

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER No. R2-2015-0020

GENERAL WASTE DISCHARGE REQUIREMENTS for:

**PROJECTS UNDER THE VOLUNTARY HABITAT RESTORATION PROGRAM
ADMINISTERED BY ALAMEDA COUNTY RESOURCE CONSERVATION DISTRICT
ALAMEDA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter the Regional Water Board, finds that:

- 1) The Alameda County Resource Conservation District (District) administers a Voluntary Local Program (Program), in partnership with the California Department of Fish and Wildlife (CDFW), that recognizes the unique and important role that private landowners in California play in wildlife and habitat enhancement. The purpose of the Program is to encourage farmers and ranchers engaged in agricultural activities to voluntarily enhance and maintain habitat for endangered and threatened species.
- 2) The District works jointly with the Natural Resources Conservation Service (NRCS) to assist ranchers and farmers with implementing these voluntary habitat restoration projects. The District and NRCS provide technical assistances on projects under the Program through oversight, planning, funding, installation, and monitoring of the projects.
- 3) Federal Clean Water Act (CWA) section 404(f) provides that the discharge of dredged or fill materials into waters of the United States in connection with certain activities is exempt from CWA section 404 permitting requirements. These activities include normal farming, silviculture, and ranching activities such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber and forest products, and upland soil and water conservation practices. The activities proposed under the Program fall under the CWA section 404(f) exemption.
- 4) Section 13260(a) of the California Water Code (Water Code) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, which could affect the quality of the waters of the State, file a report of waste discharge. The discharge of dredged or fill material may constitute a discharge of waste that could affect the quality of waters of the State.
- 5) Water Code section 13263(a) requires that waste discharge requirements (WDRs) be prescribed as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. Such WDRs must implement any relevant water quality control plans, taking into consideration beneficial uses to be protected, the water quality objectives reasonably required for those purposes, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.
- 6) Water Code section 13263(i) authorizes the Regional Water Board to prescribe general WDRs for a category of discharges if the discharges are produced by the same or similar

operations; the discharges involve the same or similar types of waste; the discharges require the same or similar treatments standards; and the discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

- 7) The discharges authorized by these General WDRs meet the criteria for general WDRs set forth in Water Code section 13263(i) because they are all produced by dredging or filling operations; they all involve the discharge of earth, rock, or similar solid materials; they are all limited in size per the terms of the WDRs; they all involve agricultural activities that are exempt under CWA section 404(f); and they all require participation in the Program, which has planning procedures and best management practices to avoid and minimize adverse impacts. They are appropriately regulated under general WDRs because of their similar nature and amenability to being regulated through the use of similar discharge restrictions, as specified in these General WDRs.
- 8) Habitat restoration activities will occur in several watersheds within Alameda County. The majority of projects will occur in the Alameda Creek, San Leandro Creek, and San Lorenzo Creek watersheds. Additional watersheds include Laguna Creek and Agua Fria Creek. A few projects may occur in smaller watersheds within Alameda County. These watersheds drain to San Francisco Bay. This Order applies to the portions of these watersheds that are located within the jurisdiction of the Regional Water Board.

- 9) The following activities are authorized by these General WDRs:

A. Pond Restoration

The activities covered under Pond Restoration are associated with the repair, maintenance, and restoration of breeding and refugia habitat present in livestock ponds for the California red-legged frog, California tiger salamander, and other native aquatic species, as well as other common wildlife including mammals, birds, and reptiles.

Pond Restoration implementation activities are listed below and will result in the enhancement and/or restoration of aquatic wildlife habitat by restoring critical breeding habitat, decreasing predatory species populations in suitable habitat, reducing soil erosion and sedimentation, improving and providing long-term habitat protection, and improving livestock and wildlife water availability.

- i) Predator species control – Drain ponds to remove predators, such as bullfrogs, and non-native fish species, such as bass, catfish, sunfish, and mosquito fish.
- ii) Establish native vegetation – Plant native vegetation around ponds and control non-native invasive plant species
- iii) Structural components repair – Improve and repair spillways, provide alternative pipe outlets for water flow, and repair embankments as necessary to maintain the pond such that it provides breeding and refugia habitat. Management practices that involve structural component repair include:
 - (1) Spillway repair – Design and repair of the emergency earthen spillway utilizing grade stabilization structures to address potential gully erosion

associated with spillways. This activity can be used to improve the size of a spillway to adequately address the hydrology of the watershed and/or repair a spillway that is actively eroding and contributing sediment downstream. This practice stabilizes existing spillways to prevent future gully erosion to protect and improve water quality. This practice applies in locations where concentrated runoff, steep grades, wetness, prolonged base flow, seepage, or piping is such that lining is needed to control erosion or where soils are highly erosion or climactic conditions preclude using vegetation only. Rock rip-rap and bioengineered structures are authorized for installation as stabilization structures. Gabions, stacked concrete, broken concrete, or other non-native materials are not included as approved stabilization structures.

- (2) Alternative pipe outlets for water flow – Installation of pipe to act as a principal or auxiliary spillway in pond restoration. The activity includes pipe sizing based on the hydrology of the watershed; required appurtenances and installation requirements, such as fill materials, compaction, and depth of cover. The following appurtenances could be included:
 - (a) Filter diaphragm and diaphragm drainage material;
 - (b) Cement slurry bedding;
 - (c) Inlet structures constructed from concrete, steel, and/or plastic materials; and,
 - (d) Outlet energy dissipation structures constructed from rock rip-rap.
- (3) Pond embankment repair – Includes repairs to embankments (e.g., dams) that are leaking or other embankment repairs as deemed necessary.
- iv) Obstruction removal – This activity involves the removal of concrete rubble, rock rip-rap, wood, old tires, refuse (such as household trash), and other debris from the pond area and spillway.
- v) Pond desiltation – This activity includes removal of sediment from existing ponds to increase and improve available breeding habitat.

B. Livestock and Wildlife Water Distribution

The activities covered under Livestock and Wildlife Water Distribution include implementation of practices that provide benefits to habitat, water quality, and listed species by improving livestock distribution through the development of springs. These off-stream water developments may help reduce pressure on riparian habitats and other aquatic features by decreasing the amount of time livestock spend in streams, enhancing water quality, and reducing sedimentation from stream bank erosion. Proper placement of off-stream developments contributes to proper forage use by livestock, which decreases erosion and the presence of invasive plants, resulting in improvements to the surrounding upland habitat. In addition to providing additional livestock water to support ongoing grazing management, the development of springs also provides clean and readily available water for wildlife such as bats, birds, deer, and other mammals.

The primary practice included is the spring development conservation practice, which consists of collecting water at or capping a spring or seep and transporting the water through pipelines to tanks or troughs to provide alternative livestock watering facilities. All allowed spring developments are confined to springs or seep areas that could furnish a dependable supply of water. Spring development activities that impair spring flow to a wetland area so as to adversely affect its size, functions, and values are not authorized by these General WDRs. However, water flow from the spring or seep may be temporarily reduced during the construction period.

C. Erosion Control

The activities covered under Erosion Control include implementation of practices that provide benefits to habitat and State-listed species by reducing damage from discharges of sediment and runoff to watercourses. Erosion control practices can improve water quality by reducing non-point source pollution and improving habitat for aquatic species.

- i) Access road improvements – This activity is limited to the improvement of an existing road to prevent erosion and maintain or improve water quality. This practice may be used for repair, removal, or installation of water control structures associated with access road improvements. These structures could include rolling dips, protected low water crossings, culverts, or bridges. In some cases, this practice may also be used to decommission improperly placed roads (e.g., a road that impacts habitat such as a seep area or a road that is too steep and contributing significant erosion) and re-route a new road to a more appropriate path. Appendix A provides specific design requirements that all road improvements, crossings, and bridges must adhere to.
 - (1) Water control structures – Installation of a structure in a drainage, stream, or gully, that conveys water, controls the direction or rate of flow, or maintains a desired water surface elevation (e.g., in a wetland), such as culverts, pipe drops, or chutes within gullies, debris screens, bridges, etc. These structures are used to replace or retrofit existing culverts that are either not functioning properly or are a barrier to fish passage. The placement of new culverts, when environmentally beneficial, is also included in this practice.
- ii) Vegetation establishment – This activity relates to the planting, maintenance, and establishment of native or non-persistent, non-invasive vegetation to reduce erosion and discharges of non-point source pollution to waterways, while also enhancing habitat. This management practice includes critical area planting and installation of filter strips and grassed waterways.
 - (1) Critical area planting – Planting of trees, shrubs, grasses, or legumes on highly erosive or critically eroding areas.
 - (2) Filter strips – Filter strips or areas of vegetation shall be used at the lower edges of fields, pastures, or other areas adjacent to streams, ponds, and lakes to remove sediment, organic matter, and other pollutants from runoff and wastewater. Installation often requires soil manipulation to remove surface irregularities and to properly address water movement through the filter strip. Pesticides and nutrients may be removed from runoff flowing through the

vegetated filter strip by infiltration, absorption, adsorption, decomposition, and volatilization, thereby protecting water quality downstream.

- iii) Grassed waterways – Grassed waterways are a shaped or graded channel that is established with suitable vegetation to carry surface water at a non-erosive velocity to a stable outlet. This practice is used to control runoff by shaping or grading natural or constructed channels and planting the area to grass. This practice may reduce erosion in areas of concentrated flow (e.g., gullies or pond spillways) and result in the reduction of sediment and substances delivered to receiving waters. Vegetation may act as a filter in removing some of the sediment delivered to the waterway, although this is not the primary function of a grassed waterway. This practice applies in areas where added water conveyance capacity and vegetative protection are needed to control erosion resulting from concentrated runoff.
- 10) The District has developed *Planning Procedures and Best Management Practices for the Voluntary Habitat Restoration Program, Alameda County* (Attachment A). This document details specific design requirements, impact avoidance measures, Best Management Practices (BMPs), and habitat restoration measures covered under this Order.
- 11) The District has entered into an agreement with CDFW as authorized by CDFW's Voluntary Local Program Regulations (Cal. Code Regs., tit. 14, § 786.0(a)). The Program encourages farmers and ranchers engaged in agricultural activities to establish locally-designed programs to voluntarily enhance and maintain habitat for endangered and threatened species. These activities are to be carried out on public and private lands while providing take authorization as a result of conservation efforts to increase numbers of, and habitat for, special status species on their lands. The Program specifically addresses liability for take under the California Endangered Species Act and does not necessarily satisfy any other legal requirements. Entities proposing projects that are subject to Fish and Game Code section 1602 must still notify CDFW in accordance with Fish and Game Code section 1600.
- 12) On September 26, 2012, the U.S. Fish and Wildlife Service (USFWS) issued a Programmatic Biological Opinion (BO) for the NRCS' Conservation Practices in Alameda County. The purpose of the BO is to expedite the formal section 7 consultation process for projects funded and implemented by the NRCS. The BO analyzes the potential adverse effects to federally-listed species resulting from all anticipated NRCS activities within Alameda County.

Eligibility Criteria

- 13) The total footprint of a project covered under these General WDRs shall not exceed 5 acres. Individual projects are restricted to dredged or fill discharges of not more than two-tenths (0.2) of an acre, 400 linear feet of channel and not more than 4,000 cubic yards of material for pond desiltation discharges.
- 14) Under this Order, a Discharger is the entity that will perform certain agricultural activities that are exempt under CWA section 404(f) while participating in the Program. A

Discharger must complete and submit to the Regional Water Board a Notice of Intent (NOI) (Attachment B) to enroll under and comply with these General WDRs. The NOI will specify the management practices that will be carried out on the enrolled property and include a timeline for implementing the identified activities. Along with the NOI, the Discharger must submit a Certificate of Inclusion (Attachment C) to demonstrate participation in a planning process with the Program.

- 15) If the proposed activities do not qualify for coverage under this Order, a Notice of Exclusion will be issued by the Regional Water Board to the Discharger.

Regulatory Framework

- 16) The *Water Quality Control Plan for the San Francisco Bay Basin* (Basin Plan) is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes implementation plans to achieve water quality objectives. The Basin Plan was duly adopted by the Regional Water Board and approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law, and U.S. EPA, where required.
- 17) The Basin Plan lists the following existing and potential beneficial uses for surface waters in Alameda County within the jurisdiction of the Regional Water Board. The majority of the proposed habitat restoration activities will occur in the Alameda, San Leandro, and San Lorenzo Creek watersheds that drain to San Francisco Bay, with the following designated beneficial uses:
 - a. Agricultural Supply (AGR)
 - b. Cold Freshwater Habitat (COLD)
 - c. Freshwater Replenishment (FRSH)
 - d. Groundwater Recharge (GWR)
 - e. Fish Migration (MIGR)
 - f. Municipal and Domestic Supply (MUN)
 - g. Navigation (NAV)
 - h. Preservation of Rare and Endangered Species (RARE)
 - i. Water Contact Recreation (REC-1)
 - j. Non-contact Water Recreation (REC-2)
 - k. Fish Spawning (SPWN)
 - l. Warm Freshwater Habitat (WARM)
 - m. Wildlife Habitat (WILD)
- 18) A *Mitigated Negative Declaration for the Alameda County Voluntary Local Program* was prepared by the District. A Notice of Determination for the Negative Declaration was filed with Alameda County on August 24, 2012. The Regional Water Board has considered the environmental effects of the project as shown in the Mitigated Negative Declaration. The Regional Water Board finds that the project, as mitigated, will not result in significant effects to the environment. The Regional Water Board further finds that no changes have occurred since the adoption of the Mitigated Negative Declaration to require a subsequent or supplemental environmental document.
- 19) The goals of the California Wetlands Conservation Policy (Governor's Executive Order W-59-93, signed August 23, 1993) include ensuring no "overall loss," and achieving a

“long-term net gain in the quantity, quality, and permanence of wetlands acreage and values... .”

- 20) Senate Concurrent Resolution No. 28 states that “[i]t is the intent of the legislature to preserve, protect, restore, and enhance California’s wetlands and multiple resources which depend on them for the benefit of the people of the State.”
- 21) Water Code Section 13142.5 requires that the “[h]ighest priority shall be given to improving or eliminating discharges that adversely affect ... [w]etlands, estuaries, and other biologically sensitive areas.”
- 22) State Water Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (“Antidegradation Policy”), states that discharges to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur, and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained. These General WDRs are consistent with Resolution No. 68-16 because implementation of the proposed activities will result in benefits to water quality and restore wildlife habitat. These activities will not adversely affect existing or probable beneficial uses of the water and existing water quality will be maintained or improved.
- 23) Pursuant to Title 23, California Code of Regulations (CCR) sections 3857 and 3859, the Regional Water Board is issuing General WDRs for proposed work under the Voluntary Habitat Restoration Program. Water Code section 13260(d)(1) requires that each person for whom WDRs have been prescribed pursuant to section 13263 shall submit a fee according to a reasonable schedule. The fee shall be in accordance with the current fee schedule, per CCR, Division 3, Chapter 9, Article 1, section 2200(a)(2).
- 24) The Regional Water Board has notified the District, NRCS, potential Dischargers, and interested parties of its intent to issue General WDRs for the Voluntary Habitat Restoration Program, Alameda County.
- 25) The Regional Water Board, in a public meeting, heard and considered all comments pertaining to this Order.

IT IS HEREBY ORDERED that pursuant to Water Code section 13263, the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Eligibility

Only discharges that meet all of the following criteria can be enrolled under these General WDRs:

1. The project must be a part of the District’s Voluntary Local Program.
2. The discharge proposed is from agricultural activities that fall under the CWA section 404(f) exemption.
3. The discharge shall be dredged or fill materials only.

4. The total project footprint shall not exceed five acres. Projects are restricted to dredged or fill discharges of not more than two-tenths (0.2) of an acre, 400 linear feet of channel for fill and excavation discharges, and not more than 4,000 cubic yards of material for pond desiltation discharges.
5. Project size criteria apply to the whole of a project, and a project cannot be piecemealed to fit within the size eligibility criteria herein.
6. The discharge, either individually or in combination with other discharges, shall not cause an individually or cumulatively significant effect on water quality or beneficial uses of the waters of the State including, but not limited to, wetlands and headwaters.

B. *Application Requirements*

Dischargers seeking enrollment under these General WDRs shall submit the following to the Regional Water Board's Executive Officer at least 30 days prior to any discharge:

1. A complete, accurate, and signed Notice of Intent (NOI) to be enrolled under and to comply with these General WDRs.
2. A complete and signed Certificate of Inclusion (COI) from the District.
3. A fee pursuant to CCR Title 23 section 2200.

C. *Discharge Prohibitions*

1. The discharge of dredged or fill material is prohibited until the Discharger has received a Notice of Applicability (NOA) from the Executive Officer or as allowed by Water Code section 13264.
2. No discharges are authorized under these General WDRs if the Discharger has received a Notice of Exclusion (NOE) from the Executive Officer.
3. The direct or indirect discharge of wastes, as defined in Water Code section 13050(d), within or outside of the active project site, to surface waters or surface water drainage courses is prohibited, except as authorized in this Order.
4. The discharge shall not cause degradation of water quality and beneficial uses.
5. The discharge of material in a manner other than as described and authorized in the NOI, COI, and these General WDRs is prohibited.
6. Excavated sediment shall remain within designated disposal areas at all times. The designated disposal areas are: (a) any offsite, authorized temporary or permanent location maintained in compliance with federal and State regulations, (b) any onsite, authorized temporary or permanent location, provided material will be isolated and contained to prevent impacts to waters of the State and their beneficial uses, or (c) a permitted landfill.

7. The discharge of sediment and runoff/decant water that exceeds effluent limits, from excavated materials disposed of at any temporary or permanent disposal site, to waters of the State is prohibited.
8. Any dredge and disposal activity subject to these requirements shall not cause a condition of pollution or nuisance as defined in Water Code section 13050(l) and (m).
9. Groundwater beneficial uses shall not be degraded as a result of habitat restoration activities.
10. No debris, soil, silt, sand, cement, concrete, or washings thereof, or other construction related materials or wastes, oil or petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess material shall be removed from the work area and any areas adjacent to the work area where such material may be washed into waters of the State.

D. *Discharge Specifications*

1. Each Discharger shall discharge in a manner that is consistent with the information provided in the NOI and COI and in accordance with *Planning Procedures and Best Management Practices for the Voluntary Habitat Restoration Program, Alameda County* (Attachment A).
2. Appropriate soil erosion control measures shall be undertaken and maintained to prevent discharge of sediment to surface waters or surface water drainage courses.
3. A responsible representative of each Discharger shall immediately, and in all cases within 24 hours, notify Regional Water Board staff by telephone whenever an adverse condition occurs as a result of this discharge. An adverse condition includes, but is not limited to, a violation or threatened violation of the requirements of this Order, significant spill of petroleum products, or damage to control facilities that could affect compliance. Pursuant to Water Code section 13267(b), a written notification of the adverse condition shall be submitted to the Regional Water Board within five days of occurrence. The written notification shall identify the adverse condition, describe the actions necessary to remedy the condition, and specify a timetable, subject to the modifications of the Regional Water Board, for the remedial actions.
4. In the event of a hazardous substance or sewage discharge, a responsible representative of each Discharger shall immediately notify the California Office of Emergency Services (Cal OES) of the discharge. Pursuant to Water Code section 13271, notification shall be provided as soon as possible and when the notice can be provided without substantially impeding cleanup or other emergency measures. In addition to notifying Cal OES, the Regional Water Board shall also be notified. A written report to the Regional Water Board shall be submitted within 10 days of the discharge describing the cause and how a recurrence will be prevented.

E. *Effluent Limitations*

Excavated material effluent (decant water) discharged from any permanent or temporary disposal site located on the project site or off the site shall not exceed the following numeric and narrative limits at any time:

1. Numeric Limits:
 - a. pH 6.5 – 8.5
 - b. Settleable Matter < 1.0 ml/1-hour
 - c. Dissolved sulfide concentrations < 0.1mg/L
2. Narrative Limits:

Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.

F. *Receiving Water Limitations*

1. Work in and around the stream channel or Bay shoreline shall not cause the following conditions to exist in waters of the State at any place:
 - a. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses;
 - b. Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses;
 - c. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth cause nuisance or adversely affect beneficial uses;
 - d. Waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life;
 - e. There shall be no alteration of temperature, turbidity, or apparent color beyond present natural background levels;
 - f. Dissolved oxygen, with the beneficial use designations listed in F.1.g.a. below, shall not be reduced below the listed minimums in the receiving water from the point of discharge;
 - g. Routine maintenance activities shall not cause the following limits to be exceeded in waters of the State at any point:
 - i. Dissolved Oxygen: 5.0 (WARM) or 7.0 (COLD) mg/l minimum. When natural factors cause lesser concentrations, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.¹

¹ Potential discharge locations support both the WARM and COLD beneficial uses. The more stringent criteria of 7.0 (COLD) mg/L dissolved oxygen shall apply unless the Discharger demonstrates the lower 5.0 (WARM) mg/L dissolved oxygen is applicable to the water body. The

- ii. Dissolved Sulfide: < 0.1mg/L.
 - iii. pH: A variation of natural ambient pH by more than 0.5 pH units.
 - iv. Toxicity: All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms.
 - v. Un-ionized Ammonia: 0.025 mg/L as N, annual median; and 0.16 mg/L as N, maximum.
 - vi. Salinity: The project shall not increase total dissolved solids or salinity to adversely affect beneficial uses.
 - vii. Turbidity: Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases from normal background light penetration or turbidity relatable to waste discharge shall not be greater than 10 percent in areas where natural turbidity is greater than 50 NTU, or greater than 5 NTU where natural turbidity is less than 50 NTU.
2. The discharge shall not cause a violation of any particular water quality standard for receiving waters adopted by the Regional Water Board or the State Water Board as required by the Clean Water Act and regulations adopted there under. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the Clean Water Act, or amendments thereto, the Regional Water Board will revise and modify this Order in accordance with such more stringent standards.
 3. Groundwater shall not be degraded as a result of maintenance activities or sediment disposal.

G. Provisions

General Water Quality

1. Each Discharger shall comply with all the Prohibitions, Receiving Water Limitations, and Provisions of this Order.
2. Each Discharger shall take all reasonable steps to prevent any discharge in violation of these General WDRs.
3. Each Discharger shall report promptly to the Regional Water Board any proposed material change in the character, location, area, and/or volume of the discharge. Each Discharger shall obtain confirmation from the Regional Water Board that such proposed modifications do not disqualify the Discharger from coverage under these General WDRs. Confirmation or new WDRs shall be obtained before any modifications are implemented.

WARM threshold shall only apply to water bodies where neither the water body nor any water body downstream of that water body, to which it discharges directly or indirectly, have the COLD beneficial use.

4. The filing of a request by each Discharger for an order modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of these General WDRs.
5. Where each Discharger becomes aware that it failed to submit any relevant facts in an NOI or submitted incorrect information in an NOI to the Regional Water Board, it shall promptly submit such facts or information.
6. Each Discharger shall furnish, within a reasonable time, any information the Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the Discharger's coverage under these General WDRs. Each Discharger shall also furnish to the Regional Water Board, upon request, copies of records required to be kept by these General WDRs.
7. Each Discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with these General WDRs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
8. Each Discharger shall comply with all of the conditions of these General WDRs. Any noncompliance with these General WDRs constitutes a violation of the Water Code and is grounds for an enforcement action.

Waste Management

9. Each Discharger shall ultimately dispose of dewatered material at an appropriate upland sediment disposal site or at an approved reuse site in accordance with applicable State and federal regulations, including applicable provisions of this Order.
10. The discharge of any hazardous, designated, or non-hazardous waste as defined in CCR Title 27, Division 2, Subdivision 1, Chapter 2 shall be conducted in accordance with applicable State and federal regulations.
11. Each Discharger shall remove and relocate any wastes that are discharged in violation of this Order. Waste shall be disposed of at a location in compliance with federal and State regulations and in such a way as to prevent impacts to waters of the State and their beneficial uses.
12. Projects that disturb one or more acres of soil are required to obtain coverage under the State Water Board's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ), as amended.
13. Each Discharger shall maintain a copy of this Order and all relevant plans and BMPs at its project sites so as to be available at all times to site operating personnel.
14. These General WDRs do not convey any property rights or exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury

to persons or property, do not protect each Discharger from liability under federal, State, or local laws, and do not create a vested right to continue to discharge waste.

15. These General WDRs do not relieve each Discharger from the responsibility to obtain other necessary local, State, and federal permits, nor do these General WDRs prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
16. These WDRs are subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330 and CCR Title 23 section 3867.
17. After notice and opportunity for a hearing, coverage of an individual discharge under these General WDRs may be terminated or modified for cause, including, but not limited to, the following:
 - a. Violation of any term or condition of these General WDRs;
 - b. Obtaining these General WDRs by misrepresentation or failure to disclose all relevant facts; and
 - c. Any change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
18. Each Discharger shall permit Regional Water Board staff or authorized representatives, upon presentation of credentials:
 - a. Entry on to the premises on which maintenance activities are planned or underway, wastes are located, or in which records are kept;
 - b. Access to copy any records required to be kept under the terms and conditions of this Order;
 - c. Access to inspect any treatment equipment, monitoring equipment or monitoring method required by this Order; and
 - d. Access to sample any discharge or surface water covered by this Order.
19. Upon completion of the project, each Discharger shall complete and submit to the Executive Officer a Notice of Termination (Attachment D), signed by both the Discharger and the District, requesting to be un-enrolled from these General WDRs.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, complete and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on May 13, 2015.

BRUCE H. WOLFE
Executive Officer

Attachments:

- A: *Planning Procedures and Best Management Practices for the Voluntary Habitat Restoration Program, Alameda County*
- B: Notice of Intent (NOI)
- C: Certificate of Inclusion (COI)
- D: Notice of Termination (NOT)

Attachment A

Planning Procedures and Best Management Practices for the Voluntary Habitat Restoration Program Alameda County Resource Conservation District

General Waste Discharge Requirements

Projects Under the Voluntary Habitat Restoration
Program Administered by Alameda County
Resource Conservation District

Order No. R2-2015-0020

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<u>3</u>	<u>References</u>	24

The Regional Water Board has issued Waste Discharge Requirements for implementation of voluntary habitat conservation practices within jurisdictional watershed features associated with ponds, streams, ephemeral channels, and wetlands within Alameda County.

Each Discharger shall complete a Notice of Intent, which will specify the management practices that will be carried out on the enrolled property and include a timeline for implementing the identified activities. As part of completing a Notice of Intent, the Discharger must demonstrate participation in a planning process with the Alameda County Resource Conservation District (District) and/or the Natural Resources Conservation Service (NRCS) to determine the applicability of the selected management practices to the subject project. Participation with the District and/or NRCS must be demonstrated by a Certificate of Inclusion with the District. Additionally, all Dischargers who apply for coverage under this General WDR are required to adhere to the Best Management Practices (BMPs) included in this Attachment.

A "project" requires participation in the District's Voluntary Local Program and consists of agricultural activities that fall under the CWA section 404(f) exemption. Discharge(s) associated with a project shall be dredged or fill materials only.

NRCS/District Planning Procedures

Dischargers will request assistance from NRCS/District to complete development of a project plan. During the planning process, each project will be evaluated utilizing an extensive environmental evaluation process. The NRCS uses an interdisciplinary environmental evaluation and planning approach in which specialists and groups having different technical expertise act as a team to jointly evaluate existing and future environmental conditions at each project site. The interdisciplinary group considers the structure and function of natural resource systems, complexity of problems, and the economic, social, and environmental effects of alternative actions. Project needs and feasibility are identified and addressed through the NRCS' three-phase, nine-step Conservation Planning Process. Through technical assistance, NRCS and District conservation planners identify and assess benchmark conditions, resource concerns, and the effects of the current conditions. Once the assessments are complete, they develop, evaluate, and select alternative solutions to address the resource concerns.

As part of the planning process and to ensure compliance with the National Environmental Policy Act (NEPA), NRCS, acting as the lead agency, is required to complete an Environmental Evaluation (EE) when providing technical and/or financial assistance on public and private lands. The EE is the part of the planning process that inventories and estimates the potential effects of selected conservation practices on the ecological and human environment. A wide range of environmental data, together with social and economic information, is considered in determining whether a proposed action is a major Federal action significantly affecting these environments. Potential effects of both selected conservation practices, as well as a no action alternative, on soil, water, air, plants, animals, energy, and humans are all evaluated. Special environmental concerns that are evaluated include: Clean Air Act, the Clean Water Act/Waters of the US, coastal zone areas, coral reefs, cultural resources/historic properties, endangered and threatened species, environmental justice, essential fish habitat, floodplain management, invasive species, migratory birds and eagles, natural areas, prime and unique farmlands, riparian areas, scenic beauty, wetlands, and wild and scenic rivers. NRCS involvement only continues on projects that do not have a significant impact on natural resources and the above special environmental concerns.

In addition to the planning process, all projects comply with the California Environmental Quality Act through the District's Final Mitigated Negative Declaration for the Alameda County Voluntary Local Program (State Clearinghouse #2012072030) that describes all activities included under this General WDR.

Each management practice implemented under this General WDR will be implemented to meet the minimum standards and specifications for the NRCS and will be tailored for project-specific requirements based on the natural resource need at each site. The District and/or its contractors provide construction oversight assistance for each project.

During the planning process for an individual project, the District and/or NRCS will assess each proposed project site to determine resource conditions at the site. Implementation of the conservation practices will incorporate the best available scientific information into the site conditions to ensure that the projects are being implemented to maximize water quality, wildlife and habitat benefits without compromising the economics of the Dischargers' agricultural operations.

Best Management Practices

The following General BMPs apply to ALL activities included in this program:

1. A project shall not exceed five acres or a cumulative total of 400 linear feet of stream bank. Projects are restricted to dredged or fill discharges of not more than two-tenths (0.2) of an acre and of not more than 4,000 cubic yards of material from pond desiltation.
2. Prior to construction, an education program will be conducted for the Discharger and/or any construction employee in reference to potential listed species on site and erosion control measures, The Applicant shall maintain a list of education program attendees. The following measures are required:
 - a) Silt fence or appropriate sediment control barriers shall be installed around disturbed soil, including sediment placement areas;
 - b) All disturbed areas shall be reseeded prior to the first rain depositing more than 0.25 inches; and,
 - c) Best Management Practice control measures to be installed to meet the 2006 Caltrans Standard Specifications if rain is called for over 80%
3. Construction activities shall be conducted during daylight hours, to the maximum extent practicable.
4. Projects that disturb one or more acres of soil are required to obtain coverage under the Statewide NPDES General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2009-0009-DWQ, as amended.
5. Grading and construction activities shall be limited to the period from April 1 through October 15.
6. Restoration activities at ponds and within sensitive species habitat shall take place between August 31 and October 15 (or the first rainfall of the season depositing more than 0.25 inch).
7. Excavation and grading activities shall only be conducted during dry weather.

8. Practices shall be constructed to meet the Natural Resources Conservation Service's (NRCS') design standards and construction specifications.
9. Whenever feasible, BMP's identified in the California Salmonid Stream Habitat Restoration Manual shall be implemented.
10. Projects shall be designed to minimize disturbance of existing vegetation near and on permanent and seasonal pools of streams, marshes, ponds, and shorelines with extensive emergent vegetation, or weedy vegetation.
11. Native tree removal and disturbance of native shrubs or woody perennials adjacent to the stream bank or stream channel shall be avoided and minimized to the fullest extent possible. If riparian vegetation will be disturbed, it shall be replaced with similar species.
12. Discharger shall ensure that the spread or introduction of invasive exotic plant species shall be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project areas shall be removed.
13. No plastic or monofilament erosion control material shall be used near riparian habitat, along the perimeter of ponds, or near other aquatic habitat.
14. Sediment removed during restoration or construction activities shall not be placed where it may pass into any other waters of the state.
15. Removed concrete, rock rip-rap, wood, or other anthropogenic debris during restoration activities shall be properly disposed of off-site at approved locations.
16. Projects shall be designed to minimize off-site stormwater runoff that might otherwise impact surrounding aquatic habitat. When soil disturbance is necessary, standard construction BMPs shall be incorporated into construction designs, plans, and specifications, and required of contractors during construction.
17. All trash and debris within the work area shall be placed in containers with secure lids before the end of each work day in order to reduce the likelihood of predators being attracted to the site by discarded food wrappers and other rubbish that may be left on-site. Containers shall be emptied as necessary to prevent trash overflow onto the site and all rubbish shall be disposed of at an appropriate off-site location.
18. The use or storage of petroleum-powered equipment shall be accomplished in a manner to prevent the release of petroleum materials into waters of the State.
19. Staging and storage areas for equipment, materials, fuels, lubricants and solvents, shall be located outside of stream channels. Stationary equipment such as motors, pumps, generators, compressors, and welders, located within or adjacent to streams or ponds, shall be positioned over drip pans. Construction materials and heavy equipment shall be stored outside of the active flow of stream channels. Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to

water, could be deleterious to aquatic life. No fueling, cleaning, or maintenance of vehicles or equipment shall take place within any areas where an accidental discharge to waters of the State may occur. Vehicles shall be moved away from the stream prior to refueling and lubrication.

20. For any dewatering activities, water shall be diverted by installation of a temporary barrier. All water above the barrier shall be diverted downstream at an appropriate rate to maintain downstream flows during construction. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Adequate water depth and channel width will be maintained at all times. When construction is completed, the barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance possible to the substrate and water quality.
21. When pumps are necessary to maintain flow around the work site, intakes shall be completely screened with wire mesh not larger than 5 millimeters to avoid entraining any life stages of listed species that may be present at the work site and the screens shall be monitored regularly while the pump is on.
22. Newly poured concrete shall be allowed to completely cure (a minimum of 28 days) or be treated with a CDFW-approved sealant before it comes into contact with flowing water. Any concrete pours shall be isolated from all natural waterbodies through appropriate wrapping or water barrier equipment.

Specific BMPs for Pond Restoration

23. Desiltation of livestock ponds shall not involve any increase in the original storage capacity of a pond and shall incorporate design features that will benefit listed species, prevent erosion, and protect water quality.
24. All dam repairs shall be analyzed using geologists, soil scientists, and other experts as necessary to determine the efficacy of such improvements.
25. Practices shall meet NRCS standards and specifications for pond repair and be approved by the project engineer in order to meet Federal standards. The primary design considerations for pond restoration projects include seismic, soil and geological considerations, hydrology and hydraulic design, and structural design, and include:
 - a. Failure of the embankment will not result in loss of life or damage to homes, commercial structures, etc;
 - b. The height and storage capacity of the pond are within limits identified in the practice standard;
 - i. Failure of the dam will not result in loss of life, damage to homes, commercial or industrial buildings, main highways, or railroads or in interruption of the use or service of public utilities;

- ii. The product of the storage (volume in acre-feet) times the effective height of the dam (height of the dam is the difference in elevation in feet between the auxiliary spillway crest and lowest point in the cross section of the centerline of the dam) is less than 3,000; and,
 - iii. The effective height of the dam is 35 feet or less and the dam is a hazard class (a).
- c. Seismic hazard is addressed (including proximity to faults, horizontal acceleration, and susceptibility to liquefaction) through the configuration, material, and construction methods used on the structures;
 - d. Runoff from the design storm (50- or 100-year storm depending on spillway type) can be safely passed through a natural or constructed spillway;
 - e. The drainage area above the pond can provide adequate water (and water quality) for the intended use, and must be protected against erosion to the extent that expected sedimentation will not shorten the planned effective life of the structure;
 - f. Seepage is controlled around any pipe structures installed through the embankment.
26. The following habitat design features were developed in consultation with species experts and shall be incorporated to the extent feasible on all pond restoration projects (NRCS and District, 2006).
- a. Ponds shall be sized to retain sufficient water for larval development during the entire rearing season (January, or whenever rains commence, through late July or early August in most years); ponds can be allowed to dry during the fall (typically mid-August through early December).²
 - b. Ponds shall contain a shallow water area for larval and juvenile rearing. This shallow area (approximately 1 foot deep) should be unshaded and contain no or very short emergent plants. The shallow area shall be designed so that the water warms quickly in the winter sun but is of sufficient water depth to provide aquatic habitat throughout spring.
 - c. Ponds also shall contain a deep-water escape area with portions deeper than approximately 3.5 feet.³ This deep-water area should contain a mosaic of open water and dense aquatic vegetation when appropriate, or dense patches of shoreline vegetation adjacent to deep water when appropriate.

² Note that pond management that mimics the natural water cycle, where possible, will be the most beneficial for the California red-legged frog and the California tiger salamander (USFWS 2002).

³ Including an area deeper than approximately 3.5 feet provides an area where California red-legged frogs can escape predators, and including an area deeper than approximately 5 feet discourages uniformly thick growth of emergent plants that might shade the entire area (which would provide poor habitat for both California red-legged frogs and California tiger salamanders).

- d. When possible, the areal extent of the shallow and deep portions of the pond should be about equal.

Specific BMPs for Livestock Water Development

27. Selection of spring developments shall evaluate and consider the potential impacts on long-term groundwater supply, effects on stream flows in the watershed, and maintaining adequate flow so that the spring development enhances the habitat values of the spring or seep area. The potential effects of the impoundment on existing ecological function, local wildlife, and wildlife habitat shall be evaluated.
28. The need for the spring development shall be clearly documented by evaluating stocking rates, forage animal balance, RDM, and the locations of all other available water sources.
29. Sufficient spring flow shall remain in the wetland area to maintain or improve the functions and values of the original wetland area. Water collected from the spring shall not be held for more than 30 days. Overflow from the development shall be directed back into the wetland area.
30. Activities shall comply with the NRCS policy for protection of wetlands, including the provisions of Executive Order 11990. The area around the water source may be fenced to limit livestock access. This fencing shall be wildlife friendly to retain access by smaller species.
31. All troughs associated with the development shall have float valves installed, which shall be used to control water flow. All troughs shall have escape ramps for wildlife.
32. Spring development and enhancement shall be constructed in accordance with NRCS Conservation Practice Standards and Specifications for spring development, wetland restoration, and associated practices.
33. All troughs installed are required to incorporate adequate safe access and escape opportunities such as ramps for small wildlife.
34. Pipeline installation shall be designed to follow existing impacted areas (e.g., roads) whenever possible.

Specific BMPs for Vegetation Removal and Establishment

35. Removal of non-native plant species shall be by hand, herbicide application and/or mechanical means. All non-native plant material will be disposed of properly on site to prevent spread of plants or disposed of off-site at appropriate location.
36. Use of herbicides shall be completed according to labeled directions and local, State, and Federal regulations and guidelines, including the interim protective measures as described in the U.S. Environmental Protection Agency's stipulated injunction for pesticide use. Activities shall be limited to the dry period of the year and shall be restricted to periods of low rainfall (less than 0.25 inch per 24 hour period), time periods with less than a 30 percent chance of rain, or dry weather

- periods. If rain is predicted based on the above criteria, within 72 hours during project activity, all activities shall cease until no further rain is forecast.
37. Species, rates of seeding or planting, minimum quality of planting stock (e.g. pure live seed (PLS) or stem caliper), method of seedbed preparation, and method of establishment shall be specified before application. Only viable, high quality seed or planting stock shall be used.
 38. Seeding or planting shall be done at a time and in a manner that best ensures establishment and growth of the selected species.
 39. Livestock shall be excluded for a minimum of one year following vegetation establishment and carefully monitoring in subsequent years. All areas to be grazed shall have a grazing plan developed.
 40. When establishing vegetation on bank and channel slopes, slopes steeper than 2:1 shall not be stabilized using vegetation alone. A combination of vegetative and structural measures, such as jute netting or an approved erosion control blanket appropriate for seed germination, will be used.

Specific BMPs for Access Road Improvements

41. Practices shall meet NRCS design standards and construction specifications for access road and stream crossing practices and be approved by a certified engineer.
42. The capacity and design of all culverts, bridges, fords, or grade dips for water management shall be consistent with sound engineering principles and shall be adequate for the class of vehicle, type of road, development, or use. When a culvert or bridge is installed in a drainage way, its minimum capacity shall convey the design storm runoff without causing erosion, road overtopping, or appreciably altering the stream flow characteristics. Minimum design storm frequencies are defined in the practice standard.
43. Stream crossings shall be installed only in areas where the streambed is stable. Crossings shall not be placed in areas where channel grade or alignment changes abruptly, excessive seepage or instability is evident, and/or incision and bed instability exists.
44. Stream crossings shall be installed perpendicular to the direction of stream flow where possible.
45. Stream approaches shall be blended with existing site conditions where possible and shall be installed to a stable grade no steeper than a 4:1 slope. Surface runoff shall be diverted around the approaches to prevent erosion.
46. Crossings shall be adequately protected so that out-of-bank flows safely bypass without damaging the structure or eroding the streambanks or the crossing. Where possible, crossings will be located outside of shady riparian areas or gates will be included in the design to minimize livestock loafing.

47. For a stream crossing or underground outlet (ditch relief) to convey water under the road, at least one culvert pipe shall be placed with its entire length set a minimum of six inches below the existing stream bottom. Additional culverts may be used at various elevations to maintain terrace or floodplain hydraulics and water surface elevations.
48. Bridges shall be designed with sufficient capacity to convey the design flow and transported material without appreciably altering the stream flow characteristics.
49. Bridges shall be designed to fully span the stream, passing at least the bank-full flow.
50. Culverts shall be designed with sufficient capacity to convey the design flow and transported material without appreciably altering the stream flow characteristics.
51. Culverts shall be designed to minimize habitat fragmentation and to minimize barriers to aquatic organism movement.
52. Culverts shall NOT be used where large flows of sediment or large woody material are expected or where the channel gradient exceeds 6 percent.
53. Acceptable culvert materials include concrete, corrugated metal, corrugated plastic, and new or used high quality steel.
54. Ford crossing shall be designed so that the cross-sectional area of the crossing is equal to or greater than the natural channel cross-sectional area. Ford shape shall match the channel cross-section to the extent possible.

References

- Natural Resources Conservation Service California Handbook. Electronic Field Office Technical Guide, Section IV (http://efotg.sc.egov.usda.gov//efotg_locator.aspx).
- Natural Resources Conservation Service and Alameda County Resource Conservation District. 2006. Draft Pond Restoration Design and Plan.

California Regional Water Quality Control Board San Francisco Bay Region

Watershed Division
1515 Clay Street, Suite 1400, Oakland, CA 94612

NOTICE OF INTENT TO COMPLY WITH THE TERMS OF GENERAL WASTE DISCHARGE REQUIREMENTS FOR PROJECTS UNDER THE VOLUNTARY HABITAT RESTORATION PROGRAM – ALAMEDA COUNTY ORDER NUMBER R2-2015-0020

FOR AGENCY TRACKING USE ONLY			
<i>Place ID:</i>	<i>Reg Measure ID:</i>	<i>Date NOI Received:</i>	<i>Check# and Amount</i>

I. PROJECT and APPLICANT INFORMATION

Project Title:	Click here to enter text.		
Applicant Name:	Click here to enter text.		
Business/Agency:	Click here to enter text.		
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	Fax	Click here to enter text.
E-mail:	Click here to enter text.		

II. PROPERTY OWNER Above

Check Box if Same As

Name:			
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	Fax	Click here to enter text.
E-mail:	Click here to enter text.		

III. PROJECT LOCATION

A. Address or description of project location.				
Click here to enter text.				
B. Check box to verify that a map of at least 1:24000 (1" = 2000') detail of the proposed project site (e.g., USGS 7.5 minute topo map) is enclosed:				<input type="checkbox"/> Project Map Enclosed
C. County:		Click here to enter text.		
D. Assessor's Parcel No.:		Click here to enter text.		
E. Coordinates (If available, provide at least latitude/longitude or UTM coordinates. Check appropriate boxes)				
Latitude/Longitude:	Latitude:	Click here to enter text.	Longitude:	Click here to enter text.
	<input type="checkbox"/> Degrees/Minutes/Seconds <input type="checkbox"/> Decimal Degrees <input type="checkbox"/> Decimal			
UTM coordinates:	Easting:	Click here to enter text.	Northing:	Click here to enter text.
Datum or UTM:	<input type="checkbox"/> NAD 27 <input type="checkbox"/> NAD 83 or WGS 84			
F. River(s), stream(s), lake(s), or wetland(s) affected by the project:		Click here to enter text.		
G. Name the receiving watershed or water body:		Click here to enter text.		
H. Is the watershed listed as impaired under Section 303(d) of the Clean Water Act ?		<input type="checkbox"/> yes <input type="checkbox"/> no	<u>Pollutant Category(ies):</u> Click here to enter text.	

IV. PROJECT CATEGORY

Select the covered activity or activities being implemented for this project? (check one or more boxes below)	
<input type="checkbox"/> Pond Restoration	<input type="checkbox"/> Livestock and Wildlife Water Distribution
<input type="checkbox"/> Erosion Control	

V. PROJECT INFORMATION

A. Estimated Project Term:	Beginning (Month / Year)	Click here to enter text.	Ending (Month / Year)	Click here to enter text.
B. Seasonal Work Period:	Click here to enter text.			
C. Estimated Total Number of Work Days:	Click here to enter text.			
<p>D. Describe the project in detail and enclose diagrams, drawings, plans, and/or maps that provide all of the following: site-specific construction details; dimensions of each structure; extent of activity in the bed channel, bank, or floodplain; where equipment will enter or exit the area, if applicable; and project overview showing the location of each structure and calculations at each site of area of disturbance. (<i>Attach additional sheets as needed</i>).</p>				
Click here to enter text.				
<p>E. Specify the equipment and machinery (if any) that will be used to complete the project. Describe in detail the measures that will be taken to prevent discharges and spills of oil, grease, and other petroleum products.</p>				
Click here to enter text.				
F. Will water be present during the proposed work period?			<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Unknown	
<p>G. Will the proposed project require work in the wetted portion of the channel? If yes, please describe the work that will be required, the type of equipment to be used, whether the channel will need to be dewatered, and how long equipment will be in the wetted portion of the channel.</p>			<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Unknown	
Click here to enter text.				
H. Projects that disturb one or more acres of soil are required to obtain coverage under the statewide General Permit for			<input type="checkbox"/> yes <input type="checkbox"/> no	

Discharges of Storm Water Associated with Construction Activity. Is coverage necessary for this Project?	
I. Verify that the project is not part of a compensatory mitigation project (e.g., Cleanup and Abatement Order, Supplemental Environmental Project).	<input type="checkbox"/> I verify this to be true.
J. Verify that the primary project purpose is <u>habitat restoration</u> . This project is not proposed as part of a larger project whose primary purpose is not habitat restoration (e.g., land development or flood management).	<input type="checkbox"/> I verify this to be true.
K. Verify that the project footprint shall not exceed 5 acres and dredged or fill discharges of not more than two-tenths (0.2) of an acre and 400 linear feet of channel and of not more than 4,000 cubic yards of material for pond desiltation discharges.	<input type="checkbox"/> I verify this to be true.

VI. DISCHARGE INFORMATION

A. Within the box provided below, identify the type(s) of material that are proposed to be introduced or “discharged” into Waters of the State as a result of the project.			
<input type="checkbox"/> Soil <input type="checkbox"/> Rock Rip-Rap <input type="checkbox"/> Native Vegetation <input type="checkbox"/> Non-native Vegetation <input type="checkbox"/> Large woody material <input type="checkbox"/> Rootwads <input type="checkbox"/> Erosion Control Materials (jute netting, straw wattles, etc.) <input type="checkbox"/> Culverts <input type="checkbox"/> Anchoring (bolts, cables, rebar, chains, etc.) <input type="checkbox"/> Fertilizers <input type="checkbox"/> Pesticides ⁴ <input type="checkbox"/> Other: Click here to enter text.			
B. For each of the materials identified above, identify the volume or quantity of material that is intended to be introduced or “discharged” into Waters of the State. Declare whether or not the material type is expected to cause a “temporary” or “permanent” effect. Include estimates of incidental material discharges that may occur from project implementation or as a result of post-project adjustment.			
<u>Material Type</u>	<u>Volume or Number</u>	<u>Temporary Effect</u>	<u>Permanent Effect</u>
1. Click here to enter text.	Click here to enter text.	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
2. Click here to enter text.	Click here to enter text.	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
3. Click here to enter text.	Click here to enter text.	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
4. Click here to enter text.	Click here to enter text.	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
5. Click here to enter text.	Click here to enter text.	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

⁴ The point source discharge of aquatic pesticides into Waters of the United States requires a separate National Pollutant Discharge Elimination System (NPDES) permit administered by the State Water Resources Control Board. Information about pesticide permits can be found at the following Web address:
http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml

C. In the space provided below, describe the intended purpose or reason for the discharges associated with each of the material type(s) listed above:

Click here to enter text.

VII. PROJECT SIZE

A. For each of the applicable water body type(s) listed below, indicate the area(s) in ACRES and LINEAR FEET that will be affected by the project and identify the impact(s) as permanent or temporary.

Water Body Type	Temporary Impact		Permanent Impact	
	Acres	Linear Feet	Acres	Linear feet
Wetland	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Streambed/Stream bank	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Pond/Lake/Reservoir	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
TOTAL AREA AFFECTED:	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

B. Pond Desiltation Volume (cubic yards):

IX. NOTICE OF TERMINATION AND CERTIFICATION

Applicants utilizing this General WDR Certification form must submit a Notice of Termination (NOT) once the project is complete. The NOT must be accompanied by a signature providing certification from the Alameda County Resource Conservation District that projects have been installed to meet the General WDR standards.

APPLICATION REQUIREMENTS AND FEES

Permit:	Submit Application to:	Time Restrictions:
General WDR Order No. R2-2015-0020	Regional Water Board – SF Bay Region Watershed Division 1515 Clay Street, Suite 1400, Oakland, CA 94612	Must be submitted at least 30 days prior to proposed discharge.
Fees:	Fees are subject to the most current statewide Dredge & Fee calculator. Refer to the resources for applicants section of the Dredge/Fill (401) and Wetlands program website for the most current fee information. http://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources	

X. SIGNATURE / CERTIFICATION

San Francisco Bay Regional Water Quality Control Board: Notice of Intent to Comply with the Terms of General Waste Discharge Requirements for Projects under the Alameda County Voluntary Habitat Restoration Program Administered by the Alameda County Resource Conservation District - Order No. R2-2015-0020

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment.

Applicant Signature Date _____

Printed Name

**Alameda County Resource Conservation District
Voluntary Habitat Restoration Program – Alameda County
for Compliance with San Francisco Bay Regional Water Quality Control Board
General Waste Discharge Requirements Order No. R2-2015-0020**

Certificate of Inclusion

This certifies that the property described as follows, [DESCRIPTION], and shown on Exhibit A, owned by [NAME OF APPLICANT], is enrolled and participating with the Alameda County Resource Conservation District to plan, design and implement voluntary restoration activities within the Alameda County Voluntary Habitat Restoration Program for Compliance with San Francisco Bay Regional Water Quality Control Board (Water Board) General Waste Discharge Requirements - Order No. R2-2015-0020 authorized by the Water Board on May 13, 2015.

Exhibit B provides a list of the covered activities and associated Best Management Practices that area applicable to the project.

The Water Board’s General Order authorization allows Applicants to complete a Notice of Intent to implement restoration activities practices by the Applicant as part of the Voluntary Habitat Restoration Program to maintain, restore, and enhance habitat for the common, listed and endangered species while minimizing impacts to water quality.

Alameda County Resource Conservation District

Title

Date:

**Alameda County Resource Conservation District
Voluntary Habitat Restoration Program – Alameda County
for Compliance with San Francisco Bay Regional Water Quality Control Board
General Waste Discharge Requirements Order No. R2-2015-0020**

Exhibit A

[Map of the property subject to the Certificate of Inclusion]

**Alameda County Resource Conservation District
Voluntary Habitat Restoration Program – Alameda County
for Compliance with San Francisco Bay Regional Water Quality Control Board
General Waste Discharge Requirements Order No. R2-2015-0020**

Exhibit B

[List and Description of Covered Activities and BMPs]

**California Regional Water Quality Control Board
 San Francisco Bay Region**

1515 Clay Street, Suite 1400, Oakland, CA 94612

NOTICE OF TERMINATION
 TO COMPLY WITH THE TERMS OF
 GENERAL WASTE DISCHARGE REQUIREMENTS FOR PROJECTS UNDER THE
 VOLUNTARY HABITAT RESTORATION PROGRAM – ALAMEDA COUNTY
ORDER No. R2-2015-0020

FOR AGENCY TRACKING USE ONLY			
<i>Place ID:</i>	<i>Reg Measure ID:</i>	<i>Date NOI Received:</i>	<i>Check# and Amount</i>

I. PROJECT and APPLICANT INFORMATION

Project Title:	Click here to enter text.		
Applicant Name:	Click here to enter text.		
Business/Agency:	Click here to enter text.		
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	Fax	Click here to enter text.
E-mail:	Click here to enter text.		

II. PROPERTY OWNER

Check Box if Same As Above

Name:			
Street Address:	Click here to enter text.		
City, County, State, Zip:	Click here to enter text.		
Telephone:	Click here to enter text.	Fax	Click here to enter text.
E-mail:	Click here to enter text.		

III. PROJECT CATEGORY

Select the covered activity or activities implemented for this project? (*check one or more boxes below*)

- Pond Restoration Livestock and Wildlife Water Distribution Erosion Control

IV. BASIS OF TERMINATION

Select one of the following:

- The project is complete and the following conditions have been met:
The project was implemented and is in compliance with the requirements under the General WDR Order No. R2-2015-0020.

Date of Project Completion: [Click here to enter text.](#)

- Project activities have been suspended:

Temporarily Indefinitely

Date of suspension: [Click here to enter text.](#)

Expected startup date (if applicable): [Click here to enter text.](#)

V. ALAMEDA COUNTY RESOURCE CONSERVATION DISTRICT SIGNATURE / CERTIFICATION

I certify that the covered activities implemented for this project were completed to meet the General WDR Order No. R2-2015-0020 and were installed to meet Natural Resources Conservation Service standards and specifications detailed in *Planning Procedures and Best Management Practices for the Voluntary Habitat Restoration Program, Alameda County*. The project is complete.

Alameda County Resource Conservation District
Signature

Date

Printed Name

VI. APPLICANT SIGNATURE / CERTIFICATION

I certify under penalty of law that all dredge and fill discharges associated with the restoration activity from the identified site that are authorized under General WDR Order No. R2-2015-0020 have been completed. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge water and materials associated with the any restoration activity under the General WDR Order No. R2-2015-0020.

Applicant Signature

Date

Printed Name