

Errata Sheet
TENTATIVE ORDER NO R9-2012-0007,
JONAS SALK ELEMENTARY SCHOOL

The following changes have been made to Tentative Order No. R9-2012-0007. Changes below are shown in redline/strikeout format to indicate added and removed language.

1. **Page 4, FINDING 3 has been modified as follows and a header added to the Table.**

The Discharger reports that the Project will result in the permanent discharge of fill waste to a total of 1.66 acres of vernal pools located in the Carroll Canyon portion of the Miramar Reservoir Hydrologic Area (906.10) in the Penasquitos Hydrologic Unit (906.00), as summarized in ~~the table~~ Table 4 below.

Table 4 – Project Impacts

2. **Page 5, FINDING 6 has been modified as follows and a header added to the Table.**

The Project assumes impacts to all existing vernal pools on the Project site including pools previously surveyed as unoccupied pools, and pools not surveyed but currently assumed to be occupied by the San Diego fairy shrimp. The Discharger demonstrated that project impacts could not be avoided or minimized, and therefore proposes to mitigate for impacts to these vernal pools by enhancing and/or restoring a total of 3.32 acres of vernal pool habitat as described in the ~~table~~ Table 5 below and detailed in the *Vernal Pool Restoration Plan as Mitigation for the Jonas Salk Area Elementary School Project, San Diego, California, April 2012 (Vernal Pool Restoration Plan)*. The proposed mitigation is not entirely consistent with Executive Order W-59-93 requiring no net loss in the quantity, quality, and permanence of wetlands acreage because it does not provide for establishment of new wetlands. However, because of the variable success that has been observed with vernal pool establishment mitigation, in-watershed enhancement and restoration are an acceptable mitigation method for the Project in restoring vernal pool functions and values lost from project impacts. The mitigation ratio of 2:1 was determined based on these considerations as well as consideration of the temporal losses incurred. Attachment A of this Order provides the location of the Project and mitigation sites.

3. **Table 5 – Mitigation Site and Acreage, Page 9, MITIGATION PROVISION C.1 has been modified as follows and the Table header numbers updated.**

The Discharger shall implement mitigation as detailed in the Vernal Pool Restoration Plan. The McAuliffe Park and Carroll Canyon Preserve vernal pool mitigation must meet the success criteria stated in the Vernal Pool Restoration Plan and summarized in Tables 4-6, 5-7, and 6-8 below and must be maintained in a manner that supports the final success criteria, in perpetuity.

Table 4-6 - Vernal Pool Success Criteria and Remedial Measures

Table 5-7 - Restoration Site Success Criteria for Aquatic Crustacean Species, Including San Diego Fairy Shrimp

Table 6-8 - Upland Watershed Success Criteria and Remedial Measures

- 4. Page 11, MITIGATION PROVISION C.2 has been modified and the Table header number updated.**

The Discharger's compensatory mitigation for permanent discharges of fill to 1.66 acres of non-federal waters of the State shall be achieved with mitigation of at least 3.32 acres of vernal pool habitat and ~~consist of the~~ as summarized in Table 9 below.

Table 9 – Mitigation Site and Acreage

- 5. Page 12, MITIGATION PROVISION C.4 has been modified with the following language.**

The Discharger shall notify the San Diego Water Board in writing within 10 days following the initiation of mitigation efforts. All mitigation areas shall be protected and maintained in perpetuity from land-use and maintenance activities that would threaten water quality or beneficial uses within the mitigation area. A conservation easement or other legal limitation on the mitigation property must be recorded within 12 months from mitigation initiation and must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site or activities which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the State that it supports. The conservation easement or other appropriate legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland functions and values of the site. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

- 6. Page 12, MITIGATION PROVISION C.6 has been modified with the following language.**

The mitigation areas shall meet the interim and final success criteria in the Vernal Pool Restoration Plan. If the mitigation areas fail to meet the expected interim or final success criteria, the Discharger shall prepare, submit, and implement a remedial measures plan within one year following the determination that success criteria were not reached. The Discharger shall implement the remedial measures plan until success criteria are met, unless otherwise directed in writing by the San Diego Water Board. Before beginning these activities the Discharger shall:

7. **Page 13, POST-CONSTRUCTION STORMWATER TREATMENT PROVISIONS, Condition D.7 has been added to this section.**

[The post-construction BMPs for the Project must capture and treat the 85th percentile, 24-hour storm event from 100 percent of the Project's impervious surfaces, and conform to the City of San Diego's Storm Water Standard manual, dated January 20, 2012.](#)

8. **Page B-1, MONITORING AND REPORTING PROGRAM, Monitoring Schedule section has been revised and Table number updated.**

Monitoring Schedule: The Discharger shall implement a monitoring plan that effectively evaluates whether the mitigation sites have met pre-established interim and final success criteria in accordance with the monitoring schedule submitted by the Discharger, incorporated into the table below. Table 7-1 outlines the monitoring schedule for site preparation and grading, vernal pool installation and planting which includes a 120-day vernal pool establishment period, and site maintenance and monitoring. The mitigation site maintenance and monitoring will begin after the 120 establishment period is complete, and continue for a minimum of five years.

Table 7-1 - Restoration Schedule

9. **Page B-1, MONITORING AND REPORTING PROGRAM, Long Term Management section has been revised and Table number updated.**

Long Term Management. Long term management of the McAuliffe Park and Carroll Canyon Vernal Pool Mitigation Sites is scheduled to begin after the final success criteria are met and the restoration activities are completed (minimum of five years). The Discharger will be responsible for implementation of the *Long-Term Management Plan for the Jonas Salk Area Elementary School Vernal Pool Mitigation Site San Diego California, May 2011* (Long Term Management Plan). Long term management tasks and schedule are outlined in Table 8-2 below.

Table 8-2 Management and Monitoring Schedule