

**CALIFORNIA WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

2375 Northside Drive, Suite 100, San Diego, CA 92108  
Phone (619) 516-1990 Fax (619) 516-1994  
[www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

**TENTATIVE ORDER NO. R9-2019-0092**

**WASTE DISCHARGE REQUIREMENTS  
FOR  
SAND CREEK DEVELOPMENT, LP**

**TENTATIVE TRACT MAP NO. 33356 (AMENDED EXHIBIT NO. 3) PROJECT  
~~SAN DIEGO COUNTY~~ RIVERSIDE COUNTY**

The following Discharger is subject to waste discharge requirements as set forth in this Order:

**Table 1. Discharger Information**

<b>Discharger</b>	Sand Creek Development, LP
<b>Name of Project</b>	Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project
<b>Project Address</b>	Northwest corner of Anza Road and Linda Rosea Road intersection, Riverside County, CA
<b>Project Contact, Title and Phone</b>	Angela D. Little, (951) 775-1323
<b>Mailing Address</b>	P.O. Box 181, Winchester, CA 92596
<b>Type of Project</b>	Housing Development
<b>CIWQS Party Number</b>	564508
<b>CIWQS Place Number</b>	835602
<b>WDID Number</b>	9000003179

**Table 2. Discharge Location**

<b>Discharge Point</b>	<b>Discharge Description</b>	<b>Discharge Point Latitude</b>	<b>Discharge Point Longitude</b>	<b>Receiving Water</b>
Refer to Attachment A for a map of all discharge locations	Clean Fill	33.507009	-117.052850	Drainages A (Anza Creek), A1, A3, B, B1, B2, C, D, E and G. All isolated tributaries to Temecula Creek.

**Table 3. Administrative Information**

This Order was adopted by the California Regional Water Quality Control Board, San Diego Region on:	June 12, 2019
This Order shall become effective on:	June 12, 2019

I, David W. Gibson, Executive Officer, do hereby certify that this order is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Diego Region, on June 12, 2019.

Tentative  
David W. Gibson  
Executive Officer

## TABLE OF CONTENTS

<b>I.</b>	<b>PROJECT INFORMATION .....</b>	<b>4</b>
<b>II.</b>	<b>FINDINGS .....</b>	<b>4</b>
<b>III.</b>	<b>DISCHARGE PROHIBITIONS .....</b>	<b>8</b>
<b>IV.</b>	<b>CONSTRUCTION BEST MANAGEMENT PRACTICES .....</b>	<b>9</b>
<b>V.</b>	<b>POST- CONSTRUCTION BEST MANAGEMENT PRACTICES.....</b>	<b>11</b>
<b>VI.</b>	<b>PROJECT IMPACTS AND COMPENSATORY MITIGATION .....</b>	<b>12</b>
<b>VII.</b>	<b>RECEIVING WATER LIMITATIONS.....</b>	<b>14</b>
<b>VIII.</b>	<b>REPORTING REQUIREMENTS .....</b>	<b>15</b>
<b>IX.</b>	<b>PROVISIONS .....</b>	<b>17</b>
<b>X.</b>	<b>NOTIFICATIONS.....</b>	<b>21</b>

**ATTACHMENT A: PROJECT SITE MAPS**

**ATTACHMENT B: FACT SHEET**

**ATTACHMENT C: MITIGATION PURCHASE AGREEMENT**

**ATTACHMENT D: NON-FEDERAL WATERS OF THE UNITED STATES**

**ATTACHMENT E: TREATMENT CONTROL BEST MANAGEMENT PRACTICE  
PLAN**

## I. PROJECT INFORMATION

Information describing the Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project is summarized in Table 1 and in section 2 of the Fact Sheet. Section 3 of the Fact Sheet also includes information regarding the Report of Waste Discharge for the Project.

## II. FINDINGS

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board) finds:

- A. **Report of Waste Discharge.** Sand Creek Development, LP submitted a Report of Waste Discharge (ROWD) to construct the Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project (Project), located in Riverside County on May 31, 2017. Additional information to complete the ROWD application was received on February 14, 2018, September 19, 2018 and January 23, 2019. The ROWD was deemed complete on March 11, 2019. The Discharger proposes to discharge fill material to waters of the State associated with construction activity at the Project site.
- B. **Project Location.** The proposed Project is a housing development located on a 39.62-acre site is on the northwest corner of the Anza Road and Linda Rosea Road intersection east of the City of Temecula in unincorporated portion of southwestern Riverside County, California. The site is 4.5 miles northwest of Vail Lake, and 4.5 miles south of the Skinner Reservoir. The Project is located within the Bachelor Mountain US Geological Survey 7.5-minute quadrangle maps (APN 951-220-002). Attachment A of this Order provides the location of the Project and compensatory mitigation sites.
- C. **Receiving Waters.** The Project site contains a total of 2.26 acres and 6,912 lineal feet of surface waters of the State. The receiving waters in the vicinity of the Project are isolated tributaries to Temecula Creek. The Project area lies within the Pechanga Hydrologic Area (HA), Pauba Hydrologic Subarea (HSA) (902.51). Land use in the Project area is scattered residential lots on 2 acres or more.
- D. **Overall Project Purpose.** The purpose of the Project is to construct single family homes. The Project includes the subdivision of 39.62 acres into 16 single-family residential lots and two (2) open space lots for the USGS-designated blueline stream ('Drainage A') which traverses the eastern portion of the project site along Anza Road. Residential lots range in size from 0.75 acre to 3.91 acres. The two open space lots together total approximately 11 acres. The Project adds approximately 7.36 acres of impervious surfaces. More details about the Project and Project impacts are described in the Fact Sheet in Attachments B of this Order.



- E. **Project Impacts.** This Order authorizes the discharge of fill material with a total of 0.31 acre (1,908 linear feet) of permanent impacts to ephemeral streambed waters of the State and 0.59 acre (308 linear feet) of temporary impacts to ephemeral streambed waters of the State in the Pechanga HA.
- F. **Project Mitigation.** The Discharger reports that compensatory mitigation to offset permitted Project impacts will be achieved through the purchase of 1.21-acre of mitigation bank credits from the San Luis Rey Wetland Mitigation Bank in advance of Project construction. The Discharger has implemented measures to avoid significant impacts to aquatic resources on the Project site. Impacts to over 1.6 acres of aquatic resources including parts of Drainage A, A2, B, C, D, D1, and G will be avoided. Project grading will impact portions of Drainages A, A1, A3, B, B1, B2, C, D, and G, and all of Drainage E. See Drainage Location Map in Attachment A of this Order.
- G. **Regulatory Authority and Reason for Action.** By letter, dated March 21, 2017, the U.S. Army Corps of Engineers (USACE) determined that the proposed Project activities will not result in the discharge of dredged or fill material to waters of the United States. Therefore, the Project is not subject to USACE jurisdiction under section 404 of the Clean Water Act (CWA) and a section 404 permit and section 401 water quality certification is not required for the Project.

However, surface waters affected by the Project are waters of the State, as defined by section 13050 (e) of the Water Code, which includes any surface or groundwater, including saline waters, within the boundaries of the State, including, but not limited to: wetlands and ephemeral, intermittent, and perennial stream channels, in all flow conditions, and which may be effluent dominated and seasonally dry. Waste discharges to these waters are subject to State regulation under division 7 of the Water Code (commencing with section 13000). This Order is issued pursuant to Water Code section 13263, and establishes waste discharge requirements for the discharge of fill material, including structural material and/or earthen wastes from Project construction activities, to waters of the State. The waste discharge requirements of this Order are necessary to adequately address potential and anticipated impacts to waters of the State, and to ensure compliance with applicable water quality control plans and policies.

- H. **Statement of Basis.** The San Diego Water Board developed the requirements in this Order based on information submitted as part of the ROWD and other available information. The Fact Sheet in Attachment B of this Order contains background information and the supporting rationale for the requirements of this Order and is hereby incorporated into this Order and constitutes part of the findings for this Order.
- I. **Water Quality Control Plan.** The San Diego Water Board adopted the *Water Quality Control Plan for the San Diego Basin* (hereinafter Basin Plan) on September 8, 1994 that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those

objectives for Santa Ysabel Creek and other receiving waters addressed through the Plan.<sup>1</sup> Subsequent revisions to the Basin Plan have also been adopted by the San Diego Water Board and approved by the State Water Resources Control Board (State Water Board). Beneficial uses applicable to the unnamed tributaries of Temecula Creek specified in the Basin Plan are as follows:

**Table 5. Basin Plan Beneficial Uses of Temecula Creek**

Discharge Points	Receiving Water Name	Beneficial Use(s) (check these)
Refer to Attachment A for a map of all discharge locations	Isolated tributaries to Temecula Creek	Municipal and Domestic Supply; Industrial Service Supply; Agricultural Supply; Industrial Process Supply; Ground Water Recharge; Contact Water Recreation (Potential); Non-Contact Water Recreation; Warm Freshwater Habitat; and Wildlife Habitat.

This Order specifies waste discharge requirements that are necessary to adequately address effects on, and threats to, applicable water quality standards resulting from discharges attributed to the Project. Through compliance with the waste discharge requirements of this Order, the Project will not cause or contribute to an exceedance of State water quality standards.

**J. Anti-Degradation Policy.** The State Water Resources Control Board established California's anti-degradation policy in State Water Board Resolution No. 68-16 (Policy) which requires that existing quality of waters be maintained unless degradation is justified based on specific findings. Minimal water quality degradation may be allowed under the Policy only if any change in water quality is consistent with the maximum benefit to the people of the State; and the degradation will not unreasonably affect present and anticipated beneficial uses; and the degradation will not result in violation of any applicable Water Quality Control Plan. Discharges must meet requirements that will result in the best practicable treatment or control to avoid pollution or a condition of nuisance. Consistent with the Policy, any degradation must provide for the maximum benefit to the people of the State. Construction of the housing development not only promotes jobs and provides a necessary accommodation to growth in Riverside County, it will also set aside 11 acres for public open space. This Order contains waste discharge requirements to ensure present and future beneficial uses are maintained or enhanced through mitigation and monitoring requirements for impacts to waters of the State. The waste discharge requirements employ best practicable treatment and control of any discharges to ensure and verify that the highest level of water quality is maintained consistent with the maximum benefit to the people of the State.

<sup>1</sup> The Basin Plan is accessible on-line at:  
[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/index.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml)

- K. **No Net Loss Policy.** In 1993, the Governor of California issued the California Wetlands Conservation Policy (Executive Order W-59-93). Commonly referred to as the “No Net Loss Policy” for wetlands, the Executive Order requires state agencies to “ensure no overall net loss [of wetlands] and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship and respect for private property.” This Order meets the objectives of Executive Order W-59-93 by requiring that the Project first avoid and then minimize adverse impacts on aquatic resources to the maximum extent practical. Any remaining unavoidable adverse impacts on aquatic resources are offset by compensatory mitigation requirements which protect and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses.
- L. **California Environmental Quality Act.** The County of Riverside is the lead agency (Lead Agency) under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)). The Lead Agency certified a Final Mitigated Negative Declaration (EA40032), and an Addendum to EA40032 (MND) for the Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project, under CEQA Guidelines Title 14, California Code of Regulations. The Lead Agency determined the Project will not have a significant effect on the environment.

The San Diego Water Board is a responsible agency under CEQA for the purposes of issuing this Order. As a Responsible Agency, the San Diego Water Board is “responsible for considering only the effects of those activities involved in a project which it is required by law to carry out or approve.” Pub. Resources Code, section 21002.1(d). The San Diego Water Board has reviewed and considered impacts to water quality in the Lead Agency’s Final MND. The San Diego Water Board concludes that impacts to water quality are less than significant with mitigation.

This Order requires implementation of waste discharge requirements and mitigation measures, including the purchase of compensatory mitigation credits. The San Diego Water Board finds that compliance with the conditions in this Order will reduce effects to water quality to less than significant because implementation of BMPs, compensatory mitigation, and monitoring requirements will ensure that the Project is in compliance with applicable water quality objectives. The San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

- M. **Executive Officer Delegation of Authority.** The San Diego Water Board by prior resolution has delegated all matters that may legally be delegated to its Executive Officer to act on its behalf pursuant to Water Code section 13223. Therefore, the Executive Officer is authorized to act on the San Diego Water Board’s behalf on any matter within this Order unless such delegation is unlawful under Water Code section 13223 or this Order explicitly states otherwise.

- N. **Public Notice.** The San Diego Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet provided in Attachment B of this Order.
- O. **Public Hearing.** The San Diego Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet provided in Attachment B of this Order.

**THEREFORE, IT IS HEREBY ORDERED** that, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, the Discharger shall comply with the requirements in this Order.

### III. DISCHARGE PROHIBITIONS

- A. **Project Conformance with Application.** The discharge of waste, in a manner or location other than as described in the Report of Waste Discharge or findings of this Order, and for which valid waste discharge requirements are not in force is prohibited.
- B. **Waste Management.** Unless authorized by this Order, the discharge of sand, silt, clay, or other earthen materials from any activity in quantities which cause deleterious bottom deposits, turbidity, or discoloration in waters of the State or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.
- C. **Waste Management.** The treatment, storage, or disposal of waste in a manner causing, or threatening to cause or create a condition of pollution, contamination or nuisance, as defined by Water Code section 13050, is prohibited.
- D. **Waste Management.** The dumping, deposition, or discharge of waste directly into waters of the State, or adjacent to such waters in any manner which may permit it's being transported into the waters, is prohibited unless authorized by the San Diego Water Board.
- E. **Basin Plan Prohibitions.** The Discharger must comply with all applicable Discharge Prohibitions contained in Chapter 4 of the Basin Plan. All such prohibitions are incorporated by this reference into this Order as if fully set forth herein and summarized in section 5.0 of the Fact Sheet in Attachment B of this Order .

#### IV. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Discharger shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Personnel Education.** Prior to the start of the Project, and annually thereafter until construction is completed, the Discharger must educate all personnel on the requirements in this Order, including pollution prevention measures, spill response, and BMPs implementation and maintenance.
- C. **Spill Containment Materials.** The Discharger must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.
- D. **General Construction Storm Water Permit.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities
- E. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, State, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff.
- F. **Downstream Erosion.** Discharges of concentrated flow during construction or after completion of the Project must not cause downstream erosion or damage to properties or stream habitat.
- G. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.

- H. **Process Water.** Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
- I. **Surface Water Diversion.** All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving waters. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- J. **Cofferdams or Water Barriers.** Cofferdams and water barrier construction shall be adequate to prevent seepage into or from the work area. Cofferdams or water barriers shall not be made of earth or other substances subject to erosion or that contain pollutants. When dewatering is necessary to create a temporary dry construction area, the water shall be pumped through a sediment-settling device before it is returned to the water body. The enclosure and the supportive material shall be removed when the work is completed, and removal shall proceed from downstream to upstream.
- K. **Re-vegetation and Stabilization.** All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. The Discharger is responsible for implementing and maintaining BMPs to prevent erosion of rough graded areas. Hydroseed areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/>. Follow-up seed applications must be made as needed to cover bare spots and to maintain adequate soil protection.
- L. **Hazardous Materials.** Except as authorized by this Order, substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- M. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or using United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to prevent impacts to beneficial uses of waters of the State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No.

2013-0002-DWQ, General Permit No. CAG990005, *Statewide General National Pollutant Discharge Elimination System (NPDES) Permit For Residual Aquatic Pesticide Discharges to Waters Of The United States*, and any subsequent revisions or reissuance thereto.

- N. **Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. **Beneficial Use Protection.** The Discharger must take all necessary measures to protect the beneficial uses of waters of Santa Ysabel Creek and its unnamed tributaries. This Order requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to waters of the State occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately, and the San Diego Water Board shall be notified in accordance with Reporting Requirement VIII.B of this Order. Associated Project activities may not resume without approval from the San Diego Water Board.

#### V. **POST- CONSTRUCTION BEST MANAGEMENT PRACTICES**

- A. **Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to on-site or off-site erosion or damage to properties or stream habitats.
- B. **Storm Drain Inlets.** All storm drain inlet structures within the Project boundaries must be stamped and/or stenciled with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design.** Post-construction BMPs must provide for storm water treatment and hydromodification management that comply with the Model BMP Design Manual for San Diego Region dated May 2018. The Model BMP Design Manual for San Diego Region can be accessed on-line on the Project Clean Water website at:  
  
<http://www.projectcleanwater.org/model-bmp-design-manual/>
- D. **Post-Construction BMP Design.** Bridges, culverts, dip crossings, or other stream crossing structures shall be designed and installed so they will not cause scouring of the stream bed and erosion of the banks. Storm drain lines/culverts and other stream crossing structures shall be designed and maintained to accommodate at least a 100-year, 24-hour storm event, including associated bedload and debris with a similar average velocity as upstream and downstream sections. Bottoms of temporary culverts shall be placed at stream channel grade and bottoms of permanent culverts shall be open bottom or embedded and

backfilled below the grade of the stream greater than or equal to a depth of 1 foot.

- E. **Post-Construction BMP Implementation.** The Project adds approximately 7.36 acres of impervious surface. The Discharger must install and implement the post construction BMPs for the Project described in the *Project Specific Final Water Quality Management Plan (WQMP) for Tract 33356 – Sand Creek Development*, dated March 5, 2017. Post-construction BMPs must be installed and functional within 30 days of Project completion.
- F. **Post-Construction BMP Maintenance.** All post-construction structural treatment BMPs, including, but not limited to, vegetated swales and media filters, must be regularly inspected and maintained in perpetuity per manufacturers' specifications for proprietary structural devices, and at frequencies no less than those recommended by the California Storm Water Quality Association (CASQA)<sup>2</sup> guidance, or equivalent if approved by the Executive Officer, for non-proprietary measures. At a minimum, the Discharger must comply with the following:
1. Final maintenance plans for the vegetated swales must be developed and implemented based on CASQA guidance (or equivalently effective practices).
  2. Flow-based treatment BMPs (e.g., media filters and vegetated swales) must be inspected at a minimum monthly from October through April and at least twice from May through September each year.
  3. Retention basins must be maintained as necessary to prevent nuisance conditions, including those associated with odors, trash, and disease vectors. Such maintenance shall not compromise the ability of the basins to perform water quality treatment required by this Order.
  4. Records must be kept regarding inspections and maintenance in order to assess the performance of the systems and determine whether adaptations are necessary to protect receiving waters.

## VI. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the State to the maximum extent practicable.

---

<sup>2</sup> California Storm Water Quality Association (*California Storm Water BMP Handbook, New Development and Redevelopment 2003*), available on-line at: <http://www.cabmphandbooks.org/> [Accessed on January 15, 2012]



**B. Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to unnamed tributaries to Temecula Creek must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable permanent Project impacts to waters of the State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
<b>Permanent Impacts</b>						
Stream Channel	0.31	1,908	1.21 Re-establishment <sup>1</sup>	3.90:1	NA <sup>2</sup>	NA
<b>Temporary Impacts<sup>3</sup></b>						
Streambed	0.59	306	NA	NA	NA	NA

1. Project mitigation: River re-establishment credits will be purchased from the San Luis Rey Mitigation Bank, Oceanside, CA.
2. Compensatory mitigation is being provided in a contiguous area at the Mitigation Bank (approximately 55.8 acres) therefore, compensatory mitigation for linear feet is not being calculated on a project by project basis.
3. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.

**C. Compensatory Mitigation for Permanent Impacts.** The Discharger shall provide compensatory mitigation for impacts to waters of the State attributable to the Project in accordance with the Report of Waste Discharge dated May 31, 2017, and incorporated herein by reference. Any deviations from, or revisions to the Report of Waste Discharge must be pre-approved by the San Diego Water Board. The terms and conditions of this Order shall supersede conflicting provisions within the Report of Waste Discharge.

**D. Compensatory Mitigation Credit Purchase.** Prior to the start of Project construction, the Discharger must provide documentation to the San Diego Water Board verifying the purchase of at least 1.21 acres of mitigation bank credit applicable to the establishment and/or re-establishment of wetlands from the San Luis Rey Wetland Mitigation Bank located in the Mission hydrologic subarea (HSA 903.11) in the City of Oceanside, San Diego County, California. The documentation shall also include the transfer agreement between the Discharger and the bank sponsor demonstrating acceptance and understanding of the obligation to comply with compensatory mitigation and long-term management requirements of this Order in perpetuity.

The use of an alternate mitigation bank to provide required compensatory mitigation must be approved by the San Diego Water Board before the credits are secured and is subject to the following conditions:

1. The Applicant must identify the USACE approved mitigation bank and submit documentation demonstrating that:
    - a. The permitted Project impacts are located within the service area of the mitigation bank;
    - b. The mitigation bank is located within the San Diego Water Board's regional boundaries; and
    - c. The mitigation bank has the appropriate number and resource type of credits available.
  2. If the San Diego Water Board approves the use of the alternate mitigation bank, the Discharger must provide documentation verifying that the appropriate number and resource type of credits have been secured from the mitigation bank prior to the start of construction.
- E. Compensatory Mitigation Responsibility.** The Discharger shall retain responsibility for providing the compensatory mitigation with long term management required under this Order in perpetuity until the San Diego Water Board has received documentation of credit purchase and the transfer agreement between the Discharger and the seller of credits.
- F. Temporary Project Impacts.** The Discharger must restore areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration must include grading of disturbed areas to pre-Project contours and revegetation with native species. The Discharger must implement all necessary BMPs to control erosion and runoff from areas associated with this Project. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/>. Follow-up applications shall be made, as needed, to cover bare spots and to maintain adequate soil protection.

## VII. RECEIVING WATER LIMITATIONS

- A. The receiving water limitations set forth below for Temecula Creek and its unnamed tributaries are based on applicable water quality standards contained in the Basin Plan and applicable federal regulations and are a required part of this Order. Project activities shall not cause or contribute to violation of these receiving water limitations.
1. **Water Quality Objectives.** Water Quality Objectives applicable to Santa Temecula Creek and its unnamed tributaries are established in Chapter 3 of the San Diego Water Board's Water Quality Control Plan for the San Diego Basin (Basin Plan) and shall not be exceeded.
  2. **Priority Pollutant Criteria.** Priority pollutant criteria applicable to the Temecula Creek and its unnamed tributaries are promulgated by the USEPA through the a) National Toxics Rule (NTR) (40 CFR 131.36 promulgated on December 22, 1992 and amended on May 4, 1995) and b) California Toxics

Rule (CTR) (40 CFR 131.38, (65 Fed. Register 31682-31719), adding Section 131.38 to Title 40 of the Code of Federal Regulations, on May 18, 2000), shall not be exceeded.

## VIII. REPORTING REQUIREMENTS

- A. **Discharge Commencement Notification.** The Discharger must notify the San Diego Water Board in writing at least 5 days prior to the start of initial Project construction ground disturbance activities.
- B. **Project Completion Report.** Within 30 days of Project completion, the Discharger must submit a Project Completion Report to the San Diego Water Board containing the following information:
1. The dates for initiation of Project construction and completion of Project construction;
  2. An evaluation, interpretation and tabulation of Project activities detailing the completion of construction and compliance with all requirements of this Order and all applicable mitigation measures contained in the Project's certified Final Environmental Impact Report;
  3. As-built Project drawings no bigger than 11" x 17"; and
  4. Photos of the completed Project including post-construction BMPs.
- C. **Noncompliance Reports.** The Discharger must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the incident and its cause, the period of the noncompliance including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The San Diego Water Board may waive the above-required written report under this provision on a case by case basis if an oral report has been received within 24 hours.
- D. **Hazardous Substance Discharge.** Except as provided in Water Code section 13271(b), any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge

in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Discharger is in violation of a Basin Plan prohibition.

- E. Oil or Petroleum Product Discharge.** Except as provided in Water Code section 13272(b), any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- F. Signatory Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
1. For a corporation, by a responsible corporate officer of at least the level of vice president; or
  2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
  3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
- G. Duly Authorized Representative.** Applications, reports, or information submitted to the San Diego Water Board may be signed by a duly authorized representative of that person described in Reporting Requirement F above if:
1. The authorization is made in writing by a person described above;
  2. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity; and
  3. The written authorization is submitted to the San Diego Water Board.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

- H. **Certification.** All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:

"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."

- I. **Electronic Document Submittal.** The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov). Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board  
San Diego Region  
Attn: R9-2019-0092: 835602:dbradford  
2375 Northside Drive, Suite 100  
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: R9-2019-0092: 835602:dbradford.

## IX. PROVISIONS

- A. **Duty to Comply.** The Discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a report of waste discharge in application for new or revised waste discharge requirements.
- B. **Duty to Comply.** The Discharger must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the San Diego Water Board) to support this Order and all subsequent submittals required under this Order and as described herein. The conditions within this Order shall

supersede conflicting provisions within such plans, specifications, technical reports and other submittals required under this Order.

- C. **Anticipated Noncompliance.** The Discharger shall give advance notice to the San Diego Water Board of any planned changes in the Project or the compensatory mitigation project which may result in noncompliance with the terms and requirements of this Order.
- D. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order.
- E. **Duty to Mitigate.** The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
- F. **Property Rights.** This Order does not convey any property rights of any sort or any exclusive privileges. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.
- G. **Inspection and Entry.** The Discharger must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to:
  - 1. Enter upon the Applicant's premises, where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
  - 2. Access and copy, at reasonable times, any records that must be kept under the conditions of this Order;
  - 3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this Order; and
  - 4. Sample or monitor, at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at any location.

- H. **Retention of Records.** The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during the course of any unresolved enforcement action or litigation regarding this discharge or when requested by the San Diego Water Board.
- I. **Duty to Provide Information.** The Discharger shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish to the San Diego Water Board, upon request, copies of records required to be kept by this Order.
- J. **Duty to Provide Updated Information.** When the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the San Diego Water Board, it shall promptly submit such facts or information.
- K. **Reopener Provision.** This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
1. Violation of any terms or conditions of this Order.
  2. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts.
  3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- L. **Reopener Provision.** The filing of a request by the Discharger for the modification, revocation, reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
- M. **Reopener Provision.** The San Diego Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Discharger, if the San Diego Water Board determines that the Project fails to comply with any of the terms or requirements of this Order or if the results of the Project have unintended impacts to water quality.

- N. Transfers of Responsibility.** This Order is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
1. **Transfer of Property Ownership** The Discharger must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, at a minimum, a statement that the Discharger has provided the purchaser with a copy of this Order and that the purchaser understands and accepts the Order requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board within 10 days of the transfer of ownership.
  2. **Transfer of Compensatory Mitigation Responsibility.** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Order must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13350. Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board within 10 days of the transfer date.
  3. **Transfer of Post Construction BMP Maintenance Responsibility.** The Discharger assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the Discharger must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Discharger must provide such notification to the San Diego Water Board within 10 days of the transfer of BMP maintenance responsibility.
- O. Hydroelectric Facility.** 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 ROWD application was filed pursuant to Cal. Code Regs., title 23, section 3855, subdivision (b), and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.



- P. **Payment of Fees.** This Order is conditioned upon total payment of any fee required under California Code of Regulations, Title 23 section 2200, and owed by the Discharger.
- Q. **Order Availability.** A copy of this Order, 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 Order must also be provided to the contractor and all subcontractors working at the Project site.
- R. **Enforcement Authority.** 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 law.
- S. **Investigation of Violations.** In response to a suspected violation of any condition of this Order, the San Diego Water Board may, pursuant to Water Code section 13267, require the Discharger to investigate, monitor, and report information on the violation. The only restriction is that the burden, including costs of preparing the reports, must bear a reasonable relationship to the need for and the benefits to be obtained from the reports.

## X. NOTIFICATIONS

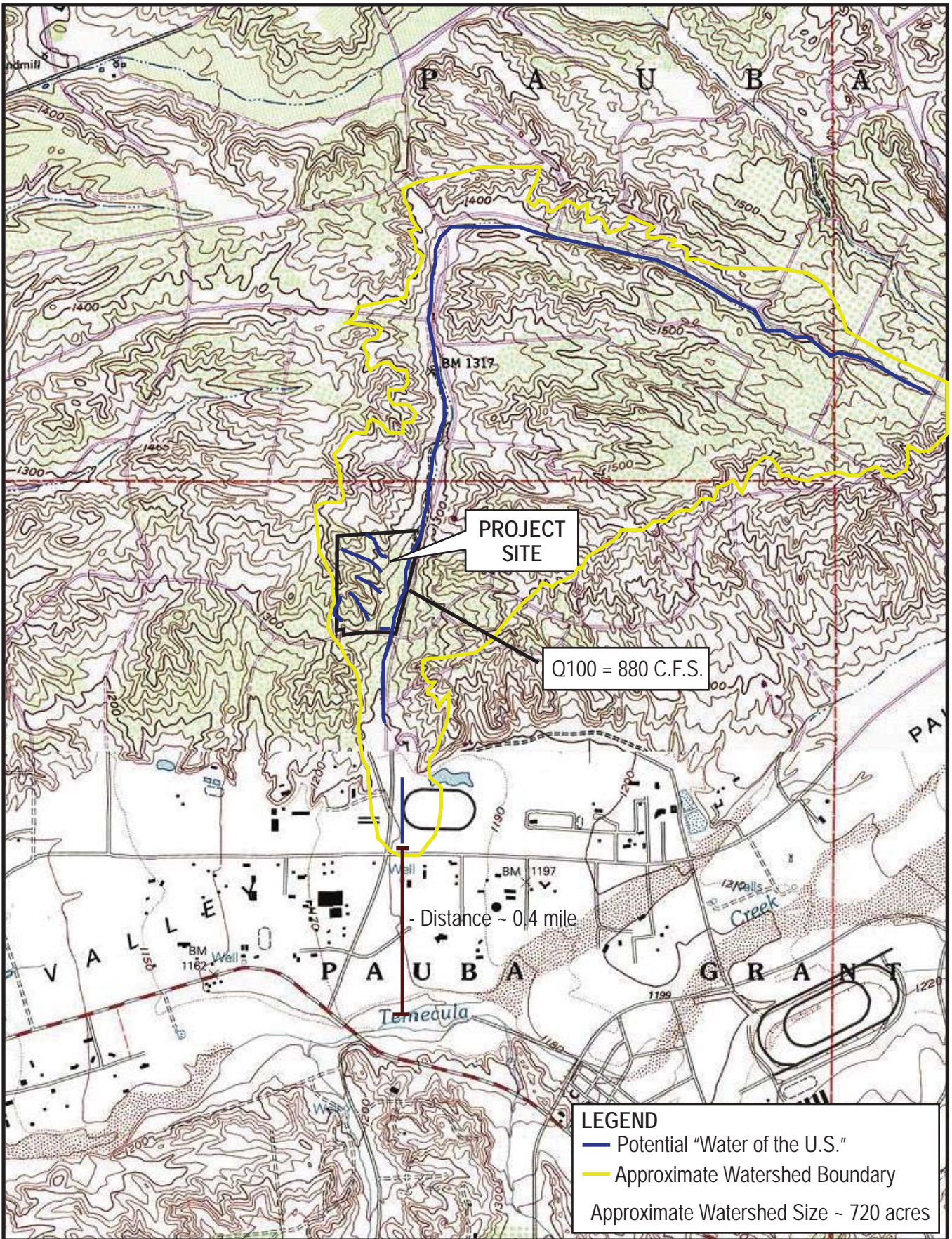
- A. These waste discharge requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to CWA section 402.
- B. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
- C. This Order becomes effective on the date of adoption by the San Diego Water Board.
- D. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code Section 13320 and the California Code of Regulations, title 23, sections 2050-2056 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after adoption of this order. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:  
[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request

Sand Creek Development, LP  
Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project  
Project Certification No. R9-2019-0092

**ATTACHMENT A  
PROJECT SITE MAPS**

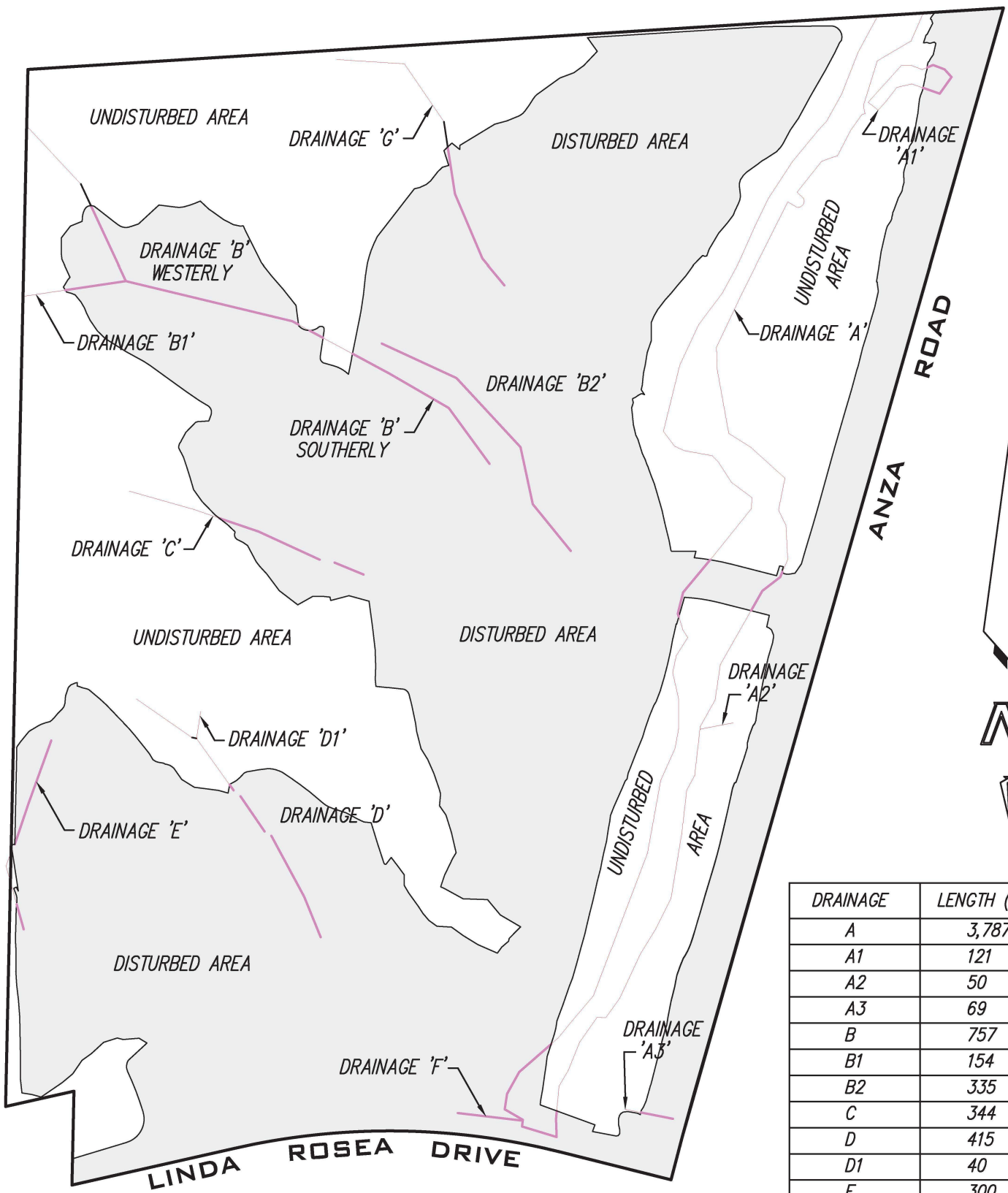
Exhibit 18 – Regional Drainage Map  
Exhibit 2 – Drainage Location Map  
Exhibit 3 – 2016 Aerial Photograph  
Exhibit 4 – 2013 Aerial Photograph  
Exhibit WQ-1 – TR 33356 Receiving Water to Pacific Ocean Map  
County of Riverside Tentative Tract Map 33356







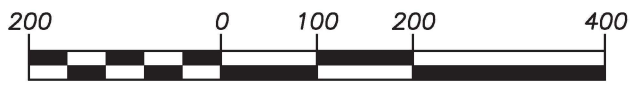
# EXHIBIT 2 DRAINAGE LOCATION MAP



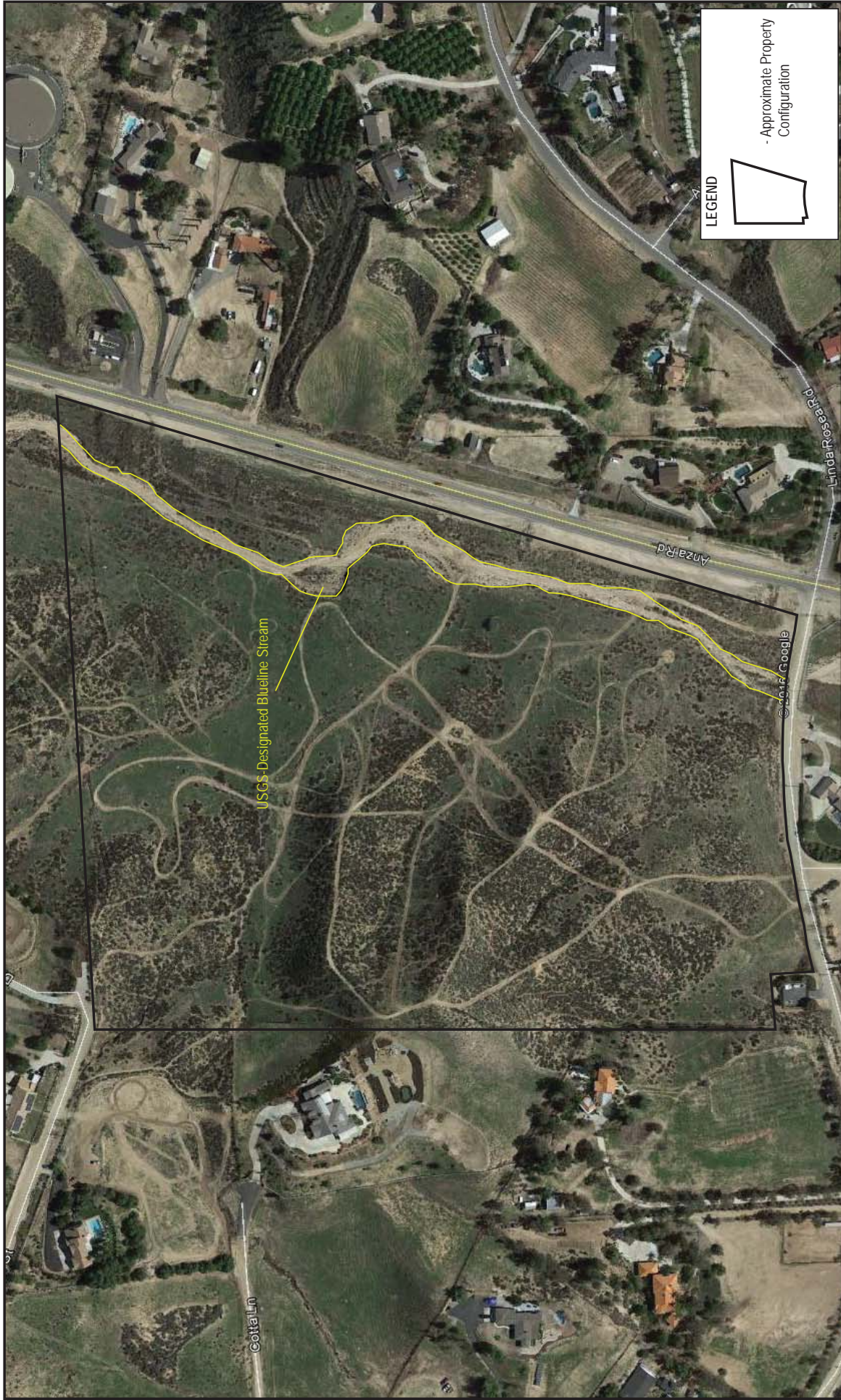
DRAINAGE	LENGTH (FT)
A	3,787
A1	121
A2	50
A3	69
B	757
B1	154
B2	335
C	344
D	415
D1	40
E	300
F	90
G	450

**LEGEND**

- DISTURBED AREA
- DISTURBED DRAINAGE
- UNDISTURBED DRAINAGE



PREPARE DATE: MAY 28, 2019



LITTLE SAND CREEK  
AUGUST 2016  
SOURCE: GOOGLE EARTH









**ACS CONSULTING, INC.**  
LAND DEVELOPMENT & SURVEYING SPECIALISTS

PO BOX 2252 TEMECULA CA 92593-2252  
PH. (951) 757-5178



SCALE: NTS

## TRACT 33356 RECEIVING WATERS TO PACIFIC OCEAN

Drawing Name: O:\Dropbox\Public\Projects\11501-Sand Creek\WQMP\Receiving Water WQ-1 33356.dwg  
Last Opened: Apr 07, 2017 - 2:19pm by Frank

**EXHIBIT "WQ-1"**  
**COUNTY OF RIVERSIDE**  
**TR 33356 RECEIVING WATER**  
**TO PACIFIC OCEAN**



**GENERAL NOTES:**

**DATE PREPARED**  
SEPTEMBER 23, 2004

**LAND OWNER / APPLICANT**  
SAND CREEK DEVELOPMENT, LP.  
43180 BUSINESS PARK DRIVE, SUITE 202  
TEMECULA, CA 92590  
TEL: (951) 587-9100  
FAX: (951) 587-8866

**ENGINEER**  
ACS CONSULTING, INC.  
PO BOX 2252  
TEMECULA, CA 92593  
TEL: (951) 757-5178  
FAX: (951) 225-9637

**NPDES STATEMENT OF COMPLIANCE**  
THE PROPOSED DEVELOPMENT WILL COMPLY WITH SUPPLEMENT 'A' OF THE NPDES GUIDELINES TO ENSURE ALL RUNOFF WILL FOLLOW PROPER BMP PRACTICES.

**ASSESSOR'S PARCEL NUMBER**  
951-220-002

**LEGAL DESCRIPTION**

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS CONVEYED TO RANCHO 42, A CALIFORNIA PARTNERSHIP, BY GRANT DEED RECORDED MARCH 1, 1988 AS INST. NO. 53096, RECORDS OF THE RECORDER, RIVERSIDE COUNTY, CALIFORNIA, ALSO BEING A PORTION OF PAUBA RANCHO AND A PORTION OF PROJECTED SECTION 35, TOWNSHIP 7 SOUTH, RANGE 2 WEST AND IN PROJECTED SECTIONS 2 AND 11, TOWNSHIP 8 SOUTH, RANGE 2 WEST.

**COMMUNITY SERVICE DISTRICT**

THERE IS NO PROPOSED COMMUNITY SERVICE DISTRICT

**ZONING AND LAND USE**

EXISTING ZONING & LAND USE: RR (RURAL RESIDENTIAL)  
PROPOSED ZONING: R-A-1/2 (RESIDENTIAL AGRICULTURE - ONE-HALF ACRE MINIMUM)  
R-A-1 (RESIDENTIAL AGRICULTURE - ONE ACRE MINIMUM)  
R-A-2 (RESIDENTIAL AGRICULTURE - TWO ACRE MINIMUM)  
R-5 (OPEN AREA COMBINING ZONE-RESIDENTIAL DEVELOPMENTS)

**SCHOOL DISTRICT**

TEMECULA VALLEY UNIFIED - ELEMENTARY & HIGH SCHOOL

**ACREAGE**

42.4 ACRES GROSS  
39.6 ACRES NET

**TOPOGRAPHY SOURCE**

FLOWN BY: AERIAL GEODESY  
43468 BREWSTER CT,  
TEMECULA, CA 92592  
DATE FLOWN: 06-17-04

**GEOLOGIC HAZARD NOTE**

NONE

**FLOOD ZONE**

FEMA FLOOD ZONE C

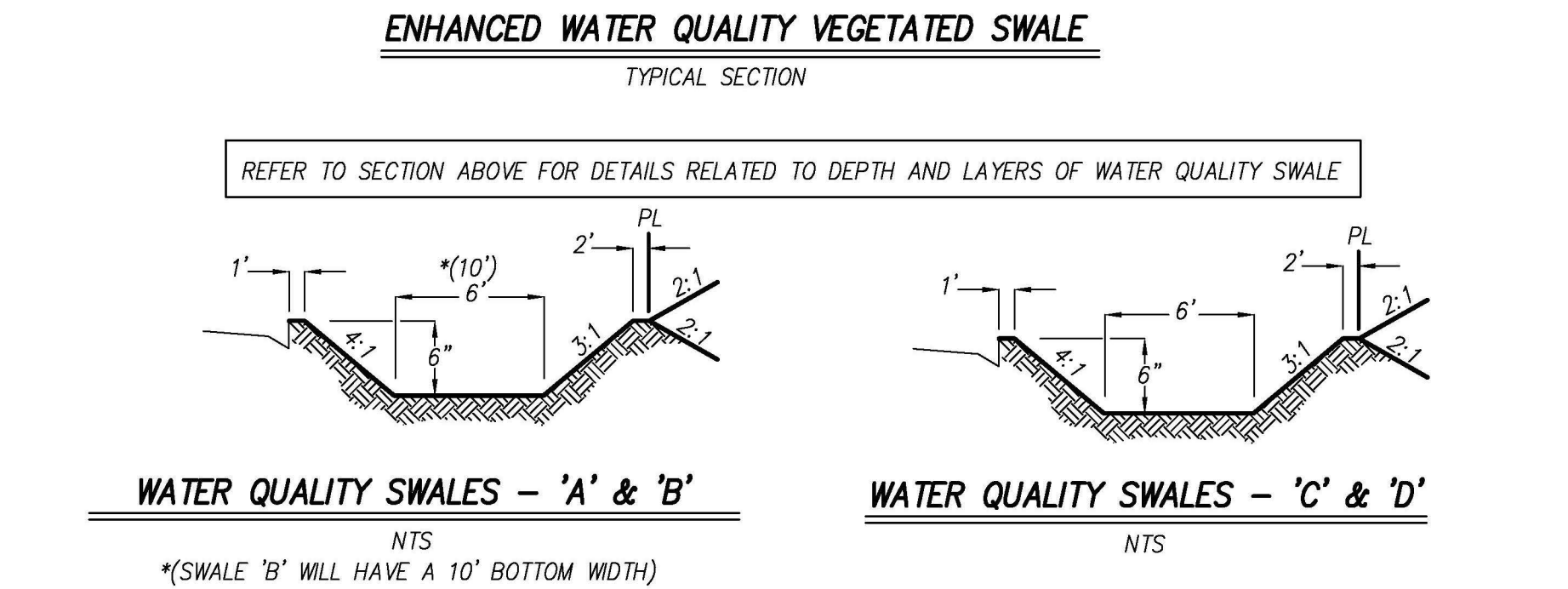
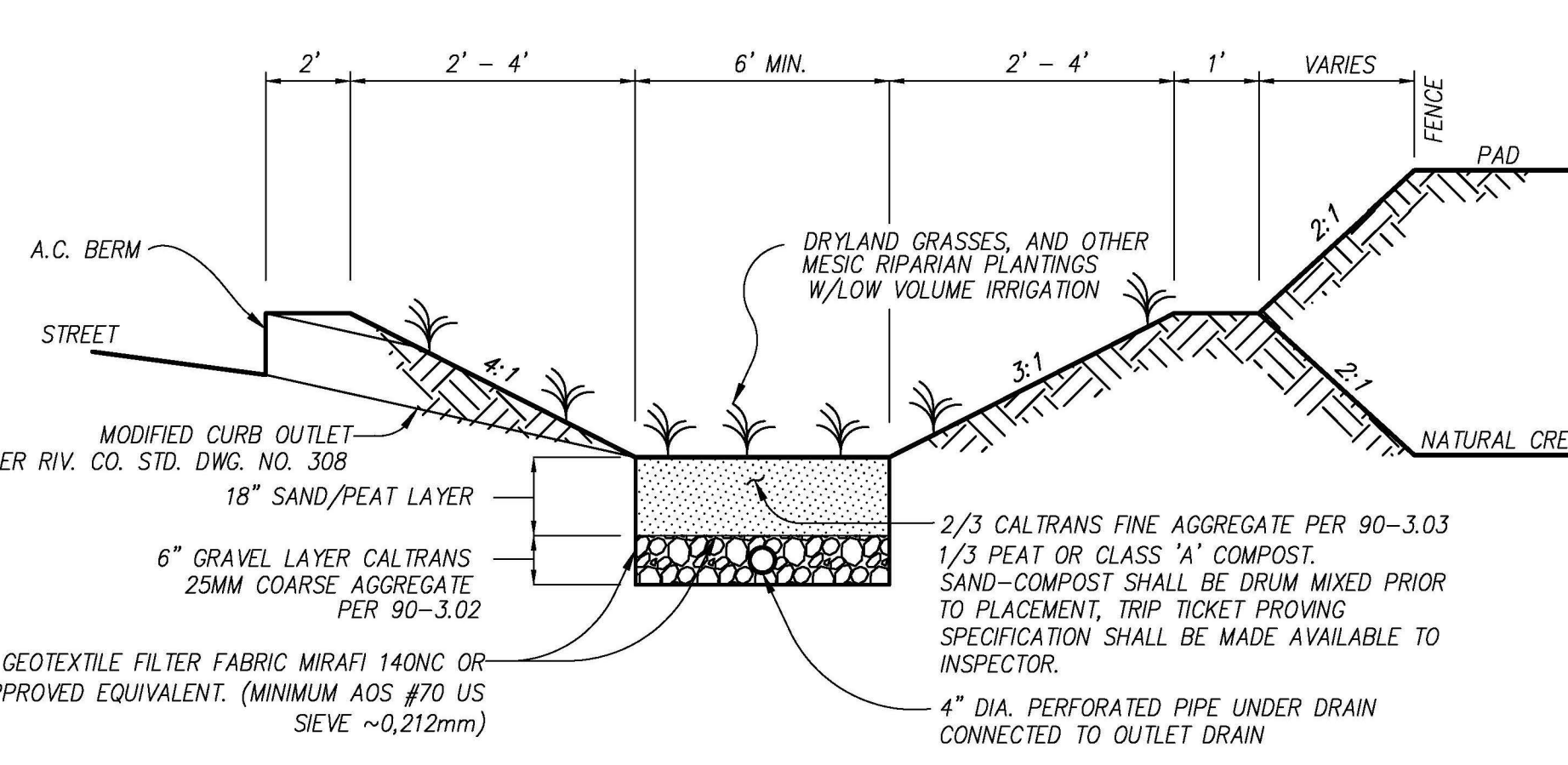
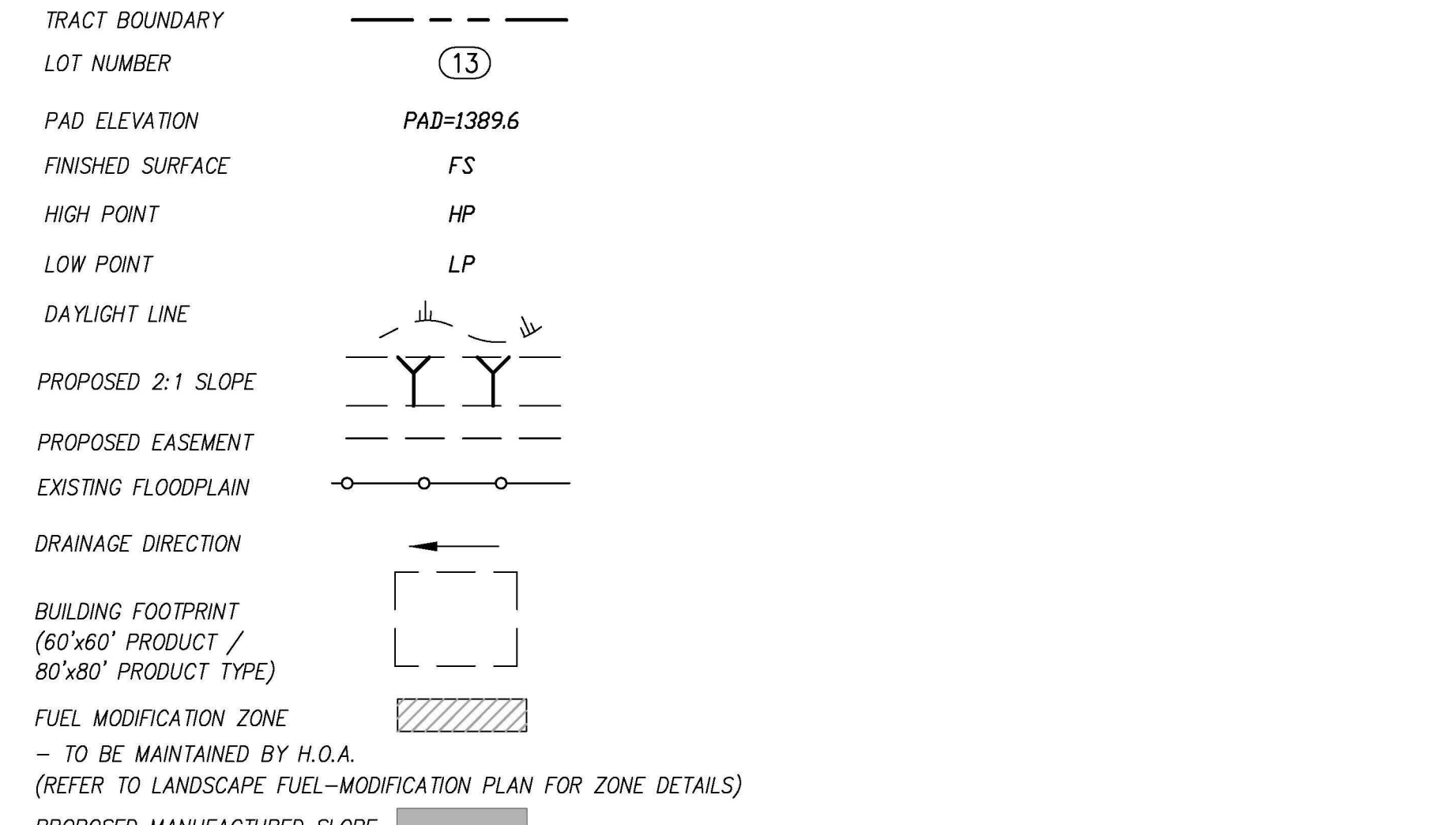
**CONTIGUOUS OWNERSHIP**

TENTATIVE MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP

**PROPOSED IMPROVEMENT SCHEDULE**

SCHEDULE "B" WITH CLUSTERING OF LOTS

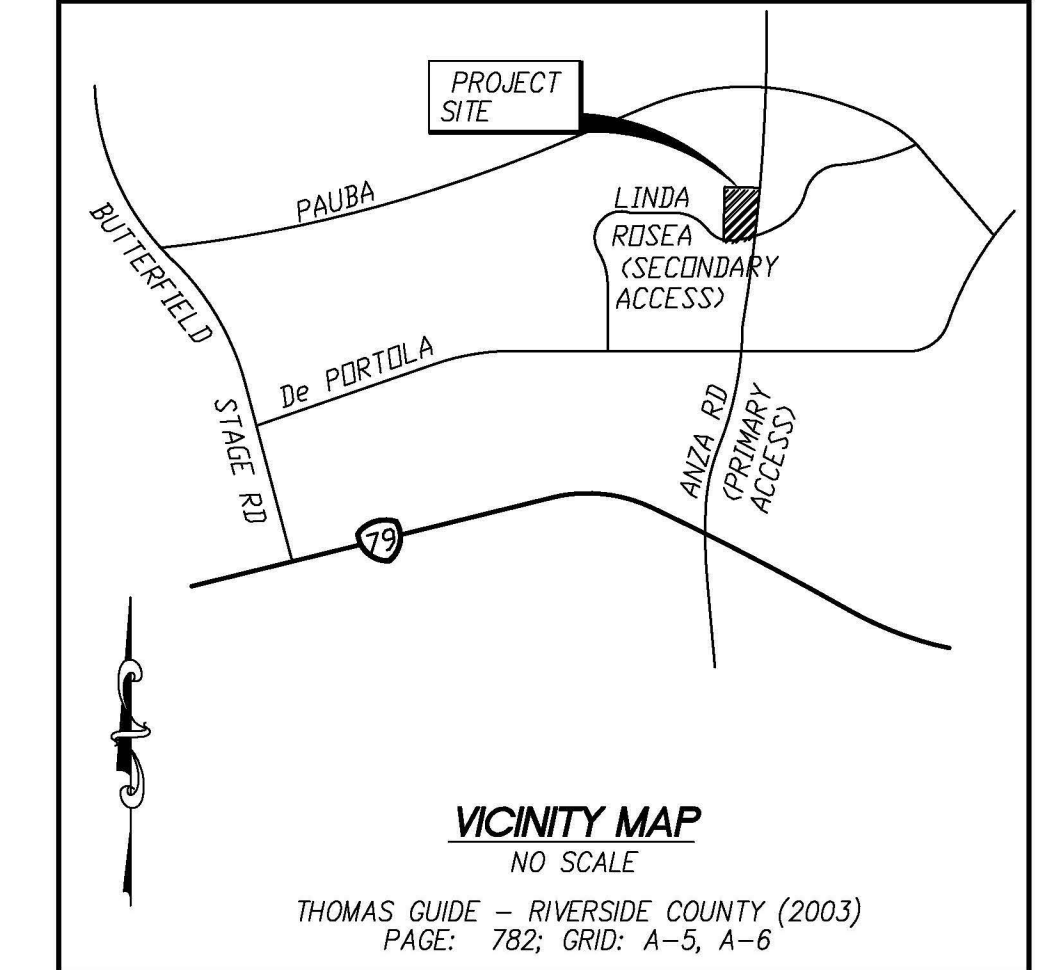
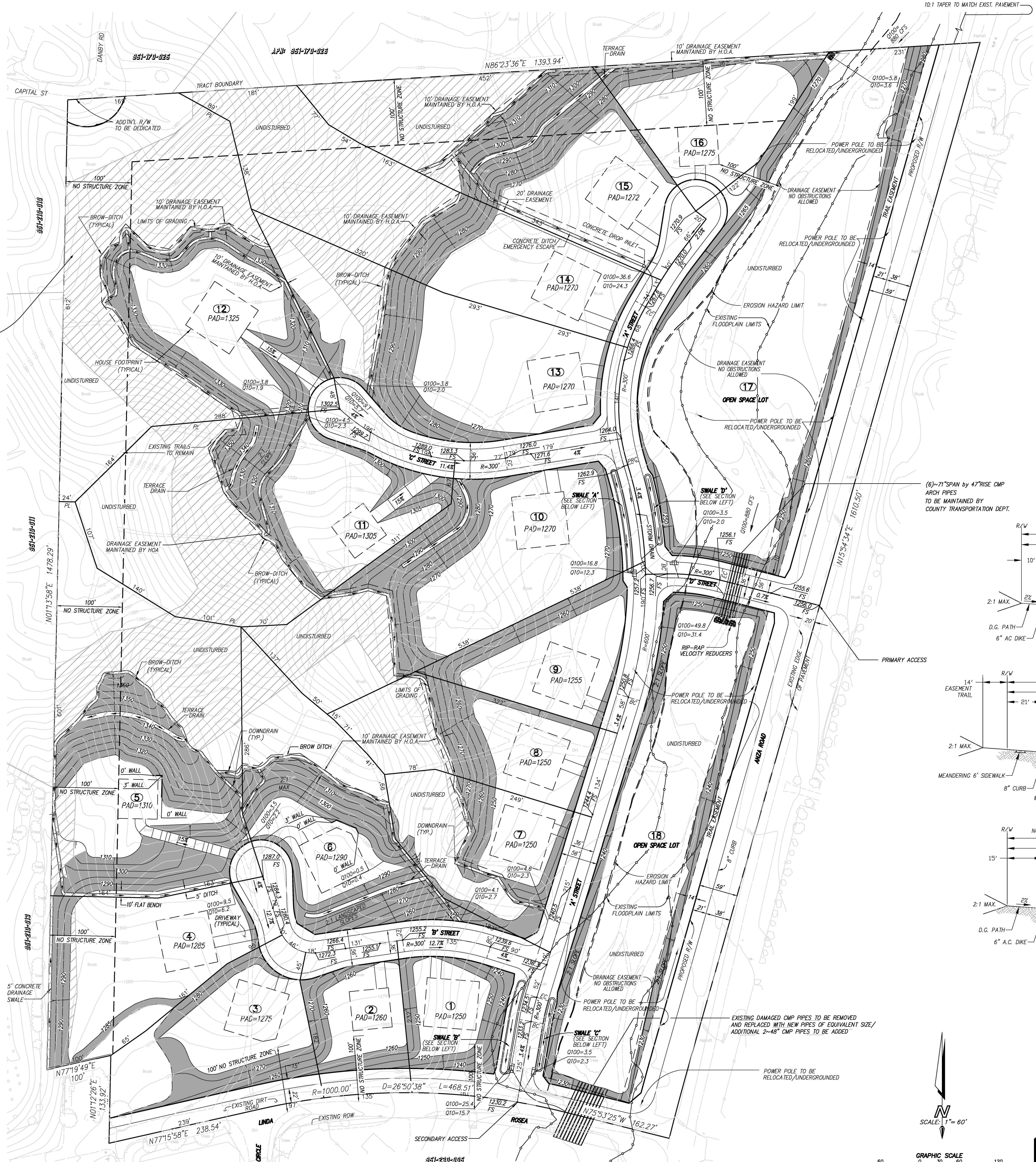
**LEGEND**



MARK	REVISIONS	APPR.	DATE
▲	AMEND EXHIBIT PER STAFF COMMENTS		11/11/05
▲	AMEND EXHIBIT PER STAFF COMMENTS		11/29/05
▲	AMEND EXHIBIT PER STAFF COMMENTS		12/9/06
▲	AMEND EXHIBIT PER STAFF COMMENTS		9/15/08
▲	ADD 100' SETBACK PER FIRE; EXTEND W.Q. SWALES PER FLOOD		9/15/08
▲	FINAL FOR PLANNING APPROVAL		12/9/09
▲	FINAL FOR BOARD OF SUPERVISOR APPROVAL		6/10/11

# TENTATIVE TRACT MAP 33356

IN THE COUNTY OF RIVERSIDE  
(AMENDED EXHIBIT NO. 3)

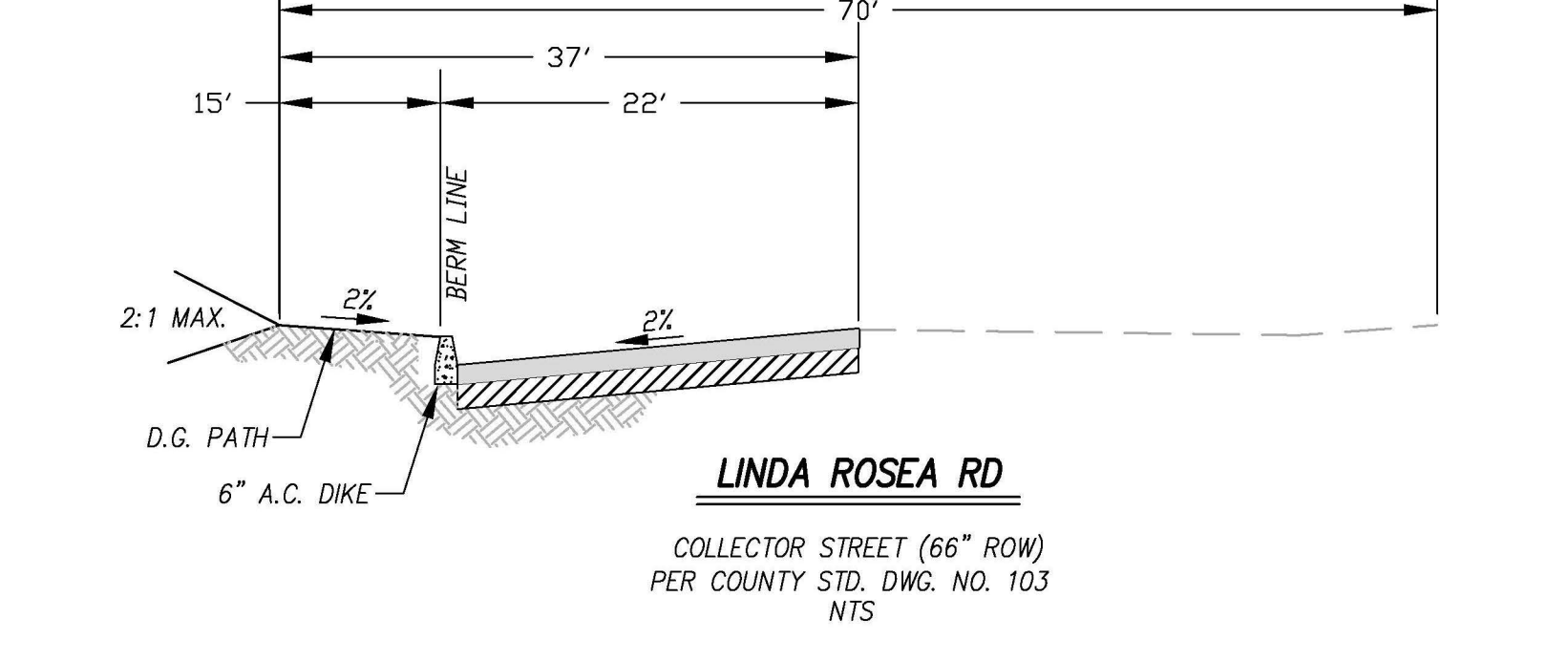
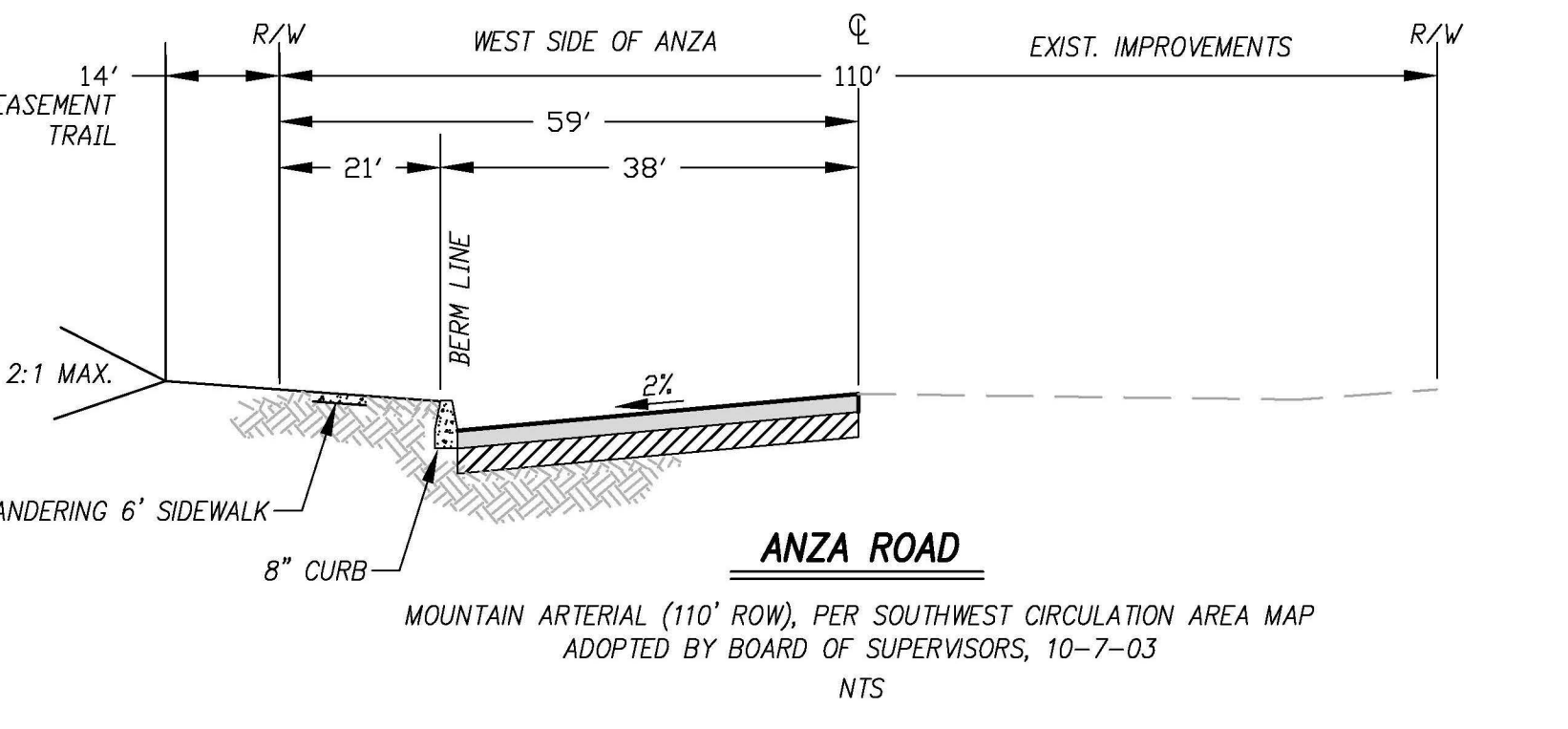
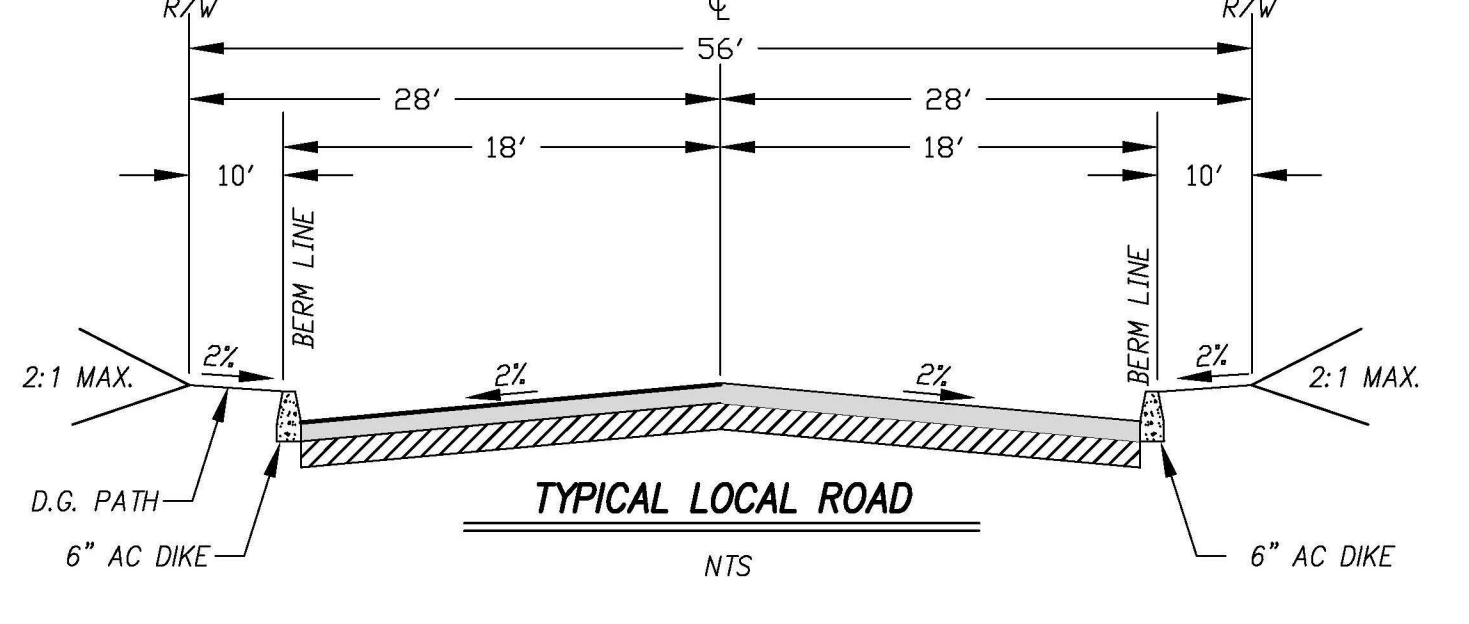


LOT AREA TABLE	
LOT #	GROSS AREA (AC.)
1	1.02
2	0.75
3	1.44
4	1.46
5	3.10
6	2.12
7	1.21
8	1.21
9	1.03
10	2.70
11	3.05
12	3.91
13	2.54
14	2.35
15	2.34
16	1.04
17	6.29
18	4.78

**GENERAL NOTES**

- ALL SLOPES 2:1 UNLESS OTHERWISE NOTED.
- LAND IS NOT WITHIN A SPECIAL STUDIES ZONE AND LAND IS NOT SUBJECT TO LIQUEFACTION OR OTHER GEOLOGICAL HAZARD.
- LAND IS NOT SUBJECT TO OVERFLOW, INUNDATION, OR FLOOD HAZARD.
- ALL LOTS WILL BE ROUGH GRADED AT THE SAME TIME, SO AS TO REQUIRE ONE GRADING PERMIT PROCESSING.
- ALL ROADS WILL BE PUBLICLY MAINTAINED.
- ALL CROSS LOT DRAINAGE WILL NEED TO BE CONTAINED IN EASEMENTS TO BE MAINTAINED BY H.O.A.

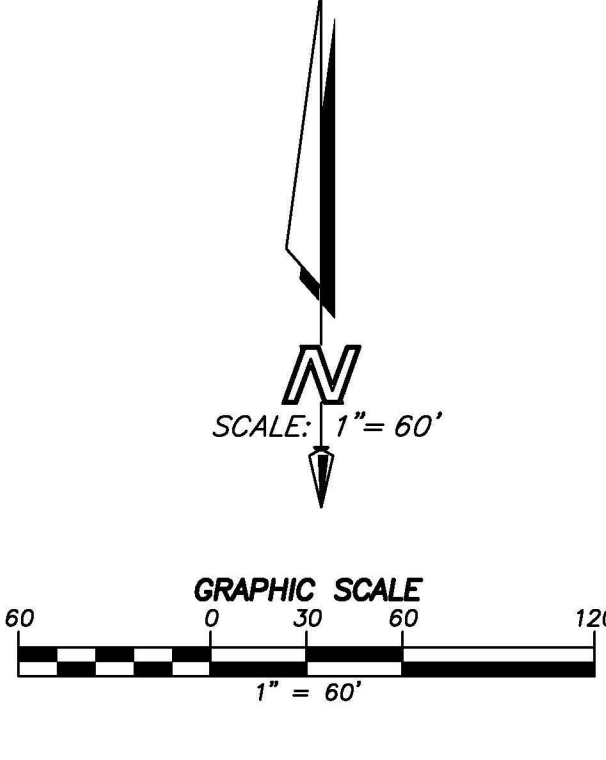
**UTILITIES:**  
WATER: RANCHO CALIFORNIA WATER DISTRICT  
SEWER: EASTERN MUNICIPAL WATER DISTRICT  
ELECTRIC: SOUTHERN CALIFORNIA EDISON  
GAS: SOUTHERN CALIFORNIA GAS  
TELEPHONE: VERIZON



**ACS CONSULTING, INC.**  
LAND DEVELOPMENT & SURVEYING SPECIALISTS  
PO BOX 2252 TEMECULA CA 92593-2252  
PH. (951) 757-5178

SHEET TITLE:  
**TITLE / GRADING SHEET**

COUNTY OF RIVERSIDE  
**TENTATIVE TRACT MAP 33356**





**ATTACHMENT B  
FACT SHEET**

**Table of Contents**

1.0	Applicant .....	2
2.0	Project Description .....	2
3.0	Regulatory Background.....	4
4.0	California Environmental Quality Act.....	5
5.0	Water Quality Standards and Prohibitions .....	5
6.0	Basis for Waste Discharge Requirements.....	9
7.0	Compensatory Mitigation Measures.....	9
8.0	Runoff Management Plan (RMP) .....	10
9.0	Public Participation.....	11
10.0	Written Comments and Responses.....	12
11.0	Public Hearing.....	12
12.0	Information and Copying .....	12
13.0	Register of Interested Persons.....	13
14.0	Additional Information .....	13
15.0	Petition for State Water Board Review.....	13
16.0	Documents Used in Preparation of the Information Sheet and Order .....	14

## **1.0 Applicant and Discharger**

Sand Creek Development, LP  
(Hereinafter Discharger)  
33725 East Grand Avenue  
Winchester, CA 92596

Contact:  
Angela Little  
33725 East Grand Avenue  
Winchester, CA 92596  
(951) 775-1323  
awlittle@msn.com

## **2.0 Project Description**

The Project includes the subdivision of 39.62 acres into 16 single-family residential lots and two (2) open space lots for the USGS-designated blueline stream ('Drainage A') which traverses the eastern portion of the project site along Anza Road. Residential lots range in size from 0.75 acre to 3.91 acres. The two open space lots together total approximately 11 acres. The project includes development of four (4) designated street rights-of-ways and associated infrastructure to serve the project, adjacent projects, and surrounding areas, as mandated by the County of Riverside. The remainder of the site will serve as open space. Project implementation will also widen the west side of Anza Road up to its full right-of-way width. The Project is located on the northwest corner of Anza Road and Linda Rosea Road intersection, Riverside County, CA.

A new crossing will be constructed over Drainage A in order to provide a primary access to the development from Anza Road. The Anza Road entry will include six (6) 71"x 47" arch corrugated metal pipes (CMP) to convey flows under the Anza Road entry. An 80' x 20' concrete apron will be constructed on the north (upstream) side of the crossing and a 24' wide x 55' long grouted rip-rap pad is designed at the storm drain outlet on the south (downstream) side of the crossing.

A secondary access road (labeled on the tract map as 'A Street') will provide access to the development from Linda Rosea Road. The downstream end of Drainage A will be narrowed and slightly re-aligned to the east. The seven (7) existing damaged 48 inch CMPs, which currently collect and convey flows underneath Linda Rosea Road to off-site downstream properties, will be removed and replaced with nine (9) new 38" high x 60" wide elliptical CMP storm drains. These CMPs will cumulatively total 50 feet in length and 55 feet in width. Additionally, a 45' x 10' concrete apron will be constructed at the storm drain inlet on the north (upstream) side of Linda Rosea Road and a 27' wide x 55' long

grouted rip-rap pad will be constructed at the storm drain outlet on the south (downstream) side of Linda Rosea Road. The project development, Anza Road entry, and the widened Anza and Linda Rosea Roads will be supported by 2:1 slopes.

15.74 acres (approximately 40% of the entire site) will be left undeveloped subject to the Riverside County Fire Department's fuel-modification requirements and modifications by homeowners, such as landscaping or creation of vineyards.

The Applicant intends to sell the subject property to a developer who will build the Project once all agency authorizations are secured. It is therefore not known at this time when the proposed project will be implemented or how long it will take to build. The Project adds approximately 7.36 acres of impervious surfaces.

The Project will discharge waste (fill material) to a total of 0.31 acre of waters of the State (1,908 linear feet) resulting in permanent impacts to jurisdictional waters in the Pechanga Hydrologic Area (HA), Pauba Hydrologic Subarea (HSA) (905.41) as summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition only.

Approximately 1.6 acres of Drainage A (Anza Creek), 0.03 acre of Drainage A1, all 75 square feet of Drainage A2, 0.02 acre of Drainage B, 154 square feet of Drainage 81. 0.01 acre of Drainage C, 0.01 acre of Drainage D, all 60 square feet of Drainage D1 and 0.02 acre of Drainage G will be avoided.

By letter dated March 21, 2017, the United States Army Corps of Engineers (USACE) determined that the Project activities will not occur within waters of the United States and therefore the Project is not subject to USACE jurisdiction under Section 404 of the Clean Water Act (CWA) and a Section 404 permit is not required for the Project. The 2.26 acres (6,912 linear feet) of non-wetland waters was determined by the USACE to be outside of federal jurisdiction. These waters remain non-federal waters of the State, and discharges to these waters are thereby regulated pursuant to California Water Code Section 13260, *et. seq.*

**Table 1: Jurisdictional Impact Summary**

Jurisdiction Type	Permanent Impact		Temporary Impact	
	Area (acres)	Length (LF)	Area (acres)	Length (LF)
Surface Waters of the State (non-wetland; ephemeral)	0.31	1,908	0.59	308
<b>Total</b>	<b>0.31</b>	<b>1,908</b>	<b>0.59</b>	<b>308</b>

### 3.0 Regulatory Background

Section 13260(a) of the California Water Code (Water Code) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, which could affect the quality of the waters of the State, file a Report of Waste Discharge (ROWD). The discharge of dredged or fill material constitutes a discharge of waste that could affect the quality of waters of the State. Water Code section 13263(a) requires that Waste Discharge Requirements (WDRs) be prescribed as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. Such WDRs must implement any relevant water quality control plans, taking into consideration beneficial uses to be protected, the water quality objectives reasonably required for those purposes, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.

Construction activities associated with the proposed discharges of fill threaten beneficial uses on-site and downstream. The Discharger will file a Notice of Intent to the State Water Resources Control Board (State Board) for coverage under State Board Order No. 2009-0009-DWQ, *National Pollutant Discharge Elimination System (NPDES) General Permit, For Storm Water Discharges Associated with Construction And Land Disturbance Activities* (Order No. 2009-0009-DWQ). The San Diego Water Board may conduct inspections to verify compliance with Order No. 2009-0009-DWQ, including, but not limited to, implementation of a storm water pollution prevention plan.

Since all federal waters can also be considered waters of the State, the State of California largely relies on section 401 of the federal Clean Water Act (CWA) (33 U.S.C. § 1341) to regulate discharges of dredged or fill material to waters of the State. That section requires an applicant to obtain "water quality certification" from California that the project will comply with State water quality standards before certain federal licenses or permits may be issued. Each water quality certification includes a condition of coverage with State Water Resources Control Board's General Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Dredge and Fill Discharges that have Received State Water Quality Certification*. Water Quality Order No. 2003-0017-DWQ is accessible on the State Water Board web site at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/go\\_wdr401regulated\\_projects.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf)

In light of recent U.S. Supreme Court rulings, isolated waters, or waters lacking a significant nexus to a traditionally navigable waterbody, are no longer considered waters of the U.S. (i.e. federal waters), and therefore no longer require certification pursuant to Section 401 of the CWA. In order to comply with the State's "No Net Loss" Policy for wetlands (Executive Order W-59-93), discharges

of waste to these nonfederal, State wetlands are being regulated pursuant to California Water Code Section 13260.

On March 21, 2017, the USACE determined the Project property contained no waters of the U.S. On May 31, 2017, the Discharger submitted a ROWD, along with required fees in accordance with the State Water Board's Dredge and Fill Fee Calculator, for discharges of fill associated with the Project to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). Pursuant to fee schedules currently set in CCR Title 23, annual fees are required. By letter dated March 11, 2019, the San Diego Water Board informed the Discharger that the ROWD application was complete.

This Order serves as individual waste discharge requirements for discharges of fill to non-federal waters of the State.

#### **4.0 California Environmental Quality Act**

Before the San Diego Water Board can issue WDRs, the project must have a final, valid environmental document meeting the criteria of the California Environmental Quality Act (CEQA). The CEQA document must fully disclose the potential significant adverse impacts of the project and identify measures to avoid, minimize, rectify, reduce or compensate for the impacts identified.

The County of Riverside (County) is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)). The County certified a Final Mitigated Negative Declaration (MND) for the Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project, under CEQA Guidelines Title 14, California Code of Regulations. The lead agency determined the Project will not have a significant effect on the environment.

As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

#### **5.0 Water Quality Standards and Prohibitions**

Section 303 of the federal Clean Water Act (33 U.S.C. §1313) defines the term water quality standards as the uses of the surface waters, the water quality criteria which are applied to protect those uses, and an antidegradation policy.<sup>1</sup> A water quality standard defines the water quality goals for a water body by

---

<sup>1</sup> Pursuant to the federal Clean Water Act, water quality standards are composed of three parts: (1) designated uses, e.g., protection of fish and wildlife, recreation and drinking water supply (40 CFR section 131.10); (2) numeric or narrative water quality criteria to protect those uses (40 CFR section 131.11); and (3) an antidegradation policy (40 CFR section 131.12).

designating the use or uses to be made of the water body, by setting criteria to protect the uses, and by protecting water quality through non-degradation provisions. Under the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Chapter 2, section 13050), these concepts are defined separately as beneficial uses and water quality objectives. Beneficial uses and water quality objectives are required to be established for all waters of the State, both surface and ground waters.

The Project will affect waters of the State in the Pechanga HA, Pauba HSA (902.51).

The Water Quality Control Plan for the San Diego Basin (9) (Basin Plan), adopted on September 8, 1994 as amended, designates existing and potential beneficial uses for surface and ground waters within the San Diego Region. Beneficial uses within the project area are summarized in Table 2 below.

**Table 2. Beneficial Uses of the Project Site Surface and Ground Waters**

<b>Beneficial Use</b>	<b>Description</b>	
<b>Municipal and Domestic Supply (MUN)</b>	Uses of water for community, military, or individual water supply systems, including, but not limited to, drinking water supply.	Surface and Ground Waters
<b>Agricultural Supply (AGR)</b>	Uses of water for farming, horticulture, or ranching, including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.	Surface and Ground Waters
<b>Industrial Service Supply (IND)</b>	Uses of water for industrial activities that do not depend primarily on water quality, including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.	Surface and Ground Waters
<b>Industrial Process Supply (PROC)</b>	Includes uses of water for industrial activities that depend primarily on water quality.	Surface Waters Only
<b>Ground Water Recharge (GWR)</b>	Includes uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.	Surface Waters Only
<b>Contact Water Recreation (REC1)</b> (Potential BU)	Uses of water for recreational activities involving body contact with water where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing, and uses of natural hot springs.	Surface Waters Only
<b>Non-contact Water Recreation (REC2)</b>	Uses of water for recreational activities involving proximity to water, but not normally involving contact with water where water	Surface Waters Only

	ingestion is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.	
<b>Warm Freshwater Habitat (WARM)</b>	Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.	Surface Waters Only
<b>Wildlife Habitat (WILD)</b>	Uses of waters that support wildlife habitats, including, but not limited to, the preservation and enhancement of vegetation and prey species used by wildlife, such as waterfowl.	Surface Waters Only

The Basin Plan establishes Water Quality Objectives for surface waters within the Pechanga HA in Table 3 below.

**Table 3. Water Quality Objectives for Surface Waters in the Pechanga Hydrologic Area**

Constituent	Concentration <sup>a</sup>
Total Dissolved Solids	500
Chloride	250
Sulfate	250
Percent Sodium (Na%)	60
Nitrogen and Phosphorus	a
Iron	0.3
Manganese	0.05
Methylene Blue-Activated Substances	0.5
Boron	0.75
Turbidity (NTU)	none
Color Units	20
Fluoride	1

- a. All units are mg/L unless otherwise noted.
- b. Concentrations of nitrogen and phosphorus, by themselves or in combination with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total Phosphorus (P) concentrations shall not exceed 0.05 mg/l in any stream at the point where it enters any standing body of water, or 0.025 mg/l in any standing body of water. A desired goal in order to prevent plant nuisances in streams and other flowing waters appears to be 0.1 mg/l total P. These values are not to be exceeded more than 10% of the time unless studies of the specific body in question clearly show that water quality objective changes are permissible and changes are approved by the San Diego Water. Analogous threshold values have not been set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance

and monitoring and upheld. If data are lacking, a ratio of N:P =10:1 shall be used.

The Basin Plan establishes water quality objectives for ground waters within the Pechanga HA as shown in Table 4 below.

**Table 4. Water Quality Objectives for Ground Waters in the Pechanga Hydrologic Area**

Constituent	Concentration <sup>a</sup>
Total Dissolved Solids	500
Chloride	250
Sulfate	250
Percent Sodium	60
Nitrate	45
Iron	0.3
Manganese	0.05
Methylene Blue-Activated Substances	0.5
Boron	0.75
Turbidity (NTU)	5
Color Units	15
Fluoride	1

a. All units are mg/L unless otherwise noted.

The Basin Plan establishes the following Waste Discharge Prohibitions pursuant to California Water Code section 13243 applicable to the Discharge:

- Prohibition No. 1. The discharge of waste to waters of the state in a manner causing, or threatening to cause a condition of pollution, contamination, or nuisance as defined in California Water Code section 13050, is prohibited.
- Prohibition No. 2. The discharge of waste to land, except as authorized by waste discharge requirements or the terms described in California Water Code section 13264 is prohibited.
- Prohibition No. 3. The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredged or fill material permit (subject to the exemption described in California Water Code section 13376) is prohibited.
- Prohibition No. 7. The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner which



may permit it's being transported into the waters, is prohibited unless authorized by the San Diego Water Board.

- Prohibition No. 14. The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom deposits, turbidity or discoloration in waters of the state or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.

## **6.0 Basis for Waste Discharge Requirements**

This Order establishes requirements for the discharge of wastes pursuant to Division 7 of the California Water Code and Article 4, Title 23 of the California Code of Regulations, and establishes mitigation and monitoring provisions based on best professional judgment. The waste discharge requirements, reporting requirements, and standard provisions in this Order are established in accordance with Division 7 of the California Water Code. The discharge of fill material as regulated by this Order will not cause an exceedance of applicable water quality standards.

## **7.0 Compensatory Mitigation Measures**

Compensatory mitigation for permanent impacts to wetland and non-wetland waters will be achieved through the purchase of 1.21 acre of establishment or re-establishment mitigation bank credits from the San Luis Rey Wetland Mitigation Bank (Bank), in advance of Project construction to achieve a minimum compensation ratio of 3.90:1 (area mitigated:area impacted). The Bank is located on 55.84 acres in the Mission HSA (903.11) in the City of Oceanside, San Diego County, California. Attachment C shows the location of the mitigation bank. Mitigation credit parcels, purchased from the Bank to satisfy compensatory mitigation requirements, are required to be protected, monitored and maintained in perpetuity by the Bank pursuant to a federal and State approved bank enabling instrument and a recorded conservation easement held by Wildlife Heritage Foundation. Wildlands, a habitat development and land management company, is the Bank Sponsor and is responsible for Bank design, entitlement, construction and long-term operations and management.

Mitigation activities at San Luis Rey Wetland Mitigation Bank are expected to be successful based on the location, soil type, expected hydrology, and the use of plant species that occur on-site and are known to perform well in habitat restoration programs.

For the reasons above, it is anticipated that the proposed mitigation will adequately compensate for impacts to waters of the State associated with the discharge of fill material from the Project.

Table 5, *Impact and Compensatory Mitigation Summary*, provides a summary of the jurisdictional impacts and conceptual mitigation approach.

**Table 5. Permanent Impact and Compensatory Mitigation Summary**

Jurisdiction Type	Permanent Impact		Mitigation Proposed (Re-Establishment Credits)	Water Board Mitigation Ratio
	Area (acres)	Length (LF)		
waters of the state (non-wetland; ephemeral)	0.31	1,908	<ul style="list-style-type: none"> <li>Re- Establishment: 1.21 acre wetland credits</li> </ul>	3.9:1 (ac) <sup>1</sup>
<b>Total</b>			<b>1.21-acre Re-Establishment</b>	

<sup>1</sup>Compensatory mitigation is being provided at the San Luis Rey Mitigation Bank therefore; compensatory mitigation for linear feet is not being calculated.

## 8.0 Runoff Management Plan (RMP)

The post-construction Best Management Practices (BMPs) for the Project are detailed in *Project Specific Final Water Quality Management Plan (WQMP) for Tract 33356 – Sand Creek Development* prepared by ACS Consulting, Inc. for the Discharger, dated March 5, 2017. All runoff from the Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project will be conveyed to 5 bio-swales that will be designed as a natural feature with landscaping and plant material to retain the natural aesthetics of the site and promote adequate filtration for the constituents of concern.

In addition to the vegetated bio-swales, the Project will incorporate the following Source Control BMPs:

- Maximize the permeable area.
- Conserve natural areas.
- Landscaping will encourage infiltration while discouraging fertilizers and pesticides.
- Where landscaping is proposed, drain impervious sidewalks, walkways, trails, and patios into adjacent landscaping.
- Rural swale system: street sheet flows to vegetated swale or gravel shoulder, curbs at street corners, culverts under driveways and street crossings.

The location of the bio-swales are identified in Attachment 4, Exhibit 'A'.

Under the terms and conditions of this Order, the Project is conditioned to mitigate (infiltrate, filter, and/or treat), prior to discharging to receiving waters, the volume of runoff produced by all storms up to and including the 24-hour, 85th percentile storm event for volume-based BMPs and/or the 1 hour, 85th percentile multiplied by a factor of two for flow-based BMPs, as determined from the local historical rainfall record. The Project must be designed to comply with the requirements for priority development projects in section E.3 of the Regional MS4 Permit Order No. R9-2013-0001, *National Pollutant Discharge Elimination Systems Permit and Waste Discharge Requirements for Discharges of Urban Runoff from the MS4s Draining the Watersheds within the San Diego Region* (Regional MS4 Permit) as well as the most current BMP Design Manual for the County of Riverside. Where conflict exists between the referenced documents the most stringent requirements shall apply.

## **9.0 Public Participation**

The San Diego Water Board has considered the issuance of waste discharge requirements in this Order for the Project. As a step in the adoption process of this Order the San Diego Water Board developed a Tentative Order and encouraged public participation in the Board's proceedings to consider adoption of the Tentative Order in accordance with the requirements of Water Code section 13167.5.

The public was notified by a San Diego Water Board internet website posting on March 13, 2019, that a report of waste discharge application for WDRs for the Project was submitted.

As a step in the WDR adoption process, the San Diego Water Board developed Tentative Order No. R9-2019-0092, a draft version of the Order. The San Diego Water Board has taken the following steps to encourage public participation in the San Diego Water Board's proceedings to consider adoption of the Tentative Order.

### **Notice of Public Hearing and Public Comment Period**

By electronic e-mail and public notice dated March 13, 2019 the San Diego Water Board notified the Discharger and interested agencies and persons of its intent to consider adoption of the Tentative Order in a public hearing during a regularly scheduled Board Meeting on June 12, 2019. The San Diego Water Board also provided notice that the Tentative Order was posted on the Board website and provided a period of 30 days for public review and comment. Notification was also provided through the San Diego Water Board website and the San Diego Water Board Meeting agenda publication.

The public also had access to the Board meeting agenda, including all supporting documents and any changes in meeting dates and locations through the San Diego Water Board's website at: <http://www.waterboards.ca.gov/sandiego/>

## **10.0 Written Comments and Responses**

Interested persons were invited to submit comments concerning the Tentative Order as provided in the public notice. Written comments or e-mailed comments were required to be received in the San Diego Water Board office at 2375 Northside Drive, Suite 100, San Diego, CA 92108. To be fully responded to by staff and considered by the San Diego Water Board, the written or e-mailed comments were due at the San Diego Water Board office by **5:00 p.m. on April 12, 2019**. The San Diego Water Board provided written responses to all timely received public comments on the Tentative Order and posted the response to comments document on the Board's website in advance of the public hearing date.

## **11.0 Public Hearing**

The San Diego Water Board held a public hearing on the Tentative Order during its regular Board meeting as follows:

Date: June 12, 2019  
Time: 9:00 a.m.  
Location: San Diego Water Board  
Regional Board Meeting Room  
2375 Northside Drive, Suite 100  
San Diego, CA 92108

At the public hearing, the San Diego Water Board heard and considered all comments and testimony, pertinent to the discharge and the Tentative Order. For accuracy of the record, important testimony was requested in writing.

## **12.0 Information and Copying**

Records pertinent to the San Diego Water Board's proceedings to adopt this Order including but not limited to the Report of Waste Discharge (ROWD), public notices, draft and finalized versions of the Tentative Order, public comments received, Board responses to comments received and other supporting documents are maintained by the San Diego Water Board. These records are available for public access between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday at the San Diego Water Board office.

The San Diego Water Board website contains on-line information and instructions on how to request access and obtain copies of these records at: [http://www.waterboards.ca.gov/sandiego/about\\_us/contact\\_us/records.shtml](http://www.waterboards.ca.gov/sandiego/about_us/contact_us/records.shtml).

Before making a request to view public records in the San Diego Water Board office you may wish to determine if the information is already available on the San Diego Water Board's website at: <http://www.waterboards.ca.gov/sandiego/>

### **13.0 Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding this Order should contact the San Diego Water Board, reference this Order or Project, and provide a name, address, phone number, and email address.

San Diego Regional Water Quality Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108-2700  
Phone (619) 516-1990  
Fax (619) 516-1994  
E-mail [rb9\\_questions@waterboards.ca.gov](mailto:rb9_questions@waterboards.ca.gov).

### **14.0 Additional Information**

Requests for additional information or questions regarding this Order should be directed to Darren Bradford of the San Diego Water Board staff at (619) 521-3356 or to the San Diego Water Board via e-mail at [rb9\\_questions@waterboards.ca.gov](mailto:rb9_questions@waterboards.ca.gov).

### **15.0 Petition for State Water Board Review**

Any aggrieved person may petition the State Water Board to review the decision of the San Diego Water Board regarding the final WDRs of this Order in accordance with Water Code section 13320 and the California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the adoption date of this Order, except that if the thirtieth day following the adoption date of this Order falls on a Saturday, Sunday, or State holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Board website at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/index.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml) or will be provided upon request.

## 16.0 Documents Used in Preparation of the Information Sheet and Order

The following documents were used in the preparation of this Information Sheet and this Order:

- a. Application/Report of Waste Discharge submitted on May 31, 2017, with 9 attachments.
- b. Supplemental application information submitted on February 14, 2018, and September 19, 2018.
- c. Final Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project Mitigated Negative Declaration on December 19, 2018.
- f. Letter from the USACE to Ms. Angela D. Little. Subject: Determination regarding requirement for Department of the Army Permit, March 21, 2017.

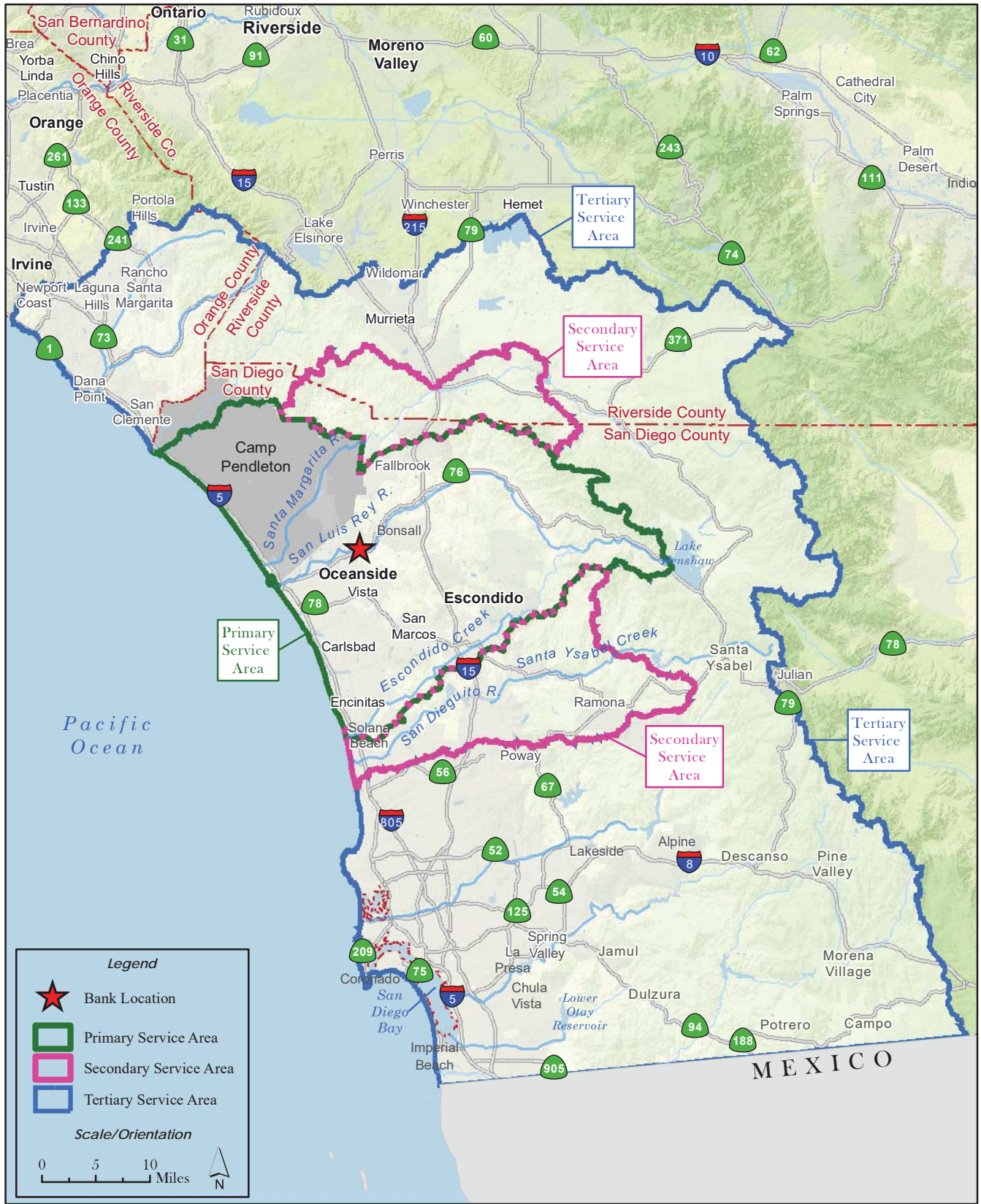
Tech Staff Info & Use	
File No.	R9-2019-0092
WDID	9000003179
Reg. Measure ID	413606
Place ID	835602
Party ID	564508

Sand Creek Development, LP  
Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project  
Project Certification No. R9-2019-0092

**ATTACHMENT C**  
**MITIGATION PROOF OF AVAILABLE CREDITS**

Wildlands, Exhibit B-1a – San Luis Rey Mitigation Bank Service Area Map





# WILDLANDS

San Luis Rey Mitigation Bank  
Bank Enabling Instrument

Exhibit B-1a  
Service Area: Regional Context





Sand Creek Development, LP  
Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project  
Project Certification No. R9-2019-0092

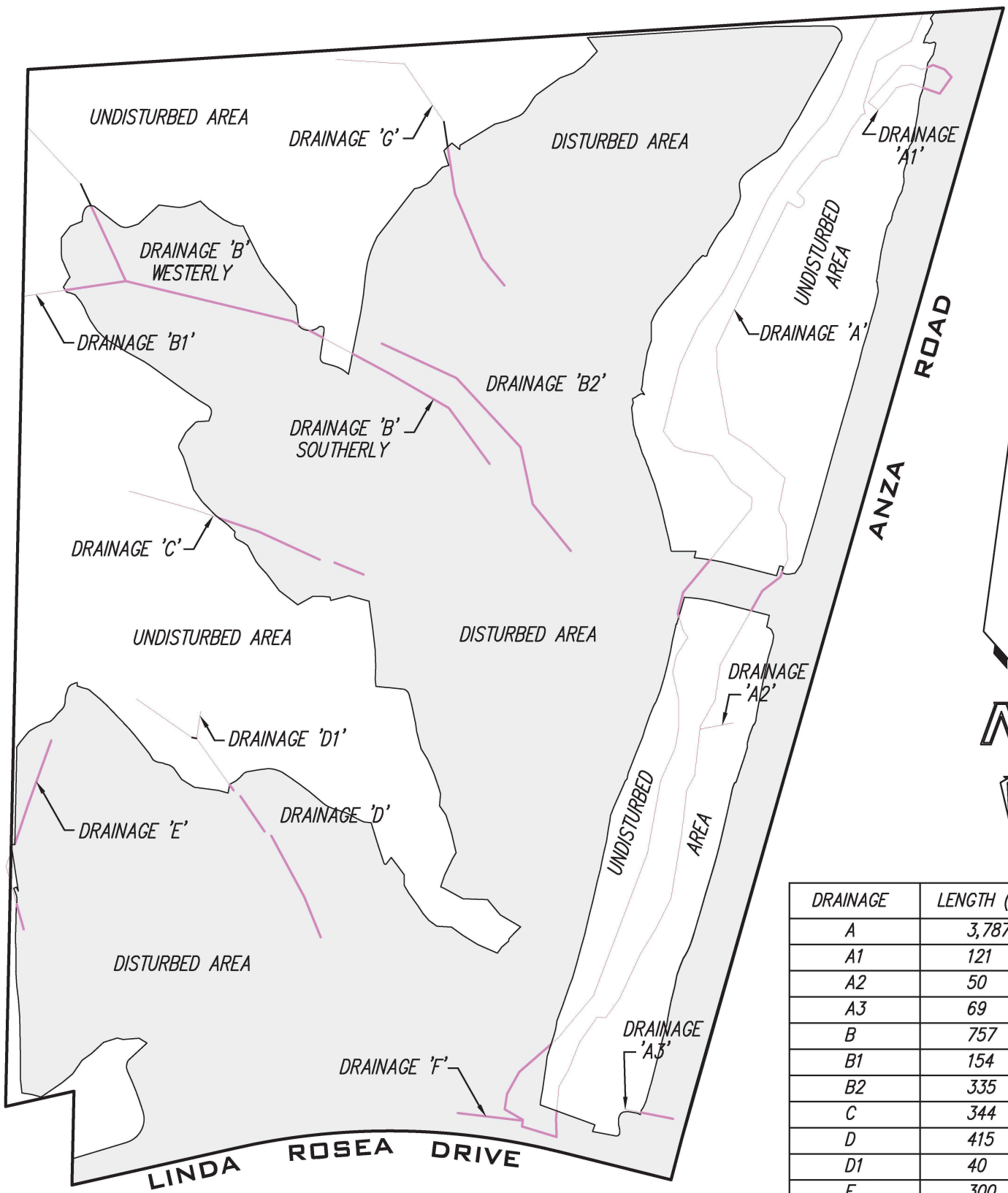
**ATTACHMENT D**  
**NON-FEDERAL WATERS OF THE UNITED STATES**

Sheet 1 of 1 – Drainage Location Map

Sheet 2 of 3 – Jurisdictional Area Present and Affected by Proposed Project

Sheet 3 of 3 – Jurisdictional Area Present and Affected by Proposed Project

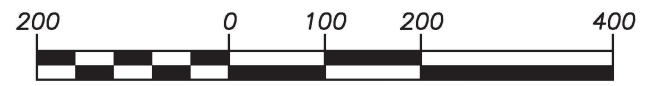
# EXHIBIT 2 DRAINAGE LOCATION MAP



DRAINAGE	LENGTH (FT)
A	3,787
A1	121
A2	50
A3	69
B	757
B1	154
B2	335
C	344
D	415
D1	40
E	300
F	90
G	450

**LEGEND**

- DISTURBED AREA
- DISTURBED DRAINAGE
- UNDISTURBED DRAINAGE



GRAPHIC SCALE: 1"=200'

PREPARE DATE: MAY 28, 2019

# EXHIBIT 7

## JURISDICTIONAL AREA PRESENT AND AFFECTED BY PROPOSED PROJECT

TABLE 1

RWQCB Jurisdictional Area				
Drainage	Length (Feet)	Average Width (Feet)	Jurisdictional Area	Jurisdictional Area Affected (SF)
A	1,758	45	86,684.4 square feet (1.99 acres)	16,988
A1	121	25	3,049.2 square feet (0.07 acre)	1,742
A2	50	1.5	75 square feet (0.00 acre)	0
A3	69	3.5	241.5 square feet (0.01 acre)	242
B	858	2.5	2,503.5 square feet (0.06 acre)	1,502
B1	154	2	308 square feet (0.01 acre)	154
B2	335	3	1,005 square feet (0.02 acre)	1,005
C	344	2.25	816 square feet (0.02 acre)	464
D	415	2.4	1,007.5 square feet (0.02 acre)	498
D1	40	1.5	60 square feet (0.00 acre)	0
E	300	3	900 square feet (0.02 acre)	900
F	90	2	180 (square feet)	180
G	447	3.6	1,667.5 square feet (0.04 acre)	805
<b>Total</b>	<b>4,981</b>		<b>98,497.6 square feet (2.26 acres)</b>	

# EXHIBIT 7

## JURISDICTIONAL AREA PRESENT AND AFFECTED BY PROPOSED PROJECT

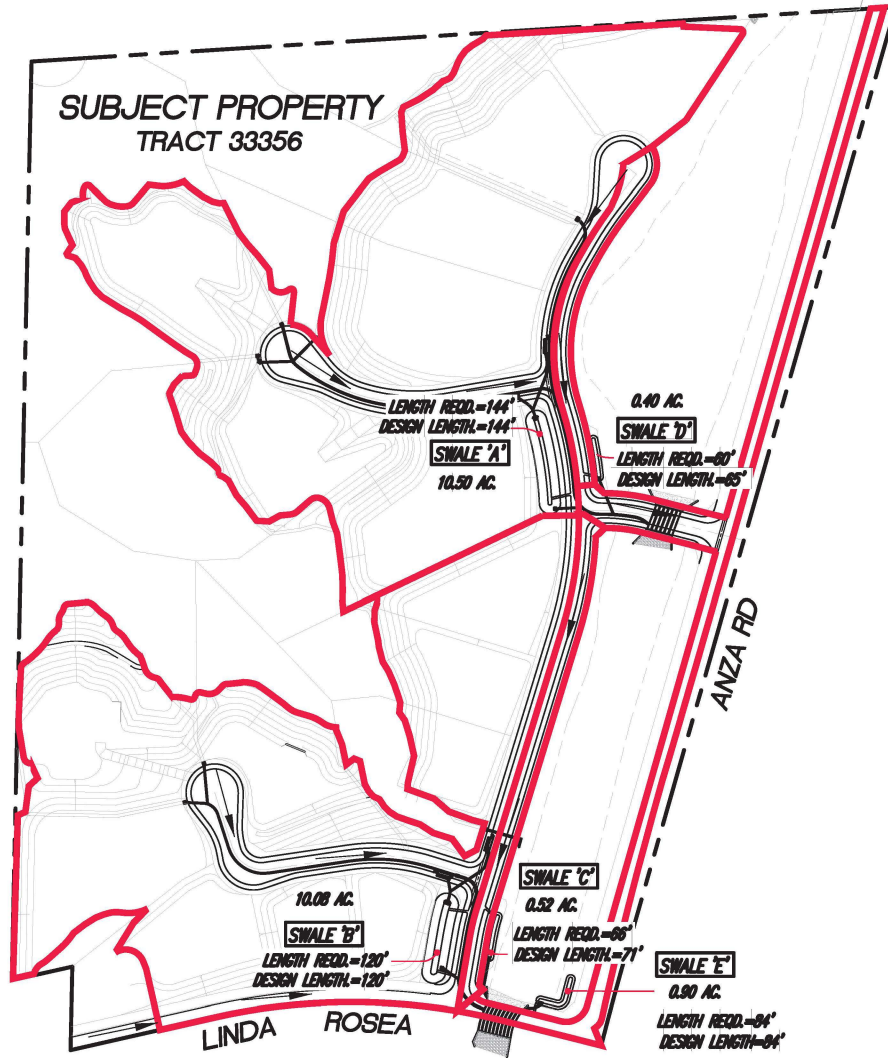
TABLE 2

CDFW Jurisdictional Area				
Drainage	Length (Feet)	Average Width (Feet)	Jurisdictional Area	Jurisdictional Area Affected
A	1,758	45	86,684.4 square feet (1.99 acres)	16,988
A <sub>1</sub>	121	25	3,049.2 square feet (0.07 acre)	1,742
A <sub>2</sub>	50	1.5	75 square feet (0.00 acre)	0
A <sub>3</sub>	69	3.5	241.5 square feet (0.01 acre)	242
B	858	2.5	2,503.5 square feet (0.06 acre)	1,502
B <sub>1</sub>	154	2	308 square feet (0.01 acre)	154
B <sub>2</sub>	335	3	1,005 square feet (0.02 acre)	1,005
C	344	2.25	816 square feet (0.02 acre)	464
D	415	5.2	2,295.5 square feet (0.05 acre)	1,079
D <sub>1</sub>	40	1.5	60 square feet (0.00 acre)	0
E	300	3	900 square feet (0.02 acre)	900
F	90	2	180 (square feet)	180
G	447	4.6	2,167.5 square feet (0.05 acre)	1,028
<b>Total</b>	<b>4,981</b>		<b>100,285.6 square feet (2.30 acres)</b>	

Sand Creek Development, LP  
Tentative Tract Map No. 33356 (Amended Exhibit No. 3) Project  
Project Certification No. R9-2019-0092

**ATTACHMENT E**  
**TREATMENT CONTROL BEST MANAGEMENT PRACTICE PLAN**

Tract 33356 Exhibit 'A' – Water Quality Management Site Plan



**LEGEND**

	TRACT BOUNDARY
	TRIBUTARY AREA
	DIRECTION OF FLOW

DESIGNED BY:  
FAA

DRAWN BY:  
FAA



**ARTIGA CIVIL SURVEYING**  
 LAND DEVELOPMENT • PLANNING • SURVEYING  
 PO BOX 2252 • TEMECULA, CA 92593  
 TEL: 951.757.5178 • email: [frank@acsconsultinginc.com](mailto:frank@acsconsultinginc.com)

**TRACT 33356**  
**EXHIBIT 'A' - WATER QUALITY MANAGEMENT SITE PLAN**

DATE:  
08-02-16

SHEET  
**1** OF **1**