Colorado River Basin Regional Water Quality Control Board

WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS OF THE STATE

ORDER R7-2022-0001

Effective Date: January 11, 2022

Program Type: Fill/Excavation

Project Type: Alternative energy (Solar)

Project: Victory Pass Solar Project
Regulatory Measure ID: 444898
WDID: 7A333234001
Place ID: 876260

Applicant: Victory Pass I, LLC
Applicant Contact: John Woody
100 California Street, Suite 400
San Francisco, CA 94111
Phone: 415-627-1600
Email: John.Woody@clearwayenergy.com

Applicant Agent: Victory Pass I, LLC
Aarty Joshi
100 California Street, Suite 400
San Francisco, CA 94111
Phone: 415-627-4656
Email: Aarty.Joshi@clearwayenergy.com

Regional Water Board Staff: Kai Dunn
Senior Water Resources Control Engineer
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
Phone: (760) 776-8986
Email: kai.dunn@waterboards.ca.gov

Regional Water Board Contact Person:
If you have any questions, please call the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) staff contact listed above or (760) 346-7491 and ask to speak with the 401 Water Quality Certification Program Manager.

Table of Contents

ORDER R7-2022-0001 1
Victory Pass Solar Project 1
I. Order 4
II. Public Notice 4
III. Project Purpose 4
IV. Project Description 4
V. Project Location 5
VI. Project Impact and Receiving Waters Information 5
VII. Description of Direct Impacts to Waters of the State 5
VIII. Compensatory Mitigation 6
IX. California Environmental Quality Act (CEQA) 6
X. Petitions for Review 6
XI. Fees Received 6
XII. Conditions 6
XIII. Conclusion 19
Attachment A Project Maps 20
Attachment B Receiving Waters, Impact, and Mitigation Information 24
Attachment C CEQA Findings 26
Attachment D Signatory Requirements 27
Attachment E Reporting Requirements 35

I. Order

This Order for Waste Discharge Requirements (Order) is issued at the request of Victory Pass I, LLC (Permittee) for the Victory Pass Solar Project (Project). This Order is for the purpose described in the application submitted by the Permittee. The application was received on August 31, 2021. The application was deemed complete on October 15, 2021.

II. Public Notice

The Colorado River Basin Water Board has notified the Permittee and all known interested agencies and persons of its intent to issue WDRs for this discharge and has provided them with an opportunity for a public meeting and to submit comments. The Colorado River Basin Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

III. Project Purpose

The purpose of the project is to construct, operate, and decommission utility-scale solar photovoltaic (PV) electrical generating and storage facilities and associated infrastructure to generate and deliver renewable electricity to the statewide electricity transmission grid.

IV. Project Description

The Project involves the construction, operation, and decommission of a solar facility located on public lands managed by the Bureau of Land Management (BLM) near the Desert Center area of Riverside County. The proposed Project consists of a solar facility, battery energy storage system, and associated facilities and a proposed 230-kilovolt (kV) generator-tie line (gen-tie) connecting to the existing Southern California Edison (SCE) Red Bluff Substation. The Project will be built alongside and share the switchyard and gen-tie with the nearby Arica Solar Project.

The Project is expected to generate 200 megawatts (MW) of renewable energy with up to 200 MW of storage. The Project substation is anticipated to be built within the northern section of the Project site. The gen-tie line would exit the shared switchyard near the western end of the Victory Pass site and head west for approximately 2 miles and then south for approximately one mile to reach the Red Bluff Substation's 230 kV bus at its western end. The gen-tie line right-of way would be approximately 150-feet-wide and approximately 3.2 miles long.

The Project would disturb approximately 1,310 acres and approximately 50 additional acres along a shared gen-tie corridor (Project footprint). The boundaries of the Project footprints disturbance area were designed to avoid desert dry wash woodland and sensitive plant species to meet the BLM California Desert Conservation Area (CDCA) Plan, as amended.

The construction of the Victory Pass Solar Project will take approximately 16 months, starting in February 2022 and ending in September 2023. The type of the solar PV system used would depend on the technology ultimately selected at the

time of procurement. The PV panels would be self-contained units designed to withstand exposure to the elements for a period of 35 years or more.

V. Project Location

The Project is located on the Bureau of Land Management (BLM)-administered land in Riverside County, north of the I-10 and approximately 5 miles east of Desert Center, California. Access to the sites would be from the Corn Springs exit off the I-10. 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 Colorado River Basin Water Board. Receiving waters and groundwater potentially impacted by the Project are protected in accordance with the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) and other plans and policies, which may be accessed online at: https://www.waterboards.ca.gov/coloradoriver/water_issues/programs/basin_planning/. The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

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

VII. Description of Direct Impacts to Waters of the State

The Project would permanently impact approximately 32.14 acres of habitat considered waters of the state within onsite drainages. Direct impacts will result from the installation of the solar field and other project components, including substation and gen-tie structures along with access road improvement.

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 conditions only.

Table 1: Total Project Fill/Excavation Quantity

Temporary Impact[1]	Permanent Impact - Physical Loss of Area	Permanent Impact - Degradation of Ecological Condition Only
N/A	32.14 acres	N/A

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

VIII. Compensatory Mitigation

The Permittee has agreed to provide Permittee Responsible Compensatory Mitigation for direct permanent impacts to waters of the state at a 3:1 ratio or greater through preservation at least 96.42 acres of ephemeral desert wash. The mitigation plan will consist of the preservation of land which may contain water features that can be defined as waters of the state. The water features are assumed to have similar (identical) or enhanced habitat as compared to the land and waters of the state permanently impacted.

IX. California Environmental Quality Act (CEQA)

On [*December XX, 2021*], the California Department of Fish and Wildlife, as lead agency, certified a Final Environmental Impact Report (FEIR) for the Project (State Clearinghouse [SCH] No. [*2020100076*] and filed a Notice of Determination (NOD) with the State Clearinghouse on [*December XX, 2021*].

As a responsible agency, the Colorado River Basin Water Board has reviewed and considered the environmental documents and finds that they address the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (h).) Pursuant to CEQA, the Colorado River Basin Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

X. Petitions for Review

Any person aggrieved by the Colorado River Basin Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m. on the 30th day after the adoption date of this Order; if the 30th day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the statutes and regulations applicable to filing petitions are available on the State Water Board’s website and can be provided upon request.

XI. Fees Received

An application fee of $2,066.00 was received on August 31, 2021. 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.

The remaining project fee of $177,179 based on total Project impacts will be paid prior to the issuance of this Order on November 18, 2021.

XII. Conditions

The Colorado River Basin 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 E, 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 E, which must be signed by the Permittee or an authorized representative.

1. Project Reporting

a. Monthly Reporting:

The Permittee must submit a Monthly Report to the Colorado River Basin Water Board on the 15th day of each month for the duration of the construction phase. Monthly reporting shall continue until the Colorado River Basin Water Board issues a Notice of Project Complete Letter to the Permittee and this Order is terminated by vote of the Colorado River Basin Water Board.

b. Annual Reporting:

The Permittee must submit an Annual Report including activities conducted for the previous fiscal year (July 1 - June 30) to the Colorado River Basin Water Board on the 1st of September. Annual Reports must be submitted even if Project construction has not begun. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee and this Order is terminated by vote of the Colorado River Basin Water Board.

c. Other Reporting:

If pollutants are observed in surface water, the Permittee shall submit a report to the Colorado River Basin Water Board within 30 days after encountering the pollutants and describe actions taken to correct the problem and provide photographic documentation that supports the information in the report.

If repairs are required, the Permittee shall take pictures of the area where work needs to take place, documenting the before and after conditions of the area, and shall maintain a daily log for each site where work is taking place pursuant to this Order, while the Permittee conducts its repair activities. The log shall:

- Provide a general description of the repair work;
- Specify the date and daily starting and ending time for the repair work;

- Note key weather conditions (e.g., temperature, wind speed and direction, precipitation, if any);
- Include notes from visual observations regarding the presence/absence of construction debris/trash (e.g., discarded filter fiber) and used oil (e.g., oil that leaks from construction equipment) in the area where the work has taken place.

Within 30 days following completion of all repair work, the Permittee shall submit to the Colorado River Basin Water Board a summary report of the key daily log entries. The summary report shall include the above-mentioned before and after pictures of the conditions of the area and shall be signed by the Permittee's Project Manager.

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 Colorado River Basin Water Board staff within 30 days following completion of all Project construction activities. Upon acceptance of the request, Colorado River Basin Water Board staff will 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,[2] and no further Project activities will occur. This request shall be submitted to Colorado River Basin Water Board staff within 30 days following completion of all Project activities. Upon approval of the request, the Colorado River Basin Water Board staff will issue a Notice of Project Complete Letter to the Permittee and prepare a draft order terminating this Order for approval by vote of the Colorado River Basin Water Board. Board approval of the termination 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.

[2] Completion of post-construction monitoring shall be determined by Colorado River Basin Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

a. Accidental Discharges of Hazardous Materials[3]:
Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

i. As soon as (A) the 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 the Colorado River Basin Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

iii. Within five (5) working days of notification to the Colorado River Basin 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 Colorado River Basin Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

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

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

[3] "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.)

c. In-Water Work:

i. The Permittee shall notify the Colorado River Basin Water Board at least 48 hours prior to initiating work in water or stream diversions. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

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 Colorado River Basin Water Board staff.

d. Modifications to Project:

Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Colorado River Basin 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 Colorado River Basin Water Board staff of any Project modifications that will interfere with the Permittee's compliance with 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 Colorado River Basin Water Board in accordance with the following terms:

i. The Permittee must notify the Colorado River Basin 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 Colorado River Basin Water Board at least 10 days prior to the transfer of ownership.

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

f. Transfer of Long-Term BMP Maintenance:

If maintenance responsibility for post-construction best management practices (BMPs) is legally transferred, the Permittee must submit to the Colorado River Basin 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 Colorado River Basin 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:**
   If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete).

2. **Accidental Discharges/Noncompliance:**
   Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Colorado River Basin 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:**
   For projects involving planned work in water or stream diversions, a water quality monitoring plan shall be submitted to Colorado River Basin Water Board staff for acceptance at least 30 days in advance of any discharge to the affected water body. Water quality monitoring shall be conducted in accordance with the approved plan.

Sampling shall be conducted in accordance with Table 2 sampling parameters, and work in water or stream diversionary discharge(s) to waters of the state shall conform to the following water quality standards[4] at a minimum:

Table 2: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency	Water Quality Objective
Oil and Grease	N/A	Visual	Continuous	25 mg/L
Dissolved Oxygen	mg/L and % saturation	Grab	Every 4 hours	≥ 5 mg/L
pH	Standard Units	Grab	Every 4 hours	6 - 9
Turbidity	NTU	Grab	Every 4 hours	Narrative[5]
Temperature	°F (or as °C)	Grab	Every 4 hours	Narrative[6]

[4] 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 Colorado River Basin Water Board's Executive Officer. 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 USEPA-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.

[5] Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.

[6] The natural receiving water temperature of surface waters shall not be altered by discharges of waste unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses.

In the event that water quality sampling shows an exceedance of water quality objectives, notify the Colorado River Basin Water Board in the Monthly Report.

4. **Post-Construction:**

   The Permittee shall visually inspect the Project site during rain events of greater than 0.1 inches that produce a discharge for five (5) years 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, the Permittee shall contact the Colorado River Basin Water Board staff member overseeing the Project within three (3) working days. The Colorado River Basin 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 13320, and California Code of Regulations, title 23, division 3, chapter 6 commencing with section 2050. Additionally, the Colorado River Basin Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Colorado River Basin 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.).

2. 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.

E. General Compliance

1. The Colorado River Basin Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code section 13308, or referral to the California Attorney General for recovery of judicial civil liability.

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 Plan by the Colorado River Basin Water Board or in any applicable State Water Board 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 Colorado River Basin Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. 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. The Permittee shall adhere to all requirements in the mitigation monitoring and Report Program (MMRP) of the FEIR, incorporated by reference, and any additional measures outlined in Attachment C, CEQA Findings of Fact.

6. **Construction General Permit Requirement:** The Permittee shall maintain compliance with conditions described in, and required by, the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ; 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 Colorado River Basin 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 Colorado River Basin Water Board immediately upon execution and prior to any discharge to waters of the state.

G. Construction

Good Site Management "Housekeeping"

1. The Permittee shall follow good site management "housekeeping" and implement erosion control, sediment control, and other construction-related best management practices (BMPs) depicted in Table 3 below.

2. Ground-disturbing activities in the dry washes (work area preparation, grading, clearing, grubbing, trenching, construction, and decommissioning activities) shall comply with biological monitoring standards outlined in the issued Streambed Alteration Agreement or other Department of Fish and Wildlife agreement and be subject to approval by the Colorado River Basin Water Board.

3. The area of vegetation and soil disturbance shall be restricted to the smallest extent possible.

4. After completing construction activities, any disturbed areas shall be restored to pre-existing contours and conditions to the extent feasible.

Table 3: BMPs

Type of BMP	BMP	Application
Construction BMPs	Erosion control	Implement erosion control BMPs to mitigate soil erosion, minimize soil loss from wind erosion, and to reduce air pollution during construction activities for all disturbed areas. Examples: mulch, straw, wood chips, soil application, lot perimeter protection per county standards, bonded fiber matrix or stabilized fiber matrix, physical stabilization erosion control blanket.
	Velocity reduction	Implement velocity reduction BMPs to reduce water/runoff velocity. Examples: energy dissipater outlet protection.
	Sediment control	Implement sediment control BMPs to remove sediment loads from runoff generated within the construction site for all disturbed areas. Examples: silt fence, fiber rolls, gravel bags, dewatering filtration.
	Off-site sediment tracking control	Implement off-site sediment tracking control BMPs for reducing the transport of sediment on tires off, and within, construction site. Examples: stabilized construction entrance, construction road stabilization, entrance/exit tire wash, entrance/exit inspection and cleaning facility.
	General site and materials management	Implement general site and materials management BMPs for materials and waste management. Examples: material delivery and storage management, spill prevention and control, concrete waste management, solid waste management, sanitary waste management, hazardous waste management.
Low Impact Development (LID)	Conservation of natural drainages	Implement LID BMPs to conserve natural drainages. Examples: minimize disturbances of natural areas, construct in least environmentally sensitive areas.
	Minimize disturbances to natural drainages	Implement LID BMPs to minimize disturbances to natural drainages. Examples: avoid disturbing natural swales and topographic depressions, construction setback from creeks.
	Minimize impervious surfaces	Implement LID BMPs to reduce impervious surfaces through efficient site design. Examples: preserve existing vegetation, permeable roads with minimum widths.
	Minimize soil compaction	Implement LID BMPs to minimize soil compaction. Examples: protect native soil and vegetation from construction equipment.
	Drain runoff from impervious surfaces to pervious areas	Implement LID BMPs to drain runoff from impervious surfaces to pervious areas.
	Hydrologic design	Implement LID BMPs for optimizing hydrologic design. Examples: infiltration trenches or basins, depression areas for infiltration, bio-filters such as vegetated or rock swales.

Type of BMP	BMP	Application
	Permeable pavement design	Implement LID BMPs using permeable pavement design. Examples: pervious concrete, permeable asphalt concrete/pavers, granular material.
	LID road design	Implement LID BMPs for road design. Examples: permeable roads, reduction of overall road coverage, direct runoff to vegetated swales.
Post-Construction BMPs	Protection of channel banks/manufactured slopes	Implement channel protection BMPs to protect banks of the channels as well as the slopes.
	Outlet protection	Implement outlet protection BMPs to reduce discharge/water velocity. Examples: energy dissipater outlet protection, velocity dissipation devices.

Hazardous Materials

1. No toxic and/or hazardous materials shall be stored near or within wash/drainage areas. To the extent practicable, these materials shall be stored offsite and placed in appropriate secondary containment.

2. Spoil sites shall not be located where spoil could be washed back into the stream channel or where spoil covers aquatic or riparian vegetation. Any materials placed in seasonally dry portions of the drainage areas that could be washed downstream or could be harmful to aquatic life shall be removed from the streambed prior to inundation by high flows.

3. No fueling or maintenance of equipment or vehicles shall occur adjacent or within the wash/drainage areas.

Roads

1. Work and staging areas and temporary access routes shall be sized, located, and flagged to limit potential impacts to natural areas. Previously-disturbed areas shall be used to the extent feasible.

Sediment Control

1. The Permittee shall implement sediment control BMPs to remove sediment loads from runoff generated within the construction site for all disturbed areas.

2. The Permittee shall implement off-site sediment tracking control BMPs for reducing the transport of sediment on tires off of and within the construction site.

Stabilization/Erosion Control

1. The Permittee shall implement erosion control BMPs to mitigate soil erosion, minimize soil loss from wind erosion, and to reduce air pollution during construction activities for all disturbed areas.

Stormwater

1. Work in or around ephemeral dry washes or stream channels shall not be conducted during rain events.
2. The Permittee shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) that complies with the requirements of the State Water Board's Construction General Permit.
3. Post-construction, the Permittee shall implement channel protection BMPs to protect banks of the channels as well as the slopes.
4. Post-construction, the Permittee shall implement outlet protection BMPs to reduce discharge/water velocity.

H. Compensatory Mitigation for Temporary and Permanent Impacts[7]

1. Total Required Compensatory Mitigation

a. The Permittee is required to provide compensatory mitigation at a ratio of 3:1 or greater for the authorized permanent impacts to 32.14 acres of waters of the state by preserving 96.42 acres of ephemeral desert wash by implementing the Draft Compensatory Mitigation Plan, Colorado Desert Recovery Unit Long-Term Management Plan for Arica and Victory Pass Solar Projects pre-approved by Colorado River Basin Water Board-staff.

b. Total required, Project-compensatory mitigation information for permanent physical loss of area is summarized in Table 4:

Table 4: Required Project Compensatory Mitigation for Permanent Impacts

Aquatic Res. Type	Comp. Mit. Type[8]	Est.[9]	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channels	Permittee-Responsible	N/A	N/A	N/A	N/A	225-2025 acres	N/A

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

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

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

2. Final Compensatory Mitigation Plan

a. The Permittee provided compensatory mitigation for impacts to waters of the state in accordance with the Compensatory Mitigation Plan dated October 6, 2021 and incorporated herein by reference. Any deviations from, or revisions to, the Compensatory Mitigation Plan must be pre-approved by Colorado River Basin Water Board staff. The monitoring period shall continue until Colorado River Basin Water Board staff determines that performance standards have been met. This may require the monitoring period to be extended.

b. The Permittee has submitted an approved draft Compensatory Mitigation Plan as part of a complete application. The Permittee shall provide a final Compensatory Mitigation Plan as outlined in the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State and the State Supplemental Dredge or Fill Guidelines*, Subpart J – Compensatory Mitigation for Losses of Aquatic Resources for written acceptance by Colorado River Basin Water Board staff.

3. Permittee-Responsible Compensatory Mitigation Responsibility

a. The Permittee-responsible mitigation shall be completed within 16 months of authorized impacts.

b. The Permittee is responsible for the required compensatory mitigation in perpetuity. However, the Permittee may transfer the compensatory mitigation requirements associated with long-term management when the following conditions have been met:

i. Performance standards are met.

ii. A Transfer Agreement to a third party has been approved by Colorado River Basin Water Board staff.

iii. An endowment fund has been provided by the Permittee to a third party for management in perpetuity of the mitigation site.

iv. A conservation easement, deed restriction, or other appropriate restrictive covenant for the mitigation site has been recorded and approved by Colorado River Basin Water Board staff.

c. Transfer of Long-Term Permittee-Responsible Compensatory Mitigation and Management Responsibility

i. A transfer agreement shall be submitted from an authorized representative of the new party (transferee) for acceptance by Colorado River Basin Water Board staff. This agreement shall demonstrate acceptance and understanding of the responsibility to comply with and fully satisfy the required compensatory mitigation and long-term management conditions. Failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the Colorado River Basin Water Board under Water Code section 13385, subdivision (a).

ii. Notification of transfer of responsibilities meeting the above condition must be provided to the Colorado River Basin Water Board staff. A draft transfer agreement is due to Colorado River Basin Water Board staff no less than 30 days prior to the transfer of the mitigation responsibility. A final transfer agreement is due to Colorado River Basin Water Board staff within 30 days of the completion of the transfer.

4. Restoration of Temporary Impact Areas

The Permittee shall restore all areas of temporary impacts to waters of the state and all Project site upland areas of temporary disturbance which could result in a discharge to waters of the state.

XIII. Conclusion

I, PAULA RASMUSSEN, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on January 11, 2022.

PAULA RASMUSSEN
Executive Officer

Attachment A Maps
Attachment B Receiving Waters, Impact, and Mitigation Information
Attachment C CEQA Findings of Fact
Attachment D Signatory Requirements
Attachment E Reporting Requirements

Attachment A
Project Maps

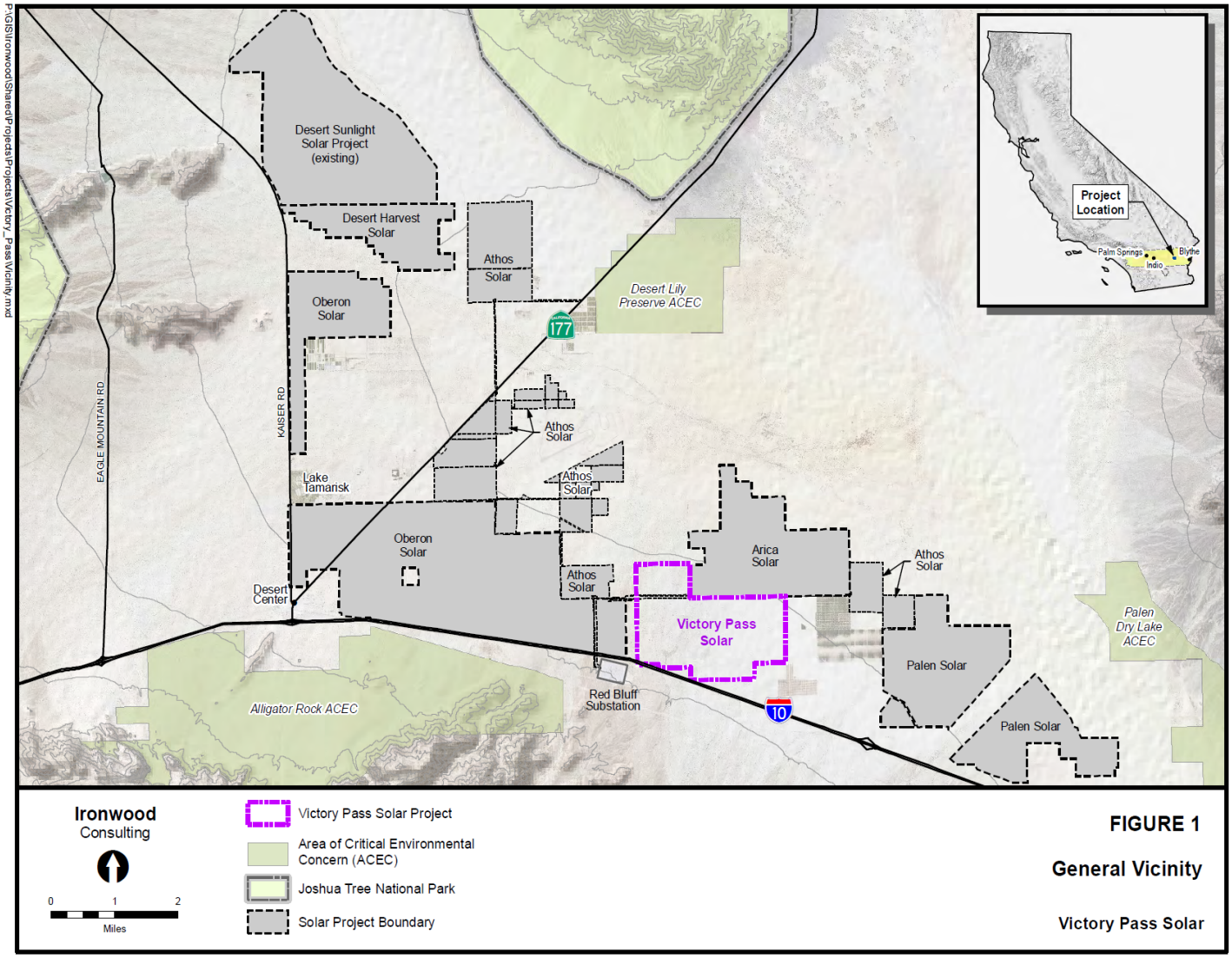

Figure 1: General Vicinity Map (Ironwood Consulting, 2020[10])

[10]Ironwood Consulting, November 2020. Victory Pass Solar Project Jurisdictional Delineation Report, Riverside County, California.

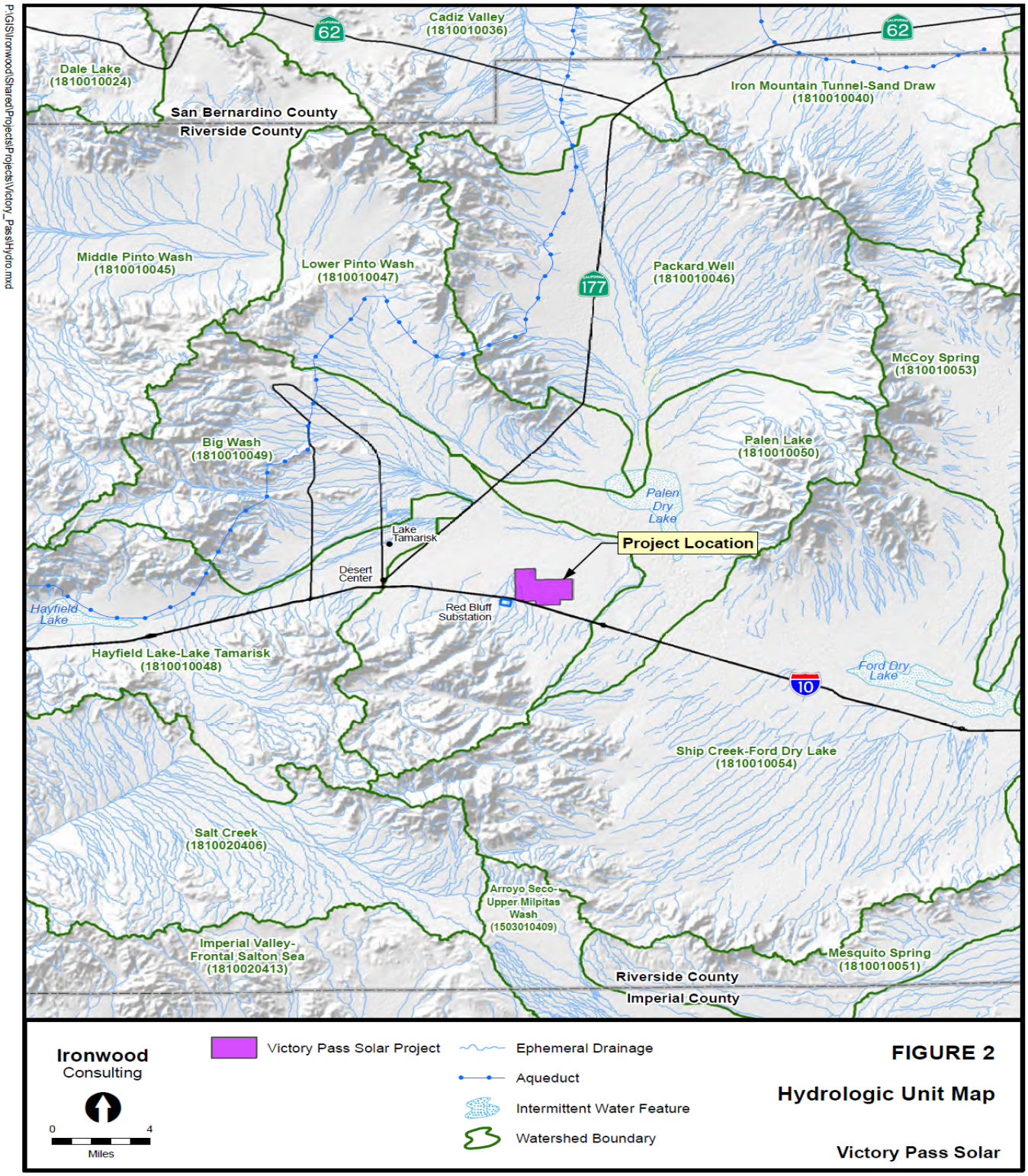

Figure 2: Hydrologic Unit Map (Ironwood Consulting, 2020)

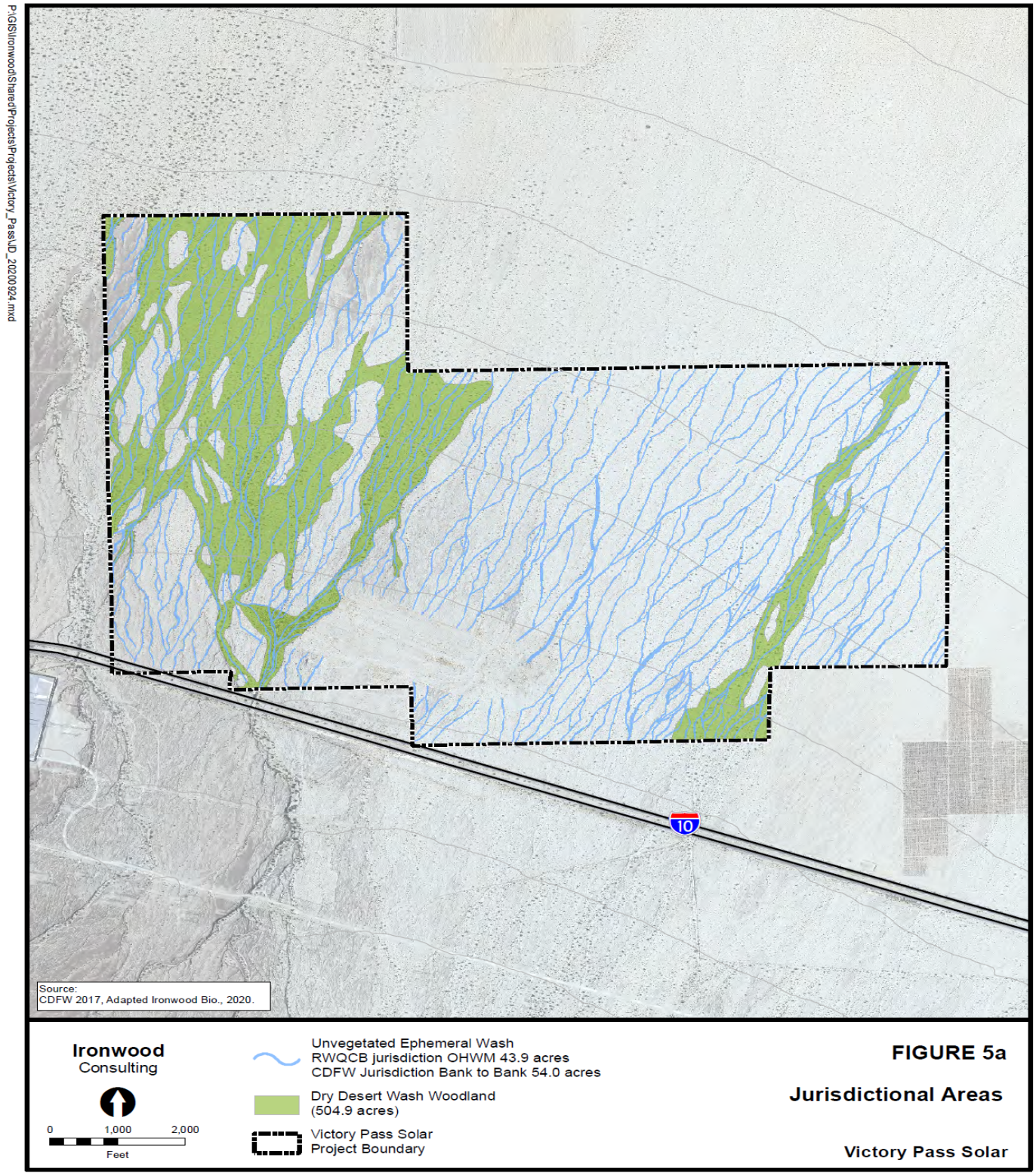

Figure 3: Jurisdictional Areas Map (Ironwood Consulting, 2020)

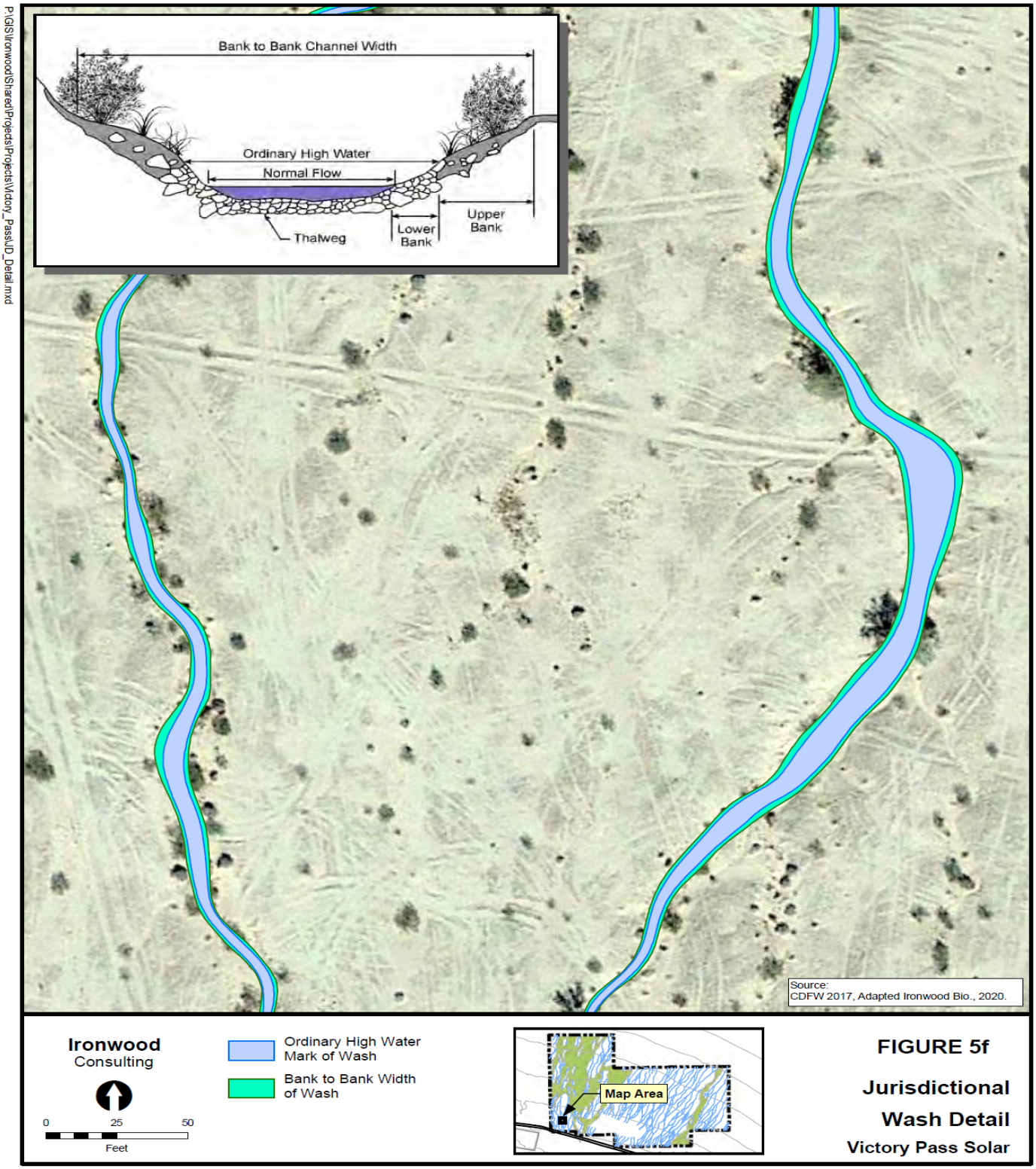

Figure 4: Jurisdictional Wash Detail Map (Ironwood Consulting, 2020)

Attachment B
Receiving Waters, Impact, and Mitigation Information

Receiving Waters

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

Table 1: Receiving Water(s) Information

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	Unnamed Washes (Ephemeral Streams)	Intermittent, Riverine	Chuckwalla Hydrologic Unit 717.20	Ford Dry Lake	GWR, RECII, WILD	N/A	N/A

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 ?	Temporary Dredge Impacts	Permanent Dredge Impacts	Temporary Fill/Excavation Impacts	Permanent Fill/Excavation Impacts
1	33.714327°	-115.307440°	No	N/A	N/A	N/A	32.14 acres

Compensatory Mitigation

Table 3: Required Compensatory Mitigation for Permanent Impacts

Aquatic Resource Type	Compensatory Mitigation Type[11]	Establishment	Re-establishment	Rehabilitation	Enhancement	Preservation
Intermittent, Riverine	PR	--	--	--	--	225-2025 acres

The Permittee agreed to provide compensatory mitigation for impacts to waters of the state via preservation at least 96.42 acres of ephemeral desert wash habitat within the watersheds of the Chuckwalla or Colorado Hydrologic Units.

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

Attachment C
CEQA Findings

1. **Environmental Review**
   On [*December XX, 2021*], the California Department of Fish and Wildlife, as lead agency, certified a Final Environmental Impact Report (FEIR) for the Project (State Clearinghouse [SCH] No. [*2020100076*]) and filed a Notice of Determination (NOD) with the State Clearinghouse on [*December XX, 2021*].

   The Colorado River Basin Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that California Department of Fish and Wildlife's environmental documents comport with the requirements of CEQA and are valid (Public Resources Code, §§ 21080.1(a), 21167.2). The Colorado River Basin Water Board has reviewed and considered the environmental documents and finds that the environmental documents prepared by the California Department of Fish and Wildlife address the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental documents include the mitigation monitoring and reporting program (MMRP) 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).)

2. **Incorporation by Reference**
   Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the approved FEIR, MMRP, and other supplemental documentation.

   The approved FEIR is incorporated herein by reference and available at the California Department of Fish and Wildlife website and at the following website: https://wildlife.ca.gov/Notices/CEQA.

   Requirements under the purview of the Colorado River Basin 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.

3. **Findings and Determination**
   Having considered the whole of the record, the Colorado River Basin Water Board has determined that there is no substantial evidence that the Project or any of its aspects could result in significant adverse impacts to water resources, when implemented in accordance with the mitigation measures required in MMRP and the conditions in this Order. (Cal. Code Regs., tit. 14, § 15096, subd. (h).)

Attachment D
Signatory Requirements

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 Colorado River Basin Water Board shall 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 Colorado River Basin 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."

Attachment E
Reporting Requirements

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.html **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. a. **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 and this Order is terminated by vote of the Colorado River Basin Water Board. b. **Part B (Project Status Notifications):** Used to notify the Colorado River Basin Water Board of the status of the Project schedule that may affect Project billing. **c. 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:** a. Submit signed Report and Notification Cover Sheet and required information via email to: coloradoriver@waterboards.ca.gov and cc: kai.dunn@waterboards.ca.gov. b. Include in the subject line of the email: Subject: ATTN: Kai Dunn; Reg. Measure ID: 444898_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 Colorado River Basin 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. Colorado River Basin 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 and Order Termination:** This request by the Permittee to the Colorado River Basin 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. Colorado River Basin Water Board staff will review the request and upon approval, will issue a Project Complete Letter and prepare an order terminating the WDRs for approval by the Colorado River Basin Water Board. Termination of annual invoicing of fees will correspond with the date of termination of this Order by the Board.

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 termination of this Order by vote of the Colorado River Basin Water Board. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.

4. **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): When other electronic formats are used to provide 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:	Victory Pass Solar Project
Permittee:	Victory Pass I, LLC
WDID No.:	7A333234001
Reg. Meas. ID:	444898
Place ID:	876260
Order Effective Date:	January 11, 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 and Order Rescission

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[12]	**Affiliation and Job Title**
Signature	**Date**

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.**

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

Part A – Project Reporting

Report Type 1	Monthly Report
Report Purpose	Notifies Colorado River Basin Water Board staff of the Project status and environmental compliance activities on a monthly basis.
When to Submit	On the 15th day of every month until a Notice of Project Complete Letter is issued to the Permittee and the Order is terminated by vote of the Colorado River Basin Water Board.
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[13]). 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.

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

	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.

Report Type 2	**Annual Report**
Report Purpose	Notify the Colorado River Basin Water Board staff of Project status during both the Active Discharge Period and Post-Discharge Monitoring Period.
When to Submit	Annual reports shall be submitted each year on December 31st. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee and the Order is terminated by vote of the Colorado River Basin Water Board.
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: Summary of Conditional Notification and Report Types 6 and 7 (Part C below)
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 Colorado River Basin 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.

Report Type 4	Request for Notice of Completion of Discharges Letter
Report Purpose	Notify Colorado River Basin 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 Colorado River Basin Water Board staff within thirty (30) days following completion of all Project construction activities.
Report Contents	**1.** Status of stormwater Notice of Termination(s), if applicable. **2.** Status of post-construction stormwater 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 and Order Termination
Report Purpose	Notify Colorado River Basin 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 Colorado River Basin 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 Stormwater 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 Colorado River Basin 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 Colorado River Basin 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 Colorado River Basin 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 to Colorado River Basin 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 Colorado River Basin Water Board staff.

Report Type 8	In-Water Work and Diversions Water Quality Monitoring Report
Report Purpose	Notifies Colorado River Basin Water Board staff of the completion of in-water work.
When to Submit	Within three (3) working days following the completion of in-water work. Continue reporting in accordance with the approved water quality monitoring plan.
Report Contents	As required by the approved water quality monitoring plan.

Report Type 9	Modifications to Project Report
Report Purpose	Notifies Colorado River Basin 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 Colorado River Basin 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[14] maintenance plan requirements in this Order. **2.** A statement that the Permittee has informed the purchaser to submit a written request to the Colorado River Basin 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 Colorado River Basin 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.

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