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**Reconstruct Road Segments to Improve Safety (PMIS 187464) Project  
(Mojave National Preserve Road Repair Project)**

**A. Environmental Review**

On March 20, 2015, an application for Clean Water Act section 401 water quality certification from the Federal Highway Administration – Central Federal Lands Highways Division (FHWA) was received by the State Water Resources Control Board (State Water Board) Division of Water Quality (DWQ) for the *Reconstruct Road Segments to Improve Safety (PMIS 187464) Project* (Mojave National Preserve Road Repair Project, or Project).

When it was subsequently determined by the U.S. Army Corps of Engineers that no waters of the U.S. were present in the project area, the application was processed as a report of waste discharge pursuant to the Porter-Cologne Water Quality Control Act (Porter-Cologne)

The U.S. Department of Interior National Park Service (USNPS) is the federal National Environmental Policy Act (NEPA) lead agency, and issued a Finding of No Significant Impact (FONSI) for the Project, signed June 4, 2015. This FONSI is supported by an Environmental Assessment (EA) produced by USNPS and FHWA for the Project.

The State Water Resources Control Board, acting as lead agency under the California Environmental Quality Act (CEQA), filed a Notice of Intent to adopt the FONSI with the State Clearing House on the date of the Public Notice of Adoption, pursuant to Public Resources Code, sec. 21083.7, and section 15223 of the Guidelines for the Implementation of the California Environmental Quality Act (Cal., Code Regs., tit. 14, sec. 15000 et seq., hereafter, Guidelines) for the Project.

State Water Board staff has consulted with responsible agencies regarding this EA/FONSI, and have found that the EA/FONSI prepared for this Project meets the requirements of CEQA (Guidelines, sec. 15225).

The EA/FONSI includes adopted mitigation measures to reduce potential significant impacts, and implementation measures for those mitigations that are the functional equivalent of a mitigation monitoring and reporting program (MMRP) (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, § 15091, subd. (d)). The USNPS and FHWA are jointly responsible for implementation of all mitigations.

The EA/FONSI is available on request from the designated staff person listed below.

**B. Incorporation by Reference**

All CEQA project impacts, including those discussed in subsection C below, are analyzed in greater detail in the Project EA/FONSI which is incorporated herein by reference.

All mitigation measures required by the EA/FONSI that are under the purview of the State Water Board are additionally incorporated herein by reference and included in Attachment E of this Order.

Finally, FHWA's application with all attachments is incorporated herein by reference, which includes detailed project maps, a detailed project description, copies of information provided to other resource agencies, and other supporting information.

### C. Findings

The EA/FONSI describes the potential significant effects to the environment. Having considered the whole of the record, State Water Board staff makes the following findings for the following impacts that are less than significant with mitigation:

- Impact 1: Impacts to cultural resources, including historic and pre-historic resources.
- Impact 2: Impacts to Desert Tortoise
- Impact 3: Impacts to Nesting Birds
- Impact 4: Impacts to Geological Resources and Soils
- Impact 5: Impacts to Vegetation

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

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

**General Measures:** Note that many "General Measures" (GM) will be implemented and will serve multiple resource protection goals in the Project area. The GMs will be referred to in the discussion of resource-specific impacts and mitigations below. General Measures 1 through 11 include:

- **GM-1:** All protection measures will be clearly stated in the construction specifications and workers will be instructed to avoid conducting activities beyond the construction zone. This does not exclude necessary temporary structures such as erosion control fencing.
- **GM-2:** All tools, equipment, barricades, signs, and surplus materials will be removed from the project work limits upon project completion. Construction debris will be hauled from the Preserve to an appropriate disposal or recycling location. Any asphalt surfaces damaged due to work on the project will be repaired to original condition. All demolition debris will be removed from the project site, including all visible concrete and metal pieces.
- **GM-3:** Contractors will be required to properly maintain construction equipment (e.g., mufflers to minimize noise).
- **GM-4:** A hazardous spill plan will be put in place, stating what actions will be taken in the event of a spill and preventive measures to be implemented, such as placement of refueling facilities, storage, and handling of hazardous materials.

- **GM-5:** All equipment will be maintained in a clean, well-functioning state to avoid or minimize contamination from mechanical fluids. Equipment will be checked daily.
- **GM-6:** Material stockpiling, machinery storage, and vehicle parking will be permitted only in designated areas.
- **GM-7:** No work will occur on holidays. Work hours will be scheduled between dawn and dusk to avoid the potential for accidents after dark.
- **GM-8:** Weekday lane closures using one-way traffic with pilot cars and flaggers and 30-minute maximum delays will allow the work to continue with minimal traffic safety concerns.
- **GM-9:** Cross-country (off-road) travel outside of the construction areas will not be authorized, except under life-threatening/emergency. No pets or firearms will be permitted inside the construction areas.
- **GM-10:** No pets or firearms will be permitted inside the construction areas.
- **GM-11:** Ranchers will be notified and information pertaining to the construction timing will be provided so that grazing operations and allotments are not impacted.

### Less Than Significant Impacts

The EA/FONSI identifies classes of impacts that would be considered to be “Less Than Significant” (LTS) impacts under CEQA. In this regard the FONSI states that the Project will have no or negligible impacts to the following environmental resources: air quality, climate change, environmental justice, ethnographic resources, geological hazards / natural hazards, hazardous materials, historic resources, land use, lightscapes and night sky, museum collections, natural preserves, prime and unique farmland, unique ecosystems, urban quality/gateway communities, socioeconomics, soundscapes visual resources wetlands and riparian habitat, wild and scenic rivers, and wilderness. The State Water Board concurs with these conclusions.

These LTS impacts are discussed in the EA /FONSI, and a number of mitigation measures are provided for these impacts that further reduce the already LTS impact levels.

**LTS Impact 1: Air Quality and GHG.** The proposed project involves road repairs, and will not include any new permanent stationary sources of air pollution. This Project will not conflict with or obstruct implementation of any applicable air quality plans. This Project is expected to have no impact on any applicable air quality plan.

Minor impacts due to fugitive dust caused by vehicle and equipment operation could occur.

Construction of the proposed Project may result in the generation of criteria air pollutants, including CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>; precursor emissions such as reactive organic gases (ROG), NO<sub>x</sub>, and greenhouse gasses (GHGs). Sources of these pollutants include emissions from equipment used during construction (dump trucks, bulldozers, paving machines, road graders, rollers, etc.) and commute vehicles.

The FHWA and USNPS concluded in the EA that “GHGs emitted from the Project area would consist of truck and equipment exhaust. Construction within the Preserve associated with the Proposed Action would result in short-term, minor impacts to air quality, and mitigation measures described (Measures AQ-1, 2 and 3) would further reduce impacts; therefore, air quality has been dismissed as an impact topic in this EA.” The State Water Board concurs with this conclusion and finds that project effects to air quality and greenhouse gas emissions would be less than significant. Best Management Practices would be implemented to further reduce emissions to the greatest extent possible.

- **AQ-1:** Construction activities will be coupled with water sprinkling to reduce fugitive dust emissions. Water sprinkling will occur as needed on active work areas where soil or fine particles are exposed.
- **AQ-2:** Water will be obtained from Preserve sources, and trucked to project sites.
- **AQ-3:** Idling of construction vehicles will be limited to reduce construction equipment emissions. Unnecessary idling of all construction vehicles will be avoided throughout the construction period.

**LTS Impact 2: General wildlife impacts:** (Impacts to Desert Tortoise and nesting birds are treated separately.) Some species of special consideration, such as migratory birds, bats and large mammals – especially bighorn sheep -- could be impacted by construction activities. Road construction activities would result in impacts, including clearing and grubbing of approximately 10 acres of undisturbed areas that would result in loss of habitat and could cause physical harm or mortality, disruption of behavior, and temporary displacement. Indirect impacts due to noise disturbance could also occur. These impacts were analyzed and found to be less than significant in the EA/FONSI.

The California Department of Fish and Wildlife, as trustee agency, concurs with this analysis and conclusion. Although these general impacts would be less than significant without mitigation, various mitigation measures are proposed that would further reduce these impacts. In addition to any general benefits to wildlife that would occur through implementation of desert tortoise and nesting bird measures discussed below, General Measures 1 – 7, 9, and 10 (discussed above) would provide additional protection for all wildlife species.

**LTS Impact 3: Hydrology.** Road reconstruction and repairs could adversely affect the hydrology of the affected watersheds through diversions or impediments to natural flow patterns of the surrounding landscape. However, the Project would be rebuilding road segments to either retain existing drainage systems or making minor modifications to existing systems that would improve watershed functions at the site-specific scale. At the site-specific and watershed scale, these impacts would be less than significant. However, mitigation measures are proposed that would further reduce these less than significant impacts. Proposed measures include:

- **Water-1:** During precipitation events that result in flow to stream channels affected by the project, no construction will take place.
- **Water-2:** Staging areas will not occur in stream channels and will occur outside of flood prone areas to the greatest extent possible.

**LTS Impact 4: Effects on local ranching operations.** The EA/FONSI identifies potential impacts to ranching operations that occur on inholdings within the Preserve; i.e., construction operations occurring in active open range. Although this impact is deemed less than significant, GM 11 will be implemented to further reduce the impact on ranching operations.

**LTS Impact 5: Traffic.** Project construction will result in traffic delays. As with most road construction projects, traffic delays may result due to short-term road closures and escorted one-way traffic control. These impacts are necessary for the safety of Project personnel and motorists, but would not cause inordinate delays. Also, the number of travelers affected by the impacts would be small on these lightly travelled roads. Although this impact is deemed less than significant, GM 8 will be implemented to further reduce the impact:

**LTS Impact 6: Recreation/Preserve Visitor Resources.** Project construction could impact visitors' enjoyment of this national preserve. Although the Project purposes include improvements for safer visitor access, some short-term impacts to the visitor experience, including traffic impacts discussed above, could occur due to the presence of construction activity and the associated noise, dust, visual effect, etc. Project activities at the Kelso Depot may disrupt access to the historic district and visitor services found there. However, the construction area at any given Project site will be small, effects would be localized, and would exist only for the duration of the project. Impacts on visitor experience are therefore expected to be less than significant. Although this impact is deemed less than significant, mitigation measures will be implemented to further reduce Project impacts to the visitor experience:

- **VR-1:** Motorists will be advised in announcements, programs, publications and temporary signs that there may be temporary inconveniences from construction work on the road.
- **VR-2:** In all cases, traffic control and safety shall be maintained.
- **VR-3:** The construction contractor shall include proposed daytime work protocols in its Quality Control Plan and its Safety Plan to show how traffic monitoring and controls will be implemented.

**LTS Impact 7: Visual Resources.** Project construction might detract from visual resource quality due to presence of construction equipment and activity in the Preserve. These impacts would be short-term and localized, and would result in no permanent change in the Preserve's visual resources. Impacts to visual resources are therefore found to be less than significant.

Also, realignment of the intersection at the Kelso Depot could adversely affect the visual landscape of the depot and surrounding historic district. These impacts are addressed through cultural resource protection measures discussed below.

#### **Less Than Significant with Mitigation Impacts:**

##### **Impact 1: Impacts to cultural resources, including historic and pre-historic resources.**

Based on pre-project cultural resource surveys, two sites were identified where known cultural resources could be affected by project activity. At Site 2 on Kelbaker Road, a small archeological lithic scatter site has been identified. This is the only project site with known archeological resources.

At Site 4, the project would impact the cultural landscape of the Kelso Depot Historic District. Kelso Depot was registered as a National Historic Landmark in 2000. Reconstruction of the intersection between Kelbaker Road and Kelso-Cima Road at Site 4 would affect the historic road alignment which is a contributing landscape feature of the Kelso Depot, Restaurant, and Employees Hotel. The impact would be moderate and adverse, and would result in an adverse effect under Section 106 of the NHPA.

Also, project excavations or other activity could reveal or disturb previously undiscovered archaeological resources.

**Facts Supporting the Finding (Rationale):** Mitigation measures will be implemented that are sufficient to reduce impacts to cultural resources to a level that is less than significant. For impacts to the Kelso Depot and the associated historic district, these measures include Measure HR-1 and HR-2, which require that the USNPS will complete recordation and documentation of the Kelbaker and Kelso-Cima intersection, and that an update to the National Register of Historic Places documenting the new road alignment will be completed. A Memorandum of Agreement with the California State Historic Preservation Officer (CA SHPO) will be implemented.

For site 2, Measure HR-3 requires that fencing will be installed to keep work activity away from known resources at site 2, thus reducing the potential impact to a level that is less than significant. In addition, Measure HR-4 requires that archeological specimens found within the construction area will be removed only by NPS archeologists who meet the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716), or their designated representatives.

In addition, many of the GMs cited above would aid in the protection of cultural resources, especially GM-1, 2, 6, and 9.

**Impact 2: Impacts to Desert Tortoise:** Project construction could adversely affect desert tortoise, which is listed as threatened under the Federal Endangered Species Act (ESA). Desert tortoise could be directly harmed or killed by project construction, and could experience disruption of behavior due to construction activity. Approximately ten acres of desert tortoise habitat could be affected due to clearing, grading and trenching.

**Facts Supporting the Finding (Rationale):** The USFWS has concurred that project activity as planned would not adversely affect desert tortoise. Numerous mitigation measures will be implemented that are sufficient to reduce impacts to desert tortoise to a level that is less than significant:

- **Listed-1** requires that qualified biologists will provide oversight of all survey efforts, monitoring, and other activities.
- **Listed-2** requires that a field contact representative will oversee project compliance and coordination. The field contact representative will be authorized to halt any activity that may harm desert tortoise.
- **Listed-3** requires that a worker education program will be presented to all construction personnel prior to any construction activities.

- **Listed-4** specifies that no handling or relocating desert tortoises will be permitted, and that if a tortoise enters the project area, all work will stop until the tortoise moves away on its own accord.
- **Listed-5** requires imposition Speed limits within the project area, which shall not exceed 20 miles per hour.
- **Listed-6** requires that vehicles parked in desert tortoise habitat shall be inspected immediately prior to being moved.
- **Listed-7** requires that a litter control program will be implemented during construction to eliminate the accumulation of trash to avoid attracting predators, especially ravens.
- **Listed-8** requires that all work and staging areas be surveyed prior to the start of construction, and that tortoise-proof fencing be installed to prevent tortoises from entering the construction areas.
- **Listed-9** requires that, at sites where fencing is not feasible, presence/absence surveys will be completed each morning by a qualified biologist, and that the qualified biologist will accompany all heavy equipment operators in desert tortoise habitat and remain on site while construction employees are actively working. The qualified biologist has the responsibility and authority to halt all project activity that would endanger a desert tortoise.
- **Listed-10** requires that a qualified biologist will monitor initial vegetation removal and disturbance to monitor for any undocumented tortoises.
- **Listed-11** requires that the qualified biologist will maintain a complete record of desert tortoise encounters.
- **Listed-12** requires that grading practices to avoid building up tall berms that may inhibit desert tortoise movement.

In addition, GMs 1, 2, 6, 7, 9 and 10 will also contribute to protection of desert tortoise.

**Impact 3: Impacts to Nesting Birds:** Project Construction could cause impacts to nesting birds due to direct removal of or damage to nests, and due to indirect impacts which may disrupt nesting or brood-rearing behaviors, cause nest abandonment, or otherwise cause impacts to nesting success.

**Facts Supporting the Finding (Rationale):** Mitigation measures are will be implemented that are sufficient to reduce impacts to nesting birds to a level that is less than significant. The California Department of Fish and Wildlife, acting as trustee agency, was consulted in the formulation of these mitigation measures. Measures include Measure Wildlife-1, which requires that vegetation clearing be conducted outside nesting season, unless site specific surveys verify that nesting birds are not present. Measure Wildlife-1 also requires that work be stopped until conclusion of brood rearing if active nests are found, and requires that work areas be fenced to avoid disturbance of habitats outside the designated work areas. Measure Wildlife-2 requires that workers be trained to avoid or limit contact with migrating birds or any mammals.

**Impact 4: Impacts to Geological Resources and Soils:** Clearing and grubbing (during construction) of approximately 10 acres of newly disturbed areas will result in disturbance and removal of soils. Excavation, grading, and exposure of soil material would increase the potential for erosion.

**Facts Supporting the Finding (Rationale):** Mitigation measures will be implemented that are sufficient to reduce impacts to soils to a level that is less than significant. These measures include: Measure Soils-1, which requires implementation of various BMPs for erosion control; Measure Soils-2, which requires proper storage and use of chemicals, fuels and toxic materials; and Measure Soils-3, which requires revegetation of disturbed areas.

**Impact 5: Impacts to Vegetation:** Construction of the Project will result in clearing and grading of up to 10 acres of native vegetation.

**Facts Supporting the Finding (Rationale):** Mitigation measures will be implemented that are sufficient to reduce impacts to vegetation to a level that is less than significant:

- **Veg-1** requires minimization of area. of ground disturbance.
- **Veg-2** requires monitoring of revegetation areas.
- **Veg-3** requires remedial action when monitoring reveals that revegetation goals are not being met.
- **Veg-4** specifies practices to prevent introduction or spread of noxious weeds or invasive plants.
- **Veg-5** requires implementation of weed control measures.
- **Veg-6** requires that one or more vegetation surveys be conducted prior to construction to avoid or reduce impacts to any undetected listed or rare plant species.
- **Veg-7** requires development and implementation of a project-specific plan for monitoring of revegetation success that includes reporting and success measures and appropriate contingency measures.

**D. Determination:**

The State Water Board finds that:

- 1) The final EA/FONSI meets the requirements set forth in Pub. Resources Code, § 21081.6, subd. (a)(1) and in Cal. Code Regs., tit. 14, § 15091, subd. (d),
- 2) The EA/FONSI documents include adopted mitigation measures to reduce potential significant impacts, and implementation measures for those mitigations that the functional equivalent of a mitigation monitoring and reporting program (MMRP; Note that the USNPS and FHWA are jointly responsible for implementation of all mitigations);

Therefore, the State Water Board will adopt and use the final FONSI prepared by the USNPS and FHWA for the Mojave National Preserve Road Repair Project, in place of a Mitigated Negative Declaration (See California Code of Regulations, title 14, section 15225, subdivision (a)).

The State 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), 15094, subd. (a)). The environmental document and other materials, which constitute the record, are available on request, and may be reviewed on request at:

State Water Resources Control Board  
Division of Water Quality, Water Quality Certification and Wetlands Unit  
1001 I Street, Sacramento, CA 95814.

Please contact the designated staff person for this Order to arrange for copies or access to these documents. The designated staff person is:

Cliff Harvey  
Environmental Scientist  
[clifford.harvey@waterboards.ca.gov](mailto:clifford.harvey@waterboards.ca.gov)  
(916) 558-1709



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Attachment E:

Mojave National Preserve Road Repair Project Resource Protection/Mitigation Measures

Resource Protection/Mitigation Measures are presented below. These measures, found on pages 9-14 of the Project Finding Of No Significant Impact (FONSI) prepared by the U.S. National Park Service, and shall serve as the mitigation monitoring and reporting plan for the Mojave National Preserve Road Repairs Project.

**RESOURCE PROTECTION / MITIGATION MEASURES**

Mojave National Preserve is committed to avoiding, minimizing, and mitigating potentially adverse environmental impacts. Mitigation measures identified below will be implemented as part of the selected alternative.

Number	Mitigation	Responsible Party
<b>General Measures</b>		
GM-1	All protection measures will be clearly stated in the construction specifications and workers will be instructed to avoid conducting activities beyond the construction zone. This does not exclude necessary temporary structures such as erosion control fencing.	NPS Project Manager (PM) FHWA Project Engineer (PE)
GM-2	All tools, equipment, barricades, signs, and surplus materials will be removed from the project work limits upon project completion. Construction debris will be hauled from the Preserve to an appropriate disposal or recycling location. Any asphalt surfaces damaged due to work on the project will be repaired to original condition. All demolition debris will be removed from the project site, including all visible concrete and metal pieces.	FHWA PE
GM-3	Contractors will be required to properly maintain construction equipment (e.g., mufflers to minimize noise).	FHWA PE
GM-4	A hazardous spill plan will be put in place, stating what actions will be taken in the event of a spill and preventive measures to be implemented, such as placement of refueling facilities, storage, and handling of hazardous materials.	FHWA PE
GM-5	All equipment will be maintained in a clean, well-functioning state to avoid or minimize contamination from mechanical fluids. Equipment will be checked daily.	FHWA PE
GM-6	Material stockpiling, machinery storage, and vehicle parking will be permitted only in designated areas.	FHWA PE
GM-7	No work will occur on holidays. Work hours will be scheduled between dawn and dusk to avoid the potential for accidents after dark.	NPS PM and FHWA PE
GM-8	Weekday lane closures using one-way traffic with pilot cars and flaggers and 30-minute maximum delays will allow the work to continue with minimal traffic safety concerns.	NPS PM and FHWA PE
GM-9	Cross-country (off-road) travel outside of the construction areas will not be authorized, except under life-threatening/emergency situations.	NPS PM and FHWA PE
GM-10	No pets or firearms will be permitted inside the construction areas.	NPS PM and FHWA PE

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Number	Mitigation	Responsible Party
GM-11	Ranchers will be notified and information pertaining to the construction timing will be provided so that grazing operations and allotments are not impacted.	NPS PM
<b>Air Quality</b>		
AQ-1	Construction activities will be coupled with water sprinkling to reduce fugitive dust emissions. Water sprinkling will occur as needed on active work areas where soil or fine particles are exposed.	NPS PM and FHWA PE
AQ-2	Water will be obtained from Preserve sources, and trucked to project sites.	NPS PM and FHWA PE
AQ-3	Idling of construction vehicles will be limited to reduce construction equipment emissions. Unnecessary idling of all construction vehicles will be avoided throughout the construction period.	NPS PM and FHWA PE
<b>Geological Resources/Soils</b>		
Soils-1	<p>Erosion and sediment control will be required. Best management practices for drainage and sediment control, as identified and used by the FHWA and the NPS, will be implemented to prevent or reduce non-point source pollution and minimize soil loss and sedimentation in drainage areas. Use of best management practices in the project area for drainage protection will include all or some of the following actions, depending on site-specific requirements:</p> <ul style="list-style-type: none"> <li>• Keep disturbed areas as small as practical to minimize exposed soil and the potential for erosion.</li> <li>• Locate waste and excess excavated materials outside of drainages to avoid sedimentation.</li> <li>• Install silt fences, temporary earthen berms, temporary water bars, sediment traps, stone check dams, or other equivalent measures (including installing erosion-control measures around the perimeter of stockpiled fill material) prior to construction.</li> <li>• Conduct regular site inspections during the construction period to ensure that erosion-control measures were properly installed and are functioning effectively.</li> <li>• Only tightly woven fiber netting or nonbinding materials shall be used for erosion control or other purposes to ensure that small mammals and reptiles do not become trapped. No plastic-tied wattles shall be used.</li> </ul>	NPS PM and FHWA PE
Soils-2	Store, use, and dispose of chemicals, fuels, and other toxic materials appropriately.	NPS PM and FHWA PE
Soils-3	Revegetate disturbed areas as soon as possible after construction is completed.	NPS PM
<b>Vegetation</b>		
Veg-1	Vegetation disturbance will be minimized by replacement of topsoil in as near the original location as possible, scarification, mulching, and seeding / planting with species	NPS PM and FHWA PE

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Number	Mitigation	Responsible Party
	native to the immediate area.	
Veg-2	Reclaimed/revegetated areas will be monitored after construction to determine if efforts are successful or if additional remedial actions are necessary.	NPS PM and Vegetation Specialist
Veg-3	Remedial actions could include installation of erosion-control structures, reseeding and/or replanting the area, and controlling non-native plant species.	NPS PM and FHWA PE
Veg-4	In an effort to avoid introduction of non-native/noxious plant species, no imported topsoil or hay bales will be used during revegetation. Weed free materials (e.g., straw bales) may be used for erosion-control dams that may be necessary.	NPS PM and FHWA PE
Veg-5	Non-native and/or invasive plant species will be controlled in areas determined to be high-priority by Preserve staff and other undesirable species will be monitored and controlled, as necessary. To prevent the introduction and minimize the spread of non-native vegetation and noxious weeds, the following measures will be implemented during construction: <ul style="list-style-type: none"> <li>• Pressure wash and/or steam clean all construction equipment to ensure that all equipment, machinery, rocks, gravel, or other material are cleaned and weed free before entering the Preserve.</li> <li>• Cover all haul trucks bringing asphalt or other materials from outside the Preserve to prevent seed transport.</li> <li>• Limit vehicle parking to existing roadways, parking lots, or access routes.</li> <li>• Limit disturbance to previously disturbed roadsides and culvert areas. No machinery or equipment should access areas outside the construction zone. Treatment of non-native vegetation will be completed in accordance with NPS-13, <i>Integrated Pest Management Guidelines</i>.</li> </ul>	NPS PM and FHWA PE
Veg-6	One or more vegetation surveys will be completed prior to any construction work to avoid or reduce impacts to any undetected listed or rare plant species.	NPS biologist
Veg-7	A project-specific plan will be developed and implemented to monitor the success of re-vegetation efforts. The plan will contain report and success measures and appropriate contingency measures.	NPS biologist
<b>Federally Listed Species and Species of Special Consideration</b>		
Listed-1	Qualified biologists will provide oversight of all survey efforts, monitoring, and other activities within the roadway corridor necessary to protect desert tortoise.	NPS PM and Wildlife Specialist
Listed-2	An individual will be designated the field contact representative to oversee project compliance and coordination. The field contact representative will be authorized to halt any activity that may harm desert tortoise.	NPS Wildlife Specialist
Listed-3	A worker education program will be presented to all	NPS PM, FHWA PE,

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Number	Mitigation	Responsible Party
	construction personnel prior to any construction activities. At a minimum, this program will cover: (1) desert tortoise distribution/occurrence, (2) general behavior, activity patterns, and ecology, (3) sensitivity of the species to human activities, (4) legal protection, (5) penalties for violation of state or federal laws, (6) reporting requirements, and (7) project protective mitigation measures; and (8) legal penalties for violation of federal or state laws.	and Wildlife Specialist
Listed-4	Handling or relocating desert tortoises is not permitted. If a tortoise enters the project area, all work will stop until the tortoise moves away on its own accord.	NPS Wildlife Specialist and FHWA PE
Listed-5	Speed limits within the project area, along right-of-way maintenance routes designated for limited use shall not exceed 20 miles per hour. Speed limits shall be clearly marked and all workers shall be made aware of the limits.	
Listed-6	Vehicles parked in desert tortoise habitat shall be inspected immediately prior to being moved. Construction vehicles parked overnight the side of the road or in pre-existing turnouts will be surveyed (from all four directions) for desert tortoise prior to moving the vehicle in the morning.	NPS PM, FHWA PE, and Wildlife Specialist
Listed-7	A litter control program will be implemented during construction to eliminate the accumulation of trash to avoid attracting ravens that may prey on juvenile desert tortoise. All trash and food items generated by the construction activities would be promptly contained and removed to reduce the attractiveness of the area to common ravens and other desert predators. Portable toilets shall be provided on site, if applicable.	NPS FHWA PE and Wildlife Specialist
Listed-8	All work and staging areas will be surveyed prior to the start of construction. Tortoise-proof fencing will be installed to prevent tortoises from entering the construction and staging areas. After initial presence/absence surveys are complete, the fence perimeter will be checked daily to ensure the integrity of the tortoise exclusion barrier is intact.	NPS PM, FHWA PE, and Wildlife Specialist
Listed-9	At sites where fencing is not feasible, presence/absence surveys will be completed each morning by a qualified biologist. The qualified biologist would accompany all heavy equipment operators in desert tortoise habitat and remain on site while construction employees are actively working. The qualified biologist has the responsibility and authority to halt all project activity that would endanger a desert tortoise.	NPS PM, FHWA PE, and Wildlife Specialist
Listed-10	A qualified biologist will monitor initial vegetation removal and disturbance to monitor for any undocumented tortoises.	NPS PM, FHWA PE, and Wildlife Specialist
Listed-11	The qualified biologist will maintain a complete record of desert tortoise encounters.	NPS PM, FHWA PE, and Wildlife Specialist
Listed-12	To avoid building up tall berms that may inhibit desert tortoise	NPS PM, FHWA PE,

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Number	Mitigation	Responsible Party
	movement, the operator should minimize lowering of the roadbed while grading. Berms higher than 12 inches or a slope greater than 30 degrees would be pulled back into the roadbed.	and Wildlife Specialist
<b>Wildlife or Wildlife Habitat</b>		
Wildlife-1	Vegetation will be cleared prior to March 1 or after May 20. If work needs to occur during this time, a nesting survey will be conducted to ensure no nesting birds are present in the construction area. If a nest or nests are found, work shall be postponed until after young have left the area. In addition, all work areas shall be fenced and disturbance shall not be permitted beyond the fenced area.	NPS PM, FHWA PE, and Wildlife Specialist
Wildlife-2	Train workers to avoid or limit contact with migrating birds or mammal species	NPS PM, FHWA PE, and Wildlife Specialist
<b>Water Resources</b>		
Water-1	During precipitation events that result in flow to stream channels affected by the project, no construction will take place.	NPS FHWA PE
Water-2	Staging areas will not occur in steam channels and will occur outside of flood prone areas to the greatest extent possible.	NPS PM and FHWA PE
<b>Visitor Resources</b>		
VR-1	Motorists will be advised in announcements, programs, publications and temporary signs that there may be temporary inconveniences from construction work on the road.	NPS PM and Interpretation Staff
VR-2	In all cases, traffic control and safety shall be maintained.	NPS PM and FHWA PE
VR-3	The construction contractor shall include proposed daytime work protocols in its Quality Control Plan and its Safety Plan to show how traffic monitoring and controls will be implemented.	NPS PM and FHWA PE
<b>Archeological Resources and Cultural Landscapes</b>		
HR-1	Prior to construction, the NPS will complete recordation and documentation of Kelbaker and Kelso-Cima intersection, and the section of Kelso-Cima Road that will be realigned, accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation.	Park Archeologist and NPS PM
HR-2	After construction, the NPS will update the National Register of Historic Places Registration Form to update the National Register for the Kelso Depot, Restaurant, and Employees Hotel National Historic District and document the new alignment of the intersection, Kelbaker Road, and Kelso-Cima Road.	Park Archeologist
HR-3	The intact section of the archeological site at Project Site 2 will be fenced off and avoided during construction.	NPS PM, FHWA PE, and Park Archeologist
HR-4	Archeological specimens found within the construction area will be removed only by NPS archeologists who meet the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716), or their designated representatives.	Park Archeologist

Attachment E:  
Mojave National Preserve Road Repair Project Resource Protection/Mitigation Measures

Number	Mitigation	Responsible Party
HR-5	<p>In the event that a previously unidentified archeological resource is discovered during ground disturbing activities, all construction work involving subsurface disturbance will be halted in the area of the resource and in the surrounding area where further subsurface remains can be reasonably expected to occur. An archeologist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR 61) will immediately inspect the work site and determine the area and nature of the affected archeological feature. Construction work may then continue in the project area outside the defined area of the resource. Within 48 hours of the discovery, the NPS shall notify the CA SHPO and such notification shall describe the NPS' assessment of the eligibility of the feature for listing on the National Register of Historic Places and proposed actions to resolve potential adverse effects. The CA SHPO shall respond within 48 hours of the notification and the NPS shall take into account the CA SHPO's recommendation regarding National Register eligibility and proposed actions, and then carry out appropriate actions. In compliance with the Native American Graves Protection and Repatriation Act of 1990, work will be halted and NPS will also notify and consult concerned American Indian tribal representatives for the proper treatment of human remains, funerary, and sacred objects should these be discovered during the project.</p>	<p>NPS PM, FHWA PE, and Park Archeologist</p>

Attachment F  
Waste Discharge Requirements Deviation Procedures

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## Waste Discharge Requirements Deviation Procedures

### Introduction

These procedures are put into place to preclude the need for Waste Discharge Requirements (WDRs) amendments for minor changes in the Project routing or location or minor corrections or clarifications of the conditions and requirements in these WDRs. Minor changes or modifications in project activities are often required by the Permittee following start of construction. These deviations may potentially increase or decrease impacts to waters of the state. In such cases, a WDR Deviation, as defined in Section G of the WDRs, may be requested by the Permittee as set forth below:

### Process Steps

Who may apply: The Permittee or the Permittee's designated representative or agent (hereinafter, "Permittee") for this Order.

How to apply: By letter or email to the 401 staff designated as the contact for this Order.

WDRs Deviation Request: The Permittee will request verification from the State Water Board staff that the project change qualifies as a WDRs Deviation, as opposed to requiring an amendment to the Order. The request should:

1. Describe the Project change or modification:
  - a. Proposed activity description and purpose;
  - b. Why the proposed activity is considered minor in terms of impacts to waters of the state and the environment;
  - c. How the Project activity is currently addressed in the Order; and,
  - d. Why a WDR Deviation is necessary for the Project.
2. Describe location (latitude/longitude coordinates), the date(s) it will occur, as well as associated impact information (i.e., temporary or permanent, federal or non-federal jurisdiction, water body name/type, estimated impact area, etc.) and minimization measures to be implemented.
3. Provide all updated environmental survey information for the new impact area.
4. Provide a map that includes the activity boundaries with photos of the site.
5. Provide verification of any mitigation needed according to the Order conditions.
6. Provide any other information required by State Water Board staff to determine whether the Project change or modification necessitates additional environmental review. (Cal. Code Regs., tit. 14, §§ 15061, 15162-15164.)

**Action by State Water Board on Request:** The State Water Board's Executive Officer will make a determination on the WDRs Deviation request within 10 working days from receipt of a complete request and notify the Permittee via email of the staff determination. Determination of whether or not a WDRs Deviation request is complete is at the discretion of the State Water Board Executive Officer.

Post-Discharge WDRs Deviation Reporting:

1. Within 30 calendar days of completing the approved WDRs Deviation activity, the Permittee will provide a post-discharge activity report that includes the following information:
  - a. Activity description and purpose;
  - b. Activity location, start date, and completion date;
  - c. Erosion control and pollution prevention measures applied;
  - d. Impacts to water body types if applicable;
  - e. Mitigation plan if applicable; and,
  - f. Map of activity location and boundaries; post-construction photos.

**Action by Water Board on Post-Discharge Activity Report:** State Water Board staff will review the post-discharge WDRs Deviation Report within 15 working days from receipt of a complete report. State Water Board staff will determine, in consultation with the Permittee and other regulatory agencies, if applicable, whether additional mitigation will be required. If additional mitigation is required, State Water Board staff will inform the Permittee within the 15-day review period. Determination of whether or not a post-discharge activity report is complete is at the discretion of State Water Board staff.

Annual Summary Deviation Report:

1. Until a Notice of Completion of Discharges Letter or Notice of Project Complete Letter is issued, include in the Annual Project Report (see Construction Notification and Reporting attachment) a compilation of all WDRs Deviation activities through the reporting period with the following information:
  - a. Site name(s).
  - b. Date(s) of WDRs Deviation approval.
  - c. Location(s) of authorized activities.
  - d. Impact area(s) by water body type prior to activity (for fill/discharge or excavation/dredge: acres, linear feet, and cubic yards) as originally authorized in the Order.
  - e. Actual impact area(s) by water body type (for fill/discharge or excavation/dredge: acres, linear feet, and cubic yards) due to WDR Deviation activity(ies).
  - f. The net change in impact area by water body type(s) (for fill/discharge or excavation/dredge: acres, linear feet, and cubic yards). An explanation will be required for any negative values.
  - g. Mitigation to be provided (approved mitigation ratio and amount).

**Action by State Water Board on Annual WDR Deviation Report:** Following issuance of a Notice of Completion of Discharges Letter or Notice of Project Complete Letter, the State Water Board's Executive Director may amend the Order to reflect all approved WDRs Deviations and the amended Order will serve as a record of actual Project activities.



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## Report and Notification Requirement Instructions

### Electronic 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. 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 State 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: [stateboard401@waterboards.ca.gov](mailto:stateboard401@waterboards.ca.gov) and cc: [Clifford.Harvey@waterboards.ca.gov](mailto:Clifford.Harvey@waterboards.ca.gov)
  - Include in the subject line of the email:  
Subject: ATTN: Cliff Harvey; Reg. Measure ID: 401646\_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 State Water Board staff pertains to projects that have post construction monitoring requirements, i.e. if site restoration was required to be monitored for 5 years following construction. State Water Board staff will review the request and send a Completion of Discharges Letter to the Permittee upon approval. This letter will initiate a change in fees from the annual active discharge fee to the annual post-discharge monitoring fee.

## Report and Notification Requirement Instructions

3. **Request for Notice of Project Complete Letter:** This request by the Permittee to the State Water Board staff pertains to projects that either have completed post-construction monitoring or have no post-construction monitoring requirements, and no further Project activities are planned. Letter issued by the State Water Board staff following review and approval of Request for Notice of Project Complete Letter. 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 State 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.



**Notification and Report Submittal Information and Contents**

**Part A –Annual Report and Report Topics**

<b>Report Type 1</b>	<b>Annual Report</b>
<b>Report Purpose</b>	Notify the State 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 by September 30 <sup>th</sup> following the issuance of these WDRs. 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 5 and 6 (Part C below).</li> <li>b. Summary of WDR Deviations. See WDR 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>

## Notification and Report Submittal Information and Contents

	<ol style="list-style-type: none"> <li>2. If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of performance standards contained in the restoration plan.</li> </ol>
<b>Annual Report Topic 3</b>	<b>Compensatory Mitigation for Permanent 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>	<p><b>*If not applicable report N/A.</b></p> <p><b>Part A. Permittee Responsible</b></p> <ol style="list-style-type: none"> <li>1. Planned date of initiation of compensatory mitigation site installation.</li> <li>2. If installation is in progress a map of what has been completed to date.</li> <li>3. If the compensatory mitigation site has been installed, provide a final map and information concerning attainment of performance standards contained in the compensatory mitigation plan.</li> </ol> <p><b>Part B. Mitigation Bank or In-Lieu Fee</b></p> <ol style="list-style-type: none"> <li>1. Status or proof of purchase of credit types and quantities.</li> <li>2. Include the name of bank/ILF Program and contact information.</li> <li>3. If ILF, location of project and type if known.</li> </ol>

## Notification and Report Submittal Information and Contents

### Part B – Project Status Notifications

<b>Report Type 2</b>	<b>Commencement of Construction</b>
<b>Report Purpose</b>	Notify State Water Board staff prior to the start of construction.
<b>When to Submit</b>	Must be received at least seven (7) days prior to start of initial ground disturbance activities.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>1. Date of commencement of construction.</li> <li>2. Anticipated date when discharges to waters of the state will occur.</li> <li>3. Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable.</li> </ol>

<b>Report Type 3</b>	<b>Request for Notice of Completion of Discharges Letter</b>
<b>Report Purpose</b>	Notify State Water Board staff that post-construction monitoring is required and that active Project construction, including any mitigation and permittee responsible compensatory mitigation, is complete.
<b>When to Submit</b>	Must be received by State Water Board staff within thirty (30) days following completion of all Project construction activities.
<b>Report Contents</b>	<ol style="list-style-type: none"> <li>1. Date of storm water Notice of Termination(s), if applicable.</li> <li>2. Status of post-construction storm water BMP installation.</li> <li>3. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized.</li> <li>4. Summary of WDR Deviation discharge quantities compared to initial authorized impacts to waters of the state, if applicable.</li> <li>5. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and permittee responsible compensatory mitigation during the post-discharge monitoring period, if applicable.</li> </ol>

<b>Report Type 4</b>	<b>Request for Notice of Project Complete Letter</b>
<b>Report Purpose</b>	Notify State Water Board staff that construction and/or any post-construction monitoring is complete, or is not required, and no further Project activity is planned.
<b>When to Submit</b>	Must be received by State Water Board staff within thirty (30) days following completion of all Project activities.
<b>Report Contents</b>	<p><b>Part A: Mitigation for Temporary Impacts</b></p> <ol style="list-style-type: none"> <li>1. A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance which could result in a discharge to waters of the state.</li> <li>2. A report establishing that the performance standards outlined in the restoration plan have been met for restored areas of temporary impacts to waters of the state. Pre- and post-photo documentation of all restoration sites.</li> </ol>

**Notification and Report Submittal Information and Contents**

	<p><b>Part B: Permittee Responsible Compensatory Mitigation</b></p> <ol style="list-style-type: none"><li>1. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met.</li><li>2. Status on the implementation of the long-term maintenance and management plan and funding of endowment.</li><li>3. Pre- and post-photo documentation of all compensatory mitigation sites.</li><li>4. Final maps of all compensatory mitigation areas (including buffers).</li></ol> <p><b>Part C: Post-Construction Storm Water BMPs</b></p> <ol style="list-style-type: none"><li>1. Report status and functionality of all post-construction BMPs.</li></ol>
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## Notification and Report Submittal Information and Contents

### Part C – Conditional Notifications and Reports

<b>Report Type 5</b>	<b>Accidental Discharge of Hazardous Material Report</b>
<b>When to Submit</b>	Within three (3) business days following the date of an accidental discharge. Continue reporting as required by 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 6</b>	<b>Violation of Compliance with Water Quality Standards Report</b>
<b>When to Submit</b>	The Permittee shall report any event that causes a violation of water quality standards within three (3) business days of the noncompliance event notification to State 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; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results if required by State Water Board staff.

<b>Report Type 7</b>	<b>In-Water Work and Diversions Water Quality Monitoring Report</b>
<b>When to Submit</b>	Within three (3) days following the completion of in-water work. Continue reporting in accordance with the approved water quality monitoring plan.
<b>Report Contents</b>	As required by the approved water quality monitoring plan.

<b>Report Type 8<sup>1</sup></b>	<b>Other</b>
<b>When to Submit</b>	As required.
<b>Report Contents</b>	As required.

<sup>1</sup> This report type applies to: modifications to Project; transfer of property ownership; transfer of BMP responsibility; or as otherwise required by this Order.