

State Water Resources Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: September 16, 2015

Program Type: Fill/Excavation

Project Type: Roads and Highways

Project: Jepson Parkway Project, Phase 2 (Project)

Applicant: City of Fairfield

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Table of Contents

I.	Order	3
II.	Public Notice	3
III.	Project Purpose.....	3
IV.	Project Description	3
V.	Project Location	3
VI.	Project Impact and Receiving Waters Information	4
VII.	Description of Direct Impacts to Waters of the State	4
VIII.	Description of Indirect Impacts to Waters of the State	5
IX.	Avoidance and Minimization	5
X.	Mitigation.....	6
XI.	California Environmental Quality Act (CEQA)	6
XII.	Fees Received	6
XIII.	Conditions	6
XIV.	Water Quality Certification	14

Attachment A	Project Map
Attachment B	Receiving Waters, Impact, and Mitigation Information
Attachment C	CEQA Findings
Attachment D	Report and Notification Requirements
Attachment E	Signatory Requirements
Attachment F	Certification Deviation Procedures

I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order(Order) is issued at the request of The City of Fairfield (herein after Permittee) for the Project. This Order is for the purpose described in the application and supplemental information submitted by the Permittee. The application was received on August 13, 2014. The application was deemed complete on September 16, 2014.

State Water Board staff requested additional information necessary to supplement the contents of the complete application and the Permittee responded to the request for supplemental information on the following dates (Table 1).

Table 1: Record of Supplemental Application Information	
Date of Request for Supplemental Information	Date all requested information was received.
October 6, 2014	May 4, 2015
June 4, 2015	July 16, 2015

Additionally, State Water Board staff issued a Denial Without Prejudice on March 16, 2015.

II. Public Notice

The State Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from September 17, 2014 to October 7, 2014.

III. Project Purpose

The Project is the second of three phases of the overall Jepson Parkway Project, which when combined, is designed to address the existing and future traffic congestion, improve safety, and facilitate the use of alternative modes of transportation. The Project will construct improvements to the narrow, rural Vanden Road segment connecting Vacaville and Fairfield.

IV. Project Description

The majority of Vanden Road will be widened to the west of the existing roadway right-of-way and will consist of an eight-foot outside shoulder/bike lane with curb and gutter, two 12-foot lanes, and a two-foot-wide inside shoulder in each direction, separated by a 16-foot wide landscaped median. Where the roadway will be widened to four lanes, a minimum 10-foot-wide landscaped area will be provided on the southeasterly side of Vanden Road. A minimum 20-foot-wide area will be on the northeasterly side, consisting of a 10-foot-wide meandering bicycle and pedestrian path and landscaped area. The bicycle and pedestrian path will be separated from the roadway by at least 10 feet and from the back of the right-of-way line by at least 2 feet. The landscaped areas, adjacent to the roadway, will primarily be vegetated swales, draining to culverts that pass underneath Vanden Road to perpetuate current flow patterns.

V. Project Location

The Project begins at the Cement Hill Road/Peabody Road/Vanden Road intersection just outside of the City of Fairfield's city limits, extends northeasterly along Vanden Road, and ends approximately 1,200 feet south of the Vanden Road/Leisure Town Road intersection. A map showing the Project location is located in Attachment A of this Order.

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of San Francisco Bay Regional Water Quality Control Board and the Central Valley Regional Water Quality Control Board (collectively Regional Water Boards). Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the applicable water quality control plans (Basin Plan) for the regions and other plans and policies which may be accessed online at: http://www.waterboards.ca.gov/plans_policies/. The Basin Plans include water quality standards which consist of existing and potential beneficial uses of waters of the state,¹ water quality objectives to protect those uses, and the state and federal antidegradation policies.

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

VII. Description of Direct Impacts to Waters of the State

This Order authorizes direct permanent and temporary impacts to waters of the state caused by the Project to: seasonal drainages and seasonal wetlands.

Construction activities will include grading, paving, compacted filling, and excavation. The majority of the existing roadway is currently two lanes and will be widened to four lanes with a raised divided median and sufficient topsoil to adequately cover all proposed side slopes. Existing vegetation, trees, and topsoil will be cleared within the construction limits. These construction activities will result in permanent physical loss of area to seasonal wetlands and seasonal drainages and some temporary impacts to seasonal drainages.

Also, approximately 413 linear feet of Dally Canal will be realigned to accommodate the roadway widening. Because this impact does not result in a physical loss of area or degradation of ecological condition impacts have been categorized as temporary. Dally Canal is a concrete-lined trapezoidal irrigation canal maintained by the Solano Irrigation District, and does not support any vegetative habitat. The canal will be realigned to allow the westward extension of the existing culvert under the new roadway. The new canal will be approximately 430 feet long, will replicate the dimensions of the existing canal, and will tie in to the existing flow line elevations at each end of the relocation.

¹ "Waters of the state" means any surface water or ground water, including saline waters, within the boundaries of the state. [Wat. Code, § 13050, subd. (e)].

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

Table 2: Total Project Fill/Excavation Quantity²									
Aquatic Resource Type	Temporary Impact³			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY	LF	Acres	CY	LF	Acres	CY	LF
Lake									
Ocean/bay/estuary									
Riparian Zone									
Stream Channel	0.059	531	453	0.008	32	57			
Vernal Pool									
Wetland				0.313	498	0			

VIII. Description of Indirect Impacts to Waters of the State

The State Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project. Indirect impacts on wetlands were identified for wetlands that were partially within the direct impact area. A zone of at least 15 meters (50 feet) outside the direct impact area was used to determine the indirect impact for these areas. Wetlands could be indirectly affected during construction, operation, and maintenance activities associated with the proposed activities. Impact sites that have been identified to potentially be indirectly impacted are identified in Table 2 of Attachment B.

IX. Avoidance and Minimization

Avoidance protection measures will be installed at all endangered species areas, including Union Creek, Dally Canal, unnamed drainages, wetlands, and special status areas identified in the study area. A qualified biologist will identify sensitive biological resources adjacent to the construction area before the final design plans are prepared and these areas will be clearly identified on the plans. A worker Environmental Awareness Program training will be held for construction crews before construction activities begin and will include a brief review of the special status species and other sensitive resources that could occur at the project site, and their legal status. The training program will also include all mitigation measures, environmental permits, and project plans (including the Stormwater Pollution Prevention Plan (SWPPP), BMPs, erosion control, sediment plan, and any other plans).

Construction BMPs will be applied during construction activities to reduce the potential for erosion and sediment loss as well as contaminants associated with construction migrating to surface waters during construction.

Project plans will include the creation of over 6,700 linear feet (0.46 acres) of vegetated swales adjacent to the outside road curb; the curb will be notched periodically to allow flow to enter the swales. This pollution prevention BMP will be sized appropriately to convey

² Cubic Yards (CY); Linear Feet (LF)

³ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

additional road drainage that will be the result of the expanded road way. The vegetated swales will collect and treat the road drainage, through sedimentation and infiltration, preventing an increase of pollutants being washed to downstream discharge points.

Erosion and sediment control measures, such as preservation of existing vegetation, establishment of stabilized concentrated flow conveyance systems (e.g. ditches, berms, drains, vegetation, flared culvert and sections, outlet protection, and flow velocity dissipation), slope protection measures, settling basins, and grassy swales will be installed to control the transport of particulate matter pollution. Stormwater flow control management measures will simulate peak flow runoff and volumes that are similar to existing conditions. Also, permanent post construction BMPs will include measures that will capture and treat the first flush of stormwater runoff to allow for infiltration and uptake of pollutants not associated with particulate matter, such as nutrients, oils, and greases.

When possible, existing vegetation will be preserved. Where vegetation disturbance is unavoidable, exposed areas will be re-vegetated and maintained until a permanent cover is established.

X. Mitigation

The Permittee has proposed mitigation described in section XIII G for temporary impacts.

The Permittee has proposed compensatory mitigation for direct impacts, described in section XIII H for permanent impacts.

XI. California Environmental Quality Act (CEQA)

On March 18, 2009, the Solano County Transportation Authority, as lead agency, certified an environmental impact report/environmental impact statement (EIR/EIS) (State Clearinghouse (SCH) No. 2000072051) for the Project and filed a Notice of Determination (NOD) at the SCH on March 19, 2009. Pursuant to CEQA, the State Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

XII. Fees Received

An application fee of \$2,486.00 was received on August 12, 2014. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3). An additional fee of \$678 based on total Project impacts was received on July 16, 2015. The Application was deemed complete before the implementation of the 2014-2015 dredge fill fee regulations and is not subject to annual billing.

XIII. Conditions

The State Water Board has independently reviewed the record of the Project to analyze impacts to water quality and designated beneficial uses within the watersheds of the Project. In accordance with this Order, the Permittee may proceed with the Project under the following terms and conditions:

A. Reporting and Notification Requirements

See Attachment D for reporting and notification details, including requirements for photo and map documentation during the Project. Written reports and notifications must be submitted using the Report and Notification Cover Sheet located in Attachment D, which must be signed by the Permittee or an authorized representative.

1. **Annual Reporting:** The Permittee shall submit an Annual Report each year on the anniversary of the effective date of this certification. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee.

2. Project Status Notifications

- a. **Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities.
- b. **Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to the State Water Board staff within thirty (30) days following completion of all Project construction activities. Upon approval of the request, State Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee which will end the active discharge period.
- c. **Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete,⁴ and no further Project activities will occur. This request shall be submitted to State Water Board staff within thirty (30) days following completion of all Project activities. Upon approval of the request, the State Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period.

3. **Conditional Notifications and Reports:** The following notifications and reports are required as appropriate.

a. Accidental Discharges of Hazardous Materials⁵

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

⁴ Completion of post-construction monitoring shall be determined by State Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

⁵ "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501).

- i. As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
 - first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at: (800) 852 - 7550 or (916) 845 – 8911
 - Lastly follow the required OES procedures as set forth in:
<http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill Booklet Feb2014 FINAL BW Acc.pdf>
 - ii. Following notification to OES, the Permittee shall notify State Water Board, as soon as practicable. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
 - iii. This notification must be followed within three (3) business days by submission of an Accidental Discharge of Hazardous Material Report.
- b. Violation of Compliance with Water Quality Standards:** The Permittee shall notify the State Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- i. Examples of noncompliance events include: lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.
 - ii. This notification must be followed within three (3) business days by submission of a Violation of Compliance with Water Quality Standards Report.
- c. In-Water Work**
- i. The Permittee shall notify the State Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
 - ii. Within three (3) business days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to State Water Board staff.
- d. Modifications to Project**
- The Permittee shall give advance notice to State Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modification to Project Report. The Permittee shall inform State Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order. Notification may be made in accordance with conditions in the certification deviation section of this Order.

B. Water Quality Monitoring

1. **General:** If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (i.e. oil and grease, turbidity plume, or uncured concrete).
2. **Accidental/Noncompliance Discharges:** Upon notification of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, State Water Board staff may require water quality monitoring based on the discharge constituent and applicable water quality objectives.

C. Standard

1. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, sections 3867-3869, inclusive. Additionally, the State Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the State 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). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.
2. This Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent certification application was filed pursuant to subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.
4. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties, processes, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order.

D. General Compliance

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act and the Clean Water Act. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Regional Water Board or any applicable State Water

Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.

3. In response to a suspected violation of any condition of this Order, the State Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provide that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
4. The Permittee must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Order; and all subsequent submittals required as part of this Order. The conditions within this Order and attachments supersede conflicting provisions within Permittee submittals.
5. This Order and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.
6. The Permittee shall adhere to all requirements in the mitigation monitoring and reporting program (MMRP) as required by CEQA and incorporated herein by reference.
7. The Permittee shall implement all avoidance and minimization measures, including but not limited to, erosion and sediment control measures and storm water control management.

E. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment E of this Order.
2. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order held by the Permittee, the Permittee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Permittee is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.
3. The Permittee shall grant State Water Board staff, Regional Water Board staff, or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:
 - a. Enter upon the Project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.

- b.** Have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order.
 - c.** Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
 - d.** Sample or monitor for the purposes of assuring Order compliance.
- 4. A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project site for the duration of this Order. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.
- 5. A copy of this Order must be available at the Project site(s) during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Order and its posted location at the Project site.
- 6. Lake and Streambed Alteration Agreement – The Permittee shall submit a signed copy of the Department of Fish and Wildlife's lake and streambed alteration agreement to the State Water Board immediately upon execution and prior to any discharge to waters of the state.
- 7. The Permittee shall incorporate the mitigation measures as outlined in the EIR/EIS conditions.
- 8. The Permittee shall incorporate the mitigation measures as outlined in Attachment C, CEQA Findings of Fact.

F. Site Specific

- 1. Disturbance or impacts to Union Creek are not authorized as part of this certification. Union Creek is a perennial stream that has been identified in the project area but has been avoided as part of this project.
- 2. The Permittee shall provide for long term maintenance for the vegetated bio-swales proposed as a minimization measure.

G. Mitigation for Temporary Impacts

- 1. The Permittee shall implement all aspects of the Jepson Parkway, Phase 2 Project: Restoration and Compensatory Wetland Mitigation Plan (Compensatory Mitigation Plan) dated July 16, 2015, revised on July 1, 2015 and incorporated herein by reference.
- 2. All areas of temporary impacts to waters of the state and all Project site upland areas of temporary disturbance which could result in a discharge to waters of the state shall be restored.
- 3. The State Water Board may extend the monitoring period beyond requirements of the restoration plan upon a determination that the performance standards have not been met or are not likely to be met within the monitoring period.
- 4. If restoration of temporary impacts to waters of the state is not completed within the initial construction season of the impacts, additional mitigation may be required to offset temporal loss of waters of the state.

5. Total required Project mitigation information for temporary impacts to waters of the state is summarized in Table 3.

Table 3: Required Project Mitigation Quantity for Temporary Impacts ⁶								
Aquatic Resource Type	Mit. Type ⁷	Units	Method ⁸					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	PR	Acres			0.059			
Stream Channel	PR	LF			453			

H. Compensatory Mitigation for Permanent Impacts⁹

1. **Compensatory Mitigation Plan:** The Permittee shall provide compensatory mitigation for impacts to waters of the state in accordance with the Compensatory Mitigation Plan submitted July 16, 2015 and revised on July 31, 2015 and is incorporated herein by reference. Any deviations from, or revisions to, the Compensatory Mitigation Plan must be pre-approved by State Water Board staff. State Water Board staff may extend the monitoring period beyond requirements of the compensatory mitigation plan upon a determination that the performance standards have not been met or are not likely to be met during the monitoring period.
2. **Compensatory Mitigation Timing:** A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the State Water Board prior to the authorized impacts.
3. **Compensatory Mitigation Responsibility**
 - a. **For credit purchases:** The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until the State Water Board has

⁶ For Staff use only: Record quantities in CIWQS table side B for mitigation for temporary impacts and for permanent degradation of ecological condition; ecological restoration/enhancement projects.

⁷ Mitigation type for onsite restoration of temporary impacts is Permittee Responsible (PR). Mitigation type for temporal loss may be: In-Lieu-Fee (ILF); Mitigation Bank (MB); and/or Permittee-Responsible (PR)

⁸ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.

⁹ Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

4. Total Required Compensatory Mitigation

- a. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.313 acres of seasonal wetlands and 0.008 acres of un-named seasonal drainage (stream Channel) by purchasing 0.628 acres of mitigation credits for seasonal wetlands from the Elsie Gridley Mitigation Bank.
- b. Total required Project compensatory mitigation information is summarized in Table 4.

Table 4: Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area ¹⁰								
Aquatic Resource Type	Comp Mit. Type ¹¹	Units	Method ¹²					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Wetland	MB	Acres	0.628					

I. Certification Deviation

- a. Minor modifications of Project locations or predicted impacts may be necessary as a result of unforeseen field conditions, necessary engineering re-design, construction concerns, or similar reasons. Some of these prospective Project modifications may have impacts on water resources. Some modifications of Project locations or predicted impacts may qualify as Certification Deviations as set forth in Attachment F. For purposes of this Certification, a "Certification Deviation" is a Project locational or impact modification that does not require an immediate amendment of the Order, because the State Water Board has determined that any potential environmental impacts that may result from the change are sufficiently addressed by the Order conditions and the CEQA Findings. After the termination of construction, this Order will be amended to reflect all authorized Certification Deviations and any resulting adjustments to the amount of water resource impacts and required compensatory mitigation amounts.
- b. A Project modification shall not be granted a Certification Deviation if it warrants or necessitates changes that are not addressed by the Order conditions or the CEQA environmental document such that the Project impacts are not addressed in the

¹⁰ For Staff use only: Record quantities in CIWQS table side A for Compensatory Mitigation for Permanent Physical Loss of Area

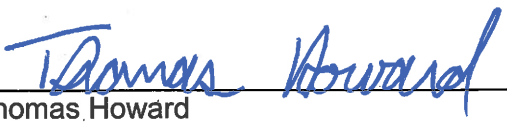
¹¹ Compensatory mitigation type may be: In-Lieu-Fee (ILF); Mitigation Bank (MB); Permittee-Responsible (PR)

¹² Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.

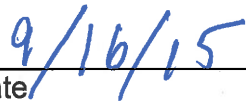
XIV. Water Quality Certification

I hereby issue the Order for the Jepson Parkway Project, Phase 2, SB14005IN certifying that as long as all of the conditions listed in this Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 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). This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes this Order to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.).

Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, the Regional Water Boards' Water Quality Control Plans and Policies, and the EIR/EIS for the Project.



Thomas Howard
Executive Director
State Water Resources Control Board



Date

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