

ERRATA SHEET FOR

TENTATIVE ORDER NO. R9-2006-0104

**WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT
SECTION 401 WATER QUALITY STANDARDS CERTIFICATION
FOR RANCHO MISSION VIEJO, LLC,
RANCHO MISSION VIEJO RANCH PLAN PLANNING AREA 1, ORANGE COUNTY**

A. Revisions to Tentative Order No. R9-2006-0104

1. Replace Requirement C.12 as follows:

C.12. The Discharger shall implement development design features specifically to prevent the discharge of pathogens and indicator fecal bacteria (i.e. *e.coli*, *enterococci*, and fecal coliforms) in dry-weather urban runoff to San Juan Creek from each residential and commercial area. The discharger shall also implement development design features for the treatment of unavoidable loadings. These features shall be implemented where feasible and shall be maintained over the life of the Project.

2. Replace Requirement D.3.b as follows:

D.3.b. Unvegetated Waters: Mitigation for permanent discharges of fill into unvegetated waters of the State and/or U.S. shall be achieved at a 1:1 acreage ratio and a greater than 1:1 functional ratio by implementation of the Invasive Species Control Plan (Glenn Lukos Associates, July 2006) for no less than 0.77 acres within San Juan Creek. For the purpose of determining mitigation credit for the removal of exotic/invasive plant species, only the actual area occupied by exotic/invasive plant species shall be quantified to comply with mitigation requirements. Monitoring shall be done consistent with the Monitoring and Reporting Program in Attachment C of this Order to document functional status of the mitigation areas. If the functional assessment monitoring cannot demonstrate after five years that the estimated functional benefits have been achieved, the Discharger shall conduct 2.5 acres of additional enhancement activities within San Juan Creek.

3. Replace Requirement D.8 as follows:

D.8. The Discharger shall implement BMPs to prevent the discharge of pollutants into off-site mitigation areas from stormwater and dry-weather runoff.

4. Replace Requirement E.4 as follows:

E.4. The Discharger shall submit conceptual post-construction stormwater treatment plans for all proposed roads within the Project Area that were not considered in the Master Area / Sub-Area WQMP, including Cow Camp Road, Ortega Highway, Antonio Parkway, and La Pata Road. These plans shall be submitted prior to the discharge of fill associated with each road other than discharges associated with geotechnical surveys. The plans shall include maps depicting the drainage areas, BMPs, and receiving waters. The plan shall also include preliminary, or final, design criteria. An amendment to the Master Area / Sub-Area WQMP may be submitted for plans to direct Cow Camp Road runoff to water quality basin no. 4, provided the amendment demonstrates the basin has adequate capacity to treat the runoff.

5. Replace Requirement E.6 as follows:

6. The Discharger shall provide each lot purchaser with a lot map that clearly distinguishes the location and purpose of typical stormwater site design, pollution prevention, and treatment BMP features for the Sub-Area. Each lot purchaser shall also be educated regarding pollution prevention activities.

B. Clarifications to Attachment A (Project Description) of Tentative Order No. R9-2006-0104

Replace the text within the upper, right column of page A-4 that describes Best Management Practices (BMPs) as follows:

Treatment BMPs will be implemented for all discharges from the proposed stormwater conveyance system. Treatment BMPs for the Planning Area include dry extended detention basins, retention basins, vegetated swales, and media filtration. Lakes may be used in place of retention basins or extended detention basins. Treatment BMPs for most roads subject to Caltrans and County jurisdiction have not been finalized, though the Discharger plans to direct runoff from Cow Camp Road to water quality basin no. 4. Treatment BMP Plan: *(Master Area / Sub-Area Water Quality Management Plan [WQMP] for The Ranch Plan, Planning Area 1. GeoSyntec Consultants, Inc., April 2006)*

**C. Clarifications to Attachment C (Monitoring and Reporting Program) of
Tentative Order No. R9-2006-0104**

1. Replace Monitoring and Reporting Requirement 4.b as follows:

4.b. A functional assessment of the mitigation areas shall be conducted five years following initiation of mitigation activities in order to determine status and progress toward achievement of functional benefits estimated in the Draft Hybrid Wetland Functional Assessment (July 2006) prepared by Glenn Lukos Associates, Inc. in support of the Planning Area 1 Project application. The biannual functional assessments shall be conducted using the same methodology as in the Draft Hybrid Wetland Functional Assessment. If the assessment cannot demonstrate that the estimated benefits have been achieved, the functional assessment shall be repeated every two years afterwards until the benefits have been demonstrated.

2. Replace Monitoring and Reporting Requirements 5.d and 5.e as follows:

5.d. Results of the annual mitigation monitoring program described in the Invasive Control Plan and results from the functional assessment conducted after the fifth year of monitoring;

5.e. Tables and an analysis of the raw quantitative and qualitative data collected in the field and the following;

- i. Detritus cover;
- ii. General topographic complexity characteristics at each mitigation site;
- iii. General upstream and downstream habitat and hydrologic connectivity; and
- iv. Source of hydrology to the mitigation areas.

3. Replace Monitoring and Reporting Requirement 7 as follows:

7. Annual Bioassessment. The Discharger shall ensure that access is provided to San Juan Creek to the County of Orange during project activities for the County's annual bioassessment monitoring in the vicinity of Ortega Highway. If the Discharger's construction or post-construction project activities prohibit monitoring access, then the Discharger shall implement a bioassessment monitoring program using the latest protocol available from the State of California Surface Water Ambient Monitoring Program (SWAMP). The monitoring frequency shall be no less than one event per year. A long-term bioassessment monitoring station shall be located at least 100 meters downstream of Ortega Highway within the Planning Area 1 boundary. Bioassessment monitoring shall be conducted for five years beginning in 2008. Reports shall be submitted annually within 120 days of sampling and shall describe the bioassessment procedures, provide the raw data, provide a summary of the data, include a map of the sampling location, and describe the status of the Planning Area 1 project.

4. Replace Monitoring and Reporting Requirement 8.b as follows:

8.b. The Discharger shall provide annual Program monitoring reports to the Regional Board and the County of Orange Watershed and Coastal Resources Division by July 1 each year that cover the period from May 1 of the previous year through April 30 of the current monitoring year.

5. Replace Monitoring and Reporting Requirement 10 as follows:

10. Annual Post-Construction BMP Effectiveness Monitoring. The Discharger shall conduct water quality monitoring of stormwater treatment BMPs as generally proposed in Planning Area 1 – Water Quality BMP Monitoring Plan (GeoSyntec Consultants, September 25, 2006) in order to assess BMP performance against expectations and water quality objectives. In addition, the Discharger shall add Dissolved Oxygen and Total Organic Carbon to the list of chemical parameters in the Plan. Monitoring shall be conducted for at least three years. Monitoring shall include the "seasonal first-flush" (first storm of the rainy season). If the first storm of the rainy season cannot reasonably be monitored (e.g., safety or mobilization impracticality), then the next storm shall be sampled.

- a. Annual monitoring shall be terminated after three years upon written concurrence from the Regional Board that the BMPs are functioning as anticipated and adequate to protect receiving waters. If monitoring data fails to demonstrate the BMPs are effective after three years, then annual monitoring shall continue for at least two additional years and until the Regional Board concurs that monitoring is no longer necessary.
- b. The results shall be reported to the Regional Board by August 1 of each year and shall contain data from the preceding September through April. Each report shall contain raw and summary data, an assessment of performance against the expectations presented in the EIR, and assessment of concentrations relative to water quality objectives in the adjacent receiving water, and an assessment of the effects of the stormwater treatment BMP(s) in the drainage area. Each report shall include data in tabular and graphical form, and electronic data shall be submitted to the Regional Board upon request. Each report shall identify the sample collection procedures, including whether data was collected by grab or composite samples. A certified contract laboratory or personnel certified to conduct the specific analyses shall perform all sampling, laboratory, quality assurance, and analytical procedures;
- c. Monitoring locations shall include the stormwater effluent of at least one water quality basin, if available; otherwise another BMP effluent may be selected. Hardness samples may be collected near the corresponding storm drain outfall in San Juan Creek;
- d. Water quality data shall be collected during three storm events per year during the wet season (October through April). If effluent is present during the dry season (May through September), data shall be collected once per year during the dry season. Data shall be reported for the following constituents:

Parameter	Reporting Unit
Dissolved Oxygen	mg/L
Total Organic Carbon	mg/L
Fecal Coliform	MPNor CFU /100ml
<i>E. Coli</i> or Enterococcus	MPNor CFU /100ml
Total Hardness	mg/L
Nitrate Nitrogen	mg/L
Ammonia Nitrogen	mg/L
Reactive Phosphorus	mg/L
Nickel	µg/L
Zinc	µg/L
Copper	µg/L
Cadmium	µg/L
pH	in 0.1 increments
TPH-Diesel	µg/L
Total Suspended Solids	mg/L
Suspended Sediment Concentration	mg/L

Note: mg/L = milligrams per liter µg/L = micrograms per liter
MPN and CFU refer to most probable number and colony forming units, respectively, and refer to different methods for quantifying concentrations of bacteria.

6. Add Monitoring and Reporting Requirement 11 as follows:

11. Electronic Reporting Format. The Discharger shall submit reports required by this section in electronic format if requested by the Regional Board.

D. Revisions to Attachment D (Fact Sheet) of Tentative Order No. R9-2006-0104

1. Replace the final paragraph on page D-4 as follows to reflect that there are eight, rather than ten, Planning Areas within the Ranch Plan:

Planning Area 1 is one of eight delineated planning areas that comprise the Ranch Plan project. Planning Area 1 includes 810 acres located east of the City of San Juan Capistrano in the vicinity of Antonio Parkway and Ortega Highway and immediately south of the Ladera Ranch Planned Community. Ortega Highway traverses the southern portion of the planning area in a southwest to northeast direction. Antonio Parkway traverses the planning area in a generally north-south direction. San Juan Creek bisects the planning area.

2. Replace the final paragraph on page D-13 as follows to indicate that the Discharger will retain ownership of all areas proposed as dedicated open space:

The Discharger will retain ownership of all areas proposed to be dedicated as open space, including the proposed streambed mitigation site and other preserved streambeds (and vernal pools). The County of Orange is expected to be the responsible for long-term management and oversight of the open space areas of the Ranch Plan through implementation of the NCCP. Provided the funding mechanism is adequate to implement the conservation strategy outlined in the EIR, there is a reasonable expectation for success.

3. Add Figure 8 to the Fact Sheet as follows to show the locations of each Planning Area and corresponding dedicated open space area within the Ranch Plan:

Attachment D Figure 8 Planned Open Space Within the Ranch Plan

Open space areas (OS) correspond to the eight Planning Areas (PA) within the Ranch Plan. Planning Area 1 (PA 1) is located at the western end of the Ranch Plan.

