



Central Coast Regional Water Quality Control Board

November 3, 2017

Carl Holm
Monterey County Resource Management Agency
168 West Alisal Street, 2nd Floor South
Salinas, CA 93901
Email: holmcp@co.monterey.ca.us

VIA ELECTRONIC MAIL

Dear Mr. Holm:

RE: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE CARMEL RIVER LAGOON INTERIM SANDBAR MANAGEMENT PROJECT (CERTIFICATION (WDID) NO. 32717WQ19

Enclosed please find a Clean Water Act Section 401 Water Quality Certification (Order), authorized by the Central Coast Regional Water Quality Board Executive Officer. This Order is issued to Monterey County Resource Management Agency for the Carmel River Lagoon Interim Sandbar Management Project (Project). Attachments A through E of the Enclosure are also part of the Order.

This Order is issued in response to an application submitted by Monterey County Resource Management Agency for proposed Project discharge to waters of the state, to ensure that water quality standards for all waters of the state impacted by the Project are met. You may proceed with your Project according to the terms and conditions of the enclosed Order.

If you require further assistance, please contact Kim Sanders at (805) 542-4771 or via e-mail at Kim.Sanders@waterboards.ca.gov, or Phil Hammer at (805) 549-3882. Please mention the above certification file number in all future correspondence pertaining to this project.

Sincerely,



Digitally signed by Phillip Hammer

Date: 2017.11.03 08:34:01 -07'00'

for
John M. Robertson
Executive Officer
Central Coast Regional Water Quality Control Board

Enclosures (1): Certification (WDID) Order No. 32717WQ19 for Carmel River Lagoon Interim Sandbar Management Project

cc: (w/ enclosure)

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Central Coast Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Reg. Meas. ID: 414011
Place ID: 836166
Certification: 32717WQ19
USACOE No: 1996-19089

Effective Date: November 3, 2017

Program Type: Fill/Excavation

Project Type: Channel Construction and Maintenance

Project: Carmel River Lagoon Interim Sandbar Management Project

Applicant: Monterey County Resource Management Agency

Applicant Contact: Carl Holm
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Water Board Contact Person: If you have any questions, please call Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff listed above or (805) 549-3147 and ask to speak with the Water Quality Certification Program Manager.

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I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of Monterey County Resource Management Agency (herein after Permittee) for the Project. This Order is based on the information in the application and supplemental information submitted by the Permittee. The application was received on June 26, 2017. The application was deemed complete on June 29, 2017. Prior to receiving a complete application, Central Coast Water Board staff issued a notice of incomplete application and the Permittee completed responding to the request for application information on the following date (Table 1).

Table 1: Record of Notice(s) of Incomplete Application	
Date of Notice of Incomplete Application	Date all requested information was received
June 27, 2017	June 29, 2017

Central Coast Water Board staff requested additional information necessary to supplement the contents of the complete application and the Permittee completed responding to the request for supplemental information on the following date (Table 2).

Table 2 Record of Supplemental Application Information	
Date of initial request for supplemental information	Date all requested information was received
July 24, 2017	August 15, 2017

II. Conditions

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

A. Authorization

Impacts to waters of the state shall not exceed quantities shown in Table 5.

B. Mitigation Conditions for Temporary Impacts

1. The Permittee shall restore all areas of temporary impacts to waters of the state, if necessary, in accordance with the application. Temporary mitigation shall include restoration of the sandbar in approximately late spring or early summer to create a closed lagoon that will maximize the volume of freshwater habitat in the lagoon.
2. If the lagoon does not close naturally and closure is determined to be necessary, restoration mitigation for temporary impacts shall be completed in consultation with

the National Marine Fisheries Service (NMFS).

Aquatic Resource Type	Mit. Type ²	Units	Method ³					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Ocean/ Bay/ Estuary	PR	Acres			0.60			
		LF			300			

C. Site Specific Conditions

1. The Permittee shall expeditiously develop a long-term project for maximizing available aquatic habitat, protecting water quality and the beneficial uses of the lagoon, and reducing the potential for flooding near and surrounding the lagoon.
2. Mobilization of sandbar management equipment shall not begin until one or more of the following conditions occur:
 - a. The lagoon water surface elevation (WSE) reaches 12.77 feet North American Vertical Datum of 1988 (NAVD88);
 - b. Forecasts project that the lagoon WSE is likely to reach approximately 12.77 feet NAVD88 in less than 72 hours;
 - c. Carmel River flows reach or exceed approximately 200 cubic feet per second; or
 - d. NMFS determines that breach channel excavation may be necessary and mobilization may begin.
3. Mechanical management of the lagoon sandbar, including channel excavation, is only permitted after the Permittee has contacted surrounding property owners and attempted to secure the right to implement other methods of flood protection for houses and infrastructure surrounding the lagoon, and if one of the following conditions occurs:
 - a. The lagoon WSE reaches approximately 13.27 feet NAVD88 or is likely to reach that level within 24 to 48 hours;
 - b. Carmel River flows or the rate of increase in WSE in the lagoon indicates less than six hours until the lagoon reaches a WSE of approximately 12.77 feet NAVD88;
 - c. Ocean and lagoon monitoring indicates wave overtopping would begin to rapidly increase the lagoon WSE as well as increase the sandbar elevation; or

¹ 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.

² Mitigation type for onsite restoration of temporary impacts is always Permittee Responsible (PR).

³ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.

- d. NMFS determines excavation of a breach channel is authorized and provides the design and timing of the excavation channel construction.
4. Mechanical excavation of the sandbar shall result in a channel that is at an elevation of approximately 12.77 feet NAVD88.
5. A sand plug (a portion of the sandbar) shall be left in place at the end of the excavated channel that is closest to the lagoon, with the intention that wave action or the rising lagoon water level will break the plug, causing a more natural and less erosive breach than would occur by creating an unobstructed channel from the lagoon to the ocean.
6. If there is an immediate need to breach the lagoon, the sand plug shall be excavated by a crew on foot using hand tools. In rare cases in which the excavation crew's safety could be compromised, the Permittee may mechanically breach the lagoon.
7. Prior to the breach channel construction, the Permittee shall post signs in the construction area advising the public against water contact recreation in the Ocean. The signs shall be posted at any time during or after breach channel construction when ocean water quality does not meet fecal indicator bacteria (FIB) standards identified in Monitoring Condition 1.c, based on monitoring conducted in accordance with Monitoring Condition 1.a. and b. If the Permittee has reason to conclude that FIB sampling is not necessary during or after breach channel construction the Permittee shall submit the reason to Central Coast Water Board staff for approval.
8. No vehicular or heavy equipment shall work or travel in the lagoon or ocean water.
9. The Permittee shall have biological monitors onsite during and after excavation of the channel, and during and after breaching and sandbar closures, to monitor the WSE and record fish endangerment or death. The biological monitors shall respond to any fish strandings or death pursuant to the conditions of the permits from resource agencies with authority over the Carmel Lagoon.
10. Excavated sand shall be stockpiled near the excavated channel at a distance where it is not in danger of being washed away by the breach. If excessive scour is observed, the Permittee shall push stockpiled sand into the outlet channel to reduce further scour, or to close the sandbar, if deemed necessary in consultation with NMFS.
11. Stockpiled sand shall also be available for dry season closure of the channel.
12. The Permittee must manage the excavated channel in consultation with NMFS, which may include closure to maximize the volume of aquatic habitat in the dry season, up to a maximum lagoon level of 12.77 feet NAVD88. The Permittee shall consult with NMFS to determine:
 - a. The timing of sand management, and
 - b. Design of sand placement to create a lagoon closure and/or optimize lagoon WSE.
13. The minimum lagoon WSE shall be maintained at 8.77 feet NAVD88, or at a WSE determined in consultation with NMFS.

D. Project Implementation Conditions

1. All personnel who engage in construction activities or their oversight at the project site (superintendent, construction manager, foreman, crew, contractor, biological monitor, etc.) must attend trainings on the conditions of this Certification and how to perform their duties in compliance with those conditions. Every person shall attend an initial training within five working days of their start date at the project site and follow-up trainings every six months until the project is completed. Trainings shall be conducted by a qualified individual with expertise in 401 Water Quality Certification conditions and compliance.
2. All work performed within waters of the State shall be completed in a manner that minimizes impacts to beneficial uses and habitat. Measures shall be employed to minimize land disturbances that will adversely impact the water quality of waters of the State. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation.
3. The Permittee shall retain a spill plan and appropriate spill control and clean up materials (e.g., oil absorbent pads) onsite in case spills occur.
4. The Permittee shall confine all trash and debris in appropriate enclosed bins and dispose of the trash and debris at an approved site at the end of each day.
5. Before transporting construction vehicles and equipment to the designated staging area, the Permittee shall check the vehicles and equipment for leaks. All leaks shall be repaired before transporting the vehicles and equipment to the staging area.
6. All construction vehicles and equipment used on site shall be well maintained and checked daily for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials.
7. The Permittee shall designate a staging area for equipment and vehicle fueling and storage at least 100 feet away from waterways, in a location where fluids or accidental discharges cannot flow into waterways.
8. All vehicle fueling and maintenance activity shall occur at least 100 feet away from waterways and in designated staging areas, unless a requested exception on a case-by case basis granted by prior written approval has been obtained from Central Coast Water Board staff.
9. All post-construction BMPs shall be implemented and functioning prior to completion of the project.
10. All construction-related equipment, materials, and any temporary BMPs no longer needed shall be removed and cleared from the site upon completion of the project.

E. General Compliance Conditions

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 Plan by the Central Coast Water Board or any applicable State Water Board 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 Central Coast Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Board deems appropriate, provided 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 and reporting 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 for one year from the date of issuance, November 3, 2017. This Order expires November 3, 2018.

F. Administrative Conditions

1. Signatory requirements for all document submittals required by this Order are presented in Attachment D 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 Central Coast 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. {Delete if SAA is final.}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 Central Coast Water Board immediately upon execution and prior to any discharge to waters of the state.

G. Standard Conditions

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, chapter 28, Article 6 commencing with sections 3867-3869, inclusive. Additionally, the Central Coast Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Central Coast 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 that 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.

H. Water Quality and Project Site Monitoring

1. General: Take representative photos of the project, including all areas of permanent and temporary impact, prior to, during, and after project construction. Continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, spills, turbidity plumes, or uncured concrete).
 2. Accidental Discharges/Noncompliance: Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Central Coast Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.
 3. Lagoon Water Surface Elevation: The Permittee shall monitor the lagoon stage throughout the breach process. Monitoring shall be conducted by the Permittee's project superintendent, construction manager, or foreman with experience in survey methods and coastal lagoon dynamics, to ensure the lagoon does not drain to a WSE below 8.77 feet NAVD88, unless NMFS determines an alternate WSE is more appropriate due to the ambient conditions.
 4. Photo Monitoring: The Permittee shall photo-document the lagoon before, during, and after excavation of a breach channel and/or full breach. Photo documentation shall include any observed excessive scour or erosion or major shifts in beach and near-shore topography, such as shifts in sandbars.
 5. Visual Inspection:
 - a. During water quality monitoring and sample collection, the following visual observations must also be made and recorded:
 - i. Weather conditions;
 - ii. Speed and direction of the currents;
 - iii. Ocean state, wave height, and period;
 - iv. Tidal stage(s) and height (mean lower low water (MLLW));
 - v. Shifts in near-shore topography, such as shifts in sandbars;
 - vi. Appearance of rubbish or refuse (e.g., cans, bottles, paper, plastic), garbage, trash, or any other solid waste;
 - vii. Appearance of oil or other materials of petroleum origin;
 - viii. Discoloration and extent of any visible turbidity plume; and
 - ix. Presence of nuisance odors attributable to the activity.
 - b. After the excavation and/or breaching activities are complete, visually inspect the project site and areas of waters of the State adjacent to project impact areas to ensure that the project is not causing excessive erosion, visible alterations of the ocean floor, fish passage problems, or other unforeseen post-breach water quality problems. If the project does cause water quality problems, contact the Central Coast Water Board staff member overseeing the project. The Permittee is responsible for obtaining any additional permits necessary for implementing plans for restoration to prevent further water quality problems.
 6. Fecal Indicator Bacteria (FIB) Monitoring: The Permittee shall conduct sampling and analysis of ocean water for enterococcus, unless the Permittee has received approval from Central Coat Water Board staff to forego the monitoring. The monitoring shall include the following:
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- a. The Permittee shall coordinate all fecal indicator bacteria monitoring efforts with the County of Monterey Health Department so that monitoring efforts are consistent and duplicative monitoring is avoided. For the ocean sampling, the Permittee shall follow AB411 monitoring protocol with regard to methodology, frequency, and timing of sampling to ensure that the Permittee is collecting samples that are comparable to other beach data that the Central Coast Water Board receives for the area.
- b. Breach Event Sampling: A grab sample shall be collected within 24 hours before each breach event. A grab sample shall also be collected within 12 hours following each breach event. While the lagoon remains open to the ocean, grab samples shall be collected at the same frequency that AB411 samples are required to be collected, but no less frequent than weekly, until ocean water quality meets fecal indicator bacteria standards identified in Monitoring Condition 1.c. Grab samples shall be collected according to AB411 monitoring protocol, at the location the lagoon water enters the ocean.
- c. If fecal indicator bacteria monitoring results indicate exceedance of the following water quality criteria, the Permittee must report the exceedance to Central Coast Water Board staff as soon as possible and no later than 24 hours after the monitoring results are first available.
 - Enterococcus shall not exceed a single sample value of 104 CFU/100mL

Sampling shall be conducted in accordance with Table 4 sampling parameters.⁴

Table 4: Sample Type and Frequency Requirements			
Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Fecal Indicator Bacteria	CFU/mL	Grab	At the same frequency that AB411 samples are required to be collected, but no less frequent than weekly

I. Reporting, Notification, and Application Requirements

The following section details the reporting and notification types and timing of submittals. Requirements for the content of these reporting and notification types are detailed in Attachment B, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment B, which must be signed by the

⁴ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Coast Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

Permittee or an authorized representative. All reports and notifications shall be submitted electronically to **RB3_401Reporting@waterboards.ca.gov**.

1. Project Reporting

- a. Annual Reporting: The Permittee shall submit an Annual Report each year on May 31. Annual reporting shall continue until a Notice of Project Complete is issued to the Permittee.

2. Responses to EIR Comments and Application Submittal

- a. By August 31, 2018, the Permittee shall submit either a complete application for a Long-Term Project (that includes at least the Interim Sandbar Management Plan (ISMP) and Scenic Road Protective Structure (SRPS)) or demonstration of a good faith effort toward studying, funding, and implementing the Long-Term Project and completing the Long-Term Project EIR.
- b. Demonstration of a good faith effort must explain and document the Permittee's progress toward studying, funding, and implementing the Long-Term Project, identify the reason for the Long-Term Project delay, and shall include:
- i. Submittal of Long-Term Project-related staff reports for the County Board of Supervisors (CBOS), the CBOS meeting minutes, and formal communications memorializing action toward a Long-Term Project;
 - ii. Demonstration that the Permittee has procured funding, or is actively seeking funding by (1) submitting timely grant proposals to potential funding sources that award grants for such projects, and (2) requesting annual budget funding from the CBOS;
 - iii. Description of progress made on approval of CEQA documentation; and
 - iv. If applicable, identification of any legal challenges against the proposed Long-Term Project that result in delays, and a schedule that identifies when the Permittee will address project issues identified by the legal challenge, including hearing dates.

3. Project Status Notifications

- a. Commencement of Construction: The Permittee shall submit a Commencement of Construction Report at least seven days prior to start of initial ground disturbance activities.
- b. Request for Notice of Project Complete: The Permittee shall submit a Request for Notice of Project Complete when all required construction, post-discharge, water quality, visual inspections, and photo monitoring are complete,⁵ and no further Project activity is planned. This request shall be submitted to Central Coast Water Board staff within 30 days following completion of all Project activities. Upon approval of the request, the Central Coast Water Board staff will issue a Notice of Project Complete to the Permittee which will end the post discharge monitoring period and associated annual fees.

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

⁵ Completion of post-discharge monitoring shall be determined by Central Coast Water Board staff and shall be contingent on monitoring reporting that does not identify water quality problems or impacts to beneficial uses.

a. Accidental Discharges of Hazardous Materials⁶

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

- 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](http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill%20Booklet%20Feb2014%20FINAL%20BW%20Acc.pdf)
- ii. Following notification to OES, the Permittee shall notify Central Coast Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- iii. Within five working days of notification to the Central Coast Water Board, the Permittee must submit an Accidental Discharge of Hazardous Material Report.

b. Violation of Compliance with Water Quality Standards:

The Permittee shall notify the Central Coast Water Board within 24 hours 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: spills to a water of the state, monitoring results indicating an exceedance of water quality standards, discharges causing a visible plume in a water of the state, and excessive erosion in a water of the state.
- ii. This notification must be followed within three working days by submission of a Violation of Compliance with Water Quality Standards Report.

c. Modifications to Project

Project modifications may require an amendment of this Order. The Permittee shall give 14-day advance notice to Central Coast 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 Modifications to Project Report. The Permittee shall give 14-day advance notice to Central Coast Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order. Proposed project modifications shall be described in a submitted Modifications to Project Report. The Permittee shall not implement modifications to the Project as it was described in the application materials without Central Coast Water Board staff approval and/or amendment of this Order.

⁶ "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.)

d. Transfer of Property Ownership or Project Responsibility

This Order is not transferable in its entirety or in part to any person or organization except after notice to the Central Coast Water Board in accordance with the following terms:

- i. The Permittee must notify the Central Coast Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership or Project Responsibility Report. The Report must include a written agreement between the existing and new responsible party containing a specific date for the transfer of this Order's responsibility and coverage between the current responsible party and the new responsible party. This agreement shall include an acknowledgement that the existing responsible party is liable for compliance and violations up to the transfer date and that the new responsible party is liable from the transfer date on. The Permittee and purchaser must sign and date the Report and provide the Report to the Central Coast Water Board at least 30 days prior to the transfer of ownership.
- ii. Until such time as this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order.

III. Public Notice

The Central Coast Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 for at least 21 days starting 6/28/2017. The Central Coast Water Board did not receive any comments during the comment period.

IV. Project Information

A. Project Purpose

To encourage natural breaching of the sandbar, alleviate flood risk, and enhance lagoon habitat.

B. Project Description

Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff understands that the project includes the following activities:

1. Public outreach for the purpose of warning homeowners to prepare for potential flooding and to educate the community regarding the negative impacts of unauthorized manual breaches;
2. Sand bag placement around homes surrounding the lagoon;
3. Mechanical sand management (excavation of breach channel with sand plug left in place) to encourage breaching of the Carmel Lagoon sandbar;
4. Manual or mechanical breaching (by removal of the sand plug) only if necessary; and
5. Management of the sandbar for a dry season closure.

C. Project Location

The Carmel Lagoon is within Carmel River Beach State Park and south of the City of Carmel by the Sea at latitude 36° 32' 19.68" and longitude 121° 55' 41.62". A map showing the Project location is found in Attachment C of this Order.

D. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Central Coast Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Central Coast Basin (Basin Plan) and other plans and policies which may be accessed online at:

http://www.waterboards.ca.gov/plans_policies/. The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Fill out the receiving waters table in the receiving waters, impacts, and mitigation attachment for all impact locations. Project impact and receiving waters information can be found in Attachment A. Table 1 of Attachment A lists 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 A.

E. Description of Direct Impacts to Waters of the State

Total Project fill/excavation quantities for all impacts are summarized in Table 5.

Table 5: Total Project Approximate Fill/Excavation Quantity									
Aquatic Resource Type	Temporary Impact⁷			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY ⁸	LF	Acres	CY	LF	Acres	CY	LF
Lake									
Ocean/bay/estuary	0.60	250	300						
Riparian Zone									
Stream Channel									
Vernal Pool									
Wetland									

F. Compensatory Mitigation

The Permittee will provide mitigation described in section B for temporary impacts that have temporal loss and/or degradation of ecological condition.

V. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Resources Control Board (State Water Board) to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

VI. Fees Received

An application fee of \$6,124 was received on June 28, 2017. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

VII. Water Quality Certification

I hereby issue the Order for the Carmel River Lagoon Interim Sandbar Management Project, Certification No. 32717WQ19, 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).

⁷ 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.

⁸ Cubic Yards (CY); Linear Feet (LF)

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.



Digitally signed by Phillip Hammer

Date: 2017.11.03 08:34:35 -07'00'

for

November 3, 2017

John M. Robertson
Executive Officer
Central Coast Water Quality Control Board

Date

Receiving Waters

The following table shows the receiving waters associated with each impact and Permittee responsible mitigation site.

Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	eCRAM ID ¹
1	<i>Carmel River Estuary (Carmel River Lagoon)</i>	Ocean/bay/estuary	307.00	<i>Carmel River Estuary</i>	<i>GWR, REC1, REC2, COLD, MIGR, SPWN, BIOL, RARE, EST, COMM, SHELL</i>	²

¹ California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.

² CRAM Identification and Scores

eCRAM ID	Assessment Area Name	Wetland type display	Visit date	Index score
98	Carmel River Mouth	riverine non-confined	8/13/2005	73
575	Carmel Lagoon A	estuarine seasonal	4/1/2008	68
576	Carmel River Lagoon B	estuarine seasonal	4/1/2008	64
1677	Carmel Lagoon 1	estuarine seasonal	7/29/2010	67
1679	Carmel Lagoon 3	estuarine seasonal	7/23/2010	61
5020	Carmel #2	bar-built estuarine	10/18/2012	64
5021	Carmel #3	bar-built estuarine	10/18/2012	65
5250	Carmel Lagoon #1	bar-built estuarine	7/2/2012	82
5252	Carmel AA - C	bar-built estuarine	7/2/2012	79

Individual Direct Impact Locations

The following table shows individual impact locations.

Table 1 : Individual Direct Impact Information											
Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
1	36° 32' 19.68"	121° 55' 41.62"	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Temporary				0.60	250	300
					Permanent						

Copies of this Form

In order to identify your project, it is necessary to include a Project specific copy of the Report and Notification Cover Sheet below with all reports and notifications: please retain for your records. A copy of the Cover Sheet is available for download at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/401wqcert/index.shtml

Report Submittal Instructions

1. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting.
 - **Part A (Annual Report):** This report must be submitted annually on May 31 of each year until a Notice of Project Complete is issued.
 - **Part B (Project Status Notifications):** Used to notify the Central Coast Water Board of the status of the Project schedule that may affect Project billing. Project Status Notifications that affect billing are discussed in the Definition of Reporting Terms section below.
 - **Part C (Conditional Notifications and Reports):** Required on a case by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.
2. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.
3. **Electronic Report Submittal Instructions:**
 - Submit signed Report and Notification Cover Sheet and required information via email to: RB3_401Reporting@waterboards.ca.gov and cc: Kim Sanders at Kim.Sanders@waterboards.ca.gov
 - Include in the subject line of the email:
Subject: Project Name; Kim Sanders; Certification (WDID) No.: 32717WQ19; Report Title

Definition of Reporting Terms

1. **Active Discharge Period:** The active discharge period begins with the effective date of this Order and ends on the date that the Permittee receives a Notice of Completion of Discharges or, if no post-construction monitoring is required, a Notice of Project Complete. The Active Discharge Period includes all elements of the Project including site construction and restoration construction, and any Permittee responsible compensatory mitigation construction.
2. **Request for Notice of Completion of Discharges:** This request by the Permittee to the Central Coast Water Board staff pertains to projects that have post construction and/or mitigation monitoring requirements, e.g. if site restoration was required to be monitored for five (5) years following construction. It is submitted when the Active Discharge Period is complete. Central Coast Water Board staff will review the request and send a Notice of Completion of Discharges to the Permittee upon approval. This Central Coast Water Board notice will initiate the post-discharge monitoring period and a change in fees from the annual active discharge fee to the annual post-discharge monitoring fee.
3. **Request for Notice of Project Complete:** This request by the Permittee to the Central Coast Water Board staff pertains to projects that either have completed post-construction and/or mitigation monitoring and achieved performance standards or have no post-construction and/or mitigation monitoring requirements, and no further Project activities are planned. Central Coast Water Board staff will review the request and send a Notice of Project Complete to the Permittee upon approval. Termination of annual invoicing of fees will correspond with the date of this notice.
4. **Post-Discharge Monitoring Period:** The post-discharge monitoring period begins on the date of the Notice of Completion of Discharges and ends on the date of the Notice of Project Complete issued by the Central Coast Water Board staff. The Post-Discharge Monitoring Period may include continued water quality monitoring, impact site monitoring, and/or compensatory mitigation monitoring.
5. **Effective Date:** Date of Order issuance.

Map/Photo Documentation Information

When submitting maps or photos, meet the following requirements.

1. **Map Format Information:**
 - a. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted.
 - b. Maps must include an accurate scale
 - c. Preferred map formats of at least 1:24000 (1" = 2000') detail
2. **Photo-Documentation:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos shall be taken from the similar vantage points to compare pre/post construction and/or mitigation conditions.

REPORT AND NOTIFICATION COVER SHEET

**Project Name
(as found on
Certification):** Carmel River Lagoon Interim Sandbar Management Project

Permittee: Monterey County Resource Management Agency

Reg. Meas. ID: 414011

Place ID: 836166

Certification (WDID): 32717WQ19

Order Effective Date: November 3, 2017

Report Type Submitted	
Part A – Project Reporting	
<input type="checkbox"/>	Annual Report
Part B - Application Submittal	
<input type="checkbox"/>	Application or Demonstration of Good Faith Effort
Part C - Project Status Notifications	
<input type="checkbox"/>	Commencement of Construction
<input type="checkbox"/>	Request for Notice of Completion of Discharges
<input type="checkbox"/>	Request for Notice of Project Complete
Part D - Conditional Notifications and Reports	
<input type="checkbox"/>	Accidental Discharge of Hazardous Material Report
<input type="checkbox"/>	Violation of Compliance with Water Quality Standards Report
<input type="checkbox"/>	In-Water Work, Dewatering, or Diversions Report
<input type="checkbox"/>	Modifications to Project Report
<input type="checkbox"/>	Transfer of Property Ownership Report
<input type="checkbox"/>	Transfer of Long-Term BMP Maintenance Report
<input type="checkbox"/>	Work Window Extension Request

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

Print Name ¹

Affiliation and Job Title

Signature

Date

¹STATEMENT OF AUTHORIZATION (include if authorization has changed since application was submitted)

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

Permittee's Signature

Date

***This Report and Notification Cover Sheet must be signed by the Permittee or a duly authorized representative and included with all written submittals.**

Part A – Project Reporting

	Annual Report
Report Purpose	Notify the Central Coast Water Board staff of Project status during both the active discharge and post-discharge monitoring periods.
When to Submit	Annual reports shall be submitted each year on May 31 . Annual reports shall continue until a Notice of Project Complete is issued to the Permittee.
Report Contents	<p>The contents of the annual report shall include the topics indicated below for each project period. Required report contents are identified in Annual Report Topics below.</p> <ul style="list-style-type: none"> • Topic 1: Construction and Site Monitoring Summary • Topic 2: Mitigation Status for Temporary Impacts
Annual Report Topics (1-2)	
Annual Report Topic 1	Construction and Site Monitoring Summary
When to Submit	With the Annual Report during the Active Discharge and Post Discharge Monitoring Period.
Report Contents	<p>Report the following information:</p> <ol style="list-style-type: none"> 1. The status of the project: construction not started, construction started, or construction complete. 2. The date of construction initiation, if applicable. 3. The date of construction completion, if applicable. 4. If project construction is complete: <ol style="list-style-type: none"> a. A summary of daily activities, monitoring and inspection observations and problems incurred and actions taken; b. Identification of when site personnel trainings occurred, description of the topics covered during trainings, and confirmation that every person that engaged in construction activities or their oversight at the project site was trained initially before winter actions and before summertime lagoon closure, if closure was necessary. c. A description of the results of the visual inspection of the project site before, during, and after breach channel excavation and during water quality monitoring and sample collections, and areas of waters of the State adjacent to project impact areas, including: <ol style="list-style-type: none"> i. Lagoon water surface elevation; ii. Outlet channel stability conditions; iii. Water quality and beneficial use conditions including all conditions listed in section II. H. 5 Visual Inspection of the Certification iv. Clearly identified photo-documentation of all areas of temporary impact, prior to and after project construction; and v. Clearly identified representative photo-documentation of other project areas, prior to and after project construction.

	<p>vi. If the visual inspection monitoring period is over, but water quality problems persist, the Annual Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the project is no longer causing excessive erosion, stream instability, or other water quality problems.</p>
<p>Annual Report Topic 2</p>	<p>Mitigation Status for Temporary Impacts</p>
<p>When to Submit</p>	<p>With the Annual Report during both the Active Discharge Period and Post-Discharge Monitoring Period.</p>
<p>Report Contents</p>	<p>Report the following information:</p> <ol style="list-style-type: none"> 1. If mitigation construction has not started, report the estimated dates mitigation construction will start, if necessary, and be completed. 2. If mitigation construction has started, report the following information: <ol style="list-style-type: none"> a. Date of initiation of mitigation construction and date mitigation construction was completed; b. If mitigation construction was completed, confirmation mitigation was installed according to the requirements of this Order and as described in the application and any other associated submittals; c. Analysis of monitoring data collected in the field; d. Any remedial or maintenance actions taken or needed; and e. Annual photo-documentation representative of all mitigation areas. Compare photos of mitigation site (closed sandbar) with photos of the mitigation area prior to construction. f. A description of mitigation completion status that identifies the amount of mitigation monitoring and maintenance remaining, or certifies that mitigation is complete and all required mitigation monitoring and maintenance has been conducted.

Part B – Application Submittal

	Application or Demonstration of Good Faith Effort
Submittal Purpose	Demonstrate the Permittee’s commitment to expeditious development of a long-term project for maximizing available aquatic habitat, protecting water quality and the beneficial uses of the lagoon, and reducing the potential for flooding near and surrounding the lagoon, by applying for 401 Certification of the long-term project or showing that the Permittee has made a good faith effort toward a long-term project.
When to Submit	August 31, 2018
Submittal Contents	<p><u>Application Submittal:</u> A complete Clean Water Act Section 401 Certification application.</p> <p><u>Demonstration of Good Faith Effort Submittal:</u> The submittal shall explain and document the Permittee’s progress toward studying, funding, and implementing the long-term project, identify the reason for the Long-Term Project delay, and shall include:</p> <ol style="list-style-type: none"> 1. Submittal of long-term project-related staff reports for the County Board of Supervisors (CBOS), the CBOS meeting minutes and formal communications memorializing action toward a Long-Term Project; 2. Demonstration that the Permittee has procured funding, or is actively seeking funding by (1) submitting timely grant proposals to potential funding sources that award grants for such projects, and (2) requesting annual budget funding from the CBOS 3. Description of progress made on approval of CEQA documentation; and 4. If applicable, identification of any legal challenges against the proposed long-term project that result in delays, and a schedule that identifies when the Permittee will address project issues identified by the legal challenge, including hearing dates

Part C – Project Status Notifications

	Commencement of Construction
Report Purpose	Notify Central Coast Water Board staff prior to the start of construction.
When to Submit	Must be received at least seven (7) days prior to start of initial ground disturbance activities.
Report Contents	Report the following information: <ol style="list-style-type: none"> 1. Date of commencement of construction. 2. Anticipated date when discharges of fill or dredged material to waters of the state will occur. 3. Project schedule milestones.

	Request for Notice of Completion of Discharges
Report Purpose	Notify Central Coast Water Board staff that active Project construction and discharges, including any mitigation construction, is complete. Notify Central Coast Water Board staff that post-discharge monitoring is required.
When to Submit	Must be received by Central Coast Water Board staff within thirty (30) days following completion of all Project discharge, construction, and mitigation construction activities.
Report Contents	Report the following information: <ol style="list-style-type: none"> 1. Date of completion of all Project discharge, construction, and mitigation construction activities. 2. Dates when post-discharge monitoring for the Project will begin.

	Request for Notice of Project Complete
Report Purpose	Notify Central Coast Water Board staff that all required construction, post-discharge, and mitigation monitoring is complete, all mitigation success criteria have been achieved, and no further Project activity is planned.
When to Submit	Must be received by Central Coast Water Board staff within thirty (30) days following completion of all Project activities, including achievement of all mitigation performance standards.
Report Contents	Report the following information: Part A: Mitigation Status for Temporary and Permanent Impacts <ol style="list-style-type: none"> 1. Qualitative and quantitative comparisons of final mitigation conditions with preconstruction conditions and previous mitigation monitoring results; 2. Any remedial or maintenance actions taken; 3. Any additional information specified in the (Mitigation and Monitoring Plan); 4. Annual photo-documentation representative of all mitigation areas, taken from vantage points from which Central Coast Water Board staff can identify changes in size and cover of plants. Compare photos of installed mitigation with photos of the mitigation areas prior to installation.

	<p>5. A description of mitigation status that demonstrates that mitigation is complete and all required mitigation monitoring and maintenance has been conducted and all mitigation performance standards have been achieved. Compare current mitigation site conditions with performance standards.</p> <p>6. Status on the implementation of the long-term maintenance and management plan and funding of endowment.</p> <p>Part B: Project Site Monitoring</p> <p>1. A description of the results of the annual visual inspection of the project site and areas of waters of the State adjacent to project impact areas, including:</p> <ul style="list-style-type: none">a. Erosion conditions;b. Stream stability conditions;c. Water quality and beneficial use conditions;d. Clearly identified photo-documentation of all areas of permanent and temporary impact, prior to and after project construction; ande. Clearly identified representative photo-documentation of other project areas, prior to and after project construction.
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Part D – Conditional Notifications and Reports

	Accidental Discharge of Hazardous Material Report
Report Purpose	Notifies Central Coast Water Board staff that an accidental discharge of hazardous material has occurred.
When to Submit	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Central Coast Water Board staff.
Report Contents	<p>Report the following information:</p> <ol style="list-style-type: none"> 1. Include the Office of Emergency Services Incident/Release Assessment Form (http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf), a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quantity, areal extent, and photo documentation). 2. If applicable, any sampling data, with a full description of the sampling methods including frequency/dates and times of sampling, equipment, and locations of sampling sites. 3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring. 4. A description of actions the Permittee took to stop the discharge. 5. A description of actions the Permittee took to clean up or remove the discharge. 6. Photo documentation of the discharge locations after the discharge is cleaned up or removed.

	Violation of Compliance with Water Quality Standards Report
Report Purpose	Notifies Central Coast Water Board staff that a violation of compliance with water quality standards has occurred.
When to Submit	The Permittee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Central Coast Water Board staff.
Report Contents	Report the following information: the cause of the noncompliance; the location of the noncompliance shown on a map; and the period of the noncompliance including exact dates and times. If the noncompliance has not been corrected, include: the anticipated time it is expected to be corrected; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results.

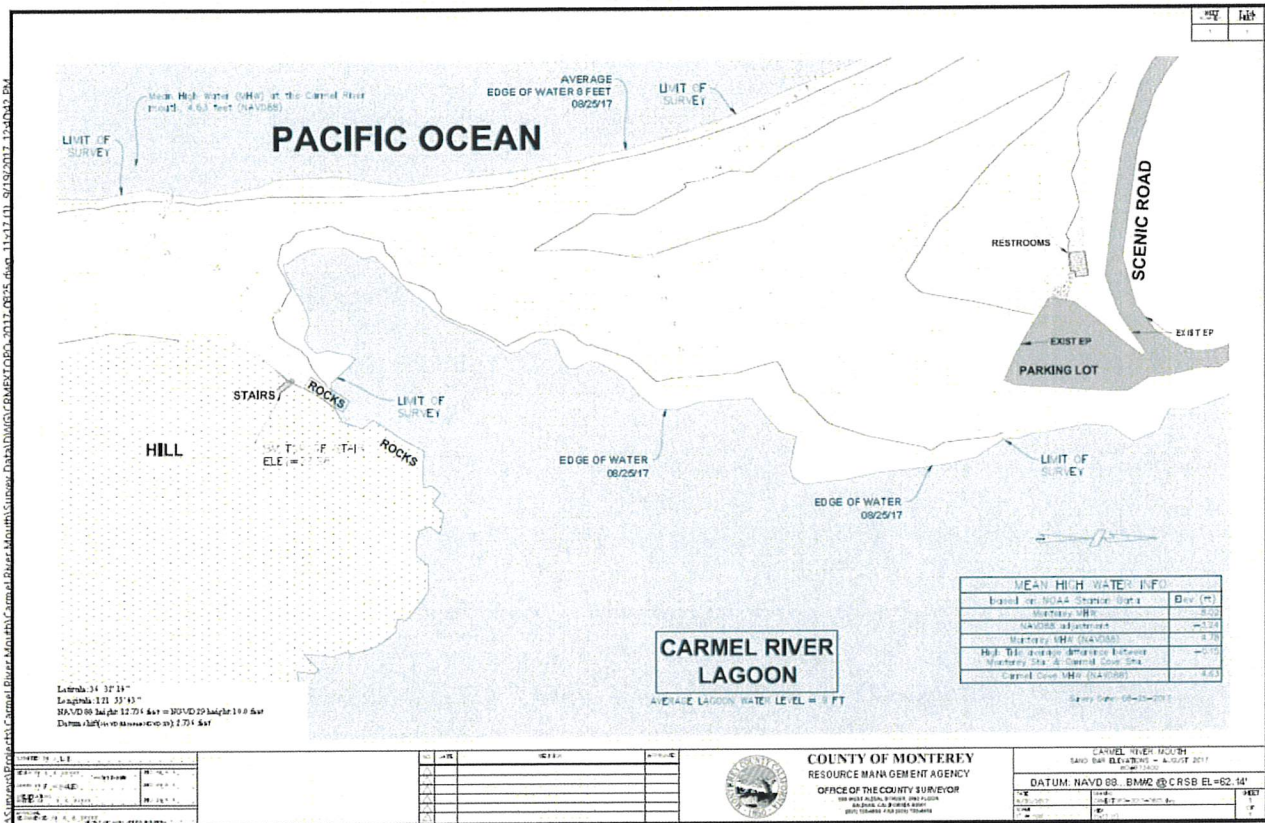
	Modifications to Project Report
Report Purpose	Notifies Central Coast Water Board staff if the Project, as described in the application materials, is proposed to be altered in any way.
When to Submit	No later than 14 days prior to proposed implementation of Project alterations.

Report Contents	Report the following information: A description and location of any proposed alterations to Project implementation. Identification of any proposed Project modifications that will interfere with the Permittee's compliance with this Order.
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	Transfer of Property Ownership or Project Responsibility Report
Report Purpose	Notifies Central Coast Water Board staff of change in property ownership or Project responsibility.
When to Submit	At least 30 days prior to the date of transfer.
Report Contents	Provide a written agreement between the existing and new responsible party containing a specific date for the transfer of this Certification's responsibility and coverage between the current responsible party and the new responsible party. This agreement shall include an acknowledgement that the existing responsible party is liable for compliance and violations up to the transfer date and that the new responsible party is liable from the transfer date on. The report shall be signed by both parties.

	Work Window Extension Request
Report Purpose	Request approval to work in waters beyond work window and into winter season.
When to Submit	Must be received at least 21 days prior to the planned winter season work date that is outside the Order's specified work window.
Report Contents	Report the following information: <ol style="list-style-type: none"> 1. Identify the dates when work will occur in waters during the winter season. 2. Describe the work proposed to be conducted in waters during the winter season. 3. Explain why the proposed work in waters must occur during the winter season. 4. Provide a Rain Event Action Plan that describes the steps the Permittee will take to stabilize the site and prevent the discharge of sediment and other pollutants prior to the start of a rain event. The Rain Event Action Plan shall include the following: <ol style="list-style-type: none"> a. Identification of measures that will be implemented to stabilize the site, including locations. b. Identification of weather triggers from implementation of the Rain Event Action Plan. c. The length of time needed to implement the Rain Event Action Plan. d. Confirmation materials and equipment needed to implement the Rain Event Action Plan will be located on site.

	e. Responsibilities of personnel to implement the Rain Event Action Plan, including weather monitoring and best management practice installation and maintenance.
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Attachment D
Signatory Requirements

SIGNATORY REQUIREMENTS

*All Documents Submitted In Compliance With This Order
Shall Meet The Following Signatory Requirements:*

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

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

The Central Coast Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061.

The Central Coast Water Board has determined that the issuance of this Order is exempt by statute pursuant to Article 18, Section 15269(c) – Emergency Projects.