ERRATA SHEET

I declare under penalty of perjury that I have read the foregoing 55 pages of my testimony, taken on Dec 28, 2015 (date) at San Diego (city), CA (state), and that the same is a true record of the testimony given by me at the time and place herein above set forth, with the following exceptions:

Page	Line	Should read:	Reason for Change:** (See below before completion)
12	13	QSP	
15	7	~~2012~~ Remove	Incorrect date
~~28~~	~~20~~	~~This response seems out of place~~	Disregard

Date: 1/19/2016

Signature of Witness

Leon Finsler

Name Typed or Printed

** THE "REASON FOR CHANGE" COLUMN SHOULD ONLY BE COMPLETED FOR FEDERA DISTRICT OR BANKRUPTCY COURT MATTERS (FRCP RULE 30(e)). THIS COLUM SHOULD NOT BE COMPLETED FOR STATE COURT ACTIONS.

Job No. _____

Rev. 3/15/14

ATTORNEYS AT LAW
225 BROADWAY, SUITE 1900
SAN DIEGO, CALIFORNIA 92101
TELEPHONE: (619) 231-5858
FACSIMILE: (619) 231-5853
www.envirolawyer.com

SUZANNE R. VARCO
svarco@envirolawyer.com

LINDA C. BERESFORD
lindab@envirolawyer.com

S.WAYNEROSENBAUM
swr@envirolawyer.com

Of Counsel
RICHARD G. OPPER
ropper@envirolawyer.com

OPPER & VARCO LLP
THE ENVIRONMENTAL LAW GROUP

January 7, 2016

Mr. Leon Firsht
8152 Commercial Street
La Mesa, CA 91942

Re: ACL Complaint No. R9-2015-0110 re San Altos – Lemon Grove, LLC
Deposition Transcript for Leon Firsht

Dear Mr. Firsht:

Enclosed with this letter is the original deposition transcript for your deposition taken on December 28, 2015. Can you please: a) review the transcript; b) make corrections (to the extent that you have any) on the correction page); c) sign the verification / correction page; and d) return the original transcript and signed verification / correction page to our office using the enclosed stamped envelope.

Given that we must provide all evidence in response to the above-reference ACL Complaint issued by the Regional Water Quality Control Board, San Diego Region, by February 3, we ask that you please review, make changes, sign, and return the transcript by January 20, 2016.

Thank you for your assistance.

Sincerely,

OPPER & VARCO LLP

Linda C. Beresford

Encl: Deposition Transcript Leon Firsht

HUTCHINGS Litigation SERVICES

ORIGINAL

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

IN THE MATTER OF:

Administrative Civil Liability Complaint No. R9-2015-0110 Against San Altos-Lemon Grove, LLC

DEPOSITION OF LEON PETER FIRSHT, witness herein, noticed by Opper & Varco, taken at 225 Broadway, Suite 1900, San Diego, California, on Monday, December 28, 2015, at 1:10 p.m., before Marc Volz, CSR 2863, RPR, CRR

Hutchings Number 599121

APPEARANCES OF COUNSEL:

For California Regional Water Quality Control Board:
California Environmental Protection Agency
State Water Resources Control Board
DAVID M. BOYERS
Assistant Chief Counsel
1001 I Street, 22nd Floor
Sacramento, California 95814
916.341-5276
david.boyers@waterboards.ca.gov

For San Altos-Lemon Grove, LLC:
OPPER & VARCO, LLP
BY LINDA C. BERESFORD, ESQ.
S. WAYNE ROSENBAUM
225 Broadway, Suite 1900
San Diego, California 92101
619.231.5858
lindab@envirolawyer.com

(Continued on next page.)

APPEARANCES OF COUNSEL:

For Non-party witness Leon Peter Firsht:

LOUNSBERY, FERGUSON, ALTONA & PEAK, LLP
BY JAMES P. LOUGH, ESQ.
960 Canterbury Place, Suite 300
Escondido, California 92025
760.743.1201
jpl@lfap.com

Also Present: Frank Melbourn
Josh Rosenbaum

I N D E X

WITNESS: LEON PETER FIRSHT

EXAMINATION BY:	PAGE
Ms. Beresford	6

E X H I B I T S

SAN ALTOS-LEMON GROVE, LLC	DESCRIPTION	IDENTIFIED	MARKED
EXHIBIT 1	San Altos-Lemon Grove, LLC's Notice of Deposition of Leon Firsht and Request for Production of Documents	7	55
EXHIBIT 2	Leon P. Firsht - Education/ Qualifications/Experience	9	55
EXHIBIT 3	City of Lemon Grove Administrative Citation	16	55
EXHIBIT 4	NPDES Stormwater Program- Construction Stormwater Compliance Inspection Form	19	55
EXHIBIT 5	City of Lemon Grove Administrative Citation	22	55
EXHIBIT 6	California Regional Water Quality Control Board - San Diego Region Watershed Protection Program - Facility Inspection Report	25	55
EXHIBIT 7	City of Lemon Grove - Engineering Services Department, letter to Tim Anderson from Leon P. Firsht dated December 16, 2014	29	55

E X H I B I T S

SAN ALTOS-LEMON GROVE, LLC	IDENTIFIED	IDENTIFIED	MARKED
EXHIBIT 8	City of Lemon Grove Administrative Citation	31	55
EXHIBIT 9	D-Max Engineering, Inc. memo to Firsht, Tamimi from Quenzer, December 31, 2014	35	55
EXHIBIT 10	D-Max Engineering, Inc. Memo to Firsht, Tamimi from Nakatani, January 16, 2015	38	55
EXHIBIT 11	BCA Development, Inc. letter to Leon Firsht from Ben C. Anderson, dated January 20, 2015	39	55
EXHIBIT 12	City of Lemon Grove letter to Ben Anderson from Leon P. Firsht, dated January 22, 2015	39	55
EXHIBIT 13	Documents prepared by City of Lemon Grove, D-Max or developer	40	55
EXHIBIT 14	City of Lemon Grove Administrative Citation	43	55

LEON PETER FIRSHT,
witness herein, having been sworn, testifies as follows:
-EXAMINATION-
BY MS. BERESFORD:

Q. Good afternoon, Mr. Firsht. My name is Linda Beresford. I'm one of the attorneys for San Altos-Lemon Grove, LLC in this matter. Can you please state your name and spell it for the record.

A. Full name, Leon Peter Firsht. Last name is spelled F-i-r-s-h-t.

Q. How do you pronounce that?

A. Just like first, second, third.

Q. Firsht. Okay. Have you had your deposition taken before?

A. No.

Q. So this is the first time.

A. Uh-huh.

Q. So we have a few ground rules that I'd like to go over to try to hopefully make the process go a little bit more smoothly. You're here today appearing under oath. We have a court reporter taking down everything that we say. So if you can, please try to answer every question with a verbal response: Yes, no, complete sentences, as opposed to shaking your head or shrugging or saying things like you uh-hmm, those kinds of things.

Do you understand what I'm trying to ask you?

A. Yes.

Q. Great. Thank you. In order to have an accurate transcript it's important to try to only have one person speaking at a time. So I would ask, if possible please let me finish my question, if you can, hear the whole question, and then you will answer. And I will do my best to not speak over you so that it is clear on the transcript who is speaking. Is that fair?

A. Yes.

Q. Please feel free to take a break at any time or confer with your attorney if you have a question. My only request is that if I've asked you a question that you answer the question before you need to take a break. Can we agree on that?

A. Yes.

Q. I apologize but I have to ask: Have you taken any medication today or is there any other reason today why you can't give your best testimony?

A. No.

MS. BERESFORD: Let's mark this as Exhibit 1, please.

Q. Have you seen this document before?

A. Yes.

Q. Can you please tell me what it is.

A. It is a subpoena request for a deposition, and it includes several requests within it of documents to be provided by myself or I guess Lemon Grove and additional items.

Q. I'll represent to you that Mr. Lough produced a CD of documents last week. The documents that you had to produce in response to this, did those go to Mr. Lough?

A. I do not have any documents. I no longer work at the city of Lemon Grove so I didn't produce any of them.

Q. Do you have any documents that you thought might be responsive but that you didn't bring today?

A. I have none in my possession.

Q. Let's talk about your education a little bit. Where did you graduate from high school?

A. Patrick Henry in San Diego.

Q. Did you go to college after that?

A. Yes, I did.

Q. Where did you go to college?

A. I started at Grossmont College. I took a few classes also at Mesa where I finaled my bachelor's in civil engineering at San Diego State.

Q. What year did you get that degree?

A. December 1995.

Q. Do you have any advanced degrees?

A. No.

Q. Are you a professional engineer?

A. Yes.

Q. What year did you get your PE?

A. I can give you the number I can't tell you -- oh, July 2002. I did write it down.

Q. Is that for a specific category of engineering?

A. No, that's the general.

Q. What was your first job after you graduated from San Diego State?

A. I worked at Project Design Consultants, San Diego, California.

Q. What was the time frame for that?

A. January 1996 to July 2000.

Q. I see you brought some documents today. Can I see what those are.

A. Yes. I have multiple copies. It's all the same.

Q. It's one page of a document called "Education, Qualifications, Experience."

A. Yes.

MS. BERESFORD: We'll mark this as Exhibit 2.

Q. In order to save time I'm not going to ask you about all of this employment. Can you just review it

and confirm for me on the record that these positions and the time frames that you worked there were accurate?

A. Yes, they are accurate.

Q. So right now you are with the city of La Mesa, correct?

A. Correct.

Q. The matter that we are here on today involves allegations of violations of the General Construction Stormwater Permit. So I want to talk to you a little bit about your experience or training for stormwater matters. Have you had any training on the General Construction Stormwater Permit?

A. In-house training, no external.

Q. What was the in-house training that you had?

A. Would be training provided by our management analyst Malik Tamimi.

Q. How many trainings did Mr. Tamimi put on?

A. I'd say maybe two that I can recall.

Q. About how long were they?

A. Probably about half an hour.

Q. Did you circulate any material as part of that training?

A. I believe he did. There was a sign-in sheet.

Q. There was a sign-in sheet. Did they give you any handouts?

A. I think so but I don't recall.

Q. Did those have any guest speakers?

A. No.

Q. So Mr. Tamimi did the presentations himself?

A. Yes.

Q. Do you remember generally what they covered?

A. Probably what a priority project is, frequency of inspections. Talked in general about city requirements for industrial commercial inspections. That's all I recall at the moment.

Q. Did he ever discuss whether there was a difference -- let me start over. Did he ever review the Jurisdictional Urban Runoff Management Plan?

A. Yes.

Q. That's often referred to as the JURMP.

A. Yes.

Q. Did he ever discuss the relationship between violations of the JURMP and whether those were violations of the Construction General Permit?

A. Yes.

Q. What did he say about that?

A. That the city had its own program within the municipal code which was separate from the Regional Board's construction inspection program.

Q. Do you have an idea, was it your impression

whether or not a violation of the JURMP was also a violation of the General Construction Stormwater Permit?

A. Possibly. We didn't necessarily look at it from the aspect that it would be a violation. We were only concerned with what the city's municipal code stated.

Q. Other than the two trainings that was given by Mr. Tamimi do you have any additional stormwater training or certification?

A. No.

Q. Are you familiar with what a Qualified Stormwater Professional is?

A. Q USP?

Q. Yes.

A. Yes, I've heard the term.

Q. Are you one?

A. I am not.

Q. Have you heard the term of a Qualified SWPPP Developer or a QSD?

A. Yes.

Q. Are you one?

A. No.

Q. Have you ever inspected construction sites for stormwater violations?

A. I have attended the inspection. I may have my

name on a few documents. I don't recall. So in the absence of normal staff or regular staff or a consultant inspector I may have done an inspection and signed one of the inspections.

Q. Did you do that for the Valencia Hills, San Altos site?

A. Possibly, yes.

Q. Do you know if you did it for any other construction sites?

A. Possibly, yes.

Q. Do you know what those sites might have been?

A. Citronica One or Citronica Two. It could have been both. I'm trying to think of what other projects we had in construction at the same time. And another project, and I don't recall the name, located off of San Miguel avenue.

Q. Is that in Lemon Grove?

A. Yes.

Q. Do you remember the first time you ever inspected a site for alleged stormwater violations?

A. I do not.

Q. Did you ever do such inspections when you were with the Eastern Municipal Water District?

A. No.

Q. So your only inspections were when you were

with the city of Lemon Grove.

A. Yes.

Q. In discussing this matter I am going to refer to the Valencia Hills, San Altos project, located on -- is it located on San Altos? Located on San Altos in Lemon Grove. I'm going to refer to that as the site. Does that make sense to you?

A. Yes.

Q. With respect to stormwater issues and possible issues relating to discharge of stormwater from the site, when did the site first come to your attention?

A. In terms of stormwater or just the site in general?

Q. More in terms of stormwater.

A. I'm going to estimate, probably June 2014.

Q. Do you recall what happened then to bring the site to your attention?

A. From what I recall I think my concern was that the developer elected to clear and grub the entire site in one phase versus phasing the project.

Q. What was your position at the time?

A. I was the city engineer.

Q. When that issue came to your attention did you do anything about it?

A. No.

Q. When was the next time something happened with the site that came to your attention?

A. Of significant concern would be -- and I don't know the date that it occurred -- was when the developer's contractor hit the city of San Diego water main. And I don't know. That may have been August 2012 -- or 2014.

Q. So there was a water main break in August 2014?

A. About that time, correct.

Q. Do you know if that incident was reported to the Regional Board?

A. It was.

Q. Do you know who reported it?

A. Malik Tamimi did.

Q. Do you know why he did that?

A. It's a requirement.

Q. Of what?

A. Of the Regional Board that the city report any discharges from the site.

Q. You say it's a requirement. What is it a requirement of?

A. I believe it would be of our JURMP.

Q. Do you recall, when was the first time you visited the site? Let me rephrase. Have you ever been to the site?

A. Yes, I have.

Q. When was the first time you ever went there?

A. I'm going to estimate maybe April, May of 2014.

Q. Did you ever visit the site for the purposes of and inspecting it for stormwater issues?

A. Either inspecting or attending on behalf of an inspection, probably maybe July, August 2014.

Q. Was that associated with the water main break?

A. Yes. I visited maybe the day after the water main break. I don't know if it was the day of. And I may have attended prior to that just as a second person, but not doing the inspection, just to go to the site.

MS. BERESFORD: If we could please mark this as Exhibit 3. We'll mark it as Exhibit 3 to the deposition even though it says 6, number 6 at the top.

Q. Will you please review that document.

A. I've reviewed it.

Q. Do you recognize that document?

A. Yes, I do.

Q. What is it?

A. It is an administrative citation to the Valencia developer.

Q. Who issued it?

A. I issued it.

Q. What was the date of that?

A. December 11th 2014.

Q. Did you visit the site on December 11th?

A. Yes, I did.

Q. Did you meet with anybody there?

A. I don't know if I met with anybody but I went to the site with another person.

Q. Who was that person?

A. Gary Harper.

Q. The second to the last page of Exhibit 3 has handwritten notes. Are those your notes?

A. Yes, they are.

Q. About what time did you go to the site?

A. Per the meeting minute phone record it states 5 p.m.

Q. Do you know why you went to the site?

A. I went to the site apparently because the recommendations issued on 12-9-2014 needed to be verified whether they were completed or not.

Q. Do you know who Tad Nakatani is?

A. Yes, I do.

Q. Who is he?

A. He is an employee of D-Max, who's a consultant to the city of Lemon Grove.

Q. As a consultant what do they do?

A. In this instance Mr. Nakatani was a site

inspector on behalf of the city.

Q. Inspecting for what purpose?

A. Stormwater.

Q. Do you know why D-Max was hired?

A. Yes.

Q. Why was that?

A. D-Max was hired to supplement the city's inspection program.

Q. Whose decision was it to hire them?

A. My decision.

Q. If you would take a look at that. I'm not going to mark it as an exhibit. Do you know what that document is?

A. It's a copy of their inspection form.

Q. Of whose?

A. Of D-Max. It's on the City of Lemon Grove letterhead, but it was filled out by Tad of D-Max.

Q. What's the date of it?

A. December 11, 2014.

Q. The time?

A. 9 a.m.

Q. So, based on this document does it appear that Mr. Nakatani inspected the site at 9 a.m. on December 11?

A. I would presume so.

Q. Were you aware that he had done an inspection that morning?

A. Most likely.

Q. So, if you would briefly take a look at that. Is that Mr. Nakatani's inspection from December 9?

A. Yes.

Q. So does it look like he went out on the 11th to follow up on his December 9 inspection?

A. Yes.

Q. Do you know why you decided to go out with Mr. Nakatani and inspect the site that morning?

A. Because ultimately he as a consultant he reports to myself.

Q. You felt that you had to double-check his work?

A. I felt like I needed to go see the site for myself.

Q. Sorry, I'll have you review this again.

MS. BERESFORD: Actually, I'll make that Exhibit 4 for the deposition, please.

Q. For the record, could you state what that is.

A. It's titled "NPDES Stormwater Program, Construction Stormwater Compliance Inspection Form."

Q. Filled out by...

A. Tad Nakatani, December 11, 2014, 9 a.m.

Q. This form, it says Construction Stormwater

Compliance Inspection Form. What is he looking for compliance with? What is his guideline?

A. Compliance with the municipal code and JURMP.

Q. Not compliance with the General Construction Stormwater Permit?

A. No.

Q. Do you see on the second page of Exhibit 4 under Violations, Mr. Nakatani noted -- he checked the box of No Violations; is that correct?

A. Uh-huh, yes.

Q. Then I'd like to go back to Exhibit 3. If Mr. Nakatani had issued no violations, why did you feel that you should issue a warning?

A. Well, he issued or checked no violations. D-Max Engineering is not in a position to issue administrative citations. In my mind he had recommended corrective action that still had not been completed from the prior inspection, so therefore I issued the citation.

Q. Your Exhibit 3, the December 11 administrative citation says "See attached inspection reports." Do you know which reports those are?

A. I do not at the moment. Other than the inspection report that I provided I'm unaware of what the other attachment might have been other than his

12-11 or 12-9 inspection report.

Q. Did you ever talk to anyone at the Water Board about this specific citation?

A. I may have spoken to Wayne Chiu.

Q. When would that have been?

A. Somewhere in the month of December 2014.

Q. I note on Exhibit 3 you gave them until December 15, 5 p.m. to do the corrections. Is there any specific reason for that date or time?

A. I'd probably have to think back and check with Mr. Tamimi. We probably looked at the extent of the BMPs that we were requesting to see if that was an appropriate amount of time to provide them to install them.

Q. Did it have any relationship to the inspection that the Regional Board was doing on December 15?

A. I don't know. What date did they do the inspection?

Q. December 15.

A. This is 5 p.m., so I'm presuming their inspection was earlier in the day.

Q. Yes.

A. So no.

Q. Did you have any other field notes from this day?

A. No. Whatever is on that sheet of paper is it.

MS. BERESFORD: I would like to mark that as Exhibit 5, please. It will be Exhibit 5 to the deposition, although at the top it says Exhibit Number 7.

Q. Do you recognize that document?

A. Yes, I do.

Q. Can you tell me what it is?

A. It's an administrative citation for $100 on December 15th 2014.

Q. Who issued it?

A. I did.

Q. What was the reason -- before we get there, did you visit the site on December 12?

A. I don't recall.

Q. You will see that attached to the citation is a memo, dated December 12, 2014, from D-Max Engineering. Have you seen that memo before?

A. Yes, I have.

Q. Was this memo the basis for you issuing a citation?

A. Yes, it was.

Q. Was there any other basis for you issuing this citation?

A. No.

Q. On the first page on the citation itself there's yellow highlighting. Did you do that highlighting?

A. I do not recall.

Q. Under "Violation Information," Section C, it says "Discharge of non stormwater prohibited. See attached memo." Do you see that?

A. Yes.

Q. What was the discharge of the non stormwater?

A. The discharge would have been from material on the site.

Q. Does the memo say that they saw stormwater with sediment in it go into the storm drain?

A. Can you repeat the question, please.

Q. Does the memo say that they saw stormwater with sediment in it going into the storm drain?

A. Not from what I can interpret. Not that I see.

Q. What did you consider the non-stormwater referenced in your citation?

A. The fact that the turbidity exceeded the maximum limit in a discharge less site.

Q. Did you direct them to test for turbidity?

A. Most likely, yes.

Q. Why?

A. Because we knew we had rain coming at some

point on the site and we wanted to confirm that their BMPs were adequate.

Q. Do you know if turbidity data can be used to establish a violation of the General Construction Stormwater Permit?

MR. BOYERS: Objection. Calls for a legal conclusion.

THE WITNESS: I don't know.

MS. BERESFORD:

Q. How do you think turbidity data can be used?

MR. BOYERS: Same objection. Calls for speculation.

MS. BERESFORD: I'll rephrase.

Q. What's the point of getting turbidity data?

A. To determine if you're within -- above or below a certain number.

Q. Does this data say what the number was going into the storm drain?

A. No. It indicates what left the site at various locations. There is one labeled Adkins -- Akins_Inlet. And it appears to have been taken after the gravel bags just prior to the inlet. On page 3.

Q. Did you ever discuss this citation with anyone from the Water Board?

A. Probably, yes.

Q. Do you know who?

A. Wayne Chiu.

Q. Do you know when that might have been?

A. Probably December again. December 2014. Could have been January 2014.

Q. Do you know what you discussed with him about it?

A. I believe the discussion was either by phone or by email -- I think it was by phone -- just letting him know that we had issued a citation, a warning and -- I don't know if I contacted him each and every time we issued, or if I contacted him after I issued a few of them. I'm not sure.

Q. Do you know if you sent him the memo from D-Max?

A. I believe it would be yes. I believe he received -- I don't have the documents in front of me, but I presume there is a larger packet that includes all the citations.

MS. BERESFORD: Let's mark this -- I believe we're on Exhibit 6.

Q. Exhibit 6 to the deposition, it's Exhibit Number 8 at the top. Have you seen this document before?

A. I believe so.

Q. Can you identify it, please.

A. It appears to be a Facility Inspection Report, prepared by the California Regional Water Quality Control Board for the inspection date time of December 15, 2014, 10 a.m.

Q. Did you attend this inspection?

A. Yes, I did.

Q. Did anyone else from the city attend the inspection?

A. Gary Harper.

Q. Was there a reason why Mr. Nakatani did not attend the inspection?

A. I do not recall.

Q. Did you generate any field notes from this inspection.

A. Whatever is in the documents submitted. I do not recall.

Q. If you go to page 2 of this document, at the top it says, "On December 2nd, the City of Lemon Grove issued a Stop Work/Notice to Valencia." Do you know who notified the Water Board of that Stop Work Notice?

A. No. Probably be either myself or Mr. Tamimi.

Q. Is that a normal thing that you would have notified the Board? If you had issued a Stop Work Notice for a construction site that you would have

notified the Board?

A. It would be a case by case judgment.

Q. What would be a reason that you would notify the Board?

A. If they had a stop or they had prior discharges.

Q. Was it city policy that on any Stop Work Notice associated with stormwater issues that you would have notified the Board?

A. Not necessarily.

Q. So who would have made that decision as to whether or not to notify the Board?

A. Myself.

Q. Had you notified the Board of any other construction sites?

A. No.

Q. On the third paragraph it says "On the morning of December 12 the city contacted the Water Board and asked for an inspection." The second sentence says "According to the city's stormwater manager." Do you know who that was?

A. That would probably be Malik Tamimi.

Q. Did you contact the Board requesting an inspection?

A. I may have. Either Mr. Tamimi or myself.

Q. Why would you have done that for this particular site?

A. Because the site now has two discharges.

Q. Was there a city policy for that or was that --

A. No.

Q. Did you ever talk with anybody about what the basis for that notification would be?

A. I don't recall. I may have spoken to Mr. Lough. I don't recall. I may have spoken to my supervisor Carol Dick. I don't recall.

Q. On page 3 in the findings, paragraph 3 talks about areas observed to be inactive, and paragraph 4 talks about areas that are active. Do you recall if there was any specific discussion at the site about which areas were active and which areas were inactive?

A. I would presume there was a discussion. I don't recall which areas of the site were deemed active or inactive.

Q. What does that mean to you?

A. The interaction was between Mr. Chiu and the developer with the city just attending on its own. We weren't required to be at the meeting.

Q. In terms of whether an area is active or inactive, when it comes to stormwater management is there a difference in your mind as to whether it matters

if a part of the site is inactive or active?

A. Yes.

Q. What is that difference?

A. Either the stockpile or area's actively being worked on or it's not.

Q. What does that mean for stormwater controls?

A. Either BMPs are in place for the areas that are not being used or they're not in place for active areas.

Q. Go ahead, I'm sorry.

A. Go ahead.

Q. How would you define an active site?

A. Based on the time that the area was last touched or used.

Q. What is that time?

A. I believe in the city's municipal code it is ten days.

MS. BERESFORD: I apologize. I'm a little crunched in my space. We'll mark that as Exhibit 7, Exhibit 7 to the deposition. Exhibit 9 is the number at the top.

Q. Have you seen this document before?

A. Yes.

Q. What is it?

A. It is a letter from the City of Lemon Grove, signed by myself, to Tim Anderson, BCA Development,

regarding ongoing stormwater violations at the Valencia project site.

Q. What is the date of the letter?

A. December 16, 2014.

Q. Did you write this letter?

A. I believe between Mr. Tamimi and I, we probably drafted or co-drafted and finalized the letter.

Q. The second paragraph has a sentence that reads, "Water quality monitoring is being conducted to assess whether or not illegal discharges are occurring from your site." Do you see that?

A. I'm sorry, which paragraph?

Q. The second paragraph.

A. Oh, second sentence. Yes.

Q. Did the city perform water quality monitoring at the site?

A. The city itself did not but under its direction it did.

Q. What does that mean, under its direction it did?

A. No city staff actually went out and did the sampling itself but through D-Max Engineering.

Q. Do you know how frequently D-Max did sampling?

A. I don't recall.

Q. We will come back to that. I'll mark this as

Exhibit 8. Do you recognize Exhibit 8?

A. Yes.

Q. What is that?

A. Administrative citation dated December 16, 2014.

Q. Who issued it?

A. I issued it.

Q. Did you visit the site on December 16?

A. I may have, I don't recall.

Q. Did you tell D-Max to go back to the site on December 16?

A. Either myself or Mr. Tamimi did.

Q. Do you know why?

A. Probably as a follow up to our request of December 15, 2014, 5 p.m.

Q. You had been out the day before with the Water Board inspection?

A. Yes.

Q. Is that correct?

A. Yes.

Q. Was there a reason why you didn't look for that when you were out on the 15th?

A. Because in my prior citation I gave them until 5 p.m.

Q. Do you know what the code sections are that are

referenced in your administrative citation?

A. I can tell you what the number is, I don't remember what the titles are.

Q. Do you know what they are related to?

A. Stormwater.

Q. But you don't have any other specific recollection?

A. Unless I pull out the municipal code and double-check. I presume items that are listed within the inspection report are related to the violations that were written on the cover.

Q. Is the citation based on Mr. Nakatani's inspection of December 16?

A. Without reviewing what the specific violations are here I couldn't confirm that but I would presume so.

Q. I would like you to look at the second page of Mr. Nakatani's inspection. Under "Violation" you'll see that it appears that the box of "No Violation" was originally checked and then scratched out and then the box with "Violation" was checked. Do you see that?

A. Uh-huh, yes.

Q. Do you know why that change was made?

A. I don't recall.

Q. Do you know if you talked to him about that?

A. I don't recall.

Q. Let's go back to your letter of December 16, Exhibit 7. In the third paragraph, I believe it's the second sentence, it says "The city is putting you on notice should inadequate BMPs and/or failure of BMPs continue, the city will hire an erosion control company at your cost to prevent illegal discharges from occurring."

A. I'm sorry, which paragraph?

Q. The third paragraph.

A. Okay.

Q. Do you see that sentence? I'm sorry, do you see that sentence?

A. Yes, I do.

Q. Did the city ever do that?

A. They did not.

Q. Why not?

A. We attempted to -- we actually made a few phone calls. And trying to have somebody come out at this time during the holidays became extremely challenging and therefore we kept insisting the developer install the BMPs.

Q. What about in January? Did they ever continue in January to do that?

A. No. In January the developer -- I don't remember the exact date in January -- the developer was

providing exhibits through email to the city daily showing their work progress which was positive.

Q. So you were satisfied at that point that you didn't need to do that.

A. Correct.

Q. Your letter, the second-to-last paragraph in your letter says, "A copy of this citation is also being provided to the San Diego Regional Water Quality Control Board. Do you see that?

A. Yes.

Q. Why did you do that?

A. Because we had had a site visit with the Board and I was keeping them up to date on the site. And it may have been a request by Mr. Chiu, I don't recall.

Q. Had you provided similar correspondence for any other sites to the Board?

A. No. We didn't have -- I don't think we had any other sites that had a discharge or stop work.

Q. You said in January you didn't try to hire another company to do stormwater control because you were satisfied with their progress; is that correct?

A. They were making positive progress. They were making an attempt to actually address the issues.

Q. Earlier in the letter we talked about the city doing water quality monitoring. Did the city also stop

water quality monitoring in January?

A. I don't recall. But I would assume that water quality monitoring was based on when we had rain events. I don't know if we had additional rain events during that time or not.

Q. I'm going to give you two memos here. One is dated December 17 and one is dated December 31st. They're from D-Max. Have you seen those before?

A. Yes.

Q. Did you infer anything from the sampling results discussed in those memos?

A. Can you repeat your question.

Q. Did you infer anything from those memos? Once they had taken those samples did you ever direct them to do any further sampling?

A. I may have. I'm presuming it rained this day and the day before, and the same for here. So come January I don't know if we continued sampling or where we were at. I don't recall.

MS. BERESFORD: I'll actually mark the December 31 memo -- we're on Exhibit 9?

Q. I'd like to direct you to the third paragraph of this memo which says, "Some sediment had settled out at the bottom of the pools of water, and care was taken not to disturb the settled sediment when samples were

taken." And I skip a sentence. And then it says, "To approximate that effect, the settled sediment at the Akins entrance/exit location was disturbed, and a sample was taken a few minutes later." Are you familiar with any sampling protocols?

A. No.

Q. Did you think anything of that sampling protocol when you read that paragraph?

A. I thought it wasn't the same as the other sampling protocol that they had done. Wasn't in a similar manner.

Q. What was different about it?

A. That they stirred -- what's the sentence? Yeah, that the settled sediment was disturbed.

Q. Did you think that resulted in a valid sample?

A. No.

Q. Have you seen this document before?

A. Yes.

Q. Can you say what that is?

A. It is a letter and attachment to Mr. Wayne Chiu, Water Quality Control Board, from San Altos-Lemon Grove, dated the -- no date. January 1, 2015.

Q. What is the purpose of that document?

MR. BOYERS: Objection. Speculation.

THE WITNESS: The first sentence of the letter

states "The letter will serve as a response to the notice of violation issued by the Regional Board."

MS. BERESFORD:

Q. Do you know when you first saw that document?

A. Either on January 1st or after.

Q. Did you read it?

A. I probably skimmed through it.

Q. What did you think about it?

MR. BOYERS: Objection. Vague.

THE WITNESS: I don't recall. I think my initial thought is this is between the developer and the Regional Board and doesn't impact the city.

MS. BERESFORD:

Q. Do you know if that document contributed to your decision to stop trying to find someone to implement BMPs at their site?

A. I'd say no. Maybe one of the pages here. We may have received separately from the Regional Board.

Q. Would you be surprised if I represented to you that we can't find any other sampling data by D-Max?

A. It wouldn't surprise me. What other rain events were there in January?

Q. Or February or March or any time.

A. I don't know.

Q. So that didn't contribute to your decision to

not have D-Max do any other sampling.

A. No.

MS. BERESFORD: Let's make this Exhibit 10.

Q. Exhibit 10 has Exhibit Number 23 at the top. Have you seen this document before?

A. Yes.

Q. What is it?

A. It is a memo from D-Max Engineering to myself and Mr. Tamimi with the subject of "Summary of inspections and sampling of Valencia Construction Site between December 9, 2014 and January 14, 2015."

Q. What is the date of this memo?

A. January 16, 2015.

Q. Why did D-Max prepare this memo?

A. I believe the city requested D-Max prepare this memo in order so the city could provide a summary of action items to the Regional Board.

Q. Did the Regional Board ask you to do that?

A. I'd have to look back, but I believe we were asked to provide documentation.

Q. Do you know who asked that of you?

A. Mr. Chiu.

Q. Had you ever done that for another site?

A. Never been asked before. No.

Q. Have you ever been asked since?

A. Nope. I no longer do stormwater.

Q. Are you happy about that?

A. (No audible response.)

Q. What did you think of this memo? I will rephrase. After reviewing this memo were you satisfied with the progress made at the Valencia construction site?

A. Based on this document alone I couldn't say if I was or wasn't.

Q. But there's no indication that you tried to get anyone else on site to implement BMPs; is that correct?

A. Correct.

MS. BERESFORD: This will be Exhibit 11. This will be Exhibit 12.

Q. Have you seen those letters before?

A. Yes, I have.

Q. Can you please describe what Exhibit 11 is?

A. It is a letter from BCA Development to myself, dated January 20, 2015, regarding Valencia Stop Work/ Notice of Violations.

Q. What is Exhibit 12?

A. It's a letter signed by myself to the attention of Ben Anderson, dated January 22nd 2015. "Subject: Valencia - Stop Work Notice Removal."

Q. What does your January 22nd 2015 letter do with

respect to the Stop Work Notice?

A. Second paragraph, second sentence, "The Stop Work Notice is hereby removed."

Q. Can you read the first sentence of that paragraph.

A. "The city has received your letter dated January 20, 2015 attached requesting release of the Stop Work/Notice of Violation dated December 12, 2014."

Q. Can you read the first sentence of the second paragraph.

A. "Based on a site visit and review of your response to the items from the January 19th inspection report, the city finds that the items have been completed or require minor correction."

Q. So at that point in time did the city feel that any remaining stormwater issues were minor? Is that a "yes"?

A. Yes.

MS. BERESFORD: Unfortunately I'm going to make this Exhibit 13.

Q. I haven't even asked you any questions yet.

A. I don't get to ask questions, do I?

Q. You could if you wanted to.

MR. LOUGH: No.

MS. BERESFORD: Sorry, Jim. Just trying to be

friendly.

THE WITNESS: Almost there.

MS. BERESFORD:

Q. Have you seen Exhibit 13 before?

A. Yes, I have.

Q. Can you please tell me what it is?

A. It is a compilation of documents prepared either by the city and D-Max or the developer, submitted to Mr. Chiu of the Regional Water Quality Control Board on January 27th 2015.

Q. Does it have a cover letter?

A. It has a cover letter dated January 26, 2015. "Subject: Summary of Valencia Construction Site 937C369143, Notice of Violation," signed by myself.

Q. The letter is addressed to whom?

A. Mr. Wayne Chiu, Regional Board.

Q. Why did you prepare this letter?

A. I prepared this letter at his request from what I recall.

Q. Do you know why he requested it?

A. I presume he requested it for his use.

Q. I deserved that.

A. Sorry.

Q. Has the city ever been requested to submit this type of information before?

A. No, we have not.

Q. Do you know why he requested it in this instance?

MR. BOYERS: Objection. Speculation.

THE WITNESS: I can presume because he came out to the site on December 15th. I don't recall the exact date.

MS. BERESFORD:

Q. But he never discussed with you on the phone or told you in an email any other reason why he would want this type of information?

A. Mr. Chiu submitted -- actually sent an email. It's not in here, but he sent an email to the developer and the city stating what he was asking from each of us.

Q. Were you concerned that the city might be issued a penalty if it didn't submit all of this information?

A. Yes. The email is actually attached.

Q. Would it be fair to characterize that you prepared this information to protect the city from violations?

A. Yes. No, I'm sorry, I don't see the email, the follow-up email after the meeting that Wayne sent but I know there was an email.

Q. Do you recall generally what that email is

saying?

A. I think from what I recall is he asked Mr. Anderson to provide a response by a certain date and he asked that the city monitor the contractor through specific documents.

Q. Was the city nervous about this project and whether it was going to get its own violation?

MR. BOYERS: Objection. Speculation.

THE WITNESS: Let me clarify this. When you say city, I'd say for myself the answer is yes, but I don't know about others.

MS. BERESFORD:

Q. What was it in particular that was making you nervous about getting a violation from the Regional Board?

A. I guess maybe that I'd heard that the Regional Board was difficult to deal with.

Q. Was that specific to stormwater issues or in general?

A. Stormwater.

MS. BERESFORD: I will mark this as Exhibit 14. And it actually says Exhibit 14 at the top. Before we go on, it's 2:40. It's been about an hour and a half. Do you need a short break?

THE WITNESS: No.

MS. BERESFORD: Let's go off the record.

(Recess.)

MS. BERESFORD:

Q. Let's proceed with Exhibit 14. And we can come back to whatever you want to discuss when Mr. Lough gets back into the room. You're looking for Exhibit 14. Are you ready?

A. Oh, yes. I thought we were waiting for Jim.

Q. Do you recognize Exhibit 14?

A. Yes, I do.

Q. Can you please state what it is?

A. It is an administrative citation to Tim Anderson, signed by myself, dated March 19, 2015.

Q. You issued a citation for $500; is that correct?

A. Yes.

Q. Were you able to issue that citation on your own authority or did you have to confer with anyone about that?

A. At this point I did it on my own authority.

Q. Did you go to the site on March 18?

A. I do not recall.

Q. Was the citation based on reports by anyone else?

A. It would be based on a site visit and photo by

Gary Harper.

Q. I'm sorry, can you say that again.

A. It would be based on a site visit and photos that are attached taken by Gary Harper.

Q. And not by Mr. Nakatani?

A. Correct.

Q. Do you have a March 18 report from Mr. Harper?

A. I do not in front of me.

Q. I have a March 18 report by Mr. Nakatani, if you would like to take a look at that. Does that refresh your recollection?

A. Yes.

Q. So what do you think the citation was based on?

A. The citation was based on a discharge onto the ground based on the photo attached and the inspection report. But primarily the photo and Mr. Nakatani's report and the one provided by Mr. Harper.

Q. If you look at the first page of Exhibit 14, there's a box in red and it says "Concrete discharge to ground."

A. Uh-huh.

Q. Did you put that red box on there?

A. I don't believe so.

Q. Do you know who did?

A. No.

Q. Looking at Mr. Nakatani's March 18 report, the second page of his report, he checks the box at the bottom that says "No violations"; is that correct?

A. Correct.

Q. Six boxes down in the chart there's a box that says, "Are wastes managed and stored properly?" And he checked "Yes." And then the next box says, "Are concrete washouts properly installed and maintained with no evidence of discharges?" And he checks the box "Yes" with a comment, but there was one violation of a washout. Do you see that?

A. Yes.

Q. Based on that he did not see a violation. Do you know why you still decided to issue a citation?

A. Because it is a violation.

Q. Of what?

A. The municipal code.

Q. Was there any evidence that concrete waste ever went down the stormwater drains?

A. No.

Q. I think that previously you said that you had discussed this site with Mr. Chiu of the Regional Board; is that correct?

A. Yes.

Q. About how many times do you think you talked to

him about this site?

A. During the month of December, January maybe five.

Q. What were the nature of those conversations? What would you say the purpose of those conversations were?

A. Bringing him up to speed on the project; the discharges that had occurred; the citations that had been issued, and the challenge in getting the developer to bring the site into compliance.

Q. What was his response like?

A. I'm trying to recall. I think he mostly listened.

Q. Did you exchange a lot of email with him?

A. Maybe half a dozen at the most.

Q. Were the nature of those emails similar?

A. Yes. Probably I would say for the most part from what I recall is the emails were providing him an update or attachments of citations.

Q. Do you know who Frank Melbourn is?

A. I do not.

MS. BERESFORD: Is that you? It's this gentleman at the end of the table.

Q. I wanted to alert you before I asked questions about him. Have you ever spoken to him about the site?

A. I have not.

Q. Have you spoken to anyone else at the Regional Board about the site?

A. No.

Q. Are you aware that the Regional Board issued an administrative civil liability complaint against Valencia Hills for the site?

A. Yes.

Q. Did anyone contact you to ask you questions about your citation when they were preparing that complaint?

A. No.

Q. Have you ever been involved with any other construction site that was the subject of an administrative civil liability complaint from the Regional Board?

A. No.

Q. Are you aware the Board is seeking penalties of more than $800,000 for this site?

A. Yes.

Q. Are you aware of any other Water Board enforcement actions seeking similar amounts of penalties?

A. I believe the city of Encinitas may have been issued a fine. I'm trying to think of who else I may

have heard of. The city of La Mesa.

Q. Oh, really?

A. In the past.

Q. When did you learn of the city of Encinitas matter?

A. Maybe early 2014.

Q. Were you thinking a lot about that issue when you were dealing with this site?

A. Yes.

Q. Can we take a 10-minute break and we can wrap up and see if there are any other questions and wrap this up.

(Recess.)

MS. BERESFORD: Do you think you're going to have any questions?

MR. BOYERS: I don't know. He had a question he wanted to ask though. Do you want to go back --

MS. BERESFORD: Do you want to go on the record on that.

THE WITNESS: A clarification.

MS. BERESFORD: Do you want to go outside and talk about it?

MR. LOUGH: Pardon?

MS. BERESFORD: Do you want to go outside and talk about his question?

MR. LOUGH: No.

THE WITNESS: It's just a clarification on one of the exhibits.

MS. BERESFORD: Let's go back on the record. I don't know if we were ever off.

Q. Please.

A. Exhibit -- I don't know if this is deposition Exhibit 3, Exhibit 6. It appears in the package that is an exhibit, I guess it's 13. The complete exhibit is listed in here. I had mentioned earlier that this exhibit appeared to be missing information and the complete packet with Mr. Nakatani's attachments that are referenced.

Q. Just to be clear for the record, the document that I had marked as Exhibit 3 you're indicating appears to be incomplete.

A. Yeah.

Q. And you believe the complete copy appears --

A. In Exhibit 13.

Q. In Exhibit 13. Can you clarify which page you think was missing from Exhibit 3?

A. Exhibit 3 makes reference to "See attached inspection reports." And after the last page, which is a printout from the National Weather Service Forecast Office, there should be -- go back to -- in Exhibit 13

there's an inspection form from Tad Nakatani, dated December 11, 2014, 9 a.m., which is two pages. And then there's a second inspection, again by Tad Nakatani, December 9, 2014, 1 p.m., which is four pages.

Q. I see a page in here -- thank you for that correction. If you go two pages before your December 11 citation there are meeting minutes from December 11. Two pages before your December 11. Keep going. Go all the way to your citation page and go two pages before. There you go. Can you tell me what this is?

A. This is a meeting minute record by Gary Harper indicating -- I'm trying to read the first word. Oh, "walked." This is where he made contact with an outside company to potentially provide BMP services.

MS. BERESFORD: I don't have any more questions before our break. Did you have any other questions?

MR. LOUGH: Any clarifications of questions?

THE WITNESS: No questions.

MS. BERESFORD:

Q. Any other questions?

A. Yeah. You had asked a question earlier about why the city prepared the packet and continued to document, and I referred to an email that Mr. Chiu had sent. That email is attached in Exhibit 13, dated December 15, 2014, 2:13 p.m.

Q. Okay. Thank you.

MR. LOUGH: Break?

MS. BERESFORD: Yes.

(Recess.)

MS. BERESFORD:

Q. Mr. Firsht, you are no longer employed with the city of Lemon Grove; is that correct?

A. Correct.

Q. Where are you now?

A. City of La Mesa.

Q. When did you go to the city of La Mesa?

A. My start date was April 6, 2015.

Q. Why did you choose to go to -- I should rephrase. Why did you go to the city of La Mesa?

A. New opportunity.

Q. Are you in charge of any stormwater inspections or storm water compliance programs there?

A. No.

Q. I'm going to share a document with you. It's not going to be an exhibit but -- I realize that this is dated after you have left. Have you ever seen this email before?

A. I have not.

Q. For the record, this is an email from Mr. Nakatani to Mr. Gary Harper, dated September 16,

2015. It says "Hi Gary. Here are the draft inspection forms for the three sites I went to yesterday. I have not yet filled out the violation section shown below. Would you like me to still fill out the inspection form as correct work notice option or do you plan to go with anything more for any of the sites?" Do you see that email?

A. Yes.

Q. During the time that you were working with Mr. Nakatani did he ever ask for your direction on whether or not he should cite something as a violation?

A. I don't recall.

Q. Did you ever have a conversation with him about whether or not he should mark something as a violation?

A. I believe, yes. Either Mr. Nakatani or Mr. Tamimi.

Q. I'm sorry, can you say that again.

A. Could have been either with Mr. Nakatani or Mr. Tamimi. Malik.

Q. Describe those conversations for me.

A. I would -- I'll have to think back, it's been quite some time. But I believe we were in the dilemma of D-Max as a consultant, they do not issue citations. That is the city's responsibility, and therefore they were unsure whether they should note the violations or

have the city note the violations.

Q. Those would be violations of what?

A. The municipal code.

MS. BERESFORD: I don't have any other questions.

MR. BOYERS: Nor do I.

MS. BERESFORD: Thank you very much for your time.

MR. LOUGH: Good seeing you again, Leon.

MS. BERESFORD: Before we wrap up, for the reporter, so we're going to deviate from the code slightly. The original form of the transcript will ultimately be held in possession of Opper & Varco. The original will be mailed by the court reporter to Mr. Firsht for review. He will then mail it to Opper & Varco. We will take custody of the original and, of course, share any changes, to the extent that you have changes, with all other parties. Is that fair?

MR. BOYERS: That's fine.

THE WITNESS: What kind of turnaround are we looking at?

MS. BERESFORD: Probably Thursday.

THE WITNESS: I'll send it back if I'm at home. I'm assuming you'll put together an envelope with prepostage.

MS. BERESFORD: We'll discuss that off the record. I think the only thing that we need to have on the

record is whether or not you are ordering a copy?

MR. BOYERS: We will order a copy as well.

MS. BERESFORD: Okay. I think that's it. Thank you very much. If the original is lost or destroyed does counsel stipulate that we can use a copy in the event of...

MR. BOYERS: Yes, that's fine.

MS. BERESFORD: Thank you very much.

(The proceedings concluded at 3:16 p.m.)

***

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at _____, California,

on _____.

_____

LEON PETER FIRSHT

STATE OF CALIFORNIA) ss

I, Marc Volz, CSR 2863, do hereby declare:

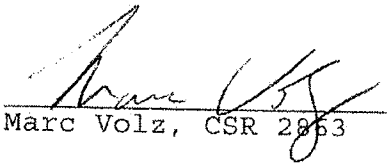
That, prior to being examined, the witness named in the foregoing deposition was by me duly sworn pursuant to Section 2093(b) and 2094 of the Code of Civil Procedure;

That said deposition was taken down by me in shorthand at the time and place therein named and thereafter reduced to text under my direction.

I further declare that I have no interest in the event of the action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand this 5th day of January, 2016.



Marc Volz, CSR 2863

HEALTH INFORMATION PRIVACY & SECURITY: CAUTIONARY NOTICE

Hutchings Litigation Services is committed to compliance with applicable federal and state laws and regulations ("Privacy Laws") governing the protection and security of patient health information.

Notice is hereby given to all parties that transcripts of depositions and legal proceedings, and transcript exhibits, may contain patient health information that is protected from unauthorized access, use and disclosure by Privacy Laws.

Hutchings Litigation Services requires that access, maintenance, use, and disclosure (including but not limited to electronic database maintenance and access, storage, distribution/dissemination and communication) of transcripts or exhibits containing patient information be performed in compliance with Privacy Laws. No transcript or exhibit containing protected patient health information may be further disclosed except as permitted by Privacy Laws.

Hutchings Litigation Services expects that all parties, parties' attorneys, and their HIPAA Business Associates and Subcontractors will make every reasonable effort to protect and secure patient health information, and to comply with applicable Privacy Law mandates, including but not limited to restrictions on access, storage, use, and disclosure (sharing) of transcripts and transcript exhibits, and applying "minimum necessary" standards where appropriate. It is recommended that your office review its policies regarding sharing of transcripts and exhibits - including access, storage, use, and disclosure - for compliance with Privacy Laws.

HUTCHINGS LITIGATION SERVICES
800.697.3210 – Hutchings.com

© All Rights Reserved. Hutchings Litigation Services
(rev. 4/4/13)

WORD INDEX

A

able 44:17
absence 13:2
accurate 7:4 10:2,3
action 20:17 38:17 56:13
actions 48:22
active 28:13,15 28:17,23 29:1 29:8,11
actively 29:4
additional 8:4 12:8 35:4
address 34:23
addressed 41:15
adequate 24:2
Adkins 24:20
administrative 1:8 4:15,18 5:4 5:18 16:21 20:16,20 22:9 31:4 32:1 44:12 48:6,15
advanced 9:1
afternoon 6:5
Agency 2:5
agree 7:15
ahead 29:9,10
Akins 36:3
Akins_Inlet 24:20
alert 47:24
allegations 10:8
alleged 13:20
ALTONA 3:4
Altos 4:8 5:2 13:6 14:4,5,5
Altos-Lemon 1:9 2:14 4:9 6:6 36:21
amount 21:13
amounts 48:22
analyst 10:16
Anderson 4:24 5:11,13 29:25 39:23 43:3 44:13
and/or 33:4
answer 6:22 7:7 7:14 43:10
anybody 17:4,5 28:6
apologize 7:17 29:17
apparently 17:16
appear 18:22
APPEARANC... 2:1 3:1
appeared 50:11
appearing 6:20
appears 24:21 26:2 32:18 50:8,15,18
appropriate 21:13
approximate 36:2
April 16:3 52:12
area 28:23 29:12
areas 28:12,13 28:15,15,17 29:7,8
area's 29:4
asked 7:13 27:19 38:20,21 38:24,25 40:21 43:2,4 47:24 51:21
asking 42:14
aspect 12:4
assess 30:9
Assistant 2:8
associated 16:8 27:8
assume 35:2
assuming 54:22
attached 20:21 22:16 23:7 40:7 42:18 45:4,15 50:22 51:24
attachment 20:25 36:20
attachments 47:19 50:12
attempt 34:23
attempted 33:17
attend 26:6,8,12
attended 12:25 16:11
attending 16:6 28:21
attention 14:11 14:17,23 15:2 39:22
attorney 7:12
attorneys 6:6
audible 39:3
August 15:6,8 16:7
authority 44:18 44:20
avenue 13:16
aware 19:1 48:5 48:18,21
a.m 18:21,23 19:24 26:5 51:2

B

B 4:7 5:1
bachelor's 8:22
back 20:11 21:10 30:25 31:10 33:1 38:19 44:5,6 49:17 50:4,25 53:21 54:21
bags 24:21
based 18:22 29:12 32:12 35:3 39:8 40:11 44:23,25 45:3,13,14,15 46:13
basis 22:20,23 28:7
BCA 5:10 29:25 39:18
behalf 16:6 18:1
believe 10:23 15:22 25:8,16 25:16,20,25 29:15 30:6 33:2 38:15,19 45:23 48:24 50:18 53:15,22
Ben 5:11,13 39:23
Beresford 2:16 4:5 6:4,6 7:21 9:23 16:13 19:18 22:2 24:9,13 25:20 29:17 35:20 37:3,13 38:3 39:13 40:19,25 41:3 42:8 43:12,21 44:1 44:3 47:22 49:14,18,21,24 50:4 51:15,19 52:3,5 54:4,6,8 54:20,24 55:3 55:8
best 7:8,19
bit 6:20 8:15 10:10
BMP 51:14
BMPs 21:12 24:2 29:7 33:4 33:4,21 37:16 39:11
Board 1:2 2:4,6 4:20 15:11,18 21:2,16 24:24 26:4,21,24 27:1,4,9,12,14 27:18,23 31:17 34:9,12,16 36:21 37:2,12 37:18 38:17,18 41:9,16 43:15 43:17 46:22 48:3,5,16,18 48:21
Board's 11:24
bottom 35:24 46:3
box 20:9 32:18 32:20 45:19,22 46:2,5,7,9
boxes 46:5
BOYERS 2:7 24:6,11 36:24 37:9 42:4 43:8 49:16 54:5,17 55:2,7
break 7:11,14 15:8 16:8,10 43:24 49:10 51:16 52:2
briefly 19:4
bring 8:13 14:16 47:10
Bringing 47:7
Broadway 1:15 2:18
brought 9:16

C

C 2:16 5:11 23:5
California 1:2 1:16 2:3,5,10 2:19 3:7 4:19 9:13 26:3 55:12,14 56:1 56:15
called 9:20
calls 24:6,11 33:18
Canterbury 3:6
care 35:24
Carol 28:10

case 27:2,2
category 9:8
CD 8:6
certain 24:16 43:3
certification 12:9
challenge 47:9
challenging 33:19
change 32:22
changes 54:15 54:16
characterize 42:19
charge 52:16
chart 46:5
check 21:10
checked 20:8,14 32:19,20 46:7
checks 46:2,9
Chief 2:8
Chiu 21:4 25:2 28:20 34:14 36:21 38:22 41:9,16 42:12 46:22 51:23
choose 52:13
circulate 10:21
citation 4:15,18 5:4,18 16:21 20:19,21 21:3 22:9,16,21,24 23:1,19 24:23 25:10 31:4,23 32:1,12 34:7 44:12,14,17,23 45:13,14 46:14 48:10 51:7,9
citations 20:16 25:19 47:8,19 53:23
cite 53:11
Citronica 13:12 13:12
city 4:14,18,22 5:4,13,16,17 8:10 10:4 11:8 11:22 14:1,22 15:5,18 17:23 18:1,16 26:8 26:19 27:7,18 28:4,21 29:24 30:15,17,21 33:3,5,14 34:1 34:24,25 37:12 38:15,16 40:6 40:13,15 41:8 41:24 42:14,15 42:20 43:4,6 43:10 48:24 49:1,4 51:22 52:7,10,11,14 54:1
city's 12:5 18:7 27:20 29:15 53:24
civil 1:8 8:23 48:6,15 56:7
clarification 49:20 50:2
clarifications 51:17
clarify 43:9 50:20
classes 8:22
clear 7:9 14:19 50:14
code 11:23 12:5 20:3 29:15 31:25 32:8 46:17 54:3,9 56:7
college 8:18,20 8:21
come 14:11 30:25 33:18 35:17 44:4
comes 28:24
coming 23:25
comment 46:10
commercial 11:9
company 33:5 34:20 51:14
compilation 41:7
complaint 1:8 48:6,11,15
complete 6:23 50:9,12,18
completed 17:18 20:17 40:14
compliance 4:17 19:22 20:1,2,3 20:4 47:10 52:17
concern 14:18 15:3
concerned 12:5 42:15
concluded 55:9
conclusion 24:7
concrete 45:19 46:8,18
conducted 30:9
confer 7:12 44:18
confirm 10:1 24:1 32:15
consider 23:18
construction 4:16 10:8,12 11:19,24 12:2 12:23 13:9,14 19:22,25 20:4 24:4 26:25 27:15 38:10 39:6 41:13 48:14
consultant 13:2 17:22,24 19:12 53:23
Consultants 9:12
contact 27:23 48:9 51:13
contacted 25:11 25:12 27:18
continue 33:5,22
continued 2:23 35:18 51:22
contractor 15:5 43:4
contribute 37:25
contributed 37:14
control 1:2 2:4,6 4:20 26:4 33:5 34:8,20 36:21 41:9
controls 29:6
conversation 53:13
conversations 47:4,5 53:20
copies 9:18
copy 18:14 34:7 50:18 55:1,2,5
correct 10:5,6 15:9 20:9 31:19 34:5,21 39:11,12 44:15 45:6 46:3,4,23 52:7,8 53:5 55:13 56:16
correction 40:14 51:6
corrections 21:8
corrective 20:17
correspondence 34:15
cost 33:6
counsel 2:1,8 3:1 55:5
course 54:15
court 6:21 54:12
cover 32:11 41:11,12
covered 11:6
co-drafted 30:7
CRR 1:17 56:3 56:23
crunched 29:17
CSR 1:17 56:3 56:23
custody 54:14

D

D 4:1
daily 34:1
data 24:3,10,14 24:17 37:20
date 15:4 16:25 18:18 21:9,17 26:4 30:3 33:25 34:13 36:22 38:12 42:7 43:3 52:12
dated 4:24 5:11 5:14 22:17 31:4 35:7,7 36:22 39:19,23 40:6,8 41:12 44:13 51:1,24 52:21,25
DAVID 2:7
david.boyers... 2:12
day 16:9,10 21:21,25 31:16 35:16,17 56:19
days 29:16
deal 43:17
dealing 49:8
December 1:16 4:24 5:6 8:25 17:1,2 18:19 18:23 19:5,8 19:24 20:20 21:6,8,16,19 22:10,14,17 25:4,4 26:4,19 27:18 30:4

31:4,8,11,15 32:13 33:1 35:7,7,20 38:11 40:8 42:6 47:2 51:2 51:4,6,7,8,25
decided 19:10 46:14
decision 18:9,10 27:11 37:15,25
declare 55:11 56:4,12,14
deemed 28:17
define 29:11
degree 8:24
degrees 9:1
Department 4:23
deposition 1:13 4:10 6:13 8:1 16:14 19:19 22:4 25:22 29:19 50:7 56:6,9
describe 39:17 53:20
DESCRIPTI... 4:8
deserved 41:22
Design 9:12
destroyed 55:4
determine 24:15
developer 5:16 12:19 14:19 16:22 28:21 33:20,24,25 37:11 41:8 42:13 47:9
developer's 15:5
Development 5:10 29:25 39:18
deviate 54:9
Dick 28:10
Diego 1:3,15
2:19 4:20 8:17 8:23 9:11,13 15:5 34:8
difference 11:12 28:25 29:3
different 36:12
difficult 43:17
dilemma 53:22
direct 23:22 35:14,22
direction 30:17 30:19 53:10 56:11
discharge 14:10 23:6,9,10,21 34:18 45:14,19
discharges 15:19 27:6 28:3 30:10 33:6 46:9 47:8
discuss 11:11,17 24:23 44:5 54:24
discussed 25:6 35:11 42:9 46:22
discussing 14:3
discussion 25:8 28:14,16
District 13:23
disturb 35:25
disturbed 36:3 36:14
document 7:23 9:20 16:16,18 18:13,22 22:6 25:23 26:18 29:21 36:17,23 37:4,14 38:5 39:8 50:14 51:23 52:19
documentation 38:20
documents 4:11 5:15 8:2,6,6,9
8:12 9:16 13:1 25:17 26:16 41:7 43:5
doing 16:12 21:16 34:25
double-check 19:14 32:9
dozen 47:15
draft 53:1
drafted 30:7
drain 23:13,16 24:18
drains 46:19
duly 56:6
D-Max 5:5,8,16 17:22 18:4,7 18:16,17 20:15 22:17 25:15 30:22,23 31:10 35:8 37:20 38:1,8,14,15 41:8 53:23

E

E 4:1,7 5:1
earlier 21:21 34:24 50:10 51:21
early 49:6
Eastern 13:23
education 4:13 8:15 9:20
effect 36:2
either 16:6 25:8 26:22 27:25 29:4,7 31:12 37:5 41:8 53:15,18
elected 14:19
email 25:9 34:1 42:10,12,13,18 42:22,23,24,25 47:14 51:23,24 52:22,24 53:7
emails 47:16,18
employed 52:6
employee 17:22
employment 9:25
Encinitas 48:24 49:4
enforcement 48:22
engineer 9:3 14:22
engineering 4:23 5:5,8 8:23 9:8 20:15 22:17 30:22 38:8
entire 14:19
entrance/exit 36:3
envelope 54:22
Environmental 2:5
erosion 33:5
Escondido 3:7
ESQ 2:16 3:5
establish 24:4
estimate 14:15 16:3
event 55:6 56:13
events 35:3,4 37:22
evidence 46:9 46:18
exact 33:25 42:6
EXAMINATI... 4:4 6:3
examined 56:5
exceeded 23:20
exchange 47:14
Executed 55:14
exhibit 4:9,12,14 4:16,18,19,22 5:4,5,8,10,13 5:15,17 7:21 9:23 16:14,14 17:9 18:12 19:18 20:7,11
20:20 21:7 22:3,3,4 25:21 25:22,22 29:18 29:18,19 31:1 31:1 33:2 35:21 38:3,4,4 39:13,14,17,21 40:20 41:4 43:21,22 44:4 44:6,9 45:18 50:7,8,8,9,9,11 50:15,19,20,21 50:22,25 51:24 52:20
exhibits 34:1 50:3
experience 9:21 10:10
extent 21:11 54:15
external 10:13
extremely 33:19

F

Facility 4:21 26:2
fact 23:20
failure 33:4
fair 7:9 42:19 54:16
familiar 12:11 36:4
February 37:23
feel 7:11 20:12 40:15
felt 19:14,15
FERGUSON 3:4
field 21:24 26:14
fill 53:4
filled 18:17 19:23 53:3
finaled 8:22
finalized 30:7
find 37:15,20

findings 28:11
finds 40:13
fine 48:25 54:17 55:7
finish 7:6
Firsht 1:13 3:3 4:3,10,12,24 5:6,8,11,14 6:1 6:5,9,13 52:6 54:13 55:18
first 6:12,16 9:10 13:19 14:11 15:23 16:2 23:1 36:25 37:4 40:4,9 45:18 51:12
five 47:3
Floor 2:9
follow 19:8 31:14
follows 6:2
follow-up 42:23
Forecast 50:24
foregoing 55:12 56:6,15
form 4:17 18:14 19:22,25 20:1 51:1 53:4 54:10
forms 53:2
four 51:4
frame 9:14
frames 10:2
Frank 3:11 47:20
free 7:11
frequency 11:7
frequently 30:23
friendly 41:1
front 25:17 45:8
Full 6:9
further 35:15 56:12
F-i-r-s-h-t 6:10

G

Gary 17:8 26:10 45:1,4 51:11 52:25 53:1
general 9:9 10:8 10:11 11:8,19 12:2 14:13 20:4 24:4 43:19
generally 11:6 42:25
generate 26:14
gentleman 47:22
getting 24:14 43:14 47:9
give 7:19 9:6 10:24 35:6
given 12:7
go 6:19,19 8:7 8:18,20 16:12 17:12 19:10,15 20:11 23:13 26:18 29:9,10 31:10 33:1 43:23 44:1,21 49:17,18,21,24 50:4,25 51:6,8 51:9,10 52:11 52:13,14 53:5
going 9:24 14:3 14:6,15 16:3 18:12 23:16 24:17 35:6 40:19 43:7 49:14 51:8 52:19,20 54:9
Good 6:5 54:7
graduate 8:16
graduated 9:10
gravel 24:21
Great 7:3
Grossmont 8:21
ground 6:18 45:15,20
Grove 1:9 2:14

H

H 4:7 5:1
half 10:20 43:23 47:15
hand 56:19
handouts 10:25
handwritten 17:10
happened 14:16 15:1
happy 39:2
Harper 17:8 26:10 45:1,4,7 45:17 51:11 52:25
head 6:24
hear 7:7
heard 12:15,18 43:16 49:1
held 54:11
Henry 8:17
Hi 53:1
high 8:16
highlighting 23:2,3
Hills 13:5 14:4 48:7
hire 18:9 33:5 34:19
hired 18:4,7
hit 15:5
holidays 33:19
home 54:21
hopefully 6:19
hour 10:20 43:23
Hutchings 1:22

I

idea 11:25
IDENTIFIED 4:8 5:2,2
identify 26:1
illegal 30:10 33:6
impact 37:12
implement 37:16 39:11
important 7:4
impression 11:25
inactive 28:12 28:15,18,24 29:1
inadequate 33:4
incident 15:10
includes 8:2 25:18
incomplete 50:16
indicates 24:19
indicating 50:15 51:12
indication 39:10
industrial 11:9
infer 35:10,13
information 23:5 41:25 42:11,17,20 50:11
initial 37:10
inlet 24:22
insisting 33:20
inspect 19:11
inspected 12:23 13:20 18:23
inspecting 16:5 16:6 18:2
inspection 4:17 4:21 11:24 12:25 13:3 16:7,12 18:8 18:14 19:1,5,8 19:22 20:1,18 20:21,24 21:1 21:15,18,21 26:2,4,6,9,12 26:15 27:19,24 31:17 32:10,13 32:17 40:12 45:15 50:23 51:1,3 53:1,4
inspections 11:8 11:9 13:4,22 13:25 38:10 52:16
inspector 13:3 18:1
install 21:13 33:20
installed 46:8
instance 17:25 42:3
interaction 28:20
interest 56:12
interpret 23:17
involved 48:13
involves 10:7
in-house 10:13 10:14
issue 14:23 20:13,15 44:17 46:14 49:7 53:23
issued 16:23,24 17:17 20:12,14 20:18 22:11 25:10,12,12 26:20,24 31:6 31:7 37:2 42:16 44:14 47:9 48:5,25
issues 14:9,10

16:5 27:8 34:23 40:16 43:18
issuing 22:20,23
items 8:4 32:9 38:17 40:12,13

J

JAMES 3:5
January 5:9,12 5:14 9:15 25:5 33:22,23,24,25 34:19 35:1,18 36:22 37:5,22 38:11,13 39:19 39:23,25 40:7 40:12 41:10,12 47:2
Jim 40:25 44:8
job 9:10
Josh 3:12
jpl@lfap.com 3:9
judgment 27:2
July 9:7,15 16:7
June 14:15
Jurisdictional 11:13
JURMP 11:15 11:18 12:1 15:22 20:3

K

Keep 51:8
keeping 34:13
kept 33:20
kind 54:18
kinds 6:25
knew 23:25
know 13:8,11 15:4,6,10,13 15:15 16:10 17:5,15,19 18:4,12 19:10 20:22 21:17 24:3,8 25:1,3,6 25:10,11,14 26:20 27:21 30:23 31:13,25 32:4,22,24 35:4,18 37:4 37:14,24 38:21 41:20 42:2,24 43:11 45:24 46:14 47:20 49:16 50:5,7

L

La 10:4 49:1 52:10,11,14
labeled 24:20
larger 25:18
laws 55:11 56:14
learn 49:4
left 24:19 52:21
legal 24:6
Lemon 4:8,14 4:18,22 5:2,4 5:13,16,17 8:3 8:10 13:17 14:1,6 17:23 18:16 26:19 29:24 52:7
Leon 1:13 3:3 4:3,10,12,24 5:11,13 6:1,9 54:7 55:18
letter 4:23 5:11 29:24 30:3,5,7 33:1 34:6,7,24 36:20,25 37:1 39:18,22,25 40:6 41:11,12 41:15,17,18
letterhead 18:17
letters 39:15
letter39 5:13
letting 25:9
Let's 7:21 8:15 25:20 33:1 38:3 44:1,4 50:4
liability 1:8 48:6 48:15
limit 23:21
Linda 2:16 6:5
lindab@envir... 2:21
listed 32:9 50:10
listened 47:13
little 6:19 8:15 10:9 29:17
LLC 1:9 2:14 4:8 5:2 6:7
LLC's 4:10
LLP 2:15 3:4
located 13:15 14:4,5,5
location 36:3
locations 24:20
long 10:19
longer 8:9 39:1 52:6
look 12:3 18:11 19:4,7 31:21 32:16 38:19 45:10,18
looked 21:11
looking 20:1 44:6 46:1 54:19
lost 55:4
lot 47:14 49:7
Lough 3:5 8:5,8 28:9 40:24 44:5 49:23 50:1 51:17 52:2 54:7
LOUNSBERY 3:4

M

M 2:7
mail 54:13
mailed 54:12
main 15:6,8 16:8 16:10
maintained 46:8
making 34:22,23 43:13
Malik 10:16 15:14 27:22 53:19
managed 46:6
management 10:15 11:13 28:24
manager 27:20
manner 36:11
Marc 1:17 56:3 56:23
March 37:23 44:13,21 45:7 45:9 46:1
mark 7:21 9:23 16:13,14 18:12 22:2 25:20 29:18 30:25 35:20 43:21 53:14
marked 4:8 5:2 50:15
material 10:21 23:10
matter 1:7 6:7 10:7 14:3 49:5
matters 10:11 28:25
maximum 23:21
mean 28:19 29:6 30:19
medication 7:18
meet 17:4
meeting 17:13 28:22 42:23 51:7,11
Melbourn 3:11 47:20
memo 5:6,8 22:17,18,20 23:7,12,15 25:14 35:21,23 38:8,12,14,16 39:4,5
memos 35:6,11 35:13
mentioned 50:10
Mesa 8:22 10:4 49:1 52:10,11 52:14
met 17:5
Miguel 13:16
mind 20:16 28:25
minor 40:14,16
minute 17:13 51:11
minutes 36:4 51:7
missing 50:11 50:21
moment 11:10 20:23
Monday 1:16
monitor 43:4
monitoring 30:9 30:15 34:25 35:1,3
month 21:6 47:2
morning 19:2,11 27:17
multiple 9:18
municipal 11:23 12:5 13:23 20:3 29:15 32:8 46:17 54:3

N

N 4:1
Nakatani 5:9 17:19,25 18:23 19:11,24 20:8 20:12 26:11 45:5,9 51:1,3 52:25 53:10,15 53:18
Nakatani's 19:5

32:12,17 45:16 46:1 50:12
name 6:5,8,9,9 13:1,15
named 56:5,10
National 50:24
nature 47:4,16
necessarily 12:3 27:10
need 7:14 34:4 43:24 54:25
needed 17:17 19:15
nervous 43:6,14
never 38:24 42:9
New 52:15
non 23:6,9
Non-party 3:3
non-stormwater 23:18
Nope 39:1
normal 13:2 26:23
note 21:7 53:25 54:1
noted 20:8
notes 17:10,10 21:24 26:14
notice 4:10 26:21,25 27:7 33:4 37:2 39:20,24 40:1 40:3 41:14 53:5
noticed 1:14
notification 28:7
notified 26:21 26:24 27:1,9 27:14
notify 27:3,12
NPDES 4:16 19:21
number 1:22 9:6 16:15 22:5
24:16,17 25:23 29:19 32:2 38:4

O

oath 6:21
objection 24:6 24:11 36:24 37:9 42:4 43:8
observed 28:12
occurred 15:4 47:8
occurring 30:10 33:7
Office 50:25
oh 9:7 30:14 44:8 49:2 51:12
Okay 6:13 33:10 52:1 55:3
Once 35:13
ongoing 30:1
Opper 1:14 2:15 54:11,13
opportunity 52:15
opposed 6:24
option 53:5
order 7:3 9:24 38:16 55:2
ordering 55:1
original 54:10 54:12,14 55:4
originally 32:19
outside 49:21,24 51:13

P

P 3:5 4:12,24 5:14
package 50:8
packet 25:18 50:12 51:22
page 2:23 4:4 9:20 17:9 20:7 23:1 24:22
26:18 28:11 32:16 45:18 46:2 50:20,23 51:5,9
pages 37:17 51:2,4,6,8,9
paper 22:1
paragraph 27:17 28:11,12 30:8,12,13 33:2,8,9 34:6 35:22 36:8 40:2,5,10
Pardon 49:23
part 10:21 29:1 47:17
particular 28:2 43:13
parties 54:16
Patrick 8:17
PE 9:5
PEAK 3:4
penalties 48:18 48:23
penalty 42:16 55:11 56:14
perform 30:15
perjury 55:11 56:14
Permit 10:9,12 11:19 12:2 20:5 24:5
person 7:5 16:11 17:6,7
Peter 1:13 3:3 4:3 6:1,9 55:18
phase 14:20
phasing 14:20
phone 17:13 25:8,9 33:17 42:9
photo 44:25 45:15,16
photos 45:3
place 3:6 29:7,8
56:10
plan 11:13 53:5
please 6:7,22 7:6 7:11,22,25 16:13,16 19:19 22:3 23:14 26:1 39:17 41:6 44:11 50:6
point 24:1,14 34:3 40:15 44:20
policy 27:7 28:4
pools 35:24
position 14:21 20:15
positions 10:1
positive 34:2,22
possession 8:14 54:11
possible 7:6 14:9
Possibly 12:3 13:7,10
potentially 51:14
prepare 38:14 38:15 41:17
prepared 5:15 26:3 41:7,18 42:20 51:22
preparing 48:10
prepostage 54:23
Present 3:11
presentations 11:4
presume 18:25 25:18 28:16 32:9,15 41:21 42:5
presuming 21:20 35:16
prevent 33:6
previously 46:21
primarily 45:16
printout 50:24
prior 16:11 20:18 24:22 27:5 31:23 56:5
priority 11:7
probably 10:20 11:7 14:15 16:7 21:10,11 24:25 25:4 26:22 27:22 30:6 31:14 37:7 47:17 54:20
Procedure 56:8
proceed 44:4
proceedings 55:9
process 6:19
produce 8:7,10
produced 8:5
Production 4:11
professional 9:3 12:12
program 4:16 4:21 11:22,24 18:8 19:21
programs 52:17
progress 34:2 34:21,22 39:6
prohibited 23:6
project 9:12 11:7 13:15 14:4,20 30:2 43:6 47:7
projects 13:13
pronounce 6:11
properly 46:6,8
protect 42:20
Protection 2:5 4:21
protocol 36:8,10
protocols 36:5
provide 21:13

38:16,20 43:3 51:14
provided 8:3 10:15 20:24 34:8,15 45:17
providing 34:1 47:18
pull 32:8
purpose 18:2 36:23 47:5
purposes 16:4
pursuant 56:6
put 10:17 45:22 54:22
putting 33:3
p.m 1:17 17:14 21:8,20 31:15 31:24 51:4,25 55:9

Q

QSD 12:19
Qualifications 9:21
Qualifications/... 4:13
Qualified 12:11 12:18
quality 1:2 2:3 4:20 26:3 30:9 30:15 34:8,25 35:1,3 36:21 41:9
Quenzer 5:6
question 6:23 7:6,7,12,13,14 23:14 35:12 49:16,25 51:21
questions 40:21 40:22 47:24 48:9 49:11,15 51:15,16,17,18 51:20 54:4
quite 53:22

R

rain 23:25 35:3 35:4 37:21
rained 35:16
read 36:8 37:6 40:4,9 51:12
reads 30:8
ready 44:7
realize 52:20
really 49:2
reason 7:18 21:9 22:13 26:11 27:3 31:21 42:10
recall 10:18 11:1,10 13:1 13:15 14:16,18 15:23 22:15 23:4 26:13,17 28:8,9,10,13 28:17 30:24 31:9 32:23,25 34:14 35:2,19 37:10 41:19 42:6,25 43:2 44:22 47:12,18 53:12
received 25:17 37:18 40:6
Recess 44:2 49:13 52:4
recognize 16:18 22:6 31:1 44:9
recollection 32:7 45:11
recommendati... 17:17
recommended 20:16
record 6:8 10:1 17:13 19:20 44:1 49:18 50:4,14 51:11 52:24 54:24 55:1
red 45:19,22
reduced 56:11
refer 14:3,6
reference 50:22
referenced 23:19 32:1 50:13
referred 11:15 51:23
refresh 45:11
regarding 30:1 39:19
Region 1:3 4:20
Regional 1:2 2:3 4:19 11:23 15:11,18 21:16 26:3 34:8 37:2 37:12,18 38:17 38:18 41:9,16 43:14,16 46:22 48:2,5,16
regular 13:2
related 32:4,10
relating 14:10
relationship 11:17 21:15
release 40:7
remaining 40:16
remember 11:6 13:19 32:3 33:25
Removal 39:24
removed 40:3
repeat 23:14 35:12
rephrase 15:24 24:13 39:5 52:14
report 4:21 15:18 20:24 21:1 26:2 32:10 40:13 45:7,9,16,17 46:1,2
reported 15:10 15:13
reporter 6:21 54:9,12
reports 19:13 20:21,22 44:23 50:23
represent 8:5
represented 37:19
request 4:10 7:13 8:1 31:14 34:14 41:18
requested 38:15 41:20,21,24 42:2
requesting 21:12 27:23 40:7
requests 8:2
require 40:14
required 28:22
requirement 15:16,20,21
requirements 11:9
Resources 2:6
respect 14:9 40:1
response 6:23 8:7 37:1 39:3 40:12 43:3 47:11
responsibility 53:24
responsive 8:13
resulted 36:15
results 35:11
review 9:25 11:12 16:16 19:17 40:11 54:13
reviewed 16:17
reviewing 32:14 39:5
right 10:4
room 44:6
Rosenbaum 2:17 3:12
RPR 1:17 56:3 56:23
rules 6:18
Runoff 11:13
R9-2015-0110 1:8

S

S 2:17 4:7 5:1
Sacramento 2:10
sample 36:3,15
samples 35:14 35:25
sampling 30:22 30:23 35:10,15 35:18 36:5,7 36:10 37:20 38:1,10
San 1:3,9,15 2:14,19 4:8,9 4:20 5:2 6:6 8:17,23 9:11 9:12 13:6,16 14:4,5,5 15:5 34:8 36:21
satisfied 34:3,21 39:5
save 9:24
saw 23:12,15 37:4
saying 6:25 43:1
says 16:15 19:25 20:21 22:4 23:6 26:19 27:17,19 33:3 34:7 35:23 36:1 43:22 45:19 46:3,6,7 53:1
school 8:16
scratched 32:19
second 6:12 16:11 17:9

20:7 27:19 30:8,13,14 32:16 33:3 40:2,2,9 46:2 51:3
second-to-last 34:6
section 23:5 53:3 56:7
sections 31:25
sediment 23:13 23:16 35:23,25 36:2,14
see 9:16,17 19:15 20:7,21 21:12 22:16 23:6,7,17 30:11 32:17,20 33:11,12 34:9 42:22 46:11,13 49:11 50:22 51:5 53:6
seeing 54:7
seeking 48:18,22
seen 7:23 22:18 25:23 29:21 35:8 36:17 38:5 39:15 41:4 52:21
send 54:21
sense 14:7
sent 25:14 42:12 42:13,23 51:24
sentence 27:19 30:8,14 33:3 33:11,12 36:1 36:13,25 40:2 40:4,9
sentences 6:24
separate 11:23
separately 37:18
September 52:25
serve 37:1
Service 50:24
services 4:23 51:14
settled 35:23,25 36:2,14
shaking 6:24
share 52:19 54:15
sheet 10:23,24 22:1
short 43:24
shorthand 56:10
showing 34:2
shown 53:3
shrugging 6:24
signed 13:3 29:25 39:22 41:14 44:13
significant 15:3
sign-in 10:23,24
similar 34:15 36:11 47:16 48:22
site 13:6,20 14:6 14:11,11,12,17 14:19 15:2,19 15:24,25 16:4 16:12 17:2,6 17:12,15,16,25 18:23 19:11,15 22:14 23:11,21 24:1,19 26:25 28:2,3,14,17 29:1,11 30:2 30:11,16 31:8 31:10 34:12,13 37:16 38:10,23 39:7,11 40:11 41:13 42:6 44:21,25 45:3 46:22 47:1,10 47:25 48:3,7 48:14,19 49:8
sites 12:23 13:9 13:11 27:15 34:16,18 53:2 53:6
Six 46:5
skimmed 37:7
skip 36:1
slightly 54:10
smoothly 6:20
somebody 33:18
sorry 19:17 29:9 30:12 33:8,11 40:25 41:23 42:22 45:2 53:17
space 29:18
speak 7:8
speakers 11:2
speaking 7:5,9
specific 9:8 21:3 21:9 28:14 32:6,14 43:5 43:18
speculation 24:12 36:24 42:4 43:8
speed 47:7
spell 6:8
spelled 6:10
spoken 21:4 28:8,9 47:25 48:2
ss 56:1
staff 13:2,2 30:21
start 11:12 52:12
started 8:21
state 2:6 6:7 8:23 9:11 19:20 44:11 55:12 56:1,15
stated 12:6
states 17:13 37:1
stating 42:14
stipulate 55:5
stirred 36:13
stockpile 29:4
stop 26:20,21,24 27:5,7 34:18 34:25 37:15 39:19,24 40:1 40:2,7
stored 46:6
storm 23:13,16 24:18 52:17
stormwater 4:16 4:16 10:9,10 10:12 12:2,8 12:12,24 13:20 14:9,10,12,14 16:5 18:3 19:21,22,25 20:5 23:6,9,12 23:15 24:5 27:8,20 28:24 29:6 30:1 32:5 34:20 39:1 40:16 43:18,20 46:19 52:16
Street 2:9
subject 38:9 39:23 41:13 48:14
submit 41:24 42:16
submitted 26:16 41:8 42:12
subpoena 8:1
Suite 1:15 2:18 3:6
summary 38:9 38:16 41:13
supervisor 28:10
supplement 18:7
sure 25:13
surprise 37:21
surprised 37:19
sworn 6:2 56:6
SWPPP 12:18

T

T 4:7 5:1
table 47:23
Tad 17:19 18:17 19:24 51:1,3
take 7:11,14 18:11 19:4 45:10 49:10 54:14
taken 1:14 6:14 7:17 24:21 35:14,24 36:1 36:4 45:4 56:9
talk 8:15 10:9 21:2 28:6 49:21,24
talked 11:8 32:24 34:24 46:25
talks 28:11,13
Tamimi 5:6,8 10:16,17 11:4 12:8 15:14 21:11 26:22 27:22,25 30:6 31:12 38:9 53:16,19
tell 7:25 9:6 22:8 31:10 32:2 41:6 51:10
ten 29:16
term 12:15,18
terms 14:12,14 28:23
test 23:22
testifies 6:2
testimony 7:19
text 56:11
thank 7:3 51:5 52:1 54:6 55:3 55:8
thing 26:23 54:25
things 6:25,25
think 11:1 13:13 14:18 21:10

24:10 25:9 34:17 36:7,15 37:8,10 39:4 43:2 45:13 46:21,25 47:12 48:25 49:14 50:21 53:21 54:25 55:3
thinking 49:7
third 6:12 27:17 33:2,9 35:22
thought 8:12 36:9 37:11 44:8
three 53:2
Thursday 54:20
Tim 4:23 29:25 44:12
time 6:16 7:5,11 9:14,24 10:2 13:14,19 14:21 15:1,9,23 16:2 17:12 18:20 21:9,13 25:11 26:4 29:12,14 33:19 35:5 37:23 40:15 53:9,22 54:6 56:10
times 46:25
titled 19:21
titles 32:3
today 6:20 7:18 7:18 8:13 9:16 10:7
told 42:10
top 16:15 22:4 25:23 26:19 29:20 38:4 43:22
touched 29:13
training 10:10 10:11,13,14,15 10:22 12:9
trainings 10:17 12:7
transcript 7:4,9 54:10
tried 39:10
true 55:12 56:15
try 6:19,22 7:4 34:19
trying 7:1 13:13 33:18 37:15 40:25 47:12 48:25 51:12
turbidity 23:20 23:22 24:3,10 24:14
turnaround 54:18
two 10:18 12:7 13:12 28:3 35:6 51:2,6,8,9
type 41:25 42:11

U

uh-hmm 6:25
Uh-huh 6:17 20:10 32:21 45:21
ultimately 19:12 54:11
unaware 20:24
understand 7:1
Unfortunately 40:19
unsure 53:25
update 47:19
Urban 11:13
use 41:21 55:5
USP 12:13

V

Vague 37:9
Valencia 13:5 14:4 16:22 26:20 30:1 38:10 39:6,19 39:24 41:13 48:7
valid 36:15
Varco 1:14 2:15 54:11,14
various 24:19
verbal 6:23
verified 17:18
versus 14:20
violation 12:1,2 12:4 23:5 24:4 32:17,18,20 37:2 40:8 41:14 43:7,14 46:10,13,15 53:3,11,14
violations 10:8 11:18,19 12:24 13:20 20:8,9 20:12,14 30:1 32:10,14 39:20 42:21 46:3 53:25 54:1,2
visit 16:4 17:2 22:14 31:8 34:12 40:11 44:25 45:3
visited 15:24 16:9
Volz 1:17 56:3 56:23

W

waiting 44:8
walked 51:13
want 10:9 42:10 44:5 49:17,18 49:21,24
wanted 24:1 40:23 47:24 49:17
warning 20:13 25:10
washout 46:11
washouts 46:8
wasn't 36:9,10 39:9
waste 46:18
wastes 46:6
water 1:2 2:3,6 4:19 13:23 15:5,8 16:8,9 21:2 24:24 26:3,21 27:18 30:9,15 31:16 34:8,25 35:1,2 35:24 36:21 41:9 48:21 52:17
Watershed 4:20
way 51:9
Wayne 2:17 21:4 25:2 36:20 41:16 42:23
Weather 50:24
week 8:6
went 16:2 17:5 17:15,16 19:7 30:21 46:19 53:2
weren't 28:22
We'll 9:23 16:14 29:18 54:24
we're 25:20 35:21 54:9
witness 1:13 3:3 4:3 6:2 24:8 36:25 37:10 41:2 42:5 43:9 43:25 49:20 50:2 51:18 54:18,21 56:5 56:19
word 51:12
work 8:9 19:14 26:21,24 27:7 34:2,18 39:19 39:24 40:1,3 53:5
worked 9:12 10:2 29:5
working 53:9
Work/Notice 26:20 40:8
wouldn't 37:21
wrap 49:10,11 54:8
write 9:7 30:5
written 32:11

X

X 4:1,7 5:1

Y

Yeah 36:14 50:17 51:21
year 8:24 9:5
yellow 23:2
yesterday 53:2

$

$100 22:9
$500 44:14
$800,000 48:19

1

1 4:9 7:21 36:22 51:4
1st 37:5
1:10 1:17
10 5:8 26:5 38:3 38:4
10-minute 49:10
1001 2:9
11 5:10 18:19,24 19:24 20:20 39:13,17 51:2 51:6,7,8
11th 17:1,2 19:7
12 5:13 22:14,17 27:18 39:14,21 40:8
12-11 21:1
12-9 21:1
12-9-2014 17:17
13 5:15 40:20 41:4 50:9,19 50:20,25 51:24

14 5:17 38:11 43:21,22 44:4 44:6,9 45:18
15 21:8,16,19 26:5 31:15 51:25
15th 22:10 31:22 42:6
16 4:14,24 5:9 30:4 31:4,8,11 32:13 33:1 38:13 52:25
17 35:7
18 44:21 45:7,9 46:1
19 4:16 44:13
19th 40:12
1900 1:15 2:18
1995 8:25
1996 9:15

2

2 4:12 9:23 26:18
2nd 26:19
2:13 51:25
2:40 43:23
20 5:12 39:19 40:7
2000 9:15
2002 9:7
2012 15:7
2014 4:25 5:7 14:15 15:7,8 16:3,7 17:1 18:19 19:24 21:6 22:10,17 25:4,5 26:5 30:4 31:5,15 38:11 40:8 49:6 51:2,4,25
2015 1:16 5:9,12 5:14 36:22 38:11,13 39:19 39:23,25 40:7 41:10,12 44:13 52:12 53:1
2093(b) 56:7
2094 56:7
22 4:18 5:14
22nd 2:9 39:23 39:25
225 1:15 2:18
23 38:4
25 4:19
26 41:12
27th 41:10
28 1:16
2863 1:17 56:3 56:23
29 4:22

3

3 4:14 16:14,14 17:9 20:11,20 21:7 24:22 28:11,11 50:8 50:15,21,22
3:16 55:9
300 3:6
31 5:4,6 35:20
31st 35:7
35 5:5
38 5:8
39 5:10

4

4 4:16 19:18 20:7 28:12
40 5:15
43 5:17

5

5 4:18 17:14 21:8,20 22:3,3 31:15,24
55 4:9,12,14,16 4:18,19,22 5:4 5:5,8,10,13,15 5:17
599121 1:22

6

6 4:5,19 16:15 16:15 25:21,22 50:8 52:12
619.231.5858 2:20

7

7 4:9,22 22:5 29:18,18 33:2
760.743.1201 3:8

8

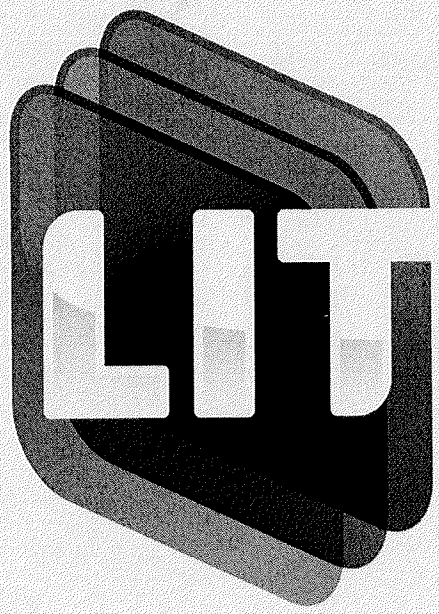
8 5:4 25:23 31:1 31:1

9

9 4:12 5:5 18:21 18:23 19:5,8 19:24 29:19 35:21 38:11 51:2,4
916.341-5276 2:11
92025 3:7
92101 2:19
937C369143 41:14
95814 2:10
960 3:6

EXHIBITS

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00001

OPPER & VARCO, LLP
S. WAYNE ROSENBAUM (Bar No. 182456)
LINDA C. BERESFORD (Bar No. 199145)
225 BROADWAY, SUITE 1900
SAN DIEGO, CALIFORNIA 92101
TELEPHONE: 619.231.5858
FACSIMILE: 619.231.5853

ATTORNEYS FOR SAN ALTOS – LEMON GROVE, LLC

EXHIBIT 1
REPORTER M. Volz
WITNESS L. Firsht
DATE 12-28-15

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

IN THE MATTER OF: ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R9-2015-0110 AGAINST SAN ALTOS – LEMON GROVE, LLC	**SAN ALTOS – LEMON GROVE, LLC'S NOTICE OF DEPOSITION OF LEON FIRSHT AND REQUEST FOR PRODUCTION OF DOCUMENTS** Date: December 28, 2015 Time: 1:00 p.m. Place: Law Offices of Opper & Varco LLP 225 Broadway, Suite 1900 San Diego, CA 92101

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 28, 2015 at 1:00 p.m., San Altos – Lemon Grove, LLC will take the deposition of Leon Firsht in accordance with the enclosed subpoena. This deposition will take place at the law firm of Opper & Varco, LLP, located at 225 Broadway, Suite 1900, San Diego, CA 92101, before a certified reporter or person authorized to administer oaths who is present at the specified time and place. Said deposition will continue from day to day, Saturdays, Sundays and holidays excepted, until completed.

YOU ARE FURTHER NOTIFIED that the deposition may also be recorded by videotape as authorized by the Code of civil Procedure section 2025.340 and Plaintiff reserves the right to use any videotaped portion of the deposition testimony at a hearing in this matter. The deposition may also be recorded through such means as to provide the instant display of the testimony as also authorized by Code of Civil Procedure section 2025.340.

YOU ARE FURTHER NOTIFIED that San Altos-Lemon Grove, LLC requests that Leon Firsht produce the documents identified in Attachment A to this Notice of Deposition and Request for Production of Documents.

Dated: December 10, 2015

OPPER & VARCO LLP

Linda C. Beresford
Attorney for San Altos – Lemon Grove, LLC

EXHIBIT A

S. WAYNE ROSENBAUM (SBN 182456)
OPPER & VARCO, LLP
225 Broadway, Suite 1900
San Diego, California 92101
Telephone: 619.231.5858
Facsimile: 619.231.5853
Email: swr@envirolawyer.com

Attorney for San Altos – Lemon Grove, LLC

BEFORE THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

IN THE MATTER OF:, **Administrative Civil Liability Complaint No. R9-2015-0110 Against San Altos – Lemon Grove, LLC**	AFFIDAVIT IN SUPPORT OF SUBPOENA FOR DOCUMENTS AND THINGS FROM LEON FIRSHT

1. I, S. Wayne Rosenbaum, declare that I am counsel for San Altos – Lemon Grove, LLC ("San Altos"), a Designated Party in the above-entitled matter.

2. On December 4, 2015, the Advisory Team for the California Regional Water Quality Control Board, San Diego Region ("Advisory Team") issued the Final Hearing Procedures for ACLC R9-2015-0110.("Final Hearing Procedures"), which included a list of deadlines (the "Schedule") prior to the currently scheduled hearing date of February 10, 2016.

3. The Schedule requires San Altos submit "All evidence (other than witness testimony to be presented orally at the hearing) that the Designated Party would like the San Diego Water Board to consider" by January 4, 2016.

4. Good cause exists for the production of the document described below because such evidence is probative of the veracity of the alleged violations of the Complaint.

5. As former Public Works Director and City Engineer for the City of Lemon Grove, Leon Firsht has, or should have, the documents described below in his possession or control.

6. The exact documents to be produced include:

a. All records and documents, including, but not limited to, inspection reports, notices of violation, administrative citations, stop work notices, correct work notices, field notes, photographs, audio

or video recordings, phone logs, and internal communications, including emails, related to inspections that occurred at the San Altos – Lemon Grove, LLC Valencia Hills Construction Site on the following dates:

December 1, 2014

December 2, 2014

December 3, 2014

December 4, 2014

December 5, 2014

December 6, 2014

December 7, 2014

December 8, 2014

December 9, 2014

December 11, 2014

December 12, 2014

December 15, 2014

December 16, 2014

December 17, 2014

December 31, 2014

January 6, 2015

January 7, 2015

January 8, 2015

January 9, 2015

January 10, 2015

January 11, 2015

January 12, 2015

January 13, 2015

March 1, 2015

March 18, 2015

March 19, 2015

March 20, 2015

March 21, 2015

March 22, 2015

March 23, 2015

March 24, 2015

March 25, 2015

March 26, 2015

March 27, 2015

March 28, 2015

March 29, 2015

March 30, 2015

March 31, 2015

April 1, 2015

May 8, 2015

May 9, 2015

May 10, 2015

May 11, 2015

May 12, 2015

May 13, 2015

May 14, 2015

May 15, 2015

September 15, 2015

October 5, 2015

b. Any additional records and documents, including, but not limited to, inspection reports, notices of violation, administrative citations, stop work notices, correct work notices, field notes, photographs, audio or video recordings, phone logs, and internal communications, including emails, related to inspections that occurred at the San Altos – Lemon Grove, LLC Valencia Hills Construction Site, regardless of whether or not the inspection led to the issuance of a formal report, notice, or citation from Mr. Firsht and/or the City of Lemon Grove to San Altos – Lemon Grove, LLC from March 6, 2014 to October 19, 2015.

c. Any documents, contracts, work orders, requests for services, communications or records thereof including but not limited to emails, or invoices related to inspections, testing, report writing, or materials related to services rendered by D-Max Engineering, Inc. on behalf of the City of Lemon Grove that involved or affected the San Altos – Lemon Grove, LLC Valencia Hills Project Site during the period of March 6, 2014 through October 19, 2015.

d. A copy of Mr. Firsht's curriculum vitae listing his education, qualifications, and experience.

7. Emails, writings, or photographs should be provided in both printed and digital formats. Audio or video recordings may be provided in conventional formats accessible on personal computers without the assistance of specialized software.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 10th of December, 2015.

S. Wayne Rosenbaum
Attorney for San Altos – Lemon Grove, LLC

BEFORE THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
SUBPOENA FOR ADJUDICATIVE ACTION

ATTORNEY OR PARTY WITHOUT ATTORNEY REQUESTING SUBPOENA *(name, address, and telephone no.)*:	FOR REGIONAL WATER BOARD USE ONLY
S. Wayne Rosenbaum, Esq. Opper & Varco LLP 225 Broadway, Suite 1900, San Diego, CA 92101 Phone: (619) 231-5858 Fax: (619) 231-5853 E-Mail: swr@envirolawyer.com **REPRESENTING:** San Altos - Lemon Grove, LLC	
TITLE OF THE PROCEEDING: Administrative Civil Liability Complaint No. R9-2015-0110	
☑ SUBPOENA ☐ RE HEARING ☑ SUBPOENA DUCES TECUM ☑ RE DEPOSITION	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO *(name)*: LEON FIRSHT

1. **YOU ARE ORDERED TO APPEAR AS A WITNESS in this proceeding as follows unless you make special agreement with the person named in item 3:**

a.	**Date:** December 28, 2015	**Time:** 1:00 PM PST
b.	**Address:** 225 Broadway, Suite 1900, San Diego, CA 92101	

2. **AND YOU ARE:**

   a. ☐ Ordered to appear in person. (Wat. Code, § 1080; Gov. Code, § 11450.10; Cal. Code Regs., tit. 23, § 649.6.)
   b. ☐ Not required to appear in person if you produce the records described in the accompanying affidavit in compliance with Evidence Code sections 1560 and 1561. (Wat. Code, § 1080; Gov. Code, § 11450.10(b); Cal. Code Regs., tit. 23, § 649.6.)
   c. ☑ Ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.10; Cal. Code Regs., tit. 23, § 649.6.)

3. **IF YOU HAVE ANY QUESTIONS ABOUT WITNESS FEES OR THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:**

a.	**Name:** S. Wayne Rosenbaum	b.	**Telephone number:** (619) 231-5858

(Gov. Code, § 11450.20(a); Code Civ. Proc., § 1985.2.)

4. **WITNESS FEES: You are entitled to witness fees and mileage actually traveled, both ways, as provided by law. Request them from the person who serves this subpoena or from the person named in item 3.** (Wat. Code, §§ 1081, 1083, 1084; Gov. Code, §§ 11450.40, 68070 et seq.; Code Civ. Proc., §§ 1986.5, 2065.)

5. **If you object to the terms of this subpoena, you may file a motion for a protective order including a motion to quash. Motions must be made within a reasonable period after receipt of the subpoena, and shall be made with written notice to all parties, with proof of service upon all parties attached. In response to your motion, the hearing officer may make an order quashing the subpoena entirely, modifying it, or directing compliance with it, or may make any order needed to protect the parties or witnesses from unreasonable or oppressive demands, including unreasonable violations of the right to privacy.** (Gov. Code, § 11450.30.) (Send motions to: San Diego Regional Water Quality Control Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108, Attn: David Gibson, with copies to all parties and to Catherine George Hagan, State Water Resources Control Board, Office of Chief Counsel, c/o San Diego Water Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108.)

DISOBEDIENCE OF THIS SUBPOENA MAY CAUSE YOU TO BE LIABLE FOR CONTEMPT AND OTHER PENALTIES PROVIDED BY LAW

(Wat. Code, §§ 1090-1097; 23 CCR §648.8; Gov. Code, §§ 11450.20(b), 11455.10-11455.30.)

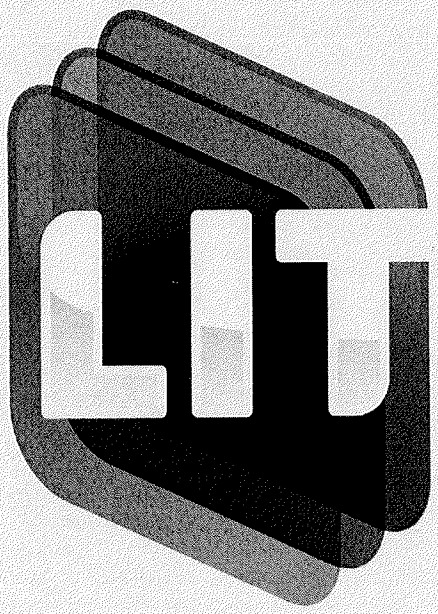
Dated: December 10, 2015

S. Wayne Rosenbaum
(signature)

Name: S. Wayne Rosenbaum

Title: Partner - Opper & Varco LLP
Attorney for San Altos - Lemon Grove, LLC

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00002

LEON P. FIRSHT
724 Diamond Drive, Chula Vista, California 91911

EXHIBIT 2
REPORTER M. Volz
WITNESS L. Firsht
DATE 12-28-15

EDUCATION/QUALIFICATIONS/EXPERIENCE

Civil Engineering, Bachelor of Science Degree
San Diego State University, December 1995

Registered Civil Engineer, July 2002
California License No. 63395

City of La Mesa – La Mesa, California **April 2015 to current**
Assistant Director of Public Works, oversee the Public Works Operations Division which is comprised of Admin, Building, Fleet, Parks, Streets and Wastewater sections.

City of Lemon Grove – Lemon Grove, California **March 2011 to March 2015**
City Engineer oversaw the Engineering Division including Capital Improvement Program, Land Development/ROW Permits and Inspection, Stormwater Program, and Traffic Engineering.

City of Lemon Grove – Lemon Grove, California **January 2009 to March 2011**
Associate Civil Engineer, engineering contact for Developers/applicants, CIP Projects.

Eastern Municipal Water District – Perris, California **July 2006 to January 2009**
Civil Engineer II, experience as primary contact for Developers/applicants, CIP Projects.

City of San Diego, Water Department - San Diego, California **July 2000 to July 2006**
Assistant Civil Engineer with experience in long range planning.

Project Design Consultants - San Diego, California **January 1996 to July 2000**
Design Engineer with experience in land development and surveying.

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00003

Exhibit No. 6

EXHIBIT 3
REPORTER M. Lotz
WITNESS L. Finsht
DATE 12-28-15

CITY OF LEMON GROVE
ADMINISTRATIVE CITATIOI

A) TYPE OF VIOLATION

Circle One: (Warning) 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ — is due no later than — to the City of Lemon Grove. The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner (Other) Site Representative / Project Manager

Mailing Address: 3194-C2 Airport Loop Drive Costa Mesa, CA 92626

Business Name (if applicable): BCA Development

cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):

B.48.060 18.08.560 Inadequate BMP's - see attached inspection reports
18.08.170
18.08.180

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendation's > 12/15/14 5:00 P.M.
Maintain adequate surplus of BMPs

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Finsht Phone No.: 619-825-3825 Signature: [signature] Date: 12/11/14

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person (By Mail / Email) Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE-ORIGINAL PINK-COPY CITATION CARD-OWNER

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. Applicable Requirements. All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. Minimum Best Management Practices for All Dischargers. All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. Eroded Soils. Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.

2. Pollution Prevention. Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.

3. Prevention of Illegal Discharges. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.

4. Slopes. Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.

5. Storage of Materials and Wastes. All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.

6. Use of Materials. All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. Inspection, Maintenance, Repair and Upgrading of BMPs. BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. Stormwater Pollution Prevention Plan. An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

18.08.170 Erosion control required.

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;

2. The name, address and signature of the civil engineer or person who prepared the plan;

3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;

4. The streets, easements, drains, and other improvements;

5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;

6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.

2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.

3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.

4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.

5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.

6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment of silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3811

Date: 12/11/14 5:00 P.M. | Project: Valencia

☐ Meeting ☐ Phone ☒ Site Visit

Attendees: Leon & Gary

Notes: Site inspection to review Recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).

1. No erosion control provided.
2. Insufficient / Improperly installed check dams.
3. Repair & stabilization of gullies not completed.
4. Not completed.
5. Completed.
6. Not visible.
7. Mostly complete.
8. N/A

Page 1 / 1 Initials LE Hours: 1.0

Get Local Forecast For:
Enter location ... GO
Search Help

XML RSS Feeds
Current Hazards
Watches / Warnings
Outlooks
Submit Report
Current Conditions
Observations
Radar
Satellite
Precipitation
Mapped Weather
Other Hazards
Forecasts
Forecast Discussion
Local Area
Activity Planner
Aviation Weather
Fire Weather
Marine Weather
Severe Weather
Hurricane Center
User Defined Area
Fastlinks
Hydrology
Rivers and Lakes
Forecasts / Obs
Climate
Local
National
Drought
More...
Climate portal
Weather Safety
Preparedness
Weather Radio
SkyWarn™
StormReady
TsunamiReady
Additional Info
Items of Interest
Other Useful Links
Education Resources
COOP Observer

Warnings and/or Advisories In Effect for this Point:
Flash Flood Watch
Wind Advisory
For warnings and/or advisories in effect for adjacent areas to this point, see http://www.wrh.noaa.gov/sgx

Change Table Font Size Increase Decrease

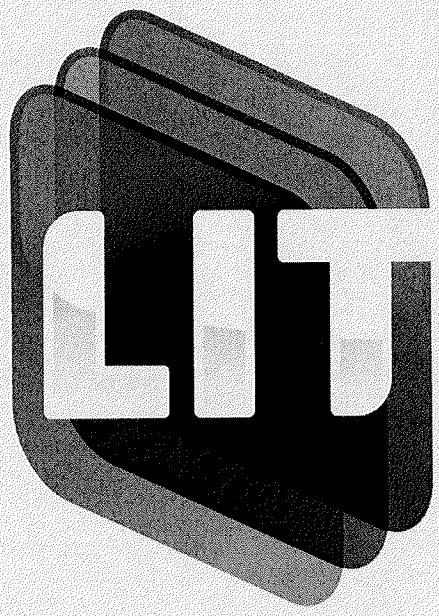
Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft)
Lemon Grove CA
Forecast Created at: 6pm PST Dec 11, 2014
Custom Weather Forecast Table

	Thu Dec 11				Fri Dec 12				Sat Dec 13				Sun Dec 14				Mon Dec 15				Tue Dec 16				
Weather				Chance Rain	Slight Chance TStorms and Rain	Rain Showers and TStorms	Likely Rain Showers and TStorms	Likely Rain Showers	Chance Rain Showers										Chance Rain		Likely Rain		C		
Daily-Temp	High 67 Low 53				High 63 Low 58				High 63 Low 51				High 65 Low 48				High 64 Low 50				High 64 Low 52				
Chance of Precip	0%	0%	5%	45%	100%	90%	65%	75%	30%	15%	5%	5%	5%	5%	5%	5%	5%	5%	40%	40%	55%	55%	60%	60%	40
Precip	0.00"	0.00"	0.00"	0.01"	0.57"	0.29"	0.06"	0.12"	0.00"	0.00"	0.00"	0.00"	0.00"	0.00"											
12-hr Snow Total	0"		0"		0"		0"		0"																
FRET	0.06"				0.06"				0.05"				0.06"				0.07"				0.07"				
6-Hour	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4a
Temp	53	62	65	60	58	61	60	54	52	59	59	52	49	59	61	54	51	59	61	55	53	60	61	55	5
Cloudiness	86%	49%	75%	100%	100%	91%	84%	75%	69%	51%	30%	37%	31%	21%	30%	30%	41%	41%	62%	62%	90%	90%	87%	87%	71
Dewpoint	52	53	54	53	52	54	52	50	49	48	46	46	43	44	44	48	44	43	45	49	47	51	49	51	4
Relative Humdity	94%	73%	67%	78%	79%	77%	73%	88%	89%	69%	61%	81%	80%	57%	52%	81%	79%	57%	54%	81%	82%	72%	63%	88%	89
Wind	S 2	S 7	S 8	S 10	SE 15	W 6	SW 6	W 6	E 2	W 2	NW 5	E 3	E 3	N 1	W 5	E 5	E 6	S 7	SW 7	SE 7	SE 8	S 9	S 7	S 6	S\ 1
Snow Level (ft)			9317	9161	7608	6313	5478	5212	5704										6701	5923	5850	5993	5805	5704	56

Forecast Weather Table Interface

Select Weather Format	Enter a Location or Click on Map Below
○ Custom Weather Table ○ XML ○ Point Forecast Page ○ Point Forecast Matrix ○ Hourly Tabular Forecast ○ Hourly Weather Graph Interval in Hours: ○ 1 ○ 3 ○ 6 Duration in Days: ○ 1 ○ 2 ○ 3 ○ 4 ○ 5 ○ 6 ○ 7	Search by address; city,state; latitude/longitude... Go

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00004

EXHIBIT 4
REPORTER M. Lolz
WITNESS L. Firsht
DATE 12-28-15

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / ~~TAD~~ / 12/11/14 9:00AM

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☐ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			See inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/ contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

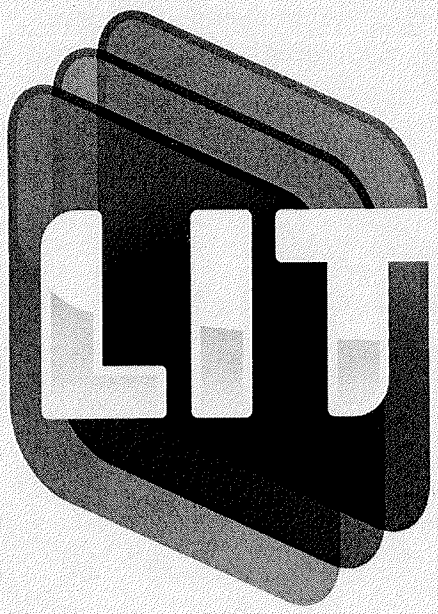
VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☒ No violations; however, recommended corrective actions required
  - ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☐ Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00005

Exhibit No. 7

EXHIBIT 5
REPORTER M. Lotz
WITNESS L. Firsht
DATE 12-28-15

CITY OF LEMON GROVE
ADMINISTRATIVE CITATIO

A) TYPE OF VIOLATION

Circle One: Warning | 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ 100 is due no later than 1/12/15 to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Project Manager

Mailing Address: 3194-C2 Airport Loop Drive, Costa Mesa, CA 92626

Business Name (if applicable): BEA Development cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/12/14 Time (Violation Observed): 8:60 AM. 11AM-12pm

Location of Violation: San Ates / Akins (Street Address) (APN)

Violation(s) Observed (Code Section and Description):

B.48.040 A. Discharge of non-stormwater prohibited.

See Attached Memo

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendations & Permit > [redacted]* ASAP

Maintain adequate supplies of BMP's

& continuous installation of BMP's until compliance is Reached.

daily ** additional discharges subject to citation.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name	Phone No.	Signature	Date
Leon Firsht	619-825-3825		12/15/14

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person By Mail/Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE-ORIGINAL PINK-COPY CITATION CARD-OWNER

8.48.040 Discharge of non-stormwater prohibited.

A. Illegal Discharges. The discharge of pollutants to non-stormwater, directly or indirectly into the stormwater conveyance system or receiving waters, is prohibited, except as exempted in

Section 8.48.050 of this chapter. The discharge of pollutants to stormwater, directly or indirectly into the stormwater conveyance system or receiving

waters, is prohibited, unless the applicable requirements of this chapter have been met.

B. Illegal Connection. The establishment of illegal connections is prohibited. The use of illegal connections is prohibited, even if the connection was established pursuant to a valid city permit and was legal at the time it was constructed.

C. Litter, Dumps, and Stockpiles. Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illegal discharge is prohibited. (Ord. 369 § 1, 2008)

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer JQ

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valenica_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

Figure 1. Sampling Locations

Photo 1. Site Valencia_Akins

Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)

Photo 3. Site Akins_Inlet

Photo 4. First Sample (11:05) from Site Valencia_Akins

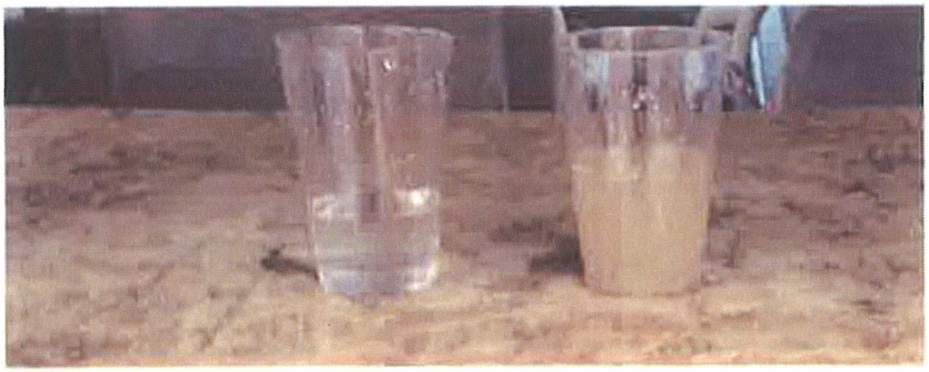
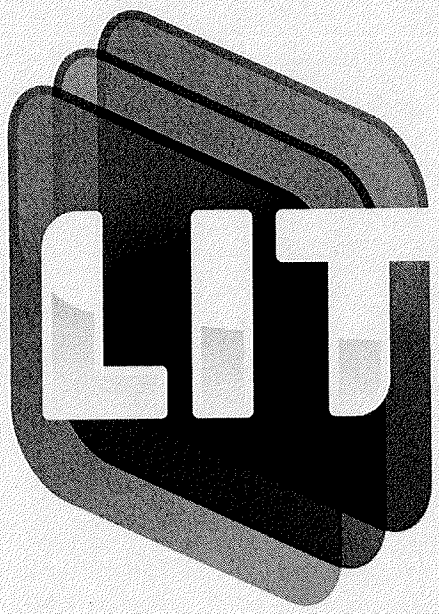


Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)

Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00006

Exhibit No. 8

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM

EXHIBIT 6
REPORTER JM. Lotz
WITNESS L. Firsht
DATE 12-28-15

FACILITY INSPECTION REPORT

FACILITY: Valencia
WDID/FILE NO.: 937C369143

INSPECTION DATE/TIME: 12/15/2014; 10:00 am

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME:	Wayne Chiu	AFFILIATION:	San Diego Water Board
NAME:	Ben Anderson	AFFILIATION:	BCA Development, Inc.
NAME:	Tim Anderson	AFFILIATION:	BCA Development, Inc.
NAME:	Donald Sturgeon	AFFILIATION:	Whitson CM
NAME:	Leon Firsht	AFFILIATION:	City of Lemon Grove
NAME:	Gary Harper	AFFILIATION:	City of Lemon Grove

San Altos Lemon Grove LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

BCA Development, Inc.
FACILITY OR DEVELOPER NAME (if different from owner)

5780 Fleet Avenue
Carlsbad, CA 92008
OWNER MAILING ADDRESS

1350 San Altos Place
Lemon Grove, CA 91945
FACILITY ADDRESS

Ben Anderson, 714-966-1544
OWNER CONTACT NAME AND PHONE #

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- ☐ MS4 URBAN RUNOFF REQUIREMENTS
- ☒ CONSTRUCTION GENERAL PERMIT
- ☐ CALTRANS GENERAL PERMIT
- ☐ INDUSTRIAL GENERAL PERMIT
- ☐ GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- ☐ GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- ☐ SECTION 401 WATER QUALITY CERTIFICATION
- ☐ CWC SECTION 13264

INSPECTION TYPE (Check One):

- ☐ "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
- ☐ "B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
- ☐ NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
- ☐ ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
- ☒ COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
- ☐ PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
- ☐ NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
- ☐ NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
- ☐ COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

On December 2, 2014, the City of Lemon Grove (City) issued a Stop Work/Notice of Violation to the Valencia construction site (WDID 9 37C369143) for failing to implement construction storm water best management practices (BMPs) required by local ordinances. The City's inspection report issued with the Stop Work/Notice of Violation noted inadequate implementation of erosion controls, entrance/exit stabilization, and stockpile management and warned the project manager that a "discharge is imminent" without adequate BMPs. The site was required to stop work and implement BMPs to be prepared for a storm event that occurred on December 3 and 4, 2014.

The site failed to implement BMPs before the storm, resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's municipal separate storm sewer system (MS4). The City issued a second Stop Work/Notice of Violation on December 4, 2014 for the illegal discharges to the City's MS4. The City conducted a follow up inspection on December 9, 2014 and noted the same BMP deficiencies identified before the December 3 and 4, 2014 storm event, as well as additional deficiencies in perimeter sediment controls. The inspection report provided recommendations for locations that needed to be addressed and types of BMPs. The site again failed to implement BMPs before a subsequent storm event that occurred on December 11, 2014, again resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's MS4. On December 11, 2014, the City issued an Administrative Citation to the site requiring BMPs to be implemented by December 15, 2014 before monetary penalties would begin. The Stop Work/Notice of Violation issued on December 2 and 4, 2014 and the Administrative Citation issued on December 11, 2014 by the City are attached to the end of this inspection report.

On the morning of December 12, 2014, the City contacted the San Diego Water Board about the unauthorized discharges of sediment and sediment-laden storm water to their MS4 from the Valencia construction site. According to the City's storm water manager, the site owner was claiming the site was in compliance with the requirements of the Statewide Construction General Storm Water Permit, Order No. 2009-0009-DWQ (CGP) and therefore should be considered in compliance with the City's ordinances. The City's storm water manager requested an inspection from the San Diego Water Board to determine whether the construction site was in compliance with the requirements of the CGP.

Wayne Chiu of the San Diego Water Board performed an inspection of the Valencia construction site for compliance with the requirements CGP. According to the Storm Water Multiple Application & Report Tracking System (SMARTS), the site is a Risk Level 2 construction site, disturbing over 18 acres, and owned by San Alto Lemon Grove LLC. The developer of the site is BCA Development, Inc.

The San Diego Water Board inspector met with Mr. Ben Anderson, the contact for the owner and developer of the site, Mr. Tim Anderson, project manager for the developer,

and Mr. Donald Sturgeon, the Qualified Storm Water Pollution Prevention Plan (SWPPP) Practitioner (QSP) performing the weekly inspections. Also present to observe during the inspection were Mr. Leon Firsht and Mr. Gary Harper, City Engineer and Construction Storm Water Inspector for the City of Lemon Grove, respectively. The San Diego Water Board inspector did not review the SWPPP or other records during the inspection.

II. FINDINGS

1. Several stockpiles observed without adequate containment (See Photo 1). Evidence of erosion and sediment transport from the stockpile observed during the inspection. All construction sites are required to contain and securely protect stockpiled waste material from wind and rain at all times unless actively being used.

2. Construction equipment and vehicles observed without appropriate BMPs (e.g. drip pans) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters (See Photos 2 and 3). All construction sites are required to prevent oil, grease or fuel to leak in to the ground, storm drains, or surface waters, and to place all equipment and vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.

3. Several areas were observed to be inactive, or could be scheduled to be inactive, without effective soil cover to control potential erosion. Several completed building pads and several inactive slopes (See Photos 4 through 7) lacked any effective soil cover for erosion control. The lack of erosion controls in these areas contributed to unauthorized sediment discharges from the site (See Photos 9 through 11). All construction sites are required to provide effective soil cover for inactive areas (i.e. areas that have been disturbed and not scheduled to be re-disturbed for at least 14 days) and all finished slopes, open space, utility backfill, and completed lots.

4. Active areas were observed to lack appropriate erosion control BMPs (runoff control and soil stabilization) to prevent erosion during storm events (See Photo 8). The project manager and QSP could not describe any erosion control measures that were in place or were ready to be deployed before the December 3 and 4, 2014 and December 11, 2014 storm events. Risk Level 2 construction sites are required to implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.

5. Several slopes throughout the site were observed to lack linear sediment controls along the toe and grade breaks of exposed slopes (See Photos 4 through 7). Risk Level 2 construction sites are required to apply linear sediment controls along the toe of the slope, face of the slopes, and at the grade breaks of exposed

slopes to comply with sheet flow lengths given in Table 1 of Attachment D to the CGP.

6. Lack of effective perimeter sediment controls observed which resulted in unauthorized sediment discharges from the site (See Photos 9 through 14). All construction sites are required to establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site.

7. Lack of effective run-on and runoff controls observed within and around the site which contributed to sediment discharges from the site (See Photos 4 and 14). All construction sites are required to effectively manage run-on, all runoff within the site and all runoff that discharges off the site.

III. COMMENTS AND RECOMMENDATIONS

Comments

1. There is evidence that good site management "housekeeping" BMPs were not being adequately implemented (See Findings 1 and 2).

2. There is evidence that erosion controls were not adequately implemented for several inactive areas contributing to discharges of sediment from the site (See Finding 3).

3. There is evidence that erosion controls were not adequately implemented for several active areas prior to storm events contributing to discharges of sediment from the site (See Finding 4).

4. There is evidence that linear sediment controls were not adequately implemented for several exposed slopes contributing to slope erosion and discharges of sediment from the site (See Finding 5).

5. There is evidence that perimeter sediment controls, as well as run-on and runoff controls, were not adequately implemented which contributed to discharges of sediment from the site (See Findings 6 and 7).

6. There was evidence observed during the inspection that the site has not implemented BMPs to meet BCT Technology Based Effluent Limitations (TBELs) under Section V.A.2 of the CGP, as required for all construction sites, which resulted in the unauthorized discharges of sediment and sediment-laden water from the site observed or documented on December 4, 11, and 15, 2014 (See Compliance History discussion and Findings 1 through 7).

7. There is evidence that either the QSP was not adequately identifying and recommending implementation of good site management "housekeeping," erosion control, sediment control, and run-on/runoff control BMPs, or the owner/developer was not directing the implementation of the BMPs as recommended by the QSP.

Recommendations

1. Issue a Notice of Violation for discharges of sediment from the site and failure to implement Risk Level 2 requirements of CGP.

2. Refer the site to the Compliance Assurance Unit to determine whether or not issuing formal enforcement action may be appropriate.

IV. SIGNATURE SECTION

Wayne Chiu		12/15/2014
STAFF INSPECTOR	SIGNATURE	INSPECTION DATE
Eric Becker		
REVIEWED BY SUPERVISOR	SIGNATURE	DATE

SMARTS:

Tech Staff Info & Use	
WDID	937C369143
Place ID	SM-828060
Inspection ID	2024185
Violation ID	855345, 855346

Photo 1

Photo 1 shows soil stockpile without adequate containment. Evidence of erosion and sediment transport along that base of the stockpile. Most stockpiles observed during inspection lacked adequate containment.

Photo 2

Photo 3

Photos 2 and 3 show construction equipment and vehicles without appropriate BMPs (e.g. drip pans) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters. Most vehicles observed during inspection lacked appropriate BMPs.

Photo 4

Photo 5

Photo 6

Photo 7

Photo 8

Photos 4 through 7 show completed building pads and adjacent slopes without any erosion controls and evidence of significant erosion and sediment transport. **Photo 8** shows evidence of erosion and sediment tranport in unpaved road sloping to locations shown in Photos 9 through 11. Sediment from completed lots and slopes in Photos 4 through 7 transported to road in Photo 8 lacking any erosion control measures during storm events, and inadequate runoff controls to reduce and prevent transport of sediment through site.

Photo 9

Photo 10

Photo 11

Photo 12

Photos 9 through 12 show inadequate implementation of perimeter sediment controls and run-on/runoff controls to prevent discharges of sediment from the site. Photo 9 shows evidence of erosion and sediment transport from road shown in Photo 8 to perimeter with inadequately installed perimeter sediment and runoff controls (i.e. fiber roll not properly trenched and staked). Photos 10 shows evidence of sediment transport from the site beneath the inadequately installed perimeter sediment and runoff controls. Photo 11 shows evidence of sediment transport from the site to MS4 channel protected by silt fence and gravel bags. Photo 12 shows sediment that has been discharged into the MS4 channel due to inadequate implementation of erosion, sediment, and runoff controls by the site.

Photo 13

Photo 14

Photos 13 and 14 show lack of effective perimeter sediment controls and run-on/runoff controls. Photo 13 shows evidence of erosion and sediment transport due to lack of perimeter run-on controls. Photo 14 shows evidence of sediment discharged from the site to the MS4 drainage system due to erosion caused by run-on that then ran off the site due to inadequate perimeter sediment controls and runoff controls.

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00007

Exhibit No. 9

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

EXHIBIT 7
REPORTER M. Ulz
WITNESS L. Firsht
DATE 12-28-15

December 16, 2014

Tim Anderson
Project Manager, BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Ongoing Stormwater Violations at Valencia Project Site

Dear Tim,

Under the direction of the City of Lemon Grove (City), D-MAX Engineering Inc. conducted a follow-up stormwater compliance inspection early this afternoon at the Valencia project site (site). As you are aware, the site remains under a Stop Work Notice and no work other than implementation of best management practices (BMPs) are allowed. Today's follow-up inspection findings state that the site is still not in compliance. The deficiencies include failure to effectively implement erosion prevention and sediment control BMPs.

The City reiterates that it will not accept any discharges of sediment laden runoff from the site into its storm drain system. Water quality monitoring is being conducted to asses whether or not illegal discharges are occurring from your site during this rain event and future rain events.

Although there are workers continuing to implement BMPs, the City through Municipal Code Section 18.08.170, has the right to contact an erosion control company to implement sufficient BMPs to eliminate sediment discharge from the site. As such, the City is putting you on notice should inadequate BMPS and/or failure of BMPs continue, the City will hire an erosion control company at your cost to prevent illegal discharges from occurring. Alternatively, you may also directly contact and hire an erosion control company to facilitate in bringing your construction site into compliance.

Attached you will find a third citation regarding the failure to install adequate BMPs. A copy of this citation is also being provided to the San Diego Regional Water Quality Control Board.

If you have any questions regarding this matter, please contact me at (619) 825-3825.

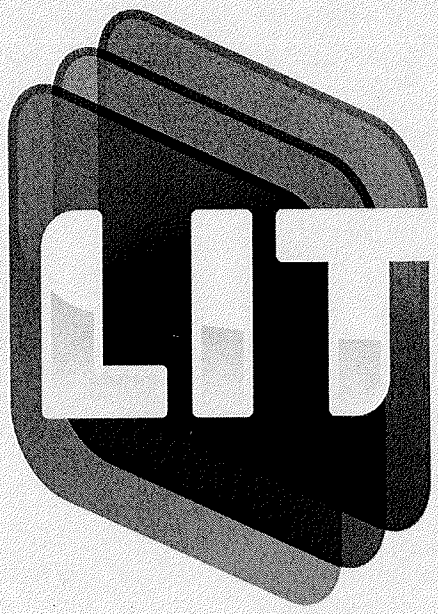
Sincerely,

Leon P. Firsht
City Engineer

Copy: Phil Dowley, Bob Rodine, Ben Anderson
File

3232 Main Street Lemon Grove California 91945-1705
619.825.3810 FAX: 619.825.3818 www.ci.lemon-grove.ca.us

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00008

EXHIBIT 8
REPORTER M. Ortiz
WITNESS L. Firsht
DATE 12-28-15

CITY OF LEMON GROVE
ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning | 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ 200 is due no later than 1/12/15 to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner (Other) Project Manager

Mailing Address: 3194-C2 Airport Loop Road, Costa Mesa, CA 92626

Business Name (if applicable): BCA Development CC: Phil Dowley, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/16/14 Time (Violation Observed): 12:25 PM

Location of Violation: 1350 San Altos Place / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
8.48.060, 18.08.170, 18.08.180, 18.08560
Follow up inspection re: 12/11/14 citation
See attached report dated 12/16/14 (Tad Nakatani)

D) CORRECTION(S) REQUIRED (with date to complete corrections)
Install BMP's per Recommedations and Permit

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Firsht Phone No.: 619-825-3825 Signature: [signature] Date: 12/16/14

Person Cited – Signature Acknowledging Receipt (Date)

Citation Served (circle one): In Person (By Mail / Email) n Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE-ORIGINAL PINK-COPY CITATION CARD OWNER

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/16/14 12:25

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Numerous gullies still unprotected some pads & slopes still unstabilized	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic covers need to be repositioned/reinstalled	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional perimeter & slope protection still needed @ on west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE ENTRANCE REPEATEDLY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	YES
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				YES
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				YES
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	YES
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Still significant sediment on AKINS	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams incomplete	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

☐ No violations noted at time of inspection/investigation

TN ☒ No violations; however, recommended corrective actions required

TN ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____

☒ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation

☒ Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE

12/16/2014

(1) ROADWAY STABILIZATION / CHECK DAMS NEEDED

(2) STABILIZATION EROSION CONTROLS NEEDED

(3) ADD FIBER ROLLS ON SLOPE

(4) Stabilize area of concentrated flow toward basin

(5) Repair / stabilize gullies (Numerous locations - Not individually shown on map)

PROOF OF SERVICE OF SUBPOENA

(Gov. Code, § 11440.20; Code Civ. Proc., §§ 1987, 1987.5, 1988, 1989, 2015.3, 2015.5.)

1. **I served this ☑ subpoena ☑ subpoena duces tecum and supporting affidavit by:**

☐ **personally delivering a copy to the person served as follows:**

a. Person served (*name*):	b. Date of delivery:
c. Address where served:	d. Time of delivery:
e. Witness fees and mileage both ways *(check one)*: (1) ☐ were paid. Amount: $_____ (2) ☑ were not paid. (3) ☐ were tendered to the witness's public entity employer as required by Government Code § 68097.2. The amount tendered was $_____	f. Fees for service. Amount: $_____

☐ **delivering true copies thereof by certified mail, return receipt requested, to the address as shown below.**

☐ **delivering true copies thereof enclosed in a sealed envelope to a messenger for immediate personal delivery to the address as shown below.**

☐ **delivering true copies thereof enclosed in a sealed envelope to a mail delivery service for overnight delivery to the address as shown below. [Specify name of mail service and tracking no.:**

_____.]

☐ **Other method allowed by Gov. Code §11440.20. Specify:**

Address where served:

2. **I certify that I received this ☐ subpoena ☐ subpoena duces tecum for service on** _____.
Date

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on:

Date	*at (place)*	*Signature*
	, California	

(For California sheriff, marshal, or constable use only)
I certify that the foregoing is true and correct and that this certificate is executed on:

Date	*at (place)*	*Signature*
	, California	

NOTE: THE ATTORNEY OR PARTY WITHOUT AN ATTORNEY REQUESTING THIS SUBPOENA MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEARING, AND FILE A COPY WITH THE REGIONAL WATER QUALITY CONTROL BOARD. THE COPY PROVIDED TO THE REGIONAL WATER QUALITY CONTROL BOARD MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES AND ADDRESSES OF PARTIES WHO WERE PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. 23, § 648.4(c).) (Send to: San Diego Regional Water Quality Control Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108: Attn David Gibson, with copies to all parties and to Catherine George Hagan, State Water Resources Control Board, Office of Chief Counsel, c/o San Diego Water Board, 2375 Northside Dr., Suite 100, San Diego, CA 92108.)

S. WAYNE ROSENBAUM (SBN 182456)
OPPER & VARCO, LLP
225 Broadway, Suite 1900
San Diego, California 92101
Telephone: 619.231.5858
Facsimile: 619.231.5853
Email: swr@envirolawyer.com

Attorney for San Altos – Lemon Grove, LLC

BEFORE THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

IN THE MATTER OF:, **Administrative Civil Liability Complaint No. R9-2015-0110 Against San Altos – Lemon Grove, LLC**	AFFIDAVIT IN SUPPORT OF SUBPOENA FOR DOCUMENTS AND THINGS FROM LEON FIRSHT

1. I, S. Wayne Rosenbaum, declare that I am counsel for San Altos – Lemon Grove, LLC ("San Altos"), a Designated Party in the above-entitled matter.

2. On December 4, 2015, the Advisory Team for the California Regional Water Quality Control Board, San Diego Region ("Advisory Team") issued the Final Hearing Procedures for ACLC R9-2015-0110.("Final Hearing Procedures"), which included a list of deadlines (the "Schedule") prior to the currently scheduled hearing date of February 10, 2016.

3. The Schedule requires San Altos submit "All evidence (other than witness testimony to be presented orally at the hearing) that the Designated Party would like the San Diego Water Board to consider" by January 4, 2016.

4. Good cause exists for the production of the document described below because such evidence is probative of the veracity of the alleged violations of the Complaint.

5. As former Public Works Director and City Engineer for the City of Lemon Grove, Leon Firsht has, or should have, the documents described below in his possession or control.

6. The exact documents to be produced include:

a. All records and documents, including, but not limited to, inspection reports, notices of violation, administrative citations, stop work notices, correct work notices, field notes, photographs, audio

or video recordings, phone logs, and internal communications, including emails, related to inspections that occurred at the San Altos – Lemon Grove, LLC Valencia Hills Construction Site on the following dates:

December 1, 2014

December 2, 2014

December 3, 2014

December 4, 2014

December 5, 2014

December 6, 2014

December 7, 2014

December 8, 2014

December 9, 2014

December 11, 2014

December 12, 2014

December 15, 2014

December 16, 2014

December 17, 2014

December 31, 2014

January 6, 2015

January 7, 2015

January 8, 2015

January 9, 2015

January 10, 2015

January 11, 2015

January 12, 2015

January 13, 2015

March 1, 2015

March 18, 2015

March 19, 2015

March 20, 2015

March 21, 2015

March 22, 2015

March 23, 2015

March 24, 2015

March 25, 2015

March 26, 2015

March 27, 2015

March 28, 2015

March 29, 2015

March 30, 2015

March 31, 2015

April 1, 2015

May 8, 2015

May 9, 2015

May 10, 2015

May 11, 2015

May 12, 2015

May 13, 2015

May 14, 2015

May 15, 2015

September 15, 2015

October 5, 2015

b. Any additional records and documents, including, but not limited to, inspection reports, notices of violation, administrative citations, stop work notices, correct work notices, field notes, photographs, audio or video recordings, phone logs, and internal communications, including emails, related to inspections that occurred at the San Altos – Lemon Grove, LLC Valencia Hills Construction Site, regardless of whether or not the inspection led to the issuance of a formal report, notice, or citation from Mr. Firsht and/or the City of Lemon Grove to San Altos – Lemon Grove, LLC from March 6, 2014 to October 19, 2015.

c. Any documents, contracts, work orders, requests for services, communications or records thereof including but not limited to emails, or invoices related to inspections, testing, report writing, or materials related to services rendered by D-Max Engineering, Inc. on behalf of the City of Lemon Grove that involved or affected the San Altos – Lemon Grove, LLC Valencia Hills Project Site during the period of March 6, 2014 through October 19, 2015.

d. A copy of Mr. Firsht's curriculum vitae listing his education, qualifications, and experience.

7. Emails, writings, or photographs should be provided in both printed and digital formats. Audio or video recordings may be provided in conventional formats accessible on personal computers without the assistance of specialized software.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 10th of December, 2015.

S. Wayne Rosenbaum
Attorney for San Altos – Lemon Grove, LLC

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00009

Exhibit No. 12

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

EXHIBIT 9
REPORTER M-Lo/2
WITNESS L. Firsht
DATE 12-28-15

Memo

Date: December 31, 2014

To: Leon Firsht, Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer JQ

Subject: December 31, 2014 Field Visit at Valencia Construction Site

D-MAX visited the Valencia construction site on the morning of December 31, 2014, following a storm earlier the previous night. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the time of the site visit.

Ponded water was observed at the Akins Avenue entrance/exit location and behind several sets of gravel bags installed along Akins Avenue. Samples were collected from the ponded water at the Akins Avenue entrance/exit (Photo 1) and from ponded water behind the first set of gravel bags downstream of the Akins Avenue exit/entrance (Photos 2 and 3). Turbidity was measure at 250 NTU in the first sample (Akins entrance/exit), and 235 NTU in the second sample (first set of gravel bags along Akins).

Some sediment had settled out at the bottom of the pools of water in both of the locations at which samples were collected, and care was taken not to disturb the settled sediment when samples were taken. Note that because water had been pooled and sediment had settled out over time, the turbidity results as given above are likely lower than the turbidity of the discharge that had occurred earlier when it was raining. To approximate that effect, the settled sediment at the Akins entrance/exit location was disturbed, and a sample was taken a few minutes later. The turbidity of that sample was 998 NTU.

Observations farther downstream along the curb indicated that in some places sediment had been conveyed around gravel bag installations. Photo 4 gives an example of this. Sediment accumulation was also noted along Akins Avenue, close to the storm drain inlet.

Figure 1. Map of Site and Immediate Vicinity

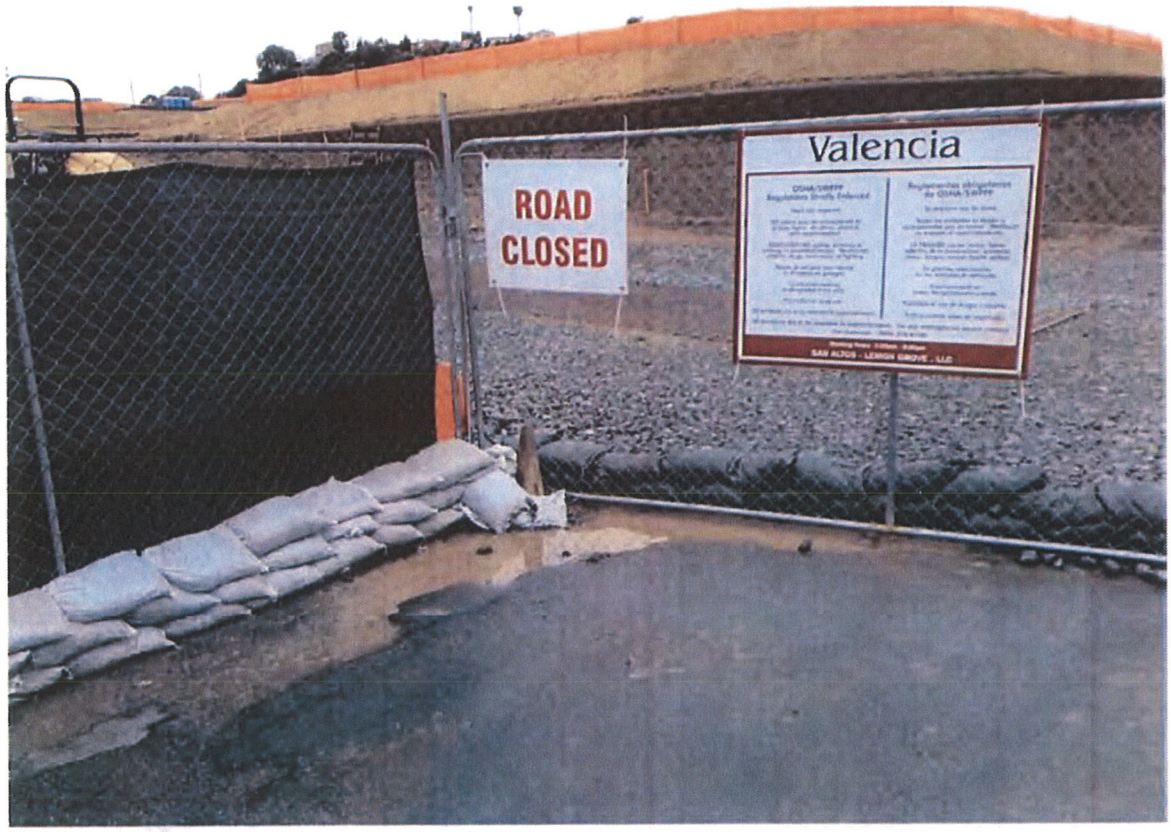


Photo 1. Ponded Water at Akins Avenue Entrance/Exit

Photos 2 &3. Ponded Water at First Set of Gravel Bags Downstream of Akins Avenue Entrance/Exit (Looking downstream and upstream, respectively)

Photo 4. Evidence of Discharge Carrying Sediment around Gravel Bags along Akins Avenue

Photo 5. Sediment Accumulation along Akins Avenue, Close to Inlet

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00010

Exhibit No. 23

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

EXHIBIT 10
REPORTER M. Volz
WITNESS L. Firsht
DATE 12-28-15

Memo

Date: January 16, 2015

To: Leon Firsht, Malik Tamimi

Cc: John Quenzer

From: Tad Nakatani

Subject: Summary of Inspections and Sampling at Valencia Construction Site between December 9, 2014 and January 14, 2015

Per the City's request, D-MAX conducted multiple visits to the Valencia construction site to perform inspections and to collect storm water runoff samples. Table 1 summarizes the dates of all inspection and sampling visits.

Table 1. Inspection and Sampling Attempt Dates

Date	Activity
12/9/2014	Inspection
12/11/2014	Inspection
12/12/2014	Sampling
12/16/2014	Inspection
12/17/2014	Sampling
12/31/2014	Sampling
1/6/2015	Inspection
1/14/2015	Inspection

Summary of Inspections

Several significant BMP deficiencies were observed during the initial inspection on December 9, when the site was already under a Stop Work Notice from the City. Most significantly, there were several areas that lacked adequate erosion control BMPs, and there was also evidence of concentrated flows being directed to unstabilized areas, causing significant erosion. D-MAX documented these deficiencies and provided BMP recommendations as requested by the City. D-MAX re-inspected the site two days later on December 11 and observed that the majority of the deficiencies had not been corrected. On December 12, D-MAX visited the site during a rain event and collected samples of runoff from the site. Turbidity measurements were above 500 NTU for two samples taken near the southeast corner of the site and were above 400 NTU for a sample taken near the northeast corner of the site.

During the next inspection on December 16, some additional BMP deficiencies had been addressed, but the progress was still not sufficient. D-MAX returned to the site the following day to attempt to collect a sample, but the rain had already stopped, and no runoff sample was collected. D-MAX did observe sediment on the roadway outside of the southeast corner of the

site. A power-washing contractor was in the process of cleaning the road when D-MAX visited the site. D-MAX returned to the site on the morning of December 31 to attempt to collect another runoff sample, but once again the rain had stopped several hours before the site visit. D-MAX observed some sediment in the roadway again, but it appeared to be less than during the previous visit. D-MAX sampled water ponded at two locations just outside the southeast corner of the site. Turbidity was measured at 250 NTU and 235 NTU at these locations, but these measurements likely do not accurately reflect the turbidity of runoff since there had been time for sediment to settle out.

During the inspection on January 6, D-MAX observed that most of the major BMP deficiencies had been addressed, but a few still remained unresolved.

D-MAX performed its most recent inspection on January 14. D-MAX's assessment from this inspection is that the developer has made sufficient improvements to the site, and it is appropriate to lift the Stop Work Notice. There were some minor BMP deficiencies during the January 14 inspection, and the developer will still be required to address these promptly. However, the major deficiencies that led to the Stop Work Notice have been addressed, and the overall state of the site has been improved to the point where it no longer poses the severe risk of sediment discharges that it did in December.

Table 2 provides a summary of the different BMP deficiencies observed during inspections as well as the corrective actions that had been implemented as of January 14, 2015.

Table 2. Summary of BMP Deficiencies Observed and Corrective Actions Taken

BMP Deficiency	Corrective Action(s) Taken
Several lots lacked adequate erosion control BMPs.	Additional lots were hydroseeded. Some smaller areas were protected with plastic sheeting
Numerous slopes on the edges of lots were not sufficiently stabilized and protected from concentrated flows, and rills/gullies had formed.	Slopes were repaired where possible. BMPs were added upstream of slopes to prevent concentrated flows. Plastic sheeting was used in select areas to create protected spillways where concentrated flows could not be eliminated. Improved growth of hydroseed on slopes was also observed. All of the larger rills were addressed, but a few small rills still remained on January 14. The developer is required to address these areas still.
Sidewalls at the edges of lots also lacked erosion controls and several showed signs of erosion.	Sidewalls were protected with plastic sheeting.
Portions of the slope on the western edge of the site lacked full stabilization.	Additional fiber rolls were installed. Plastic sheeting was used to create protected spillways in areas where upstream contours were causing flows to concentrate.
Dirt roadways lacked sufficient stabilization and sediment controls.	Roads were compacted and large berms were built on them. A portion of the road that is inactive was hydroseeded.
Runoff from a significant portion of the site was being directed as concentrated flow to an unstabilized area in the site's southeast corner.	The developer built up an embankment to redirect flows away from this area and toward a settling area.
Some stockpiles lacked adequate cover	Covers were put on stockpiles.
The developer did not have sufficient quantities of BMP materials on site.	Additional gravel bags, fiber rolls, and silt fences were delivered to the site.
A significant amount of sediment was observed along the roadway at the southeast corner of the site.	Sweeping did not effectively remove all sediment, so a power-washing contractor was hired and removed the sediment from the road.
Gravel bag inlet protection BMPs were not always in place	Gravel bags were put in place to protect on-site and downstream off-site inlets.
Filter fabric used as part of inlet protection became potentially clogged by hydroseeding materials	Filter fabric was replaced.
Stockpiles were placed close to a drain inlet. The inlet is elevated above the ground height in that area, decreasing the risk of discharge, but stockpiles still need to be relocated away from the drain.	This deficiency was first observed on January 6. On January 14, the stockpiles had been covered, but they had not been moved sufficiently far enough away from the drain inlet. The developer is still required to address this item.
Sediment control BMPs were lacking or damaged in places.	A significant amount of additional silt fences and gravel bags were added to the site perimeter and the perimeters of lots.

Photo 1. Lot lacking erosion control BMPs

Photo 2. Hydroseed added to a lot

Photo 3. Evidence of erosion at edge of a lot

Photo 4. Rills filled in, area re-hydroseeded, silt fence added to perimeter of lot.

Photo 5. Sidewall without adequate erosion control

Photo 6Sidewall protected with plastic sheeting.

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00011

EXHIBIT 11
REPORTER M. Volz
WITNESS L. Firsht
DATE 12-28-15

BCA DEVELOPMENT, INC.

Via Email
lfirsht@lemongrove.ca.gov

January 20, 2015

Leon Firsht, City Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RECEIVED
JAN 21 2015
CITY OF LEMON GROVE

RE: Valencia – Stop Work / Notice of Violation

Dear Leon:

On behalf of San Altos-Lemon Grove, LLC, we are requesting the City of Lemon Grove (City) formally release the Stop Work / Notice of Violation dated 12/2/14.

We are preparing a check in the amount of $300 pertaining to Citations No. 2 & 3 and will deliver to City.

Thank you for your assistance in this matter.

Sincerely,

BCA Development, Inc.

Ben C. Anderson
President

CC: Carol Dick, Development Services Director
File

3194-C2 Airport Loop Drive, Costa Mesa, CA 92626 Telephone (714) 966-1544 – Fax (714) 966-1540

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00012

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

EXHIBIT 12
REPORTER JM. Volz
WITNESS L. Firsht
DATE 12-28-15

January 22, 2015

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia – Stop Work Notice Removal

Dear Ben,

The city has received your letter dated January 20, 2015 (attached) requesting release of the Stop Work / Notice of Violation dated 12/2/14.

Based on a site visit and review of your response to the items from the January 19th inspection report, the city finds that the items have been completed or require minor correction. With this, the Stop Work Notice is hereby removed.

While the Stop Work Notice has been removed this does not relieve you of the continued requirement to keep the site in compliance. The city or its consultant will continue to inspect the site and expect any deficiencies to be corrected within the stated time. Deficiencies not corrected within the stated time will result in an Administrative Citation.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsht
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File

3232 Main Street Lemon Grove California 91945-1705

619.825.3810 FAX: 619.825.3818 www.ci.lemon-grove.ca.us

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00013

3232 Main Street
Lemon Grove, California 91945
(619) 825-3810

LETTER OF TRANSMITTAL

NAME OF COMPANY	California Regional Water Quality Control Board
ATTN:	Wayne Chiu, Water Resources Control Engineer
PHONE #	

DATE	1/27/15	
REF:	WDID 937C369143	
FAX #		

SPECIAL INSTRUCTIONS:

OVERNITE SERVICE ___ **REGULAR MAIL** ___ **HAND DELIVERED** X
FAX ___ **COURIER** ___

[X] Reports [ ] Under separate cover via _____ the following items:

[ ] Shop Drawings [ ] Mylars [ ] Plans/Forms [ ] Samples [ ] Specifications

[X] Copy of Letter [ ] Change Order [ ] Miscellaneous [ ] Fees [ ] Returning your billing

No.	Date	Sheets	Description
1	1/27/15	-	DVD with documents related to Valencia/San Altos LLC project site
2	-		
3	-		

THESE ARE TRANSMITTED AS CHECKED BELOW:

[ ] For Your Approval [x] For Your Use [ ] As requested [ ] For review and comment

[ ] For Review [ ] Returned for Corrections [ ] Blueprints for Use [ ] Return Corrected Prints

REMARKS

Wayne,
Provided is a DVD containing documents related to the Valencia project located in Lemon Grove.

If you have any questions please contact me.

Leon

STATEMENT OF CONFIDENTIALITY: The information in this transmittal letter is legally privileged and confidential information and is intended only for the use of the addressee listed on this cover sheet. If you have received this transmittal in error, please immediately notify us by telephone at the number indicated below to arrange return of the document. Thank you.

COPY	FILE	FROM	Leon Firsht, City Engineer, City of Lemon Grove

If enclosures are not as noted, kindly notify us at once

ENGINEERING	SANITATION	LIGHTING
3232 Main St Lemon Grove, CA.91945 Tel: (619) 825-3810 Fax: (619) 825-3818	3232 Main St. Lemon Grove, CA 91945 Tel: (619) 825-3810 Fax: (619) 825-3818	3232 Main Street Lemon Grove, CA 91945 Tel: (619) 825-3810 Fax: (619) 825-3818

EXHIBIT 13
REPORTER M. Volz
WITNESS L. Firsht
DATE 12-28-15

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

January 26, 2015

Mr. Wayne Chiu, PE
Water Resource Control Engineer
California Regional Water Quality Control Board
San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108

Subject: Summary of Valencia Construction Site (937C369143) Notice of Violation

Dear Wayne,

As you are aware, Regional Water Quality Control Board (Regional Board) was notified on December 2, 2014 of a Notice of Violation/Stop Work Notice issued by the city to San Altos LLC (Valencia) for failure to comply with the city's minimum Best Management Practices (BMPs). Furthermore, the Regional Board was also notified that this site was also permitted under its own State of California General Construction Permit with a WDID 937C369143.

The city welcomed the opportunity to work with the Regional Board with the same goal of bringing the Valencia site into compliance with stormwater BMPs requirements. This correspondence is intended to provide the Regional Board with a summary of actions the city has taken since the issuance of the NOV/Stop Work Notice on December 2, 2014 and the removal of the NOV/Stop Work Notice on January 22, 2015.

The table below provides a summary of actions and events:

Date	Description
12/2/14	City Issues NOV/Stop Work Notice to San Altos LLC
12/8/14	City Hires DMAX Engineering to Conduct Inspections and Sampling
12/9/14	DMAX Conducts Inspection/Confirms BMP Deficiencies
12/11/14	DMAX Conducts Follow-Up Inspection with Rain Forecasted the Next Day
12/11/14	City Issues 1st Administrative Citation Warning
12/12/14	DMAX Conducts Sampling/Illegal Discharge Observed
12/12/14	City Issues 2nd Administrative Citation Fine $100
12/15/14	Regional Board Conducts Joint Inspection/Observes Violations
12/16/14	DMAX Conducts Inspection/BMP Deficiencies Observed

Date	Description
12/16/14	City Issues 3rd Administrative Citation $200/Letter Warning City Will Hire Erosion Control Company at Developers Cost
12/17/14	DMAX Attempts to Conduct Sampling, No Runoff Available to Collect
12/17/14	City Staff Onsite to Monitor BMP Installation
12/23/14	City Staff Onsite to Monitor BMP Installation
12/24/14	City Staff Onsite to Monitor BMP Installation
12/29/14	City Staff Onsite to Monitor BMP Installation
12/31/14	DMAX Attempts to Conduct Sampling, No Runoff Available to Collect Only Ponded/Some Sediment Discharge Observed
1/6/15	DMAX Conducts Inspection With Most Major BMP Deficiencies Addressed
1/14/15	DMAX Conducts Inspection With Minor BMP Deficiencies Outstanding
1/16/15	DMAX Prepares Memo Summarizing Inspections and Sampling, Indicates Removal of Stop Work Is Appropriate for 1/14/15 Inspection
1/19/15	DMAX Conducts Inspection With Minor BMP Deficiencies Outstanding
1/21/15	Valencia Requests Stop Work Be Removed
1/22/15	Valencia Provides Response Addressing Inspection Deficiencies from 1/19/15
1/22/15	City Removes Stop Work Notice

In addition, supporting documentation has been provided for the Regional Board review and use. The following documents are provided on a DVD:

- Copy of Transmittal Letter
- Copy of this Letter
- Copies of Inpections/Pictures/Enforcement Actions/Administrative Citations issued by the City
- Memorandums, Inspection forms, Sampling Results, Pictures from City's Stormwater Consultant
- Copies of San Altos LLC Daily Reports and Related Forms/Letters

Once again the City of Lemon Grove appreciates the opportunity to work with the Regional Board to bring the Valencia site into compliance. Should you have any questions regarding the information and documentation provided please do not hesitate to contact me directly at (619) 825-3825.

Sincerely,

Leon P. Firsht
City Engineer

Attachments: DVD

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/15/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW (8)	
CLEANING AKINS	(1)
COVERING RILLS - MISC	
TVD CONSTRUCTION CREW (3)	
COVERING STOCKPILES - TANGELOS	(2)
PROJECT SITE TOUR WITH CITY AND CRWCB	
QSP - ACTION MEETING	
SCHEDULE PACIFIC HYDROSEED FOR 12/16	
SCHEDULE - 1, 500 SANDBAGS / 500 SANDBAGS DELIVERED	(3)
SCHEDULE AND DELIVERED - 24 FIBRE ROLLS	(3)
SCHEDULE AND DELIVERED - 10 ROLLS SILT FENCE	(3)
PURSUE POWER WASH & VACUMN - AKINS	
RESCHEDULE PACIFIC HYDROSEED - DUE TO RAIN 12/18 PER QSP	
NOTIFY AND FOLLOW UP EQUIPMENT DRAIN PANS	(4)
ORDER ROCK - CONSTRUCTION TRAILER LOT	(5)
REMOVE DRAIN IN STREET BERM - TANGELOS	(6)

ONGOING ACTION SUMMARY

IDENTIFY AND SCHEDULE POWER WASH & VACUMN - AKINS
CONTINUE REPAIR OR COVER RILLS
ADDRESS RUN ON WATER - AKINS & 69TH St. (7)
CONTINUE - REPAIR/ EXPAND SILT FENCES
CONTINUE - REPAIR / EXPAND SANDBAGGING
CONTINUE - REPAIR / EXPAND CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE - REMOVE SEDIMENT BMPS
REPAIR - DAMAGED / INCORRECT FIBRE ROLLS

COMPLETED ACTION SUMMARY

INSTALL EQUIPMENT DRAIN PROTECTION	(4)
REMOVE DRAIN IN STREET BERM - TANGELOS	(5)
COVERING STOCKPILES - TANGELOS	(2)

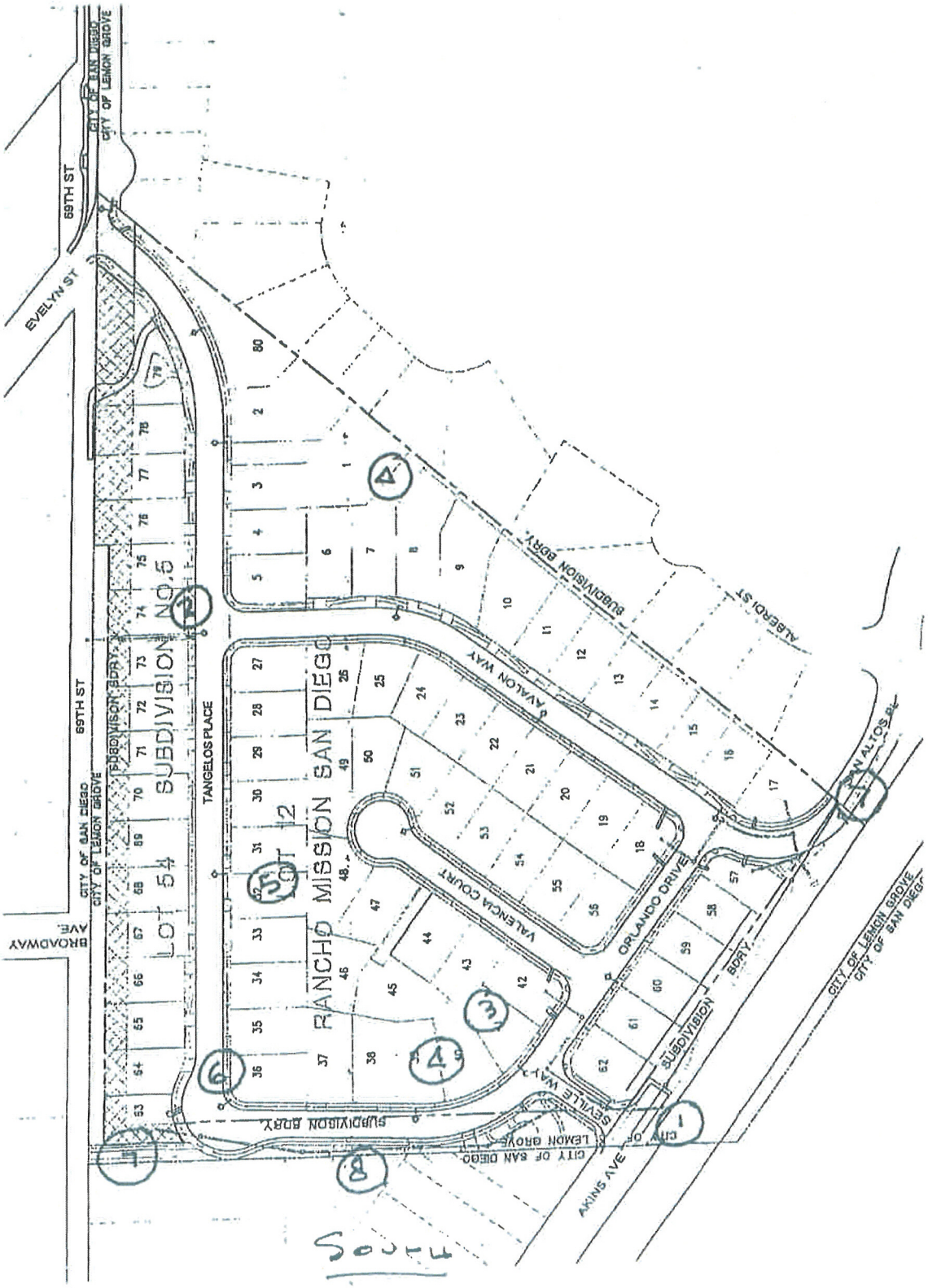
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

MAINTENANCE - NEIGHBOR DRIVEWAY / ACCESS	(8)

12/15


EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
BROADWAY AVE.
TANGELOS PLACE
SUBDIVISION BDRY.
LOT 54 SUBDIVISION NO.5
LOT 12 RANCHO MISSION SAN DIEGO
AVALON WAY
ALBERDI ST
VALENCIA COURT
ORLANDO DRIVE
SAN ALTOS PL
SEVILLE WAY
LEMON GROVE
AKINS AVE
SOUTH

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/16/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (5) - CALWEST	
NORTHEAST PERIMETER - INSTALL ADDITIONAL SANDBAGS	(1)
NORTHEAST PERIMETER - INSTALL ADDITIONAL SILT FENCE	(1)
SAN ALTOS ENTRANCE - MAINTANCE SANDBAGS (RUN ON WATER)	(1)
SOUTHEAST PERIMETER - REPAIRED / ADDED SILT FENCE	(2)
69TH St. ENTRANCE - REINSTALLED SILT FENCE (RUN ON WATER)	(3)
WEST SLOPE - INSTALLED FIBRE ROLLS OF LOT SLOPES	(4)
MACHINE OPERATOR - INSTALLED BERMS & CHEVRONS -AVALON	(5)
MACHINE OPERATOR - MOVED SANDAGS TO DESIGNATED LOCATIONS	
MACHINE OPERATOR - INSTALLED BERMS AND (1) CHEVRON ON TANGELOS	(6)
CONSTRUCTION CREW / EQUIPMENT (5) - TVD	
INSTALLED FIBRE ROLLS - VALENCIA CT. & AVALON	(7)
INSTALLED SANDBAGS AT 69TH St. ENTRANCE (RUN ON WATER)	(3)
REPAIR MISC RILLS FOR HYDROSEED	
COVERING ADDITIONAL STOCKPILES	

CONFIRM POWER WASH & VACUMN AKINS - 12/17 (PACIFIC SWEEPING)

ONGOING ACTION SUMMARY

CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
CONTINUE - REPAIR / EXPAND SANDBAGGING
CONTINUE - REPAIR / EXPAND CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE - REMOVE SEDIMENT BMPS
CONTINUE REPAIR / INCORRECT FIBRE ROLLS

COMPLETED ACTION SUMMARY

SAN ALTOS ENTRANCE - MAINTANCE SANDBAGS (RUN ON WATER)	(1)
69TH St. ENTRANCE - REINSTALLED SILT FENCE (RUN ON WATER)	(3)
NORTHEAST PERIMETER - INSTALL ADDITIONAL SANDBAGS	(1)
NORTHEAST PERIMETER - INSTALL ADDITIONAL SILT FENCE	(1)

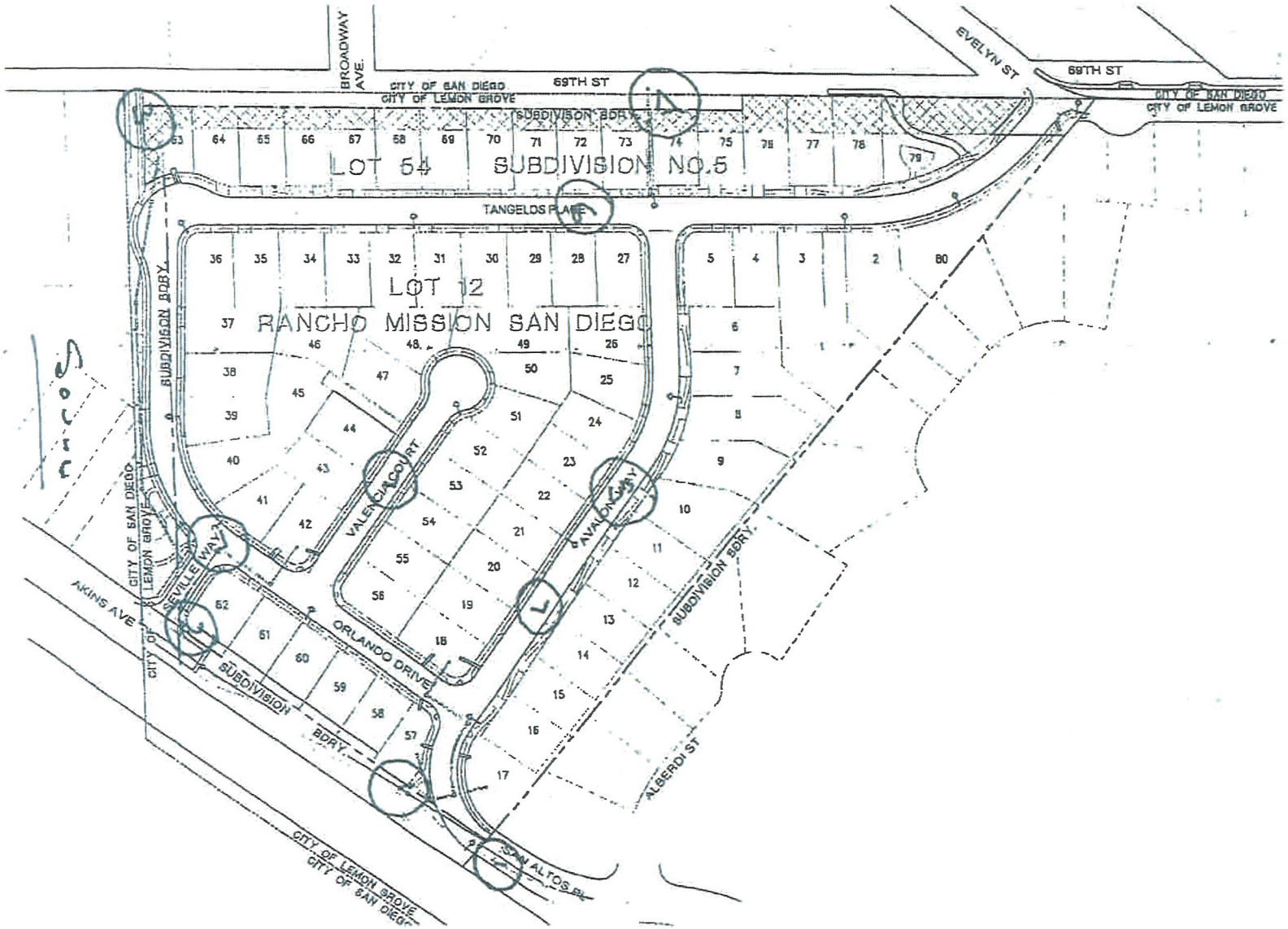
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

MAINTENANCE - NEIGHBOR DRIVEWAY / ACCESS	(8)

CONFIRM WORK SATURDAY W/ CITY - YES
INQUIRE WORK SUNDAY W/ CITY


BROADWAY AVE.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION BDRY
LOT 54 SUBDIVISION NO.5
TANGELOS PLACE
LOT 12
RANCHO MISSION SAN DIEGO
SUBDIVISION BDRY
VALENCIA COURT
AVALON WAY
SEVILLE WAY
ORLANDO DRIVE
SUBDIVISION BDRY
ALBERDI ST
SUBDIVISION BDRY
AKINS AVE
CITY OF LEMON GROVE
CITY OF SAN DIEGO
SAN ALTOS PL
CITY OF LEMON GROVE
CITY OF SAN DIEGO

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/17/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (4) - CALWEST	
MISC - REAPIR / ADDITIONAL INSTALL SILT FENCE	(1)
CALWEST PREPARING ADDITIONAL 1,500 SANDBAGS FOR DELIVERY	
COVER RILLS	
CONSTRUCTION CREW / EQUIPMENT (4) - TVD	
WEST SLOPE - REPAIRING & ADDING STRAW WADDLE	(2)
SOUTHEAST PERIMETER - ADDED GAVEL BAGS	(3)
MAINTENANCE / ADDED ROCK - WIGGIN DRIVEWAY	(4)
AKINS ENTRANCE - ADDED 1" ROCK FOR STABLIZATION	(3)
REPAIRING MISC RILLS	
INSTALL MISC SILT FENCE	
POWER WASH & VACUMN - AKINS (PACIFIC SWEEPING)	(5)

ONGOING ACTION SUMMARY

CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
CONTINUE - REPAIR / EXPAND SANDBAGGING
CONTINUE - REPAIR / EXPAND CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE - REMOVE SEDIMENT BMPS
CONTINUE REPAIR / INCORRECT FIBRE ROLLS

COMPLETED ACTION SUMMARY

POWER WASH & VACUMN - AKINS (PACIFIC SWEEPING)	(5)

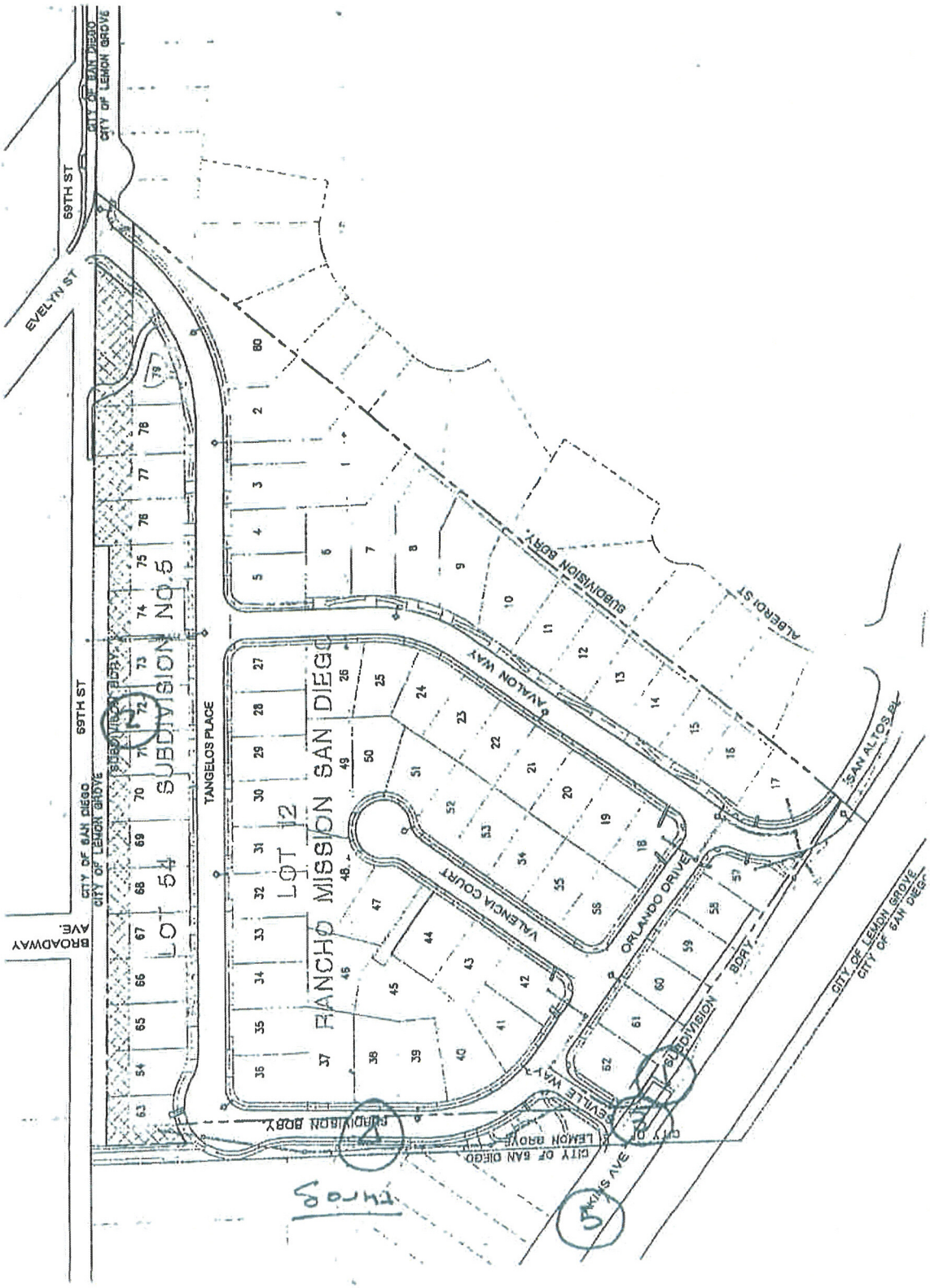
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

MAINTENANCE - NEIGHBOR DRIVEWAY / ACCESS	(4)
CONFIRM WORK SATURDAY W/ CITY - YES	
INQUIRE WORK SUNDAY W/ CITY	

12/17 –


EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
BROADWAY AVE.
TANGELOS PLACE
LOT 54 SUBDIVISION NO.5
LOT 12 RANCHO MISSION SAN DIEGO
AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
SEVILLE WAY
ALBERO ST
SAN ALTOS PL
SUBDIVISION BDRY.
CITY OF LEMON GROVE
CITY OF SAN DIEGO

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/18/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES - ONGOING
SECURITY - ONGOING
BROADWAY - WIGGIN ACCESS WORK (NEW) (1)
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (7) - CALWEST	
BACKHOE OPERATOR (1)	
DELIVERED 1,00 SANBAGS / 2, 000 MORE ORDERED	
DELIVERED 24 STRAW WADDLE	
DELIVERED 20 MORE SILT FENCE	
REPAIR WEST SLOPE WITH VISQUEEN AND SANDBAGS	(2)
MOVE BMP'S FOR BLADE WORK FRIDAY	(3)
INSTALL SANDBAGS ON AKIN ENTRANCE	(4)
REPLACE AKINS INLET SANDBAGS	(5)
CONSTRUCTION CREW / EQUIPMENT (4) - TVD	
INSTALL SILT FENCE - LOTS 43, 45 & 46	(6)
REPAIR CHECK DAMS AT WALL No. 6	(7)
COVER TWO ADDITONAL STOCKPILES AND FIBRE ROLL	
INSTALL ADDITIONAL ROCK ON BROADWAY	(1)
CLEARED TANGELOS FOR HYDROSEED EQUIPMENT - 12/19	(3)
PLACED SANDBAGS	

ONGOING ACTION SUMMARY

INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY (8)
CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
CONTINUE - REMOVE SEDIMENT BMPS

COMPLETED ACTION SUMMARY

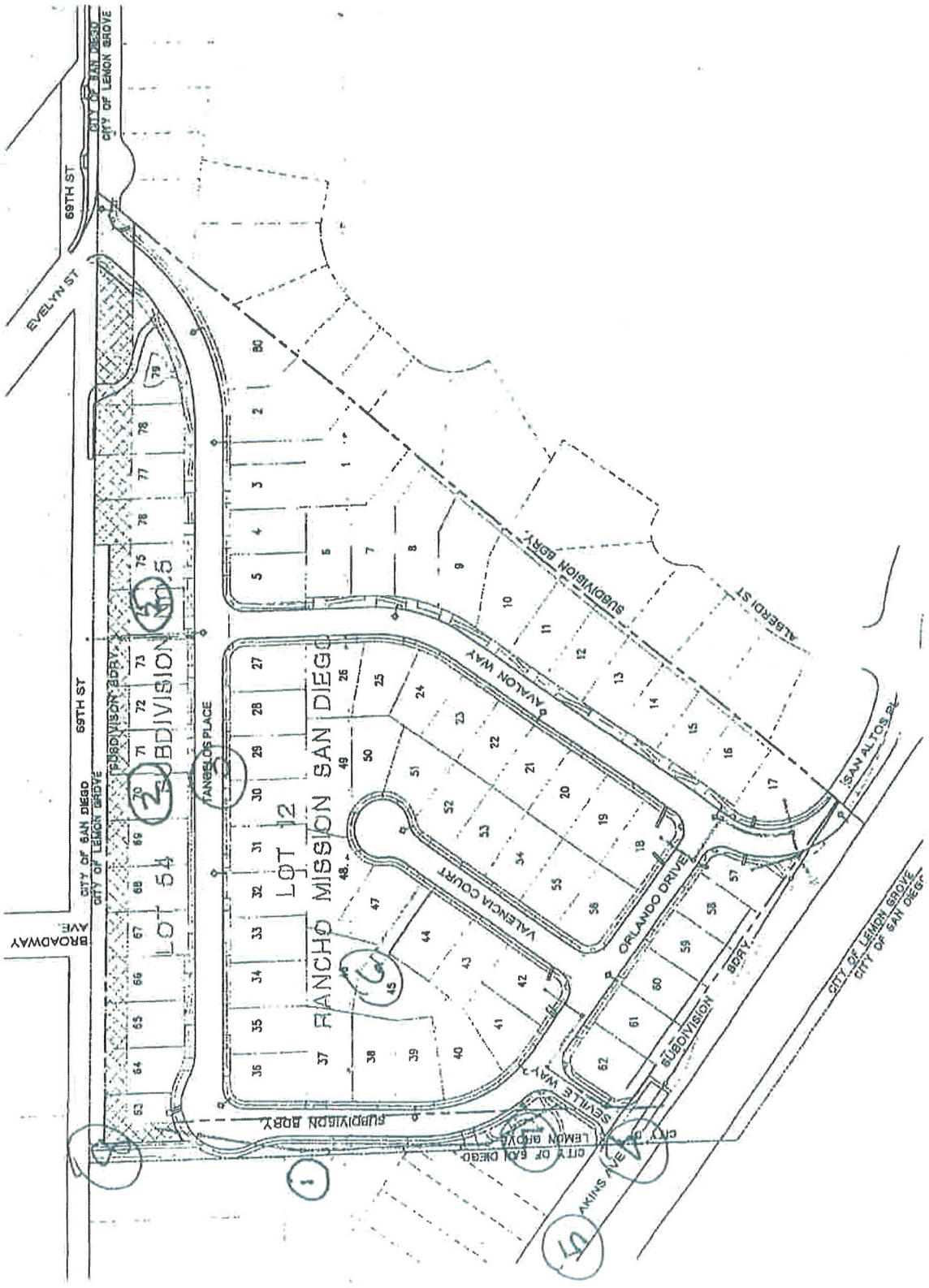
BROADWAY - WIGGIN ACCESS WORK (NEW) (1)
REPAIR WEST SLOPE WITH VISQUEEN AND SANDBAGS (2)
REPAIR CHECK DAMS AT WALL No. 6 (7)
COVER TWO ADDITONAL STOCKPILES AND FIBRE ROLL
INSTALL ADDITIONAL ROCK ON BROADWAY (1)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

12/18 —


EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION BDRY.
LOT 54
LOT 12
RANCHO MISSION SAN DIEGO
AVALON WAY
ALBERDI ST
SAN ALTOS DR
ORLANDO DRIVE
VALENCIA COURT
SEVILLE WAY
TANGELO PLACE
BROADWAY AVE
AKINS AVE
LEMON GROVE
CITY OF SAN DIEGO

VALENCIA
BMP SCHEDULE
12/19/2014

DATE	ITEM	NOTES
12/15	MEETING CITY / CRWQCB	10:00 - 11:30 AM
	BMP WORK	SEE DAILY REPORT
12/16	BMP WORK	SEE DAILY REPORT
12/17	BMP WORK	SEE DAILY REPORT
12/18	BMP WORK	SEE DAILY REPORT
12/19	BMP WORK	SEE DAILY REPORT
12/20	BMP WORK	SATURDAY - SCHEDULED
12/21	BMP WORK	SUNDAY - SCHEDULED
12/22	BMP WORK	TARGET - CITY WALK ADDITIONAL HYDROSEED EROSION CONTROL
12/23	BMP WORK	EROSION CONTROL LOT DETAIL
12/24	BMP WORK	EROSION CONTROL LOT DETAIL

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/19/2014

CONSTRUCTION ACTIVITY	AREA
NONE - CITY STOP NOTICE	
MANAGEMENT - ONSITE (2)	
BMP ACTIVITIES - ONGOING	
SECURITY - ONGOING	
BROADWAY - WIGGIN ACCESS WORK	(1)
BROADWAY ESCORT - ONGOING	

DAILY ACTION SUMMARY

CONSTRUCTION CREW / EQUIPMENT (5) - CALWEST	
BACKHOE OPERATOR (1)	
REPAIRED / ADDED STRAW WADDLE - MISC	(3)
REPAIRED / ADDED SILT FENCE - MISC	(4)
ORDERED ADDDITIONAL SILT FENCE	
ORDERED ADDITIONAL STRAW WADDLE	
ORDERED ADDDITIONAL VISQUEEN	
CONSTRUCTION CREW / EQUIPMENT (7) - TVD	
BACKHOE OPERATOR (1)	
REPAIRED / ADDED STRAW WADDLE - MISC	(3)
REPAIRED / ADDED SILT FENCE - MISC	(4)
HYDROSEED - STARTED	(2)

ONGOING ACTION SUMMARY

INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY	(5)
CONTINUE REPAIR OR COVER RILLS	
CONTINUE - REPAIR/ EXPAND SILT FENCES	
HYDROSEED - CONTINUE MONDAY	

COMPLETED ACTION SUMMARY

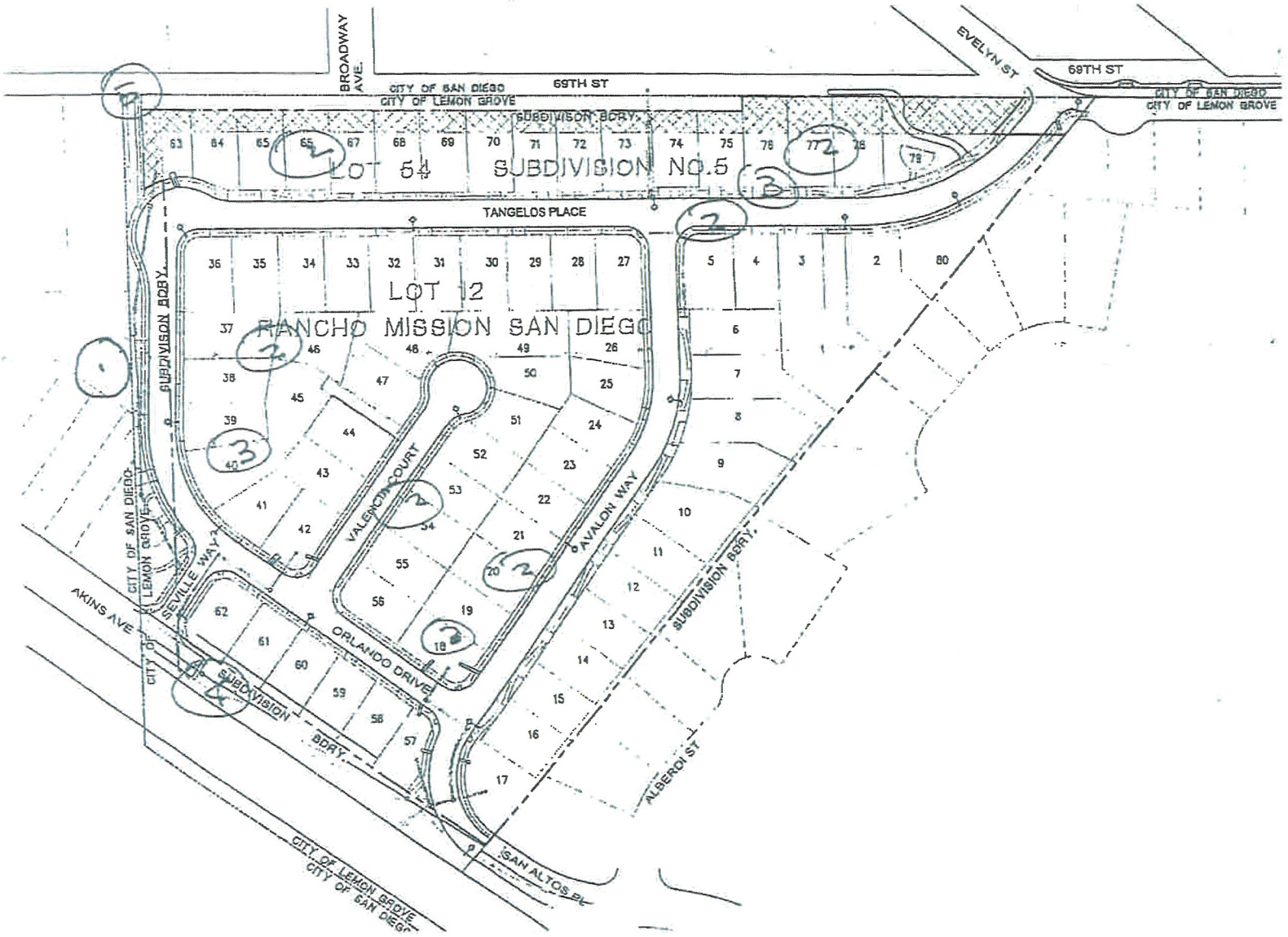
HYDROSEED - MANY AREAS	(2)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

WORKING - SATURDAY / SUNDAY


BROADWAY AVE.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
SUBDIVISION BDRY.
EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
LOT 54 SUBDIVISION NO.5
TANGELOS PLACE
LOT 12
RANCHO MISSION SAN DIEGO
SUBDIVISION BDRY.
CITY OF SAN DIEGO
LEMON GROVE
SEVILLE WAY
VALENCIA COURT
AVALON WAY
SUBDIVISION BDRY.
AKINS AVE
CITY OF
ORLANDO DRIVE
SUBDIVISION
BDRY.
ALBERDI ST
SAN ALTOS PL
CITY OF LEMON GROVE
CITY OF SAN DIEGO

12/14

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/20/2014

CONSTRUCTION ACTIVITY	AREA
NONE - CITY STOP NOTICE	
MANAGEMENT - ONSITE (1)	
BMP ACTIVITIES - ONGOING	
SECURITY - ONGOING	
BROADWAY ESCORT - ONGOING	

DAILY ACTION SUMMARY

CONSTRUCTION CREW / EQUIPMENT (2) - CALWEST	
BLADE OPERATOR (1)	
CONTINUE IMPROVE EROSION CONTROL - STREETS	(1)
CONSTRUCTION CREW / EQUIPMENT (9) - TVD	
BACKHOE OPERATOR (1)	
LOADER OPERATOR (1)	
REPAIRED RILLS - MISC	
REPAIRED / ADDED SANDBAGS - MISC	
REPAIRED SILT FENCE - MISC	

ONGOING ACTION SUMMARY

ORDERED ADDDITIONAL SILT FENCE - CW	
ORDERED ADDITIONAL STRAW WADDLE - CW	
ORDERED ADDDITIONAL VISQUEEN - CW	
INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY	(2)
CONTINUE REPAIR OR COVER RILLS	
CONTINUE - REPAIR/ EXPAND SILT FENCES	
HYDROSEED - CONTINUE MONDAY	

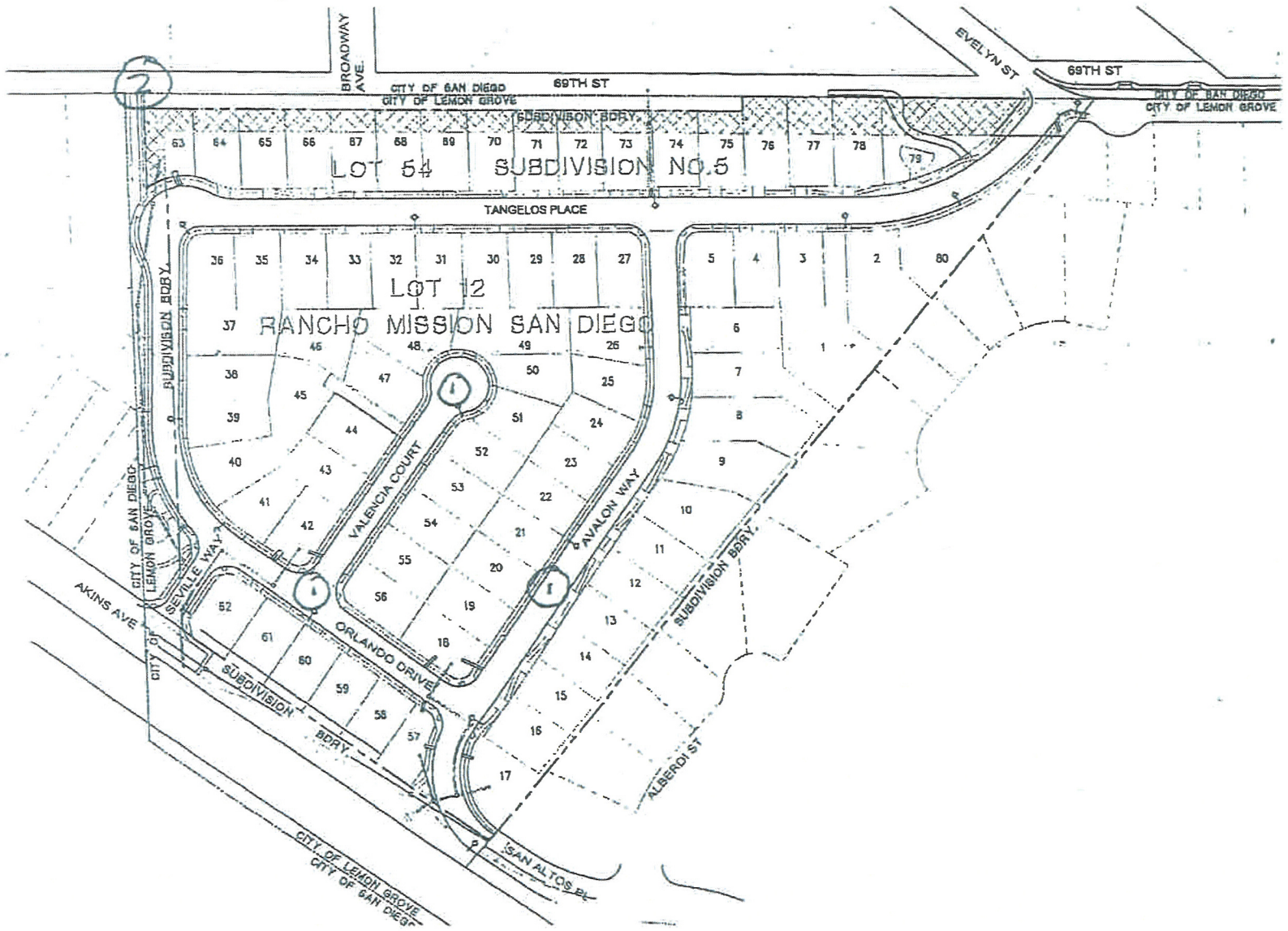
COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

WORKING - SATURDAY / SUNDAY


BROADWAY AVE.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION BDRY.
LOT 54 SUBDIVISION NO.5
TANGELOS PLACE
LOT 12
RANCHO MISSION SAN DIEGO
SUBDIVISION BDRY.
VALENCIA COURT
AVALON WAY
SUBDIVISION BDRY.
CITY OF SAN DIEGO
LEMON GROVE
SEVILLE WAY
AKINS AVE
CITY OF
ORLANDO DRIVE
SUBDIVISION
BDRY.
ALBERDI ST
SAN ALTOS PL
CITY OF LEMON GROVE
CITY OF SAN DIEGO

12/20 1

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/21/2014

CONSTRUCTION ACTIVITY	AREA
NONE - CITY STOP NOTICE	
MANAGEMENT - ONSITE (1)	
BMP ACTIVITIES - ONGOING	
SECURITY - ONGOING	
BROADWAY ESCORT - ONGOING	

DAILY ACTION SUMMARY

CONSTRUCTION CREW / EQUIPMENT (9) - TVD	
BACKHOE OPERATOR (1)	
LOADER OPERATOR (1)	
CLEANED CONSTRUCTIN ENTRANCE - AKINS	(1)
REPAIRED / INSTALLED STRAW WADDLE LOT 18	(2)
REPAIRED RILLS - MISC	(3)
REPAIRED / ADDED GRAVELBAGS - 1,200	(4)
REPAIRED SILT FENCE - LOTS 58-62, 56	(3)
CLEANED BROW DITCH	
MISC TRASH - BMP'S	

DELIVERY 1,500LF SILT FENCE
DELIVERY 1,200 GRAVELBAGS - CW

ONGOING ACTION SUMMARY

ORDERED ADDITIONAL SILT FENCE - CW
ORDERED ADDITIONAL STRAW WADDLE - CW
ORDERED ADDITIONAL VISQUEEN - CW
INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY
CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
HYDROSEED - CONTINUE MONDAY

COMPLETED ACTION SUMMARY

LOTS 58-62	
CLEANED CONSTRUCTION ENTRANCE - AKINS	(1)
REPAIRED RILLS	
INSTALLED 500LF SILT FENCE	(3)
INTALLED GRAVEL BAGS	(3)
CLEAN BROW DITCH	(3)
STAGE GRAVEL BAGS - ORLANDO / AVALON	(4)
REPAIRED / INSTALLED STRAW WADDLE LOT 18	(2)
INSTALLED GRAVEL BAGS LOTS 56-49	(5)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/22/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2) BEN / KIRK
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (3) - CALWEST	
ADDITIONAL INSTALL SILT FENCE	(1)
CALWEST DELIVERY ADDITIONAL 200LF STRAW WADDLE	(2)
CONSTRUCTION CREW / EQUIPMENT (18) - TVD	
INSTALL SILT FENCE LOTS 7-16 & 27	(1)
REPAIR RILLS LOTS 7-16 & 27	(4)
INSTALL 100 LF STRAW WADDLE LOT 17	(5)
INSTALL GRAVEL BAGS LOTS 12-16, 19-22, 43.44 & 47.	(3)
HYDROSEED MISC SITE - RILLS & SLOPES	(6)

ONGOING ACTION SUMMARY

CONTINUE REPAIR RILLS
CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE EXPAND STRAW WADDLE

COMPLETED ACTION SUMMARY

INSTALL SILT FENCE LOTS 7-16 & 27	(1)
REPAIR RILLS LOTS 7-16 & 27	(4)
INSTALL 100 LF STRAW WADDLE LOT 17	(5)
INSTALL GRAVELBAGS LOTS 12-16, 19-22, 43.44 & 47.	(3)
HYDROSEED MISC SITE - RILLS & SLOPES	(6)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/23/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (3) - CALWEST	
PREPARATION ADDITIONAL 2,000 GRAVEL BAGS	OFFSITE
DELIVERY 1,000 LF SILT FENCE	
DELIVERY 20 TONS 3/4" GRAVEL	
CONSTRUCTION CREW / EQUIPMENT (15) - TVD	
CLEAN/ MAINTENANCE AKINS ENTRANCE	(1)
CLEAN / MAINTENANCE AKINS INLETS / BMP'S	(2)
INSTALLATION SILT FENCE / GRAVEL BAGS	(3)
INSTALLATION SILT FENCE / GRAVEL BAGS	(4)
INSTALLATION ROCK NEIGHBORHOOD ACCESS ENTRY	(5)
MOVE BMP'S - SAN ALTOS ENTRY FOR STREET CONST.	(6)

ONGOING ACTION SUMMARY

CONTINUE - REPAIR OF RILLS
CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS
CONTINUE - STAGE CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS

COMPLETED ACTION SUMMARY

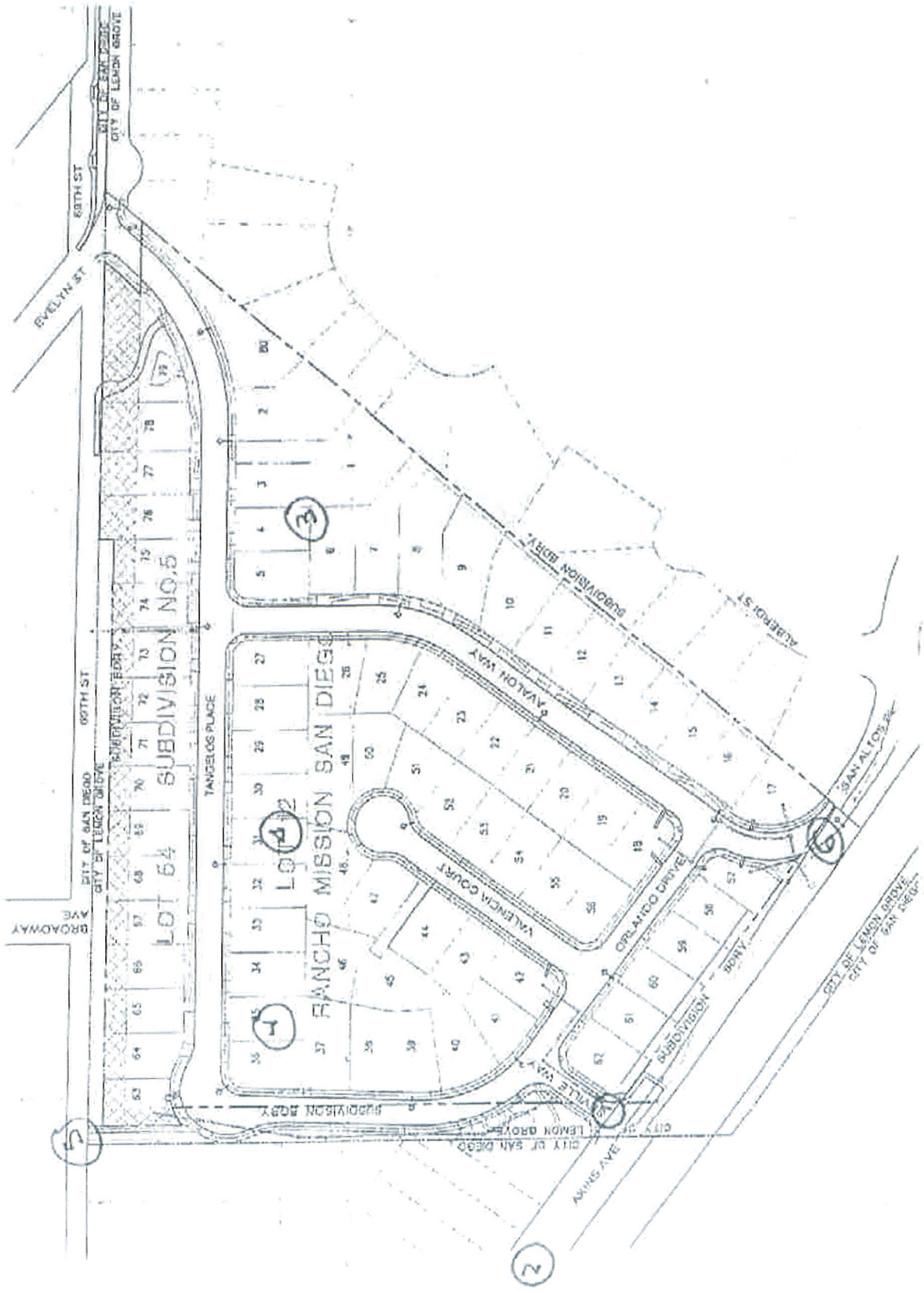
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

WORKING HALF DAY 12/24.
CLOSED 12/25.
CLOSED 12/26.
WORKING SATURDAY 12/27.

12/23 —


EVELYN ST
65TH ST
CITY OF LEMON GROVE
CITY OF SAN DIEGO
CITY OF LEMON GROVE
65TH ST
BROADWAY AVE
LOT 64 SUBDIVISION NO.5
TANGELOS PLACE
LOT 2 RANCHO MISSION SAN DIEGO
SUBDIVISION BDRY
AVALON WAY
ALBERNDI ST
VALENCIA COURT
ORLANDO DRIVE
SAN ALTOS
AKINS AVE
CITY OF LEMON GROVE
CITY OF SAN DIEGO
1
2
3
4
5
6

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/24/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2)
NONE - CITY STOP NOTICE
DRY UTILITIES - PHASE 2
STREET IMPROVEMENTS - PHASE 1
HELIX WATER DISTRICT - POT HOLE INSPECTION
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (1) - CALWEST	
PREPARATION ADDITIONAL 2,000 GRAVEL BAGS	OFFSITE
CONSTRUCTION CREW / EQUIPMENT (19) - TVD	
INSTALLATION SILT FENCE / GRAVEL BAGS	(1)
PUMP BASIN FOR DRYING	(2)
MOVE STORM PIPE FOR BASIN PUMPING	(3)
GRADING FOR BASIN PUMPING	(4)

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS

COMPLETED ACTION SUMMARY

PUMP BASIN FOR DRYING	(2)
MOVE STORM PIPE FOR BASIN PUMPING	(3)
GRADING FOR BASIN PUMPING	(4)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/27/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) BEN ANDERSON - DUANE BETTY
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (17) - TVD	
INSTALLATION SILT FENCE / GRAVEL BAGS	(1)
PUMP BASIN FOR DRYING	(2)
MISC QSP ITEMS - ADDRESS	
CONTRUCTION TRAILER - ADD ROCK	(3)
MOVE ROCK - 69th St. ENTRANCE	(4)
ADDED 2,100 GRAVEL BAGS	

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES	(5)
CONTINUE - EXPAND GRAVEL BAGS	

COMPLETED ACTION SUMMARY

PUMP BASIN FOR DRYING	(2)
MISC QSP ITEMS - ADDRESS	
CONTRUCTION TRAILER - ADD ROCK	(3)
MOVE ROCK - 69th St. ENTRANCE	(4)
CONTINUE - EXPAND SILT FENCES	(5)
ADDED 2,100 GRAVEL BAGS	

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/29/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - DUANE BETTY
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT (18) - TVD	
INSTALLATION SILT FENCE / GRAVEL BAGS	(1)
MISC QSP ITEMS - ADDRESS	
BASIN REPAIR	(2)
STAGE GRAVEL BAGS	(3)
STAGE STRAW WADDLE	(3)
MAKE GRAVEL BAGS	

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS

COMPLETED ACTION SUMMARY

MISC QSP ITEMS - ADDRESS	
CONTINUE - EXPAND SILT FENCES	(1)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/30/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW - TVD 4	
CONSTRUCTION CREW - CALWEST 3	
PRPEARE REAP	
INSTALL DIRT BERMS	(1)
INSTALL STRAW WADDLE	(2)
INSTALL GRAVEL BAGS	(3)

ONGOING ACTION SUMMARY

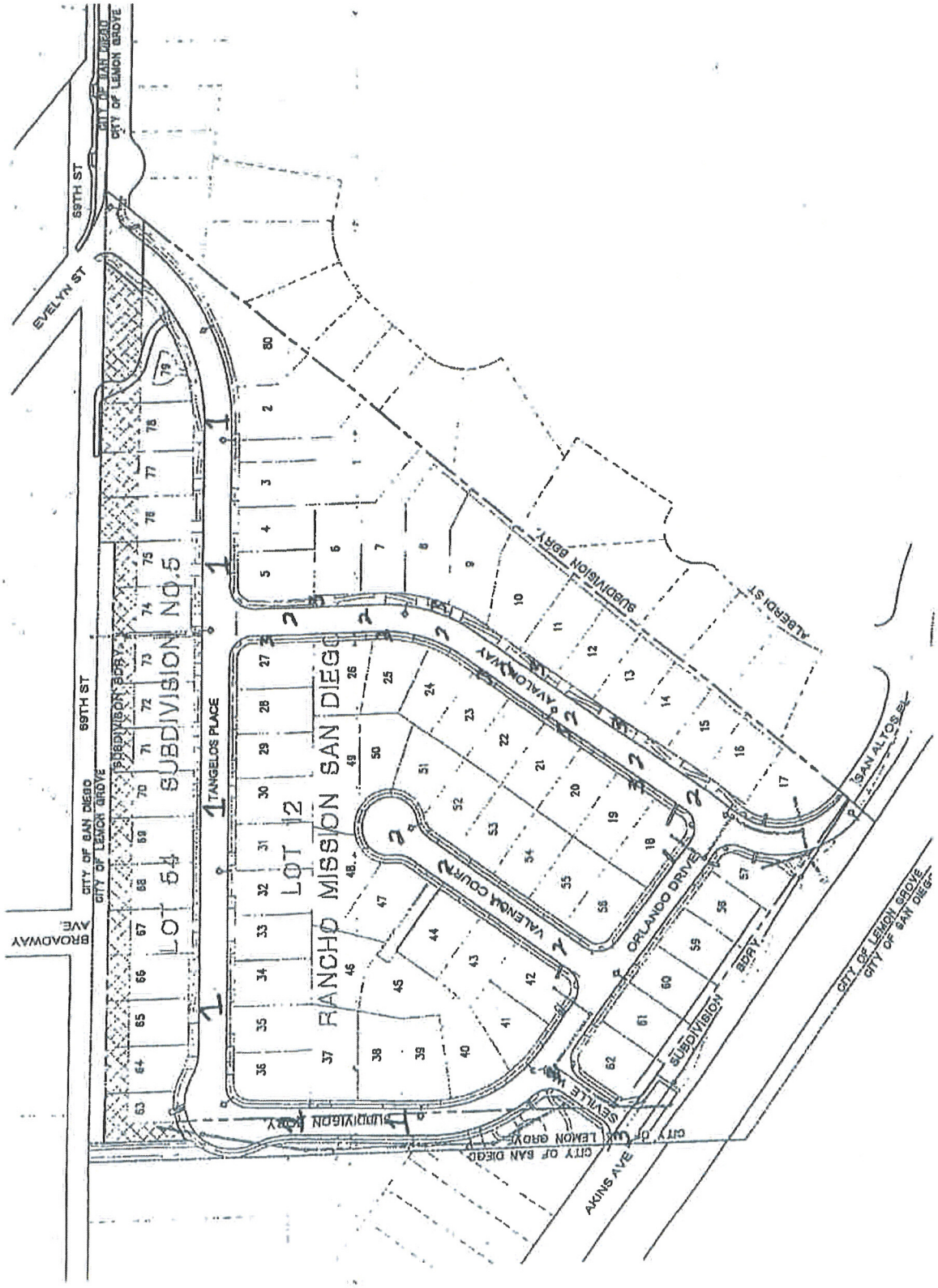
CONTINUE - EXPAND SILT FENCE

COMPLETED ACTION SUMMARY

PREPARE REAP

PROJECT RECOMMENDATION SUMMARY

OTHER


EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION NO.5
LOT 54
RANCHO MISSION SAN DIEGO
LOT 12
TANGELOS PLACE
AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
SAN ALTOS PL
ALBERDI ST
SUBDIVISION BDRY
SEVILLE WAY
BROADWAY AVE
AKINS AVE
CITY OF LEMON GROVE
CITY OF SAN DIEGO

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/31/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON & KIRK BALKE
NONE - CITY STOP NOTICE
BMP ACTIVITIES (RAINDAY)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW - NONE	
INSTALL VISQUEEN ON STOCKPILES	(1)
MISC QSP ITEMS - ADDRESS	

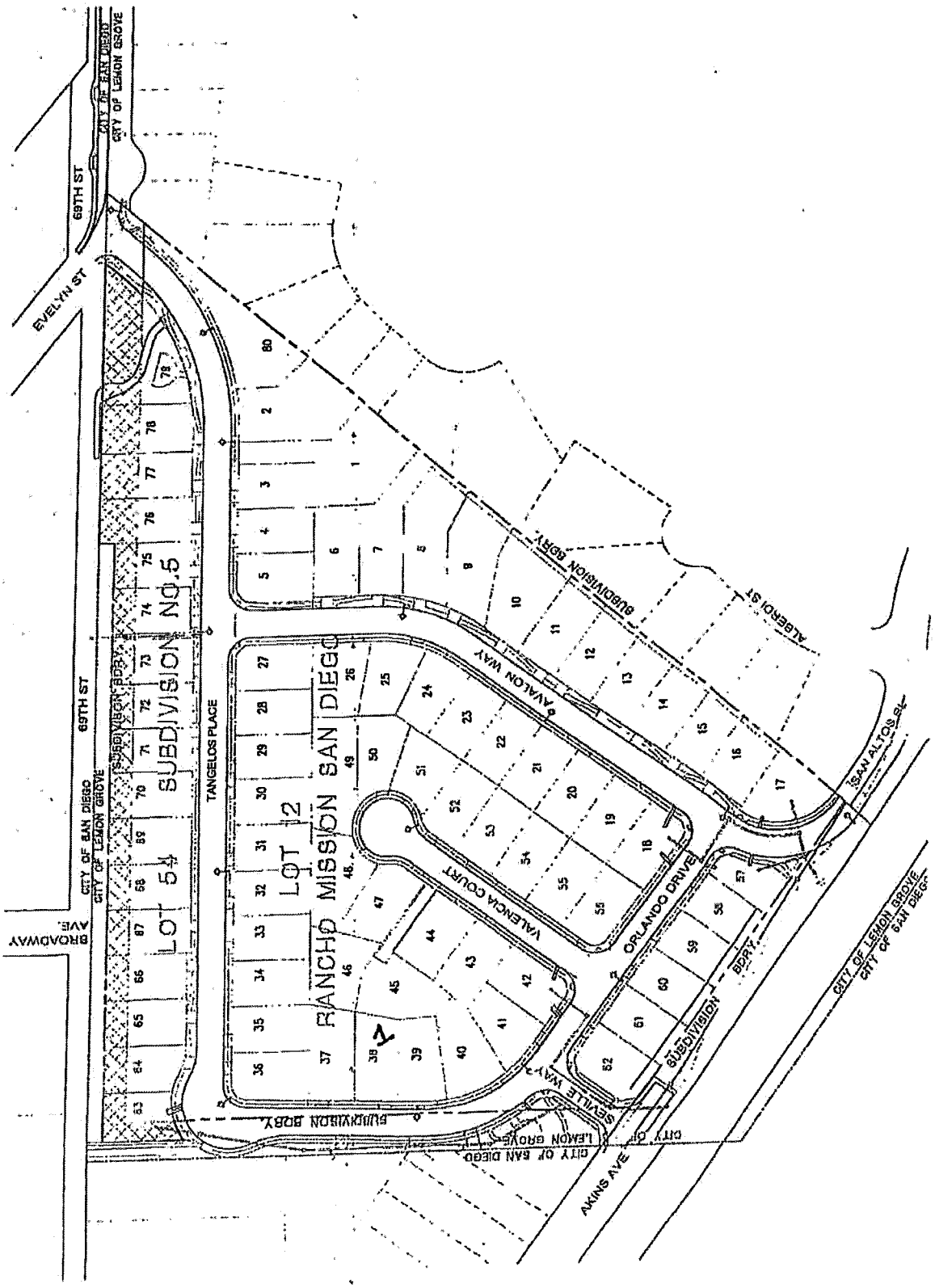
ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

INSTALL VISQUEEN ON STOCKPILES	(1)

PROJECT RECOMMENDATION SUMMARY

OTHER


EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION NO.5
LOT 54
RANCHO MISSION SAN DIEGO
LOT 12
TANGELOS PLACE
AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
SEVILLE WAY
SEVILLE ST
ALBERON ST
SAN ALTOS PL
BROADWAY AVE.
AXINS AVE
SUBDIVISION BDRY
CITY OF LEMON GROVE
CITY OF SAN DIEGO

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/1/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE - NONE
NONE - CITY STOP NOTICE
BMP ACTIVITIES - MAINTENANCE
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

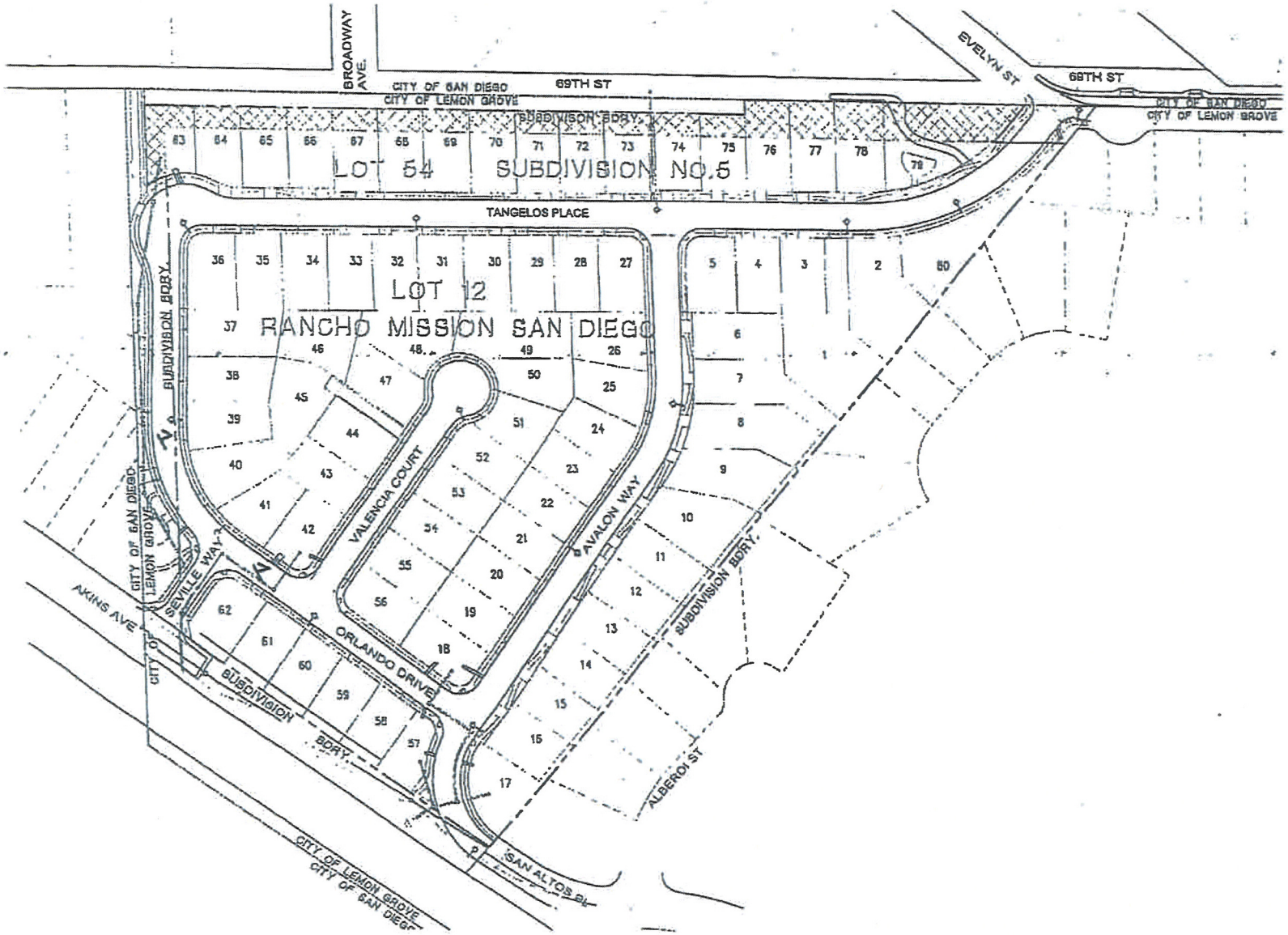
DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW - TVD 1	
BERM MAINTENANCE	(1)

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

OTHER


BROADWAY AVE.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
EVELYN ST
68TH ST
SUBDIVISION BDRY.
LOT 54 SUBDIVISION NO.5
TANGELOS PLACE
LOT 12
RANCHO MISSION SAN DIEGO
VALENCIA COURT
AVALON WAY
SEVILLE WAY
ORLANDO DRIVE
AKINS AVE
ALBERO ST
SAN ALTOS PL

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/2/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - DUANE BETTY
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT - TVD-5	
CONSTRUCTION CREW / EQUIPMENT - CALWEST-3	
SILT FENCE LOTS 50-55	(1)
MAINTENANCE BMP'S	(2)

ONGOING ACTION SUMMARY

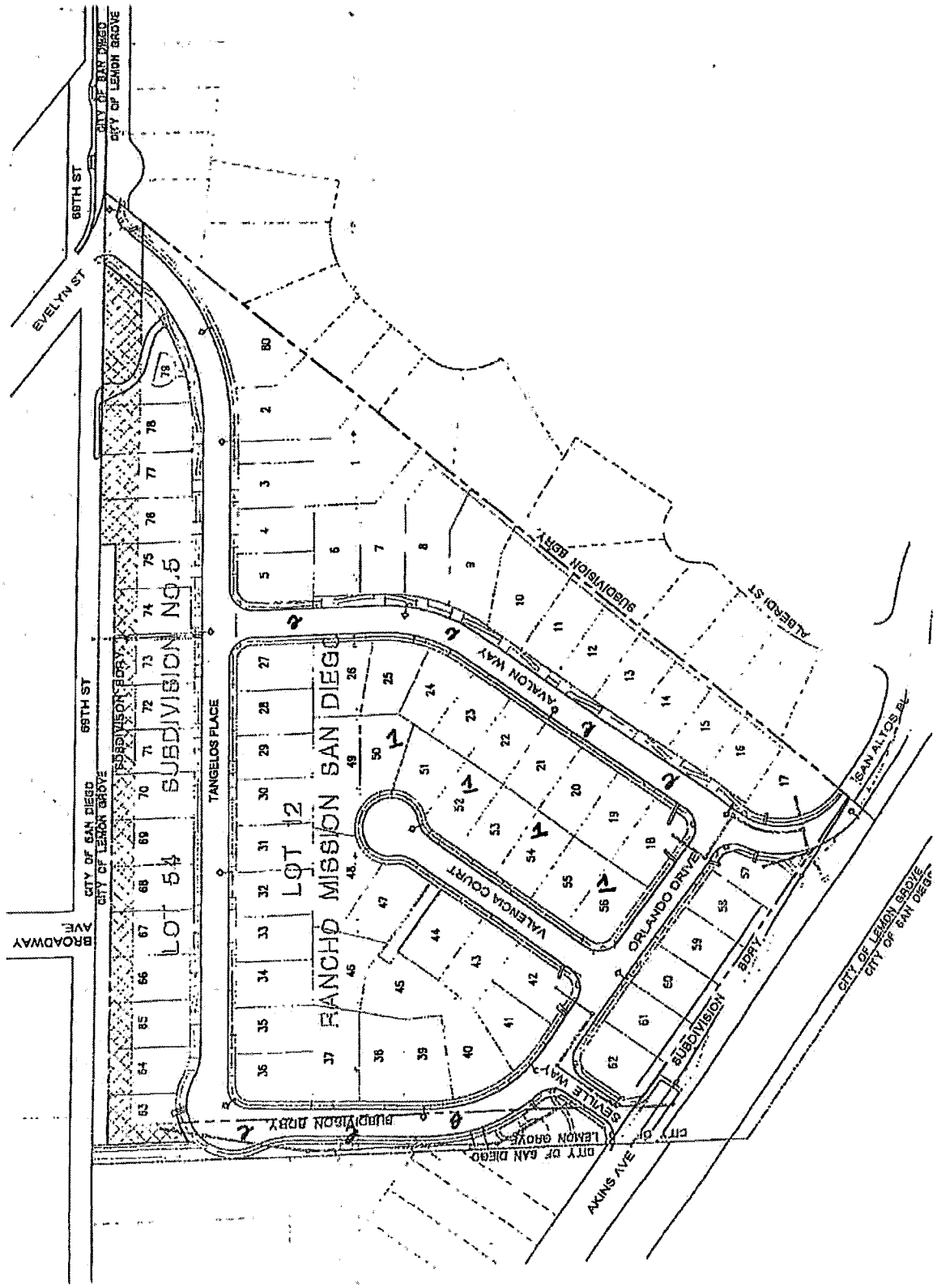
CONTINUE - EXPAND SILT FENCES

COMPLETED ACTION SUMMARY

SILT FENCE LOTS 50-55	(1)
MAINTENANCE BMP'S	(2)

PROJECT RECOMMENDATION SUMMARY

OTHER


RANCHO MISSION SAN DIEGO
LOT 12
LOT 54 SUBDIVISION No.5
SUBDIVISION No.5
SUBDIVISION
SUBDIVISION
SUBDIVISION

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/5/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - KIRK BALKE
NONE - CITY STOP NOTICE
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

AKINS - STREET SWEEP

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

AKINS - STREET SWEEP

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/6/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - BEN ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY AREA

CITY OF LEMON GROVE MEETING

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

CITY OF LEMON GROVE MEETING

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/7/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
TC1 - MAINTENANCE	(1)
AKINS - SWEEP ENTRANCE	

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

TC1 - MAINTENANCE
AKINS - SWEEP ENTRANCE

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/8/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - PREPARE CITY BMP LIST
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY **AREA**

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/9/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - PREPARE CITY BMP LIST
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT - TVD 4	
CONSTRUCTION CREW / EQUIPMENT - CALWEST 4	
STABLIZE AKINS ENTRY - VISQUEEN/SILT FENCE	(1)
REPLACE FILTER BASIN NO. 4	(2)
REPAIR GULLIES	(3)
ADDED GRAVEL BAGS - SPILLWAY	(4)
ADDED ROCK - TC1	(5)

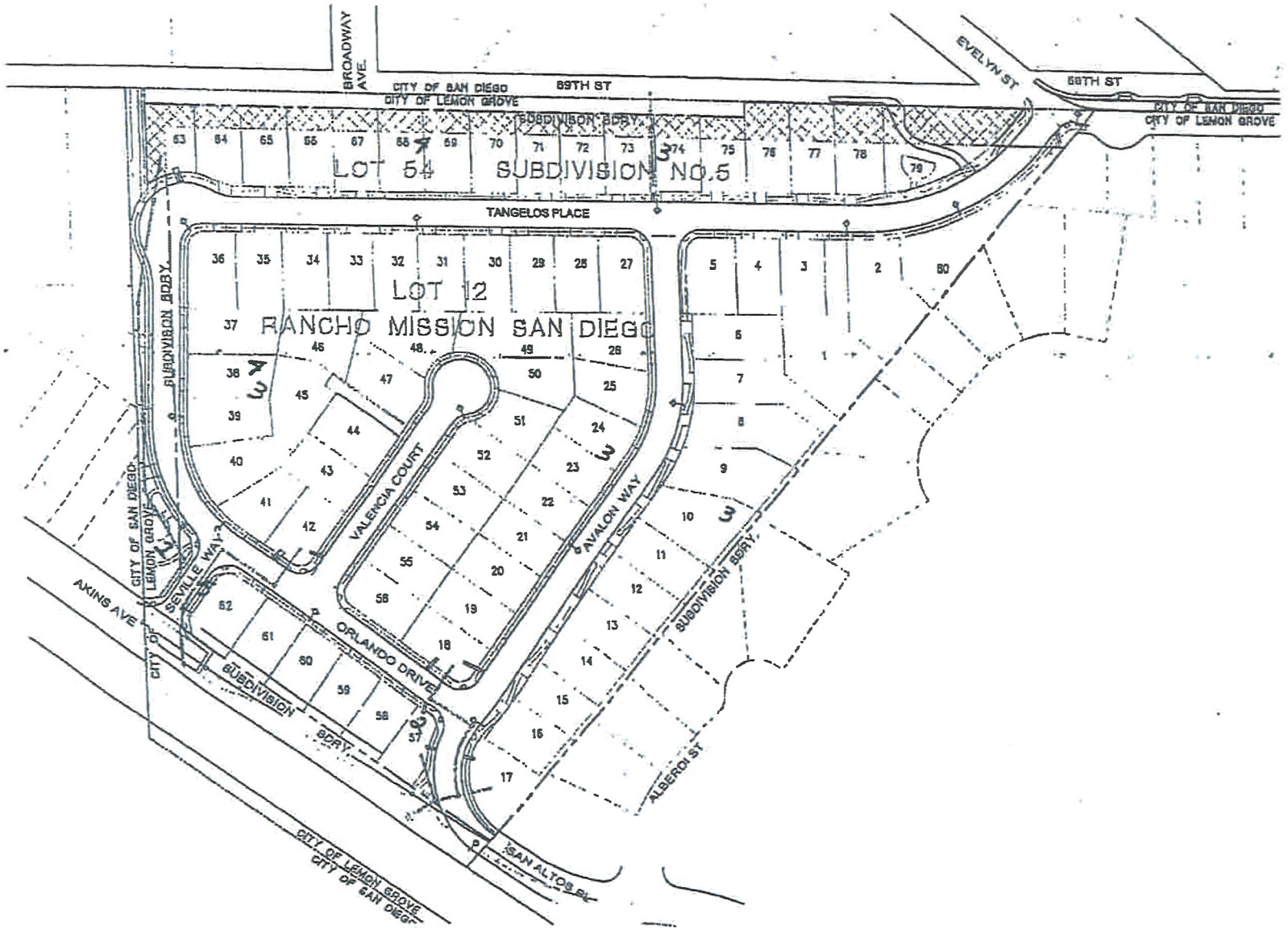
ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

STABLIZE AKINS ENTRY - VISQUEEN/SILT FENCE	(1)
REPLACE FILTER BASIN NO. 4	(2)
REPAIR GULLIES	(3)
ADDED GRAVEL BAGS - SPILLWAY	(4)
ADDED ROCK - TC1	(5)

PROJECT RECOMMENDATION SUMMARY

OTHER


BROADWAY AVE.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
EVELYN ST
68TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION BDRY.
LOT 54 SUBDIVISION NO.5
TANGELOS PLACE
LOT 12
RANCHO MISSION SAN DIEGO
SUBDIVISION BDRY.
VALENCIA COURT
AVALON WAY
SUBDIVISION BDRY.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SEVILLE WAY
AKINS AVE
CITY OF
SUBDIVISION
BDRY.
ORLANDO DRIVE
ALBERDI ST
SAN ALTOS PL
CITY OF LEMON GROVE
CITY OF SAN DIEGO

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/10/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - SATURDAY
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY	AREA
CONSTRUCTION CREW / EQUIPMENT - TVD 4	
CONSTRUCTION CREW / EQUIPMENT - CALWEST 4	
STOCKPILES BASIN NO. 5 - VISQUEEN	(1)
BACKCUTS - VISQUEEN	(2)
SILT FENCE - LOT 31 & 32	(3)
SILT FENCE - LOT 2 & 3	(4)
STOCKPILES MISC - VISQUEEN	(5)
SILT FENCE CREEK - MAINTENANCE	(6)
PREPARE REAP	

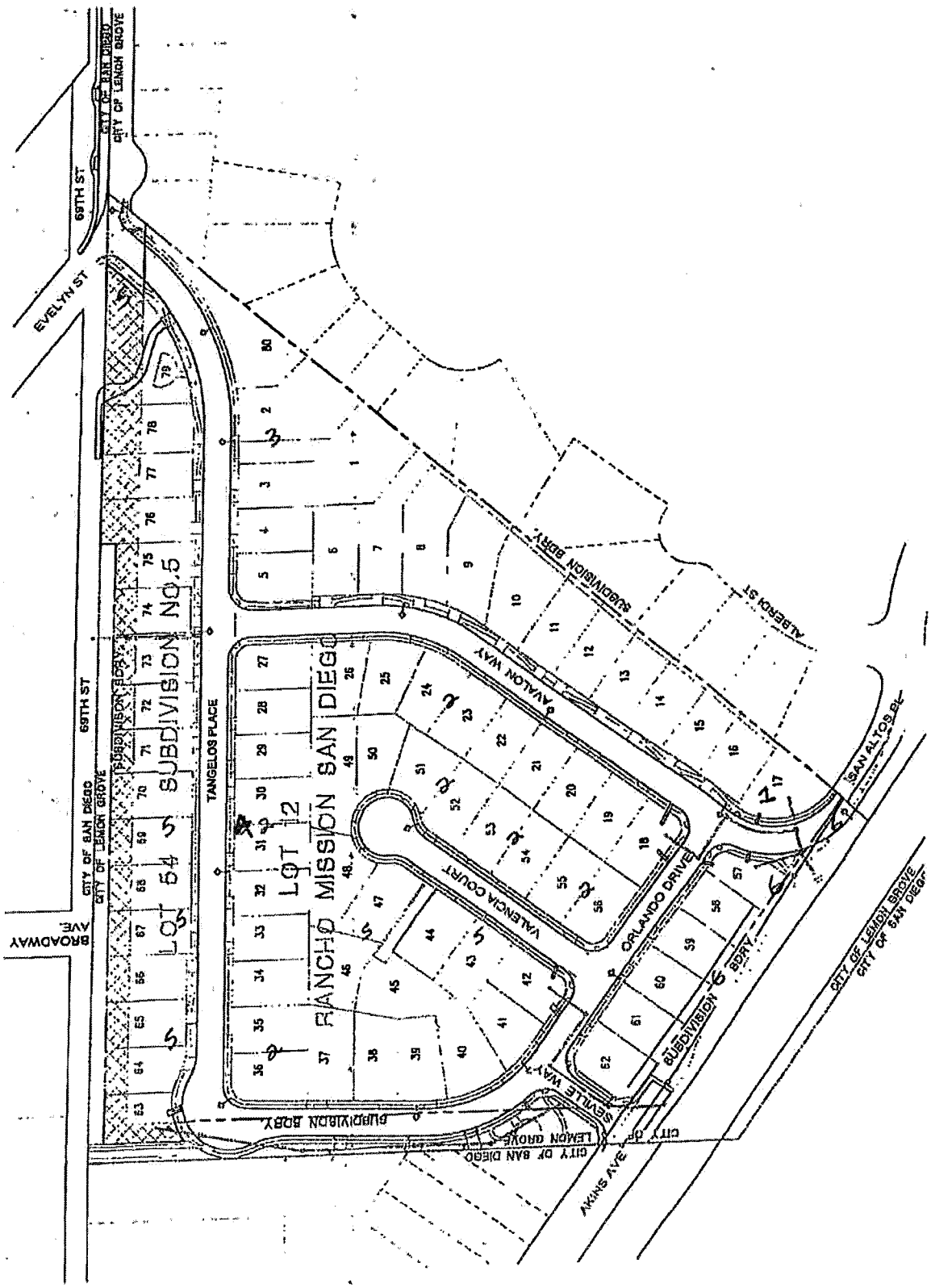
ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

STOCKPILES BASIN NO. 5 - VISQUEEN	(1)
BACKCUTS - VISQUEEN	(2)
SILT FENCE - LOT 31 & 32	(3)
SILT FENCE - LOT 2 & 3	(4)
STOCKPILES MISC - VISQUEEN	(5)
SILT FENCE CREEK - MAINTENANCE	(6)
PREPARE REAP	

PROJECT RECOMMENDATION SUMMARY

OTHER


69TH ST
EVELYN ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION BDRY
ALBERON ST
AVALON WAY
SAN ALTOS PL
ORLANDO DRIVE
VALENCIA COURT
SEVILLE WAY
SUBDIVISION 6 BDRY
CITY OF LEMON GROVE
CITY OF SAN DIEGO
AKINS AVE
TANGELOS PLACE
BROADWAY AVE
LOT 54 SUBDIVISION NO. 5
LOT 12 RANCHO MISSION SAN DIEGO

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/12/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - NONE
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY **AREA**

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

OTHER

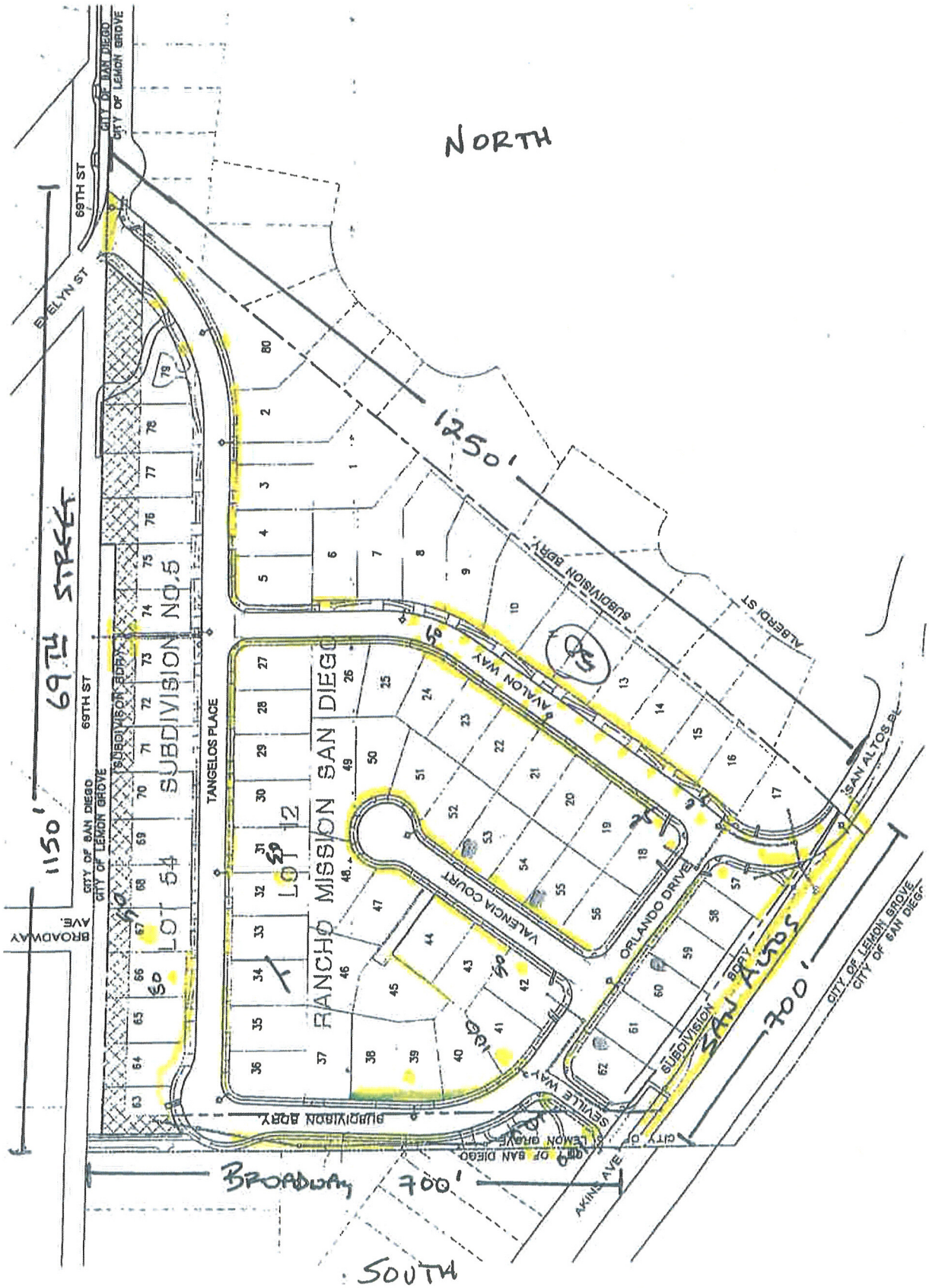
VALENCIA
BMP INSTALLED AND 125%
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/12/2015

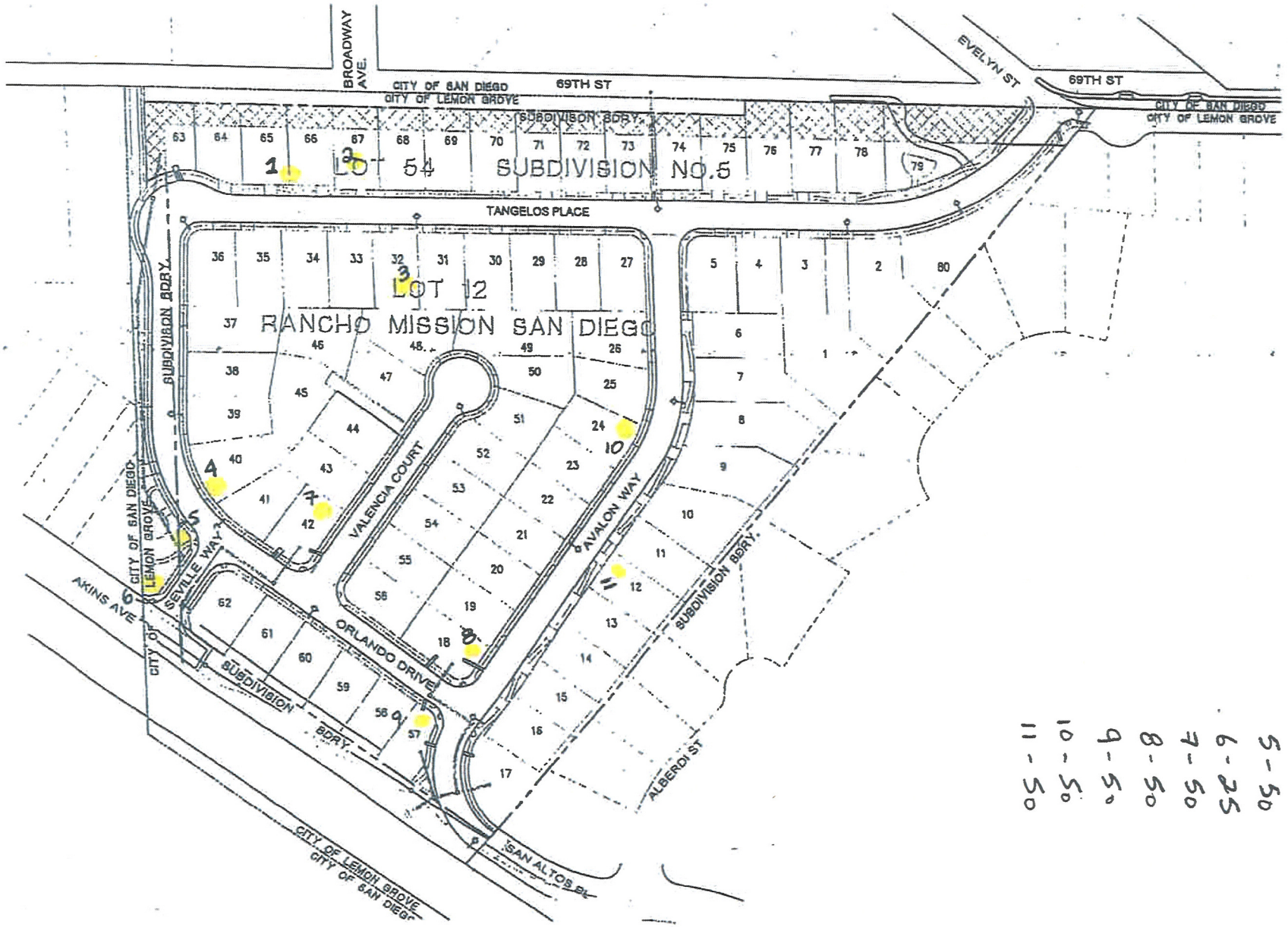
Gary H.

BMPS INSTALLED & 125%

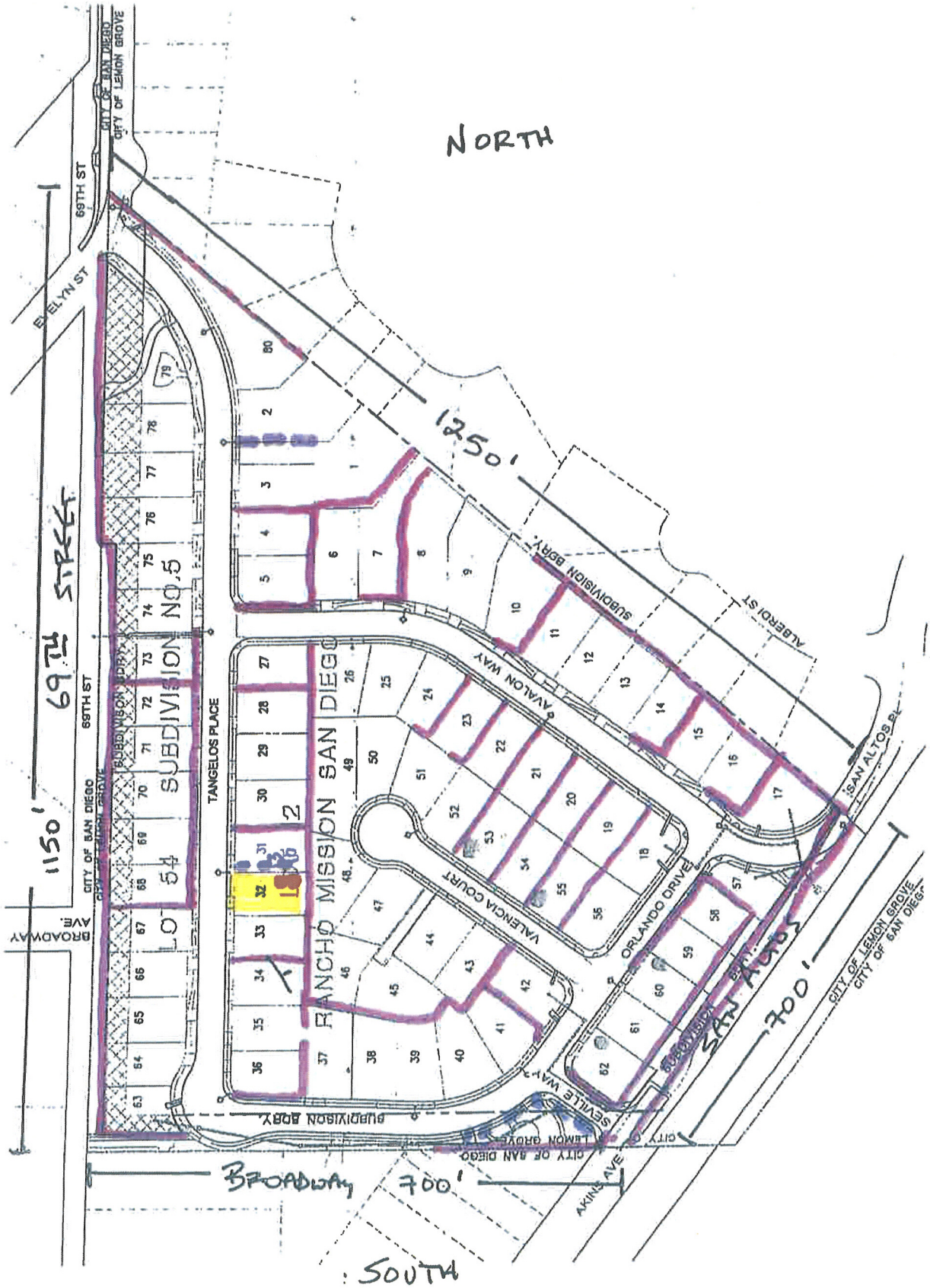
SANDBAGS HIGHLIGHTED IN YELLOW	EXHIBIT "A"
SANDBAGS 125% STOCKPILES HIGHLIGHTED IN YELLOW DOTS #1-11	EXHIBIT "B"
SILT FENCE HIGHLIGHTED IN PURPLE	EXHIBIT "C"
SILT FENCE 125% HIGHLIGHTED IN PURPLE DOTS 10 ORANGE/13 BLACK	EXHIBIT "D"
STRAW WADDLE HIGHLIGHTED IN GREEN	EXHIBIT "E"
STRAW WADDLE 125% HIGHLIGHTED IN GREEN DOTS #1-9	EXHIBIT "F"
VISQUEEN 4 BOXES 20' X 100'	EXHIBIT "G"

SANDBAGS — A'

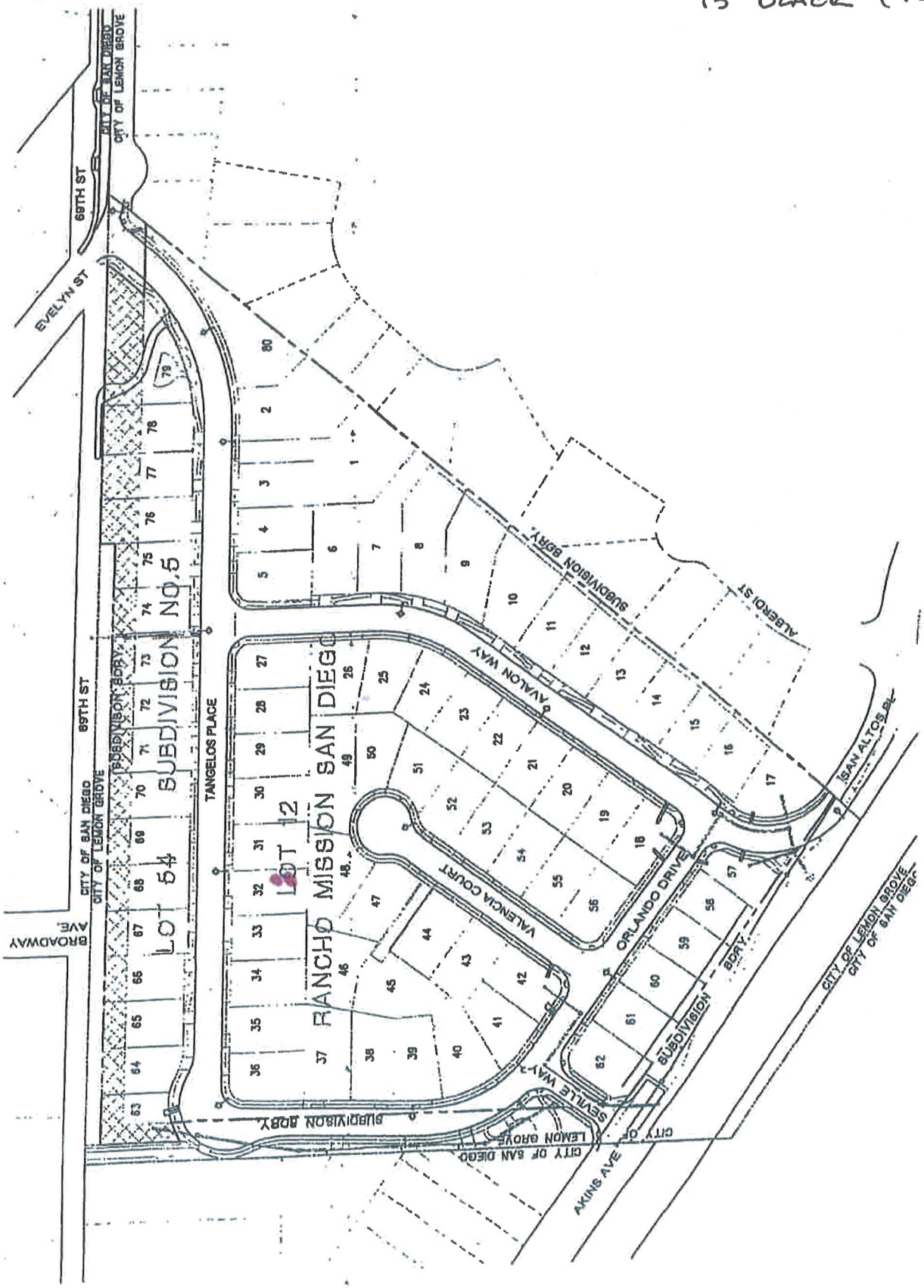

NORTH
WEST
EAST
SOUTH
69TH STREET
1150'
1250'
700'
700'
BROADWAY
SUBDIVISION NO.5
LOT 54
LOT 12
RANCHO MISSION SAN DIEGO
TANGELOS PLACE
AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
SAN ALTOS PL
SAN ALTOS
SEVILLE WAY
AKINS AVE
ALBERDI ST
SUBDIVISION BDRY
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
EVELYN ST
BROADWAY AVE



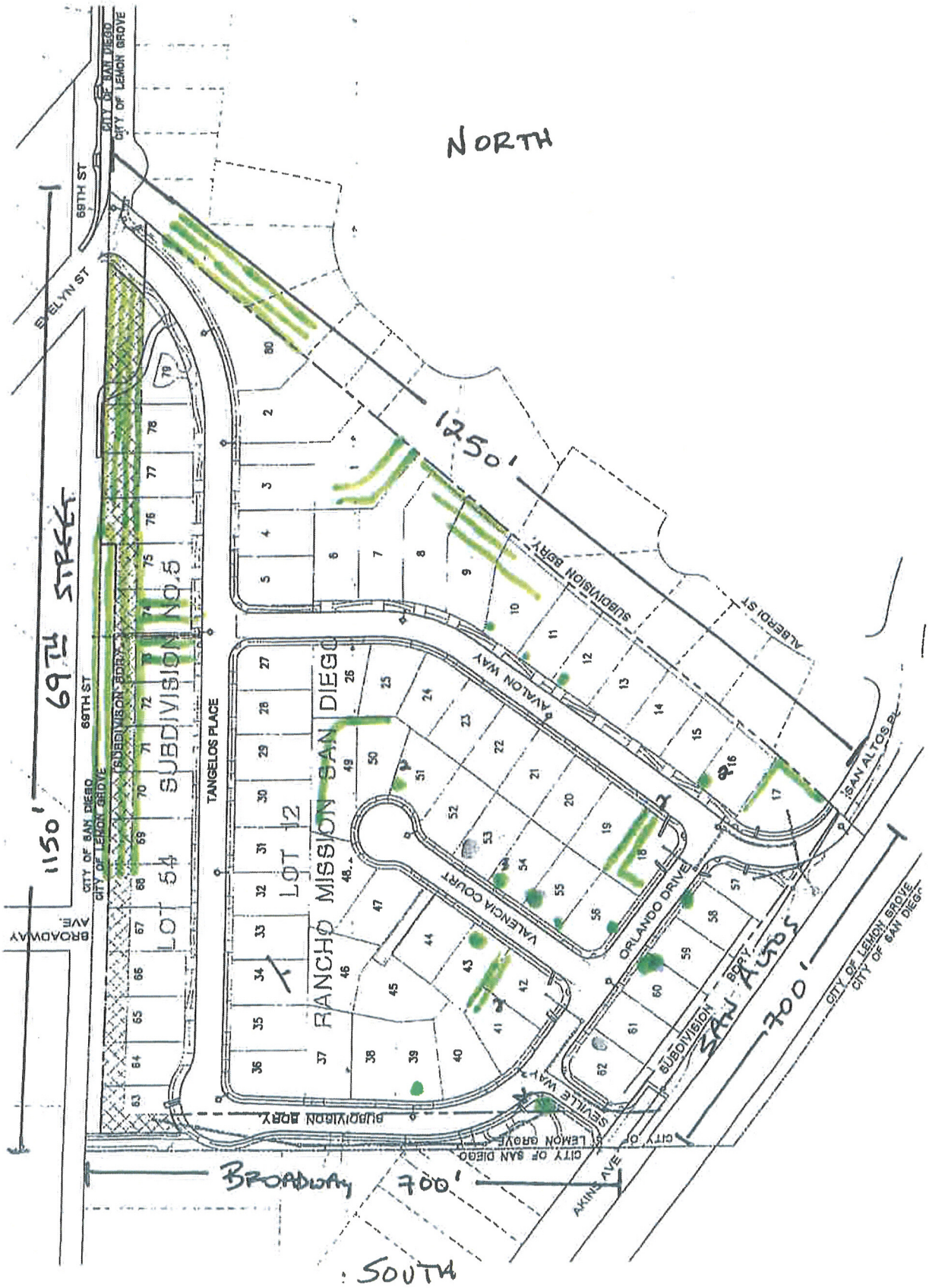
1 - 50
2 - 50
3 - 50
4 - 50
5 - 50
6 - 25
7 - 50
8 - 50
9 - 50
10 - 50
11 - 50

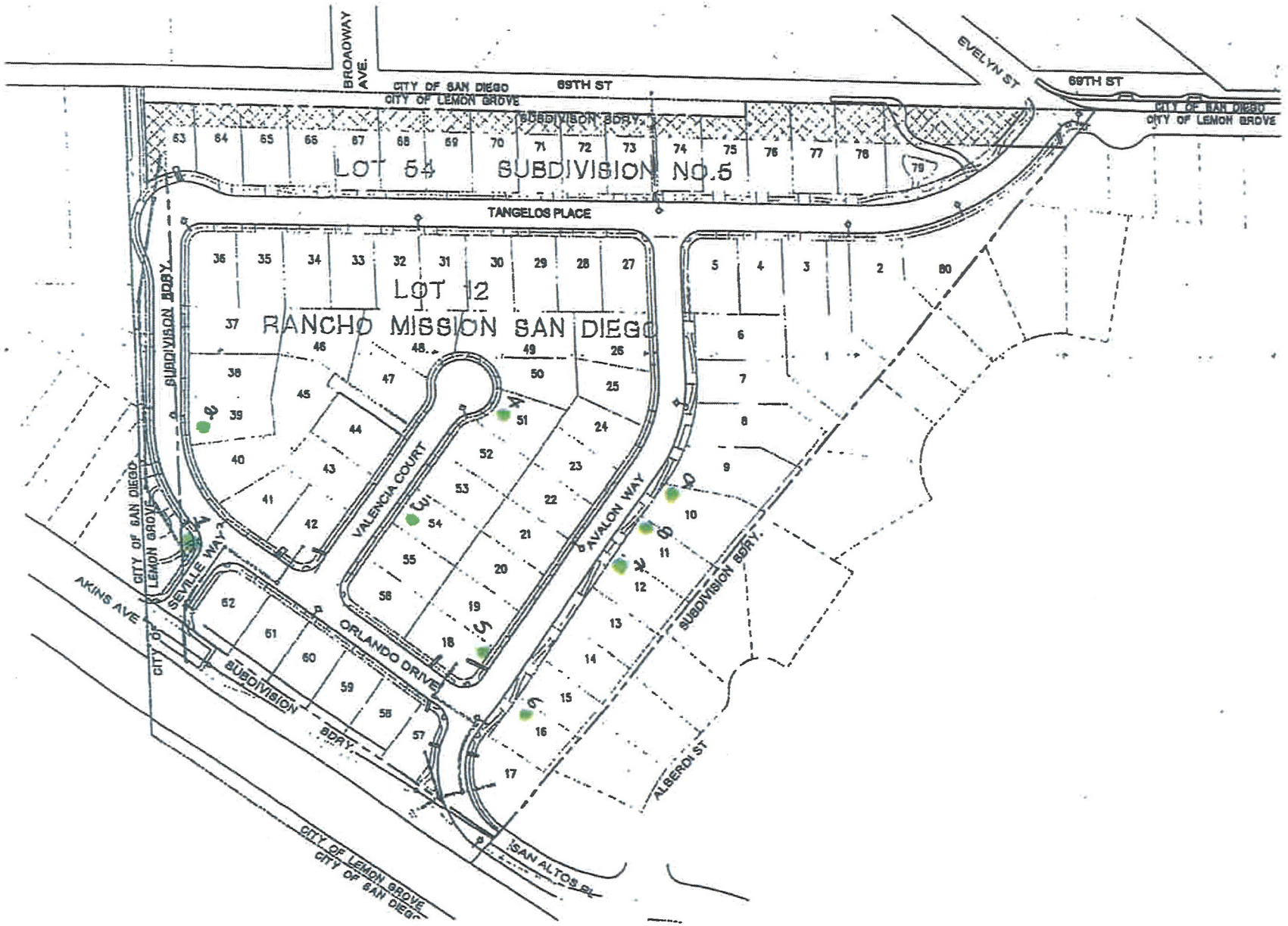

NORTH
EAST
WEST
SOUTH
1250'
700'
1150'
700'
69TH STREET
BROADWAY
69TH ST
EVELYN ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SUBDIVISION NO.5
LOT 54
RANCHO MISSION SAN DIEGO
TANGELOS PLACE
SUBDIVISION BDRY.
ALBEROL ST
AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
SAN ALTOS PL
SAN ALTOS
SEVILLE WAY
AKINS AVE
CITY OF LEMON GROVE
CITY OF SAN DIEGO

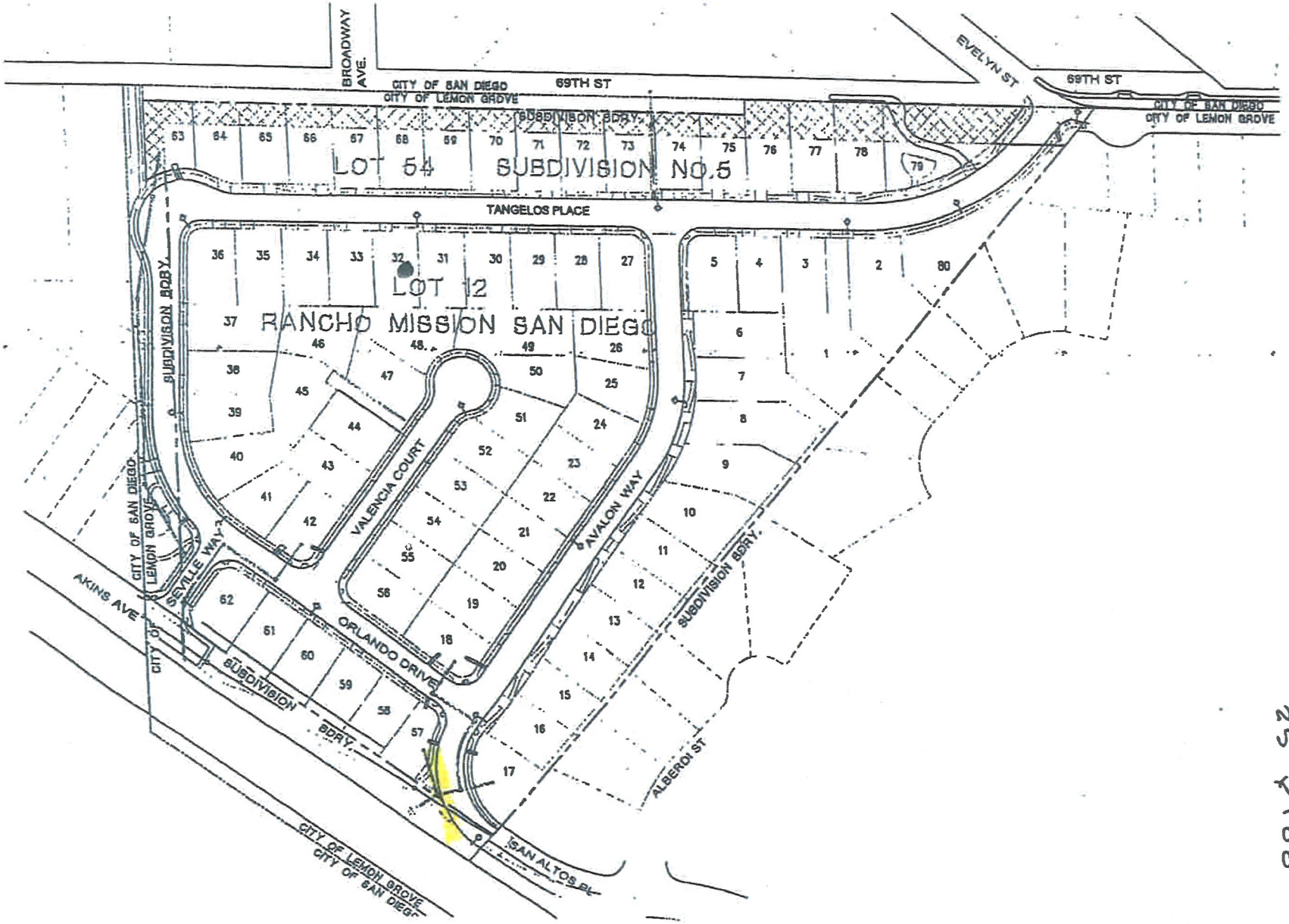
10 ORANGE (100')
13 BLACK (100')



TIDER FOLLS — L




BROADWAY AVE.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
SUBDIVISION BDRY.
EVELYN ST
69TH ST
CITY OF SAN DIEGO
CITY OF LEMON GROVE
LOT 54 SUBDIVISION NO.5
TANGELOS PLACE
LOT 12
RANCHO MISSION SAN DIEGO
SUBDIVISION BDRY.
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SEVILLE WAY
VALENCIA COURT
AVALON WAY
SUBDIVISION BDRY.
AKINS AVE
CITY OF
SUBDIVISION
BDRY.
ORLANDO DRIVE
ALBERDI ST
CITY OF LEMON GROVE
CITY OF SAN DIEGO
SAN ALTOS PL



4 Boxes
25' x 100'

BMP WALK 1/19 RESPONSE

#1 REMOVE STOCKPILES THAT ARE NEAR THE DRAIN.

THESE MATERIALS ARE SUPPOSE TO BE IN THE BASIN AND ARE COVERED WITH VISQUEEN AND FIBER ROLLS.
ALSO THE DRAIN IS COVERED WITH FILTER FABRIC AND BASIN SANDBAGGED OFF AND NOT IN USE FROM STREETS.
MEETING WITH LEON AND BEN ON BASIN REPAIR.

#2 REPAIR MINOR RILLS

LOTS TAD HAD POINTED OUT TO ME ARE NOW IN AN ACTIVE ZONE AND RILLS ARE NOT THERE FROM TRACTOR WORK TO MAKE DRIVEWAYS READY FOR FRAMERS.

#3 SIDEWALL GAPS

TAD HAD POINTED OUT TWO AREA THAT HAD BEEN VISQUEEN AND HAD TWO GAPS THEY HAVE BEEN REPAIRED

#4 STABILIZE AREA IF INACTIVE OR RAIN

THIS IS AN ACTIVE AREA AND WE BUILD BERMS TO HOLD RAIN INSIDE WORK AREA TILL GRADING OCCURS.

#5 CLEAN UP WASHOUT MATERIAL

CHANGED CONCRETE CLEANOUT AND REMOVING MATERIAL SOON, THIS AREA HAS BEEN CLEANED AND COVERED.

#6 IMPLEMENT EROSION CONTROL IN SMALL AREA WHERE HYDROSEED HAS NOT GROWN

REPAIRED WITH VISQUEEN

#7 AKINS CHEVRONS

GRAVEL BAGS HAVE BEEN IN PLACE ON CURBS AND ARE DEPLOYED

EVERY RAIN EVENT.

#8 REPAIR SILT FENCE AT CREEK

BCA DEVELOPMENT, INC.

Via Email
lfirsht@lemongrove.ca.gov

January 20, 2015

Leon Firsht, City Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RECEIVED
JAN 21 2015
CITY OF LEMON GROVE

RE: Valencia – Stop Work / Notice of Violation

Dear Leon:

On behalf of San Altos-Lemon Grove, LLC, we are requesting the City of Lemon Grove (City) formally release the Stop Work / Notice of Violation dated 12/2/14.

We are preparing a check in the amount of $300 pertaining to Citations No. 2 & 3 and will deliver to City.

Thank you for your assistance in this matter.

Sincerely,

BCA Development, Inc.

Ben C. Anderson
President

CC: Carol Dick, Development Services Director
File

3194-C2 Airport Loop Drive, Costa Mesa, CA 92626 Telephone (714) 966-1544 – Fax (714) 966-1540

NOTICE

DATE: 12/2/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AITOS PL

☒ STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to $10,000/day.

☐ CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

☐ 24 Hours ☐ 72 Hours ☐ 5 Days ☐ Prior to October 1st, And/Or ☐ Before Rain Event

---

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

☐ City of Lemon Grove Grading Ordinance* ☒ City of Lemon Grove JURMP
☐ Other: _____

THE AREAS OF CONFLICT ARE:

☐ Erosion control is not on site ☐ Erosion control is not per the approved plan
☒ Erosion control is inadequate ☐ Failure to maintain erosion/sediment control device
☐ Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

☒ Stabilized construction entrance ☐ Runoff from the site ☐ Desilting basin
☐ Perimeter protection at toe of slope ☐ Waste/materials storage
☐ Concrete washout inadequate, not maintained ☐ No secondary containment
☒ Cover stockpiles ☐ No storm drain inlet/outlet protection ☐ Trash/debris not managed
☐ Cover on sloped and/or flat areas that are inactive for more than 10 days
☐ Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE)_____

CC: ☒ City Engineer
☐ Engineering
☐ Management Analyst
☐ Code Compliance
☐ Building
☐ RWQCB

ISSUED TO: TIM ANDERSON (VIA EMAIL)
DATE/TIME: 12/2/14 3pm
BY: GARY HARPER
TITLE: ENG. INSPECTOR
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: [illegible] / [illegible] / 12/2/14 / 1pm

Inspection: ☐ Permit-Required Inspection ☐ Follow-up Inspection ☒ Other (Explain) weekly

Construction Project Priority: ☐ High ☐ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: Gr- 1692

Project Name & Type: VALENCIA, SUBDIVISION

Project Location & Address: SAN ALTOS PL

Contractor's Name & Telephone #: ANDERSON Development (949) 275-6737

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☒ Yes ☐ No ☐ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☐ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ~ 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Is construction site phased/scheduled to address erosion control on a timely basis?	X			CONTRACTOR HYDROSEEDING AS NEEDED, BUT DID NOT SEED AS PLANNED	N
Preservation of existing vegetation?	X				Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch					
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			NOT ENOUGH PLASTIC COVERS FOR STOCKPILES	NO
Site Drainage: Outlet Protection/Slope Drain	X				Y
Inlet/Outlet Protection	Y				Y
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				Y

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y				Y
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	Y			ENTRANCE NEEDS TO BE CLEANED. ALSO NEED STREET SWEPT	NO
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	Y			SOME ARE COVERED SOME ARE NOT	NO
Are heavy equipment and vehicles parked in designated areas with permeable surface?	Y				Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.	Y				Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	Y				Y
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		TC-1 IS DOWNSTREAM OF UPPER SITE'S NEEDS TO BE CLEANED	NO
Other					
Are there any other potential storm water pollution issues/concerns?	Y			RAIN EVENT TODAY, TC-1 SHOULD BE PROTECTED	NO
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☐ No violations; however, recommended corrective actions required
  - ☐ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☒ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☒ Stop Work Notice Issued on: 12 | 2 | 19

RECOMMENDED CORRECTIVE ACTION

SEE STOP WORK NOTICE - DISCHARGE IS IMMINENT IF NOAA FORECAST CORRECT: 100% HEAVY RAIN THIS AFTERNOON.

I CALL TO TIM ANDERSON THIS MORNING AT 9AM. LEFT V. MAIL THAT SITUATION NEEDED ATTENTION ASAP - NO RETURN CALL

12/01/2014 10:44 AM

12/01/2014 10:43 AM

12/01/2014 10:44 AM

12/01/2014 10:44 AM

BRIGADE
12/01/2014 10:43 AM

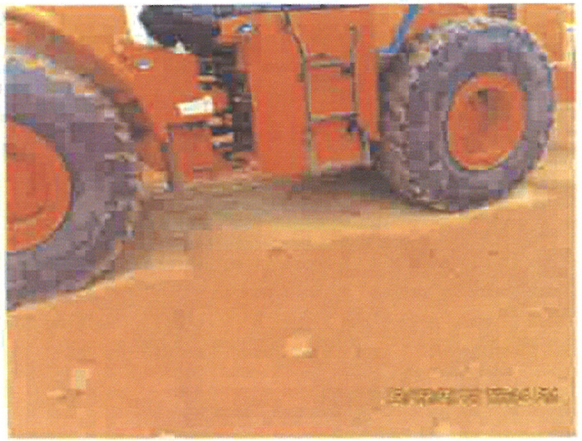
12/01/2014 10:43 AM

12/01/2014 10:42 AM

12/01/2014 10:14 AM

12/01/2014 10:43 AM

KSD
12/01/2014 10:14 AM



12/02/2014 09:25 AM

12/02/2014 12:40 PM

NOTICE

DATE: 12/4/2014
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AMTOL PL

☒ STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to $10,000/day.

☐ CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

☐ 24 Hours ☐ 72 Hours ☐ 5 Days ☐ Prior to October 1st, And/Or ☐ Before Rain Event

---

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

☐ City of Lemon Grove Grading Ordinance* ☒ City of Lemon Grove JURMP
☐ Other: _____

THE AREAS OF CONFLICT ARE:

☐ Erosion control is not on site ☒ Erosion control is not per the approved plan
☒ Erosion control is inadequate ☒ Failure to maintain erosion/sediment control device
☐ Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

☒ Stabilized construction entrance ☒ Runoff from the site ☐ Desilting basin
☐ Perimeter protection at toe of slope ☐ Waste/materials storage
☐ Concrete washout inadequate, not maintained ☐ No secondary containment
☒ Cover stockpiles ☐ No storm drain inlet/outlet protection ☐ Trash/debris not managed
☐ Cover on sloped and/or flat areas that are inactive for more than 10 days
☒ Other Illegal Discharge

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE)_____

CC: ☒ City Engineer
☒ Engineering
☐ Management Analyst
☐ Code Compliance
☐ Building
☒ RWQCB

ISSUED TO: Tim Anderson (Email)
DATE/TIME: 12/4/2014 10 AM
BY: Gary Harper
TITLE: Env. Inspector
PHONE: (619) 454 1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.

12/04/2014 03:32 PM

12/04/2014 03:23 PM

12/04/2014 03:21 PM

12/04/2014 03:32 PM

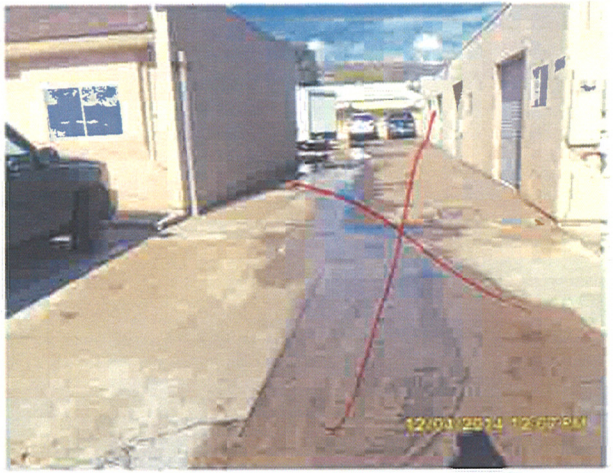
12/04/2014 03:31 PM

12/04/2014 03:22 PM

12/04/2014 03:32 PM

12/04/2014 03:31 PM

12/04/2014 03:22 PM



12/04/2014 08:55 AM

12/04/2014 08:55 AM

12/04/2014 08:55 AM

12/04/2014 09:01 AM

12/04/2014 08:55 AM

12/04/2014 08:54 AM

12/04/2014 09:03 AM

12/04/2014 08:55 AM

12/04/2014 08:53 AM

12/04/2014 08:52 AM

12/04/2014 08:43 AM

12/04/2014 08:53 AM

12/04/2014 08:43 AM

12/04/2014 08:43 AM

12/04/2014 08:53 AM

12/04/2014 08:52 AM

12/04/2014 08:43 AM

12/04/2014 08:42 AM

12/04/2014 08:43 AM

12/04/2014 08:42 AM

* = CITY OF SAN DIEGO 17TH ST RUNOFF. NOT VAKNCIA

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: Harper / Smith / 12/8/14 10:00 am

Inspection: ☐ Permit-Required Inspection ☐ Follow-up Inspection ☒ Other (Explain) Weekly (Pre Storm) Friday = 9:30

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: ~~Gr-1692~~ Gr-1692

Project Name & Type: Valencia Homes

Project Location & Address: San Altos Place

Contractor's Name & Telephone #: Anderson Dev (949) 275-673

Property Owner & Telephone #: San Altos LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 369143

Does this Project have an NOI/SWPPP Available? ☐ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☒ Yes ☐ No ☐ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: N 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?	Y			ON E/W Slopes	Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	Y			HYDRO Seed TODAY	N
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	Y				
Site Drainage: Outlet Protection/Slope Drain					
Inlet/Outlet Protection					
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				N
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y			inlet to be Cleaned	N

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping				ENTRANCE being rebuilt, ST. sweep THIS week	
Valencia **Materials and Equipment Management**					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?		N		need to cover stock piles	N
Are heavy equipment and vehicles parked in designated areas with permeable surface?		N		vehicles in use	Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.		N		no conc work	Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?					
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		still cleaning -	NO
Other					
Are there any other potential storm water pollution issues/concerns?		N			
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☐ No violations; however, recommended corrective actions required
  - ☐ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☒ Stop Work Notice Issued on: 12/4/14

RECOMMENDED CORRECTIVE ACTION

NOV written last week, Contractor working on items

NOTICE

DATE: 12/9/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN ALTOS PLACE

☐ STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to $10,000/day.

☒ CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

☒ 24 Hours ☐ 72 Hours ☐ 5 Days ☐ Prior to October 1st, And/Or ☐ Before Rain Event

---

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

☒ City of Lemon Grove Grading Ordinance* ☒ City of Lemon Grove JURMP
☐ Other: _____

THE AREAS OF CONFLICT ARE:

☐ Erosion control is not on site
☒ Erosion control is inadequate
☐ Other _____
☐ Erosion control is not per the approved plan
☐ Failure to maintain erosion/sediment control device

THE FOLLOWING DEFICIENCIES ARE NOTED:

☐ Stabilized construction entrance ☐ Runoff from the site ☐ Desilting basin
☐ Perimeter protection at toe of slope ☐ Waste/materials storage
☐ Concrete washout inadequate, not maintained ☐ No secondary containment
☒ Cover stockpiles ☐ No storm drain inlet/outlet protection ☐ Trash/debris not managed
☒ Cover on sloped and/or flat areas that are inactive for more than 10 days
☐ Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE)_____

CC: ☒ City Engineer
☒ Engineering
☐ Management Analyst
☐ Code Compliance
☐ Building
☐ RWQCB

ISSUED TO: TIM ANDERSON VIA EMAIL
DATE/TIME: 12/9/14 6:30 PM
BY: GARY HARPER
TITLE: ENG. INSPECTOR
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.

12/09/2014 01:40 PM

12/09/2014 01:38 PM

12/09/2014 01:40 PM

12/09/2014 01:39 PM

12/09/2014 01:40 PM

12/09/2014 01:39 PM

Meeting Minutes/Phone Record

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3811

Date: 12/11/14 3:30pm	Project: VALENCIA

☒ Meeting ☐ Phone

Attendees:
JEFF (GST) GROUND SERVICE TECHNOLOGY
GARY HARPER CITY OF LEMON

Notes:
WALKED SITE W/ JEFF, REFERING TO TABS REPORT. ASKED JEFF IF HE COULD HAVE A CREW HERE TONIGHT TO ADDRESS ISSUES. JEFF REPLIED NO, THAT HIS CREWS ARE IN L.A. HE COULD HAVE A CREW & SUPPLIES HERE TOMORROW, BUT HE WOULD HAVE TO CONFER W/ HIS BOSS.

Page 1 / 1 Initials ____ Hours: 4.0

CITY OF LEMON GROVE
ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: (Warning) 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ — is due no later than — to the City of Lemon Grove. The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner (Other) Site Representative / Project Manager

Mailing Address: 3194-C2 Airport Loop Drive Costa Mesa, CA 92626

Business Name (if applicable): BCA Development

cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):

B.48.060 18.08.560 Inadequate BMP's - see attached inspection reports
18.08.170
18.08.180

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendation's > 12/15/14 5:00 P.M.
Maintain adequate supplys of BMP's

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Finstat Phone No.: 619-825-3825 Signature: [signature] Date: 12/11/14

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person (By Mail / Email) Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE-ORIGINAL PINK-COPY CITATION CARD-OWNER

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. Applicable Requirements. All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. Minimum Best Management Practices for All Dischargers. All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. Eroded Soils. Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.

2. Pollution Prevention. Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.

3. Prevention of Illegal Discharges. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.

4. Slopes. Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.

5. Storage of Materials and Wastes. All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.

6. Use of Materials. All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. Inspection, Maintenance, Repair and Upgrading of BMPs. BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. Stormwater Pollution Prevention Plan. An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

18.08.170 Erosion control required.

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;

2. The name, address and signature of the civil engineer or person who prepared the plan;

3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;

4. The streets, easements, drains, and other improvements;

5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;

6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.

2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.

3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.

4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.

5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.

6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment of silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3811

Date: 12/11/14 5:00 P.M. | Project: Valencia

☐ Meeting ☐ Phone ☒ Site Visit

Attendees: Leon & Gary

Notes: Site inspection to review recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).

1. No erosion control provided.
2. Insufficient / Improperly installed check dams.
3. Repair & stabilization of gullies not completed.
4. Not completed.
5. Completed.
6. Not visible.
7. Mostly complete.
8. N/A

Page 1 / 1 Initials LE Hours: 1.0

Get Local Forecast For:
Enter location ... GO
Search Help

XML RSS Feeds
Current Hazards
Watches / Warnings
Outlooks
Submit Report
Current Conditions
Observations
Radar
Satellite
Precipitation
Mapped Weather
Other Hazards
Forecasts
Forecast Discussion
Local Area
Activity Planner
Aviation Weather
Fire Weather
Marine Weather
Severe Weather
Hurricane Center
User Defined Area
Fastlinks
Hydrology
Rivers and Lakes
Forecasts / Obs
Climate
Local
National
Drought
More...
Climate portal
Weather Safety
Preparedness
Weather Radio
SkyWarn™
StormReady
TsunamiReady
Additional Info
Items of Interest
Other Useful Links
Education Resources
COOP Observer

Warnings and/or Advisories In Effect for this Point:
Flash Flood Watch
Wind Advisory
For warnings and/or advisories in effect for adjacent areas to this point, see http://www.wrh.noaa.gov/sgx

Change Table Font Size Increase Decrease

Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft)
Lemon Grove CA
Forecast Created at: 6pm PST Dec 11, 2014
Custom Weather Forecast Table

	Thu Dec 11				Fri Dec 12				Sat Dec 13				Sun Dec 14				Mon Dec 15				Tue Dec 16				
Weather				Chance Rain	Slight Chance TStorms and Rain	Rain Showers and TStorms	Likely Rain Showers and TStorms	Likely Rain Showers	Chance Rain Showers										Chance Rain		Likely Rain		C		
Daily-Temp	High **67** Low **53**				High **63** Low **58**				High **63** Low **51**				High **65** Low **48**				High **64** Low **50**				High **64** Low **52**				
Chance of Precip	0%	0%	5%	45%	100%	90%	65%	75%	30%	15%	5%	5%	5%	5%	5%	5%	5%	5%	40%	40%	55%	55%	60%	60%	40
Precip	0.00"	0.00"	0.00"	0.01"	0.57"	0.29"	0.06"	0.12"	0.00"	0.00"	0.00"	0.00"	0.00"	0.00"											
12-hr Snow Total	0"		0"		0"		0"		0"																
FRET	0.06"				0.06"				0.05"				0.06"				0.07"				0.07"				
6-Hour	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4a
Temp	53	62	65	60	58	61	60	54	52	59	59	52	49	59	61	54	51	59	61	55	53	60	61	55	5
Cloudiness	86%	49%	75%	100%	100%	91%	84%	75%	69%	51%	30%	37%	31%	21%	30%	30%	41%	41%	62%	62%	90%	90%	87%	87%	71
Dewpoint	52	53	54	53	52	54	52	50	49	48	46	46	43	44	44	48	44	43	45	49	47	51	49	51	4
Relative Humdity	94%	73%	67%	78%	79%	77%	73%	88%	89%	69%	61%	81%	80%	57%	52%	81%	79%	57%	54%	81%	82%	72%	63%	88%	89
Wind	S 2	S 7	S 8	S 10	SE 15	W 6	SW 6	W 6	E 2	W 2	NW 5	E 3	E 3	N 1	W 5	E 5	E 6	S 7	SW 7	SE 7	SE 8	S 9	S 7	S 6	S\ 1
Snow Level (ft)			9317	9161	7608	6313	5478	5212	5704										6701	5923	5850	5993	5805	5704	56

Forecast Weather Table Interface

Select Weather Format

- ⊙ Custom Weather Table
- ○ XML
- ○ Point Forecast Page
- ○ Point Forecast Matrix
- ○ Hourly Tabular Forecast
- ○ Hourly Weather Graph

Interval in Hours: ○ 1 ○ 3 ⊙ 6
Duration in Days: ○ 1 ○ 2 ○ 3 ○ 4 ○ 5 ○ 6 ⊙ 7

Enter a Location or Click on Map Below

Search by address; city,state; latitude/longitude...
Go

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / ~~TAD~~ / 12/11/14 9:00AM

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☐ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			See inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/ contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				YES
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	NO
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☒ No violations; however, recommended corrective actions required
  - ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☐ Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/9/14 1:00 pm

Inspection: ☒ Permit-Required Inspection ☐ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☒ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☐ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☐ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☑ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeding some pads not seeded; northern road eroding	pads No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lacks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			several unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☒ No violations; however, recommended corrective actions required
  - ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☐ Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

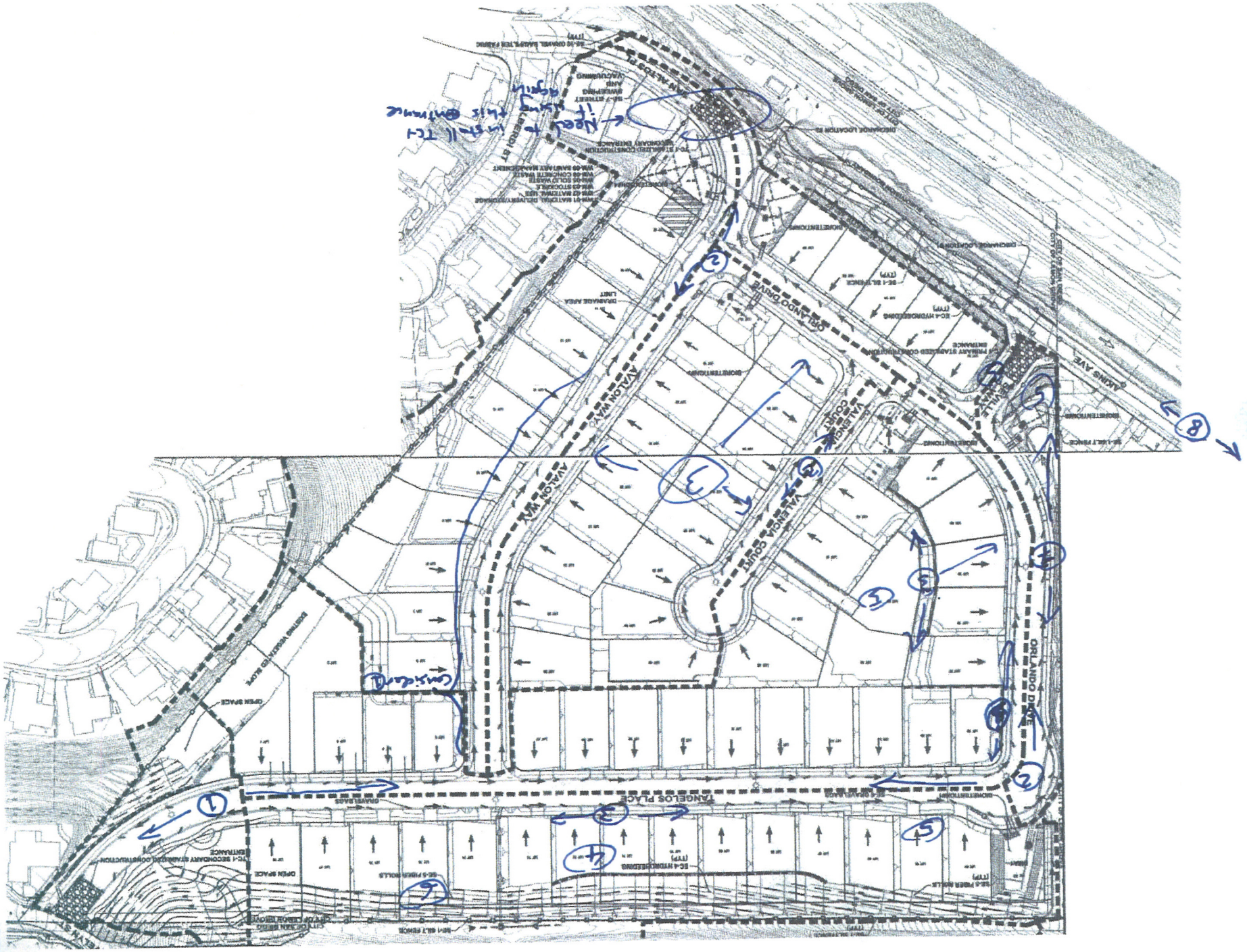
- Add erosion controls to all disturbed areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION Date: 12/9/14

Recommendations:

1. • Add erosion control to road segment (eg. northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.
2. • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls
3. • Repair & stabilize gullies in slopes on edges of pads. May consider using erosion control blankets*
4. • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control
5. • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered
6. • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site
7. • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion
8. • Sweep road to remove sediment


AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
TANGELOS PLACE
OPEN SPACE
ENTRANCE

CITY OF LEMON GROVE
ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning | 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ 100 is due no later than 1/12/15 to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Project Manager

Mailing Address: 3194-C2 Airport Loop Drive, Costa Mesa, CA 92626

Business Name (if applicable): BIA Development cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/12/14 Time (Violation Observed): 8:60 AM. 11:12 pm

Location of Violation: San Atos / Akins (Street Address) (APN)

Violation(s) Observed (Code Section and Description):

8.48.040 A. Discharge of non-stormwater prohibited.

See Attached Memo

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendations & Permit > [redacted]* ASAP

Maintain adequate supplies of BMP's

& continuous installation of BMP's until compliance is Reached.

daily

** additional discharges subject to citation.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name	Phone No.	Signature	Date
Leon Firnhaber	619-825-3825		12/15/14

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person By Mail/Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE-ORIGINAL PINK-COPY CITATION CARD-OWNER

8.48.040 Discharge of non-stormwater prohibited.

A. Illegal Discharges. The discharge of pollutants to non-stormwater, directly or indirectly into the stormwater conveyance system or receiving waters, is prohibited, except as exempted in

Section 8.48.050 of this chapter. The discharge of pollutants to stormwater, directly or indirectly into the stormwater conveyance system or receiving

waters, is prohibited, unless the applicable requirements of this chapter have been met.

B. Illegal Connection. The establishment of illegal connections is prohibited. The use of illegal connections is prohibited, even if the connection was established pursuant to a valid city permit and was legal at the time it was constructed.

C. Litter, Dumps, and Stockpiles. Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illegal discharge is prohibited. (Ord. 369 § 1, 2008)

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer JQ

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valenica_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

7220 Trade Street ■ Suite 119 ■ San Diego, CA 92121 ■ (858) 586-6600 ■ Fax (858) 586-6644

Figure 1. Sampling Locations

Photo 1. Site Valencia_Akins

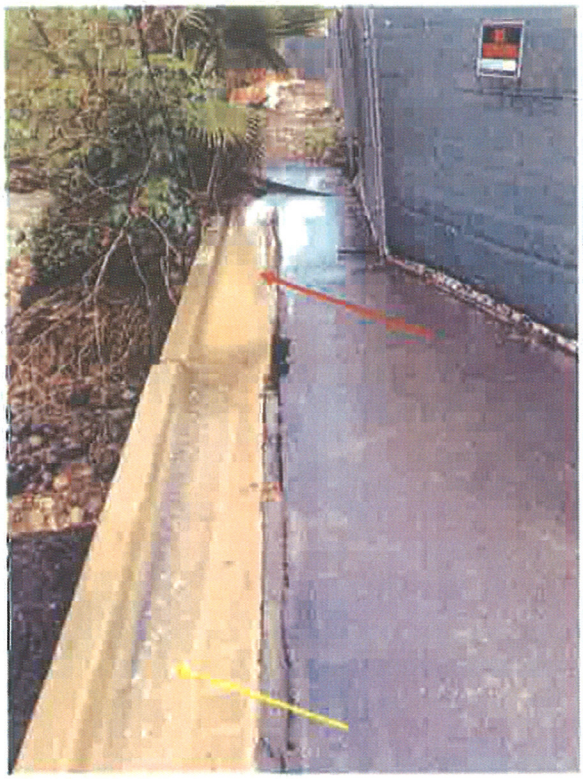


Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)

Photo 3. Site Akins_Inlet

Photo 4. First Sample (11:05) from Site Valencia_Akins

Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)

Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Tim Anderson
Project Manager, BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Ongoing Stormwater Violations at Valencia Project Site

Dear Tim,

Under the direction of the City of Lemon Grove (City), D-MAX Engineering Inc. conducted a follow-up stormwater compliance inspection early this afternoon at the Valencia project site (site). As you are aware, the site remains under a Stop Work Notice and no work other than implementation of best management practices (BMPs) are allowed. Today's follow-up inspection findings state that the site is still not in compliance. The deficiencies include failure to effectively implement erosion prevention and sediment control BMPs.

The City reiterates that it will not accept any discharges of sediment laden runoff from the site into its storm drain system. Water quality monitoring is being conducted to asses whether or not illegal discharges are occurring from your site during this rain event and future rain events.

Although there are workers continuing to implement BMPs, the City through Municipal Code Section 18.08.170, has the right to contact an erosion control company to implement sufficient BMPs to eliminate sediment discharge from the site. As such, the City is putting you on notice should inadequate BMPS and/or failure of BMPs continue, the City will hire an erosion control company at your cost to prevent illegal discharges from occurring. Alternatively, you may also directly contact and hire an erosion control company to facilitate in bringing your construction site into compliance.

Attached you will find a third citation regarding the failure to install adequate BMPs. A copy of this citation is also being provided to the San Diego Regional Water Quality Control Board.

If you have any questions regarding this matter, please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsht
City Engineer

Copy: Phil Dowley, Bob Rodine, Ben Anderson
File

3232 Main Street Lemon Grove California 91945-1705

619.825.3810 FAX: 619.825.3818 www.ci.lemon-grove.ca.us

CITY OF LEMON GROVE
ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning | 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ 200 is due no later than 1/12/15 to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner (Other) Project Manager

Mailing Address: 3194-C2 Airport Loop Road, Costa Mesa, CA 92626

Business Name (if applicable): BCA Development CC: Phil Dowley, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/16/14 Time (Violation Observed): 12:25 PM

Location of Violation: 1350 San Altos Place / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
8.48.060, 18.08.170, 18.08.180, 18.08560
Follow up inspection re: 12/11/14 citation
See attached report dated 12/16/14 (Tad Nakatani)

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommedations and Permit

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Firsht Phone No.: 619-825-3825 Signature: [signature] Date: 12/16/14

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person (By Mail / Email) n Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

~~WHITE ORIGINAL~~ ~~PINK COPY~~ ~~CITATION CARD OWNER~~

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI TN 12/16/14 12:25

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Numerous gullies still unprotected some pads & slopes still unstabilized	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic covers need to be repositioned/reinstalled	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional perimeter & slope protection still needed on west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE ENTRANCE REPEATEDLY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	YES
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				YES
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				YES
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				YES
Are appropriate spill response and containment measures kept on the site?	X				YES
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				YES
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				YES
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				YES
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	YES
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Still significant sediment on AKINS	NO
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams incomplete	NO
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

☐ No violations noted at time of inspection/investigation

TN ☒ No violations; however, recommended corrective actions required

TN ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____

☒ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation

☒ Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE

12/16/2014

(1) ROADWAY STABILIZATION / CHECK DAMS NEEDED

(2) STABILIZATION EROSION CONTROLS NEEDED

(3) ADD FIBER ROLLS ON SLOPE

(4) Stabilize area of concentrated flow toward basin

(5) Repair / stabilize gullies (Numerous locations - Not individually shown on map)

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia Project Site – Meeting with CRWQCB, Follow up Requirements

Dear Ben,

As a follow up to yesterday's site meeting with Wayne Chiu, Water Resource Control Engineer, California Regional Water Quality Control Board, you were asked by email (attached) to provide several items by December 19th. It was also expected that the City's inspector will continue to document how long those deficiencies continue, when they are corrected, and any other unauthorized discharges that may occur due to those continued deficiencies.

Due to this, the City is requiring you to provide a map similar to the one attached with a narrative of each day's activities that work towards bringing the site into compliance. The map and narrative shall clearly identify the installed BMPs, location of installation, an estimate (%) of BMPs installed to meet compliance, date and name of preparer. The map and narrative shall be submitted to the city on the same day as the work completed and shall be submitted by email to Gary Harper and myself. Should you fail to provide the documentation on the same day, a citation will be issued. You have requested to work on Saturday in the past and the City expects BMPs will continue each day including the weekends.

The City Inspector will use the documentation provided to conduct a follow up inspection the following morning to confirm the document's accuracy. While the City will continue to perform follow up inspections, it is your responsibility to inform the City when you have reached compliance. Your first submittal is due tomorrow by midnight. For yesterday and today please submit no later than Thursday by midnight.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsht
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File

3232 Main Street Lemon Grove California 91945-1705

619.825.3810 FAX: 619.825.3818 www.ci.lemon-grove.ca.us

Leon Firsht

From: Chiu, Wayne@Waterboards <Wayne.Chiu@waterboards.ca.gov>
Sent: Monday, December 15, 2014 2:13 PM
To: Ben Anderson
Cc: Donald Sturgeon; Tim Anderson; Tamara Oneal; Malik Tamimi; Leon Firsht; Gary Harper; Becker, Eric@Waterboards; Melbourn, Frank@Waterboards; Clemente, Chiara@Waterboards
Subject: RE: WDID 937C369143 (Valencia): Unauthorized Storm Water Discharge (SM-828060)

Ben,

Thank you for taking the time to meet with me to walk through your site. As I mentioned at the end of the inspection, we will be issuing an inspection report and Notice of Violation (NOV) for the BMP deficiencies and unauthorized discharges of sediment from the site during the inspection. My goal is to have the inspection report and NOV to you by the end of the week. However, given the number of cases I am working on, and my scheduled time off, I may not be able to issue the inspection report and NOV until after the holidays.

Hopefully you and your QSP understand what is necessary to correct the deficiencies identified and can get those taken care of as soon as possible. In the meantime, please send me the following by **Friday, December 19**:

1. Copies of all the weekly BMP inspection reports, REAPs, pre- and post-storm inspection reports from November 1 to today's inspection.
2. Photos of the BMPs you have had implemented before the storm event that is anticipated to begin tonight or tomorrow, and photos of those BMPs after the storm event.
3. Photos of any additional BMPs you have implemented after this week's storm event.
4. A schedule for when you expect to have all the deficiencies identified during the inspection addressed.

I expect the City's inspector will continue to document how long those deficiencies continue, when they are corrected, and any other unauthorized discharges that may occur due to those continued deficiencies.

Please let me know if you have any questions.
Thank you,
Wayne Chiu, PE
Water Resource Control Engineer
Storm Water Management Unit
California Regional Water Quality Control Board
San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108
Direct Line: (619) 521-3354
Main Line: (619) 516-1990

From: Chiu, Wayne@Waterboards
Sent: Friday, December 12, 2014 11:38 AM
To: 'Ben Anderson'
Cc: 'Donald Sturgeon'; 'Tim Anderson'; Tamara Oneal (toneal@lemongrove.ca.gov); Malik Tamimi (mtamimi@lemongrove.ca.gov); Leon Firsht (lfirsht@lemongrove.ca.gov); Gary Harper (gharper@lemongrove.ca.gov); Becker, Eric@Waterboards; Melbourn, Frank@Waterboards
Subject: WDID 937C369143 (Valencia): Unauthorized Storm Water Discharge (SM-828060)

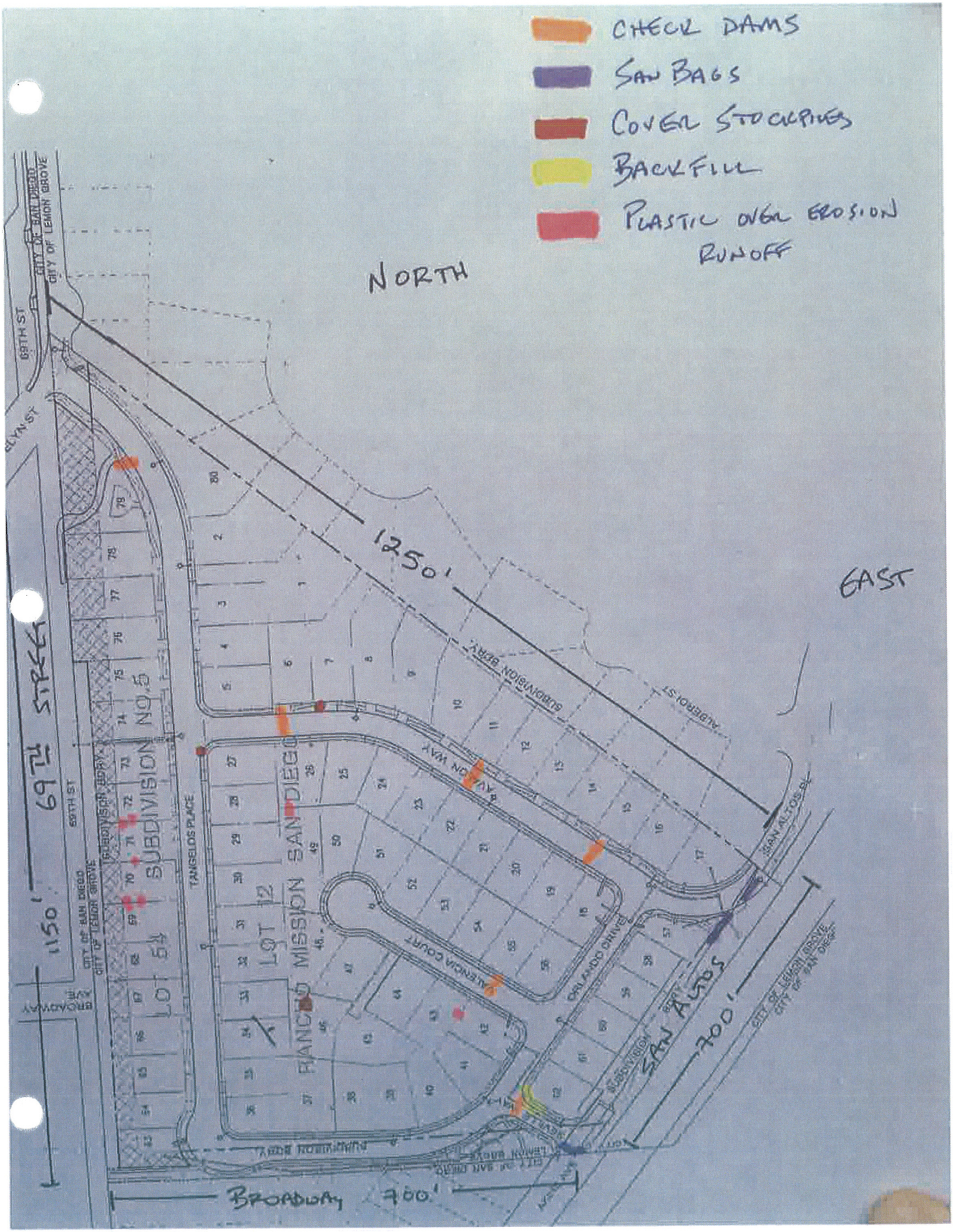
Mr. Anderson,

We were notified by the City of Lemon Grove of sediment and sediment-laden storm water discharges from your construction site due to inadequate implementation of construction storm water BMPs. These discharges from the site may be unauthorized discharges under the requirements of Order No. 2009-00090-DWQ, the Statewide Construction General Storm Water Permit (CGP).

Please have a representative meet me at the site at **10:00am on Monday, December 15** for an inspection to determine whether or not the requirements of the CGP were being adequately implemented to prevent the discharges of sediment and sediment-laden storm water from your site. Findings from the inspection will be used to determine whether corrective actions are necessary to bring the site into compliance and/or enforcement actions by the San Diego Water Board are warranted.

Please let me know if you have any questions.
Thank you,

Wayne Chiu, PE
Water Resource Control Engineer
Storm Water Management Unit
California Regional Water Quality Control Board
San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108
Direct Line: (619) 521-3354
Main Line: (619) 516-1990


CHECK DAMS
SAN BAGS
COVER STOCKPILES
BACKFILL
PLASTIC OVER EROSION RUNOFF
NORTH
EAST
1250'
1150'
69TH STREET
700'
BROADWAY
SUBDIVISION NO. 5
LOT 64
LOT 12
RANCHO MISSION SAN DIEGO
SAN ALTOS
CITY OF SAN DIEGO
CITY OF LEMON GROVE
69TH ST
ELYN ST
TANGELOS PLACE
SUBDIVISION WAY
ALBERONI ST
ORLANDO DRIVE
ALENCIA COURT

INSPECTOR'S REPORT

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3810

	Date: 12/17/14	Hours: 2
Project: Valencia	Project No.: GR-1691	
Developer: Anderson	Inspector: Harper	Contract Day:
Location: San Altos	Weather: Early AM rainstorm	

MANPOWER AND EQUIPMENT

Grading Contractor:	Underground Contractor:	Other Contractors:
BCA Development, TVD		Downstream Services
Equipment: various	Equipment:	Equipment: Vactor, pressure washer

Remarks: Developer's Supervisor Onsite: ☒ Y ☐ N

Onsite early AM to check for discharge and implementation of BMP's. Rainwater at Akins entrance looked fairly clear and contractor was deploying BMP's. Inspected again at 2pm as Downstream Services was completing street cleaning. Tim asked for inspection: found that there was still silt at checkdams, under parked cars and a few other areas. Suggested that "no parks" be deployed so cars be moved to be able to clean those areas also. Tim said he would get the cars moved to clean, clean silt from checkdam areas and other areas.

Areas of Concern: Correction Notice Issued: ☐ Y ☐ N

Filed By: Harper	Date: 12/17/14	Approved by:	Date:

095
DownStream
CA 239199 5935 P WWW 03
12/17/2014 01:48 PM

Site visit 12/23

by Leon

12/27—23

— Silt fence

= Gravel

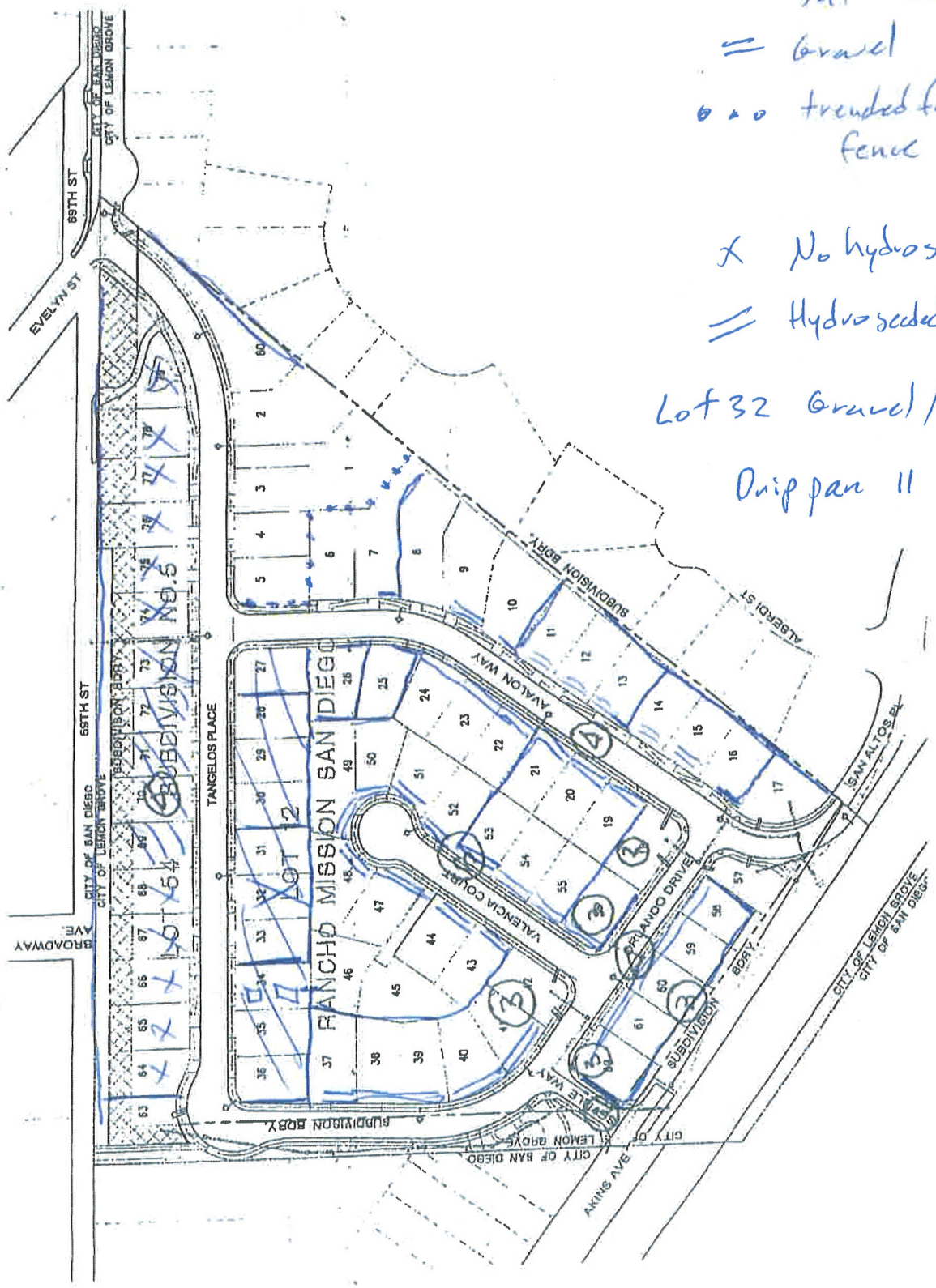
o ▲ o trenched for silt fence

X No hydroseed

= Hydroseeded

Lot 32 Gravel / Trailer

Drip pan II



INSPECTOR'S REPORT

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3810

	Date: 12/24/14	Hours: 3
Project: Valencia	Project No.: GR-1691	
Developer: Anderson	Inspector: Harper	Contract Day:
Location: San Altos	Weather: Clear/warm	

MANPOWER AND EQUIPMENT

Grading Contractor:	Underground Contractor:	Other Contractors:
Koloa Pacific	Koloa Pacific	TVD, BCA Development, Surveyors,Cal West
Equipment: various	Equipment: Various	Equipment: Various

Remarks: Developer's Supervisor Onsite: ☒ Y ☐ N

TVD placing silt fence on lots 1 through 5. William advised that by end of day, they should have silt fence at lots 67 through 73. Crew also filling rills at north area of site and performing housekeeping. Koloa continues to grade roads and Cal West cleaning bio basin #18 by dewatering to lot 56, which was fortified with extra gravel bags.
Dwayne on site for BCA, William onsite for TVD with appx 10 workers from Labor Ready.

Areas of Concern: Correction Notice Issued: ☐ Y ☐ N

Filed By: Harper	Date: 12/24/14	Approved by:	Date:

12/24/2014 07:47 AM

12/24/2014 07:47 AM

12/24/2014 07:47 AM

12/24/2014 09:53 AM

12/24/2014 09:50 AM

12/24/2014 09:53 AM

12/24/2014 09:51 AM

12/24/2014 07:52 AM

12/24/2014 07:52 AM

Site Visit 12/29

by Leon

12/27

29

Items in — are new.

— Silt fence

= Gravel

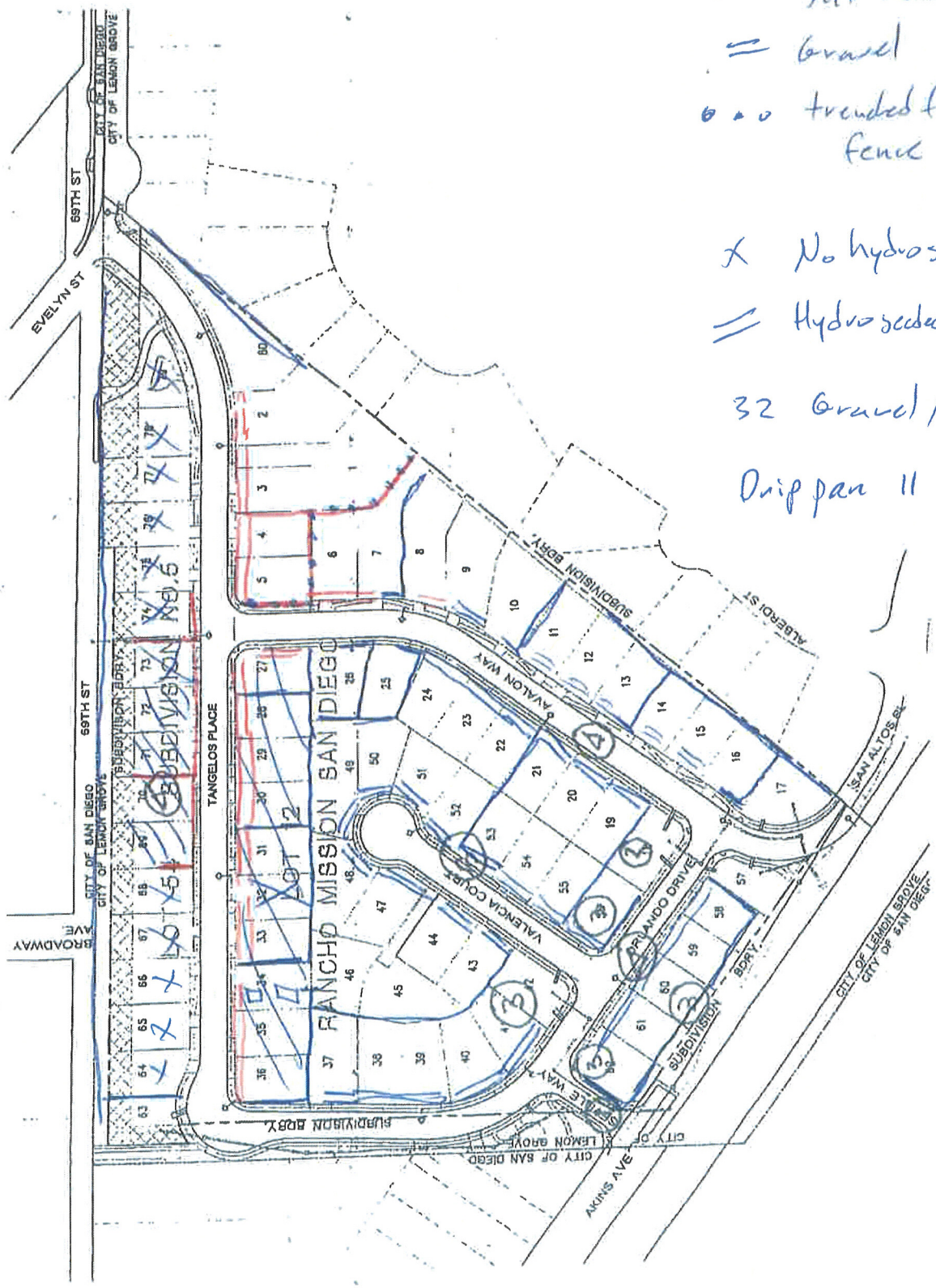
o o o trenched for silt fence

X No hydroseed

// Hydroseeded

32 Gravel / Trailer

Drip pan 11



CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

January 22, 2015

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia – Stop Work Notice Removal

Dear Ben,

The city has received your letter dated January 20, 2015 (attached) requesting release of the Stop Work / Notice of Violation dated 12/2/14.

Based on a site visit and review of your response to the items from the January 19th inspection report, the city finds that the items have been completed or require minor correction. With this, the Stop Work Notice is hereby removed.

While the Stop Work Notice has been removed this does not relieve you of the continued requirement to keep the site in compliance. The city or its consultant will continue to inspect the site and expect any deficiencies to be corrected within the stated time. Deficiencies not corrected within the stated time will result in an Administrative Citation.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsht
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File

BCA DEVELOPMENT, INC.

Via Email
lfirsht@lemongrove.ca.gov

January 20, 2015

Leon Firsht, City Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RECEIVED
JAN 21 2015
CITY OF LEMON GROVE

RE: Valencia – Stop Work / Notice of Violation

Dear Leon:

On behalf of San Altos-Lemon Grove, LLC, we are requesting the City of Lemon Grove (City) formally release the Stop Work / Notice of Violation dated 12/2/14.

We are preparing a check in the amount of $300 pertaining to Citations No. 2 & 3 and will deliver to City.

Thank you for your assistance in this matter.

Sincerely,

BCA Development, Inc.

Ben C. Anderson
President

CC: Carol Dick, Development Services Director
File

3194-C2 Airport Loop Drive, Costa Mesa, CA 92626 Telephone (714) 966-1544 – Fax (714) 966-1540

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [signature] 12/9/14 1:00 pm

Inspection: ☒ Permit-Required Inspection ☐ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☒ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☐ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☐ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☑ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeded pads Some pads not seeded; northern road eroding	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lacks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			several unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☒ No violations; however, recommended corrective actions required
  - ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☐ Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

- Add erosion controls to all disturbed areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION Date: 12/9/14

Recommendations:

① • Add erosion control to road segment (eg. northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.

② • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls

③ • Repair & stabilize gullies in slopes on edges of pads. May consider using erosion control blankets*

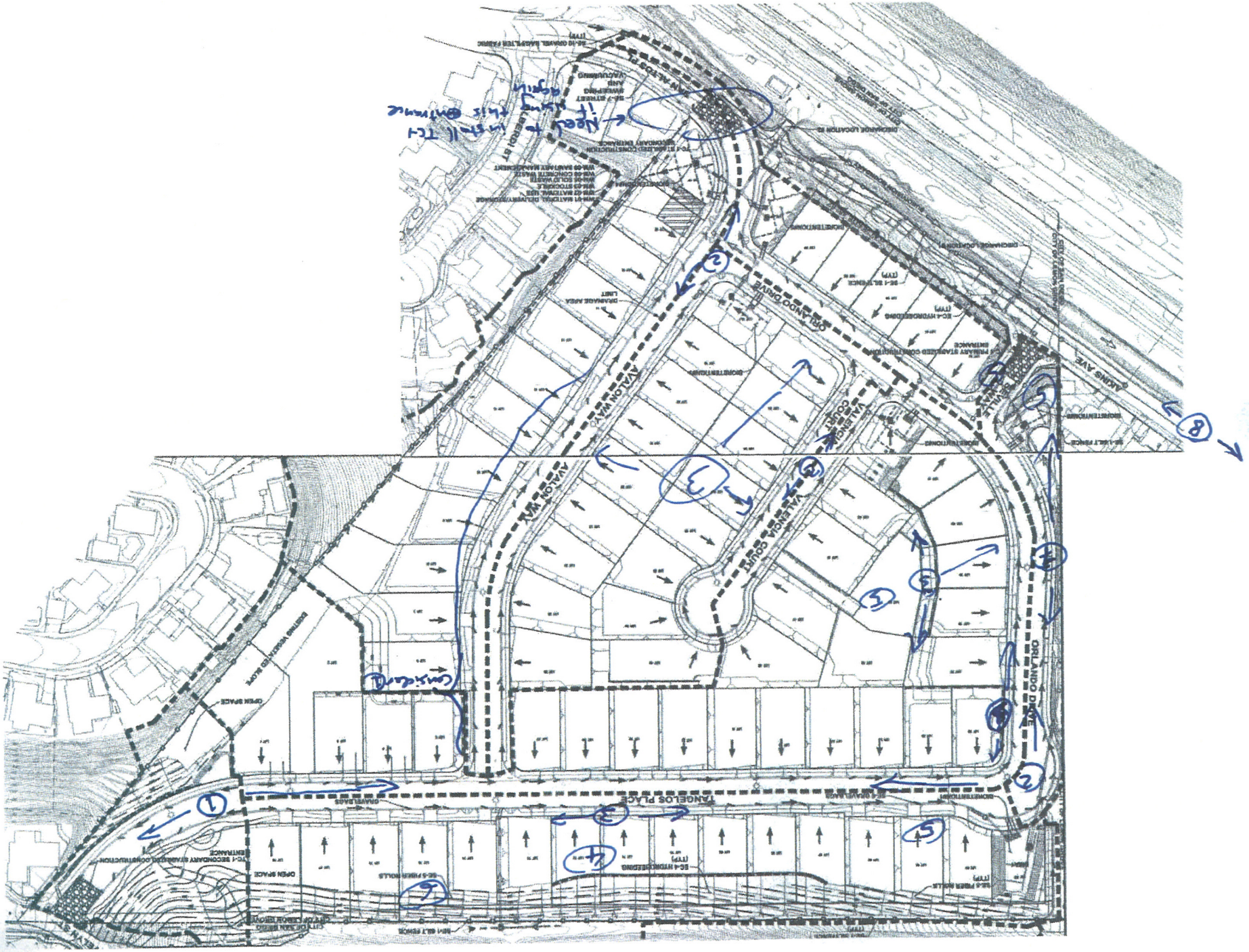
④ • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control

⑤ • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered

⑥ • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site

⑦ • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion

⑧ • Sweep road to remove sediment


AVALON WAY
VALENCIA COURT
ORLANDO DRIVE
TANGELOS PLACE
ADAMS AVE
ORLANDO PLACE
OPEN SPACE
DRAINAGE AREA
DISCHARGE LOCATION
Need to keep this connected
Consider

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [illegible] / 12/11/14 9:00AM

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☐ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			See inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/ contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				YES
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	NO
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☒ No violations; however, recommended corrective actions required
  - ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☐ Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer JQ

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valenica_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

7220 Trade Street ■ Suite 119 ■ San Diego, CA 92121 ■ (858) 586-6600 ■ Fax (858) 586-6644

Figure 1. Sampling Locations

Photo 1. Site Valencia_Akins

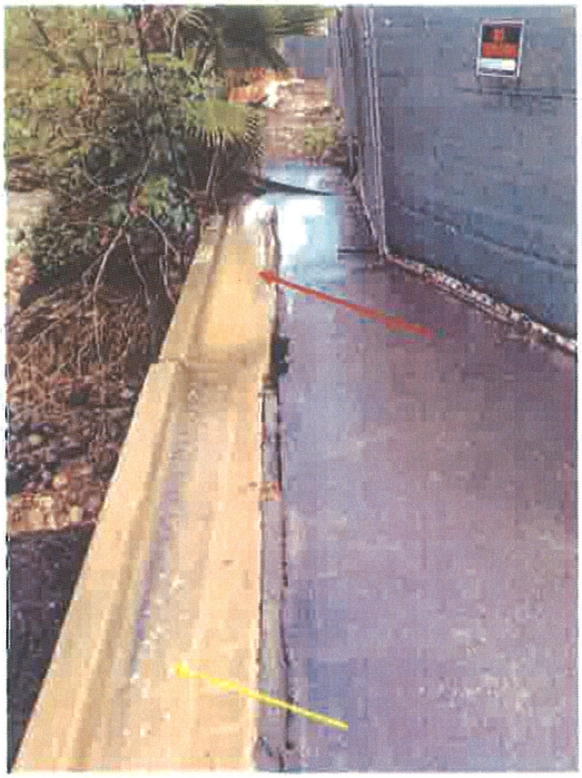


Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)

Photo 3. Site Akins_Inlet

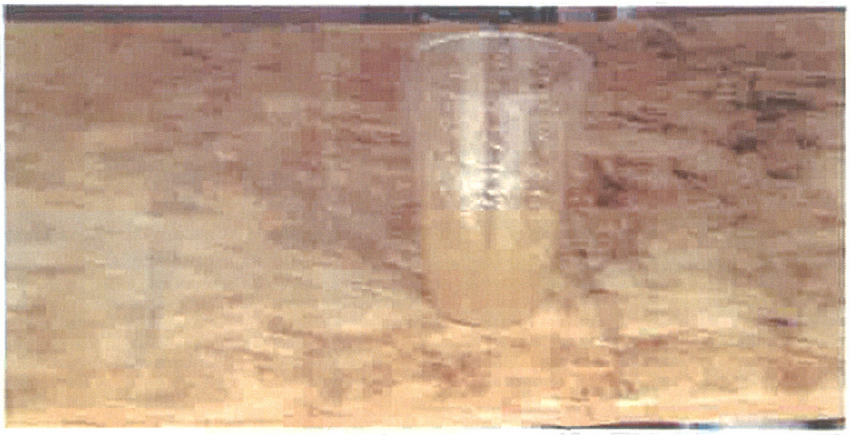


Photo 4. First Sample (11:05) from Site Valencia_Akins

Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)

Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI TNK 12/16/14 12:25

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☐ Yes ☒ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Numerous gullies still unprotected some pads & slopes still unstabilized	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic covers need to be repositioned/reinstalled	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional perimeter & slope protection still needed @ top on west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE ENTRANCE REPEATEDLY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	YES
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				YES
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				YES
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	YES
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Still significant sediment on AKINS	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams incomplete	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

☐ No violations noted at time of inspection/investigation

TN ☒ No violations; however, recommended corrective actions required

TN ☒ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____

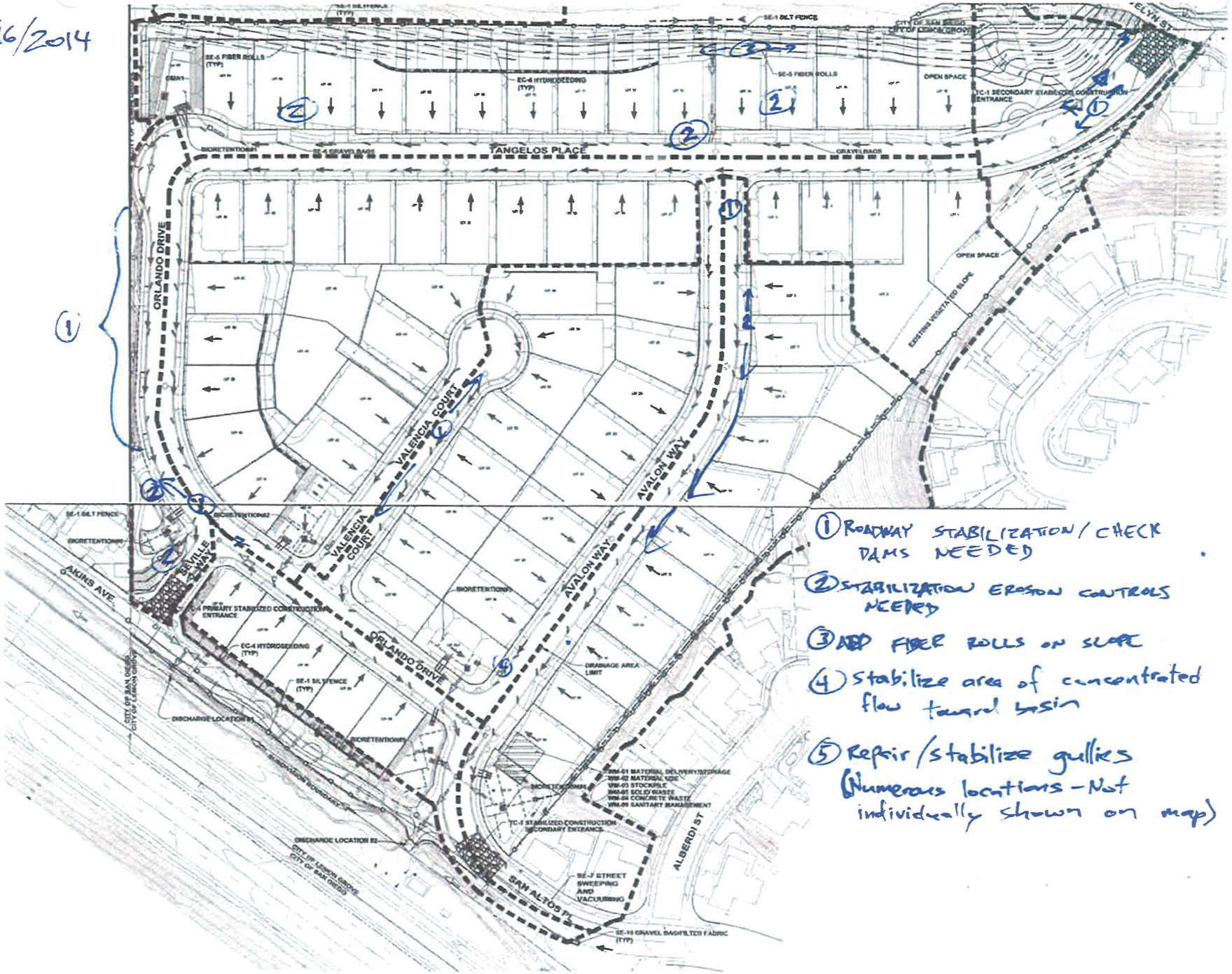
☒ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation

☒ Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE

12/16/2014



(1) ROADWAY STABILIZATION / CHECK DAMS NEEDED

(2) STABILIZATION EROSION CONTROLS NEEDED

(3) ADD FIBER ROLLS ON SLOPE

(4) Stabilize area of concentrated flow toward basin

(5) Repair / stabilize gullies (Numerous locations - Not individually shown on map)

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 17, 2014

To: Malik Tamimi

Cc: Tad Nakatani; John Quenzer

BN

From: Brian Nemerow

Subject: December 17, 2014 Field Visit at Valencia Construction Site

Per the City's request, D-MAX visited the Valencia construction site on the morning of December 17, 2014, following a storm earlier in the morning. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the Akins or San Altos entrance/exit locations at the time of the site visit.

Evidence of sediment discharge was observed at the Akins entrance/exit location (Photos 1 and 2) and along the curb farther downstream (Photo 3). A crew from Downstream Services was power washing the curb along Akins to remove accumulated sediment (Photos 4, 5, and 6). This indicates that there likely had been a noticeable sediment discharge earlier in the day. Based on talking with the crew, our understanding is that they were working on behalf of the Valencia project, and they also planned to use a vactor truck to remove accumulated sediment from the downstream storm drain on Akins. The crew was taking measures to prevent discharge of water from power washing, including using a vactor truck to reclaim the water, but a small amount of water was observed discharging to the inlet along Akins. The water was seeping through gravel bags around the inlet and discharge to the storm drain. A sample of the power washing discharge water was collected, and turbidity was measured at 52 NTU.

Figure 1. Observation Locations

7220 Trade Street ■ Suite 119 ■ San Diego, CA 92121 ■ (858) 586-6600 ■ Fax (858) 586-6644

Photo 1. Evidence of sediment discharge at Akins entrance/exit

Photo 2. Evidence of sediment discharge at Akins entrance/exit

Photo 3. Sediment accumulation along Akins curb gutter, downstream of Akins entrance/exit

Photo 4. Power washing activity performed by Downstream Services

Photo 5. Power washing activity performed by Downstream Services

Photo 6. Power washing activity performed by Downstream Services

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 31, 2014

To: Leon Firsht, Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer JQ

Subject: December 31, 2014 Field Visit at Valencia Construction Site

D-MAX visited the Valencia construction site on the morning of December 31, 2014, following a storm earlier the previous night. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the time of the site visit.

Ponded water was observed at the Akins Avenue entrance/exit location and behind several sets of gravel bags installed along Akins Avenue. Samples were collected from the ponded water at the Akins Avenue entrance/exit (Photo 1) and from ponded water behind the first set of gravel bags downstream of the Akins Avenue exit/entrance (Photos 2 and 3). Turbidity was measure at 250 NTU in the first sample (Akins entrance/exit), and 235 NTU in the second sample (first set of gravel bags along Akins).

Some sediment had settled out at the bottom of the pools of water in both of the locations at which samples were collected, and care was taken not to disturb the settled sediment when samples were taken. Note that because water had been pooled and sediment had settled out over time, the turbidity results as given above are likely lower than the turbidity of the discharge that had occurred earlier when it was raining. To approximate that effect, the settled sediment at the Akins entrance/exit location was disturbed, and a sample was taken a few minutes later. The turbidity of that sample was 998 NTU.

Observations farther downstream along the curb indicated that in some places sediment had been conveyed around gravel bag installations. Photo 4 gives an example of this. Sediment accumulation was also noted along Akins Avenue, close to the storm drain inlet.

7220 Trade Street ■ Suite 119 ■ San Diego, CA 92121 ■ (858) 586-6600 ■ Fax (858) 586-6644

Figure 1. Map of Site and Immediate Vicinity

Photo 1. Ponded Water at Akins Avenue Entrance/Exit

Photos 2 &3. Ponded Water at First Set of Gravel Bags Downstream of Akins Avenue Entrance/Exit (Looking downstream and upstream, respectively)

Photo 4. Evidence of Discharge Carrying Sediment around Gravel Bags along Akins Avenue

Photo 5. Sediment Accumulation along Akins Avenue, Close to Inlet

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 1/6/15 10:30AM

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? Unclear: Have additional silt fences but may need more after installing on more lots ☐ Yes ☐ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Area near Akins entrance not fully stabilized. Several gullies unprotected	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Additional gravel bags needed at base of plastic spillway on south side. Sidewalls lack plastic covering	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rols needed on slope on west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Fabric on drain in basin clogged with hydroseed. Bags along Akins have been removed & not replaced yet	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X				Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Uncovered stockpiles reported as active	Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?	X			stockpiles are too close to drain in NE Basin. Need to be moved or removed	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not Discussed	

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☐ No violations; however, recommended corrective actions required
  - ☐ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☒ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☒ Stop Work Notice Issued on: Ongoing stop work/ Admin. citation

RECOMMENDED CORRECTIVE ACTION

See next page for recommendations

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION Date: 1/6/15

Recommendations: (See MAP ON NEXT PAGE FOR LOCATIONS)

1. FULLY STABILIZE AREA. UTILIZE OTHER EROSION CONTROL BMPS (E.G. VISQUENE OR EROSION CONTROL BLANKETS) IF HYDROSEED GROWTH IS NOT SUFFICIENT
2. CLEAN OR REPLACE FILTER FABRIC
3. MOVE OR REMOVE STOCKPICES THAT ARE ADJACENT TO DRAIN
4. REPAIR GULLIES AND PREVENT CONCENTRATED FLOW TO AREA
5. REPAIR & STABILIZE SLOPE
6. USE EROSION CONTROLS TO STABILIZE EXPOSED SIDEWALLS. CONSIDER METHODS OTHER THAN HYDROSEED SINCE THERE IS EVIDENCE OF FAILURE
7. STABILIZE AREA IF INACTIVE OR RAIN IN FORECAST
8. ADD GRAVEL BAGS AT BOTTOM OF SPILLWAY
9. REPLACE GRAVEL BAGS ALONG AKINS

SE-1 SILT FENCE
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SE-5 FIBER ROLLS (TYP)
EC-4 HYDROSEEDING (TYP)
SE-5 FIBER ROLLS
OPEN SPACE
TC-1 SECONDARY STABILIZED CONSTRUCTION ENTRANCE
BIORETENTION#1
SE-6 GRAVEL BAGS
TANGELOS PLACE
GRAVELBAGS
ORLANDO DRIVE
VALENCIA COURT
AVALON WAY
OPEN SPACE
EXISTING VEGETATED SLOPE
SE-1 SILT FENCE
BIORETENTION#2
SEVILLE WAY
AKINS AVE
TC-1 PRIMARY STABILIZED CONSTRUCTION ENTRANCE
EC-4 HYDROSEEDING (TYP)
SE-1 SILT FENCE (TYP)
DISCHARGE LOCATION#1
BIORETENTION#3
BIORETENTION#4
DRAINAGE AREA LIMIT
WM-01 MATERIAL DELIVERY/STORAGE
WM-02 MATERIAL USE
WM-03 STOCKPILE
WM-05 SOLID WASTE
WM-06 CONCRETE WASTE
WM-08 SANITARY MANAGEMENT
TC-1 STABILIZED CONSTRUCTION SECONDARY ENTRANCE
ALBERDI ST
DISCHARGE LOCATION#2
SAN ALTOS PL
SE-7 STREET SWEEPING AND VACUUMING
SE-10 GRAVEL BAG/FILTER FABRIC (TYP)

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 1/14/15 7:15AM

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☒ Yes ☐ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Some areas near Akins where hydro-seeding has not grown. Some remaining ~~gullies~~ rills on edges of lots & SW corner	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Most sidewalks have been covered but a couple in the northern part of site lack protection	Nd
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Broken silt fence near San Altos	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier					

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X				Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?		X		wood/scrap pile should be removed or protected	NO
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?	X			stockpiles are located too close to drain in NE Basin. Remove or relocate them outside of basin	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- ☐ No violations noted at time of inspection/investigation
- ☐ No violations; however, recommended corrective actions required
  - ☐ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☒ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☒ Stop Work Notice Issued on: ongoing stop work/Admin. citation

RECOMMENDED CORRECTIVE ACTION

See next page for recommendations

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION Date: 1/14/15

Recommendations:

1. STABILIZE REMAINING SMALL AREAS THAT LACK FULL HYDROSEED OR VISQUENE COVER
2. INSTALL EROSION CONTROLS ON REMAINING SIDEWALLS
3. REMOVE THE STOCKPILES THAT ARE NEAR THE DRAIN OR RELOCATE THEM OUTSIDE OF THE BASIN
4. REPAIR BROKEN SILT FENCE
5. STABILIZE AREA IF INACTIVE OR RAIN IN FORECAST
6. REMOVE OR PROTECT WOOD/SCRAP PILE
7. REPAIR MINOR RILLS AND PROTECT AGAINST CONCENTRATED FLOWS IN THE AREA

1/14/15

SE-1 SILT FENCE
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SE-5 FIBER ROLLS (TYP)
EC-4 HYDROSEEDING (TYP)
SE-5 FIBER ROLLS
OPEN SPACE
TC-1 SECONDARY STABILIZED CONSTRUCTION ENTRANCE
BIORETENTION#1
SE-5 GRAVELBAGS
TANGELOS PLACE
GRAVELBAGS
ORLANDO DRIVE
VALENCIA COURT
AVALON WAY
OPEN SPACE
EXISTING VEGETATED SLOPE
SE-1 SILT FENCE
BIORETENTION#2
BIORETENTION#3
BIORETENTION#4
BIORETENTION#5
BIORETENTION#6
BIORETENTION#7
BIORETENTION#8
BIORETENTION#9
BIORETENTION#10
BIORETENTION#11
BIORETENTION#12
BIORETENTION#13
BIORETENTION#14
BIORETENTION#15
BIORETENTION#16
BIORETENTION#17
BIORETENTION#18
BIORETENTION#19
BIORETENTION#20
BIORETENTION#21
BIORETENTION#22
BIORETENTION#23
BIORETENTION#24
BIORETENTION#25
BIORETENTION#26
BIORETENTION#27
BIORETENTION#28
BIORETENTION#29
BIORETENTION#30
BIORETENTION#31
BIORETENTION#32
BIORETENTION#33
BIORETENTION#34
BIORETENTION#35
BIORETENTION#36
BIORETENTION#37
BIORETENTION#38
BIORETENTION#39
BIORETENTION#40
BIORETENTION#41

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: January 16, 2015

To: Leon Firsht, Malik Tamimi

Cc: John Quenzer

From: Tad Nakatani

Subject: Summary of Inspections and Sampling at Valencia Construction Site between December 9, 2014 and January 14, 2015

Per the City's request, D-MAX conducted multiple visits to the Valencia construction site to perform inspections and to collect storm water runoff samples. Table 1 summarizes the dates of all inspection and sampling visits.

Table 1. Inspection and Sampling Attempt Dates

Date	Activity
12/9/2014	Inspection
12/11/2014	Inspection
12/12/2014	Sampling
12/16/2014	Inspection
12/17/2014	Sampling
12/31/2014	Sampling
1/6/2015	Inspection
1/14/2015	Inspection

Summary of Inspections

Several significant BMP deficiencies were observed during the initial inspection on December 9, when the site was already under a Stop Work Notice from the City. Most significantly, there were several areas that lacked adequate erosion control BMPs, and there was also evidence of concentrated flows being directed to unstabilized areas, causing significant erosion. D-MAX documented these deficiencies and provided BMP recommendations as requested by the City. D-MAX re-inspected the site two days later on December 11 and observed that the majority of the deficiencies had not been corrected. On December 12, D-MAX visited the site during a rain event and collected samples of runoff from the site. Turbidity measurements were above 500 NTU for two samples taken near the southeast corner of the site and were above 400 NTU for a sample taken near the northeast corner of the site.

During the next inspection on December 16, some additional BMP deficiencies had been addressed, but the progress was still not sufficient. D-MAX returned to the site the following day to attempt to collect a sample, but the rain had already stopped, and no runoff sample was collected. D-MAX did observe sediment on the roadway outside of the southeast corner of the

site. A power-washing contractor was in the process of cleaning the road when D-MAX visited the site. D-MAX returned to the site on the morning of December 31 to attempt to collect another runoff sample, but once again the rain had stopped several hours before the site visit. D-MAX observed some sediment in the roadway again, but it appeared to be less than during the previous visit. D-MAX sampled water ponded at two locations just outside the southeast corner of the site. Turbidity was measured at 250 NTU and 235 NTU at these locations, but these measurements likely do not accurately reflect the turbidity of runoff since there had been time for sediment to settle out.

During the inspection on January 6, D-MAX observed that most of the major BMP deficiencies had been addressed, but a few still remained unresolved.

D-MAX performed its most recent inspection on January 14. D-MAX's assessment from this inspection is that the developer has made sufficient improvements to the site, and it is appropriate to lift the Stop Work Notice. There were some minor BMP deficiencies during the January 14 inspection, and the developer will still be required to address these promptly. However, the major deficiencies that led to the Stop Work Notice have been addressed, and the overall state of the site has been improved to the point where it no longer poses the severe risk of sediment discharges that it did in December.

Table 2 provides a summary of the different BMP deficiencies observed during inspections as well as the corrective actions that had been implemented as of January 14, 2015.

Table 2. Summary of BMP Deficiencies Observed and Corrective Actions Taken

BMP Deficiency	Corrective Action(s) Taken
Several lots lacked adequate erosion control BMPs.	Additional lots were hydroseeded. Some smaller areas were protected with plastic sheeting
Numerous slopes on the edges of lots were not sufficiently stabilized and protected from concentrated flows, and rills/gullies had formed.	Slopes were repaired where possible. BMPs were added upstream of slopes to prevent concentrated flows. Plastic sheeting was used in select areas to create protected spillways where concentrated flows could not be eliminated. Improved growth of hydroseed on slopes was also observed. All of the larger rills were addressed, but a few small rills still remained on January 14. The developer is required to address these areas still.
Sidewalls at the edges of lots also lacked erosion controls and several showed signs of erosion.	Sidewalls were protected with plastic sheeting.
Portions of the slope on the western edge of the site lacked full stabilization.	Additional fiber rolls were installed. Plastic sheeting was used to create protected spillways in areas where upstream contours were causing flows to concentrate.
Dirt roadways lacked sufficient stabilization and sediment controls.	Roads were compacted and large berms were built on them. A portion of the road that is inactive was hydroseeded.
Runoff from a significant portion of the site was being directed as concentrated flow to an unstabilized area in the site's southeast corner.	The developer built up an embankment to redirect flows away from this area and toward a settling area.
Some stockpiles lacked adequate cover	Covers were put on stockpiles.
The developer did not have sufficient quantities of BMP materials on site.	Additional gravel bags, fiber rolls, and silt fences were delivered to the site.
A significant amount of sediment was observed along the roadway at the southeast corner of the site.	Sweeping did not effectively remove all sediment, so a power-washing contractor was hired and removed the sediment from the road.
Gravel bag inlet protection BMPs were not always in place	Gravel bags were put in place to protect on-site and downstream off-site inlets.
Filter fabric used as part of inlet protection became potentially clogged by hydroseeding materials	Filter fabric was replaced.
Stockpiles were placed close to a drain inlet. The inlet is elevated above the ground height in that area, decreasing the risk of discharge, but stockpiles still need to be relocated away from the drain.	This deficiency was first observed on January 6. On January 14, the stockpiles had been covered, but they had not been moved sufficiently far enough away from the drain inlet. The developer is still required to address this item.
Sediment control BMPs were lacking or damaged in places.	A significant amount of additional silt fences and gravel bags were added to the site perimeter and the perimeters of lots.

Photo 1. Lot lacking erosion control BMPs

Photo 2. Hydroseed added to a lot

Photo 3. Evidence of erosion at edge of a lot

Photo 4. Rills filled in, area re-hydroseeded, silt fence added to perimeter of lot.

Photo 5. Sidewall without adequate erosion control

Photo 6Sidewall protected with plastic sheeting.

CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI TNK 1/19/15 7:30 AM

Inspection: ☐ Permit-Required Inspection ☒ Follow-up Inspection ☐ Other (Explain)____

Construction Project Priority: ☐ High ☒ Medium ☐ Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? ☒ Yes ☐ No ☐ N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? ☒ Yes ☐ No ☐ N/A

Is Weather Triggered Action Plan Completed? ☐ Yes ☐ No ☒ N/A

Is Advanced Treatment Implemented Appropriately? ☐ Yes ☐ No ☒ N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? ☐ Yes ☒ No ☐ N/A

Is 125% of Materials to Install Standby BMPs Available? ☒ Yes ☐ No ☐ N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? ☒ Yes ☐ No ☐ N/A

Project Site is in What Sub-Watershed: ☒ Chollas Creek 908.22 ☐ Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			✓		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Minor areas where hydroseed has not grown near Akins. Rills on edges of some lots & near SW corner	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Sidewalls have been covered but there are a couple gaps in coverage	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Broken silt fence near San Altos	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Gravel bag check dams along Akins are not in place	No TN

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X				Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.		X		Evidence of some concrete washout materials having escaped tarped area	No
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?	X			Stockpiles located too close to drain in NE basin.	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- ☒ No violations noted at time of inspection/investigation
- ☐ No violations; however, recommended corrective actions required
  - ☐ Inspection Form as Correct Work Notice ☐ Correct Work Notice Issued on: _____
- ☐ Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
  - ☐ Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

See next page for recommendations

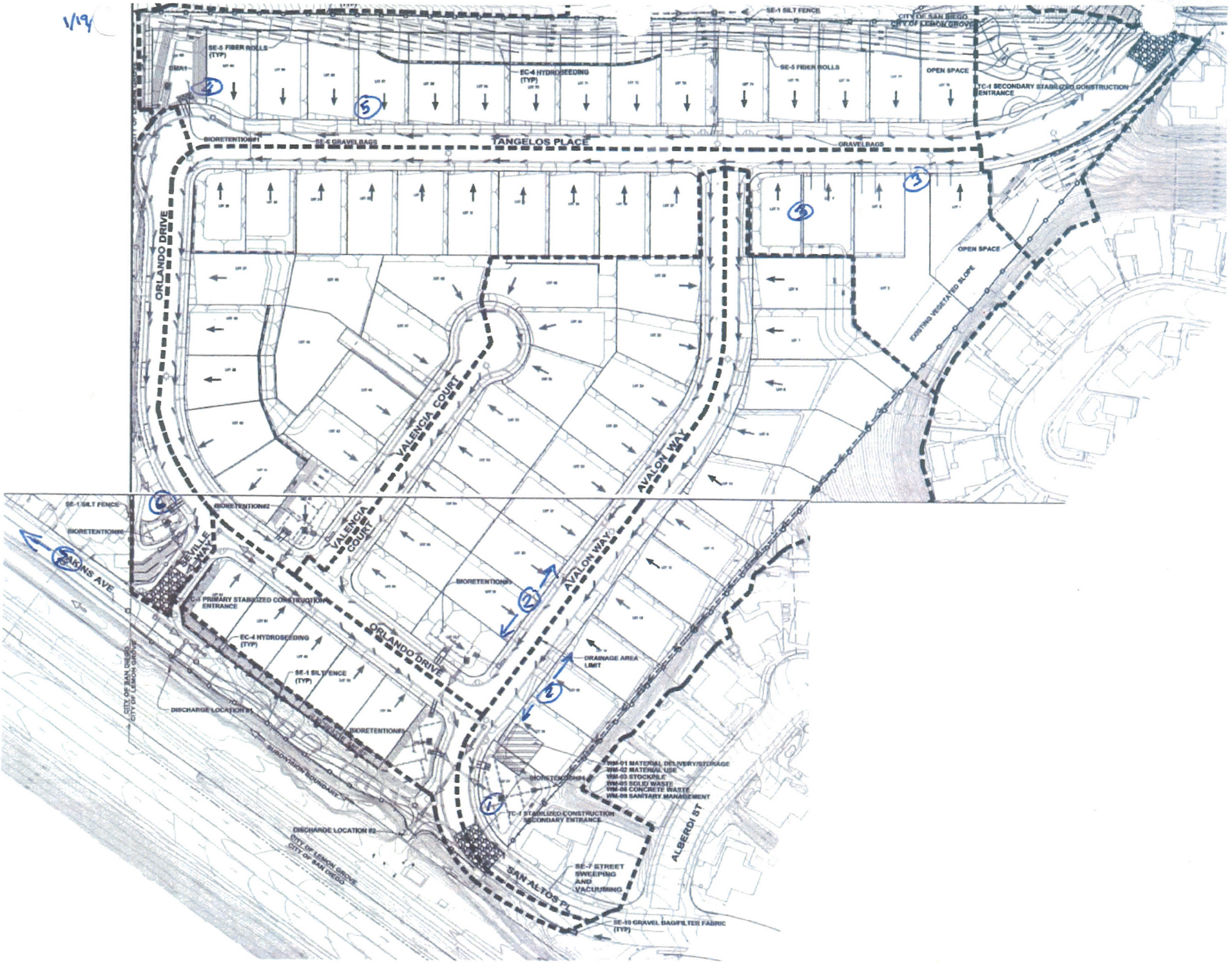
Construction BMP Recommendations

Site: VALENCIA SUBDIVISION Date: 1/19/15

Recommendations:

1. REMOVE THE STOCKPILES THAT ARE NEAR THE DRAIN OR RELOCATE THEM OUTSIDE THE BASIN
2. REPAIR MINOR RILLS AND PROTECT AGAINST CONCENTRATED FLOWS IN THE AREA
3. ADEQUATELY PROTECT SIDEWALLS WHERE THERE ARE CURRENTLY GAPS IN COVERAGE
4. STABILIZE AREA IF INACTIVE OR RAIN IN FORECAST
5. CLEAN UP CONCRETE WASHOUT MATERIAL
6. IMPLEMENT EROSION CONTROL IN SMALL AREAS WHERE HYDROSEED HAS NOT GROWN IN
7. ENSURE THAT GRAVEL BAG CHECK DAMS ARE IN PLACE PRIOR TO RAIN

1/19


SE-1 SILT FENCE
CITY OF SAN DIEGO
CITY OF LEMON GROVE
SE-5 FIBER ROLLS (TYP)
EC-4 HYDROSEEDING (TYP)
SE-5 FIBER ROLLS
OPEN SPACE
TC-1 SECONDARY STABILIZED CONSTRUCTION ENTRANCE
BIORETENTION#1
SE-6 GRAVEL BAGS
TANGELOS PLACE
GRAVELBAGS
ORLANDO DRIVE
VALENCIA COURT
AVALON WAY
OPEN SPACE
EXISTING VEGETATED SLOPE
SE-1 SILT FENCE
BIORETENTION#2
BIORETENTION#6
SEVILLE WAY
OAKINS AVE
TC-1 PRIMARY STABILIZED CONSTRUCTION ENTRANCE
EC-4 HYDROSEEDING (TYP)
SE-1 SILT FENCE (TYP)
DISCHARGE LOCATION #1
BIORETENTION#5
BIORETENTION#3
DRAINAGE AREA LIMIT
WM-01 MATERIAL DELIVERY/STORAGE
WM-02 MATERIAL USE
WM-03 STOCKPILE
WM-05 SOLID WASTE
WM-06 CONCRETE WASTE
WM-09 SANITARY MANAGEMENT
BIORETENTION#4
TC-1 STABILIZED CONSTRUCTION SECONDARY ENTRANCE
ALBERDI ST
SUBDIVISION BOUNDARY
DISCHARGE LOCATION #2
SAN ALTOS PL
SE-7 STREET SWEEPING AND VACUUMING
SE-10 GRAVEL BAG/FILTER FABRIC (TYP)

Firsht, Leon

Litigation
SERVICES

Job: 599121

Exhibit: 00014

EXHIBIT 14
REPORTER M. Lolz
WITNESS L. Firsht
DATE 12-28-15

Exhibit No. 14

CITY OF LEMON GROVE
ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning | 1st Citation $100 | 2nd Citation $200 | 3rd Citation $500 | 4th Citation $1,000

Payment of $ 500 is due no later than 4/19/15 to the City of Lemon Grove. The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner (Other) Project Manager

Mailing Address: 3194-C2 Airport Loop Road, Costa Mesa, CA 92626

Business Name (if applicable): BCA Development CC: Phil Dowley, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 3/18/15 Time (Violation Observed): 7:30 AM

Location of Violation: 1350 San Altos Place / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
8.48.060, 18.08.170, 18.08.180, 18.08.560
Concrete discharge to ground.
Follow up inspection re: 3/18/15
See attached report dated 3/5/15 (Tad Nakatani)

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommedations and Permit
Correct by 3/23/15 5P.M.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Firsht Phone No.: 619-825-3825 Signature: [signature] Date: 3/19/15

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person (By Mail / Email) n Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

~~WHITE ORIGINAL~~ ~~PINK COPY~~ ~~CITATION CARD OWNER~~

03/18/2015 06:35

03/18/2015 06:46