27 January 2017

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CERTIFIED MAIL
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CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE PATTERSON PASS PHASE III AT CORDES RANCH, SAN JOAQUIN COUNTY (WDID #5B39CR00277)

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 Prologis LP for Patterson Pass Phase III at Cordes Ranch (Project). Attachments A through F of the Enclosure are also part of the Order.

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

Please review your Order carefully to ensure that you understand all aspects of the Order. Note that this Order requires reporting and notification types. Requirements for the content of these reporting and notification types are detailed in Attachment F, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment F, which must be signed by the Permittee or an authorized representative.

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

If you require further assistance, please contact me by phone at (916) 464-4644 or by email at Stephanie.Tadlock@waterboards.ca.gov. You may also contact Elizabeth Lee, Unit Supervisor, by phone at (916) 464-4787 or by email at Elizabeth.Lee@waterboards.ca.gov.

Original Signed By:

Stephanie Tadlock
Environmental Scientist
401 Water Quality Certification Unit
Central Valley Regional Water Quality Control Board, Sacramento

Enclosures: Order for Patterson Pass Phase III at Cordes Ranch

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

Chandra Browne
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Sacramento District Headquarters
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CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Reg. Meas. ID:	409526
Place ID:	828638
WDID:	5B39CR00277
USACOE#:	SPK-2011-01237

Effective Date: 27 January 2017

Expiration Date: 26 January 2022

Program Type: Fill/Excavation

Project Type: Roads and Highways

Project: Patterson Pass Phase III at Cordes Ranch (Project)

Applicant: Prologis LP

Applicant Contact: Tom Martin
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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 (916) 464-3291 and ask to speak with the Water Quality Certification Unit Supervisor.

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I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of Prologis LP (herein after Permittee) for the Project. This Order is for the purpose described in application submitted by the Permittee. The application was received on 29 September 2016. The application was deemed complete on 1 November 2016.

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 30 September 2016 to 21 October 2016. The Central Valley Water Board did not receive any comments during the comment period.

III. Project Purpose

The Project involves the development of approximately 1,283 acres of land with commercial and industrial uses.

IV. Project Description

The Project consists of constructing two roads across jurisdictional waters in the west half of the overall site. The new roads are part of the backbone infrastructure for this phase of the overall approved Cordes Ranch Specific Plan.

V. Project Location

Address: East side of Mountain House Parkway, approximately 0.5 miles south of Interstate 205
County: San Joaquin
Nearest City: Tracy

Section 26 & 27, Township 2 South, Range 4 East, MDB&M.

Latitude: 37°43’31.85”N and Longitude: 121°31’22.68”W

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

VI. Project Impact and Receiving Waters Information

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

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

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

VII. Description of Direct Impacts to Waters of the State

The Project consists of constructing two roads across an intermittent drainage in the west half of the overall approximately 1,283 acre site. The road crossings will require the installation of culverts in the creek to convey flows under the new roads. At Hopkins Road, a double 4-foot x 5-foot box culvert will be installed in the creek. Further downstream at Promontory Parkway, a quadruple 4-foot x 4-foot box culvert will be installed. The inlets and outlets to each culvert include a concrete headwall, wingwalls and an apron. Rock slope protection will be installed upstream and downstream of the aprons.

Approximately 19,512 cubic yards of soil will be excavated from the bed and banks of the stream channel. Approximately 79,812 cubic yards of clean fill, 1,616 cubic yards of concrete, and 4,070 cubic yards of rock slope protection will be installed in the bed and banks of the stream channel.

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition only.

Table 1: Total Project Fill/Excavation Quantity

Aquatic Resource Type	Temporary Impact[1]			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY[2]	LF[2]	Acres	CY	LF	Acres	CY	LF
Stream Channel	--	--	--	0.45	--	370	--	--	--
Riparian	--	--	--	0.21	--	--	--	--	--

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

IX. Avoidance and Minimization

Standard construction best management practices (BMPs) will be employed to minimize dust, erosion, and potential sedimentation. These BMPs include use of water trucks, compaction of soil, re-seeding disturbed areas, and implementation of all erosion control measures (e.g., silt fences, straw wattles, hay bales, etc.) outlined in the Storm Water Pollution Prevention Plan.

X. Compensatory Mitigation

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

[1] Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

[2] Cubic Yards (CY); Linear Feet (LF)

XI. California Environmental Quality Act (CEQA)

On 3 September 2013, the City of Tracy, as lead agency, certified an Environmenal Impact Report (EIR) (State Clearinghouse (SCH) No. 2011122015) for the Project and filed a Notice of Determination (NOD) at the SCH on 5 September 2013. Pursuant to CEQA, the Central Valley Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

XII. Petitions for Reconsideration

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

XIII. Fees Received

An application fee of $4,995.00 was received on 29 September 2016. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

XIV. Conditions

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

A. Authorization

Impacts to waters of the state shall not exceed quantities shown in Table 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 F, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment F, which must be signed by the Permittee or an authorized representative.

The Permittee must submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleysacramento@waterboards.ca.gov.

In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

1. Project Reporting

a. **Monthly Reporting:** The Permittee must submit a Monthly Report to the Central Valley Water Board on the 15th day of each month beginning the month after the

effective date of this Order. Monthly reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

If no water quality 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 month thereafter.

b. **Annual Reporting:** The Permittee shall submit an Annual Report each year on the 1st day of February. 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,[3] and no further Project activities will occur. This request shall be submitted to Central Valley Water Board staff within thirty (30) days following completion of all Project activities. Upon approval of the request, the Central Valley Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period and associated annual fees.

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

a. **Accidental Discharges of Hazardous Materials**[4]

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

[3] Completion of post-construction monitoring shall be determined by Central Valley Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

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

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 via delivered written notice, email, or other verifiable means in accordance with section XIV.B.

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

b. Violation of Compliance with Water Quality Standards: The Permittee shall notify the Central Valley Water Board of any event causing a violation of compliance with water quality standards. Notification may be via delivered written notice, email, or other verifiable means in accordance with section XIV.B.

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

c. In-Water Work and Diversions

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

ii. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Central Valley Water Board staff.

d. Modifications to Project
Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Central Valley Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform Central Valley Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order. Notification may be made in accordance with conditions in the certification deviation section of this Order.

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

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

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

f. Transfer of Long-Term BMP Maintenance: If maintenance responsibility for post-construction BMPs is legally transferred, the Permittee must submit to the Central Valley Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer or designer specifications. The Permittee must provide such notification to the Central Valley Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

C. Water Quality Monitoring

1. **General:** Continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete). The Permittee shall perform surface water 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 work in water or during the entire duration of temporary water diversions, any discharge(s) to waters of the state shall conform to the following water quality standards:

   a. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.

b. Activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.

c. Activities shall not cause turbidity increases in surface water to exceed:

i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;

ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;

iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;

iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and

v. 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.

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.

e. Activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 2 sampling parameters.[5] The sampling requirements in Table 2 shall be conducted upstream out of the influence of the Project, 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 F, 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, parameters, 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

[5] 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.

the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria in XIV.C.3.b.

Table 2: Sample Type and Frequency Requirements

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

D. Standard

1. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, chapter 28, Article 6 commencing with sections 3867-3869, inclusive. Additionally, the Central Valley Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Central Valley Water Board determines that: the Project fails to comply with any of the conditions of this Order; or, when necessary to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C. § 1313). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.

2. This Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent certification application was filed pursuant to subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.

4. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties, processes, or sanctions for the violation or threatened violation constitutes a limitation

necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order.

E. General Compliance

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

2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Central Valley Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.

3. In response to a suspected violation of any condition of this Order, the Central Valley Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, 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.

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. The Permittee shall adhere to all requirements in the mitigation monitoring and reporting program (MMRP) (include title and date of MMRP) which is incorporated herein by reference and any additional measures as outlined in Attachment Choose an item., CEQA Findings of Fact.

7. **Construction General Permit Requirement:** The Permittee shall maintain compliance with conditions described in, and required by, NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ; NPDES No. CAS000002).

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.

6. Lake and Streambed Alteration Agreement – The Permittee shall submit a signed copy of the Department of Fish and Wildlife's lake and streambed alteration agreement to the Central Valley Water Board immediately upon execution and prior to any discharge to waters of the state.

G. Construction

1. Dewatering

a. The Permittee shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The Plan(s) must be developed prior to initiation of any water diversions. The Plan(s) shall include the proposed method and duration of diversion activities and include water quality monitoring conducted during dewatering and diversion activities. The Plan(s) must be consistent with this Certification and must be made available to the Central Valley Water Board staff upon request.

b. For any temporary dam or other artificial obstruction being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the state below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate section XIV.C.3.

c. The temporary dam or other artificial obstruction shall only be built from clean materials 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. Directional Drilling – NOT APPLICABLE

3. Dredging – NOT APPLICABLE

4. Fugitive Dust – NOT APPLICABLE

5. Good Site Management "Housekeeping"

a. The Permittee shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence. The Plan must be made available to 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 shall 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.

6. Hazardous Materials

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

b. Concrete must be completely cured before coming into contact with waters of the United States and waters of the state. Surface water that contacts wet concrete

must be pumped out and disposed of at an appropriate off-site commercial facility, which is authorized to accept concrete wastes.

7. **Invasive Species and Soil Borne Pathogens – NOT APPLICABLE**

8. **In-Water Work**
   - **a.** No concrete shall be placed within waters of the state.
   - **b.** In-water work shall occur during periods of no precipitation.

9. **Post-Construction Storm Water Management**
   - **a.** The Permittee must minimize the short and long-term impacts on receiving water quality from the Project by implementing the following post-construction storm water management practices and as required by local agency permitting the Project, as appropriate:
     - **i.** Minimize the amount of impervious surface;
     - **ii.** Reduce peak runoff flows;
     - **iii.** Provide treatment BMPs to reduce pollutants in runoff;
     - **iv.** Ensure existing waters of the state (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
     - **v.** Preserve and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
     - **vi.** Limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
     - **vii.** Use existing drainage master plans or studies to ensure incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;
     - **viii.** Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss; and
     - **ix.** Control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
   - **b.** The Permittee shall ensure that all development within the Project provides verification of maintenance provisions for post-construction structural and treatment control BMPs as required by the local agency permitting the Project. Verification shall include one or more of the following, as applicable:
     - **i.** The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; or

ii. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; or

iii. Written text in Project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control BMPs; or

iv. Any other legally enforceable agreement that assigns responsibility for storm water BMPs maintenance.

10. Roads – NOT APPLICABLE

11. Sediment Control

a. Except for activities permitted by the United States Army Corps of Engineers under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.

b. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the state through the entire duration of the Project.

c. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project area.

12. Special Status Species – NOT APPLICABLE

13. Stabilization/Erosion Control

a. All areas disturbed by Project activities shall be protected from washout and erosion.

b. Hydroseeding shall be performed with California native seed mix.

14. Storm Water

a. During the construction phase, the Applicant 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. Site Specific – NOT APPLICABLE

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

J. 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.

2. The Central Valley Water Board may extend the monitoring period beyond requirements of the restoration plan upon a determination by Central Valley Water Board Executive Director that the performance standards have not been met or are not likely to be met within the monitoring period.

3. If restoration of temporary impacts to waters of the state is not completed within 90 days of the impacts, compensatory mitigation may be required to offset temporal loss of waters of the state.

K. Compensatory Mitigation for Permanent Impacts[6]

1. **Final Compensatory Mitigation Plan** The Permittee shall provide compensatory mitigation for impacts to waters of the state in accordance with the application dated 29 September 2016 and incorporated herein by reference. Any deviations from, or revisions to, the application must be pre-approved by Central Valley Water Board staff. The monitoring period shall continue until the Central Valley Water Board staff determines that performance standards have been met. This may require the monitoring period to be extended.

2. **Compensatory Mitigation Monitoring Requirements – NOT APPLICABLE**

3. **Compensatory Mitigation Plan – NOT APPLICABLE**

4. **Irrevocable Letter of Credit – NOT APPLICABLE**

5. **Permittee-Responsible Compensatory Mitigation Responsibility – NOT APPLICABLE**

6. **Purchase of Mitigation Credits by Permittee for Compensatory Mitigation**

   a. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board within 60 days of authorized impacts.

   b. The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

7. **Total Required Compensatory Mitigation**

   a. The Permittee is required to provide compensatory mitigation for the authorized impact to:

      i. Stream Channel by purchasing 0.45 acre stream channel establishment mitigation credits.

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

ii. Riparian by purchasing 0.21 acre riparian establishment mitigation credits.

b. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3.

Table 3: Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area[7]

Aquatic Resource Type	Comp Mit. Type[8]	Units	Method[9]					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	MB	Acres	0.45	--	--	--	--	--
Riparian Zone	MB	Acres	0.21	--	--	--	--	--

L. Ecological Restoration and Enhancement – NOT APPLICABLE

M. Mitigation Bank Development – NOT APPLICABLE

N. 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.

2. A Project modification shall not be granted a Certification Deviation if it warrants or necessitates changes that are not addressed by the Order conditions or the CEQA environmental document such that the Project impacts are not addressed in the Project's environmental document or the conditions of this Order. In this case a supplemental environmental review and different Order will be required.

[7] For Staff use only: Record quantities in CIWQS table side A for Compensatory Mitigation for Permanent Physical Loss of Area.

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

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

XV. Water Quality Certification

I hereby issue the Order for the Patterson Pass Phase III at Cordes Ranch, WDID#5B39CR00277 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, the Regional Water Boards' Water Quality Control Plans and Policies.

Original Signed By Adam Laputz for: 1.30.2017

Pamela C. Creedon
Executive Officer
Central Valley Regional Water Quality Control Board

Date

Attachment A	Project Map
Attachment B	Receiving Waters, Impact, and Mitigation Information
Attachment C	CEQA Findings of Facts
Attachment D	Signatory Requirements
Attachment E	Certification Deviation Procedures
Attachment F	Report and Notification Requirements

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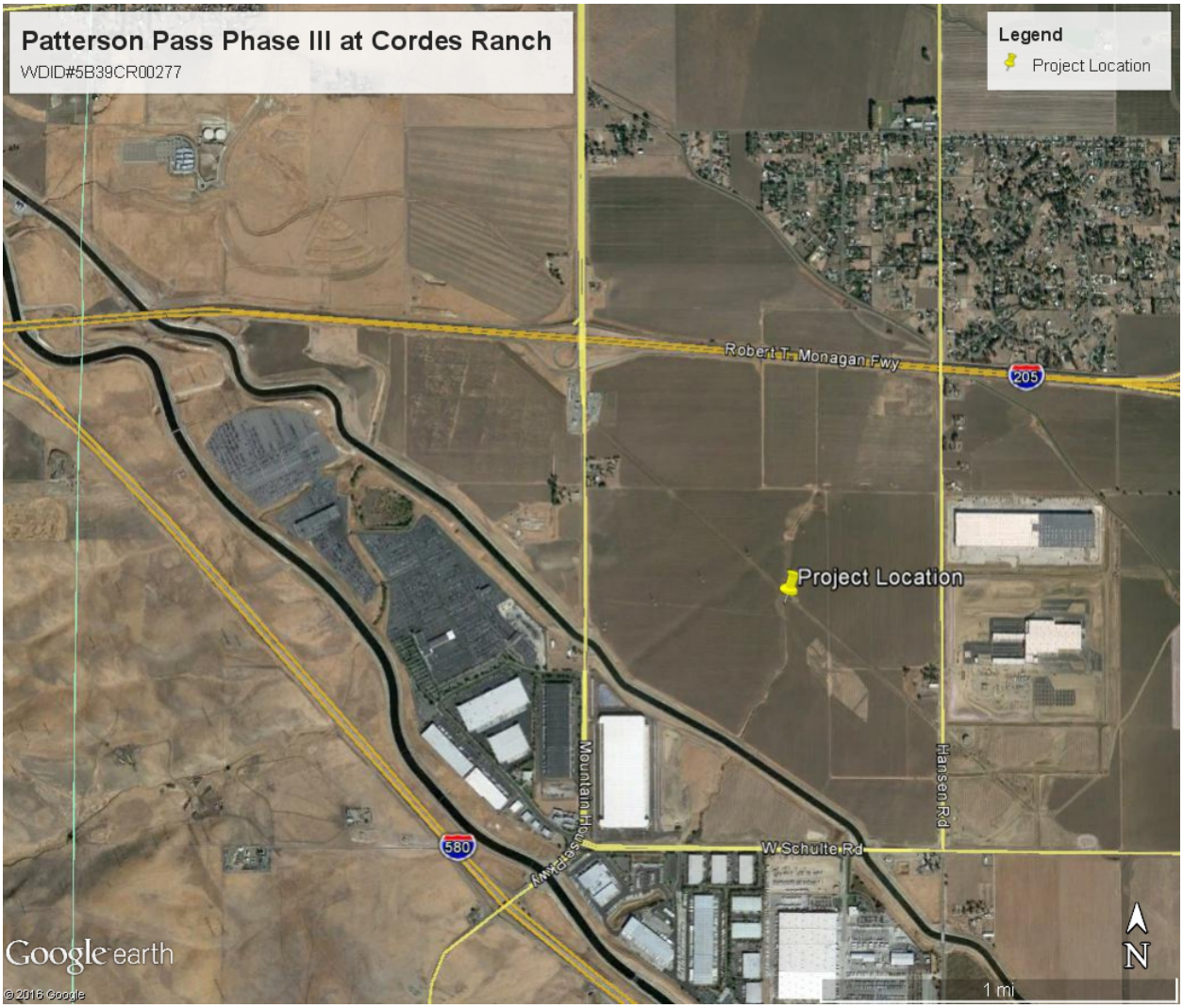
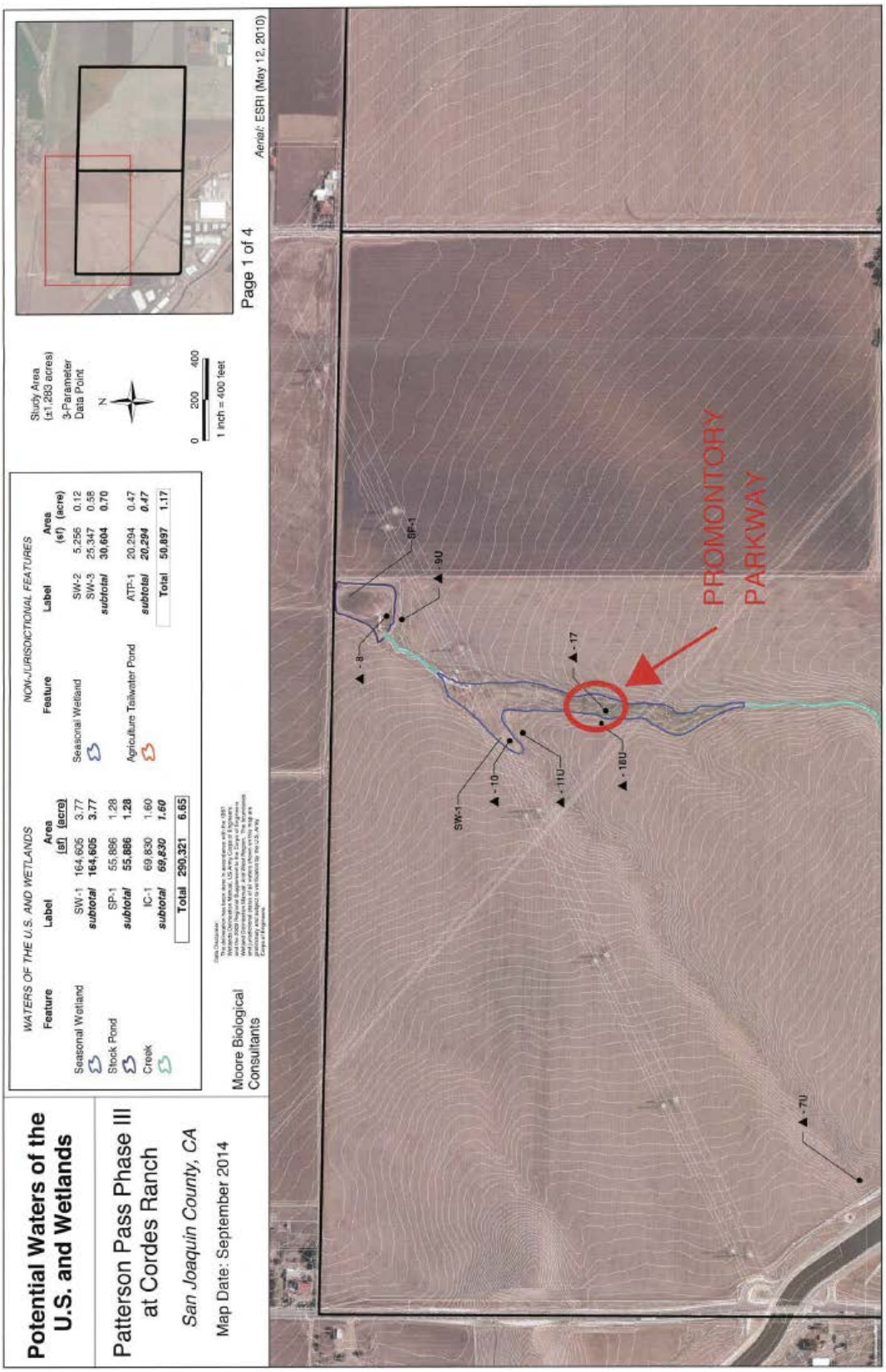
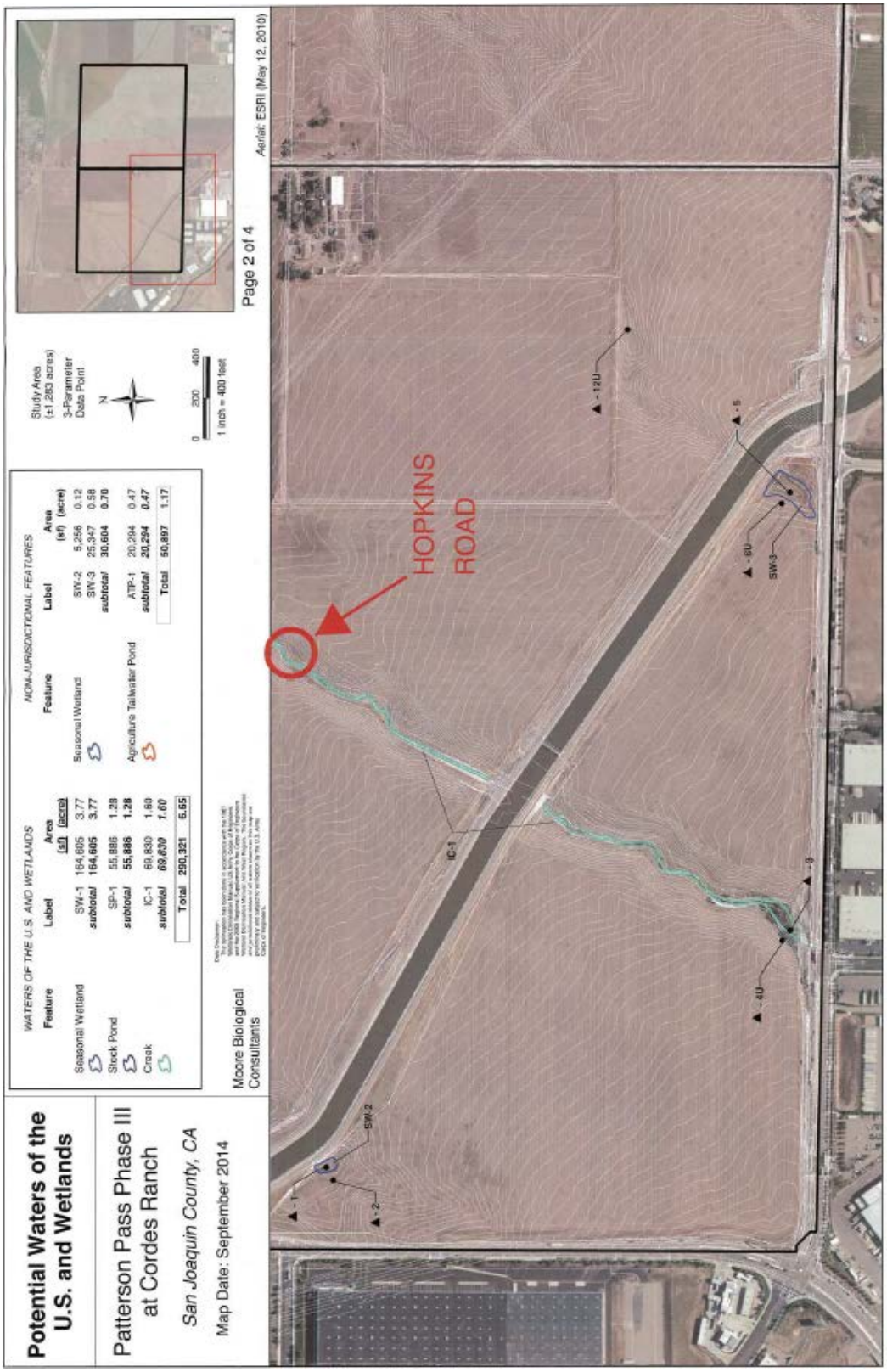

Patterson Pass Phase III at Cordes Ranch
WDID#5B39CR00277
Legend
Project Location
Robert T. Monagan Fwy
205
Project Location
Mountain House Pkwy
Hansen Rd
W Schulte Rd
580
Google earth
© 2016 Google
1 mi
N


Potential Waters of the U.S. and Wetlands
Patterson Pass Phase III at Cordes Ranch
San Joaquin County, CA
Map Date: September 2014
Moore Biological Consultants
WATERS OF THE U.S. AND WETLANDS
Feature Label Area (sf) (acre)
Seasonal Wetland SW-1 164,605 3.77
subtotal 164,605 3.77
Stock Pond SP-1 55,886 1.28
subtotal 55,886 1.28
Creek IC-1 69,830 1.60
subtotal 69,830 1.60
Total 290,321 6.65
NON-JURISDICTIONAL FEATURES
Feature Label Area (sf) (acre)
Seasonal Wetland SW-2 5,256 0.12
SW-3 25,347 0.58
subtotal 30,604 0.70
Agriculture Tailwater Pond ATP-1 20,294 0.47
subtotal 20,294 0.47
Total 50,897 1.17
Study Area (±1,283 acres)
3-Parameter Data Point
N
0 200 400
1 inch = 400 feet
Page 1 of 4
Aerial: ESRI (May 12, 2010)
PROMONTORY PARKWAY
SW-1
8
9F-1
9U
10
11U
17
18U
7U


Potential Waters of the U.S. and Wetlands
Patterson Pass Phase III at Cordes Ranch
San Joaquin County, CA
Map Date: September 2014
Moore Biological Consultants
WATERS OF THE U.S. AND WETLANDS
Feature | Label | Area (sf) | Area (acre)
Seasonal Wetland | SW-1 | 164,605 | 3.77
subtotal | 164,605 | 3.77
Stock Pond | SP-1 | 55,886 | 1.28
subtotal | 55,886 | 1.28
Creek | IC-1 | 69,830 | 1.60
subtotal | 69,830 | 1.60
Total | 290,321 | 6.65
NON-JURISDICTIONAL FEATURES
Feature | Label | Area (sf) | Area (acre)
Seasonal Wetland | SW-2 | 5,256 | 0.12
SW-3 | 25,347 | 0.58
subtotal | 30,604 | 0.70
Agriculture Tailwater Pond | ATP-1 | 20,294 | 0.47
subtotal | 20,294 | 0.47
Total | 50,897 | 1.17
Study Area (±1.283 acres)
3-Parameter Data Point
N
0 200 400
1 inch = 400 feet
Page 2 of 4
Aerial: ESRI (May 12, 2010)
HOPKINS ROAD
IC-1
SW-2
SW-3
1
2
3
4U
5
6U
12U

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Receiving Waters

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

Table 1: Receiving Water(s) Information

Non-Federal Waters	Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	eCRAM ID[1]
☐	Stream Channel	Unnamed tributary to San Joaquin River	Stream Channel	544.00	San Joaquin River	MUN, AGR, POW, GWR, REC-1, REC-2, COLD, SPWN, WILD	N/A	N/A
☐	Riparian	Unnamed tributary to San Joaquin River	Riparian	544.00	San Joaquin River	MUN, AGR, POW, GWR, REC-1, REC-2, COLD, SPWN, WILD	N/A	N/A

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

Individual Direct Impact Locations

The following table shows individual impact locations.

Table 2: Individual Direct Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
Stream Channel	37.7255	-121.5229	☐	☒	Temporary	--	--	--	--	--	--
					Permanent	--	--	--	0.45	--	270
Riparian	37.7255	-121.5229	☐	☒	Temporary	--	--	--	--	--	--
					Permanent	--	--	--	0.21	--	--

Compensatory Mitigation Information

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

Mitigation Bank Compensatory Mitigation Site Information

Table 3 Mitigation Bank

Mitigation Bank	Name:	TBD
	Website:	
Contact Information	Name:	
	Phone:	
	Email:	
Mitigation Location	County:	
	Latitude:	
	Longitude:	

Aquatic Resource Credit Type	Mitigation Method	Mitigation Quantity		
		Acres	Linear Feet	Number of Credits Purchased
Riparian	Establishment	0.675	--	--

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A. Environmental Review

On 3 September 2013, the City of Tracy, as lead agency, certified a Final Environmental Impact Report (FEIR)) (State Clearinghouse (SCH) No. 2011122015) for the Project and filed a Notice of Determination (NOD) at the SCH on 5 September 2013. The Central Valley Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that City of Tracy's certified environmental document complies with the requirements of CEQA and is valid. (Pub. Resources Code, § 21167.3). The Central Valley Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by City of Tracy addresses the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by City of Tracy for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, § 15091, subd. (d).)

B. Incorporation by Reference

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

The Program Environmental Impact Report (EIR), which includes analyses of broad impacts and serves as a first tier document for the FEIR, is available at: City of Tracy 333 Civic Center Plaza Tracy, CA 95376

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project FEIR which is incorporated herein by reference. The Project FEIR is available at: City of Tracy 333 Civic Center Plaza Tracy, CA 95376

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

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

C. Findings

The FEIR describes the potential significant environmental effects to water resources. Having considered the whole of the record, the Central Valley Water Board makes the following findings:

1. Findings regarding impacts that will be mitigated to a less than significant level. (Pub. Resources Code, § 21081, subd. (a)(1); Cal. Code Regs., tit. 14, § 15091, subd. (a)(1).)

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

a.i. Potential Significant Impact:**(HYDRO-1)**

Construction of the Project would occur in phases over a period of ten to thirty years and Project-related construction activity could negatively affect downstream surface water quality during that time period. Therefore, the Project's construction impacts to water quality would be significant without mitigation measures.

a.ii. Facts in Support of Finding: **(HYDRO-1)**

HYDRO-1a: Grading and ground disturbance on the Specific Plan Area shall be implemented in accordance with each individual development's approved grading plans and related grading permit. For the required treatment of urban pollutants and application of pesticides in the Specific Plan Area, each Project developer shall comply with the approved grading plan and related permit and conditions of approval.

HYDRO-1b: In accordance with the then-applicable regulations, as part of the application process for each individual development under the Specific Plan, each applicant shall file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the construction general permit (CGP) and shall comply with all of the requirements associated with the CGP, as necessary to mitigate those impacts that would result from the specific development proposed by that applicant. In addition, as part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain City approval of a Stormwater Pollution Prevention Plan (SWPPP) which shall adequately address stormwater management during each construction phase of the Project. The SWPPP shall be consistent with the then-applicable Regional Water Quality Control Board (RWQCB) standards and National Pollutant Discharge Elimination System permit requirements, and shall be designed to protect water quality during the course of construction. Said BMPs may include, without limitation, the following:

a. Schedule earthwork to occur primarily during the dry season to prevent most runoff erosion.

b. Protect drainages and storm drain inlets from sedimentation with berms or filtration barriers, such as filter fabric fences, hay bales, or straw wattles.

c. Divert runoff from exposed slopes to on-site sediment basins before the runoff is released off-site.

d. Install gravel construction entrances to reduce tracking of sediment onto adjoining streets.

e. Sweep on-site paved surfaces and surrounding streets daily to collect sediment before it is washed into the storm drains or the Old River.

f. After construction is completed, clean all drainage culverts of accumulated sediment and debris.

g. Stabilize stockpiles of topsoil and fill material by watering daily, or by the use of chemical agents.

h. Store all construction equipment and material in designated areas away from waterways and storm drain inlets. Surround construction staging areas with earthen berms.

i. Wash and maintain equipment and vehicles in a separate bermed area, with runoff directed to a lined retention basin.

j. Collect construction waste daily and deposit in covered dumpsters.

b.i. Potential Significant Impact:**(HYDRO-2)**

Operational activities associated with the Project could negatively affect downstream surface water quality without ensuring compliance with applicable State and local requirements. Therefore, the Project's impacts to water quality during operation of the Project would be significant without mitigation measures.

b.ii. Facts in Support of Finding: **(HYDRO-2)**

HYDRO-2a: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1(a).

HYDRO-2b: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the Cordes Ranch Specific Plan, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm events in compliance with the then-applicable City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue.

Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm.

Any impacts on the operations of Mountain House Community Service District (MHCSD) facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway.

The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels.

HYDRO-2c: As part of the development of each individual project under the Specific Plan, each developer shall implement the following measures:

a. Shall not utilize chemical pesticides in the maintenance of common landscaped areas, open space areas, or parks. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure.

b. Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to:

   i. Hazardous material use controls;

   ii. Hazardous materials exposure controls;

   iii. Hazardous material disposal and recycling.

c. Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system.

d. To the extent feasible, direct stormwater runoff to percolation swale and basin areas rather than directing stormwater to storm drain pipes.

e. Use biotreatment (natural pollutant filtering) where stormwater runs off paved surfaces onto pervious surfaces.

f. Utilize sediment traps, evaporation basins, flow dissipaters, and other methods to reduce the volume and speed of stormwater runoff and reduce pollutant loads.

HYDRO-2d: The City shall impose, as a condition of approval of development of the first 85 net (developable) acres in the Mountain House Watershed Area located in the western portion of the Specific Plan Area as defined in the City's Storm Drain Master Plan and shown in Figure 4.9-1a (which acreage comprises approximately one-half (1/2) of the full net (developable) acreage of the Mountain House Watershed Area within the Specific Plan Area) that the applicant:

a. Facilitate the preparation of an agreement between the City and the MHCSD establishing a fair share fee, in accordance with applicable laws, to fund future improvements to downstream storm drain facilities which may be constructed by MHCSD in the future to accommodate flows from the Patterson Run (located in the water shed south of the Specific Plan Area) and flows from the Mountain Watershed Area within the Specific Plan Area by funding the City's and MHCSD's costs to prepare such agreement, and to provide for reimbursements to contributing property owners in appropriate circumstances;

b. Enter into an agreement with the City to pay its proportionate fair share of the proposed fee after it has been adopted; and

c. Deposit with the City appropriate security, as determined by the City, to ensure the payment of such fees.

i. Until such time as this fee has been established, the City will not permit any downstream increases to volume or peak storm water flows from any development in the Mountain House Watershed Area located within the western portion of the Specific Plan Area. No development will be permitted in the Mountain House Watershed Area of the Specific Plan Area beyond the first 85 net acres described above until the foregoing conditions have been satisfied.

HYDRO-2e: Until such time as adequate downstream drainage facilities have been constructed by the MHCSD, all new development in the Mountain House Watershed Area of the Specific Plan Area will be required to provide adequate on-site detention of storm water flows, as determined by the City. This amounts to 0.4 square miles of the 8.53 square mile watershed.

c.i. Potential Significant Impact:**(HYDRO-3)**

Soil disturbance associated with construction activities, including movement of soils and vegetation removal in the Specific Plan Area, could cause accelerated soil erosion and sedimentation or the release of other pollutants to adjacent or downstream waterways and wetlands.

c.ii. Facts in Support of Finding: **(HYDRO-3)**

Mitigation measure HYDRO-1b will be implemented.

d.i. Potential Significant Impact:**(HYDRO-4)**

The Project would increase the frequency, rate, and volume of storm runoff production when compared to existing conditions. These increases could accelerate erosion along adjacent and downstream flow paths and produce sedimentation in areas further downstream.

d.ii. Facts in Support of Finding: **(HYDRO-4)**

Mitigation measure HYDRO-2b will be implemented.

e.i. Potential Significant Impact:**(HYDRO-5)**

The Project would increase the frequency, rate, and volume of storm runoff production when compared to existing conditions. These increases could accelerate erosion along adjacent and downstream flow paths and produce sedimentation in areas further downstream.

e.ii. Facts in Support of Finding: **(HYDRO-5)**

Mitigation measure HYDRO-1a, HYDRO-1b, HYDRO-2a, HYDRO-2b, and HYDRO-2c will be implemented.

f.i. Potential Significant Impact:**(BIO-3)**

Fill and modifications to jurisdictional wetlands and other waters would require authorization from the Corps and RWQCB while bridge crossings and pipe outfalls over the central drainage would require authorizations from the California Department of Fish and Wildlife (CDFW) (Streambed Alteration Agreement)

f.ii. Facts in Support of Finding: **(BIO-3)**

To mitigate potential impacts on jurisdictional wetlands and other waters, the following measures shall be implemented.

a. An applicant proposing to construct improvements that may affect potential wetlands or other jurisdictional features, as discussed in the EIR, shall cause a formal wetlands delineation to be prepared by a qualified wetland consultant and submitted to the Corps for verification to confirm the extent of jurisdictional wetlands and other waters of US on the specific Plan site at issue (if any).

b. Where verified waters of the US are present and cannot be avoided, authorization for modifications to these features shall be obtained from the Corps through the Section 404 permitting process. Similarly, a Section 401 Certification shall be obtained from the RWQCB where waters of the US are directly affected by the Project. All conditions required as part of the authorizations by the Corps and RWQCB shall be implemented as part of the Project.

c. A CDFW Streambed Alteration Agreement shall also be obtained where necessary under applicable laws and regulations, for any proposed Project activities that would affect the bed or banks of the central drainage and other features regulated by the CDFW in the Specific Plan Area. The applicant who is proposing to construct these improvements as part of an individual site-specific development proposal shall submit a notification form to the CDFW, shall obtain all legally-required agreements, and implement any conditions contained within that agreement.

d. The acreage of waters of the US and any riparian scrub habitat along the central drainage that would be removed by the Project shall be replaced or restored/enhanced on a “no-net loss basis” in accordance with Corps, RWQCB, and CDFW regulations, to the extent required by applicable laws and regulations.

e. In connection with any individual, site-specific proposal that will impact wetlands or other jurisdictional features as documented by a formal wetlands delineation prepared in accordance with this Mitigation Measure BIO-3, a detailed mitigation plan shall be prepared by a qualified wetland consultant for any jurisdictional wetlands or waters of the US affected by the proposed development at issue, with replacement provided at a minimum 1:1 ratio or as required by the regulatory agencies. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. This shall preferably be accomplished on-site through adjustments to the proposed limits of grading, with any replacement wetlands consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures, and shall adhere to all applicable requirements and conditions imposed by the regulatory agencies.

f. Consultation or incidental take permitting may be required under the California and federal Endangered Species Acts (as discussed above under Mitigation Measures BIO-1). To the extent required under applicable laws and regulations, an applicant for an individual site-specific development shall obtain all legally required permits or other authorizations from the USFWS and CDFW for the potential “take” of protected species under the Endangered Species Acts, either

though participation in the SJMSCP or through separate incidental take authorizations.

g. Temporary orange construction fencing shall be installed around the boundary of all delineated jurisdictional waters to the extent they are being preserved so that they are not disturbed during construction. The fencing shall be placed a minimum of 25 feet out from the boundary of the wetland but may need to be adjusted if construction and/or restoration activities are to be conducted within this area. Grading, trail construction and restoration work within the wetland buffer zones shall be conducted in a way that avoids or minimizes disturbance of existing wetlands to be preserved in accordance with any mitigation measures imposed by the regulatory agencies.

h. Written evidence shall be provided to the City of Tracy Development Services that the applicant has secured all authorizations required by the Corps, RWQCB, and CDFW in connection with the individual, site-specific development proposal prior to issuance of a grading permit for that individual development at issue to ensure compliance with applicable regulations.

D. Determination

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

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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 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."

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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 N 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 verification from the CEQA Lead Agency that the proposed changes or modifications do not trigger the need for a subsequent environmental document, an addendum to the environmental document, or a supplemental EIR. (Cal. Code Regs., tit. 14, §§ 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).

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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):** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
- **Part B (Project Status Notifications):** Used to notify the Central Valley Water Board of the status of the Project schedule that may affect Project billing.
- **Part C (Conditional Notifications and Reports):** Required on a case by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.

2. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.

3. Electronic Report Submittal Instructions:

- Submit signed Report and Notification Cover Sheet and required information via email to: centralvalleysacramento@waterboards.ca.gov and cc: Stephanie.Tadlock@waterboards.ca.gov
- Include in the subject line of the email:
  Subject: ATTN: Stephanie Tadlock; Reg. Measure ID: 409526_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:	Patterson Pass Phase III at Cordes Ranch		
Permittee:	Prologis LP		
Reg. Meas. ID:	409526	**Place ID:**	828638
Order Effective Date:	27 January 2017		
Order Expiration Date:	26 January 2022		

Report Type Submitted	
Part A – Project Reporting	
Report Type 1	☐ **Monthly Report**
Report Type 2	☐ **Annual Report**
Part B - Project Status Notifications	
Report Type 3	☐ **Commencement of Construction**
Report Type 4	☐ **Request for Notice of Completion of Discharges Letter**
Report Type 5	☐ **Request for Notice of Project Complete Letter**
Part C - Conditional Notifications and Reports	
Report Type 6	☐ **Accidental Discharge of Hazardous Material Report**
Report Type 7	☐ **Violation of Compliance with Water Quality Standards Report**
Report Type 8	☐ **In-Water Work/Diversions Water Quality Monitoring Report**
Report Type 9	☐ **Modifications to Project Report**
Report Type 10	☐ **Transfer of Property Ownership Report**
Report Type 11	☐ **Transfer of Long-Term BMP Maintenance Report**

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

Print Name [1]	**Affiliation and Job Title**
Signature	**Date**

[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.

_____ Permittee's Signature

_____ Date

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

Part A – Project Reporting

Report Type 1	Monthly Report
Report Purpose	Notifies Central Valley Water Board staff of the Project status and environmental compliance activities on a monthly basis.
When to Submit	On the 15th day of each month until a Notice of Project Complete Letter is issued to the Permittee.
Report Contents	**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 (BMPs[1]). 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** **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 1st day of February. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee.
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. **<u>During the Active Discharge Period</u>** • **Topic 1: Construction Summary** • **Topic 2: Mitigation for Temporary Impacts Status** • **Topic 3: Compensatory Mitigation for Permanent Impacts Status** **<u>During the Post-Discharge Monitoring Period</u>** • **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	**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: **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	**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	***If not applicable report N/A.** **Part A. Permittee 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 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	**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	**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	**Part A: Mitigation for Temporary Impacts** **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.

	Part B: Permittee Responsible Compensatory Mitigation **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). **Part C: Post-Construction Storm Water BMPs** **7.** Date of storm water Notice of Termination(s), if applicable. **8.** Report status and functionality of all post-construction BMPs.

Part C – Conditional Notifications and Reports

Report Type 6	Accidental Discharge of Hazardous Material Report
Report Purpose	Notifies Central Valley Water Board staff that an accidental discharge of hazardous material has occurred.
When to Submit	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Central Valley Water Board staff.
Report Contents	**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 completion of in-water work. Report the sampling results during in-water work and during the entire duration of temporary surface water diversions.
When to Submit	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	**1.** A statement that the Permittee 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[2] maintenance plan requirements in this Order. **2.** A statement that the Permittee has informed the purchaser to submit a written request to the Central Valley Water Board to be named as the permittee in a revised order.

Report Type 11	**Transfer of Long-Term BMP Maintenance Report**
Report Purpose	Notifies Central Valley Water Board staff of transfer of long-term BMP maintenance responsibility.
When to Submit	At least 10 working days prior to the transfer of BMP maintenance responsibility.
Report Contents	A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

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