Central Valley Regional Water Quality Control Board

WATER QUALITY ORDER NO. R5-2026-XXXX
TENTATIVE WASTE DISCHARGE REQUIREMENTS

Effective Date: <Adoption Date>

Expiration Date: <10 years from adoption date>

Reg. Meas. ID:	463934
Place ID:	905041
WDID No.:	5C15CR00164

Program Type: Fill/Excavation

Project Type: Roads and Highways

Project: Keene Pavement 09-37920 (Project)

Applicant: Caltrans

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Table of Contents

FINDINGS 3
REQUIREMENTS 8
CERTIFICATION 22
Attachment A – Project Map A-1
Attachment B – Receiving Waters, Impacts and Mitigation Information B-1
Attachment C – CEQA Findings of Facts C-1
Attachment D – Reports and Notification Requirements D-1
Attachment E – Signatory Requirements E-1
Attachment F – Project Deviation Procedures F-1

FINDINGS

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) hereby finds the following:

Application

1. Caltrans (Permittee) submitted an application on 7 January 2026. The application was deemed complete on 6 February 2026.
2. Section 13260, subdivision (a) of the Water Code requires that any person discharging or proposing to discharge waste that could affect the quality of waters of the state file a report of waste discharge. Waters of the state is broadly defined to include any surface water or groundwater within the boundaries of the state. (Water Code, section 13050, subdivision (e).) The Permittee's application and supplemental information satisfies this requirement.

Project Purpose and Description

3. Project Purpose: The purpose of the Project is to improve traffic flow and operational performance on a steep grade segment of State Route 58 where truck speeds fall significantly below posted limits. The Project also aims to improve commuter travel, support freight movement through the corridor, restore roadway conditions to minimize maintenance needs, extend the service life of the facility, and reduce collision rates along four identified curves.

4. Project Description: Caltrans proposes to construct a 12-foot-wide truck climbing lane along the eastbound direction of State Route 58 in Kern County, extending from post mile 76.3 to R88.56. The Project includes removal of the Bena Road at-grade intersection, construction of an acceleration lane at the Bealville Road intersection, and shoulder widening to 10 feet with an additional 5-foot maintainable dirt shoulder. Additional improvements include pavement upgrades, guardrail and barrier enhancements, drainage system upgrades, rumble strip installation, and lighting improvements.

5. Direct impacts to waters of the state result from drainage upgrades required to rehabilitate and preserve the State Route 58 corridor. The work activities within aquatic resources involves in-kind replacement of culverts, drop inlets, overside drains, and down drains. At Clear Creek, approximately 200 feet of channel and adjacent riparian wetland areas will be re-graded to restore natural hydrology and remove accumulated sediment.

Project Location

6. The Project area is located along State Route 58 in Kern County The nearest city is Tehachapi. Maps showing the Project location are found in Attachment A of this Order. The Project coordinates for the northwestern most extent is Latitude: 35.263196 Degrees and Longitude: -118.644134 Degrees. The Project

coordinates for the southeastern most extent is Latitude: 35.176628 Degrees and Longitude: -118.481352 Degrees.

Project Impact and Receiving Waters Information

7. Project impact and receiving waters information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity are shown in Table 2 of Attachment B.

Description of Direct Impacts to Waters of the State

8. Total Project fill/excavation quantities for all impacts are summarized in Table 1 and Table 2 below. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition.

Table 1: Total Project Fill/Excavation Quantity for Temporary Physical Loss of Area Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Lake			
Ocean/bay/estuary			
Riparian Zone			
Stream Channel	0.021		96.85
Vernal Pool			
Wetland			

Table 2: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Lake			
Ocean/bay/estuary			
Riparian Zone			
Stream Channel	0.305		2,276
Vernal Pool			
Wetland	0.170	240.4	185.7

Avoidance and Minimization

9. To minimize the potential effects of construction on water quality and resources, the Permittee shall implement all measures required as described in this Order.

Compensatory Mitigation

10. Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state. The Permittee has agreed to provide compensatory mitigation for direct impacts as described below:

Regulatory Considerations

11. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan). The plan for the region and other plans and policies may be accessed at the State Water Resources Control Board's Plans and Policies Web page (http://www.waterboards.ca.gov/plans_policies/). The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

12. Pursuant to Water Code section 106.3, subdivision (a), it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

13. State Water Resources Control Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (Antidegradation Policy), requires that the quality of existing high-quality water be maintained unless any change will be consistent with the maximum benefit to the people of the state, will not unreasonably affect present or anticipated future beneficial uses of such water, and will not result in water quality less than that prescribed in water quality control plans or policies. The Antidegradation Policy further requires best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the state will be maintained.

14. Executive Order W-59-93, dated 23 August 1993, establishes a California Wetlands Conservation Policy including an objective to ensure no overall net loss of and a long term net gain in the quantity, quality, and permanence of wetland acreage and values in California (No Net Loss Policy). The State Water Resources Control Board and Regional Water Quality Control Boards are committed to increasing the quantity, quality, and diversity of wetlands that qualify as waters of the state.

15. Filling wetlands and other waters causes partial or complete loss of the beneficial uses provided by those waters. To reconcile such losses with the State’s No Net Loss Policy, the Antidegradation Policy, and State Water Board’s State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), this Order requires adherence to the requirements in the mitigation monitoring and reporting program, including

compensatory mitigation for impacts that cannot be feasibly avoided or minimized; implementation of the approved compensatory mitigation plan; and other requirements to minimize the potential effects of construction on water quality and resources. This Order requires aquatic resource impacts be mitigated at a minimum of 1:1 ratio for stream channel and a minimum of 2:1 ratio for wetlands by purchasing credits from the National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program. Accordingly, this Order's requirements are consistent with the provisions of the No Net Loss Policy, the Antidegradation Policy, and the Procedures.

16. This Order is adopted pursuant to Water Code section 13263, subdivision (a), which provides, in pertinent part, the following:

> *The regional board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge…, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241*.

Compliance with section 13263, subdivision (a), including implementation of applicable water quality plans, is discussed above. The Central Valley Water Board has considered the factors in section 13241 in establishing the requirements in this Order.

17. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste (Water Code, section 13263, subdivision (g).)

18. This Order and its associated monitoring and technical reporting provisions are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides, in pertinent part, the following:

> *[T]he regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste … shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.*

The reports required under this Order are necessary to verify and ensure compliance with permitting requirements and protect waters of the state. The burden associated with such reports is reasonable relative to the need for their submission.

California Environmental Quality Act (CEQA)

19. The Project was originally planned as two separate projects, the Keene Pavement Project and the State Route 58 Truck Climbing Lane Project. An Initial Study/Mitigated Negative Declaration was prepared for each project (Keene Pavement, State Clearinghouse No. 2022030729; SR 58 Truck Climbing Lane, State Clearinghouse No. 2023030602). Notices of Determinations were filed for the Keene Pavement Project and the State Route 58 Truck Climbing Lane Project at the State Clearinghouse on 23 June 2022 and 1 September 2023, respectively. In August of 2023, the Keene Pavement project expanded to include the scope of 58 Truck Climbing Lane. After an internal review, Caltrans, as lead agency, concluded that the CEQA significance determinations from the previously approved Initial Study/Mitigated Negative Declarations remain valid to support the Project.

20. Pursuant to CEQA, the Central Valley Water Board, as responsible agency, has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

Public Notice

21. This Order was publicly noticed with an opportunity to submit written comments pursuant to Water Code section 13167.5.

22. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.

Petitions for Reconsideration

23. Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m. on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions are available on the Internet (at the address below) and will be provided upon request.

    State Water Resources Control Board Law and Regulations for Filing Petitions
    (http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

Fees Received

24. An application fee of $4,212.00 was received on 20 January 2026. The fee amount was determined as required by California Code of Regulations, Title 23, sections 3833(b)(3) and 2200(a)(4) and was calculated as Category A - Fill & Excavation Discharges (Fee Code 84) with the dredge and fill fee calculator.
25. An additional fee of $14,560.00 based on total Project impacts was received on <XX date> (project fee still outstanding).
26. This WDR is subject to annual billing based on the fee schedule in effect at the time of billing. Annual billing will continue until the Project, including monitoring, is complete and the Central Valley Water Board receives an acceptable request for a Notice of Project Complete Letter (see Attachment D). Annual invoices for fill and excavation projects are issued for projects active for any amount of time in the current fiscal year (July 1 – June 30). Invoices are usually sent out at the end of each calendar year.

    To stop annual billing, the Permittee must request a Notice of Project Complete Letter from the Water Board. Central Valley Water Board staff will verify if the conditions of this Order are met and may conduct a site visit to confirm compliance.

    For more information on fees, visit the State Water Board's Water Quality Fees Web page (https://www.waterboards.ca.gov/resources/fees/water_quality/), under Water Quality Certification (WQC) Program Fees.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that the Permittee shall comply with the following:

A. Scope

Impacts to waters of the state shall not exceed quantities shown in Tables 1 and 2. Pursuant to Water Code section 13264, subdivision (a), the Permittee is prohibited from initiating the discharge of new wastes (i.e., other than those described herein), or making material changes to the character, volume, and timing of waste discharges authorized herein without filing a report required by Water Code section 13260.

B. Reporting and Notification Requirements

The following section details the reporting and notification types and timing of submittals required pursuant to Water Code section 13267, subdivision (b)(1). Requirements for the content of these reporting and notification types are detailed in Attachment D, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment D, which must be signed by the Permittee or an authorized representative.

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

In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID No. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

1. **Project Reporting**
   a. **Monthly Reporting: Not Applicable**
   b. **Annual Reporting:** The Permittee shall submit an Annual Report each year on the 1st day of the month one year after the effective date of the Order (e.g., if the effective date is 1 January 2021 then the annual report is due the following year on 1 February 2022). Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

2. **Project Status Notifications**
   a. **Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities and corresponding Waste Discharge Identification Number (WDID#) issued under the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ; NPDES No. CAS000002).
   b. **Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to the Central Valley Water Board staff within thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Central Valley Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee which will end the active discharge period.
   c. **Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete, and no further Project activities will occur. Completion of post-construction monitoring shall be determined by Central Valley Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria. This request shall be submitted to Central Valley Water Board staff within thirty (30) days following completion of all Project

activities. Upon approval of the request, the Central Valley Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period.

3. **Conditional Notifications and Reports:**

   The following notifications and reports are required as appropriate.

   a. **Accidental Discharges of Hazardous Materials**[1]

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

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

         - first call – 911 (to notify local response agency)
         - then call – Office of Emergency Services (OES) State Warning Center at:(800) 852-7550 or (916) 845-8911
         - Lastly, follow the required OES, procedures as set forth in the Office of Emergency Services' Accidental Discharge Notification Web page (http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf)

      ii. Following notification to OES, the Permittee shall notify Central Valley Water Board, as soon as practicable (ideally 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 Central Valley Water Board, the Permittee must submit an Accidental Discharge of Hazardous Material Report.

   b. **Violation of Compliance with Water Quality Standards:** The Permittee shall notify the Central Valley Water Board of any event causing a violation of compliance with water quality standards. Notification may be

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

delivered via written notice, email, or other verifiable means. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.

c. In-Water Work and Diversions:

i. The Permittee shall notify the Central Valley Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be delivered via written notice, email, or other verifiable means.

ii. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Central Valley Water Board staff.

d. Modifications to Project

Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Central Valley Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state, or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform Central Valley Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order. Notification may be made in accordance with conditions in the Project Deviation section of this Order.

e. Transfer of Property Ownership:

This Order is not transferable in its entirety or in part to any person or organization except after notice to the Central Valley Water Board in accordance with the following terms:

i. The Permittee must notify the Central Valley Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Permittee and purchaser must sign and date the notification and provide such notification to the Central Valley Water Board at least 10 days prior to the transfer of ownership. The purchaser must also submit a written request to the Central Valley Water Board to be named as the permittee in a revised order.

ii. Until such time as this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order.

f. Transfer of Long-Term Best Management Practice (BMP) Maintenance:

If maintenance responsibility for post-construction BMPs is legally transferred, the Permittee must submit to the Central Valley Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer or designer specifications. The Permittee must provide such notification to the Central Valley Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

C. Water Quality Monitoring

1. General:

If surface water is present, continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g., oil and grease, turbidity plume, or uncured concrete). Sampling is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters. The Permittee shall perform surface water sampling:

a. when performing any in-water work;

b. during the entire duration of temporary surface water diversions;

c. in the event that the Project activities result in any materials reaching surface waters; or

d. when any activities result in the creation of a visible plume in surface waters.

2. Accidental Discharges/Noncompliance:

Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Central Valley Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

3. In-Water Work or Diversions:

During planned in-water work or during the entire duration of temporary water diversions, any discharge(s) to waters of the state shall conform to the following water quality standards:

a. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.

b. The pH of water shall not be depressed below 6.5, raised above 8.3, or changed at any time more than 0.3 units from normal ambient pH.

c. Activities shall not cause turbidity increases in surface water to exceed:

i. where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU;

ii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;

iii. where natural turbidity is equal to or between 50 and 100 NTUs, increases shall not exceed 10 NTUs;

iv. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

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

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 3 sampling parameters.[2] The sampling requirements in Table 3 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

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

[2] Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

If no sampling is required, the Permittee shall submit a written statement stating, "No sampling was required" within two weeks of initiation of in-water construction, and every two weeks thereafter.

Table 3: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
pH	Standard Units	Grab	Every 4 hours
Turbidity	NTU	Grab	Every 4 hours
Temperature	Degrees F (or as degrees C)	Grab	Every 4 hours
Visible construction related pollutants[3]	Observations	Visual Inspections	Continuous throughout the construction period

4. **Post-Construction:**

Visually inspect the Project site during the rainy season for one year following completion of active Project construction activities 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 Central Valley Water Board staff member overseeing the Project within three (3) working days. The Central Valley Water Board may require the submission of a Violation of Compliance with Water Quality Standards Report. Additional permits may be required to carry out any necessary site remediation.

D. Standard

1. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, Chapter 6 commencing with sections 2050-2068, inclusive. Additionally, the Central Valley Water Board may review and revise the requirements in this Order as necessary. (Water Code, Section 13263, subdivision (e).)

2. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.

E. General Compliance

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

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act. The Permittee may then be subject to administrative and/or civil liability pursuant to Water Code sections 13268 and/or 13350. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Regional Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.

3. In response to a suspected violation of any condition of this Order, the Central Valley Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.

4. The Permittee must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Order; and all subsequent submittals required as part of this Order. The conditions within this Order and Attachments supersede conflicting provisions within Permittee submittals.

5. The Permittee shall adhere to all requirements in the Mitigation Monitoring and Reporting Program (MMRP) developed by Caltrans for mitigation measures that have been adopted for the Project to reduce potential impacts which is incorporated herein by reference and any additional measures as outlined in Attachment C, CEQA Findings of Fact.

6. **Construction General Permit Requirement:** The Permittee shall obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order No. 2022-0057-DWQ, as amended, for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavation, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

F. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment E of this Order.

2. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & Wildlife Code, sections 2050-2097) or the federal Endangered Species Act (16 U.S.C. sections 1531-1544). If a "take" will result from any act authorized under this Order held by the Permittee, the Permittee must comply with the California Endangered Species Act and federal Endangers Species Act prior to any construction or operation of the portion of the Project that may result in a take. The Permittee is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.

3. The Permittee shall grant Central Valley Water Board staff, or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:

   a. Enter upon the Project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.

   b. Have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order.

   c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.

   d. Sample or monitor for the purposes of assuring Order compliance.

4. A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project site for the duration of this Order and available for review by site personnel and agencies. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.

5. All personnel performing work on the Project shall be familiar with the content of this Order and its posted location at the Project site.

6. **Lake or Streambed Alteration Agreement:** The Permittee shall submit a signed copy of the California Department of Fish and Wildlife's (CDFW) Lake or Streambed Alteration Agreement to the Central Valley Water Board immediately upon execution and prior to any discharge to waters of the state.

G. Construction

1. **Fugitive Dust:**

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

2. **Good Site Management "Housekeeping"**

   a. The Permittee shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence. The Plan must be made available to the Central Valley Water Board staff upon request.

   b. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Permittee must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.

   c. All waste materials resulting from the Project shall be removed from the site and disposed of properly.

3. **Hazardous Materials**

   a. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to fish and wildlife resulting from or disturbed by project-related activities is prohibited and shall be prevented from contaminating the soil and/or entering waters of the state. In the event of a prohibited discharge, the Permittee shall comply with notification requirements in sections B.3.a and B.3.b.

b. Wet concrete shall be placed into wetland or stream channel habitat after the area has been completely dewatered or when the work area is naturally dry.

4. Invasive Species and Soil Borne Pathogens

Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spread of noxious weeds.

5. Post-Construction Storm Water Management

a. The Permittee must minimize the short and long-term impacts on receiving water quality from the Project by implementing the following post-construction storm water management practices and as required by the local agency permitting the Project, as appropriate:

i. Minimize the amount of impervious surface;

ii. Reduce peak runoff flows;

iii. Provide treatment BMPs to reduce pollutants in runoff;

iv. Ensure existing waters of the state (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;

v. Preserve and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;

vi. Limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);

vii. Use existing drainage master plans or studies to ensure incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;

viii. Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss; and

ix. Control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.

6. Roads

a. The number of access routes, number and size of staging areas, and the total area of the activity must be limited to the minimum necessary to

achieve the project goal. Routes and work area boundaries must be clearly demarcated.

b. Bridges, culverts, dip crossings, or other structures must be installed so that water and in-stream sediment flow is not impeded. Appropriate design criteria, practices and materials must be used in areas where access roads intersect waters of the state.

c. Temporary materials placed in any water of the state must be removed as soon as construction is completed at that location, and all temporary roads must be removed or re-contoured and restored according to approved re-vegetation and restoration plans.

d. Any structure, including but not limited to, culverts, pipes, piers, and coffer dams, placed within a stream where fish (as defined in California Fish and Game Code section 45) exist or may exist, must be designed, constructed, and maintained such that it does not constitute a barrier to upstream or downstream movement of aquatic life, or cause an avoidance reaction by fish due to impedance of their upstream or downstream movement. This includes, but is not limited to, maintaining the supply of water and maintaining flows at an appropriate depth, temperature, and velocity to facilitate upstream and downstream fish migration. If any structure results in a long-term reduction in fish movement, the Permittee shall be responsible for restoration of conditions as necessary (as determined by the Water Board) to secure passage of fish across the structure.

e. A method of containment must be used below any temporary bridge, trestle, boardwalk, and/or other stream crossing structure to prevent any debris or spills from falling into the waters of the state. Containment must be maintained and kept clean for the life of the temporary stream crossing structure.

7. Sediment Control

a. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the state through the entire duration of the Project.

b. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project area.

8. Stabilization/Erosion Control

a. All areas disturbed by Project activities shall be protected from washout and erosion.

b. Hydroseeding shall be performed with California native seed mix.

9. **Storm Water**

   a. During the construction phase, the Permittee must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include an effective combination of erosion and sediment control Best Management Practices (BMPs) that are implemented and adequately working prior to the rainy season and during all phases of construction.

H. Mitigation for Temporary Impacts

1. The Permittee shall restore all areas of temporary impacts, including Project site upland areas, which could result in a discharge to waters of the state to pre-construction contours and conditions upon completion of construction activities.
2. If restoration of temporary impacts to waters of the state is not completed within 90 days of the impacts, compensatory mitigation may be required to offset temporal loss of waters of the state.
3. Total required Project compensatory mitigation information for temporary impacts is summarized in Table 4. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

Table 4: Required Project Mitigation Quantity for Temporary Impacts by Method

Aquatic Resource Type	Mitigation Type	Units	Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	Permittee Responsible	Acres			0.021			

I. Compensatory Mitigation for Permanent Impacts

1. **Compensatory Mitigation Plan**

   a. The Permittee submitted a compensatory mitigation plan as part of a complete application that was accepted by Central Valley Water Board staff. The Permittee shall implement the approved plan prior to impacts to waters of the state.

2. **Purchase of Mitigation Credits by Permittee for Compensatory Mitigation**

   a. The Permittee shall provide a copy of the fully executed agreement for the purchase of mitigation credits to the Central Valley Water Board prior to the initiation of in-water work.

b. The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

3. Total Required Compensatory Mitigation

a. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.305 acre of stream channel by purchasing 0.31 Aquatic Resource Credits in the Kern River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

b. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.170 acre of wetland by purchasing 0.34 Aquatic Resource Credits in the Kern River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the NFWF's Sacramento District California In-Lieu Fee Program.

c. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 5. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

Table 5: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area

Aquatic Resource Type	Mitigation Type	Units	Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	In-Lieu Fee Credits	Acres						0.31
Wetland	In-Lieu Fee Credits	Acres						0.34

J. Project Deviation

1. Minor modifications of Project locations or predicted impacts may be necessary as a result of unforeseen field conditions, necessary engineering re-design, construction concerns, or similar reasons. Some of these prospective Project modifications may have impacts on water quality. Some modifications of Project locations or predicted impacts may qualify as Project Deviations as set forth in Attachment F. For purposes of this Order, a "Project Deviation" is a Project locational or impact modification that does not require an amendment of the Order because the Central Valley Water Board has determined that any potential water quality impacts that may result from the

change are sufficiently addressed by the Order conditions and the CEQA Findings.

2. A Project modification shall not be granted a Project Deviation if it warrants or necessitates changes that are not addressed by the Order conditions or the CEQA environmental document such that the Project impacts are not addressed in the Project's environmental document or the conditions of this Order. In this case, a supplemental environmental review and different Order will be required.

CERTIFICATION

I, Patrick Pulupa, do hereby certify that the foregoing is a full, true, and correct copy of Waste Discharge Requirements Order R5-2026-XXXX adopted by the Central Valley Water Board on Click here to enter a date..

PATRICK PULUPA
Executive Officer
Central Valley Regional Water Quality Control Board

Attachment A: Project Map
Attachment B: Receiving Waters, Impacts, and Mitigation Information
Attachment C: CEQA Findings of Facts
Attachment D: Report and Notification Requirements
Attachment E: Signatory Requirements
Attachment F: Project Deviation Procedures

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Attachment A – Project Map

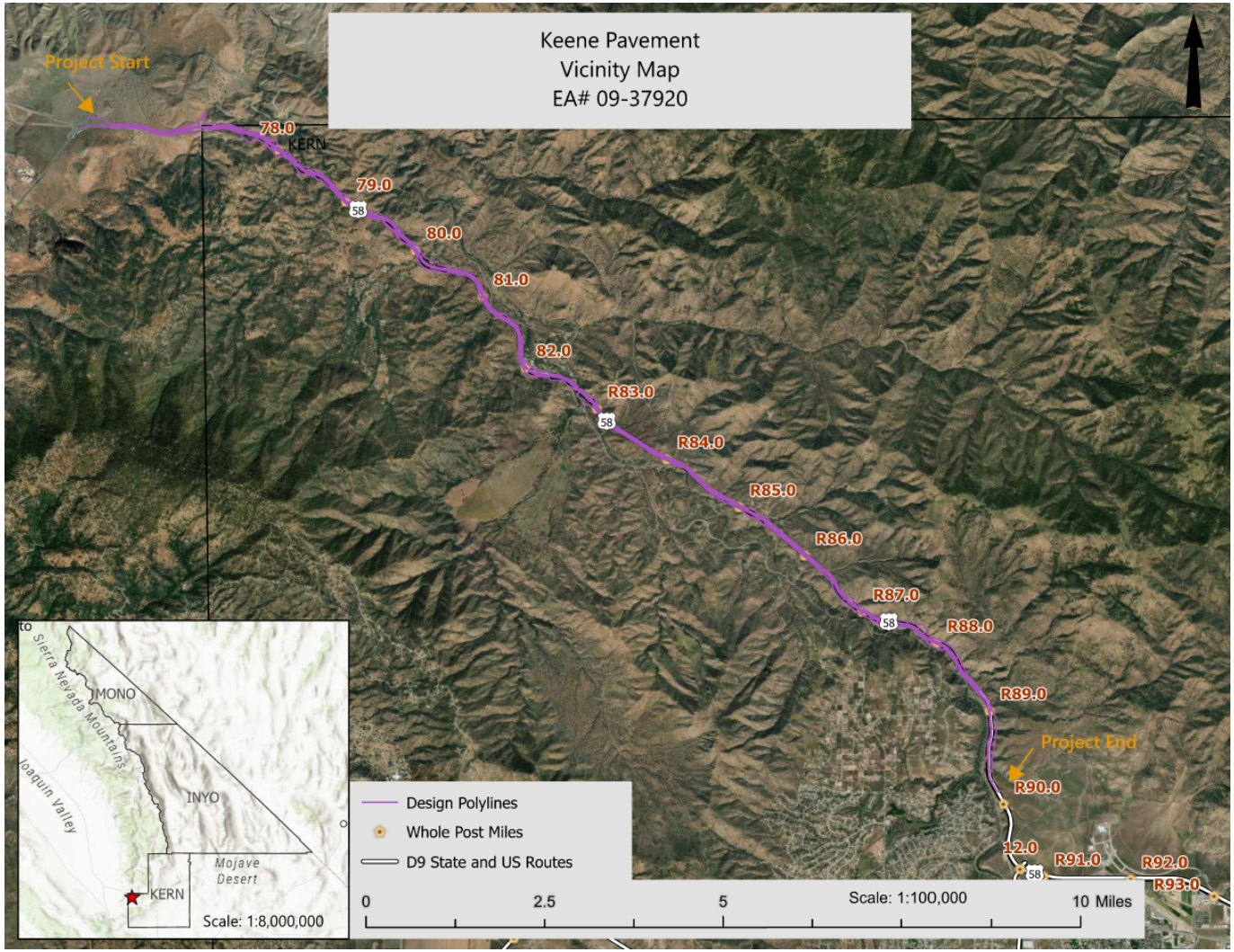


Figure 1. Project Vicinity Map



Figure 2. Project Impact Map



Figure 3. Project Impact Map



Figure 4. Project Impact Map



Figure 5. Project Impact Map



Figure 6. Project Impact Map



Figure 7. Project Impact Map

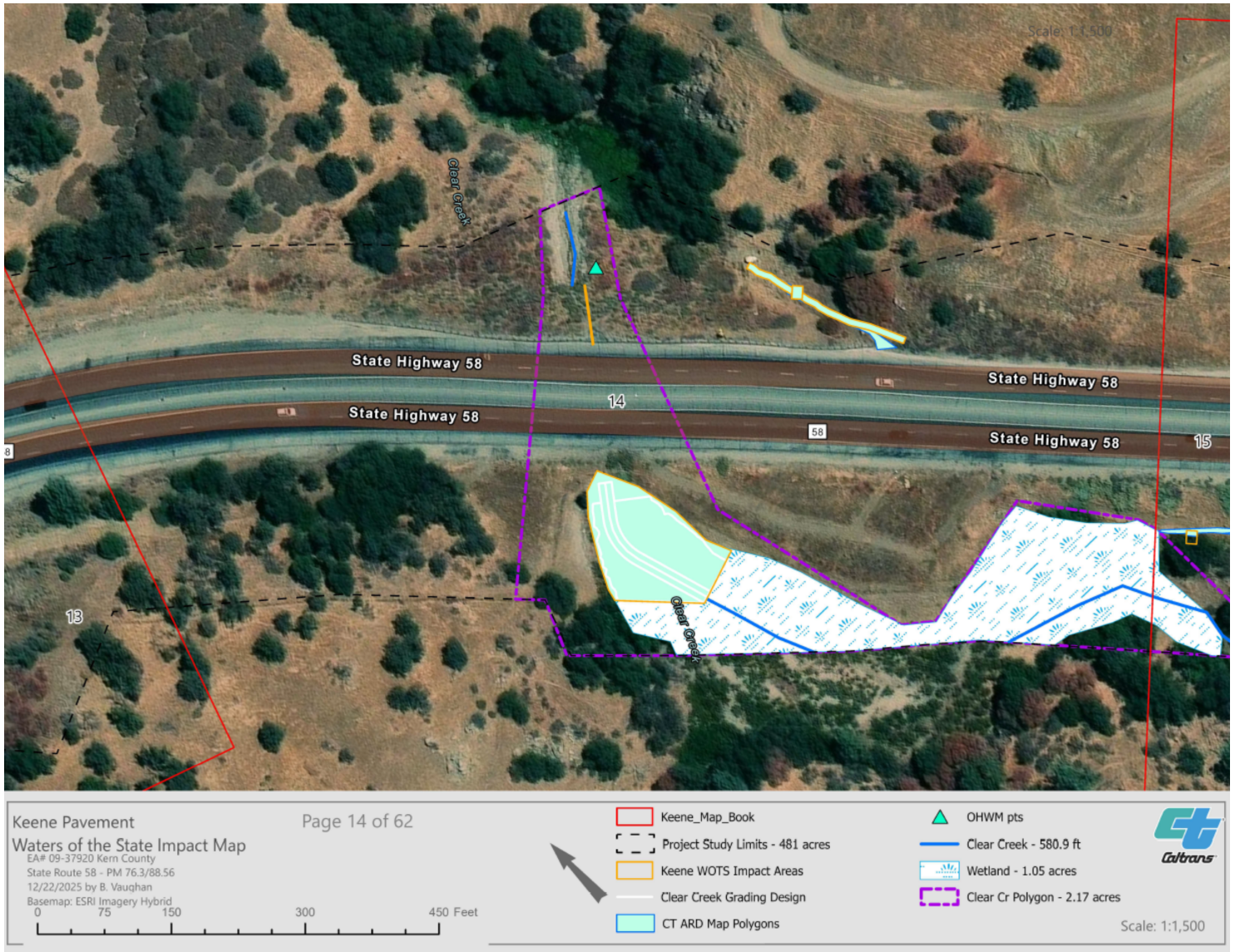


Figure 8. Project Impact Map



Figure 9. Project Impact Map



Figure 10. Project Impact Map



Figure 11. Project Impact Map

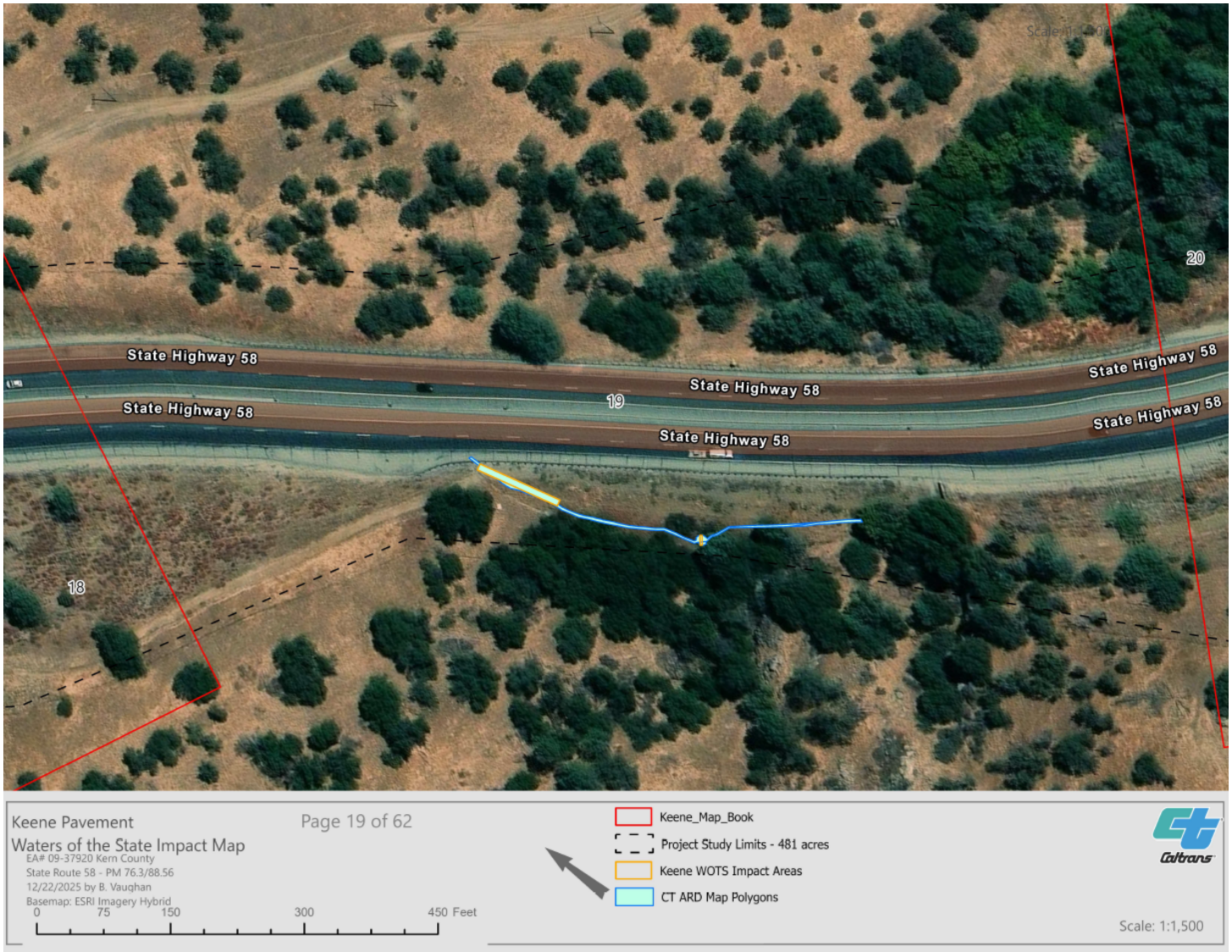


Figure 12. Project Impact Map



Figure 13. Project Impact Map



Figure 14. Project Impact Map



Figure 15. Project Impact Map



Figure 16. Project Impact Map



Figure 17. Project Impact Map



Figure 18. Project Impact Map



Figure 19. Project Impact Map



Figure 20. Project Impact Map



Figure 21. Project Impact Map



Figure 22. Project Impact Map



Figure 23. Project Impact Map



Figure 24. Project Impact Map



Figure 25. Project Impact Map

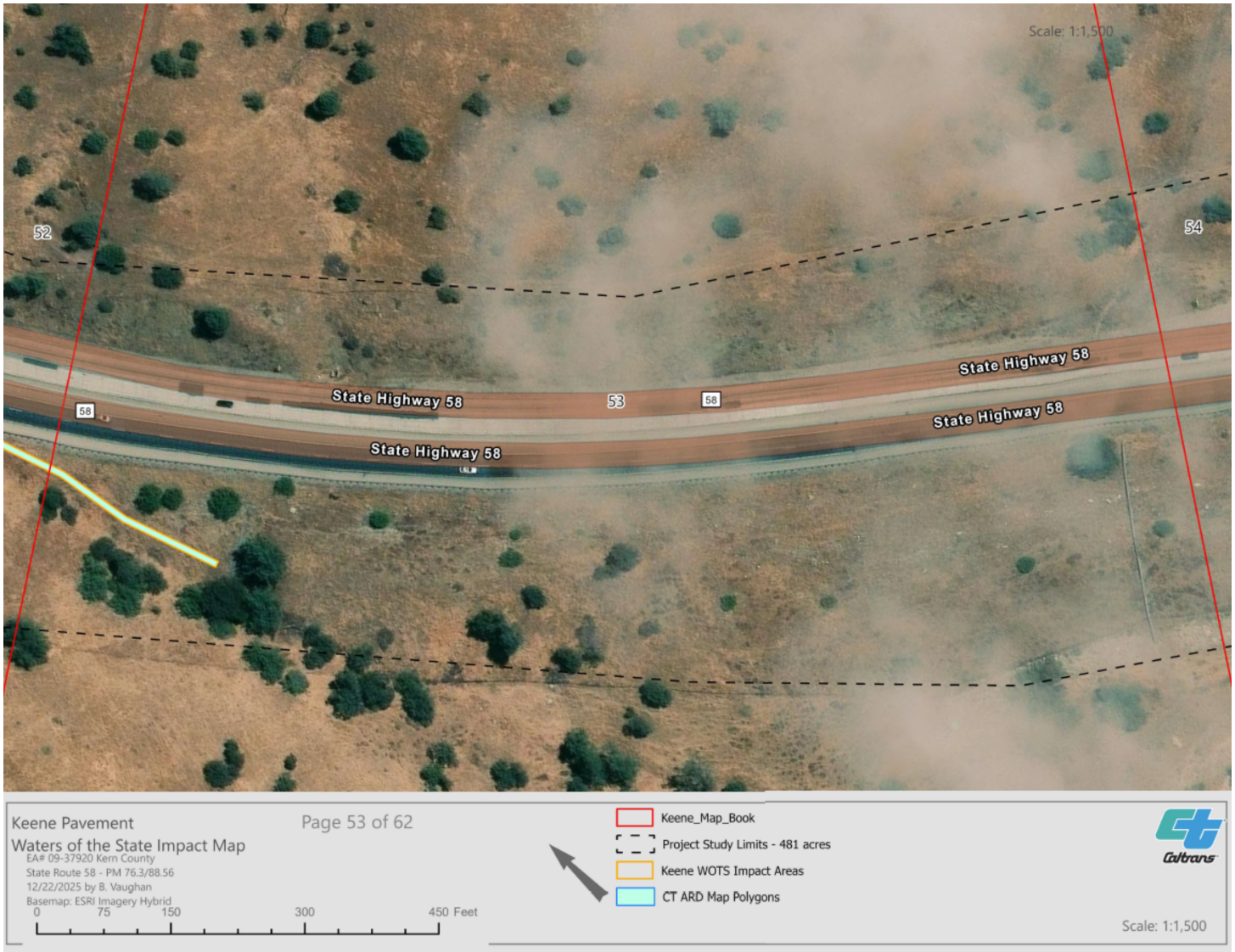


Figure 26. Project Impact Map



Figure 27. Project Impact Map



Figure 28. Project Impact Map



Figure 29. Project Impact Map



Figure 30. Project Impact Map

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Attachment B – Receiving Waters, Impacts and Mitigation Information

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

Table 1: Receiving Water(s) Information

Non-Federal Waters	Impact Site ID	Waterbody Name	Impacted Aquatic Resources Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	California Rapid Assessment Method (CRAM) ID
Yes	D-33, D-33a, D-34, D-32, D-32	Clear Creek	Stream	556.10	556 – West Side Streams	AGR, IND, PRO, REC-1, REC-2, WARM, WILD, RARE, GWR	N/A	N/A
Yes	D-32	Clear Creek	Wetland	556.10	556 – West Side Streams	AGR, IND, PRO, REC-1, REC-2, WARM, WILD, RARE, GWR	N/A	N/A

Non-Federal Waters	Impact Site ID	Waterbody Name	Impacted Aquatic Resources Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	California Rapid Assessment Method (CRAM) ID
Yes	D-1, D-5, D-13, D-15a, D-17, D-26, D-28, D-29, D-30a, D-36, D-37, D-37a, D-37b, D-39, D-44, D-45, D-47, D-48, D-61, D-67, D-69, D-71, D-85, D-92, D-96, D-97, D-101, D-102, D-102b, D-103, D-103b, D-104a, D-109a, D-112, D-114, D-118b, D-119, D-120, D-121, D-122, D-122a, D-130, D-130a, D-131a, D-132, D-133, D-139, D-141a, D-143, D-144a, D-146	Unnamed Ephemeral Stream	Stream	556.10	556 – West Side Streams	AGR, IND, PRO, REC-1, REC-2, WARM, WILD, RARE, GWR	N/A	N/A

Individual Direct Impact Locations
The following tables show individual impacts.

Table 2: Individual Temporary Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
D-101	35.210860	-118.543423	No	0.0001		
D-102	35.2096156	-118.540909	No	0.0007		
D-103b	35.2085036	-118.538113	No	0.0003		
D-109a	35.2048473	-118.532012	No	0.0014		
D-112	35.2028058	-118.528671	No	0.0002		
D-114	35.2018984	-118.526567	No	0.0002		
D-118b	35.1985805	-118.519291	No	0.0039		
D-119	35.1983687	-118.518420	No	0.0006		
D-120	35.1971282	-118.517102	No	0.0006		
D-121	35.1950773	-118.513890	No	0.0003		
D-122	35.1944845	-118.512382	No	0.0005		
D-13	35.2635912	-118.628073	No	0.001		
D-130	35.189294	-118.505863	No	0.001		
D-131a	35.1854653	-118.501812	No	0.0003		
D-139	35.1812938	-118.490085	No	0.001		
D-146	35.1766277	-118.481352	No	0.001		

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
D-17	35.2632011	-118.625327	No	0.004		
D-33	35.2547528	-118.607441	No	0.001		
D-34	35.2543488	-118.607041	No	0.002		
D-37a	35.2531230	-118.605584	No	0.001		
D-69	35.2346491	-118.575207	No	0.0003		
D-71	35.2337142	-118.574500	No	0.0003		
D-85	35.2211594	-118.557750	No	0.0003		
D-92	35.2171308	-118.552735	No	0.0003		
D-96	35.2139938	-118.549530	No	0.0003		
D-97	35.2138420	-118.548653	No	0.0003		

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation ?	Acres	Cubic Yards	Linear Feet
D-1	35.2631955	-118.644134	No	0.005		
D-101	35.210860	-118.543423	No	0.003		

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation ?	Acres	Cubic Yards	Linear Feet
D-102b	35.209557	-118.540898	No	0.010		
D-103	35.2090083	-118.538729	No	0.001		
D-104a	35.2086664	-118.537617	No	0.004		
D-109a	35.2048473	-118.532012	No	0.002		
D-112	35.2028058	-118.528671	No	0.006		
D-114	35.2018984	-118.526567	No	0.003		
D-118b	35.1985805	-118.519291	No	0.003		
D-122a	35.1946736	-118.513595	No	0.017		
D-130a	35.1869338	-118.504314	No	0.040		
D-132	35.1848442	-118.501388	No	0.003		
D-133	35.1826701	-118.497155	No	0.003		
D-141a	35.1797734	-118.486654	No	0.008		
D-143	35.1786579	-118.484856	No	0.003		
D-144a	35.1783643	-118.483344	No	0.005		
D-15a	35.2634665	-118.627324	No	0.003		
D-17	35.2632011	-118.625327	No	0.003		
D-26	35.2579408	-118.613807	No	0.003		

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation ?	Acres	Cubic Yards	Linear Feet
D-28	35.2562214	-118.611790	No	0.002		
D-29	35.2562522	-118.611469	No	0.001		
D-30a	35.2559331	-118.610901	No	0.009		
D-32	35.2544275	-118.607747	No	0.002		
D-32	35.2542604	-118.607806	No	0.063		
D-32	35.2542604	-118.607806	No	0.170		
D-33a	35.2543995	-118.606904	No	0.022		
D-36	35.2533171	-118.606559	No	0.003		
D-37	35.2530391	-118.605718	No	0.004		
D-37b	35.2530118	-118.605413	No	0.007		
D-39	35.2515773	-118.604022	No	0.003		
D-44	35.2486796	-118.597856	No	0.003		
D-45	35.2488286	-118.596815	No	0.003		
D-47	35.2465087	-118.593693	No	0.011		
D-48	35.2460477	-118.593462	No	0.0005		
D-5	35.2625707	-118.639467	No	0.001		
D-61	35.238702	-118.577960	No	0.005		

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation ?	Acres	Cubic Yards	Linear Feet
D-67	35.2350353	-118.575509	No	0.003		
D-69	35.2346491	-118.575207	No	0.018		
D-71	35.2337142	-118.574500	No	0.004		
D-85	35.2211594	-118.557750	No	0.004		
D-92	35.2171308	-118.552735	No	0.004		
D-96	35.2139938	-118.549530	No	0.004		
D-97	35.2138420	-118.548653	No	0.004		

In-Lieu Fee Compensatory Mitigation Information

Table 4: In-Lieu Fee Program

In-Lieu Fee Program Name:	The National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program
Website:	https://www.nfwf.org/mitigating-impacts/sacramento-district-california-lieu-fee-program
In-Lieu Fee Program Contact Name:	TBD
Phone:	TBD
Email:	TBD
In-Lieu Fee Program Location - County:	TBD
Watershed Service Area	Kern River

Table 4: Mitigation Type Information

Aquatic Resource Credit Type	Acres Impacted	Linear Feet	Number of Credits to Purchase
Stream Channel	0.305		0.31
Wetland	0.170		0.34

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Attachment C – CEQA Findings of Facts

A. Environmental Review

Caltrans has completed an internal review of environmental determinations under CEQA for the merged project. The agency has confirmed that the CEQA significance conclusions in the previously approved Initial Study/Mitigated Negative Declarations for the Keene Pavement Project and SR 58 Truck Climbing Lane Project remain valid. Based on this review, no new significant environmental impacts or substantial changes to prior analyses have been identified.

On 20 June 2022, Caltrans, as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse (SCH) No. 2022030729) for the Keene Pavement Project and filed a Notice of Determination (NOD) at the SCH on 23 June 2022.

On 30 August 2023, Caltrans, as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse (SCH) No. 2023030602) for the State Route 58 Truck Climbing Lane Project and filed a Notice of Determination (NOD) at the SCH on 1 September 2023.

The Central Valley Water Board is a responsible agency under CEQA (Public Resources Code, section 21069) and in making its determinations and findings, must presume that Caltrans' adopted environmental documents comport with the requirements of CEQA and are valid. (Public Resources Code, section 21167.3.) The Central Valley Water Board has reviewed and considered the environmental documents and finds that the environmental documents prepared by Caltrans address the Project's water resource impacts. (California Code of Regulations, Title 14, section 15096, subd. (f).) The environmental documents include the mitigation monitoring and reporting program (MMRP) developed by Caltrans for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Public Resources Code, section 21081.6, subd. (a)(1); California Code of Regulations, Title 14, section 15074, subd. (d).)

B. Incorporation by Reference

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

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Keene Pavement Final IS/MND which is incorporated herein by reference. The Project IS/MND is available online. (https://ceqanet.lci.ca.gov/Project/2022030729)

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the State Route 58 Truck Climbing Lane Final IS/MND which

is incorporated herein by reference. The Project IS/MND is available online. (https://ceqanet.lci.ca.gov/Project/2023030602)

Requirements under the purview of the Central Valley Water Board in the MMRP are incorporated herein by reference.

The Permittee's application for this Order, including all supplemental information provided, are incorporated herein by reference.

C. Findings

The IS/MNDs state that there are no potentially significant environmental effects to water resources after the mitigation measures imposed by the lead agency.

D. Determination

The Central Valley Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this Order, will not result in any significant adverse water resource impacts. (California Code of Regulations, Title 14, section 15096, subd (h).)

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Attachment D – Reports and Notification Requirements

I. Copies of this form

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

A. Central Valley Regional Water Quality Control Board's Adopted Orders Web page (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wqcerts/)

B. Find your Order based on the County, Permittee, WDID No., and/or Project Name.

II. Report Submittal Instructions

A. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting. **(See your Order for specific reports required for your Project)**

- **Part A (Annual Report):** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
- **Part B (Project Status Notifications):** Used to notify the Central Valley Water Board of the status of the Project schedule that may affect Project billing.
- **Part C (Conditional Notifications and Reports):** Required on a case by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.

B. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.

C. Electronic Report Submittal Instructions:

- Submit signed Report and Notification Cover Sheet and required information via email to: centralvalleyfresno@waterboards.ca.gov and cc: Brandon.Salazar@waterboards.ca.gov
- Include in the subject line of the email:
  ATTN: Brandon Salazar; Project Name; and WDID No. 5C15CR00164

III. Definition of Reporting Terms

A. Active Discharge Period: The active discharge period begins with the effective date of this Order and ends on the date that the Permittee receives a Notice of Completion of Discharges Letter or, if no post-construction monitoring is required, a Notice of Project Complete Letter. The Active Discharge Period includes all elements of the Project including site construction and restoration, and any Permittee responsible compensatory mitigation construction.

B. Request for Notice of Completion of Discharges Letter: This request by the Permittee to the Central Valley Water Board staff pertains to projects that have post construction monitoring requirements, e.g., if site restoration was required to be monitored for 5 years following construction. Central Valley Water Board staff will review the request and send a Completion of Discharges Letter to the Permittee upon approval.

C. Request for Notice of Project Complete Letter: This request by the Permittee to the Central Valley Water Board staff pertains to projects that either have completed post-construction monitoring and achieved performance standards or have no post-construction monitoring requirements, and no further Project activities are planned. Central Valley Water Board staff will review the request and send a Project Complete Letter to the Permittee upon approval. Termination of annual invoicing of fees will correspond with the date of this letter.

D. Post-Discharge Monitoring Period: The post-discharge monitoring period begins on the date of the Notice of Completion of Discharges Letter and ends on the date of the Notice of Project Complete Letter issued by the Central Valley Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.

E. Effective Date: <Adoption date XXX>

IV. Map/Photo Documentation Information

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

A. Map Format Information:

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

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

B. **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.

V. Report and Notification Cover Sheet

Project: Keene Pavement 09-37920

Permittee: Caltrans

WDID: 5C15CR00164

Reg. Meas. ID: 463934

Place ID: 905041

Order Effective Date: <Adoption date XXX>

Order Expiration Date: <10 years from adoption date XXX>

VI. Report Type Submitted

A. Part A – Project Reporting

Report Type 1 ☐ Monthly Report – Not Applicable

Report Type 2 ☐ Annual Report

B. Part B – Project Status Notifications

Report Type 3 ☐ Commencement of Construction

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

Report Type 5 ☐ Request for Notice of Project Complete Letter

C. Part C – Conditional Notifications and Reports

Report Type 6 ☐ Accidental Discharge of Hazardous Material Report

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

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

Report Type 9 ☐ Modifications to Project Report

Report Type 10 ☐ Transfer of Property Ownership Report

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

Report Type 12 ☐ Other Report Type

"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.

Permittee's Signature	**Date**

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

A. Part A – Project Reporting

1. Report Type 1 - Monthly Report – Not Applicable

2. Report Type 2 - Annual Report

a. Report Purpose - Notify the Central Valley Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.

b. When to Submit - The Permittee shall submit an Annual Report each year on the 1st day of the month one year after the effective date of the Order (e.g., if the effective date is 1 January 2020 then the annual report is due the following year on 1 February 2021). Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

c. Report Contents - The contents of the annual report shall include the topics indicated below for each project period. Report contents are outlined in Annual Report Topics below.

During the Active Discharge Period

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

During the Post-Discharge Monitoring Period

- **Topic 2: Mitigation for Temporary Impacts Status**
- **Topic 3: Compensatory Mitigation for Permanent Impacts Status**

i. Annual Report Topic 1 - Construction Summary

When to Submit - With the annual report during the Active Discharge Period.

Report Contents - 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.

1) Map showing general Project progress.

2) If applicable:

a) Summary of Conditional Notification and Report Types 6 and 7 (Part C below).

b) Summary of Project Deviations. See Project Deviation Procedures Attachment for further information.

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

When to Submit - With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.

Report Contents -

1) Planned date of initiation and map showing locations of mitigation for temporary impacts to waters of the state and all upland areas of temporary disturbance which could result in a discharge to waters of the state**.**
2) If mitigation for temporary impacts has already commenced, provide a map and information concerning attainment of performance standards contained in the restoration plan.

iii. Annual Report Topic 3 - Compensatory Mitigation for Permanent Impacts Status

When to Submit - With the annual report during both the Active Discharge Period and Post-Discharge Monitoring Period.

Report Contents - *If not applicable report N/A.

1) Part A. Permittee Responsible

a) Planned date of initiation of compensatory mitigation site installation**.**
b) If installation is in progress, a map of what has been completed to date.
c) If the compensatory mitigation site has been installed, provide a final map and information concerning attainment of performance standards contained in the compensatory mitigation plan.

2) Part B. Mitigation Bank or In-Lieu Fee

a) Status or proof of purchase of credit types and quantities.
b) Include the name of bank/ILF Program and contact information.
c) If ILF, location of project and type if known.

B. Part B – Project Status Notifications

1. Report Type 3 - Commencement of Construction

a. Report Purpose - Notify Central Valley Water Board staff prior to the start of construction.

b. When to Submit - Must be received at least seven (7) days prior to start of initial ground disturbance activities.

c. Report Contents -

i. Date of commencement of construction.

ii. Anticipated date when discharges to waters of the state will occur.

iii. Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable.

iv. Construction Storm Water General Permit WDID No.

v. Proof of purchase of compensatory mitigation for permanent impacts from the mitigation bank or in-lieu fee program.

2. Report Type 4 - Request for Notice of Completion of Discharges Letter

a. Report Purpose - Notify Central Valley Water Board staff that post-construction monitoring is required and that active Project construction, including any mitigation and permittee responsible compensatory mitigation, is complete.

b. When to Submit - Must be received by Central Valley Water Board staff within thirty (30) days following completion of all Project construction activities.

c. Report Contents -

i. Status of storm water Notice of Termination(s), if applicable.

ii. Status of post-construction storm water BMP installation.

iii. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized.

iv. Summary of Project Deviation discharge quantities compared to initial authorized impacts to waters of the state, if applicable.

v. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and permittee responsible compensatory mitigation during the post-discharge monitoring period, if applicable.

3. Report Type 5 - Request for Notice of Project Complete Letter

a. Report Purpose - Notify Central Valley Water Board staff that construction and/or any post-construction monitoring is complete, or is not required, and no further Project activity is planned.

b. When to Submit - Must be received by Central Valley Water Board staff within thirty (30) days following completion of all Project activities.

c. Report Contents -

i. Part A: Mitigation for Temporary Impacts

1) A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance which could result in a discharge to waters of the state.

2) A report establishing that the performance standards outlined in the restoration plan have been met for restored areas of temporary impacts to waters of the state. Pre- and post-photo documentation of all restoration sites.

ii. Part B: Permittee Responsible Compensatory Mitigation

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

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

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

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

iii. Part C: Post-Construction Storm Water BMPs and Monitoring

1) Date of storm water Notice of Termination(s), if applicable.

2) Report status and functionality of all post-construction BMPs.

3) Dates and report of visual post-construction inspection during the rainy season as indicated in Requirement C.4 of this order.

C. Part C – Conditional Notifications and Reports

1. Report Type 6 - Accidental Discharge of Hazardous Material Report

a. Report Purpose - Notifies Central Valley Water Board staff that an accidental discharge of hazardous material has occurred.

b. When to Submit - Within five (5) working days of notification to the Central Valley Water Board of an accidental discharge. Continue reporting as required by Central Valley Water Board staff.

c. Report Contents -

i. The report shall include the OES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e., location, time and date, source, discharge constituent and quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted.

ii. 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.

iii. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.

2. Report Type 7 - Violation of Compliance with Water Quality Standards Report

a. Report Purpose - Notifies Central Valley Water Board staff that a violation of compliance with water quality standards has occurred.

b. When to Submit - The Permittee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Central Valley Water Board staff.

c. Report Contents - The report shall include: the cause; the location shown on a map; and the period of the noncompliance including exact dates and times. If the noncompliance has not been corrected, include: the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results if required by Central Valley Water Board staff.

3. Report Type 8 - In-Water Work and Diversions Water Quality Monitoring Report

a. Report Purpose - Notifies Central Valley Water Board staff of the start and completion of in-water work. Reports the sampling results during in-water work and during the entire duration of temporary surface water diversions.

b. **When to Submit** – At least forty-eight (48) hours prior to the start of in-water work. Within three (3) working days following the completion of in-water work. Surface water monitoring reports to be submitted within two (2) weeks of initiation of in-water construction and every two weeks thereafter, and during the entire duration of temporary surface water diversions. Continue reporting in accordance with the approved water quality monitoring plan or as indicated in Requirement C.3 of this order.

c. **Report Contents** - As required by the approved water quality monitoring plan or as indicated in Requirement C.3 of this order.

4. **Report Type 9 - Modifications to Project Report**

   a. **Report Purpose** - Notifies Central Valley Water Board staff if the Project, as described in the application materials, is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.

   b. **When to Submit** - If Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.

   c. **Report Contents** - A description and location of any alterations to Project implementation. Identification of any Project modifications that will interfere with the Permittee's compliance with the Order.

5. **Report Type 10 - Transfer of Property Ownership Report**

   a. **Report Purpose** - Notifies Central Valley Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.

   b. **When to Submit** - At least 10 days prior to the transfer of ownership.

   c. **Report Contents** -

      i. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts:

         1) the Order's requirements and the obligation to implement them or be subject to administrative and/or civil liability for failure to do so; and

         2) responsibility for compliance with any long-term BMP maintenance plan requirements in this Order. Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control

      ii. A statement that the Permittee has informed the purchaser to submit a written request to the Central Valley Water Board to be named as the permittee in a revised order.

6. **Report Type 11 - Transfer of Long-Term BMP Maintenance Report**
   a. **Report Purpose** - Notifies Central Valley Water Board staff of transfer of long-term BMP maintenance responsibility.
   b. **When to Submit** - At least 10 days prior to the transfer of BMP maintenance responsibility.
   c. **Report Contents** - A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

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Attachment E – Signatory Requirements

SIGNATORY REQUIREMENTS

All Documents submitted in compliance with this Order shall meet the following signatory requirements:

A. All applications, reports, or information submitted to the Central Valley Water Quality Control Board (Central Valley Water Board) must be signed and certified as follows:

1. For a corporation, 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 proprietor, respectively.
3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.

B. A duly authorized representative of a person designated in items A.1 through A.3 above may sign documents if:

1. The authorization is made in writing by a person described in items A.1 through A.3 above.
2. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
3. The written authorization is submitted to the Central Valley Water Board Staff Contact prior to submitting any documents listed in item A above.

C. Any person signing a document under this section shall make the following certification:

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

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Attachment F – Project Deviation Procedures

I. Introduction

These procedures are put into place to preclude the need for Order amendments for minor changes in the Project routing or location. Minor changes or modifications in project activities are often required by the Permittee following start of construction. These deviations may potentially increase or decrease impacts to waters of the state. In such cases, a Project Deviation, as defined in Requirement J of the Order, may be requested by the Permittee as set forth below:

II. Process Steps

A. <u>Who may apply:</u> The Permittee or the Permittee's duly authorized representative or agent (hereinafter, "Permittee") for this Order.

B. <u>How to apply:</u> By letter or email to the Water Quality Certification Unit staff designated as the contact for this Order.

C. <u>Project Deviation Request:</u> The Permittee will request verification from the Central Valley Water Board staff that the project change qualifies as a Project Deviation, as opposed to requiring an amendment to the Order. The request should:

1. Describe the Project change or modification:
    a. Proposed activity description and purpose;
    b. Why the proposed activity is considered minor in terms of impacts to waters of the state;
    c. How the Project activity is currently addressed in the Order; and,
    d. Why a Project Deviation is necessary for the Project.
2. Describe location (latitude/longitude coordinates), the date(s) it will occur, as well as associated impact information (i.e., temporary or permanent, federal or non-federal jurisdiction, water body name/type, estimated impact area, etc.) and minimization measures to be implemented.
3. Provide all updated environmental survey information for the new impact area.
4. Provide a map that includes the activity boundaries with photos of the site.
5. Provide verification of any mitigation needed according to the Order conditions.
6. Provide verification from the CEQA Lead Agency that the proposed changes or modifications do not trigger the need for a subsequent environmental document, an addendum to the environmental document, or a supplemental EIR. (Cal. Code Regs., tit. 14, §§ 15162-15164.)

D. <u>Post-Discharge Project Deviation Reporting:</u>

1. Within 30 calendar days of completing the approved Project Deviation activity, the Permittee will provide a post-discharge activity report that includes the following information:
   a. Activity description and purpose;
   b. Activity location, start date, and completion date;
   c. Erosion control and pollution prevention measures applied;
   d. The net change in impact area by water body type(s) in acres, linear feet and cubic yards;
   e. Mitigation plan, if applicable; and,
   f. Map of activity location and boundaries; post-construction photos.

E. <u>Annual Summary Deviation Report:</u>

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