



Colorado River Basin Regional Water Quality Control Board

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

**Effective Date:** January 25, 2018

Reg. Meas. ID:	417196
Place ID:	841789
WDID:	7A333179001
USACOE#:	NWP#12

**Program Type:** Fill/Excavation

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

**Project:** Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station Project

**Applicant:** Coachella Valley Water District  
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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
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## **I. Order**

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued by the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) at the request of Coachella Valley Water District (CVWD or Permittee) for the Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station Project (Project). This Order is for the purpose described in the application submitted by the Permittee. The application was received on November 28, 2017 and deemed complete on December 5, 2017.

## **II. Public Notice**

Public Notice (12-5-2017) was issued on December 5, 2017 and completed on December 26, 2017.

## **III. Project Purpose**

The primary purpose of the Project is to increase the supply of domestic water to the communities of Salton Sea Beach, Desert Shores, and Salton City, as well as to several unincorporated communities in Riverside and Imperial Counties, through the construction of a 7-mile domestic water transmission pipeline and pump station. The Project will also consolidate CVWD's Improvement District No. 11 (ID11) public water system with CVWD's Cove Community public water system. .

## **IV. Project Description**

CVWD proposes to install, operate, and maintain a 30-inch domestic water transmission pipeline along Harrison Street from Avenue 74 south to Avenue 86, near the unincorporated communities of Thermal and Oasis within Riverside County. The pipeline will be installed utilizing the open-cut trench method, jack and bore method, and aerial pipeline method. The Project also includes the construction of a pump station on a 4.25-acre, CVWD-owned parcel, located near the southeast intersection of Harrison Street and Avenue 80. The Project likewise includes the construction of a new domestic drinking pipeline, and underground and surface appurtenances for the new facilities. Generally, facilities will be located adjacent to a pipeline or at other locations with existing access roads to the site.

## **V. Project Location**

The Project is located westerly of State Highway 86 (SH 86) between Avenue 74 and Avenue 86 along Old Highway 86 (Harrison Street), private property adjacent to SH 86, and the Lincoln Street right-of-way (ROW) in the unincorporated community of Thermal in Riverside County, California (U.S. Geological Survey (USGS) 7.5-minute quadrangle in Sections 2, 11, 13, 14, 19, 24, 29, 30, 31, and 32, Township 8 South, Ranges 8 and 9 East, Oasis [latitude 33° 25' 34.01"N; longitude 116° 4' 57.57"W]). The Project as originally conceived in 2012 has now been realigned to avoid Bureau of Indian Affairs allotted lands. 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 Colorado River Basin Water Board. Receiving waters and groundwater potentially impacted by the Project are protected in accordance with the applicable water quality control plan (Basin Plan) for the 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/). 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 anti-degradation policies.

Project impact and receiving waters information can be found in Attachment B. The Salton Sea is the receiving water.

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 U.S.**

The receiving body of water is the Salton Sea. There are no impacted aquatic resources.

Total U.S. Army Corps of Engineers (USACE) and Colorado River Basin Water Board jurisdiction associated with the Project site is 0.35 acres, none of which consists of jurisdictional wetlands.

A total of 526 linear feet of streambed is present in the Project site, consisting of several wash crossing areas. The Project has been designed to minimize these wash crossing areas by use of jack and bore and/or aerial pipeline installation methods for the pipeline. The wash crossing areas will undergo construction activities for a duration of 5-10 days. The pipeline will be installed below ground surface and then buried with native soils onsite. Post-pipeline installation, disturbances to wash crossing areas will be restored to pre-construction conditions by returning each area to original contours and soil surface conditions and by taking appropriate revegetation steps. All impacts to waters of the U.S. from the proposed Project are therefore considered temporary in nature.

Total Project fill/excavation quantities for all impacts are summarized in Table1.

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	0.35		394				N/A		
Vernal Pool									
Wetland									

**VIII. Avoidance and Minimization**

CVWD is required to use the Best Management Practices (BMPs) shown in Table 2 for wash crossing improvements to minimize the Project’s impact on water quality and to address anticipated and potential water quality issues that could arise as a result of the Project.

CVWD will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) pursuant to the statewide General Construction Permit (NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ, adopted September 2, 2009 and effective as of July 2, 2010) issued by the State Water Resources Control Board (SWRCB). Developed by a Qualified SWPPP Developer (QSD) and implemented onsite by a Qualified SWPPP Practitioner (QSP), the SWPPP will include measures like silt fencing, fiber rolls and sandbags, in addition to standard housekeeping measures that are appropriate for a linear project.

Temporary silt fencing and other BMPs, such as straw wattles, will be placed along the Project alignment during the construction period to delineate the Project footprint, prevent sediment from moving off-site, and minimize effects on jurisdictional waters.

Where vegetation is removed for construction, CVWD will revegetate disturbed areas, particularly where disturbed/Riversidean alluvial fan sage scrub habitat is found.

<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).

**Table 2 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 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	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 tranches or basins, depression areas for infiltration, bio-filters such as vegetated or rock swales.

**Table 2 BMPs**

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.

BMPs will be regularly monitored following installation in accordance with the County Standard Urban Stormwater Mitigation Plan (SUSMP) guidelines, and if any BMP is determined to be underperforming, an assessment will be made for correcting performance deficiencies. The property owner or the responsible party is responsible for scheduling and conducting maintenance of BMPs.

**IX. Compensatory Mitigation**

No permanent impacts or changes will occur within Waters of the U.S., therefore compensatory mitigation is not proposed for temporary impacts.

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

On November 13, 2012, CVWD, as lead agency, adopted an initial study/mitigated negative declaration (IS/MND) (State Clearinghouse (SCH) No. 2012101011) for the Project and filed a Notice of Determination (NOD) at the SCH on November 16, 2012. On March 28, 2017, CVWD approved an Addendum (SCH No. 2009041034) to the Project and filed a NOD at the SCH on March 29, 2017. 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.

The Colorado River Basin Water Board has determined that the Project, when implemented in accordance with the Mitigation Monitoring and Reporting Plan (MMRP) delineated in the IS/MND and the conditions in this Order, will not result in any significant adverse water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd (h).)

#### **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**

Application fees of \$720 and \$1,440 were received on November 2, 2017 and November 17, 2017, respectively. An additional fee of \$1,555 was received on January 19, 2018.

The total fee amount of \$3,715 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. Authorization**

1. Impacts to waters of the U.S. shall not exceed quantities shown in Table 1.
2. Work shall be performed under "no flow" conditions in the wash crossing areas to preclude potential impacts to water quality.
3. Permittee shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the State Water Resources Control Board Construction General Permit (Order No. 2009-0009-DWQ; NPDES No. CAS000002).
4. Permittee shall implement the BMPs described under Section VIII, Avoidance and Minimization.
5. Discharges of pollutants associated with construction-related storm water runoff are subject to National Pollutant Discharge Elimination System permitting under CWA Section 402. The discharger must file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the Construction General Permit.
6. The Order (Certification) for the proposed Project shall expire upon a) the expiration or retraction of the CWA section 404 (33 U.S.C. § 1344) permit issued by the USACE, or b) five (5) years from the date of issuance of this Order, whichever occurs first.

## 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 15<sup>th</sup> day of each month for duration of the construction phase (approximately 550 days). 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 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 1<sup>st</sup> of September. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee by 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 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 Basin 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.)



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 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).

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.
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 3 sampling parameters.<sup>5</sup>

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<sup>5</sup> 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 staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
Dissolved Oxygen	mg/L & % saturation	Grab	Every 4 hours
pH	Standard Units	Grab	Every 4 hours
Turbidity	NTU	Grab	Every 4 hours
Temperature	°F (or as °C)	Grab	Every 4 hours

- 4. Post-Construction:** The Permittee shall visually inspect the Project site during the rainy season 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 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).
7. The Permittee shall submit to the Colorado River Basin Water Board a signed copy of the CDFWS's Lake and Streambed Alteration Agreement for the Project prior to any discharge of wastes to waters of the U.S./state.

### **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.

## **G. Construction**

### **Good Site Management “Housekeeping”**

1. Good site management “housekeeping”, erosion control, sediment control, and other construction-related activities are described in Section VII.
2. A monitor shall be on site during grading, clearing, grubbing, trenching, construction, and decommissioning activities to prevent impacts to special-status species and other biological resources, as well as document and report any construction-related incidences.
3. After completing the activities, the disturbed area shall be restored to pre-existing contours and conditions to the extent feasible.

### **Hazardous Materials**

4. 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.
5. 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.

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

#### **Post-Construction Storm Water Management**

7. Work shall not be conducted during rain events.
8. Post-construction storm water management shall be protected through channel protection BMPs to protect the banks of the channels and slopes.

#### **Roads**

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

#### **H. Mitigation for Temporary Impacts**

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

#### XIV. Water Quality Certification

I hereby issue the Order for CVWD - Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station Project, 7A333179001 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.

*For* Frank Cisaj, AEO  
Jose L. Angel, P.E.  
Executive Officer  
Colorado River Basin  
Water Quality Control Board

1-19-18  
Date

- Attachment A** Maps
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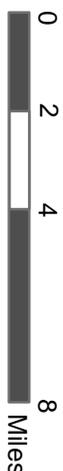


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Source: ESRI World Street Map



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



**APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN  
PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Regional Map

**GLENN LUKOS ASSOCIATES**

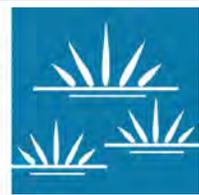
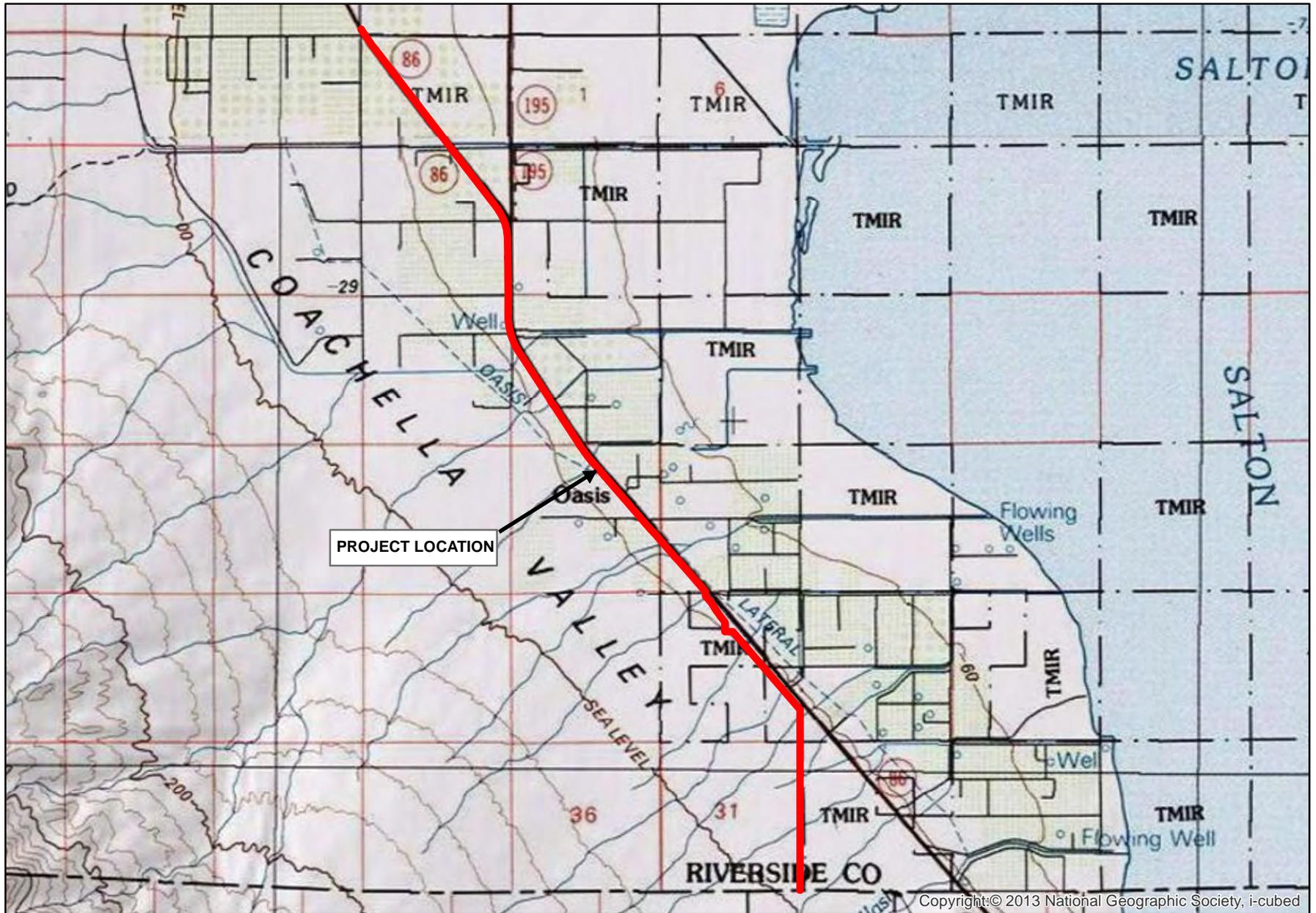
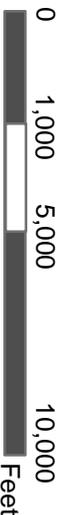


Exhibit 1

Adapted from USGS Mecca, Oasis, & Valerie CA quadrangles



Copyright © 2013 National Geographic Society, i-cubed

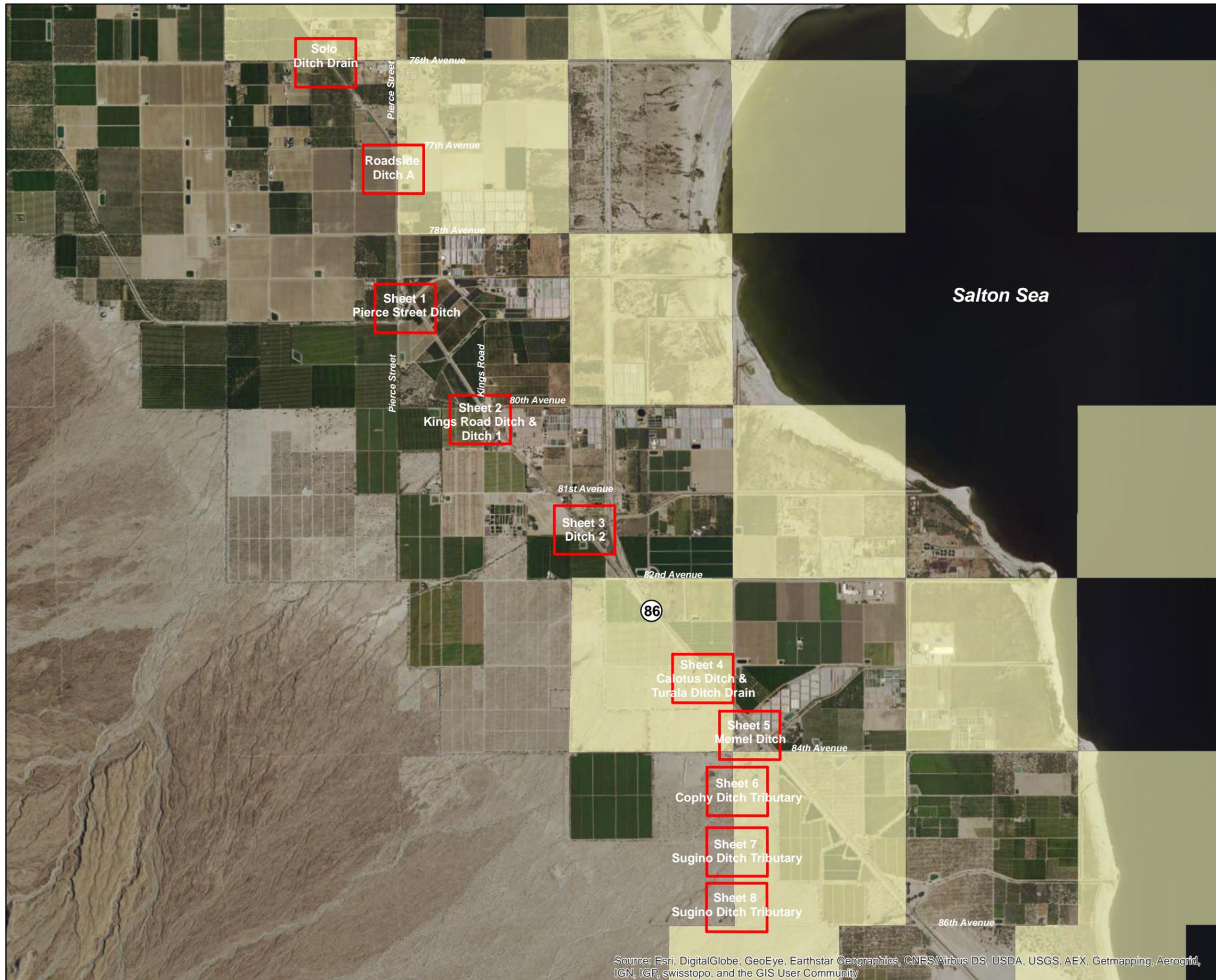
**APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN  
PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Vicinity Map

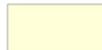
GLENN LUKOS ASSOCIATES

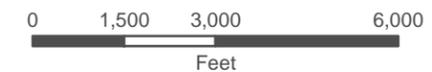


Exhibit 2



### Legend

 Torres Martinez Reservation



1 inch = 3,000 feet

Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

**APPROXIMATE 7-MILE LONG HIGHWAY 86  
 DOMESTIC WATER TRANSMISSION MAIN  
 PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

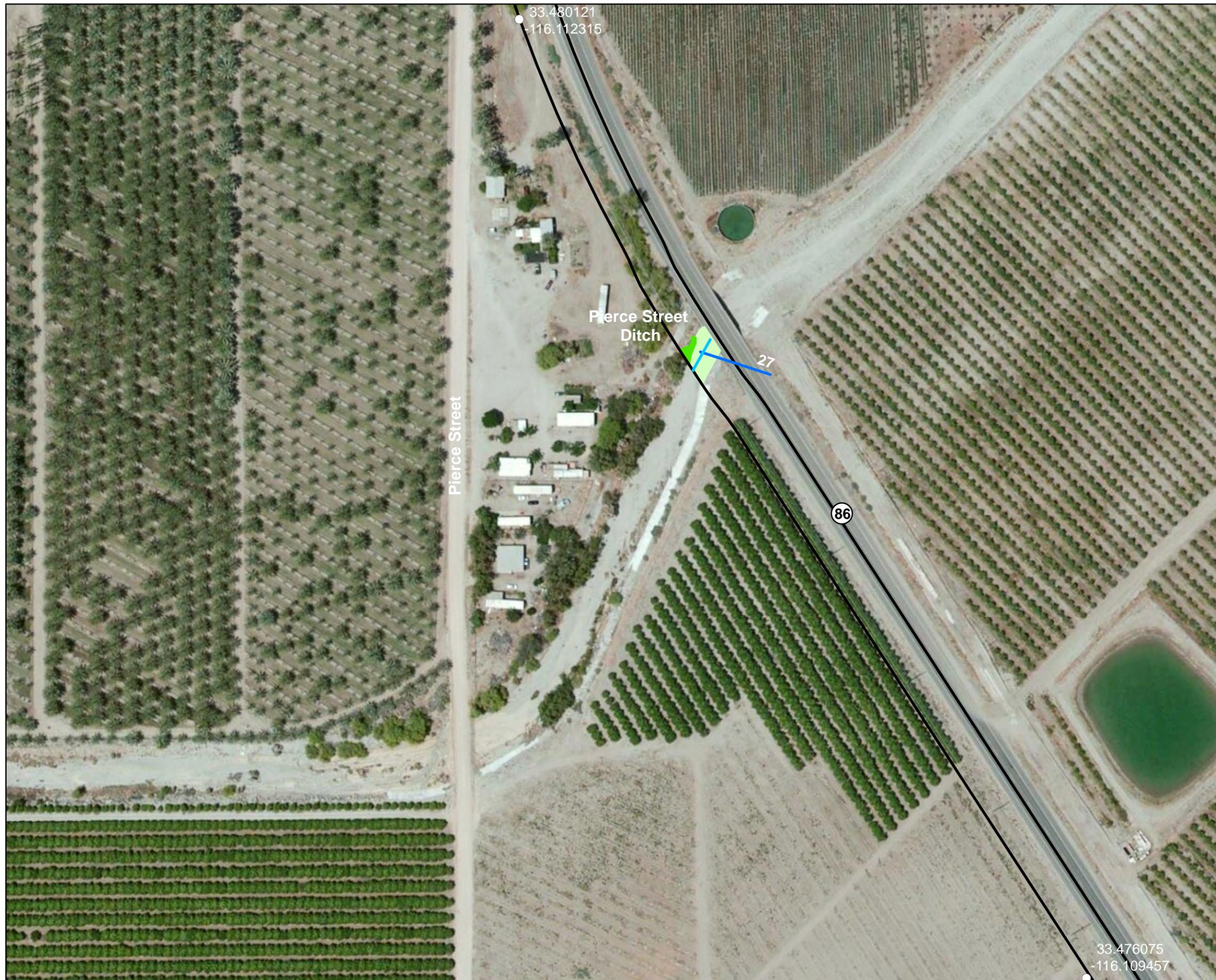
Key Map

GLENN LUKOS ASSOCIATES

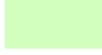


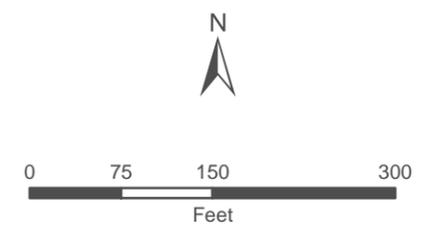
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Exhibit 3



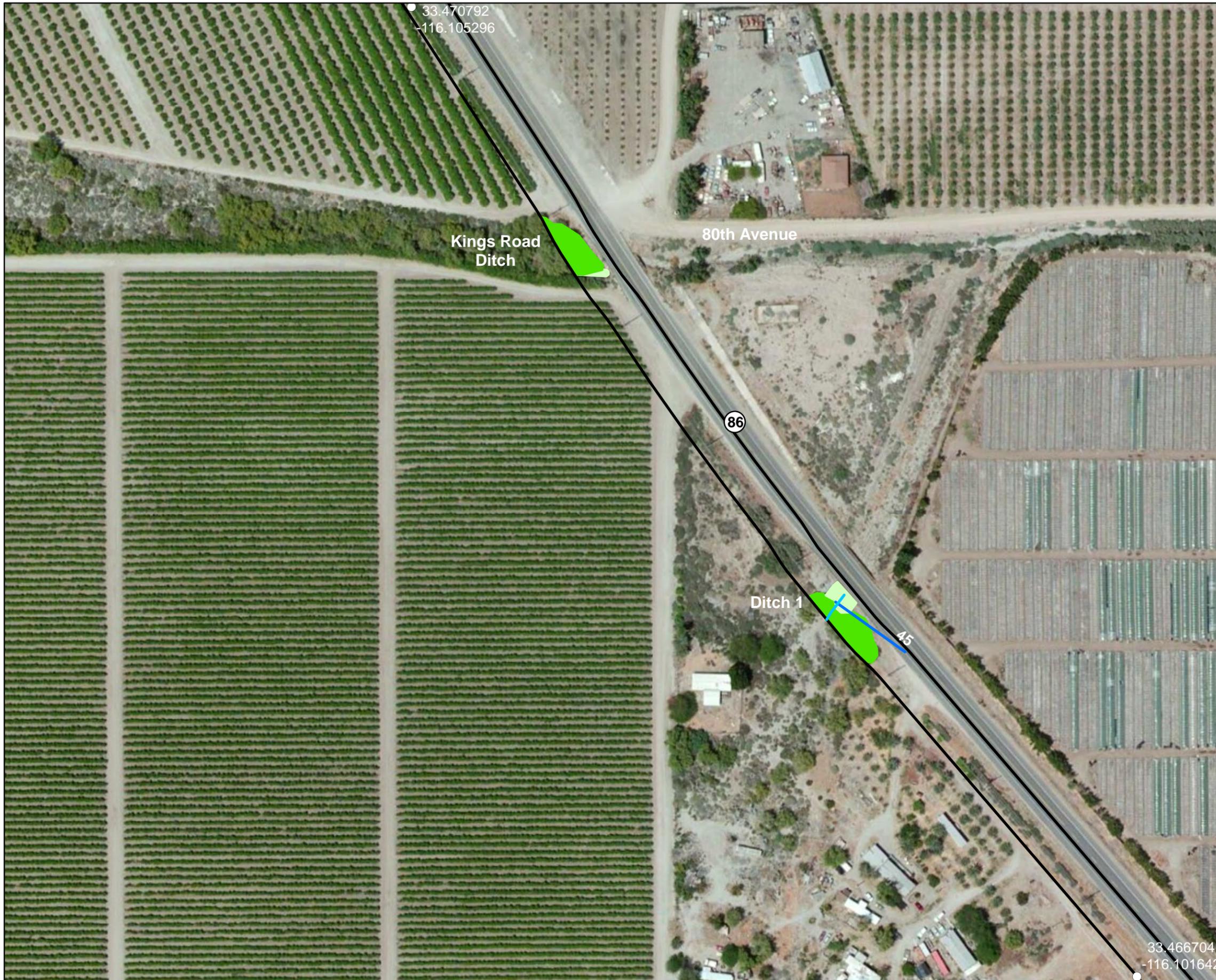
### Legend

-  Phase 2 Project Area
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  CDFW Unvegetated Streambed
-  CDFW Desert Wash Riparian
-  Latitude/Longitude

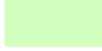


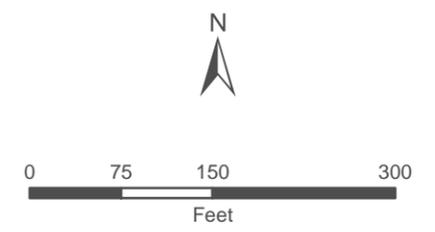
Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

**APPROXIMATE 7-MILE LONG HIGHWAY 86  
 DOMESTIC WATER TRANSMISSION MAIN  
 PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**  
 Jurisdictional Delineation Map



### Legend

-  Phase 2 Project Area
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  CDFW Unvegetated Streambed
-  CDFW Desert Wash Riparian
-  Latitude/Longitude



1 inch = 150 feet

Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

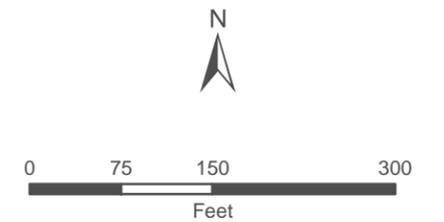
**APPROXIMATE 7-MILE LONG HIGHWAY 86  
 DOMESTIC WATER TRANSMISSION MAIN  
 PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**  
 Jurisdictional Delineation Map

X:\10363-THE REST\0938-02SR86\938-2\_GIS\Delineation\GIS\REV2\938-2\_Sheet2REV2.mxd



### Legend

-  Phase 2 Project Area
-  CDFW Unvegetated Streambed
-  CDFW Desert Wash Riparian
-  Latitude/Longitude



1 inch = 150 feet

Aerial Photo: ESRI Basemaps  
Date Prepared: May 6, 2016  
Prepared by: K. Kartunen, Glenn Lukos Associates

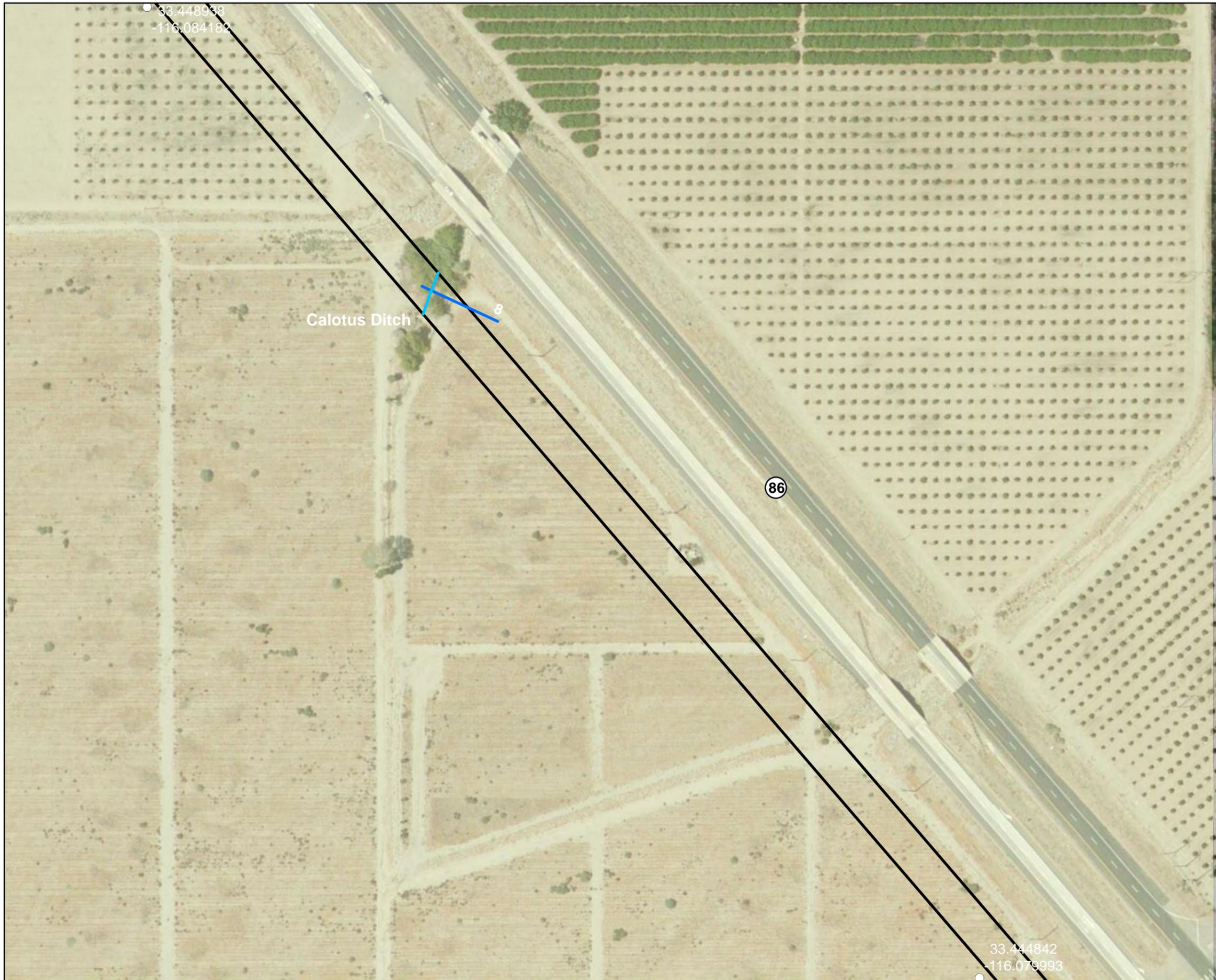
**APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN  
PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES



Exhibit 3 - Sheet 3



33.448938  
-116.084182

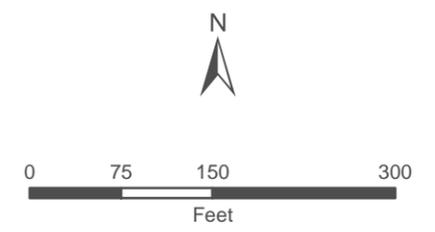
Calotus Ditch

86

33.444842  
-116.079993

### Legend

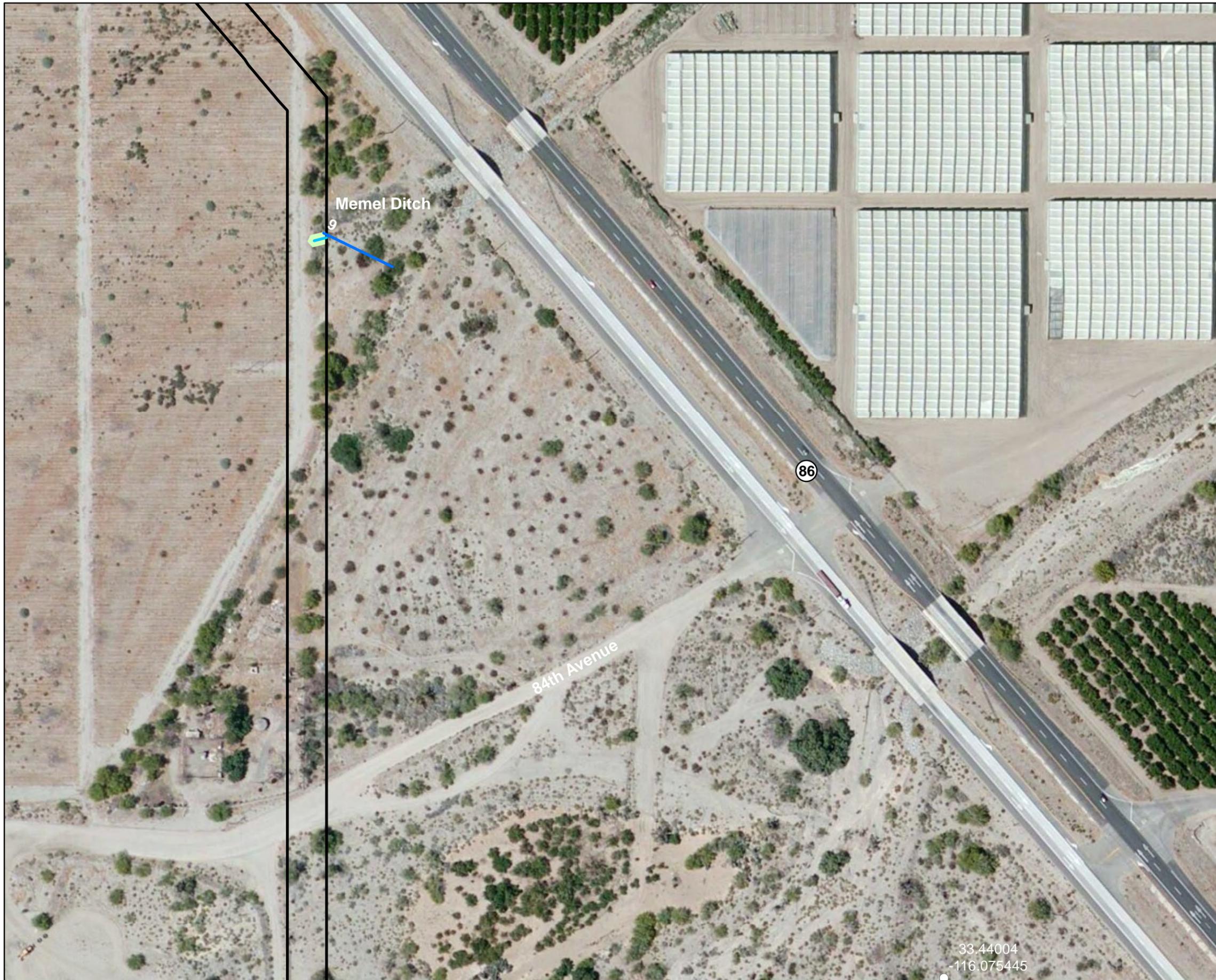
-  Phase 2 Project Area
-  Torres Martinez Reservation
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  Latitude/Longitude



1 inch = 150 feet

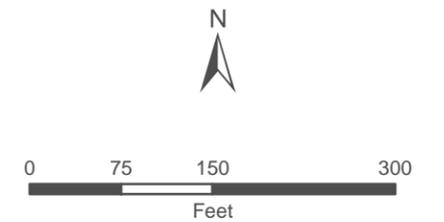
Aerial Photo: ESRI Basemaps  
Date Prepared: May 6, 2016  
Prepared by: K. Kartunen, Glenn Lukos Associates

**APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN  
PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**  
Jurisdictional Delineation Map



### Legend

-  Phase 2 Project Area
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  CDFW Unvegetated Streambed
-  CDFW Desert Wash Riparian
-  Latitude/Longitude



1 inch = 150 feet

Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

**APPROXIMATE 7-MILE LONG HIGHWAY 86  
 DOMESTIC WATER TRANSMISSION MAIN  
 PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES



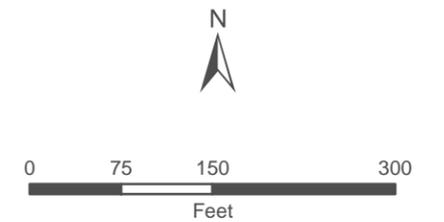
Exhibit 3 - Sheet 5

33.44004  
 -116.075445



### Legend

-  Phase 2 Project Area
-  Torres Martinez Reservation
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  Latitude/Longitude



1 inch = 150 feet

Aerial Photo: ESRI Basemaps  
Date Prepared: May 6, 2016  
Prepared by: K. Kartunen, Glenn Lukos Associates

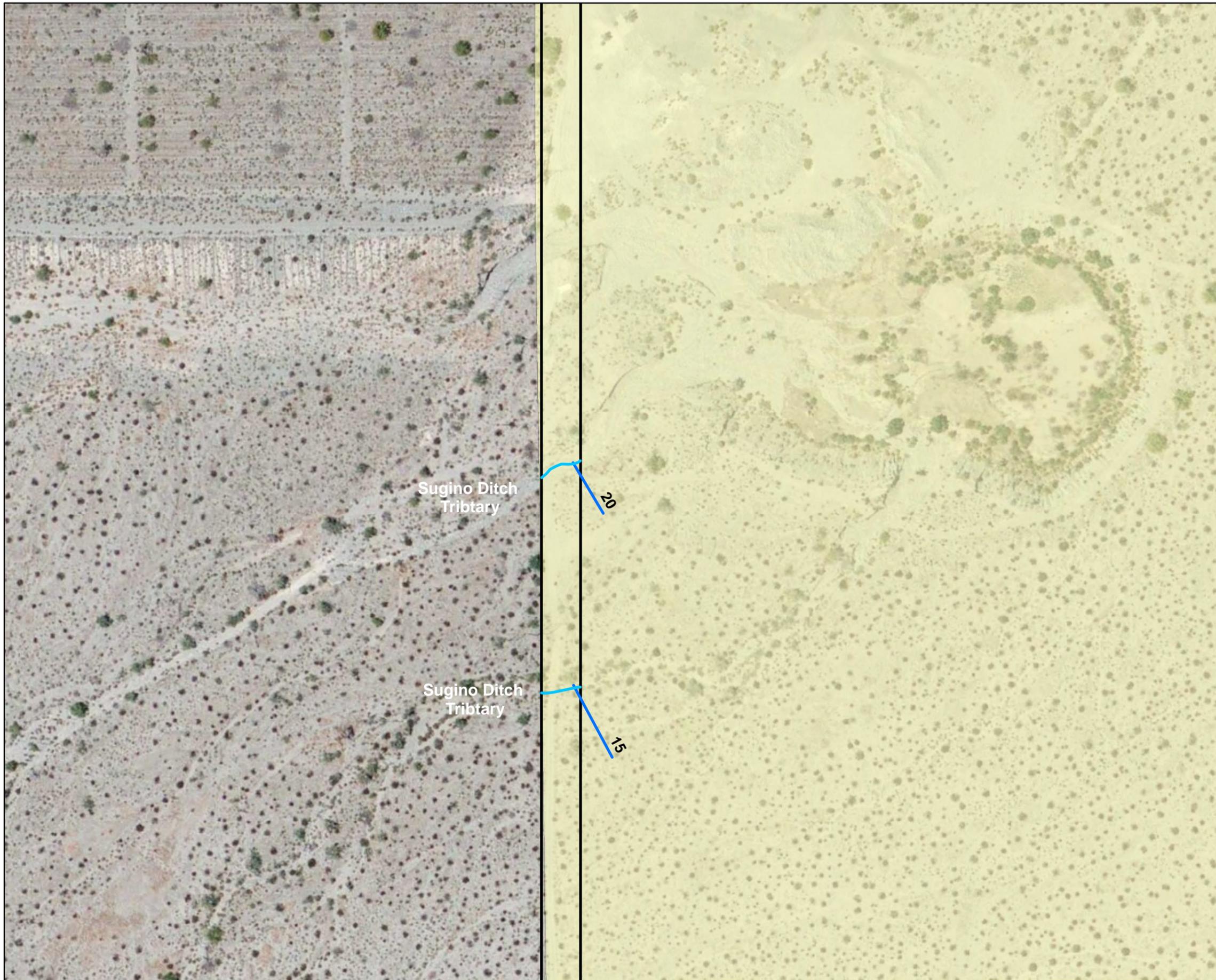
**APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN  
PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES

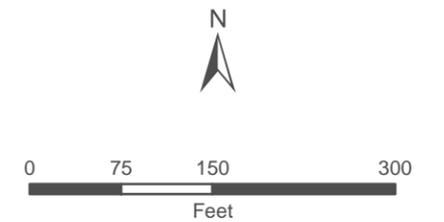


Exhibit 3 - Sheet 6



### Legend

-  Phase 2 Project Area
-  Torres Martinez Reservation
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  Latitude/Longitude



1 inch = 150 feet

Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

**APPROXIMATE 7-MILE LONG HIGHWAY 86  
 DOMESTIC WATER TRANSMISSION MAIN  
 PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Jurisdictional Delineation Map

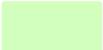
GLENN LUKOS ASSOCIATES

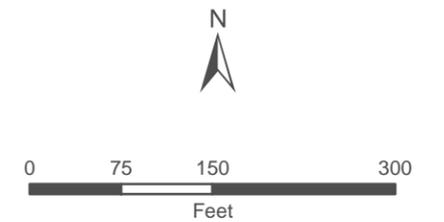


Exhibit 3 - Sheet 7



### Legend

-  Phase 2 Project Area
-  Torres Martinez Reservation
-  Corps Non-Wetland Waters
-  Corps Width in Feet
-  CDFW Unvegetated Streambed
-  Latitude/Longitude



1 inch = 150 feet

Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

**APPROXIMATE 7-MILE LONG HIGHWAY 86  
 DOMESTIC WATER TRANSMISSION MAIN  
 PHASE II ALIGNMENT FROM AVENUE 74 TO AVENUE 86**

Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES



Exhibit 3 - Sheet 8



Photograph 1: July 10, 2012. View depicting Pierce Street Ditch looking west.



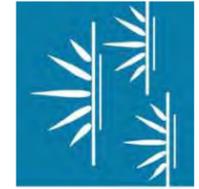
Photograph 2: November 5, 2014. View depicting Ditch 1 looking southwest.



Photograph 3: July 10, 2012. View depicting Anita Ditch Drain, a non-jurisdictional drainage feature. Note the absence of an OHWM and the lack of a defined bed, bank, or channel.



Photograph 4: July 10, 2012. View depicting Turala Ditch Drain, a non-jurisdictional drainage feature. Note the absence of an OHWM and the lack of a defined bed, bank, or channel.



GLENN LUKOS ASSOCIATES

Exhibit 4a

APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN PHASE II  
ALIGNMENT FROM AVENUE 74 TO AVENUE 86  
Site Photographs



Photograph 5: July 10, 2012. View depicting Calotus Ditch looking southwest. Photo taken from adjacent bridge along State Highway 86.



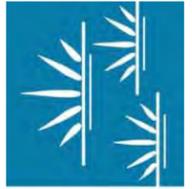
Photograph 6: March 16, 2016. View depicting Cophy Ditch Tributary looking southwest.



Photograph 7: View depicting Cophy Ditch Tributary looking northeast.



Photograph 8: March 16, 2016. View depicting upper Sugino Ditch Tributary looking west.



GLENN LUKOS ASSOCIATES

Exhibit 4b

APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN PHASE II  
ALIGNMENT FROM AVENUE 74 TO AVENUE 86  
Site Photographs



Photograph 9: March 16, 2016. View depicting upper Sugino Ditch Tributary looking east.



Photograph 10: March 16, 2016. View depicting middle Sugino Ditch Tributary looking west.



Photograph 11: March 16, 2016. View depicting lower Sugino Ditch Tributary looking west/southwest.



Photograph 12: March 16, 2016. View depicting lower Sugino Ditch Tributary looking east/northeast.

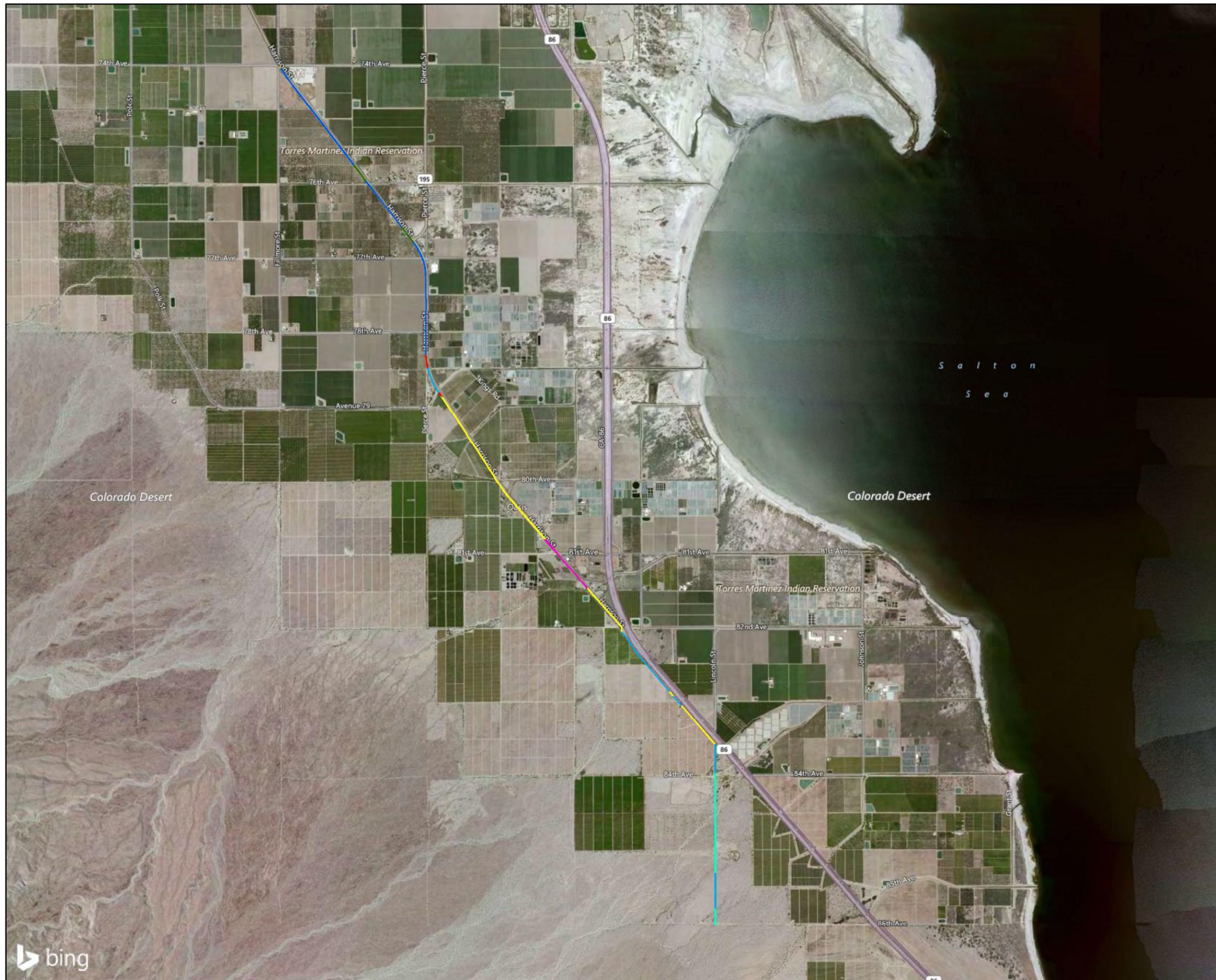


GLENN LUKOS ASSOCIATES

Exhibit 4c

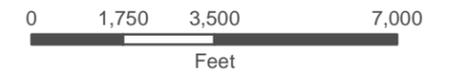
APPROXIMATE 7-MILE LONG HIGHWAY 86  
DOMESTIC WATER TRANSMISSION MAIN PHASE II  
ALIGNMENT FROM AVENUE 74 TO AVENUE 86

Site Photographs



**Legend**

- CdC - Carsitas gravelly sand, 0 to 9 percent slopes
- ChC - Carsitas cobbly sand, 2 to 9 percent slopes
- CkB - Carsitas fine sand, 0 to 5 percent slopes
- GbA - Gilman fine sandy loam, 0 to 2 percent slopes
- GcA - Gilman fine sandy loam, wet, 0 to 2 percent slopes
- It - Indio very fine sandy loam, wet
- MaB - Myoma fine sand, 0 to 5 percent slopes
- McB - Myoma fine sand, wet, 0 to 5 percent slopes



1 inch = 3,500 feet

Aerial Photo: ESRI Basemaps  
 Date Prepared: May 6, 2016  
 Prepared by: K. Kartunen, Glenn Lukos Associates

**7.2-MILE-LONG HIGHWAY 86  
 TRANSMISSION MAIN PHASE 2 ALIGNMENT  
 FROM AVENUE 74 TO AVENUE 86**

Soils Map

GLENN LUKOS ASSOCIATES



Exhibit 5



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**Receiving Waters**

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

Table 1: Receiving Water(s) Information								
Non-Federal Waters	Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	eCRAM ID <sup>1</sup>
<input type="checkbox"/>		Salton Sea			Salton Sea	AQUA, IND, REC I, REC II, WARM, WILD, RARE		

**Individual Direct Impact Locations**

The following table shows individual impact locations. Table 2: Individual Direct Impact Information											
Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
Pierce Street			<input type="checkbox"/>	<input checked="" type="checkbox"/>	Temporary				0.02		32
					Permanent						
Kings Road Ditch			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.003		35
					Permanent						
Ditch 1			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.03		26
					Permanent						
Ditch 2					Temporary				0.01		33

<sup>1</sup> California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.0.01

Attachment B

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
			<input type="checkbox"/>	<input type="checkbox"/>	Permanent						
Calotus Ditch			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.01		34
					Permanent						
Memel Ditch			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.01		64
					Permanent						
Cophy Ditch Tributary			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.07		73
					Permanent						
Drainage 1A			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.003		34
					Permanent						
Drainage 1B			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.02		33
					Permanent						
Drainage 1C			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.03		35
					Permanent						
Drainage 2A			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.01		30
					Permanent						
Drainage 2B			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.01		20
					Permanent						
Drainage 3			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.01		57
					Permanent						
Drainage 4			<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.01		20
					Permanent						



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## **A. Environmental Review**

On November 13, 2012, Coachella Valley Water District (CVWD or Permittee), as lead agency, adopted an initial study/mitigated negative declaration (IS/MND) (State Clearinghouse (SCH) No. 2012101011) for the Highway 86 Domestic Water Treatment Main Phase 2 and Pump Station project (Project) and filed a Notice of Determination (NOD) at the SCH on November 16, 2012. On March 28, 2017, CVWD approved the Addendum (SCH No. 2009041034) to the Project and filed a NOD at the SCH on March 29, 2017.

The Colorado River Basin Regional Water Quality Control Board (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 CVWD's adopted environmental document comports with the requirements of CEQA and is valid. (Pub. Resources Code, § 21167.3.) The Colorado River Basin Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by CVWD addresses the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by CVWD 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, § 15074, subd. (d).)

## **B. Incorporation by Reference**

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the Project IS/MND, the application for this Order, and other supplemental documentation, including the Addendum to the Highway 86 Domestic Water Treatment Main Phase 2 and Pump Station Project.

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project Final IS/MND which is incorporated herein by reference. The Project IS/MND is available at: 75-515 Hovley Lane East, Palm Desert, CA 92211 and electronically at: [www.cvwd.org](http://www.cvwd.org).

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.

## **C. Findings**

The IS/MND describes the potential significant environmental effects to water resources that were mitigated in the IS/MND. Having considered the whole of the record, the Colorado River Basin Water Board makes the following findings:

- (1) *Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*

(2) *There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15070.)*

a.i. Potential Significant Impact to Hydrology and Water Quality:

The Project could have the potential to significantly impact and violate water quality standards or waste discharge requirements, or otherwise substantially degrade water quality.

a.ii. Facts in Support of Finding:

The Project will have a less than significant impact on water quality and hydrology. Construction activities associated with the proposed water transmission pipeline and pump station may have a temporary effect on water drainage patterns, the direction of water movement, and surface water runoff. As detailed in the IS/MND, during construction of the proposed facilities, storm water would be managed in accordance with Best Management Practices (BMPs) identified in the Storm Water Pollution Prevention Plan (SWPPP) proposed by CVWD as mitigation measure WATER-1. These BMPs include measures to minimize erosion and sedimentation and general, good-housekeeping practices to limit potential discharge of pollutants associated with construction vehicles and equipment use. Once construction activities have been completed, the work areas along the Project alignment will be returned to their pre-project conditions, and the construction-related effects on hydrology and water quality will be temporary in nature. The mitigation measures in the IS/MND are adequate to reduce potential significant impacts to a less than significant level.

b.i. Potential Significant Impact to Biological Resources:

The Project could have the potential to significantly impact riparian or other sensitive natural communities identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

b.ii. Facts in Support of Finding:

The Project will have a less than significant effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The Project will temporarily impact 0.35 acres of waters of the U.S., which have beneficial uses to plants and wildlife occurring along and within the dry wash areas in the Project site. The biological resources section of the MMRP proposes mitigation measures that are sufficient to reduce impacts to biological resources to a level that is less than significant, as outlined in mitigation measures BIO-1 through BIO-3 and MM BIO-1 through MM BIO-3. In addition, there are other mitigation measures in the IS/MND that require actions be taken that will further reduce impacts to biological resources to a level that is less than significant. These include the SWPPP that will help prevent erosion and pollutant discharges into waters of the U.S. and requirements that construction work disturbances to wash crossing areas will be restored to pre-construction conditions. The mitigation measures in the IS/MND are adequate to reduce potential significant impacts to a less than significant level.

**D. Determination**

The Colorado River Basin Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this Order, will not result in any significant adverse water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd (h).) The Colorado

CVWD - Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station Project

Reg. Meas. ID: 417196

Attachment C

Place ID: 841789

WDID: 7A333179001

River Basin Water Board will file a NOD with the SCH within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, § 15096, subd. (i).)

20128EIR09T  
FILED  
IMPERIAL COUNTY, CALIFORNIA

NOTICE OF DETERMINATION

COACHELLA VALLEY WATER DISTRICT  
Post Office Box 1058  
Coachella, California 92236

NOV 16 2012

CHUCK STOREY  
COUNTY CLERK  
BY ccjz DEPUTY

To: County Clerk  
County of Riverside  
Post Office Box 751  
Riverside, California 92502

County Clerk  
County of Imperial  
Imperial County Courthouse  
El Centro, California 92243

POSTED

NOV 16 2012

IMPERIAL COUNTY  
CLERK-RECORDER  
CALIFORNIA

**Subject:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

**Project Title:** Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station.

**State Clearinghouse Number:** 2012101011.

**Lead Agency:** Coachella Valley Water District (CVWD).

**Project Applicant:** Coachella Valley Water District, Post Office Box 1058, Coachella, CA 92236 (760) 398-2651.

**Contact Person:** Jim Barrett, Acting General Manager, Phone: (760) 398-2651.

**Project Location:** The proposed project is located along existing State Highway 86 and State Highway 86S between Avenue 74 and Avenue 86 in the eastern Coachella Valley in unincorporated Riverside and Imperial counties, California. The proposed project bisects Sections 2, 3, 11, 13, 14 and 24 of Township 8 South, Range 8 East; and Sections 19, 29, 30, 32 and 33 of Township 8 South, Range 9 East, on the San Bernardino Base and Meridian.

**Project Description:** The proposed 30-inch-diameter water transmission main will supply the communities of Salton Sea Beach, Desert Shores, and Salton City with domestic water from a more reliable groundwater source located approximately 16 miles to the north near the community of Thermal. This project will consolidate CVWD's Improvement District No. 11 (ID 11) public water system with CVWD's Cove Community public water system. The proposed pipeline is approximately 7.2 miles long and will connect to an existing 30-inch-diameter pipeline located on the west side of Highway 86 at Avenue 86. From Avenue 74 south to Avenue 81, the pipeline will be aligned approximately 35 feet from the existing centerline within the roadway right-of-way. Approaching Avenue 82, the proposed pipeline will be located 110 feet from the centerline (ten feet west of the existing roadway right-of-way). At Avenue 86, the pipeline connects to an existing 16-inch-diameter pipeline that currently supplies ID 11 with groundwater from a small well field located west of the project along Avenue 86.

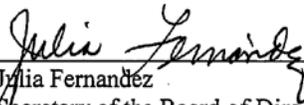
**Project Title:** Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station.

On November 13, 2012, the Board of Directors of the Coachella Valley Water District approved the above described project and made the following determinations:

1. Determined the project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A Statement of Overriding Considerations was not adopted for this project.

The Mitigated Negative Declaration and record of project approval may be examined at Coachella Valley Water District's Steve Robbins Administration Facility, 75-515 Hovley Lane East, Palm Desert, California, 92260.

**Date:** November 14, 2012.

  
\_\_\_\_\_  
Julia Fernandez  
Secretary of the Board of Directors  
of the Coachella Valley Water District



# COACHELLA VALLEY WATER DISTRICT

*Established in 1918 as a public agency*

GENERAL MANAGER  
Jim Barrett

ASSISTANT GENERAL MANAGER  
Robert Cheng

## Notice of Determination Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station Addendum No. 1 to the Initial Study/Mitigated Negative Declaration

The Coachella Valley Water District (CVWD) is the Lead Agency under the California Environmental Quality Act (CEQA) having approved the Addendum to the Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station (Project) Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No 2009041034). The Project location is along Harrison Street (old Highway 86), from Avenue 74 south to Avenue 86, near the unincorporated communities of Thermal and Oasis, within Riverside County, California.

The purpose of the Addendum was to review and assess the minor change to the pipeline's southern alignment. The minor change in the project was determined to be consistent with the description of the environmental setting, environmental impacts and mitigation measures as set forth in the certified IS/MND (2012). The Project involves installing, operating and maintaining a 30-inch domestic water transmission pipeline to supply domestic (drinking) water and the construction and operation of a pump station.

This notice is to advise that CVWD's Board of Directors approved the above-described Project at the March 28, 2017, Board Meeting and have made the following determinations regarding the above-described Project:

1. The Project will not have a significant effect on the environment.
2. An Addendum was prepared for the Project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the Project.

This is to certify that the Addendum and record of Project approval, is available to the public at CVWD's Palm Desert office located at: 75-515 Hovley Lane East, Palm Desert CA 92211 and electronically at: [www.cvwd.org](http://www.cvwd.org)

(Lead Agency): \_\_\_\_\_

Sylvia Bermudez  
Clerk of the Board

Date: March 29, 2017

**FILED / POSTED**

County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder

E-201700387  
04/06/2017 02:10 PM Fee: \$ 2266.25  
Page 1 of 1

Removed: \_\_\_\_\_ By: \_\_\_\_\_ Deputy

MAY 08 2017



Coachella Valley Water District  
P.O. Box 1058 Coachella, CA 92236  
Phone (760) 398-2651 Fax (760) 398-3711

[www.cvwd.org](http://www.cvwd.org)

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."



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## Copies of this Form

In order to identify your project, it is necessary to include a copy of the Project specific Cover Sheet below with your report: please retain for your records. If you need to obtain a copy of the Cover Sheet you may download a copy of this Order as follows:

1. Go to: [http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/certifications.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/certifications.shtml)
2. Find your Order in the table based on Applicant, Date, and Subject headers.

## Report Submittal Instructions

1. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting.
  - **Part A (Annual Report):** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
  - **Part B (Project Status Notifications):** Used to notify the Colorado River Basin Water Board of the status of the Project schedule that may affect Project billing.
  - **Part C (Conditional Notifications and Reports):** Required on a case by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.
2. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.
3. **Electronic Report Submittal Instructions:**
  - Submit signed Report and Notification Cover Sheet and required information via email to: [RB7-coloradoriver@waterboards.ca.gov](mailto:RB7-coloradoriver@waterboards.ca.gov) and cc: [kai.dunn@waterboards.ca.gov](mailto:kai.dunn@waterboards.ca.gov)
  - Include in the subject line of the email:  
Subject: ATTN: Kai Dunn; Reg. Measure ID: 415942\_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:** 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 send a Project Complete Letter to the Permittee upon approval. Termination of annual invoicing of fees will correspond with the date of this letter.
4. **Post-Discharge Monitoring Period:** The post-discharge monitoring period begins on the date of the Notice of Completion of Discharges Letter and ends on the date of the Notice of Project Complete Letter issued by the Colorado River Basin Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.
5. **Effective Date:** Date of Order issuance.

### Map/Photo Documentation Information

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

1. **Map Format Information:**

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

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

2. **Photo-Documentation:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.

### REPORT AND NOTIFICATION COVER SHEET

**Project:** Highway 86 Domestic Water Transmission Main Phase 2 and Pump Station Project  
WDID 7A333176001

**Permittee:** Coachella Valley Water District

**Reg. Meas. ID:** 415942                      **Place ID:** 839206

**Order Effective Date:** [Click here to enter a date](#)

### Report Type Submitted

#### Part A – Project Reporting

**Report Type 1**             **Monthly Report**

**Report Type 2**             **Annual Report**

#### Part B - Project Status Notifications

**Report Type 3**             **Commencement of Construction**

**Report Type 4**             **Request for Notice of Completion of Discharges Letter**

**Report Type 5**             **Request for Notice of Project Complete Letter**

#### Part C - Conditional Notifications and Reports

**Report Type 6**             **Accidental Discharge of Hazardous Material Report**

**Report Type 7**             **Violation of Compliance with Water Quality Standards Report**

**Report Type 8**             **In-Water Work/Diversions Water Quality Monitoring Report**

**Report Type 9**             **Modifications to Project Report**

**Report Type 10**            **Transfer of Property Ownership Report**

**Report Type 11**            **Transfer of Long-Term BMP Maintenance Report**

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

\_\_\_\_\_  
**Print Name <sup>1</sup>**

\_\_\_\_\_  
**Affiliation and Job Title**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

**<sup>1</sup>STATEMENT OF AUTHORIZATION (include if authorization has changed since application was submitted)**

I hereby authorize \_\_\_\_\_ to act in my behalf as my representative in the submittal of this report, and to furnish upon request, supplemental information in support of this submittal.

\_\_\_\_\_  
Permittee's Signature

\_\_\_\_\_  
Date

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



<b>Report Type 2</b>	<b>Annual Report</b>
<b>Report Purpose</b>	Notify the Colorado River Basin Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
<b>When to Submit</b>	Annual reports shall be submitted each year on [Date]. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Permittee.
<b>Report Contents</b>	<p>The contents of the annual report shall include the topics indicated below for each project period. Report contents are outlined in Annual Report Topics below.</p> <p><b><u>During the Active Discharge Period</u></b></p> <ul style="list-style-type: none"> <li>• <b>Topic 1: Construction Summary</b></li> <li>• <b>Topic 2: Mitigation for Temporary Impacts Status</b></li> <li>• <b>Topic 3: Compensatory Mitigation for Permanent Impacts Status</b></li> </ul> <p><b><u>During the Post-Discharge Monitoring Period</u></b></p> <ul style="list-style-type: none"> <li>• <b>Topic 2: Mitigation for Temporary Impacts Status</b></li> <li>• <b>Topic 3: Compensatory Mitigation for Permanent Impacts Status</b></li> </ul>
<b>Annual Report Topics (1-3)</b>	
<b>Annual Report Topic 1</b>	<b>Construction Summary</b>
<b>When to Submit</b>	With the annual report during the Active Discharge Period.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Map showing general Project progress.</li> <li>3. If applicable:             <ol style="list-style-type: none"> <li>a. Summary of Conditional Notification and Report Types 6 and 7 (Part C below).</li> <li>b. Summary of Certification Deviations. See Certification Deviation Attachment for further information.</li> </ol> </li> </ol>
<b>Annual Report Topic 2</b>	<b>Mitigation for Temporary Impacts Status</b>
<b>When to Submit</b>	With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>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.</li> </ol>







**Part C – Conditional Notifications and Reports**

<b>Report Type 6</b>	<b>Accidental Discharge of Hazardous Material Report</b>
<b>Report Purpose</b>	Notifies Colorado River Basin Water Board staff that an accidental discharge of hazardous material has occurred.
<b>When to Submit</b>	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Colorado River Basin Water Board staff.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.</li> </ol>

<b>Report Type 7</b>	<b>Violation of Compliance with Water Quality Standards Report</b>
<b>Report Purpose</b>	Notifies Colorado River Basin Water Board staff that a violation of compliance with water quality standards has occurred.
<b>When to Submit</b>	The Permittee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Colorado River Basin Water Board staff.
<b>Report Contents</b>	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.

<b>Report Type 8</b>	<b>Modifications to Project Report</b>
<b>Report Purpose</b>	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.
<b>When to Submit</b>	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.
<b>Report Contents</b>	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.

<b>Report Type 9</b>	<b>Transfer of Property Ownership Report</b>
<b>Report Purpose</b>	Notifies Colorado River Basin Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.
<b>When to Submit</b>	At least 10 working days prior to the transfer of ownership.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>1. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts:           <ol style="list-style-type: none"> <li>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</li> <li>b. responsibility for compliance with any long-term BMP<sup>2</sup> maintenance plan requirements in this Order.</li> </ol> </li> <li>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.</li> </ol>

<b>Report Type 10</b>	<b>Transfer of Long-Term BMP Maintenance Report</b>
<b>Report Purpose</b>	Notifies Colorado River Basin Water Board staff of transfer of long-term BMP maintenance responsibility.
<b>When to Submit</b>	At least 10 working days prior to the transfer of BMP maintenance responsibility.
<b>Report Contents</b>	A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

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