

Colorado River Basin Regional Water Quality Control Board

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**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND  
ORDER**

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**Effective Date:** June 30, 2017

**Program Type:** Fill/Excavation

**Project Type:** Bridges, Overpasses and Crossings

**Project:** State Route 111 Sediment Control Project (Project)

**Applicant:** California Department of Transportation (Caltrans), District 8

**Applicant Contact:** Mr. Craig Wentworth  
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**Water Board Contact Person:**

If you have any questions, please call Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) Staff listed above or (760) 346-7491 and ask to speak with the Water Quality Certification and Wetlands Unit Program Manager

- Attachment A** Maps
- Attachment B** Receiving Waters, Impact, and Mitigation Information
- Attachment C** CEQA Findings of Facts
- Attachment D** Signatory Requirements

**I. Order**

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of the California Department of Transportation (herein after Permittee) for the Project. This Order is for the purpose described in application and supplemental information submitted by the Permittee. The application was received on February 27, 2017. The application was deemed complete on March 23, 2017

**II. Public Notice**

Public Notice (3-3-2017) was done on March 3, 2017 and completed on March 23, 2017.

**III. Project Description**

The Department of Transportation (Caltrans) has a project to conduct State Route 111 Sediment Control Project (Project). The Caltrans annually inspects roadside slopes to identify chronic erosion problems. The State Wide National Pollutant Discharge Elimination System (NPDES) permit (# 99-06-DWQ) requires Caltrans to maximize erosion control and soil stabilization on state facilities. The existing facility was designed and built without water quality treatment devices. Bare slopes within the project limits have erosive soils and lack sufficient vegetation. The objective of this project is to comply with the state wide NPDES and requirements to stabilize to the maximum extent possible, slopes having chronic erosion problems. Source controls will minimize the amount of sediment from Caltrans' facilities that discharges into the Salton Sea via storm water runoff. The proposed project proposes to fix the scours, fill the gullies, and protect the drainage facility with rock slope protection (RSP) and 1 -3 inches of gravel. The project will require minor excavation and grading to the outfall areas of culverts to install rip rap for the sediment traps. Sediment traps will slow down the upstream storm water flows, settle sediments, and reduce the downstream gully erosion. All work will remain within the state's right of way (ROW). Caltrans will import soil to minimize excavation, reduce the foot print, and reduce disturbed soil areas. The work period is approximately 80 working days.

**IV. Project Location**

City or area: SR-111 near North Shore, Riverside County, California  
Longitude/ Latitude: W 115°53'23.064"/ N 33°28'40.872"

**V. Project Impact and Receiving Waters Information**

The Project is located within the jurisdiction of Colorado River Basin Regional Water Quality Control Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the applicable Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) for the Colorado River Basin Region and other plans and policies which may be accessed online at:

[http://www.waterboards.ca.gov/plans\\_policies/](http://www.waterboards.ca.gov/plans_policies/). Project impact and receiving waters information can be found in Attachment A. Salton Sea is the receiving water.

The Basin Plan was prepared by the California Regional Water Quality Control Board, Colorado River Basin Region, in accordance with criteria contained in the California Porter-Cologne Water Quality Control Act, the Federal Clean Water Act, and other pertinent state and federal rules and regulations. It 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 anti-degradation policies.

**VI. Description of Direct Impacts to Waters of the U.S.**

Construction of the proposed project would result in less than 0.219 acres (Temporary/permanent Streambed unvegetated) and 952 linear feet (Temporary/permanent Streambed unvegetated) impact.

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 <sup>1</sup> |                 |     | Permanent Impact      |     |    |  |    |    |
|-----------------------|-------------------------------|-----------------|-----|-----------------------|-----|----|--|----|----|
|                       |                               |                 |     | Physical Loss of Area |     |    | Degradation of Ecological Condition Only |    |    |
|                       | Acres                         | CY <sup>2</sup> | LF  | Acres                 | CY  | LF | Acres                                    | CY | LF |
| Lake                  |                               |                 |     |                       |     |    |  |    |    |
| Ocean/bay/estuary     |                               |                 |     |                       |     |    |  |    |    |
| Riparian Zone         |                               |                 |     |                       |     |    |  |    |    |
| Stream Channel        | 0.053                         |                 | 250 | 0.166                 | 702 |    |  |    |    |
| Vernal Pool           |                               |                 |     |                       |     |    |  |    |    |
| Wetland               |                               |                 |     |                       |     |    |  |    |    |

**VII. Description of Indirect Impacts to Waters of the State**

No indirect impact to Waters of the State is anticipated because the proposed repair work shall be conducted when it is not raining where the repair work is taking place and when there is no flow in the washes; and because the Permittee shall be using Best Management Practices as described below.

<sup>1</sup> 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.

<sup>2</sup> Cubic Yards (CY); Linear Feet (LF)

### **VIII. Avoidance and Minimization**

Caltrans shall use the following Best Management Practices (BMPs) to minimize impacts during construction:

- Temporary fiber roll
- Temporary construction entrance
- Temporary construction washout facility
- Temporary drainage inlet protection

Fiber rolls will help stabilize soil adjacent to the unvegetated wash during construction. The temporary construction entrance, washout facility and drainage inlet protection will all minimize the chance of construction related fluids and/or sediment from getting into the unvegetated wash.

Temporary BMP's will be implemented in place to prevent sedimentation from entering the watercourse that may be caused by equipment storage areas if used. The storage areas, if used, will occur on already disturbed highway system land adjacent to rural habitat of the dry stream channel.

Other actions/BMPs will be implemented to avoid and/or minimize impacts to Waters of the U.S., including preservation of habitats, erosion control measures, project scheduling, flow diversions, etc.

### **IX. Compensatory Mitigation**

The Permittee agrees to provide compensatory mitigation for direct, described in section VI and also in the California Department of Fish and Wildlife (CDFW) Streambed Alternation Agreement (Notification No. 1600-2017-0040-R6) , to mitigate for permanent loss of 0.166 acres of streambed, at a ratio of 3:1, by providing for enhancement through the removal of invasive species on 0.498 acres of streambed habitat within Caltrans-controlled lands that also within the Salton Sea watershed or alternatively provide funding for habitat enhancement of 0.498 acres of streambed habitat that is already protected and managed by a CDFW-approved entity.

All temporary impacted areas will be returned to pre-construction contours. The shoulder of the highway, will be re-seeded with the following seed mix (ambrosia dumosa, ambrosia salsola, bromus carinatus, baileya multiradiata, eriogonum fasciculatum v. foliolosum, eschscholzia californica, encelia farinosa, festuco microstachys, larrea tridentata, phacelia campanularia).

### **X. California Environmental Quality Act (CEQA)**

Caltrans adopted a Categorical Exemption, Class 1(d) – Existing highway and streets, sidewalks, gutters, bicycle and pedestrian trail, and similar facilities (PRC 21084; 14 CCR 15300 et seq) for the project on June 20, 2016. The Colorado River Basin Water Board has review the 401 Water Quality Certification application materials submitted, and has independently determined that the Project is categorically exempt from review under CEQA pursuant to section 21084 of the Public Resources Code and California Code of Regulations, title 14, section 15301 because it constitutes a repair to

publically owned service facilities necessary to maintain service essential to public health, safety, or welfare. In accordance with CEQA Guidelines section 15062, the Colorado River Basin Water Board will file a Notice of Exemption with the Office of Planning and Research upon approval of the CWA section 401 WQC.

#### **XI. Petitions for Reconsideration**

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

#### **XII. Fees Received**

An application fee of \$7711 was received on February 27, 2017. 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.

#### **XIII. 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 watersheds of the Project. In accordance with this Order, the Permittee may proceed with the Project under the following terms and conditions:

##### **A. Authorizations**

- a.** No toxic and/or hazardous materials shall be stored near or within wash/drainage areas. To extent possible, these materials will be offsite and/or placed in appropriate secondary containment.
- b.** Work shall be performed under “no flow” conditions in the washes to preclude potential impacts to water quality.
- c.** Work and staging areas and temporary access routes shall be sized, located and flagged so as to limit potential impacts to natural areas. Previous disturbed areas shall be used to the extent feasible.
- d.** No fueling or maintenance of equipment and/or vehicles shall occur adjacent or within the wash/drainage areas.
- e.** Spoil sites shall not be located where spoil could be washed back into the river, or where spoil will cover aquatic or riparian vegetation. Any materials placed in seasonally dry portions of the canal/ 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.

- f. After completing the activities, the disturbed area will be restored to pre-existing contours and conditions to the extent feasible.

## B. Reporting and Notification Requirements

### 1. Project Reporting

- a. **Monthly Reporting:** The Permittee must submit a Monthly Report to the Colorado River Basin Water Board on the 15<sup>th</sup> of each month for duration of the construction phase (approximately 5 months). Monthly reporting shall continue until the Colorado River Basin Water Board issues a Notice of Project Complete Letter to the Permittee.
- b. **Annual Reporting:** The Permittee shall submit an Annual Report each year on March 17. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee.
- c. **Other Reporting:** The Permittee shall take pictures of the area where repair 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:
  - Identify the name of the name/ID and location of the bridge where repair work is being conducted;
  - 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 is 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 thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Colorado River Basin 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,<sup>3</sup> and no further Project activities will occur. This request shall be submitted to Colorado River Basin Water Board staff within thirty (30) days following completion of all Project activities. Upon approval of the request, the Colorado River Basin 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<sup>4</sup>**

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

- i. As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
- first call – 911 (to notify local response agency)
  - then call – Office of Emergency Services (OES) State Warning Center at:  
(800) 852-7550 or (916) 845-8911
  - Lastly follow the required OES procedures as set forth in:  
[http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill\\_Booklet\\_Feb2014\\_FINAL\\_BW\\_Acc.pdf](http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf)

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<sup>3</sup> Completion of post-construction monitoring shall be determined by Colorado River Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

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

- ii. Following notification to OES, the Permittee shall notify 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 storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.
    - ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.
  - c. **In-Water Work**
    - i. The Permittee shall notify the Colorado River Basin Water Board at least forty-eight (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.

### 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).

The Applicant 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.

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.

### 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 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.) or federal Clean Water Act section 303 (33 U.S.C. § 1313).
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 Colorado River Basin 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 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, 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. **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. 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.
2. 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.
3. 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.
4. 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.
5. 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.

## **G. Compensatory Mitigation for Permanent Impacts<sup>5</sup>**

### **1. Compensatory Mitigation Plan**

- a.** The Permittee shall provide a final compensatory mitigation plan for written acceptance by Colorado River Basin Water Board staff. Impacts to waters of the state are not authorized and shall not occur until a compensatory mitigation plan has been approved by Colorado River Basin Water Board staff. Upon acceptance by Colorado River Basin Water Board staff, the Permittee shall implement the approved plan.
- b.** The final compensatory mitigation plan shall include all plan elements as outlined in 40 CFR § 230.94(c)
- c.** Permittees fulfilling their compensatory mitigation obligations by securing credits from an approved mitigation bank or in-lieu fee program, need only include the items described in 40 CFR § 230.94(c)(5)-(6), and the name of the specific mitigation bank or in-lieu fee program to be used.

### **2. Permittee-Responsible Compensatory Mitigation Responsibility**

- a.** Permittee responsible compensatory mitigation installation shall be completed within 90 days 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

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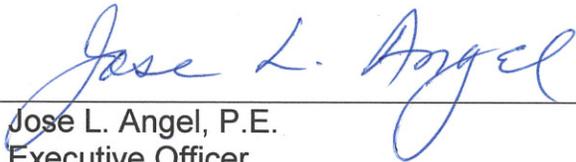
<sup>5</sup> Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

- 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 thirty (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.

**XIV. Water Quality Certification**

I hereby issue the Order for the State Route 111 Sediment Control Project, WDID No. 7A333173001 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).

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.

  
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Jose L. Angel, P.E.  
Executive Officer  
Colorado River Basin  
Water Quality Control Board

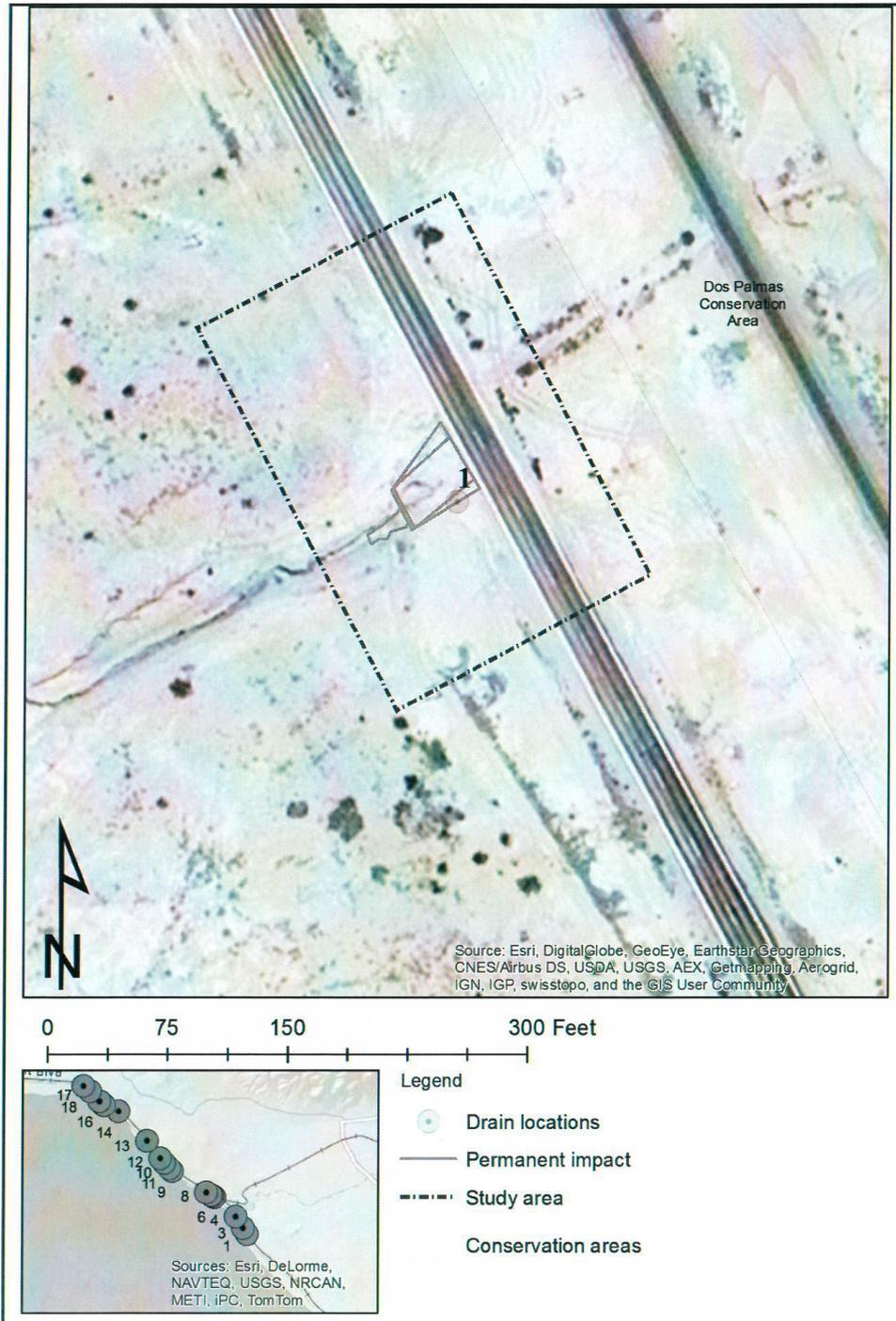
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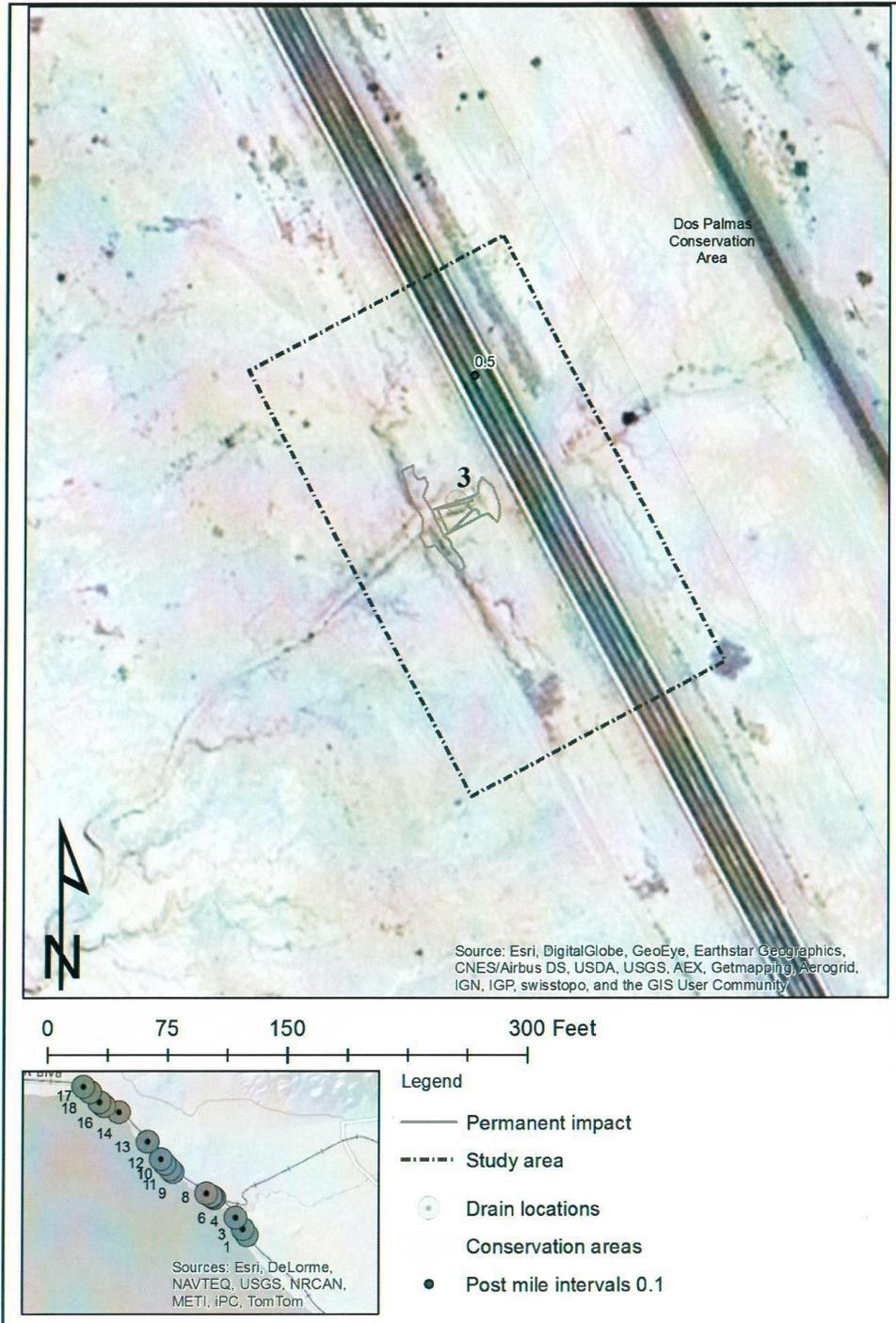
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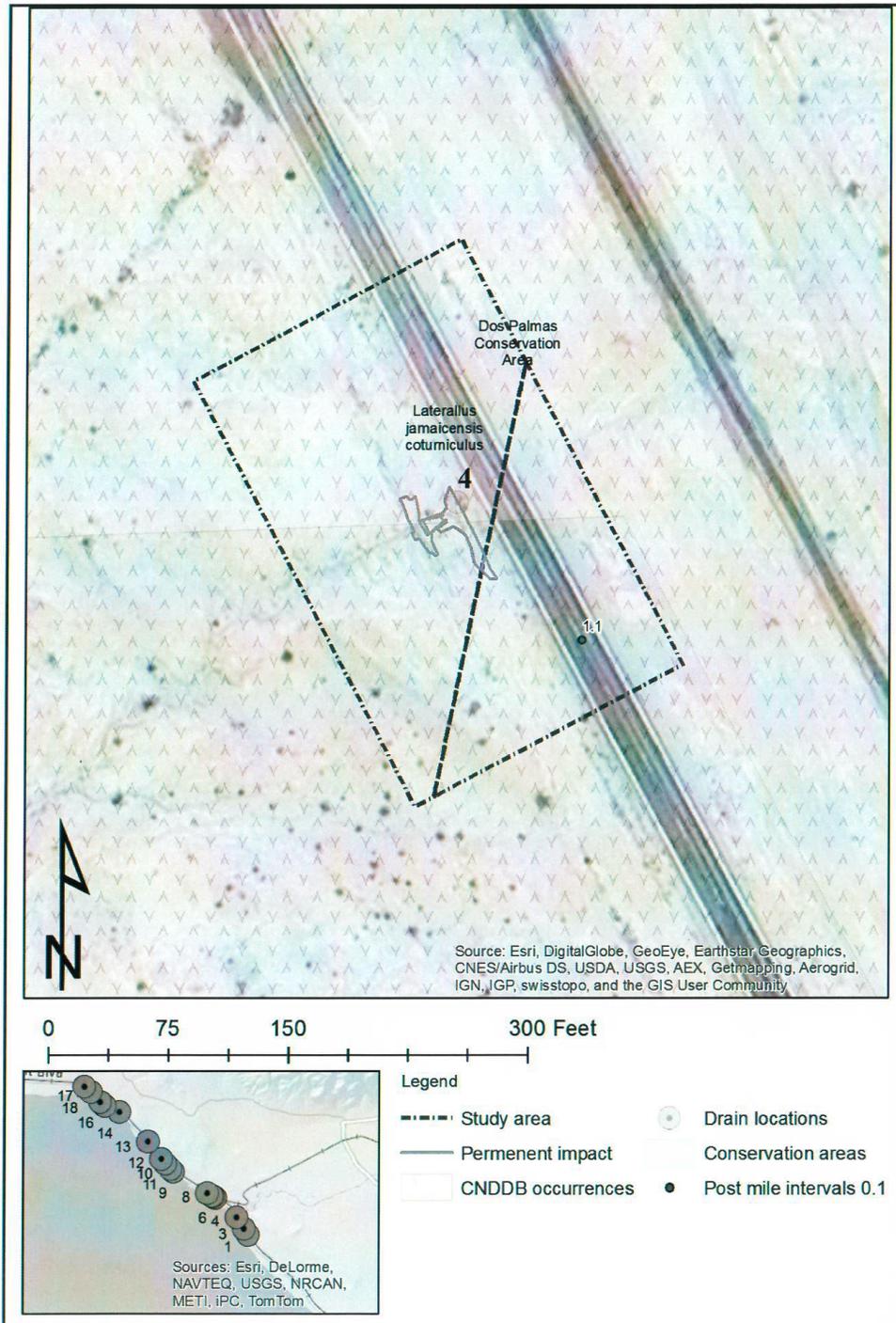
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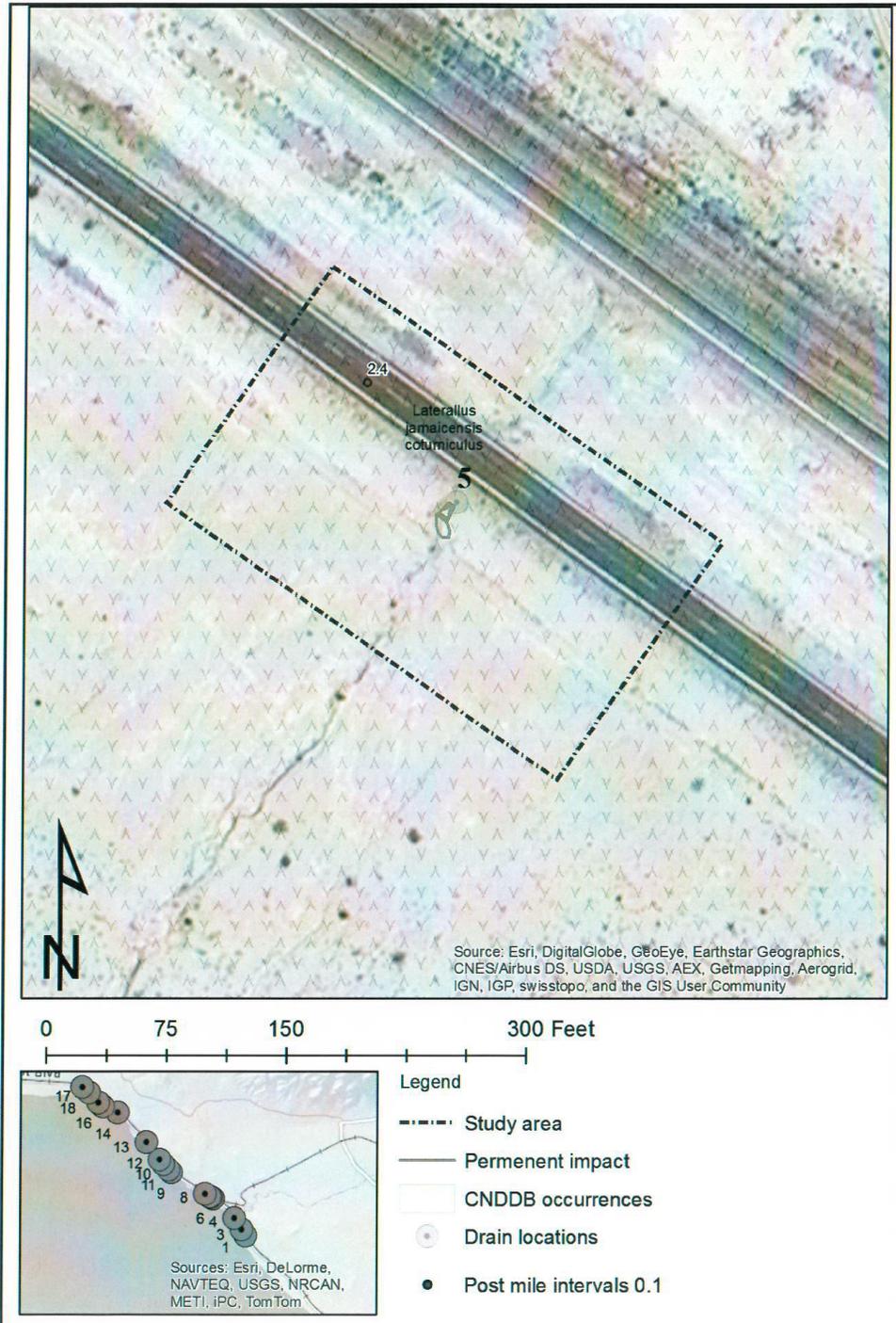
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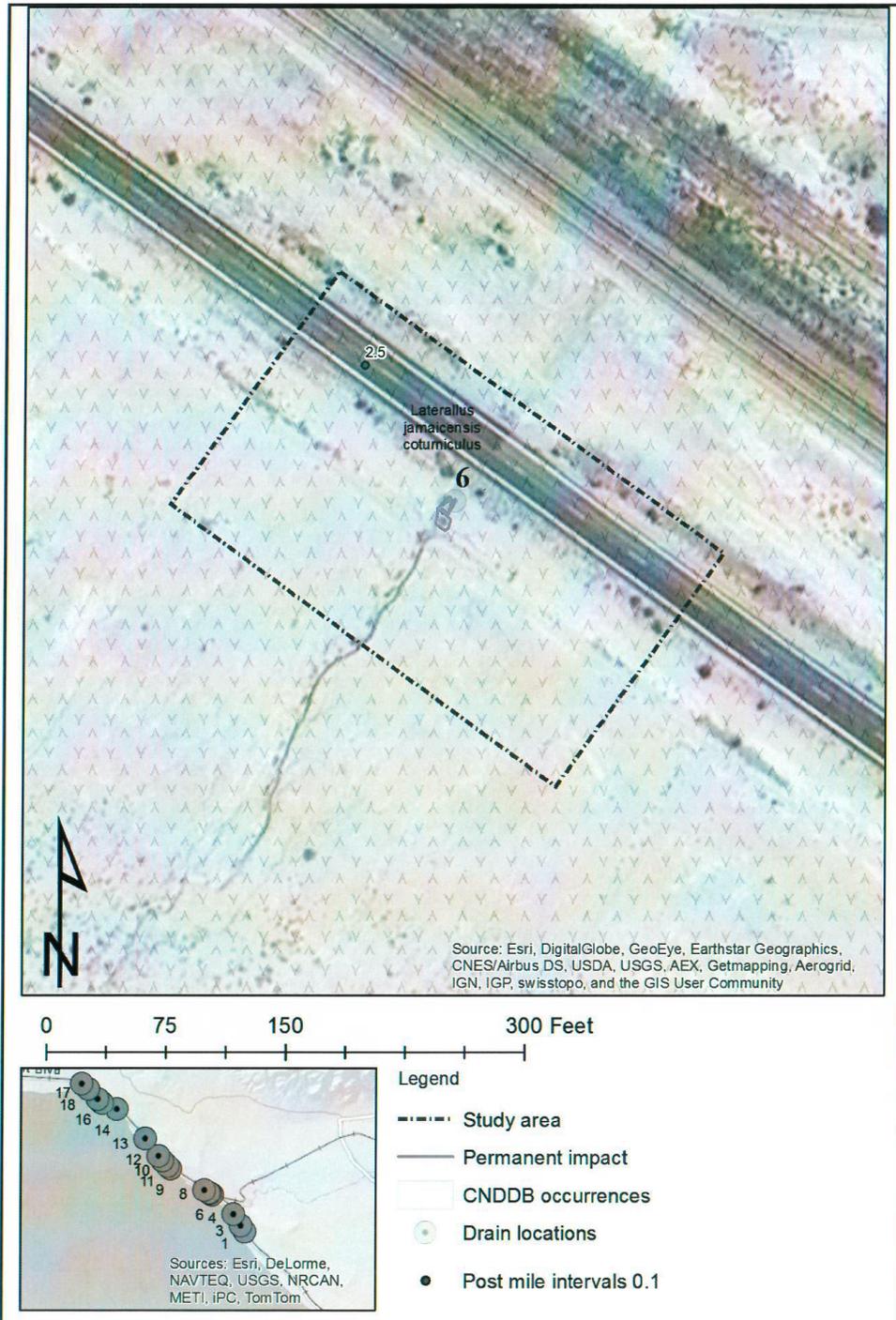
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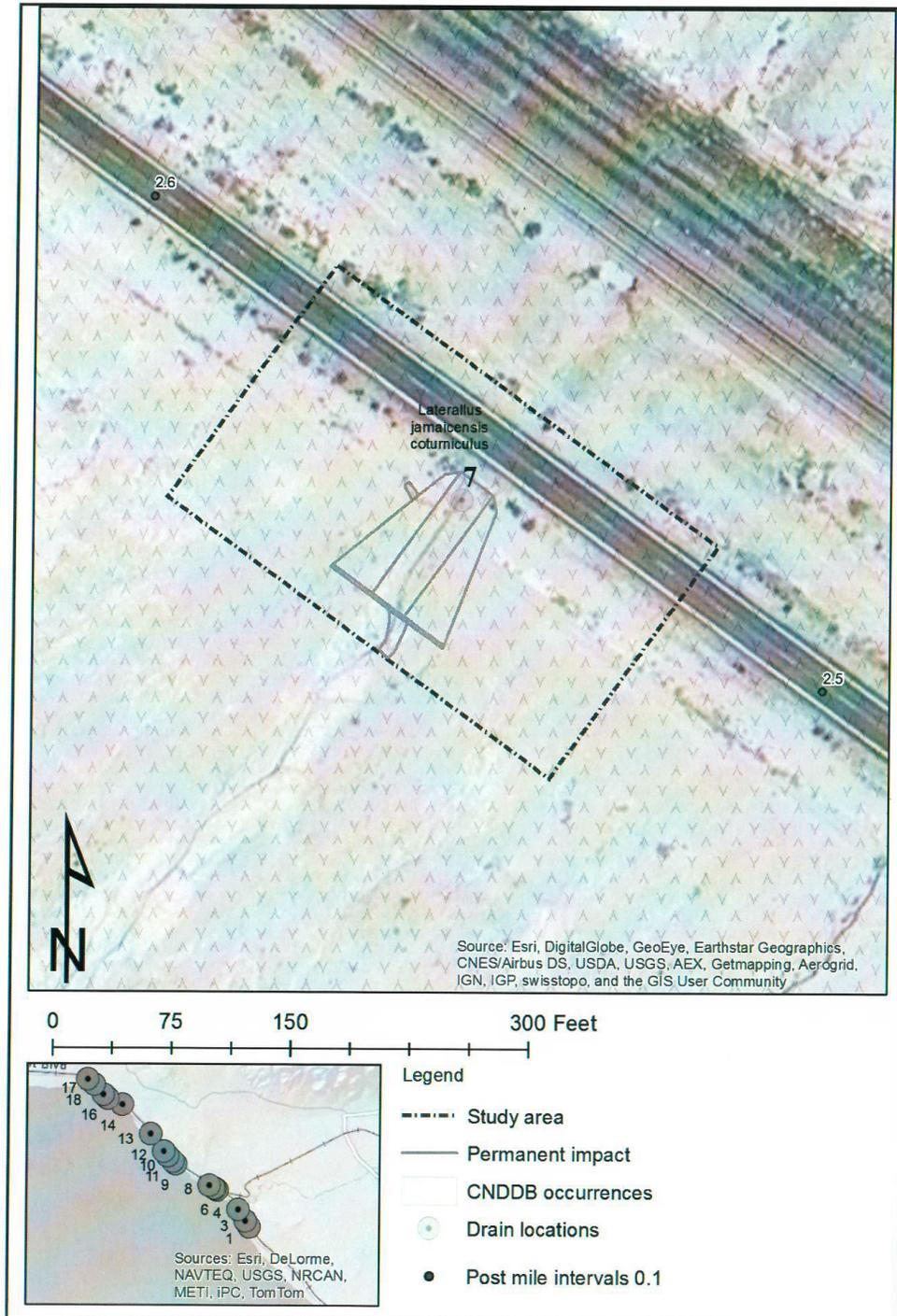
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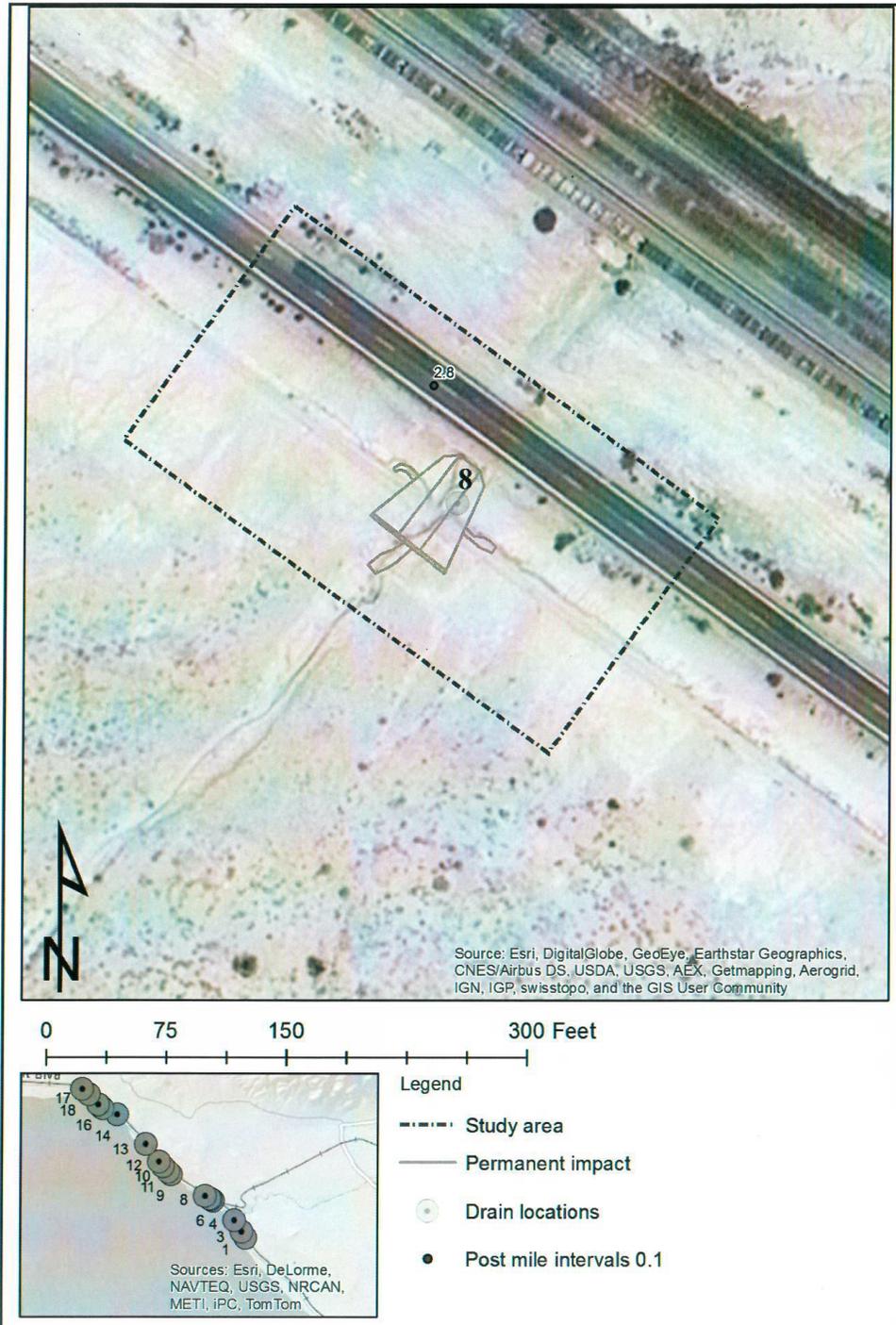
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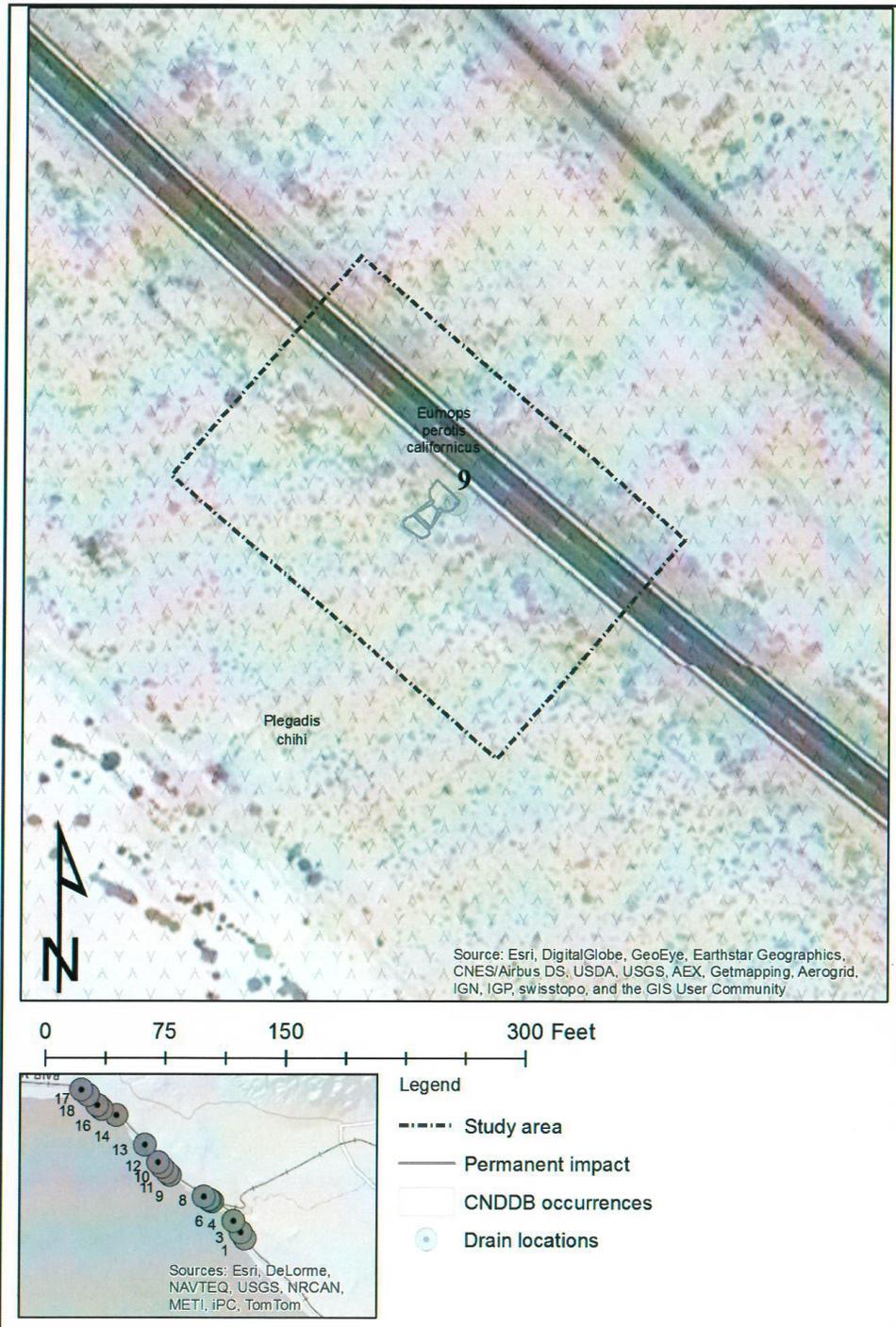
### 1C620 Drain # 7



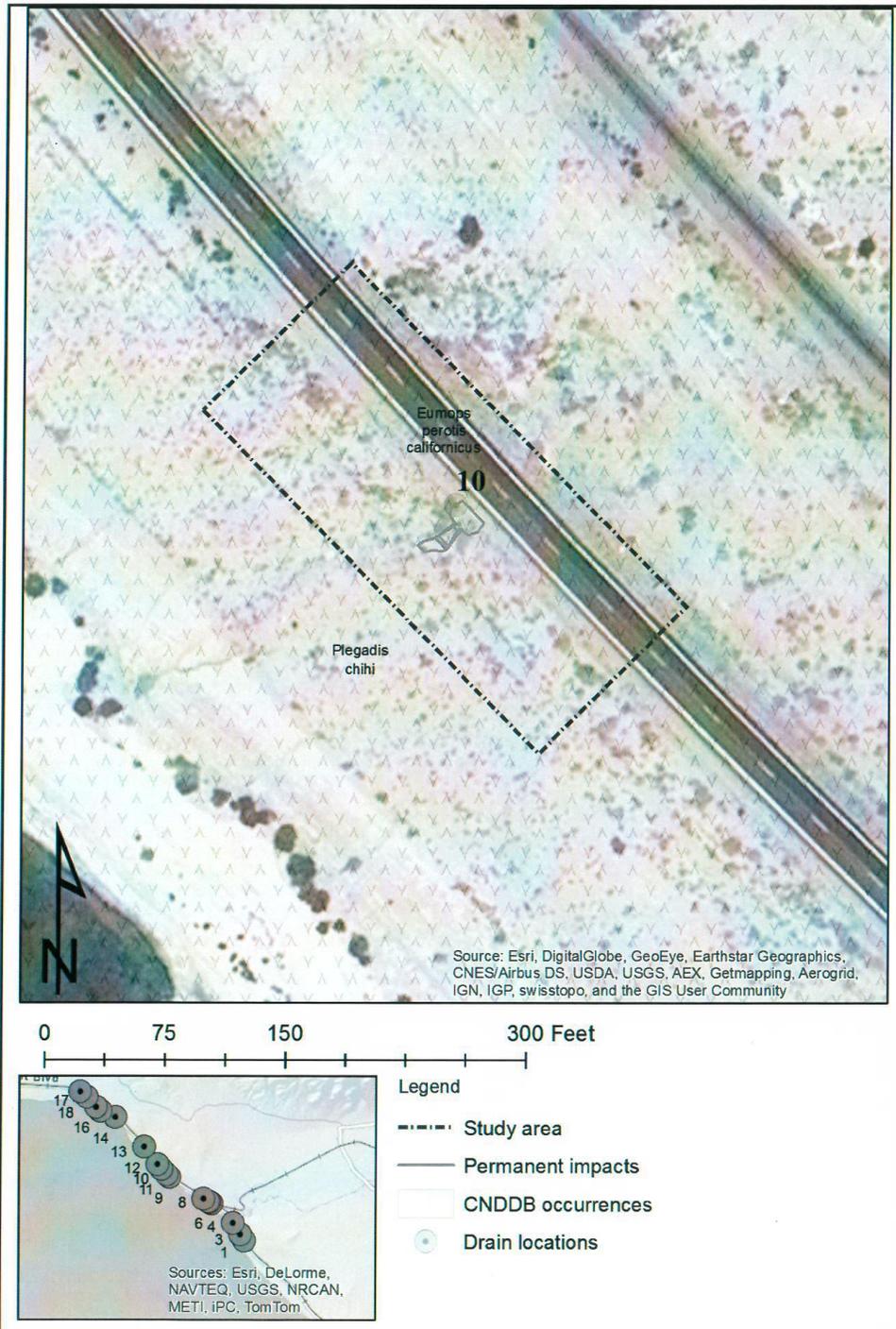
### 1C620 Drain # 8



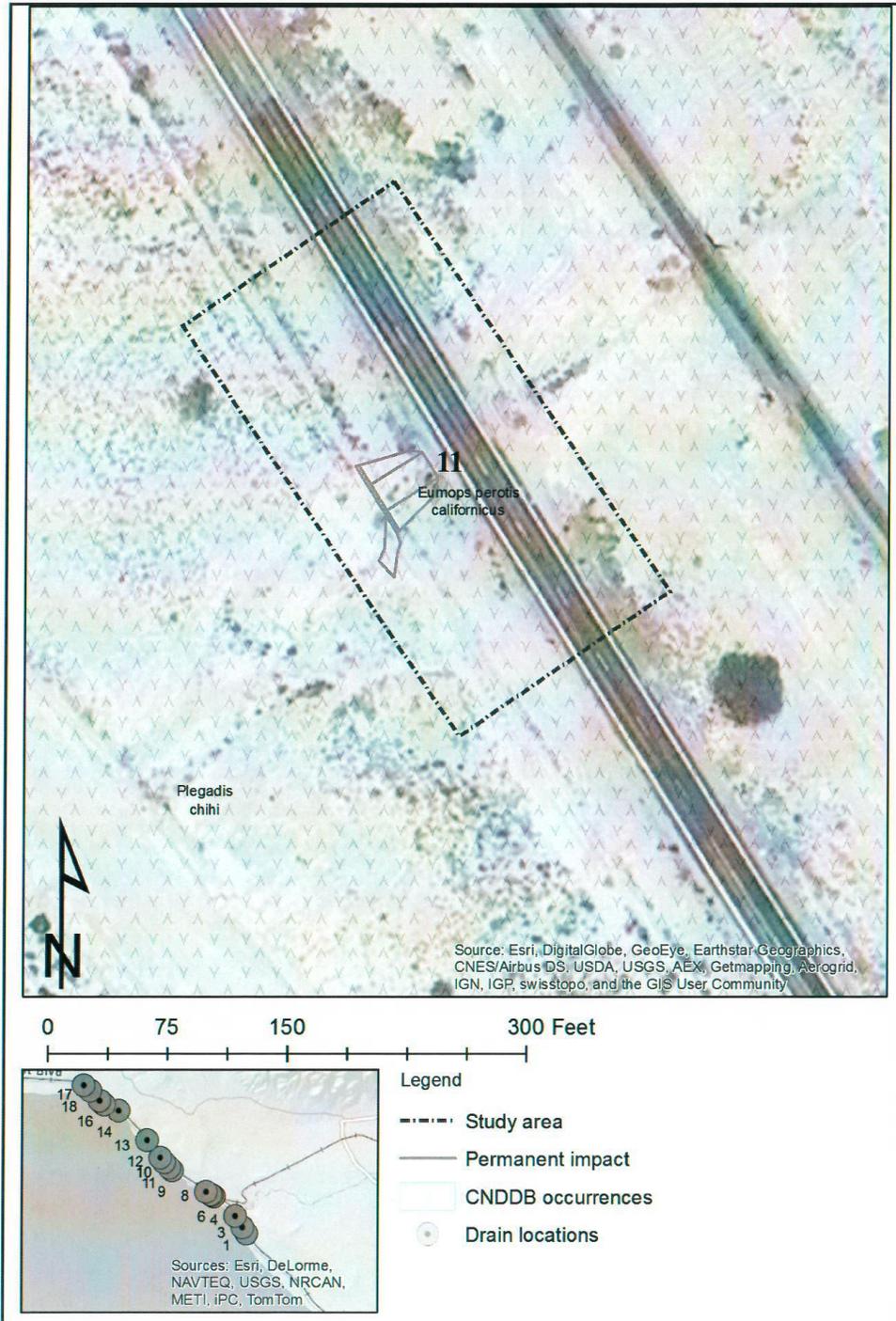
### 1C620 Drain # 9



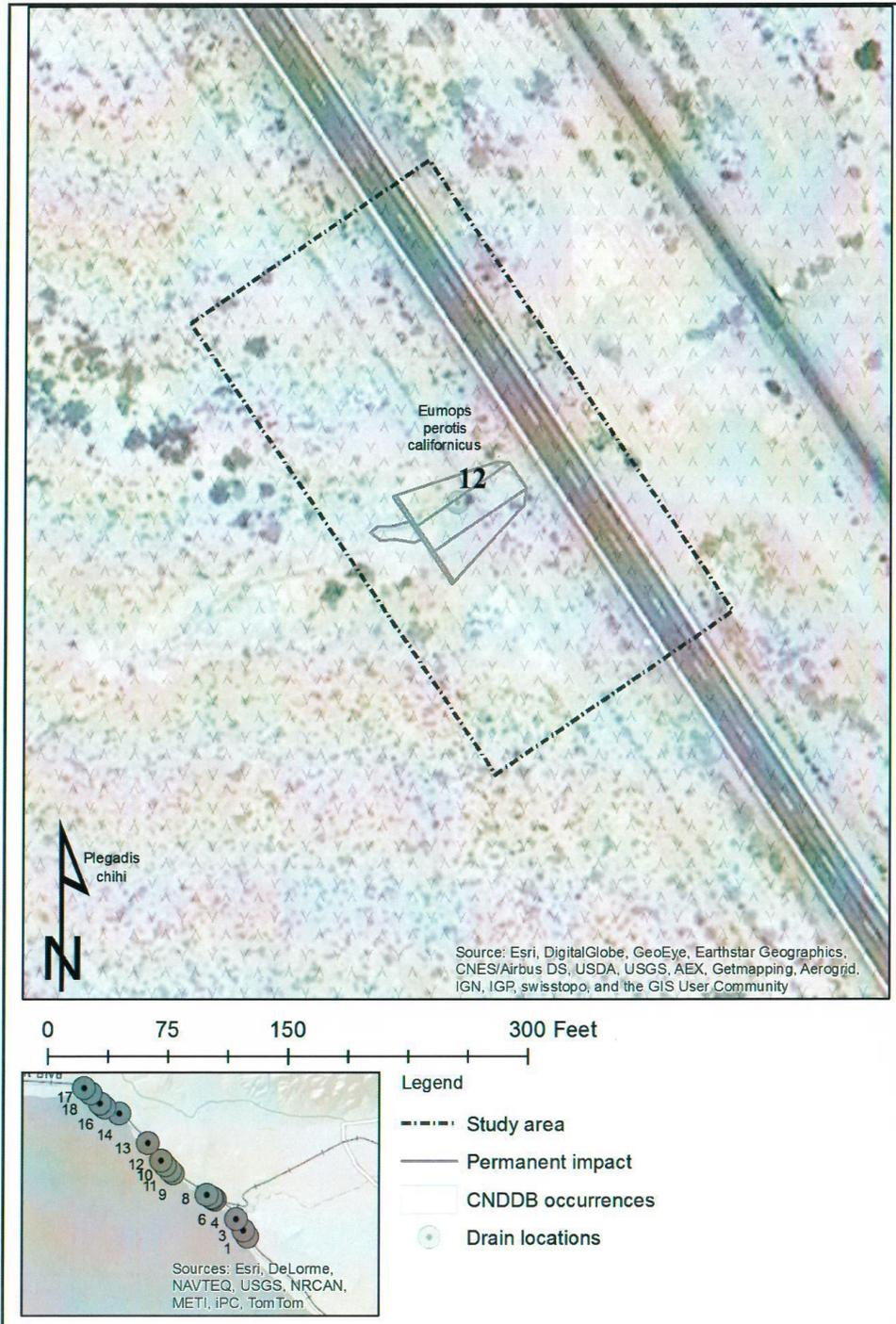
### 1C620 Drain # 10



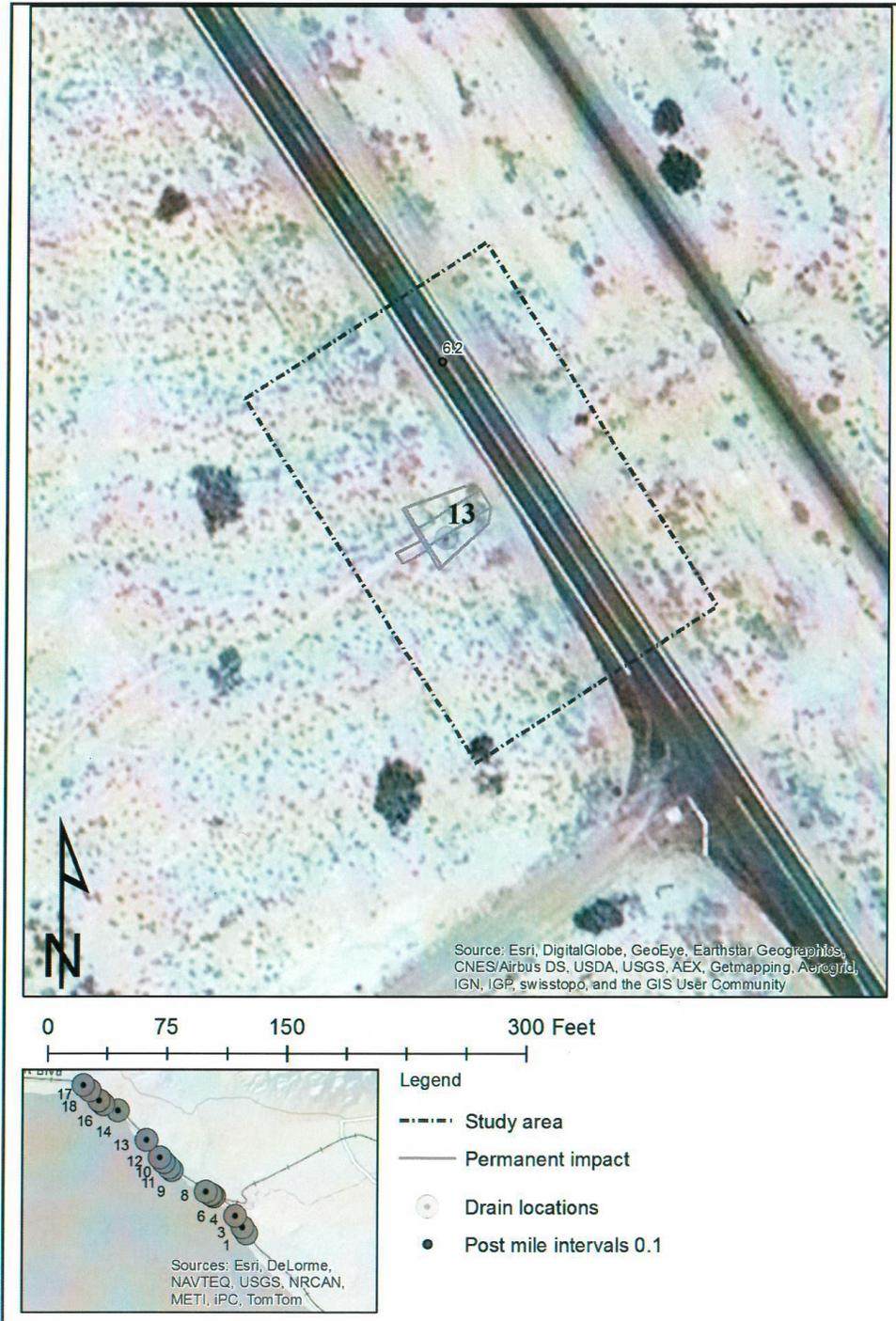
### 1C620 Drain # 11



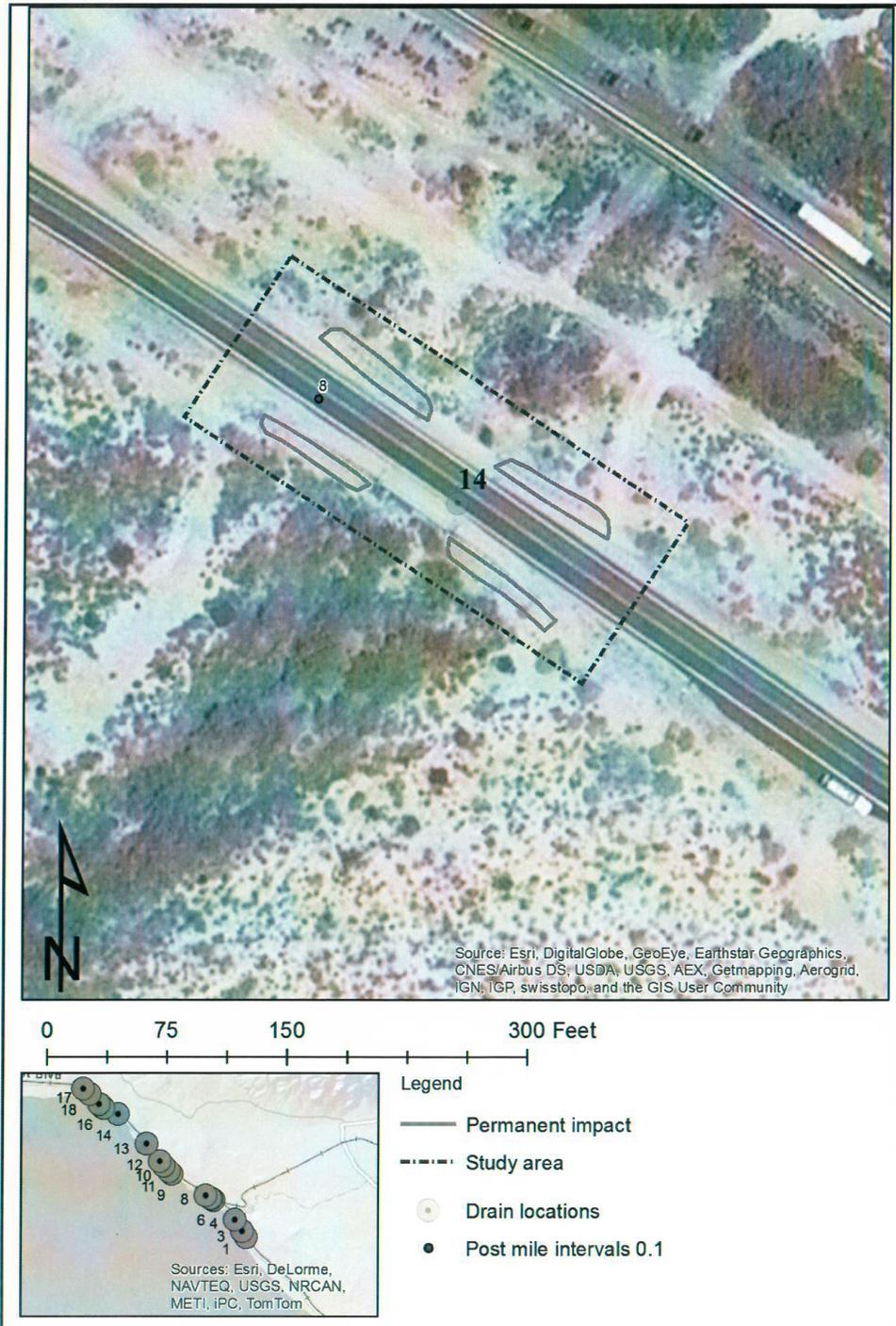
### 1C620 Drain # 12



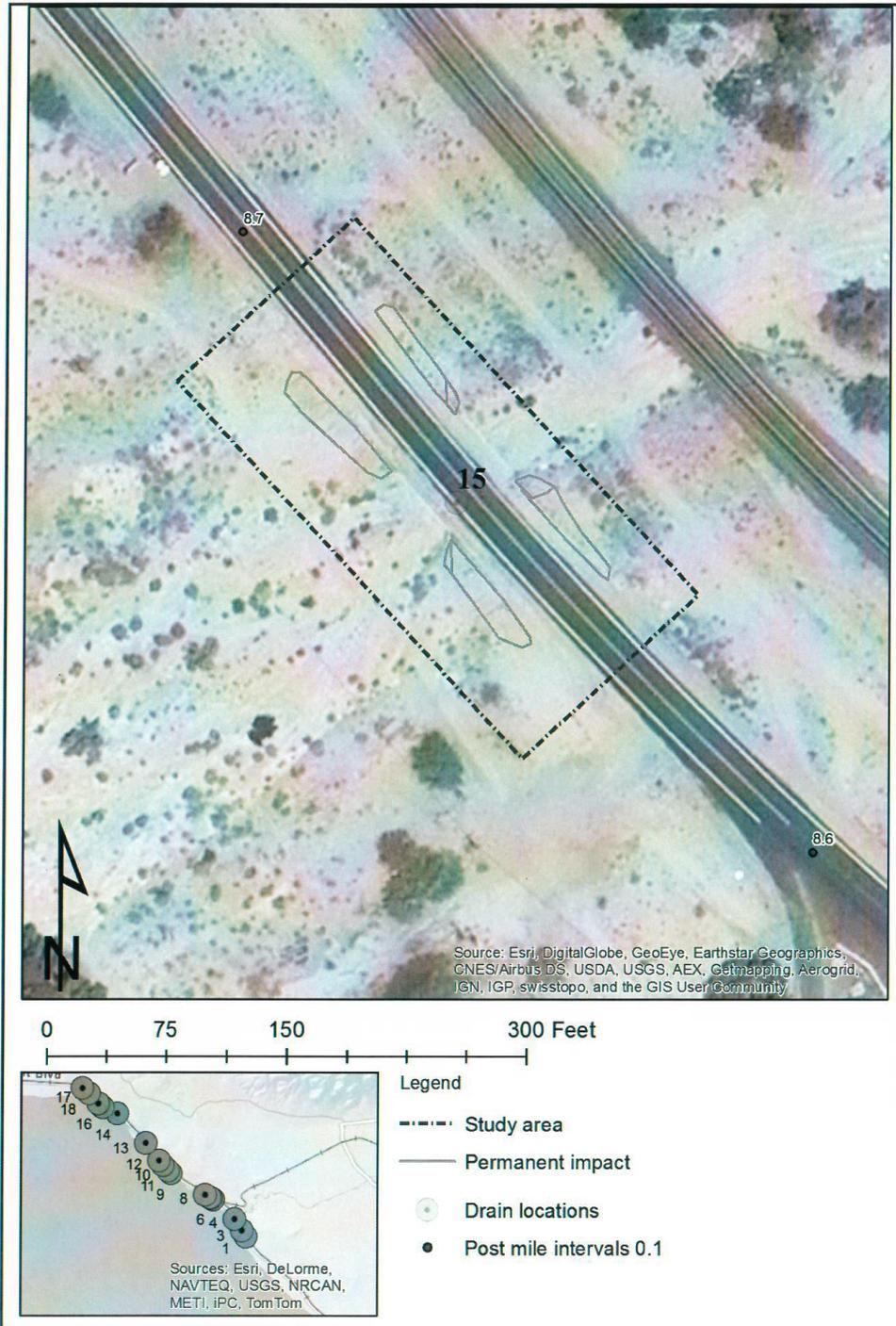
### 1C620 Drain # 13



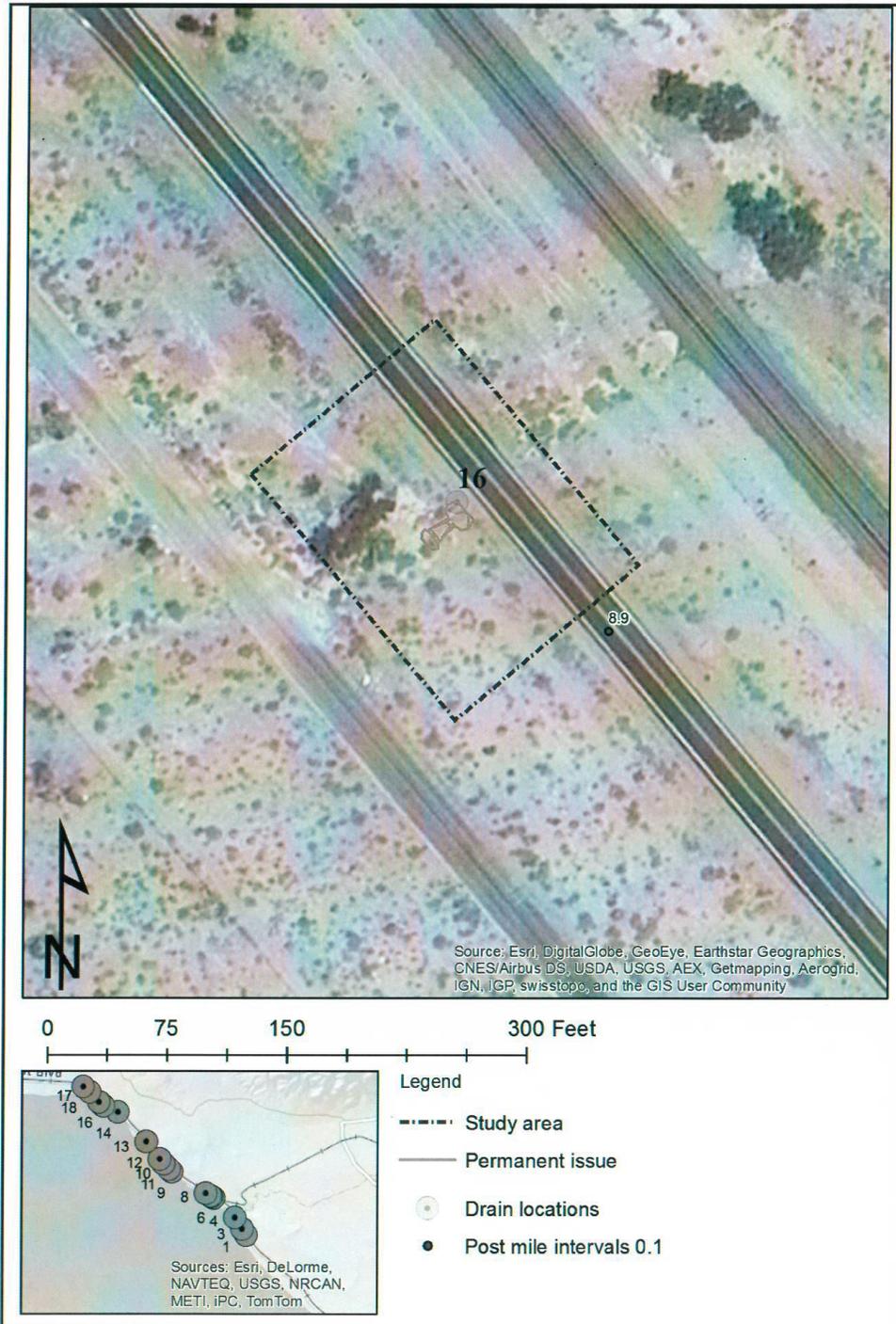
### 1C620 Drain # 14



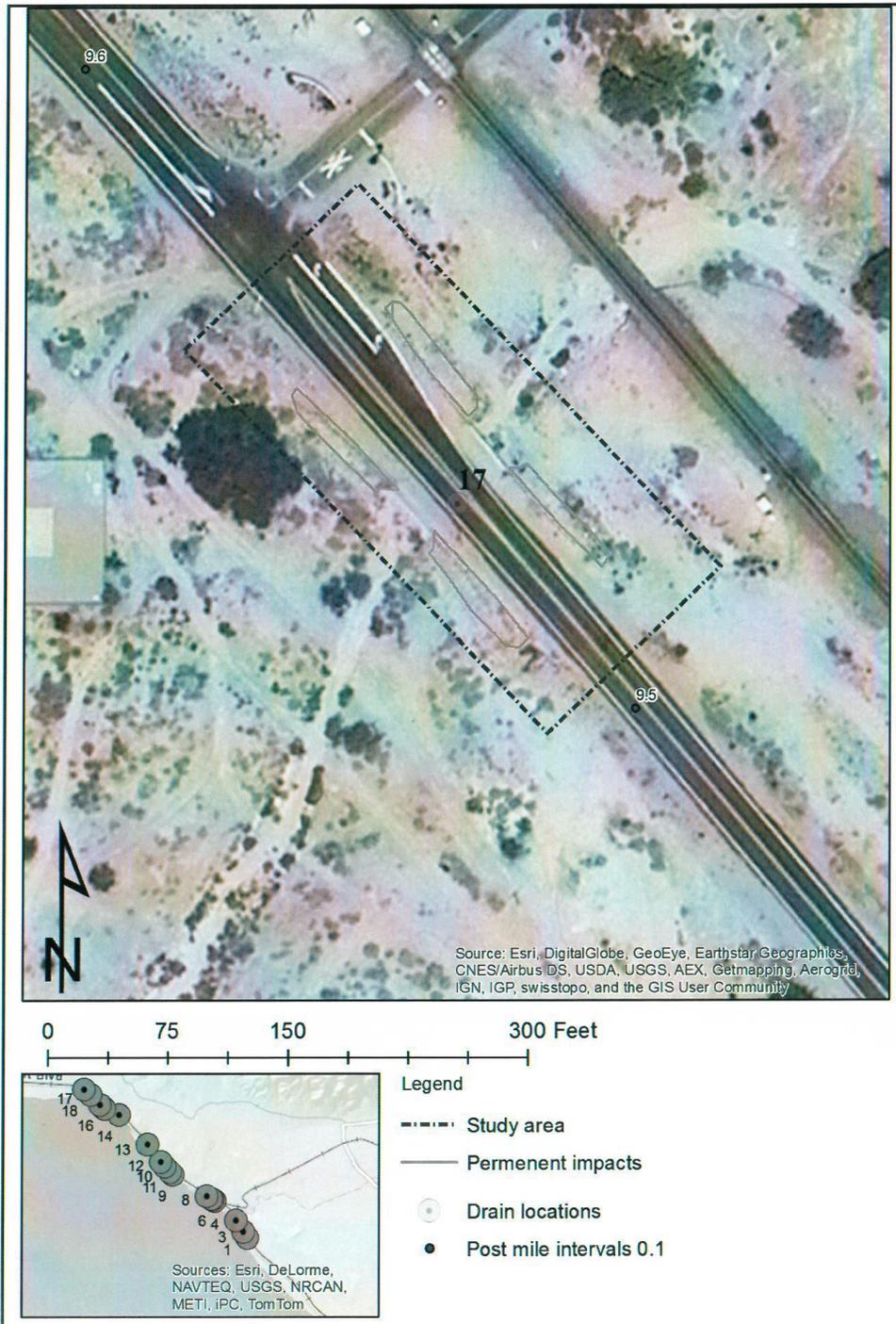
### 1C620 Drain # 15



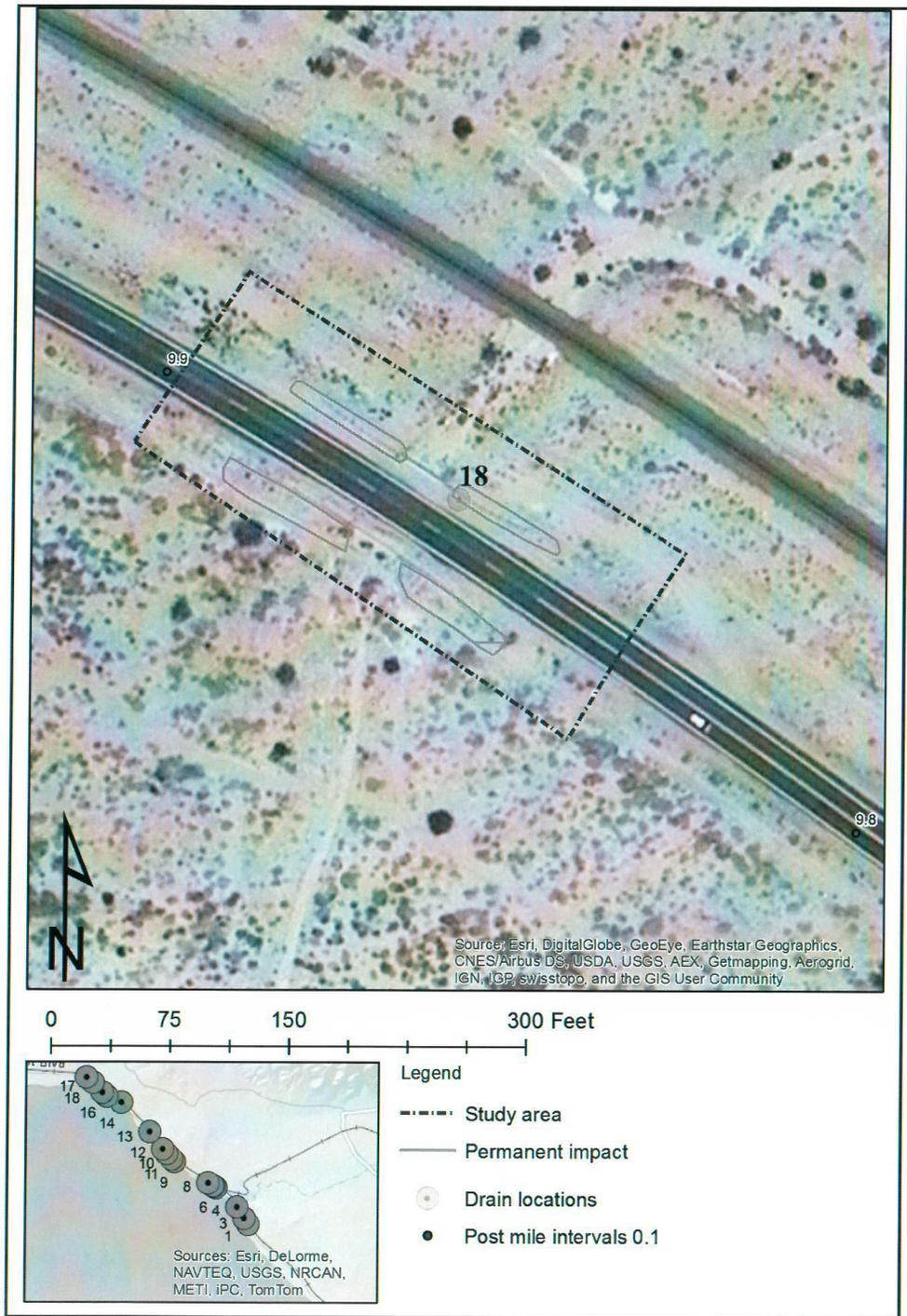
### 1C620 Drain # 16



### 1C620 Drain # 17



### 1C620 Drain # 18





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**Receiving Waters**

The following table shows the receiving waters associated with each impact and Permittee responsible mitigation site.

| <b>Table 1: Receiving Water(s) Information</b> |                |                |                                |   |                  |                                  |                        |                       |
|--|----------------|----------------|--------------------------------|---|------------------|----------------------------------|------------------------|-----------------------|
| 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 <sup>1</sup> |
| <input type="checkbox"/>                       | 1              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/>                       | 3              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/>                       | 4              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/>                       | 5              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |

<sup>1</sup> California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.

**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 <sup>1</sup> |
|--------------------------|----------------|----------------|--------------------------------|---|------------------|----------------------------------|------------------------|-----------------------|
| <input type="checkbox"/> | 6              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 7              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 8              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 9              | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 10             | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |

**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 <sup>1</sup> |
|--------------------------|----------------|----------------|--------------------------------|---|------------------|----------------------------------|------------------------|-----------------------|
| <input type="checkbox"/> | 11             | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 12             | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 13             | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 14             | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |
| <input type="checkbox"/> | 15             | No name        | Washes (Ephemeral streams)     | Hidden Spring Canyon Frontal Salton Sea | Salton Sea       | FRSH, GWR, REC, WILD             | None                   |                       |

**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 <sup>1</sup> |
|--------------------------|----------------|----------------|-----------------------------------|--|-------------------|----------------------------------|------------------------|-----------------------|
| <input type="checkbox"/> | 16             | <i>No name</i> | <i>Washes (Ephemeral streams)</i> | <i>Hidden Spring Canyon Frontal Salton Sea</i> | <i>Salton Sea</i> | <i>FRSH, GWR, REC, WILD</i>      | <i>None</i>            |                       |
| <input type="checkbox"/> | 17             | <i>No name</i> | <i>Washes (Ephemeral streams)</i> | <i>Hidden Spring Canyon Frontal Salton Sea</i> | <i>Salton Sea</i> | <i>FRSH, GWR, REC, WILD</i>      | <i>None</i>            |                       |
| <input type="checkbox"/> | 18             | <i>No name</i> | <i>Washes (Ephemeral streams)</i> | <i>Hidden Spring Canyon Frontal Salton Sea</i> | <i>Salton Sea</i> | <i>FRSH, GWR, REC, WILD</i>      | <i>None</i>            |                       |

**Individual Direct Impact Locations**

| The following table shows individual impact locations. <b>Table 2: Individual Direct Impact Information</b> |          |            |                                      |                          |                        |        |             |             |                 |             |             |
|---|----------|------------|--------------------------------------|--------------------------|------------------------|--------|-------------|-------------|-----------------|-------------|-------------|
| 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 |
| 1: 1  | 33.42940 | -115.83305 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0023          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.018           |             | 78          |
| 2: 3  | 33.43328 | -115.83433 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0023          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.010           |             | 43          |
| 3: 4  | 33.44145 | -115.84057 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0034          |             | 15          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.015           |             | 45          |
| 4: 5  | 33.45454 | -115.85530 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0014          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.003           |             | 19          |
| 5: 6  | 33.45523 | -115.85675 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0014          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.002           |             | 17          |
| 6: 7  | 33.45581 | -115.85772 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0014          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.017           |             | 125         |
| 7: 8  | 33.45790 | -115.86109 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0014          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.013           |             | 94          |
| 8: 9  | 33.47221 | -115.88410 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0023          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.005           |             | 19          |
| 9: 10   | 33.47394 | -115.88621 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0023          |             | 10          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.006           |             | 24          |
| 10: 11  | 33.47800 | -115.88980 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0034          |             | 15          |
|   |          |            |                                      |                          | Permanent              |        |             |             | 0.014           |             | 40          |

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 |
| 11: 12         | 33.48123 | -115.89229 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0034          |             | 15          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0.035           |             | 100         |
| 12: 13         | 33.49275 | -115.90143 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0034          |             | 15          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0.023           |             | 63          |
| 13: 14         | 33.51286 | -115.92104 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0046          |             | 20          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0               |             | 0           |
| 14: 15         | 33.51681 | -115.93049 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0092          |             | 40          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0               |             | 0           |
| 15: 16         | 33.52001 | -115.93436 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0011          |             | 10          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0.004           |             | 32          |
| 16: 17         | 33.52692 | -115.94108 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0046          |             | 20          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0               |             | 0           |
| 17: 18         | 33.53012 | -115.94535 | <input checked="" type="checkbox"/>  | <input type="checkbox"/> | Temporary              |        |             |             | 0.0046          |             | 20          |
|                |          |            |                                      |                          | Permanent              |        |             |             | 0               |             | 0           |

**Compensatory Mitigation Information**

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

**Permittee Responsible Compensatory Mitigation Site Information**

| <b>Table 3: Onsite Permittee Responsible Compensatory Mitigation<sup>2</sup></b> |      |       |                       |                     |                     |             |
|--|------|-------|-----------------------|---------------------|---------------------|-------------|
| Impact Site ID   | Lat. | Long. | Aquatic Resource Type | Mitigation Method   | Mitigation Quantity |             |
|  |      |       |                       |                     | Acres               | Linear Feet |
| All sites  |      |       | Ephemeral Wash        | Habitat Enhancement | 0.5                 | N/A         |
|  |      |       |                       |                     |                     |             |
|  |      |       |                       |                     |                     |             |
|  |      |       |                       |                     |                     |             |

<sup>2</sup> Mitigation site is analyzed in the Project CEQA document and CDFW Streambed Alternation Agreement.



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## **FINDINGS FOR CEQA EXEMPT PROJECTS**

Caltrans adopted a Categorical Exemption, Class 1(d) – Existing facilities (PRC 21084; 14 CCR 15300 et seq) for the project on June 20, 2016.

The Colorado River Basin Water Board has review the 401 Water Quality Certification application materials submitted, and has independently determined that the Project is categorically exempt from review under CEQA pursuant to section 21084 of the Public Resources Code and California Code of Regulations, title 14, section 15301 because it constitutes a repair to publically owned service facilities necessary to maintain service essential to public health, safety, or welfare.

In accordance with CEQA Guidelines section 15062, the Colorado River Basin Water Board will file a Notice of Exemption with the Office of Planning and Research upon approval of the CWA section 401 WQC

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

|  |             |  |   |
|--|-------------|--|---|
| 08-Riv-111   | 0.00/0/10.5 | 1C620/0812000337                         | 150209  |
| Dist.-Co.-Rte. (or Local Agency)   | P.M./P.M.   | E.A/Project No.                          | Federal-Aid Project No. (Local Project)/Project No. |
| <b>PROJECT DESCRIPTION:</b> (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use Continuation Sheet, if necessary.)  |             |  |   |
| <p>The project proposes to provide slope stabilization and sediment source control on State Route (SR) 111 in Riverside County to minimize sediment transportation into the Salton Sea via storm water runoff. Sediment stabilization will be attained through the installation of permanent erosion control measures. Sediment source control will be attained through the use of an effective combination of Best Management Practices.</p>  |             |  |   |
| <b>CEQA COMPLIANCE</b> (for State Projects only)   |             |  |   |
| Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply (See 14 CCR 15300 et seq.):   |             |  |   |
| <ul style="list-style-type: none"> <li>• If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.</li> <li>• There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.</li> <li>• There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.</li> <li>• This project does not damage a scenic resource within an officially designated state scenic highway.</li> <li>• This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").</li> <li>• This project does not cause a substantial adverse change in the significance of a historical resource.</li> </ul> |             |  |   |
| <b>CALTRANS CEQA DETERMINATION</b> (Check one)   |             |  |   |
| <input type="checkbox"/> <b>Exempt by Statute.</b> (PRC 21080[b]; 14 CCR 15260 et seq.)  |             |  |   |
| Based on an examination of this proposal, supporting information, and the above statements, the project is:  |             |  |   |
| <input checked="" type="checkbox"/> <b>Categorically Exempt. Class 1 d.</b> (PRC 21084; 14 CCR 15300 et seq.)  |             |  |   |
| <input type="checkbox"/> <b>Categorically Exempt. General Rule exemption.</b> [This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061[b][3].)]  |             |  |   |
| Kurt Heidelberg  |             | Jane Tien                                |   |
| Print Name: Environmental Branch Chief   |             | Print Name: Project Manager/DLA Engineer |   |
| _____  |             | _____                                    |   |
| Signature  |             | Signature                                |   |
| 6/20/16  |             | 6/20/16                                  |   |
| Date   |             | Date                                     |   |
| <b>NEPA COMPLIANCE</b>   |             |  |   |
| In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:  |             |  |   |
| <ul style="list-style-type: none"> <li>• does not individually or cumulatively have a significant impact on the environment as defined by NEPA and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and</li> <li>• has considered unusual circumstances pursuant to 23 CFR 771.117(b).</li> </ul>  |             |  |   |
| <b>CALTRANS NEPA DETERMINATION</b> (Check one)   |             |  |   |
| <input checked="" type="checkbox"/> <b>23 USC 326:</b> The State has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the project is categorically excluded from the requirements to prepare an environmental assessment or environmental impact statement under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated June 07, 2013, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:   |             |  |   |
| <input type="checkbox"/> 23 CFR 771.117(c): activity (c) ( )   |             |  |   |
| <input type="checkbox"/> 23 CFR 771.117(d): activity (d) ( )   |             |  |   |
| <input checked="" type="checkbox"/> <b>Activity 1 listed in Appendix A of the MOU between FHWA and the State</b>   |             |  |   |
| <input type="checkbox"/> <b>23 USC 327:</b> Based on an examination of this proposal and supporting information, the State has determined that the project is a CE under 23 USC 327.   |             |  |   |
| Kurt Heidelberg  |             | Jane Tien                                |   |
| Print Name: Environmental Branch Chief   |             | Print Name: Project Manager/DLA Engineer |   |
| _____  |             | _____                                    |   |
| Signature  |             | Signature                                |   |
| 6/20/16  |             | 6/20/16                                  |   |
| Date   |             | Date                                     |   |
| Date of Categorical Exclusion Checklist completion:  |             | Date of ECR or equivalent :              |   |

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., CE checklist, additional studies and design conditions).

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM  
Continuation Sheet**

Continued from page 1:

**Air Quality : MEMORANDUM- May 31-2016**

This Project is exempt from all emissions analysis per Table 1 of the Carbon Monoxide (CO) Protocol (Table 2 of 40 CFR 93.126). Therefore, An air quality report is not needed.

**BIOLOGICAL RESOURCES: NATURAL ENVIRONMENT STUDY (Minimal Impacts) – June 6, 2016  
DELINEATION OF JURISDICTIONAL WATERS – May 24, 2016**

No mitigation is required; however, the following avoidance and/or minimization measures will be implemented to minimize potential impacts and to be included in the Environmental Commitments Record (ECR):

**Avoidance and Minimization Effort / Compensatory Mitigation**

**Bio-1:** Biologist must conduct environmental training for special status species and habitats.

**Bio-2:** Storm water systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

**Bio-3:** Land uses proposed adjacent to or within a conservation area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the conservation area.

**Bio-4:** For proposed development adjacent to or within a conservation area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate.

**Bio-5:** Proposed development adjacent to or within a conservation area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent conservation area.

**Bio-6:** Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a conservation area.

**Bio-7:** Prior to ground disturbance or other activities outside of the graded median, a biologist will survey the study area, proposed construction site, and access areas for presence of nesting birds.

**Bio-8:** If an active nest is located during surveys, the appropriate buffer will be implemented for the species. 300 feet for passerine birds and 500 feet for raptors.

**Bio-9:** Environmentally Sensitive Area (ESA) fencing will be placed around active nests as directed by the biologist and in accordance with project safety requirement.

**Bio-10:** Environmentally Sensitive Area (ESA) fencing will be installed in locations as per Caltrans resident engineer and biologist. The ESA will be installed within the state ROW. These ESAs are to designate areas

February 12, 2014

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**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM  
 Continuation Sheet**

to be avoided. Heavy equipment, including motor vehicles, would not be allowed to operate within the ESAs. No structure of any kind, or incidental storage of equipment or supplies, would be allowed within these ESAs. No work crew will be allowed to walk, move, or otherwise work in the ESAs.

**Bio-11:** Preconstruction surveys for bats by a Caltrans’ biologist will be conducted.

**Bio-12:** If preconstruction surveys detect the presence of bats, consultation with the California’s Department of Fish and Wildlife (CDFW) would be re-initiated and a construction window may be required until the young have fledged.

| <b>Biological Permits and Approvals Needed</b>           |  |  |
|--|--|--|
| <b>Agency</b>  | <b>Permit/Review/Approval</b>  | <b>Status</b>  |
| United States Army Corps of Engineers (USACE)            | Section 404 Nationwide Permit in compliance with The Clean Water Act (NWP 14)  | Expected Submittal Date:<br>Expected Date of Receipt:<br>Actual Date of Receipt: |
| California Regional Water Quality Control Board (CRWQCB) | Section 401 Water Quality Certification in compliance with The Clean Water Act | Expected Submittal Date:<br>Expected Date of Receipt:<br>Actual Date of Receipt: |
| California Department Of Fish and Wildlife (CDFW)        | Section 1602 Streambed Alteration Agreement                                    | Expected Submittal Date:<br>Expected Date of Receipt:<br>Actual Date of Receipt: |

With set avoidance and minimization measures in the project area being implemented and the absence of suitable habitat, Caltrans’s project will have ‘No Effect’ any federally listed species: Triple ribbed milk vetch, desert pup fish, and Yuma clapper rail. Caltrans’s project will have no ‘Take’ to any state listed species: Desert pup fish, California black rail, flat tailed horned lizard, and Yuma clapper rail.

Changes in the project description, planning, design, or construction will require further evaluation and written documentation from the district’s biologist in order to comply with State and Federal Natural Resource Laws.

Caltrans 2015 standard specifications for construction projects requires the contractor to implement invasive controls for their equipment and imported materials.

**Cultural Resources:**      **Historic Property Survey Report (HPSR) – June 10,2016**  
    **Archaeological Survey Report (ASR) – June 10, 2016**  
    **Native American Heritage Consultation –June 7, 2016**

Caltrans in accordance with Section 106 Programmatic Agreement Stipulation VIII.B, has determined that there are no cultural resources present in the APE and /or there are properties within the APE that are exempt from evaluation;

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM  
Continuation Sheet**

State route 111 was approved and constructed in the early 1930s. this highway connected various communities within the Inland Desert Region. in the section of SR-111 have undergone evaluation and have been determined not eligible. The section of SR-111 included in this project has been part of various project which included work on culverts,, metal beam Guard rail, and end treatments.

Caltrans, pursuant to Section 106 Programmatic Agreement Stipulation IX.A, has determined a Finding of No Historic Properties Affected is appropriate for this undertaking because there are no historic properties within the APE/the following Historic Properties will not be affected.

Andrew Walters who meets the Professionally Qualified Staff Standards in PRC 5024 Memorandum of Understanding Attachment 11 as Principal Architectural, and pursuant to PRC 5024 Memorandum of Understanding Stipulation V111.C.1 and Attachment 4, has determined that there are State-owned cultural resources within the Project Area Limits that are exempt from evaluation because they meet the criteria of Resource Types 3 through 7, as set forth in the PRC 5024 Memorandum of Understanding Attachment 4 (Properties Exempt from Evaluation. ).the State -owned cultural resource type(s) have been recorded pursuant to Stipulation VIII.C.1: State Route 111, Riverside County PM0.0/10.5

Caltrans , pursuant to PRC 5024 Memorandum of Understanding Stipulation IX.A2, has determined that Finding of NO State-owned Historical Resources Affected is appropriate because there are no State-owned Historical Resources within the APE /the following State -owned Historical Resources(s) are within the APE but the undertaking will have no effect on it/them [List the resource(s) and state whether or not they are on the Master List]

State Route 111, Riverside County PM0.0/10.5, this resource is not on the Master List.

The following measures apply to this project and are to be included in the Environmental Commitments Record (ECR):

- CR-1: If buried cultural resources are encountered during Project Activities, it is Caltrans policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.
- CR-2: In the event that human remains are found, the county coroner shall be notified and ALL construction activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). The person who discovered the remains will contact the District 8 Division of Environmental Planning; Gabrielle Duff, DEBC: (909)383-6933 and Gary Jones, DNAC: (909)383-7505. Further provisions of PRC 5097.98 are to be followed as applicable.

**Noise : MEMORANDUM- May 31-2016**

This project is a Type III project per Traffic Noise analysis Protocol. It is exempt from Traffic noise analysis. Under 23 CFR 772.7, therefore a Noise study not needed.

**Hazardous Waste: MEMORANDUM- March 19-2016**

This project is considered low risk with no potential to affect the project area.

The following measures apply to this project and are to be included in the Environmental Commitments Record (ECR):

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**  
**Continuation Sheet**

- SSP7-1.02K(6)(i)(iii) for Lead Compliance Plan in the PS&E
- 14-11.12 Remove Yellow Traffic Stripe and Pavement Markings with hazardous waste Residue
- 14-11.12 For the removal and disposal Treated Wood Waste sign as sign posts and guardrail posts
- 36-4 Residue Containing Lead from Paint& Thermoplastic
- 84-9.03C Remove Traffic Stripes and Pavement Marking Containing Lead

In conjunction with the results of the above technical documentation, the Avoidance, Minimization, and/or Mitigation Measure(s) included in the initial Environmental Commitments Record (ECR) prepared for this project (and attached separately), will be implemented during the Final Design (Plans, Specifications, and Estimates) and/or the Construction phase(s) of this project, as applicable. If it is determined that revisions to the ECR are required for this project during the Final Design phase (PS&E), or the Construction phase, the ECR will be updated accordingly.

Changes to the project's scope of work, limits, construction strategy and/or staging and storage requirements, and/or the timeframe of construction, as well as Final Design (PS&E) efforts not addressed during preliminary engineering (PA&ED), will require that the District's Division of Environmental Planning be notified in a timely manner, to determine if an Environmental Re-Evaluation (including possible updates to the original Technical Studies performed, or preparation of new Technical Studies) is required.

Attachment D  
Signatory Requirements

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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 Colorado River Basin Water Quality Control Board (Colorado River Basin 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 State Water Board Staff Contact prior to submitting any documents listed in item 1 above.
3. Any person signing a document under this section shall make the following certification:

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

Notice of Exemption

Attachment E

To: [X] Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: Colorado River Basin Regional Water Quality Control Board
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

To: [ ] County Clerk

Project Title: Caltrans – State Route 111 Sediment Control Project WDID No. 7A333173001

Project Location – Specific: SR-111 near North Shore, Riverside County within the Colorado River Basin Regional Water Quality Control Board-jurisdictional boundaries. (Longitude/ Latitude: W 115° 53' 23.064"/ N 33° 28' 40.872")

Project Location - City: Near North Shore

Project Location – County: Riverside County.

Description of Nature, Purpose, and Beneficiaries of Project: The Department of Transportation (Caltrans) has a project to conduct State Route 111 Sediment Control Project (Project). The Caltrans annually inspects roadside slopes to identify chronic erosion problems. The State Wide National Pollutant Discharge Elimination System (NPDES) permit (# 99-06-DWQ) requires Caltrans to maximize erosion control and soil stabilization on state facilities. The existing facility was designed and built without water quality treatment devices. Bare slopes within the project limits have erosive soils and lack sufficient vegetation. The objective of this project is to comply with the state wide NPDES and requirements to stabilize to the maximum extent possible, slopes having chronic erosion problems. Source controls will minimize the amount of sediment from Caltrans' facilities that discharges into the Salton Sea via storm water runoff. The proposed project proposes to fix the scours, fill the gullies, and protect the drainage facility with rock slope protection (RSP) and 1 -3 inches of gravel. The project will require minor excavation and grading to the outfall areas of culverts to install rip rap for the sediment traps. Sediment traps will slow down the upstream storm water flows, settle sediments, and reduce the downstream gully erosion. All work will remain within the state's right of way (ROW). Caltrans will import soil to minimize excavation, reduce the foot print, and reduce disturbed soil areas. The work period is approximately 80 working days.

Name of Public Agency Approving Project: Colorado River Basin Regional Water Quality Control Board – 401 Certification

Name of Person or Agency Carrying Out Project: Caltrans

Exempt Status: (check one)

- [ ] Ministerial (Sec. 21080(b)(1); 15268);
[ ] Declared Emergency (Sec. 21080(b)(3); 15269 (a));
[ ] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Class 1, Existing Facilities, Section 15301(b) & (c)
[ ] Statutory Exemptions. California Code of Regulations, Title 14, Section §15282 (K) - the installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code

Reasons why project is exempt: The proposed project is statutorily exempt from the California Environmental Quality Act in accordance with California Code of Regulations, Title 14, Section 15282 (K) because the project includes the repair of an existing pipeline.

Lead Agency:

Contact Person: Kai Dunn Area Code/Telephone/Extension: (760) 776-8986

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [ ] Yes [ ] No

Signature: [Handwritten Signature] Date: 6/20/17 Title: Senior Water Resources Control Engineer

- [X] Signed by Lead Agency Date received for filing at OPR:
[ ] Signed by Applicant