

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

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**[TENTATIVE] WASTE DISCHARGE REQUIREMENTS ORDER  
R8-2026-0018**

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**ORDER INFORMATION**

**Status:** TENTATIVE  
**Program:** Dredged or Fill Material Program  
**Discharger:** California Department of Transportation,  
District 12  
**Project:** Silverado Fire Damaged Restoration Project  
**County:** Orange County  
**CIWQS WDID:** 302025-19  
**Prior Order(s):** (none)

**CERTIFICATION**

I, ERIC T. LINDBERG, 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 April 24, 2026.

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ERIC T. LINDBERG, PG CHG  
Executive Officer

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

**ORDER R8-2026-0018**

WASTE DISCHARGE REQUIREMENTS  
FOR  
DISCHARGES OF DREDGED OR FILL MATERIALS TO WATERS OF THE STATE  
SILVERADO FIRE DAMAGED RESTORATION PROJECT  
ORANGE 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) for the Silverado Fire Damaged Restoration Project (Project) of the California Department of Transportation, District 12 (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 materials 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 materials to waters of the State.
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.
6. On December 23, 2025, the Discharger 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. 302025-19.
7. Based on the current definition of waters of the United States (WOTUS), the Discharger determined that the onsite drainage features do not meet the current

definition of WOTUS. One onsite drainage feature considered to be WOTUS will be avoided.

8. The Application was deemed complete on January 23, 2026.

**Project Description and Discharge Characteristics**

9. In 2020, the Silverado Fire burned in southern Orange County, damaging infrastructure essential to roadway operations. The Project’s purpose is to restore the remaining damaged infrastructure by upgrading facilities to current standards with increased resiliency to extreme weather and natural disasters.
10. The Project is located at various locations along approximately 11.2 miles of State Route (SR) 241, and approximately 2.14 miles of SR-133 within the Cities of Irvine and Orange in unincorporated Orange County. The entire Project encompasses approximately 19.73 acres (Latitude 33.724108° N, Longitude -117.719421° W). Maps showing the Project location are found in Attachment A of this Order. In addition, Table 1 below lists the locations of activities impacting waters of the State.

**Table 1: Project Activity Locations**

Feature No.	Latitude	Longitude
1	33.79286915	-117.7343578
2	33.79320312	-117.7359996
3	33.79318412	-117.7361668
5	33.79223855	-117.7371971
11	33.77743807	-117.747899
14	33.76715491	-117.7350458
22	33.72520773	-117.7188957
25	33.72009729	-117.7193645
30	33.71583442	-117.7211932
32	33.71434804	-117.720242
32	33.71433777	-117.7202602
33	33.71302869	-117.7211281
35	33.71072799	-117.7188877
38	33.70930158	-117.7195048
44	33.70418451	-117.7116995
46	33.70378413	-117.711162
47	33.70434376	-117.7091796

Feature No.	Latitude	Longitude
48	33.70408969	-117.7093533
49	33.70212863	-117.706231
57	33.70139439	-117.7023189
58	33.70057107	-117.7038829
59	33.69943788	-117.7016466
62	33.69683283	-117.6931344
63	33.69652394	-117.6935485

11. The Project includes necessary repairs to the fire-damaged guardrails, drainage facilities, roadway signs, and electrical systems. Existing infrastructure will be improved and replaced with materials more resilient to extreme weather. The Project improvements include:
  - a. Replacing four (4) damaged roadside signs;
  - b. Electrical work to modify lighting systems, installing new conduits, relocating and replacing electroliers as needed;
  - c. Replacing and upgrading traffic safety devices, such as Metal Beam Guardrail (MBGR) with Double Midwest Guardrail System (MGS) or Concrete Barrier K and Crash cushion with Concrete Barrier type 60;
  - d. Drainage upgrades, including replacing existing High-Density Polyethylene (HDPE) pipes and Corrugated Steel Pipes (CSP) with Reinforced Concrete Pipes (RCP);
  - e. Replacing and repairing pavement in disturbed areas; and
  - f. Landscape improvements to disturbed areas
12. A total of 69 drainage features totaling 1.97 acres (15,472 linear feet) of ephemeral waters of the State (Features 1-17 and 19-69) and 0.02 acres of wetland WOTUS (Feature 18) are present throughout the Project site in the form of earthen, concrete, or a combination of earthen and concrete drainages.
13. A majority of these drainage features are concrete-lined structures constructed to receive and collect stormwater from adjacent freeways and roads.
14. These 69 drainage features are tributaries to Santiago Creek, Hicks Canyon Wash, Peters Canyon Wash, Bee Canyon Wash, and Agua Chinon Creek.
15. Implementation of the Project will temporarily impact 23 drainage features, resulting in 0.225 acre (1,696 linear feet) of impacts to ephemeral waters of the State.

16. The temporary impacts will result from replacing existing infrastructure with fire-resilient materials within the same footprint located near or within the 23 drainage features.
17. A total of 20 existing drainage system pipe material and three (3) safety devices will be replaced. Additionally, existing drainage pipes with flared end sections for velocity dissipation will be replaced with a concrete flared end section.
18. The impacts to these drainage features involve temporary construction access, unearthing underground pipes, replacing pavement to these disturbed areas, and landscaping disturbed areas. Impacts will occur within the earthen and concrete portions of Features 3 and 32. Table 2 below summarizes the proposed activities at each location.
19. No additional structures or fill materials will be added to the inlets or outlets of the drainage pipes.

**Table 2: Project Activities**

<b>Feature No.</b>	<b>Drainage Type</b>	<b>Construction Activity</b>	<b>Temporary Impact (acre)</b>
1	Concrete	Replacement of 120' by 18" of HDPE with RCP	0.006
2	Concrete	Replacement of 10' by 24" of HDPE with RCP	0.004
3	Earthen	Replacement of 10' by 24" of HDPE with RCP	0.0002
3	Concrete	Replacement of 10' by 24" of HDPE with RCP	0.0356
5	Earthen	Replacement of 10' by 18" of HDPE with RCP	0.005
11	Concrete	Replacement of MBGR with MGS	0.0017
14	Concrete	Replacement of 10' by 24" of HDPE with RCP	0.004
22	Concrete	Replacement of 10' by 24" of HDPE with RCP	<0.001

<b>Feature No.</b>	<b>Drainage Type</b>	<b>Construction Activity</b>	<b>Temporary Impact (acre)</b>
25	Concrete	Replacement of Concrete Barrier K and Crash cushion with Concrete Barrier type 60	0.014
30	Concrete	Replacement of 10' by 18" of HDPE with RCP	0.004
32	Earthen	Replacement of 10' by 18" of HDPE with RCP	0.0006
32	Concrete	Replacement of 10' by 18" of HDPE with RCP	0.013
33	Concrete	Replacement of 10' by 24" of HDPE with RCP	0.005
35	Concrete	Replacement of 90' by 24" CSP with RCP	0.006
38	Concrete	Replacement of 45' by 12" of HDPE with RCP	0.004
44	Concrete	Replacement of 10' by 24" of HDPE with RCP	0.003
46	Earthen	Replacement of 62' by 24" of HDPE with RCP	0.004
47	Concrete	Replacement of 135' by 24" of HDPE with RCP	0.01
48	Concrete	Replacement of 135' by 24" of HDPE with RCP	0.011
49	Concrete	Replacement of MBGR with MGS	0.072
57	Concrete	Replacement of 81' by 36" of HDPE with RCP	0.002

Feature No.	Drainage Type	Construction Activity	Temporary Impact (acre)
58	Concrete	Replacement of 10' by 36" and 10' by 24" of HDPEs with RCPs	0.003
59	Concrete	Replacement of 10' by 24" of HDPE with RCP	<0.001
62	Concrete	Replacement of 10' by 24" of HDPE with RCP	0.007
63	Concrete	Replacement of 60" by 200' of CSP with RCP	0.01
Total	--	--	0.225

20. In addition to the direct temporary impacts, the Project has the potential for indirect temporary impacts to water quality due to sediment transport from clearing, grubbing, excavation, and grading activities. Potential indirect impacts may include concrete waste, trash, or chemical waste from construction activities.

21. The Discharger will implement pollution prevention best management practices (BMPs) such as permanent soil stabilization measures to minimize and avoid potential indirect impacts to waters of the State.

22. No compensatory mitigation is required for impacts to waters of the State. All impacts are expected to be temporary. The impacts to concrete-lined structures will be repaired in-kind. Impacts to the earthen drainages and natural habitats temporarily affected by construction activities will be restored to pre-Project contours and hydroseeded with native shrub and grass seed mix.

**Basin Plan and Regulatory Considerations**

23. The Project will impact 0.225 acres of ephemeral drainages tributaries to Santiago Creek, Hicks Canyon Wash, Peters Canyon Wash, Bee Canyon Wash, and Agua Chinon Creek.

24. Santiago Creek, Reach 1 has the following designated beneficial uses (existing or potential): Municipal and Domestic Supply, Groundwater Recharge, Water Contact Recreation, Non-contact Water Recreation, Warm Freshwater Habitat, Wildlife Habitat.

CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 12  
SILVERADO FIRE DAMAGED RESTORATION PROJECT

25. Hicks Canyon Wash, Peters Canyon Wash, Bee Canyon Wash, and Agua Chinon Wash have the following designated beneficial uses (**existing or potential**): Rare, Threatened, or Endangered Species.
26. Hicks Canyon Wash, Peters Canyon Wash, Bee Canyon Wash, and Agua Chinon Wash have the following designated beneficial uses (**intermittent**): Groundwater Recharge, Water Contact Recreation, Non-contact Water Recreation, Warm Freshwater Habitat, Wildlife Habitat.
27. 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 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 relevant water quality control plans that have been adopted and 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 Water Code section 13241.
28. 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 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.
29. The Santa Ana Water Board has considered the state antidegradation policies (State Water Board Resolution 68-16) and finds that the discharge permitted under this Order is consistent with those policies. Filling wetlands, riparian areas, headwaters, and other waters causes partial or complete loss of the beneficial uses provided by those waters. This Order requires that impacts to waters of the state be mitigated through avoidance and minimization to the maximum extent practicable. The mitigation requirements in this Order comply with the State Water Board's Dredge and Fill Procedures.
30. 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.).

31. 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.
32. 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.
33. 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**

34. On June 18, 2025, the California Department of Transportation, District 12, 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 the Project (State Clearinghouse 2025050142). On June 18, 2025, the lead agency filed a Notice of Determination with the Office of Planning and Research and County Clerk County of Orange.
35. 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).) In approving this Order, the Santa Ana Water Board has considered the MND by the California Department of Transportation, District 12 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.
36. There are no known tribal and/or disadvantaged communities in the vicinity of the Project site.
37. 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.

38. 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, 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 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 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 Orange County and co-permittees under NDPEs No. CAS618030 and WDRs Order R8-2009-0030 as amended by Order R8-2010-0062, 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. Temporary impacts to waters of the state from the Project shall not exceed quantities identified in Finding 15 and Table 2.
2. Permanent impacts resulting from discharge of fill materials to waters of the State are not authorized under this Order.
3. 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 6 or other findings herein.
4. Except for authorized fill material discharges to waters of the state, 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.
5. 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.
6. 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.
7. Discharges to surface waters of wastes or pollutants that are not authorized by this Order or regulated by a separate permit are prohibited.

**C. Construction and Post-Construction Best Management Practices and Monitoring**

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 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 State, except as necessary to complete the proposed Project.

- d. Proper use and disposal of oil, gasoline, diesel fuel, antifreeze, and other toxic substances
  - e. 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 State.
  - f. Erosion control or sedimentation prevention methods of fiber rolls, sand or gravel bags, rice mats, straw wattles, or similar measures.
  - g. Permanent soil stabilization measures to prevent discharge of soil and sediments to waters of the State.
  - h. The disturbed areas shall be revegetated with native vegetation to the greatest extent possible.
2. The Discharger shall implement post-construction monitoring. Including but not limited to:
- a. Once Project construction has been completed (not including restoration and monitoring activities per section D below), the Discharger shall visually inspect and comprehensively photograph the Project site for one rainy season (Oct.-April) to ensure the Project site is not causing excessive erosion or stream instability (See § A.1, above.). At a minimum, such inspection shall occur within seven days of any storm event resulting in at least half an inch of precipitation over a 24-hour period.<sup>1</sup>
  - b. During Precipitation events, the Discharger shall take photographs of the Project site to document observable indicators of erosion, stream instability or other site conditions. If any signs of erosion or stream instability are observed during the visual inspection (e.g., rills, scouring, wash-outs), or the Discharger otherwise becomes aware that the Project is causing or substantially contributing to increased sedimentation and turbidity to the Project site drainage features, the Discharger shall contact the Santa Ana Water Board staff member overseeing the Project

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<sup>1</sup> In the event there are multiple storms occurring within a single week, a single inspection shall occur within seven days of the final 24-hour period with precipitation.

within three (3) working days. Additional permits or actions may be required to carry out any necessary site remediation.

#### **D. Restoration for Temporary Impact Requirements**

1. The Discharger shall restore areas temporarily impacted. Restoration shall include grading of disturbed areas to pre-Project contours to the maximum extent feasible and revegetation with native species.
2. The Discharger shall stabilize areas of temporary disturbance that could result in a discharge to waters of the State.
3. The Discharger shall restore all areas of temporary impacts to waters of the State in accordance with the California Department of Transportation landscape architecture guidelines and requirements. In addition:
  - a. Native plant palette shall include, but is not limited to: *Salvia mellifera*, *Phacelia cicutaria*, *Muhlenbergia microsperma*, *Mimulus aurantiacus*, *Malacothrix saxitalis*, *Isocoma menziesii*, *Eschscholzia californica*, *Eriogonum fasciculatum*, *Encelia californica*, *Cryptantha intermedia*, *Artemisia californica*, and *Ambrosia psilostachya*.
4. The restoration area shall have at a minimum one full season of plant establishment period (one year). During this period, the Discharger shall monitor the restoration area quarterly and provide an annual report one year after the installation of native hydroseed.
5. The restoration site shall have at least 75 percent cover of established native vegetation by the end of the year. If by year one, the Project site will not meet the 75 percent native cover, the Discharger shall provide alternative measures to fulfill the percent cover.

#### **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 written approval by the Santa Ana Water Board's Executive Officer. 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 for compliance with this Order and an acknowledgment that the new owner or operator is liable for 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 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.
6. The Discharger shall submit a *Request for Notice of Completion of Discharges Letter* following completion of active Project construction activities, including any 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 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.<sup>2</sup>

### **LIST OF ATTACHMENTS**

ATTACHMENT A—MAPS AND FIGURES  
ATTACHMENT B—REPORTS AND NOTIFICATIONS  
ATTACHMENT C—SIGNATORY REQUIREMENTS

### **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.

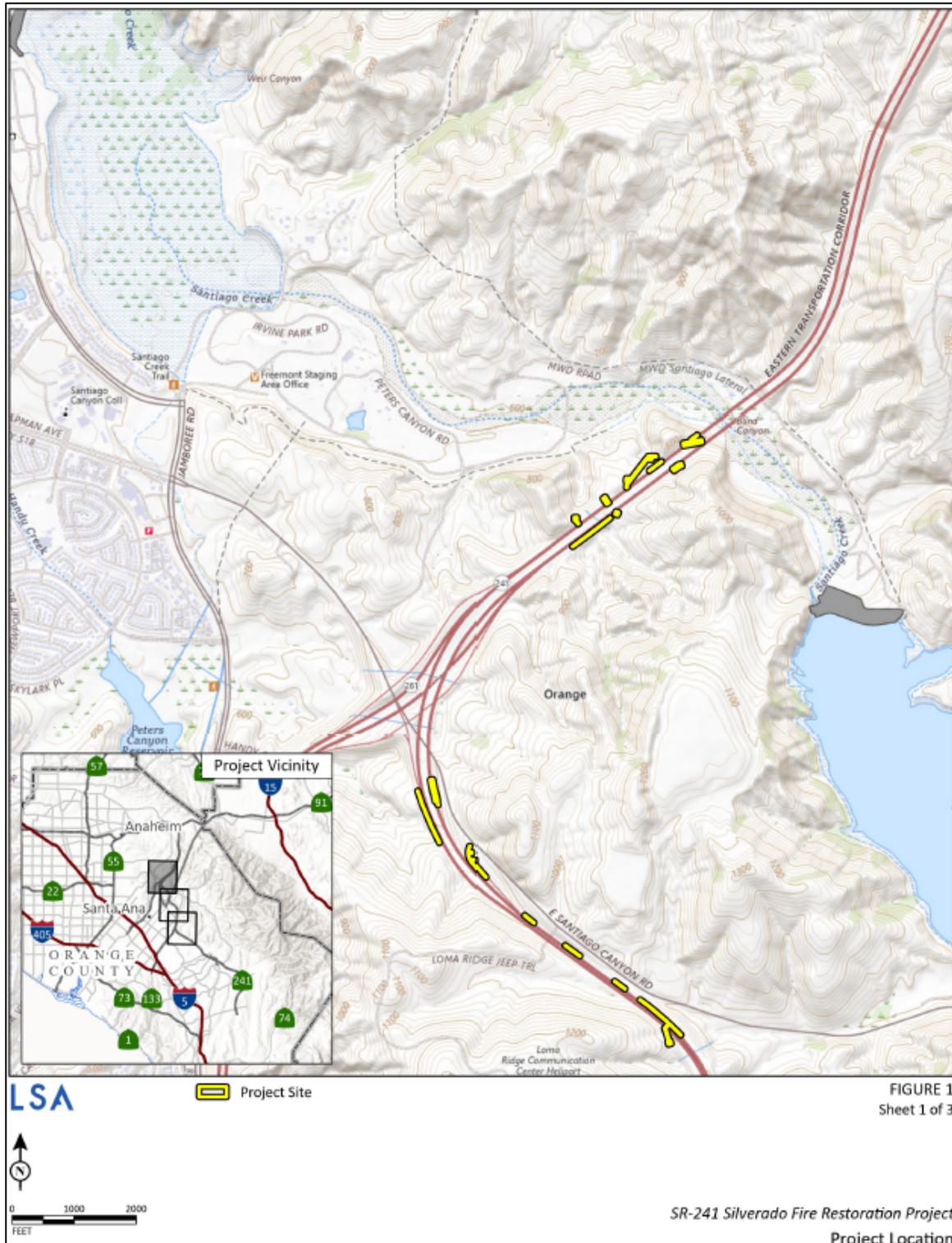
### **ADMINISTRATIVE REVIEW**

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.

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<sup>2</sup> 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.

**ATTACHMENT A—MAPS AND FIGURES**



**Figure 1. Project Location**

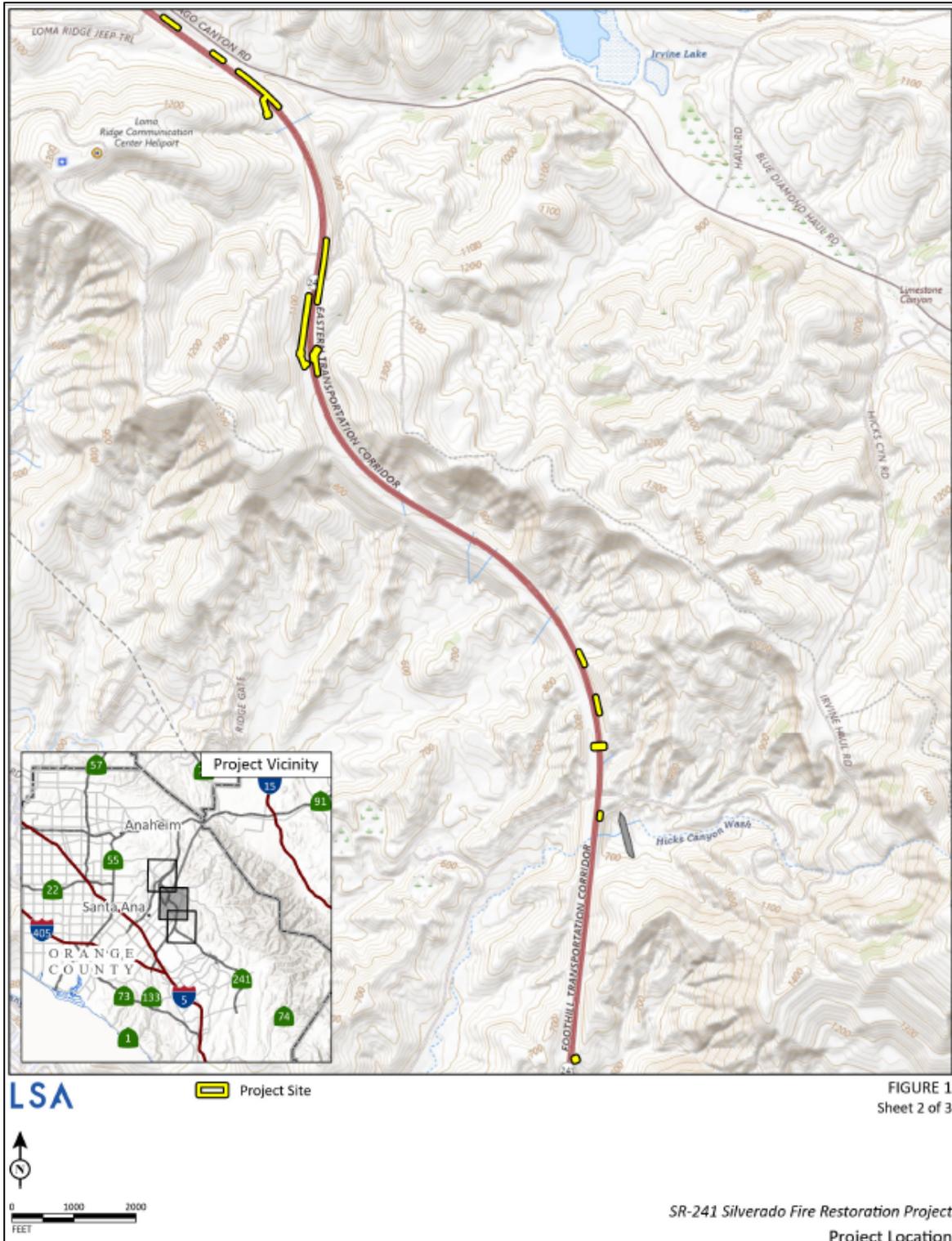


Figure 2. Project Location (cont.)

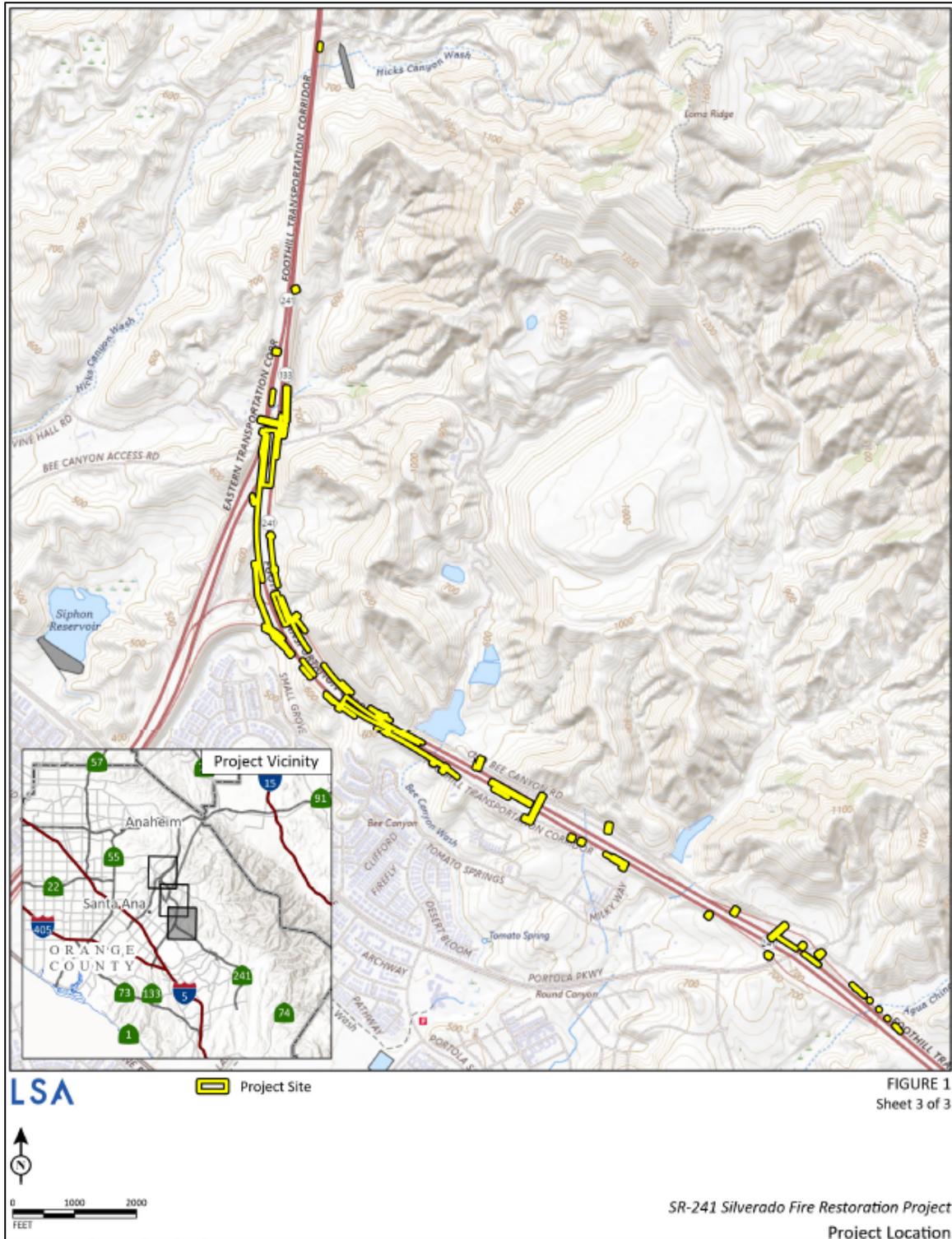
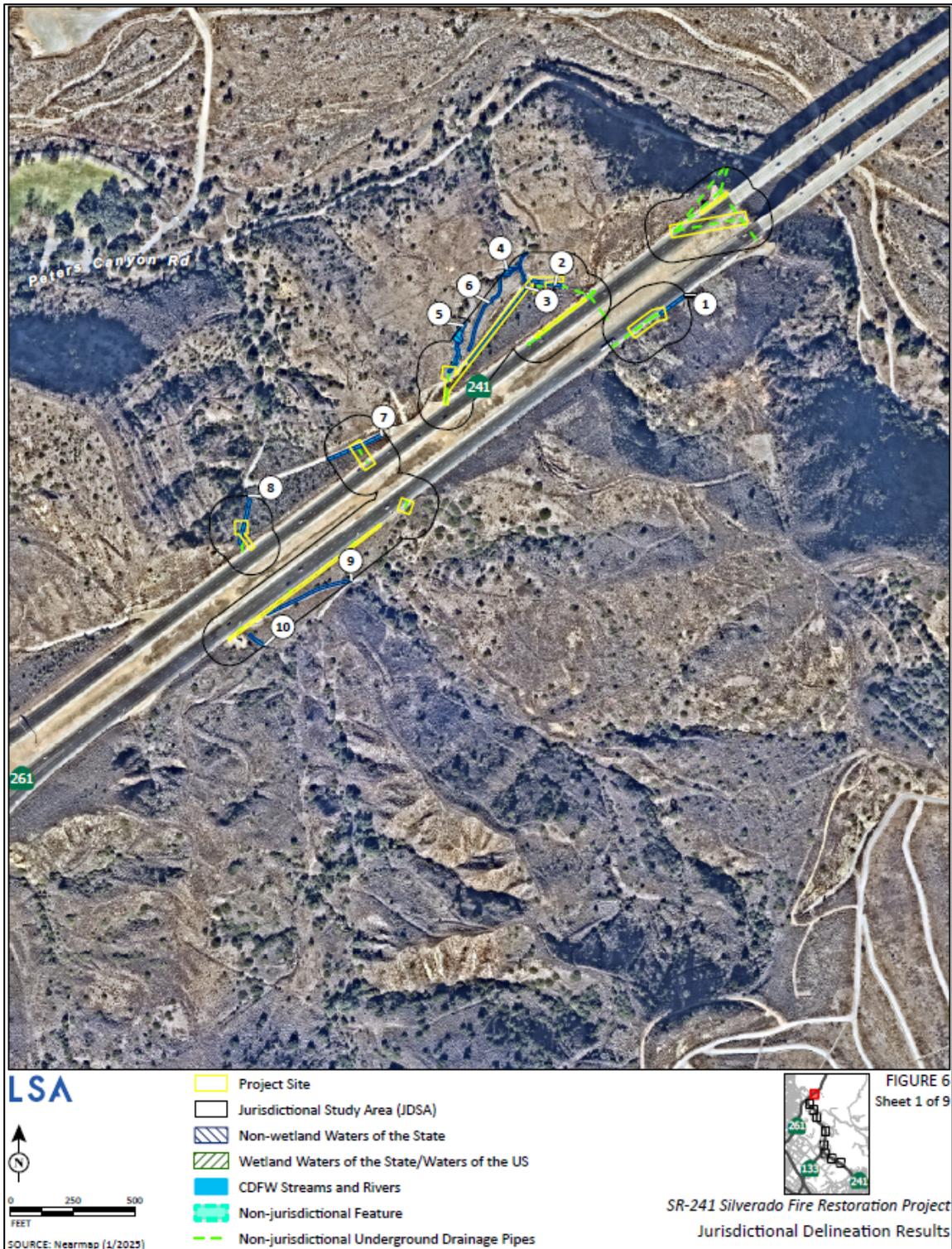
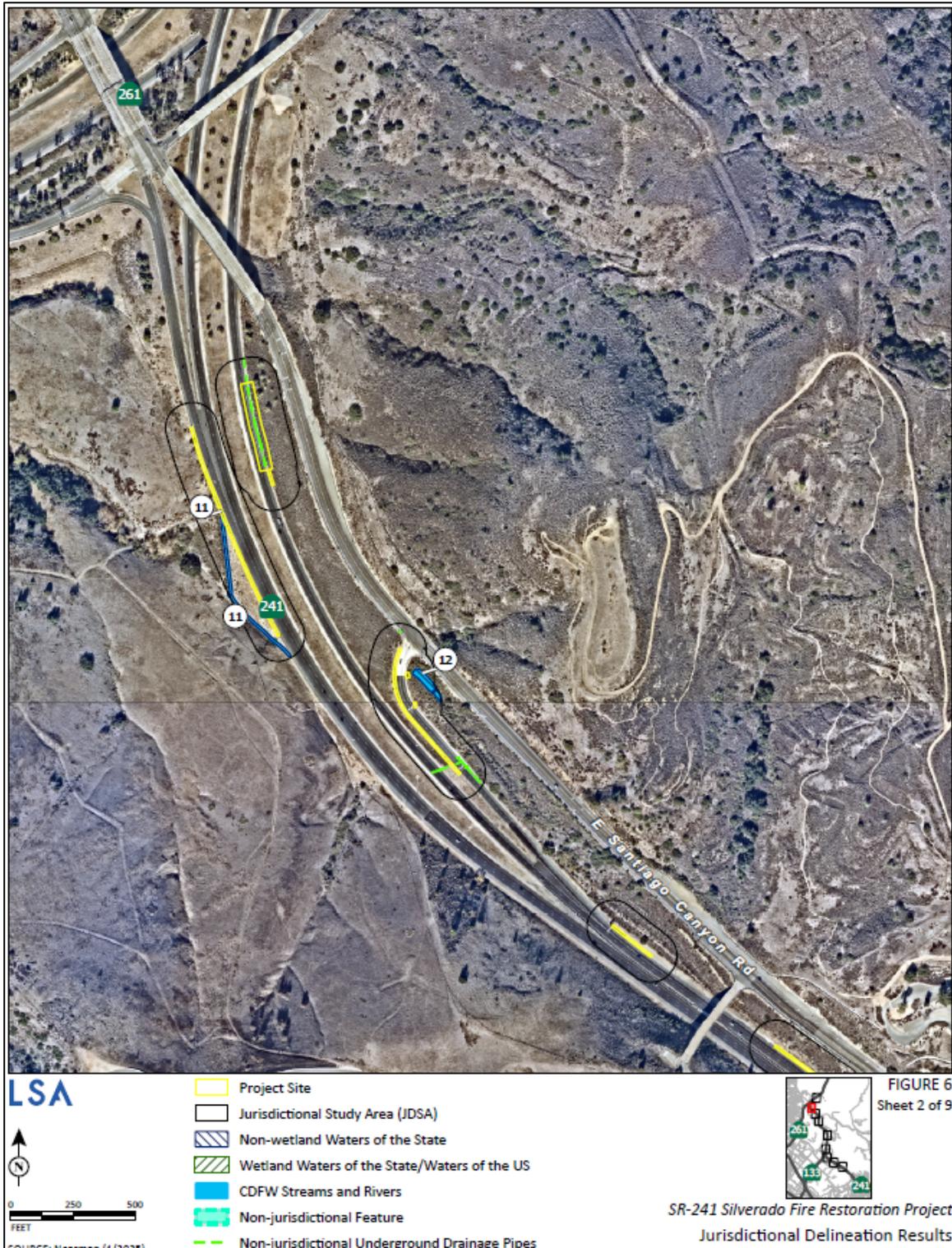


Figure 3. Project Location (cont.)



**Figure 4. Project Aquatic Resources Features 1-10**



**Figure 5. Project Aquatic Resources Features 11-12**

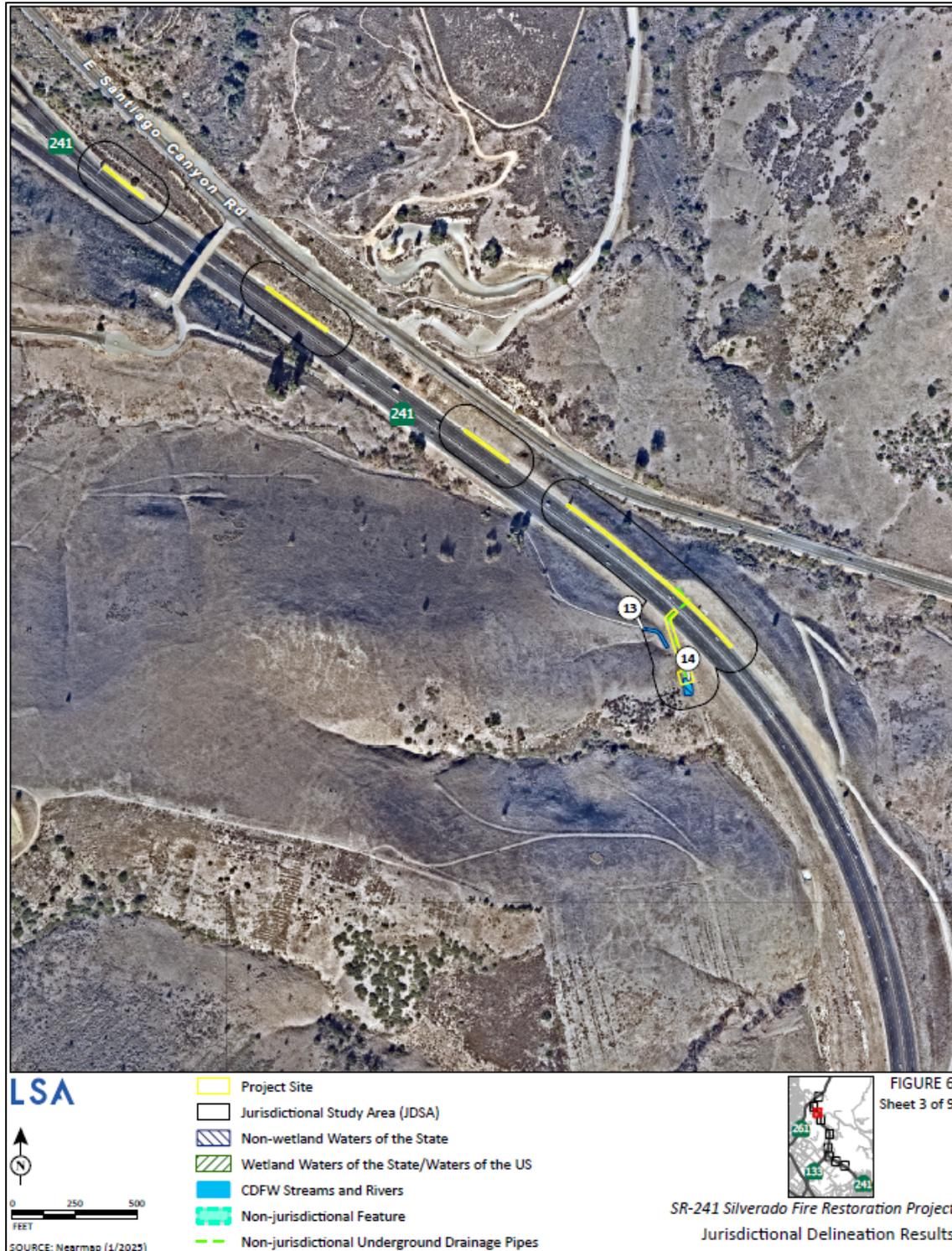


Figure 6. Project Aquatic Resources Features 13-14

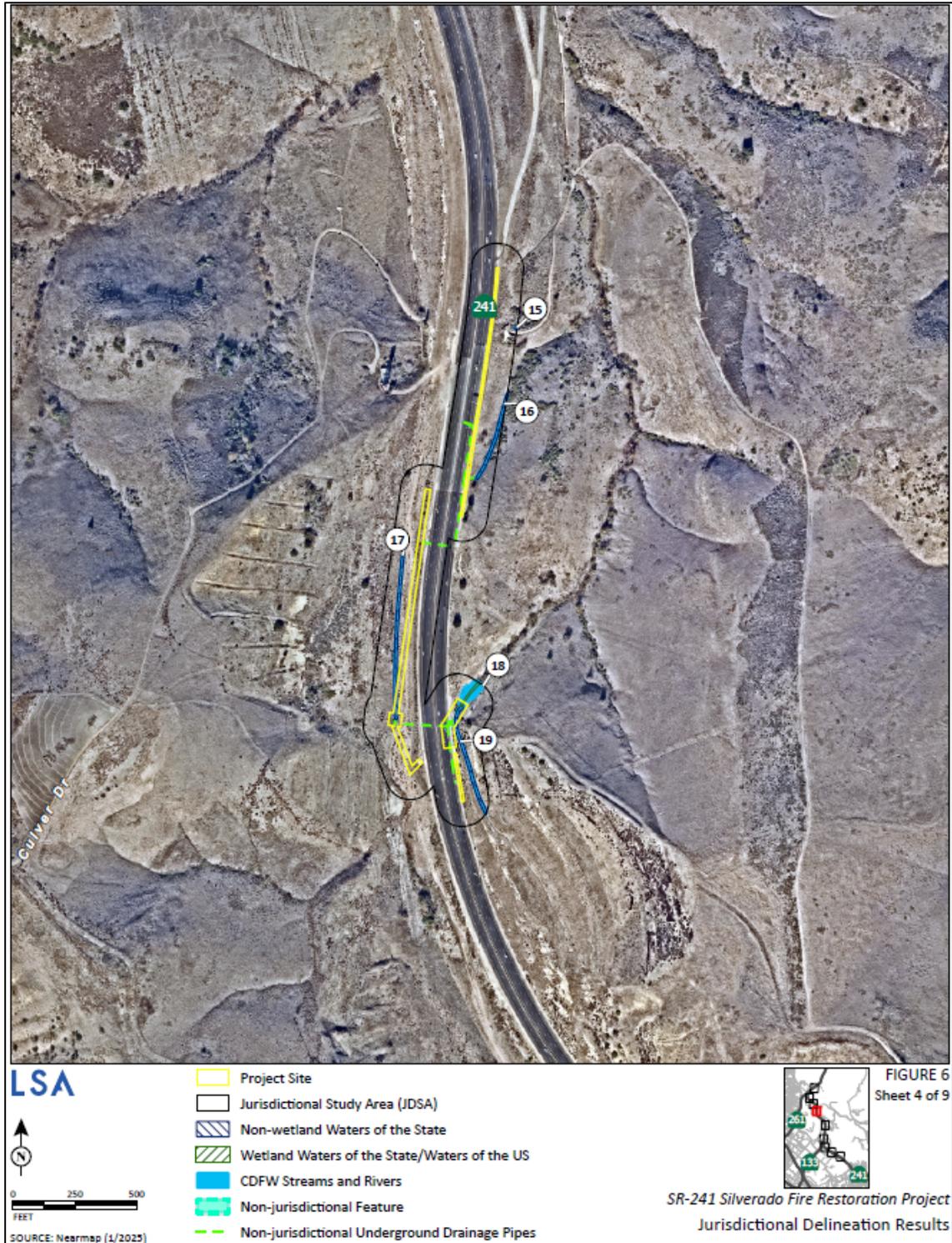


Figure 7. Project Aquatic Resources Features 15-19



**Figure 8. Project Aquatic Resources Features 20-21**

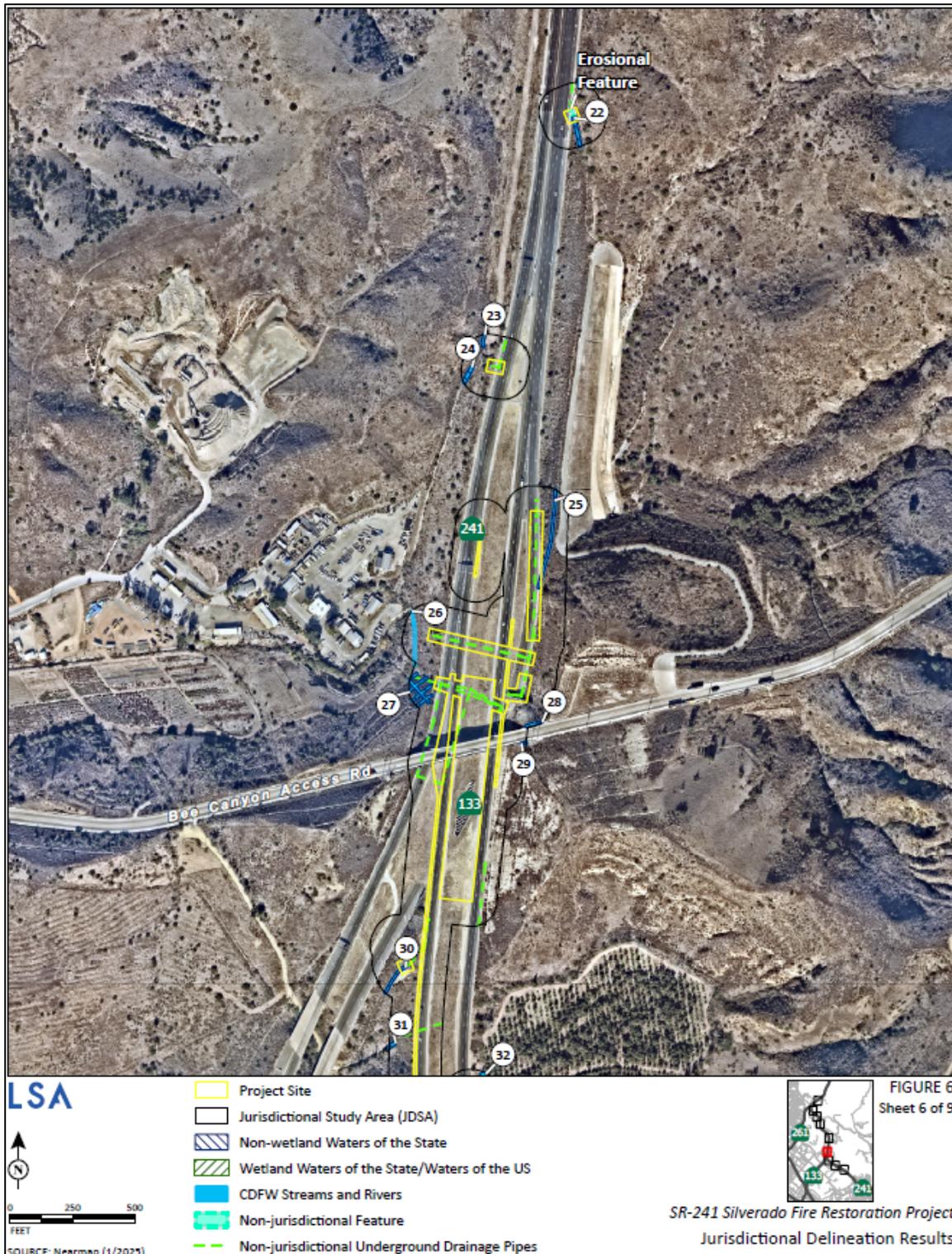
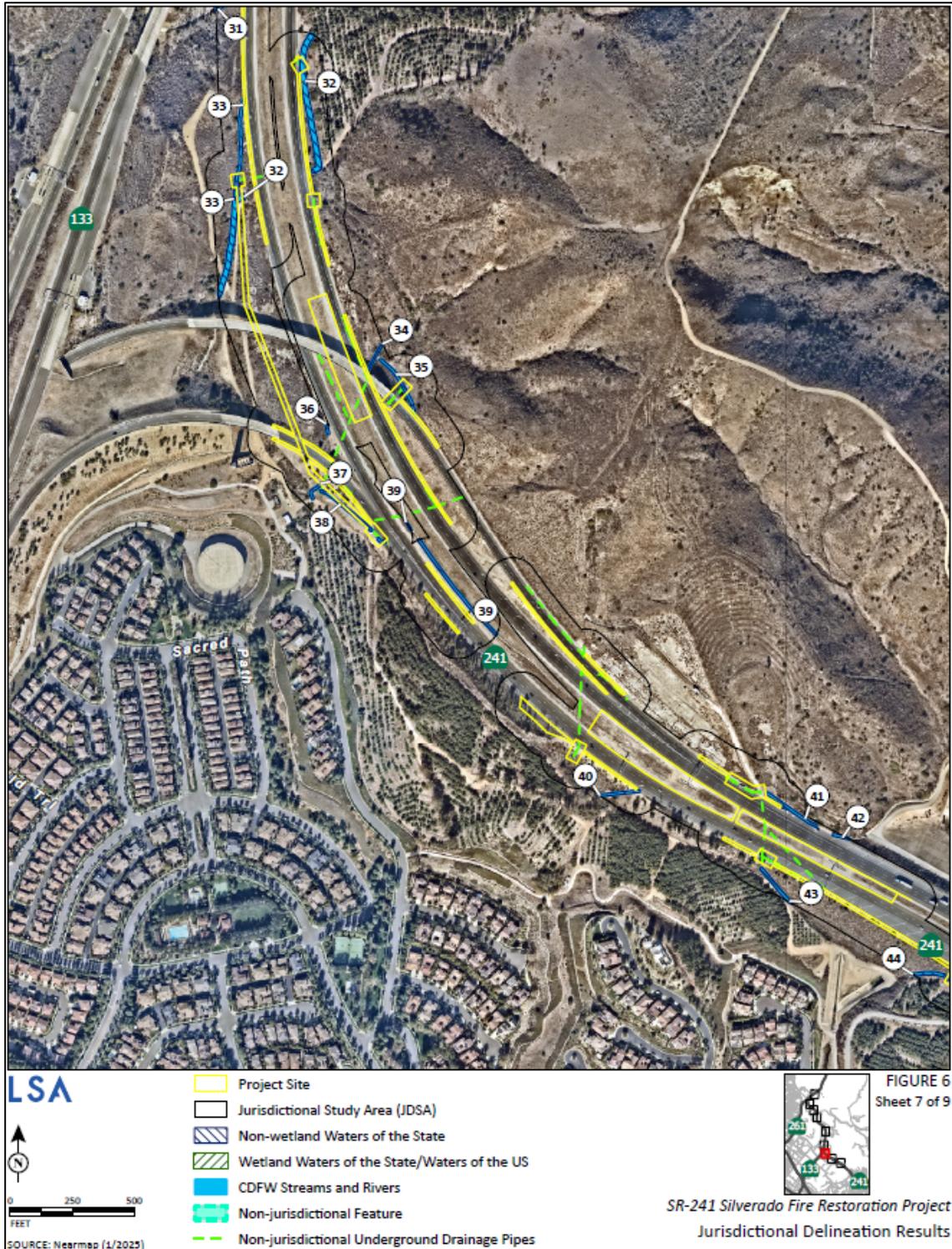


Figure 9. Project Aquatic Resources Features 22-32



**Figure 10. Project Aquatic Resources Features 31-44**

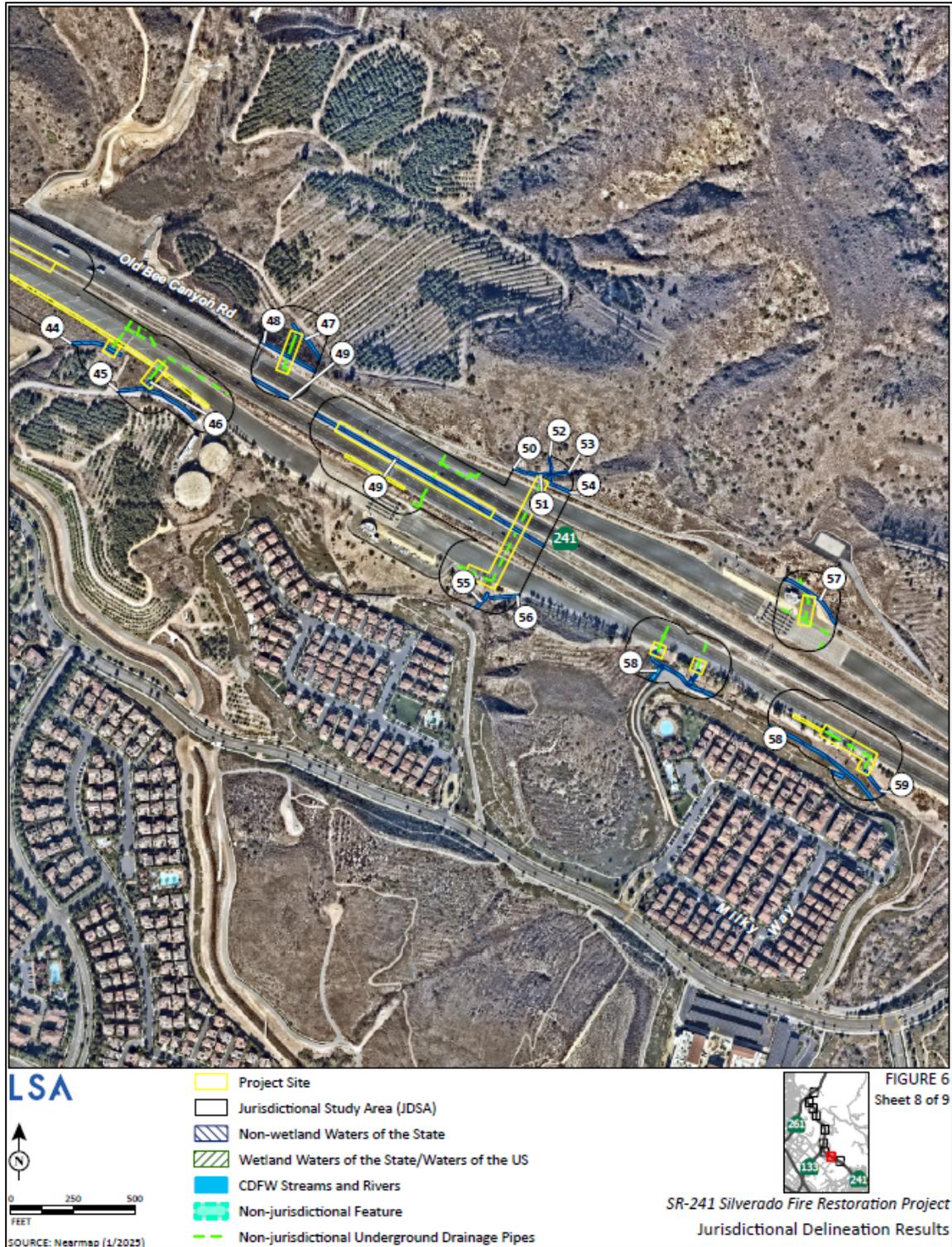
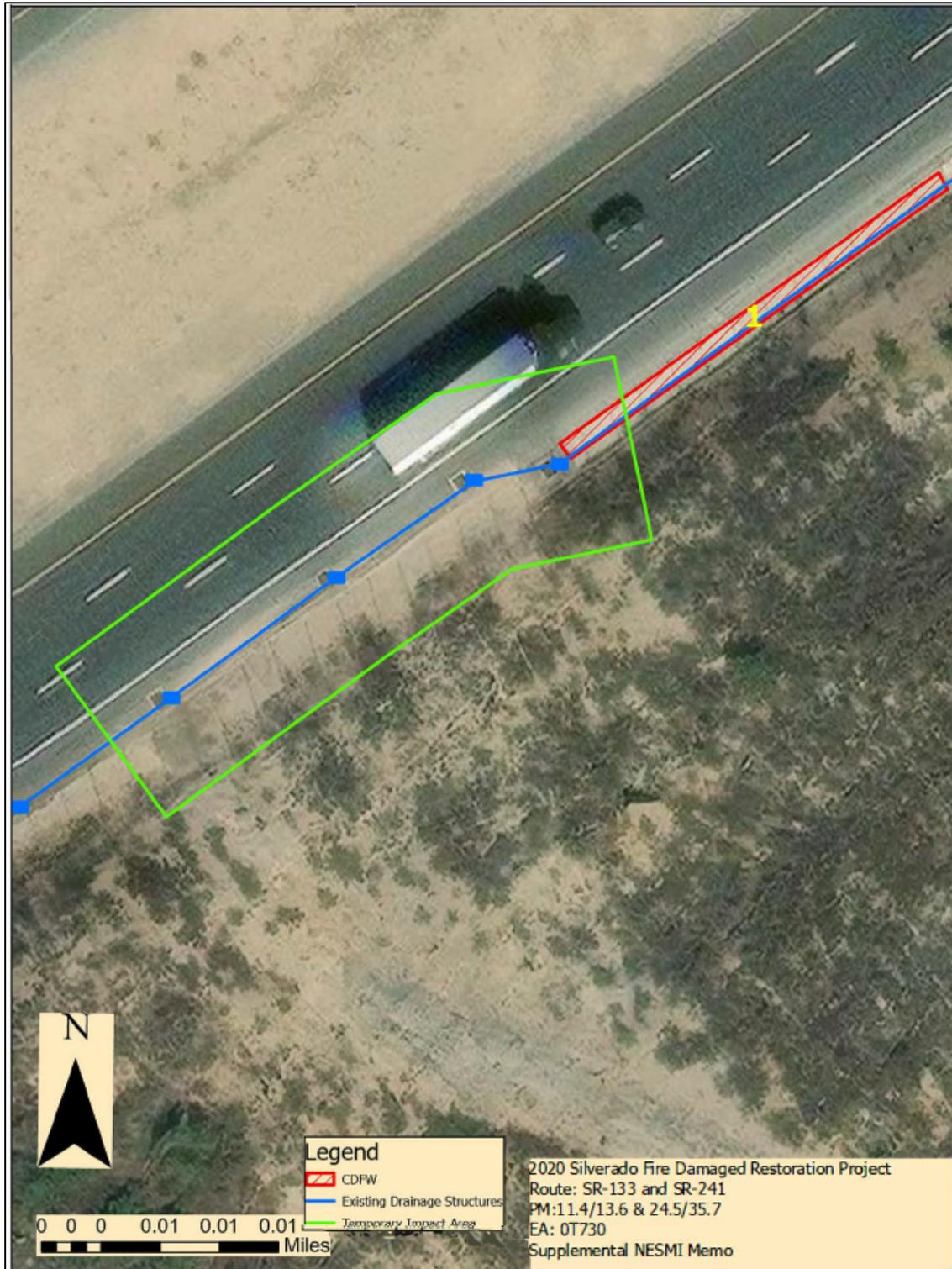


Figure 11. Project Aquatic Resources Features 44-59



Figure 12. Project Aquatic Resources Features 60-69



**Figure 13. Project Resources and Impacts to Feature 1**

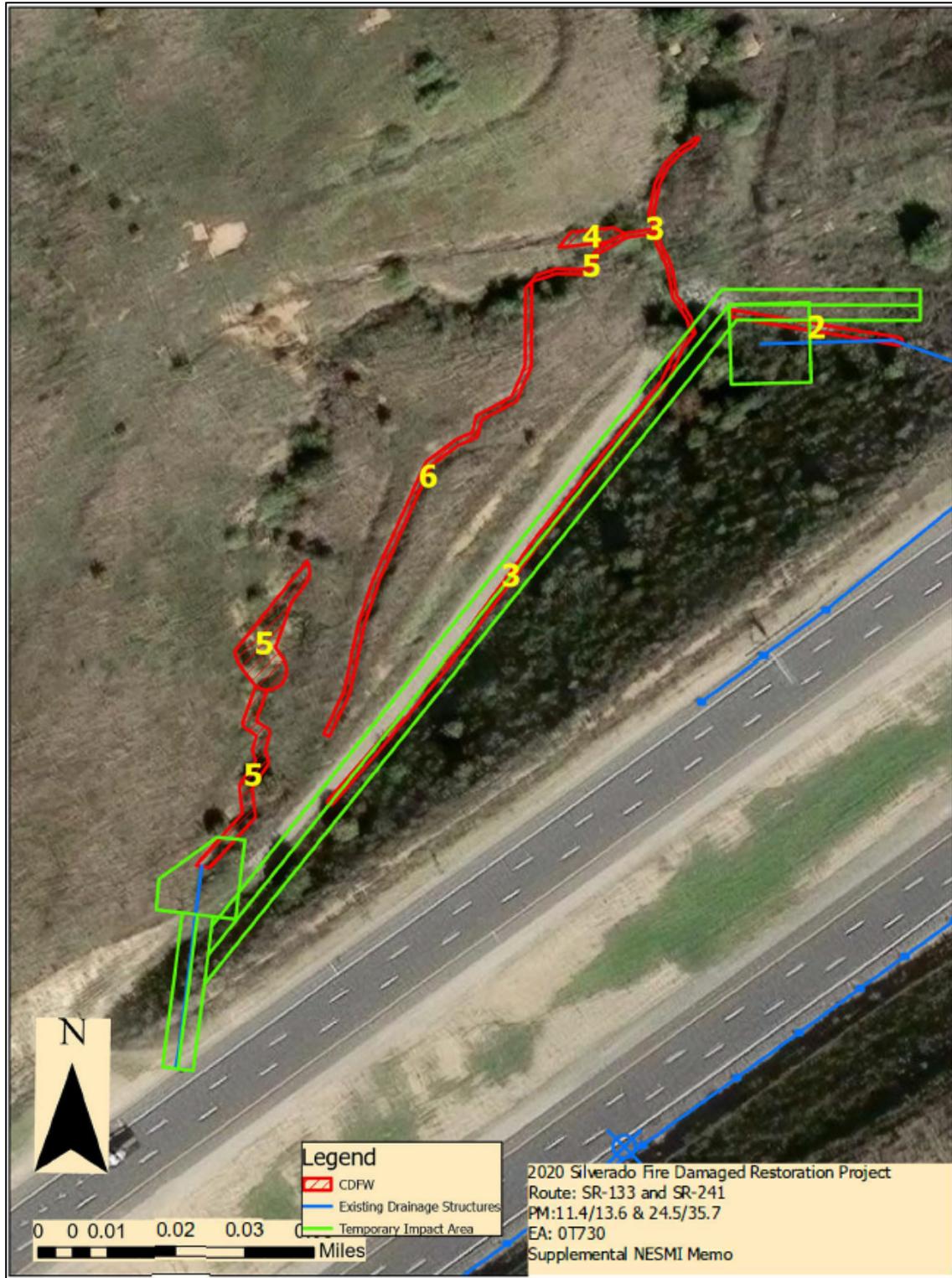
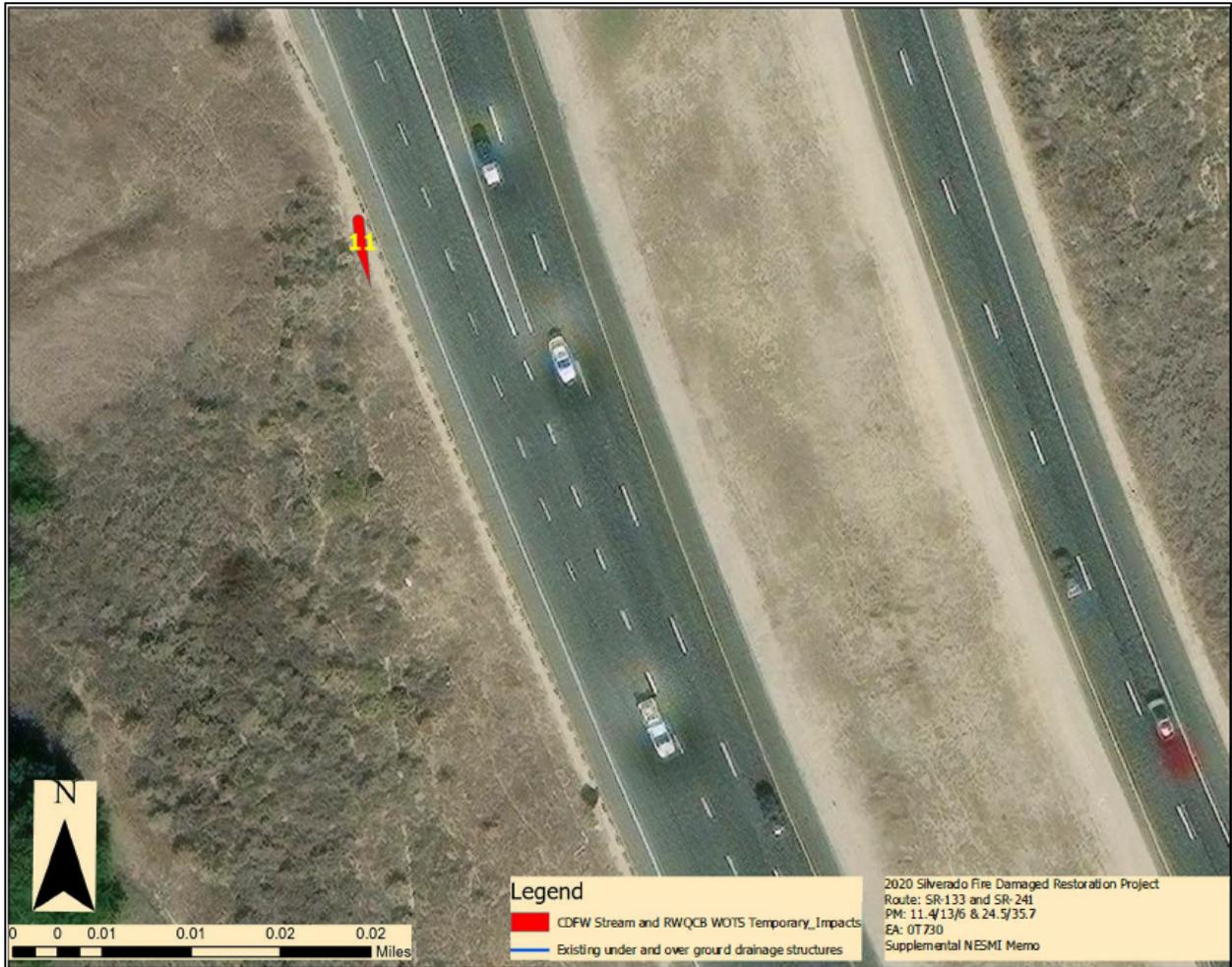


Figure 14. Project Resources and Impacts to Features 2, 3, and 5



**Figure 15. Project Resources and Impacts to Feature 11**

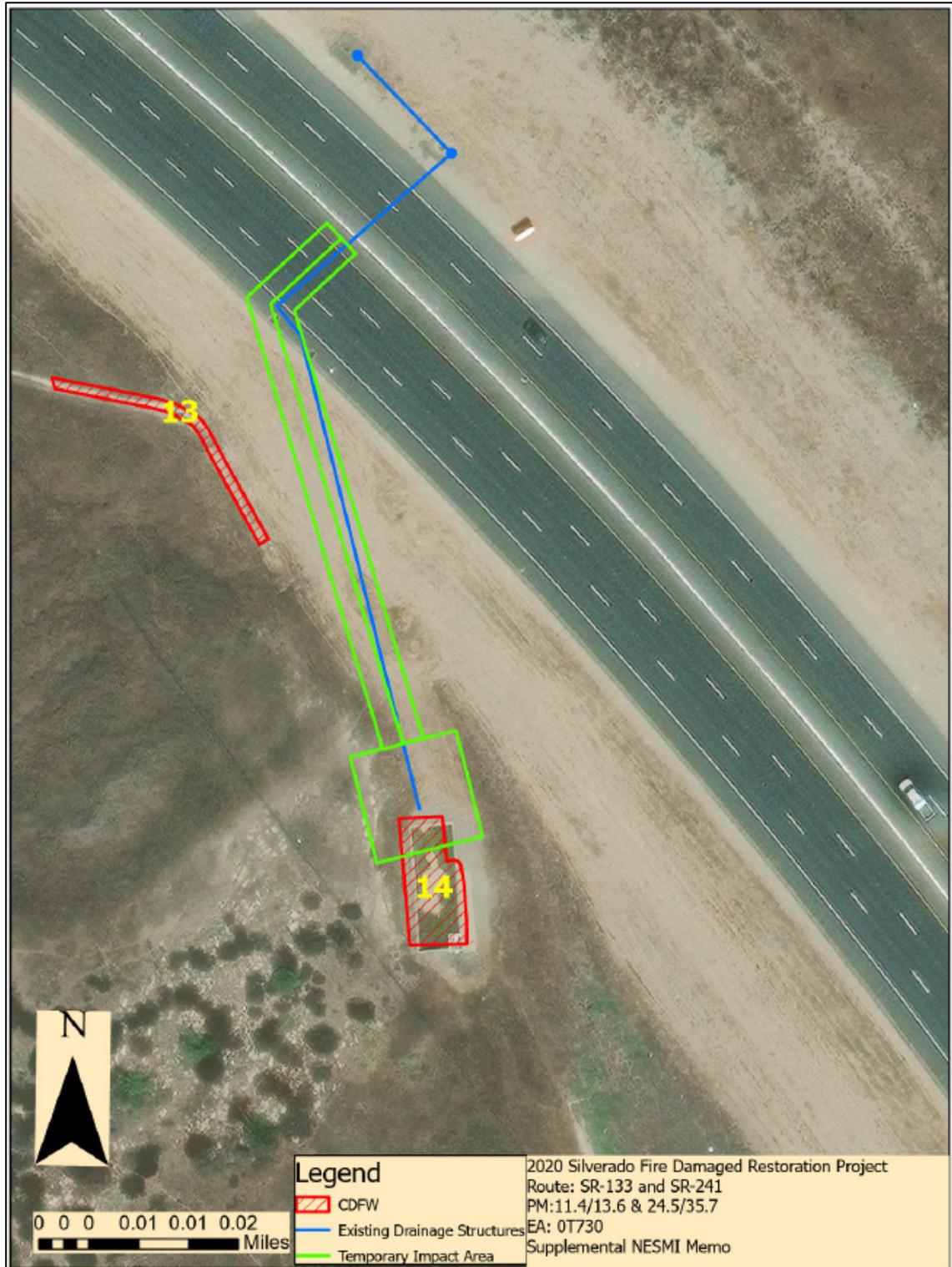


Figure 16. Project Resources and Impacts to Feature 14

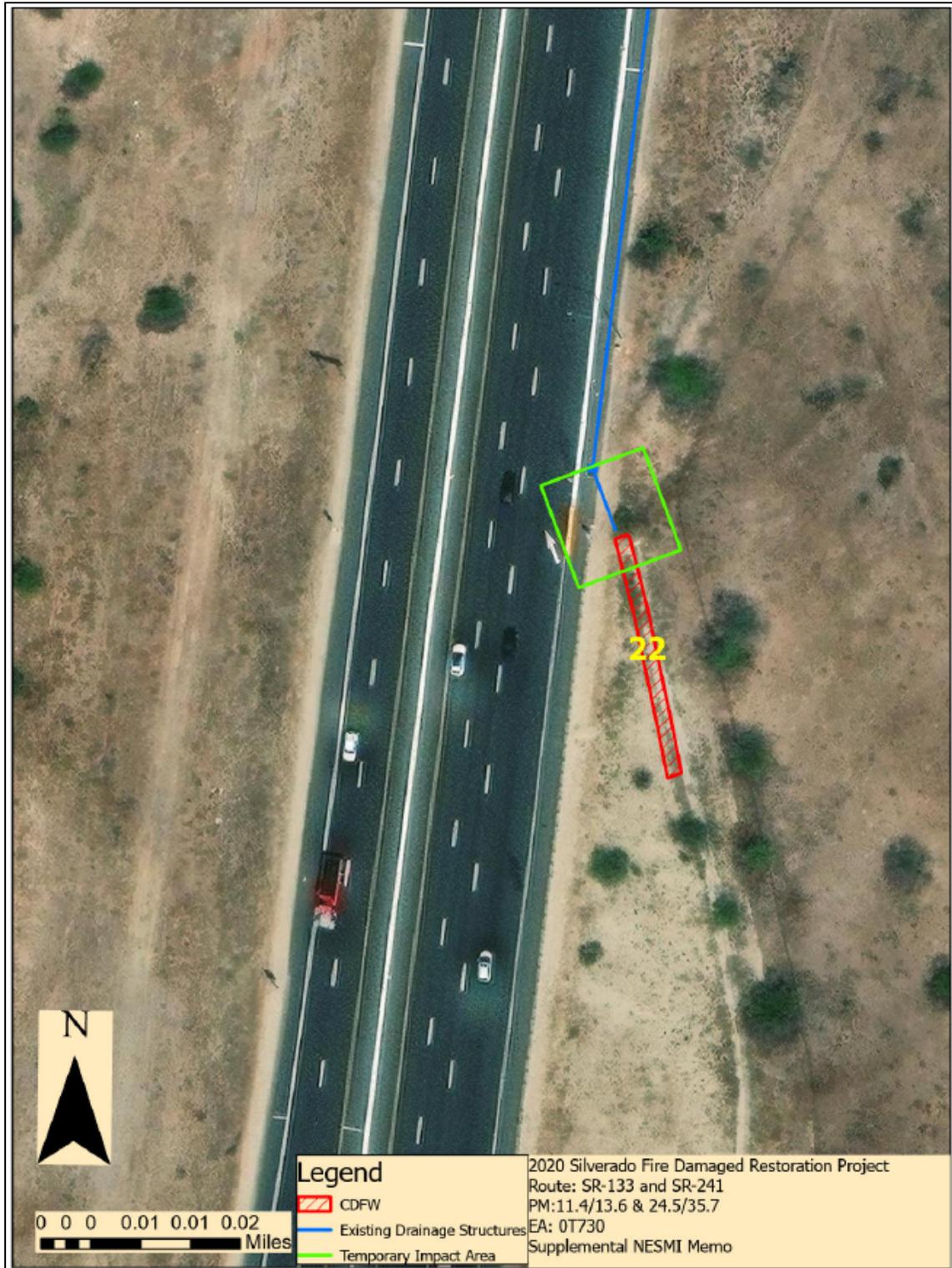
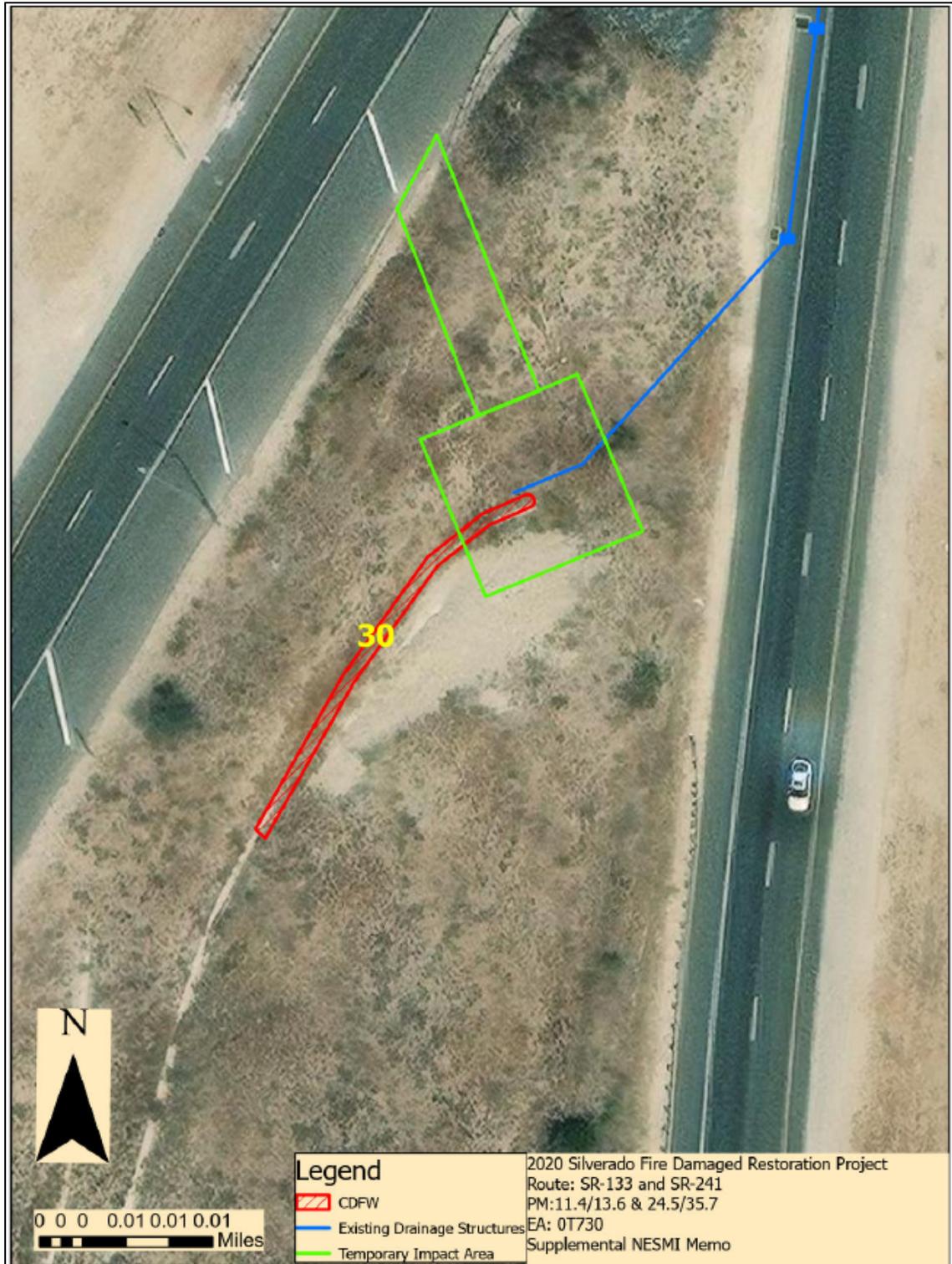


Figure 17. Project Resources and Impacts to Feature 22



Figure 18. Project Resources and Impacts to Feature 25



**Figure 19. Project Resources and Impacts to Feature 30**

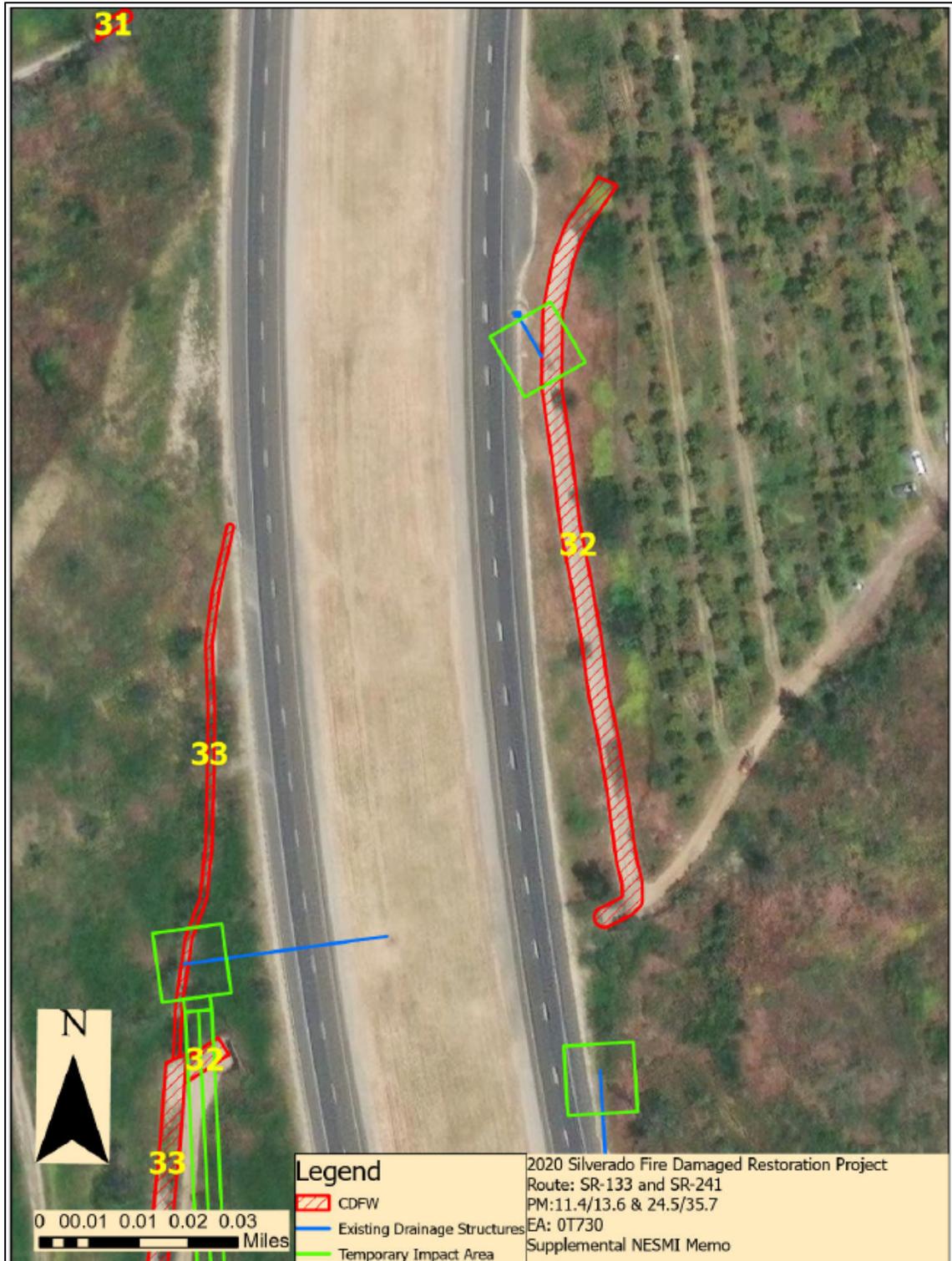
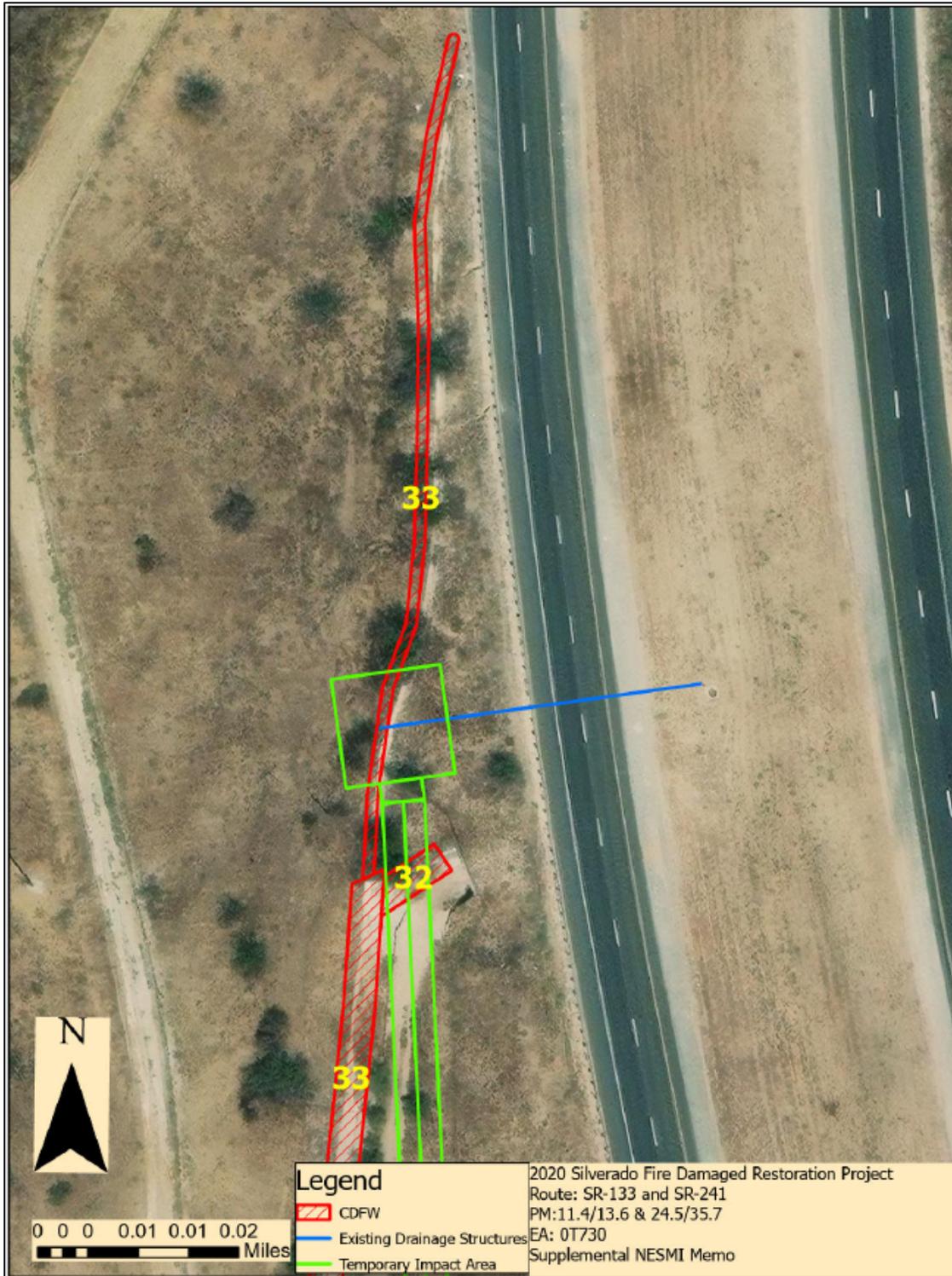


Figure 20. Project Resources and Impacts to Features 32-33



**Figure 21. Project Resources and Impacts to Features 32-33  
(cont.)**



Figure 22. Project Resources and Impacts to Feature 35

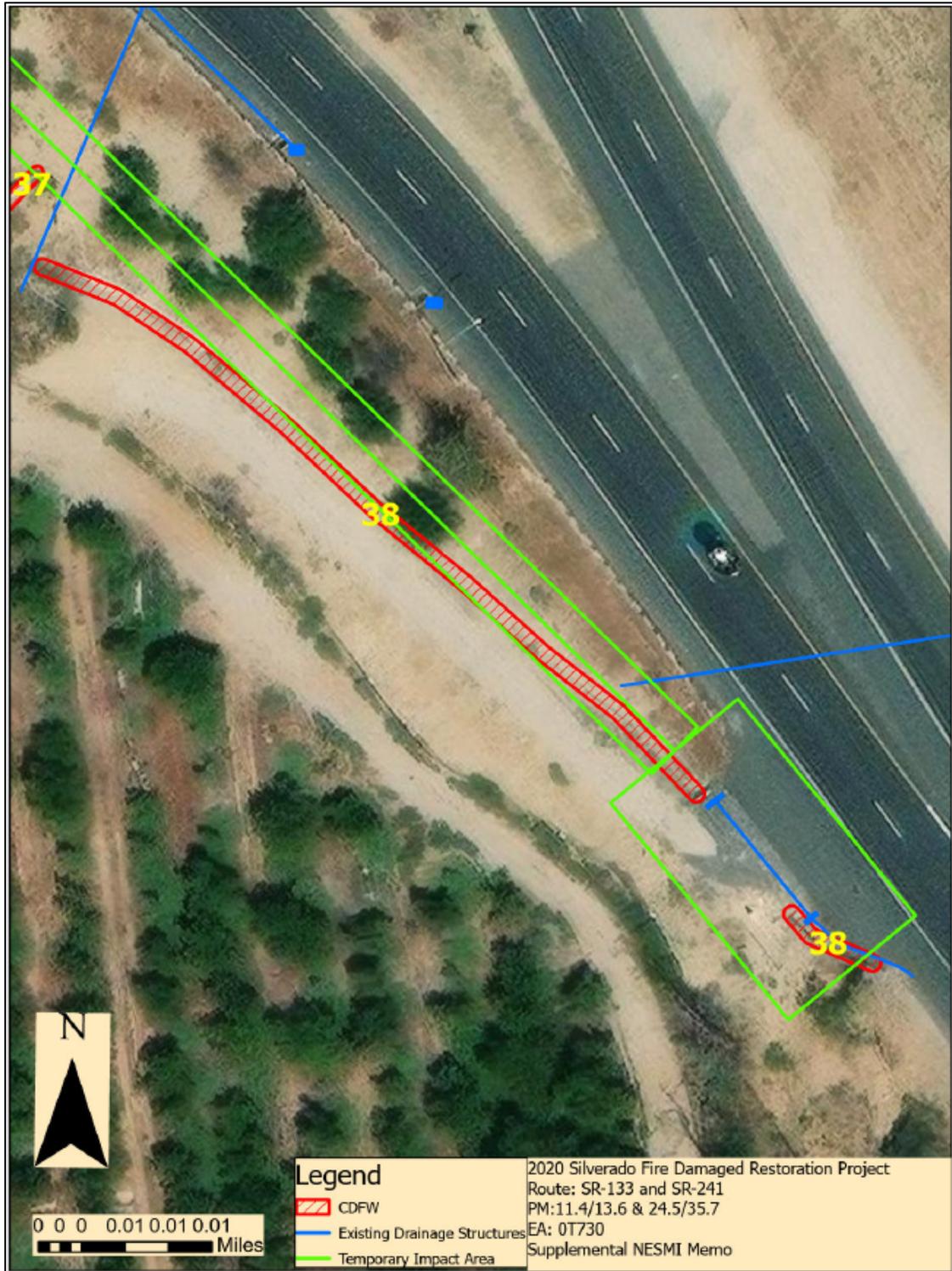
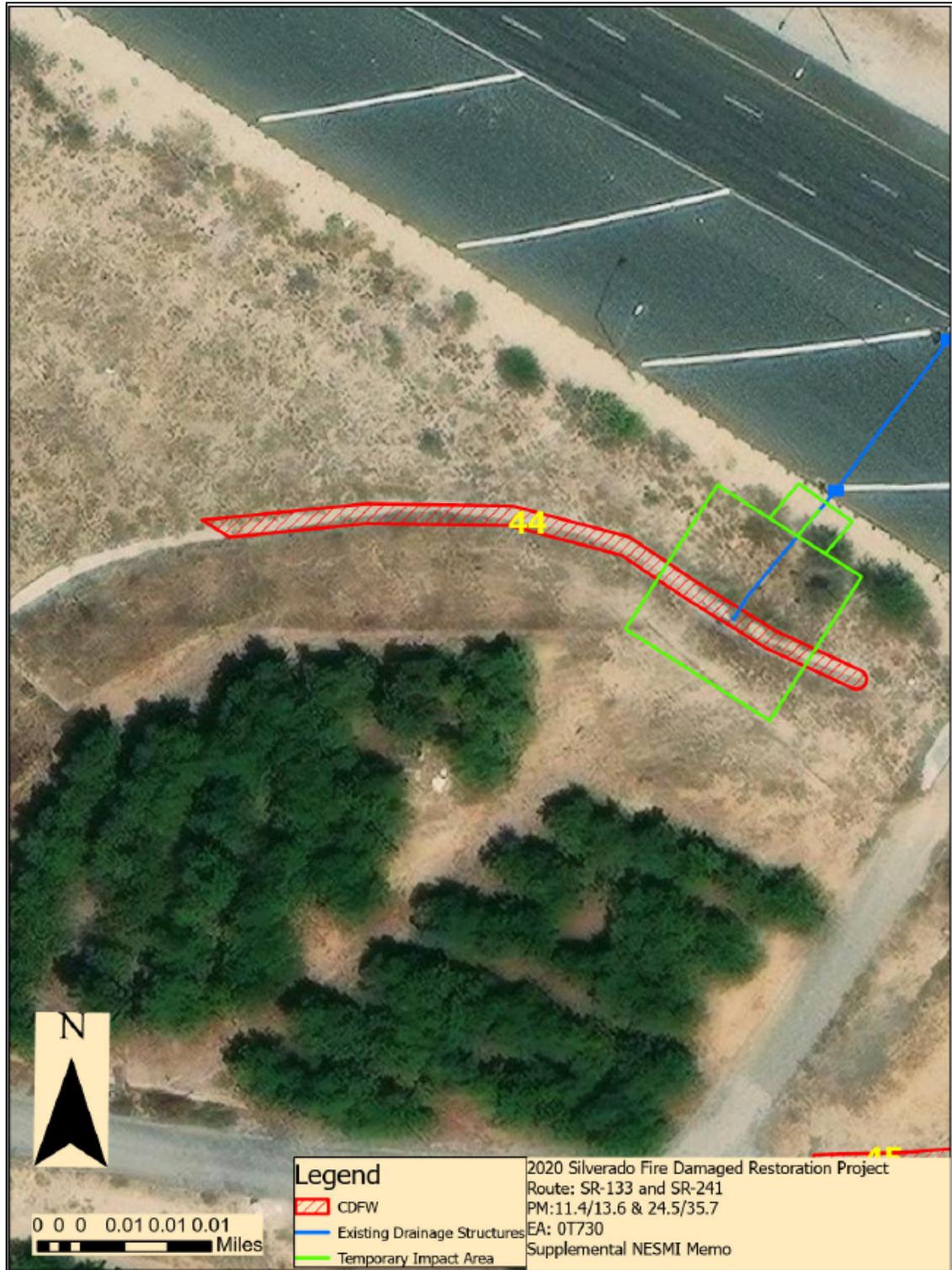


Figure 23. Project Resources and Impacts to Features 37-38



**Figure 24. Project Resources and Impacts to Feature 44**



Figure 25. Project Resources and Impacts to Features 45-46

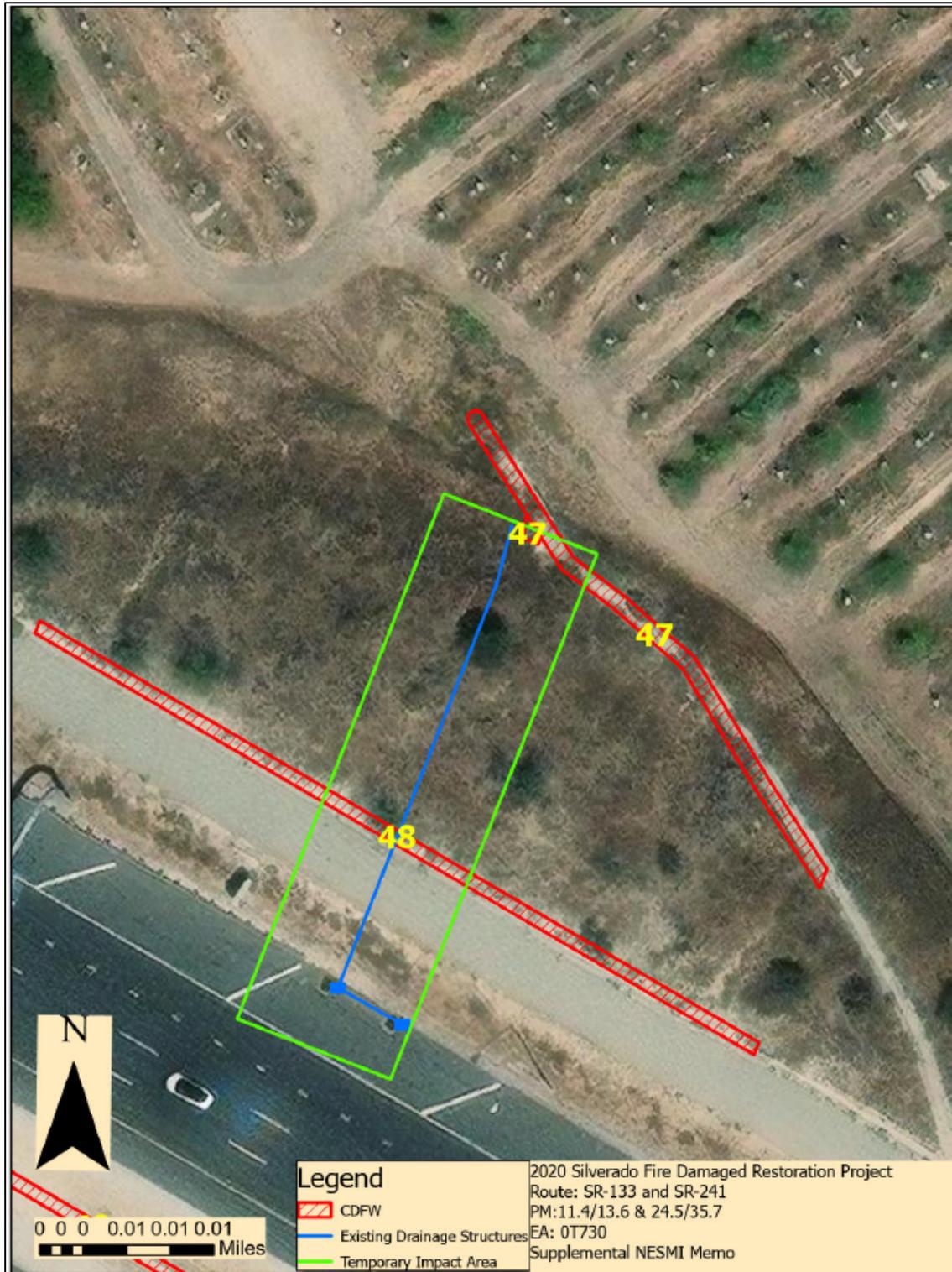


Figure 26. Project Resources and Impacts to Features 47-48



**Figure 27. Project Resources and Impacts to Feature 49**

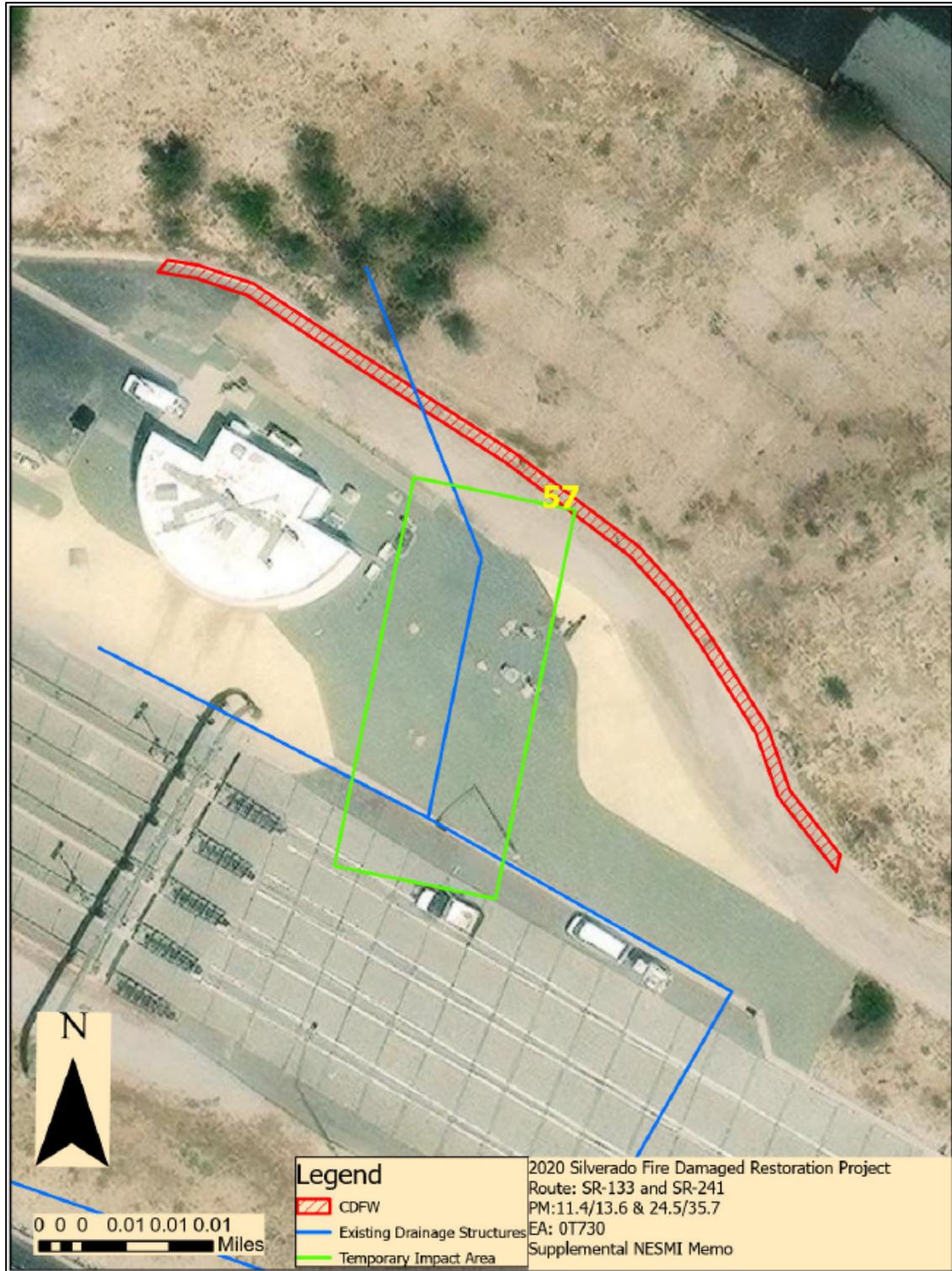


Figure 28. Project Resources and Impacts to Feature 57

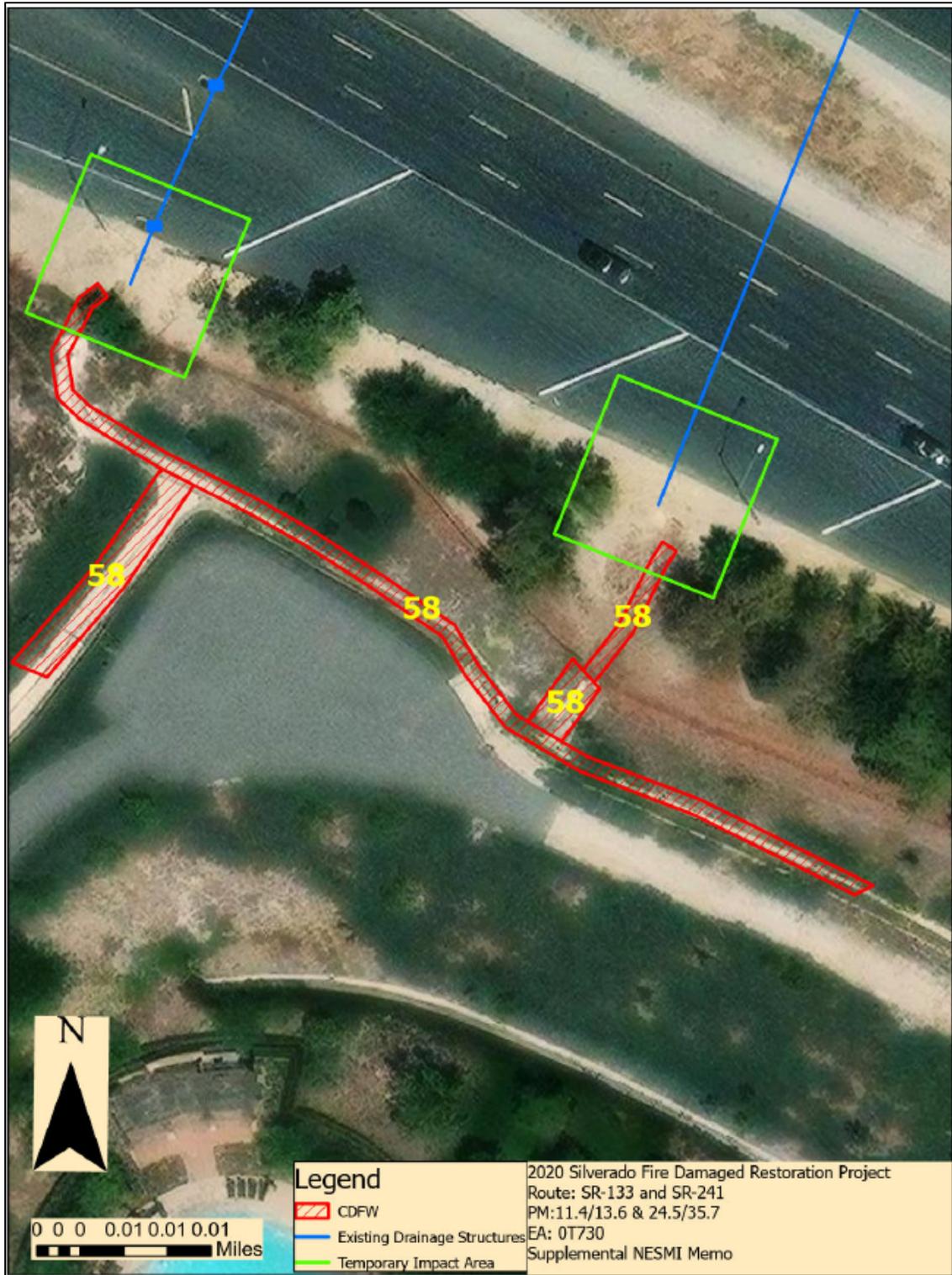


Figure 29. Project Resources and Impacts to Feature 58

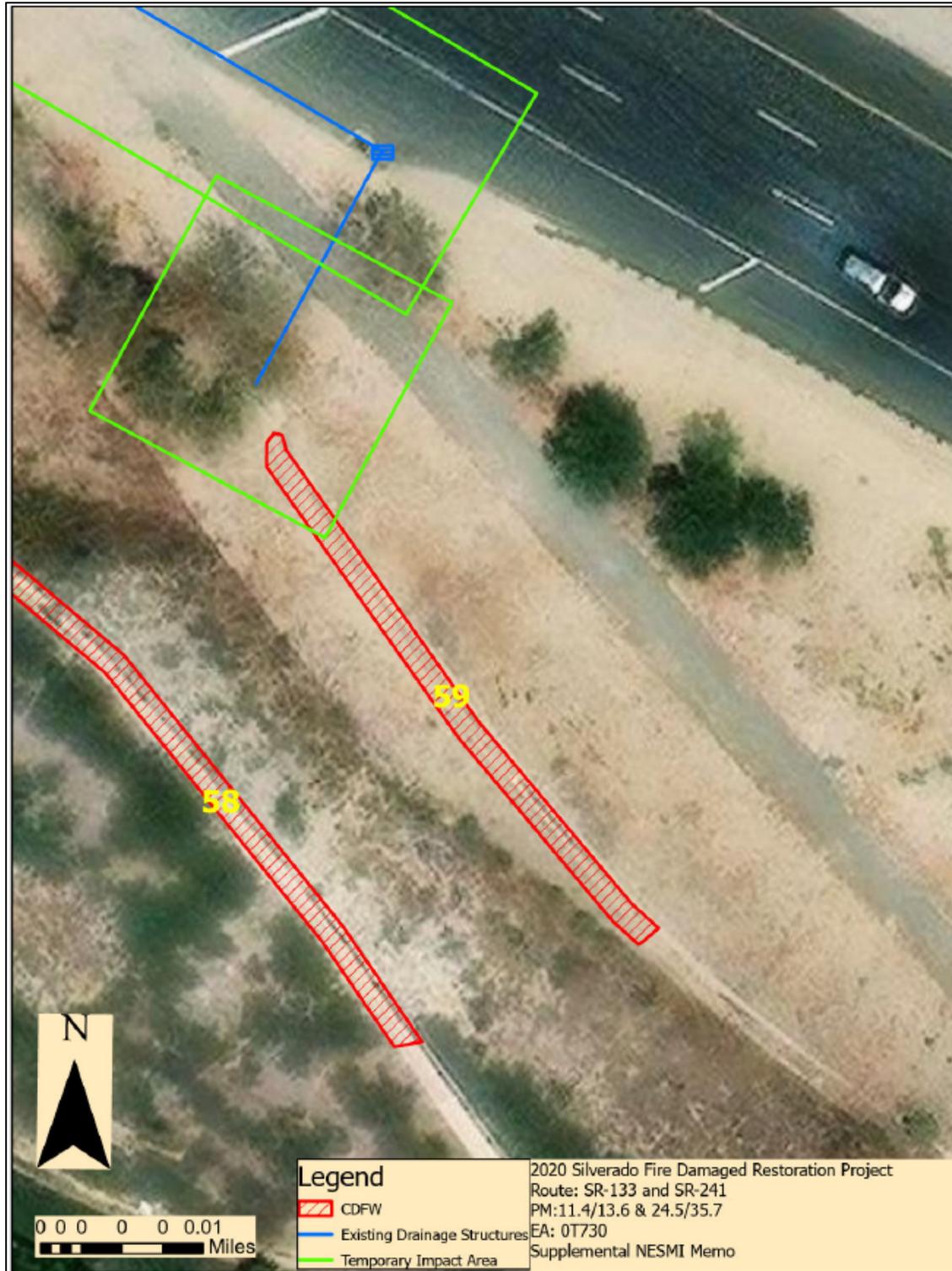


Figure 30. Project Resources and Impacts to Features 58-59

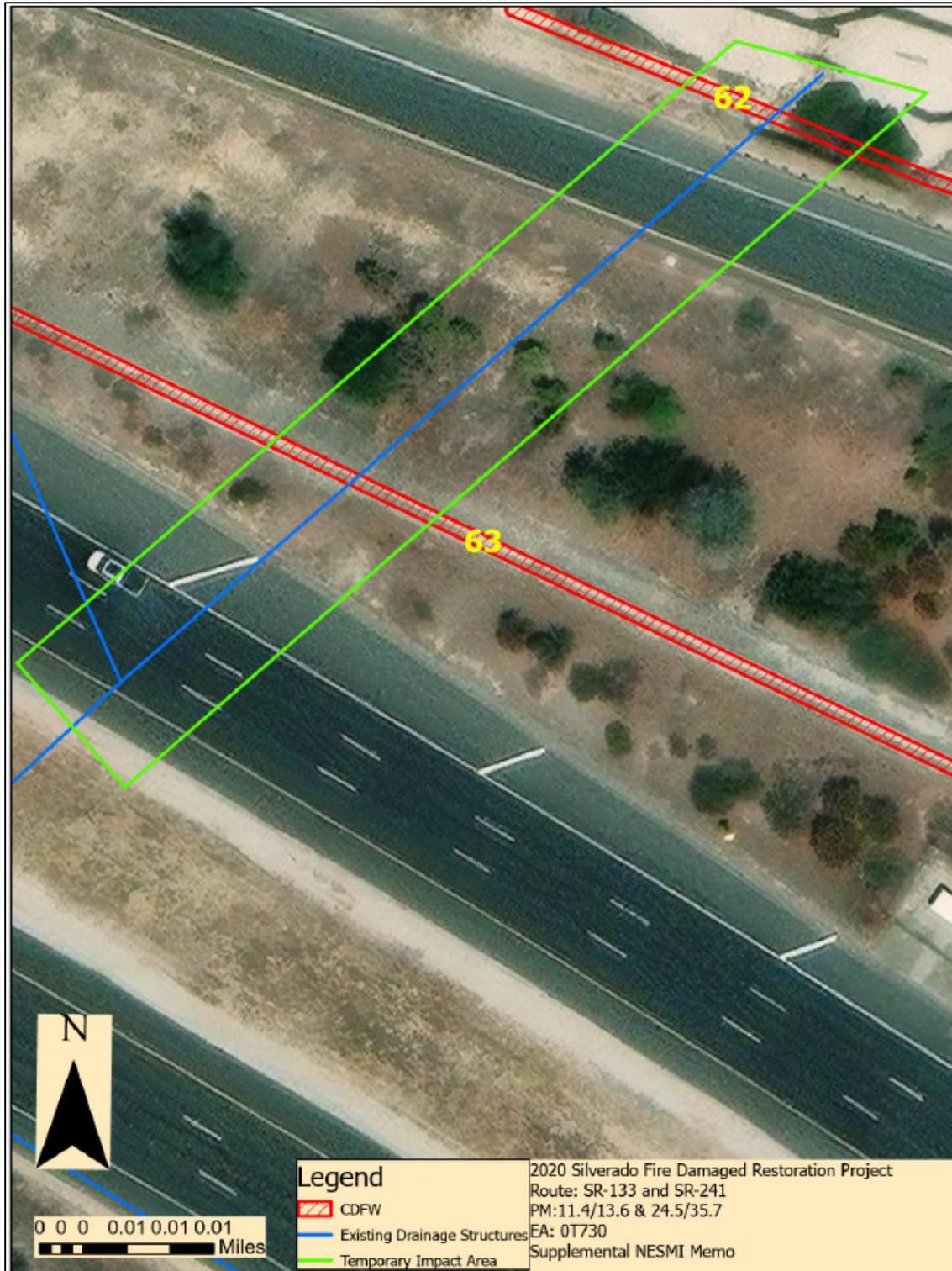


Figure 31. Project Resources and Impacts to Features 62-63

## 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](mailto:RB8-401Reporting@waterboards.ca.gov)
  - b) Include in the subject line of the email: Order R8-2026-0018 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.

### 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

**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.

<b>Report and Notification Cover Sheet</b>
<b>Project:</b> Silverado Fire Damaged Restoration Project
<b>Discharger:</b> California Department of Transportation, District 12
<b>Order No.:</b> R8-2026-0018
<b>Order Effective Date:</b> April 24, 2026

<b>Report Type Submitted</b>
<input type="checkbox"/> Report Type 1: Annual Report
<input type="checkbox"/> Report Type 2: Commencement of Construction Report
<input type="checkbox"/> Report Type 3: Request for Notice of Completion Discharges Letter
<input type="checkbox"/> Report Type 4: Request for Notice of Project Complete Letter
<input type="checkbox"/> 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 in 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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CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 12  
SILVERADO FIRE DAMAGED RESTORATION PROJECT  
**ATTACHMENT B—REPORTS AND NOTIFICATIONS**

<b>Report Type 1</b>	<b>Annual Report</b>
<b>Purpose:</b>	Notify the Santa Ana Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
<b>When to Submit:</b>	Annual reports shall be submitted each year by the effective date. Annual reports shall continue until a <i>Notice of Project Complete Letter</i> is issued to the Discharger.
<b>Report Contents:</b>	<p><b>Part A:</b></p> <ol style="list-style-type: none"> <li>1. Project progress and schedule, including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water BMPs. If construction has not started, provide estimated start date and reasons for delay.</li> </ol> <p><b>Part B:</b></p> <ol style="list-style-type: none"> <li>1. Planned date of initiation of restoration of temporary impacts.</li> <li>2. If restoration is in progress, a map of what has been completed to date.</li> <li>3. If the restoration has been completed, provide a final map and information concerning attainment of performance standards.</li> </ol>

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

<b>Report Type 3</b>	<b>Request for Notice of Completion of Discharge Letter</b>
<b>Purpose:</b>	Notify Santa Ana Water Board staff that post-construction monitoring is required and that active Project construction, including any restoration, is complete.
<b>When to Submit:</b>	Must be received by Santa Ana Water Board staff within thirty (30) days following completion of all Project activities.

CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 12  
 SILVERADO FIRE DAMAGED RESTORATION PROJECT  
**ATTACHMENT B—REPORTS AND NOTIFICATIONS**

<b>Report Type 3</b>	<b>Request for Notice of Completion of Discharge Letter</b>
<b>Report Contents:</b>	<ol style="list-style-type: none"> <li>1. Status of storm water Notice of Termination(s), if applicable.</li> <li>2. Status of post-construction storm water BMP installation.</li> <li>3. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized.</li> <li>4. Summary of deviation discharge quantities compared to initial authorized impacts to waters of the state, if applicable.</li> <li>5. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and Discharger-responsible compensatory mitigation during the post-discharge monitoring period, if applicable.</li> </ol>

<b>Report Type 4</b>	<b>Request for Notice of Project Complete Letter</b>
<b>Purpose:</b>	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.
<b>When to Submit:</b>	Must be received by Santa Ana Water Board staff within thirty (30) days following completion of all Project activities.
<b>Report Contents:</b>	<p><b>Part A: Restoration for Temporary Impacts</b></p> <ol style="list-style-type: none"> <li>1. A report establishing that the performance standards outlined in the restoration plan have been met for Project site upland areas of temporary disturbance that could result in a discharge to waters of the state.</li> <li>2. A report establishing that the performance standards outlined in the restoration plan have been met for restored areas of temporary impacts to waters of the state. Pre- and post-photo documentation of all restoration sites.</li> </ol>

<b>Report Type 5</b>	<b>Transfer of Property Ownership</b>
<b>Purpose:</b>	Notify Santa Ana Water staff of change in ownership of the Project or Discharger-responsible mitigation area.
<b>When to Submit:</b>	At least 30 working days prior to the transfer of ownership.

<b>Report Type 5</b>	<b>Transfer of Property Ownership</b>
<b>Report Contents:</b>	<ol style="list-style-type: none"> <li>1. A statement that the Discharger has provided the purchaser with a copy of this Order and that the purchaser understands and accepts:                             <ul style="list-style-type: none"> <li>• 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</li> <li>• responsibility for compliance with any long-term BMP maintenance plan requirements in this Order.</li> </ul> </li>   <li>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.</li> </ol>

### **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.”