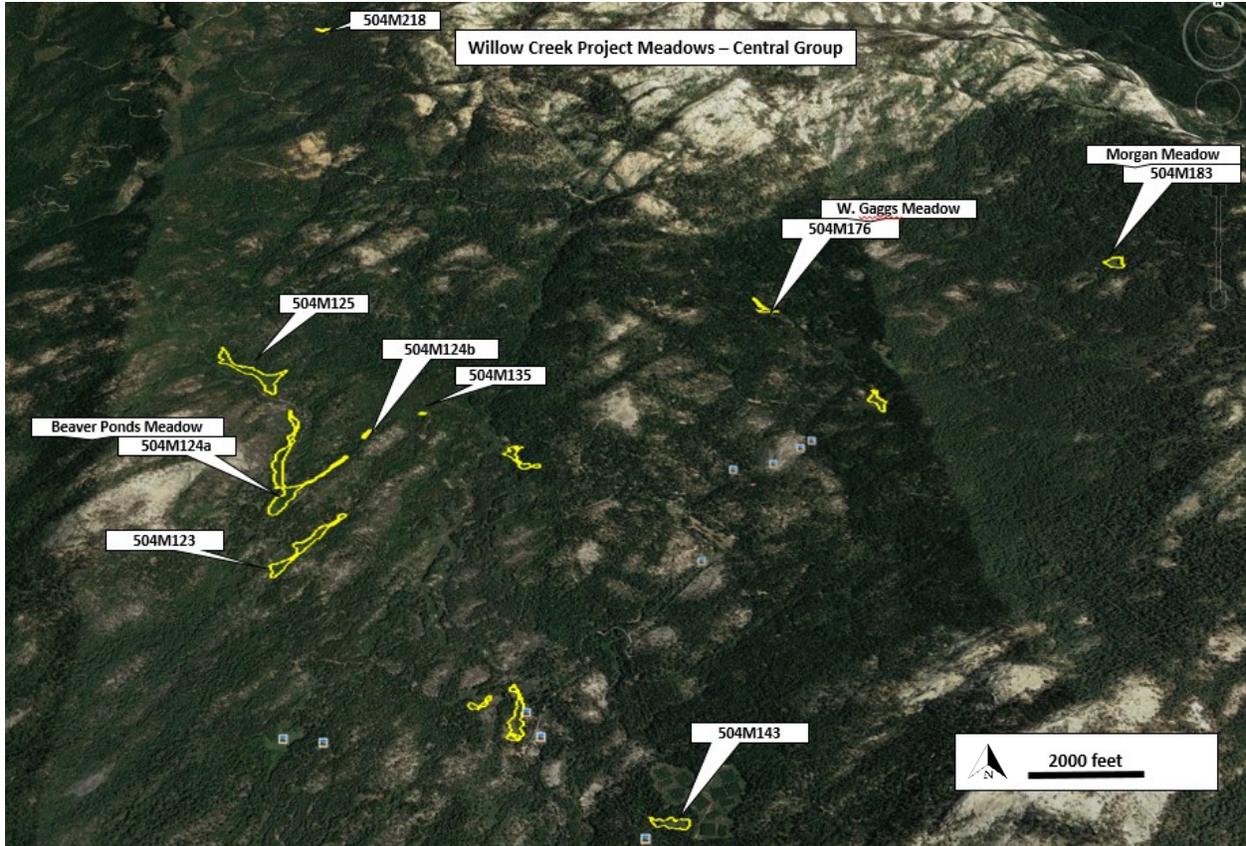
Clay L. Rodgers
 for Pamela C. Creedon
 Executive Officer
 Central Valley Regional Water Quality Control Board

9/21/17
 Date

- Attachment A** Project Map
- Attachment B** Receiving Waters, Impact, and Mitigation Information
- Attachment C** Report and Notification Requirements
- Attachment D** Signatory Requirements
- Attachment E** Certification Deviation Procedures







Receiving Waters

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

<i>Meadow ID/ Name</i>	<i>Latitude/Longitude (Degrees)</i>	<i>Affected Waterbody/ Tributary To</i>
504M282a Polk Station Meadow	37.479636 N/ 119.512458 W	Polk Station Wet Meadow/ Unnamed Tributary/ North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M258	37.468050 N/ 119.492257 W	North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M260	37.474474 N/ 119.493407 W	Unnamed Tributary/ North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M267	37.463844 N/ 119.506399 W	North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M269b	37.456278 N/ 119.516077 W	Unnamed Tributary/ North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M269a	37.457811 N/ 119.515698 W	Unnamed Tributary/ North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M270	37.455461 N/ 119.520059 W	Unnamed Tributary/ North Fork Willow Ck./ Willow Creek/ San Joaquin River

<i>Meadow ID/ Name</i>	<i>Latitude/Longitude (Degrees)</i>	<i>Affected Waterbody/ Tributary To</i>
504M274	37.460435 N/ 119.525635 W	Unnamed Tributary/ North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M288 Soquel Meadow	37.428180 N/ 119.556096W	Soquel Creek/ N. Fork Willow Ck./ Willow Creek/ San Joaquin River
504M286	37.419587 N/ 119.558501W	Soquel Creek/ North Fork Willow Ck./ Willow Creek/ San Joaquin River
504M218	37.395443 N/ 119.505974 W	Chilkoot Creek/ North Fork Willow Creek/ Willow Creek/ San Joaquin River
504M124a Beaver Ponds	37.349227 N/ 119.507161 W	Beaver Ponds Meadow/ Salter Creek/ N. Fork Willow Creek/ Willow Creek/ San Joaquin River
504M123	37.343835 N/ 119.505929 W	Salter Creek/ N. Fork Willow Creek/ Willow Creek/ San Joaquin River
504M124a* Beaver Ponds (S. arm)	37.349882 N/ 119.506596 W	Beaver Ponds Meadow/ Salter Creek/ N. Fork Willow Creek/ Willow Creek/ San Joaquin River

<i>Meadow ID/ Name</i>	<i>Latitude/Longitude (Degrees)</i>	<i>Affected Waterbody/ Tributary To</i>
504M125	37.357435 N/ 119.509930 W	Beaver Ponds Meadow/ Salter Creek/ N. Fork Willow Creek/ Willow Creek/ San Joaquin River
504M135	37.354559 N/ 119.498088 W	Unnamed Tributary(ies)/ N. Fork Willow Ck./ Willow Creek/ San Joaquin River
504M124b	37.352262 N/ 119.501883 W	Unnamed Tributary(ies)/ N. Fork Willow Ck./ Willow Creek/ San Joaquin River
504M176 W. Gagg's Meadow	37.363246 N/ 119.472545 W	S. Fk. Sand Ck./ Sand Creek/ S. Fk. Willow Creek/ Willow Creek/ San Joaquin River
504M183 Morgan Meadow	37.365301 N/ 119.446332 W	Unnamed Tributaries/ S. Fk. Sand Ck./ Sand Creek/ S. Fk. Willow Creek/ Willow Creek/ San Joaquin River
504M143	37.343835 N/ 119.505929 W	Unnamed Tributaries/ Sand Creek/ S. Fork Willow Creek/ Willow Creek/ San Joaquin River
504M42	37.290177 N/ 119.413504 W	Owl Creek/ Whiskey Creek/ Willow Creek/ San Joaquin River
504M40	37.272654 N/ 119.424650 W	Owl Creek/ Whiskey Creek/ Willow Creek/ San Joaquin River

Receiving Water Beneficial Uses

Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	CRAM AA ID ⁵
Willow Creek Watershed	Stream	540.21	San Joaquin River, sources to Millerton Lake	MUN, AGR, POW, REC1, REC2, WARM, COLD, WILD	N/A	N/A

⁵ California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.

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 (see your Order for specific reports required for your Project).
 - **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: centralvalleyfresno@waterboards.ca.gov and cc: Debra.Mahnke@waterboards.ca.gov
 - Include in the subject line of the email:
Subject: ATTN: 401 Certification; Reg. Measure ID: 411915_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:** Date of Order issuance.

Map/Photo Documentation Information

When submitting maps or photos, please use the following formats.

1. **Map Format Information:**

Preferred map formats of at least 1:24000 (1" = 2000') detail (listed in order of preference):

 - **GIS shapefiles:** The shapefiles must depict the boundaries of all project areas and extent of aquatic resources impacted. Each shape should be attributed with the extent/type of aquatic resources impacted. Features and boundaries should be accurate to within 33 feet (10 meters). Identify datum/projection used and if possible, provide map with a North American Datum of 1983 (NAD38) in the California Teale Albers projection in feet.
 - **Google KML files** saved from Google Maps: My Maps or Google Earth Pro. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
 - **Other electronic format** (CAD or illustration format) that provides a context for location (inclusion of landmarks, known structures, geographic coordinates, or USGS DRG or DOQQ). Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
 - Aquatic resource maps marked on paper **USGS 7.5 minute topographic maps** or **Digital Orthophoto Quarter Quads (DOQQ)** printouts. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
2. **Photo-Documentation:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.

REPORT AND NOTIFICATION COVER SHEET

Project:	Willow Creek Meadow Restoration Project		
Permittee:	U.S. Department of Agriculture- Forest Service, Sierra National Forest		
Reg. Meas. ID:	411915	Place ID:	832958
Order Effective Date:	21 September 2017		
Order Expiration Date:	21 September 2022		

Report Type Submitted

Part A – Project Reporting

Report Type 1	<input type="checkbox"/> Monthly Report
Report Type 2	<input type="checkbox"/> Annual Report

Part B - Project Status Notifications

Report Type 3	<input type="checkbox"/> Commencement of Construction
Report Type 4	<input type="checkbox"/> Request for Notice of Completion of Discharges Letter
Report Type 5	<input type="checkbox"/> Request for Notice of Project Complete Letter

Part C - Conditional Notifications and Reports

Report Type 6	<input type="checkbox"/> Accidental Discharge of Hazardous Material Report
Report Type 7	<input type="checkbox"/> Violation of Compliance with Water Quality Standards Report
Report Type 8	<input type="checkbox"/> In-Water Work/Diversions Water Quality Monitoring Report
Report Type 9	<input type="checkbox"/> Modifications to Project Report
Report Type 10	<input type="checkbox"/> Transfer of Property Ownership Report
Report Type 11	<input type="checkbox"/> Transfer of Long-Term BMP Maintenance Report
Report Type 12	<input type="checkbox"/> Other 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 (see your Order for specific reports required for your Project)

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	Beginning 60 days from beginning of construction 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 (BMPs¹). 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. c) Summarize observed incidences of non-compliance, compliance issues, minor problems, or occurrences. 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.

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

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 anniversary of Project effective date. 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.
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Part B – Project Status Notifications (see your Order for specific reports required for your Project)

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.

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.

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 (see your Order for specific reports required for your Project)

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.
When to Submit	Seven (7) days 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.

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 BMP² 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.

² Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.

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.

Report Type 12	Other Report
Report Purpose	Required by Order condition.
When to Submit	As stated within the Order.
Report Contents	As stated within the Order.

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 XIII.J 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, §§ 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).

STATE WATER RESOURCES CONTROL BOARD

WATER QUALITY ORDER NO. 2003 - 0017 - DWQ

STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES THAT HAVE RECEIVED STATE WATER QUALITY CERTIFICATION (GENERAL WDRs)

The State Water Resources Control Board (SWRCB) finds that:

1. Discharges eligible for coverage under these General WDRs are discharges of dredged or fill material that have received State Water Quality Certification (Certification) pursuant to federal Clean Water Act (CWA) section 401.
2. Discharges of dredged or fill material are commonly associated with port development, stream channelization, utility crossing land development, transportation water resource, and flood control projects. Other activities, such as land clearing, may also involve discharges of dredged or fill materials (e.g., soil) into waters of the United States.
3. CWA section 404 establishes a permit program under which the U.S. Army Corps of Engineers (ACOE) regulates the discharge of dredged or fill material into waters of the United States.
4. CWA section 401 requires every applicant for a federal permit or license for an activity that may result in a discharge of pollutants to a water of the United States (including permits under section 404) to obtain Certification that the proposed activity will comply with State water quality standards. In California, Certifications are issued by the Regional Water Quality Control Boards (RWQCB) or for multi-Region discharges, the SWRCB, in accordance with the requirements of California Code of Regulations (CCR) section 3830 et seq. The SWRCB's water quality regulations do not authorize the SWRCB or RWQCBs to waive certification, and therefore, these General WDRs do not apply to any discharge authorized by federal license or permit that was issued based on a determination by the issuing agency that certification has been waived. Certifications are issued by the RWQCB or SWRCB before the ACOE may issue CWA section 404 permits. Any conditions set forth in a Certification become conditions of the federal permit or license if and when it is ultimately issued.
5. Article 4, of Chapter 4 of Division 7 of the California Water Code (CWC), commencing with section 13260(a), requires that any person discharging or proposing to discharge waste, other than to a community sewer system, that could affect the quality of the waters of the State,¹ file a report of waste discharge (ROWD). Pursuant to Article 4, the RWQCBs are required to prescribe waste discharge requirements (WDRs) for any proposed or existing discharge unless WDRs are waived pursuant to CWC section 13269. These General WDRs fulfill the requirements of Article 4 for proposed dredge or fill discharges to waters of the United States that are regulated under the State's CWA section 401 authority.

¹ "Waters of the State" as defined in CWC Section 13050(e)

6. These General WDRs require compliance with all conditions of Certification orders to ensure that water quality standards are met.
7. The U.S. Supreme Court decision of *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) (the SWANCC decision) called into question the extent to which certain “isolated” waters are subject to federal jurisdiction. The SWRCB believes that a Certification is a valid and enforceable order of the SWRCB or RWQCBs irrespective of whether the water body in question is subsequently determined not to be federally jurisdictional. Nonetheless, it is the intent of the SWRCB that all Certification conditions be incorporated into these General WDRs and enforceable hereunder even if the federal permit is subsequently deemed invalid because the water is not deemed subject to federal jurisdiction.
8. The beneficial uses for the waters of the State include, but are not limited to, domestic and municipal supply, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources.
9. Projects covered by these General WDRs shall be assessed a fee pursuant to Title 23, CCR section 3833.
10. These General WDRs are exempt from the California Environmental Quality Act (CEQA) because (a) they are not a “project” within the meaning of CEQA, since a “project” results in a direct or indirect physical change in the environment (Title 14, CCR section 15378); and (b) the term “project” does not mean each separate governmental approval (Title 14, CCR section 15378(c)). These WDRs do not authorize any specific project. They recognize that dredge and fill discharges that need a federal license or permit must be regulated under CWA section 401 Certification, pursuant to CWA section 401 and Title 23, CCR section 3855, et seq. Certification and issuance of waste discharge requirements are overlapping regulatory processes, which are both administered by the SWRCB and RWQCBs. Each project subject to Certification requires independent compliance with CEQA and is regulated through the Certification process in the context of its specific characteristics. Any effects on the environment will therefore be as a result of the certification process, not from these General WDRs. (Title 14, CCR section 15061(b)(3)).
11. Potential dischargers and other known interested parties have been notified of the intent to adopt these General WDRs by public hearing notice.
12. All comments pertaining to the proposed discharges have been heard and considered at the November 4, 2003 SWRCB Workshop Session.
13. The RWQCBs retain discretion to impose individual or General WDRs or waivers of WDRs in lieu of these General WDRs whenever they deem it appropriate. Furthermore, these General WDRs are not intended to supersede any existing WDRs or waivers of WDRs issued by a RWQCB.

IT IS HEREBY ORDERED that WDRs are issued to all persons proposing to discharge dredged or fill material to waters of the United States where such discharge is also subject to the water quality certification requirements of CWA section 401 of the federal Clean Water Act (Title 33 United States Code section 1341), and such certification has been issued by the applicable RWQCB or the SWRCB, unless the applicable RWQCB notifies the applicant that its discharge will be regulated through WDRs or waivers of WDRs issued by the RWQCB. In order to meet the provisions contained in Division 7 of CWC and regulations adopted thereunder, dischargers shall comply with the following:

1. Dischargers shall implement all the terms and conditions of the applicable CWA section 401 Certification issued for the discharge. This provision shall apply irrespective of whether the federal license or permit for which the Certification was obtained is subsequently deemed invalid because the water body subject to the discharge has been deemed outside of federal jurisdiction.
2. Dischargers are prohibited from discharging dredged or fill material to waters of the United States without first obtaining Certification from the applicable RWQCB or SWRCB.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 19, 2003.

AYE: Arthur G. Baggett, Jr.
Peter S. Silva
Richard Katz
Gary M. Carlton
Nancy H. Sutley

NO: None.

ABSENT: None.

ABSTAIN: None.


Debbie Irvin
Clerk to the Board