

Attachment B – Notice of Intent Instructions

How to Apply

Applicants seeking Pacific Gas and Electric Company Bay Area Operations and Maintenance Program authorization are required to submit a Notice of Intent (NOI) to the appropriate Water Board. A [map showing regional water board jurisdictional boundaries](http://www.waterboards.ca.gov/waterboardsmap.shtml) is available on the Water Board's website (<http://www.waterboards.ca.gov/waterboardsmap.shtml>). Addresses and contact information can be found in the online [Staff Directory](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf).

Regional Water Board NOI Submission

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

State Water Board NOI Submission

For projects that cross a Regional Water Board boundary: submit the NOI and application fee to the State Water Board. The appropriate Regional Water Boards should also be provided a copy of any NOI submitted to the State Water Board. For State Water Board NOIs, mail to:

State Water Resources Control Board, Division of Water Quality
1001 I Street; 15th Floor
Sacramento, CA 95814
(SWBNWP@waterboards.ca.gov)

Fees

Fee amounts are determined according to the [Cal. Code Regs., tit. 23, § 2200\(a\)\(2\) fee schedule](https://govt.westlaw.com/calregs/Document/IEEE14760D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) ([https://govt.westlaw.com/calregs/Document/IEEE14760D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IEEE14760D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))).

- A [fee calculator](https://www.waterboards.ca.gov/water_issues/programs/cwa401/#fees) is available online and may be used to **estimate** fees (https://www.waterboards.ca.gov/water_issues/programs/cwa401/#fees).
- Include only the application fee with your NOI. Water Board staff will determine whether any additional project fees are required during NOI review.
- Fees may be paid online or by check, money order, or cashier check. Information on how to make an online payment is available at the State Water Board's [Fee Payment Website](https://www.waterboards.ca.gov/make_a_payment/) (https://www.waterboards.ca.gov/make_a_payment/). If fees are paid online prior to application submission, attach payment receipt to the NOI. Although fees should be included with the NOI and submitted to the appropriate Water Board, **make all checks, money orders, and cashier checks payable to the "State Water Board."**

- Fees are subject to change.

Notice of Intent Review Process

To avoid project delays, submit an NOI as early as possible. Within 30 days of NOI receipt, Water Board staff will determine if the NOI is complete.

- Incomplete NOIs will be returned to the applicant with a request to provide information needed to determine the NOI complete. In cases where the NOI is incomplete and the applicant fails to provide the requested information, the Water Board may issue a Notice of Exclusion (NOE).
- If the NOI is determined complete, within 45 days of NOI receipt, the Water Board will either issue a Notice of Applicability (NOA) or an NOE.
 - If the Water Board does not issue an NOA or NOE within 45 days of receiving a complete NOI, the discharger may proceed with the project according to all applicable Certification conditions.
- An NOA authorizes the proposed activity for enrollment under the Certification. An NOE denies authorization and enrollment of the proposed activity under the Certification.

Definitions

Consider the following definitions while completing your NOI.

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

Temporary aquatic resource impacts are impacts that temporarily cause a physical loss or ecological degradation of an aquatic resource. The impact must be restored to pre-project conditions through natural ecological processes or active restoration in order to be classified as temporary. If the impact is not restored to pre-project condition, it is classified as permanent.

Consider the following instructions while completing the NOI form:

Activity Type

Identify the planned Activity Type(s).

Legally Responsible Party and Duly Authorized Representative Information

Duly Authorized Representative Name and Title: The Duly Authorized Representative (agent) is authorized to certify and submit applications or reports to the Water Boards on behalf of the Legally

Responsible Party. Telephone number, email address, and the agent's mailing address (not the project address) including the street, city, state, and zip code must be provided.

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

Transmission Line/Tower/Pole/Pipeline Name(s)/Number(s): Provide the name and/or number of each transmission line, tower, pole and/or pipeline that will be affected by the project.

Project Information

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

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

Driving Directions: Provide directions to the project site from the nearest major intersection.

Activity Purpose: Provide a brief narrative description of the proposed project's end goal.

Description of Activity and Environmental Impacts: Provide a detailed, technically accurate narrative description of the proposed project purpose, project design, all activities planned to complete the design. Include total impacts, area of ground disturbance and area of impact to all aquatic resources on the site (i.e., any and all streams, wetlands, lakes, ponds, beaches, shorelines, etc). If temporary diversions or impoundments of water, cofferdams, or similar structures are proposed, include a dewatering plan as required in Certification. If trimming of riparian vegetation is proposed, describe the species impacted and explain why trimming is necessary to complete the project.

Site-Specific Avoidance and Minimization Measures (as applicable): Describe steps taken to avoid impacts to waters and measures incorporated into the project design to minimize loss of, or significant adverse impacts to, beneficial uses of waters of the state, including on-site restoration of the project area. A description may include actions or methods proposed for erosion control, including winterization strategies to stabilize bare soils and revegetation proposals. A map may be included to indicate the approximate location and area of soil, land and vegetation disturbance, and proposed erosion and sediment control best management practices (BMPs) proposed to avoid and minimize

project impacts to waters of the state, including BMPs for hazardous substances. Refer to the Procedures' state Supplemental Dredge or Fill Guidelines, subpart H, for actions to minimize adverse impacts to waters of the state. If the effects of impervious surfaces will be minimized through implementation of Low Impact Development treatments, describe those minimization treatments.

Description of Other Known Projects in the Vicinity Scheduled to Occur at the Same Time, Resulting in Potential Cumulative Environmental Impacts: Include a discussion of any potential cumulative impacts. Provide a brief description, including estimated adverse impacts of any projects implemented by the project applicant within the last five years or planned for implementation by the applicant within the next five years that are in any way related to the proposed activity or that may impact the same receiving water body(ies) as the proposed activity. For this item, the waterbody extends to a named source or stream segment identified in the relevant Regional Water Quality Control Plan (Basin Plan). Water Board Basin Plans are found on the applicable Regional Water Board Basin Plan webpage, and also located on the [State Water Board's Plans and Policies website \(https://www.waterboards.ca.gov/plans_policies/\)](https://www.waterboards.ca.gov/plans_policies/).

Anticipated Activity Timeframe: Provide the estimated start and end dates for the proposed project.

USACE District: Indicate whether the project impacts will occur within the boundaries of the Sacramento and/or San Francisco district.

RWQCB: Indicate which Water Boards Region(s) will be affected by the project.

Special-Status Species and Cultural Resources

Section 408: Indicate yes if your project will affect a USACE Section 408 facility; indicate no if it will not. If yes, identify the Section 408 facility(ies) that will be affected by the project.

Cultural Resources: Indicate yes if your project may affect one or more cultural resources; indicate no if it will not. If yes, provide relevant cultural information to the project's USACE Archaeologist.

Endangered Species: Indicate yes if your project will be located in an area with the potential for endangered species that is not covered by PG&E's Bay Area O&M Habitat Conservation Plan, Biological Opinions associated with the Regional General Permit, or the Programmatic Biological Opinion for delta smelt; indicate no if it will not. If yes, indicate which special status species will be affected and where special status impacts are expected to occur, if known, and indicate yes or no on the questions regarding whether or not the activity will be conducted outside of the estuary/bay Limited Operating Period; if impact pile-driving or cofferdam installation will occur in estuary/bay habitat beyond November 30; and if impact pile-driving or cofferdam installation will occur in estuary/bay habitat beyond January 15.

Tree Removal: Indicate yes if your project results in the removal of riparian trees; indicate no if it will not. If yes, populate the Riparian Tree Removal Table with the requested information, or attach a similar table if additional rows are needed.

- Species name
- Common name
- Diameter at breast height (DBH)
- Indicate if the tree(s) are part of the riparian overstory or understory

Temporary and Permanent Impacts

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

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

Other Agency Permits, Licenses, Agreements, Plans, and Email Correspondence

Provide the following information for each permit from other agencies:

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

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

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

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

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

- **Latitude:** Provide the center coordinate of the impact site in decimal degrees.
- **Longitude:** Provide the center coordinate of the impact site in decimal degrees.
- **Impact Type:** Indicate if the impact at the impact site ID is permanent or temporary.
- **Site ID:** Identify the impact site with a site ID; site IDs should correspond with those used in the Receiving Waters Information Table.
- **Acres, Cubic Yards, and Linear Feet:** Provide the area in acres, volume in cubic yards dredged (if applicable), and length in linear feet for each impact site. For acres, round to the nearest thousandth of an acre.
- **Dredge or Fill/Excavation?** For each impact site, identify if the impact is from dredging or from fill/excavation activities.

Compensatory Mitigation Proposal(s)

- **Attachment I/II:** Complete the corresponding form (I or II) depending on whether the permittee responsible or mitigation bank mitigation is proposed. List the size, type, functions and values of the proposed mitigation. Describe the success criteria, monitoring, long-term funding, management, and protection details.

Attachments Checklist

Use the checklist to confirm the necessary documentation is attached to your NOI. If you determine one of the listed items does not pertain to your project, leave the checkbox empty:

- **Site Map(s):** Submit maps of sufficient detail to clearly illustrate all project elements, site characteristics, and impacts, with a scale of at least 1:24000 (1" = 200'). Acceptable map formats, listed in order of preference, are:
 - **GIS shapefiles:** Shapefiles must depict the boundaries of all project areas, site characteristics, and extent of aquatic resources impacted or avoided. Each shapefile should be attributed with the extent/type of aquatic resources impacted. Features and boundaries should be accurate to within 33 feet (10 meters). Identify datum/projection used and, if possible, provide map with north American datum of 1983 (NAD 83) in the California Teale Albers projection in feet.
 - **KLM files:** Saved from online mapping services. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used, include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
 - **Other electronic format:** (CAD or illustration format) that provides a context for location (inclusion of landmarks, known structures, geographic coordinates, or USGS DRG or DOQQ). Maps must show the boundaries of all project areas and extent/type of aquatic resources impacts. If this format is used, include a table with the object ID and attributed with the extent/type of aquatic resources impacted.
 - Aquatic resource maps marked on paper **USGS 7.5 minute topographic maps or Digital Orthophoto Quarter Quads (DOQQ):** Original or legible copies are acceptable. Maps must show 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.
- **Additional Pages and/or Supplemental Information:** For example, if the requested information does not fit in the space provided on the form, or if you would like to provide supplemental information not requested in the NOI.
- **Drawings, or Design Plans:** As applicable, attach drawings, including plan and cross-section views, clearly depicting the location, size, and dimensions of the proposed activity, as well as the location of delineated waters on the site. The drawings should contain a title block, legend and scale, amount (in cubic yards, if applicable) and area (in acres) of fill, including both

permanent and temporary impacts. The ordinary high-water mark or, if tidal waters, the mean high-water mark and high tide line, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation and design plans. Maps prepared according to the description below may satisfy some or all of this information.

- **Pre-Project Site Photographs:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.
- **Aquatic Resource Delineation Report:** Include if available.
- **Archaeological Information (under separate cover)**
- **USACE Upload Spreadsheet**
- **Proposed Dewatering Plan:** If not included in project description.
- **Horizontal Directional Drill or Drilling Plan:** Include if project involves Horizontal Directional Drilling or similar drilling operations.
- **Temporary Impact Restoration Plan:** Should include plans for restoring any proposed temporary impacts to pre-project conditions.
- **Water Quality Monitoring Plan:** Include if project involves planned work in water or stream diversions.
- **Other Agency Correspondence, Permits, and Permit Applications:** Attach other agency permits, applications, or correspondence as required.
- **Fee Check or Online Payment Receipt**