Staff Administrative Draft

Electric Utility Operations and Maintenance Activities Related to Wildfire Mitigation and Other Similar Activities (General Order)

NOTE: This document has been prepared to facilitate early discussion on technical permit requirements and does not include all proposed permit language. Final permit language will differ in structure and content.

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I. Summary

This general order for Waste Discharge Requirements (WDR) and Clean Water Act (Clean Water Act) Section 401 Certification (General Order), including Attachments A through H, is issued to cover electric utility company wildfire mitigation, response, and cleanup activities that may cause or threaten to cause a discharge of waste into waters of the state. The General Order also covers electric utility infrastructure operations and maintenance activities that are not directly related to wildfire mitigation but have the same potential effects on water quality as wildfire mitigation activities.

The categories of eligible activities covered under this General Order are listed in the Project Description (General Order section IV).

II. Findings (reserved)

III. Project Purpose

California is facing a crisis with wildfires occurring more frequently and with greater severity. Wildfires directly and indirectly impact water quality through discharge of sediment, increases in erosion, removal of vegetative cover, and breakdown in soil structure. One of the drivers of wildfire in California has been ignition sources associated with the electrical power grid. To address this, the California Legislature passed Senate Bill 901 in 2018, which established requirements for electric utility companies to develop wildfire mitigation plans to reduce infrastructure related wildfire risk, including plans for vegetation management. Many of the wildfire mitigation and vegetation management activities result in discharge of waste to waters of the state, have the potential to adversely impact water quality, and require permits to mitigate discharges of waste under state and federal laws. This General Order streamlines permitting of essential public safety activities while also protecting aquatic resources. Additionally, this General Order covers similar operations and maintenance activities that may not be directly related to wildfire mitigation because those activities have the same potential effects on water quality and are also needed to ensure grid reliability.

IV. Project Description

This General Order authorizes the following listed activities where the activities may cause or threaten to cause a discharge of waste to waters including discharges of dredged or fill discharges. This General Order may be used in combination with other certifications (e.g., the certifications certification of the Corps' Nationwide Permits for the U.S. Army Corps of Engineers' Emergency Regional General Permit) where the project includes upland activities that may cause or threaten to cause discharges of waste to waters (e.g., access road construction) and accordingly requires waste discharge requirements.

A. **Vegetation management:** trimming, mowing, felling, removal, mastication, or other methods used to manipulate vegetation with the potential to affect existing circuits, electrical structures, and facilities that result in ground disturbance.

B. **Herbicide Application:** application of herbicide to vegetation for the purposes of maintaining clearance standards or otherwise reducing the risk of wildfire.

C. **Post-fire response:** *hazard tree*[1] removal, vegetation management and removal, repair, or replacement of impacted facilities or structures.

D. **Site access development/maintenance:** construction or *reconstruction*, maintenance, improvements (e.g., grading, blading, graveling, brushing) of *access routes* used to access electric utility facilities; includes maintenance and replacement of drainage crossings, culverts, ditches and side drains. This also includes placement of mats or other materials such as sandbags or sheet piles to gain access and perform work.

E. **Staging Areas and Laydown Yards:** development and maintenance of areas needed to support operation and maintenance activities; areas contain project-related equipment, vehicles and materials, as well as parking for crews, potable water, project trailers, and shelter.

F. **Pole/Tower Repairs or Replacement:** repair, replacement, or upgrade of poles and towers.

G. **Substation Maintenance:** repair or replacement of transformers, switches, fuses, cutouts, meters, and insulators.

H. **Transmission Tower Maintenance:** repair or replacement of tower foundations.

I. **Structural Conversion:** structural conversions; for example, conversion of a single pole to an H-Frame structure, tubular steel pole or lattice steel tower.

J. **Line Reconductoring:** reconductoring of overhead electric utility lines to replace existing conductors with new conductors, along existing circuits; includes splicing and tensioning of electric lines.

K. **Undergrounding Powerlines:** replacement of overhead powerlines with underground powerlines; includes horizontal boring or trenching underground.

L. **Boardwalk Repairs or Replacement:** repair or replacement of access boardwalks used to service transmission facilities.

M. **Electric Utility Infrastructure Lowering, Maintenance, Replacement or Removal:** electric utility infrastructure sections which are lowered, maintained, replaced, or removed due to age, size, design, condition, and exposure.

V. Description of Indirect Impacts to Waters of the State

The Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project. Indirect impacts to waters of the state and their designated

[1] Italics are used throughout this document to indicate that a term is defined in the Glossary (Attachment H).

beneficial uses could potentially result from activities that are within or adjacent to the *project area*. The expected severity of these impacts is adequately reduced through adherence to this General Order and the Mitigation Measures described in the [Environmental Impact Report].

VI. Avoidance and Minimization

Projects that receive Water Board authorization must demonstrate that impacts to waters of the state are first avoided, and then minimized, to the greatest extent practicable. Adequate mitigation measures include those required in the [Environmental Impact Report]. Dischargers must also follow Best Management Practices (BMPs) that describe best management practices to avoid resource impacts. Additional, activity specific, avoidance and minimization measures are required for each project authorized by this General Order.

VII. Excluded Activities

A. This General Order does not authorize any act which results in the taking of a threatened, endangered or candidate species, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and G. Code, §§ 2050-2097) or the Federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this General Order, Dischargers must obtain authorization for the take prior to any construction or operation of the portion of the project that may result in a take. Dischargers are responsible for meeting all requirements of the applicable endangered species act for the project authorized under this General Order.

B. This General Order does not grant authority to conduct activities in a manner that violates applicable provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (Forest Practice Act).

C. Projects within the Carson River, Lake Tahoe, Little Truckee River, Truckee River, or Walker River Hydrologic Units must comply with Lahontan Regional Water Quality Control Board Basin Plan section 4.1 Waste Discharge Prohibition requirements. Dischargers with work within these hydrologic units should contact Regional Water Board staff to determine if they must apply for a Basin Plan Prohibition Exemption to seek coverage under this General Order.

D. **(Reserved for additional prohibitions)**

VIII. Conditions

Provided General Order conditions are adhered to, this General Order provides reasonable assurance that projects authorized under this General Order will comply with state water quality requirements. The Water Board will review any project proposed for authorization under this General Order to analyze potential impacts to water quality and designated beneficial uses within the applicable watershed(s). If the eligibility requirements set forth in this General Order are not met, the Water Board will not authorize the proposed project under this General Order and instead require the project proponent to apply for an individual order or enrollment under another general order. Dischargers may also choose to apply for an individual order. Dischargers may proceed with the project under the following terms and conditions in accordance with this General Order:

A. General Compliance

1. Permitted actions must not cause a violation of any applicable water quality objectives or water quality control plans, including impairment of designated beneficial uses for receiving waters as adopted in any applicable Water Board water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.

2. Dischargers shall adhere to all requirements in the mitigation monitoring and reporting program (MMRP) (INSERT EIR TITLE WHEN FINAL) which is incorporated herein by reference and any additional measures as outlined in Attachment F, CEQA Findings of Fact.

3. Dischargers must conform to the engineering plans, specifications, and technical reports submitted with the application materials that are approved by the Water Board.

B. 23 CCR Section 3860 Standard Conditions

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, chapter 28, Article 6 commencing with section 3867.

2. This General 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 pertinent certification application was filed pursuant to subsection 2855(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 General Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations.

C. Administrative

1. Signatory requirements for all document submittals required by this General Order are presented in Attachment E.
2. **Site Access:** Dischargers shall grant Water Board staff, or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:
    a. Enter upon the project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.
    b. Have access to and copy any records that are kept and are relevant to the project or the requirements of this General Order.
    c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated under this General Order.
    d. Sample or monitor for the purposes of determining General Order compliance.
3. Dischargers are responsible for work conducted by its consultants, contractors, and any subcontractors. A copy of this General Order shall be provided to any consultants, contractors, and subcontractors working on behalf of the Discharger. Copies of this General Order shall remain at the project site for the duration of authorization under this General Order. All personnel performing work on the project shall be familiar with the content of this General Order and its location at the project site.
4. **Environmental Awareness Training:** Prior to initiation of any *project activity*, all personnel (including contractors) shall participate in environmental awareness training (e.g., tail-gate meetings) conducted by a qualified professional who is knowledgeable about state and federal laws regarding the protection of water quality, aquatic resources and related special-status species. More than one qualified professional may be needed depending on the size, location, and complexity of the project. The training shall include the requirements of this order, how to comply with this order, how to identify resources to be protected, and BMPs necessary to prevent water quality impacts.
5. At least one person who is knowledgeable about state and federal laws regarding the protection of water quality, aquatic resources and related special-status species shall be onsite, during normal working hours, until all *project areas* are *stabilized*.

6. **Lake and Streambed Alteration Agreement:** If a Lake and Streambed Alteration Agreement (LSAA) is issued by the California Department of Fish and Wildlife for the *project activity*, Dischargers shall submit a signed copy of the LSAA to the Water Board prior to any discharge to waters of the state.

7. This General Order does not provide coverage under the NPDES general Permit for Storm Water discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ or 2022-0057-DWQ) (Construction General Permit).

8. Projects with all activities covered under the Construction General Permit that will not discharge dredge or fill material to waters are exempt from this General Order. If the Project is required to obtain coverage under the Construction General Permit for any of its land disturbance activities and the project includes activities that will cause or threaten to cause a discharge of dredge or fill materials to waters, compliance with the Construction General Permit constitutes compliance with General Order sections VIII.D.1 through 6; 10; 12; 16 and sections VIII.G.5; 6; 7.c, and 9.a.iii through vi., below and all other conditions in this General Order apply. *Project activities* that are not subject to the Construction General Permit must comply with this order.

D. Project Conditions

1. All materials and supplies necessary for implementing effective BMPs under this General Order must be on-site and ready for use at the start of the activity and must remain in supply and ready for implementation throughout the project. All non-structural BMP materials (e.g., training documents, compliance tracking procedures) must be ready for use at the start of the activity. Apply effective BMPs to erodible construction materials (e.g., soil, spoils, fly-ash, stucco, hydrated lime) to prevent erosion and pollutant transport to receiving waters;

2. Environmentally sensitive areas and environmentally restricted areas, including any avoided waters of the state, must be clearly identified in the field for exclusion from disturbance prior to the start of *project activities*. Such identification must be properly maintained until construction is completed and the soils have been *stabilized*.

3. Unless authorized as a temporary or permanent impact, vehicles, construction equipment, personnel, all material, debris, spoils, soil, silt, sawdust, rubbish, steel, waste material, waste containers, other organic or earthen material, or any substances which could be detrimental to water quality or hazardous to aquatic life that could be discharged as a result of project related activities, shall be prevented from entering waters of the state.

4. Modifications, repairs, and improvements shall be made to BMPs, if the measures fail to prevent discharges of waste to waters of the state.

5. Dischargers shall implement the following applicable BMPs for waste management:

    a. Provide containment (e.g., secondary containment) of sanitation facilities (e.g., portable toilets) to prevent discharges of pollutants. Both sanitation facilities and the corresponding containment should be placed as far from waters of the state as possible, and are prohibited within 150 feet of waters of the state;

    b. Clean or replace sanitation facilities and inspect them regularly for leaks and spills;

    c. Keep debris or trash in waste containers if it is subject to transport from the site by wind or runoff;

    d. Prevent discharges from waste disposal containers. Cover waste disposal containers at the end of every business day and during a *Qualifying Precipitation Event*;

    e. Secure and contain washout areas that may contain additional pollutants to minimize discharge into the underlying soil and onto the surrounding areas. Wash areas shall be covered no later than 24 hours prior to and during a *Qualifying Precipitation Event*; and

    f. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Vehicles shall be washed in a designated area which is bermed, to prevent discharge of the wash water. Wash waters shall be captured and treated prior to discharge or disposed of at a permitted facility that can accept that waste, to mitigate impacts to water quality.

6. **Dischargers shall implement the following BMPs to eliminate or minimize site erosion:**

    a. Minimize the amount of soil disturbed during construction activity;

    b. Minimize slope disturbance;

    c. Implement effective wind erosion controls;

    d. Immediately initiate stabilization of disturbed areas, using reestablishment of vegetation and non-vegetative erosion controls, whenever earth disturbing activity have permanently ceased on any portion of the site, or

temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days;[2]

e. Dischargers that *stabilize* soil using bonded-fiber matrices, hydromulches, spray tackifiers, or other land-applied products shall:

i. Apply the product according to the manufacturer's instructions and guidance; and

ii. Apply the product according to the manufacturer's guidance to allow for ample cure time and to prevent treatment chemicals from being transported by runoff.

f. Stormwater and Sediment Control

i. No later than 24 hours prior to the start of and during a *Qualifying Precipitation Event*, bare mineral soil exposed by permitted activities within 150 feet of waters of the state shall be *stabilized* to attain a minimum of 70 percent ground cover to prevent discharge of waste to waters.

ii. No later than 24 hours prior to the start of and during a *Qualifying Precipitation Event*, Dischargers shall ensure that disturbed areas that drain to waters of the state are protected with erosion control BMPs (e.g., silt-fencing, geotextile fabrics, coir logs/rolls, straw bale dikes, jute, coconut fiber, erosion control fabric, hydroseeding). Erosion control BMPs shall be installed in accordance with the manufacturer's installation manual.

iii. Spoils from excavations shall not be stored or discarded in waters of the state or in locations a manner that may discharge to waters of the state. All spoil piles with a potential to discharge to waters of the state must be covered or stabilized with tarps, mulch, or another material to prevent sedimentation into waters at least 24 hours prior to and during a *Qualifying Precipitation Event*.

iv. The timing for installation of bioretention BMPs, including installation of subdrains, soils, mulch, and plants, shall be scheduled to ensure that bioretention areas do not receive runoff from exposed or disturbed areas that have not been *stabilized*.

[2] In arid, semiarid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures shall be employed and described int the Notice of Intent. Stabilization shall be completed within a period of time determined by the Regional Water Board. In limited circumstances stabilization may not be required if the intended function of a specific area of the site necessitates that it remains disturbed.

g. Runoff and Run-on Controls

i. Dischargers shall manage all run-on and runoff from a project site. Examples include installing berms and other temporary run-on and runoff diversions, protecting bare mineral soil with ground cover or other means of armoring, and controlling runoff to prevent erosion and scour in the areas of discharge points.

ii. Site drainage shall be designed to accommodate anticipated flows from a *Qualifying Precipitation Event* and shall be installed prior to such an event. Site drainage must not result in increased velocities or erosion of the channel and streambank of receiving waters.

iii. Dischargers are responsible for commingled run-on (onto the site or within the site) from areas not related to the site's construction activities and the pollutants contained in the commingled discharge.

7. Heavy Equipment: Dischargers shall adhere to the following conditions when using heavy equipment within 150 feet of waters of the state:

a. Avoid compaction from heavy equipment and limit disturbance to the minimum area needed to complete the activity;

b. Prohibit the use of heavy equipment on slopes that exceed a 50 percent grade, slopes that require a blade for braking, or *saturated soils*.

c. Place all equipment or vehicles, which are to be fueled, maintained, and stored in a designated area with BMPs installed;

i. Place equipment and vehicles on matting to prevent soil compaction;

ii. Use drip pans under leaking vehicles to capture fluids;

iii. Repair leaks before operating the vehicle in a location where it may leak onto soil or into a water of the state;

iv. Transfer contained fluids to a designated waste storage area as soon as possible;

8. Implement effective BMPs to control the discharge of plastic materials and limit the use of plastic materials when more sustainable, environmentally friendly alternatives exist. Dischargers shall consider the use of plastic materials resistant to solar degradation where plastic materials are deemed necessary.

9. Dischargers shall preserve existing topsoil, as follows:

a. Unless the intended function of a specific area dictates that the topsoil be removed, Dischargers shall preserve the top six to 12 inches of soil within 150 feet of a waters of the state. Dischargers shall stockpile reserved topsoil within the *project area* and use the soil to restore disturbed areas, prior to a Request for Notice of Project Complete.

b. Unless authorized for restoration, material excavated to prepare a site for placement of the permitted fill material must be properly disposed of in an upland area. The disposal site must be located at a sufficient distance away from flowing or standing water such that the excavated material does not erode or discharge into any water of the state. The disposal area shall be identified in the project Notice of Intent (NOI).

10. Access routes

a. The number of *access routes*, number and size of staging areas, and the total area of the ground disturbance shall be limited to the minimum necessary to achieve the project goal.

b. *Access routes* that are intended for *seasonal deactivation* or *permanent decommissioning* shall be *deactivated* or *decommissioned* within 30 days of final use, as follows:

i. Following use, *access routes* shall be left in a condition that enables long-term *hydrologically disconnected* road drainage with minimal or no maintenance requirements.

ii. Road drainage facilities (e.g., outsloping, rolling dips, waterbreaks) shall be fortified to endure the duration of planned *deactivation* or *decommissioning* and shall prevent sediment discharges to waterbodies.

iii. Soils exposed during *seasonal deactivation* or permanent *decommissioning* shall be *stabilized* to prevent soil erosion and sedimentation. Any resulting soil stockpiles must be removed from areas that could discharge to waters of the state.

iv. Permanent *access route decommissioning* requires the removal of all fills associated with *access route* watercourse crossings to create a natural drainage pattern. Decommissioned watercourse crossings must have stable banks and a channel bottom wide enough to allow for natural channel migration. *Hydrologically disconnected* drainage must be established on *decommissioned access routes* and must be designed to provide maintenance free operation upon completion of activities.

11. Watercourse Crossings

a. New and reconstructed watercourse crossings shall be designed to accommodate 100-year flood flow (including transport of debris and sediment).

b. Plastic or HDPE culverts are prohibited from being installed in high, very high, or extreme fire threat areas as mapped by CAL FIRE's Fire and Resource Protection Program.[3]

c. Cured in Place Pipe is prohibited where it could cause detrimental physiological responses to human, plant, animal, or aquatic life, or cause discharges of waste to waters of the state that do not comply with water quality objectives.

d. Crossings shall be designed to ensure that the stream does not divert in case of a crossing failure.

e. Bridges, culverts, dip crossings, or other structures must be installed so that water and in-stream sediment flow is not impeded.

f. Culvert inlets shall have low plug potential (trash racks, debris barriers, deflectors, mitered inlets, etc. are installed where needed and where they can be maintained).

g. Culverts shall be installed at the base of the fill in line with and at the same grade as the natural channel. Replaced or maintained culverts shall be clear of debris and in upstream and downstream alignment with the stream channel.

h. Culverts (new, replaced and left-in-place) shall be at a gradient and orientation that will not result in erosional scour at the outlet.

i. Culvert replacement projects shall repair any existing scour or headcutting actively discharging sediment. Replaced culverts must also be designed to accommodate 100-year flows.

j. Culverts shall not be located in a meandering bend of the stream channel.

k. Rock ford or rock armored fill crossings should be installed instead of culverts on watercourses in locations where watercourse crossings have a higher risk of failure due to their landscape position (e.g., in areas prone to debris flows or landslides) or in areas that lack seasonal access or remote areas. Rock ford or rock armored fill crossings must also be designed to accommodate 100-year flows.

[3] California Department of Forestry and Fire Protection. 2022. Fire and Response Assessment Program (FRAP). Accessed May 2022. Available at: https://frap.fire.ca.gov/

l. Watercourse crossings proposed for removal or watercourse crossings located on roads to be *decommissioned* must meet the following conditions:

i. *Permanently decommissioned* stream crossings shall be excavated to exhume the original, stable, stream bed and channel side-slopes, and then banks must be stabilized with materials including, but not limited to, mulch, seeding, replanting, and rock armoring.

ii. Fills shall be excavated to form a channel as close as feasible to the natural watercourse grade, that is wider than the natural channel upstream and downstream of the crossing to be removed.

iii. Any resulting cut bank shall not exceed a grade of 50% from the outside edge of the channel to prevent slumping and prevent erosion.

12. *Access route* Surface Drainages

a. *Access routes* shall be constructed to ensure proper stability of cut and fill slopes and ensure drainage and runoff generated from *access routes* is *hydrologically disconnected* from receiving waters and does not cause erosion and sediment discharge.

b. Where natural slopes exceed 60%, *access routes* should be constructed using full bench construction. Should full bench construction not be feasible, provide reasoning as to why and provide *access route* construction plans that will provide for the same stability as full bench construction.

c. *Access route* surfaces and ditches planned for construction, *reconstruction*, or maintenance shall be *hydrologically disconnected* from streams and stream crossings. *Access route* surface runoff must be designed to sufficiently disperse flows to appropriate vegetated or otherwise protected upland areas to minimize or avoid erosion, rather than concentrating flows and/or discharging sediment to waters of the state.

d. Incorporate drainage structures according to Table 1 spacing parameters. If these parameters are infeasible for the work area an explanation and alternative means to preventing discharge to waters of the state must be provided within the NOI and functional ditch relief, including culverts, rolling dips, inboard ditches, and crossroad drains, shall still be spaced with enough frequency to prevent concentration of *access route* related runoff and erosion of *access route* fill material:

Table 1[4]. Drainage Structure Spacing Requirements (in feet) Depending on *Access route* Grade and Erosion Hazard Rating

Estimated Erosion Hazard Rating	*Access route* Grade Less Than 10 %	*Access route* Grade 11-25%	*Access route* Grade 25-50%	*Access route* Grade Greater than 50%
Extreme	100	75	50	50
High	150	100	75	50
Moderate	200	150	100	75
Low	300	200	150	100
Note: Estimated Erosion Hazard Rating evaluation procedures specified in California Code of Regulations, title 14, § 912.5.				

e. Newly installed *access routes* shall be outsloped, where feasible, and incorporate adequate drainage features according to Table 1 above to prevent erosion of the *access route* fill materials. If outsloping is determined to be infeasible, provide justification and drainage designs that will provide for similar performance.

f. Dischargers shall prioritize locating the outflow of the *access route* surface drainage structures towards well-vegetated, stable areas to ensure road related discharges do not negatively impact waters of the state. *Access route* surface drainage structure outflow shall not directly discharge to waters of the state or areas that will likely result in erosion and direct discharge to waters of the state.

g. Dischargers shall ensure that *access route* drainage features are maintained to prevent erosion and sediment discharge.

h. All sediment and other material disturbed during blading and other *access route* construction activities shall be contained and removed or permanently *stabilized* with effective engineered sediment and erosion control BMPs. Cut or bladed sediment or other material shall not be side-cast or otherwise pushed off the roadway and left unstabilized such that it is subject to erosion or in a manner that threatens to discharge sediment to a water of the state.

[4] California Department of Forestry and Fire Protection Resource Management, Forest Practice Program. 2021. California Forest Practice Rules.

13. Work in Waters of the State

a. Work in waters of the state must not cause or contribute to an exceedance of water quality objectives or water quality control plans. Work in waters commences at the onset of the regulated activity and continues until the activity is finished and all restoration of the affected work area is complete. The term “work in waters” means any activities in any waters of the state that are permitted under this General Order, regardless of the presence or absence of flowing or standing water.

b. If temporary diversions or impoundments of water, cofferdams, or similar structures installed for the purpose of temporary dewatering work areas are planned, a dewatering plan that includes the following information must be provided with the NOI: (a) an adequate description of the proposed dewatering structures, including design criteria, (b) appropriate BMPs for the installation, operation, maintenance, and removal of those structures, and (c) appropriate monitoring for water quality upstream and downstream of diversion structures.

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 *access routes* must be removed or re-contoured and restored according to approved restoration plans.

d. All temporary diversions and overland flows, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may cause or threaten to cause a discharge to waters of the state.

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 crossing structure.

f. 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 fish, 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 Dischargers shall be responsible for restoration of conditions as necessary (as determined by the Water Board) to secure passage of fish across the structure.

g. Equipment may not be operated in standing or flowing waters unless implementing the following conditions:

i. All land disturbing activities must be effectively isolated from water flows. This may be accomplished by working in the dry season or dewatering the work area. The diverted water flow must not be contaminated by construction activities. All open flow temporary diversion channels must be lined with filter fabric or other appropriate liner material to prevent erosion. Structures used to isolate the in-water work area and/or diverting the water flow (e.g., coffer dam, geotextile silt curtain) must not be removed until all disturbed areas are *stabilized*.

ii. Coffer dams and water barrier construction must be adequate to prevent seepage into or from the work area to the greatest extent feasible.

iii. Flow diversions must be conducted in a manner that prevents siltation and that restores pre-project flows upon completion of the activity. Diverted flows must be of sufficient quality and quantity, and of appropriate temperature, to support existing fish and other aquatic life both above and below the diversion.

iv. If additional Water Board permits relating to dewatering are required, the designated Water Board staff contact must be notified and copied on pertinent correspondence pertaining to those other required permits.

v. All temporary dewatering methods shall be designed to have the minimum necessary impacts to waters of the state. All dewatering methods shall be installed such that natural flow is maintained upstream and downstream of the diversion area. Any temporary dams or diversions shall be installed such that the diversion does not cause sedimentation, siltation, or erosion upstream or downstream of the diversion area. All dewatering methods shall be removed immediately upon completion of activities for which diversions are needed.

vi. All temporary dewatering activities are subject to the work-in-water reporting and monitoring conditions presented in the conditional notifications and reports section of this General Order.

14. General Vegetation Management Conditions

a. The discharge or threatened discharge of *vegetation management waste* into waters of the state is prohibited.

b. Unless authorized in the Notice of Applicability, *vegetation management waste* shall not be stored or staged in waters of the state, or in locations where the waste has potential to discharge to waters of the state.

c. Wood chips shall not be used to stabilize disturbed soils on slopes steeper than 30% within 150 feet of waters of the state. If on slopes less than 30%, application of wood chips is the only viable stabilization method, the wood chips shall be processed consistent with the wood strand mulch dimensions reported in the USFS Erosion Control Treatment Selection Guide (2006)[5], which are approximately 1.6 to 6.3-inches long, 0.125-inch-thick, and 0.240-inch wide.

d. Wood chips shall not exceed a depth of 6 inches and shall be applied and stabilized in a manner that minimizes potential discharge to waters of the state (e.g., reinforce wood chips with *slash* to keep the wood chips in place).

e. When using *slash* to *stabilize* disturbed soils within 150 feet of waters of the state, individual limbs shall not exceed 4 feet in length, and all *slash* must be worked into the soil. Any *slash* that is not worked into the soil must be removed from the work area.

f. Within 150 feet of waters of the state, *compatible vegetation* that is not targeted for vegetation management activities must be retained and protected during vegetation management activities. More extensive removal may be appropriate for sites dominated by invasive species listed on the California Invasive Plant Council's Inventory[6].

g. Limit vegetation removal to the extent necessary to achieve project goals.

15. Felled Trees and Vegetation Management Impact Offset

a. Trees shall be felled away from waters of the state. If a tree is accidentally felled into, or across, a water of the state, it must be removed and placed at least 150 feet away from waters of the state immediately. This condition does not apply where the Water Board has approved the use of the felled tree as large woody material for restoration.

[5] USDA. 2006. Erosion Control Treatment Selection Guide. USFS. National Technology and Development Program. December, 2006. Accessed May 26, 2020. Available at: https://www.fs.fed.us/t-d/pubs/pdf/hi_res/06771203hi.pdf

[6] California Invasive Plant Council. 2022. Cal-IPC Inventory. Accessed March 1, 2022. Available at: https://www.cal-ipc.org/plants/inventory/

b. Dischargers shall preserve the riparian canopy and the understory to the greatest practicable extent that still complies with applicable regulatory requirements.

c. Where riparian vegetation management activities meet the conditions below, the applicant shall provide a Vegetation Management Impact Offset Plan for approval with the NOI:

i. Riparian vegetation management activities would discharge waste to a water that is listed as impaired for sediment, nutrients, or temperature; or

ii. Riparian vegetation management activities are within 100 feet of any *Class I* or Class II watercourse and may cause or increase:

1. bank instability;
2. loss of shade that maintains cooler stream temperatures for anadromous fish;
3. loss of beneficial allochthonous material or other riparian ecosystem services; or
4. adverse impacts to beneficial uses including the Rare and Spawning beneficial use.

A plan for multiple sites that is generally applicable may be submitted in advance.

d. The Vegetation Management Impact Offset Plan shall describe how utility-*compatible* vegetation shall be established to offset long term impacts identified in General Order section VIII.D.15.c, above. The plan shall include a schedule; a planting palette with species native to the *project area* and *compatible* with utility infrastructure; seed collection location; invasive species management; performance standards; monitoring timeline and protocol until performance standards are met; and maintenance requirements (e.g., watering, weeding, and replanting).

e. Where replacement of lost function, or avoidance of impacts is infeasible within the utility right of way, the Discharger may propose alternative enhancement projects (e.g., large wood augmentation, planting additional willow cuttings, etc.), that support Regional Board Basin Plan or Total Maximum Load Action Plan objectives.

16. Toxic and *Hazardous Materials*

a. Activities permitted under this General Order shall not discharge toxic substances in concentrations that cause or contribute to an exceedance of water quality objectives or water quality control plans.

b. Activities permitted under this General Order shall not discharge waste classified as "hazardous" as defined in California Code of Regulations title 22, section 66261 and Water Code section 13173. These BMPs shall include, at a minimum:

i. All personnel handling fuels and other *hazardous materials* shall be properly trained.

ii. Adequate spill prevention and cleanup equipment and materials shall be present on site at all times during project implementation. Any spills or leaks of *hazardous materials*, chemicals, fuels, lubricants or any other potential pollutants shall be promptly and completely treated using appropriate materials and equipment.

iii. Store chemicals in watertight containers with secondary containment to prevent any spillage or leakage or store in a complete enclosed storage area. Secondary containment must be at least 10% of the total volume of the primary containers, or 100% of the volume of the largest container, whichever is greater.

iv. All mechanized equipment shall be maintained in good operating order and inspected for leaks on a regular basis.

v. *Hazardous materials*, including chemicals, fuels, and lubricating oils, shall not be stored within 150 feet of waters of the state, and shall be stored in appropriate containers with appropriate secondary containment.

vi. Pumps or other stationary equipment operating within 150 feet of waters of the state shall utilize appropriate secondary containment systems to prevent spills.

vii. A staging area for equipment and vehicle fueling and storage shall be designated at least 150 feet away from waters of the state, in a location where fluids or accidental discharges cannot flow into waters of the state.

viii. An Accidental Discharges of Hazardous Materials notification will be made as described in the conditional notifications and reports section of this order.

17. Herbicide Application

a. Herbicides shall not be applied within waters of the state or within 150 feet of waters of the state.

b. Herbicide application must comply with all laws and regulations, including any applicable water quality control plan requirements, pertaining to

storage, use, and application. If herbicide treatments are needed, consultation with a licensed Pest Control Advisor shall occur.

c. Herbicide application is prohibited under the following conditions: in winds that exceed seven miles per hour, during a rain event, within 24 hours of a *Qualifying Precipitation Event*, or during Urgent Wildfire Response or Cleanup Activities.

d. Herbicides shall not be applied in a manner, or at rates that would cause or threaten to cause a discharge to waters of the state at levels that cause or contribute to an exceedance of water quality objectives or water quality control plans.

18. Invasive Species and *Soil Borne Pathogens* Requirements for Activities Directly Impacting Waters of the State

a. Dischargers are responsible for ensuring that all project personnel follow proper weed control practices when conducting activities within waters of the state, and that appropriate weed prevention measures are documented and available to personnel.

b. Any equipment entering or leaving the *project area* from an area of known *soil borne pathogen* infestation shall be thoroughly cleaned using methods appropriate for the known *pathogen* before entering or leaving the *project area*.

c. All equipment, including clothing, footwear, heavy equipment, and vehicles, will be cleaned and treated of soil, seeds, vegetative matter, and from in-water work, prior to entering a new treatment area, or leaving an area with an invasive species infestation.

d. Prior to entering the work area, pressure wash or otherwise appropriately decontaminate heavy equipment and vehicles at designated weed-cleaning stations, where wash water will not discharge to a water of the state.

e. Heavy equipment, vehicles, and tools must be inspected for sand, mud, or evidence that invasive seeds or propagules could be present prior to entering the treatment area.

f. Equipment shall be staged in an area free of invasive plant infestations, unless there is no reasonable alternative staging area; the NOI must justify why no reasonable alternatives are available.

19. Undergrounding and Drilling

a. The discharge of bentonite, drilling muds, lubricants, or any drilling compounds into waters of the state is prohibited.

b. An environmental monitor shall provide monitoring for compliance with the HDD or drilling plan throughout drilling operations under waters of the state.

c. Any HDD or other drilling operation shall be designed and implemented to minimize the risk of any spills and discharges including the frack-out release of drilling lubricants through fractures in the streambed or bank substrates. In substrates where frack-outs are likely to occur, HDD contractors shall employ all reasonable means and methods available to minimize potential for frack-out.

d. All drilling muds or compounds shall be contained and properly disposed of after drilling activities are completed.

e. If bore pits are excavated to support drilling operations, spoils shall be stored a minimum of 25 feet from waters of the state, where feasible; if site specific conditions warrant constructing pits or storing spoils less than 25 feet from waters of the state this request must be provided in the HDD or drilling plan submitted to the Water Board prior to any drilling activities with potential impacts to waters of the state. Spoils shall be stored behind a sediment barrier and covered with plastic or otherwise *stabilized* (i.e., tackifiers, mulch, or detention).

f. A draft HDD or drilling plan shall be prepared submitted to the Water Board for review at least 30 days before drilling activities under waters of the state. The drilling plan must describe how compliance with General Order sections VIII.D.19.a. through e. will be maintained and include:

i. Release of bentonite, drilling muds, lubricants through fractures in the streambed or bank substrate during drilling is referred to as a “frack-out.” Because of the potential for frack outs to occur, the HDD or drilling plan shall include a frack out response plan. The frack-out response plan shall specify all measures to be initiated if frack-outs should occur during HDD operations;

ii. A drill path at least 10 feet below the streambed;

iii. Constant monitoring of drill fluids for loss of pressure or returns;

iv. Use of an onsite vacuum truck during drilling or other suitable means to capture and contain fluids that reach the surface;

v. Contact information of those responsible for drilling activity monitoring;

vi. Daylight hour drilling to enable visual monitoring for potential frac-outs;

vii. Use of clean gravel bags instead of sandbags to contain a frack-out; and

viii. For all HDD and other drilling sites, a means of containment (e.g., damming, fluming) or screening capable of capturing all of the potential discharge shall be described in the HDD plan. The downstream end of any such containment structure shall be capable of containing all bentonite or other drilling muds or debris that may be released during boring or drilling. Any drilling mud and spoils must be completely removed from the streambed prior to removal of the containment structure (e.g., dam, flume, and screen).

E. Restoration of Temporary Impacts to Waters of the State

1. As described in an approved restoration plan, Dischargers shall restore all areas of temporary impacts to waters of the state. The restoration plan shall be submitted with the NOI. A restoration plan that is generally applicable to multiple project sites may be submitted in advance and be used at applicable sites. Unless the project is Urgent Wildfire Response or Cleanup Activity, temporary impacts to waters of the state are not authorized and shall not occur until a restoration plan has been approved by Water Board staff.

2. The restoration plan shall provide the following: a schedule; plans for grading of disturbed areas to pre-project contours; a planting palette with plant species native to the *project area*; seed collection location; invasive species management; performance standards; monitoring timeline and protocol until performance standards are met; and maintenance requirements (e.g., watering, weeding, and replanting).

3. In cases where implementation actions in the restoration plan cannot be reasonably conducted within one year, or where the adverse temporary impacts result in temporary loss of aquatic resource function(s), Dischargers may be required to provide compensatory mitigation to offset temporal loss of waters of the state. Examples of additional mitigation include, but are not limited to, enhancement activities such as increasing the presence of native species and reducing dominance of non-native/invasive species, planting native willow cuttings, planting of native riparian vegetation and trash removal.

4. The Water Board may extend the monitoring period beyond requirements of the restoration plan upon a determination by Water Board staff that the performance standards have not been met or are not likely to be met within the monitoring period.

F. Compensatory Mitigation for Permanent Impacts to Waters of the State

1. Compensatory mitigation is required for permanent impacts to waters of the state, unless Dischargers have demonstrated and attained Water Board agreement that the project authorized by this General Order was designed to restore or improve the ecological function of the impacted aquatic resource.
2. When compensatory mitigation is required, Dischargers shall provide the following:
    a. A proposed compensatory mitigation plan at a level of detail sufficient to accurately evaluate whether compensatory mitigation offsets the adverse impacts attributed to the project considering the overall size and scope of impact. The draft compensatory mitigation plan shall be submitted with the NOI.
    b. Compensatory mitigation at a minimum of a one-to-one mitigation ratio, measured in area or length. The Water Board will require a higher overall mitigation ratio where necessary to ensure replacement of lost aquatic resource functions.
    c. Subject to approval by the appropriate Water Board, the mitigation may be satisfied using any of the following compensatory mitigation methods: restoration, enhancement, establishment, and/or preservation[7].
    d. Compensatory mitigation shall be provided through a mitigation bank or in-lieu fee program, where feasible. If no mitigation bank or in-lieu fee program options are available, mitigation may be provided through on-site or off-site discharger-responsible mitigation, subject to approval by the appropriate Water Board.

G. Reporting and Notification Requirements

The following section details the reporting and notification types and timing of submittals. Activities covered by this General Order are separated into three categories (Category A, B or C). These categories are based on the urgency of the activity and the threat to water quality. The initial notification process varies between activity categories, remaining reporting and monitoring requirements apply to all covered activities, unless a condition-specific exception is noted. The Water Boards may inform the Discharger that NOI was submitted for enrollment under the wrong category. Requirements for the content of these reporting and notification types are detailed in Attachments A and D, including specifications for photo and map documentation during the Project. Written

[7] Restoration should generally be the first option considered because the likelihood of success is greater and the impacts to potentially ecologically important uplands are reduced compared to establishment, and the potential gains in terms of aquatic resource functions are greater, compared to enhancement and preservation.

reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment D, which must be signed by the Discharger or an authorized representative.

1. **Urgent Wildfire Response or Cleanup Activities (Category A):** Urgent Wildfire Response or Cleanup Activities are defined in this General Order as an unexpected action taken to maintain, cleanup, repair, demolish, or replace infrastructure necessary to maintain or restore essential public services or facilities in response to recent wildfire activity where delay may directly imperil life or property. This designation does not include planned-for-projects, activities that are likely to have been known to the applicant prior to the emergency. Urgent wildfire response or cleanup activities must be initiated within 90 days of the wildfire being 100% contained; wildfire recovery activities that begin over 90 days later would need to submit NOIs in compliance with General Order section VIII.G.2 or G.3, below.

    a. **Notification and Approval Process (Category A):**

        i. **Initial Urgent- Project Notification** Dischargers must notify the appropriate Regional Water Board and the State Water Board as early as possible, and no less than forty-eight (48) hours prior to initiating the project.

            1. Initial notification may be via telephone, e-mail, or other verifiable means and include project location information and a brief description of planned work. This notification shall serve as Dischargers' commencement of construction notification.

                a. A staff directory that includes contact information for State and Regional Program Managers is found on the [contact list placeholder]

                b. Electronic Submittal: Include "Attention: Urgent Wildfire Response or Cleanup Activity" in the subject line.

            2. Unless the Water Board determines that the project does not qualify for an Urgent Wildfire Response or Cleanup Activities designation, the Discharger may proceed forty-eight (48) hours after initial notification.

            3. The Water Boards recognize there may be situations where imminent threats to life or property occur, and the Enrollee is unable to give the Water Boards notification 48 hours prior to initiating the emergency project. If immediate, specific actions, as defined in the California Code of Regulations, title 14, section 15269(c), are required by the Enrollee and

prior notice to the appropriate Regional Water Board and the State Water Board is not possible, then the Enrollee must contact the appropriate Regional Water Board and the State Water Board within one (1) business day of initiating the action.

ii. **Notice of Intent:** Category A Dischargers shall submit a NOI for enrollment under this General Order within two weeks of the initiation of the activity. The NOI shall describe all proposed waste discharges and direct project impacts and project design steps taken to first avoid, and then minimize, impacts to waters of the state to the maximum extent practicable including threatened waste discharges. The NOI must provide all information requested in NOI Attachment A. The NOI must be provided on the NOI form found in Attachment A until an electronic application form is available on the State Water Board's webpage, at which time electronic submission will be required.

iii. Once the Water Board receives a completed NOI, the Water Board will transmit a Notice of Applicability to the Discharger.

2. **Lower Threat Wildfire Mitigation and Operation and Maintenance Activities (Category B):** Non-Urgent Wildfire Mitigation and Operation and Maintenance Activities that meet the eligibility requirements listed below may request enrollment by the following process. The Discharger shall include information in the NOI that confirms Category B eligibility.

   a. **To qualify for Category B coverage, the following eligibility criteria must be met:**

      i. There are no Tribal Cultural Resources within the *project area*. Documentation used to inform the determination that no Tribal Cultural Resources exist within the *project area* must be provided with the NOI.

         1. Tribal Cultural Resources are defined in California Public Resources Code (PRC) section 21074 as either of the following:

            a. sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe (tribe) that is:

               i. Listed, or eligible for listing, in the California Register of Historical Resources;

               ii. Listed in a local register of historical resources as defined in PRC section 5020.1(k);

b. Office of Regulatory Affairs resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1.

2. Tribal Cultural Resources may also include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed in a private tribal register.

ii. Proposed *project activities* will not discharge dredge or fill materials to waters of the state; and no temporary diversions or impoundments of water, cofferdams, or similar structures installed for the purpose of temporary dewatering work areas are planned within the *project area.*

iii. All *Controllable Sediment Discharge Sources* are addressed through an Erosion Control Plan or Stormwater Pollution Prevention Plan.

iv. Vegetation management activities will not discharge waste to a water that is listed as impaired for sediment, nutrients, or temperature. Additionally, vegetation management activities within 100 feet of any *Class I* or Class II watercourse will not cause or contribute to: bank instability; loss of shade that maintains cooler stream temperatures for anadromous fish; loss of beneficial allochthonous material or other riparian ecosystem services; or adverse impacts of beneficial uses including the Rare and Spawning beneficial use.

b. Notice of Intent Submission and Approval Process (Category B):

i. Notice of Intent: Category B Dischargers shall submit an NOI for enrollment under this General Order at least 30 days before any planned *project activity*. The NOI shall describe all proposed direct project impacts and project design steps taken to first avoid, and then minimize, impacts to waters of the state to the maximum extent practicable. The NOI must provide all applicable information requested in NOI Attachment A. The NOI may be provided on the NOI form found in Attachment A until an electronic application form is available on the State Water Board's webpage, at which time electronic submission will be required.

ii. Category B Dischargers may proceed with *project activities* 30 days after NOI submission.

3. **Remaining Wildfire Mitigation and Operation and Maintenance Activities (Category C):** All projects that do not qualify for Category A or Category B coverage, fall into Category C.

    a. **Notice of Intent Submission and Approval Process (Category C):**

        i. **Notice of Intent:** Category C Dischargers shall submit an NOI for enrollment under this General Order at least 45 days before any planned *project activity*. The NOI shall describe all proposed direct project impacts and project design steps taken to first avoid, and then minimize, impacts to waters of the state to the maximum extent practicable. The NOI shall also include a delineation of impact sites. The NOI must provide all applicable information requested in NOI Attachment A. The NOI may be provided on the NOI form found in Attachment A until an electronic application form is available on the State Water Board's webpage, at which time electronic submission will be required.

        ii. **Category C NOI Review Process:**

            1. Prior to NOI submission, Category C Dischargers shall adhere to all applicable Tribal Resources Conditions (General Order Attachment B), and submit an NOI as described above (General Order section VIII.G.3.a.i).]

            2. Category C NOIs will be reviewed for completeness by Water Board staff within 30 days from the NOI receipt date.

            3. Incomplete NOIs will be returned with a description of information needed to satisfy the deficiency(ies).

            4. After receipt of a complete NOI, the Water Board will issue one of the following:

                a. A Notice of Exclusion that describes the reason the project is ineligible for General Order enrollment. Dischargers that receive a Notice of Exclusion may not proceed with *project activities* until an individual certification or WDR is obtained.

                b. A Notice of Applicability. Category C Dischargers may not proceed with *project activities* until a Notice of Applicability has been issued by the Water Board.

                    i. If the Water Board does not issue an NOA or Notice of Exclusion within 45 days of receiving a complete NOI, the Discharger may proceed with the project according to all applicable General Order conditions.

4. **Commencement of Construction:** Unless authorized as an Urgent Project, Dischargers shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities and, if applicable, 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 or 2022-0057-DWQ).

5. **Erosion Plan to Manage and Prevent Utility Discharge:** Dischargers shall provide a plan to Manage and Prevent Utility Discharge (Erosion Control Plan) to address erosion potential for all proposed *project activities*. For Wildfire Mitigation and Operation and Maintenance Activities, the Erosion Plan shall be included with the NOI. Dischargers with Urgent Wildfire Response or Cleanup Activities shall submit the Erosion Control Plan to the Water Board within two weeks of construction commencement. This condition can be met through submittal of a programmatic utility erosion management plan that is supplemented with additional detail, as needed, to address the site-specific details listed below. An Erosion Control Plan to Manage and Prevent Utility Discharge for multiple sites that is generally applicable may be submitted in advance for Water Board approval. The Erosion Control Plan shall include:

    a. A description of the 1) *project activity* type(s) and construction methods; 2) *project activity* start and end-point locations; 3) acreage of proposed: ground disturbance, temporary impacts to waters of the state, and permanent impacts to waters of the state; and 4) the volume of planned fill for each activity.

    b. For *access route work activities*, also detail the 1) number of proposed constructed and/or reconstructed watercourse crossings; 2) standards (e.g. Handbook for Forest, Ranch, and Rural Roads[8]) and 100-year storm flows design accommodations (including the standards for the maximum and minimum rock sizes for fill prim (e.g. bank) armoring; 3) culvert size; and 4) *hydrologically disconnected* drainage structure types, including critical dips and roadside ditches, and their respective spacing distances.

    c. Identify the significant existing and potential *Controllable Sediment Discharge Sources* within the proposed *project area*. A *Controllable Sediment Discharge Source* meets all the following conditions:

        i. Was caused or affected by anthropogenic activity,

        ii. Is under the Discharger's ownership and/or control, and

[8] Weaver, W.E., Weppner, E.M. and Hagans, D.K., 2015, Handbook for Forest, Ranch and Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining and Closing Wildland Roads (Rev. 1st ed.), Mendocino County Resource Conservation District, Ukiah, California.

iii. Can be treated through implementation of management measures.

The evaluation shall 1) list each *Controllable Sediment Discharge Source*; 2) include photograph(s) and a narrative description of each *Controllable Sediment Discharge Source*; and 3) specify whether each occurrence is currently discharging or has potential to erode.

d. The Erosion Control Plan shall describe treatment BMPs to prevent or reduce erosion and prevent a discharge of sediment and other waste to waters of the state. If work is proposed on unstable areas or *saturated soils* include BMPs specific to working in those conditions.

e. Where the activities are planned on unstable slopes, and upon request of the Executive Officer or Executive Director (for projects that cross Regional Water Board boundaries) of the Water Board, a geotechnical analysis, conducted by a licensed professional, that includes 1) subsurface profile and conditions, 2) potential land subsidence, 3) potential slope failure, and 4) potential and existing geologic hazards.

f. Dischargers shall implement the Erosion Control Plan to Manage and Prevent Utility Discharge.

6. *Controllable Sediment Discharge Sources* Monitoring and Reporting: Dischargers shall monitor as follows and as detailed in Attachment C:

a. *Controllable Sediment Discharge Sources* Monitoring and Reporting shall be completed during *project activities* until the *project area* is *stabilized*. Monitoring will be conducted when the site can be accessed without contributing to significant environmental effects or risking the safety of the monitor.

b. An initial survey shall be conducted after the first storm that exceeds 0.5 inch of rainfall in 48 hours and results must be reported to the Water Board within 30 days.

c. A survey shall also be conducted after May 1 and reported to the Water Board by July 15, even if an initial survey was conducted.

d. Dischargers shall provide all information requested on the *Controllable Sediment Discharge Sources* Monitoring Form Attachment C, including:

i. Evidence of erosion (for example, bank failures, washed out stream crossings, tension cracking or settling of *access route* fill or sidecast, and rilling or gullying of *access route* surfaces, *access route* fills, landings, or cutbanks):

1. That has caused or threatens to cause a discharge into waters of the state;

2. Is likely to discharge to waters of the state (i.e., *significant existing or potential erosion sites*); or

3. Within 150 feet of a waters of the state.

7. **Water Quality Monitoring**

   a. **General:** If surface water is present within 150 feet of the active construction, visual monitoring shall be conducted during active construction to detect discharge of construction related pollutants (e.g., oil and grease, sediment and earthen materials, uncured concrete).

   b. **Potentially Noncompliant Discharges:** Dischargers shall notify the Water Board when the discharge includes *hazardous materials* or may cause or contribute to an exceedance of water quality objectives or water quality control plans. Water Board staff may require additional water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

   c. **Post-Construction:** Visually inspect the project site between October 30 and April 15 following each rain event that results in 0.5 inch of rainfall or more in 24 hours to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the Project site. If water quality pollution is occurring, contact the Water Board staff member overseeing the Project within three (3) working days. The Water Board may require the submission of a Violation of Compliance with Water Quality Control Plan Report. Additional permits may be required to carry out any necessary site remediation.

8. **Annual Reporting:** Dischargers shall submit an Annual Report by June 1 of each year unless a Notice of Applicability specifies a different due date for this report. Annual reporting shall continue until the Water Board issues a Notice of Project Complete Letter to the Discharger. Dischargers shall provide at least one annual report, in the event the project is completed in less than one year.

9. **Request for Notice of Project Complete Letter:** Dischargers shall submit a Request for Notice of Project Complete Letter when construction and any post-construction monitoring is complete (including General Order section VIII.G.6 Controllable Sediment Discharge Sources Monitoring requirements), and no further *project activities* will occur; this request shall be submitted to Water Board staff within thirty (30) days following completion of all *project activities*. Water Board staff may conduct an inspection prior to approval of the request. Upon approval of the request, the Water Board staff shall issue a Notice of Project Complete Letter to the Discharger which will end associated annual fees. Completion of post-construction monitoring shall be determined by Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

a. The Water Board will consider the request when all portions of the *project area* comply with all the following conditions:

i. All restoration and mitigation performance criteria have been met;

ii. The Discharger has completed all *project activities*;

iii. There is no greater potential for construction-related stormwater pollutants to be discharged into site runoff than prior to the construction *project activities*;

iv. Construction-related equipment and temporary BMPs have been removed from the site;

v. Construction materials and wastes have been disposed of properly; Soils disturbed by construction activities have been permanently *stabilized* (final stabilization), using materials that:

1. Have a product life that support the full and continued stabilization of the site;

2. Achieve stabilization without becoming trash or debris; and

3. Minimize the risk of wildlife entrapment.

vi. The Discharger has demonstrated compliance with all Request for Notice of Project Complete Letter conditions above; and:

1. Seventy percent ground cover installation is complete, where appropriate, permanent vegetative cover must be evenly established over 70 percent of all disturbed and exposed areas of soil (non-paved or non-built). In areas that naturally have low vegetative coverage (e.g., deserts), 70 percent of natural conditions of local undisturbed areas is acceptable. Photos of all site areas are required to verify compliance with the 70 percent final cover requirement; **or**

2. The Discharger may request approval from the Regional Water Board to use a method or analytical model other than Section VIII.G.9.a.vi.1, above, to demonstrate that the site complies with the final stabilization requirements listed in General Order section VIII.G.9.a.v. Photos of all site areas are required to verify the custom method used.

10. Conditional Notifications and Reports:

a. Discharges of *Hazardous Materials*: Following a discharge of a reportable quantity of a *hazardous material*, sewage, or an unknown material as set forth by Water Code Section 13271, the following applies:

i. As soon as (A) Dischargers have knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:

- First call – 911 (to notify local response agency)
- Then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
- Lastly, follow the required OES procedures as set forth in the Office of Emergency Services' Spill Release Reporting Web Page (https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/fire-rescue/hazardous-materials/spill-release-reporting/)

ii. Following notification to OES, Dischargers shall notify the Water Board within 24 hours. Notification may be delivered via written notice, email, or other verifiable means.

iii. Within five (5) working days of notification to the Water Board, Dischargers must submit an Accidental Discharge of Hazardous Material Report.

b. Violation of Compliance with Water Quality Control Plans:

i. Dischargers shall notify the Water Board of any event causing a violation of compliance with water quality objectives or water quality control plans. Notification may be delivered via written notice, email, or other verifiable means.

ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Control Plan Report.

iii. Examples of noncompliance events include, but not limited to: lack of treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete described in the toxic and *hazardous materials* section of this General Order.

c. In-Water Work and Diversions:

i. Except for Urgent Wildfire Response or Cleanup Activities, Dischargers shall notify the Water Board at least forty-eight (48) hours prior to initiating work in any stream channel regardless of whether there is standing or flowing water. Notification may be delivered via written notice, email, or other verifiable means.

ii. Within three (3) working days following completion of work in waters of the state, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Water Board staff.

iii. For projects involving planned work in water or stream diversions, a water quality monitoring plan shall be submitted to the Water Board for approval at least 30 days in advance of any discharge to the affected water body. This plan must be provided as early as possible for Urgent Wildfire Response or Cleanup Activities and no later than 30 days after the diversion is initiated. Water quality monitoring shall be conducted in accordance with the approved plan.

d. **Modifications to Project:** Project modifications may require an amendment of project documentation to maintain coverage under this General Order. Dischargers shall give advance notice to Water Board staff if project implementation as described in the materials submitted with the NOI 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.

IX. Public Notice (reserved)

X. California Environmental Quality Act (CEQA) Including MMRP (reserved)

XI. Petitions for Reconsideration (reserved)

Attachment A1 – Notice of Intent

Section 1: Project Purpose[1] and Activity

Select the Proposed Project Purpose:

- ☐ Urgent Wildfire Response or Cleanup Activity (Repairs and debris removal)
- ☐ Wildfire Mitigation (Prevents wildfire ignition)
- ☐ Routine Operations and Maintenance

Select the Activity Type(s):

- ☐ Vegetation Removal
- ☐ Debris Removal
- ☐ Salvage Logging
- ☐ Herbicide Application
- ☐ Access Route Construction
- ☐ Access Route Reconstruction
- ☐ Undergrounding Powerlines
- ☐ Pole Repair or Replacement
- ☐ Tower Repair or Replacement
- ☐ Staging Areas and/or Laydown Yards
- ☐ Other Construction Activities

Section 2: Legally Responsible Party (Applicant) and Duly Authorized Representative Information

Discharger Information	Legally Responsible Party (required)	Authorized Representative (optional)
Name of Company		
Name of Contact		
Title of Contact		
Address		
City, State, Zip		
Phone Number(s)		
Email Address		

[1] Refer to General Order Attachment A2 for instructions on how to fill out this Notice of Intent.

Section 3: Fees and Billing Information

Pay the application fee online or include a check, money order or cashier check, payable to the State Water Board, with your NOI. Provide contact information for where annual fee invoices should be mailed.

Information	Billing Information
Name of Company	
Name of Contact	
Title	
Address	
City, State, Zip	
Phone Number(s)	
Email Address	

Section 4: Other Agency Permits, Licenses, Agreements, Plans, and Email Correspondence

Attach application if final action not yet taken.

Permit Name	Has an application been submitted? (yes/no/NA)	If yes, has a permit been received? (yes/no)	Permit Type	ID Number (e.g. Corps file number)
Army Corps NWP Pre-Construction Notification (PCN)				
US Fish and Wildlife Service Incidental Take Permit				
National Marine Fisheries Service Incidental Take Permit				
Other Federal Permits				
California Department of Fish and Wildlife Lake and Streambed Alteration (LSA) Agreement				
Coastal Development Permit				
Other State Permits				
Local Permit(s)				

Section 5: Project Information
(supplemental information can be attached on separate pages)

Project Name:
Project Address (Include city (or nearest city), zip code, county, and Assessor's Parcel Number):
Coordinates (decimal degrees):
Construction Timeframe (Provide approximate start and end dates):
Project Description/Purpose:

Section 6: Avoidance, Minimization
(supplemental information can be attached on separate pages)

Avoidance and Minimization:

Section 7: Temporary Impacts, Permanent Impacts, and Compensatory Mitigation

Temporary Impacts: Would your project result in temporary impacts to waters of the state ? If yes, attach the restoration plan.

Total Temporary Impacts: _____acres; _____ linear feet

Permanent Impacts: Would your project result in permanent impacts to waters of the state?

Total Permanent Impacts: _____acres; _____ linear feet

Table 2: Receiving Waters Information[2]

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

Table 3: Individual Direct Impact Information

Impact Site ID	Aquatic Resource Type	Latitude	Longitude	Permanent or Temporary Impact?	Acres	Linear Feet	Dredge or Fill/Excavation?

[2] Attach additional tables or add rows to the tables as needed. For receiving waters information (e.g., beneficial uses, watershed identification, etc.) refer to the Regional Water Basin Plans on the applicable Regional Water Board website or the State Water Board's Plans and Policies website (https://www.waterboards.ca.gov/plans_policies/).

Section 8: Documentation

Check any of the following documents that are applicable to your project and attach copies to your NOI.

- ☐ Fee Check or Online Payment Receipt
- ☐ Other Agency Correspondence, Permits and Permit Applications
- ☐ Map of Project Components and Waters of the State (required for all projects)
- ☐ Drawings, or Design Plans
- ☐ Aquatic Resource Delineation Report
- ☐ Erosion Plan to Manage and Prevent Discharge (VIII.G.5)
- ☐ Temporary Impact Restoration Plan (VIII.E)
- ☐ Compensatory Mitigation Plan (VIII.F)
- ☐ Horizontal Directional Drilling Plan (VIII.D.19f)
- ☐ Pre-Project Photographs
- ☐ Proposed Dewatering Plan (VIII.D.13b)
- ☐ Stormwater Pollution Prevention Plan
- ☐ Additional Pages and/or Supplemental Information

For Internal Water Board Use Only

Reviewer:
Date Received:
Reg Measure ID:
WDID:
Check Number:

Application Approval and Signatures on Next Page

Section 9: Legally Responsible Party and Duly Authorized Representative Signature

See NOI Instructions for Legally Responsible Party eligibility. *Legally Responsible Party Attestation*

I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in accordance with a process designed to assure that qualified personnel properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Legally Responsible Person Name (Not the Duly Authorized Representative)

X _____

Legally Responsible Person's Signature

Duly Authorized Representative assignment is as follows (optional):

The authorization shall specify that a person designated as a Duly Authorized Representative has responsibility for the overall operation of the regulated facility or activity, such as a person that is a manager, operator, superintendent, or another position of equivalent responsibility, or is an individual who has overall responsibility for environmental matters for the company. *Optional Duly Authorized Representative Assignment*

I hereby authorize [Print Duly Authorized Representative's Name] to act on my behalf as the Duly Authorized Representative in the processing of this NOI, and to furnish upon request, supplemental information in support of this NOI.

Print Legally Responsible Person Name (not the Duly Authorized Representative)

X _____

Legally Responsible Person's Signature

Attachment A2 – Notice of Intent Instructions

To avoid project delays, submit an NOI as early as possible.

How to Apply

Applicants seeking General Order authorization are required to submit a Notice of Intent (NOI) to the State Water Board and the appropriate Regional Water Board (General Order section VIII.G). A map showing regional water board jurisdictional boundaries is available on the Water Board's website (http://www.waterboards.ca.gov/waterboardsmap.shtml). Addresses and contact information can be found in the online [Placeholder for Staff Directory] (https://placeholder for link).

Regional Water Board NOI Submission
Submit the NOI and application fee to the Regional Water Board with jurisdiction where the proposed project impacts would occur. Submit the NOI to the State Water Board as directed below for projects that cross a regional board boundary.

State Water Board NOI Submission
For projects that cross a regional board boundary: submit the NOI to the State Water Board with the application fee. The appropriate Regional Board(s) should also be provided a copy of any NOI submitted to the State Water Board.

Notice of Intent Review Process

Activities covered by this General Order are separated into three categories (Category A, B or C). Categories are based on the urgency of the activity and the activity's threat to water quality. The application and review process varies by category.

Category A Notification and Approval Process (General Order section VIII.G.1):

a. **Initial Urgent-Project Notification.** Dischargers must notify the appropriate Regional Water Board and the State Water Board by phone, e-mail, or other verifiable means, as early as possible, and no less than forty-eight (48) hours prior to initiating the project.

b. Unless the Water Board determines that the project does not qualify for an Urgent Wildfire Response or Cleanup Activities designation, the Discharger may proceed forty-eight (48) hours after initial notification.

c. **Notice of Intent:** Category A Dischargers shall submit a NOI for enrollment under this General Order within two weeks of the initiation of the activity.

d. Once the Water Board receives a completed NOI, the Water Board will transmit a Notice of Applicability to the Discharger.

<u>Category B</u> Notification and Approval Process (General Order section VIII.G.2):

a. Notice of Intent: Activities that meet Category B eligibility criteria must submit an NOI at least 30 days before any planned activity.

b. Category B Dischargers may proceed with project activities 30 days after NOI submission. A Notice of Applicability will not be issued for Category B projects.

<u>Category C</u> Notification and Approval Process (General Order section VIII.G.3):

a. Notice of Intent: Activities that are ineligible for Category A and Category B must submit a complete NOI at least 45 days before any planned activity. Category C NOIs will be reviewed for completeness by Water Board staff within 30 days from the NOI receipt date.

b. Within 30 days of NOI receipt, Water Board staff will determine if the NOI is complete.

c. Incomplete NOIs will be returned to the applicant with a request to provide information needed to determine the NOI complete. In cases where the NOI is incomplete and the applicant fails to provide the requested information, the Water Board may issue a Notice of Exclusion (NOE).

- The Water Board will either issue a Notice of Applicability (NOA) or an NOE within 45 days of receipt of a complete NOI.
- If the Water Board does not issue an NOA or NOE within 45 days of receiving a **<u>complete</u>** NOI, the discharger may proceed with the project according to all applicable General Order conditions and information provided with the NOI.
- A NOA authorizes the proposed activity for enrollment under the General Order. An NOE denies authorization and enrollment of the proposed activity under the General Order.

<u>Form Instructions</u>

Consider the following definitions while completing your NOI.

Permanent aquatic resource impacts will permanently change an aquatic resource to a non-aquatic habitat type or permanently changes the bottom elevation of an aquatic resource. Permanent impacts can result in physical loss of area and ecological degradation.

Temporary aquatic resource impacts are impacts that temporarily cause a physical loss or ecological degradation of an aquatic resource. The impact must be restored to pre-project conditions through natural ecological processes or active restoration in order

to be classified as temporary. If the impact is not restored to pre-project condition, it is classified as permanent.

Section 1: Project Purpose and Activity

Identify the project purpose and activity type(s).

Section 2: Legally Responsible Party and Duly Authorized Representative Contact Information

Legally Responsible Party, Contact Name, and Title: Provide the full, legal company name of the responsible party (applicant). If the applicant is a 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 applicant will be the entity or individual responsible for compliance with state and federal regulations, including the Clean Water Act, California Water Code, applicable Water Quality Control Plans, and General Order Conditions.

Legally Responsible Party 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.

Duly Authorized Representative Name and Title: The Duly Authorized Representative (agent) is authorized to certify and submit applications or reports to the Water Boards on behalf of the Legally Responsible Party. Telephone number, email address, and the agent's mailing address (not the project address) including the street, city, state, and zip code must be provided. It is not a requirement to have an agent. If you choose to be represented by an agent, provide the agent's information in this section. If you choose to not be represented by an agent leave this section blank.

Section 3: Fees

Fee amounts are determined according to the Cal. Code Regs., tit. 23, § 2200(a)(2) fee schedule (FY 22-23 Water Quality Fee Schedule (ca.gov).

- A fee calculator is available online and may be used to **estimate** fees (https://www.waterboards.ca.gov/resources/fees/water_quality/docs/dredgefillcalculator.xlsm).
- Include only the application fee with your NOI. Water Board staff will determine whether any additional project fees are required during NOI review.
- Fees may be paid online or by check, money order, or cashier check. Information on how to make an online payment is available at the State Water Board's Fee Payment Website (https://www.waterboards.ca.gov/make_a_payment/). If fees are paid online prior to application submission, attach payment receipt to the NOI. Although

fees should be included with the NOI and submitted to the appropriate Water Board, **make all checks, money orders, and cashier checks payable to the "State Water Board**."

- Fees are subject to change.

Section 4: Other Agency Permits, Licenses, Agreements, Plans, and Email Correspondence

Provide the following information for each permit from other agencies:

- **Have you applied?** Indicate yes if you have applied for the specified permit; indicate no if you have not.
- **Have you received the permit?** Indicate yes if you have received the permit; indicate no if you have not.
- **Permit Type:** Provide the name of the permit.
- **ID Number:** Provide the permit's identification number or unique identifier.

Section 5: Project Information

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

Project Address: Provide the street address of the project location and the Assessor's Parcel Number (APN). If the proposed project does not have a physical street address, be as descriptive as possible in this section. For example, "Leisure Town Rd., 5.5 miles south of the intersection of I-80 and Leisure Town Rd."

Coordinates: Indicate the location for the center point of your project in decimal degrees (approximate location is acceptable). Assistance in determining a project's coordinates is widely available through various free online services or your local library.

Construction Timeline: 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 and project design. Include all activities planned to complete the design, and the type of equipment required to complete the activities. Include the total acreage of ground disturbance and the total impacts to all aquatic resources (i.e., any and all streams, wetlands, lakes, ponds, beaches, shorelines, etc).

Activity Specific Information:

Dewatering Activities: If temporary diversions or impoundments of water, cofferdams, or similar structures are proposed, include a dewatering plan.

Vegetation Management: If the project includes vegetation management activities describe how biomass will be processed (i.e. chipped, left on site, or shipped to an organic mass processing facility).

Undergrounding Powerlines: If the project includes undergrounding of powerlines, include proposed start and end locations, total mileage to be undergrounded, entry and exit pit locations. If HDD is not being used, describe why this construction method is infeasible.

Section 6: 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. A description may include actions or methods proposed for erosion control, including winterization strategies to stabilize bare soils and revegetation proposals. A map may be included to indicate the approximate location and area of soil, land and vegetation disturbance, and proposed erosion and sediment control best management practices (BMPs) proposed to avoid and minimize project impacts to waters of the state, including BMPs for hazardous substances. Refer to the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State), subpart H, for actions to minimize adverse impacts to waters of the state. If the effects of impervious surfaces will be minimized through implementation of Low Impact Development treatments, describe those minimization treatments. If the project includes vegetation management activities, describe measures taken to prevent the discharge of vegetation management waste to waters of the state.

Section 7: Temporary Impacts, Permanent Impacts, and Compensatory Mitigation

Temporary Impacts: Indicate yes if your project will result in temporary impacts to waters of the state. Provide the total temporarily impacted area in acres, to the nearest thousandth of an acre. Provide the total temporarily impacted length to the nearest whole foot. These quantities must match the sum of the temporary impact quantities provided in Table 3. If you are proposing temporary impacts attach a restoration plan, that contains all General Order requirements (a schedule; plans for grading of disturbed areas to pre-project contours; a planting palette with plan species native to the project area; seed collection location; invasive species management; performance standards;

and maintenance requirements (e.g., watering, weeding, and replanting)). A restoration plan must be provided before your NOI may be determined complete.

Permanent Impacts: Indicate yes if your project would result in permanent impacts; indicate no if it would not. Provide the total permanently impacted area in acres, to the nearest thousandth of an acre. Provide the total temporarily impacted length to the nearest whole foot.

Table 2: Receiving Waters Information: Populate Table 2 with the requested information as described below.

- **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 if known. If the impact site ID occurs in an unnamed waterbody enter "unnamed" and provide the first named downstream receiving water. Contact Water Board staff for Basin Plan maps or general assistance completing this section, if needed. Regional Board Basin Plans are also located on the State Water Board's Plans and Policies website (Plans and Policies | California State Water Resources Control Board).
- **Impacted Aquatic Resource Type:** For each impact site ID, identify the impacted aquatic resource type from the following list: lake, ocean, bay, estuary, riparian zone, stream channel, vernal pool, marsh, or seasonal wetland. (More refined or precise resource classifications may be used in project plans and related documents.)
- **Water Board Hydrologic Units:** Identify the Water Board Basin Plan hydrologic unit code (HUC). Note that the Basin Plan HUC is not the same as a U.S. Geological Survey HUC. If unknown, indicate UNK and this information will be completed by Water Board staff.
- **Receiving Waters:** List the first downstream waterbody with beneficial use designation in the Water Board Basin Plan. If unknown, indicate UNK and this information will be completed by Water Board staff.
- **Receiving Waters Beneficial Uses:** List the beneficial use designation. 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 303(d)-impairment designation; if the water is not listed, indicate NA. If unknown, indicate UNK and this information will be completed by Water Board staff.

Table 3 - Individual Direct Impact Information: Populate Table 3 with the requested information as described below. This table may be used for dredge or fill/excavation activities.

- **Impact Site ID:** Identify the impact site with a site ID; site IDs should correspond with those used in Table 2.
- **Aquatic Resource Type:** For each impact site ID, identify the impacted aquatic resource type from the following list: lake, ocean, bay, estuary, riparian zone, stream channel, vernal pool, marsh, or seasonal wetland. (More refined or precise resource classifications may be used in project plans and related documents.)
- **Latitude:** Provide the center coordinate of the impact site in decimal degrees.
- **Longitude:** Provide the center coordinate of the impact site in decimal degrees.
- **Permanent or Temporary:** Indicate if the impact at the impact site ID is permanent or temporary.
- **Acres and Linear Feet:** Provide the area in acres and length in linear feet for each impact site. For acres, round to the nearest thousandth of an acre.
- **Dredge or Fill/Excavation:** For each impact site, identify if the impact is from dredging or from fill/excavation activities.

Section 8: Documentation

Use the 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, leave the checkbox empty:

- **Fee Check or Online Payment Receipt**
- **Other Agency Correspondence, Permits, and Permit Applications**: Attach other agency permits, applications, or correspondence as required in Section 4. If the Corps requires submittal of a Pre-Construction Notification (PCN), include a copy with the NOI.
- **Map(s):** Dischargers shall include maps that shows:
    - A map scale (of at least 1:24000 (1” = 2000’) that is sufficient to accurately depict: the project area, locations of soil disturbance, each project activity, erosion control BMPs, all aquatic resources that may qualify as waters of the state within the boundaries of the project, and the location and dimension of proposed structures with impacts to waters of the state. PDF maps, shapefiles, and KLM files are preferred file formats.
        - **GIS shapefiles:** Shapefiles must depict the boundaries of all project areas, site characteristics, and extent of aquatic resources impacted or avoided. Each shapefile 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 north American datum of 1983 (NAD 83) in the California Teale Albers projection in feet.

    - **KLM files:** Saved from online 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.
- **Drawings, or Design Plans:** As applicable, attach drawings, including plan and cross-section views, clearly depicting the location, size, and dimensions of the proposed activity, as well as the location of delineated waters on the site. The drawings should contain a title block, legend and scale, amount (in cubic yards, if applicable) and area (in acres) of fill, including both permanent and temporary impacts. The ordinary high-water mark or, if tidal waters, the mean high water mark and high tide line, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation and design plans. Maps prepared according to the description below may satisfy some or all of this information.
- **Aquatic Resource Delineation Report:** Dischargers proposing work within 150 feet of waters of the state shall submit an aquatic resources delineation report.
- **Erosion Plan to Manage and Prevent Discharge:** For all proposed project activities, provide an Erosion Plan to Manage and Prevent Utility Discharge that reports on proposed project activities, CSDS occurrences, and BMPs that will be installed to prevent erosion and discharges of waste to waters of the state.
- **Temporary Impact Restoration Plan:** Provide a restoration plan for projects that propose temporary impacts.
- **Compensatory Mitigation Plan:** Provide a compensatory mitigation plan for any project that proposed permanent impacts to waters of the state. Additional mitigation may be required by Water Board staff on a case-by-case basis to offset temporal loss of aquatic resource function or permanent loss of ecological function from riparian vegetation management activities.
- **Horizontal Directional Drilling Plan:** Required 30 days before drilling but can be provided with NOI.
- **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.
- **Proposed Dewatering Plan:** If not included in project description.
- **Stormwater Pollution Prevention Plan:** If available.
- **Additional Pages and/or Supplemental Information:** 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 in the NOI.

Section 9: Legally Responsible Party and Duly Authorized Representative Signature

The Legally Responsible Party (LRP) must comply with the eligibility requirements described below (and set forth in Attachment D). The LRP shall sign and submit the NOI to the appropriate Water Board. Water Board mailing addresses are located in the Staff Directory (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf) .

The attestation on the NOI form must be signed by the LRP. LRP eligibility is as follows:

1. For a corporation: The NOI must be signed by a responsible corporate officer of at least the level of vice-president.
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
3. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. This includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of the U.S. EPA).

ATTACHMENT B - TRIBAL MITIGATION MEASURES

I. Introduction and Water Boards Tribal Liaison Resources

This attachment to the Electric Utility Operations and Maintenance Activities Related to Wildfire Mitigation and Other Similar Activities (General Order) describes procedures Dischargers shall comply with to protect tribal cultural resources (TCRs) for permit coverage under this General Order.

1. TCRs are defined in California Public Resources Code (PRC) section 21074 as either of the following:
    a. sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe (tribe) that is:
        i. Listed, or eligible for listing, in the California Register of Historical Resources;
        ii. Listed in a local register of historical resources as defined in PRC section 5020.1(k);
    b. Office of Regulatory Affairs resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1.
2. TCRs may also include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed in a private tribal register.

Water Board Tribal Liaison Resources

The Water Boards tribal liaison is available to support and engage in this process, as requested, by phone at (916) 341-5229 or email at Tribal-Liaison@waterboards.ca.gov.

II. Tribal Cultural Resources Evaluation Procedures and Mitigation Measure Development

1. Except as set forth in Section V of this attachment, the Discharger must comply with the following TCR process to ensure TCRs are identified and protected:
    a. Perform a Native American archaeological resources records search of the California Historical Resources Information System (CHRIS). The search area shall match the geographic extent of impacts associated with the proposed project. The requirement to perform a CHRIS records search may be satisfied using the results of a previous CHRIS records search

completed for the specific parcel or parcels where the Project Activities are proposed to occur;

b. Request a Sacred Lands Inventory for the project area from the Native American Heritage Commission;

c. Concurrent with the initial environmental assessment, and at least 90 days prior to Notice of Intent (NOI) submission, provide all tribes identified in steps a and b above with:

    i. A complete and technically accurate project description and a map of suitable scale and quality to determine the location of the proposed activity;

    ii. Native American archaeological sites or artifacts identified in a CHRIS positive result to consult and establish Project specific mitigation measures to ensure the protection of TCRs within the proposed Project area; and

d. Provide a 30-day opportunity for the tribe(s) to request consultation. In cases where tribe(s) are consulting, mitigation measures will be developed by the Discharger in cooperation with the consulting tribe(s) and submitted to the Water Board for approval and inclusion in the NOA.

    i. If requested by an affiliated tribe, a pedestrian survey will be conducted by a qualified archaeologist to identify and record resources. Affiliated tribes must be given the opportunity to accompany the archaeologist during the pedestrian survey or to visit the site and assess impacts to previously recorded sites. A copy of the Cultural Resources Assessment should be provided to the affiliated tribes.

    ii. If the Discharger and the consulting tribe(s) are unable to agree on appropriate mitigation measures, the Discharger will complete the following:

        1. The Discharger shall provide a report with the NOI submission detailing the Discharger's attempt to consult with tribe(s) in good faith, a description of tribe requested mitigation measures that would be infeasible, and alternative mitigation measures that protect the integrity of the site.

e. Mitigation measures shall be implemented for the duration of project activities.

f. Include documentation within the NOI to the Water Boards that shows either 1) no TCRs were identified within the Project area; 2) the appropriate mitigation and conservation measures developed in consultation with the affected California Native American tribe when the survey and research reveal a TCR or a Sacred Lands Inventory positive result; or 3) documentation that shows that affected California Native American tribes were contacted and did not respond to the opportunity to consult within 30 days.

    i. A Notice of Applicability will not be issued until this process is complete.

III. Mitigation Measures for Treatment of Human Remains

1. The Discharger shall immediately comply with Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98, and take the following actions, upon discovery of any human remains:

    a. Immediately cease all ground-disturbing activities in the vicinity of the discovery;

    b. Immediately notify the county coroner;

    c. Discontinue ground disturbing activities until the requirements of Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98 have been met; and,

    d. Ensure that the human remains are treated with appropriate dignity.

    e. The coroner has two working days to examine human remains after being notified by the person responsible for the excavation, or by their authorized representative per Health and Safety Code section 7050.5, and 24 hours to notify the Native American Heritage Commission for Native American remains. The Native American Heritage Commission will immediately notify the persons it believes to be the most likely descended from the deceased Native American per Public Resources Code section 5097.98. The most likely descendent has 48 hours from the time they are granted access, to make recommendations to the landowner or representative for the treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods.

    f. The landowner or their authorized representative shall reinter the human remains and items associated with the Native American human remains with appropriate dignity on the property in a location not subject to further and future disturbance consistent with subdivision (e) of Public Resources Code section 5097.98 if the:

i. Native American Heritage Commission is unable to identify a descendant;

ii. Mediation provided for pursuant to subdivision (k) of Public Resources Code section 5097.94, if invoked, fails to provide measures acceptable to the landowner;

iii. Most likely descendent does not make recommendations within 48 hours;

iv. Most likely descendants and the landowner have not mutually agreed to extend discussions regarding treatment and disposition pursuant to subdivision (b)(2) of Public Resources Code section 5097.98;

v. If the Landowner does not accept the descendant's recommendations. The landowner or the descendants may request mediation by the Native American Heritage Commission pursuant to Public Resources Code section 5097.94, subdivision (k).

IV. Mitigation Measures to Minimize and Avoid Adverse Impacts to TCR Sites

1. In every case where TCRs are identified, the Discharger shall maintain confidentiality of the TCR location and provide worker training about any measures identified to avoid potential TCR resources in the area. The following are examples of additional mitigation measures that, if feasible for a given site, may be used to minimize and avoid significant adverse impacts to TCR sites:

    a. Avoid the site;

    b. Fence off or cap-in-place areas of very high sensitivity such as burial and cemetery sites;

    c. Implement project-specific mitigation measures. For example, a plan to avoid or minimize impacts to identified plants or other cultural materials.

    Appropriate mitigation measures such as those listed above will be developed by the Discharger and tribes to reduce impacts to a less than significant level.

V. Urgent Wildfire Response or Cleanup Activities Notification Procedures

1. Notification procedures for emergency response projects differ from the notification procedures outlined above and are limited to the following:

    The Discharger must notify the appropriate Regional Water Board and the State Water Board (collectively, they are known as the "Water Boards"), as early as

possible, and no less than forty-eight (48) hours prior to initiating the emergency project, except as set forth in General Order section VIII. G.1.a.i.3. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means. If not included as part of the notification, the notification must be followed within three (3) business days by submission of all the information in the Notice of Intent (NOI) form, provided in Attachment A1.

a. Upon receipt of emergency project notification, Water Board staff will announce the project location and description via the “CWA401 – Certification and Wetlands Program” subscription list.

b. Tribe(s) affiliated with the emergency response project site may respond to the initial notification and request to receive additional documents regarding the project as they become available.

Attachment C Controllable Sediment Discharge Sources Monitoring Form

Purpose: The Discharger will conduct monitoring for Controllable Sediment Discharge Sources (CSDS) during project activities until the project area is stabilized.

A CSDS is a feature caused or affected by anthropogenic activity that has caused or threatens to cause discharge of sediment to receiving waters in a manner that negatively impacts water quality or beneficial uses, and is under Discharger ownership or control. A controllable sediment discharge source may be treated through planned project activities, routine maintenance, storm-proofing, emergency work, or as a stand-alone project.

The goal of CSDS monitoring is to evaluate the efficacy of implemented management measures (watercourse crossings, disconnected drainage structures, access route banks, etc.) and BMPs to prevent sediment discharge, identify CSDS occurrences, and resolve the CSDS occurrences as soon as feasible.

Monitoring Visits:

- Initial Survey: a CSDS monitoring survey will be conducted after the first rainstorm that exceeds 0.5-inch of precipitation in a 48-hour period; this survey will only be conducted when the site can be accessed without contributing to significant environmental effects or risking the safety of the monitor.
    - The results of the survey will be documented in this form and submitted to the Water Board within 30 days of the monitoring visit.
- A CSDS monitoring survey will be conducted after May 1
    - The results of the survey will be documented in this form and submitted to the Water Board by July 15 of that year.

Purpose:

1. Locate CSDS occurrences.
2. Locate sources of discharge to waters of the state.
3. Identify *potential* sources of sediment delivery to waters of the state in a timely manner to enable implementation of corrective actions to avoid potential sediment discharges.
4. Determine condition of installed management measures and BMPs.
5. Detect failure to implement management measures and BMPs.
6. Detect water quality impacts caused by failed management measures and/or BMPs.
7. Resolve failure of any management measures or BMPs.
8. Ensure site stability is established to prevent any potential future discharges

Project Information:

Project Name: _____

_____

Inspector's Name and Title: _____

Date of Inspection: _____

Date of and Approximate Amount of Precipitation during Last Precipitation Event:

_____

Accumulated Precipitation this Season: _____

Percent of this Year's Precipitation Compared to the Annual Average: _____

Controllable Sediment Discharge Sources Monitoring Methods:

Under the header, "CSDS Observations" below, indicate whether the work area contains CSDSs, if they were accessible, if they were inspected, if erosion and/or discharge is occurring or has potential to occur, corrective measures to be implemented, and their implementation schedule.

Signs of erosion include, but are not limited to:

- Landsliding
- Erosion voids
- Tension cracking or settling of access route fill or sidecast
- Rilling or gullying of access route surfaces, access route fills, landings, cutbanks, etc.
- Increase levels of sediment/turbidity in waters immediately downstream of operations

If CSDS are observed:

- Identify location of (potential) sediment erosion discharge and its approximate volume
- Identify the (potentially) impacted waterbody type (wetland or non-wetland water), its flow regime (ephemeral, intermittent, or perennial), and/or inundation regime (seasonal wetland, vernal pool, marsh etc).
- For each CSDS occurrence, **Photograph** the CSDS, the (potential) point of delivery to the waterbody, and attach to the end of this form.

- Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.
- Report discharges by telephone to the appropriate Water Board no later than 24 hours after detection

If increased levels of sediment/turbidity are observed in neighboring waterbodies:

- Identify the waterbody and location of the observation
- Explain whether turbidity is result of sediment discharge within work area. Detail if sediment is the result of a hillslope feature including a watercourse crossing or unstable area.
- Describe what and when corrective measures will be implemented to stop the sediment delivery and protect water quality.

If this is a subsequent year of monitoring and CSDS was documented in the previous year(s):

- Capture a **photograph** of the previously reported CSDS site.
- The photograph should be taken from the same location and facing the same aspect as the previous year's photograph.
- Include the previous year's photograph of the erosion occurrence with this year's photograph in the monitoring form.

CSDS Observations:

CSDS Occurrence Number____

☐none exist

(attach additional pages as necessary)

CSDS Occurrence Number____

Photograph Documentation of Each Controllable Sediment Discharge Sources Occurrence

For each photograph, specify the photograph's coordinates, aspect, and which CSDS occurrence number is documented.

Attachment D – Report and Notification Requirements

Report Submittal Instructions:

1. Check the box on the Report and Notification Cover Sheet (page 8 and 9 of this document) next to the report or notification you are submitting. See the General Order and Notice of Applicability (NOA) for report and notification requirements specific to your project.
2. Complete and sign the Report and Notification Cover Sheet and attach all information requested for the Report or Notification Type.
3. Submit the signed Report and Notification Cover Sheet and required information via email to the Water Board staff assigned to your project.
4. Include in the subject line of the email:
   ATTN: [Staff Name] and [Reg Measure ID] Report

Map/Photo Instructions:

Map Format Information: Preferred map formats of at least 1:24000 (1" = 2000') detail (listed in order of preference), pdf maps are also acceptable:

- **GIS shapefiles**: The shapefiles must depict the boundaries of all project areas and extent of aquatic resources impacted. Each shape should be attributed with the extent/type of impacted aquatic resources. 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 (NAD83) in the California Teale Albers projection in feet.
- **Google KML files** saved from Google Maps: My Maps or Google Earth Pro. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used include a spreadsheet with the object ID attributed with the extent/type of each impacted aquatic resource.

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.

Part A – Annual Reports

Report Type 1 - Annual Report

1. **Report Purpose** – Notify the Water Board staff of project status throughout the duration of the project.

2. **When to Submit**– the discharger shall submit an annual report each year by June 1; if not specified, the report shall be submitted on the anniversary of project effective date, until a Notice of Project Complete Letter is issued to the discharger.

3. **Report Contents** – The contents of the annual report shall include the topics indicated below. Report contents are outlined in annual Report Topics below.

Topic 1: Construction Summary
Topic 2: Mitigation for Temporary Impacts Status
Topic 3: Compensatory Mitigation for Permanent Impacts Status

A. Annual Report Topic 1 - Construction Summary - Project progress and schedule including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water best management practices (BMPs). If construction has not started, provide estimated start date and reasons for delay.

i. Map showing general project progress.
ii. Summary of Conditional Notification and Report Types 7 (Part C below), if applicable.

B. Annual Report Topic 2 - Mitigation for Temporary Impacts Status

i. 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.
ii. If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of performance standards contained in the restoration plan.

C. Annual Report Topic 3 - Compensatory Mitigation for Permanent Impacts Status - *If not applicable report "N/A."

i. In-water Project Activities should include the following as required by the approved Compensatory Mitigation Plan:

Permittee Responsible:

1. If mitigation has not been installed, the planned installation date(s).

2. If installation is in progress, a map of what has been completed to date.

3. If installation is complete, provide a final map and information concerning attainment of performance standards contained in the compensatory mitigation plan.

Mitigation Bank or In-Lieu Fee (ILF):

a. Status or proof of purchase of credit types and quantities.

b. The name of bank/ILF program and contact information.

c. If ILF, project location and type, if known.

Part B – Project Status Notifications

Report Type 2 - Commencement of Construction

1. **Report Purpose** - Notify Water Board staff prior to the start of construction.
2. **When to Submit** - Must be received at least seven (7) days prior to start of initial ground disturbance activities.
3. **Report Contents** -
    a. Date of commencement of construction.
    b. Anticipated date when discharges to waters of the state will occur.
    c. Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable.
    d. Construction Storm Water General Permit WDID No., if applicable.

Report Type 3 - Request for Notice of Project Complete Letter

1. **Report Purpose** - Notify Water Board staff that construction and/or any post-construction monitoring is complete, and no further project activity is planned. Water Board staff will review the request and send a Project Complete Letter to the discharger upon approval. Termination of annual invoicing of fees will correspond with the date of the Project Complete Letter.
2. **When to Submit** - Must be received by Water Board staff within thirty (30) days following completion of all project activities.
3. **Report Contents** -

    A. Topic 1: Stormwater Compliance

    i. Status of post-construction stormwater BMP installation, pursuant to the General Order.

    B. Topic 2: Mitigation for Temporary Impacts

    i. 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.

    ii. 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.

    C. Topic 3: Permittee Responsible Compensatory Mitigation

    i. A report establishing that the performance standards outlined in the compensatory mitigation plan have been met.

    ii. Status on the implementation of the long-term maintenance and management plan and funding of endowment.

    iii. Pre- and post-photo documentation of all compensatory mitigation sites.

iv. Final maps of all compensatory mitigation areas (including buffers).

D. Topic 4: Access Route Permanent Deactivation

i. At occurrences where watercourse crossings are not feasibly removed from permanently decommissioned roads, document the stabilization measures implemented to minimize erosion, facilitate hydrologic disconnection of surface drainage from waters of the state, and restoration of natural drainage patterns.

Report Type 4 - Controllable Sediment Discharge Sources (CSDS) Monitoring Form

1. **Report Purpose** – Identify and resolve CSDS occurrences
2. **When to Submit** – The CSDS monitoring survey shall be conducted after the first storm that exceeds 0.5 inch of rainfall in 24 hours; the associated form, Attachment C, shall be submitted to the Regional Board within 30 days of the monitoring visit. The second CSDS monitoring survey shall be conducted after the rainy season and the CSDS monitoring form (Attachment C) shall be submitted to the Regional Water Board by July 15th. If monitoring detects a new CSDS, an additional year of monitoring and reporting will be required. Erosion monitoring and rectification will continue until the site is stabilized and approved by the Regional Water Board.
3. **Report Contents** –

A. Topic 1: CSDS Occurrences

The form contains sections where the monitor describes whether the Project Area contains CSDS occurrences, if they were accessible, if they were inspected, if erosion or delivery to a waterbody was detected, and potential corrective measures to be implemented and their implementation schedule.

B. Topic 2: CSDS Representative Photographs

For each CSDS occurrence, photograph the source of sediment and the (potential) point of delivery to the waterbody. For each photograph, specify the photograph's coordinates, aspect, and which CSDS occurrence number is documented.

If a subsequent year of monitoring is being conducted, take a photograph of the previously reported erosion CSDS site from the same location and facing the same aspect as the previous year's photograph. Include the previous year's photograph of the erosion occurrence with this year's photograph in the monitoring form.

Part C – Conditional Notifications and Reports for All Projects

Report Type 5 - Accidental Discharge of Hazardous Material Report

1. **Report Purpose** - Notifies Water Board staff that an accidental discharge of hazardous material has occurred.
2. **When to Submit** - Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Water Board staff.
3. **Report Contents** -
   - **A.** The report shall include the Office of Emergency Services (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.
   - **B.** 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.
   - **C.** Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.

Report Type 6 - Violation of Compliance with Water Quality Standards Report

1. **Report Purpose** - Notifies Water Board staff that a violation of compliance with water quality standards has occurred.
2. **When to Submit** - The discharger shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Water Board staff.
3. **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 Water Board staff.

Report Type 7 - In-Water Work and Diversions Water Quality Monitoring Report

1. **Report Purpose** - Notifies Water Board staff of the completion of in-water work.
2. **When to Submit** - Within seven (7) working days following the completion of in-water work. Continue reporting in accordance with the approved water quality monitoring plan.
3. **Report Contents** - As required by the approved water quality monitoring plan.

Report Type 8 - Modifications to Project Report

1. **Report Purpose** - Notifies Water Board staff if the project, as described in the application materials, is altered in any way, including as a result of the imposition of subsequent permit conditions by any local, state, or federal regulatory authority.
2. **When to Submit** - Prior to implementing any project changes.
3. **Report Contents** - A description and location of any alterations to project implementation. Identification of any project modifications that will interfere with the discharger's compliance with the Order.

Report and Notification Cover Sheet

Project: [Project Name]

Discharger: [Applicant]

WDID/File Number: [######]

Reg. Meas. ID: [######]

Place ID: [######]

Order Effective Date:[1] Click here to enter a date

Report Type Submitted

Part A – Annual Reports

Report Type 1 ☐ Annual Report

Part B – Project Status Notifications

Report Type 2 ☐ Commence of Construction

Report Type 3 ☐ Request for Notice of Project Complete Letter

Report Type 4 ☐ Controllable Sediment Discharge Sources (CSDS) Monitoring Form

Part C – Conditional Notifications and Reports for All Projects

Report Type 5 ☐ Accidental Discharge of Hazardous Material Report

Report Type 6 ☐ Violation of Compliance with Water Quality Standards Report

Report Type 7 ☐ In-Water Work and Diversions Water Quality Monitoring Report

Report Type 8 ☐ Modifications to Project Report

[1] The date the NOA was issued. If an NOA or Notice of Exclusion (NOE) was not issued for the project, the effective date is 45 days from the date the discharger submitted a complete Notice of Intent (NOI) to the Water Boards.

"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**

[1]STATEMENT OF AUTHORIZATION (include if authorization has changed since application was submitted)

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

Signature	**Date**

***This Report and Notification Cover Sheet must be signed by the Legally Responsible Person or a Duly Authorized Representative and included with all written submittals.**

Attachment H – Glossary

Key terms in italics throughout the general order are defined here for clarification.

1. **Access Routes**
   Roads and ancillary spurs established for the purpose of accessing utility infrastructure.
2. **Access Route Decommission**
   Activities that result in the stabilization and restoration to a more natural state of access routes in a location that is no longer intended for vehicle travel (36 CFR 212.1, FSM 7705 – Transportation System). Decommissioning activities may include soil stabilization, watercourse crossing removal or stabilization, and restoration of the area's natural drainage patterns.
3. **Access Route Reconstruction**
   Restoration or improvements to existing roads to make them useable for project activities.
4. **Access Route Work Activity**
   Construction, reconstruction, and decommissioning of access roads and ancillary spurs; watercourse crossing construction, reconstruction, and decommissioning; construction and reconstruction of erosion control structures; vegetation management activities for the purposes of creating an access route.
5. **Class I watercourse or restorable Class I watercourse**
   The standards of protection for a Class I Watercourse and Lake Protection Zone, or WLPZ, in watersheds with listed anadromous salmonids are articulated in Section 916.9 [936.9, 956.9] of the Forest Practice Rules and are identified as the "Anadromous Salmonid Protection Rules", or "ASP rules". The ASP rules apply within areas identified as the "Coastal Anadromy Zone", or "CAZ", which are those waterbodies that support populations of threatened or endangered anadromous salmonids such as coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), and steelhead trout (*Oncorhynchus mykiss*).
6. **Compatible Vegetation**
   Plant species that, at maturity, will not grow to a height that exceeds the Federal Energy Regulatory Commission and other regulatory clearance standards.
7. **Controllable Sediment Discharge Source (CSDS)**
   A feature caused or affected by anthropogenic activity that has caused or threatens to cause discharge of sediment to receiving waters in a manner that negatively impacts water quality or beneficial uses, and is under Discharger ownership or control. A Controllable Sediment Discharge Source may be treated through planned project activities, routine maintenance, storm-proofing, emergency work, or as a stand-alone project.

8. **Hazard Tree**
   A dead, dying, or diseased tree that represents a threat to public health and safety, and/or to infrastructure.
9. **Hazardous Material**
   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, including 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 & Safety Code, Section 25501.)
10. **Hydrologic Disconnection**
    The removal of direct routes of drainage or overland flow of access route runoff to a water of the state.
11. **Project Activity**
    Work performed for the purpose of wildfire mitigation, response, and cleanup, and electric utility infrastructure operations and maintenance activities that are not directly related to wildfire mitigation but have the same potential effects on water quality as wildfire mitigation activities.
12. **Project Area**
    The location where Project Activities occur, including storage areas and access routes.
13. **Qualifying Precipitation Event**
    Any weather pattern that is forecast to have a 30 percent or greater Probability of Precipitation and a Quantitative Precipitation Forecast of 0.5 inches or more within a 24-hour period. The event begins with the 24-hour period when 0.5 inches has been forecast and continues into subsequent 24-hour periods when 0.25 inches of precipitation or more is forecast.
14. **Saturated Soils**
    Soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or access route surfacing material during the project, (3) loss of bearing strength resulting in the deflection of soil or access route surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials.

15. **Seasonal Deactivation**
    Temporary deactivation of a seasonal access route to disconnect surface drainage, install access route drainage features (e.g., waterbreaks, rolling dips, outsloping), stabilize soils, and prevent vehicle travel during the rainy season.
16. **Significant Existing or Potential Erosion Site**
    A location where there are visible physical conditions to indicate soil erosion may occur, or sediment is currently discharged to watercourses or lakes in quantities that violate water quality objectives or result in significant individual or cumulative adverse impacts to the beneficial uses of water.
17. **Slash**
    Branches, limbs, or bark and split products debris left on the ground as a result of vegetation management activities.
18. **Soil borne pathogens** are any nematodes, or any bacterial, protozoan, viral or fungal pathogens that can cause disease or death to native plants, agricultural crops or ornamental plants (e.g., Phytophthora ramorum, the cause of sudden oak death, and P. lateralis, the cause of Port Orford cedar root disease). The fungus that causes Valley Fever, Coccidioides spp., is not considered a soil borne pathogen in this order.
19. **Stabilized**
    Exposed soils and unstable areas that have been treated in such a manner that there is low risk of such soils discharging to a water of the state via runoff, slumping, or wind erosion. Appropriate treatment varies and can include, but is not limited to: cover with mulch (e.g., weed-free straw, slash, woodchips); relocation of excess material to an area that is stable, well drained, isolated from waters of the state, and where wind exposure is limited; sloping back excess material to a stable angle; hydroseeding, seeding and/or planting; and/or temporary construction erosion control measures (e.g., fiber rolls, silt fences, erosion control blankets, tarps).
20. **Vegetation Management Waste**
    Debris generated by vegetation management including woodchips, slash, trimmings, prunings, bark, limbs, roots or stumps; pesticides and pesticide equipment; sediment, rocks, sand, silt, clay, and other earthen materials; and any other organic or inorganic waste produced by vegetation management activities covered under this order.