



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

August 15, 2012

Certified Mail – Return Receipt Requested
Article Number: 7010 1060 0000 4952 9024

Ms. Catherine J. Presmyk
UCSD Physical and Community Planning
9500 Gilman Drive MC 0074
La Jolla, California 92093

In reply refer to:
771714: amonji

Subject: Action Request for 401 Water Quality Certification No. 11C-082, UCSD Clinical and Translational Research Institute Project.

Ms. Presmyk:

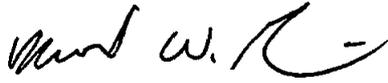
Enclosed find Clean Water Act Section 401 Water Quality Certification for discharge to waters of the United States and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the **UCSD Clinical and Translational Research Institute Project** (Project). A description 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 4 to the Certification.

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 you 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 reference number 771714:amonji. For questions or comments, please contact Alan Monji by phone at (858) 637-7140, or by email at amonji@waterboards.ca.gov.

Respectfully,



David W. Gibson,
Executive Officer

DG:js:db:kkd:atm

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-082 for the UCSD Clinical and Translational Research Institute Project, with 4 attachments

cc: Refer to Attachment 2 of Certification 11C-082 for the Distribution List.

Tech Staff Info & Use	
File No.	11C-082
WDID	9000002358
Reg. Measure ID	381676
Place ID	771714
Party ID	521109



California Regional Water Quality Control Board, San Diego Region

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: UCSD Clinical and Translational Research Institute,
 Certification Number 11C-082, WDID: 9 000002358

CIWQS Reg. Meas. ID: 381676 Place ID: 771714 Party ID: 521109
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APPLICANT: Catherine J. Presmyk
 UCSD Physical and Community Planning
 9500 Gilman Drive MC 0074
 La Jolla, California 92093

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 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 University of California at San Diego (UCSD) Clinical and Translational Research Institute (CTRI) Project (Project) is a 5.5 acre site, located in the City of San Diego on UCSD's East Campus Medical Center. The Project site is across from Thornton Hospital, north of Medical Center Drive and west of Campus Point Drive adjacent to the East Campus Parking Structure. The CTRI building will be eight stories, with three stories below grade and five above. The CTRI building will house laboratories; core facilities; a vivarium; clinical research space; physician, administration and support offices; common areas; and mechanical equipment rooms. Following completion of the Project construction, the 15-foot wide temporary northern haul road will be transformed into an approximately 10-foot wide pedestrian and maintenance road, and the western haul road will be similarly transformed from a 15-foot wide temporary haul road to a 5-foot wide pedestrian and maintenance trail. The trails will be made of pervious material and trail sides planted with native vegetation.

Impacts to waters of the United States and/or State were minimized by locating the CTRI building as far south as possible and adjacent to the East Campus Parking Structure which resulted in the avoidance of the majority of the wetland habitat occurring in the canyon.

The construction of the Project will permanently impact 0.22 acres (146 linear feet) of wetland waters of the United States and/or State. Proposed grading will result in approximately 38,300 cubic yards of cut and approximately 7,700 cubic yards of fill. Most or all of the remaining grading material will be exported off site either to be used as fill for other campus projects or disposed of at an approved location.

Mitigation will be onsite in UCSD's Central Canyon. Mitigation includes the onsite enhancement of 0.90 acres of southern willow scrub and enhancement of 0.35 acres of disturbed wetlands for a total of 1.25 acres (620 linear feet total) waters of the United States and/or State.

The grading is proposed to begin in October 2012 and take approximately 20 weeks. The construction phase would follow and is expected to take 25 months to complete. The CTRI is projected to start operation in July 2015.

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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 (CWC) 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-082 (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 shall expire five years from the date of issuance.
- B. UCSD 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.
- C. UCSD must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (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 prior to the Certification action. Any modifications thereto, would

require notification to the San Diego Water Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.

- D. During construction, UCSD must maintain a copy of this Certification at the project site. This Certification must be available at all times to site personnel and agencies.
- E. Upon presentation of credentials, UCSD must permit the San Diego Water Board or its authorized representative(s) to:
 1. Enter onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 2. Access and/or copy any records required to be kept under the terms and conditions of this Certification.
 3. Inspect of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
 4. Sample any discharge or surface water covered by this Certification.
- F. 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.
- G. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may, pursuant to CWC sections 13267 and 13383, require the holder of any permit or license subject to this Certification to investigate, monitor, and report information on the violation. The only restriction is that the burden, including costs of preparing the reports, must bear a reasonable relationship to the need for and the benefits to be obtained from the reports.
- H. In response to any violation of the conditions of this Certification, the San Diego Water Board may modify the conditions of this Certification as appropriate to ensure compliance.
- I. To protect rare, threatened, or endangered species UCSD must implement all Conservation Measures included in the United States Fish and Wildlife Service Section 7 Consultation.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the project, and annually thereafter, UCSD must educate all personnel on the requirements in this Certification, including pollution prevention measures, spill response measures, and Best Management Practices (BMPs) implementation and maintenance.
- B. UCSD 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.
- C. UCSD must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction Activity*.
- D. 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.
- E. Discharges of concentrated flow during construction or after completion of the project must not cause downstream erosion or damage to properties or stream habitat.
- F. 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 State or placed in locations that may be subjected to storm flows.
- G. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving waters. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- H. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. UCSD is 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.

- I. Except as authorized by this Certification, 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/State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- J. 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, the *Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable. Removal of vegetation must occur outside of the avian nesting season (March 15- August 31).

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. UCSD shall not allow post-construction discharges to cause onsite or offsite downstream erosion, and/or damage to properties or damage to stream habitats from the project site.
- B. All storm drain inlet structures within the project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. All post-construction BMPs, including those described in the *Water Quality Management Plan for University of California San Diego, CTRI Building* dated July 20, 2012 (and any subsequent versions approved by the San Diego Water Board), must be implemented, installed, and functional prior to construction completion and maintained in perpetuity.
- D. All post-construction BMPs, including but not limited to, the retention basin, vegetated bioswales, and the trench drain with Fossil Filter/Flo-Gard insert, as described in the *Water Quality Management Plan for University of California San Diego, CTRI Building* project dated July 20, 2012 (and any subsequent versions approved by the San Diego Water Board), must treat 100 percent of the added impervious surface and be sized to comply with the following numeric sizing criteria:
 - 1. Volume
 Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:
 - a. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record; or

- b. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
- c. The volume of annual runoff based on unit basin storage volume, to achieve 90% or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (1993); or
- d. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event; or

2. Flow

Flow-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

- a. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
- b. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or
- c. The maximum flow rate of runoff, as determined from the local historical rainfall record that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

E. For all post-construction BMPs, including but not limited to, the retention basin, vegetated bioswales, and the trench drain with Fossil Filter/Flo-Gard, as described in the *Water Quality Management Plan for University of California San Diego, CTRI Building* project dated July 20, 2012 (and any subsequent versions approved by the San Diego Water Board), UCSD must:

1. No less than two times per year, assess the performance of the systems on protection of the receiving waters and identify any necessary corrective measures;
2. Have all preventive and corrective maintenance performed;
3. Maintain a log documenting all BMP inspections and maintenance activities.

F. The retention basin must be designed, constructed, and maintained in accordance with the most recent California Stormwater Quality Association guidance for extended detention basins. Maintenance activities shall include, but are not limited to:

1. Semiannual inspection for the beginning and end of the wet season for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;

- 2. Removal of accumulated trash and debris in the basin as needed to ensure proper functioning of the basin; and
 - 3. Yearly inspection of accumulated sediment volume. Accumulated sediment should be removed and the basin re-graded when the accumulated sediment volume exceeds 10 percent of the basin volume.
 - 4. Disposal of trash, debris, and sediment in compliance with local, State, and Federal regulations.
- G. Discharges from the retention basin must be free of trash and not cause downstream erosion or damage to the canyon.
- H. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.
- I. Following completion of construction, the 15-foot wide temporary northern haul road will be regraded and restored to a 10-foot wide, tree lined pedestrian and maintenance trail. The trail will be made of pervious granular material and conform closely to existing topography. The restored trail will be planted with native plants, shrubs, and trees that complement the existing native vegetation.
- J. Following completion of construction, the 15-foot wide temporary western haul road/secondary construction access road will be regraded and restored to a 5-foot wide, tree lined pedestrian and maintenance trail. The trail will be made of pervious granular material and conform closely to existing topography. The restored trail will be planted with native plants, shrubs, and trees that complement the existing native vegetation.

V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION

- A. Mitigation for permanent discharges to 0.22 acres (146 linear feet) of waters of the United States and/or State, must be achieved as described in the *UCSD Clinical and Translational Research Institute Wetland Mitigation Plan (Mitigation Plan)*, prepared by Helix Environmental Planning and dated July 5, 2012 (and any subsequent versions approved by the San Diego Water Board). Mitigation shall take place within UCSD's Central Canyon which is part of the UCSD Park natural resources and designated in the *UCSD 2004 Long Range Development Plan, September 2004*, as Ecological Reserve. The total mitigation area shall encompass 1.25 acres of enhancement of portions of the riparian corridor occurring in the Central Canyon in waters of the United State and/or State and must include:
- 1. Enhancement of a minimum of 0.90 acres of riparian southern willow scrub habitat and 0.35 acres of disturbed wetland habitat totaling 1.25 acres (620 linear feet) of waters of the United States and/or State. Enhancement will occur through the

removal of non-native species and planting of native plant and container plant species in the wetland drainage of Central Canyon. A 50 foot upland buffer zone surrounding the mitigation site also will be maintained as part of the mitigation.

- B. The construction of the proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10 percent of the cumulative compensatory mitigation for each month of delay.
- C. UCSD must salvage leaf litter, coarse woody debris, and upper soil horizons from impacted jurisdictional water sites that are relatively free of invasive exotic species for use in on-site mitigation areas.
- D. UCSD must monitor and maintain the mitigation site in accordance with the *Mitigation Plan* and the *UCSD Central Canyon Management Plan (Management Plan)* prepared by Helix Environmental Planning, dated June 29, 2011 (and any subsequent versions approved by the San Diego Water Board).
- E. Mitigation shall be considered acceptable once it has met the pre-determined success criteria for that site, and shall be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified and the long term *Management Plan*.
- F. Mitigation areas must be maintained, in perpetuity, free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the on-site or off-site mitigation areas.
- G. The San Diego Water Board acceptance of the final mitigation plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation.
- H. Any maintenance activities that do not contribute to the success of the mitigation site 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.
- I. If at any time during the implementation and establishment of the mitigation area(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation area, UCSD is responsible for repair and replanting of the damaged area(s).

- J. 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 shall be quantified to comply with mitigation requirements.
- K. 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. MONITORING REQUIREMENTS:

Prior to construction initiation, UCSD shall develop a monitoring plan that contains the following elements:

A. Mitigation Assessment Method

The California Rapid Assessment Method (CRAM) must be utilized at the mitigation site, prior to impacts, to establish pre-project baseline conditions. In addition, CRAM functional assessments must be conducted, at a minimum, in Year 3 and Year 5 of mitigation. If final success criteria are not met by Year 5, CRAM assessments will be conducted every other year until final success criteria are achieved. The results of the functional assessment must be submitted with the **respective Mitigation Monitoring Reports**. The results of the CRAM assessment must be submitted each year with the annual monitoring reports and the data must be uploaded into eCRAM (<http://www.cramwetlands.org>).

VII. NOTIFICATION REQUIREMENTS:

- A. UCSD must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally within **24 hours** from the time UCSD becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time UCSD becomes aware

of the circumstances. The written submission shall contain a description of the incident and its cause, the period of the noncompliance including exact dates and times, and if the 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. This Certification is not transferable in its entirety or in part to any person except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.

1. **Transfer of Property Ownership:** UCSD must notify the San Diego Water Board of any change in ownership of the project area. Notification of change in ownership must include, but not be limited to a statement that UCSD has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so. The seller and purchaser must sign and date the notification and provide such notification to the Executive Officer of the San Diego Water Board **within 10 days of the transfer of ownership.**
2. **Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**
3. **Transfer of Post-Construction BMP Maintenance Responsibility:** UCSD assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred, UCSD must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to UCSD will be

interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the UCSD of this Certification in the event that a transferee fails to comply.

- C. UCSD must notify the San Diego Water Board in writing **at least 5 days prior to the actual commencement of dredge, fill, and discharge activities.**

VIII. REPORTING REQUIREMENTS:

- A. UCSD must submit annual progress reports describing status of compliance with all requirements of this Certification to the San Diego Water Board prior to **January 1** of each year following the issuance of this Certification until the project has reached completion. UCSD must submit a Final Project Annual Report to the San Diego Water Board **prior to January 1 following completion of the project.** The reports must include the following:
 - 1. Date of construction initiation.
 - 2. Date of construction completion.
 - 3. Status of BMPs for the project.
 - 4. Final Project Report: As-built drawings no bigger than 11"X17."
 - 5. Final Project Report: Photo documentation of implemented post-construction BMPs. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.
- B. UCSD must submit final grading and landscaping Plans **within 60 days of issuance of this Water Quality Certification and prior to initiation of construction activities.**
- C. UCSD must submit a Final Habitat and Mitigation Monitoring Plan **prior to commencement of Project construction.**
- D. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful in accordance with the mitigation success criteria in the final habitat mitigation and monitoring plan. Annual monitoring reports must be submitted **prior to January 1 of each year.** Monitoring reports must include, but not be limited to, the following:

1. Names, statement of qualifications, and affiliations of the responsible lead professionals contributing to the report;
 2. Date of initiation of mitigation installation and date mitigation installation was completed.
 3. Mitigation as-builts, including topographical maps and planting locations.
 4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
 5. Topographic complexity characteristics at the mitigation site;
 6. Upstream and downstream habitat and hydrologic connectivity;
 7. Source of hydrology;
 8. Width of native vegetation buffer around the entire mitigation site;
 9. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results.
 10. Photo documentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, including all areas of permanent and temporary impact, prior to and after project construction, must be submitted with the mitigation monitoring reports. See condition VIII.A.5 for photo documentation procedures.
- E. The submittal of information under this Certification is required pursuant to CWC section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to CWC sections 13268 or 13385.
- F. 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.
- G. 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.
- H. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:

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

- I. UCSD 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; Project No. 11C-082
9174 Sky Park Court, Suite 100
San Diego, California 92123

IX. CEQA FINDINGS:

- A. UCSD is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed Notice of Determination of their Tiered Environmental Impact Report (EIR) on January 23, 2012 (SCH# 2011051060). UCSD has determined the project will have a significant effect on the environment and mitigation measures were made a condition of the project.

- B. The San Diego Water Board has reviewed the lead agency's Notice of Determination and also finds that the project as proposed will have a significant effect on the environment and has conditioned mitigation measures accordingly and therefore determines that issuance of this Certification is consistent with the Notice of Determination.

X. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

- A. On September 22, 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.

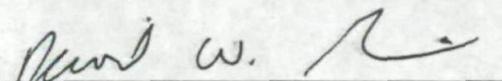
XI. SAN DIEGO WATER BOARD CONTACT PERSON:

Alan Monji
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
(858)-637-7140
amonji@waterboards.ca.gov

XII. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **UCSD Clinical and Translational Research Institute Project** (Project No. 11C-082) 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
San Diego Regional Water Quality Control Board

15 August 2012
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Maps
 4. Site Plans and Mitigation Map

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: UCSD Physical Planning Office
 Attention: Catherine Presmyk
 9500 Gilman Drive, MC 0074, San Diego, CA 92093
 Telephone: (858) 534-3860
 Facsimile: (858) 822-5990
 Email: cpresmyk@cpo.ucsd.edu

Applicant Representative: Helix Environmental
 Attention: Stacy Nigro
 7578 El Cajon Blvd, Suite 200
 Telephone: (619) 462-1515
 Facsimile: (619) 462-0552
 Email: StacyN@helixepi.com

Project Name: UCSD Clinical and Translational Research Institute

Project Location: San Diego, CA
 Latitude: 32°52'43.964 "N, Longitude: 117°13'34.777"W

Type of Project: Construction of a new medical and research facility building.

Need for Project: To provide additional research space and uphold University of California at San Diego (UCSD) commitment to maintain, expand, and support existing and future scientific research and patient care.

Project Description: The UCSD Clinical and Translational Research Institute (CTRI) Project (Project) is a 5.5 acres site and is located in the City of San Diego on the UCSD's East Campus Medical Center. The project site is across from Thornton Hospital, north of Medical Center Drive and west of Campus Point Drive adjacent to the East Campus Parking Structure. The CTRI building will be eight stories, with three stories below grade and five above. The CTRI building will house laboratories; core facilities; a vivarium, clinical research spaces; physician, administration and support offices; common areas; and mechanical equipment rooms. Following completion of the Project construction, the 15-foot wide temporary northern haul road will be transformed into an approximately 10-foot wide pedestrian and maintenance road and the western haul road will be similarly transformed from a 15-foot wide temporary haul road to a 5-foot wide pedestrian and maintenance trail. The trails will be made of pervious material and trail sides

planted with native vegetation and trees.

Federal
Agency/Permit:

U.S. Army Corps of Engineers §404, Lanika Cervantes

Other Required
Regulatory Approvals:

California Department of Fish and Game Streambed
Alteration Agreement, Kelly Fisher

California
Environmental Quality
Act (CEQA)
Compliance:

UCSD is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and prepared a Tiered Environmental Impact Report pursuant to CEQA requirements. A Notice of Determination was filed on January 23, 2012 for a Mitigated Negative Declaration (SCH# 2011051060) for the project under CEQA Guidelines Title 14, California Code of Regulations, 15075 (14 CCR § 15075).

Receiving Water:

Los Penasquitos Hydrologic Unit

Affected Waters of the
United States and/or
State:

Temporary:
Wetland: None

Permanent:
Wetland: 0.22 acres

Related Projects
Implemented/to be
Implemented by the
Applicant(s):

UCSD East Campus Bed Tower Project, UCSD East Campus Parking Structure Project, East Campus Recreational Area Project.

Compensatory
Mitigation:

Mitigation for permanent discharges to 0.22 acres (146 linear feet) of un-vegetated waters of the United States and/or State associated with UCSD CTRI Project must be achieved by enhancement of 1.25 acres (620 linear feet) of the riparian corridor occurring in the Central Canyon on UCSD Park Ecological Reserve land in accordance with the Wetland Mitigation Plan prepared by Helix Environmental Planning, July 5, 2012.

Mitigation Location: Mitigation is proposed to occur on UCSD Park Ecological Reserve Lands located in the Central Canyon, south of Medical Center Drive.

Best Management Practices (BMPs): Construction:
 In accordance with State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ.

Post Construction:
 In accordance with the Storm Water Pollution Prevention Plan (SWPPP) for UCSD CTRI project dated July 20, 2012.

Public Notice: On **September 22, 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 comments were received for this project.

Fees: Total Due: \$1,792.00
 Total Paid: \$1,792.00 (Check Nos. 30397 and 30690)

CIWQS: Regulatory Measure ID: 381676
 Place ID: 771714
 Party ID: 521109

**ATTACHMENT 2
E-MAIL DISTRIBUTION LIST**

Catherine Presmyk,
UCSD Physical Planning Office
cpresmyk@cpo.ucsd.edu

Lanika Cervantes,
US Army Corps of Engineers
Lanika.L.Cervantes@usace.army.mil

Kelly Fisher,
California Department of Fish and Game
kfisher@dfg.ca.gov

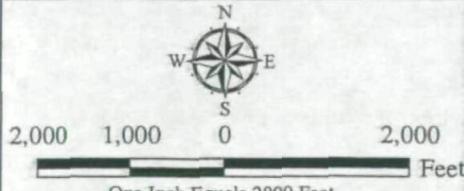
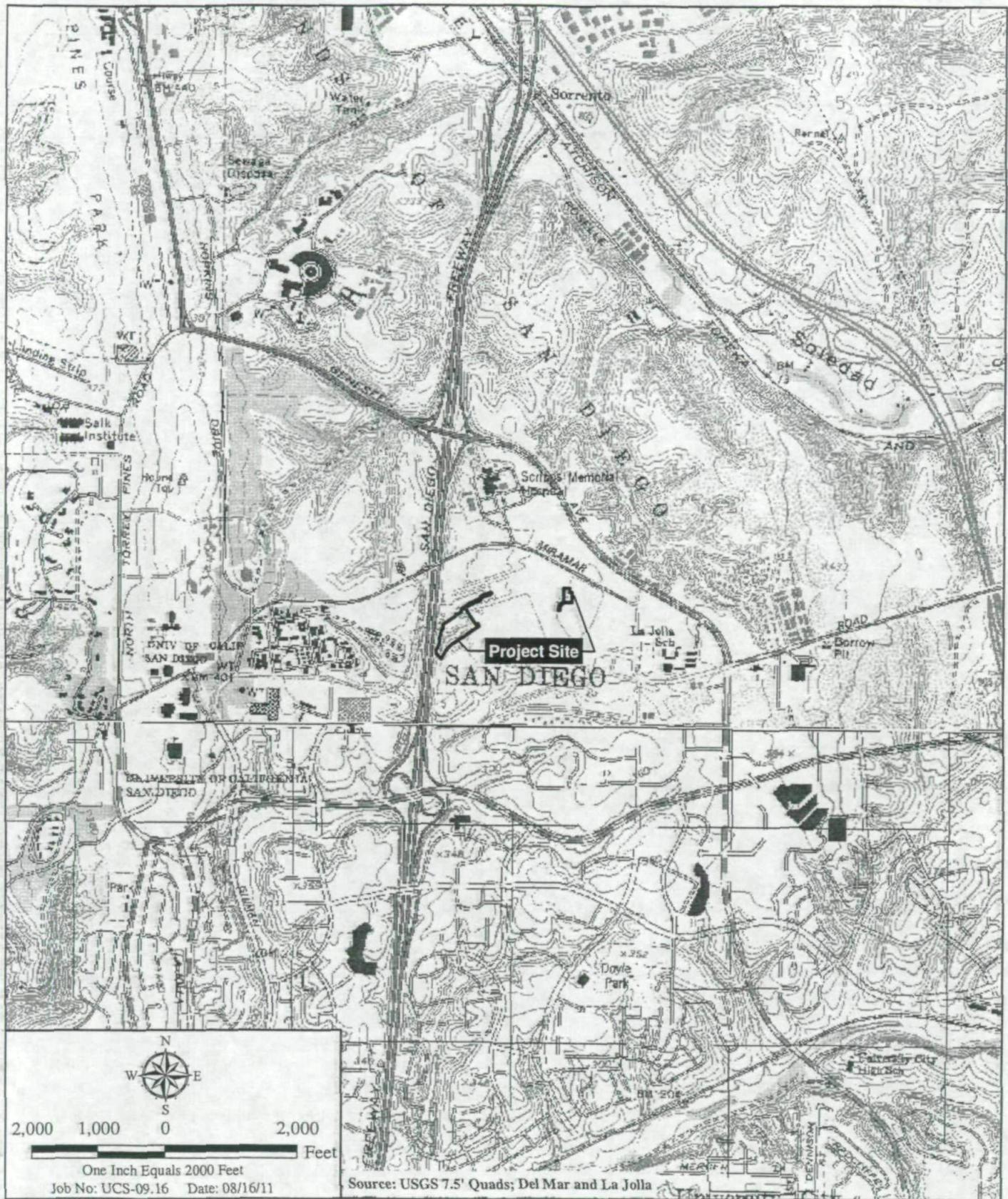
Stacy Nigro,
Helix Environmental
StacyN@helixepi.com

State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

U.S. Department of the Interior
Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

U.S. EPA, OWOW, Region 9
75 Hawthorne St.,
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

ATTACHMENT 3
PROJECT AND SITE MAPS



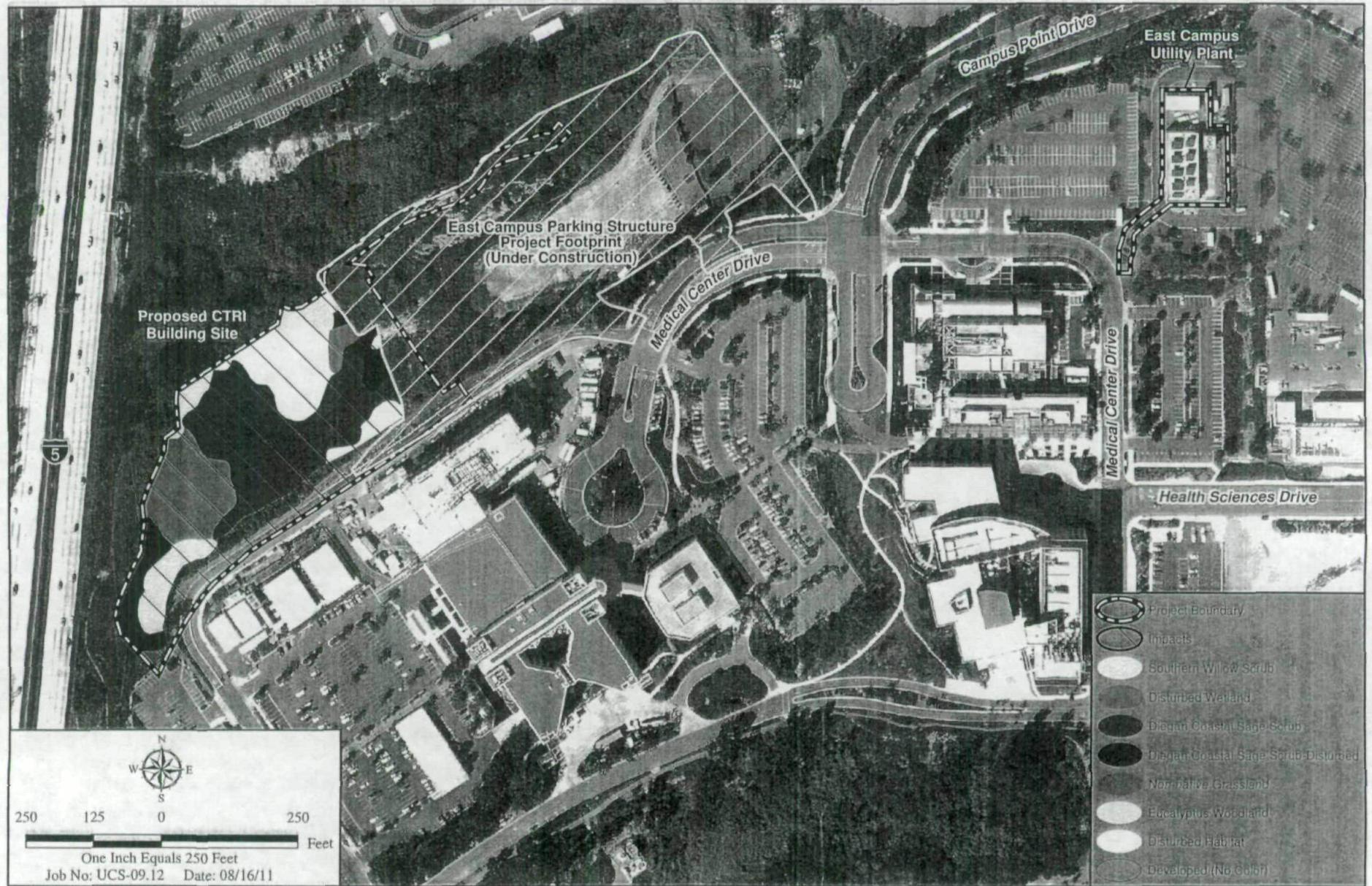
Job No: UCS-09.16 Date: 08/16/11

Source: USGS 7.5' Quads; Del Mar and La Jolla

Location Map

CLINICAL AND TRANSLATIONAL RESEARCH INSTITUTE (CTRI)

I:\ArcGIS\U\UCS-09.12\CTRI_ECRA\Map\BIO\Permitting\CTRI\Fig2_Location.mxd - KP



Vegetation/Impacts

CLINICAL AND TRANSLATIONAL RESEARCH INSTITUTE (CTRI)

Figure 3

NOT FOR CONSTRUCTION

ALTMAN CLINICAL & TRANSLATIONAL RESEARCH INSTITUTE

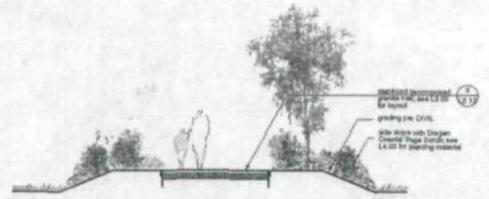
San Diego, California
UCSD Project No. 4466
Planning No.

HARDSCAPE SECTIONS AND DETAILS

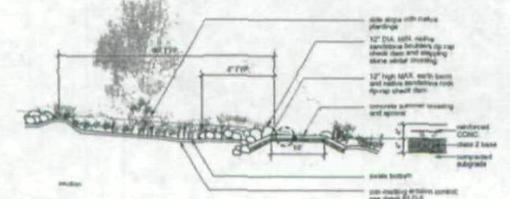
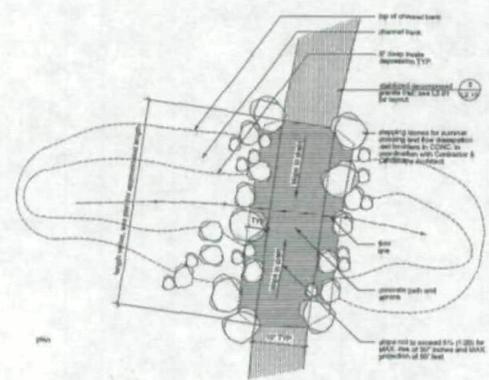
Date: June 11, 2013
Job No: 4466
Drawn By: JWS
Checked By: JWS
Drawing No:

L2.11

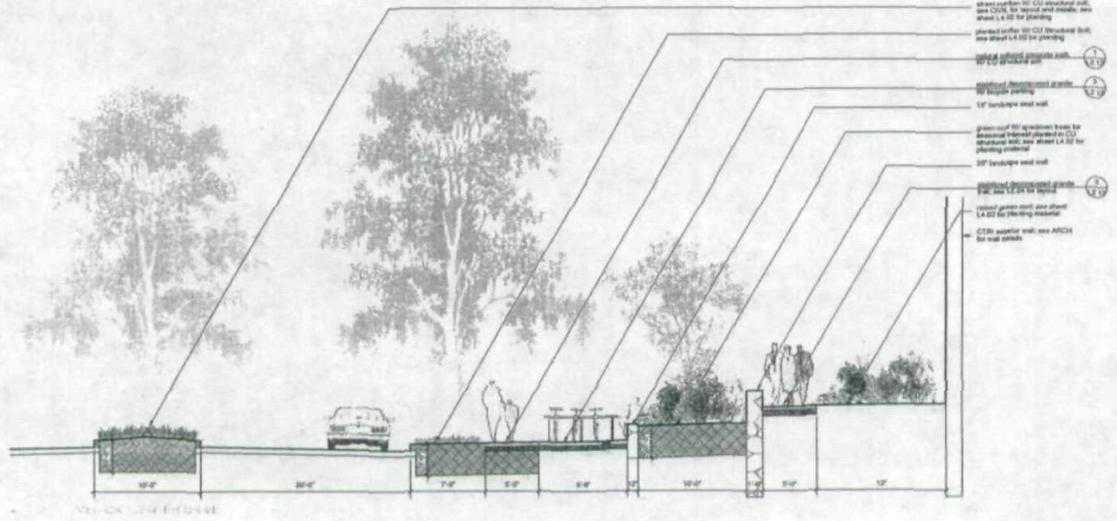
DA PACKAGE 2



3 Haul Road Trail 1/4" = 1'-0" section



4 Summer Crossing 1/4" = 1'-0" section



5 entry green roof and terrace 1/4" = 1'-0" section

N:\DWG\014-08

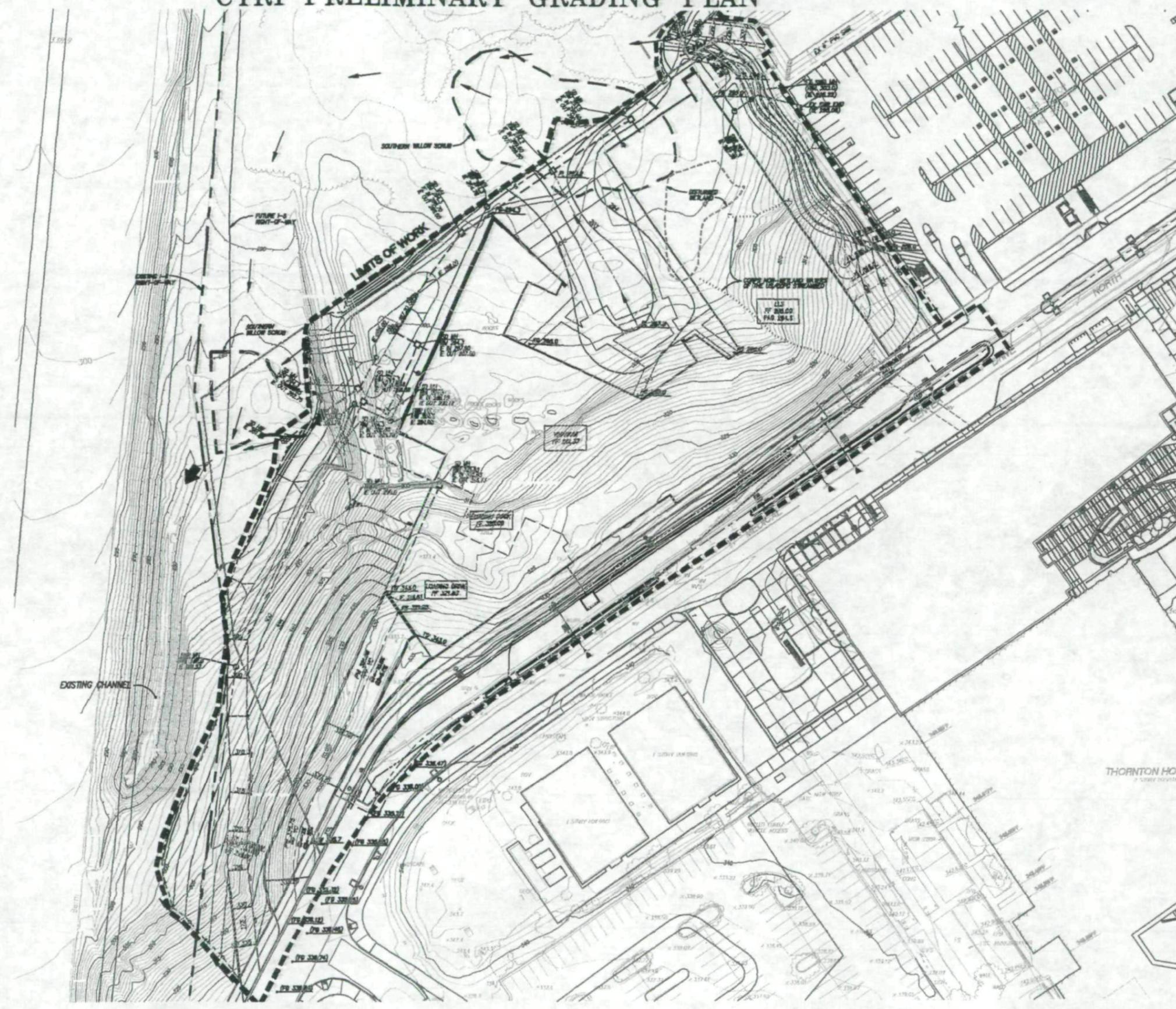
ATTACHMENT 4
SITE PLANS and MITIGATION MAP

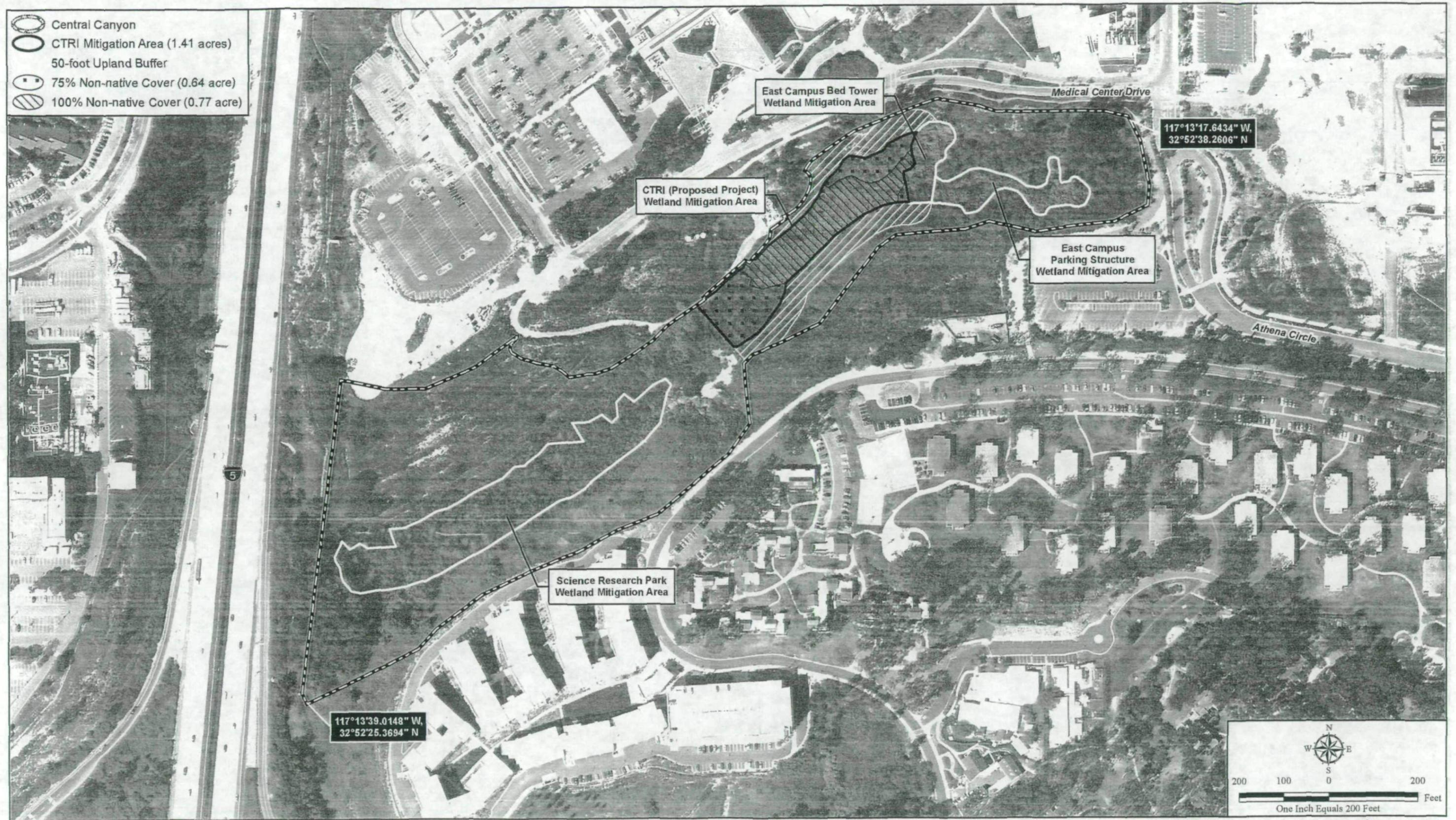
CTRI PRELIMINARY GRADING PLAN

SHEET 1 OF 5

LEGEND

DRAINAGE FLOW DIRECTION>



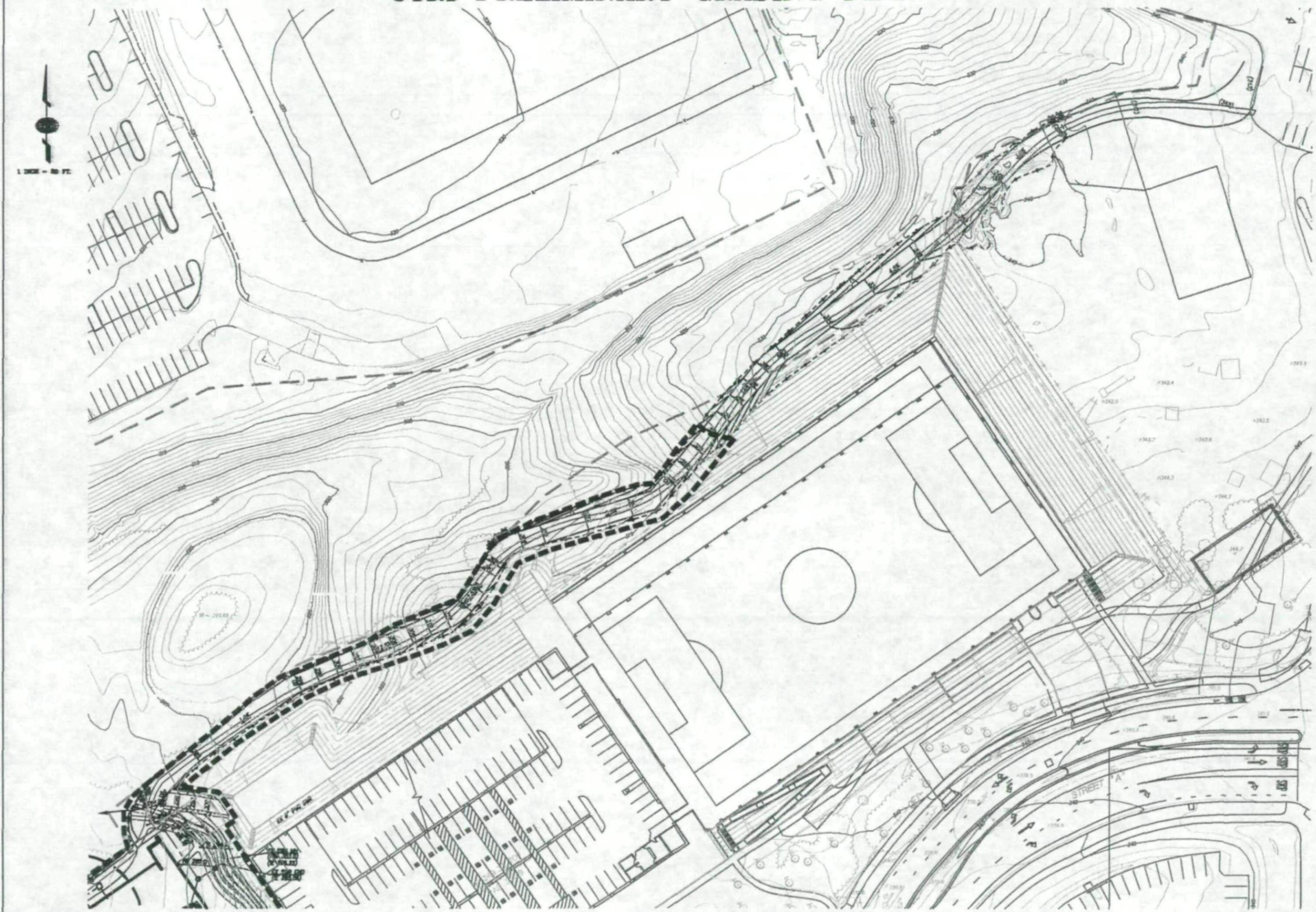


IA:\ArcGIS\U\CS-09.12 CTRI_ECRA\Map\BIO\Wetland_Mit_Plan\Fig 3_Mitigation.mxd -KP

CTRI Wetland Mitigation Area

CLINICAL AND TRANSLATIONAL RESEARCH INSTITUTE (CTRI)

CTRI PRELIMINARY GRADING PLAN



EROSION AND SEDIMENT CONTROL NOTES

- TEMPORARY EROSION/SEDIMENT CONTROL, PRIOR TO COMPLETION OF FINAL IMPROVEMENTS, SHALL BE PERFORMED BY THE CONTRACTOR OR QUALIFIED PERSON AS INDICATED BELOW:
1. ALL REQUIREMENTS OF THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL, STORM WATER STANDARDS MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE PROPOSED SWAINS/APPROXIMATIONS CONSIDERED WITH THE APPROVED STORM WATER POLLUTION PREVENTION PLAN (SWPPP), WATER QUALITY DESIGN REPORT (WQDR), AND/OR WATER POLLUTION CONTROL PLAN (WPCP).
 2. FOR STORM SWAIN BAILEY, PROVIDE A CLEAR SEDIMENT CONTAINMENT SYSTEM IMMEDIATELY UPSTREAM OF BAILEY AS INDICATED ON DETAILS.
 3. FOR BAILEYS LOCATED AT SWAINS ADJACENT TO TOP OF SLOPES, THE CONTRACTOR SHALL ENSURE THAT SWAIN CHANNING TO THE SWAIN IS DIRECTED INTO THE BAILEY AND THAT A BARRIAGE OF LOGS PREVENTS EROSION AND IS MAINTAINED ABOVE THE TOP OF THE BAILEY IF PRECIPITATION IS NOT PROVIDED BY SWAIN CHANNING ON THESE PLANS. THE CONTRACTOR SHALL PROVIDE IT VIA TEMPORARY MEASURES, I.E. GRAVEL BAGS.
 4. THE SWAINING CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF SILT AND MUD ON ADJACENT STREETS/DUES TO CONSTRUCTION ACTIVITIES.
 5. THE CONTRACTOR SHALL CHECK AND MAINTAIN ALL LINES AND SLOPED DITCHES AFTER EACH RAINFALL.
 6. THE CONTRACTOR SHALL REMOVE SILT AND DEBRIS AFTER EACH MAJOR RAINFALL, OR WHEN SILT REACHES AN ELEVATION OF 4" BELOW NEAR OPENING FOR SWAIN BAG BARRIAGE.
 7. EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON SITE AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
 8. PERMANENT BMP DEVICES SHOWN ON PLAN SHALL NOT BE MOVED OR MODIFIED WITHOUT THE APPROVAL OF USER AND THE ENGINEER OF WORK.
 9. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER OR RESIDENT ENGINEER AFTER EACH RUN-OFF PRECIPITATION RAINFALL.
 10. THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION/SEDIMENT CONTROL MEASURES AS MAY BE REQUIRED BY THE RESIDENT ENGINEER AND THE ENGINEER OF WORK DUE TO UNEXPECTED SWAINING OPERATIONS OR UNEXPECTED CIRCUMSTANCES, WHICH MAY ARISE.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC WALKWAYS ONTO AREAS WHERE SWAINING MEASURES CREATE A HAZARDOUS CONDITION.
 12. ALL EROSION/SEDIMENT CONTROL MEASURES PROVIDED FOR THE APPROVED SWAINING PLAN SHALL BE INCORPORATED BEFORE ALL EROSION/SEDIMENT CONTROL FOR SWAINING OPERATIONS OR UNEXPECTED CIRCUMSTANCES, WHICH MAY ARISE.
 13. SWAINING AREAS AROUND THE PROJECT PERIMETER MUST BE KEPT CLEAR FROM THE FACE OF THE SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
 14. ALL REMEDIATION PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE FIVE DAY RAIN PROBABILITY FORECAST EXCEEDS ONE INCH.
 15. THE CONTRACTOR SHALL ONLY GRAZE, PLOUGH, CLEANING AND OPERATING FOR THE AREAS FOR WHICH THE CONTRACTOR CAN PROVIDE EROSION/SEDIMENT CONTROL MEASURES.
 16. THE CONTRACTOR SHALL ARRANGE FOR WEEKLY MEETINGS DURING OCTOBER 2024 TO MARCH 2025 FOR PROJECT TEAM (GENERAL CONTRACTOR, QUALIFIED PERSON, EROSION CONTROL SUBCONTRACTOR IF ANY, ENGINEER OF WORK, OWNER/DEVELOPER AND THE RESIDENT ENGINEER) TO EVALUATE THE ADEQUACY OF THE EROSION CONTROL MEASURES AND OTHER RELATED CONSTRUCTION ACTIVITIES.
 17. STABILIZED ENTRANCES SHALL BE MAINTAINED AND CLEANED WEEKLY IN ORDER TO MAINTAIN MAXIMUM EFFECTIVENESS AT ALL TIMES DURING CONSTRUCTION.

MINIMUM POST-CONSTRUCTION MAINTENANCE PLAN

- AT THE COMPLETION OF THE WORK SHOWN, THE FOLLOWING PLAN SHALL BE FOLLOWED TO MAINTAIN WATER QUALITY CONTROL MEASURES FOR THE LIFE OF THE PROJECT:
1. STABILIZATION: ALL PLANTED SLOPES AND OTHER VEGETATED AREAS SHALL BE INSPECTED PRIOR TO OCTOBER 1 OF EACH YEAR AND AFTER MAJOR RAINFALL EVENTS (MORE THAN 2 INCH) AND REPAIRED AND REPLANTED AS NEEDED UNTIL A NOTICE OF TERMINATION (NOT) IS FILED.
 2. STRUCTURAL PRACTICES: DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, AND EROSION CONTROL MEASURES AND OTHER PERMANENT WATER QUALITY AND SEDIMENT AND EROSION CONTROL SHALL BE INSPECTED PRIOR TO OCTOBER 1ST OF EACH YEAR AND AFTER MAJOR RAINFALL EVENTS (MORE THAN 2 INCH). REPAIRS AND REPLACEMENTS SHALL BE MADE AS NEEDED AND RECORDED IN THE MAINTENANCE LOG IN PERMANENT.
 3. OPERATION AND MAINTENANCE, FUNDING: POST CONSTRUCTION MANAGEMENT MEASURES ARE THE RESPONSIBILITY OF USER.

PERMANENT POST-CONSTRUCTION BMP NOTES

1. OPERATION AND MAINTENANCE SHALL BE REQUIRED BY AN EXECUTIVE AND RECORDED STORM WATER IMPROVEMENT AND SWAINING CONTROL MAINTENANCE AGREEMENT (SWICMA), OR ANOTHER MECHANISM APPROVED BY THE CITY ENGINEER, THAT ASSURES ALL PERMANENT BMP'S WILL BE MAINTAINED IN PERMANENT FOR THE LAND DEVELOPMENT MANUAL, STORM WATER STANDARDS.
2. PERMANENT POST CONSTRUCTION BMP DEVICES SHOWN ON PLAN SHALL NOT BE MOVED OR MODIFIED WITHOUT THE APPROVAL OF THE CITY ENGINEER OR RESIDENT ENGINEER AND THE ENGINEER OF WORK.

LEGEND

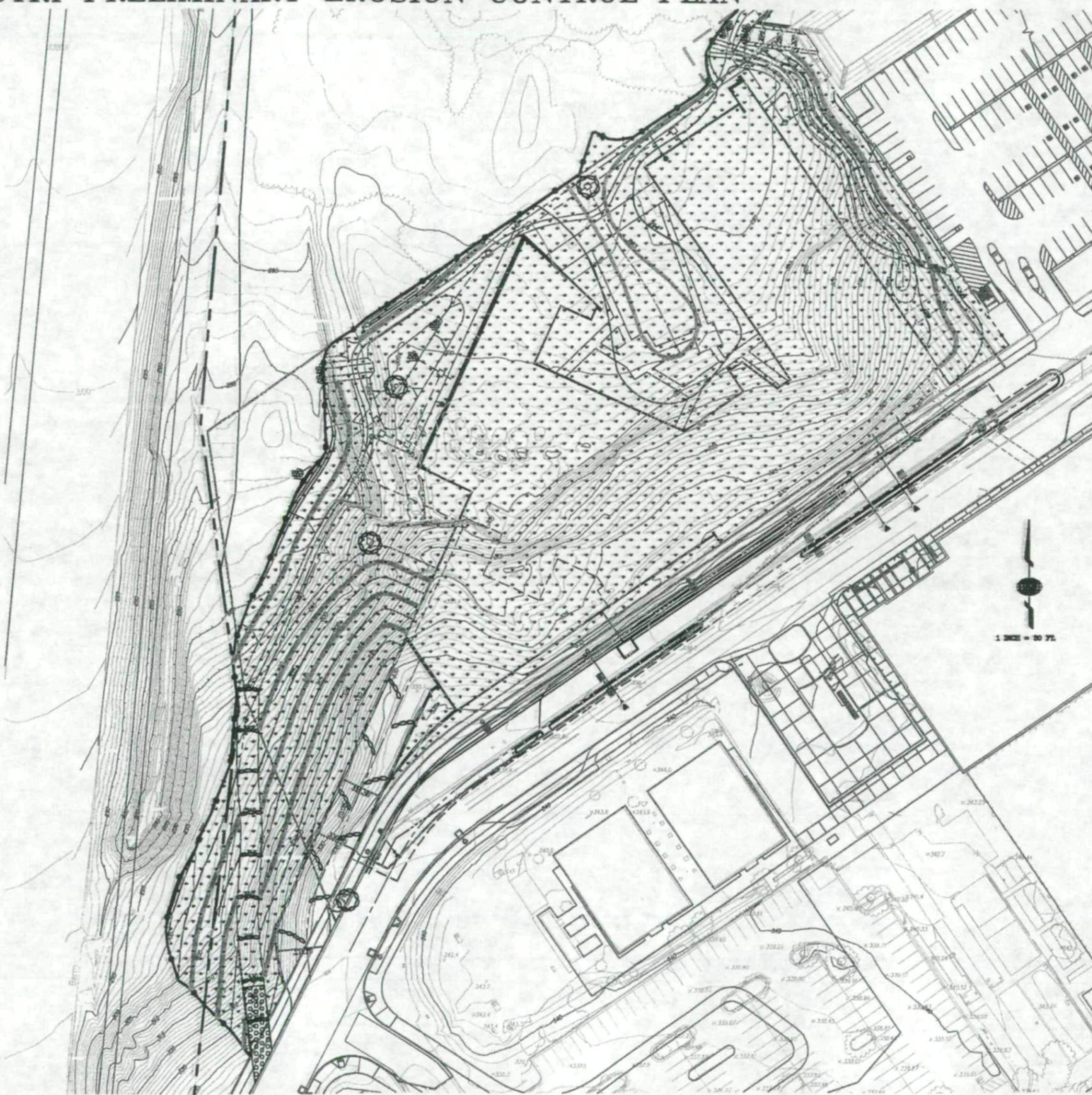
DESCRIPTION	SYMBOL
STABILIZED CONSTRUCTION ENTRANCE	
SILT FENCE	
BROW DITCH	
GRAVEL BAGS	
FIBER ROLL	
EROSION CONTROL MATS 1,000 LBS/AC OF TYPICAL FIBER MATS 8 GA./AC OF OVERLAY	

SEE DETAILS ON SHEET 5



CTRI PRELIMINARY EROSION CONTROL PLAN

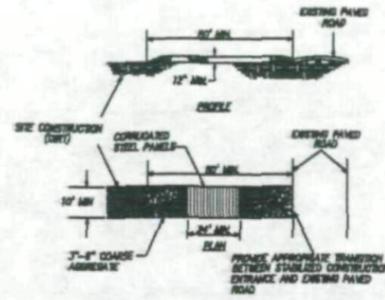
SHEET 3 OF 5



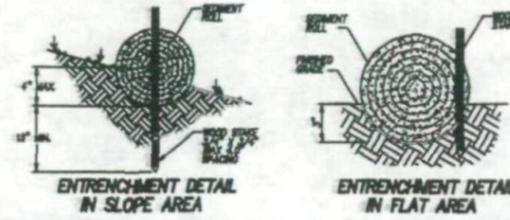
CTRI PRELIMINARY EROSION CONTROL PLAN

SHEET 4 OF 5

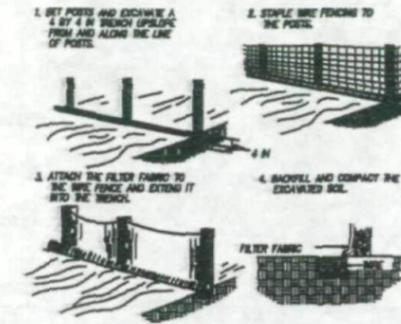




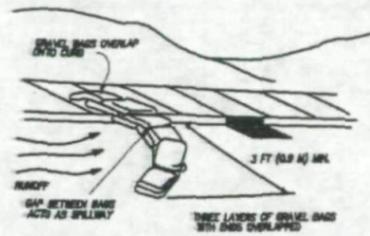
STABILIZED CONSTRUCTION ENTRANCE
NO SCALE



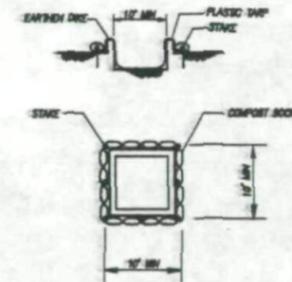
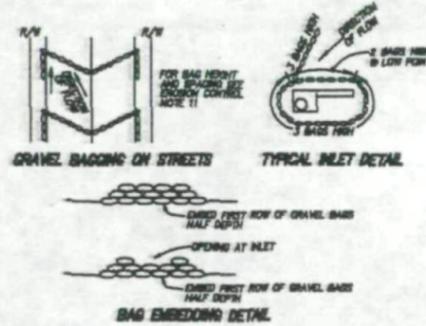
FIBER ROLL
NO SCALE



SILT FENCE
PREPARED SILT FENCE MATS USED IN LESS THAN 10 PLAZA CONSTRUCTION



GRAVEL BAG DETAILS
NO SCALE



CONCRETE WASHOUT DETAIL
NO SCALE

11C-1282

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JCSO Physical & Community
 Planning
 9500 Gilman Dr, MC07A
 La Jolla, CA 92093
 Attn: Cathy Presmyk.

2. Article Number

7010 1060 0000 4952 9024

(Transfer from service lab.,)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

PS Form 3811, February 2004 5-15 Domestic Return Receipt

11-11-04

102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL™



7010 1060 0000 4952 9024

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees

\$5.05

Postmark Here

Sent To

Cathy Presmyk

Street, Apt. No., or PO Box No.

9500 Gilman Drive, MC07A

City, State, ZIP+4

La Jolla, CA

92093

PS Form 3800, August 2006

See reverse for instructions