Appendix B
Exhibit Log
Exhibit 1. Caltrans' inventory of treatment BMPs differentiates between areas located inside or outside of Phase I and II permit coverage, and only lists one treatment BMP in the primarily rural area of Caltrans District 1.
Exhibit 2. As part of the 2007 update to the SWMP, Caltrans undertook a significant mapping effort that differentiates between areas located inside or outside of Phase I and II permit coverage.
Exhibit 3. Caltrans District 4 map showing Phase I and II permit areas
Exhibit 4. South Avenue On-Ramp Project—a recent oversight inspection indicated that the SWPPP was reflective of current site conditions.

Audit Dates: October 5—7, 13—14, and 21—22, 2009
<table>
<thead>
<tr>
<th>Category: Alpha Checklist</th>
<th>Answer</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there an approved SWPPP or WPCP on file?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Does the SWPPP or WPCP appropriately reflect current project operations?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Is the SWPPP or WPCP (or amendments) adequate and does it address the Contractor's yard, staging area, storage of material, waste site directly related to the project?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Is an annual re-certification of the project SWPPP required?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Is the annual re-certification of the project SWPPP on file?</td>
<td>Yes</td>
<td>A</td>
</tr>
<tr>
<td>Do site inspections by the Contractor meet the minimum inspection frequency specified in the contract?</td>
<td>Yes</td>
<td>A</td>
</tr>
<tr>
<td>Do site inspections by RE staff meet the minimum inspection frequency specified in the SWMP?</td>
<td>Yes</td>
<td>A</td>
</tr>
<tr>
<td>Is Sampling and Analysis Plan required for sediments per project WPC SSP?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Are proper documentations for implementing sampling and analysis for sediments on file?</td>
<td>Yes</td>
<td>A</td>
</tr>
<tr>
<td>Is Sampling and Analysis Plan required for non-visible pollutants per project WPC SSP?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Are proper documentations for implementing sampling and analysis for non-visible pollutants on file?</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Is a Dewatering and Discharge Plan required?</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Is there documentation on-file that a pre-construction meeting was conducted, including discussion of SWPPP or WPCP requirements?</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Is there expansion beyond the contract specified limit for active DSA(s)?</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Are Contractor's employees and subcontractors properly trained to identify hazardous and solid waste and on hazardous waste and</td>
<td>Yes</td>
<td>A</td>
</tr>
</tbody>
</table>

Exhibit 5. South Avenue On-Ramp Project—a recent oversight inspection indicated that the SWPPP was reflective of current site conditions.
Exhibit 6. Sunol Grade/Route 680 Roadway Rehabilitation Project—outstanding issues had not been corrected through adequate enforcement of the contract conditions as of October 7, 2009, the date of the EPA Audit Team’s site visit.
Exhibit 7. Sunol Grade/Route 680 Roadway Rehabilitation Project—Photograph 12 above corresponds to the area shown in Appendix E, Site Visit No. 11, Photograph 5 of this audit report.
Exhibit 8. Sunol Grade/Route 680 Roadway Rehabilitation Project—Photograph 18 above corresponds to the same asphalt release agent and petroleum products (lacking secondary containment) shown in Appendix E, Site Visit No. 11, Photographs 6—8 of this audit report.
### Exhibit 9. Sunol Grade/Route 680 Roadway Rehabilitation Project—Outstanding issues had not been corrected through adequate enforcement of the contract conditions as of October 7, 2009, the date of the EPA Audit Team’s site visit.
Exhibit 10. Sunol Grade/Route 680 Roadway Rehabilitation Project—Photograph 9 above corresponds to the same construction entrance shown in Appendix E, Site Visit No. 15, Photographs 8—9 of this audit report.
Exhibit 11. Sunol Grade/Route 680 Roadway Rehabilitation Project—issues identified by the Caltrans Construction Storm Water Coordinator’s inspector in a SWPPP punch-list, generated from inspections conducted prior to September 25, 2009, demonstrate the issues had been outstanding for a longer period of time.
11.0 Records Showing incidents of Illicit Discharges/connections and resolution 2007/2008 FY.

The Illicit connections/discharges are documented and notification letters are sent to the discharger or responsible parties. A meeting is arranged with all the parties to discuss the discharges and possible solutions.

The table below shows the IC/ID summary for FY 2007/2008.

<table>
<thead>
<tr>
<th>District</th>
<th>Number of Incidents</th>
<th># in Progress#</th>
<th># Resolved from Prior Fiscal Year</th>
<th>#Resolved during FY 2007-08</th>
<th># Referred to RWQCB or Local Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

Exhibit 12. District 1 records claim that there were no IC/ID incidents in Fiscal Year 2007-2008.
Exhibit 13. Recordkeeping form developed for use in illicit connection detection, reporting, and removal.
16. From: Gregory Lockshaw

The only procedures I can find are listed in the Caltrans Storm Water Quality Handbook, Maintenance Staff Guide, May 2003, found on the Maintenance Home page on the intranet. This is located in Appendix C.22.3. This document instructs Maintenance employees to notify the District NPDES/Stormwater Coordinator. Because many cases are little more than a radio call the probability of an IMMS record is limited. We could pull the F6 Activities from IMMS for what ever select years they desired (attached below for FY 07/08). Historically we have not had many records. These records would relate to Items 5, 6 & 7. A preliminary run of data for FY 08 brought up 10 work orders statewide from 8 Districts for all F6 Activities.

Exhibit 14. Records provided by Caltrans explain that Maintenance staff may not be formally documenting all IC/ID incidents.
Exhibit 15. Excerpt from Caltrans guidance intended for construction contractors that provides clear direction on how to identify IC/IDs using field observations and related reporting.
Exhibit 16. Example of storm drain inlet cleaning record provided by maintenance personnel at the Crescent City maintenance facility in District 1
Exhibit 17. Example of storm drain inlet cleaning record provided by maintenance personnel in District 2
Exhibit 18. Example of storm drain inlet cleaning record provided by maintenance personnel at the Walnut Creek East maintenance facility in District 4
Exhibit 19. Record of documentation requested from District 1

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Program Subject Area - Highway Surveillance and IC/ID

Request #10- Regulatory mechanism(s) prohibiting illicit non-storm water discharges to the MS4

Section 670(a)(2) of the Streets and Highways Code requires that encroachments onto the State Highway System be issued permits.

As regards litter and illegal dumping, Section 721(c) of the Streets and Highways Code allows the Department to immediately remove from any state highway any encroachment that consists of refuse. The state has empowered the California Highway Patrol with the authority to enforce laws applicable to the use of state highways. (CA Vehicle Code § 2400.) The Department relies on the CHP for enforcement of applicable laws pertaining to the State Highway System.

The Department has authority to prevent illicit connections and other unauthorized non-stormwater discharges to the state highway system. The following is excerpted from the California Streets and Highways Code Sections 725-727:

- It is unlawful for any person to permit water to be turned from his land to any State highway which results in damage to the highway.
- It is unlawful to do the following:
  - (A) Drain water, or permit water to be drained from his lands onto any State highway by any means that results in damage to the highway.
  - (B) Obstruct any natural watercourse so as to:
    - (i) Prevent, impede or restrict the natural flow of water from any State highway into or through the watercourse, unless other adequate and proper drainage is provided.
  - (2) Cause waters to be impounded within any State highway, damaging the highway.
  - (3) Cause interference with, or damage or hazard to public travel.
  - (C) Store or distribute water for any purpose so as to permit it to overflow onto, to saturate by seepage, or to obstruct any State highway, with resulting damage to the highway.

Section 720 requires that Caltrans provide a written notice of encroachment. If the encroachment is not corrected and repairs made at the violator’s expense after written notice, Caltrans may make corrections and repairs and recover by law the cost of repairs. Section 720 also permits Caltrans to collect the sum of $10 for each day the drainage; diversion, overflow or seepage is permitted to continue after service of notice, together with the costs and expense incurred with such action.

Procedures for resolving such unauthorized / illicit non-storm water discharges are outlined in the Department’s Encroachment Permits Manual; http://www.dot.ca.gov/hq/trafops/developserv/permits/encroachment_permits_manual/index.html

Attached is a copy of the Notice (form) used to enforce removal of an illegal encroachment.

Exhibit 20. Explanation of Caltrans’ regulatory mechanism(s) prohibiting illicit non-storm water discharges to the MS4, and excerpt from the California Streets and Highways Code
12.0 Example/Case File of an Illicit Discharge Incident where enforcement was used (ideally full extent of enforcement authority for D1)

None

Exhibit 21. Caltrans District 1 indicated that enforcement had never been used.
Exhibit 22. Caltrans District 2 provided a case example which did not demonstrate resolution of the incident
13. From: Gregory Lockshaw

There is no Statewide inventory of drainage inlets that pose a significant threat to water quality in IMMS. To my knowledge this does not exist anywhere. District 07, 11 & 12 may have some select areas due to the mandates but again that would be HQ/District Stormwater.

13. From: Frank Mele

Regarding drain inspection and cleaning this is also a District records issue. In accordance with the NPDES Permit 1.1.c the Maintenance Supervisors inspect the drains in their respective jurisdictions prior to each winter season. Work orders are set up for crews to clean the drains that need it prior to the rainy season. We can run IMMS reports for the inlets that have been inspected and cleaned. The information can be run for all inlet types not just grated inlets.

The guidance is found in the Maintenance BMP Staff Guide. C.22.1 and C.22.2 are attached.

Here is summary information from my files for FY07 and FY 08. You may wish to contact Gregory Lockshaw to have the information run for the past 5 years however an excel file of the county route and post mile limits of the drains inspected will have thousands of lines of data.

Exhibit 23. Caltrans response to request for documentation of an inventory of storm drain inlets that pose a significant threat to water quality. Note this response was included in the District 1 response binder.
Until recently, the individual Caltrans Districts maintained slope inspection documentation.
Department/District Roadside Slope Inspection Protocol

The Department of Transportation Division of Maintenance is mandated by the Statewide NPDES Permit Section 1 to identify road segments with slopes that are prone to erosion and discharge of sediment and stabilize these slopes to the extent possible and to implement the program identified in the Statewide Storm Water Management Plan (SWMP). In accordance with the SWMP, the Division of Maintenance periodically inspects roadside vegetated slopes to determine the need for remedial measures. Inspections are conducted along all roadsides at least once during an established five year cycle. Since these slope inspections and slope stabilizations are required by the NPDES Permit, they have been incorporated as part of the Division of Maintenance F Family environmental compliance activities. The Division’s Integrated Maintenance Management System (IMMS) database allows for the direct input of slope inspection information. The Division has also developed a slope inspection form (CT-MAINT-NPDE-8005) for field use which can be used to document information for future download. This statewide information is provided to the Division of Environmental Analysis for inclusion in the Annual Report to the State Water Resource Control Board.

Who Conducts the Inspections

The NPDES slope inspection program is coordinated by the District Maintenance Storm Water Coordinator and implemented by District staff. Slope inspections required by the SWMP are conducted by Department staff. For slope inspections with special considerations such as safety (loose soil, rock on roadway), landscape degradation and structural instability, District Maintenance engineers, the District NPDES Coordinator and landscape and geotechnical specialists may be called to the site depending on the situation. Minor roadside slope repairs for stabilization are completed by District Maintenance crews. When complex slope stabilization requirements are identified, the Maintenance Storm Water Coordinator refers the project to a District multidisciplinary slope team for review and development of remediation options. These projects are then forwarded to the State Highway Operation and Protection Program (SHOPP) or other appropriate program for funding and repair.

Exhibit 25. Excerpt from an October 2009 document that describes how Maintenance complies with the slope stabilization provisions of the Permit