



# California Regional Water Quality Control Board San Diego Region



Matthew Rodriguez  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Edmund G. Brown Jr.  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

January 18, 2012

**Certified Mail – Return Receipt Requested**  
Article Number: 7011 0470 0002 8961 5186

Mr. Ed Hajj  
Project Manager  
California Department of Transportation  
4050 Taylor Street, MS-341  
San Diego, CA 92110

**In reply refer to:**  
768599: mporter

Dear Mr. Hajj:

**SUBJECT: Clean Water Act Section 401 Water Quality Certification No. 11C-058  
for the Repair Culverts Project**

Enclosed is the Clean Water Act Section 401 Water Quality Certification for discharges to waters of the U.S. and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the Repair Culverts Project (project). A description of the project and project location can be found in the project information sheet, location map, and site maps which are included as Attachments 1 through 6.

Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that you have accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject the California Department of Transportation to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

In the subject line of any response, please include the requested **"In reply refer to:"** information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mike Porter at 858-467-2726 or [mporter@waterboards.ca.gov](mailto:mporter@waterboards.ca.gov).

Respectfully,



DAVID W. GIBSON  
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-058 for Repair Culverts Project, with six attachments.

E-copies: Refer to Attachment 2 of Certification 11C-058 for the Distribution List.

Tech Staff Info & Use	
File No.	11C-058
WDID	9000002017
Reg. Measure ID	380325
Place ID	768599
Party ID	7222
Person ID	527930



# California Regional Water Quality Control Board San Diego Region



**Matthew Rodriguez**  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

**Edmund G. Brown Jr.**  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

January 18, 2012

**Certified Mail – Return Receipt Requested**

Article Number: 7011 0470 0002 8961 5186

Mr. Ed Hajj  
Project Manager  
California Department of Transportation  
4050 Taylor Street, MS-341  
San Diego, CA 92110

In reply refer to:

768599: mporter

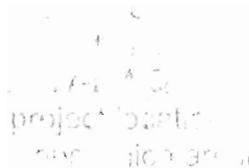
Dear Mr. Hajj:

**SUBJECT: Clean Water Act Section 401 Water Quality Certification No. 11C-058  
for the Repair Culverts Project**

Enclosed is the Clean Water Act Section 401 Water Quality Certification for discharges to waters of the U.S. and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the Repair Culverts Project (project). A description of the project and project location can be found in the project information sheet, location map, and site maps which are included as Attachments 1 through 6.

Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that you have accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject the California Department of Transportation to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.



In the subject line of any response, please include the requested **"In reply refer to:"** information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mike Porter at 858-467-2726 or [mporter@waterboards.ca.gov](mailto:mporter@waterboards.ca.gov).

Respectfully,



DAVID W. GIBSON  
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-058 for Repair Culverts Project, with six attachments.

E-copies: Refer to Attachment 2 of Certification 11C-058 for the Distribution List.

Tech Staff Info & Use	
File No.	11C-058
WDID	9000002017
Reg. Measure ID	380325
Place ID	768599
Party ID	7222
Person ID	527930

11C-058  
WDID 9000002017  
REG MEAS 380325  
PLACE 768599  
PARTY 7222  
PERSON 527930

11C-058  
WDID 9000002017  
REG MEAS 380325  
PLACE 768599  
PARTY 7222  
PERSON 527930



# California Regional Water Quality Control Board

## San Diego Region



**Matthew Rodriguez**  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

**Edmund G. Brown Jr.**  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

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

**PROJECT:** Repair Culverts  
Water Quality Certification No. 11C-058

**APPLICANT:** Mr. Ed Hajj  
Project Manager  
California Department of Transportation  
4050 Taylor Street, MS-341  
San Diego, CA 92110

WDID	9000002017
Reg. Meas.	380325
Place	768599
Party	7222
Person	527930

**ACTION:**

<input type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input checked="" type="checkbox"/> Order for Technically-conditioned, Programmatic Certification	<input type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

**PROJECT DESCRIPTION:**

The proposed project is the repair of ten culverts on State Route (SR)-52, SR-67, Interstate (I)-8, I-805, I-5, and I-15. Four of the ten culverts (Culverts Nos. 1, 3, 7, and 9) will have impacts to Federal and State jurisdictional wetlands. Repairs will include removing obstructions from inlets and outlets, re-grading outlet ditches, filling eroded areas, sealing culvert joints, relining culverts, structurally sleeving culverts, and repairing aprons and wingwalls.

**California Environmental Protection Agency**

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



Permanent project impacts to wetlands will be limited to 0.08-acre and 153-linear feet. Mitigation will be the deduction of 0.08-acres (300-linear feet) of establishment and 0.03-acre (75-linear feet) of enhancement mitigation credits from the Forester Creek mitigation site.

**TABLE OF CONTENTS**

I. STANDARD CONDITIONS: ..... 3  
II. ADDITIONAL CONDITIONS: GENERAL ..... 3  
III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES ..... 5  
IV. ADDITIONAL CONDITIONS: IMPACTS AND COMPENSATORY MITIGATION ..... 7  
V. MONITORING REQUIREMENTS: ..... 7  
VI. NOTIFICATION REQUIREMENTS: ..... 8  
VII. REPORTING REQUIREMENTS: ..... 9  
VIII. CEQA FINDINGS: ..... 11  
IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION: ..... 11  
X. SAN DIEGO WATER BOARD CONTACT PERSON: ..... 11  
XI. WATER QUALITY CERTIFICATION: ..... 12

## I. STANDARD CONDITIONS:

The following three standard conditions apply to all Certification actions, except as noted under Condition 3 for denials.

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
- B. This Certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. The validity of any non-denial Certification action must be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

## II. ADDITIONAL CONDITIONS: GENERAL

- A. Water Quality Certification No. 11C-058 (Certification) is only valid if the project begins no later than 5 (five) years from the date of issuance. If the project has not begun within 5 years from the date of issuance, then this Certification expires.
- B. The California Department of Transportation must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/go\\_wdr401regulated\\_projects.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf).
- C. The California Department of Transportation must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the San Diego Water Board, to support this Certification and all subsequent submittals required as part of this Certification and as described in Attachment 1. The conditions within this Certification must

supersede conflicting provisions within such plans submitted as part of this Certification action.

- D. The California Department of Transportation must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
1. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
  2. Access to copy any records required to be kept under the terms and conditions of this Certification.
  3. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
  4. Sampling of any discharge or surface water covered by this Order.
- E. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
- F. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the San Diego Water Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- G. In response to any violation of the conditions of this Certification, the San Diego Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

### III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the project, and annually thereafter, the California Department of Transportation must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices BMPs implementation and maintenance.
- B. BMPs must include, but not be limited to, silt fencing, coffering and diverting surface waters around the construction areas, designated concrete washout areas, designated hazardous materials storage areas, erosion control, and sediment control.
- C. The California Department of Transportation must comply with the requirements of State Water Resources Control Board adopted Order No. 99-06-DWQ, NPDES No. CAS000003 *NPDES Permit Statewide Storm Water Permit and Waste Discharge Requirements (WDRs) for the State of California, Department of Transportation*.
- D. The California Department of Transportation must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*.
- E. The California Department of Transportation must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.
- F. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to CWC § 13260.
- G. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- H. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm

flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.

- I. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- J. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. The California Department of Transportation, land owners, and/or land managers are responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/weedlist.php>.
- K. Except as permitted, substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State, except as authorized by this Certification. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- L. Removal of vegetation must occur by hand, mechanically, or using EPA approved herbicides deployed using applicable BMPs to prevent impacts to beneficial uses of waters of the State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, and any subsequent reissuance as applicable.
- M. If groundwater dewatering with discharge to surface water is necessary for project construction, the California Department of Transportation must apply for and obtain coverage under the San Diego Water Board Order No. R9-2008-0002, *General Waste Discharge Requirements for Discharges from Groundwater Extraction and Similar Discharges to Surface Waters Within the San Diego Region*. These General Waste Discharge Requirements are accessible at: [http://www.swrcb.ca.gov/rwqcb9/board\\_decisions/adopted\\_orders/2008/2008\\_0002.pdf](http://www.swrcb.ca.gov/rwqcb9/board_decisions/adopted_orders/2008/2008_0002.pdf)

- N. During construction, the California Department of Transportation must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.

#### **IV. ADDITIONAL CONDITIONS:**

##### **UNAVOIDABLE IMPACTS AND COMPENSATORY MITIGATION**

- A. Unavoidable, permanent impacts to wetland waters of the U.S. and State are limited to 0.08-acre and 153-linear feet.
- B. Compensatory mitigation must consist of the deduction 0.08-acre (300-linear feet) of establishment and 0.03-acre (75-linear feet) of enhancement as riparian mitigation credits from the Forester Creek Mitigation Site.
- C. Any maintenance activities that do not contribute to the success of the mitigation sites and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities are limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species and remedial measures deemed necessary for the success of the restoration program.
- D. For the purpose of determining mitigation credit for the removal of exotic/invasive plant species, only the actual area occupied by exotic/invasive plant species must be quantified to comply with mitigation requirements.
- E. The Forester Creek Mitigation Site must be maintained free of non-native and invasive plant species in perpetuity.
- F. The physical integrity of the Forester Creek Mitigation Site must be maintained in perpetuity.
- G. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States/State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the United States/State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the United States/State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas

and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the United States/State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the United States/State (e.g., conservation easement).

## VI. NOTIFICATION REQUIREMENTS:

- A. The California Department of Transportation must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally within **24 hours** of the time the California Department of Transportation becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the California Department of Transportation becomes aware of the circumstances. The written submission shall contain a written description of the incident and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The San Diego Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours.
  
- B. The California Department of Transportation must notify the San Diego Water Board of any change in ownership or transfer of certification responsibilities associated with the project or mitigation areas. Notification of change in ownership or transfer of responsibilities must include, but not be limited to, a statement that the California Department of Transportation has provided the purchaser/transferee with a copy of the Section 401 Water Quality Certification and that the purchaser/transferee understands and accepts the certification requirements and acknowledges the obligation to implement them and be subject to liability for failure to do so. The seller and purchaser/transferee must sign and date the notification and provide such notification to the Executive Officer of the San Diego Water Board within **10 days** of the transfer. Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the California Department of Transportation will be interpreted to refer to the transferee as appropriate. Transfer does not necessarily relieve the California Department of Transportation of this Certification in the event that a transferee fails to comply.

- C. Within one year of the start of construction, the California Department of Transportation must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the United States that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the site. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

## VII. REPORTING REQUIREMENTS:

- A. The California Department of Transportation must submit annual progress reports describing status of compliance with all requirements of this Certification to the San Diego Water Board prior to **August 1** of each year following the issuance of this Certification until the project has reached completion. The California Department of Transportation must submit a Final Project Annual Report to the San Diego Water Board prior to **August 1** following completion of the project. The reports must include the following:
1. Date of construction initiation.
  2. Projected date of construction completion.
  3. Final Project Report: As-built drawings no larger than 11"X17", GPS readings, and photodocumentation of culverts pre- and post-repairs.
- B. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to furnish requested information pursuant to CWC section 13268.
- C. All reports and information submitted to the San Diego Water Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.

- D. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
1. For a corporation, by a responsible corporate officer of at least the level of vice president.
  2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
  3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
  4. A duly authorized representative may sign applications, reports, or information if:
    - a. The authorization is made in writing by a person described above.
    - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
    - c. The written authorization is submitted to the San Diego Water Board Executive Officer.
- E. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:

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

- F. The California Department of Transportation must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification No. 11C-058  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

**VIII. CEQA FINDINGS:**

- A. The California Department of Transportation is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and issued a Categorical Exemption / Categorical Exclusion Form on February 19, 2009.
- B. The San Diego Water Board has reviewed the lead agency's Categorical Exemption / Categorical Exclusion Form and finds that the project, as proposed, is exempt from CEQA.

**IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

- A. On July 18, 2011, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.

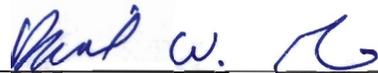
**X. SAN DIEGO WATER BOARD CONTACT PERSON:**

Mike Porter, Engineering Geologist  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
Telephone: 858-467-2726  
Email: mporter@waterboards.ca.gov

**XI. WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from the **Repair Culverts** project (Certification No. 11C-058) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).



\_\_\_\_\_  
DAVID W. GIBSON  
Executive Officer  
Regional Water Quality Control Board

18 January 2012  
Date

- Attachments:
1. Project Information
  2. Distribution List
  3. Location Map(s)
  4. Site Figures(s)
  5. Mitigation Figures(s)
  6. Required Reports and Notifications Checklist

**ATTACHMENT 1  
PROJECT INFORMATION**

Applicant: Mr. Ed Hajj  
Project Manager  
California Department of Transportation  
4050 Taylor Street, MS-341  
San Diego, CA 92110  
Telephone: 619-220-5433  
Fax: 619-688-4237  
Email: Ed\_Hajj@dot.ca.gov

Applicant  
Representatives: Kim T. Smith  
Branch Chief  
Environmental Stewardship and Ecological Studies  
Department of Transportation  
4050 Taylor Street, MS-341  
San Diego, CA 92110  
Telephone : 619-688-0220  
Fax: 619-688-4237  
Email: kim\_t\_smith@dot.ca.gov

Project Name: Repair Culverts

Project Locations: The proposed project sites are located under and adjacent to State Routes 52 and 67, Interstates I-8, I-805, I-5, and I-15.

Type of Project: Culvert repairs.

Project Description: The proposed project is the repair of ten culverts on State Route (SR)-52, SR-67, Interstate (I)-8, I-805, I-5, and I-15. Four of the ten culverts (Culverts Nos. 1, 3, 7, and 9) will have impacts to Federal and State jurisdictional wetlands. Repairs will include removing obstructions from inlets and outlets, re-grading outlet ditches, filling eroded areas, sealing culvert joints, relining culverts, structurally sleeving culverts, and repairing aprons and wingwalls.

Federal Agency/Permit: U.S. Army Corps of Engineers §404, Nationwide Permits 3 and 33, Ms. Stephanie Hall.

Other Required Regulatory Approvals: California Department of Fish and Game (CDFG) § 1602 Streambed Alteration Agreement, Mr. Tim Dillingham.

California Environmental Quality Act (CEQA) Compliance: The California Department of Transportation is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and issued a Categorical Exemption / Categorical Exclusion Form on February 19, 2009

Receiving Waters: Tributaries to San Clemente Canyon, Poway Creek, the Otay River, and the Pacific Ocean.

Impacted Waters and Wetlands of the United States and State: Permanent - Wetlands - 0.08-acre, 153-linear feet

Dredge Volume: None proposed.

Related Projects Implemented/to be Implemented by the Applicant(s): None disclosed.

Compensatory Mitigation: Mitigation will be the deduction of mitigation credits from Caltrans' Forester Creek mitigation site totaling 0.08-acre (300-linear feet) of riparian establishment and 0.03-acre (75-feet) of riparian enhancement.

Public Notice: On July 18, 2011, receipt of the project application was posted on the San Diego Water Board website to serve as appropriate notification to the public. No public comments were received.

Fees: Total Due: \$2,418.00  
Total Paid: \$890.00 (Check No. 082-000000000942617)  
Total Paid: \$1,528.00 (Check No. 082-000000000975880)

CIWQS: Regulatory Measure ID: 380325  
Place ID: 768599  
Party ID: 7222  
Person ID: 527930  
WDID 9 000002017

**ATTACHMENT 2  
DISTRIBUTION LIST**

Ms. Stephanie Hall  
Environmental Protection Specialist/Senior PM  
USACOE-Los Angeles District  
Regulatory Division  
Stephanie.J.Hall@usace.army.mil

Ms. Gladys Baird  
Stormwater Program Manager  
California Department of Transportation  
4050 Taylor Street, MS-341  
San Marcos, CA 92069-2918  
gladys\_t\_baird@dot.ca.gov

Kim T. Smith  
Branch Chief  
Environmental Stewardship and Ecological Studies  
Department of Transportation  
4050 Taylor Street  
San Diego, CA 92110  
kim\_t\_smith@dot.ca.gov

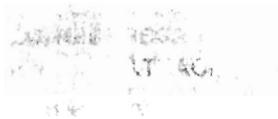
Mr. Tim Dillingham  
California Department of Fish and Game  
South Coast Region  
Habitat Conservation Planning – North  
3883 Ruffin Road  
San Diego, CA 92123  
TDillingham@dfg.ca.gov

Mr. Eric Raffini  
Wetlands Regulatory Office  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
R9-WTR8-Mailbox@epa.gov

State Water Resources Control Board  
Division of Water Quality  
401 Water Quality Certification and Wetlands Unit  
P.O. Box 100  
Sacramento, CA 95812-0100  
Stateboard401@waterboards.ca.gov



**ATTACHMENT 3**  
**LOCATION MAPS**





INDEX OF PLANS

STATE OF CALIFORNIA  
 DEPARTMENT OF TRANSPORTATION  
 PROJECT PLANS FOR CONSTRUCTION ON  
 STATE HIGHWAY  
 IN SAN DIEGO COUNTY  
 AT VARIOUS LOCATIONS

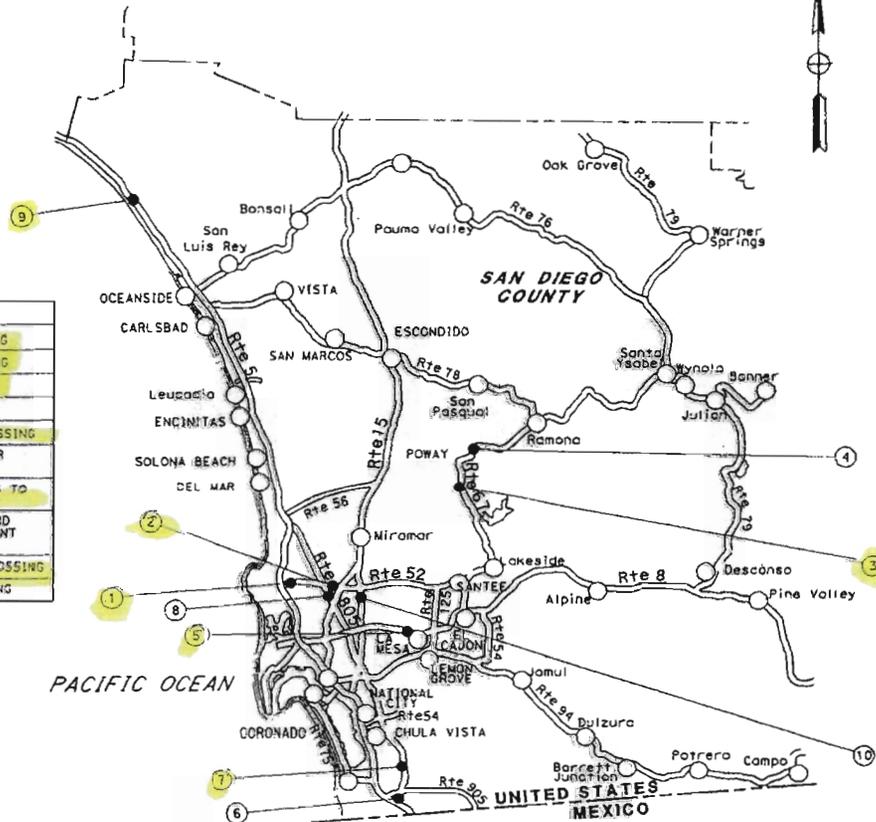
TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOT SHEET
11	SD	5, 8, 15, 62, 67, 805	Var	1	



LOCATIONS OF CONSTRUCTION

Loc	Rte	PM	DESCRIPTION
1	52	1.31	0.04 MILE WEST OF REGENTS ROAD UNDERCROSSING
2	52	5.38	0.11 MILE EAST OF CONVOY STREET OVERCROSSING
3	67	13.75	0.19 MILE NORTH OF SCRIPPS POWAY PARKWAY
4	67	18.23	0.32 MILE SOUTH OF ARCHIE MOORE ROAD
5	8	10.62	0.05 MILE EAST OF FLETCHER PARKWAY OVERCROSSING
6	805	0.65/1.11	SAN YSIDRO BOULEVARD UNDERCROSSING TO BEYER BOULEVARD OVERCROSSING
7	805	2.88/3.38	0.02 MILE SOUTH OF PALM AVENUE OVERCROSSING TO OTAY RIVER BRIDGE
8	805	22.71/22.81	0.15 MILE NORTH OF CLAIREMONT MESA BOULEVARD OVERCROSSING TO 0.25 MILE NORTH OF CLAIREMONT MESA BOULEVARD OVERCROSSING
9	5	R62.60	0.52 MILE NORTH OF LAS PULGAS ROAD UNDERCROSSING
10	15	R9.24	0.10 MILE WEST OF BALBOA AVENUE OVERCROSSING



PROJECT MANAGER  
 ED HAJJ  
 DESIGN ENGINEER  
 TOM GUERRINI

PROJECT ENGINEER DATE  
 REGISTERED CIVIL ENGINEER



PLANS APPROVAL DATE  
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

CONTRACT No. 11-27080  
 PROJECT ID 1100000248

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

NO SCALE



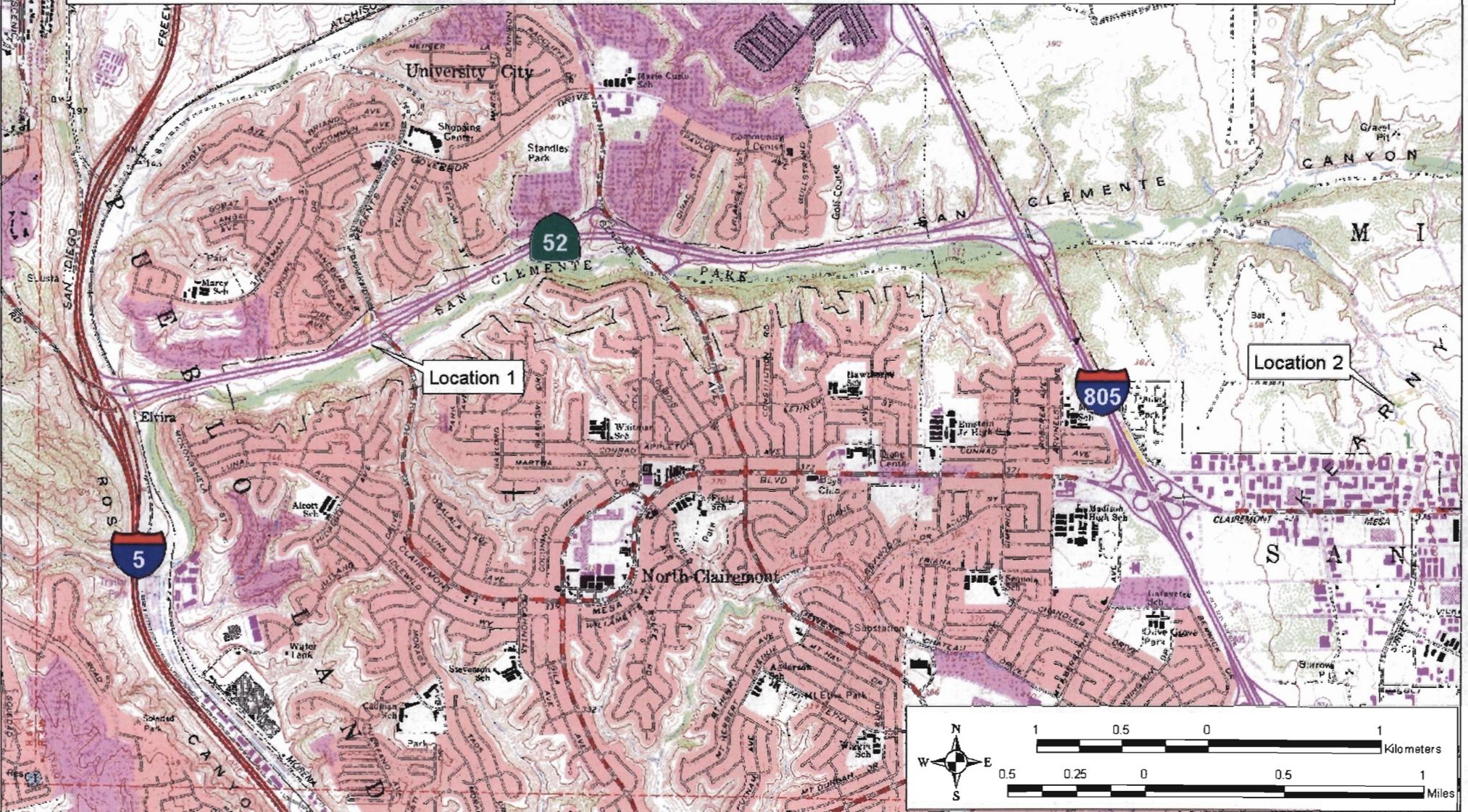
**ATTACHMENT 4**

SITE FIGURES

2011-01-11 10:00 AM

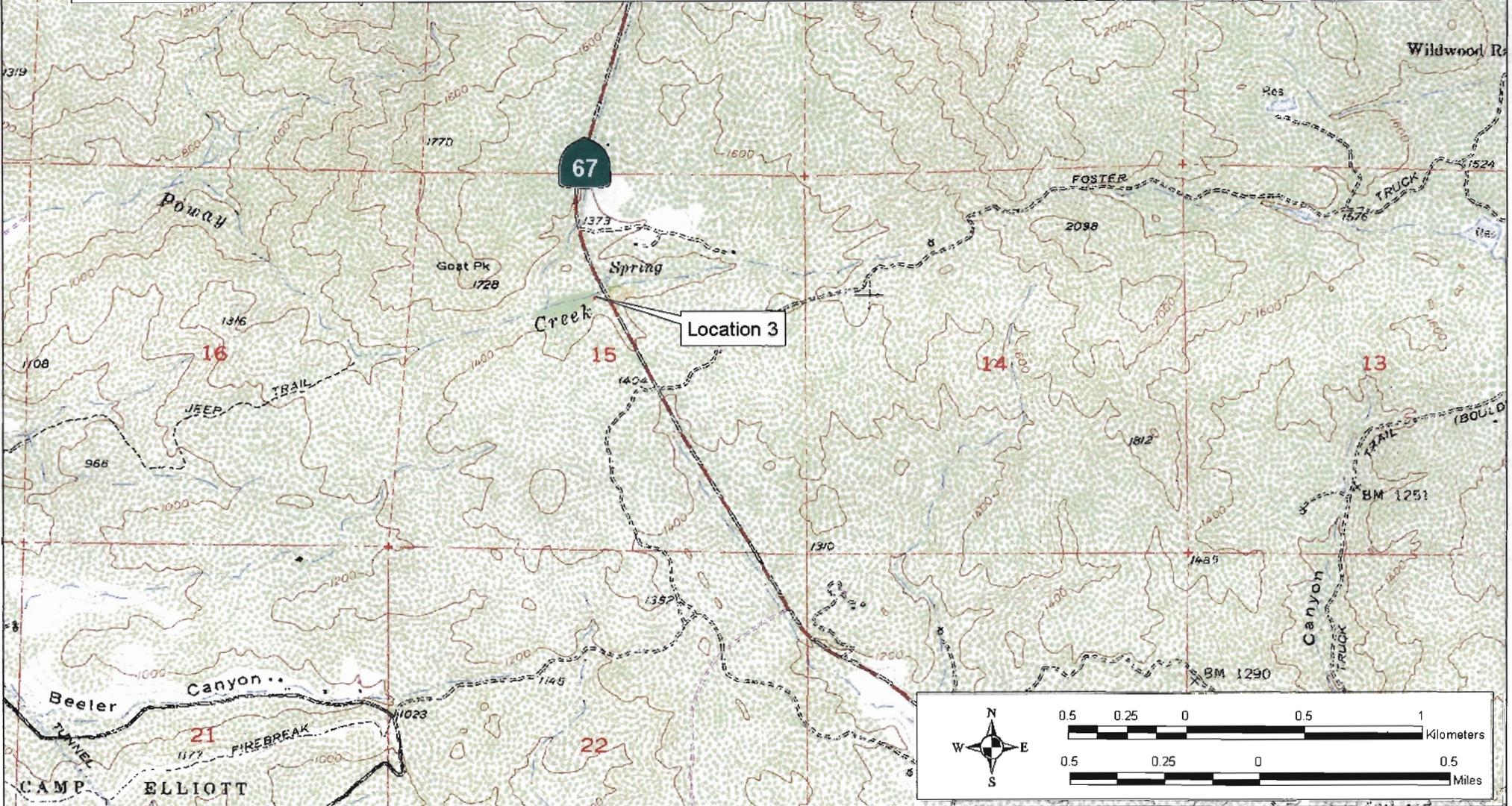


CALIFORNIA DEPARTMENT OF TRANSPORTATION, PROJECT ID 1100000248 / EA 270801  
11-SD-52, PM 1.31 & 5.38, SAN CLEMENTE CANYON  
USGS LA JOLLA QUADRANGLE 7.5 MINUTE SERIES, T 15S, R 3W



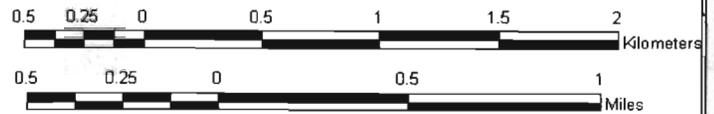
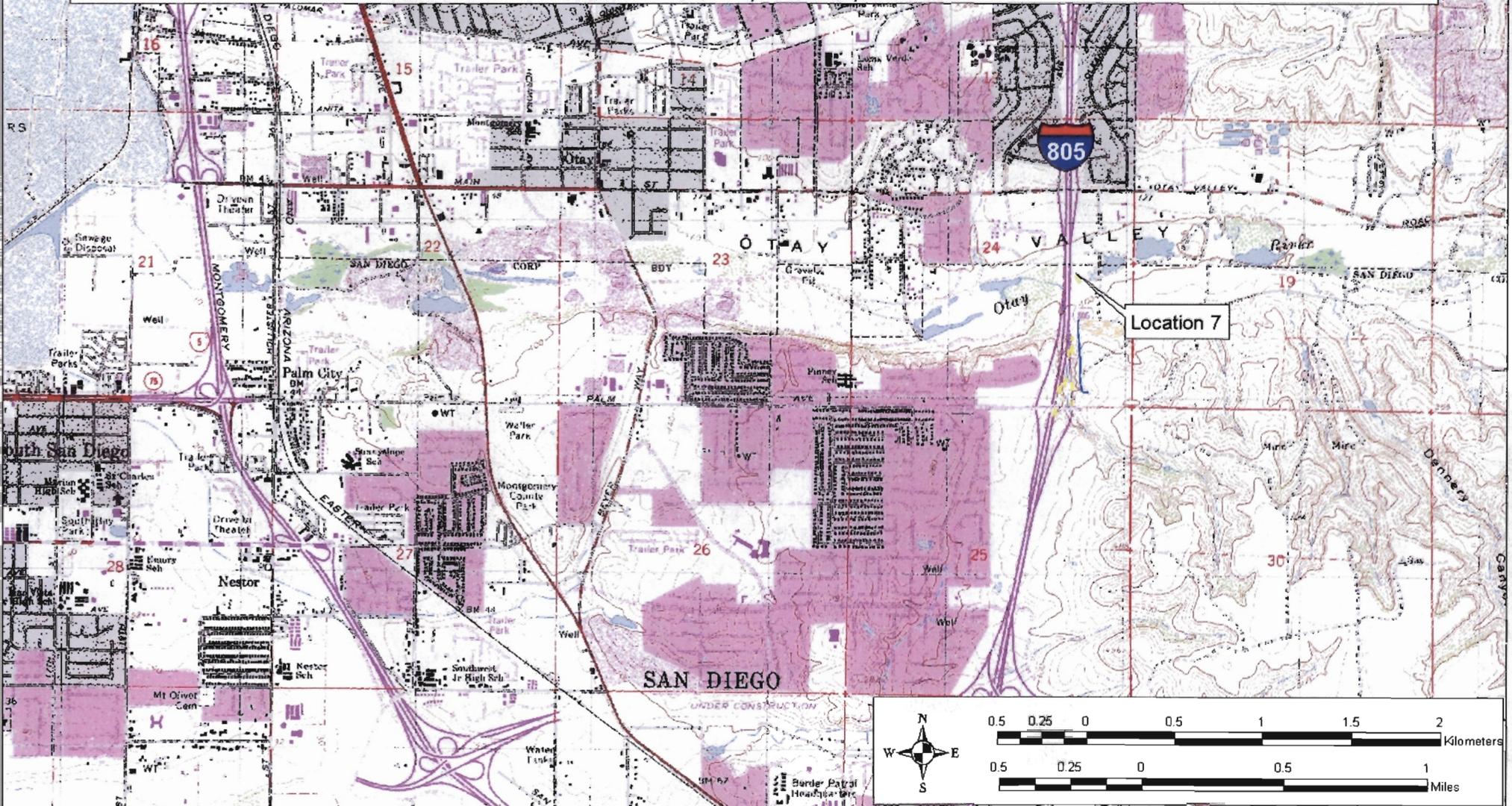


CALIFORNIA DEPARTMENT OF TRANSPORTATION, PROJECT ID 1100000248 / EA 270801  
11-SD-67, PM 13.75, POWAY CREEK  
USGS SAN VICENTE RESERVOIR QUADRANGLE 7.5 MINUTE SERIES,  
SECTION 15, T 14S, R 1W



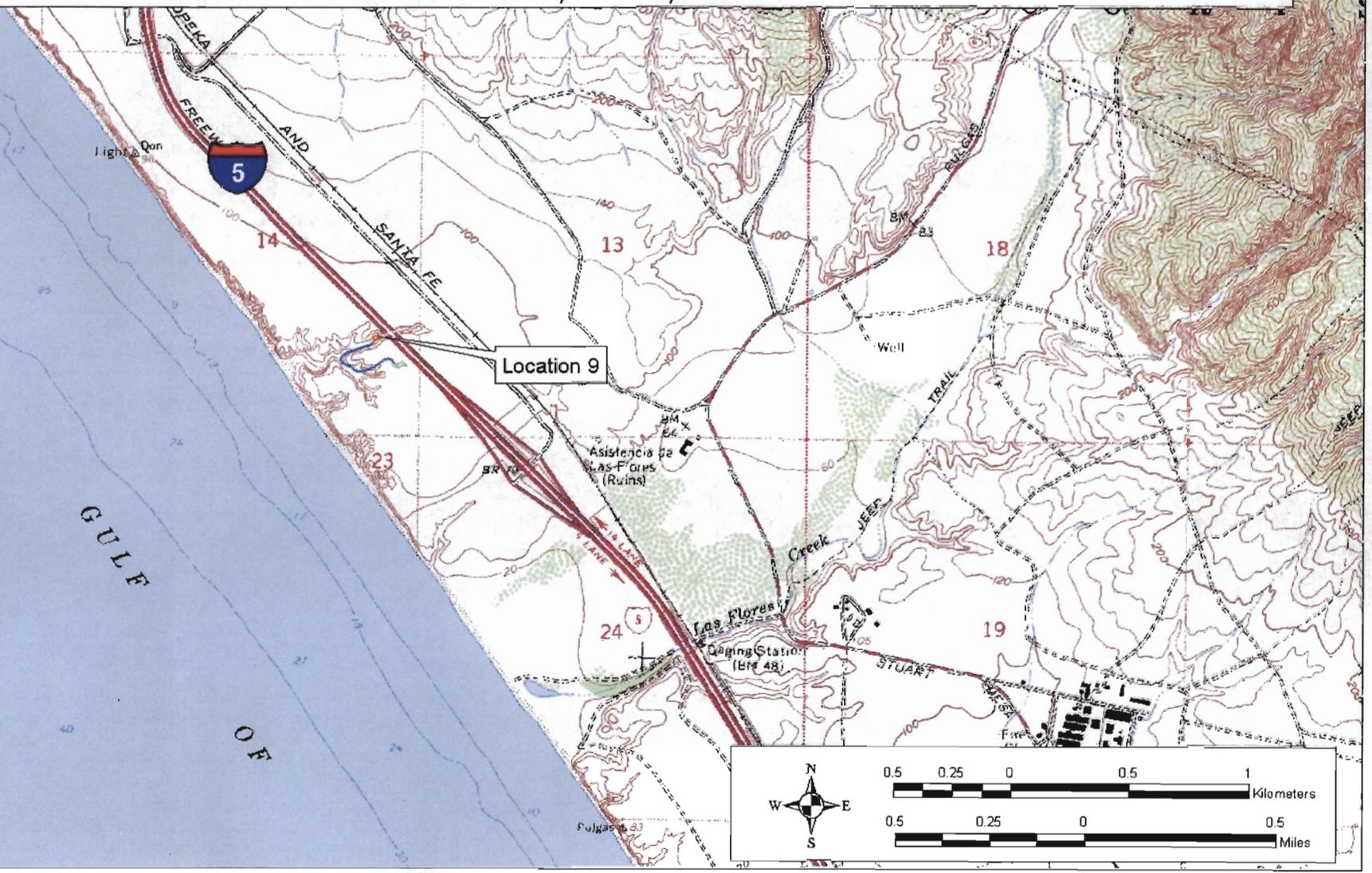


CALIFORNIA DEPARTMENT OF TRANSPORTATION, PROJECT ID 1100000248 / EA 270801  
11-SD-805, PM 2.75-3.48, OTAY RIVER  
USGS IMPERIAL BEACH QUADRANGLE 7.5 MINUTE SERIES,  
SECTION 24, T 18S, R 2W





CALIFORNIA DEPARTMENT OF TRANSPORTATION, PROJECT ID 1100000248 / EA 270801  
11-SD-5, PM 62.6, LAS PULGAS  
USGS LAS PULGAS CANYON QUADRANGLE 7.5 MINUTE SERIES,  
SECTION 14, T 10S, R 6W





STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**ED**  
**DESIGN**

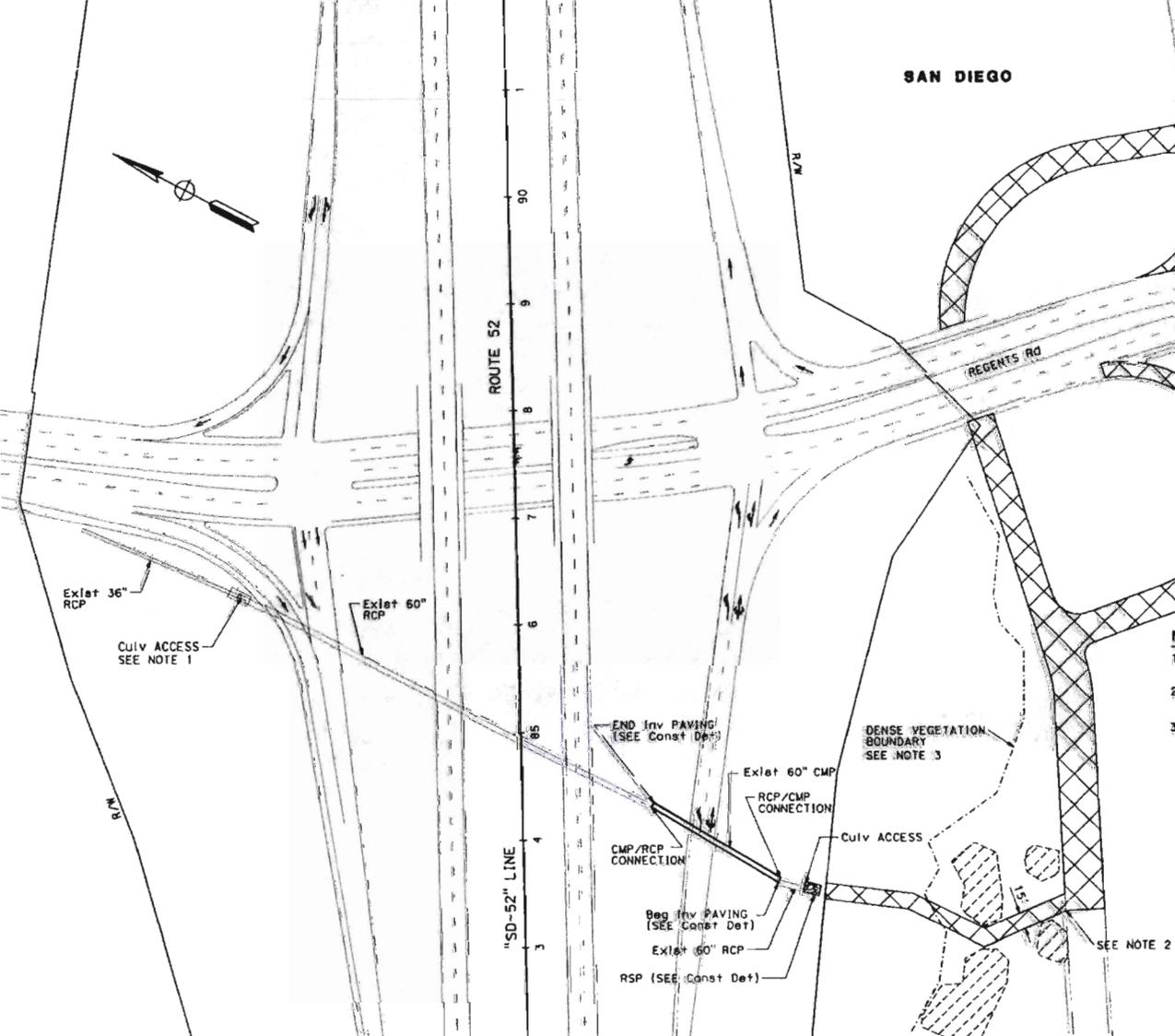
FUNCTIONAL SUPERVISOR  
 ED HAJJ

DESIGNED BY  
 CHECKED BY

ANH NGUYEN  
 PHOUKHAD SASINOUAN

REVISED BY  
 DATE REVISED

FOR ACCURATE RIGHT OF WAY DATA,  
 CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.



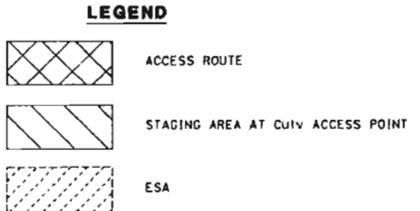
DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	5,815	66,67,805	Var	

REGISTERED CIVIL ENGINEER DATE  
 THOMAS D. GLENNON  
 No. 65539  
 09-11-11  
 CIVIL

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

- NOTES:**
1. AT CULV ACCESS NEAR WB ON-RAMP, Pymt AVAILABLE FOR STAGING AREA DURING RAMP CLOSURE. VEHICLES MUST STAY ON Pymt.
  2. VEHICLES AND EQUIPMENT WITH AN UNLADEN WEIGHT GREATER THAN 5,000 LB MUST STAY ON GRAVEL ROAD.
  3. NORTH OF DENSE VEGETATION BOUNDARY, THE ENGINEER MAY MODIFY THE ACCESS ROUTE TO MINIMIZE IMPACTS TO VEGETATION.



**LAYOUT**  
**LOCATION 1**  
 SCALE: 1" = 50'  
**L-1**

EXISTING UTILITIES HAVE NOT BEEN PLOTTED ON THESE PLAN SHEETS AND SHALL BE PROTECTED IN PLACE

DATE PLOTTED 03/11/2011 11:27:01 AM PLOT# 03 1127



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**ED-Gibson**  
 DESIGN  
 FUNCTIONAL SUPERVISOR  
 ED HAJJ  
 CHECKED BY  
 PHOENIX SUSHOUJI  
 AMH ROUTEN  
 REVISOR BY  
 DATE REVISOR

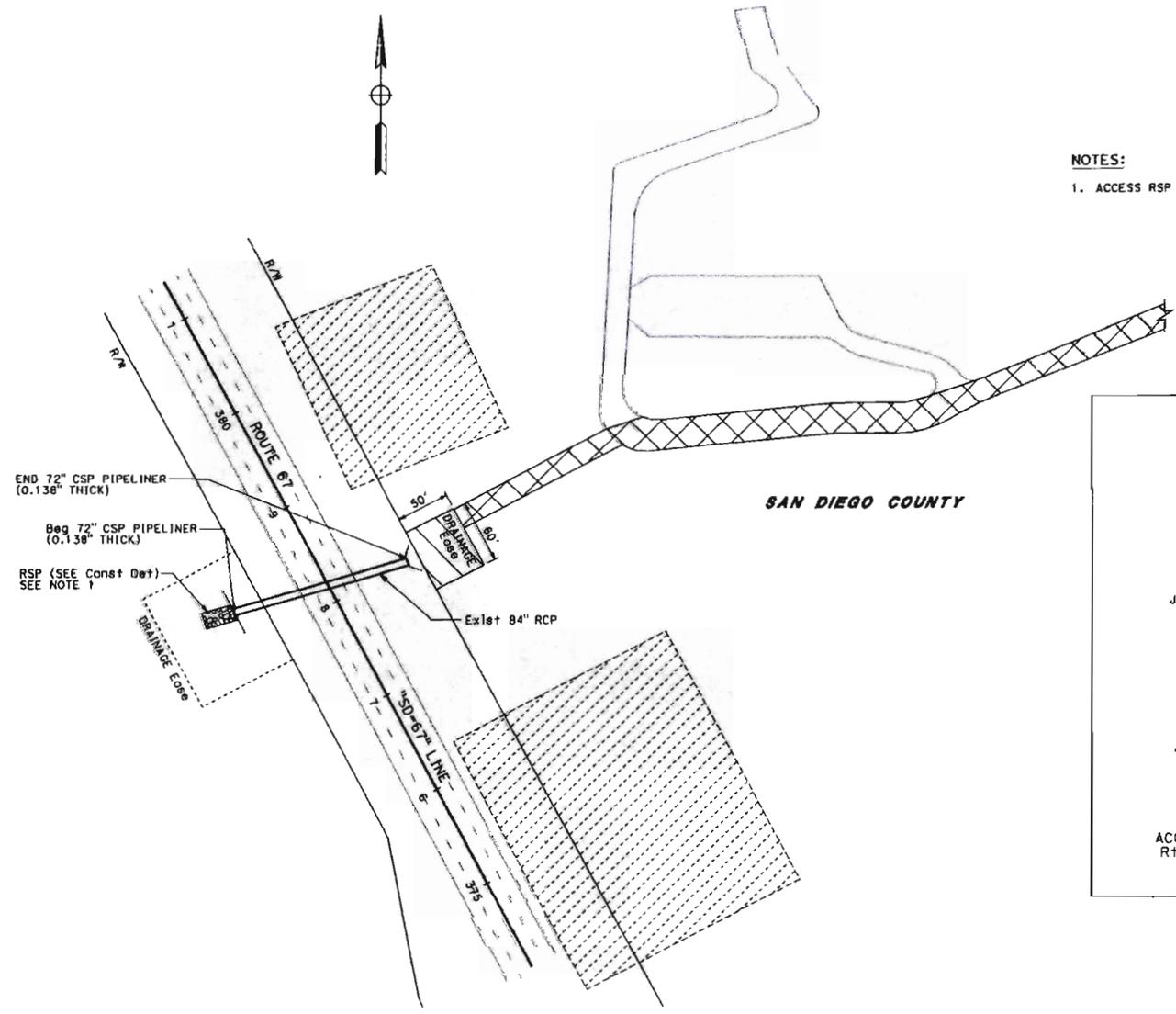
FOR ACCURATE RIGHT OF WAY DATA,  
 CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	5,8,15 66,67,80	Var		

REGISTERED CIVIL ENGINEER	DATE
THOMAS A. GERRIN	
No. 65539	
PLANS APPROVAL DATE	
09-30-13	

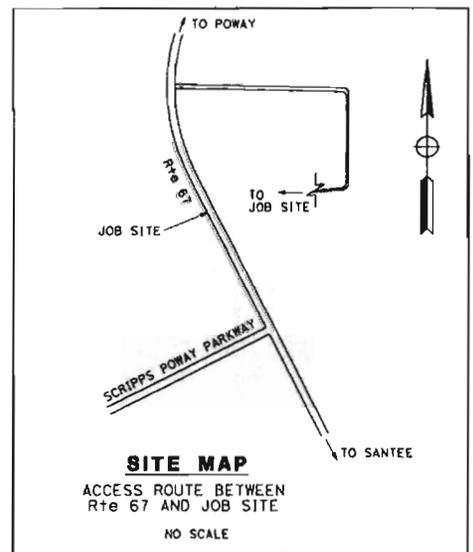
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



**NOTES:**

1. ACCESS RSP AREA VIA CULVERT FROM EAST SIDE OF HIGHWAY.

SEE SITE MAP FOR CONTINUATION  
 OF ACCESS ROUTE BETWEEN  
 JOB SITE AND Rte 67



**LAYOUT**  
**LOCATION 3**  
 SCALE: 1" = 50'  
**L-4**

DATE PLOTTED => 11-JUL-2011  
 TIME PLOTTED => 14:27



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DESIGN**  
 GILBERTSON

FUNCTIONAL SUPERVISOR  
 ED MAJJI

DESIGNED BY  
 PHOUKHAD SASTINDHAN

CHECKED BY

REVISOR

DATE REVISION

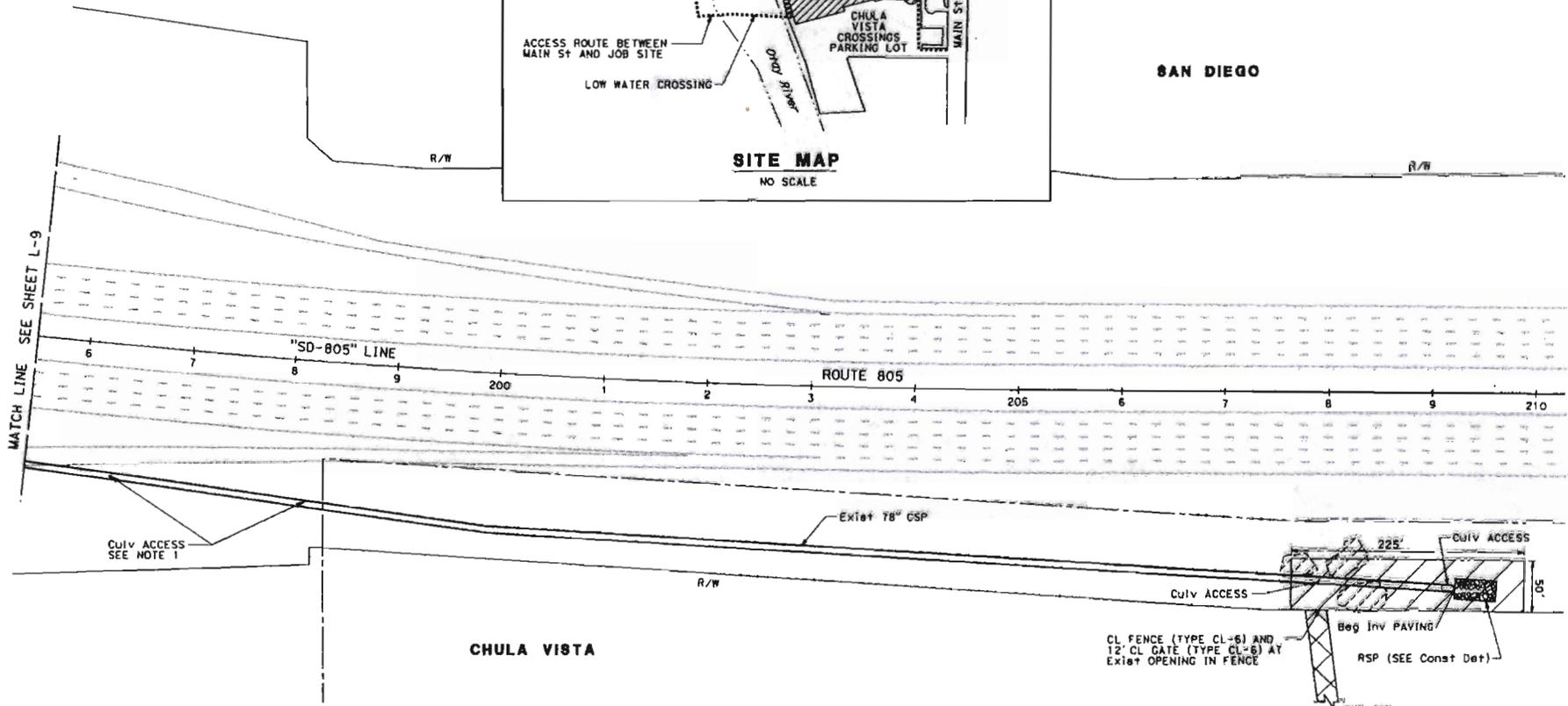
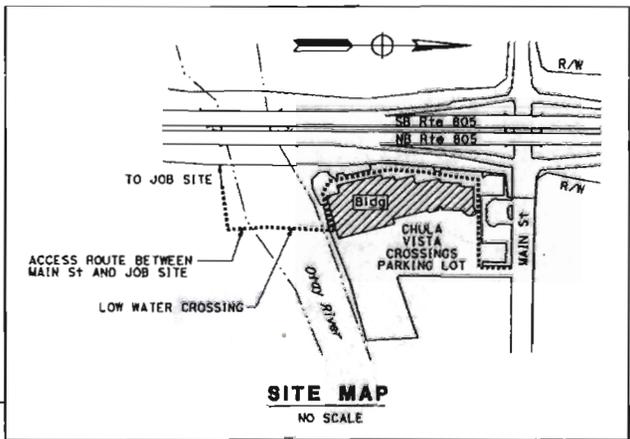
FOR ACCURATE RIGHT OF WAY DATA,  
 CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES	SHEET TOTAL
11	SD	5, 6, 7, 8, 9	Var	No. SHEETS

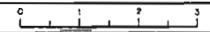
REGISTERED CIVIL ENGINEER	DATE
THOMAS M. GIBBERTSON	6/23/10
EXPIRES	6/23/13
CIVIL	

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



- NOTES:**
- Pvmt AREA AVAILABLE FOR STAGING AREA DURING RAMP CLOSURE. VEHICLES MUST STAY ON Pvmt.

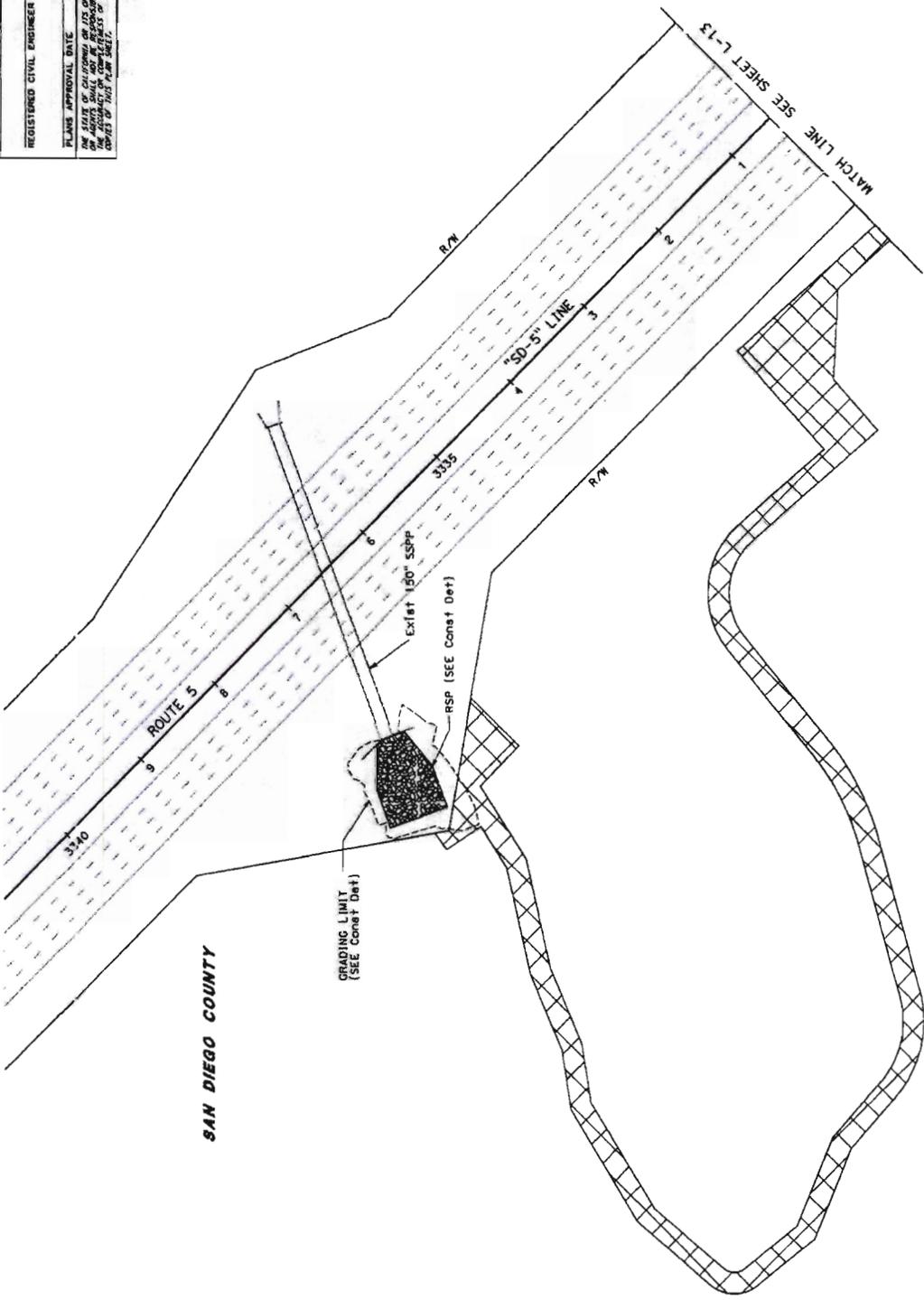
**LAYOUT**  
**LOCATION 7**  
 SCALE: 1" = 50'  
**L-10**





DIS#	COUNTY	ROUTE	POST MILE	SHEET TOTAL
11	SD	5, 6, 15	86.87, 804	107
REGISTERED CIVIL ENGINEER DATE				
PROFESSIONAL ENGINEER <b>AMAL M. ALMEIN</b> No. 65539 Exp. 09-30-11 CIVIL				
PLANS APPROVAL DATE				
THE STATE OF CALIFORNIA OR ITS OFFICERS OR ANY AGENCIES OR EMPLOYEES THEREOF COPIES OF THIS PLAN SHEET.				

FOR ACCURATE RIGHT OF WAY DATA  
CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.



SAN DIEGO COUNTY

**LAYOUT**  
**LOCATION 9**  
 SCALE: 1" = 50'

PROJECT NUMBER & PHASE

UNIT 2761

RELATIVE HORIZ SCALE  
AS SHOWN

USERNAME: s410833  
 DSN FILE: 1100000248e012.dgn

BORDER LAST REVISED 7/2/2010

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	ED HALL
DESIGNED BY	AMR NGUYEN	REVISOR
CHECKED BY	PHUKHAO SASIKULAN	DATE REVISED

DATE PLOTTED 11-06-2011  
 TIME PLOTTED 4:14:28

11000002481

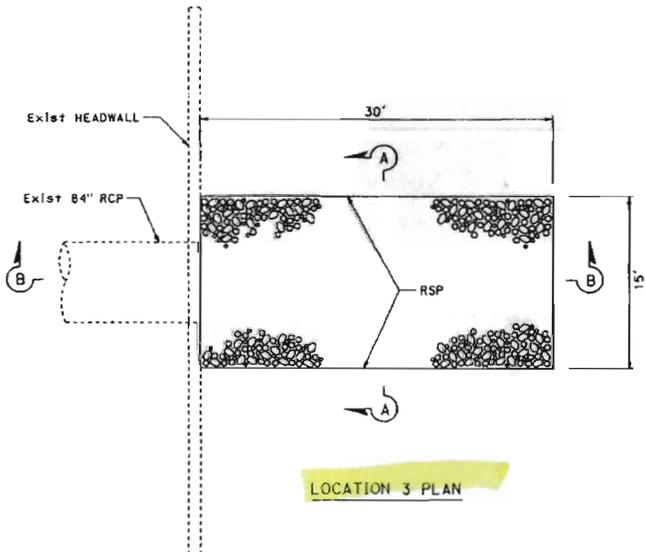


STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DESIGN**  
 FUNCTIONAL SUPERVISOR: ED HAJJ  
 CALCULATED/DESIGNED BY: [blank]  
 CHECKED BY: [blank]  
 TOM GIBBERTI  
 YUSUF RAHMAN  
 REVISOR BY: [blank]  
 DATE REVISED: [blank]

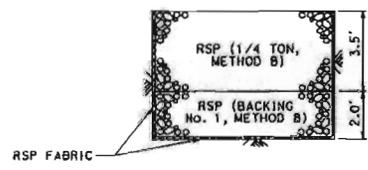
Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL No. SHEETS
11	SD	5, 8, 15	Var	

REGISTERED CIVIL ENGINEER DATE  
**T.M. CIERRINI**  
 No. 65539  
 Exp. 09-30-17  
 CIVIL  
 STATE OF CALIFORNIA

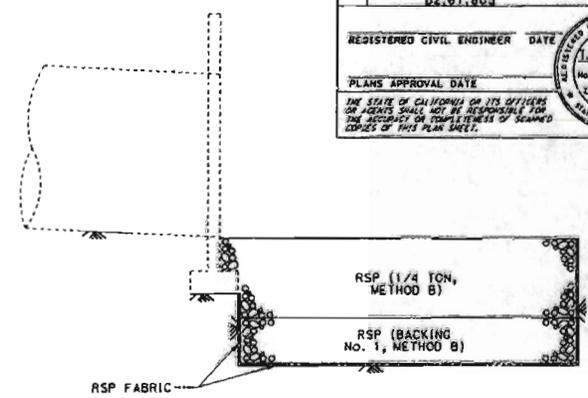
PLANS APPROVAL DATE  
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SEAMED COPIES OF THIS PLAN SHEET.



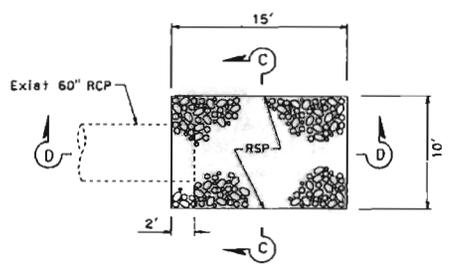
**LOCATION 3 PLAN**



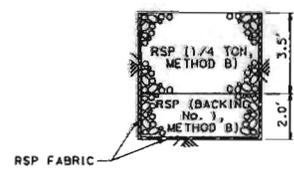
**SECTION A-A**



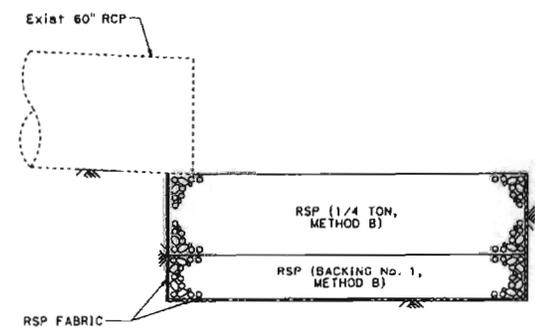
**SECTION B-B**



**LOCATION 1 PLAN**



**SECTION C-C**



**SECTION D-D**

**ROCK SLOPE PROTECTION AT CULVERT OUTLETS**

**CONSTRUCTION DETAILS**

NO SCALE

**C-2**

SCALE: 1/8" = 1'-0" DATE PLOTTED: 07-06-10 TIME PLOTTED: 09:14:29



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans**  
 DESIGN

FUNCTIONAL SUPERVISOR  
 ED MAJJ

CALCULATED-DESIGNED BY  
 CHECKED BY

TON GUERRINI  
 YUSUF RAHMAN

REVISED BY  
 DATE REVISED

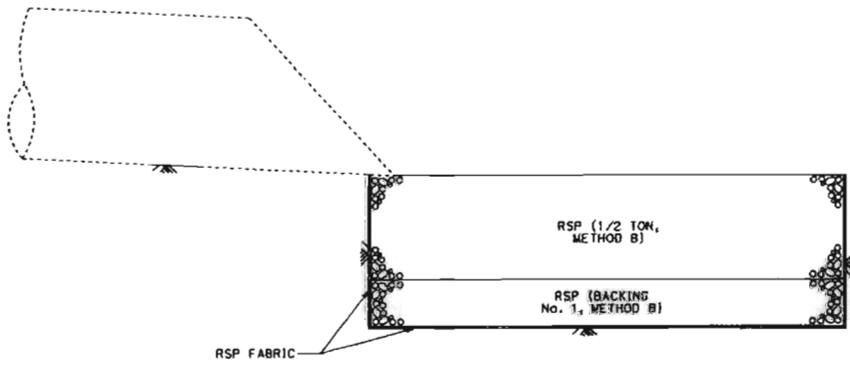
DIST.	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
11	SD	5, 8, 15 52, 57, 80	Var		

REGISTERED CIVIL ENGINEER DATE

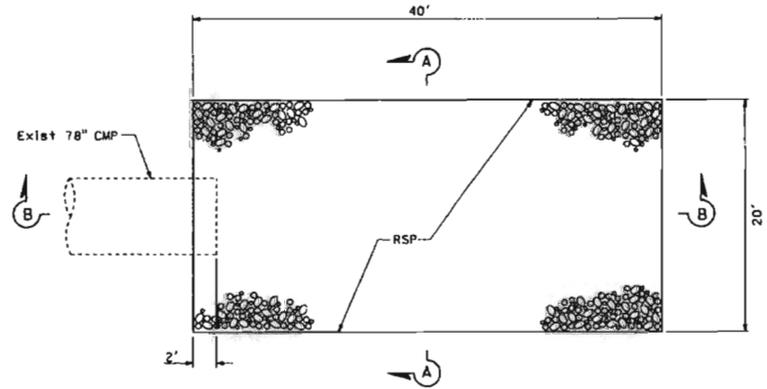
PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

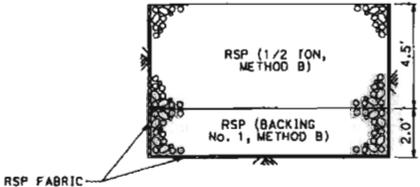
REGISTERED PROFESSIONAL CIVIL ENGINEER  
 T.M. GUERRINI  
 No. 65533  
 Exp. 09-30-11  
 CIVIL  
 STATE OF CALIFORNIA



SECTION B-B



LOCATION 7 PLAN



SECTION A-A

**ROCK SLOPE PROTECTION AT CULVERT OUTLETS**

**CONSTRUCTION DETAILS**

NO SCALE **C-3**





Certification No. 11C-058

## **ATTACHMENT 5**

### MITIGATION FIGURES



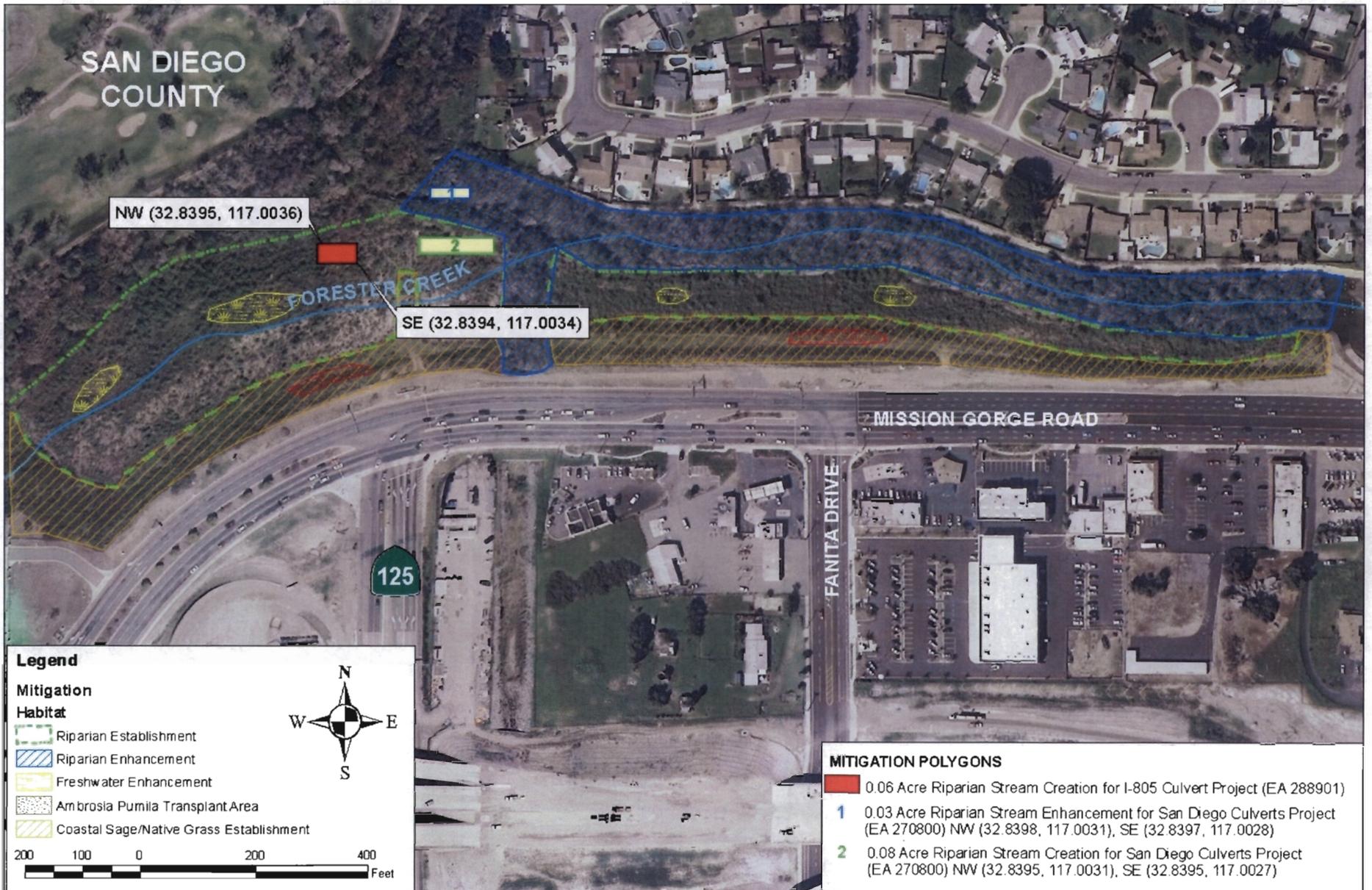


Figure 2. Forester Creek Mitigation Site - Location of Regional Water Quality Board Mitigation for Caltrans Projects



## FORESTER CREEK

<u>Bank Location,</u> <u>Type of Resources &amp;</u> <u>Any Restrictions</u>	<u>Project (Purchaser)</u>	<u>Creation Credits Available</u>		<u>Enhancement Credits Available</u>	
		<u>Used</u>	<u>Available</u>	<u>Used</u>	<u>Available</u>
			6.9 acres		3.46 acres
Riparian Habitat	SR-52 Unit 4	0.0052	6.89 acres	1.71	1.75 acres
	I-15 Managed Lanes	4.6	2.29 acres	0	1.75 acres
	<b>Culverts (EA 270800)</b>	<b>0.08</b>	<b>2.21 acres</b>	<b>0.03</b>	<b>1.75 acres</b>
	805 Culvert/N. of Governor (EA 288901)	0.06	2.15 acres		1.72 acres

Updated 1/13/12



**ATTACHMENT 6**

REQUIRED REPORTS AND NOTIFICATIONS CHECKLIST

2015 A1

2015 A1



## Attachment 6

### Checklist of Required Reports and Notifications

#### Required Notifications: 401 Certification No. 11C-058

Notification Requirement	Required Notification Period	Required Condition(s) To Be Met	Date Received
Unauthorized Discharge	Within 24 Hours of Discharge	VI.A	
Transfer of Responsibilities	Within 10 Days of Transfer	VII.B	
Mitigation Preservation Mechanism	Prior to construction commencement; Final within 1 year	VII.C	

#### Required Reports and Submittals: 401 Certification No. 11C-058

Required Report	Due Date	Required Condition(s) To Be Met	Date Received
Annual Project Report	August 1 <sup>st</sup> , Annually	VII.A	
Final Annual Project Report	August 1 <sup>st</sup> After Project Completion	VII.A	

