

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

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WASTE DISCHARGE REQUIREMENTS ORDER R8-2026-0038

ORDER INFORMATION

Status:	ADOPTED
Program:	Dredged or Fill Material Program
Discharger(s):	San Bernardino County Transportation Authority
Project:	Highland / Redlands Regional Connector Project
County:	San Bernardino County
CIWQS WDID:	362025-31
Prior Order(s):	(none)

CERTIFICATION

I, Brian M. Covellone, Assistant Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on July 24, 2026.

Brian M. Covellone, Ph.D., P.G
Assistant Executive Officer

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY
HIGHLAND/REDLANDS REGIONAL CONNECTOR PROJECT**TABLE OF CONTENTS**

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

ORDER R8-2026-0038

WASTE DISCHARGE REQUIREMENTS
FOR
DISCHARGES OF DREDGED OR FILL MATERIALS TO WATERS OF THE STATE
HIGHLAND/REDLANDS REGIONAL CONNECTOR PROJECT
SAN BERNARDINO COUNTY

FINDINGS

The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) hereby finds as follows:

1. This Order prescribes Waste Discharge Requirements (WDRs) and serves as a Clean Water Act (CWA) section 401 Water Quality Certification (Certification) for the Highland/Redlands Regional Connector Project (Project) of San Bernardino County Transportation Authority (Discharger).
2. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the operative Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) and all other pertinent water quality plans and 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.
3. The Santa Ana Water Board has the authority to regulate the discharge of dredged and fill material by prescribing WDRs pursuant to California Water Code section 13263. The Santa Ana Water Board has determined that WDRs are necessary to adequately address the Project's potential impacts on the beneficial uses of waters of the State.
4. This Order regulates the discharge of fill material to waters of the State, including waters of the United States. As a result, this Order also serves as a Clean Water Act (CWA) section 401 Water Quality Certification for federal permitting by the United States Army Corps of Engineers (USACE) under Nationwide Permit Number 14, Linear Transportation Projects.
5. This Order is issued in compliance with the State Water Resources Control Board's (State Water Board) *State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Dredge and Fill Procedures), as revised on April 6, 2021.

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6. On December 5, 2025, on behalf of the Discharger, Dudek submitted an *Application for Discharges of Dredged or Fill Material to Waters of the State* (Application) for the Project, which was assigned Santa Ana Water Board WDID No. 362025-31.
7. On January 27, 2026, the USACE issued its concurrence with the aquatic resources delineation report and determined that only a portion of the waters within the Project boundary meet the definition of the waters of the United States.
8. The application was deemed complete on April 9, 2026.

Project Description and Discharge Characteristics

9. The Project's purpose is to construct a new bikeway and pedestrian trail within and adjacent to Orange Street in the Cities of Highland and Redlands.
10. The Project is in the Cities of Highland and Redland in southern San Bernardino County. The Project extends from the City of Highland at Greenspot Road in the north, to the City of Redlands, where the southern boundary of Israel Beal Park intersects with Orange Street (Latitude 34.098916, Longitude -117.182424). The Project site is located within the Santa Ana River floodplain and mixed-use area characterized by residential developments and commercial establishments, Interstate 210 to the west, and the Cemex Highland/Redlands Aggregates Quarry to the east. Maps showing the Project Location are found in Attachment A of this Order.
11. Within the Project boundary, Orange Street is a partially paved two-lane road that transitions into a dirt road in the City of Highland. Orange Street connects vehicular traffic between the Cities of Highland and Redlands across the Santa Ana River floodplain. Currently, Orange Street does not provide bikeway and pedestrian access.
12. The new bikeway and pedestrian trail will begin at the intersection of Greenspot Road and Orange Street in the City of Highland, extend south, and run parallel to Orange Street on the east until it reaches the Cemex Drive intersection. Construction of this portion of the bikeway and pedestrian trail consists of paving, realigning, and connecting to the existing paved portion of Orange Street just north of the Cemex Drive.
13. At the intersection of Cemex Drive, the bikeway and pedestrian trail will transition west of Orange Street and extend parallel to Orange Street.
14. To accommodate the new bikeway and pedestrian trail, the Project includes the construction of two new bridges.
15. The Project site is within the historic floodplain of the Santa Ana River. This portion of the floodplain has been modified due to flood control development,

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channelization, and other residential/commercial developments. The surrounding area is partially developed and consists primarily of flat terrain in the northern and southern areas, along with lower-elevation floodplains that contain four widely dispersed drainage features. The outer portions of the site gently slope toward the floodplain and riverine features. The site elevation ranges from 1,280 feet to 1,353 feet above mean sea level.

16. The Project site is dominated by Riversidean alluvial fan sage scrub, non-native grasslands and disturbed habitat. *Eriastrum densifolium sanctotum*, the Santa Ana River woollystar¹, is a special-status plant identified within the Project site. Six Santa Ana River woollystar plants were identified within the Project's temporary impacted areas.
17. The onsite drainages flow from east to west and are channelized through the Project site via culverts. The Project activities include the construction of two pedestrian bridge crossings along the proposed bikeway and pedestrian trail. Each bridge will extend beyond the top of bank limits and provide crossing over each drainage feature.
18. The Project site contains approximately 0.28 acres of intermittent waters of the United States referenced herein as "Drainage 1B", "Drainage 2", and "Drainage 4."
19. The Project site contains approximately 0.32 acres of waters of the State, which includes the 0.28 acres of waters of the United States. "Drainage 1A" and "Drainage 3" represent a total of 0.04 acres of ephemeral waters of the State. A summary of the Project's onsite waters of the United States and waters of the State is found in Table 1 below.

Table 1: Summary of Waters of the United States and Waters of the State

Drainage Name	Waters of the United States (acres)	Waters of the State (acres)	Length (Linear Feet)
Drainage 1A	0	0.01	34
Drainage 1B	<0.01	<0.01	4
Drainage 2	0.12	0.12	45
Drainage 3	0	0.04	52
Drainage 4	0.15	0.15	37
Total	~0.28	~0.32	172

¹ Santa Ana River woollystar is a California endangered plant species. It is a shrub that generally does not grow taller than one meter. It has light grey-green stems and leaves with bright blue funnel-shaped flowers.

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20. "Drainage 1A" and "Drainage 1B" are located near the northern boundary of the Project site. "Drainage 1A" is classified as an ephemeral drainage, and "Drainage 1B" is an intermittent drainage. "Drainage 1A" and "Drainage 1B" originate offsite as a single drainage where surface water flow has been channelized via a culvert road crossing. After the road crossing, the drainage bifurcates into "Drainage 1A" and "Drainage 1B", which continues offsite into Plunge Creek. "Drainage 1A" is primarily unvegetated, while vegetation in "Drainage 1B" consists of Johngrass, little hogweed, prostrate pigweed, shortpod mustard, and one Washington fan palm.
21. "Drainage 2", also known as Plunge Creek, is an earthen channel that flows northeast to southwest through the Project site via a concrete culvert. This culvert diverts surface water flows away from Cemex facilities and eventually discharges into the Santa Ana River further downstream. This drainage consists of a 15-foot low-flow channel within a 120-foot active floodplain. Approximately 0.12 acres of this drainage are within the Project site. The soil texture is predominantly cobble with small amounts of boulders. This drainage was predominantly unvegetated; however, small amounts of California buckwheat are observed within the floodplain.
22. "Drainage 3" is an ephemeral drainage channel that flows north of the Santa Ana River and south of Plunge Creek. "Drainage 3" is an earthen channel that flows northeast to the southwest via a concrete culvert and ultimately discharges into the Santa Ana River downstream of the Project site. Approximately 0.04 acres of the drainage are within the Project site. The ordinary high-water mark² (OHWM) stretches approximately 30 feet. The vegetation within and surrounding the OHWM includes various plant species such as California buckwheat, prostrate pigweed, and shortpod mustard.
23. "Drainage 4" is an intermittent drainage channel that is near the southern boundary of the Project site. "Drainage 4" is a section of the Santa Ana River that flows under the Orange Street Bridge and flows southeast to northwest off the Project site. The OHWM is approximately 140 feet, and approximately 0.15 acres of this drainage are within the Project site. Vegetation type observed within and surrounding the OHWM includes annual rabbitsfoot grass, Washington fan palm, California buckwheat, prickly Russian thistle, and wild mustard.
24. The Project construction is anticipated to result in a maximum of 0.16 acres of temporary impacts to waters of the United States and waters of the State.

² Ordinary high watermark (OHWM) references the line on the shore established by the fluctuations of water and indicated by physical characteristics.

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25. Temporary impacts may be further reduced based on the type of contractor equipment use(s). However, the impacts are not anticipated to extend beyond 0.16 acres.
26. The Project is not anticipated to result in any permanent physical loss or modification to waters of the United States and waters of the State classified as ephemeral, intermittent, and less than perennial³.
27. A total of 0.16 acre (97 linear feet) of temporary impacts anticipated at "Drainage 2" and "Drainage 3" associated with the construction of two single-span bikeway and pedestrian path bridges within the existing right- of-way of Orange Street.
28. The temporary impacts are associated with temporary construction access needed to lower abutments and prefabricated bridges into place outside the channel's top of bank.
29. The pedestrian bridge that will be constructed over "Drainage 2", herein referenced as "Bridge 1". "Bridge 1" will extend approximately 200 feet to concrete abutments, which will be located outside of the top of bank of "Drainage 2".
30. The pedestrian bridge that will be constructed over "Drainage 3", herein referenced as "Bridge 2". "Bridge 2" will extend approximately 65 feet to concrete abutments located outside of the top of bank of "Drainage 3".
31. The proposed bridges will be constructed from wood deck approximately 12 to 20 feet in width and constructed approximately six to eight feet in height from the soil surface. The wood deck would be composed of 1 x 4 feet, 5/4 x 6 feet, or 1 x 6 feet hardwood planks with approximately 1/8 inch to 1/4 inch gaps between planks.
32. The gaps between the wood planks are anticipated to maintain solar exposure to the existing streambed and native vegetation within and adjacent to the proposed bridge footprint throughout the year.
33. Runoff generated from the road and pedestrian bridges will be treated by vegetated drainage swales and decomposed granite shoulders installed so that roadside runoff will be discharged into "Drainage 2" and "Drainage 3".

³ Indicates that the reach is confidently not perennial, but the indicator data do not specify if the reach is either intermittent or ephemeral with high confidence as classified by the beta Arid Streamflow Duration Assessment Method.

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34. The Discharger has proposed to restore all temporary impacts to waters of the United States and waters of the State after construction is completed to pre-existing Project conditions.
35. Temporarily impacted vegetation will be restored in-kind at their original location. Restoration activities will include recontouring, if needed, soil decompaction, non-native species removal, seeding, and monitoring. The site will be monitored and maintained for a minimum of five years by a restoration contractor.

Basin Plan and Regulatory Considerations

36. The Project would impact one drainage classified as perennial, "Drainage 2" (Plunge Creek) and an ephemeral drainage, "Drainage 3" which both are tributaries to the Santa Ana River.
37. The Santa Ana River, Reach 5 has the following designated beneficial uses (existing or potential): Municipal and Domestic Supply, Agricultural Water Supply, Groundwater Recharge, Water Contact Recreation, Non-contact Water Recreation, Wildlife Habitat, Rare, Threatened, or Endangered Species, Spawning, Reproduction, and Development.
38. This Order is adopted per Water Code section 13263, subdivision (a), which provides that the Santa Ana Water Board may, after any necessary hearing, prescribe waste discharge requirements (WDRs) as to the nature of any proposed 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 WDRs are required to implement any applicable water quality control plans that have been adopted and to consider the beneficial uses to be protected, the water quality objectives reasonably necessary to protect those uses, other waste discharges, the need to prevent nuisance, and the provisions specified in Section 13241 of Water Code.
39. This Order is further issued in part pursuant to CWA section 401 (33 U.S.C § 1341). Specifically, this Order certifies that any discharge from the referenced Project will comply with the applicable provisions of CWA section 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards), as long as all of the conditions in this Order are met.
40. This Order is also adopted pursuant to Water Code section 13267, subdivision (b)(1) which authorizes the Santa Ana Water Board to require technical and monitoring program reports, submitted under penalty of perjury, from persons discharging or proposing to discharge waste within the Santa Ana Region, in connection with the issuance of WDRs. This Order incorporates requirements for water quality monitoring and Project reporting, which are necessary to ensure that

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the discharge of dredged and fill material complies with WDRs and is protective of the water quality. In accordance with Water Code section 13267, the burden, including costs, of generating these reports bears a reasonable relationship to the need for the report and the benefits to be obtained from them. Monitoring and reporting requirements related to discharges to WOTUS are also authorized under Water Code section 13383.

41. The Santa Ana Water Board has considered the federal and state antidegradation policies (State Water Board Resolution 68-16 and 40 C.F.R § 131.12) and finds that the discharge permitted under this Order is consistent with those policies. This Order requires that impacts to waters of the United States and waters of the State be mitigated through avoidance and minimization to the maximum extent practicable. The restoration requirements in this Order comply with the State Water Board's Dredge and Fill Procedures and the United States Environmental Protection Agency's Clean Water Act section 404(b)(1) Guidelines.
42. 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, section 2050 et seq. Additionally, the Santa Ana Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Discharger, if the Santa Ana Water Board determines that the Project fails to comply with any of the conditions of this Order; or when necessary to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C § 1313).
43. The provisions of this Order are severable and, if any provision of this Order or the application of any provisions of this Order to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected thereby.
44. A request for modification, revocation and re-issuance, or termination of this Order or a notification of planned changes or anticipated noncompliance does not stay any requirements of this Order.
45. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the Discharger from liabilities under federal, state, or local laws, nor guarantee the Discharger a capacity right in the receiving waters.

California Environmental Quality Act and Public Participation

46. On January 3, 2020, the City of Highland, as the lead agency under the California Environmental Protection Act (CEQA; Public Resources Code, § 21000 et seq.) conducted an Initial Study and adopted a Mitigated Negative Declaration (MND) for

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the Project (State Clearinghouse 2020019002). On February 19, 2020, the lead agency filed a Notice of Determination with the Office of Planning and Research.

47. The Santa Ana Water Board is a responsible agency under CEQA for the purposes of issuing this Order. As a responsible agency, the Santa Ana Water Board is “responsible for considering only the effects of those activities involved in a project which it is required by law to carry out or approve.” (Public Resources Code, § 21002.1, subd. (d)).
48. In approving this Order, the Santa Ana Water Board has considered the MND adopted by the City of Highland and subsequent information provided by the Discharger. More specifically, the Santa Ana Water Board considered those sections of the MND pertaining to impacts to water quality. The Santa Ana Water Board finds that compliance with the mitigation measures of the MND and conditions in this Order will reduce potentially adverse impacts to water quality to a less than significant level and protect beneficial uses of receiving waters.
49. The Santa Ana Water Board has notified the Discharger and other interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity for public hearing to submit comments.
50. The Santa Ana Water Board, in a public meeting, heard and considered all comments pertaining to the WDRs for the discharge.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, together with Clean Water Act section 401 and Water Code section 13383, that the Discharger shall comply with the following:

A. Discharge Specifications

1. Activities associated with the Project shall not cause or threaten to cause a condition of nuisance, contamination or pollution as defined in the Water Code section 13050.
2. The groundwater in the vicinity of the Project shall not be degraded resulting from the Project activities or placement of fill materials for the Project.
3. The Discharger shall, as applicable, obtain coverage under and comply with the State Water Board’s NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order 2009-0009-DWQ, as amended by Order 2012-0006-DWQ; NPDES No. CAS000002) and any subsequent amendments (Construction General Permit). If the Project construction activities do not require coverage under the Construction General Permit, the Discharger shall develop and implement a runoff management plan

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or equivalent construction best management practices (BMP) plan, to prevent the discharge of sediment and other pollutants during construction activities.

4. The Discharger shall comply with the local regulations associated with the Santa Ana Water Board's Municipal Stormwater Permit issued to San Bernardino County and co-permittees under NPDES No. CAS618036 and WDRs Order R8-2010-0036, and subsequent iterations thereof.
5. If construction dewatering discharges, including temporary stream diversions, are necessary to carry out the Project, the Discharger shall enroll and comply with the Santa Ana Water Board Order R8-2020-0006, *General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimis) Threat to Water Quality*.
6. Discharges of fill materials shall be limited to the placement of native fill and "inert waste," as defined in California Code of Regulations, title 27, section 20230. Fill material other than native soil shall not be discharged as part of the Project.

B. Discharge Prohibitions

1. Except as expressly authorized in another WDRs order, waste shall not be discharged in a manner or location other than as described in the Application referenced in Finding 10 or the findings herein.
2. Temporary impacts to waters of the United States and waters of the State from the Project shall not exceed quantities identified in Finding 24 and 27.
3. The direct discharge of wastes, including rubbish, refuse, bark, sawdust, or any other solid or liquid wastes, into water channels, surface waters, or any place where they would contact or be eventually transported to surface waters, including flood plains, is prohibited.
4. The discharge of oil or other floating materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters is prohibited.
5. The discharge of silt, sand, clay, or other earthen materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters is prohibited.
6. Discharges to surface waters of wastes or pollutants that are not authorized by this Order or regulated by a separate permit are prohibited.

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C. Construction and Post-Construction Best Management Practices

1. The Discharger shall implement construction best management practices. Including but not limited to:
 - a. Prior to construction activities, the Discharger shall delineate the work area with brightly colored fencing or other methods to ensure temporary impacts to waters of the United States and waters of the State do not exceed the limits authorized in this Order.
 - b. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
 - c. Motorized equipment shall not be maintained or parked near any stream crossing or channel, in such a manner that petroleum products or other pollutants might enter these areas under any flow conditions. Vehicles and equipment shall not be driven or operated in waters of the United States and waters of the State, except as necessary to complete the proposed Project.
 - d. All stockpiles shall be placed outside of drainage areas or other surface waters and protected in such a manner to be prevented from entering waters of the United States and waters of the State.
 - e. Erosion control or sedimentation prevention methods of fiber rolls, sand or gravel bags, rice mats, straw wattles, or similar measures.
 - f. The disturbed areas shall be revegetated with native vegetation to the greatest extent possible.
 - g. Proper use and disposal of oil, gasoline, diesel fuel, antifreeze, and other toxic substances.

D. Temporary Impacts Restoration Requirements

1. The Discharger shall restore all temporary impacts to waters of the United States and waters of the State to pre-Project conditions and contours at a 1:1 ratio.
2. Restoration activities shall include the removal of invasive and nonnative vegetation species (i.e. short-pod mustard, annual rabbits foot grass, Prickly Russian thistle, wild mustard, Johnsongrass, and Little Hogweed).

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3. Following the removal of invasives and non-native species, the restoration activities shall include hydroseeding all disturbed areas with a native seed mix to further stabilize the disturbed areas.
4. The Discharger shall restore all areas of temporary impacts to waters of the United States and waters of the State in accordance with the Temporary Impact Restoration Plan for the Highland/Redlands Regional Connector Project, dated October 2025, approved through the issuance of this Order and incorporated herein by reference.

E. Provisions

1. The Discharger shall maintain a copy of this Order at the Project site so that it is always available to site operating personnel. Key operating personnel shall be familiar with the Order's content.
2. The Discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health and the environment.
3. This Order is not transferable to any person without a written approval by the Executive Officer of the Santa Ana Water Board. Prior to any change in ownership, the Discharger shall notify the Santa Ana Water Board's Executive Officer in writing at least 30 days in advance. The notice shall include a written transfer agreement between the existing owner and the new owner. At a minimum, the transfer agreement shall contain a specific date for transfer of responsibility to comply with this Order and an acknowledgment that the new owner or operator is liable for future compliance with this Order from the date of transfer. The Santa Ana Water Board may require modification or revocation, and reissuance of this Order to change the name of the Discharger and incorporate any other requirements as may be necessary under the Water Code.
4. The Discharger shall submit an annual report each year on the anniversary of this Order. Annual reporting shall continue until a *Notice of Project Complete Letter* is issued to the Discharger. The contents of the annual report shall include a construction summary, Project status and schedule (including ground disturbance, site clearing and grubbing, and site construction), and the implementation status of BMPs during the active discharge period. If the Project has not started, the Discharger shall provide an estimated start date and reasons for any expected delays.
5. The Discharger shall submit a *Commencement of Construction Report* at least seven days prior to start of initial groundbreaking activities.

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6. The Discharger shall submit a *Request for Notice of Completion of Discharges Letter* following completion of active Project construction activities, including required restoration and Discharger-responsible mitigation. This request shall be submitted to Santa Ana Water Board staff within 30 days following the completion of all Project construction activities. Upon acceptance of the request, Santa Ana Water Board staff will issue to the Discharger a *Notice of Completion of Discharges Letter*, which will end the active discharge period and, if appropriate, associated annual fees.
7. The Discharger shall submit a *Request for Notice of Project Complete Letter* when construction and any required post-construction monitoring is complete and no further Project activities will occur. This request shall be submitted to Santa Ana Water Board staff within 30 days following the completion of all Project activities. Upon approval of the request, Santa Ana Water Board staff will issue to the Discharger a *Notice of Project Complete Letter* and prepare a draft order terminating this Order for approval by the Santa Ana Water Board. The *Notice of Project Complete Letter* will end the post-discharge monitoring period, and either the expiration or Board approval of the termination of this Order will end the associated annual fees.
8. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during for any unresolved enforcement action or litigation regarding this discharge or when requested by the Santa Ana Water Board.
9. The Discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally to the Santa Ana Water Board office and the Office of Emergency Services within twenty-four (24) hours of when the Discharger becomes aware of the incident. If noncompliance occurs outside of business hours, the Discharger shall leave a message on the Santa Ana Water Board's office voicemail. A written report shall also be provided within five business days of the time when the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. All other forms of noncompliance shall be reported with the Discharger's next scheduled Monitoring Report, or earlier if requested by the Executive Officer.
10. Before initiating a new discharge or making a material change in the character, location, or volume of an existing discharge, the Discharger shall report all

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pertinent information in writing to the Santa Ana Water Board, and if required by the Santa Ana Water Board, obtain revised requirements before any modifications are implemented.

11. The Discharger shall allow the Santa Ana Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law to:
 - a. Enter premises where a regulated facility or activity is located or conducted, or where records are kept under the requirements of this Order;
 - b. Access and copy any records that are kept under the requirements of this Order;
 - c. Inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d. Photograph, sample, or monitor for the purpose of assuring compliance with this Order or as otherwise authorized by the Water Code.
12. If the Project is not completed within five years of adoption of this Order, the Discharger shall submit a Project status report. The Project status report shall be filed no later than 180 days before the fifth anniversary of the Order's adoption date.⁴

LIST OF ATTACHMENTS

ATTACHMENT A—MAPS AND PHOTOS

ATTACHMENT B—REPORTS AND NOTIFICATIONS

ATTACHMENT C—SIGNATORY REQUIREMENTS

ATTACHMENT D—COMPLIANCE WITH CODE OF FEDERAL REGULATION

⁴ Based on Santa Ana Water Board staff's review and discussion of the report, a new dredge and fill application in accordance with California Code of Regulations, title 23, division 3, chapter 9 may be required to maintain the activity coverage beyond five years. The application, with filing fee, will be discussed between the Discharger and Santa Ana Water Board staff regarding any need for additional information and changes in fees prior to the issuance of new WDRs.

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ENFORCEMENT

The Santa Ana Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code sections 13300 and 13308, or referral to the California Attorney General for recovery of judicial civil liability.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Santa Ana Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm 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 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website \(http://www.waterboards.ca.gov/public_notices/petitions/water_quality\)](http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

ATTACHMENT A—MAPS AND PHOTOS



Figure 1: Map of the Project Location

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ATTACHMENT A—MAPS AND PHOTOS

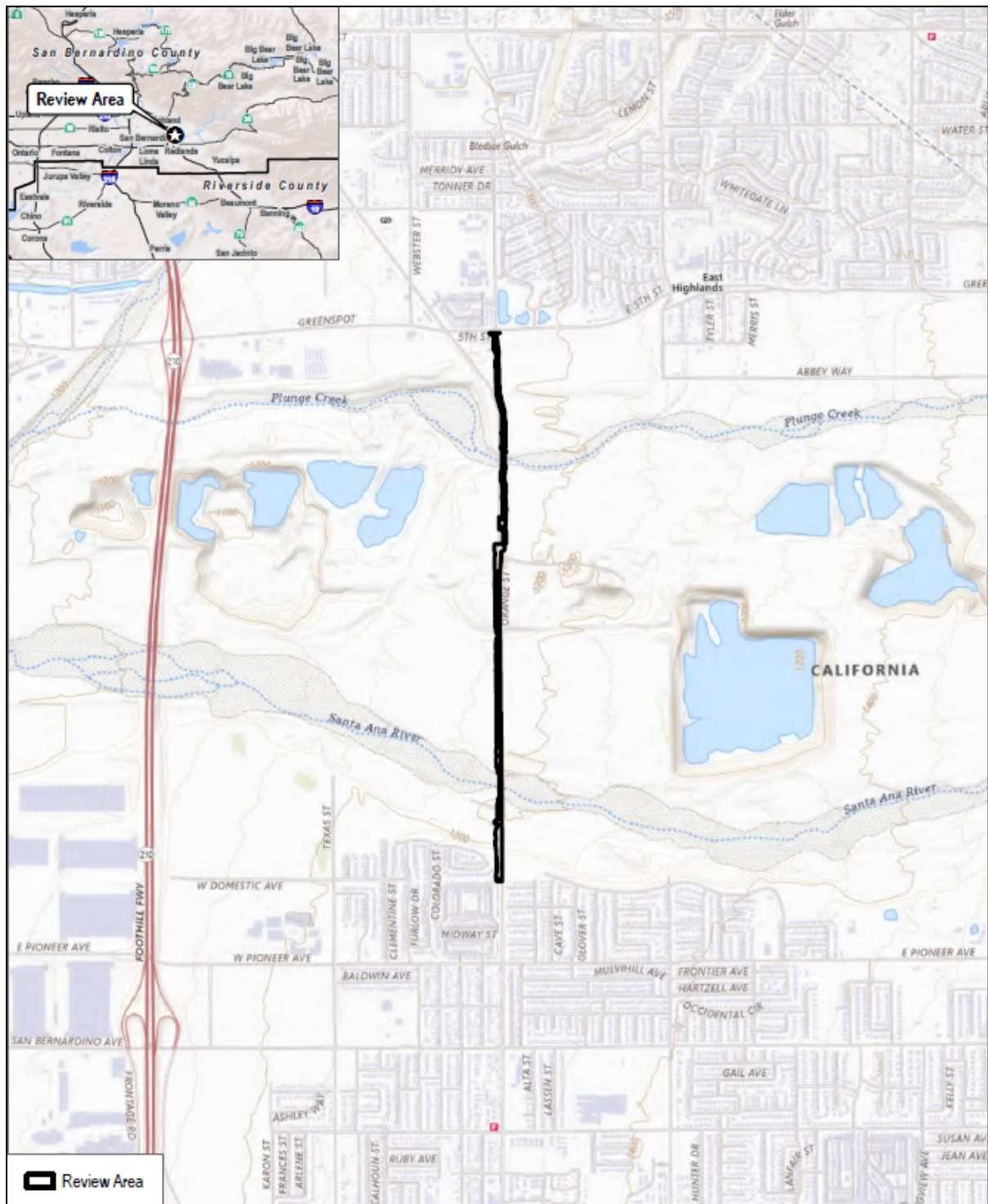


Figure 2: Project Boundary

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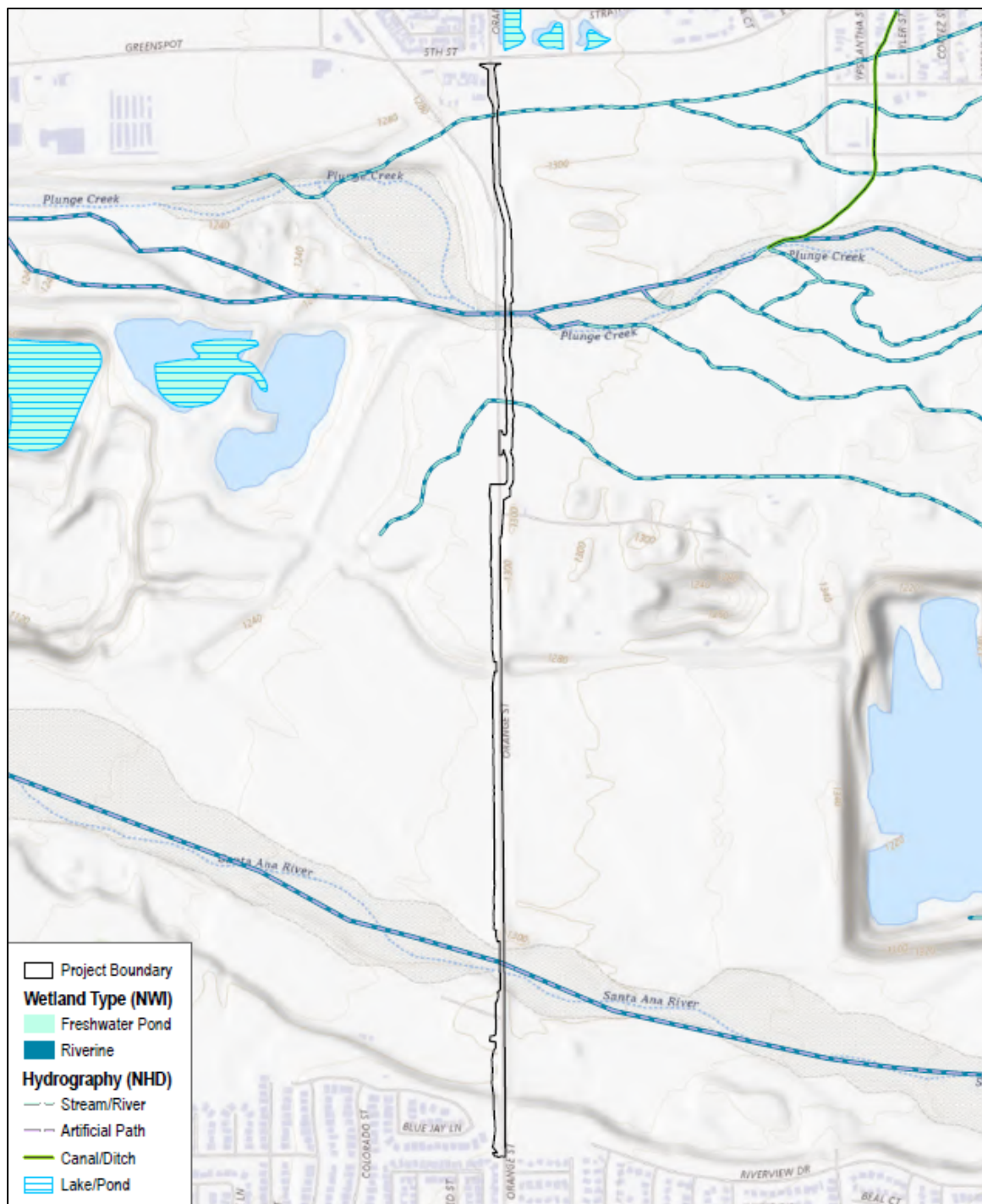


Figure 3: Jurisdictional Waters of the United States and State

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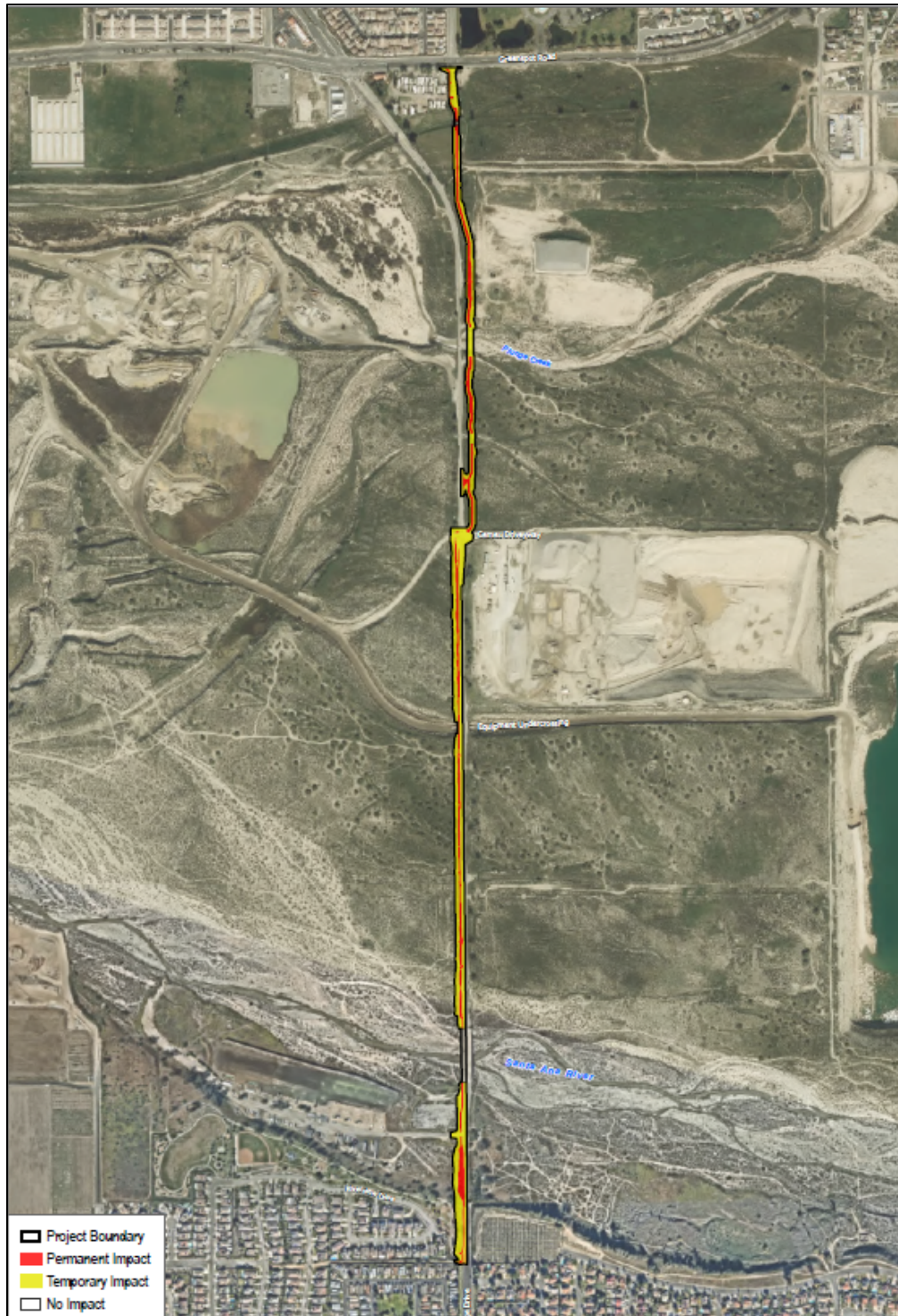


Figure 4: Project site and impacts

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Figure 5: Jurisdictional Waters of the United States and Waters of the State Impacts.

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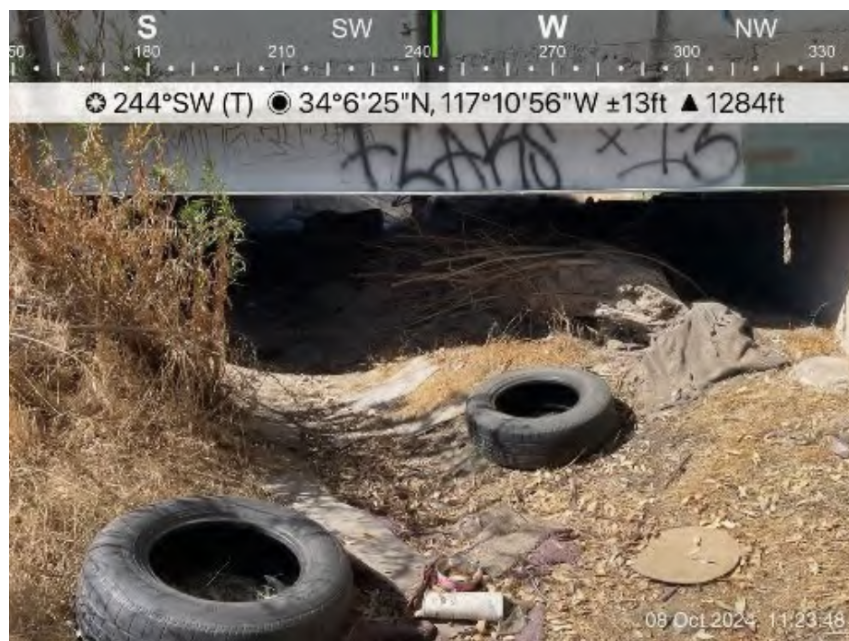


**Figure 6: Overview of “Drainage 1A” and
“Drainage 1B”.**



**Figure 7: Downstream view from top of the
reach of “Drainage 1A”.**

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**Figure 8: Downstream view from the middle of the
“Drainage 1A” reach.**



**Figure 9: Upstream view from the middle of the
“Drainage 1A” reach.**

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Figure 10: Downstream view from the top of the "Drainage 2" reach.



Figure 11: Upstream view from the bottom of "Drainage 2" reach.

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Figure 12: Downstream view from the top of "Drainage 3" reach.



Figure 13: Upstream view from the bottom "Drainage 3" reach.

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Figure 14: Downstream view from the middle of "Drainage 4" reach.



Figure 15: The upstream view from the middle of the "Drainage 4" reach.

ATTACHMENT B—REPORTS AND NOTIFICATIONS

Copies of this Form

To identify your Project, it is necessary to include a copy of the Project-specific Report and Notification Cover Sheet below with your report (see below). Please retain a copy for your records.

Report Submittal Instructions

- 1) Check the box on the *Report and Notification Cover Sheet* next to the report or notification you are submitting.
 - a) Part A (Annual Report): Submitted annually from the anniversary of the Project effective date until a *Notice of Project Complete Letter* is issued.
 - b) Part B (Project Status Notifications): Used to notify the Santa Ana Water Board of the status of the Project schedule that may affect Project billing.
- 2) Sign the *Report and Notification Cover Sheet* and attach all information requested for the Report Type.
- 3) Electronic Report Submittal Instructions:
 - a) Submit signed *Report and Notification Cover Sheet* and required information via email to: RB8-401Reporting@waterboards.ca.gov
 - b) Include in the subject line of the email: Order R8-2026-0038 and Report Type Name
 - c) Additionally, electronically submit Annual Reports using the State Water Board's California Integrated Water Quality System (CIWQS) Program website [California Integrated Water Quality System Project \(CIWQS\) | California State Water Resources Control Board](#). The CIWQS website will provide additional information for report submittal in the event there will be a planned service interruption for electronic submittal.

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ATTACHMENT B—REPORTS AND NOTIFICATIONS

Definition of Reporting Terms

- 1) **Active Discharge Period:** The active discharge period begins with the effective date of this Order and ends on the date that the Discharger 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 Discharger-responsible compensatory mitigation construction.
- 2) **Request for Notice of Completion of Discharges Letter:** This request by the Discharger to the Santa Ana Water Board staff pertains to projects that have post construction monitoring requirements (e.g., if site restoration were required to be monitored for five (5) years following construction). Santa Ana Water Board staff will review the request and send a *Completion of Discharges Letter* to the Discharger upon approval. This letter will initiate the post-discharge monitoring period and a change in fees from the annual active discharge fee to the annual post-discharge monitoring fee.
- 3) **Request for Notice of Project Complete Letter:** This request by the Discharger to the Santa Ana 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. Santa Ana 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 expiration or termination by Board action of this Order.

Map/Photo Documentation Information

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

1. **Map Format Information:**
 Preferred map formats of at least 1:24000 (1" = 2000') detail (listed in order of preference):
 - **GIS shapefiles:** The shapefiles shall 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 shall 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

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Map/Photo Documentation Information
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 shall show the boundaries of all Project areas and extent/type of aquatic resources impacted. If this format is used, include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted. 2. Photo-Documentation: Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post-construction conditions.

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Report and Notification Cover Sheet
Project: Highland/Redlands Regional Connector Project
Discharger: San Bernardino County Transportation Authority
Order No.: R8-2026-0038
Order Effective Date: July 24, 2026

Report Type Submitted
☐ Report Type 1: Annual Report
☐ Report Type 2: Commencement of Construction Report
☐ Report Type 3: Request for Notice of Completion Discharges Letter
☐ Report Type 4: Request for Notice of Project Complete Letter
☐ Report Type 5: Transfer of Property Ownership Report

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

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

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

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Report Type 1	Annual Report
Purpose:	Notify the Santa Ana Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
When to Submit:	Annual reports shall be submitted each year by the effective date. Annual reports shall continue until a <i>Notice of Project Complete Letter</i> is issued to the Discharger.
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 BMPs. If construction has not started, provide estimated start date and reasons for delay.

Report Type 2	Commencement of Construction
Purpose:	Notify the Santa Ana Water Board staff prior to the start of construction.
When to Submit:	Must be received at least seven (7) days to start of initial ground disturbance activities.
Report Contents:	1. Date of commencement of construction. 2. Anticipated date when discharges to waters of the state will occur. 3. Project schedule milestones, including a schedule for onsite compensatory mitigation, if applicable.

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Report Type 3	Request for Notice of Completion of Discharge Letter
Purpose:	Notify Santa Ana Water Board staff that post-construction monitoring is required and that active Project construction, including any mitigation and Discharger-responsible compensatory mitigation, is complete.
When to Submit:	Must be received by Santa Ana Water Board staff within thirty (30) days following completion of all Project activities.
Report Contents:	1. Status of storm water Notice of Termination(s), if applicable. 2. Status of post-construction storm water BMP installation. 3. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized. 4. Summary of deviation discharge quantities compared to initial authorized impacts to waters of the State, if applicable. 5. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and Discharger-responsible compensatory mitigation during the post-discharge monitoring period, if applicable.

Report Type 4	Request for Notice of Project Complete Letter
Purpose:	Notify Santa Ana Water Board staff that construction and/or any post-construction monitoring is complete, or is not required, and no further Project activity is planned.
When to Submit:	Must be received by Santa Ana Water Board staff within thirty (30) days following completion of all Project activities.
Report Contents:	Part A: Restoration for Temporary Impacts (if applicable) 1. A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance that 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.

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Report Type 5	Transfer of Property Ownership
Purpose:	Notify Santa Ana Water staff of change in ownership of the Project or Discharger-responsible mitigation area.
When to Submit:	At least 30 working days prior to the transfer of ownership.
Report Contents:	1. A statement that the Discharger has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: • 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 • responsibility for compliance with any long-term BMP maintenance plan requirements in this Order. 2. A statement that the Discharger has informed the purchaser to submit a written request to the Santa Ana Water Board to be named as the Discharger in a revised order.

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ATTACHMENT C—SIGNATORY REQUIREMENTS

*All Documents Submitted in Compliance With this Order Shall Meet the Following
Signatory Requirements*

1. All applications, reports, or information submitted to the Santa Ana Water Board shall be signed and certified as follows:
 - a. For a corporation, by a responsible corporate officer of at least the level of vice-president.
 - b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c. For a municipality, or a State, federal, or other public agency, by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in items 1.a through 1.c above may sign documents if:
 - a. The authorization is made in writing by a person described in items 1.a through 1.c above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the Santa Ana Water Board staff contact prior to submitting any documents listed in item 1 above.
3. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that 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.”

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY
HIGHLAND / REDLANDS REGIONAL CONNECTOR PROJECT**ATTACHMENT D – COMPLIANCE WITH 40 CODE OF FEDERAL
REGULATIONS SECTION 121.7 (D)**

The purpose of Attachment D is to comply with 40 Code of Federal Regulations (CFR) section 121.7(d)(1), which requires an explanation of why a condition is necessary to assure that the authorized discharge will comply with water quality requirements and a citation to federal, state, or tribal law that authorizes the condition.

Attachment D includes citations to sources of authority that are applicable to all conditions. These sources are specifically identified where they are most relevant but are also generally applicable to the conditions below. These conditions are generally required to comply with the State Water Resources Control Board's (State Water Board) *Statement of Policy with Respect to Maintaining High Quality of Waters in California* ("State Antidegradation Policy," State Water Board Resolution No. 68-16), which requires that any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters must "meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained."

All water quality control plans adopted by the nine Regional Water Quality Control Boards and State Water Board (Water Boards) incorporate the State Antidegradation Policy by reference. The State Antidegradation Policy is consistent with the federal Antidegradation Policy (40 CFR § 131.12), which requires "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." According to the U.S. Environmental Protection Agency (U.S. EPA), dischargers of dredged or fill material comply with the federal Antidegradation Policy by complying with U.S. EPA's section 404(b)(1) Guidelines. The State Water Board adopted a modified version of U.S. EPA's section 404(b)(1) Guidelines in the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (also referred to as State Supplemental Guidelines or the Dredged or Fill Procedures).

The State Water Board adopted the Dredged or Fill Procedures on April 2, 2019, which became effective on May 28, 2020. The Dredged or Fill Procedures were adopted pursuant to the State Water Board's authority under Water Code section 13140 (state policy for water quality control) and section 13170 (water quality control plan) and accordingly have regulatory authority. Consistent with Government Code section 11353, a clear and concise summary of the Dredged or Fill Procedures is available in California Code of Regulations, title 23, section 3013. Under the Dredged or Fill Procedures, the permitting authority may only approve a project if the demonstrations set forth in section IV.B.1 have been made. The information required by section IV.A is necessary to ensure compliance with section IV.B.1. Additionally, California Code of Regulations, title 23, chapter 28 sets forth regulations pertaining to water quality certifications. Section

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3856 of title 23 identifies information that must be included in water quality certification requests, including a description of steps that have or must be taken to avoid, minimize, and compensate for impacts to waters of the state.

In addition, the conditions within the Order are required pursuant to the Santa Ana Water Board's Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), and where applicable, statewide water quality control plans and policies including but not limited to the following, which were adopted and are periodically revised pursuant to Water Code section 13240: Water Quality Control Plan for Ocean Waters of California (California Ocean Plan); Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (California Thermal Plan); Water Quality Control Plan for Enclosed Bays and Estuaries Sediment Quality Provisions; Inland Surface Waters, Enclosed Bays, and Estuaries (ISWEBE) Plan (including the Trash Provisions, Tribal Subsistence Beneficial uses and Mercury Provision, Bacteria Provisions and Variance Policy, etc.); State Antidegradation Policy; Cannabis Cultivation Policy; Water Quality Control Policy for the Enclosed Bays and Estuaries of California; Water Quality Control Policy for Addressing Impaired Waters; Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List; Policy for Regulation of Discharges of Municipal Solid Waste; Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control Program; Water Quality Control Policy for Recycled Water; Supplemental Environmental Projects Policy (SEP Policy); Sources of Drinking Water Policy; State implementation Policy (SIP); Water Quality Enforcement Policy; and of California Executive Order W-59-93 (Wetlands "No Net Loss" Policy).

The Basin Plan and applicable statewide plans and policies include 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. For instance, the Basin Plan, to ensure protection of beneficial uses, includes water quality objectives for oil and grease, pH, dissolved oxygen, temperature, toxic substances, solid, suspended, or settleable materials, floating material, turbidity, color, and taste and odor.

ORDER REQUIREMENTS/CONDITIONS

Discharger Specifications/Prohibitions

Authorization

Several conditions require that the discharge of waste only be as described in the Order. Authorization under this Order is granted based on the Application for Discharges of Dredged or Fill Material to Waters of the State/United States (Application) information submitted. Water Code section 13264 prohibits any discharge that is not specifically authorized in this Order.

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Reporting and Notification Requirements

The technical reports submitted by the project proponent confirm that the best management practices (BMPs) required under this Order are sufficient to protect beneficial uses and water quality objectives. The technical report related to accidental discharges also ensures that corrective actions, if any, that are necessary to minimize the impact or clean up such discharges are taken as soon as possible. These monitoring and reporting conditions are authorized because the Santa Ana Water Board has the authority to investigate the quality of any waters of the state within its region under Water Code sections 13383 and 13267. The burden of preparing these reports, including costs, bears a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The anticipated costs are minimal as the reporting obligations require only visual monitoring, in-field measurements, and notification reporting.

Authorization under this Order is granted based on the application and supplemental technical information submitted by the project proponent, including the legally responsible party. Conditions regarding transfers are necessary to confirm whether the new owner wishes to assume legal responsibility for compliance with this Order. If not, the original discharger remains responsible for compliance with this Order. Confirmation is also necessary to determine whether liability for long-term BMP maintenance is accepted by another entity. If not, the original discharger remains responsible for compliance with the Order. Water Code section 13264 prohibits any discharge that is not specifically authorized in this Order.

Water Quality Monitoring

General

Several conditions require compliance with the applicable water quality standards. This monitoring condition is authorized because the Santa Ana Water Board has the authority to investigate the quality of any waters of the state within its region under Water Code sections 13383 and 13267. The burden of monitoring, including costs, bears a reasonable relationship to the need for monitoring and the benefits to be obtained from the monitoring. The anticipated monitoring and reporting costs are minimally reasonable as only visual monitoring and in-field measurements are required.

Post-Construction

The technical report(s) confirm that the BMPs required under this Order are sufficient to protect beneficial uses and water quality objectives. These monitoring and reporting conditions are authorized because the Water Boards have the authority to investigate the quality of any waters of the state within its region under Water Code sections 13383 and 13267. The burden of preparing these reports, including costs, bears a reasonable relationship to the need for and benefits of the reports. The anticipated costs are

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minimal as the reporting obligations require only visual monitoring, in-field measurements, and notification reporting.

Standard Conditions

Code of Regulations, title 23, chapter 28 sets forth regulations pertaining to water quality certifications for point source discharges to waters of the United States. These conditions were included to comply with section 3860 of title 23, which sets forth conditions that must be included in all water quality certifications.

General Compliance with Water Quality Standards

Several conditions require compliance with water quality standards. Permitted actions may not cause a violation of applicable water quality standards, including the water quality objectives and designated beneficial uses in the Santa Ana Water Board's Basin Plan and/or other applicable statewide plans and policies. The Basin Plan's water quality standards 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. The State 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 State Antidegradation Policy further requires best practicable treatment or control of the discharge necessary to ensure 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.

Best Management Practices (BMPs)

All the conditions related to BMPs are consistent with the Santa Ana Water Board's authority to establish "[w]ater quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area" pursuant to Water Code section 13241(c). The activities authorized under this Order have the potential to result in a discharge that exceeds water quality objectives and work in waters of the state must not cause an exceedance of water quality objectives. As required by Water Code section 13369, all applicable water quality control plans incentivize the use of BMPs to prevent prohibited discharges into waters of the state.

Site Management

These conditions are necessary to prevent violation of state discharge prohibitions that protect water quality objectives. For instance, fuels and lubricants associated with the use of mechanized equipment have the potential to result in toxic discharges to waters of the state in violation of water quality standards, including the floating material and toxic substances. Water Code section 13264 prohibits any discharge that is not specifically authorized in the Order.

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Hazardous Materials

These conditions are required pursuant to the Basin Plan (toxic substances objective, pages 4-6, 4-20, and 4-26) and the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP), which prohibit the discharge of substances in concentrations toxic to human, plant, animal, or aquatic life. Toxic compounds can impair the beneficial uses of cold freshwater habitat, estuarine habitat, marine habitat, preservation of rare and endangered species, fish migration, fish spawning, warm freshwater habitat, and wildlife habitat. Conditions related to toxic and hazardous materials are necessary to assure that discharges comply with any water quality objectives adopted or approved under sections 13170 or 13245 of the Water Code. Conditions related to concrete/cement are required, pursuant to the Basin Plan, to ensure that discharges to waters of the state do not adversely raise or lower pH levels.

Sediment Control and Stabilization/Erosion Control

Conditions related to erosion and sediment control design requirements are required to sustain fluvial geomorphic equilibrium. Improperly designed and installed BMPs result in excess sediment, which impairs surface waters, adversely affects beneficial uses, and results in exceedance of water quality objectives.

Conditions on projects that result in hydromodification to a water of the State are necessary to ensure that the discharge from the project will comply with water quality objectives established for surface waters. Hydromodification is a general term that encompasses effects of projects on the natural hydrologic, geochemical, and physical functions of streams and wetlands that maintain or enhance water quality. Improper project design and installation of any project that results in a hydromodification to a water of the State may trigger bank failure and channel incision, which result in excess sediment impacts to downstream beneficial uses.

Stormwater

Conditions related to stormwater management are required to comply with the Basin Plan. Post-rain erosion and sedimentation problems can contribute to significant degradation of the waters of the state; therefore, it is necessary to take corrective action to eliminate such discharges to avoid or minimize such degradation. Implementation of control measures and BMPs described in the condition will ensure compliance with water quality objectives, including floating material, temperature, suspended and settleable material, and turbidity.

PROVISIONS**Site Access**

Conditions related to site access are authorized pursuant to the Water Boards' authority to investigate the quality of any waters of the state within its region under Water Code sections 13383 and 13267. Water Code section 13267(c) provides that "the regional

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board may inspect the facilities of any person to ascertain whether the purposes of this division are being met and waste discharge requirements are being complied with.”

Reporting and Notification/Attachment B

The various monitoring and reporting requirements are necessary to confirm that the best management practices (BMPs) required under this Order are protecting beneficial uses and water quality objectives. The reports related to accidental discharges also ensure that corrective actions, if any, that are necessary to minimize the impact or clean up such discharges are taken as soon as possible. These monitoring and reporting conditions are authorized because the Santa Ana Water Board has the authority to investigate the quality of any waters of the state within its region under Water Code sections 13383 and 13267. The burden of preparing these reports, including costs, bears a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The anticipated costs are minimal as the reporting obligations require only visual monitoring, in-field measurements, and notification reporting.

Attachment C – Signatory Requirements

Conditions related to signatory requirements are also authorized by Water Code sections 13383 and 13267, which require any person discharging waste that could affect the quality of waters to provide to the Water Boards, under penalty of perjury, any technical or monitoring program reports as required by the Water Boards. The signatory requirements are consistent with 40 CFR section 122.22.