Central Coast Regional Water Quality Control Board

October 2, 2025

John Waddell
County of San Luis Obispo
976 Osos Street, Room 206
San Luis Obispo, CA 93408
Email: Jwaddell@co.slo.ca.us

VIA ELECTRONIC MAIL

Dear John Waddell:

WATER QUALITY CERTIFICATION NO. 34024WQ07 FOR THE BOB JONES TRAIL OCTAGON BARN TO CLOVERRIDGE LANE PROJECT, SAN LUIS OBISPO COUNTY

Thank you for the opportunity to review your March 26, 2025 application for water quality certification of the Bob Jones Trail Octagon Bard to Cloverridge Lane Project (Project). The application was completed on April 8, 2025. All supplemental information requested was received on September 29, 2025. The Project, if implemented as described in your application and with the additional mitigation and other conditions required by this Clean Water Act Section 401 Water Quality Certification (Certification), appears to be protective of beneficial uses of State waters. We are issuing the enclosed Certification. Should new information come to our attention that indicates a water quality problem, we may require additional monitoring and reporting, issue waste discharge requirements, or take other action.

Your Certification application and submitted documents indicate that Project activities have the potential to affect beneficial uses and water quality. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) issues this Certification to protect water quality and associated beneficial uses from Project activities. We need reports to determine compliance with this Certification. All technical and monitoring reports requested in this Certification, or any time after, are required per section 13383 of the California Water Code. Failure to submit reports required by this Certification, or failure to submit a report of technical quality acceptable to the Executive Officer, may subject you to enforcement action per section 13385 of the California Water Code.

The Central Coast Water Board publicly noticed receipt of the water quality certification application for the Project in accordance with Title 23, California Code of Regulations, section 3858. Any person affected by this Central Coast Water Board action may petition the State Water Resources Control Board (State Water Board) to review this action in accordance with California Water Code section 13320 and Title 23, California Code of Regulations, sections 2050 and 3867-3869. The State Water Board, Office of Chief Counsel, PO Box 100, Sacramento, CA 95812, must receive the petition within 30 days of the date of this Certification. We will provide upon request copies of the law and regulations applicable to filing petitions.

In accordance with Title 40, Code of Federal Regulations (CFR) Part 121.7(d)(3), an explanation for each certification condition is provided in Attachment A.

If you have questions, please contact **Allie Mortensen** at (805) 542-4627 or via email at Allie.Mortensen@waterboards.ca.gov, or Phil Hammer at (805) 549-3882. Please mention the above certification number in all future correspondence pertaining to this Project.

Sincerely,

Digitally signed by Phillip Hammer
Date: 2025.10.02 12:53:15 -07'00'

for
Ryan E. Lodge
Executive Officer

Enclosure: Action on Request for CWA Section 401 Water Quality Certification

cc: With enclosures

John Waddell, County of San Luis Obispo Public Works Department: Jwaddell@co.slo.ca.us

Kate Shea, County of San Luis Obispo Public Works Department: Kbshea@co.slo.ca.us

Lisa Bugrova, County of San Luis Obispo Public Works Department: LBugrova@co.slo.ca.us

Christopher Link, U.S. Army Corps of Engineers: Christopher.M.Link@usace.army.mil

Julie Vance, CA Department of Fish and Wildlife: Julie.Vance@wildlife.ca.gov

Linda Connolly, CA Department of Fish and Wildlife: Linda.Connolly@wildlife.ca.gov

U.S. Environmental Protection Agency: R9cwa401@epa.gov

State Water Board 401 Program: Stateboard401@waterboards.ca.gov

Maxwell Ranta, Central Coast Water Board: Maxwell.Ranta@waterboards.ca.gov

Allie Mortensen, Central Coast Water Board: Allie.Mortensen@waterboards.ca.gov

Phil Hammer, Central Coast Water Board: Phillip.Hammer@waterboards.ca.gov

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Action on Request for
Clean Water Act Section 401 Water Quality Certification
for Discharge of Dredged and/or Fill Materials

PROJECT: Bob Jones Trail Octagon Barn to Cloverridge Lane Project

PERMITTEE: John Waddell
County of San Luis Obispo
976 Osos St, Room 206
San Luis Obispo, CA 93408

ACTION:

1. ☐ Order for Standard Certification
2. ■ Order for Technically Conditioned Certification
3. ☐ Order for Denial of Certification

STANDARD CONDITIONS:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment per section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).

2. This Certification action is not intended to apply to any discharge from 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 per 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license was being sought.

3. The validity of any non-denial Certification action (Actions 1 and 2) is conditioned upon total payment of the fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

ADMINISTRATIVE CONDITIONS:

1. This Certification is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any conditions contained in any other permit or approval issued by the State of California or any subdivision thereof may result in the revocation of this Certification and civil or criminal liability.

2. In the event of a violation or threatened violation of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process 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 Certification.

3. In response to a suspected violation of any condition of this Certification, the Central Coast Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the Central Coast Water Board deems appropriate, provided that the burden, including costs, of the reports shall have a reasonable relationship to the need for the reports and the benefits obtained from the reports.

4. In response to any violation of the conditions of this Certification, the Central Coast Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

5. The Central Coast Water Board reserves the right to suspend, cancel, or modify and reissue this Certification, after providing notice to the Permittee, if the Central Coast Water Board determines that the Project fails to comply with any of the terms or conditions of this Certification.

6. A copy of this Certification, the application, and supporting documentation must be available at the Project site during construction for review by site personnel and agencies. A copy of this Certification must also be provided to the contractor and all subcontractors who will work at the Project site. All personnel performing work on the proposed Project shall be familiar with the content of this Certification and its posted location on the Project site.

7. The Permittee shall grant the Central Coast Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, permission to enter the Project site at reasonable times, to ensure compliance with the terms and conditions of this Certification and/or to determine the impacts the Project may have on waters of the State.

8. The Permittee must, at all times, fully comply with the application, engineering plans, specifications, and technical reports submitted to support this Certification; all subsequent submittals required as part of this Certification; and the attached Project Information and Conditions. The conditions within this Certification and attachment(s) supersede conflicting provisions within Permittee submittals.

9. The Permittee shall notify the Central Coast Water Board within 24 hours of any unauthorized discharge to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best management practices (BMPs) or other measures that will be implemented to prevent future discharges.

10. This Certification is not transferable to any person except after notice to the Executive Officer of the Central Coast Water Board. The Permittee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include 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.

11. This Order and conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law. This Order expires if Project construction does not begin within five years from the date of this Order.

12. The total certification fee for this Project is $50,821. The remaining certification fee payable to the Central Coast Water Board is $0. Annual fees may apply.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:

1. Environmental Review
   On February 24, 2015, the County of San Luis Obispo, as lead agency, certified a Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2010031121) for the Project and filed a Notice of Determination at the State Clearinghouse on October 21, 2021. The Central Coast Water Board is a responsible agency under CEQA (Public Resources Code section 21069) and in making its determinations and findings presumes that the County of San Luis Obispo's certified environmental document comports with the requirements of CEQA and is valid (Public Resources Code section 21167.3). The Central Coast Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by the County of San Luis Obispo addresses the Project's water resource impacts (California Code of Regulations, title 14, section 15096(f)). The environmental document includes the mitigation monitoring and reporting program developed by the County of San Luis Obispo for all mitigation measures that have been adopted for the Project to reduce potential significant impacts (Public Resources Code section 21081.6(a)(1); California Code of Regulations, title 14, section 15091(d)).

2. Incorporation by Reference
   Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the Project FEIR, the application for this Order, and other supplemental documentation.

   All CEQA project impacts, including those discussed in subsection 3 below, are analyzed in detail in the Project FEIR which is incorporated herein by reference. Requirements under the purview of the Central Coast Water Board in the mitigation monitoring and reporting program are incorporated herein by reference. The Permittee's application for this Order, including all supplemental information provided, is incorporated herein by reference.

3. Findings
   The FEIR describes the potential significant environmental effects to water quality and biological resources, some of which are an integral part of water resources. Having considered the whole of the record, the Central Coast Water Board makes the following findings:

   a. Findings regarding impacts that will be avoided or mitigated to a less than significant level (Public Resources Code section 21081(a)(1); California Code of Regulations, title 14, section 15091(a)(1)).

      Changes or alterations have been required in, or incorporated into, the Project which

avoid or substantially lessen the significant environmental effect as identified in the FEIR.

a.i. Potential Significant Impact: Construction activities involving soil disturbance, excavation, cutting or filling, and grading have the potential to discharge sediment and discharge pollutants to San Luis Obispo Creek. The project has the potential to produce contaminated stormwater runoff and contribute to the degradation of water quality.

a.ii. Facts in Support of Finding: Implementation of standard construction best management practices and adherence to the Project's Stormwater Pollution Prevention Plan throughout construction will avoid and minimize adverse effects to water quality caused by project activities. A qualified biological monitor will be on site throughout the length of construction to ensure compliance with avoidance and minimization measures. Project impacts to water quality will be less than significant with the implementation and monitoring of appropriate erosion and sedimentation mitigation measures.

b.i. Potential Significant Impact: The project has the potential to have substantial adverse effects on riparian habitat because construction of the new trail alignment and bridge would require the permanent removal and trimming of native trees and other riparian vegetation.

b.i.i Facts in Support of Finding: A qualified arborist will prepare a tree removal plan that minimizes the trimming and removal of trees to the extent feasible. Trees that cannot be avoided during the construction process will be mitigated for either onsite or at a nearby offsite location. The project includes removal of non-native vegetation and re-vegetation with a native plant palette, which will directly improve ecological function of the riparian corridor.

c.i: Potential Significant Impact: Construction activities, such as use of heavy machinery, worker foot-traffic, and hazardous material spills, have the potential to adversely impact riparian vegetation and water quality.

c.i.i: Facts in Support of Finding: Prior to commencement of construction, the project site will be flagged/fenced so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access will be clearly flagged as off-limit areas to avoid/discourage unnecessary damage to sensitive habitats or existing vegetation within the project site. Prior to commencement of construction, the County of San Luis Obispo will prepare a Hazardous Materials (HAZMAT) Response Plan to allow for a prompt and effective response to any accidental spills. Project impacts to riparian vegetation and water quality will be less than significant with the implementation of appropriate flagging and spill response plan mitigation measures.

4. Determination
The Central Coast Water Board has determined that the Project, when implemented in accordance with the mitigation monitoring and reporting program and the conditions in this Order, will not result in any significant adverse water quality or supply impacts (California Code of Regulations, title 14, section 15096(h)).

CENTRAL COAST WATER BOARD CONTACT PERSON:

Allie Mortensen
(805) 542-4627
Allie.Mortensen@waterboards.ca.gov

Please refer to the above certification number when corresponding with the Central Coast Water Board concerning this Project.

WATER QUALITY CERTIFICATION:

I hereby issue an order certifying that as long as all the conditions listed in this Certification are met, Bob Jones Trail Octagon Barn to Cloverridge Lane Project activities and discharges shall comply with the applicable provisions of 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") of the Clean Water Act. These activities and discharges are also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ, which requires compliance with all conditions of this Certification.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the activities and discharges being limited and all proposed mitigation being completed in strict compliance with the Permittee's Project description, Certification conditions, and the attached Project Information and Conditions, and (b) compliance with all applicable requirements of the Central Coast Water Board's policies and Water Quality Control Plan (Basin Plan).

Digitally signed by Phillip Hammer
Date: 2025.10.02 12:54:03 -07'00'

for
Ryan E. Lodge
Executive Officer
Central Coast Water Board

PROJECT INFORMATION AND CONDITIONS

Application Date	Received: March 26, 2025 Completed: April 8, 2025
Permittee	John Waddell County of San Luis Obispo 976 Osos Street, Room 206 San Luis Obispo, CA 93408 Jwaddell@co.slo.ca.us 805-781-5252
Permittee Representatives	Kate Shea County of San Luis Obispo 976 Osos Street, Room 206 San Luis Obispo, CA 93408 Kbshea@co.slo.ca.us 805-781-4469
Project Name	Bob Jones Trail Octagon Barn to Cloverridge Lane Project
Application Number	34024WQ07
Type of Project	Roads, Highways and Bridges
Project Location	San Luis Obispo Latitude: 35.232172 Longitude: -120.688222
County	San Luis Obispo
Receiving Water(s)	San Luis Obispo Creek 310.24 Hydrologic Unit
Water Body Type	Streambed
Designated Beneficial Uses	Municipal and Domestic Supply (MUN) Agricultural Supply (AGR) Ground Water Recharge (GWR) Water Contact Recreation (REC-1) Non-Contact Recreation (REC-2) Wildlife Habitat (WILD) Cold Fresh Water Habitat (COLD) Warm Fresh Water Habitat (WARM) Migration of Aquatic Organisms (MIGR) Spawning, Reproduction, and/or Early Development (SPWN) Rare, Threatened or Endangered Species (RARE) Freshwater Replenishment (FRSH) Commercial and Sport Fishing (COMM)
Project Description (purpose/goal)	The purpose of this Project is to connect the existing Bob Jones Trail from Avila Beach to the City of San Luis Obispo by constructing a primarily Class I trail (off street) pedestrian/bike path for a distance of approximately 4.5 miles from the Octagon Barn south of the City of San Luis Obispo to the existing Bob Jones Trail Ontario Road Staging Area. This certification only authorizes construction of the north section of the trail, which will be a total distance of approximately 1.5 miles. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) understands that the Project includes the following activities:

	1. Constructing a new Class I multipurpose trail beginning at the Octagon Barn and extending southwest along South Higuera Street to Cloverridge Lane; 2. Crossing San Luis Obispo Creek with a 300-foot long by 14-foot wide prefabricated steel truss bridge (South Higuera Bridge) with reinforced concrete abutments and piers; 3. Constructing a 573-foot long by approximately 9.75-foot-high retaining wall to support the trail near the US 101 northbound off-ramp; 4. Constructing a new bike/pedestrian tunnel under Cloverridge Lane to maintain trail continuity; 5. Conducting vegetation trimming and limited riparian tree removal near San Luis Obispo Creek to accommodate trail construction; 6. Restoring temporarily impacted areas through seeding and planting of riparian trees; and 7. Mitigating for permanent impacts by enhancing 1.96 acres of riparian area on the Filipponi Ecological Reserve through planting of riparian trees and removal of non-native species.
U.S. Army Corps of Engineers Permit No.	Nationwide Permit 14 – Linear Transportation Projects
Dept. of Fish and Wildlife Streambed Alteration Agreement	Streambed Alteration Agreement file No. SLO-49481
CEQA Information	Environmental Impact Report Lead Agency: San Luis Obispo County
Total Certification Fee	$50,821

Total Authorized Project Fill/Excavation Quantity

Aquatic Resource Type	Temporary Impact			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition		
	Acres	CY[1]	LF[1]	Acres	CY	LF	Acres	CY	LF
Lake									
Ocean/bay/ estuary									
Riparian Zone	1.49			0.41					
Stream Channel	0.01	0	50						
Vernal Pool									
Wetland									

Required Project Mitigation Quantity for Temporary Impacts

Aquatic Resource Type	Units	Method[2]				
		Est.	Re-est.	Reh.	Enh.	Pres.
Riparian Zone	Acres			1.55		

[1] Cubic Yards (CY); Linear Feet (LF)

[2] Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.)

	LF			2,308			
Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area							
Aquatic Resource Type	**Mit. Type[3]**	**Units**	**Method**				
			Est.	**Re-est.**	**Reh.**	**Enh.**	**Pres.**
Riparian Zone	PR	Acres				0.86	
		LF				3,178	
Mitigation Requirements	1. The Permittee shall implement compensatory mitigation installation, maintenance, and monitoring as described in the North Section of the Bob Jones Trail: Octagon Barn to Cloverridge Lane Habitat Mitigation and Monitoring Plan dated September 2025. 2. Offsite compensatory mitigation shall be installed within 12 months of the commencement of Project construction. Onsite compensatory mitigation shall be installed within 12 months of completion of Project construction.						
Project Requirements	<u>The Permittee shall comply with the following requirements:</u> 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. Project activities must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for waters of the State as adopted in the Water Quality Control Plan for the Central Coast Basin or any other applicable Water Board water quality control plan or policy. 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. Portions of the Project that occur below top of creek banks or in other waters of the State shall be stabilized for the winter prior to October 31 of each year, either by completing construction of those portions of the Project (including installation of permanent erosion control measures) or by implementing winterization stabilization measures capable of effectively stabilizing the area and preventing erosion under winter rain and flow conditions generated by the 10-year 24-hour storm event. No construction activities shall be conducted below top of creek banks or in other waters of the State during the winter period (October 31 – May 31), unless prior written approval has been obtained from the Central Coast Water Board. Requests to conduct construction activities below top of creek banks or in other waters of the State during the winter period shall be submitted to the Central Coast Water Board at least 21 days prior to the planned winter period work date. If approval is obtained, the Permittee shall implement the approved winter work as specified in the Central						

[3] Mitigation Type: in-lieu fee (ILF); mitigation bank (MB); permittee responsible (PR)

	Coast Water Board approval and as described in any documentation submitted by the Permittee while seeking the approval. 4. Erosion and sediment control measures shall be on site prior to the start of construction and kept on site at all times so they are immediately available for installation in anticipation of rain events. 5. The Permittee shall implement and maintain an effective combination of erosion and sediment control measures (e.g., revegetation, fiber rolls, erosion control blankets, hydromulching, compost, straw with tackifiers, temporary basins) to prevent erosion and capture sediment. The Permittee shall implement and maintain washout, trackout, dust control, and any other applicable source control BMPs. 6. Erosion and sediment control measures and other construction BMPs shall be implemented and maintained in accordance with all specifications governing their proper design, installation, operation, and maintenance. 7. At any time of year, the Permittee shall not conduct construction activities below top of creek banks or in other waters of the State during rain events or on any day for which the National Weather Service has predicted a 25% or more chance of at least 0.1-inch rain in 24 hours (Predicted Rain Event). The Permittee shall install effective erosion control, sediment control, and other protective measures no later than the day prior to the Predicted Rain Event, and prior to the start of any rainfall. Construction activities below top of creek banks or in other waters of the State may resume after the rain has ceased, the National Weather Service predicts clear weather for at least 24 hours, and site conditions are dry enough to continue work without discharge of sediment or other pollutants from the Project site. 8. Any material stockpiled that is not actively being used during construction shall be covered and surrounded with a linear sediment barrier. 9. 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. 10. The Permittee shall confine all trash and debris in appropriate enclosed bins and dispose of the trash and debris at an approved site at least weekly. 11. 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. 12. All vehicle and equipment fueling, maintenance, and storage shall occur at designated staging areas at least 100 feet away from waterways, unless a requested exception on a case-by case basis granted by prior written approval has been obtained from the Central Coast Water Board. 13. Dewatering and stream diversion measures are not currently authorized. If the Project requires dewatering or diversion, the Permittee shall submit detailed dewatering/ diversion plans for Central Coast Water Board approval at least 21 days prior to any dewatering or diversion. 14. 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. 15. The Central Coast Water Board shall be notified if mitigations as described in the 401 Water Quality Certification application for this Project are altered by the imposition of subsequent permit conditions by any local,

	state or federal regulatory authority. The Permittee shall inform the Central Coast Water Board of any modifications that interfere with compliance with this Certification.
Monitoring and Reporting Requirements	The Permittee shall conduct the following monitoring: 1. Visually inspect the Project site and areas of waters of the State adjacent to Project impact areas following completion of Project construction and for five subsequent rainy seasons to ensure that the Project is not causing excessive erosion, stream instability, or other water quality impacts. If the Project does cause water quality impacts, contact the Central Coast Water Board staff member overseeing the Project. You will be responsible for implementing corrective measures to protect water quality and obtaining any additional permits necessary corrective measure implementation. 2. Monitor the compensatory mitigation site for five years. If success criteria are not achieved within that time, continue annual monitoring and maintenance until success criteria are achieved. Compensatory mitigation monitoring shall include assessment of survival, percent native herbaceous cover, percent native shrub cover, percent invasive species cover, general health and stature, progress towards achieving success criteria, and any other measures identified in the North Section of the Bob Jones Trail: Octagon Barn to Cloverridge Lane Habitat Mitigation and Monitoring Plan dated September 2025. **The Permittee shall provide the following reporting to RB3_401Reporting@waterboards.ca.gov [Note: Annual fees are based on submittal and approval of reporting item 3 below]:** 1. Construction Commencement Notification - At least seven days in advance of any ground disturbing or grubbing activities, submit notification to the Central Coast Water Board of the date when Project construction will begin. 2. Pre-Tree Removal Assessment Report - Prior to tree removal, the Permittee shall submit an assessment of all trees proposed for removal to Central Coast Water Bord staff for approval. For each tree proposed to be removed, the report shall identify the tree species, diameter at breast height, and location. The report shall demonstrate why each tree cannot be practicably avoided and must be removed in order to effectively construct the Project. 3. **Certification Termination Report – <u>To terminate Certification coverage</u>, the Permittee must submit for Central Coast Water Board review and approval a <u>Certification Termination Report</u> demonstrating compensatory mitigation success criteria achievement and monitoring completion.** The Certification Termination Report shall include all information required for Annual Project Status Reports as specified below. The Certification Termination Report may serve as the final Annual Project Status Report. The Certification Termination Report submittal must include "Certification Termination Report" in the title. 4. Annual Project Status Report – **The Permittee shall submit to the Central Coast Water Board an Annual Project Status Report <u>by May 31 of each year following the issuance of this Certification,</u>**

	<u>regardless of whether Project construction has started.</u> At a minimum, Annual Project Status Reports shall address activities conducted during the prior calendar year. The Permittee shall submit Annual Project Status Reports until the Permittee has conducted all required monitoring, mitigation has achieved all success criteria, and the Permittee has submitted a Certification Termination Report. Each Annual Project Status Report shall include at a minimum: a. The status of the Project (e.g., construction not started, construction started, or construction complete). b. The date of construction initiation, if applicable. c. The date of construction completion, if applicable. d. If Project construction is complete: i. A summary of daily activities, monitoring and inspection observations, and problems incurred and actions taken; ii. Status of permanent post-construction stormwater management BMPs, including photo documentation of all BMPs; iii. Identification of when site personnel trainings occurred, description of the topics covered during trainings, and confirmation that every person engaged in construction activities or their oversight at the Project site was trained initially and every six months thereafter. iv. 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: 1. Erosion conditions; 2. Stream stability conditions; 3. Water quality and beneficial use conditions; 4. Clearly identified photo-documentation of all areas of permanent and temporary impact, prior to and after Project construction; and 5. Clearly identified representative photo-documentation of other Project areas, prior to and after Project construction. v. 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. e. Mitigation reporting, if mitigation installation has started, including the following information: i. Date mitigation installation was initiated and, if applicable, the date mitigation installation was completed; ii. Confirmation that mitigation was installed according to the requirements of this Certification and as described in the application, the North Section of the Bob Jones Trail: Octagon Barn to Cloverridge Lane Habitat Mitigation and Monitoring Plan dated September 2025, and any other associated submittals; iii. Analysis of monitoring data collected in the field; iv. Quantification of survival, percent native herbaceous cover, percent native shrub cover, percent invasive species cover, general health and stature, and documentation of progress toward achieving all mitigation performance criteria;

	v. Qualitative and quantitative comparisons of current mitigation conditions with preconstruction conditions and previous mitigation monitoring results; vi. Any remedial or maintenance actions taken or needed; vii. Any additional information specified in the North Section of the Bob Jones Trail: Octagon Barn to Cloverridge Lane Habitat Mitigation and Monitoring Plan dated September 2025; and viii. Annual photo-documentation representative of all mitigation areas, taken from vantage points from which changes in size and cover of plants are evident. Compare photos of installed mitigation with photos of the mitigation areas prior to installation. f. A description of mitigation completion status that identifies the amount of mitigation monitoring and maintenance remaining, or certifies and demonstrates that mitigation is complete, all required mitigation monitoring and maintenance has been conducted, and all success criteria achieved. If the monitoring period is over, but all success criteria have not been achieved, the Annual Project Status Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the criteria are met.

Attachment A - 40 CFR Part 121.7 Information

The purpose of Attachment A is to provide information pursuant to title 40, Code of Federal Regulations (40 CFR) part 121.7(d)(3), which recommends that all Certification conditions be accompanied by an explanation of why the condition is necessary to assure that any activity and discharge authorized under the Certification will comply with water quality requirements.

Notwithstanding any determinations by the U.S. Army Corps of Engineers or other federal agency made pursuant to 40 CFR section 121.9, dischargers must comply with the entirety of this Certification because the Certification also serves as waste discharge requirements in accordance with State Water Resources Control Board (State Water Board) Water Quality General Order No. 2003-0017-DWQ.

This attachment includes citations to some sources of authority that are applicable to all Certification conditions. These sources are specifically identified where they are most relevant but are also generally applicable to the conditions below. California Code of Regulations, title 23,[4] chapter 28 sets forth regulations pertaining to water quality certifications. Conditions are set forth in this Certification to assure that the discharge complies with water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code. These conditions are also generally required to comply with the state's Anti-Degradation Policy (State Water Board Resolution No. 68-16), which requires that for any "activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge 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." All Regional Water Boards' Water Quality Control Plans incorporate the state's Anti-Degradation Policy by reference. The state Anti-Degradation Policy incorporates the federal Antidegradation Policy (40 CFR Part 131.12 (a)(1)), which requires "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." According to the United States Environmental Protection Agency (USEPA), discharges of dredged or fill material comply with the federal Antidegradation Policy by complying with USEPA's section 404(b)(1) Guidelines. The State Water Board adopted a modified version of USEPA's section 404(b)(1) Guidelines in the Dredge or Fill Procedures (State Supplemental Guidelines).

STANDARD CONDITIONS

<u>Standard Condition No. 1</u>
This is a standard condition that "shall be included as conditions of all water quality certification actions" (California Code of Regulations section 3860(a)).

<u>Standard Condition No. 2</u>
This is a standard condition that "shall be included as conditions of all water quality certification actions" (California Code of Regulations section 3860(a)).

[4] Unless as otherwise noted, all citations are to title 23 of California Code of Regulations.

Standard Condition No. 3
This is a standard condition that "shall be included as conditions of all water quality certification actions" (California Code of Regulations section 3860(a)). This fee requirement condition is also required pursuant to California Code of Regulations sections 3861(c)(4) and 3833(b), which require payment of fees by Project proponents discharging dredge or fill material.

ADMINISTRATIVE CONDITIONS

Administrative Condition No. 1
This condition is required pursuant to California Code of Regulations section 3856(e), which requires that copies be provided to the Water Boards of "any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents, if not finalized) that will be required for any construction, operation, maintenance, or other actions associated with the activity. If no final or draft document is available, a list of all remaining agency regulatory approvals being sought shall be included."

Administrative Condition No. 2
This condition provides notice of the Water Boards' rights to levee penalties as allowed by state law in order to protect water quality.

Administrative Condition No. 3
California Water Code section 13267 authorizes the Central Coast Water Board to require any person or entity who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within the region to furnish, under penalty of perjury, technical or monitoring reports when necessary to investigate the quality of any waters of the state. These reports are necessary to ensure compliance with water quality standards.

Administrative Condition Nos. 4, 5
In the event of non-compliance, modified conditions may be necessary to return the discharger to compliance and prevent violation of water quality standards. If a Permittee is violating the terms of a Certification that protect water quality standards, canceling the Certification halts authorization to discharge, which can ensure compliance with water quality standards. California Water Code section 13381 states that waste discharge requirements or dredged or fill material permits may be terminated or modified for cause, including, but not limited to, all of the following: (a) Violation of any condition contained in the requirements or permits; (b) Obtaining the requirements by misrepresentation, or failure to disclose fully all relevant facts; and (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

Administrative Condition No. 6
This condition requires site personnel and agencies to be familiar with the content of the Certification and availability of the document at the Project site. This condition is required to assure that any authorized discharge will comply with the terms and conditions of the Certification, which requires compliance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the California Water Code.

Administrative Condition No. 7
Conditions related to site access requirements are authorized pursuant to the Central Coast Water Board's authority to investigate the quality of any waters of the state within its region under California Water Code section 13267. California Water Code section 13267(c) provides

that "the regional board may inspect the facilities of any person to ascertain whether the purposes of this division are being met and waste discharge requirements are being complied with."

Administrative Condition No. 8
This Certification is issued based on information submitted by the applicant. If the applicant does not implement the Project in accordance with the submitted information, the Project may not comply with water quality standards. Therefore, the applicant must implement the Project as described in order for compliance with water quality standards to be assured, in accordance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the California Water Code.

Administrative Condition No. 9
This condition related to the accidental discharge of hazardous materials is necessary to assure that discharges comply with any water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code. Conditions related to notification and reporting requirements in the event of an accidental discharge of hazardous materials are required pursuant to section 13271 of the California Water Code, which requires immediate notification of the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to article 3.7 (commencing with Section 8574.16) of chapter 7 of division 1 of title 2 of the Government Code. These monitoring and reporting requirements are also consistent with the Central Coast Water Board's authority to investigate the quality of any waters of the state within its region under California Water Code sections 13267 and 13383. The reports related to accidental discharges also ensure that corrective actions, if any, that are necessary to minimize the impact or clean up such discharges can be taken as soon as possible in order to achieve compliance with water quality standards.

Administrative Condition No. 10
Authorization under this Certification is granted based on the application information submitted, including the legally responsible party. Notification is necessary to confirm whether the new owner wishes to assume legal responsibility for compliance with this Certification. If not, the original discharger remains responsible for compliance with this Certification. Correct identification of a legally responsible party is necessary to ensure compliance with water quality standards. California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification.

Administrative Condition No. 11
In accordance with State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, waste discharge requirements are issued to all persons proposing to discharge dredged or fill material to waters of the United States where such discharge is also subject to the water quality certification requirements of Clean Water Act section 401 and such certification has been issued by the Central Coast Water Board. In order to meet the provisions contained in Division 7 of Clean Water Act and regulations adopted thereunder, Order No. 2003-0017-DWQ requires dischargers to implement all the terms and conditions of the applicable certification issued for the discharge irrespective of whether the federal license or permit for which the Certification was obtained is subsequently deemed invalid because the water body subject to the discharge has been deemed outside of federal jurisdiction. In addition, continued compliance with certification/waste discharge requirements is necessary, regardless of federal permit status, to ensure compliance with water quality standards is maintained.

Administrative Condition No. 12
This fee requirement condition is required pursuant to California Code of Regulations sections 3861(c)(4) and 3833(b), which require payment of fees by Project proponents enrolling in this Certification.

PROJECT INFORMATION AND CONDITIONS

Required Project Mitigation and Compensatory Mitigation Quantities; Compensatory Mitigation Requirements

Conditions related to restoration and/or mitigation of temporary impacts are required to ensure that the discharge complies with water quality standards adopted or approved under sections 13170 or 13245 of the California Water Code. These conditions are also consistent with the Dredge or Fill Procedures, which require "in all cases where temporary impacts are proposed, a draft restoration plan that outlines design, implementation, assessment, and maintenance for restoring areas of temporary impacts to pre-project conditions" (Dredge or Fill Procedures section IV. A.2(d) and B.4). Restoration and/or mitigation of temporary impacts is necessary to control discharges of waste, such as sediment from disturbed areas, so that compliance with water quality standards is maintained. Restoration requirements for temporary impacts are also authorized by California Water Code section 13263, which requires the imposition of requirements that implement water quality control plans and take into consideration the beneficial uses to be protected and the need to prevent nuisance.

Conditions regarding compensatory mitigation are necessary to ensure compliance with state and federal anti-degradation policies. Compensatory mitigation requirements are consistent with State Supplemental Guidelines section 230.10 restrictions on discharge and Dredge or Fill Procedures section IV.B.1.a (California Code of Regulations section 3013), which specifies that the Water Boards will approve a project only after it has been determined that a sequence of actions has been taken to first avoid, then to minimize, and lastly to compensate for adverse impacts that cannot be practicably avoided or minimized (see also California Code of Regulations section 3856(h), requiring submittal of proposed mitigation and description of steps taken to avoid, minimize, or compensate). Compensatory mitigation conditions are consistent with Executive Order W-59-93, commonly referred to as California's "no net loss" policy for wetlands. Compensatory mitigation requirements are also authorized by California Water Code section 13263, which requires the imposition of requirements that implement water quality control plans and take into consideration the beneficial uses to be protected and the need to prevent nuisance.

Project Requirements

Project Requirement No. 1
This condition requires site personnel and agencies to be familiar with the content of the Certification. Familiarity with the requirements of this Certification is necessary to ensure that any authorized discharge will comply with the terms and conditions of the Certification, which requires compliance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the California Water Code.

Project Requirement No. 2
Conditions related to compliance with water quality objectives and designated beneficial uses are required pursuant to the California Water Code, the Water Quality Control Plan for the Central Coastal Basin, and the state's Anti-Degradation Policy (State Board Resolution No. 68-

16) which requires that for any “activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge 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.” The state Anti-Degradation Policy incorporates the federal Antidegradation Policy (40 CFR Part 131.12 (a)(1)), which states: "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." According to USEPA, dischargers of dredged or fill material comply with the federal Antidegradation Policy by complying with USEPA’s section 404(b)(1) Guidelines. The State Water Boards adopted a modified version of USEPA’s section 404(b)(1) Guidelines in the Dredge or Fill Procedures (State Supplemental Guidelines).

Project Requirements Nos. 3-8

Water Quality Control Plans impose requirements to ensure excess stormwater sediment does not exceed water quality objectives in the plans. For example: “Unless authorized, or exempt by the California Water Code or the Basin Plan, the discharge or threatened discharge of sand, silt, clay, bark, slash, sawdust, or other organic or earthen materials into any waters of the State from soil disturbance activities in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited. Unless authorized, or exempt by the California Water Code or the Basin Plan, placing or disposal of sand, silt, clay, bark, slash, sawdust, or other organic or earthen materials from soil disturbance activities at locations above the anticipated high water line of any waters of the State where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.” (Basin Plan, section 4.8.5.1).

Disturbed areas in delineated waters must be stabilized prior to a rainfall event to assure that sediment is controlled and the discharge from the proposed Project will comply with water quality objectives established for surface waters. The Water Quality Control Plan for the Central Coastal Region, section 4.8.5.2, states: “timing [of construction activities] should be established with reference to environmental sensitivity factors such as fish migrations, spawning or hatching, and minimum stream flow conditions.”

Conditions related to stormwater management are required to comply with Water Quality Control Plans and to ensure that the discharge complies with water quality objectives adopted or approved under Sections 13170 or 13245 of the California Water Code. Improperly designed and installed BMPs result in excess sediment, which impairs surface waters, adversely affects beneficial uses, and results in violations of water quality objectives in the Water Quality Control Plans in California. Post-rain erosion and sedimentation problems can contribute to significant degradation of the waters of the state; therefore, it is necessary to take corrective action to eliminate such discharges in order to avoid or minimize such degradation. Design, implementation, and maintenance of control measures and best management practices (BMPs) described in the conditions will assure compliance with water quality objectives for sediment, turbidity, temperature, suspended material, and settleable material. On-site availability of materials and supplies ensures BMPs can be reasonably implemented and that the discharge complies with water quality objectives. The Water Quality Control Plan for the Central Coastal Region, section 3.3.2, prohibits alteration of the suspended sediment load and suspended sediment discharge rate of surface waters in such a manner as to cause nuisance or adversely affect beneficial uses.

Many waters in California are high in mercury either naturally or due to historic mining activities. This mercury, when discharged to waters of the state, can become bioavailable and impair

beneficial uses including Subsistence Fishing (SUB) and Tribal Subsistence Fishing (T-SUB). Effective sediment control is required under the Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions (Cal. Code of Reg., section 3010.)

Project Requirement Nos. 9-10
California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. This condition is necessary to prevent violation of state discharge prohibitions that protect water quality objectives. Water Quality Control Plans prohibit the discharge of construction materials and byproducts from being discharged into waters of the state. For example, section 4.6.4.1 of the Water Quality Control Plan for the Central Coast Region prohibits the discharge of solid wastes "to rivers, streams, creeks, or any natural drainageways or flood plains of the foregoing."

This condition prohibiting discharge of materials detrimental to water quality or hazardous to aquatic life is also consistent with the Dredge or Fill Procedures, Appendix A, Subpart H, which requires actions to minimize and avoid adverse effects, including actions concerning the location of discharged material and controlling the material after the discharge (section 230.70 et seq.).

Project Requirements Nos. 11-12
These conditions are required pursuant to the Water Quality Control Plan for the Central Coastal Basin and the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP), which prohibit the discharge of substances in concentrations toxic to human, plant, animal, or aquatic life. For example, the SIP states: "All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life." In addition, "Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions, shall not be less than that for the same waterbody in areas unaffected by the waste discharge …" (Water Quality Control Plan for the Central Coastal Basin, section 3.3.2.1). Conditions related to toxic and hazardous materials are necessary to ensure that discharges comply with any water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code.

Project Requirement No. 13
Work in waters of the state must not cause exceedances of water quality objectives; accordingly, these conditions require implementation of best practicable treatments and controls to prevent pollution and nuisance and to maintain water quality. Consistent with the Dredge or Fill Procedures section IV.A.2.c, water quality monitoring plans are required for any in-water work, including temporary dewatering or diversions. Appropriate stream diversion and dewatering measures are BMPs needed to ensure that 1) the discharge shall not adversely affect the beneficial uses of the receiving water or cause a condition of nuisance; 2) the discharge shall comply with all applicable water quality objectives; and 3) treatment and control of the discharge shall be implemented to ensure that pollution and nuisance will not occur, and the highest water quality is maintained.

These conditions are also required pursuant to the state's Antidegradation Policy (State Water Board Resolution No. 68-16), which requires that any "activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge 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." All Water Quality Control Plans incorporate the state's Antidegradation Policy by reference.

If surface waters or ponded waters are not appropriately diverted from areas undergoing grading, construction, excavation, and/or vegetation removal, the waters will be susceptible to erosion and increased sediment loads, contamination and pollution from construction equipment, temperature fluctuations, etc. Diverting waters away from these areas will ensure that the discharge will not exceed water quality objectives, adversely affect beneficial uses of the receiving waters, or cause a condition of nuisance. Dewatered areas must also be stabilized prior to a rainfall event to assure that the discharge from the proposed Project will comply with water quality objectives established for surface waters. For example, the Water Quality Control Plan for the Central Coastal Region, section 3.3.2, prohibits alteration of the suspended sediment load and suspended sediment discharge rate of surface waters in such as manner as to cause nuisance or adversely affect beneficial uses.

Project Requirement No. 14
California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. This condition is necessary to prevent violation of state discharge prohibitions that protect water quality objectives. Water Quality Control Plans prohibit the discharge of construction materials and byproducts from being discharged into waters of the state. For example, "Unless authorized, or exempt by the California Water Code or the Basin Plan, the discharge or threatened discharge of sand, silt, clay, bark, slash, sawdust, or other organic or earthen materials into any waters of the State from soil disturbance activities in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited. Unless authorized, or exempt by the California Water Code or the Basin Plan, placing or disposal of sand, silt, clay, bark, slash, sawdust, or other organic or earthen materials from soil disturbance activities at locations above the anticipated high water line of any waters of the State where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited." (Basin Plan, section 4.8.5.1).

This condition prohibiting discharge of materials detrimental to water quality or hazardous to aquatic life is also consistent with the Dredge or Fill Procedures, Appendix A, Subpart H, which requires actions to minimize and avoid adverse effects, including actions concerning the location of discharged material and controlling the material after the discharge (section 230.70 et seq.).

Project Requirement No. 15
Authorization under this Certification is granted based on the submitted application information. California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. As such, dischargers must inform the Central Coast Water Board of modifications so they may be addressed. This condition is necessary to ensure the Project remains eligible for coverage under this Certification if Project modifications become necessary after Certification has occurred. California Water Code sections 13267 and 13383 authorize the Central Coast Water Board to require submittal of information.

Monitoring and Reporting Requirements

These monitoring and reporting requirements are also consistent with the Central Coast Water Board's authority to investigate the quality of any waters of the state within its region under California Water Code sections 13267 and 13383. The reports confirm that the BMPs and other measures required under this order are sufficient to protect beneficial uses and water quality

objectives. Conditions regarding monitoring and reporting of BMP implementation and mitigation are necessary to ensure compliance with state and federal anti-degradation policies and Executive Order W-59-93, commonly referred to as California's "no net loss" policy for wetlands.

The condition for a streambed alteration agreement submittal is required pursuant to California Code of Regulations section 3856(e), which requires that copies be provided to the Water Boards of "any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents, if not finalized) that will be required for any construction, operation, maintenance, or other actions associated with the activity. If no final or draft document is available, a list of all remaining agency regulatory approvals being sought shall be included."