



Colorado River Basin Regional Water Quality Control Board

February 7, 2018

Jonas Lalehzadeh
Energy Cloud Company
1102 W. 17th Street, Suite 204
Santa Ana, CA 92706

Dear Mr. Lalehzadeh:

SUBJECT: INCOMPLETE APPLICATION FOR 401 WATER QUALITY CERTIFICATION FOR THE NEEDLES BUSINESS COMPLEX TPM 19848 ARIZONA CROSSING PROJECT (WDID NO. 7B363039001)

Colorado River Basin Water Board (Regional Water Board) staff has reviewed the federal Clean Water Act (CWA) Water Quality Certification application materials submitted by your consultant, Jericho Systems Inc., for the Needles Business Complex TPM 19848 Arizona Crossing Project, which we received on December 12, 2017 (Application). On January 3, 2018, Regional Water Board staff followed up with an email to Shay Lawrey of Jericho Systems Inc. to clarify the requirements of California Environmental Quality Act (CEQA) for additional information required to complete the 401 Water Quality Certification (WQC) application. As of today, we did not receive additional information for the Application. This letter provides notice that the Application is incomplete. As a result, we are not yet able to act on it. As described further below, it lacks important required information, including, but not limited to:

1. Final CEQA documents;
2. A Mitigation Plan should be prepared that describes the proposed project's physical and biological impacts, mitigation goals, a mitigation work plan, a management and maintenance plan, success criteria and performance indicators, a monitoring plan, site protection measures, and financial assurance;
3. A complete copy of all final (or draft if not finalized) documents of federal permits and agreements ("permits") that will be required for any construction, operation, maintenance, or other actions associated with the project. This would include, but is not limited to: permits from agencies such as U.S. Army Corps of Engineers (USACE or Corps); and/or U.S. Fish and Wildlife Service (USFWS);
4. A complete copy of all final (or draft if not finalized) documents of other state and local licenses, permits and agreements ("permits") that will be required for any construction, operation, maintenance, or other actions associated with the project. This would include, but is not limited to: permits from agencies such as the CDFW; the State Water Resources Control Board (State Water Board); or the Regional Water Board. Such licenses or

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permits might include, but are not limited to: CWA Section 404; Section 10 of the Rivers and Harbors Act of 1899; CDFW streambed alteration agreements; local zoning, building, and flood-plain permits; Water Rights permits; and any other permits or orders from the State Water Board or Regional Water Board. For each permit, provide the permit number (if available), the name and telephone number of a contact person at the permitting agency, and the date and status of application; and

5. Additional Project fee for the Project.

In summary, the Application is not yet complete and lacks the information needed for us to determine whether or not the Project meets CWC 401 WQC requirements. Please revise the application to provide the additional information requested herein.

If you have any questions, please contact me at (760) 776-8986 or via email to kai.dunn@waterboards.ca.gov.

Sincerely,



Kai Dunn, Ph.D., P.E.
Senior Water Resources Control Engineer
Colorado River Basin
Regional Water Quality Control Board

KD/tab

cc: Shay Lawrey, 47 First Street, Suite 1, Redland, CA 92373