

12 April 2019

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Acting Chief, Regulatory Division
United States Army Corps of Engineers
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CERTIFIED MAIL
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**NOTICE OF ADOPTION
WASTE DISCHARGE REQUIREMENTS ORDER R5-2019-0023
AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION
FOR
UNITED STATES ARMY CORPS OF ENGINEERS
SOUTH SACRAMENTO HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL
PERMIT
SACRAMENTO COUNTY**

Enclosed is the Waste Discharge Requirements Order R5-2019-0023 and Clean Water Act Section 401 Water Quality Certification (WDID#5A34CR00759) (Order) for the United States Army Corps of Engineers, adopted by the California Regional Water Quality Control Board, Central Valley Region, on 5 April 2019. You will need to demonstrate compliance with new Order R5-2019-0023 beginning 5 April 2019.

The Central Valley Water Board is implementing a Paperless Office system to reduce our paper use, increase efficiency, and provide a more effective way for our staff, the public, and interested parties to view documents in electronic form. When submitting items related to this application, please reference the project name and WDID number as shown in the subject line above. The items must be converted to a searchable portable document in PDF format. Please submit the required items electronically to centralvalleysacramento@waterboards.ca.gov. Documents that are 50 MB or larger must be transferred to a disk and mailed to the address listed below.

Central Valley Regional Water Quality Control Board
401 Water Quality Certification Unit
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-8114
Attn: Jordan Hensley

If you have any questions regarding the enclosed Order, please contact Jordan Hensley of my staff at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.

Original Signed By:

Stephanie Tadlock
Senior Environmental Scientist

Enclosure: Waste Discharge Requirements Order R5-2019-0023 and Clean Water Act
Section 401 Water Quality Certification (WDID#5A34CR00759)

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Central Valley Regional Water Quality Control Board

GENERAL ORDER NO. R5-2019-0023 WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION

Effective Date: 5 April 2019	Reg. Meas. ID: 428206 Place ID: 855120 WDID: 5A34CR00759 USACE: SPK-1995-00386
Expiration Date: 4 April 2024	
Program Type: Fill/Excavation	
Project Type: Other	

Project: South Sacramento Habitat Conservation Plan (SSHCP)
Programmatic General Permit (PGP) (Project)

Applicant: United States Department of the Army, Corps of Engineers

Applicant Contact: Michael G. Nepstad
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If you have any questions, please call Central Valley Regional Water Quality Control Board (Central Valley Water Board) Staff listed above or (916) 464-3291 and ask to speak with the Water Quality Certification Unit Supervisor.

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I. General Order

This General Order for California Water Code Section 13263 General Waste Discharge Requirements (WDRs) and Clean Water Act Section 401 Water Quality Certification (Order) was issued at the request of the United States Army Corps of Engineers, Sacramento District (USACE), for certification of the South Sacramento Habitat Conservation Plan (SSHCP) Programmatic General Permit (PGP) (Project). This Order is for the purpose described in the application submitted by the USACE. The application was received on 31 December 2018. The application was deemed complete on 16 January 2019.

The Central Valley Water Board may prescribe general waste discharge requirements for a category of discharges if all of the following criteria apply to the discharges in that category:

- i. The discharges are produced by the same or similar operations.
- ii. The discharges involve the same or similar type of waste.
- iii. The discharges require the same or similar treatment standards.
- iv. The discharges are more appropriately regulated under general WDRs than individual WDRs.

Discharges from individual projects covered under the SSHCP PGP that will be regulated under this Order are consistent with the criteria listed above and therefore a general order is appropriate. All discharges regulated under this order will be from similar operations which pose similar types of threat to water quality and will require similar treatment methods. Individual WDRs are not necessary because the discharges are similar and discharge requirements would be similar if individual WDRs were issued.

II. Public Notice

In addition to the USACE notice, the Central Valley Water Board provided public notice of the application from 18 January 2019 to 8 February 2019 and the draft order from 5 March 2019 to 4 April 2019, pursuant to California Code of Regulations, title 23, section 3858 and Water Code section 13167.5.

III. Project Purpose

The USACE requested an Order by the Central Valley Water Board for the SSHCP PGP. The USACE issued the SSHCP PGP to authorize certain Covered Activities in the SSHCP (as defined in Section XIV.F) that require USACE permits under Section 404 of the Clean Water Act, to eliminate the need for individual project applicants to seek separate review from the USACE for individual projects that are applicable for the SSHCP PGP, and to expedite review of certain Covered Activities through other programmatic elements, such as compliance with Section 7 of the federal Endangered Species Act (ESA). The SSHCP PGP will increase certainty, reduce time, and improve efficiency for individual projects applicants through synergies with processes implemented by local jurisdictions, such as those associated with land use entitlements, while protecting aquatic resources, including waters of the United States (U.S.).

Activities covered under the SSHCP PGP are substantially similar in nature, would result in minimal individual and cumulative impacts on the aquatic environment, and have been authorized under the local Aquatic Resources Program.

The SSHCP PGP will protect the aquatic environment and the public interest while effectively authorizing activities that have no more than minimal individual and cumulative adverse environmental effects.

IV. Project Description

The 317,656-acre SSHCP is a regional approach to address issues related to planned development and species habitat conservation following a comprehensive conservation strategy, over a 50-year period. The SSHCP covers 28 species of plants and wildlife, including 11 that are state and/or federally-listed as threatened or endangered. The SSHCP will establish a 36,282-acre interconnected preserve system, including approximately 1,000 acres of vernal pool habitat. An individual project covered under the SSHCP PGP and authorized under this Order may not result in more than 2 acres of permanent impacts to waters of the state¹, 1.5 acres of vernal pool habitat, 500 linear feet of stream channel habitat, and 1,000 linear feet of irrigation ditches.

V. Project Location

Individual projects authorized by the Central Valley Water Board under this Order may occur anywhere within the SSHCP boundary. The SSHCP area encompasses approximately 317,655 acres within Sacramento. The SSHCP area includes the City of Galt and the portion of the City of Rancho Cordova that is located south of U.S. Highway 50. The geographical boundaries of the SSHCP area are U.S. Highway 50 and White Rock Road to the north, the Sacramento River levee and County Road J11 (Walnut Grove-Thornton Road) to the west, the Sacramento County line with El Dorado and Amador Counties to the east, and the San Joaquin County to the south. A map showing the SSHCP boundary is found in Attachment A of this Order.

VI. Project Impact and Receiving Waters Information

Individual projects authorized under this Order are located within the jurisdiction of the Central Valley Water Board. Receiving waters and groundwater potentially impacted by the individual project are protected in accordance with the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, revised May 2018 (Basin Plan). The Basin Plan for the region and other plans and policies may be accessed online at: 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 antidegradation policies.

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

The person or entity proposing to enroll under the SSHCP PGP (Enrollee) must identify the receiving waters and beneficial uses of waters of the state to be impacted by a proposed individual project, as listed in the Basin Plan. The Enrollee will include this information in the Notice of Intent (NOI; Attachment E), which must be completed by the Enrollee to enroll under this Order.

VII. Description of Direct Impacts to Waters of the State

The Enrollee will describe all proposed direct individual project impacts to waters of the state in the NOI, which must be completed for enrollment under this Order. Dewatering will occur

¹ The term waters of the state includes any surface water or groundwater, including saline waters, within the boundaries of the state. This definition includes all waters within the state's boundaries, whether private or public, including waters in both natural and artificial channels. Waters of the state includes waters of the United States.

within the individual project area. Wet concrete will be placed into waters of the state after the area has been completely dewatered or when the work area is naturally dry.

Total individual project fill/excavation quantities for all permanent impacts will be submitted annually by the South Sacramento Conservation Agency (SSCA). Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition.

VIII. Description of Indirect Impacts to Waters of the State

The Central Valley Water Board recognizes the potential for indirect impacts to waters of the state associated with SSHCP PGP individual projects. The Enrollee will identify individual project activities resulting in indirect impacts to waters of the state and quantify indirect impacts in the NOI.

Activities resulting in indirect impacts may include where a direct impact to a wetland reduces the functions of the remaining wetland, where impervious surfaces reduce water quality of receiving waters, or where a direct impact to a riparian zone reduces the water quality of receiving waters. SSHCP PGP individual project activities that may result in indirect impacts to waters of the state, further described in chapter 3 of the SSHCP Environmental Impact Statement/Environmental Impact Report (EIS/EIR), include new urban development physically changing existing landscapes and watersheds, removal or changes to existing vegetation, construction and long-term maintenance of buildings and infrastructure, new or increased human activities, and increased vehicle traffic.

IX. Avoidance and Minimization

The PGP provides benefits by encouraging individual project proponents to minimize their proposed impacts to waters of the state and design their individual project within the scope of the PGP, rather than applying for individual permits for activities that could result in greater adverse impacts to the aquatic environment. Individual project impacts to waters of the state must be avoided and minimized to the greatest practicable extent.

The Enrollee will describe individual project design steps taken to first avoid, and then minimize, impacts to waters of the state to the maximum extent practicable in the NOI, which must be completed for enrollment under this Order.

The Enrollee shall implement the General Avoidance and Minimization Measures listed in Appendix D – Impact Avoidance and Minimization Measures (AMMs) of the SSHCP EIS/EIR, incorporated herein by reference, and the Best Management Practices (BMPs) listed below.

BMP-1 (Construction Fencing): Orange construction fencing will be installed to ensure that ground disturbance does not extend beyond the allowed construction footprint (i.e., the limit of individual project construction plus equipment staging areas and access roads). Enrollees and their “Third-Party Project Proponents” implementing ground-disturbing Covered Activities will mark the outer boundary of any Preserve Setback or Stream Setback adjacent to or within the individual project site with orange construction fencing prior to ground disturbance. This fencing will remain in place until individual project completion, as identified by the Enrollees.

BMP-2 (Erosion Control): Enrollees and their Third-Party individual project Proponents implementing ground-disturbing Covered Activities will install temporary control measures for sediment, stormwater, and pollutant runoff as required by the Permit Applicant to protect water quality and species habitat. Silt fencing or other appropriate sediment control device(s) will be installed downslope of any Covered Activity that disturbs soils.

Fiber rolls and seed mixtures used for erosion control will be certified as free of viable noxious weed seed. As discussed in Section 5.4.2, Covered Species Take Avoidance and

Minimization Measures, erosion controls installed in or adjacent to SSHCP boundary modeled habitat for giant garter snake (*Thamnophis gigas*), western pond turtle (*Actinemys marmorata*), California tiger salamander (*California tiger salamander*), or western spadefoot (see Chapter 3 of the SSHCP document) must be of appropriate design and materials that will not entrap the species (e.g., not contain mesh netting). Regular monitoring and maintenance of the individual project's erosion control measures will be conducted until individual project completion to ensure effective operation of erosion control measures.

BMP-3 (Equipment Storage and Fueling): Enrollees and their Third-Party Project Proponents implementing ground-disturbing Covered Activities will ensure that equipment storage and staging will occur in the development footprint only (not sited in any existing on-site Preserve, planned on-site Preserve, Preserve Setback, Stream Setback, or aquatic land cover type). Fuel storage and equipment fueling will occur away from waterways, stream channels, stream banks, and other environmentally sensitive areas within the development footprint.

However, certain equipment storage and fueling activities can be allowed on SSHCP Preserves within habitat re-establishment/establishment sites (refer to Section 5.2.7) if no location outside of the site is available. If a Covered Activity results in a spill of fuel, hydraulic fluid, lubricants, or other petroleum products, the spill will be absorbed and waste disposed of in a manner to prevent pollutants from entering a waterway, Preserve, Preserve Setback, or Stream Setback.

BMP-4 (Erodible Materials): Enrollees and their Third-Party Project Proponents implementing Covered Activities must not deposit erodible materials into waterways. Vegetation clippings, brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks. Erodible material must be disposed of such that it cannot enter a waterway, Preserve, Preserve Setback, Stream Setback, or aquatic land cover type. If water and sludge must be pumped from a subdrain or other structure, the material will be conveyed to a temporary settling basin to prevent sediment from entering a waterway.

BMP-5 (Dust Control): Enrollees and their Third-Party Project Proponents implementing ground-disturbing Covered Activities will water active construction sites regularly, if warranted, to avoid or minimize impacts from construction dust on adjacent vegetation and wildlife habitats. No surface water will be used from aquatic land covers; water will be obtained from a municipal source or existing groundwater well.

BMP-6 (Construction Lighting): Enrollees and their Third-Party Project Proponents implementing ground-disturbing Covered Activities will direct all temporary construction lighting (e.g., lighting used for security or nighttime equipment maintenance) away from adjacent natural habitats, and particularly Riparian and Wetland habitats and wildlife movement areas.

BMP-7 (Biological Monitor): If a Covered Activity includes ground disturbance within Covered Species modeled habitat, an approved biologist will be on site during the period of ground disturbance, and may need to be on site during other construction activities depending on the Covered Species affected. After ground-disturbing individual project activities are complete, the approved biologist will train an individual to act as the on-site construction monitor for the remainder of construction, with the concurrence of the Permitting Agencies. The on-site monitor will attend the training described in BMP-8. The approved biologist and the on-site monitor will have oversight over implementation of Avoidance and Minimization Measures, and will have the authority to stop activities if any of the requirements associated with those measures are not met. If the monitor requests that work be stopped, the Wildlife Agencies will be notified within one working day by email. The approved biologist and/or on-site monitor will record all observations of listed species on California Natural Diversity

Database field sheets and submit them to the California Department of Fish and Wildlife. The approved biologist or on-site monitor will be the contact source for any employee or contractor who might inadvertently kill or injure a Covered Species or who finds a dead, injured or entrapped individual. The approved biologist and on-site monitor's names and telephone numbers will be provided to the Wildlife Agencies prior to the initiation of ground-disturbing activities. Refer to species-specific measures for details on requirements for biological monitors.

BMP-8 (Training of Construction Staff): A mandatory Worker Environmental Awareness Program will be conducted by an approved biologist for all construction workers, including contractors, prior to the commencement of construction activities. The training will include how to identify Covered Species that might enter the construction site, relevant life history information and habitats, SSHCP and statutory requirements and the consequences of non-compliance, the boundaries of the construction area and permitted disturbance zones, litter control training (SPECIES-2), and appropriate protocols if a Covered Species is encountered. Supporting materials containing training information will be prepared and distributed by the approved biologist. When necessary, training and supporting materials will also be provided in Spanish. Upon completion of training, construction personnel will sign a form stating that they attended the training and understand all of the Avoidance and Minimization Measures (AMMs). Written documentation of the training must be submitted to the Implementing Entity within 30 days of completion of the training, and the Implementing Entity will provide this information to the Wildlife Agencies.

BMP-9 (Soil Compaction): After construction is complete, all temporarily disturbed areas will be restored similar to pre-project conditions, including impacts relating to soil compaction, water infiltration capacity, and soil hydrologic characteristics.

BMP-10 (Revegetation): Permit Applicants and their Third-Party Project Proponents implementing ground-disturbing Covered Activities will revegetate any cut-and-fill slopes with native or existing non-invasive, non-native plants (e.g., non-native grasses) suitable for the altered soil conditions and in compliance with EDGE-2 and EDGE-8, if applicable.

BMP-11 (Speed Limit): Individual project-related vehicles will observe the posted speed limits on paved roads and a 10-mile-per-hour speed limit on unpaved roads and during travel in individual project areas. Construction crews will be given weekly tailgate instruction to travel only on designated and marked existing, cross-country, and individual project-only roads.

X. Compensatory Mitigation

The Enrollee has agreed to provide compensatory mitigation for direct and indirect impacts as described in Section XIV.K for permanent impacts.

XI. California Environmental Quality Act (CEQA)

On 11 September 2018, the County of Sacramento, as lead agency, certified an EIS/EIR (State Clearinghouse (SCH) No. 2008062030) for the Project and filed a Notice of Determination (NOD) at the SCH on 18 January 2019. Pursuant to CEQA, the Central Valley Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment B.

XII. Petitions for Reconsideration

Any person aggrieved by this action may petition the Central Valley 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.

XIII. Fees Received

An application fee is required for a SSHCP PGP individual project under this Order. The application fee amount for individual projects authorized under this Order is determined as required by California Code of Regulations, Title 23, Sections 3833(b)(3) and 2200(a)(3), and is calculated as A - Fill & Excavation Discharges (fee code 84) or E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator located at http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml. Note that this fee calculator is periodically adjusted. The Enrollee should confirm the correct fee amount prior to submitting an NOI to the Central Valley Water Board.

XIV. Conditions

The Central Valley Water Board will independently review the record of any individual project proposed for authorization under this Order to analyze impacts to water quality and designated beneficial uses within the watersheds of the individual project. In accordance with this Order, the Enrollee may proceed with the individual project under the following terms and conditions:

A. 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 C, including specifications for photo and map documentation. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment C, which must be signed by the authorized representative.

1. Request for Authorization and Fee Requirements

- a. The prospective Enrollee must submit a request for authorization under this Order by submitting a NOI to the Central Valley Water Board at least 45 days before any individual project activity. Effective 13 October 2014, request for authorization and attachments, and submission of material for the development of the water quality certification must be submitted electronically.

The Enrollee must submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to:
centralvalleysacramento@waterboards.ca.gov.

In the subject line of the email, include the Central Valley Water Board Contact, individual project name, and WDID. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

- b. The Enrollee shall pay the required fee in accordance with California Code of Regulations, Title 23, Section 2200 and follow notification and reporting requirements described in the Project Status Notifications Section below, and found in Attachment C of this Order.
- c. Once the Central Valley Water Board receives a completed NOI and the correct fee from the Enrollee, the Central Valley Water Board will transmit a Notice of Applicability (NOA) to the Enrollee verifying enrollment in this Order.

2. Project Reporting

- a. **Monthly Reporting:** The Enrollee must submit a Monthly Report to the Central Valley Water Board on the 1st day of each month beginning the month after the submittal of the Commencement of Construction Notification. Monthly reporting

shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Enrollees.

- b. Annual Reporting:** The Enrollee shall submit an Annual Report each year on the 1st day of the month one year after the submittal of the Commencement of Construction Notification. Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Enrollee.
- c. SSCA Annual Impact Report:** The SSCA shall submit an Annual Impact Report each year on the 1st day of the month starting one year after the effective date of this Order. Annual Impact reporting shall continue until the expiration date of this Order.

3. Project Status Notifications

- a. Commencement of Construction:** The Enrollee shall submit a Commencement of Construction Notice at least seven (7) days prior to start of initial ground disturbance activities and corresponding Waste Discharge Identification Number (WDID#) issued under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ; NPDES No. CAS000002).
- b. Request for Notice of Completion of Discharges Letter:** The Enrollee shall submit a Request for Notice of Completion of Discharges Letter following completion of active individual project construction activities. This request shall be submitted to the Central Valley Water Board staff within thirty (30) days following completion of all individual project construction activities. Upon acceptance of the request, Central Valley Water Board staff shall issue a Notice of Completion of Discharges Letter to the Enrollee which will end the active discharge period and associated annual fees.
- c. Request for Notice of Project Complete Letter:** The Enrollee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete, and no further individual project activities will occur. This request shall be submitted to Central Valley Water Board staff within thirty (30) days following completion of all individual project activities. Upon approval of the request, the Central Valley Water Board staff shall issue a Notice of Project Complete Letter to the Enrollee which will end the post discharge monitoring period and associated annual fees.

4. Conditional Notifications and Reports:

The following notifications and reports are required, as applicable:

- a. Accidental Discharges of Hazardous Materials²:** Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Water Code, Section 13271):
 - i.** As soon as (A) the Enrollee 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:

² "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, Section 25501.)

- first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
 - lastly follow the required OES procedures as set forth in:
http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf
- ii. Following notification to OES, the Enrollee shall notify the Central Valley Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- iii. Within five (5) working days of notification to the Central Valley Water Board, the Enrollee must submit an Accidental Discharge of Hazardous Material Report.
- b. Violation of Compliance with Water Quality Standards:** The Enrollee shall notify the Central Valley Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- i. Examples of noncompliance events include: lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.
- ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.
- c. In-Water Work and Diversions**
- i. The Enrollee shall notify the Water Board at least forty-eight (48) hours prior to initiating work in flowing or standing water or stream diversions. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- ii. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Central Valley Water Board staff.
- d. Modifications to Project:** The Enrollee shall give advance notice to the Central Valley Water Board if individual project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Enrollee shall inform Central Valley Water Board staff of any individual project modifications that will interfere with the Enrollee's compliance with this Order.
- e. Transfer of Property Ownership:** Authorization under this Order is not transferable in its entirety or in part to any person or organization except after notice to the Central Valley Water Board in accordance with the following terms:
- i. The Enrollee must notify the Central Valley Water Board of any change in ownership or interest in ownership of the individual project area by submitting a Transfer of Property Ownership Report. The Enrollee and purchaser must sign and date the notification and provide such notification to the Central Valley Water Board at least 10 days prior to the transfer of ownership. The purchaser must also submit a written request to the Central Valley Water Board to be

named as the Enrollee in a revised order.

- ii. Until such time as this Order has been modified to name the purchaser as the enrollee, the Enrollee 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 Enrollee must submit to the Central Valley 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 Enrollee must provide such notification to the Central Valley Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

B. Water Quality Monitoring

1. **General:** Continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete). The Enrollee shall perform surface water sampling³ :
 - a. when performing any in-water work;
 - b. during the entire duration of temporary surface water diversions;
 - c. in the event that individual project activities result in any materials reaching surface waters; or
 - d. when any activities result in the creation of a visible plume in surface waters.
2. **Accidental Discharges/Noncompliance:** Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Central Valley 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 individual projects involving planned work in water or stream diversions, a water quality monitoring plan shall be submitted to Central Valley 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.
 - a. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
 - b. For individual projects impacting waters of Laguna Creek, tributary to the Cosumnes and Mokelumne Rivers, the dissolved oxygen concentration shall not be reduced below 7.0 mg/l.

For individual projects impacting waters of the Lower Mokelumne River, the dissolved oxygen shall not be reduced below 7.0 mg/l.

³ Sampling is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters.

Within the legal boundaries of the Delta, the dissolved oxygen concentration shall not be reduced below 7.0 mg/l in the Sacramento River (below the I Street Bridge) and in all Delta waters west of the Antioch Bridge and 5.0 mg/l in all other Delta waters except for those bodies of water which are constructed for special purposes and from which fish have been excluded or where the fishery is not important as a beneficial use.

For surface water bodies outside the legal boundaries of the Delta, the monthly median of the mean daily dissolved oxygen (DO) concentration shall not fall below 85 percent of saturation in the main water mass, and the 95 percentile concentration shall not fall below 75 percent of saturation. The dissolved oxygen concentrations shall not be reduced below the following minimum levels at any time:

- Waters designated WARM 5.0 mg/l
 - Waters designated COLD 7.0 mg/l
 - Waters designated SPWN 7.0 mg/l
- c.** For individual projects involving the fill of wet concrete into waters of the state, individual project activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.
- d.** Activities shall not cause turbidity increases in surface water to exceed:
- i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
 - ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
 - v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior permission of the Central Valley Water Board Executive Officer.

For Delta waters, the general objectives for turbidity apply subject to the following: except for periods of storm runoff, the turbidity of Delta waters shall not exceed 50 NTUs in the waters of the Central Delta and 150 NTUs in other Delta waters.

- e.** Activities shall not cause temperature in surface waters to increase more than 5°F above natural receiving water temperature for waters with designated COLD or WARM beneficial uses.

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
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
Visible construction related pollutants ⁴	Observation	Visual Inspections	Continuous throughout the construction period

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 1 sampling parameters⁵. For linear waterways with an upstream and downstream, the applicable sampling requirements in Table 1 shall be conducted upstream out of the influence of the individual project and approximately 300 feet downstream of the work area. For non-linear waterways, the sampling in Table 1 shall be conducted in ambient waters outside the influence of the individual project to obtain a representative sample and within the in-water work area, discharge area, or within the visible plume to characterize the discharge to the lake.

The sampling frequency may be modified for certain individual projects with written approval from Central Valley Water Board staff. An In-Water Work and Diversion Water Quality Monitoring Report, as described in Attachment C, shall be submitted within two weeks on initiation of in-water construction, and every two weeks thereafter. In reporting the data, the Enrollee shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the individual project complies with Order requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria in XIV.C.3.b.

- 4. Post-Construction:** If the proposed individual project includes ground disturbance, visually inspect the individual project site during the rainy season (October 1 – April 30) until a Notice of Completion is issued to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the individual project site. If water quality pollution is occurring, contact the Central Valley Water Board staff member overseeing the individual project within three (3) working days. The Central Valley 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.

⁴ Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

⁵ 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 Central Valley 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.

C. 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 6 commencing with sections 2050-2068, inclusive. Additionally, the Central Valley Water Board reserves the right to suspend, cancel, or modify authorization for individual projects, after providing notice to the Enrollee, if the Central Valley Water Board determines that: the individual 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 (Water Code, section 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C. section 1313). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.
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 Enrollee.
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.

D. Programmatic Certification Conditions

1. The Enrollee shall submit a NOI. Central Valley Water Board staff may contact the Enrollee for other information to assist in the preparation of the NOA to obtain coverage under this Order for any individual project(s) located within the SSHCP boundary at least 30 days prior to initiating construction.
2. The Enrollee shall submit the entire fee with the NOI as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.
3. The Enrollee shall obtain a separate Water Quality Certification for additional impacts not covered in the SSHCP PGP, including impacts not within the SSHCP boundary.
4. The Central Valley Water Board staff will review the NOI and evaluate whether it qualifies for enrollment under this Order. Within 30 days of NOI receipt, Central Valley Water Board staff shall determine if the application is complete. If the application is complete, within 45 days of NOI receipt, the Central Valley Water Board will issue a Notice of Applicability (NOA), informing the Enrollee that the proposed activity qualifies for authorization. The Central Valley Water Board reserves the authority to request additional information or exclude any segments from coverage if it cannot determine that the work on the proposed segments is consistent with the impacts identified in the SSHCP PGP or is not sufficiently protective of water quality standards or beneficial

uses. The Enrollee must receive an NOA prior to in-water work.

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 Enrollee 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 water quality control plans the Central Valley 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 Central Valley Water Board may require the Enrollee to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. 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 Enrollee 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 Enrollee 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 individual 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 Enrollee shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended, for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavation, and other land disturbance activities of one or more acres, or where individual projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

F. Activities Covered

1. This Order applies only to SSHCP covered activities that are substantially similar in nature, would result in minimal individual and cumulative impacts on the aquatic environment, and have been authorized under the local Aquatic Resources Program and USACE PGP. SSHCP covered activities are described briefly below and in greater detail in Chapter 5 of the SSHCP document, hereby incorporated by reference.
2. **Urban Development in the Urban Development Area (UDA):** Activities associated with the construction and maintenance of urban development projects and associated facilities/activities, including but not limited to residential, commercial, and industrial structures, parks/recreation facilities, water supply facilities, flood control and

stormwater management, utilities, solid waste management, wastewater, transportation and stream channel modification.

3. **Mining in the UDA:** Activities associated with surface extraction of rock or mineral resources, construction of associated infrastructure including buildings and facilities including surface mining pits, processing sites, conveyors, access roads and detention basins, and reclamation of previously mined land in accordance with the applicable federal and state laws.
4. **Rural Transportation Projects:** Activities associated with transportation projects outside of the UDA that are approved by the Sacramento County's 2030 General Plan, inclusive of construction, improvement and operation-related maintenance. For example, road widening, realignment and interchange improvement. Chapter 5 of the SSHCP describes specific rural transportation projects that fit into this category.
5. **Recycled Water Projects:** Activities associated with construction and maintenance of facilities associated with two specific recycled water projects; one that would serve existing specific recycled water projects listed in the SSHCP.
6. **Covered Activities in Preserve Setbacks in the UDA:** Activities associated with construction and maintenance of permeable and semi-permeable trails, bio-retention swales, fencing, firebreaks, benches, shade structures, shade trees, trash receptacles, interpretive signs and kiosks, outdoor lighting and livestock access facilities for livestock utilized pursuant to preserve management plans.
7. **Covered Activities in Stream Setbacks in the UDA:** Activities associated with construction and maintenance of permeable and semi-permeable trails; bio-retention swales; crossings perpendicular to streams such as new roads, bike or pedestrian trails and utility lines; stream bank stabilization projects; fencing; firebreaks; benches; shade structures; shade trees; interpretive signs and kiosks; riparian habitat re-establishment or establishment; outfalls; flood control structures; and stormwater management.
8. **SSHCP Preserve System Covered Activities:** Activities associated with implementation of the SSHCP Conservation Strategy, including preserve management, monitoring, habitat enhancement, re-establishment, establishment, "low-impact" nature trails, removal or breaching of farm levees, research activities, livestock water supply, groundwater monitoring and extraction wells, detention basins, and maintenance of existing utility facilities within SSHCP preserves.
9. **Covered Activities in the Laguna Creek Wildlife Corridor of the SSHCP Preserve System:** Activities associated with construction and maintenance of permeable and semi-permeable trails, benches, trash receptacles, bio-retention swales, fencing, shade structures, shade trees, crossings perpendicular to streams, stream bank stabilization projects, interpretive signs and kiosks, riparian habitat re-establishment and establishment, outfalls, flood control structures and stormwater management not covered under any other Central Valley Water Board permits.

G. General Prohibitions

1. This Order may not be used to authorize discharges of dredged and/or fill/excavation material into waters of the state for activities that do not require authorization from a SSHCP "Land Use Authority Permittees" or SSHCP Implementing Entity pursuant to a local Aquatic Resource Protection ordinance.

2. After-the-fact authorizations: This Order may not be used to authorize activities that resulted in the discharge of dredged and/or fill/excavation material into waters of the state without Department of the Army (DA) authorization.
3. This Order may not be used to authorize discharges of dredged and/or fill/excavation material into waters of the state for activities covered under the USACE SSHCP Letter of Permission Procedure, Abbreviated Standard Permit Process, Regional General Permit, or other USACE permit authorizations (e.g., Nationwide Permits).

H. 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 & Wildlife Code, sections 2050-2097) or the federal Endangered Species Act (16 U.S.C. sections 1531-1544). If a "take" will result from any act authorized under this Order held by the Enrollee, the Enrollee must obtain authorization for the take prior to any construction or operation of the portion of the individual project that may result in a take. The Enrollee is responsible for meeting all requirements of the applicable endangered species act for the individual project authorized under this Order.
 3. The Enrollee shall grant Central Valley Water Board staff or an authorized representative (including an authorized contractor acting as a Central Valley Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:
 - a. Enter upon the individual 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 individual 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 individual project. Copies of this Order shall remain at the individual project site for the duration of this Order. The Enrollee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.
 5. A copy of this Order must be available at the individual project site(s) during construction for review by site personnel and agencies. All personnel performing work on the individual project shall be familiar with the content of this Order and its posted location at the individual project site.
 6. Lake and Streambed Alteration Agreement – If issued, the Enrollee shall submit a signed copy of the Department of Fish and Wildlife's lake and streambed alteration agreement to the Central Valley Water Board prior to any discharge to waters of the state.
- I. **Construction:** Best management practices shall be followed to protect water quality from fill and/or excavation impacts as much as possible. If applicable, the following conditions apply to each individual project authorized by this Order:
-

1. Dewatering

- a. The Enrollee shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The Plan(s) must be developed prior to initiation of any water diversions. The Plan(s) shall include the proposed method and duration of diversion activities and include water quality monitoring conducted, as described in section XIV.B.3, during the entire duration of dewatering and diversion activities. The Plan(s) must be consistent with this Order and must be made available to the Central Valley Water Board staff upon request.
- b. For any temporary dam or other artificial obstruction being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the state below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate section XIV.B.3.
- c. The temporary dam or other artificial obstruction shall only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. Stream flow shall be temporarily diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
- d. If water is present, the area must be dewatered prior to start of work.
- e. Dewatering will occur within the individual project area.
- f. This Order does not allow permanent water diversion of flow from the receiving water. This Order is invalid if any water is permanently diverted as a part of an individual project.
- g. The Enrollee shall work with the Central Valley Water Board to obtain coverage under Waste Discharge Requirements (WDRs) for dewatering activities that result in discharges to land.

2. Directional Drilling: Because Horizontal Directional Drilling (HDD) and similar drilling operations may affect water quality, the following conditions shall apply to all drilling operations under waters of the state:

- a. If installation or relocation of dry and/or wet utility lines is anticipated, the Applicant shall develop and implement a Dry and Wet Utility Work Plan prior to commencement of dry and wet utility construction. The Dry and Wet Utility Plan must cover all phases of the certified individual project that will impact waters of the state, and shall be consistent with this Order.

The Dry and Wet Utility Plan shall include the types of dry and wet utilities to be removed and installed, method and duration of activities, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the location(s) of dry and wet utility work, as related to any water of the state, in the individual project area.

Should the methodology for dry and wet utility work include directional drilling, the Dry and Wet Utility Plan shall incorporate a Directional Drilling Plan to address potential frac-outs. The Directional Drilling Plan shall include, but not be limited to, a description of directional drilling activities, dry and wet utility routes, crossing locations and methods, and other geotechnical considerations (i.e., surficial overburden deposits, clays and shales, bedrock formations, hydrogeology), and a reporting procedure should any level of discharge from a frac-out occur, regardless of the discharge size.

The Directional Drilling Plan must be stamped by a California Registered Geologist or Engineer.

The Utility Work Plan and Direction Drilling Plan must be submitted to the Central Valley Water Board staff upon request.

3. Dredging – Not Applicable

4. Fugitive Dust: Dust abatement activities can cause discharges of sediment to streams and uplands through application of water or other fluids. Dust abatement chemicals added to water can be hazardous to wildlife and, if allowed to enter streams, detrimental to water quality. Therefore, dust abatement activities shall be conducted so that sediment or dust abatement chemicals are not discharged into waters of the state. Dust abatement products or additives that are known to be detrimental to water quality or wildlife shall not be used, unless specific management needs are documented, and product-specific application plans are approved by Central Valley Water Board staff.

5. Good Site Management “Housekeeping”

- a. The Enrollee shall develop and maintain onsite an individual project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the individual project. The Plan must detail the individual project elements, construction equipment types and location, access and staging and construction sequence. The Plan must be made available to the Central Valley Water Board staff upon request.
- b. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Enrollee must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
- c. All materials resulting from the individual project shall be removed from the site and disposed of properly.

6. Hazardous Materials

- a. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to fish and wildlife resulting from or disturbed by individual project-related activities is prohibited and shall be prevented from contaminating the soil and/or entering waters of the state. In the event of a prohibited discharge, the Enrollee shall comply with notification requirements in sections XIV.A.4.a and XIV.A.4.b.
- b. Wet concrete will be placed into waters of the state after the area has been completely dewatered or when the work area is naturally dry.

- c. Concrete must be completely cured before coming into contact with waters of the state. Surface water that contacts wet concrete must be pumped out and disposed of at an appropriate off-site commercial facility, which is authorized to accept concrete wastes.

7. Invasive Species and Soil Borne Pathogens: Prior to arrival at the individual project site and prior to leaving the individual project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spread of noxious weeds.

8. Post-Construction Storm Water Management

- a. The Enrollee must minimize the short and long-term impacts on receiving water quality from the individual project by implementing the following post-construction storm water management practices and as required by local agency permitting the individual project, as appropriate:
 - i. Minimize the amount of impervious surface;
 - ii. Provide treatment BMPs to reduce pollutants in runoff;
 - iii. Ensure existing waters of the state (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
 - iv. Preserve and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
 - v. Limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
 - vi. Use existing drainage master plans or studies to ensure incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;
 - vii. Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss; and
 - viii. Control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
- b. The Enrollee shall ensure that all development within the individual project provides verification of maintenance provisions for post-construction structural and treatment control BMPs as required by the local agency permitting the individual project. Verification shall include one or more of the following, as applicable:
 - i. The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party;
 - ii. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance;
 - iii. Written text in individual project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control BMPs; or

- iv. Any other legally enforceable agreement that assigns responsibility for storm water BMPs maintenance.

9. Roads and Bridges

- a. The number of access routes, number and size of staging areas, and the total area of the activity must be limited to the minimum necessary to achieve the individual project goal. Routes and work area boundaries must be clearly demarcated.
- b. Bridges, culverts, dip crossings, or other structures must be installed so that water and in-stream sediment flow is not impeded. Appropriate design criteria, practices and materials must be used in areas where access roads intersect waters of the state.
- c. Temporary materials placed in any water of the state must be removed as soon as construction is completed at that location, and all temporary roads must be removed or re-contoured and restored according to approved re-vegetation and restoration plans.
- d. Any structure, including but not limited to, culverts, pipes, piers, and coffer dams, placed within a stream where fish (as defined in Fish and Game Code Section 45) exist or may exist, must be designed, constructed, and maintained such that it does not constitute a barrier to upstream or downstream movement of aquatic life, or cause an avoidance reaction by fish due to impedance of their upstream or downstream movement. This includes, but is not limited to, maintaining the supply of water and maintaining flows at an appropriate depth, temperature, and velocity to facilitate upstream and downstream fish migration. If any structure results in a long-term reduction in fish movement, the Enrollee shall be responsible for restoration of conditions as necessary (as determined by the Central Valley Water Board) to secure passage of fish across the structure.
- e. A method of containment must be used below any temporary bridge, trestle, boardwalk, and/or other stream crossing structure to prevent any debris or spills from falling into the waters of the state. Containment must be maintained and kept clean for the life of the temporary stream crossing structure.

10. Sediment Control

- a. Except for activities permitted by the United States Army Corps of Engineers under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
- b. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the state through the entire duration of the individual project.
- c. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the individual project area.

11. **Special Status Species:** Special status species are described and included by reference in the SSHCP EIS/EIR Chapter 9 and Section 6 in the SSHCP document, which include Vernal pool tadpole shrimp, Vernal pool fairy shrimp, Mid-valley fairy shrimp, Ricksecker's water scavenger beetle, Valley elderberry longhorn beetle, California tiger salamander, Western spadefoot, Giant garter snake, Western pond turtle, Cooper's hawk, Tricolored blackbird, Western burrowing owl, Ferruginous hawk,

Swainson's hawk, Northern harrier, White-tailed kite, Greater sandhill crane, Loggerhead shrike, Western red bat, and American badger.

12. Stabilization/Erosion Control

- a. All areas disturbed by individual project activities shall be protected from washout and erosion.
- b. Hydroseeding shall be performed with California native seed mix.

13. Storm Water

- a. During the construction phase, the Enrollee must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include an effective combination of erosion and sediment control BMPs must be implemented and adequately working prior to the rainy season and during all phases of construction.

J. Mitigation for Temporary Impacts

1. The Enrollee shall restore all areas of temporary impacts, including individual project site upland areas, which could result in a discharge of waters of the state, to pre-construction contours and conditions upon completion of construction activities as described in a restoration plan. The restoration plan shall be submitted for written acceptance by Central Valley Water Board staff within 90 days of issuance of this Order. The restoration plan shall provide the following: a schedule; plans for grading of disturbed areas to pre-project contours; planting palette with plant species native to the individual project area; seed collection location; invasive species management; performance standards; and maintenance requirements (e.g. watering, weeding, and replanting). The Enrollee shall provide annual monitoring reports in accordance with Reporting and Notification Attachment C.
2. The Central Valley Water Board may extend the monitoring period beyond requirements of the restoration plan upon a determination by the Executive Officer that the performance standards have not been met or are not likely to be met within the monitoring period.
3. If restoration of temporary impacts to waters of the state is not completed within 365 days of the impacts, compensatory mitigation may be required to offset temporal loss of waters of the state.

K. Compensatory Mitigation for Permanent Impacts

1. **Compensatory Mitigation Plan:** The Enrollee shall provide compensatory mitigation for impacts to waters of the state by submitting payment to the in-lieu fee program as calculated by the SSHCP fee calculator, in accordance with the SSHCP document dated February 2018 and the Final SSHCP Aquatic Resources Program (ARP) Section 5, incorporated herein by reference. Any deviations from the compensatory mitigation plan in the SSHCP must be pre-approved by Central Valley Water Board staff.
2. **SSHCP In-Lieu Fee Program:** The Enrollee shall pay applicable mitigation fees to the SSCA, a joint exercise of power authority formed by the City of Galt, the City of Rancho Cordova, and Sacramento County, to implement the SSHCP. The total mitigation fee is based on the direct and indirect impacts calculated by the SSHCP for individual project activities covered in this Order.

The Enrollee shall provide evidence of SSCA mitigation fees purchased in association with the mitigation requirements of the individual project to the Central Valley Water Board prior to proceeding with the activity authorized by this Order. Evidence of mitigation fees purchased with the mitigation requirements of this individual project shall be demonstrated by a copy of a purchase receipt from the SSCA. The receipt should include the individual project name, individual project phase, amount of the mitigation fee, date of purchase, USACE file number, and detail the mitigation purchased, including, but not limited to the mitigation ratios and other pertinent information.

- 2. Enrollee-Responsible Compensatory Mitigation Responsibility – Not Applicable**
- 3. Purchase of Mitigation Credits by Enrollee for Compensatory Mitigation – Not Applicable**

XV. Water Quality Certification

The Central Valley Water Board hereby issues the Order for the Central Valley Water Board Certified South Sacramento Habitat Conservation Plan (SSHCP) Programmatic General Permit (PGP) Project, WDID#5A34CR00759 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).

The Central Valley Water Board will file a Notice of Determination (NOD) at the SCH within five (5) working days of issuance of this Order.

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.

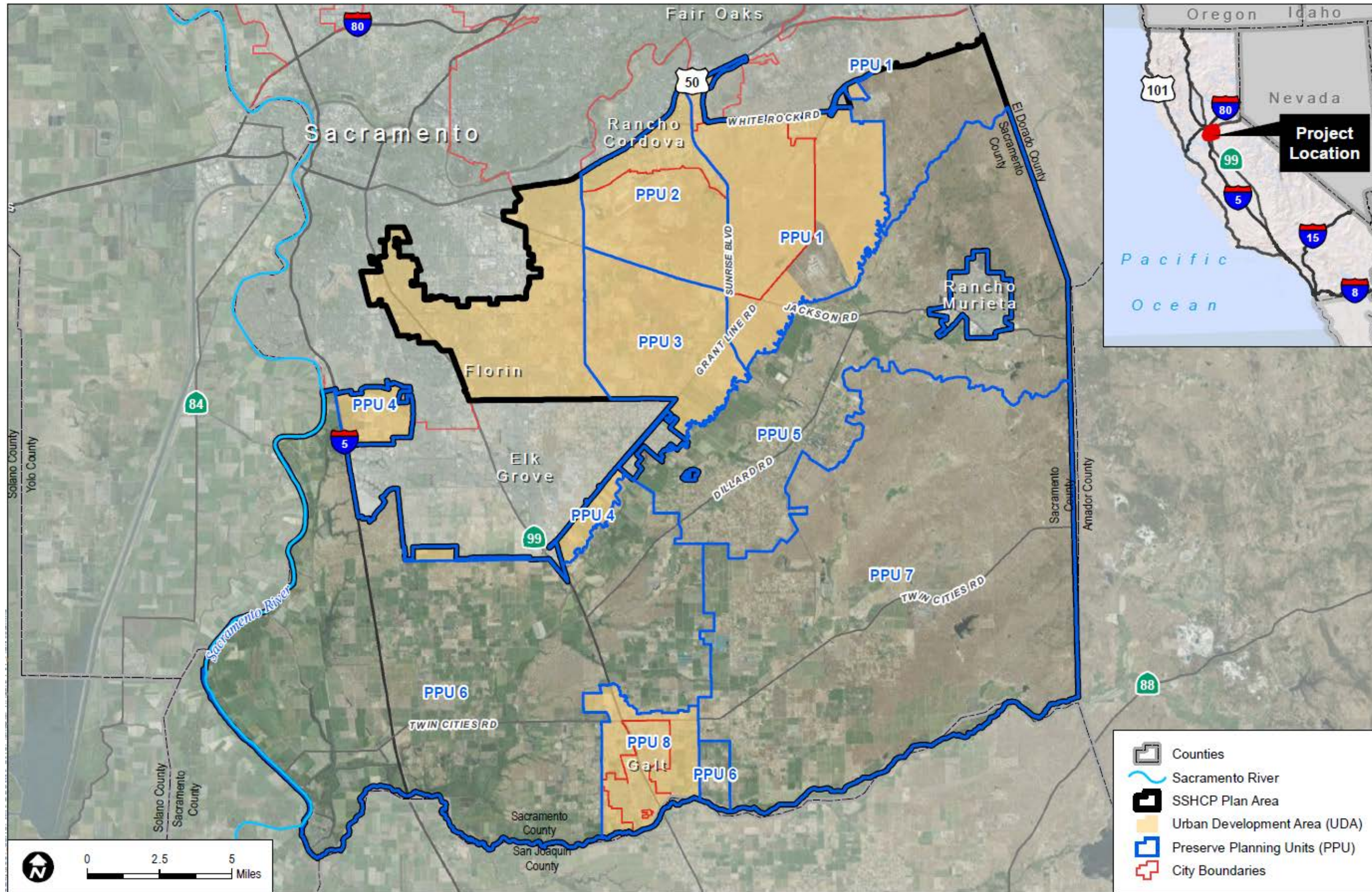
CERTIFICATION

I, Patrick Pulupa, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of the Order with all attachments adopted by the Central Valley Regional Water Quality Control Board, Central Valley Region, on 5 April 2019.

Original Signed By

PATRICK PULUPA, Executive Officer

Attachment A South Sacramento Habitat Conservation Plan Map
Attachment B CEQA Findings of Facts
Attachment C Reporting and Notification Requirements
Attachment D Signatory Requirements
Attachment E Notice of Intent Form



A. Environmental Review

On 11 September 2018, the County of Sacramento, as lead agency, certified a Final Environmental Impact Report (FEIR)) (State Clearinghouse (SCH) No. 2008062030) for the Project and filed a Notice of Determination (NOD) at the SCH on 18 January 2019. The Central Valley Water Board is a responsible agency under CEQA (Public Resources Code, section 21069) and in making its determinations and findings, must presume that the County of Sacramento's certified environmental document comports with the requirements of CEQA and is valid. (Public Resources Code, section 21167.3.) The Central Valley Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by the County of Sacramento addresses the Project's water resource impacts. (California Code of Regulations, Title 14, section 15096, subd. (f).) The environmental document includes the Impact Avoidance and Minimization Measures (AMMs) developed by the County of Sacramento for all measures that have been adopted for the Project to eliminate or reduce potential significant impacts. (Public Resources Code, section 21081.6, subd. (a)(1); California Code of Regulations, Title 14, section 15091, subd. (d).)

B. Incorporation by Reference

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the Project FEIR, the application for this Order, and other supplemental documentation.

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project FEIR which is incorporated herein by reference. The Project FEIR is available at: Sacramento County Planning and Community Development Department 827 7th Street, Room 225 Sacramento, CA 95814.

Requirements under the purview of the Central Valley 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 FEIR describes the potential significant environmental effects to water resources. Having considered the whole of the record, the Central Valley Water Board makes the following findings:

- (1) Findings regarding impacts that will be avoided or mitigated to a less than significant level. (Public Resources Code, section 21081, subd. (a)(1); California Code of Regulations, Title 14, section 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 FEIR.

a.i. Potential Significant Impact: The Project may result in potentially significant impacts to hydrology and water quality from the depletion of groundwater supplies, interference with groundwater recharge, alteration of existing drainage patterns, increase of surface runoff that may result in flooding, development within a 100-year floodplain or local flood hazard area, placement of structures within a 100-year

floodplain that may impede or redirect flood flows, risk of loss, injury or death from flooding, creation or contribution of runoff that may exceed the capacity of stormwater drainage systems, and creation of sources of polluted runoff that may degrade ground or surface water quality.

a.ii. Facts in Support of Finding: In addition to the Avoidance and Minimization Measures listed below, from Attachment D of the SSHCP EIR, the Project will implement mitigation measures for impacts to hydrology and water quality listed in the Sacramento County 2030 General Plan, Sacramento County Floodplain Management Ordinance, Improvement Standards, and Local Floodplain Management Plan, 2030 Galt General Plan, City of Galt Floodplain Management Regulations, Rancho Cordova General Plan, and Local Stormwater Runoff, Grading, and Erosion Control Ordinances and Municipal Code Requirements.

Condition 1. Avoid and Minimize Urban Development Impacts to Watershed Hydrology and Water Quality

Development Covered Activities may adversely alter watershed hydrology and degrade water quality, which, in turn, could diminish or eliminate the conservation benefits provided by the SSHCP Preserve System. Condition 1 is designed to conserve and/or rehabilitate on-site natural creeks and streams. This condition will require the provision of BMPs and low-impact development (LID) drainage control measures to ensure that runoff from developed lands will closely mimic the pre-development hydrograph and retain most pre-development hydrologic functions. Condition 1 will accomplish the hydrograph and hydrologic objectives through application of the listed AMMs to all UDA Covered Activities that occur at the parcel, subdivision, or master plan scale.

LID-1 (Stormwater Quality): When the size of a Covered Activity individual project exceeds the thresholds established by the State Water Resources Control Board (SWRCB) (see the most recent Stormwater Quality Design Manual for the Sacramento and South Placer Regions, or future SWRCB-approved design manuals applicable to the SSHCP boundary), incorporate stormwater management into site design to satisfy the requirements outlined in the most recent Stormwater Quality Design Manual for the Sacramento and South Placer Regions. Stormwater management may include groundwater recharge (LID-2) and natural site features (LID-3).

LID-2 (Groundwater Recharge): When siting new HCP Preserves containing Riparian, Open water, or Freshwater Marsh land cover types, the HCP Implementing Entity will prioritize locations that are suitable for groundwater recharge.

LID-3 (Natural Site Features): Incorporate preservation of a site's natural aquatic features (such as creeks and streams) into the individual project's design to retain natural hydrologic patterns and to retain habitat that might be used by Covered Species.

Condition 2. Avoid and Minimize Urban Development Direct and Indirect Impacts to Existing Preserved Lands and SSHCP Preserves

Development Covered Activities adjacent to Preserves may adversely impact species that use the Preserve, and erode or eliminate the conservation benefits provided by the Preserve. Condition 2 seeks to avoid or minimize the following Covered Activity environmental stressors that may result in direct and indirect impacts to the SSHCP Preserve System:

- Alterations to landscape hydrology from new impervious surfaces may adversely affect natural communities in the lower watershed, the ecology of preserved lands, and/or downstream aquatic resources.
- Water runoff from development or from roadways directed into Preserves may introduce harmful substances into Preserves. Unseasonal and/or additional water entering a Preserve may eliminate vernal pools and other seasonal wetlands native to the region by converting them to low-functioning perennial wetlands.
- Development adjacent to Preserves may partially to fully remove the soil's "perched aquifer" (see Chapter 3 in the EIS/EIR) and reduce or eliminate the micro-watersheds that support the hydrology of vernal pools within the Preserve boundary. These changes may adversely affect the existing hydrologic regime of vernal pools by changing the timing, depth, and/or duration of vernal pool saturation and/or ponding, causing long-term changes to a suite of vernal pool functions. For example, changes to water chemistry could adversely affect species habitat. Although the vernal pools remain, the environmental conditions of the pools may no longer provide habitat for vernal pool Covered Species, or provide the benefit of other wetland functions (e.g., stormwater attenuation) compared to pre-project conditions.
- Introduction or proliferation of non-native or invasive plant and wildlife species may displace native species.
- Landscaping in the interface of a development and a Vernal Pool–Grassland Preserve often includes native or non-native trees and other plant species that are not found in California grasslands and, therefore, cannot survive on the Vernal Pool–Grassland Preserve border without intensive irrigation and cultivation. In addition to adverse effects from irrigation and landscape maintenance, adult trees may become landscape barriers that inhibit species movement and may act to isolate individual Preserves from the larger SSHCP Preserve System.
- Recreational use of Preserves near developed areas may compact soils, eliminate vegetation, impair hydrologic functions, introduce weeds or invasive plant species, and disturb plants and wildlife.
- Introduction of light, noise, or vibrations may disrupt normal nocturnal and diurnal cycles of native species.

AMMs associated with Condition 2 must be applied to all Covered Activities implemented within the UDA that border an existing Preserve or a planned SSHCP Preserve.

EDGE-4 (Locate Stormwater Control Outside Preserves): Roads, sidewalks, and other impermeable surfaces of Urban Development Covered Activities adjacent to existing or planned Preserves will slope away from Preserves and Preserve Setbacks or intercept drainage with swales or curbs and gutters to preclude drainage from entering Preserves and Preserve Setbacks. Stormwater flows must be directed away from Preserves and Preserve Setbacks and directed into stormwater control facilities inside the development (outside Preserves and Preserve Setbacks) (see EDGE-6 for exception to EDGE-4 in certain SSHCP Linkage Preserves).

EDGE-5 (Stormwater Control in Preserve Setbacks): If trails are established in any Preserve Setback in compliance with EDGE-3, the trail must be sloped away from the Preserve, and rainwater leaving the trail surface must flow into an adjacent low-

velocity bio-retention swale or cell to keep rainwater runoff and trail contaminants from entering the Preserve. Low-velocity bio-retention swales or cells are typically small linear features placed on one or both sides of a trail. As required by EDGE-3, trails and their adjacent bio-retention swales or cells must be located on the side of the Preserve Setback nearest development.

EDGE-6 (Detention Basins in Linkage Preserves): Because planned SSHCP Linkage Preserves L1, L2, L4, L7, L8, L9, and L10 (see Section 7.5 of the SSHCP document) surround natural creeks or streams that must receive stormwater from planned adjacent Urban Development Covered Activities, a limited number of stormwater detention basins will be allowed on those Linkage Preserves. Detention basins within Linkage Preserves (see Section 5.2.7 of the SSHCP document) will be designed and constructed with fill material to build up the perimeter of the detention basin so as not to impact the soil restrictive layer (duripan or hardpan) and function of the soil perched aquifer. Detention basins within Linkage Preserves will capture stormwater flows and runoff, and will discharge water to the stream/creek or percolate collected water to the soil perched aquifer. Detention basin structures that collect stormwater entering the basin or convey stormwater leaving the basin must be designed to avoid and minimize effects to Covered Species habitat in the Linkage Preserve.

EDGE-10 (Prevent Invasive Species Spread): Completed Covered Activities (including roads) will be maintained in a manner that avoids the spread of invasive species into Preserve and Open Space areas. Such maintenance measures will include the following:

- To prevent the transport of non-native invasive species onto Preserves, before bringing any equipment onto an SSHCP Preserve or Preserve Setback, equipment must be cleaned of mud, dirt, and plant material. Cleaning will occur in the infested area or another appropriate location as approved by a Plan Permittee.
- Mowing rotation will start in un-infested areas and move to infested areas.
- Invasive plant prevention techniques will be incorporated into maintenance plans.
- The SSHCP Implementing Entity will survey road shoulders, ditches, and rights-of-way that border SSHCP Preserves for invasive weeds or other exotic plant species. Where roadside weed infestations have reached a critical control point, the Implementing Entity or Land Use Authority Permittee will apply the appropriate manual, mechanical, or chemical treatment.

Condition 6. Avoid and Minimize Impacts When Re-Establishing or Establishing Wetlands

As discussed in Chapter 7 of the SSHCP document, the Permit Applicants anticipate that approximately 389 acres of Vernal Pool habitat will be re-established or established within the SSHCP boundary as part of the SSHCP Conservation Strategy. Although re-establishment or establishment of vernal pools is a Measurable Objective under this Plan, if not done correctly, the action could have an adverse impact on existing vernal pools.

RE-ESTABLISHMENT/ESTABLISHMENT-1 (Vernal Pool): Re-establish or establish Vernal Pool Wetland according to the following guidelines:

- Re-establishment will always take priority over establishment of vernal pools. Establishment will be permitted only after it has been determined that sites with the

potential to re-establish vernal pools no longer exist in the SSHCP boundary or cannot be acquired through a willing seller/buyer agreement.

- When possible, re-established or established sites will be located adjacent to an existing Preserve(s) to maximize connectivity and Preserve area.
- Re-establishment or establishment will not result in direct or indirect adverse impacts to the hydrologic regime of existing vernal pools. Vernal pool re-establishment or establishment actions will not remove more than 10% of any existing vernal pool watershed, as defined by the SSHCP LIDAR analysis (see Section 3.3 and Conservation Action VPI1.2 in Table 7.1 of the SSHCP document).
- Vernal pool re-establishment will attempt to restore the historical density and range of vernal pool sizes to the maximum extent feasible using historical aerial photography of the site, if available. Where aerial photography of the site's historical conditions is not available, vernal pool re-establishment will include a range of pool sizes (area and depth) to accommodate the different habitat needs and life history characteristics of the vernal pool invertebrate Covered Species.
- Established vernal pools must be located on sites with vernal pool soils, defined as any plan area soil type where vernal pools currently exist.
- Established vernal pool sites will include a range of pool sizes to accommodate the different habitat needs and life history characteristics of the three vernal pool invertebrate Covered Species.
- The total density of vernal pools will not exceed 10% of the suitable soil areas in any vernal pool re-establishment and/or establishment site, unless it can be shown that the suitable areas of that site historically supported greater densities.
- Re-establishment or establishment may include inoculation when it is likely that no seed or cyst bank of vernal pool species remains at a site. Vernal Pool inocula will come from nearby vernal pools that are on the same geologic formation and soil type.

RE-ESTABLISHMENT/ESTABLISHMENT-2 (Vernal Pool Inocula Bank): Vernal pool reestablishment or establishment may include "soil inoculation" when it is likely that no seed or cyst bank of vernal pool species remains at a re-establishment or establishment site.

- During conversion of UDA vernal pools to a developed land cover type, individual project proponents will excavate and retain soil from vernal pools following protocols developed by the SSHCP Technical Advisory Committee (see Chapter 9 of the SSHCP document).
- Inocula applied in re-established or established vernal pools must be harvested from a vernal pool that is on the same geologic formation and soil type shown on the County General Soil Map as the reestablishment/ establishment site. Geologic formations and soil types will follow U.S. Department of Agriculture Soil Conservation Service's 1993 Soil Survey of Sacramento County, California. Proposed off-site inocula sources must be approved by the Wildlife Agencies.

RE-ESTABLISHMENT/ESTABLISHMENT-3 (Re-Establishment/Establishment of Freshwater Marsh or Open Water near Airports): During review of proposed re-establishment/ establishment individual projects for freshwater marsh or open water on SSHCP Preserves, the Implementing Entity shall consider the potential for the location

of the reestablishment/establishment individual projects to increase the risk of wildlife strikes or generation of ground fog at airports. If a re-establishment/ establishment individual project would result in (1) a net increase in open water or freshwater marsh acreage over baseline conditions within 5 miles of Mather Field, Sacramento Executive Airport, or Franklin Field; or (2) replacement of open water/freshwater marsh habitat that is located 2 or more miles from Mather Field or Sacramento Executive Airport with open water/freshwater marsh habitat that is located less than 2 miles from those airports, a qualified biologist shall prepare a concise letter report. The letter report shall summarize the biologist's findings regarding (1) the species likely to use the reestablished/established habitat, (2) a rough order of magnitude estimate on the peak number of birds that might use the re-established/established habitat, and (3) potential movement patterns for birds using the re-established/established habitat and whether they might cross through the airport safety zones (e.g., to reach foraging habitat or another wildlife attractant). The letter report will also provide recommendations to the Implementing Entity on how they could reduce any of the identified wildlife hazards if there are any feasible means to do so that would not conflict with the biological goals and measurable objectives of the Conservation Plan.

Condition 7. Avoid and Minimize Impacts to Streams and Creeks

AMMs associated with Condition 7 must be applied to all Covered Activities where a stream or creek is located within an individual project footprint.

STREAM-1 (Laguna Creek Wildlife Corridor): A 150-foot setback measured from the top of the bank on both sides of the stream will be applied to Laguna Creek within the UDA (minimum 300-foot corridor width). If trails are located within the Laguna Creek Wildlife Corridor, the nearest edge of the trail will be located at least 80 feet from the top of the bank.

STREAM-2 (UDA Stream Setbacks): A 100-foot setback measured from the top of the bank on both sides of the stream channel will be applied to all streams listed in Table 5-1 of the SSHCP document (see also Figure 2-4). If a stream reach supports woody riparian vegetation, the setback will be equal to the riparian edge plus 25 feet or will be the setback defined above, whichever is greater. If trails are located within the Stream Setback, the nearest edge of the trail will be located at least 50 feet from the top of the bank.

STREAM-3 (Minor Tributaries to UDA Streams): A 25-foot setback measured from the top of the bank on both sides of the stream channel will be applied to all avoided first and second order tributaries to the streams listed in Table 5-1 and Laguna Creek. Refer to Objective W6 in Chapter 7 of the SSHCP document (Table 7-1) regarding avoided first and second order tributaries. Trails are not permitted within headwater ephemeral Stream Setbacks.

STREAM-4 (Minimize Effects from Temporary Channel Re-Routing): When an Urban Development Covered Activity temporarily re-routes a stream, creek, or drainage, the re-routing will be completed in a manner that minimizes impacts to beneficial uses and habitat. The following measures will be employed to minimize disturbances that will adversely impact water quality:

- No equipment will be operated in areas of flowing or standing water.
- Construction materials and heavy equipment must be stored outside of the active flow of any waters.

- When work within waters is necessary, the entire stream flow will be diverted around the work area.
- In the event of rain, the disturbed in-water work area will be temporarily stabilized before water body flow exceeds the capacity of the diversion structure. The disturbed water body will be stabilized so that the disturbed areas will not come in contact with the flow.
- Once construction is complete, all individual project-introduced material (e.g., pipes, gravel, cofferdam, sandbags) must be removed, leaving the water as it was before construction. Excess materials will be disposed of at an appropriate disposal site.
- All work areas will be effectively isolated from stream flows using suitable control measures before commencement of any in-water work. The diverted stream flow will not be contaminated by construction activities. Structures for isolating the in-water work area and/or diverting the stream flow (e.g., cofferdam, geo-textile silt curtain) will not be removed until all disturbed areas are cleaned and stabilized.
- Any flow diversion used during construction will be designed in a manner to prevent pollution and minimize siltation, and will provide flows to downstream reaches. Flows will be maintained to support existing aquatic life, riparian wetlands, and habitat that may be located upstream and downstream from any temporary diversion.
- All surface waters, including ponded waters, will be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity that may result in a discharge to waters.
- All temporary dewatering methods will be designed to have the minimum necessary impacts to waters to isolate the immediate work area. All dewatering methods will be installed such that natural flow is maintained upstream and downstream of the diversion area. Any temporary dams and diversions will be installed such that the diversion does not cause sedimentation, siltation, or erosion upstream or downstream of the diversion area. All dewatering methods will be removed immediately upon completion of diversion activities.
- A method of containment must be used below any bridge, boardwalk, and/or temporary crossing to prevent debris from falling into the waters through the entire duration of an individual project.
- If temporary surface water diversions and/or dewatering are anticipated, the Permit Applicant or their Third-Party Project Proponent will develop and maintain on site a surface water diversion and/or dewatering plan. The plan(s) must be developed prior to initiation of any water diversions and will include the proposed method and duration of diversion activities. The plan(s) must be made available to Central Valley Water Board staff upon request.
- When work in a flowing stream is unavoidable and any dam or other artificial obstruction is being constructed, maintained, or placed in operation, sufficient water will be allowed at all times to pass downstream to maintain beneficial uses of waters below the dam. Construction, dewatering, and removal of temporary cofferdams will not violate the turbidity, settle-able matter, pH, temperature, or dissolved oxygen requirements of any Water Quality Control Plan.

- Any temporary dam or other artificial obstruction will only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel that will cause little or no siltation. Stream flow will be temporarily diverted using gravity flow through temporary culverts or pipes, or pumped around the work site with the use of hoses.

STREAM-5 (Design for Stream Channel Re-Routing, Widening, or Deepening):

When an urban development Covered Activity alters a stream, creek, or drainage by re-routing, widening, or deepening a channel, the individual project design will include the following:

- The main channel of a re-routed channel will be free to migrate laterally over its active and terrace floodplain.
- Channel geometry (plan, profile, and cross-section) of the site will be appropriate for the watershed location and physical/hydrologic condition.
- Local, native materials will be used as fill material to the extent practicable.
- Bioengineering techniques will be used for construction and maintenance of bank stabilization. Bioengineered bank stabilization structures will use vegetation in combination with bank reshaping; biodegradable geotextile materials; and, in some cases, a minimal amount of rock or wood to the extent practicable to dissipate erosive energy. The Permit Applicant or their Third-Party Project Proponents will consult a professional engineer when considering using bioengineering techniques.
- All re-routed, widened, or deepened streams are required to establish Stream Setbacks with minimum widths required under STREAM-1, STREAM-2, or STREAM-3. All re-routed, widened, or deepened streams must re-establish/establish and maintain native Woody Riparian land cover and/or native Grassland Riparian land cover in the entire Stream Setback.

Condition 9. Avoid and Minimize Impacts That Might Result From Removing or Breaching Levees to Establish or Re-establish Riparian Habitat

LEVEE-1 (Preparation of Hydrologic Analysis): Prior to approving a draft Preserve Management Plan that includes (1) modifying or breaching an existing levee, or (2) would place a potential impedance to high-water event flood-flows on the water side of an existing levee (including new riparian vegetation plantings or other new Preserve facilities), a hydrologic analysis will be conducted. The Preserve activity will only be implemented if the hydrologic analysis concludes that the activity will not result in a substantial increase in flood stage elevations or flood risk on lands outside the Preserve.

Condition 10. Avoid and Minimize Impacts That Might Result From Potential Residual Contamination of Preserves and Related Exposure of People to Such Hazardous Materials

HAZARDOUS MATERIALS-1 (Preparation of Phase I Environmental Site Assessment): Prior to the acquisition of preserve site or implementation of a stream or riparian restoration individual project, a Phase I Environmental Site Assessment shall be conducted in general accordance with the American Society for Testing and Materials Standard Practice E1527-05. The purpose of this Environmental Site Assessment is to identify, to the extent feasible pursuant to the American Society for Testing and Materials Standard, recognized environmental conditions in connection

with the potential site. The term “recognized environmental condition” means the presence or likely presence of hazardous substances or petroleum products on the property under conditions that may indicate an existing release, a past release, or a material threat of release of these substances to the property. If the Phase 1 Environmental Site Assessment indicates the presence of a recognized environmental condition, the Implementing Entity shall consider the following options.

- Determine that the acquisition/ individual project can proceed on the basis that the Habitat Plan goals and objectives can be met on the site even with the presence of a recognized environmental condition.
- Conduct a Phase II Environmental Site Assessment, including soil and groundwater testing, to further study the potential for contamination to limit the Implementing Entity’s management activities.
- If the results of the Phase I (or Phase II) Environmental Site Assessment indicate that the Habitat Plan goals and objectives cannot be met on the site, the Implementing Entity should not acquire the site.

HAZARDOUS MATERIALS-2 (Contingency Plan): As part of each Preserve Management Plan or site restoration plan, a Contingency Plan shall be prepared to address the actions that would be taken during construction in the event that unexpected contaminated soil or groundwater is discovered. The Contingency Plan shall include health and safety considerations, handling and disposal of wastes, reporting requirements, and emergency procedures. The Contingency Plan shall include a requirement that if evidence of contaminated materials is encountered during construction, construction would cease immediately and applicable requirements of the Comprehensive Environmental Release Compensation and Liability Act and the California Code of Regulations Title 22 regarding the disposal of waste would be implemented.

- (2) Findings regarding mitigation measures which are the responsibility of another agency. (Public Resources Code, section 21081, subd. (a)(2); California Code of Regulations, Title 14, section 15091, subd.(a)(2).)

There are changes or alterations that are within the responsibility and jurisdiction of another public agency and not the jurisdiction of the Central Valley Water Board. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

a.i. Potential Significant Impact: The Project may result in potentially significant impacts to biological resources.

a.ii. Facts in Support of Finding: In addition to the Avoidance and Minimization Measures listed below, from Attachment D of the SSHCP EIR and Chapter 5 of the SSHCP document, the Project will implement mitigation measures for impacts to biological resources listed in the Sacramento County General Plan of 2005 – 2030, Sacramento County Swainson’s Hawk Ordinance, Sacramento County Tree Ordinance and Tree Preservation Ordinance, 2030 Galt General Plan, Galt Tree Ordinances, and Rancho Cordova General Plan.

General Covered Species Take Avoidance and Minimization Measures

SPECIES-1 (Litter Removal Program): A litter control program will be instituted for the entire individual project site. All workers will ensure that their food scraps, paper

wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed trash containers. All garbage will be removed from the individual project site at the end of each work day, and construction personnel will not feed or otherwise attract wildlife to the area where construction activities are taking place.

SPECIES-2 (No Pets in Construction Areas): To avoid harm and harassment of native species, workers and visitors will not bring pets onto a individual project site.

SPECIES-3 (Take Report): If accidental injury or death of any Covered Species occurs, workers will immediately inform the approved biologist or on-site monitor and site supervisor. The approved biologist or on-site monitor will phone the appropriate contact person at the Implementing Entity. The Implementing Entity will immediately contact the Wildlife Agencies by telephone. A memorandum will be provided to the Implementing Entity and Wildlife Agencies within 1 working day of the incident. The report will provide the date and location of the incident, number of individuals taken, the circumstances resulting in the take, and any corrective measures taken to prevent additional take.

SPECIES-4 (Post-Construction Compliance Report): A post-construction compliance report will be submitted to the Implementing Entity within 30 calendar days of completion of construction activities or within 30 calendar days of any break in construction activity that lasts more than 30 days. The report will detail the construction start and completion dates, any information about meeting or failing to meet species take Avoidance and Minimization Measures (AMM), effectiveness of each AMM that was applied at the individual project site, and any known individual project effects to Covered Species.

Rare Plants

PLANT-1 (Rare Plant Surveys): If a Covered Activity individual project site contains modeled habitat for Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*), Bogg's Lake hedge-hyssop (*Gratiola heterosepala*), dwarf downingia (*Downingia pusilla*), Legenere (*Legenere limosa*), pincushion navarretia (*Navarretia myersii*), or Sanford's arrowhead (*Sagittaria sanfordii*), the Covered Activity individual project site will be surveyed for the rare plant by an approved biologist and following the California Department of Fish and Wildlife (CDFW) rare plant survey protocols (CDFG 2009) or the most recent CDFW rare plant survey protocols. An approved biologist will conduct the field surveys and will identify and map plant species occurrences according to the protocols. See Chapter 10 of the SSHCP document for the process to submit survey information to the Permit Applicant and the Permitting Agencies.

PLANT-2 (Rare Plant Protection): If a rare plant listed in AMM PLANT-1 is detected within an area proposed to be disturbed by a Covered Activity or is detected within 250 feet of the area proposed to be disturbed by a Covered Activity, the Implementing Entity will assure one unprotected occurrence of the species is protected within a SSHCP Preserve before any ground disturbance occurs at the individual project site.

Sacramento and Slender Orcutt Grass

ORCUTT-1 (Orcutt Grass Surveys): If a Covered Activity individual project site is located within 1 mile of the Mather Core Recovery Area and contains the Vernal Pool land cover type, the individual project site will be surveyed for Sacramento and slender Orcutt grass by an approved biologist following California Department of Fish and Wildlife (CDFW) rare plant survey protocols (CDFG 2009) or most recent CDFW guidelines to determine if Sacramento and/or slender Orcutt grass is present. An

approved biologist will conduct the field investigation to identify and map occurrences. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

ORCUTT-2 (Orcutt Grass Protection): Where known or new Sacramento or slender Orcutt grass occurrences are found, they will be protected within an SSHCP Preserve that is at least 50 acres. The occurrence will be located interior to the Preserve at a distance of no less than 300 feet from the edge of the Preserve boundary. If a Third-Party Project Proponent encounters a previously undiscovered occurrence of Sacramento or slender Orcutt grass on a Covered Activity individual project site, the Third-Party Project Proponent will contact the Implementing Entity or Land Use Authority Permit Applicant with authority over the individual project, who will coordinate with the Wildlife Agencies for written concurrence of avoidance to ensure that the individual project does not cause take of the species.

California Tiger Salamander

CTS-1 (California Tiger Salamander Daily Construction Schedule): Ground-disturbing Covered Activities within California tiger salamander modeled habitat (Figure 3-16 of the SSHCP document) will occur outside the breeding and dispersal season (occur after July 31 and before October 15), to the maximum extent practicable. If Covered Activities must be implemented in modeled habitat (Figure 3-16 of the SSHCP document) during the breeding and dispersal season (after October 15 and before July 31), construction activities will not start until 30 minutes after sunrise and must be complete 30 minutes prior to sunset.

CTS-2 (California Tiger Salamander Exclusion Fencing): If a Covered Activity must be implemented in modeled habitat (Figure 3-16 of the SSHCP document) during the breeding and dispersal season (after October 15 and before July 31), exclusion fencing will be installed around the individual project footprint before October 15. Temporary high-visibility construction fencing will be installed along the edge of work areas, and exclusion fencing will be installed immediately outside of the temporary high-visibility construction fencing to exclude California tiger salamanders from entering the construction area or becoming entangled in the construction fencing. Exclusion fencing will be at least 1 foot tall and be buried at least 6 inches below the ground to prevent salamanders from going under the fencing. Fencing will remain in place until all construction activities within the construction area are complete. No individual project activities will occur outside the delineated individual project footprint. An approved biologist must inspect the exclusion fencing and individual project site every morning before 7:00 a.m. for integrity and for any entrapped California tiger salamanders. If a California tiger salamander is encountered, refer to CTS-5, below. (However, the Implementing Entity may, with approval of the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), determine that it is appropriate for a Covered Activity individual project to not implement CTS-2 for certain long and linear roadway Covered Activity individual projects if it appears that the exclusion fencing will likely trap individuals or cause more take of California tiger salamander than it would prevent.)

CTS-3 (California Tiger Salamander Monitoring): If Covered Activities must be implemented in modeled habitat (Figure 3-16 of the SSHCP document), an approved biologist experienced with California tiger salamander identification and behavior will monitor the individual project site, including the integrity of any exclusion fencing. The approved biologist will be on site daily while construction-related activities are taking

place, and will inspect the individual project site for California tiger salamander every morning before 7:00 a.m., or prior to construction activities. As required by AMM BMP-8 (Training of Construction Staff), the approved biologist will also train construction personnel on the required California tiger salamander avoidance procedures, exclusion fencing, and correct protocols in the event that a California tiger salamander enters an active construction zone. If a California tiger salamander is encountered, refer to CTS-5, below.

CTS-4 (Avoid California Tiger Salamander Entrapment): If Covered Activities must be implemented in modeled habitat, all excavated steep-walled holes or trenches more than 6 inches deep will be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes or trenches will be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within California tiger salamander modeled habitat will be inspected for California tiger salamanders by the approved biologist prior to being moved. If a California tiger salamander is encountered, refer to CTS-5, below.

CTS-5 (California Tiger Salamander Encounter Protocol): If a California tiger salamander is encountered during construction activities, the approved biologist will notify the Wildlife Agencies immediately (California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)). Construction activities will be suspended in a 100-foot radius of the animal until the animal is relocated by an approved biologist with appropriate handling permits from the Wildlife Agencies. Prior to relocation, the approved biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. If the animal is handled, a report will be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect the salamander, within 1 business day to the Wildlife Agencies. The biologist will report any take of listed species to USFWS and CDFW immediately. Any worker who inadvertently injures or kills a California tiger salamander or who finds dead, injured, or entrapped California tiger salamander(s) must immediately report the incident to the approved biologist.

CTS-6 (Erosion Control Materials in California Tiger Salamander Habitat): If erosion control (BMP-2) is implemented within California tiger salamander modeled habitat (Figure 3-16 of the SSHCP document), non-entangling erosion control material will be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure that salamanders are not trapped (no monofilament). Coconut coir matting and fiber rolls with burlap are examples of acceptable erosion control materials. This limitation will be communicated to the contractor through use of special provisions included in the bid solicitation package.

CTS-7 (Rodent Control): CTS-7 only applies to individual projects that are within California tiger salamander modeled habitat (Figure 3-16 of the SSHCP document) and on Covered Activities. Rodent control will be allowed only in developed portions of a Covered Activity individual project site. Where rodent control is allowed, the method of rodent control will comply with the methods of rodent control discussed in the 4(d) Rule published in the U.S. Fish and Wildlife Service's (2004) final listing rule for tiger salamander.

Western Spadefoot

WS-1 (Western Spadefoot Work Window): Ground-disturbing Covered Activities within western spadefoot modeled habitat (Figure 3-17 of the SSHCP document) will occur outside the breeding and dispersal season (after May 15 and before October 15), to the maximum extent practicable.

WS-2 (Western Spadefoot Exclusion Fencing): If Covered Activities must be implemented in modeled habitat (Figure 3-17 of the SSHCP document) after October 15 and before May 15, exclusion fencing will be installed around the individual project footprint before October 15, and the individual project site must be monitored by an approved biologist following rain events. Temporary high-visibility construction fencing will be installed along the edge of work areas, and silt fencing will be installed immediately behind the temporary high-visibility construction fencing to exclude western spadefoot from entering the construction area. Fencing will remain in place until all construction activities within the construction area are completed. No individual project activities will occur outside the delineated individual project footprint. If a western spadefoot is encountered, refer to WS-6, below.

WS-3 (Western Spadefoot Monitoring): If Covered Activities must be implemented in modeled habitat (Figure 3-17 of the SSHCP document) in the breeding and dispersal season (after October 15 and before May 15), an approved biologist experienced with western spadefoot identification and behavior will monitor the individual project site, including the integrity of any exclusion fencing. The approved biologist will be on site daily while construction-related activities are taking place, and will inspect the individual project site daily for western spadefoot prior to construction activities. The approved biologist will also train construction personnel on the required avoidance procedures, exclusion fencing, and protocols in the event that a western spadefoot enters an active construction zone (i.e., outside the buffer zone). If a western spadefoot is encountered, refer to WS-6, below.

WS-4 (Avoid Western Spadefoot Entrapment): If a Covered Activity occurs in western spadefoot modeled habitat (Figure 3-17 of the SSHCP document), all excavated steep-walled holes and trenches more than 6 inches deep will be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches will be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within western spadefoot modeled habitat will be inspected for western spadefoot by the approved biologist prior to being moved. If a western spadefoot is encountered, refer to WS-6, below.

WS-5 (Erosion Control Materials in Western Spadefoot Habitat): If erosion control (BMP-2) is implemented within western spadefoot modeled habitat (Figure 3-17 of the SSHCP document), non-entangling erosion control material will be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure that western spadefoots are not trapped (no monofilament). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials.

WS-6 (Western Spadefoot Encounter Protocol): If Covered Activities must be implemented in modeled habitat (Figure 3-17 of the SSHCP document) during the breeding and dispersal season (after October 15 and before May 15), and a western

spadefoot is encountered during construction activities, the approved biologist will notify the Wildlife Agencies immediately. Construction activities will be suspended in a 100-foot radius of the animal until the animal leaves the individual project site on its own volition. If necessary, the approved biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. If the animal is handled, a report will be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect the western spadefoot within 1 business day to the Wildlife Agencies. The biologist will report any take of listed species to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife immediately. Any worker who inadvertently injures or kills a western spadefoot or who finds dead, injured, or entrapped western spadefoot(s) must immediately report the incident to the approved biologist.

Giant Garter Snake

GG-1 (Giant Garter Snake Surveys): If the SSHCP giant garter snake modeled habitat maps (Figure 3-18 of the SSHCP document) show that modeled habitat for giant garter snake is present within a Covered Activity's individual project footprint or within 300 feet of a individual project footprint, then an approved biologist will conduct a field investigation to delineate giant garter snake aquatic habitat within the individual project footprint and adjacent areas within 300 feet of the individual project footprint. In addition to the SSHCP land cover types shown in Figure 3-18 of the SSHCP document, giant garter snake aquatic habitat includes, but is not limited to, low-gradient streams and creeks, open water, freshwater marsh, agricultural ditches, and rice fields. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. The Third-Party Project Proponent will map all existing or potential sites and provide these maps to the Local Land Use Permit Applicants and the Implementing Entity. Locations of delineated giant garter snake habitat must also be noted on plans that are submitted to a Local Land Use Permit Applicant. The applicant will use this information to finalize individual project design. Covered Activities may occur throughout the year as long as giant garter snake habitat is identified and fully avoided. Otherwise, Covered Activities must comply with GGS-2 through GGS-8, below. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

GG-2 (Giant Garter Snake Work Window): Covered Activities that do not fully avoid giant garter snake modeled habitat (Figure 3-18 of the SSHCP document) will be conducted during the snake's active season. Construction and ground-disturbing activities will be initiated after May 1 and will end prior to September 15. If it appears that construction activities may go beyond September 15, the Local Land Use Permit Applicant or their Third-Party Project Proponent will contact the Implementing Entity as soon as possible, but not later than September 1. The Local Land Use Permit Applicant and the Implementing Entity will discuss with the Wildlife Agencies additional measures necessary to minimize take.

GG-3 (Giant Garter Snake Monitoring): If a Covered Activity is occurring in giant garter snake modeled habitat (Figure 3-18 of the SSHCP document), an approved biologist experienced with giant garter snake identification and behavior will monitor the individual project site, including the integrity of any exclusion fencing. The approved biologist will be on site daily while construction-related activities are taking place in aquatic habitat or within 300 feet of aquatic habitat, and will inspect the individual project site daily for giant garter snake prior to construction activities. If a giant garter snake is encountered, refer to GGS-7. The approved biologist will also

train construction personnel on the required avoidance procedures, exclusion fencing, and protocols in the event that a giant garter snake enters an active construction zone (i.e., outside the buffer zone).

GGG-4 (Giant Garter Snake Habitat Dewatering and Exclusion): If construction activities will occur in giant garter snake aquatic habitat, aquatic habitat will be dewatered and then remain dry and absent of aquatic prey (e.g., fish and tadpoles) for 15 days prior to initiation of construction activities. If complete dewatering is not possible, the Implementing Entity will be contacted to determine what additional measures may be necessary to minimize effects to giant garter snake. After aquatic habitat has been dewatered 15 days prior to construction activities, exclusion fencing will be installed extending a minimum of 300 feet into adjacent uplands to isolate both the aquatic and adjacent upland habitat. Exclusionary fencing will be erected 36 inches above ground and buried at least 6 inches below the ground to prevent snakes from attempting to move under the fence into the construction area. In addition, high-visibility fencing will be erected to identify the construction limits and to protect adjacent habitat from encroachment of personnel and equipment. Giant garter snake habitat outside construction fencing will be avoided by all construction personnel. The fencing and the work area will be inspected by the approved biologist to ensure that the fencing is intact and that no snakes have entered the work area before the start of each work day. The fencing will be maintained by the contractor until completion of the individual project. If giant garter snake is encountered, refer to GGS-7, below.

GGG-5 (Avoid Giant Garter Snake Entrapment): If a Covered Activity occurs in giant garter snake modeled habitat (Figure 3-18 of the SSHCP document), all excavated steepwalled holes and trenches more than 6 inches deep will be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches will be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within giant garter snake modeled habitat will be inspected for giant garter snake by the approved biologist prior to being moved. If a giant garter snake is encountered, refer to GGS-7.

GGG-6 (Erosion Control Materials in Giant Garter Snake Habitat): If erosion control (BMP-2) is implemented within giant garter snake modeled habitat (Figure 3-18 of the SSHCP document), non-entangling erosion control material will be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure snakes are not trapped (no monofilament). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials.

GGG-7 (Giant Garter Snake Encounter Protocol): If a giant garter snake is encountered during construction activities, the approved biologist will notify the Wildlife Agencies immediately. Construction activities will be suspended in a 100-foot radius of the animal until the animal leaves the individual project site on its own volition. If necessary, the approved biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. If the animal is handled, a report will be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect the giant garter snake within 1 business day to the Wildlife Agencies. The biologist will report any take of listed species to the U.S. Fish and Wildlife Service immediately. Any worker who inadvertently injures or kills a giant

garter snake or who finds one dead, injured, or entrapped must immediately report the incident to the approved biologist.

GG8-8 (Giant Garter Snake Post-Construction Restoration): After completion of ground-disturbing Covered Activities, the applicant will remove any temporary fill and construction debris and will restore temporarily disturbed areas to pre-project conditions. Restoration work includes such activities as re-vegetating the banks and active channels with a seed mix similar to pre-project conditions. Appropriate methods and plant species used to re-vegetate such areas will be determined on a site-specific basis in consultation with the Implementing Entity. Restoration work may include replanting emergent aquatic vegetation. Refer to the U.S. Fish and Wildlife Service's (USFWS) Guidelines for the Restoration and/or Replacement of Giant Garter Snake Habitat (USFWS 1997), or the most current USFWS guidelines at the time of the activity. A photo documentation report showing pre- and post-project conditions will be submitted to the Implementing Entity 1 month after implementation of the restoration.

Western Pond Turtle

WPT-1 (Western Pond Turtle Surveys): If the SSHCP western pond turtle modeled habitat maps (Figure 3-19 of the SSHCP document) show that modeled habitat for western pond turtle is present within a Covered Activity's individual project footprint or within 300 feet of an individual project footprint, then an approved biologist will conduct a field investigation to delineate western pond turtle aquatic habitat within the individual project footprint and within 300 feet of the individual project footprint. In addition to the SSHCP land cover types shown in Figure 3-19 of the SSHCP document, western pond turtle aquatic habitat includes, but is not limited to, low-gradient streams and creeks, open water, freshwater marsh, and rice fields. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. The Third-Party Project Proponent will map all existing or potential sites and provide those maps to the Local Land Use Permit Applicants and the Implementing Entity. Locations of delineated western pond turtle habitat must also be noted on plans that are submitted to a Local Land Use Permit Applicant. The applicant will use this information to finalize design. Covered Activities may occur throughout the year as long as western pond turtle habitat is identified and fully avoided. Otherwise, Covered Activities must comply with WPT-2 through WPT-9. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

WPT-2 (Western Pond Turtle Work Window): Maintenance and improvements to existing structures may occur throughout the year as long as western pond turtle habitat is identified and avoided, and movement of equipment is confined to existing roads. Otherwise, construction and ground-disturbing Covered Activities must be conducted outside of western pond turtle's active season. Construction and ground-disturbing activities will be initiated after May 1 and will commence prior to September 15. If it appears that construction activities may go beyond September 15, the appropriate Permit Applicant will contact the Local Land Use Permit Applicant and the Implementing Entity as soon as possible, but not later than September 1, to determine if additional measures are necessary to minimize take.

WPT-3 (Western Pond Turtle Monitoring): If a Covered Activity is occurring in western pond turtle modeled habitat (Figure 3-19 of the SSHCP document), an approved biologist experienced with western pond turtle identification and behavior will monitor the individual project site, including the integrity of any exclusion fencing. The

approved biologist will be on site daily while construction-related activities are taking place in aquatic habitat or within 300 feet of aquatic habitat, and will inspect the individual project site daily for western pond turtle prior to construction activities. The approved biologist will also train construction personnel on the required avoidance procedures, exclusion fencing, and protocols in the event that a western pond turtle enters an active construction zone (i.e., outside the buffer zone).

WPT-4 (Western Pond Turtle Habitat Dewatering and Exclusion): If construction activities will occur in western pond turtle aquatic habitat, aquatic habitat for the turtle will be dewatered and then remain dry and absent of aquatic prey (e.g., crustaceans and other aquatic invertebrates) for 15 days prior to the initiation of construction activities. If complete dewatering is not possible, the Implementing Entity will be contacted to determine what additional measures may be necessary to minimize effects to western pond turtle. After aquatic habitat has been dewatered 15 days prior to construction activities, exclusion fencing will be installed extending a minimum of 300 feet into adjacent uplands to isolate both the aquatic and adjacent upland habitat. Exclusionary fencing will be erected 36 inches above ground and buried at least 6 inches below the ground to prevent turtles from attempting to burrow or move under the fence into the construction area. In addition, high-visibility fencing will be erected to identify construction limits and to protect adjacent habitat from encroachment of personnel and equipment. Western pond turtle habitat outside construction fencing will be avoided by all construction personnel. The fencing and work area will be inspected by the approved biologist to ensure that the fencing is intact and that no turtles have entered the work area before the start of each work day. Fencing will be maintained by the contractor until completion of the individual project. If, after exclusion fencing and dewatering, western pond turtles are found within the individual project footprint or within 300 feet of the individual project footprint, the Third-Party Project Proponent will discuss the next best steps with the Implementing Entity and Wildlife Agencies.

WPT-5 (Avoid Western Pond Turtle Entrapment): If a Covered Activity occurs within western pond turtle modeled habitat (Figure 3-19 of the SSHCP document), all excavated steep-walled holes and trenches more than 6 inches deep will be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches will be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within western pond turtle modeled habitat will be inspected for western pond turtle by the approved biologist prior to being moved.

WPT-6 (Erosion Control Materials in Western Pond Turtle Habitat): If erosion control (BMP-2) is implemented within western pond turtle modeled habitat (Figure 3-19 of the SSHCP document), non-entangling erosion control material will be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure that turtles are not trapped (no monofilament). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials.

WPT-7 (Western Pond Turtle Modeled Habitat Speed Limit): Covered Activity construction and maintenance vehicles will observe a 20-mile-per-hour speed limit within western pond turtle modeled upland habitat (Figure 3-19 of the SSHCP document).

WPT-8 (Western Pond Turtle Encounter Protocol): If a western pond turtle is encountered during construction activities, the approved biologist will notify the Wildlife Agencies immediately. Construction activities will be suspended in a 100-foot radius of the animal until the animal leaves the individual project site on its own volition. If necessary, the approved biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. If the animal is handled, a report will be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect the turtle, within 1 business day to the Wildlife Agencies. The biologist will report any take of listed species to the U.S. Fish and Wildlife Service immediately. Any worker who inadvertently injures or kills a western pond turtle or who finds one dead, injured, or entrapped must immediately report the incident to the approved biologist.

WPT-9 (Western Pond Turtle Post-Construction Restoration): After completion of ground-disturbing Covered Activities, the applicant will remove any temporary fill and construction debris and will restore temporarily disturbed areas to pre-project conditions. Restoration work includes such activities as re-vegetating the banks and active channels with a seed mix similar to pre-project conditions. Appropriate methods and plant species used to re-vegetate such areas will be determined on a site-specific basis in consultation with the Implementing Entity. Restoration work may include replanting emergent aquatic vegetation and placing appropriate artificial or natural basking areas in waterways and wetlands. A photo documentation report showing pre- and post-project conditions will be submitted to the Implementing Entity 1 month after implementation of the restoration.

Tricolored Blackbird

TCB-1 (Tricolored Blackbird Surveys): If modeled habitat for tricolored blackbird is present within a Covered Activity's individual project footprint or within 500 feet of a individual project footprint, then an approved biologist will conduct a field investigation to determine if existing or potential nesting or foraging sites are present within the individual project footprint and adjacent areas within 500 feet of the individual project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. Within the SSHCP boundary, potential tricolor blackbird nest sites are often associated with freshwater marsh and seasonal wetlands, or in thickets of willow, blackberry, wild rose, thistle, and other thorny vegetation. Tricolored blackbirds are also known to nest in crops associated with dairy farms. Foraging habitat is associated with annual grasslands, wet and dry vernal pools and other seasonal wetlands, agricultural fields (such as large tracts of alfalfa and pastures with continuous haying schedules and recently tilled fields), cattle feedlots, and dairies. The Third-Party Project Proponent will map all existing or potential nesting or foraging sites and provide these maps to the Local Land Use Permit Applicants and Implementing Entity. Nesting sites must also be noted on plans that are submitted to a Local Land Use Permit Applicant. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

TCB-2 (Tricolored Blackbird Pre-Construction Surveys): Pre-construction surveys will be required to determine if active nests are present within an individual project footprint or within 500 feet of an individual project footprint if existing or potential nest sites were found during design surveys and construction activities will occur during the breeding season (March 1 through September 15). An approved biologist will conduct preconstruction surveys within 30 days and within 3 days of ground-disturbing activities, and within the proposed individual project footprint and 500 feet of the

proposed individual project footprint to determine the presence of nesting tricolored blackbird. Preconstruction surveys will be conducted during the breeding season (March 1 through August 31). Surveys conducted in February (to meet pre-construction survey requirements for work starting in March) must be conducted within 14 days and 3 days in advance of ground-disturbing activities. If a nest is present, then TCB-3 and TCB-4 will be implemented. The approved biologist will inform the Land Use Authority Permit Applicant and the Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

TCB-3 (Tricolored Blackbird Nest Buffer): If active nests are found within the individual project footprint or within 500 feet of any project-related Covered Activity, the Third-Party Project Proponent will establish a 500-foot temporary buffer around the active nest until the young have fledged.

TCB-4 (Tricolored Blackbird Nest Buffer Monitoring): If nesting tricolored blackbirds are present within the individual project footprint or within 500 feet of any project-related Covered Activity, then an approved biologist experienced with tricolored blackbird behavior will be retained by the Third-Party Project Proponent to monitor the nest throughout the nesting season and to determine when the young have fledged. The approved biologist will be on site daily while construction-related activities are taking place near the disturbance buffer. Work within the nest disturbance buffer will not be permitted. If the approved biologist determines that tricolored blackbirds are exhibiting agitated behavior, construction will cease until the buffer size is increased to a distance necessary to result in no harm or harassment to the nesting tricolored blackbirds. If the biologist determines that the colonies are at risk, a meeting with the Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will be held to determine the best course of action to avoid nest abandonment or take of individuals. The approved biologist will also train construction personnel on the required avoidance procedures, buffer zones, and protocols in the event that a tricolored blackbird flies into an active construction zone (i.e., outside the buffer zone).

TCB-5 (Timing of Pesticide Use and Harvest Timing on Agricultural Preserves): On SSHCP Farmland/Agricultural Preserves, pesticides (including herbicides) will not be applied from January 1 through July 15.

Swainson's Hawk

SWHA-1 (Swainson's Hawk Surveys): If modeled habitat for Swainson's hawk (Figure 3-25 of the SSHCP document) is present within a Covered Activity's individual project footprint or within 0.25 mile of a individual project footprint, then an approved biologist will conduct a survey to determine if existing or potential nesting sites are present within the individual project footprint and adjacent areas within 0.25 mile of the individual project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. Nest sites are often associated with Riparian land cover, but also include lone trees in fields, trees along roadways, and trees around structures. Nest trees may include, but are not limited to, Fremont's cottonwood (*Populus fremontii*), oaks (*Quercus* spp.), willows (*Salix* spp.), walnuts (*Juglans* spp.), eucalyptus (*Eucalyptus* spp.), pines (*Pinus* spp.), and Deodar cedar (*Cedrus deodara*). The Third-Party Project Proponent will map all existing and potential nesting sites and provide these maps to the Local Land Use Permit Applicants and Implementing Entity. Nesting sites must also be noted on plans that are submitted to a Local Land Use Permit Applicant. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

SWHA-2 (Swainson's Hawk Pre-Construction Surveys): Pre-construction surveys will be required to determine if active nests are present within a individual project footprint or within 0.25 mile of an individual project footprint if existing or potential nest sites were found during initial surveys and construction activities will occur during the breeding season (March 1 through September 15). An approved biologist will conduct pre-construction surveys within 30 days and 3 days of ground-disturbing activities to determine presence of nesting Swainson's hawk. Pre-construction surveys will be conducted during the breeding season (March 1 through September 15). If a nest is present, then SWHA-3 and SWHA-4 will be implemented. The approved biologist will inform the Land Use Authority Permit Applicant and Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

SWHA-3 (Swainson's Hawk Nest Buffer): If active nests are found within the individual project footprint or within 0.25 mile of any project-related Covered Activity, the Third-Party Project Proponent will establish a 0.25 mile disturbance buffer around the active nest until the young have fledged, with concurrence from the Wildlife Agencies.

SWHA-4 (Swainson's Hawk Nest Buffer Monitoring): If nesting Swainson's hawks are present within the individual project footprint or within 0.25 mile of any project-related Covered Activity, then an approved biologist experienced with Swainson's hawk behavior will be retained by the Third-Party Project Proponent to monitor the nest throughout the nesting season and to determine when the young have fledged. The approved biologist will be on site daily while construction-related activities are taking place within the buffer. Work within the temporary nest disturbance buffer can occur with the written permission of the Implementing Entity and Wildlife Agencies. If nesting Swainson's hawks begin to exhibit agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, the approved biologist will have the authority to shut down construction activities. If agitated behavior is exhibited, the biologist, Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will meet to determine the best course of action to avoid nest abandonment or take of individuals. The approved biologist will also train construction personnel on the required avoidance procedures, buffer zones, and protocols in the event that a Swainson's hawk flies into an active construction zone (i.e., outside the buffer zone).

Greater Sandhill Crane

GSC-1 (Greater Sandhill Crane Surveys): If modeled habitat for greater sandhill crane (Figure 3- 22 of the SSHCP document) is present within a Covered Activity's individual project footprint or within 0.5 mile of an individual project footprint, then an approved biologist will conduct a field investigation to determine if existing or potential roosting sites are present within the individual project footprint and adjacent areas within 0.5 mile of the individual project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. Roosting sites within the SSHCP boundary are often associated with flooded fields, seasonal wetlands, and freshwater marsh. The Third-Party Project Proponent will map all existing or potential roosting sites and provide these maps to the Local Land Use Permit Applicants and Implementing Entity. Roosting sites must also be noted on plans that are submitted to a Local Land Use Permit Applicant. See Chapter 10 for the process to conduct and submit survey information.

GSC-2 (Greater Sandhill Crane Pre-Construction Surveys): Pre-construction surveys will be required to determine if active roosting sites are present within a individual project footprint or within 0.5 mile of an individual project footprint if existing or potential roosting sites were found during initial surveys and construction activities will occur when wintering flocks are present within the SSHCP boundary (September 1 through March 15). An approved biologist will conduct pre-construction surveys within 15 days of ground-disturbing activities, and within 0.5 mile of an individual project footprint, to determine presence of roosting greater sandhill cranes. Pre-construction surveys will be conducted September 1 through March 15, when wintering flocks are present within the SSHCP boundary. If birds are present, then GSC-3, GSC-4, and GSC-5 will be implemented. The approved biologist will inform the Land Use Authority Permit Applicant and Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

GSC-3 (Greater Sandhill Crane Roosting Buffer): If active roosting sites are found within the individual project footprint or within 0.5 mile of any project-related Covered Activity, the Third-Party Project Proponent will establish a 0.5 mile temporary roosting disturbance buffer around the roosting site until the cranes have left.

GSC-4 (Greater Sandhill Crane Visual Barrier): Greater sandhill cranes have low tolerance for human disturbance, and such disturbance has caused cranes to abandon foraging and roosting sites. Repeat disturbance affects their ability to feed and store energy needed for survival. If project-related activities occur within 0.5 mile of a known roosting site as identified by surveys conducted during implementation of GSC-1 or GSC-2, a visual barrier will be constructed.

GSC-5 (Greater Sandhill Crane Roosting Buffer Monitoring): If roosting sites are found within the individual project footprint or within 0.50 mile of any project-related Covered Activity, an approved biologist experienced with greater sandhill crane behavior will be retained by the Third-Party Project Proponent to monitor the roosting site throughout the roosting season and to determine when the birds have left. The approved biologist will be on site daily while construction-related activities are taking place within the disturbance buffer. Work within the temporary disturbance buffer can only occur with the written permission of the Implementing Entity and Wildlife Agencies. If greater sandhill cranes are abandoning their roosting and/or forage sites, the approved biologist will have the authority to shut down construction activities. If roost abandonment occurs, the approved biologist, Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will meet to determine the best course of action to avoid harm and harassment of individuals. The approved biologist will also train construction personnel on the avoidance procedures, buffer zones, and protocols in the event that greater sandhill cranes move into an active construction zone (i.e., outside the buffer zone).

Western Burrowing Owl

WBO-1 (Western Burrowing Owl Surveys): Surveys within modeled habitat are required for both the breeding and non-breeding season. If the individual project site falls within modeled habitat, an approved biologist will survey the individual project site and map all burrows, noting any burrows that may be occupied. Occupied burrows are often (but not always) indicated by tracks, feathers, egg shell fragments, pellets, prey remains, and/or excrement. Surveying and mapping will be conducted by the approved biologist while walking transects throughout the entire individual project site plus all accessible areas within a 250-foot radius from the individual project site. The

centerline of these transects will be no more than 50 feet apart and will vary in width to account for changes in terrain and vegetation that can preclude complete visual coverage of the area. For example, in hilly terrain with patches of tall grass, transects will be closer together, and in open areas with little vegetation, they can be 50 feet apart. This methodology is consistent with current survey protocols for this species (California Burrowing Owl Consortium 1993). Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If suitable habitat is identified during the initial survey, and if the individual project does not fully avoid the habitat, pre-construction surveys will be required. Burrowing owl habitat is fully avoided if project-related activities do not impinge on a 250-foot buffer established by the approved biologist around suitable burrows. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

WBO-2 (Western Burrowing Owl Pre-Construction Surveys): Prior to any Covered Activity ground disturbance, an approved biologist will conduct pre-construction surveys in all areas that were identified as suitable habitat during the initial surveys. The purpose of the pre-construction surveys is to document the presence or absence of burrowing owls on the individual project site, particularly in areas within 250 feet of construction activities. To maximize the likelihood of detecting owls, the pre-construction survey will last a minimum of 3 hours. The survey will begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total), or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large individual project sites. A minimum of two pre-construction surveys will be conducted (if owls are detected on the first survey, a second survey is not needed). All owls observed will be counted and their location will be mapped. Surveys will conclude no more than 2 calendar days prior to construction. Therefore, the Third-Party Project Proponent must begin surveys no more than 4 days prior to construction (2 days of surveying plus up to 2 days between surveys and construction). To avoid last-minute changes in schedule or contracting that may occur if burrowing owls are found, the Third-Party Project Proponent may also conduct a preliminary survey up to 15 days before construction. This preliminary survey may count as the first of the two required surveys as long as the second survey concludes no more than 2 calendar days in advance of construction.

WBO-3 (Burrowing Owl Avoidance): If western burrowing owl or evidence of western burrowing owl is observed on the individual project site or within 250 feet of the individual project site during pre-construction surveys, then the following will occur:

During Breeding Season: If the approved biologist finds evidence of western burrowing owls within an individual project site during the breeding season (February 1 through August 31), all project-related activities will avoid nest sites during the remainder of the breeding season or while the nest remains occupied by adults or young (nest occupation includes individuals or family groups foraging on or near the site following fledging). Avoidance is establishment of a minimum 250-foot buffer zone around nests. Construction and other project-related activities may occur outside of the 250-foot buffer zone. Construction and other project-related activities may be allowed inside of the 250-foot non-disturbance buffer during the breeding season if the nest is not disturbed, and the Third-Party Project Proponent develops an avoidance, minimization, and monitoring plan that is approved by the Implementing Entity and Wildlife Agencies prior to individual project construction based on the following criteria:

- The Implementing Entity and Wildlife Agencies approve of the avoidance and minimization plan provided by the Enrollee.
- An approved biologist monitors the owls for at least 3 days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
- The same approved biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.

If there is any change in owl nesting and foraging behavior as a result of construction activities, the approved biologist will have authority to shut down activities within the 250-foot buffer. Construction cannot resume within the 250-foot buffer until any owls present are no longer affected by nearby construction activities, and with written concurrence from the Wildlife Agencies.

If monitoring by the approved biologist indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use, the non-disturbance buffer zone may be removed if approved by the Wildlife Agencies. The approved biologist will excavate the burrow in accordance with the latest California Department of Fish and Wildlife guidelines for burrowing owl to prevent reoccupation after receiving approval from the Wildlife Agencies.

The Implementing Entity and Wildlife Agencies will respond to a request from the Third-Party Project Proponent to review the proposed construction monitoring plan within 21 days.

During Non-Breeding Season: During the non-breeding season (September 1 through January 31), the approved biologist will establish a minimum 250-foot non-disturbance buffer around occupied burrows. Construction activities outside of this 250-foot buffer will be allowed. Construction activities within the non-disturbance buffer will be allowed if the following criteria are met to prevent owls from abandoning over-wintering sites:

- An approved biologist monitors the owls for at least 3 days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).
- The same approved biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If there is any change in owl foraging behavior as a result of construction activities, the approved biologist will have authority to shut down activities within the 250-foot buffer.
- If the owls are gone for at least 1 week, the Third-Party Project Proponent may request approval from the Implementing Entity and Wildlife Agencies that an approved biologist excavate usable burrows and install one-way exclusionary devices to prevent owls from re-occupying the site. After all usable burrows are excavated, the buffer zone will be removed and construction may continue.

Monitoring must continue as described above for the non-breeding season as long as the burrow remains active.

WBO-4 (Burrowing Owl Construction Monitoring): During construction of Covered Activities, 250-foot construction buffer zones will be established and maintained around any occupied burrow. An approved biologist will monitor the site to ensure that

buffers are enforced and owls are not disturbed. The approved biologist will also train construction personnel on avoidance procedures, buffer zones, and protocols in the event that a burrowing owl flies into an active construction zone.

WBO-5 (Burrowing Owl Passive Relocation): Passive relocation is not allowed without the express written approval of the Wildlife Agencies. Passive owl relocation may be allowed on a case-by-case basis on individual project sites during the non-breeding season (September 1 through January 31) with the written approval of the Wildlife Agencies if the other measures described in this condition preclude work from continuing. Passive relocation must be done in accordance with the latest California Department of Fish and Wildlife guidelines for burrowing owl. Passive relocation will only be proposed if the burrow needing to be removed or with the potential to collapse from construction activities is the result of a Covered Activity. If passive relocation is approved by the Wildlife Agencies, an approved biologist can passively exclude birds from their burrows during the non-breeding season by installing one-way doors in burrow entrances. These doors will be in place for 48 hours to ensure that owls have left the burrow, and then the biologist will excavate the burrow to prevent reoccupation. Burrows will be excavated using hand tools only. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure into the burrow to avoid having materials collapse into the burrow and trap owls inside. Other methods of passive relocation, based on best available science, may be approved by the Wildlife Agencies over the SSHCP Permit Term.

WBO-6 (Burrowing Owl Timing of Maintenance Activities): All activities adjacent to existing or planned SSHCP Preserves, Preserve Setbacks, or Stream Setback areas will be seasonally timed, when safety permits, to avoid or minimize adverse effects on occupied burrows.

WBO-7 (Rodent Control): Rodent control will be allowed only in developed portions of a Covered Activity individual project site within western burrowing owl modeled habitat. Where rodent control is allowed, the method of rodent control will comply with the methods of rodent control discussed in the 4(d) Rule published in the U.S. Fish and Wildlife Service's (2004) final listing rule for tiger salamander.

Covered Raptor Species

RAPTOR-1 (Raptor Surveys): If modeled habitat for a covered raptor species (Figures 3-20, 3-23, 3-24, or 3-28 of the SSHCP document) is present within a Covered Activity's individual project footprint or within 0.25 mile of a individual project footprint, then an approved biologist will conduct a field investigation to determine if existing or potential nesting sites are present within the individual project footprint and adjacent areas within 0.25 mile of the individual project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. The Third-Party Project Proponent will map all existing or potential nesting sites and provide these maps to the Local Land Use Permit Applicants and Implementing Entity. Nesting sites must also be noted on plans that are submitted to a Local Land Use Permit Applicant. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

RAPTOR-2 (Raptor Pre-Construction Surveys): Pre-construction surveys will be required to determine if active nests are present with an individual project footprint or within 0.25 mile of an individual project footprint if existing or potential nest sites are found during initial surveys and construction activities will occur during the raptor breeding season. An approved biologist will conduct pre-construction surveys within 30

days and 3 days of ground-disturbing activities within the proposed individual project footprint and within 0.25 mile of the proposed individual project footprint to determine presence of nesting covered raptor species. Pre-construction surveys will be conducted during the raptor breeding season. If a nest is present, then RAPTOR-3 and RAPTOR-4 will be implemented. The approved biologist will inform the Land Use Authority Permit Applicant and Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

RAPTOR-3 (Raptor Nest/Roost Buffer): If active nests are found within the individual project footprint or within 0.25 mile of any project-related Covered Activity, the Third-Party Project Proponent will establish a 0.25 mile temporary nest disturbance buffer around the active nest until the young have fledged.

RAPTOR-4 (Raptor Nest/Roost Buffer Monitoring): If project-related Covered Activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an approved biologist experienced with raptor behavior will be retained by the Third-Party Project Proponent to monitor the nest throughout the nesting season and to determine when the young have fledged. The approved biologist will be on site daily while construction-related activities are taking place within the disturbance buffer. Work within the temporary nest disturbance buffer can occur with the written permission of the Implementing Entity and Wildlife Agencies. If nesting raptors begin to exhibit agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, the approved biologist/monitor will have the authority to shut down construction activities. If agitated behavior is exhibited, the biologist, the Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will meet to determine the best course of action to avoid nest abandonment or take of individuals. The approved biologist will also train construction personnel on the required avoidance procedures, buffer zones, and protocols in the event that a covered raptor species flies into an active construction zone (i.e., outside the buffer zone).

Western Red Bat

BAT-1 (Winter Hibernaculum Surveys): If modeled habitat (Figure 3-30 of the SSHCP document) for western red bat is present within 300 feet of a Covered Activity's individual project footprint, then an approved biologist will conduct a field investigation of the individual project footprint and adjacent areas within 300 feet of a individual project footprint to determine if a potential winter hibernaculum is present, and to identify and map potential hibernaculum sites. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If potential hibernaculum sites are found, the Third-Party Project Proponent will note their locations on individual project designs and will design the individual project to avoid all areas within a 300-foot buffer around the potential hibernaculum sites. Winter hibernaculum habitat is fully avoided if project-related activities do not impinge on a 300-foot buffer established by the approved biologist around an existing or potential winter hibernaculum site. See Chapter 10 of the SSHCP document for the process to conduct and submit survey information.

BAT-2 (Winter Hibernaculum Pre-Construction Surveys): If the Third-Party Project Proponent elects not to avoid potential winter hibernaculum sites within the individual project footprint plus a 300-foot buffer, additional surveys are required. Prior to any ground disturbance related to Covered Activities, an approved biologist will conduct a pre-construction survey within 3 days of ground-disturbing activities within the

individual project footprint and 300 feet of the individual project footprint to determine the presence of winter hibernaculum sites. Pre-construction surveys will be conducted during the winter hibernaculum season (November 1 through March 31). If a winter hibernaculum is present, then BAT-3 and BAT-4 will be implemented. The approved biologist will inform the Land Use Authority Permit Applicant and Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

BAT-3 (Winter Hibernaculum Buffer): If active winter hibernaculum sites are found within the individual project footprint or within 300 feet of the individual project footprint, the Third-Party Project Proponent will establish a 300-foot temporary disturbance buffer around the active winter hibernaculum site until bats have vacated the hibernaculum and the Implementing Entity and Wildlife Agencies concur.

BAT-4 (Bat Eviction Methods): An approved biologist will determine if non-maternity and non-hibernaculum day and night roosts are present on the individual project site. If necessary, an approved biologist will use safe eviction methods to remove bats if direct impacts to non-maternity and non-hibernaculum day and night roosts cannot be avoided. If a winter hibernaculum site is present, Covered Activities will not occur until the hibernaculum is vacated, or, if necessary, safely evicted using methods acceptable to the Wildlife Agencies.

D. Determination

The Central Valley 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 quality or supply impacts. (California Code of Regulations, Title 14, section 15096, subd. (h).) The Central Valley Water Board will file a NOD with the SCH within five (5) working days from the issuance of this Order. (California Code of Regulations, Title 14, section 15096, subd. (i).)

Copies of this Form

In order to identify your individual project, it is necessary to include a copy of the individual 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
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 (Project Reporting):** Used to notify the Central Valley Water Board of the status of the individual project schedule from both Enrollee and the SSCA.
 - **Part B (Project Status Notifications):** Used to notify the Central Valley Water Board of the status of the individual Project schedule that may affect individual 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: centralvalleysacramento@waterboards.ca.gov and cc: Jordan.Hensley@waterboards.ca.gov
 - Include in the subject line of the email:
Subject: ATTN: Jordan Hensley; Reg. Measure ID: 428206_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 Enrollee 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 individual project including site construction and restoration.
2. **Request for Notice of Completion of Discharges Letter:** This request by the Enrollee to the Central Valley Water Board staff pertains to individual projects that have post construction monitoring requirements, e.g. if site restoration was required to be monitored for 5 years following construction. Central Valley Water Board staff will review the request and send a Completion of Discharges Letter to the Enrollee 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 Enrollee to the Central Valley Water Board staff pertains to individual projects that either have completed post-construction monitoring and achieved performance standards or have no post-construction monitoring requirements, and no further individual project activities are planned. Central Valley Water Board staff will review the request and send a Project Complete Letter to the Enrollee 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 Central Valley Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.

Effective Date: 5 April 2019

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 individual 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 individual 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 individual 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 individual 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:	South Sacramento Habitat Conservation Plan Programmatic General Permit Project		
Enrollee:	TBD		
Reg. Meas. ID:	428206	Place ID:	855120
WDID:	5A34CR00759		
Order Effective Date:	5 April 2019		
Order Expiration Date:	4 April 2024		

Report Type Submitted	
Part A - Project Reporting	
Report Type 1	<input type="checkbox"/> Monthly Report # _____
Report Type 2	<input type="checkbox"/> Annual Report # _____
Report Type 3	<input type="checkbox"/> SSCA Annual Report # _____
Part B - Project Status Notifications	
Report Type 4	<input type="checkbox"/> Commencement of Construction
Report Type 5	<input type="checkbox"/> Request for Notice of Completion of Discharges Letter
Report Type 6	<input type="checkbox"/> Request for Notice of Project Complete Letter
Part C - Conditional Notifications and Reports	
Report Type 7	<input type="checkbox"/> Accidental Discharge of Hazardous Material Report
Report Type 8	<input type="checkbox"/> Violation of Compliance with Water Quality Standards Report
Report Type 9	<input type="checkbox"/> In-Water Work/Diversions Water Quality Monitoring Report
Report Type 10	<input type="checkbox"/> Modifications to Project Report
Report Type 11	<input type="checkbox"/> Transfer of Property Ownership Report
Report Type 12	<input type="checkbox"/> 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 ¹

Affiliation and Job Title

Signature

Date

¹STATEMENT 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.**

Part A – Project Reporting

Report Type 1	Monthly Report
Report Purpose	Notifies Central Valley Water Board staff of the individual project status and environmental compliance activities on a monthly basis.
When to Submit	On the 1st day of each month beginning the month after the submittal of the Commencement of Construction Notification until a Notice of Project Complete Letter is issued to the Enrollee.
Report Contents	<ol style="list-style-type: none"> 1. Construction Summary Describe individual project progress and schedule including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water BMPs⁶. If construction has not started, provide estimated start date. 2. Event Summary Describe distinct individual project activities and occurrences, including environmental monitoring, surveys, and inspections. 3. Photo Summary Provide photos of individual project activities. For each photo, include a unique site identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions. 4. Compliance Summary <ol style="list-style-type: none"> a) List name and organization of environmental surveyors, monitors, and inspectors involved with monitoring environmental compliance for the reporting period. b) List associated monitoring reports for the reporting period. Include sampling reports. If no sampling was required, a monitoring report must be submitted stated, “No sampling was required”. c) Summarize observed incidences of non-compliance, compliance issues, minor problems, or occurrences. d) Describe each observed incidence in detail. List monitor name and organization, date, location, type of incident, corrective action taken (if any), status, and resolution.

⁶ Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.

Report Type 2	Annual Report
Report Purpose	Notify the Central Valley Water Board staff of individual project status during both the active discharge and post-discharge monitoring periods.
When to Submit	Annual reports shall be submitted each year starting on the 1st day of the following month of the Notice of Applicability. Annual reports shall continue until a Notice of Project Complete Letter is issued to the Enrollee.
Report Contents	<p>The contents of the annual report shall include the topics indicated below for each individual project period. Report contents are outlined in Annual Report Topics below.</p> <p><u>During the Active Discharge Period</u></p> <ul style="list-style-type: none"> • Topic 1: Construction Summary • Topic 2: Mitigation for Temporary Impacts Status <p><u>During the Post-Discharge Monitoring Period</u></p> <ul style="list-style-type: none"> • Topic 2: Mitigation for Temporary Impacts Status
Annual Report Topics (1-3)	
Annual Report Topic 1	Construction Summary
When to Submit	With the annual report during the Active Discharge Period.
Report Contents	<ol style="list-style-type: none"> 1. Individual project progress and schedule including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water BMPs. If construction has not started, provide estimated start date and reasons for delay. 2. Map showing general individual project progress. 3. If applicable: <ol style="list-style-type: none"> a. Summary of Conditional Notification and Report Types 6 and 7 (Part C below).
Annual Report Topic 2	Mitigation for Temporary Impacts Status
When to Submit	With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.
Report Contents	<ol style="list-style-type: none"> 1. Planned date of initiation and map showing locations of mitigation for temporary impacts to waters of the state and all upland areas of temporary disturbance which could result in a discharge to waters of the state. 2. If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of performance standards contained in the restoration plan.

Annual Report Topic 3	Compensatory Mitigation for Permanent Impacts Status – Not Applicable
When to Submit	With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.
Report Contents	<p>*If not applicable report N/A.</p> <p>Part A. In-Lieu Fee</p> <ol style="list-style-type: none"> 1. Status or proof of purchase of credit types and quantities.

Report Type 3	SSCA Annual Impact Report
Report Purpose	Notify the Central Valley Water Board staff of individual project permanent impact statuses.
When to Submit	Annual impact reports shall be submitted each year starting on the 1st day of the month one year after the effective date of this Order. Annual reports shall continue until the Order expiration date.
Report Contents	The contents of the annual impact report shall include the annual and total permanent impact statuses of SSHCP individual projects covered under the USACE PGP, LOP, ASP, and RGP . Permanent impacts shall be quantified in acreage, cubic yards, and linear feet as applicable, to aquatic resource types: lake, riparian zone, stream channel, wetland, vernal pool, and bay/estuary. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition.

Part B – Project Status Notifications
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Report Type 4	Commencement of Construction
Report Purpose	Notify Central Valley Water Board staff prior to the start of construction.
When to Submit	Must be received at least seven (7) days prior to start of initial ground disturbance activities.
Report Contents	<ol style="list-style-type: none"> 1. Date of commencement of construction. 2. Anticipated date when discharges to waters of the state will occur. 3. Individual project schedule milestones including a schedule for on-site compensatory mitigation, if applicable. 4. Construction Storm Water General Permit WDID No.

Report Type 5	Request for Notice of Completion of Discharges Letter
Report Purpose	Notify Central Valley Water Board staff that post-construction monitoring is required and that active individual project construction, including any mitigation is complete.

When to Submit	Must be received by Central Valley Water Board staff within thirty (30) days following completion of all individual project construction activities.
Report Contents	<ol style="list-style-type: none"> 1. Status of storm water Notice of Termination(s), if applicable. 2. Status of post-construction storm water BMP installation. 3. Pre- and post-photo documentation of all individual project activity sites where the discharge of dredge and/or fill/excavation was authorized. 4. An updated monitoring schedule for mitigation for temporary impacts to waters of the state during the post-discharge monitoring period, if applicable.

Report Type 6	Request for Notice of Project Complete Letter
Report Purpose	Notify Central Valley Water Board staff that construction and/or any post-construction monitoring is complete, or is not required, and no further individual project activity is planned.
When to Submit	Must be received by Central Valley Water Board staff within thirty (30) days following completion of all individual project activities.
Report Contents	<p>Part A: Mitigation for Temporary Impacts</p> <ol style="list-style-type: none"> 1. A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance which could result in a discharge to waters of the state. 2. A report establishing that the performance standards outlined in the restoration plan have been met for restored areas of temporary impacts to waters of the state. Pre- and post-photo documentation of all restoration sites. <p>Part B: Post-Construction Storm Water BMPs</p> <ol style="list-style-type: none"> 3. Date of storm water Notice of Termination(s), if applicable. 4. Report status and functionality of all post-construction BMPs.

Part C – Conditional Notifications and Reports

Report Type 7	Accidental Discharge of Hazardous Material Report
Report Purpose	Notifies Central Valley Water Board staff that an accidental discharge of hazardous material has occurred.
When to Submit	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Central Valley Water Board staff.

Report Contents	<ol style="list-style-type: none"> 1. The report shall include the OES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted. 2. If applicable, any required sampling data, a full description of the sampling methods including frequency/dates and times of sampling, equipment, locations of sampling sites. 3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.
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Report Type 8	Violation of Compliance with Water Quality Standards Report
Report Purpose	Notifies Central Valley Water Board staff that a violation of compliance with water quality standards has occurred.
When to Submit	The Enrollee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Central Valley Water Board staff.
Report Contents	The report shall include: the cause; the location shown on a map; and the period of the noncompliance including exact dates and times. If the noncompliance has not been corrected, include: the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results if required by Central Valley Water Board staff.

Report Type 9	In-Water Work and Diversions Water Quality Monitoring Report
Report Purpose	Notifies Central Valley Water Board staff of the start and completion of in-water work. Reports the sampling results during in-water work and during the entire duration of temporary surface water diversions.
When to Submit	Forty-eight (48) hours prior to the start of in-water work. Within three (3) working days following the completion of in-water work. Surface water monitoring reports to be submitted two (2) weeks on initiation of in-water construction and during entire duration of temporary surface water diversions. Continue reporting in accordance with the approved water quality monitoring plan or as indicated in XIV.C.3.
Report Contents	As required by the approved water quality monitoring plan or as indicated in XIV.C.3.

Report Type 10	Modifications to Project Report
Report Purpose	Notifies Central Valley Water Board staff if the Project, as described in the application materials, is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.
When to Submit	If Project implementation as described in the application materials is altered in

	any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.
Report Contents	A description and location of any alterations to Project implementation. Identification of any Project modifications that will interfere with the Enrollee's compliance with the Order.

Report Type 11	Transfer of Property Ownership Report
Report Purpose	Notifies Central Valley Water Board staff of change in ownership of the Project.
When to Submit	At least 10 working days prior to the transfer of ownership.
Report Contents	<ol style="list-style-type: none"> 1. A statement that the Enrollee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: <ol style="list-style-type: none"> a. the Order's requirements and the obligation to implement them or be subject to administrative and/or civil liability for failure to do so; and b. responsibility for compliance with any long-term BMP maintenance plan requirements in this Order. 2. A statement that the Enrollee has informed the purchaser to submit a written request to the Central Valley Water Board to be named as the enrollee in a revised order.

Report Type 12	Transfer of Long-Term BMP Maintenance Report
Report Purpose	Notifies Central Valley Water Board staff of transfer of long-term BMP maintenance responsibility.
When to Submit	At least 10 working days prior to the transfer of BMP maintenance responsibility.
Report Contents	A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

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 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."



Central Valley Water Board

South Sacramento Habitat Conservation Plan

Programmatic General Permit – Notice of Intent

Section 1: Enrollee and Agent Information				
	Enrollee:	Agent:		
Company/ Agency Name:				
Name of Contact:				
Title:				
Address:				
City, State, Zip:				
Phone Number:				
Email Address:				
Section 2: Other Agency Permits/ Licenses/ Agreements/ Plans/ Email correspondence (attach application if final action not yet taken):				
Agency:	Have you applied?:	If yes, have you received the permit?:	Permit type:	ID number:
<input type="checkbox"/> SSHCP	Y <input type="checkbox"/> N <input type="checkbox"/>	N/A		
<input type="checkbox"/> CDFW	Y <input type="checkbox"/> N <input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		
<input type="checkbox"/> Other Permits	Y <input type="checkbox"/> N <input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		
<input type="checkbox"/> SWPPP	Y <input type="checkbox"/> N <input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		
Section 3: Project Information				
Project Name:				
Latitude:	Longitude:	Section(s):	Township(s):	Range(s):
Project Address: Street:				
City:	Zip Code:	County:	APN:	
Construction Timeframe (Provide approximate start and end dates):				

Section 3: Project Information (cont.)

Project Description/Purpose:

Section 4: Avoidance, Minimization and Cumulative Impacts

Avoidance and Minimization:

Cumulative Impacts:

Section 5: Temporary and Permanent Impact Information

Temporary Impacts: Yes No

If yes, describe activities resulting in temporary impacts and attach the restoration plan.

Total temporary impacts: _____ acre(s) _____ linear feet

Permanent Impacts: Yes No

If yes, describe activities resulting in permanent impacts.

Total permanent impacts: _____ acre(s) _____ linear feet

Table 1: Receiving Water(s) Information

Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type ¹	Receiving Waters	Beneficial Uses	303d Listing Pollutant(s)

Table 2: Individual Direct Impact Information

Impact Site ID	Latitude	Longitude	Direct Impact Dimensions	Fill			Excavation		
				Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
			Temporary						
			Permanent						
			Temporary						
			Permanent						
			Temporary						
			Permanent						
			Temporary						
			Permanent						
			Temporary						
			Permanent						
			Total Temporary						
			Total Permanent						

¹ List impacted aquatic resource type as either wetland, vernal pool, lake, bay/estuary, stream channel, or riparian zone if possible.

Table 3: Fill and Excavation Quantities

Fill: Indicate the amount (cubic yards) and type of fill material to be discharged/installed in waters of the state:			Excavation: Indicate the amount (cubic yards) and type of fill material to be removed from waters of the state:		
Impact Site ID	Type of Material (soil, concrete, steel, rock,...)	Amount (cubic yards)	Impact Site ID	Type of Material (soil, concrete, steel, rock,...)	Amount (cubic yards)

Section 6: Documentation		
Check any of the following documents that are applicable to your Project and attach copies to your NOI:		
<input type="checkbox"/> Pre-project photographs	<input type="checkbox"/> Other agency applications and correspondence listed	<input type="checkbox"/> Aquatic Resource Delineation report submitted to the USACE
<input type="checkbox"/> Additional pages and/or supplemental information	<input type="checkbox"/> Temporary impact restoration plan	<input type="checkbox"/> Map of at least 1:24000 (1" = 2000') detail of proposed discharge site

Section 7: Enrollee and Agent Signature			
<i>I hereby designate and authorize the agent/consultant identified in Section 1 to act on my behalf in the processing of this Notice of Intent, and to furnish, upon request, supplemental information in support of this notice:</i>			
Enrollee Name		Enrollee Signature	
<i>I certify that the information provided on this form and all attachments related to this project are true and accurate to the best of my knowledge:</i>			
Enrollee Name		Enrollee Signature	
Agent Name		Agent Signature	

Submit the completed Notice of Intent, attachment and fees to the Central Valley Water Quality Control Board, Sacramento Region.

For Internal Water Board Use	
Reviewer	
Date Received	
Reg. Measure ID	
WDID	
Check #	

Notice of Intent Instructions

The Enrollee seeking authorization under this Order is required to submit a complete Notice of Intent (NOI) form to the Central Valley Water Quality Control Board (Central Valley Water Board), Sacramento Region. A map showing the South Sacramento Habitat Conservation Plan jurisdictional boundaries is located in Attachment A of this Order.

To avoid project delays, submit the NOI as early as possible. Within 30 days of NOI receipt, the Central Valley Water Board shall determine if the application is complete. If the application is complete, within 45 days of NOI receipt, the Central Valley Water Board will issue a Notice of Applicability (NOA), informing the Permittee that the proposed activity qualifies for authorization. If an NOA is not issued by Central Valley Water Board staff within 45 days from NOI receipt, the Permittee may proceed with the project according to all applicable Order conditions.

Definitions

Consider the following definitions while completing the NOI:

Permanent aquatic resource impacts means permanent loss of aquatic resource area or resource function resulting from a discharge of dredged, excavated, or fill material that changes an aquatic area to dry land or changes the bottom elevation or dimensions of a waterbody, or changes the surface elevation or dimensions of a wetland.

Temporary aquatic resource impacts means temporary impacts to aquatic resources (e.g., waters temporarily filled, excavated, or drained) where the area, contours, and uses of the impacted aquatic resource is typically restored to pre-project conditions within one year of disturbance. However, the Water Board may determine on a project specific basis that specific time frames for restoration must be imposed to avoid temporal loss which would otherwise be included in permanent loss.

Form Instructions

The information below is required pursuant to California Water Code Section 3861(c)(3):

Section 1: Enrollee and Agent Information

Enrollee Company, Contact Name and Title: Provide the full, legal company name of the Enrollee or responsible party. Most commonly, the Enrollee is the property and/or facility owner. If the Enrollee is an individual and not a company, indicate that a company name is not applicable. If the Enrollee is an agency, company, corporation or other organization, a contact name (First, Middle Initial, Last) of the main representative of the company and their title must be provided. The Enrollee will be the entity or individual responsible for compliance with the Clean Water Act, California Water Code, applicable Water Quality Control Plans and Order Conditions.

Enrollee Contact Information: Telephone number, email address, and the company's mailing address (not the project address) including the street, city, state and zip code must be provided.

Consultant/Agent Company, Contact Name and Title: The agent's role is to oversee the processing of the NOI and to make the day-to-day decisions regarding the NOI. It is not a requirement to have an agent. If you choose to be represented by an agent, provide the agent's information in Section 1 of the form. If you choose to not be represented by an agent

leave this Section blank.

Consultant/Agency Contact Information: Telephone number, email address, and the company's mailing address (not the project address) including the street, city, state and zip code must be provided.

Section 2: Other Agency Permits/ Licenses/ Agreements/ Plans/ Email Correspondence

Agency: Check boxes of other agencies requiring consultation for this project

Have you applied?:

Check Yes (Y): If you have already applied to this agency. If so, include a signed copy of the application with this NOI.

Check No (N): If you have not yet sent in an application to this agency. You must send the Central Valley Water Board the application to the agency for this project within 14 days of applying to this agency.

If yes, have you received the permit?:

Check Yes (Y): If you have received the permit, attached the permit to this NOI.

Check No (N): If you have not yet received the permit, you must send the Central Valley Water Board the permit from the agency for this project within 14 days of issuance.

Permit Type: List which permit applying to.

ID Number: Include any ID Numbers provided by agency or leave blank if the project has not yet been assigned an ID Number.

Section 3: Project Information

Project Name: Give the project a name. The Project Name will be used in all correspondence referencing the project. Be sure this Project Name is consistent with other agency applications for the same project, and is consistent on all maps, drawings and reports. Project Name should be clearly relevant to the Project (e.g., Blue Creek Bridge Project; Jones Subdivision Road Widening Project).

Project Location: List the coordinates (latitude and longitude) for the center point of your project in degrees, minutes, seconds (approximate location is acceptable). Assistance in determining a project's coordinates is widely available through various free online services or your local library. Also include the section(s), township(s), and range(s) that the project is located within.

Project Address: Provide the street address of the project location. If the proposed project does not have a physical street address, be as descriptive as possible in the street address line. For example, "Leisure Town Rd., 5.5 miles south of the intersection of I-80 and Leisure Town Rd".

APN: Provide the Assessor's Parcel Number.

Project Construction Timeframe: Provide the estimated start and end dates for the proposed project.

Project Description/ Purpose: Provide a detailed, technically accurate narrative description of the proposed project purpose, project design, all activities planned to complete the design, and total impacts, including area of ground disturbance and areas of impact to all aquatic resources on the site (i.e., any and all streams, wetlands, lakes, ponds, beaches, shorelines, etc.). Discuss plans to dewater project areas, pour of wet concrete, hydroseed, remove riparian trees, and disposal methods for excavated material.

Section 4: Avoidance, Minimization and Cumulative Impacts

Avoidance and Minimization: Describe steps taken to avoid impacts to waters and measures incorporated into the project design to minimize loss of, or significant adverse impacts to, beneficial uses of waters of the state, including on-site restoration of the project area. If the effects of impervious surfaces will be minimized through implementation of Low Impact Development treatments, describe those minimization treatments. List the applicable SSHCP avoidance and minimization measures to the project.

Cumulative Impacts: Include a discussion of any potential cumulative impacts. Provide a brief description, including estimated adverse impacts of any projects implemented by the project Enrollee within the last five years or planned for implementation by the Enrollee within the next five years that are in any way related to the proposed activity or that may impact the same receiving water body(ies) as the proposed activity. For the purpose of this item, the waterbody extends to a named source or stream segment identified in the relevant Regional Water Quality Control Plan (Basin Plan).

Section 5: Temporary and Permanent Impact Information

Temporary Impacts: Check yes if your project results in temporary impacts to waters of the state. Provide the total temporarily impacted area in acres, to the nearest thousandths of an acre. Also state linear feet of impacts, to the nearest whole foot; this quantity must match the sum of temporary impact quantities listed in Table 2. Attach a restoration plan meeting all Order conditions with your NOI.

Permanent Impacts: Check yes if your project results in permanent impacts and provide the total permanently impacted area in acres, to the nearest thousandths of an acre; and linear feet, to the nearest whole foot; this quantity must match the sum of permanent impact quantities listed in Table 2.

Table 1: Receiving Water(s) Information: List each aquatic resource impact site.

Impact Site ID: Identify the impact site with a Site ID; Site IDs should correspond to those used in project maps and other agency application materials.

Waterbody Name: List the waterbody name found in the basin plan. If the impact Site ID occurs in an unnamed waterbody state “unnamed tributary” to either the next unnamed tributary or the named receiving waters. Contact Central Valley Water Board staff for basin plan maps or general assistance completing this Section, if needed.

Impacted Aquatic Resource Type: For each impact Site ID, identify the impacted

aquatic resource type from the following list: Lake, Bay/Estuary, Riparian Zone, Stream Channel, Vernal Pool or Wetland. (More refined or precise resource classifications may be used in Project plans and related documents.)

Receiving waters: List the first downstream waterbody with beneficial use designation in the Water Board basin plan. For more information see the Central Valley website: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/#basinplans. If unknown, indicate UNK and this information will be completed by Water Board staff.

Receiving Waters Beneficial Uses: List the beneficial use designation. Beneficial uses are listed in the Water Board basin plan. For more information see the Central Valley website: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/#basinplans. If unknown, indicate UNK and this information will be completed by Water Board staff.

303d Listing Pollutant: List pollutants for receiving waters that have a 303d impairment designation, if the water is not listed indicate NA. For more information see the State Water Board website: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml. If unknown, indicate UNK and this information will be completed by Water Board staff.

Table 2: Individual Direct Impact Information: List the following information for each Impact Site ID listed in Table 1.

Impact Site ID: Identify the impact site with a Site ID; Site IDs should correspond to those used in Table 1.

Latitude and Longitude: Provide the center coordinate of the impact site.

Direct Impact Dimensions: Provide the acreage and linear feet of each Impact Site ID impacted by the fill and/or excavation of material, include the volume of material filled and/or excavated to the nearest cubic yard. When the project impacts a shoreline, record the length of shoreline impacted in linear feet. When a project impacts a channel, bed, banks, or adjacent riparian area, record the length of channel impacted in the direction of flow. For polygonal projects that do not have a clear linear aspect (such as transmission line tower foundations), record the distance of the longest line that can be drawn across or through the site. For activities that don't include excavation or filling (such as road grading), enter NA for cubic yards.

Table 3: Fill and Excavation Quantities: List the type and amount of fill and/or excavation material being placed and/or removed from each Impact Site ID.

Section 6: Documentation

Attach the following documents to your NOI: Use this checklist to confirm the necessary documentation is attached to your NOI. If you determine one of the listed items does not pertain to your project write NA in the corresponding box:

- a. **Pre-project photographs:** 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.

- b. Other agency correspondence (see NOI Section 3).**
- c. Aquatic Resource Delineation report submitted to the USACE.**
- d. Attach additional pages as needed:** For example, if the requested information does not fit in the space provided on the form, or if you would like to provide supplemental information not requested on the NOI.
- e. Temporary impact restoration and monitoring plan.**
- f. Map(s):** Submit maps of sufficient detail to clearly illustrate all project elements, site characteristics, and impacts, with a scale of at least 1:24000 (1" = 2000'). Acceptable map formats, listed in order of preference, are:
 - i. GIS shapefiles:** Shapefiles must depict the boundaries of all project areas, site characteristics, and extent of aquatic resources impacted or avoided. 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 (NAD 83) in the California Teale Albers projection in feet.
 - ii. KML files:** Saved from on-line mapping services. 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.
 - iii. 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 table with the object ID and attributed with the extent/type of aquatic resources impacted.
 - iv. Aquatic resource maps marked on paper USGS 7.5 minute topographic maps or Digital Orthophoto Quarter Quads (DOQQ);** Original or legible copies are acceptable. 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.

Section 7: Agent and Enrollee Signature

Please sign and submit to the Central Valley Water Board. An original signature is required; electronic signatures are not accepted.