**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**
**SAN FRANCISCO BAY REGION**

**ORDER No. R2-2018-0019**

**WASTE DISCHARGE REQUIREMENTS for:**

**EDEN SHORES ASSOCIATES I, LLC,**
**EDEN SHORES RESIDENTIAL 2 PROJECT,**
**HAYWARD, ALAMEDA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Regional Water Board), finds that:

1. This Order serves as Waste Discharge Requirements (WDRs) for construction of the Eden Shores Residential 2 Project (Project) on 6.3 acres of undeveloped land (Site) in the southwestern portion of the City of Hayward, immediately west of Hesperian Boulevard (See Figures 1 and 2 in Attachment A) (Latitude: 37.612827; Longitude: -122.087405). The Site consists of four connected parcels (APNs 456-0101-011-01, 456-0101-012, 456-0101-013-03, and 454-0101-014-03).
2. The Project proponent, Eden Shores Associates I, LLC, a Delaware Limited Liability Company, has submitted a Report of Waste Discharge to the Regional Water Board for authorization to construct the Project and is hereafter referred to as the Discharger.
3. The Project encompasses the construction of an approximately 6.3-acre residential development, including a primary road that connects the development to Marina Drive to the west and secondary driveways (See Fig. 5 in Att. A) and pedestrian pathways. Multiple single-family homes will be constructed by the Project, along with attendant utilities and development features (e.g., parks, landscaping, parking infrastructure, stormwater management facilities).
4. The majority of the Site consists of uplands vegetated with non-native, disturbance-adapted herbs dominated with soft chess (*Bromus hordeaceus*), ripgut brome (*B. diandrus*), Italian rye grass (*Festuca perennis*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), mouse barley (*H. murinum*), slender oat (*Avena barbata*), prickly lettuce (*Lactuca serriola*), and red-stem filaree (*Erodium cicutarium*).
5. The Site contains 0.58 acres of seasonal wetlands, distributed over the Site (See Fig. 3 in Att. A). These wetlands are dominated by non-native hydrophytic herbs, such as Mediterranean barley (*Hordeum marinum*), common rabbit's-foot grass (*Polypogon monspeliensis*), cut-leaf plantain (*Plantago coronopifolia*), bird's-foot trefoil (*Lotus corniculatus*), and perennial pepperweed (*Lepidium latifolium*).

***Project Impacts, and Mitigation***

6. The 0.58 acres of seasonal wetlands within the central and northwestern portions of the Site will be permanently impacted through direct filling with clean fill as part of the construction of the Project (See Fig. 4 in Att. A). Ground elevations across the Site will be raised on average by about 1 foot.

7. Avoidance and minimization of the wetland impacts is not practicable because of their location. It would not be possible to avoid filling wetlands and their contributing drainage watersheds without eliminating essential Project elements, such as residences, primary and internal access roads, and important utility infrastructure. The elimination of these elements would make the Project impracticable.

8. To compensate for permanent impacts to 0.58 acres of seasonal wetlands, this Order requires the Discharger to provide offsite mitigation through the purchase of 0.60 acres of seasonal wetland creation mitigation credits at the San Francisco Bay Wetland Mitigation Bank (Bank) in Redwood City (Corps File No. 2008 00046S).

9. The purchase of mitigation credits from the Bank will accomplish the goal of the California Wetlands Conservation Policy (No Net Loss Policy; Executive Order W-59-93) to "ensure no overall net loss and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship, and respect for private property."

10. This Order requires submittal of documentation of the purchase of 0.60 acres of wetland mitigation credit to Regional Water Board's Executive Officer, prior to impacting waters of the State and no later than September 1, 2018.

11. Regional, State, and national studies have determined that tracking of mitigation/restoration projects must be improved to assess the performance of these projects. In addition, to effectively carry out the No Net Loss Policy, the State needs to track both wetland losses and mitigation/restoration project success closely. Therefore, this Order requires the Discharger to submit the California Wetlands Form to provide project information related to impacts and mitigation measures. An electronic copy of the form and instructions can be downloaded at: http://www.waterboards.ca.gov/sanfranciscobay/certs.shtml. Project information concerning impacts and mitigation/restoration will be made available at the web link: http://www.ecoatlas.org/regions/ecoregion/bay-delta/projects.

***Post-Construction Stormwater Management***

12. Stormwater discharges from urban and developing areas in the San Francisco Bay Region are significant sources of certain pollutants that cause or may be causing or threatening to cause or contribute to water quality impairment in waters of the Region. Furthermore, as delineated in the CWA section 303(d) list, the Regional Water Board has found that there is a reasonable potential that municipal stormwater discharges cause or may cause or contribute to an excursion above water quality standards for the following pollutants: mercury, PCBs, furans, dieldrin, chlordane, DDT, trash, and selenium in San Francisco Bay. Runoff from impervious surfaces at the developed Site may contribute to water quality impairment in the Region.

13. This Order requires the Discharger to implement stormwater treatment best management practices (BMPs) for post-construction stormwater runoff from the Project's impervious surfaces, consistent with the *Stormwater Management Plan for Eden Shores Residential Site – Phase 2, City of Hayward, Alameda County* (Ruggeri-Jensen-Azar, November 30, 2017) (See Attachment B). Stormwater treatment controls must be constructed concurrently with each phase of the Project, so that treatment is provided for each completed phase. The Order requires a final version of the plan in Attachment B to this Order, including measures to appropriately control

trash, to be submitted to the Executive Officer for review and approval at least 90 days before construction starts on the phase of the Project that will be treated by the plan.

14. The Order requires the Discharger to implement the *Declaration Establishing Storm Water Maintenance Covenants* (See Att. B). The Order requires the Discharger to submit, no later than 30 days prior to the first disturbance of waters of the State at the Site, a notarized copy of the *Declaration Establishing Storm Water Maintenance Covenants* to the Executive Officer. Any changes to the text of the *Declaration Establishing Storm Water Maintenance Covenants* in Attachment B must be submitted to the Executive Officer for review and approval before the revised *Declaration Establishing Storm Water Maintenance Covenants* is notarized.

***Regional Water Board Jurisdiction***

15. The Regional Water Board has authority to regulate the proposed discharge of fill materials into waters of the State by issuance of WDRs pursuant to California Water Code (Water Code) section 13263 and section 3857 of title 23 of the California Code of Regulations (23 CCR). The Regional Water Board considers WDRs necessary to adequately address impacts and mitigation to beneficial uses of waters of the State from the Project, to meet the objectives of the No Net Loss Policy, and to accommodate and require changes to the Project as described and allowed herein.
16. The Discharger is required to pay annual fees pursuant to Water Code section 13260, 23 CCR (Cal. Code Regs., tit. 23, § 2200 et seq.), and in accordance with Provision D.8.

***Regulatory Framework***

17. The *Water Quality Control Plan for the San Francisco Bay Basin* (Basin Plan) is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes implementation plans to achieve water quality objectives. The Basin Plan was duly adopted by the Regional Water Board and approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law, and U.S. EPA, where required.
18. The Basin Plan lists the following existing and potential beneficial uses for groundwater within the Niles Cone sub-basin of the Santa Clara Valley Basin (Basin Number 2-9.01), which underlies the Site:
    a. Municipal and Domestic Water Supply (MUN)
    b. Industrial Process Supply (PROC)
    c. Industrial Service Supply (IND)
    d. Agricultural Water Supply (AGR)
19. The Basin Plan lists the following existing and potential beneficial uses for seasonal palustrine wetlands:
    a. Agricultural Water Supply (AGR)
    b. Cold Freshwater Habitat (COLD)
    c. Freshwater replenishment (FRESH)

d. Groundwater Recharge (GWR)

e. Water Contact Recreation (REC1)

f. Non-contract Water Recreation (REC2)

g. Warm Freshwater Habitat (WARM)

h. Wildlife Habitat (WILD)

i. Preservation of Rare and Endangered Species (RARE)

20. Project implementation would permanently impact the beneficial uses of the seasonal palustrine wetlands at the Site.

21. The California Environmental Quality Act (CEQA) requires all discretionary projects approved by public agencies to be reviewed in compliance with requirements of CEQA. The Site is part of the larger Eden Shores Business Park Site (Figure 2 in Attachment A), which was assessed as part of the South of Route 92 Specific Plan, adopted by the City of Hayward in 1988. The Specific Plan provided for a mixed-use development consisting of a business park, single-family housing, light manufacturing, open space, and active recreation on about 333.5 acres, which at the time was used mostly for agriculture. In 1998, the City of Hayward, acting as the CEQA lead agency, certified the *Environmental Impact Report for the South of Route 92 General Plan Amendment and Specific Plan for the Oliver Estate/Weber Properties* (EIR) (State Clearinghouse Number 95103079). Some of the development anticipated in the Specific Plan, and analyzed in the 1998 EIR, has been completed, including a sports park, a large retail development, and residential subdivisions.

    In 2007, an Initial Study / Mitigated Negative Declaration (IS/MND) was prepared for an amendment to the 1998 Specific Plan to allow for changes in land uses from commercial to residential in the undeveloped portions of the 1998 Specific Plan area. This IS/MND addressed development of the 5.43-acre Eden Shores Commercial Project and the 14.4-acre residential project, which consisted of the already constructed 8.1-acre Eden Shores Residential 1 Project (See Fig. 4 in Att. A) and the current 6.3-acre Residential 2 Project. Impacts to waters of the State associated with the current Project are consistent with the impacts identified in the 2007 IS/MND.

22. The Regional Water Board, as a responsible agency under CEQA, has independently considered the EIR and IS/MND and finds that significant environmental impacts of the proposed Project to waters of the State have been identified and mitigated to less than significant levels by the mitigation requirements adopted in this Order (See Cal. Code Regs., tit. 14, § 15096, subd. (g).).

23. The State of California recognizes that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes (Wat. Code § 106.3; State Water Board Reso. 2016-10.). This Order promotes that policy by requiring discharges to meet discharge levels designed to protect human health and ensure that water is safe for domestic use.

24. The Regional Water Board provided public notice of the application pursuant to 23 CCR section 3858 on March 14, 2018, and posted information describing the Project on the Regional Water Board's website. The Regional Water Board has notified the Discharger and interested parties of its intent to issue WDRs for the Project.

25. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to this Order.

26. In a letter from the San Francisco District of the U.S. Army Corps of Engineers (Corps), dated January 6, 2016 (Corps File Number SPN-1999-241560S), the Corps notified the Discharger that the wetlands at the Site were not regulated as waters of the U.S. Therefore, fill of the seasonal wetlands at the Project does not require authorization pursuant to a Clean Water Act section 404 permit. This discharge of fill to waters of the State at the Site is regulated under Water Code section 13263 and 23 CCR.

27. Pursuant to 23 CCR section 3857, the Regional Water Board is issuing WDRs for the proposed Project.

IT IS HEREBY ORDERED that the Discharger, in order to meet the provisions contained in Division 7 of the Water Code and regulations adopted thereunder, shall comply with the following, pursuant to authority under Water Code sections 13263 and 13267:

## *A. Discharge Prohibitions*

1. The direct or indirect discharge of wastes, as defined in Water Code section 13050(d), within or outside of an active project site, to surface waters or surface water drainage courses is prohibited, except as authorized in this Order.
2. The Discharger shall not cause degradation of any municipal water supply.
3. The wetland fill activities subject to these requirements shall not cause a nuisance as defined in Water Code §13050(m).
4. The discharge of materials other than stormwater, which are not otherwise regulated by a separate NPDES permit or allowed by this Order, to waters of the State is prohibited.
5. The groundwater in the vicinity of the Project shall not be degraded as a result of the placement of fill for the Project.
6. No debris, soil, silt, sand, cement, concrete, or washings thereof, or other construction related materials or wastes, oil or petroleum products or other organic or earthen material shall be allowed to enter into or be placed where they may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess material shall be removed from the work area and any adjacent areas where such materials could be washed into waters of the State.

## *B. Discharge Specifications*

1. In accordance with Water Code section 13260, the Discharger shall file with the Regional Water Board a report of any material change in the character, location, or quantity of this waste discharge that is beyond the scope of this Order. Any proposed material change in the discharge requires approval by the Regional Water Board.
2. The Discharger shall notify the Regional Water Board promptly by telephone or email, and in no case more than 24 hours after, if an adverse condition occurs as a result of a discharge. An adverse condition includes, but is not limited to, a violation of the conditions of this Order, spill of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance. A written notification of the adverse condition shall be

submitted to the Regional Water Board within five days of occurrence. The written notification shall identify the adverse condition, describe the actions taken or planned to remedy the condition, and specify a timetable, subject to approval by the Executive Officer, for the remedial actions that follow any initial response to the adverse condition.

### *C. Receiving Water Limitations*

1. With the exception of the fill of waters of the State authorized by this Order, the discharge shall not cause the following conditions to exist in waters of the State at any place:

   a. Waters shall not contain floating material, including solids, liquids, foams, and scum in concentrations that cause nuisance or adversely affect beneficial uses.

   b. Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or otherwise adversely affect beneficial uses.

   c. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth cause nuisance or adversely affect beneficial uses.

   d. Waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.

   e. The natural receiving water temperature of inland surface waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses. The temperature of any cold or warm freshwater habitat shall not be increased by more than 5°F (2.8°C) above natural receiving water temperature.

2. The discharge shall not cause nuisance, or adversely affect the beneficial uses of the receiving water.

3. With the exception of the fill of waters of the State authorized by this Order, the discharge shall not cause the following limits to be exceeded in waters of the State at any point:

   a. Dissolved Oxygen: 5.0 (WARM) or 7.0 (COLD) mg/l minimum. When natural factors cause lesser concentrations, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.

   b. pH: A variation of natural ambient pH by more than 0.5 pH units.

   c. Turbidity: Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases from normal background light penetration or turbidity relatable to waste discharge shall not be greater than 10 percent in areas where ambient turbidity is greater than 50 NTU. Where ambient turbidity is less than 50 NTU, activities authorized by this Order shall not increase turbidity by more than 5 NTU.

   d. Toxicity: All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms.

e. Salinity — The Project shall not increase total dissolved solids or salinity to a degree that the increase adversely affects beneficial uses or water quality.

f. Chlorine — The Project shall not discharge water to waters of the State with residual chlorine levels (free chlorine plus chloramines) that exceed the instantaneous limit of 0 mg/L in Table 4-2 of the Basin Plan. Chlorine residual levels that are non-detect at a reporting limit of 0.08 mg/L will be considered to be in compliance with the instantaneous limit in Table 4-2 in the Basin Plan.

## *D. Provisions*

1. The Project shall be constructed as described in the application materials submitted by the Discharger on October 3, 2014, and supplemental application materials received through December 4, 2017. Any changes to the Project design shall be submitted, acceptable to the Executive Officer, and shall not be implemented until they have been accepted in writing.

### *Compensatory Mitigation*

2. To provide mitigation for the Project's impacts to waters of the State, the Discharger shall purchase 0.60 acres of seasonal wetland creation mitigation credits from the Bank as described in Finding 8.

### *Monitoring and Reporting*

3. California Wetlands Portal: The Discharger shall complete the standard California Wetlands Form for the Project site. The Discharger shall electronically submit the completed standard form and map showing the location of the Project site to habitatdata@waterboards.ca.gov.

### *Notice of Mitigation Completion*

4. Mitigation for impacts to wetlands will be satisfied through purchase of 0.60 acres of wetland mitigation credits from the Bank; proof of such purchase shall be submitted to the Executive Officer prior to impacting wetlands at the Project site and no later than September 1, 2018.

### *Project Site Stormwater Management*

5. The Discharger shall comply with the State Water Board's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) (Order No. 2009-0009-DWQ, as amended and as may be reissued; NPDES Permit No. CAS000002). The Discharger shall prepare and implement a site-specific Stormwater Pollution Prevention Plan (SWPPP) for the construction of each phase of the Project, in accordance with the requirements, provisions, limitations, and prohibitions of the General Construction Permit for discharges of stormwater associated with construction activity.

6. The Discharger, or its successors, shall ensure that the post-construction stormwater treatment best management practices (BMPs), including bioretention areas, in the *Stormwater Management Plan for Eden Shores Residential Site – Phase 2, City of Hayward, Alameda County* (Ruggeri-Jensen-Azar, November 30, 2017) (see Att. B) are constructed and appropriately maintained for the life of the Project. Stormwater treatment controls shall be constructed concurrently with each phase of the Project, so that treatment

is provided for each completed new area of impervious surfaces in the same year that new impervious surfaces are created. The Discharger shall submit a final version of the plan in Attachment B to the Executive Officer for review and approval at least 90 days before construction starts on the phase of the Project that will be treated by the plan. The final version of the plan shall provide final construction details, including measures sufficient to achieve full trash capture consistent with the requirements of Regional Water Board Order No. R2-2015-0049 (NPDES Permit No. CAS612008), Provision C.10. Construction of that phase of the Project shall not commence until the Executive Officer has approved the altered BMP proposal (construction consists of any disturbance of the site surface that results in the creation of new impervious surfaces). Any transfer of responsibility for this Provision's requirements from the Discharger to another party must be approved by the Executive Officer before the responsibility may be transferred. To propose such a transfer, the Discharger shall submit the terms of such a transfer of responsibility to the Executive Officer for review and approval.

7. Before responsibility for maintaining the post-construction stormwater BMPs at the Project site is transferred to a Home Owners Association (HOA), the proposed language in the HOA's Covenants, Conditions and Restrictions (CC&Rs) for the Project that relate to the treatment specified in Findings 13 and 14 and Provision 6, as well as the funding mechanism for managing and maintaining the stormwater BMPs, shall be submitted to the Executive Officer for review and approval. The CC&Rs shall detail the HOA's responsibility for the maintenance and operation of the stormwater BMPs described in Finding 13 and the Storm Water Management Plan in Attachment B, so that these BMPs continue to provide MEP treatment of stormwater runoff for the life of the Project. Detailed provisions for managing and maintaining the stormwater bioretention cells to provide the treatment specified in Condition 13, as well as the funding mechanism for managing and maintaining the stormwater bioretention cells, shall be incorporated in the CC&Rs for the Project. The responsibility for maintenance and monitoring of the Site's post-construction stormwater treatment system shall be written into the CC&R's and thus transferred to all future owners, for the life of the Project. Enforcement of these restrictions shall be reflected in the CC&Rs. The sections of the CC&Rs that address operation and maintenance of the stormwater BMPs may not be altered without the approval of the Executive Officer. Measures shall be in place to notify all occupants and potential occupants of the restrictions in the CC&Rs related to stormwater management. The CC&Rs shall not be finalized and recorded until the Executive Officer has approved the proposed stormwater management provisions of the Project's CC&Rs, including scheduled inspections and minor and major (e.g., replacement of filter media) maintenance activities.

8. As-built plans for the post-construction stormwater treatment measures for each phase of the Project shall be prepared and submitted to the Regional Water Board within six weeks of the completion of construction and planting of each post-construction stormwater treatment feature. As-built plans shall be accompanied by an as-built report that describes any changes to the approved plans that were necessary during construction of the stormwater treatment feature, as well as a technical justification for any design changes that were necessary in the field. The technical justification must demonstrate that the constructed treatment measures are consistent with the requirements of Regional Water Board Order No. R2-2015-0049 (NPDES Permit No. CAS612008).

***Fees***

9. The fee amount for these WDRs shall be in accordance with the current fee schedule, per 23 CCR section 2200(a), based on the quantity of waters of the State impacted by discharges authorized by this Order. The Project will permanently impact 0.58 of waters of the State. The application fee for these impacts is $7,695, which was paid in full on March 8, 2018. An annual discharge fee shall also be paid to the Regional Water Board in each year in which impacts to waters of the State that are authorized by this Order are implemented (note: the Annual Active Discharge Fee may be changed by the State Water Board; at the time that this Order was adopted, it was $1,500 per year). After the initial year, the Annual Active Discharge portion of the fee shall be billed annually to the Discharger. Fee payments shall indicate the Order number, the CIWQS Place ID Number in the header for this Order, and the applicable year.

***Records Provisions***

10. The Discharger shall retain records of all reports required by this Order for a period of at least five years from the date of the report. This period may be extended by request of the Executive Officer at any time. The Discharger shall submit electronic versions of any submitted reports or documents.

***General Provisions***

11. The Discharger shall comply with all the Prohibitions, Effluent and Receiving Water Limitations, and Provisions of this Order immediately upon adoption of this Order or as provided in this Order.

12. All reports pursuant to these Provisions shall be prepared by professionals registered in the State of California.

13. The Discharger shall immediately notify the Regional Water Board by telephone and e-mail whenever an adverse condition occurs as a result of this discharge. Such a condition includes, but is not limited to, a violation of the conditions of this Order, a significant spill of petroleum products or toxic chemicals, or damage to control facilities that would cause noncompliance. Pursuant to Water Code section 13267(b), a written notification of the adverse condition shall be submitted to the Regional Water Board within two weeks of occurrence. The written notification shall identify the adverse condition, describe the actions necessary to remedy the condition, and specify a timetable, subject to the modifications of the Regional Water Board, for the remedial actions.

14. The Discharger shall notify the Regional Water Board in writing at least 30 days prior to the actual start date of impacts to waters of the State associated with the Project.

15. All work performed within waters of the State shall be completed in a manner that minimizes impacts to beneficial uses and habitat. Measures shall be employed to minimize disturbances that will adversely impact the water quality of waters of the State. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation.

16. The Discharger is considered to have full responsibility for correcting any and all problems that arise in the event of a failure that results in an unauthorized release of waste or wastewater.

17. The discharge of any hazardous, designated, or non-hazardous waste as defined in Title 23, Division 3, Chapter 15 of the California Administrative Code, shall be disposed of in accordance with applicable state and federal regulations.

18. These WDRs are subject to modification or revocation upon administrative or judicial review, including review and/or reconsideration pursuant to Water Code sections 13320 and 13330 and 23 CCR section 3867.

19. These WDRs are not intended and shall 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 section 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

20. The Discharger shall maintain a copy of this Order and all relevant plans and BMPs at the Project site, so as to be available at all times to site operating personnel.

21. The Discharger shall permit the Regional Water Board staff or its authorized representative, upon presentation of credentials:

    a. Entry on to the premises on which maintenance activities are planned or underway, wastes are located, or in which records are kept;

    b. Access to copy any records required to be kept under the terms and conditions of this Order;

    c. Access to inspect any treatment equipment, monitoring equipment, or monitoring method required by this Order; and

    d. Access to sample any discharge or surface water covered by this Order.

22. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under applicable State policies, codes, and regulations. In response to a suspected violation of any condition of this Order, the Regional Water Board may require the Discharger to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this Order, the Regional Water Board may add to or modify the conditions of this Order as appropriate to ensure compliance.

23. In accordance with Water Code section 13260, the Discharger shall file with the Regional Water Board a report of any proposed change in ownership or any material change in the character, location, or quantity of this waste discharge. Any proposed material change in the discharge requires approval by the Regional Water Board after a hearing under Water Code section 13263. Material change includes, but is not be limited to, all significant new soil disturbances, all proposed expansion of development, or any change in drainage characteristics at the Site. For the purpose of this Order, this includes any proposed change in the boundaries of the area of wetland/waters of the State to be filled and mitigated.

24. This Order is not transferable.

25. This Order does not authorize commission of any act causing injury to the property of another or of the public; does not convey any property rights; does not remove liability under federal, State, or local laws, regulations or rules of other programs and agencies, nor does this Order authorize the discharge of wastes without appropriate permits from other agencies or organizations.

26. The Regional Water Board will consider rescission of this Order upon Project completion, including review and approval by the Executive Officer of the portions of the Project's CC&Rs related to stormwater management, and the Executive Officer's acceptance of notices of completion of mitigation for all mitigation, creation, and enhancement projects required or otherwise permitted now or subsequently under this Order.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, complete and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on May 9, 2018.

Digitally signed
by Bruce H. Wolfe
Date: 2018.05.15
16:44:35 -07'00'

Bruce H. Wolfe
Executive Officer

Attachment A: Site Figures and Stormwater Treatment Measures
Attachment B: *Declaration Establishing Storm Water Maintenance Covenants* and the *Stormwater Management Plan for Eden Shores Residential Site – Phase 2, City of Hayward, Alameda County* (Ruggeri-Jensen-Azar, November 30, 2017)

# ATTACHMENT A

## Waste Discharge Requirements and Water Quality Certification for the Eden Shores Residential Phase 2Project in Hayward in Alameda County

## Site Figures and Stormwater Treatment Measures

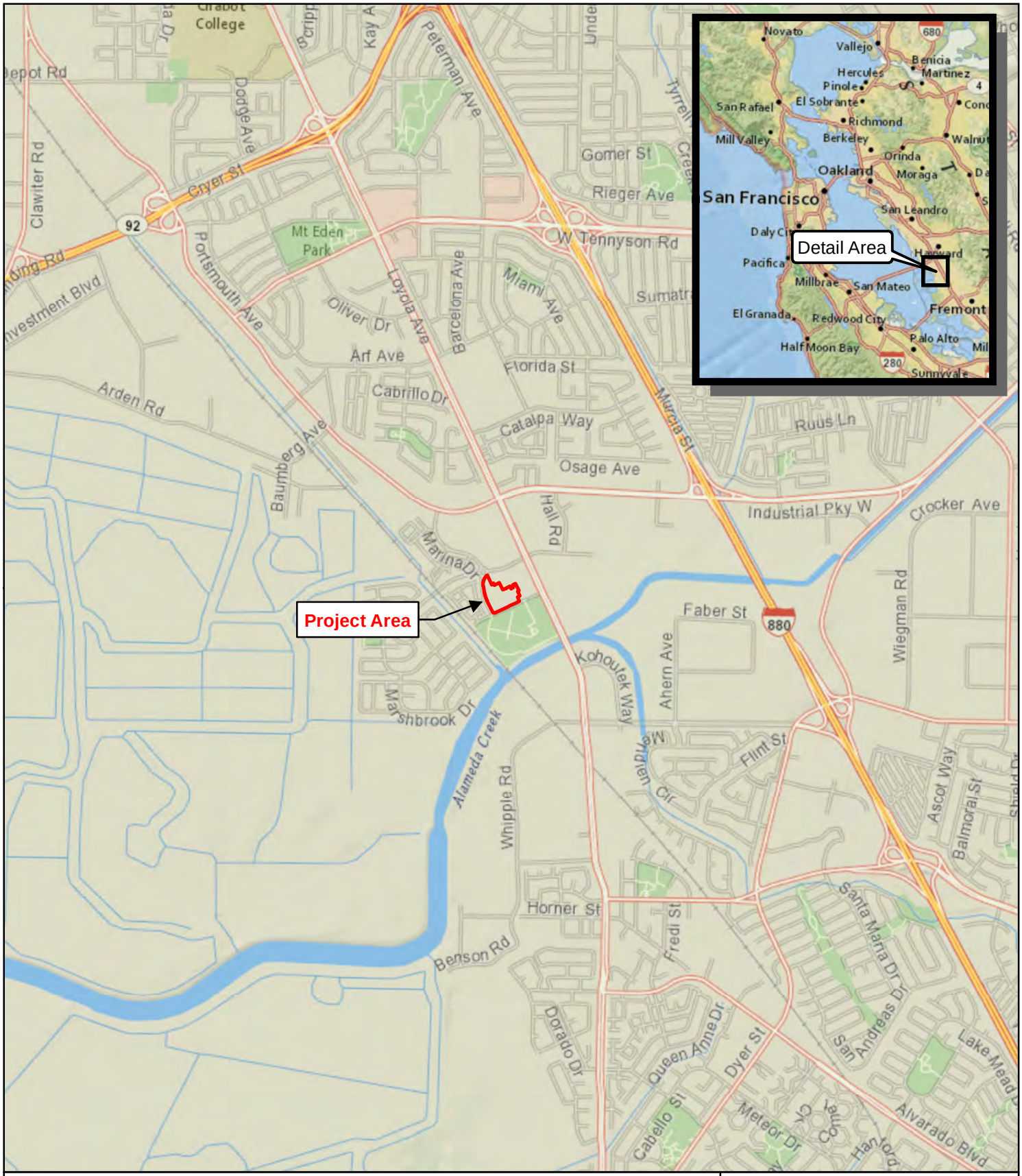


Figure 1 of 2. Project Area Location Map
Corps reference number (SPN-24156)

Legacy Partners LLC
Eden Shores Residential 2
Alameda County, California

N
W E
S

0 0.25 0.5 1
Miles

wra
ENVIRONMENTAL CONSULTANTS

Map Prepared Date: 10/20/2015
Map Prepared By: SGillespie
Base Source: ESRI National Geographic
Data Source(s): WRA

Path: L:\Acad 2000 Files\23000\23235-2\GIS\ArcMap\Fig1_LocMap_20151020.mxd

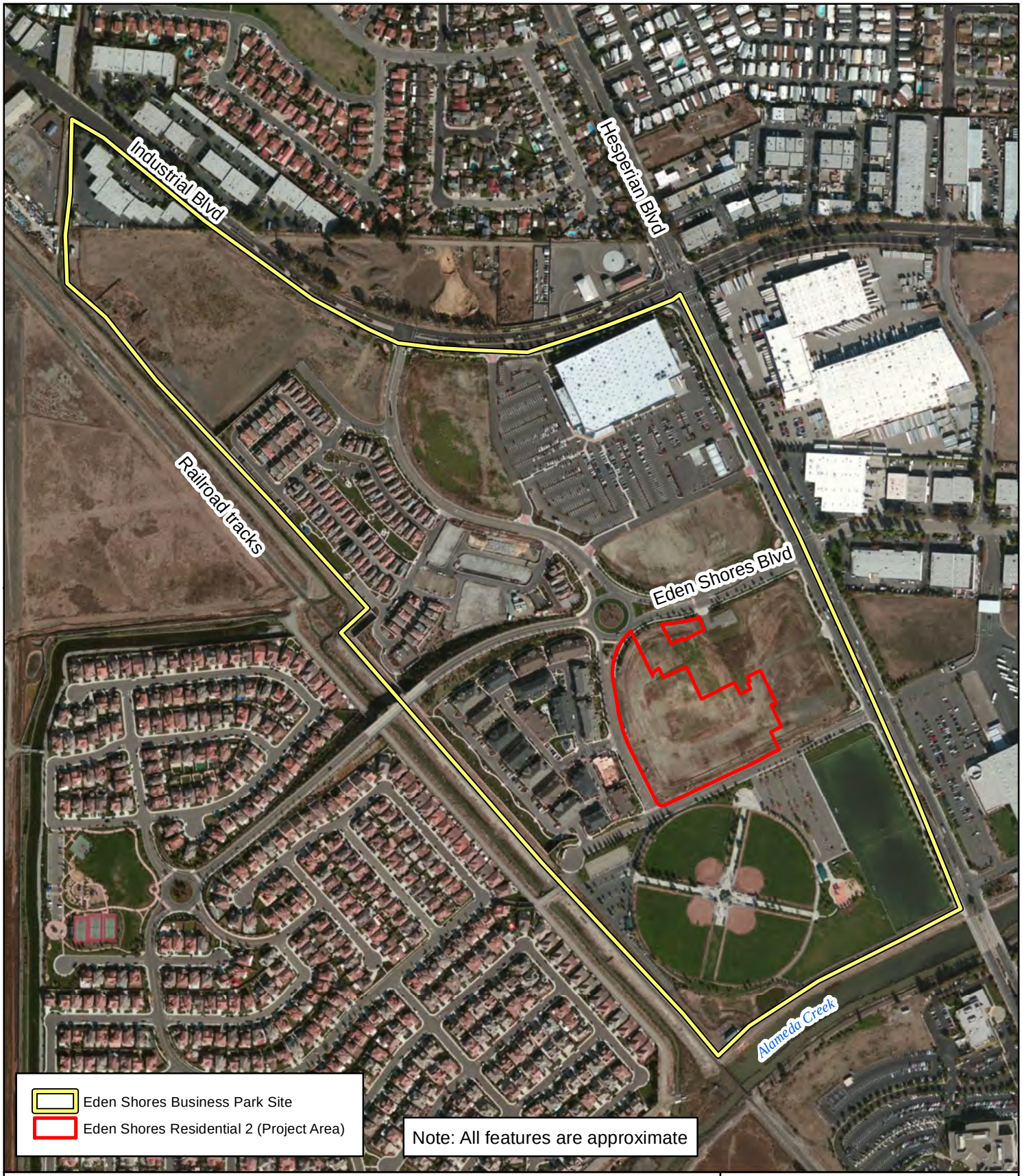


Figure 2. Eden Shores Business Park Site Containing Eden Shores Residential 2 Parcel

Eden Shores Residential 2
Alameda County, California

N
W E
S

0 250 500 1,000
Feet

wra
ENVIRONMENTAL CONSULTANTS

Date: September 2014
Map By: DC
Base Source: ESRI Streaming Imagery

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ENVIRONMENTAL CONSULTANTS

Eden Shores
Residential 2

Alameda County,
California

Figure 3.

Preliminary Corps Section
404 Jurisdiction Map

Map Date: September 2014
Map By: DC
Base Source: ESRI Streaming Imagery

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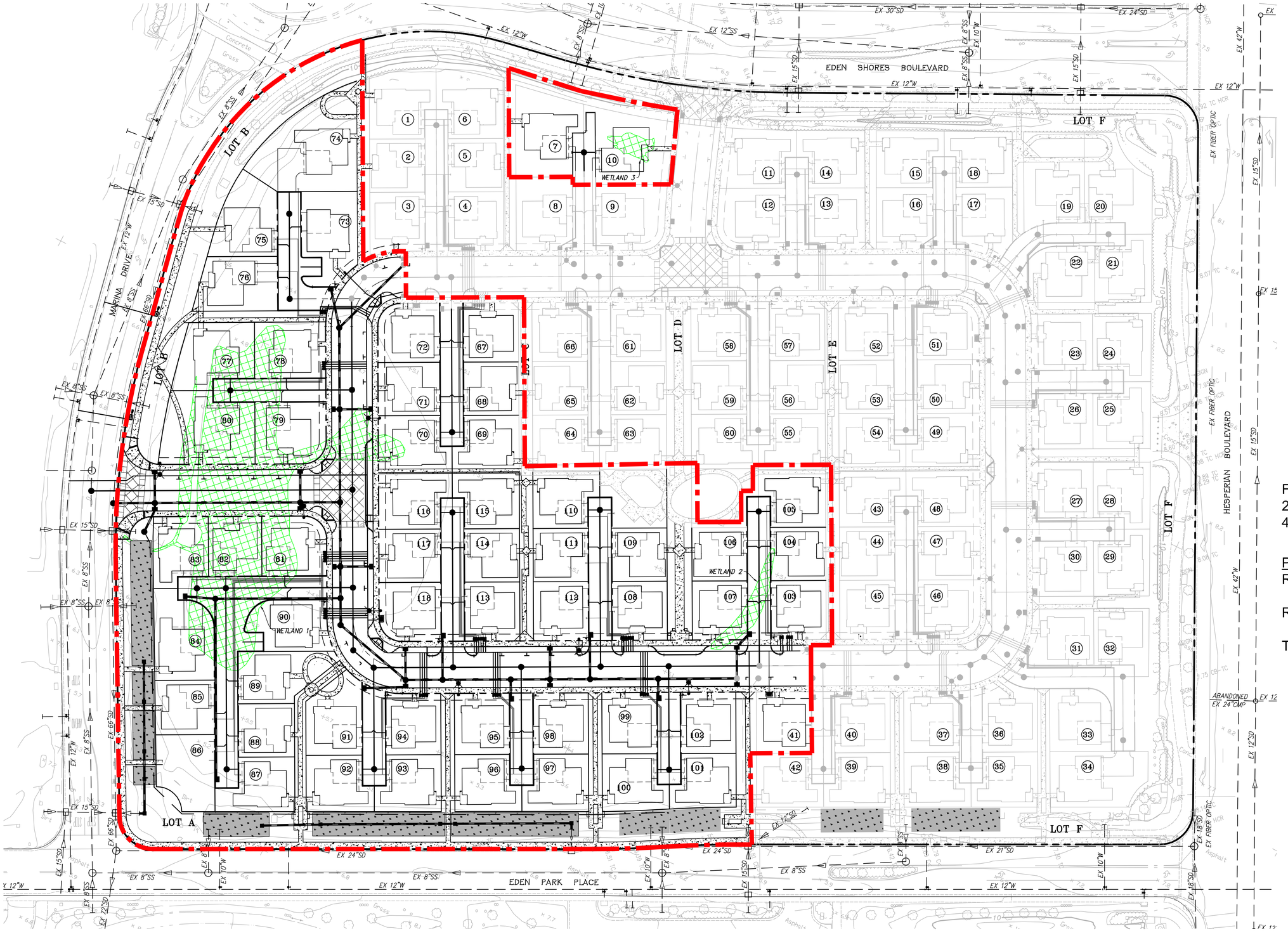



WETLAND IMPACT SUMMARY RESIDENTIAL 2

| | |
|---|---|
| WETLAND 1 | ~0.54AC |
| WETLAND 2 | ~0.01AC |
| WETLAND 3 | ~0.03AC |
| TOTAL | ~0.58AC |

Figure 5. Eden Shores Residential 2 Buildout and Impacts to Section 404/401 Jurisdiction.

Project Acreage

Residential 2A (Lots 67-118)
6.2 acres

Residential 2B (Lots 7, 10, 41)
0.2 acres

Total: 6.4 acres

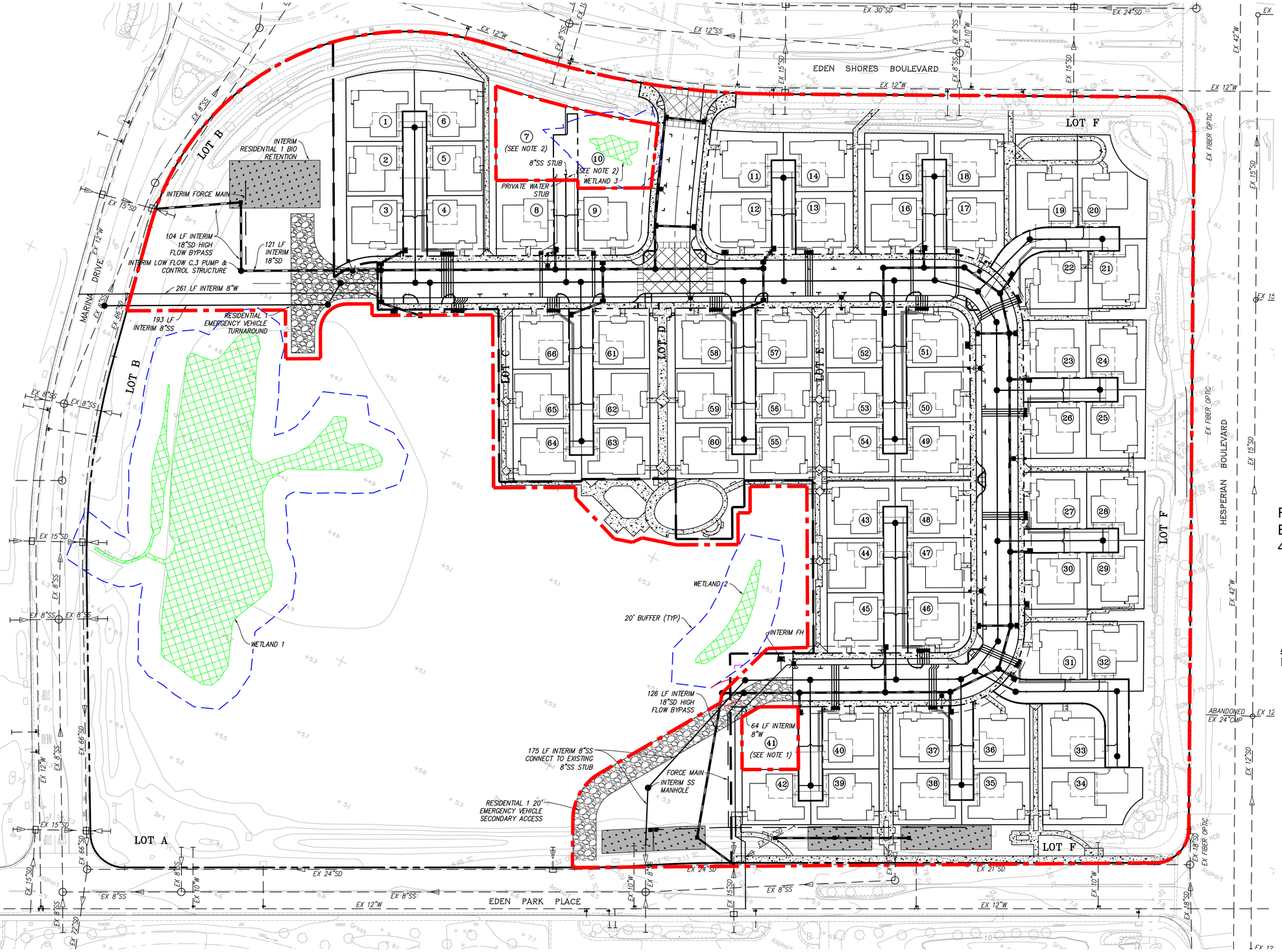
# RESIDENTIAL 2 BUILDOUT
# TRACT 8148 - EDEN SHORES

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: EDEN SHORES ASSOCIATION I, LLC

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: SEPTEMBER 18, 2014 JOB NO. 131046 SHEET 1 OF 1

G:\JOBS\131\131046\EXHIBIT\WETLANDS EXHIBIT PHLDWG 9/18/2014 11:49:17 AM DOMINIC CARUSO




WETLAND IMPACT SUMMARY RESIDENTIAL 1

| | |
|---|---|
| WETLAND 1 THROUGH 3 | ~0.0AC |
| TOTAL | ~0.0AC |

Figure 4. Eden Shores Residential 1 Buildout and Impacts to Section 404/401 Jurisdiction.

Acreage

Residential 1 (Lots 1-6, 8,9,11-40, 42-66): 8.0 acres

NOTE:

1) NO CONSTRUCTION ON THESE LOTS EXCEPT INTERIM EVA AND UTILITY CONSTRUCTION AS SHOWN.
2) NO CONSTRUCTION ON THESE LOTS. FUTURE PRIVATE WATER & SEWER TO BE STUBBED 5' NORTH OF LOT 8 PROPERTY LINE.
3) UTILITY AND ACCESS IMPROVEMENTS TO BE INSTALLED WITH RESIDENTIAL 1.

# RESIDENTIAL 1 BUILDOUT
# TRACT 8148 - EDEN SHORES

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: EDEN SHORES ASSOCIATION I, LLC

RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: SEPTEMBER 11, 2014 JOB NO. 131046 SHEET 1 OF 1

G:\JOBS\131046\EXHIBIT\WETLANDS EXHIBIT PHIL_BUFFER.DWG 9/12/2014 11:16:19 AM DOMINIC CARUSO

# ATTACHMENT B

**Waste Discharge Requirements and**
**Water Quality Certification for the**
**Eden Shores Residential Phase 2Project**
**in**
**Hayward in**
**Alameda County**

**Declaration Establishing Storm Water Maintenance Covenants and the *Stormwater Management Plan for Eden Shores Residential Site – Phase 2, City of Hayward, Alameda County* (Ruggeri-Jensen-Azar, November 30, 2017)**

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Eden Shores Associates I, LLC
c/o SteelWave IMS, LLC
4000 East Third Avenue, Suite 500
Foster City, CA 94404
Attn: Steven M. Dunn

SPACE ABOVE RESERVED FOR FILING STAMP

# DECLARATION ESTABLISHING STORM WATER MAINTENANCE COVENANTS

TABLE OF CONTENTS

## DECLARATION ESTABLISHING STORM WATER MAINTENANCE COVENANTS

THIS DECLARATION ESTABLISHING STORM WATER MAINTENANCE COVENANTS ("**Declaration**") is made and entered into by Eden Shores Associates I, LLC, a Delaware limited liability company (the "**Declarant**") as of this __ day of _____ 2017 with reference to the facts set forth below.

RECITALS

All initially capitalized terms used but not defined in the Recitals shall have the meanings set forth in **Article 1** of this Declaration.

A. Declarant is the Owner of that certain real property located in the City of Hayward, County of Alameda, State of California, more particularly described on **Exhibit "A"** attached hereto and incorporated herein (the "**Property**").

B. In connection with obtaining the entitlements and developing the Property, Declarant has submitted to the City and obtained the approval from the City of a Storm Water Management Plan and has obtained a RWQCB Permit from the RWQCB which Storm Water Management Plan and RWQCB Permit relate to storm water, the discharge of storm water and the operation and maintenance of the storm water facilities serving the Property. The City and the RWQCB have required Declarant to record this Declaration to set forth certain obligations relating to storm water, the discharge of storm water and the maintenance and operation of the Storm Water Facilities within and serving the Property and compliance within the Storm Water Management Plan.

C. As of the date of recordation of this Declaration, Declarant owns all of the Property. Declarant may convey the Property for development to a Successor Owner and, in such case, such Successor Owner shall be responsible to perform the Maintenance Obligations hereunder. If, however, the Property is further subdivided into Individual Parcels or Condominiums the Declarant or the then current Successor Owner of the Property who is causing the further subdivision to occur shall be obligated to establish an Association or annex the Property into an existing Association as described herein. References herein to the Responsible Party means Declarant, while it is the Owner of the Property or a Successor Owner of the Property, but upon the occurrence of the Association Establishment Event, references herein to the Responsible Party mean such Association.

NOW, THEREFORE, to comply with the requirements of the City and the RWQCB, Declarant is hereby recording this Declaration to establish covenants, conditions, restrictions, upon the Property as equitable servitudes upon the Property, which shall run with the land and shall inure to the benefit of and be binding upon Declarant, its successors and assigns, and all subsequent Owners of all or any portion of the Property.

### ARTICLE 1
### DEFINITIONS

**1.1** **"Applicable Laws"** means the entitlements for the Property and any law, regulation, rule, order or ordinance of any Governmental Agency(ies) having jurisdiction over the Property which are applicable to the Property or any portion thereof now in effect or as hereafter promulgated.

**1.2** **"Association"** means any owners association formed to govern the Property upon the occurrence of an Association Establishment Event, including any owners association to which the Property is made subject to its jurisdiction by annexation.

**1.3** **"Association Declaration"** means any declaration of covenants, conditions and restrictions recorded against the Property which provides for the establishment of an Association or to which the Property is annexed.

**1.4** **"Association Establishment Event"** means the occurrence of the further subdivision of the Property into Individual Parcels or Condominiums and the first conveyance of such Individual Parcels or Condominiums to an individual purchaser at which time the Property shall have been made subject to the jurisdiction of an Association and such Association shall be obligated to perform the Maintenance Obligations under this Declaration.

**1.5** **"Best Management Practices" or "BMPs"** means structural or non-structural pollution prevention measures, such as site design, source control, treatment control, and hydromodification control methods required to minimize polluted runoff from the Property as described in the RWQCB Permit. Best Management Practices include all best management practices established by any governmental agencies, the National Pollutant Discharge Elimination System and requirements adopted pursuant to the Federal Clean Water Act.

**1.6** **"City"** means the City of Hayward, California.

**1.7** **"Condominium"** means any residential condominium within the Property established pursuant to Section 4125 of the California Civil Code.

**1.8** **"County"** means the County of Alameda, California.

**1.9** **"Declarant"** means Eden Shores Associates I, LLC, a Delaware limited liability company and any person or entity acquiring all or any portion of Declarant's interest in the Property (including all or any portion of Declarant's rights and obligations as created and established herein) pursuant to written assignments from Declarant which are recorded in the Official Records. A successor Declarant shall also be deemed to include the beneficiary under any deed of trust securing an obligation from a then existing Declarant encumbering all or any portion of the Property, which beneficiary has acquired any such Property by foreclosure, power of sale or deed in lieu of such foreclosure or sale.

**1.10** **"Declaration"** means this Declaration Establishing Storm Water Maintenance Covenants and all amendments to this Declaration as may be recorded, from time to time, in the Official Records.

**1.11** **"Governmental Agencies"** means the RWQCB, the City, the County and any other federal, state or local agency or authority having jurisdiction over the Property.

**1.12** **"Individual Parcels"** means the subdivided legal parcels within the Property created under a final parcel or subdivision map as a result of the further subdivision of the Property.

**1.13** **"Maintenance Obligations"** means the maintenance obligations established under the RWQCB Permit and the Storm Water Management Plan described in this Declaration.

**1.14** **"Official Records"** means the Office of the County Recorder of Alameda County.

**1.15** **"Owner"** means the record owner, whether one or more persons or entities, including Declarant, of any Lot or Condominium within the Property, excluding those having such interest merely as security for the performance of an obligation.

**1.16** **"Parcel"** means a legal lot or parcel shown on a final subdivision map.

**1.17** **"Property"** means all of the real property described on **Exhibit "A"** of this Declaration.

**1.18** **"Responsible Party"** means the Declarant or a Successor Owner while it owns all of the Property and upon the occurrence of the Association Establishment Event means the Association with jurisdiction over the Property.

**1.19** **"RWQCB"** means the Regional Water Quality Control Board and any successor agency to the RWQCB

**1.20** **"RWQCB Permit"** means the permit issued by the RWQCB in the form attached hereto as **Exhibit "B"** and any amendments thereto with the approval of the RWQCB.

**1.21** **"Storm Water Facilities"** means any storm water facilities installed within the Property pursuant to the RWQCB Permit and/or the Storm Water Management Plan.

**1.22** **"Storm Water Management Plan"** means the Storm Water Management Plan dated November 1, 2016 which was submitted to and approved by the RWQCB in the form attached hereto as **Exhibit "C."**

**1.23** **"Successor Owner"** means a successor Owner to whom Declarant has conveyed all of the Property.

## ARTICLE 2
## STORM WATER COVENANTS AND ASSOCIATION ESTABLISHMENT EVENT

**2.1** **Compliance with RWQCB Permit**. The Responsible Party shall comply with all obligations imposed under the RWQCB Permit and the Storm Water Management Plan including, without limitation, all reporting requirements.

**2.2** **Maintenance of Storm Water Facilities and Compliance with the RWQCB Permit**. The Responsible Party shall maintain the Storm Water Facilities and all other portions of the Property in compliance with the RWQCB Permit and the Storm Water Management Plan and shall ensure that at all times such maintenance is performed in accordance with all Best Management Practices. Each Owner shall comply with all Best Management Practices with respect to the discharge of storm water within such Owner's Lot or Condominium.

**2.2.1** **Scope of Maintenance**. The maintenance obligations of the Responsible Party hereunder shall include inspection and servicing of the Storm Water Facilities as may be necessary to ensure the Storm Water Facilities retain their effectiveness.

**2.2.2** **Obligations of Association**. In addition to the obligations of the Responsible Party described above, any Association formed to govern the Property shall have the obligation to enforce compliance by any Owners of any Lots or Condominiums on the Property with respect to storm water and the discharge of storm water. In the event of any violation hereof by an Owner, if the RWQCB or other Governmental Agency makes a claim on the Association, the Association shall be entitled to pursue any remedies it may have against a defaulting Owner.

**2.2.3** **Best Management Practices and Storm Water Pollution**. Each Owner shall comply with the any Best Management Practices which may be applicable to any Lot or Condominium owned by such Owner.

**2.2.4** **Compliance With Requirements Regarding Storm Water Pollution**. Each Owner and the Association acknowledges that water that enters a storm drain flows directly to natural sources of water, including waterways, creeks, drains, rivers, and lakes. Each Owner and the Association further acknowledges that storm water runoff can carry eroded soils and other non-storm water substances and materials into natural sources of water, which can have an adverse impact on the environment. Unlike the water in the sewer system, which flows to wastewater treatment plants, water that enters a storm drain flows directly, without any treatment, to waterways, creeks, streams, rivers, lakes and/or oceans. The Association, and the Owners shall not dispose of any substance into the Storm Water Facilities that will cause a violation of any Best Management Practices or the RWQCB Permit. Solid waste, garbage, rocks, sand, lawn clippings, yard waste, detergents, pet waste, toxic chemicals, fertilizers, or hydrocarbon compounds (including, without

limitation, gasoline, motor oil, antifreeze, solvents, paints, paint thinners, and wood preservatives) and any other such materials or pollutants shall not be discharged into any street, public or private, gutters, or into storm drains or storm water conveyance systems. The Association and each Owner further acknowledge that the disposal of such pollutants and materials into a storm drain system may result in significant penalties and fines and that the Association, and each Owner may be responsible for any activities by their respective contractors (e.g., painters, landscapers) who dispose of such pollutants into the Storm Water Facilities. Use and disposal of all toxic chemicals, hydrocarbon compounds, pesticides, fungicides, herbicides, insecticides, fertilizers, and other such chemicals shall meet all federal, state, and city requirements and requirements of the RWQCB.

**2.2.5 Records**. The Responsible Party shall maintain all records of any reports required under the RWQCB Permit for a period of five (5) years as required by the RWQCB Permit

**2.3 Grant of Right of Entry**. Each Owner and any Association formed to govern the Property hereby grants to the RWQCB and any Governmental Agency enforcing the requirements of the RWQCB Permit and the Storm Water Management Plan, the right to enter the Property to inspect the Storm Water Facilities and to undertake any other actions under the Storm Water Management Plan and/or the RWQCB Permit including exercising its remedies as provided herein.

**2.4 Association Establishment Event**. Upon the occurrence of an Association Establishment Event, the Declarant if Declarant is further subdividing the Property or the successor Owner if the successor Owner is subdividing the Property shall, as a condition to any conveyance of any individual Parcel or individual Condominium establish an Association or annex the Property into an existing Association and all of the Maintenance Obligations shall be transferred to and assumed by such Association.

## ARTICLE 3
## RWQCB AND/OR CITY ENFORCEMENT RIGHTS

**3.1 Enforcement**. The RWQCB and/or the City shall have the right to enforce any violation of this Declaration and the RWQCB Permit and/or Storm Water Management Plan by any proceeding at law or equity. Prior to exercising such rights the RWQCB or the City, as applicable, shall deliver written notice of default to the Association and any Owner within the Property who is in default and if the default is not cured within fifteen (15) days after the delivery of the notice or if the cure requires more than fifteen days if the Owner or Party does not commence to cure the default and diligently pursue the same to completion then the RWQCB and/or the City shall have the right to pursue any remedies at law or equity.

## ARTICLE 4
## GENERAL PROVISIONS

**4.1 Headings**. All headings are for convenience only and shall not affect the interpretation of this Agreement.

**4.2 Severability**. In the event that any provision of this Declaration shall for any reason, be determined to be invalid, illegal, or unenforceable in any respect, the remainder of this Agreement shall remain in full force and effect and the parties hereto shall negotiate in good faith and agree to such amendments, modifications, or supplements to this Declaration or such other appropriate action as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the parties as reflected herein.

**4.3 No Waiver**. The waiver or failure to enforce any breach or violation of any covenant herein contained shall not be deemed to be a waiver or abandonment of such covenant, or any waiver of the right to enforce any subsequent breach or violation of such covenant.

**4.4 Term**. The covenants shall run with and bind the Property for a term of sixty (60) years from the date this Declaration is recorded, after which time this Declaration shall be automatically extended for

successive periods of ten (10) years, unless an instrument, signed by the RWQCB and the Owners of a majority of the Lots, agreeing to terminate this Declaration, in whole or in part, has been recorded within one (1) year prior to the termination of the initial sixty (60) year term, or within one (1) year prior to the termination of any successive ten (10) year period.

**4.5 Covenants Running With The Land**. Each of the covenants shall be deemed to be established upon the recordation of this Declaration, and shall thenceforth be deemed to be covenants running with the land for the use and benefit of the Lots, and superior to all other encumbrances applied against or in favor of any portion of the Property.

**4.6 Construction**. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development, use, occupancy and enjoyment of the Property. The Article and section headings have been inserted for convenience only, and shall not be considered or referred to in resolving questions of interpretation or construction.

**4.7 Amendments**. This Declaration may be amended solely with the consent of Declarant (so long as Declarant owns any portion of the Property) and the RWQCB and, if an Association Establishment Event has occurred the consent of the Association as evidenced by the approval of a majority of the board of directors of such Association.

**4.8 Exhibits**. All exhibits referred to herein are incorporated by reference.

**4.9 Mortgagee Protection**. Any Mortgagee who acquires title to all or any portion of the Property as a result of a foreclosure or deed in lieu of foreclosure ("**Foreclosure**") shall not be liable for any defaults hereunder occurring prior to the date such Mortgagee acquires title to such portion of the Property as a result of such Foreclosure but such Mortgagee shall be bound by this Declaration and all obligations arising hereunder from and after the date of such Foreclosure.

**4.10 Governing Law**. This Declaration is being executed and delivered, is intended to be performed, in the State of California, and to the extent permitted by law, the execution, validity, construction and performance of this Declaration shall be construed and enforced in accordance with the laws of the State of California.

[Remainder of Page Intentionally Left Blank]

**4.11 Statutory References**. All references in this Declaration to various statutes, codes, regulations, ordinances and other laws shall be deemed to include those laws in effect as of the date of this Declaration and any successor laws as may be amended from time to time.

IN WITNESS WHEREOF, Declarant has executed this instrument as of the date set forth below.

Date: _____

**DECLARANT**

**EDEN SHORES ASSOCIATES I, LLC,**
a Delaware limited liability company

By: Legacy Partners II Hayward I, LLC,
a Delaware limited liability company,
its Administrative Member

By: Legacy Partners Realty Fund II, LLC,
a Delaware limited liability company,
its managing member

By: SteelWave IMS, LLC,
a Delaware limited liability company,
its Administrative Member

By:_____
Name: _____
Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of _____ )

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

**EXHIBIT "A"**

**PROPERTY**

PARCEL ONE:

REAL PROPERTY SITUATE IN THE CITY OF HAYWARD, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTIONS OF THE PARCELS DESCRIBED AS NEW LOT 10, NEW LOT 11, NEW LOT 16, AND NEW LOT 17 IN THE DEED RECORDED IN DOCUMENT NUMBER 2011-120623 IN OFFICIAL RECORDS OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NEW LOT 16; THENCE ALONG THE WEST LINE OF NEW LOT 16, NORTH 27° 28' 25" WEST – 356.81 FEET TO THE NORTHWEST CORNER OF NEW LOT 16, SAME CORNER BEING ON THE SOUTH LINE OF NEW LOT 11; THENCE ALONG THE SOUTHERLY LINE OF NEW LOT 11, SOUTH 62° 31' 35" WEST – 303.59 FEET TO THE SOUTHWEST CORNER OF NEW LOT 11, SAME CORNER BEING AT THE BEGINNING OF A CURVE TO THE RIGHT, FROM WHICH POINT THE CENTER BEARS NORTH 70° 57' 42" EAST, THENCE ALONG THE WESTERN LINE OF NEW LOT 11 FOR THE FOLLOWING THREE (3) COURSES: (1) IN A NORTHERLY DIRECTION 90.16 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 651.00 FEET AND THROUGH A CENTRAL ANGLE OF 07° 56' 06", (2) NORTH 11° 06' 12" WEST - 116.10 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, AND (3) IN A NORTHEASTERLY DIRECTION 233.98 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET AND THROUGH A CENTRAL ANGLE OF 58° 17' 14"; THENCE CROSSING THROUGH NEW LOT(S) 10, 11, 16, AND 17 FOR THE FOLLOWING SIXTEEN (16) COURSES: (1) SOUTH 26° 54' 28" EAST – 196.65, (2) SOUTH 74° 32' 58" EAST – 50.85 FEET, (3) NORTH 63° 05' 32" EAST – 104.00 FEET, (4) SOUTH 26° 54' 28" EAST - 149.00 FEET, (5) NORTH 63° 05' 32" EAST - 71.00 FEET, (6) SOUTH 26° 54' 28" EAST – 22.67 FEET, (7) NORTH 63° 05' 32" EAST – 10.50 FEET, (8) SOUTH 26° 54' 28" EAST – 27.33 FEET, (9) NORTH 63° 05' 32" EAST – 119.00 FEET, (10) NORTH 26° 54' 28" WEST - 27.33 FEET, (11) NORTH 63° 05' 32" EAST - 10.50 FEET, (12) NORTH 26° 54' 28" WEST - 22.67 FEET, (13) NORTH 63° 05' 32" EAST - 59.00 FEET, (14) SOUTH 26° 54' 28" EAST - 149.00 FEET, (15) SOUTH 63° 05' 32" WEST – 63.00 FEET, (16) SOUTH 26° 54' 28" EAST - 180.48 FEET TO A POINT ON THE SOUTH LINE OF NEW LOT 17; THENCE ALONG THE SOUTH LINE(S) OF NEW LOT(S) 16 AND 17 FOR THE FOLLOWING FOUR (4) COURSES: (1) SOUTH 63° 21' 35" WEST – 17.10 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, (2) IN A WESTERLY DIRECTION, 63.26 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1000.00 FEET AND THROUGH A CENTRAL ANGLE OF 03° 37' 28" TO THE POINT OF REVERSE CURVATURE, (3) IN A WESTERLY DIRECTION 63.26 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET AND THROUGH A CENTRAL ANGLE OF 03° 37' 28", AND (4) SOUTH 63° 21' 35" WEST – 106.29 FEET TO THE POINT OF BEGINNING.

AND BEING FURTHER DESCRIBED AS NEW PARCEL 1 ON THAT CERTAIN LOT LINE ADJUSTMENT NO. LLA 13-03 RECORDED MAY 8, 2015 AS INSTRUMENT NO. 2015123413, OFFICIAL RECORDS.

APN: 456-0101-013-06

PARCEL TWO:

REAL PROPERTY SITUATE IN THE CITY OF HAYWARD, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 15, AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 7065", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF ALAMEDA COUNTY, STATE OF CALIFORNIA ON OCTOBER 16, 2001, IN BOOK 261 OF MAPS PAGES 68 THROUGH 74, INCLUSIVE.

APN: 456-0101-012

**EXHIBIT "B"**

**RWQCB PERMIT**

[To Be Attached]

**EXHIBIT "C"**

**STORM WATER MANAGEMENT PLAN**

[Attached]

# STORM WATER MANAGEMENT PLAN

for

# EDEN SHORES RESIDENTIAL SITE – PHASE 2

City of Hayward, Alameda County, California

**November 30, 2017**


Prepared for:

Steelwave

4000 East Third Avenue, Suite 500

Foster City, CA 94404

(650) 235-2833

sdunn@steelwavellc.com

Contact: Mr. Steve Dunn

Prepared by:

Ruggeri-Jensen-Azar

4690 Chabot Drive, Suite 200

Pleasanton, CA 94588

(925) 227-9100

esieu@rja-gps.com

Contact: Eddie Sieu

# TABLE OF CONTENTS



APPENDIX

## I. INTRODUCTION

Urban storm water runoff is a significant source of pollution to the nation's water. In 1987, congress began to address this issue by requiring municipal storm water programs to obtain National Pollutant Discharge Elimination System (NPDES) permits. This resulted in local requirements for storm runoff from development projects. In 2003, Regional Water Quality Control Board added provision C.3 to the municipalities Storm water NPDES permit to provide guidance to local agencies for implementation of the storm water requirements.

In Alameda County, development projects must comply with NPDES permit issued to the County wide Clean Water Program by the Regional Water Quality Control Board in October 14, 2009. Development projects must implement best management practices (BMPs) and post construction storm water treatment measures to minimize long term water quality impacts using site design and source control measures to keep pollutants out of storm water runoff. Furthermore, changes to the permit requires (starting December 1, 2011) storm water treatment measures will have to be met using low impact development (LID) such as evapotranspiration and/or rain water harvesting and reuse. Where this is infeasible, landscape based treatment such as bio-retention, flow thru planters or rain garden shall be used to meet the permit requirements.

The purpose of this plan is to provide selection, preliminary design and guidance for the operation and maintenance of post construction storm water treatment measures to meet the C.3 provision and permit requirements to the maximum extent practicable for the storm runoff generated from the impervious surfaces for the proposed project.

## II. PROJECT INFORMATION

### A. Size and Location

The project site is approximately 6.18± acres and is located at the southeast corner of Eden Shore Boulevard and Marina Drive in the city of Hayward, Alameda County. A vicinity map, Exhibit "A," is included in Appendix for reference.

### B. Existing Condition

The project site is currently vacant and is bordered to the west and south by public streets. A new residential development is being constructed to the east. The proposed project will be an extension (or "Phase 2") of this current residential development. The topography is generally flat with a very gentle slope towards Marina Drive.

### C. Project Description

The proposed project is a residential development consisting of 52 units of single family detached residential units.

### D. Pollutants of Concern

Pollutants of concern include oil, grease, sediments, pesticides, fertilizer, and trash. The post construction storm water treatment measures should be designed to remove these pollutants prior to entering into the underground storm drains.

### E. Site Design of Water Quality

#### 1. Site Design Measures

Site design measures are site planning techniques to help reduce storm water pollutants and reduce impervious surfaces of development sites. The following site design measures will be implemented:

- reduce impervious surfaces by using previous pavement, if feasible, in common area walkways.
- maximum use of landscaping by minimizing hardscape and encouraging more tree planting by use of structural soils or silva cells as recommended in Section 4.5.3. of the Alameda County C.3 Guidebook.
- direct storm water runoff generated by the proposed impervious surfaces to LID treatment areas.

#### 2. Source Controls

Source controls prevent potential pollutant sources from contacting rainfall and storm water. Source control measures consist of structural or operational "good housekeeping" practices. The following source control measures will be implemented:

- Use non-chemical controls before using chemicals to treat a pest problem and pest resistant landscaping referencing Section 8.6 of the Alameda County C.3 Guidebook and the Integrated Pest Management Techniques based on the Alameda County Bay Friendly Landscaping Guidelines.
- Select planting materials to site specific characteristics such as soil type, climate, prevailing wind, sunlight, or rainfall to ensure successful establishment.
- Regular sweeping of streets and sidewalk to minimize accumulation of litter or debris.
- Routine inspection and cleaning of storm water inlets and trash capture devices as outlined in Appendix C.
- Storm drain inlets clearly marked "no dumping – drains to bay".
- Proper maintenance of landscaping with minimal pesticide and fertilizer use as outlined in Appendix C.
- Project CC&R's or education materials to inform tenants and/or building owners that no person shall dispose of, or permit the disposal, directly or indirectly of vehicle fluids, hazardous materials or rinsed water from tools, equipment, or trash cans into storm drains.
- Regularly mow grass in bio-retention areas and remove clippings from the site.
- Install trash capture devices in storm water inlets. A preferred list by San Francisco Bay Regional Water Quality Control Board is attached in Appendix D for reference.

**3. <u>Storm Water Treatment Measures</u>**

Storm water treatment measures are landscape based engineered treatment system to remove pollutants from storm water using natural process such as infiltration, ponding, flow-thru, or sedimentation. Storm water treatment measures must be sized to comply with provision C.3 and the Alameda County C.3 Storm Water Technical Guidance. The proposed project will generate impervious surfaces that would be required to be treated using landscaped base C.3 treatment measures. Selection, preliminary design and calculations of the proposed C.3 storm water treatment measures are outlined in more details in Sections III and IV below.

**4. <u>Hydromodification Management Measures</u>**

Hydromodification management (HM) measures include site design and source control measures that promote infiltration or minimize change in the rate and flow of runoff, when compared to pre-development condition, and to minimize downstream channel sediment and erosion. Based on the Alameda County wide Clean Water Program HMP susceptibility map, the project site is exempt from HM due because the site is tidally influenced. As a result, HM is not included as a part of this project. A copy of the HM susceptibility map is included in appendix for reference.

## III. C.3 STORM WATER TREATMENT EVALUATION

### A. Site Constraints and Opportunities

1. The low permeability and high clay content of the site soil combined with potentially high ground water table make it undesirable to promote infiltration.

2. The proposed project is a small in-fill site with physical constraints and existing improvements limiting use of sediment basins.

3. Due to nature of this development, parkway strips and/or open landscape areas are limited where these areas could be utilized for LID treatment areas. However, "large" landscape buffers surround the project site along the perimeter where these landscape buffers could be utilized for treatment areas. The new impervious surfaces will need to be treated prior to discharging into the underground storm drains.

### B. C.3 Storm Water Treatment Measures Selection

Given the constraints and opportunities of the proposed site and the goal of LID to reduce storm water runoff and mimic a site's predevelopment hydrology, bio-retention in the landscape buffers are selected to treat and reduce storm water pollutants from entering into the underground storm drains. Runoff from the new impervious surface is collected by area drains and storm water inlets and conveyed to the on-site storm drains. The storm drains then discharge and connect to an existing 66" storm drain in Marina Drive. Prior to discharging into this existing 66" storm drain, runoff is conveyed into low flow pumps, which discharge the storm runoff into the bio-retention treatment areas placed in the landscape buffers mentioned previously.

#### 1. Bio-retention

Bio-retention functions as soil and plant based filtration that removes pollutants through a variety of physical, biological, and chemical process. These facilities consist of a layer of cobble stone (mulch is not recommend), planted landscape (grass, shrub or trees), sandy loam soil (with a minimum percolation rate of 5 inches/hour and a maximum percolation rate of 10 inches/hour), drain rock and under drains. The storm water runoff from impervious surface is directed and passed through the bio-retention areas and distributed evenly along a ponding area. Storm water runoff will percolate through the sandy loam treatment soil and eventually captured by the under drains and discharged into the underground storm drains. A detail of the bio-retention is on the preliminary storm water management plan included in the Appendix.

## IV. C.3 STORM WATER TREATMENT MEASURES DESIGN AND CALCULATIONS

As mentioned in the last section of this plan, storm runoff from the new impervious surfaces (roofs, sidewalks, street paving, etc.) for the entire site is collected and conveyed to a low flow pump located at downstream end of the on-site storm drain system just before the storm drains exit the site. The low flow runoff is then pumped into the bio-retention placed at the perimeter of the project site via a force main then "bubbled up" into the treatment areas.

The C.3 provision of the Municipal Regional Storm Water Permit (MRP) specifies three alternatives for hydrology sizing: Flow Based, Volume Based, or Combination Flow and Volume Based. For the purposes of sizing the bio-retention for this project, the combination flow and volume based (4% method) is used, in which the surface area of the treatment measure is designed to be 4% of the "effective impervious surface." If areas of landscaping or pervious paving contribute runoff to the treatment measure, the area of these pervious surfaces is multiplied by a factor of 0.1 and added to the "impervious area" to obtain the amount of "effective impervious area."

Based on the criteria noted above and the MRP C.3 provision requirements, surface area of the treatment measure for the DMA is calculated and tabulated on Table 1 as shown on the Preliminary Storm Water Management Plans, Exhibit B.

As shown in Table 1, bio-retention provided sufficient treatment area for runoff generated from the proposed effective impervious areas. In addition, each bio-retention is designed to provide a minimum of 6" ponding before the runoff infiltrates the treatment soil as recommended by the C.3 guidebook.

## V. OPERATION AND MAINTENANCE

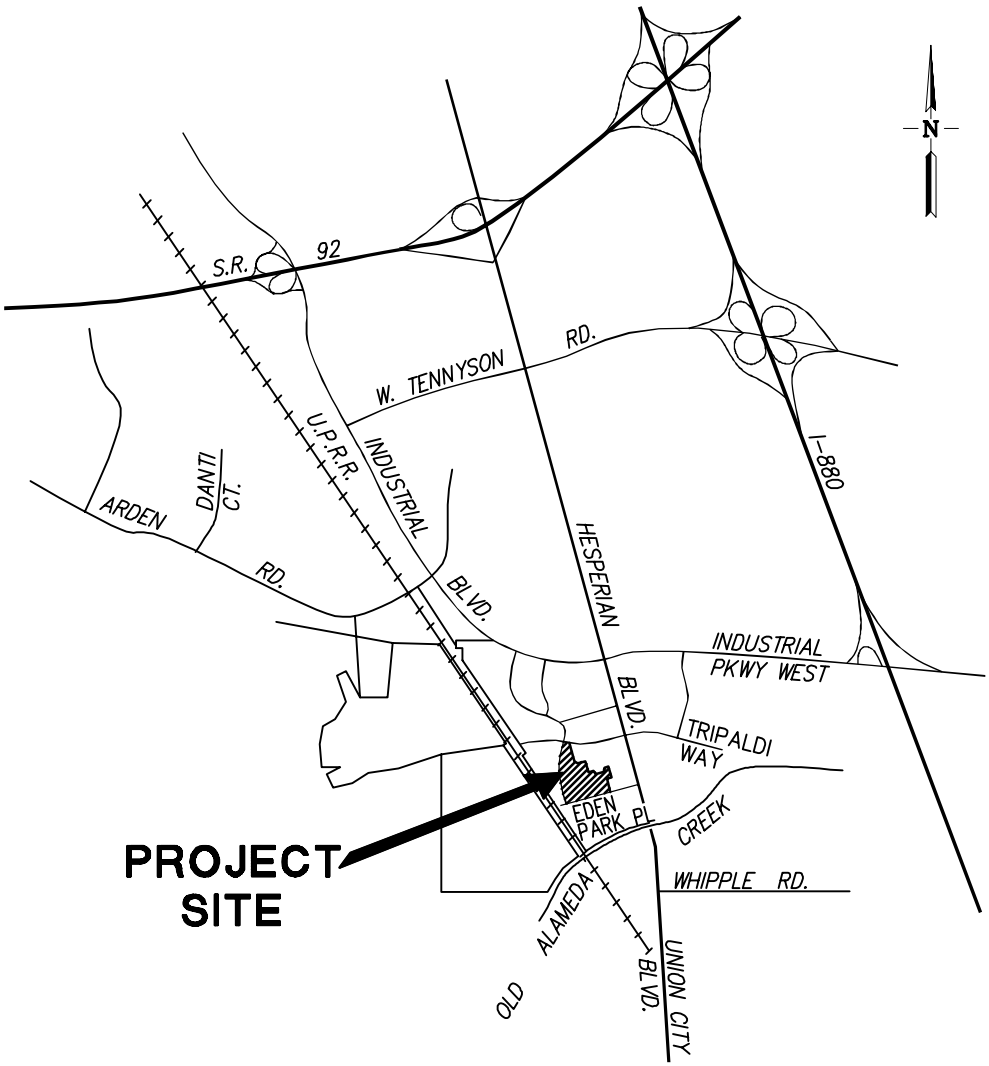
Maintenance is essential for assuring the storm water treatment measures function effectively and do not cause flooding, provide habitat for mosquitos or otherwise become a nuisance. Essential maintenance will include:

- Flushing the storm drain pipes once annually before the rainy season begins.
- Inspect and service the trash capture devices
- Inspect and service the bio-retention treatment areas.
- Perform other site source controls outlined in Section E above.

The homeowners association (HOA) of the proposed residential development will be responsible for providing adequate funding to maintain these post-construction storm water treatment measures. An Operation and Maintenance (O&M) Agreement will be executed by the HOA with the City at project approval stage accepting responsibility for maintenance as well as ensuring access to the City, Water Board, Alameda County Mosquito Abatement District or Vector Control District for routine inspection.

Maintenance plans outlining routine activities and frequency of the maintenance for bio-retention and trash capture devices are included in the Appendix for reference.

# APPENDIX A
# VICINITY MAP



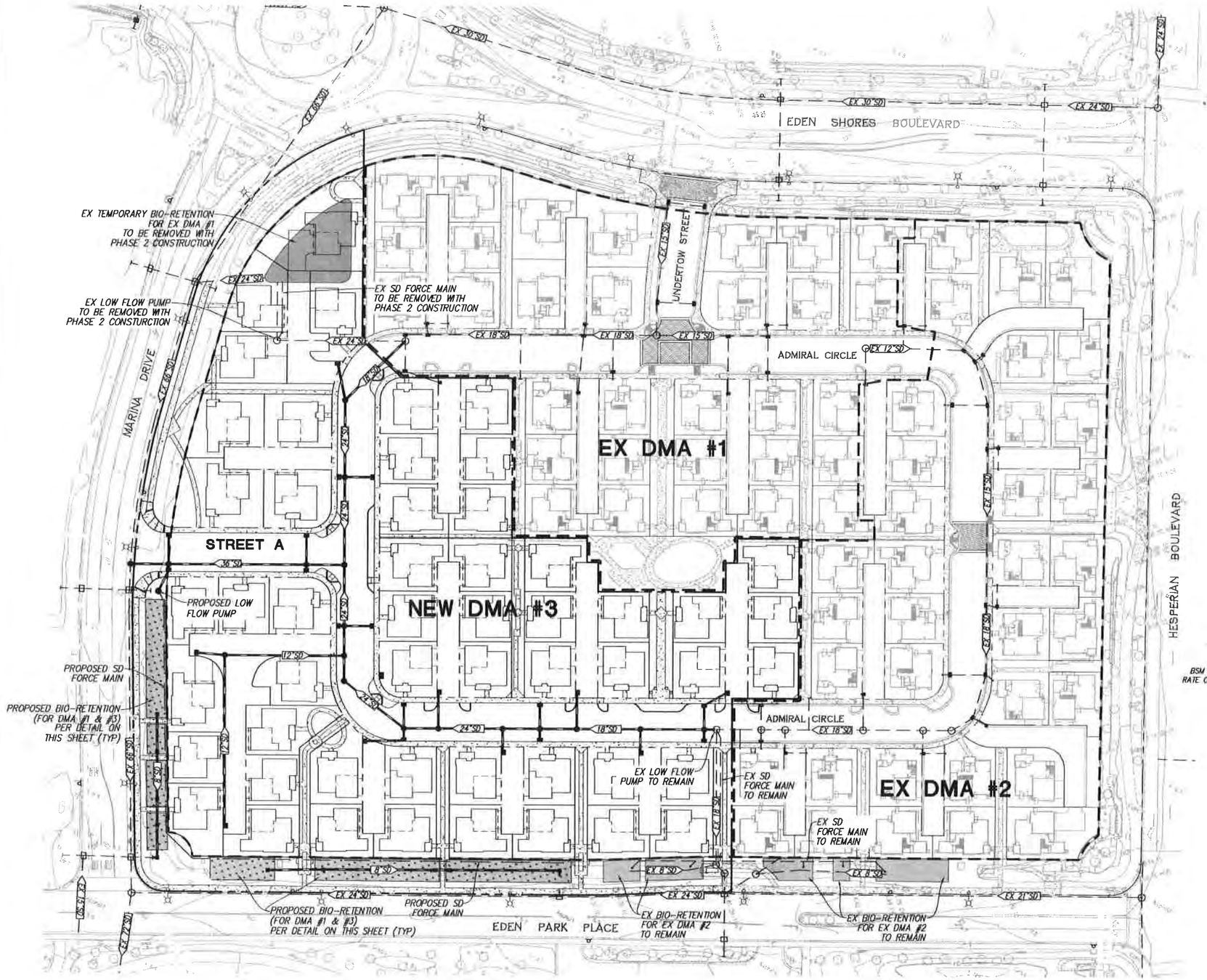

# EXHIBIT A - VICINITY MAP

NOT TO SCALE

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: NOVEMBER 1, 2016 JOB NO.: 131046SW

# APPENDIX B
# PRELIMINARY STORM WATER MANAGEMENT PLAN




0 50 100 150

1 inch = 50 ft.

## LEGEND

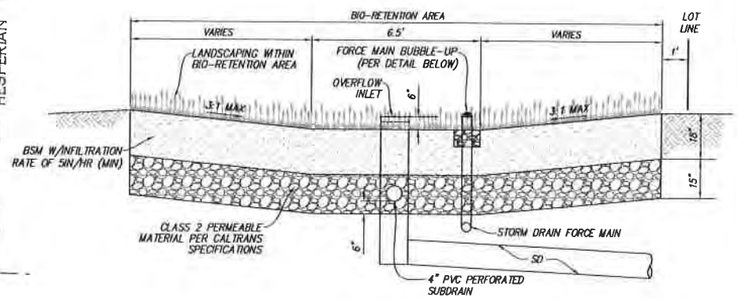
- DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
- PROPOSED BIO-RETENTION AREA
- EXISTING BIO-RETENTION AREA
- BSM — BIO-RETENTION SOIL MIX
- SD — STORM DRAIN

## TABLE 1 - PRELIMINARY STORMWATER TREATMENT CALCULATIONS

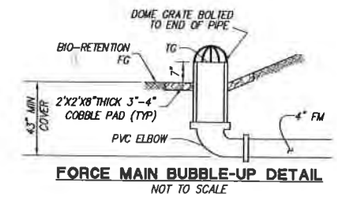
| AREA ID | SURFACE | IMPERVIOUS AREA (SF) | BMP EFFECTIVE TREATMENT AREA | | |
|---|---|---|---|---|---|
| | | | BMP USED | REQUIRED (SF) | PROVIDED (SF) |
| EX DMA #1 | ROOF/PAVING | 97,672 | BIORETENTION | 4,099 | 4,199 |
| EX DMA #2 | ROOF/PAVING | 103,680 | BIORETENTION | 4,350 | 4,354 |
| NEW DMA #3 | ROOF/PAVING | 152,348 | BIORETENTION | 6,091 | 6,101 |

NOTES:

1. THE CALCULATIONS ARE BASED ON THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM, C.3 STORMWATER TECHNICAL GUIDANCE, DATED MAY 29, 2012, AND THE FOLLOWING CRITERIA:
   a. 0.2 INCHES/HOUR RAINFALL INTENSITY ON 100% IMPERVIOUS AREA.
   b. SOIL FOR TREATMENT MEDIUM WITH A 5 INCHES/HOUR INFILTRATION RATE.
   c. A TREATMENT MEDIUM OF 0.04 SIZING FACTOR FOR BIORETENTION AREAS.
2. SIZING FACTOR OF 0.04 NOTED ABOVE IS CALCULATED BASED ON THE FOLLOWING CRITERIA:
   a. SIZING FACTOR=(0.2 IN/HR)/(5 IN/HR)=0.04
3. TOTAL IMPERVIOUS SURFACE = 152,348 SF
   IMPERVIOUS SURFACE TREATED BY BIORETENTION AREA (LANDSCAPE BASED TREATMENT) = 152,348 SF
   PERCENT OF ON-SITE IMPERVIOUS SURFACE TREATED BY LANDSCAPE BASED TREATMENT = 100%




**BIO-RETENTION**
NOT TO SCALE




**FORCE MAIN BUBBLE-UP DETAIL**
NOT TO SCALE

# EXHIBIT B - PRELIMINARY STORMWATER MANAGEMENT PLAN

## EDEN SHORES - PHASE 2

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
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DATE: NOVEMBER 2, 2017 JOB NO. 131046IP

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# APPENDIX C
# MAINTENANCE PLANS

# Bio-Retention Maintenance Plan

## I. Routine Maintenance Activities

The maintenance objective is to prevent sediment buildup and clogging and to keep up the pollutant removal efficiency by maintaining a dense, healthy vegetated cover. Routine maintenance activities, and the frequency at which they will be conducted, are shown in the table below.

**Table 1**
**Routine Maintenance Activities for Bioretention Areas**

| No. | Maintenance Task | Frequency of Task |
|---|---|---|
| 1 | Remove obstructions, debris and trash from bioretention area and dispose of properly. | Monthly, or as needed after storm events |
| 2 | Inspect bioretention area to ensure that it drains between storms and within five days after rainfall. | Monthly, or as needed after storm events |
| 3 | Inspect inlets for channels, soil exposure or other evidence of erosion. Clear obstructions and remove sediment. | Monthly, or as needed after storm events |
| 4 | Remove and replace all dead and diseased vegetation. | Twice a year |
| 5 | Maintain vegetation and the irrigation system. Prune and weed to keep bioretention area neat and orderly in appearance. | Before wet season begins, and after wet season |
| 6 | Till or replace soil (using soil mix specified in C.3 Technical Guidance Appendix K) as necessary to maintain the design elevation of soil (see Section V, Soil Mixing and Replacement for proper installation of bio-retention soils). | As needed when bio-retention area does not drain between storms and within 5 days after rainfall |
| 7 | Check if cobble stone is missing, patching or out of place and replace as necessary before wet season begins. | Monthly, or before wet season begins. |
| 8 | Inspect bioretention area using the attached inspection checklist. | Monthly, or after large storm events, after wet season, and monthly during wet season |

## II. Prohibitions

The use of pesticides and quick release fertilizers shall be minimized, and the principles of integrated pest management (IPM) followed:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Limit fertilizer use unless soil testing indicates a deficiency. Slow-release or organic fertilizer is preferable. Check with municipality for specific requirements.
5. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and the least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a prescheduled basis.
6. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
7. Do not over apply pesticide. Spray only where the infestation exists. Follow the manufacturer's instructions for mixing and applying materials.
8. Only licensed, trained pesticide applicators shall apply pesticides.

9. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
10. Unwanted/unused pesticides shall be disposed as hazardous waste.

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation. Should any mosquito issues arise, contact the Alameda County Mosquito Abatement District (ACMAD), as needed for assistance. In Albany, contact the Alameda County Vector Control Services District (ACVCSD). Mosquito larvicides shall be applied only when absolutely necessary, as indicated by the ACMAD or ACVCSD, and then only by a licensed professional or contractor. Contact information for ACMAD and ACVCSD is provided below.

## III. Vector Control Contacts

Alameda County Mosquito Abatement District
23187 Connecticut St.
Hayward, CA 94545
Phone: (510) 783-7747

Alameda County Vector Control Services District
1131 Harbor Bay Parkway, Ste. 166
Alameda, CA 94502
Phone: (510) 567-6800

## IV. Inspections

The attached Bioretention Area Inspection and Maintenance Checklist shall be used to conduct inspections monthly (or as needed), identify needed maintenance, and record maintenance that is conducted.

## V. Soil Mixing and Placement

- Do not excavate, place soils, or amend soils during wet or saturated conditions.
- Operate equipment adjacent to (not in) the facility.
- If machinery must operate in the facility, use light weight, low ground-contact pressure equipment.
- It may be necessary to rip or scarify the bottom soils to promote greater infiltration or excavate any sediment that may have built up during construction.
- Consider the time of year and site working area when determining whether to mix bioretention soil on-site or to import pre-mixed soil.
- If mixing bioretention media on-site, use an adjacent impervious area or on plastic sheeting.
- Place soil in 12”lifts with machinery adjacent to the facility. If working within the facility, to avoid over-compacting, place first lifts at far end from entrance and place backwards towards entrance.
- Do not place or work bioretention soil if it is saturated or raining.

- Allow bioretention soil lifts to settle naturally, boot pack (walk around to firm) lifts to achieve 85% compaction effort. After all lifts are placed, wait a few days to check for settlement, and add additional media as needed.
- An alternative to boot compaction is to settle bioretention soils by lightly watering until soils ae just saturated. Allow soil to dry between lifts. It may take a day or more to dry adequately between lifts. Soil cannot be worked when saturated so this method should be used with caution. Allow for extra time to let soils dry between each lift. After all lifts are placed, wait a few days to check for settlement, and add additional media as needed.
- Verify bioretention soil elevations before applying cobble stone or installing plants.

# Bioretention Area

Inspection and Maintenance Checklist

Property Address: _____ Property Owner: _____

Treatment Measure No.: _____ Date of Inspection: _____ Type of Inspection: ☐ Monthly ☐ Pre-Wet Season

☐ After heavy runoff ☐ End of Wet Season

Inspector(s): _____ ☐ Other:_____

| **Defect** | **Conditions When Maintenance Is Needed** | **Maintenance Needed? (Y/N)** | **Comments** (Describe maintenance completed and if needed maintenance was not conducted, note when it will be done) | **Results Expected When Maintenance Is Performed** |
|---|---|---|---|---|
| 1. Standing Water | When water stands in the bioretention area between storms and does not drain within five days after rainfall. | | | There should be no areas of standing water once inflow has ceased. Any of the following may apply: sediment or trash blockages removed, improved grade from head to foot of bioretention area, or added underdrains. |
| 2. Trash and Debris Accumulation | Trash and debris accumulated in the bioretention area. | | | Trash and debris removed from bioretention area and disposed of properly. |
| 3. Sediment | Evidence of sedimentation in bioretention area. | | | Material removed so that there is no clogging or blockage. Material is disposed of properly. |
| 4. Erosion | Channels have formed around inlets, there are areas of bare soil, and/or other evidence of erosion. | | | Obstructions and sediment removed so that water flows freely and disperses over a wide area. Obstructions and sediment are disposed of properly. |
| 5. Vegetation | Vegetation is dead, diseased and/or overgrown. | | | Vegetation is healthy and attractive in appearance. |
| 6. Cobblestone | Cobble stone is missing or patchy in appearance. Areas of bare earth are exposed, or cobble stone layer is less than 3 inches in depth. | | | All bare earth is covered, except cobble stone is kept 6 inches away from trunks of trees and shrubs. Cobble stone is even in appearance, at a depth of 3 inches. |
| 7. Irrigation | Irrigation system is not working properly. | | | Repair as needed and confirm irrigation system works properly. |

| | | | | |
|---|---|---|---|---|
| 8. Soil shrinkage | The soil surface is more than 6” below overflow drain. | | | Add biotreatment soil mix (specified in C.3 Technical Guidance Appendix K), so that soil is at proper depth (top of mulch is typically 6 inches below the overflow outlet). |
| 9. Overlfow Pipe to Outlet to Storm Drain | Excess fire flows are not conveyed safely to storm drain. Piping is damaged or disconnected. | | | Repair the overflow pipe or remove material clogging the overflow outlet, so that excess flow is conveyed efficiently to storm drain. |
| 10. Miscellaneous | Any condition not covered above that needs attention in order for the bioretention area to function as designed. | | | Meet the design specifications. |

# Trash Capture Device Maintenance Plan

## I. Routine Maintenance Activities

The maintenance objective is to minimize trash going into the storm drain system by capturing and removing trash at the storm water inlets at location where storm water entering into the storm drain system. Routine maintenance activities at which they will be conducted are outlined below.

1. The storm water inlet should be inspected and serviced at a minimum two times per year. One inspection and service should be conducted before the rainy season begins annually and one should be conducted after the rainy season is ended.
2. Clean surface area immediately around each storm water inlet utilizing a stiff bristled push-broom, flat shovel or industrial vacuum.
3. Remove grate cover and set aside.
4. Inspect trash capture filter and ensure it is secured in the storm water inlet. Replace device, if damaged, as needed.
5. Remove debris trapped in grate slot openings.
6. Utilize an industrial vacuum to remove debris from within storm water inlet.
7. Place grate cover back on storm water inlet grate frame.
8. Secure dated service lock-out tag on grate lid.
9. Identify storm water inlet on site map for tracking and reporting.
10. Note observations, concerns or recommendation on maintenance report.

**Storm water Treatment Measures Operation and Maintenance**

**Inspection Report to the**

**_____, Alameda County, California**

This report and attached inspection checklists document the inspection and maintenance conducted for the identified storm water treatment measures (STMs) and flow duration controls (FDCs) subject to the Maintenance Agreement between the City and the property owner during the annual reporting period indicated below.

## I. Property Information:

Property Address or APN: _____

Property Owner: _____

## II. Contact Information:

Name of person to contact regarding this report: _____

Phone number of contact person: _____ Email: _____

Address to which correspondence regarding this report should be directed:

_____

_____

## III. Reporting Period:

This report, with the attached completed inspection checklists, documents the inspections and maintenance of the identified treatment measures during the time period from January 1 to December 31 annually.

## IV. Storm Water Treatment Measure and Flow Duration Control Information:

The following STMs and FDCs are located on the property identified above and are subject to the Maintenance Agreement:

| Number of each type of STM or FDC | Type of STM or FDC | Location of STMs & FDCs on the Property |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

## V. Sediment Removal

Total amount of accumulated sediment removed from the storm water treatment measure(s) during the reporting period: _____ cubic yards.

The sediment was removed and disposed as follows: _____

_____

## VI. Inspector Information:

The inspections documented in the attached inspection checklists were conducted by the following inspector(s):

| Inspector Name and Title | Inspector's Employer and Address |
|---|---|
| | |
| | |

## VII. Statement of STM and FDC Condition

Based on the inspections documented in the attached checklists, are the STMs and FDCs identified in this report present, functional and being maintained as required by the Maintenance Plan? (Check yes or no.)

____YES ____NO

**If "NO", describe problem, proposed solution and schedule of correction:**

## VIII. Certification:

I hereby certify, under penalty of perjury, that the information presented in this report and attachments is true and complete:

_____ _____

Signature of Property Owner or Other Responsible Party Date

_____

Type or Print Name

_____

Company Name

_____

Address

Phone number:_____ Email:_____

# APPENDIX D
# STORM WATER INLET TRASH CAPTURE DEVICES

# Full Trash Capture Manufacturers and Maintenance Providers

## Full Trash Capture Manufacturers

The following vendors of catch basin inserts have been approved by the San Francisco Bay Regional Water Quality Control Board as meeting the Municipal Regional Permit Provision C.10 full trash capture requirements and have been approved by the Alameda County Mosquito Abatement District in regard to mosquito maintenance issues. High flow capacity devices have not been evaluated by the Alameda County Mosquito Abatement District. If high flow capacity devices are used, there must be an easily removable access point or allow for direct application of liquid or solid mosquito control treatments.

| | SEEP Device ID | Vendor | Device Name | Vendor Website |
|---|---|---|---|---|
| Catch basin inserts | AS-1/ST3, or AS-2/ST3 | Advanced Solutions | Stormtek ST3 | www.stormtekcps.com |
| | BC-3 | Bioclean Environmental Services, Inc. | Modular Connector Pipe Screen | www.biocleanenvironmental.com |
| | G2-2 | G2 Construction, Inc. | Camlock Debris Gate | www.g2construction.com |
| | REM-1 | Revel Environmental Manufacturing, Inc. | Triton Bioflex Drop Inlet Trash Guard | http://remfilters.com |
| | USW-1 | United Stormwater | Connector Pipe Screen | unitedstormwater.com |
| High Flow Capacity Devices | BC-5HF | Bioclean Environmental Services, Inc. | Nutrient Separating Baffle Box | www.biocleanenvironmental.com |
| | CCP-1HF | Contech Construction Industries | Continuous Deflective Separator (CDS) | http://www.conteches.com |
| | KS-7HF | Oldcastle Precast | FloGard Dual Vortex Hydrodynamic Separator | https://oldcastleprecast.com |
| | KS-8HF | Oldcastle Precast | FloGard Perk Filter | https://oldcastleprecast.com |
| | RMC-1HF | Roscoe Moss Company | Storm Flo Screen | https://roscoemoss.com |

## Full Trash Capture Device Maintenance Companies

The following companies are known to the City of Dublin to provide service for trash capture devices. This may not be a complete list. Contact the Public Works Department at 925-833-6630 to add your company to the list.

| Company | Contact Name | Contact Phone Number |
|---|---|---|
| Drainage Protection Services (DPS) | Gary Jones | Office: 888-950-8826<br>Cell: 510-714-0832 |
| Media Filtration Maintenance (MFM) | Heather Clem | Office: 707-987-9831or<br>707-738-3711 |
| Revel Environmental Manufacturing Inc. (REM) | Marcel Stone | Office: 888-526-4736 ext. 103<br>Cell: 925-858-8005 |