

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

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

**PROJECT: Routine Maintenance of South Chollas Creek
Channel, Map 101
Certification Number R9-2018-0089
WDID: 9000003306**

Reg. Meas. ID: 421578
Place ID: 847484
Party ID: 547569
Person ID: 573498

**APPLICANT: City of San Diego
Transportation and Storm Water Division
2781 Caminito Chollas, MS 46
San Diego, CA 92105**

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

An application dated April 12, 2018 was submitted by the City of San Diego (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) for the proposed **Routine Maintenance of South Chollas Creek Channel, Map 101** Project (Project). The Applicant has also applied for Clean Water Act section 404 Nationwide Permit No. 31 (SPL-2018-00364-AWS) from the United States Army Corps of Engineers for the Project.

The Project consists of routine channel maintenance of two reaches in South Chollas Creek Channel located near 6088 Federal Avenue, San Diego, California. The Project's center reading are as follows:

- Reach 2, Map 101 at latitude 32.728012, longitude -117.068373
- Reach 3, Map 101 at latitude 32.728633, longitude -117.066412

The Applicant has paid all required fees for this Certification in the amount of \$1,500.00. On June 20, 2018, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information

describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Applicant proposes ongoing maintenance for two sections of South Chollas Creek. Maintenance is necessary to restore and maintain channel capacity to provide flood protection for the surrounding businesses, roadways, and properties. The maintenance involves the periodic removal of trash, debris, vegetation and accumulated sediment from two reaches of South Chollas Creek Map 101. From Reach 2, the Applicant proposes to permanently impact 0.04 acres (50 linear feet) of wetland waters of the United States and/or State. Reach 2 is earthen channel bottom and the estimated volume of sediment and debris to be removed to restore the design specifications is 6,530 cubic yards. From Reach 3, the Applicant proposes permanently impact 0.37 acres (1,370 linear feet) of non-wetland waters of the United States and/or State. Reach 3 is concrete lined channel bottom and the estimated volume of sediment and debris to be removed is 850 cubic yards. After the initial channel clearings is complete, routine maintenance is expected to take place every third year. No maintenance activities are proposed in Reach 1. Duration of construction time is estimated to be six to eight days.

The Applicant must follow the Best Management Practices outlined in the City of San Diego's *Water Pollution Control Plan for South Chollas Creek Channel MMP Map No. 101* and the *Maintenance Plans for South Chollas Creek Channel MMP Map #101*. The Applicant will place sandbag barriers at the upstream and downstream ends of each work area to prevent any sediment laden water from discharging to and from each Reach. Excavated material will be trucked out daily and no mechanized equipment shall be left in the channel overnight. The adjacent road, paved parking lots, paved staging areas and access ramps used for the maintenance activities will be swept by street sweepers daily. Normal channel flows will be restored to the original condition upon the completion of channel maintenance.

The Applicant reports that compensatory mitigation for the permanent loss of 0.04 acres of jurisdictional waters associated with this Project will be achieved through the use of 0.04 acres rehabilitation and 0.04 acres of enhancement waters of the United States and/or State mitigation bank credits. Mitigation for the 0.36 acres in of jurisdictional waters (Reach 3, concrete lined channel) associated with this Project does not require mitigation. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for Project discharges of fill material to waters of the United States and/or State will be completed by the Applicant at the *Stadium Wetland Mitigation Site*¹ located in the San Diego hydrologic sub-area (HSA 907.11) at a minimum compensation ratio of 2:1 (area mitigated:area impacted).

Receiving waters potentially affected by the Project are protected in accordance with water quality standards in the *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan). This Certification authorizes permanent and temporary impacts to waters of the United States and/or State affected by the Project and requires compensatory mitigation to offset adverse impacts as described in section VI of the Certification. The temporary impacts will be restored by the Applicant to pre-Project conditions and do not include physical loss of aquatic resource area or degradation of ecological conditions. Compensatory mitigation to offset the permanent

¹ The Stadium Wetland Mitigation Site was certified in Certification No. R9-2013-0124, Murphy Canyon Creek Maintenance Project – Reaches 1 and 2 (Place ID 796913).

loss of jurisdictional waters will be achieved through the Applicant's use of bank credits from the *Stadium Wetland Mitigation Project* (Bank). Mitigation credit parcels, purchased from the Bank to satisfy compensatory mitigation requirements, are required to be protected, monitored, and maintained in perpetuity by the Applicant. Based on all of these considerations, the Applicant's compliance with the terms and conditions of this Certification will ensure that the water quality standards for all waters of the United States and/or State impacted by the Project are met.

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- 1. Definitions**
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The San Diego Water Board has independently reviewed the record of the Project to analyze the extent and nature of proposed Project impacts to the water quality and beneficial uses of waters of the United States and/or State and associated compensatory mitigation required to offset impacts attributed to the Project. In accordance with this Certification, the Applicant may proceed with the Project under the following terms and conditions:

I. STANDARD CONDITIONS

Pursuant to section 3860 of title 23 of the California Code of Regulations, the following three standard conditions apply to all water quality certification actions:

- 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 Water Code and chapter 28, article 6 (commencing with title 23, section 3867), of the California Code of Regulations.
- B. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to California Code of Regulations title 23, section 3855 subdivision (b), and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. This Certification action is conditioned upon total payment of any fee required under title 23, chapter 28 (commencing with section 3830) of California Code of Regulations and owed by the applicant.

II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. R9-2018-0089 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 U.S.C. §1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through 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* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf

- D. **Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality certification are incorporated by reference into this Certification as if fully stated herein. Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.
- E. **Project Conformance with Water Quality Control Plans or Policies.** Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 U.S.C §1313.). The Basin Plan is accessible on-line at:
- http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml
- F. **Project Modification.** The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification
- G. **Certification Distribution Posting.** During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.
- H. **Inspection and Entry.** The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and

4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.
- I. **Enforcement Notification.** In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall 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.
- J. **Certification Actions.** This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
1. Violation of any term or condition of this Certification;
 2. Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of the unnamed tributary to San Vicente Creek or their tributaries;
 3. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
 4. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 5. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
- The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.
- K. **Duty to Provide Information.** The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- L. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.
- M. **Petitions.** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and

following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

III. CONSTRUCTION AND POST CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Construction Requirements.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a pollution control plan, construction BMP plan, and/or erosion and sediment control plan to prevent the discharge of sediment and other pollutants during construction activities.
- B. **Post-Construction Requirements.** The Project must meet all the Post-Construction requirements of the San Diego Water Board Order No. R9-2013-0001 (and amendments) National Pollutant Discharge Elimination Systems Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Draining the Watersheds within the San Diego Region (Regional MS4 Permit).
- C. **Water Pollution Control Plan.** The Project must be designed to comply with the City of San Diego's *Water Pollution Control Plan for South Chollas Creek Channel MMP Map No. 101* dated March 3, 2017 prepared by McGrath Consulting and *Maintenance Plans for South Chollas Creek Channel MMP Map #101* dated May 16, 2017 prepared by Rick Engineering, and any subsequent versions of the Plans.

IV. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.
- B. **Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to Chollas Creek within the Pueblo San Diego Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated : area impacted)	Mitigation for Impacts (linear ft.) ¹	Mitigation Ratio (linear feet mitigated : linear feet impacted)
Permanent Impacts						
Streambed-Earthen Bottom Channel	0.04	50	0.04 Rehabilitation ² 0.04 Enhancement ³	2:1	NA	NA
Streambed-Concrete lined Channel	0.36	1,370	0	NA	NA	NA

NA – Not applicable

1. Project Compensatory mitigation is being provided in a contiguous area at the Stadium Wetland Mitigation Site (approximately 65 acres and 6,300 linear feet) and therefore, compensatory mitigation for linear feet is not being calculated on a project by project basis.
2. Wetland rehabilitation at the Stadium Wetland Mitigation Site.
3. Wetland enhancement at the Stadium Wetland Mitigation Site.

B. Mitigation Use Ledger Submittal. The Applicant shall submit updated mitigation use ledgers for the Stadium Wetland Mitigation Site to the San Diego Water Board within 30 days of the issuance of this Certification.

C. Temporary Project Impact Areas. The Applicant must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge of pollutants to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and re-vegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.

D. Long-Term Management and Maintenance. The compensatory mitigation site(s) must be managed, protected, and maintained, in perpetuity, in conformance with the long-term management plan and the final ecological success performance standards identified in the *Stadium Wetland Mitigation Project* plan. The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:

1. Any maintenance activities on the mitigation site(s) that do not contribute to the success of the mitigation site(s) and enhancement of beneficial uses and ecological functions and services are prohibited;
2. Maintenance activities must be 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 compensatory mitigation project;

3. The Mitigation site(s) 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 mitigation site(s); and
4. If at any time a catastrophic natural event (e.g., fire, flood) causes damage(s) to the mitigation site(s) or other deficiencies in the compensatory mitigation project, the Applicant must take prompt and appropriate action to repair the damage(s) including replanting the affected area(s) and address any other deficiencies. The San Diego Water Board may require additional monitoring by the Applicant to assess how the compensatory mitigation site(s) or project is responding to a catastrophic natural event.

E. Mitigation Site(s) Preservation Mechanism. Within 90 days from the issuance of this Certification, the Applicant must provide the San Diego Water Board with a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. Within 5 years of the start of Project construction, the Applicant must submit proof of a completed final 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 properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the United States and/ or State 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 sites. 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.

V. MONITORING AND REPORTING REQUIREMENTS

- A. Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing compliance with all requirements of this Certification to the San Diego Water Board prior to **May 1** of each year following the issuance of this Certification, until the Project has reached completion. The report must include the following information:
1. The names, qualifications, and affiliations of the persons contributing to the report;
 2. The status, progress, and anticipated schedule for completion of Project construction activities;

3. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
4. A description of each incident of noncompliance during the annual monitoring period 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 the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

B. Final Project Completion Report. The Applicant must submit a Final Project Completion Report to the San Diego Water Board **within 30 days of completion** of the Project. The final report must include the following information:

1. Date of construction initiation;
2. Date of construction completion;
3. As-built drawings of the Project, no bigger than 11"X17"; and
4. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/401c/401PhotoDocRB9V713.pdf. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.

C. Reporting Authority. The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.

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

California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. R9-2018-0089:847484:amonji
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all

signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2018-0089:847484:amonji.

E. Document Signatory Requirements. All applications, reports, or information submitted to the San Diego Water Board must be signed 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.

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

F. Document Certification Requirements. All applications, reports, or information submitted to the San Diego Water Board must be 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."

VI. NOTIFICATION REQUIREMENTS

- A. Twenty Four Hour Non-Compliance Reporting.** The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be

provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of 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 recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

- B. Anticipated Noncompliance.** The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- C. Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
- 1. Transfer of Property Ownership:** The Applicant 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 the Applicant 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 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:** The Applicant assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the Applicant must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Applicant must provide such notification to the San Diego Water Board **within 10 days** of the transfer of BMP maintenance responsibility.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of this Certification in the event that a transferee fails to comply.

- D. **Discharge Commencement.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of San Diego is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination, dated October 28, 2011, for the Final Recirculated Program Environmental Impacts Report (PEIR) titled *Master Storm Water System Maintenance Program* (State Clearing House Number 2004101032). The Lead Agency 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 is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's PEIR and finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- C. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.

VIII. SAN DIEGO WATER BOARD CONTACT PERSON

Alan Monji, Environmental Scientist
Telephone: 619-521-3968
Email: Alan.Monji@waterboards.ca.gov

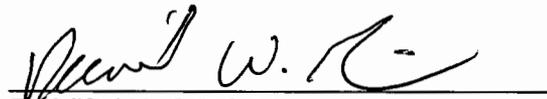
IX. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the Routine Maintenance of South Chollas Creek Channel Map 101 Project (Certification No. R9-2018-0089) 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 to, and all proposed mitigation being completed in strict compliance with, the applicants' Project description and/or the description in this Certification, and (b) compliance with all applicable requirements of the Basin Plan.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. R9-2018-0089 issued on September 7, 2018.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

7 September 2018
Date

ATTACHMENT 1

DEFINITIONS

Activity - when used in reference to a permit means any action, undertaking, or project including, but not limited to, construction, operation, maintenance, repair, modification, and restoration which may result in any discharge to waters of the state.

Buffer - means an upland, wetland, and/or riparian area that protects and/or enhances aquatic resource functions associated with wetlands, rivers, streams, lakes, marine, and estuarine systems from disturbances associated with adjacent land uses.

California Rapid Assessment Method (CRAM) - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

Compensatory Mitigation Project - means compensatory mitigation implemented by the Applicant as a requirement of this Certification (i.e., applicant -responsible mitigation), or by a mitigation bank or an in-lieu fee program.

Discharge of dredged material – means any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States and/or State.

Discharge of fill material – means the addition of fill material into waters of the United States and/or State.

Dredged material – means material that is excavated or dredged from waters of the United States and/or State.

Ecological Success Performance Standards – means observable or measurable physical (including hydrological), chemical, and/or biological attributes that are used to determine if a compensatory mitigation project meets its objectives.

Enhancement – means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Establishment – means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Creation results in a gain in aquatic resource area.

Fill material – means any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body.

Isolated wetland – means a wetland with no surface water connection to other aquatic resources.

Mitigation Bank – means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing mitigation for impacts authorized by this Certification.

Preservation - means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Start of Project Construction - For the purpose of this Certification, "start of Project construction" means to engage in a program of on-site construction, including site clearing, grading, dredging, landfilling, changing equipment, substituting equipment, or even moving the location of equipment specifically designed for a stationary source in preparation for the fabrication, erection or installation of the building components of the stationary source within waters of the United States and/or State.

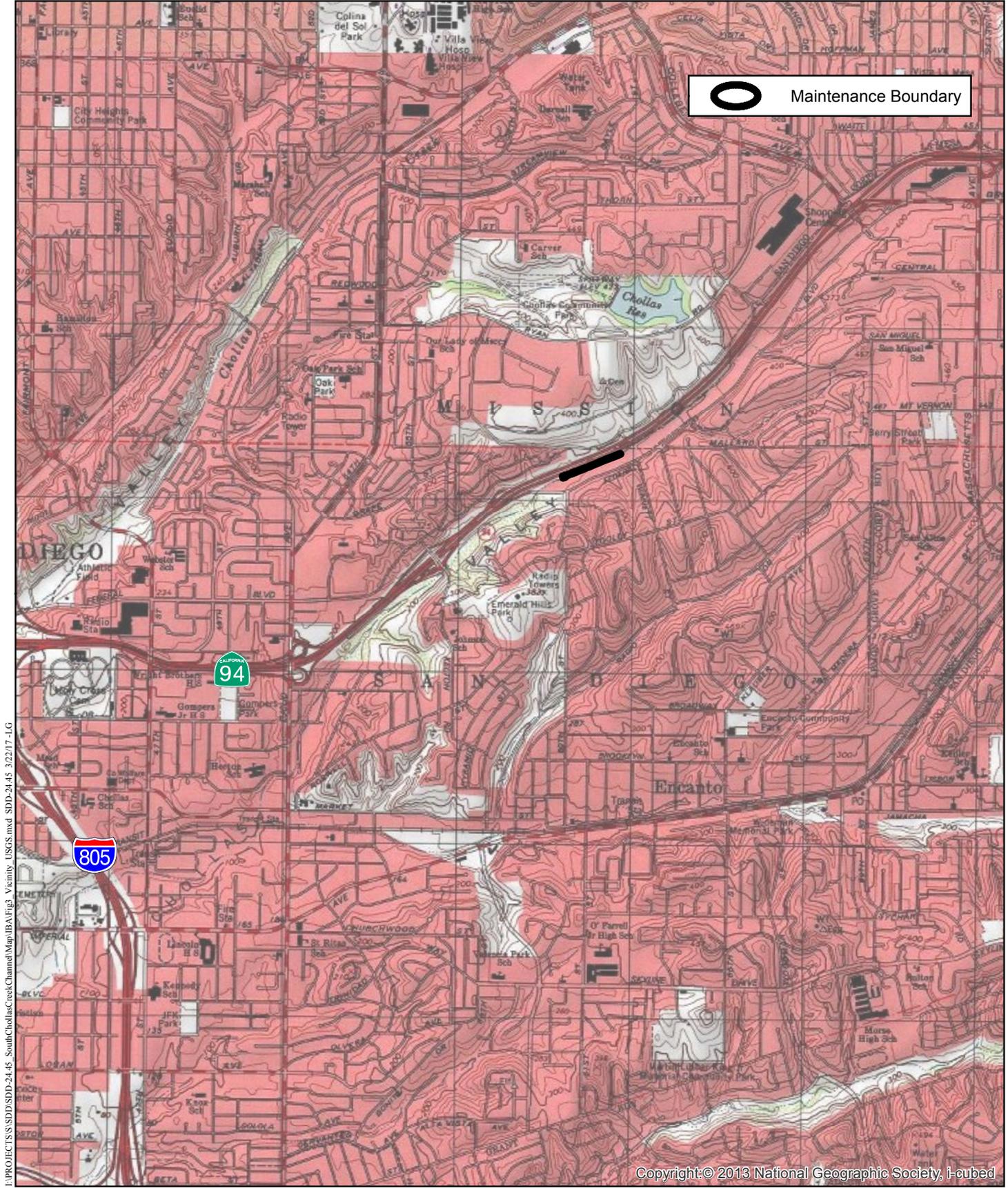
Uplands - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and constructed stock ponds lack aboveground hydrological connection to other aquatic areas. In the watershed context, uplands comprise the landscape matrix in which aquatic areas form. They are the primary sources of sediment, surface runoff, and associated chemicals that are deposited in aquatic areas or transported through them.

Water quality objectives and other appropriate requirements of state law – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate requirement of state law.

ATTACHMENT 2

LOCATION MAPS and FIGURES

1. Helix Environmental Planning, Project Vicinity Map (USGS Topography), South Chollas Creek Channel, Figure 3.
2. Helix Environmental Planning, Waters of the U.S./State and City Wetlands, South Chollas Creek Channel Map 101, Figure 6.
3. Helix Environmental Planning, Potential Waters of the U.S., South Chollas Creek Channel Map 101, Attachment 2.
4. The City of San Diego Development Services Department, Maintenance Plans for: South Chollas Creek Channel MMP Map #101, Sheets 1-4.



I:\PROJECTS\SS\SSD\SDD-24.45_SouthChollasCreekChannel\Map\IBA\Fig3_Vicinity_USGS.mxd SDD-24.45 3/22/17-1.G

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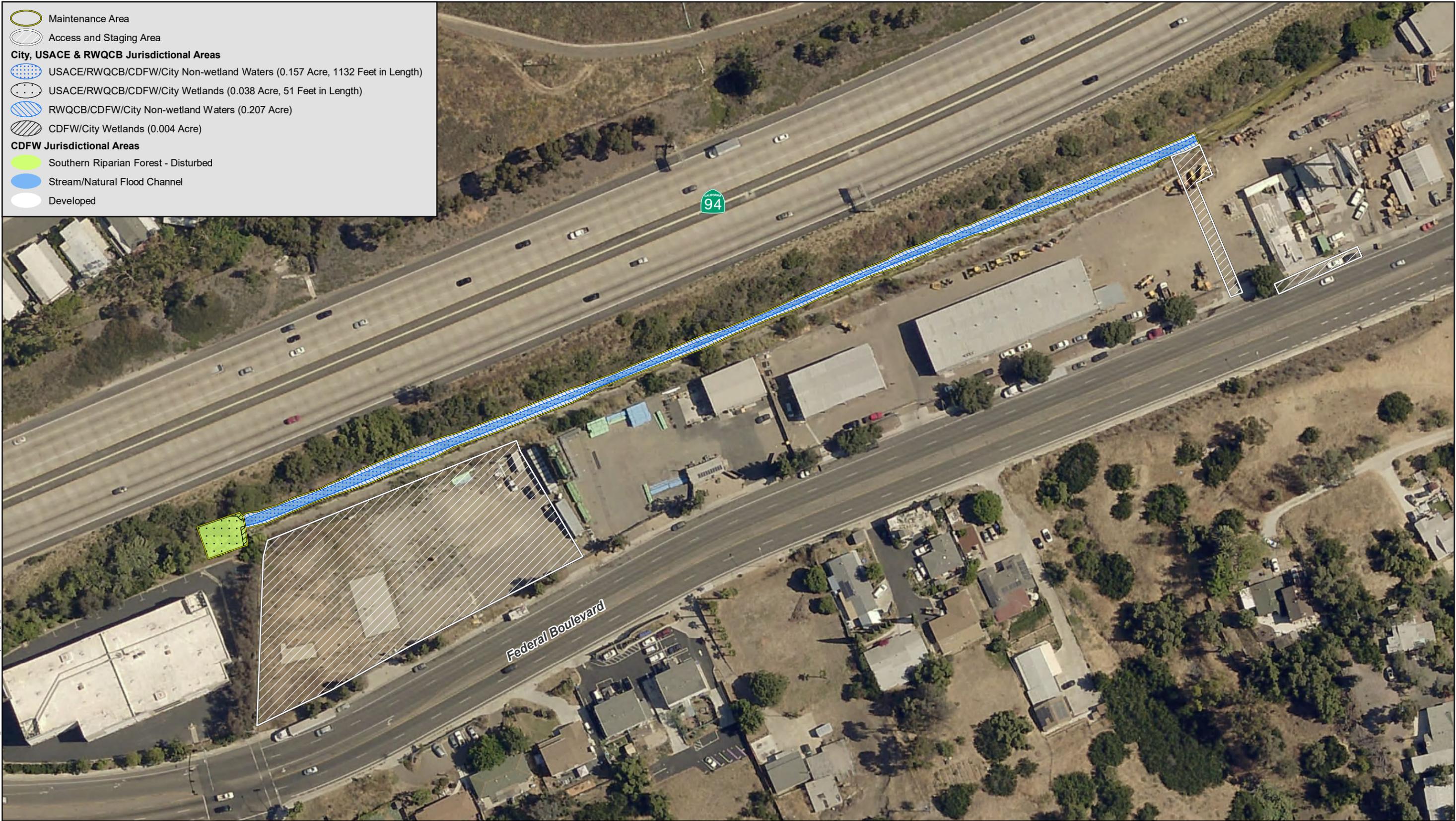
Project Vicinity Map (USGS Topography)

SOUTH CHOLLAS CREEK CHANNEL



Figure 3

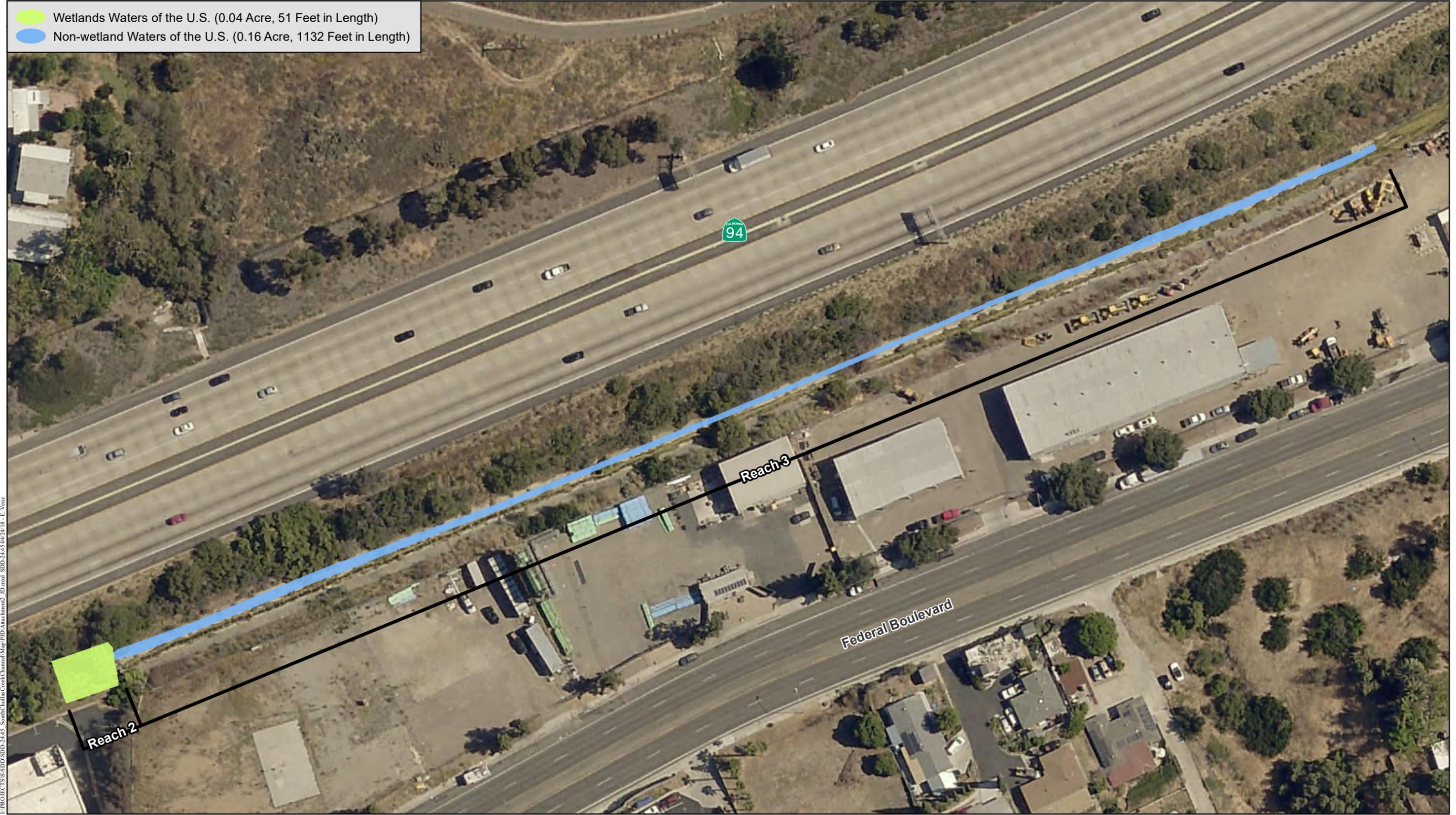
-  Maintenance Area
-  Access and Staging Area
- City, USACE & RWQCB Jurisdictional Areas**
-  USACE/RWQCB/CDFW/City Non-wetland Waters (0.157 Acre, 1132 Feet in Length)
-  USACE/RWQCB/CDFW/City Wetlands (0.038 Acre, 51 Feet in Length)
-  RWQCB/CDFW/City Non-wetland Waters (0.207 Acre)
-  CDFW/City Wetlands (0.004 Acre)
- CDFW Jurisdictional Areas**
-  Southern Riparian Forest - Disturbed
-  Stream/Natural Flood Channel
-  Developed



Waters of the U.S./State and City Wetlands, South Chollas Creek Channel – Map 101

SOUTH CHOLLAS CREEK CHANNEL

- Wetlands Waters of the U.S. (0.04 Acre, 51 Feet in Length)
- Non-wetland Waters of the U.S. (0.16 Acre, 1132 Feet in Length)

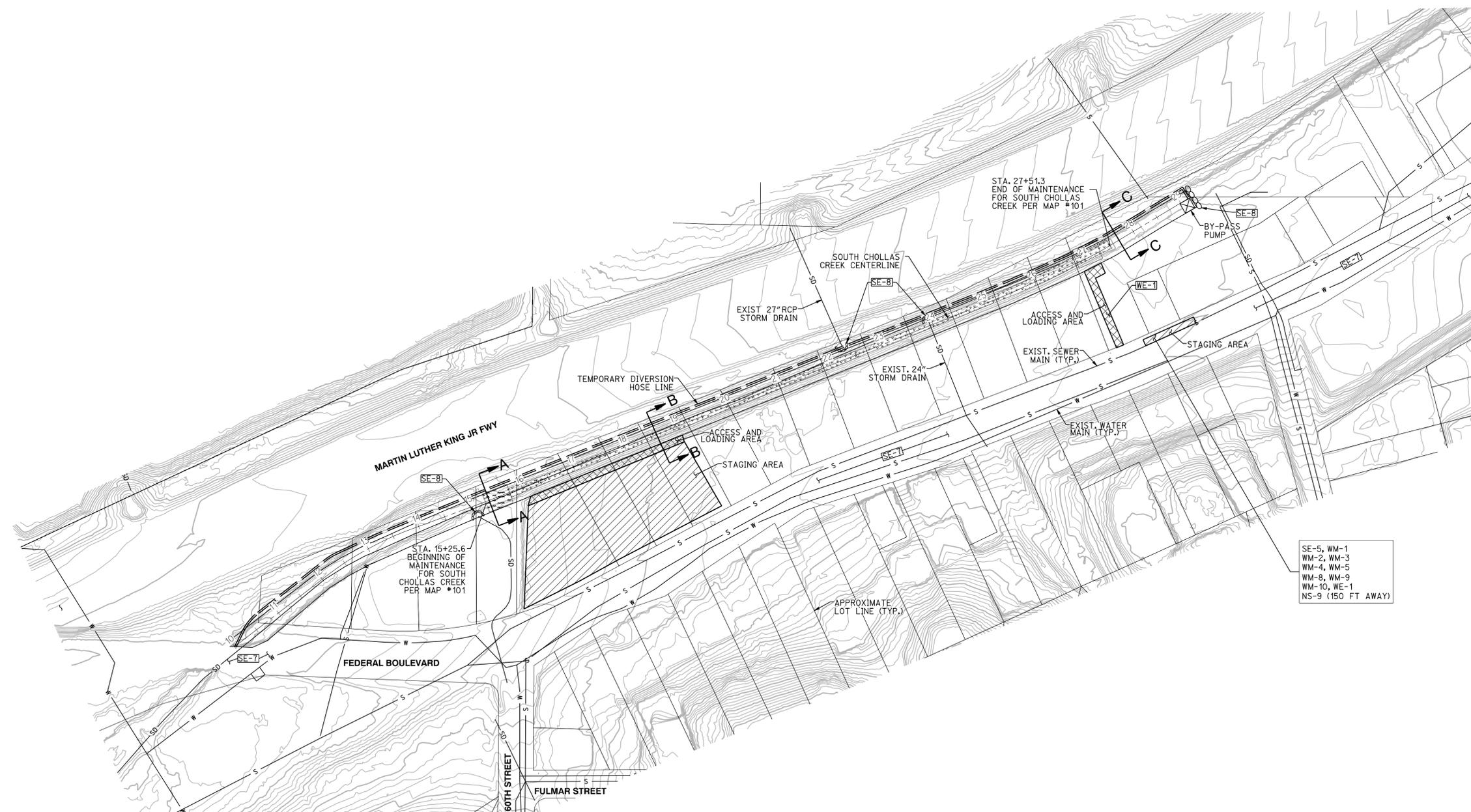


Source: Aerial Photo (SanGIS, 2017)

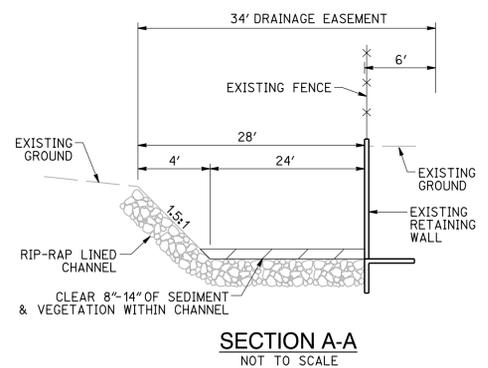
Potential Waters of the U.S., South Chollas Creek Channel – Map 101

SOUTH CHOLLAS CREEK CHANNEL

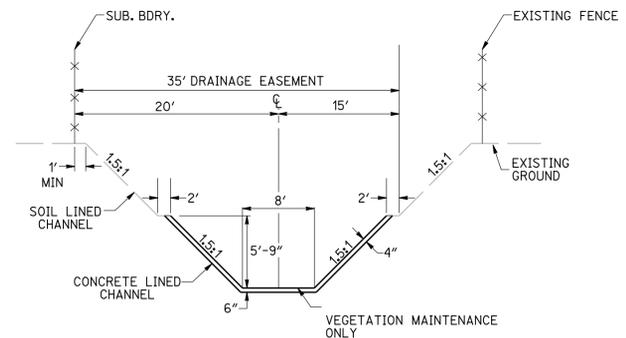
I:\PROJECTS\SDD\SDD-2445_SouthChollasCreekChannel\Map\PID\Attachment2_ID.mxd SDD-2445 06/24/18 E. Venz



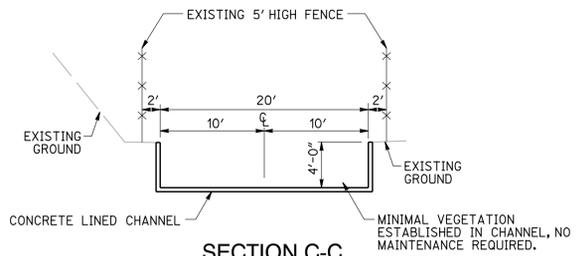
SE-5, WM-1
 WM-2, WM-3
 WM-4, WM-5
 WM-8, WM-9
 WM-10, WE-1
 NS-9 (150 FT AWAY)



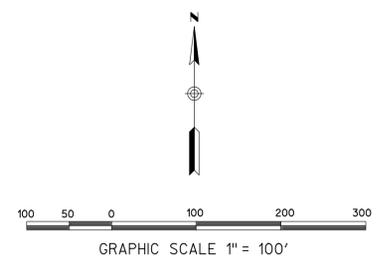
SECTION A-A
 NOT TO SCALE



SECTION B-B
 NOT TO SCALE



SECTION C-C
 NOT TO SCALE



ENGINEER OF WORK

CARSON P. EDGINGTON R.C.E. 76519 DATE



MAINTENANCE PLAN:					I.O. NO.
SOUTH CHOLLAS CREEK CHANNEL					P.T.S. NO.
MMP MAP #101					V.T.M.
CITY OF SAN DIEGO, CALIFORNIA TRANSPORTATION AND STORMWATER DEPARTMENT SHEET 2 OF 4 SHEETS					
FOR CITY ENGINEER				DATE	
DESCRIPTION	BY	APPROVED	DATE	FILMED	
ORIGINAL	REC				XXXX-XXXX NAD83 COORDINATES
AS-BUILTS					XXX-XXXX LAMBERT COORDINATES
CONTRACTOR		DATE STARTED			
INSPECTOR		DATE COMPLETED			

MAINTENANCE BMPs

- ALL BEST MANAGEMENT PRACTICES (BMPs) WILL BE IMPLEMENTED PRIOR TO OR CONCURRENT WITH CONSTRUCTION AND MAINTAINED THROUGHOUT THE PROJECT. A QUALIFIED CONTACT PERSON WILL BE RESPONSIBLE FOR IMPLEMENTING THE WATER POLLUTION CONTROL PLAN (WPCP). ALL WORK SHALL BE COMPLETED BETWEEN SEPTEMBER 15TH AND FEBRUARY 15TH UNLESS AN EXTENSION IS GRANTED IN CONFORMANCE WITH ALL APPLICABLE PERMITS.
- CONTRACTOR WILL LIMIT ALL CONSTRUCTION RELATED ACTIVITIES TO THE PROJECT FOOTPRINT.
- EXISTING VEGETATION TO BE PRESERVED IN PLACE SHALL BE CLEARLY MARKED WITH A BUFFER AREA FOLLOWING THE GUIDANCE OF BMP FACT SHEET EC-2.
- CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF SILT AND MUD ON STREETS AND OTHER PAVED SURFACES DUE TO EXCAVATION ACTIVITIES. STREET SWEEPING AND VACUUMING WILL BE MANAGED FOLLOWING THE GUIDANCE OF BMP FACT SHEET SE-7.
- WEATHER TRIGGERED ACTION PLAN SHALL BE IMPLEMENTED WHEN THERE IS A FORECASTED 50% OR GREATER CHANCE OF LIKELY PRECIPITATION OF 0.1 INCH OR GREATER BY THE NATIONAL WEATHER SERVICE FORECAST.
- CONTRACTOR SHALL RESTORE ALL EROSION CONTROL DEVICES TO WORKING ORDER AFTER EACH RUNOFF -PRODUCING RAINFALL.
- TEMPORARY EROSION OR SEDIMENT CONTROL MEASURES WILL BE REMOVED UPON COMPLETION OF MAINTENANCE UNLESS THEIR REMOVAL WOULD RESULT IN GREATER ENVIRONMENTAL IMPACT THAN LEAVING THEM IN PLACE.
- HAZARDOUS MATERIALS USED DURING MAINTENANCE WILL NOT BE STORED WITHIN 50 FEET FROM STORM WATER FACILITIES. HAZARDOUS MATERIALS SHALL BE MANAGED AND STORED IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. A REGISTERED FIRST-RESPONSE, PROFESSIONAL HAZARDOUS MATERIALS CLEAN-UP/REMEDATION SERVICE SHALL BE LOCALLY AVAILABLE ON CALL.
- 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.
- SPILLS SHALL BE MANAGED FOLLOWING THE GUIDANCE OF BMP FACT SHEET WM-4. SPILL CLEANUP MATERIALS SHALL BE AVAILABLE ONSITE AT ALL TIMES.
- THE CONTRACTOR SHALL PROVIDE EQUIPMENT NECESSARY TO EXTINGUISH SMALL BRUSH FIRES (FROM SPARKING VEHICLES, ETC.) ON-SITE DURING ALL PHASES OF PROJECT ACTIVITIES, ALONG WITH TRAINED PERSONNEL FOR USE OF SUCH EQUIPMENT.
- THE CONTRACTOR SHALL MONITOR THE 5 DAY WEATHER FORECAST. IF ANY PRECIPITATION IS FORECASTED, THE SITE SHALL BE SECURED TO PREVENT ANY CONSTRUCTION RELATED MATERIALS FROM LEAVING THE SITE AND ENTERING THE CHANNELS. NO CONSTRUCTION ACTIVITIES SHALL OCCUR DURING RAIN EVENTS.
- SAMPLING AND ANALYSIS, MONITORING AND REPORTING, AND POST-MAINTENANCE MANAGEMENT OF THE PROJECT SHALL BE CONDUCTED AS DETERMINED NECESSARY BY THE CITY OF SAN DIEGO.
- CHANNELS WILL BE INSPECTED WITHIN 72 HOURS OF THE FIRST 2-YEAR STORM FOLLOWING MAINTENANCE. IF SUBSTANTIAL EROSION HAS OCCURRED, EROSION CONTROL MEASURES RECOMMENDED BY THE FIELD ENGINEER WILL BE IMPLEMENTED TO REMEDIATE EROSION AREAS AND TO MINIMIZE FUTURE EROSION.
- CONTRACTOR SHALL PROVIDE TRAINING FOR ALL PERSONNEL RESPONSIBLE FOR THE PROPER INSTALLATION, INSPECTION, AND MAINTENANCE OF ONSITE BMPs.
- THE QUALIFIED CONTACT PERSON WILL ASSIGN A MONITOR FOR DAILY INSPECTION OF THE BMPs EACH MORNING. THE MONITOR WILL CHECK THE NATIONAL WEATHER SERVICE FORECAST, COMPLETE BMP INSPECTION CHECKLIST, PERFORM ANY NECESSARY BMP MAINTENANCE/REPAIRS, AND REPORT THE RESULTS TO THE QUALIFIED CONTACT PERSON. COMPLETED INSPECTION CHECKLIST WILL BE KEPT WITH THE WPCP.
- PREVIOUSLY UNDISTURBED STAGING AREAS WILL BE REVEGETATED WITHIN 30 DAYS OF COMPLETION OF MAINTENANCE ACTIVITIES. THE REVEGETATED AREAS WILL BE MONITORED FOR A PERIODS OF NOT LESS THAN 25 MONTHS AFTER PLANTING.
- FINAL LOCATION OF CHANNEL CENTERLINE WILL BE DETERMINED IN THE FIELD AND COORDINATED WITH THE NECESSARY PROJECT SPECIALIST (BIOLOGIST, HISTORICAL MONITOR, ETC.)

**SOUTH CHOLLAS CREEK CHANNEL - MMP MAP No. 101
IMP MAINTENANCE METHODOLOGY TABLE**

FACILITY/CHANNEL	SOUTH CHOLLAS CREEK CHANNEL - MAP NO. 101	
DIMENSIONS	TRAPAZOIDAL EARTHEN BASE WITH CONCRETE SIDES 50' LENGTH APPROX. 40' TOP WIDTH 15'-24" BOTTOM WIDTH 6" IN DEPTH 0.5'-2' OF SEDIMENT MAXIMUM ESTIMATED CUBIC YARDS OF MATERIAL REMOVAL (SEDIMENT AND VEGETATION): 6,530	TRAPAZOIDAL, CONCRETE-LINED 1370' LENGTH APPROX. 35' TOP WIDTH 15'-24" BOTTOM WIDTH 6" IN DEPTH MAXIMUM ESTIMATED CUBIC YARDS OF MATERIAL REMOVAL (VEGETATION ONLY): 850
MAINTENANCE METHOD	MECHANIZED SEDIMENT & VEGETATION REMOVAL	
EQUIPMENT (EQUIPMENT WILL BE EQUIVALENT OR SMALLER IN SIZE/TYPE)	<ul style="list-style-type: none"> GRADALL (5100 SERIES) SKID STEER/TRACK STEER (CAT 289D) DOZER (CAT D6) EXCAVATOR (CAT 349) FRONT-END LOADER (CAT 966) DUMP TRUCK(S) (12 YD) 6" PUMP(S) OR SMALLER 	
SCHEDULE	IN CHANNEL MAINTENANCE WILL TAKE APPROXIMATELY 6 DAYS 6:00 AM TO 6:00 PM	
STAFFING	10 TO 14 PEOPLE	
MAINTENANCE PROCEDURE	<p>CHANNEL SEQUENCE</p> <ol style="list-style-type: none"> SOUTH CHOLLAS CREEK CHANNEL (CONCRETE LINED) (STATION 27+51.3) TO BEGINNING OF RIPRAP SOUTH CHOLLAS CREEK CHANNEL (EARTHEN BOTTOM WITH CONCRETE SIDE WALLS) (STATION 15+75.6) BEGINNING OF RIPRAP TO (STATION 15+75.6) END OF RIPRAP SOUTH CHOLLAS CREEK CHANNEL (EARTHEN BOTTOM WITH CONCRETE SIDE WALLS) (STATION 15+25.6) 	
ACCESS & LOADING AREA(S)	<p>ACCESS AREA(S) (STATION 27+05.2) DOZER/EXCAVATOR/LOADER ENTER/EXIT(S) CHANNEL EASEMENTS FROM EXISTING EARTHEN ACCESS EASEMENTS AT 2870-3648 FEDERAL BLVD & 6062 FEDERAL BLVD. ADDITIONAL PROPOSED ACCESS AREA MAY BE REQUIRED THROUGH PRIVATE PROPERTY AT 6144 FEDERAL BLVD.</p> <p>LOADING AREA(S) (STATION 27+64.9) EXCAVATOR/FRONT-END LOADER LOADS TRUCKS IN CHANNEL, AT BASE OF ACCESS RAMPS.</p>	
STAGING & STOCKPILE AREA	DOZER/EXCAVATOR/FRONT-END LOADER WILL BE STAGED ON SITE AT THE ACCESS EASEMENTS MENTIONED ABOVE. ALL MATERIALS WILL BE HAULED IMMEDIATELY TO A LEGAL DISPOSAL SITE (MIRAMAR LANDFILL).	
METHODOLOGY	<ol style="list-style-type: none"> DRY WEATHER FLOW DIVERSION BERM (TIGER DAM/SANDBAGS) & DIVERSION PUMP(S) WILL BE PLACED AT EASTERN LIMITS OF CHANNEL CLEANING. DIVERSION PIPES WILL BE PLACED ON EASTERN SIDE OF THE CHANNEL AND EXTENDED TO A DISCHARGE AREA WEST OF THE MAINTENANCE LIMITS. DOZER/EXCAVATOR/FRONT-END LOADER ENTER/EXIT(S) CHANNEL AT ACCESS & LOADING AREA(S). DOZER PUSHES VEGETATION & SEDIMENT TO EXCAVATOR/FRONT-END LOADER, STATIONED INSIDE OF CHANNEL, WITHIN ACCESS & LOADING AREA(S). EXCAVATOR/FRONT-END LOADER SCOOPS MATERIAL & LOADS MATERIAL INTO WAITING DUMP TRUCKS, LOCATED AT BOTTOM OF ACCESS RAMP(S). DUMP TRUCKS HAUL MATERIAL TO LEGAL DISPOSAL SITE. DOZER/EXCAVATOR/FRONT-END LOADER EXIT CHANNEL. DRY WEATHER DIVERSION BERM, DIVERSION PUMP(S) & HOSES REMOVED. 	
POST-MAINTENANCE	<ol style="list-style-type: none"> DEMOBILIZE EQUIPMENT. REMOVE TEMPORARY CONSTRUCTION BMPs. 	
OTHER NOTES	<ol style="list-style-type: none"> SWEEPER SWEEPS ADJACENT PUBLIC RIGHTS-OF-WAY AND IMMEDIATE TRUCK LOADING SITES AT PROJECT'S COMPLETION. EQUIPMENT FUELED OUTSIDE CHANNEL & LOCATED AT LEAST 150' FROM WATERS OF US/STATE. DEWATERING PUMP(S) MAY BE USED AT VARIOUS LOCATIONS TO REMOVE PONDED WATER PRIOR TO EQUIPMENT ENTERING THE CHANNEL. WATER WILL BE DISCHARGED JUST WEST OF THE PROJECT MAINTENANCE LIMITS. 	

ENGINEER OF WORK



CARSON P. EDGINGTON R.C.E. 76519 DATE

MAINTENANCE METHODOLOGY AND BMP NOTES:				
SOUTH CHOLLAS CREEK CHANNEL MMP MAP #101				
CITY OF SAN DIEGO, CALIFORNIA TRANSPORTATION AND STORMWATER DEPARTMENT SHEET 3 OF 4 SHEETS				I.O. NO. _____ P.T.S. NO. _____
FOR CITY ENGINEER _____ DATE _____				V.T.M. _____
DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	REC			
				XXXX-XXXX NAD83 COORDINATES
				XXX-XXXX LAMBERT COORDINATES
AS-BUILTS				
CONTRACTOR _____	DATE STARTED _____			
INSPECTOR _____	DATE COMPLETED _____			

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MASTER MAINTENANCE PROGRAM (MMP) PROTOCOL REQUIREMENTS:

1. BIO-1: RESTRICT VEHICLES TO ACCESS DESIGNATED IN THE MMP.
2. BIO-2: FLAG AND DELINEATE ALL SENSITIVE BIOLOGICAL RESOURCES TO REMAIN WITHIN OR ADJACENT TO MAINTENANCE AREA PRIOR TO INITIATION OF MAINTENANCE ACTIVITIES IN ACCORDANCE WITH THE SITE SPECIFIC INDIVIDUAL BIOLOGICAL ASSESSMENT (IBA), INDIVIDUAL HYDROLOGY AND HYDRAULIC ASSESSMENT (IHHA), AND/OR INDIVIDUAL MAINTENANCE PLAN (IMP) PREPARED FOR THE WORK.
3. BIO-3: CONDUCT A PRE-MAINTENANCE MEETING ON SITE PRIOR TO THE START OF ANY MAINTENANCE ACTIVITY THAT OCCURS WITHIN OR ADJACENT TO SENSITIVE BIOLOGICAL RESOURCES. THE PRE-MAINTENANCE MEETING SHALL INCLUDE A QUALIFIED BIOLOGIST, FIELD ENGINEER, PLANNER, EQUIPMENT OPERATORS/SUPERINTENDENT AND OTHER KEY PERSONNEL CONDUCTING OR INVOLVED IN CHANNEL MAINTENANCE ACTIVITIES. THE QUALIFIED BIOLOGIST SHALL POINT OUT OR IDENTIFY SENSITIVE BIOLOGICAL RESOURCES TO BE AVOIDED DURING MAINTENANCE. FLAG/DELINEATE SENSITIVE RESOURCES TO BE AVOIDED, REVIEW SPECIFIC MEASURES TO PROTECT SENSITIVE BIOLOGICAL RESOURCES AS NECESSARY. THE BIOLOGIST SHALL ALSO REVIEW THE PROPOSED EROSION CONTROL METHODS TO CONFIRM THEY WILL NOT POSE RISK TO WILDLIFE (E.G., NON-BIODEGRADABLE BLANKETS MAY ENTANGLE WILDLIFE).
4. BIO-4: AVOID THE INTRODUCTION OF INVASIVE PLANT SPECIES WITH PHYSICAL EROSION CONTROL MEASURES.
5. BIO-5: CONDUCT APPROPRIATE PRE-MAINTENANCE SURVEYS IF MAINTENANCE IS PROPOSED DURING THE BREEDING SEASON OF A SENSITIVE ANIMAL SPECIES (JANUARY 15 TO AUGUST 31). IF SENSITIVE ANIMAL SPECIES COVERED BY THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) ARE IDENTIFIED, THEN APPLICABLE MEASURES FROM THE MITIGATION MONITORING AND REPORTING PLAN (MMRP) SHALL BE IMPLEMENTED UNDER THE DIRECTION OF A QUALIFIED BIOLOGIST TO AVOID SIGNIFICANT DIRECT AND/OR INDIRECT IMPACTS TO IDENTIFIED SENSITIVE ANIMAL SPECIES. IF SENSITIVE ANIMAL SPECIES ARE IDENTIFIED DURING PRE-MAINTENANCE SURVEYS THAT ARE NOT COVERED BY THE PEIR, SWD SHALL CONTACT THE APPROPRIATE WILDLIFE AGENCIES AND ADDITIONAL ENVIRONMENTAL REVIEW UNDER CEQA WILL BE REQUIRED.
6. BIO-6: REMOVE ARUNDO THROUGH ONE, OR A COMBINATION OF, THE FOLLOWING METHODS: (1) FOLIAR SPRAY (SPRAYING HERBICIDE ON LEAVES AND STEMS WITHOUT CUTTING FIRST) WHEN ARUNDO OCCURS IN MONOTYPIC STANDS, OR (2) CUT AND PAINT (CUTTING STEMS CLOSE TO THE GROUND AND SPRAYING OR PAINTING HERBICIDE ON CUT STEM SURFACE) WHEN ARUNDO IS INTERMIXED WITH NATIVE PLANTS. WHEN SEDIMENT SUPPORTING ARUNDO MUST BE REMOVED, THE SEDIMENT SHALL BE EXCAVATED TO A DEPTH SUFFICIENT TO REMOVE THE RHIZOMES, WHEREVER FEASIBLE. FOLLOWING REMOVAL OF SEDIMENT CONTAINING RHIZOMES, LOOSE RHIZOME MATERIAL SHALL BE REMOVED FROM THE CHANNEL AND DISPOSED OFFSITE. AFTER THE INITIAL TREATMENT, THE AREA OF REMOVAL SHALL BE INSPECTED ON A QUARTERLY BASIS FOR UP TWO YEARS, OR UNTIL NO RESPROUTING IS OBSERVED DURING AN INSPECTION. IF RESPROUTING IS OBSERVED, THE CUT AND PAINT METHOD SHALL BE APPLIED TO ALL RESPROUTS.
7. BIO-7: AVOID MECHANIZED MAINTENANCE WITHIN 300 FEET OF A COOPER'S HAWK NEST, 900 FEET OF A NORTHERN HARRIER'S NEST, OR 500 FEET OF ANY OTHER RAPTOR'S NEST UNTIL ANY FLEDGLINGS HAVE LEFT THE NEST.
8. WM-1: DISPOSE AND TRANSPORT COMPOSTABLE GREEN WASTE MATERIAL TO AN APPROVED COMPOSTING FACILITY, IF AVAILABLE.
9. WM-2: RE-USE EXCAVATED MATERIAL, WHENEVER POSSIBLE AS FILL MATERIAL, AGGREGATE SAND REPLENISHMENT, OR OTHER RAW MATERIAL USES. RE-USED MATERIAL (AGGREGATES, SOIL, SAND OR SILT) SHALL BE DOCUMENTED IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
10. WM-3: SEPARATE WASTE TIRES FROM EXCAVATED MATERIAL AND TRANSPORT THEM TO AN APPROPRIATE DISPOSAL FACILITY. IF MORE THAN NINE TIRES ARE IN A VEHICLE OR WASTE BIN AT ANY ONE TIME, THEY SHALL BE TRANSPORTED UNDER A COMPLETED COMPREHENSIVE TRIP LOG (CTL) TO DOCUMENT THAT THE TIRES WERE TAKEN TO AN APPROPRIATE DISPOSAL FACILITY.
11. WM-4: LOG AND TRANSPORT ANY HAZARDOUS MATERIALS ENCOUNTERED DURING MAINTENANCE TO A HAZARDOUS WASTE STORAGE, RECYCLING, TREATMENT OR DISPOSAL FACILITY. PERSONNEL HANDLING HAZARDOUS MATERIALS SHALL HAVE THE APPROPRIATE TRAINING TO HANDLE, STORE, TRANSPORT, AND/OR DISPOSE THE MATERIAL. HAZARDOUS MATERIALS (E.G., MACHINE OIL, MERCURY SWITCHES, AND REFRIGERANT GASES) SHALL BE REMOVED FROM APPLIANCES AND DISPOSED IN ACCORDANCE WITH THIS PROTOCOL.
12. W0-2: PREVENT OFF-SITE SEDIMENT TRANSPORT DURING MAINTENANCE THROUGH THE USE OF EROSION AND SEDIMENT CONTROLS WITHIN STORM WATER FACILITIES, ALONG ACCESS ROUTES AND AROUND STOCKPILE/STAGING AREAS. INSTALL BMPs SUCH AS SILT FENCES, FIBER ROLLS, GRAVEL BAGS, TEMPORARY SEDIMENT BASINS, STABILIZED MAINTENANCE ACCESS POINTS (E.G., SHAKER PLATES), CONTAINMENT BARRIERS (E.G., SILT FENCE, FIBER ROLLS AND/OR BERMS) FOR MATERIAL STOCKPILES, AND PROPERLY FITTED COVERS FOR MATERIAL TRANSPORT VEHICLES. REMOVE TEMPORARY EROSION OR SEDIMENT CONTROL MEASURES UPON COMPLETION OF MAINTENANCE UNLESS THEIR REMOVAL WOULD RESULT IN GREATER ENVIRONMENTAL IMPACT THAN LEAVING THEM IN PLACE.
13. W0-3: STORE BMP MATERIALS ON-SITE TO PROVIDE COMPLETE PROTECTION OF EXPOSED AREAS AND PREVENT OFF-SITE SEDIMENT TRANSPORT.
14. W0-4: PROVIDE TRAINING FOR PERSONNEL RESPONSIBLE FOR THE PROPER INSTALLATION, INSPECTION, AND MAINTENANCE OF ON-SITE BMPs.
15. W0-7: AVOID STORING HAZARDOUS MATERIALS USED DURING MAINTENANCE WITHIN 50 FEET FROM STORM WATER FACILITIES. HAZARDOUS MATERIALS SHALL BE MANAGED AND STORED IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
16. W0-8: STORE MAINTENANCE-RELATED TRASH IN AREAS AT LEAST 50 FEET FROM STORM WATER FACILITIES, AND REMOVE ANY TRASH RECEPTACLES REGULARLY (AT LEAST WEEKLY).
17. W0-10: INSPECT EARTHEN-BOTTOM STORM WATER FACILITIES WITHIN 30 DAYS OF THE FIRST 2-YEAR STORM FOLLOWING MAINTENANCE. IMPLEMENT EROSION CONTROL MEASURES RECOMMENDED BY THE FIELD ENGINEER, SUCH AS FIBER BLANKETS, TO REMEDIATE SUBSTANTIAL EROSION WHICH HAS OCCURRED AND TO MINIMIZE FUTURE EROSION.

PEIR ENVIRONMENTAL MITIGATION MEASURES

GENERAL MITIGATION MEASURE 1 OF THE MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) ADOPTED FOR THE MMP REQUIRES ALL OF THE MITIGATION MEASURES IDENTIFIED IN THE PROGRAM EIR (PEIR) BE INCLUDED WITH THE MAINTENANCE DOCUMENTS AND CONTRACT SPECIFICATIONS FOR EACH MAINTENANCE ACTIVITY. TO FULFILL THIS REQUIREMENT, THE MMRP IS INCLUDED IN ITS ENTIRETY AS ATTACHMENT 1 TO THIS IMP.

ADDITIONAL MAINTENANCE REQUIREMENTS

1. THE CITY SHALL NOTIFY CALIFORNIA DEPARTMENT OF FISH & WILDLIFE (CDFW), IN WRITING, AT LEAST FIVE DAYS PRIOR TO INITIATION OF CONSTRUCTION PRIOR TO COMPLETION OF CONSTRUCTION (PROJECT) ACTIVITIES. NOTIFICATION SHALL BE SENT TO CDFW'S SOUTH COAST OFFICE, ATTN: STREAMBED ALTERATION PROGRAM-SM# 1600-2011-0271-R5.
2. AVOID THE INTRODUCTION OF INVASIVE PLANT SPECIES WITH PHYSICAL EROSION CONTROL MEASURES.
3. PRIOR TO COMMENCING ANY MAINTENANCE ACTIVITY WHICH MAY IMPACT SENSITIVE BIOLOGICAL RESOURCES, THE MONITORING BIOLOGIST SHALL VERIFY THAT THE FOLLOWING ACTIONS HAVE BEEN TAKEN, AS APPROPRIATE:
 - FENCING, FLAGGING, SIGNAGE OR OTHER MEANS TO PROTECT SENSITIVE RESOURCES TO REMAIN AFTER MAINTENANCE HAS BEEN IMPLEMENTED;
 - NOISE ATTENUATION MEASURES NEEDED TO PROTECT SENSITIVE WILDLIFE ARE IN PLACE AND EFFECTIVE; AND/OR
 - NESTING BIRDS HAVE BEEN IDENTIFIED AND NECESSARY MAINTENANCE SETBACKS HAVE BEEN ESTABLISHED IF MAINTENANCE IS TO OCCUR BETWEEN JANUARY 15 AND AUGUST 31.
4. IF ANY WILDLIFE IS ENCOUNTERED DURING THE COURSE OF MAINTENANCE, SAID WILDLIFE SHALL BE ALLOWED TO LEAVE THE MAINTENANCE AREA UNHARMED.

ADDITIONAL MITIGATION MEASURES

1. TO SATISFY MITIGATION MEASURE 4.4.3, A QUALIFIED ARCHAEOLOGIST AND THE NATIVE AMERICAN MONITOR SHALL ATTEND THE PRE-MAINTENANCE MEETING. VEGETATION REMOVAL AND PREPARATION OF THE ACCESS AND STAGING AREAS WITHIN SOUTH CHOLLAS CREEK CHANNEL MAP 101 SHALL BE MONITORED TO AVOID IMPACTS TO ANY CULTURAL RESOURCES LOCATED WITHIN THESE AREAS. BASED ON DISCUSSIONS WITH CITY MAINTENANCE STAFF AND FIELD CONDITIONS, THE ARCHAEOLOGIST AND NATIVE AMERICAN MONITOR SHALL DETERMINE THE FREQUENCY OF MONITORING OF SEDIMENT REMOVAL DURING MAINTENANCE ACTIVITIES IN CONSULTATION WITH THE CITY'S*32S MMC. A MEMORANDUM SUMMARIZING THE RESULTS OF THE MONITORING SHALL BE PREPARED AND SUBMITTED TO THE CITY'S*32S MMC WITHIN 30 DAYS OF COMPLETING THE MONITORING.

ENGINEER OF WORK

CARSON P. EDGINGTON R.C.E. 76519 DATE _____



MASTER MAINTENANCE PROGRAM (MMP) PROTOCOL REQUIREMENTS AND PEIR ENVIRONMENTAL MITIGATION MEASURES				
SOUTH CHOLLAS CREEK CHANNEL				
MMP MAP #101				
CITY OF SAN DIEGO, CALIFORNIA TRANSPORTATION AND STORMWATER DEPARTMENT SHEET 4 OF 4 SHEETS				I.O. NO. _____ P.T.S NO. _____
____ FOR CITY ENGINEER _____ DATE _____				V.T.M. _____
DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	REC			
				XXXX-XXXX NAD83 COORDINATES
				XXX-XXXX LAMBERT COORDINATES
AS-BUILTS				
CONTRACTOR	DATE STARTED			
INSPECTOR	DATE COMPLETED			

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 5620 FRIARS ROAD SAN DIEGO, CA 92110 J-17204-L
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 16-MFP-2017 08/14