

**California Regional Water Quality Control Board, San Diego Region**

June 6, 2019

**Certified Mail – Return Receipt Requested**  
Article Number: 7016 2140 0000 3904 4618

Mr. Eric Heidemann  
City of Poway Public Works  
P.O. Box 789  
Poway, California 92074

**In reply/refer to:**  
07C-068:653562:ngergans

**Subject: Certification Amendment No. 4 to Clean Water Act Section 401 Water Quality Certification No. 07C-068 for the Concrete Flood Control Channel Maintenance and Cleaning Project**


Mr. Heidemann:

Enclosed find Certification Amendment No. 4 (Certification Amendment) to Clean Water Act Section 401 Water Quality Certification No. 07C-068 (Certification) issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) in response to an amendment request submitted by the City of Poway for the Concrete Flood Control Channel Maintenance and Cleaning Project (Project). The Certification Amendment shows changes in underline/strikeout format to indicate added and removed language. A complete copy of the original Certification as previously amended has also been enclosed for your reference.

Failure to comply with the Certification may subject the City of Poway to enforcement action(s) by the San Diego Water Board including administrative enforcement orders requiring the City of Poway to cease and desist from violations or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and/or referral to the District Attorney for criminal prosecution.

In the subject line of any response, please include reference number 07C-068:653562:ngergans. For questions or comments, please contact Nicole Gergans by telephone at (619) 521-3969 or by email at [nicole.gergans@waterboards.ca.gov](mailto:nicole.gergans@waterboards.ca.gov).

Respectfully,

  
for **DAVID W. GIBSON**  
Executive Officer

Enclosures:

- 1) Amendment No. 3 to Clean Water Act Section 401 Water Quality Certification No. 07-068 for the Concrete Flood Control Channel Maintenance and Cleaning Project
- 2) Clean Water Act Section 401 Water Quality Certification No. 07-068 for the Concrete Flood Control Channel Maintenance and Cleaning Project

DWG:jgs:db:eb:ng

cc:

U.S. Army Corps of Engineers, Regulatory Branch  
San Diego Field Office  
Max Roseman  
[Max.E.Roseman@usace.army.mil](mailto:Max.E.Roseman@usace.army.mil)

California Department of Fish and Game  
South Coast Region  
Habitat Conservation Planning – South  
Kelly Fisher  
[Kelly.Fisher@wildlife.ca.gov](mailto:Kelly.Fisher@wildlife.ca.gov)

Megan Fitzgerald  
[Fitzgerald.megan@epa.gov](mailto:Fitzgerald.megan@epa.gov)

State Water Resources Control Board  
Division of Water Quality  
Water Quality Certification and Wetlands Unit  
[Stateboard401@waterboards.ca.gov](mailto:Stateboard401@waterboards.ca.gov)

Eric Becker  
San Diego Water Board  
[Eric.Becker@waterboards.ca.gov](mailto:Eric.Becker@waterboards.ca.gov)

Tech Staff Info & Use	
Certification No.	07C-068
Party ID	387178
File No.	07C-068
WDID	9 000001674
Regulatory ID	327661
Place ID	653562

# CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

2375 Northside Drive, Suite.100, San Diego, CA 92108  
Phone (619) 516-1990 • Fax (619) 516-1994  
<http://www.waterboards.ca.gov/sandiego/>

## Amendment No. 4 to Clean Water Act Section 401 Water Quality Certification No. 07C-068

**PROJECT: Concrete Flood Control Channel Maintenance and Cleaning Project  
Certification Number 07C-068**

**APPLICANT: City of Poway  
P.O. Box 789  
Poway, California 92074**

Reg. Meas. ID: 327661 Place ID: 653562 Party ID: 387178 Person ID: 387179 WDID: 9 000001674
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On August 13, 2007, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) issued Clean Water Act Section 401 Water Quality Certification No. 07C-068 (Certification) to the City of Poway (Applicant) for the Concrete Flood Control Channel Maintenance and Cleaning Project (Project). The Certification authorized temporary impacts to waters of the U.S, and/or State caused by the placement of Best Management Practices (BMPs) in the concrete channels in order to conduct the maintenance activities, The Certification did not require compensatory mitigation. On July 23, 2010, the Certification was amended to remove one maintenance location. On August 13, 2012, the Certification was amended a second time to extend the Certification an additional five years to allow the Applicant to continue its scheduled maintenance activities. On August 13, 2017 the Certification was amended a third time to extend the Certification an additional year to August 13, 2018.

The San Diego Water Board is amending the Certification to extend the expiration date of the Certification to August 13, 2020. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. 07C-068 as amended remain in full force and effect. The following changes are made to Certification No. 07C-068 and are shown in underline/strikeout format to indicate added and removed language:

### Page 3, Section A. General Conditions, Condition 12 is modified as follows:

12. ~~This certification expires five years from the date of issuance. On August 13, 2007, the original Certification was issued to the City of Poway for the Concrete Flood Channel Maintenance and Cleaning Project. The effective term of the current Certification is from August 13, 2007 through August 13, 2012. By letter dated August 31, 2011 July 31, 2017 the City of Poway requested the Certification be extended an additional five years one year to allow the City to continue project activities and submit a new application for the Project. Based on the City's request, the San Diego Water Board is amending the Certification to~~

City of Poway  
Concrete Flood Control Channel and Clearing Project  
Certification No. 07C-068

August 13, 2007  
Amendment No. 1 July 23, 2010  
Amendment No. 2 August 13, 2012  
Amendment No. 3 August 3, 2017  
Amendment No. 4 June 6, 2019

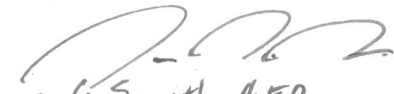
~~extend the term for an additional five years year through August 13, 2017.~~

**Term of Certification.** This Certification shall expire a) upon the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section 1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) August 20, 2020, whichever occurs first.

**Notification:** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 4 to Certification No. 07C-068 issued on June 6, 2019.

  
for James G. Smith, AEO  
DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

6 June 2019  
Date

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

2375 Northside Drive, Suite.100, San Diego, CA 92108  
Phone (619) 516-1990 • Fax (619) 516-1994  
<http://www.waterboards.ca.gov/sandiego/>

**Amendment No. 3 to Clean Water Act Section 401  
Water Quality Certification No. 07C-068**

**PROJECT: Concrete Flood Control Channel Maintenance and Cleaning Project  
Certification Number 07C-068**

**APPLICANT: City of Poway  
P.O. Box 789  
Poway, California 92074**

Reg. Meas. ID: 327661  
Place ID: 653562  
Party ID: 387178  
Person ID: 387179  
WDID: 9 000001674

On August 13, 2007, Clean Water Act Section 401 Water Quality Certification No. 07C-068 (Certification) was issued to the City of Poway (Applicant) for the Concrete Flood Control Channel Maintenance and Cleaning Project (Project). On July 23, 2010, the Certification was amended to remove one maintenance location. On August 13, 2012, the Certification was amended a second time to extend the Certification an additional five years to allow the Applicant to continue its scheduled maintenance activities.

By letter dated July 31, 2017, the Applicant, requested the Certification be amended a third time to extend the expiration date of the Certification for one year, until August 13, 2018, for continued operations and maintenance activities for the 2017-2018 wet season and allow time for the Applicant to submit a new application for the Project.

The Certification authorized up to 0.01 acre of temporary impacts to waters of the State caused by the placement of Best Management Practices (BMPs) in the concrete channels in order to conduct the maintenance activities. Information provided by the Applicant show the average total volume of sediment and debris removed per year is approximately 398 cubic yards (cy) with each location typically requiring 0 to 20 cy of material to be removed per year.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification to extend the expiration date of the Certification to **August 13, 2018**. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. 07C-068 remain in full force and effect. The following changes are made to Certification No. 07C-068 and are shown in underline/strikeout format to indicate added and removed language:

**Page 2, Standard Conditions 1, 2, and 3, are replaced with the following:**

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

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the Water Code and chapter 28, article 6 (commencing with title 23, section 3867), of the California Code of Regulations.
- B. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to California Code of Regulations title 23, section 3855 subdivision (b), and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. This Certification action is conditioned upon total payment of any fee required under title 23, chapter 28 (commencing with section 3830) of California Code of Regulations and owed by the applicant.

**Page 3, Section A. General Conditions, Condition 12 is modified as follows:**

12. This certification expires five years from the date of issuance. On August 13, 2007, the original Certification was issued to the City of Poway for the Concrete Flood Channel Maintenance and Cleaning Project. The effective term of the current Certification is from August 13, 2007 through August 13, 2012. By letter dated ~~August 31, 2014~~ July 31, 2017 the City of Poway requested the Certification be extended ~~an additional five years~~ one year to allow the City to continue project activities and submit a new application for the Project. Based on the City's request, the San Diego Water Board is amending the Certification to extend the term for an additional ~~five years~~ year through August 13, 2018.

**Page 4, Section B. Reporting is modified as follows:**

- ~~1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.~~ **Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.
- ~~3. The City of Poway must submit reports and information required under this certification, or other information required by the San Diego Water Board, to:~~ **Electronic Document Submittal.** The Applicant must submit all reports and

information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

~~Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification; Project No. 07C-068:653562:amonji  
9174 Sky Park Court, Suite 100 2375 Northside Dr., Suite 100  
San Diego, California 92123 92108~~

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject: Certification No. 07C-068:653562:amonji.

**Page 4, Section B. Reporting, Annual Reporting Condition is added as follows:**

4. **Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. The Annual Project Progress Reports must contain information sufficient to demonstrate how the Project is progressing towards accomplishing its objectives and meeting its performance standards. Annual Project Progress Reports must be submitted even if Project construction has not begun. The monitoring period for each Annual Project Progress Report shall be January 1<sup>st</sup> through December 31<sup>st</sup> of each year. Annual Project Progress Reports must include, at a minimum, the following:

The Annual Project Progress Report must include the following Project status and compliance information:

- a. The names, qualifications, and affiliations of the persons contributing to the report;
- b. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices project features for erosion and

storm water quality treatment;

- c. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
- d. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- e. Photo documentation of implemented BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/401c/401PhotoDocRB9V713.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/401c/401PhotoDocRB9V713.pdf). In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.

**Page 4, Regional Water Quality Control Board Contact Person is modified as follows:**

Alan Monji  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340  
858-637-7140 Telephone: 619-521-3968  
[amonji@waterboards.ca.gov](mailto:amonji@waterboards.ca.gov) Email: [Alan.Monji@waterboards.ca.gov](mailto:Alan.Monji@waterboards.ca.gov)

**Page 5, Amended Water Quality Certification is modified as follows:**

I hereby certify that the proposed discharge from the Concrete Flood Control Channel Maintenance and Cleaning Project, Amendment #3 (Certification No. 07C-068) will comply with the applicable provision of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under California Regional Water Quality Control Board, San Diego Region, Waiver of Waste Discharge Requirements (Waiver Policy) No. 17, State Water Board Order No. 2003-0017-DWQ, "Statewide General Waste Discharge Requirements for Dredged or Fill



Discharges that have Received State Water Quality Certifications (General WDRs),” which requires compliance with all conditions of this Water Quality Certification. Please note that this waiver enrollment under Order No. 2003-0017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the Regional San Diego Water Board may issue individual waste discharge requirements at that time.

**Page 8, Attachment 2, Distribution List, is modified as follows:**

~~Lanika Cervantes~~ Mr. Winston Zack  
U.S. Army Corps of Engineers  
Regulatory Branch, San Diego Field Office  
~~6010 Hidden Valley Rd~~  
~~Suite 300A~~  
~~San Diego, CA 92127~~  
~~Lanika.L.Cervantes@usace.army.mil~~ Winston.S.Zack@usace.army.mil

State Water Resources Control Board  
Division of Water Quality  
401 Water Quality Certification and Wetlands Unit  
P.O. Box 100  
Sacramento, CA 95812-0100  
Stateboard401@waterboards.ca.gov

~~Ms. Elizabeth Goldmann~~  
~~Wetlands Regulatory Office~~  
~~U.S. Environmental Protection Agency, Region 9~~  
~~75 Hawthorne Street~~  
~~San Francisco, CA 94105~~  
~~R9-WTR8-Mailbox@epa.gov~~

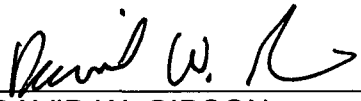
Ms. Melissa Scianni  
U.S. EPA, OWOW, Region 9  
Scianni.melissa@epa.gov

City of Poway  
Concrete Flood Control Channel and  
Cleaning Project  
Certification No. 07C-068

August 13, 2007  
Amendment No. 1 on July 23, 2010  
Amendment No. 2 on August 13, 2012  
Amendment No. 3 on August 3, 2017

**Notification:** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 3 to Certification No. 07C-068 issued on August 3, 2017.

  
\_\_\_\_\_  
DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

3 August 2017  
Date

## California Regional Water Quality Control Board, San Diego Region

Action on Request for  
Clean Water Act Section 401 Water Quality Certification  
and Waiver of Waste Discharge Requirements  
for Discharge of Dredged and/or Fill Materials

**PROJECT:** Concrete Flood Control Channel Maintenance and Cleaning  
(File No. 07C-068)

**APPLICANTS:** Mr. Patrick Ryan  
Public Works Department  
City of Poway  
P.O. Box 789  
Poway, CA 92074-0789

WDID	9 000001674
CIWQS:	
Place	653562
Reg. Measure	327661
Party	387178
Person	387179

**ACTION:**

- Order for Low Impact Certification
- Order for Denial of Certification
- Order for Technically-conditioned Certification
- Waiver of Waste Discharge Requirements

**STANDARD CONDITIONS:**

The following three standard conditions apply to all certification actions, except as noted under Condition 3 for denials (Action 3).

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is 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 subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action (Actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency

GRANT DESTACHE, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

## **ADDITIONAL CONDITIONS:**

In addition to the three standard conditions, the City of Poway shall satisfy the following:

### **A. GENERAL CONDITIONS**

1. The City of Poway shall, at all times, fully comply with the engineering plans, specifications and technical reports submitted with this application for 401 Water Quality Certification and all subsequent submittals required as part of this certification. The conditions within this certification shall supersede conflicting provisions within such plans submitted prior to the certification action.
2. The City of Poway shall maintain a copy of this certification at the project site so as to be available at all times to site personnel and agencies.
3. Prior to the start of the project, the City of Poway shall educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and best management practices.
4. The City of Poway shall permit the San Diego Regional Water Quality Control Board (San Diego Water Board) or its authorized representative at all times, upon presentation of credentials:
  - a) Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
  - b) Access to copy any records required to be kept under the terms and conditions of this certification.
  - c) Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this certification.
5. The City of Poway shall notify the San Diego Water Board within 24 hours of any unauthorized discharge to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional BMPs or other measures that will be implemented to prevent future discharges.
6. The City of Poway shall, at all times, maintain appropriate types and sufficient quantities of materials onsite to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reached a waters of the U.S. and/or State.
7. This Certification is not transferable to any person except after notice to the Executive Officer of the San Diego Water Board. The City of Poway shall submit this notice in writing at least 30 days in advance of any proposed transfer. The

notice must include a written agreement between the existing and new owner containing a specific date for the transfer of this Certification's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing owner is liable for compliance and violations up to the transfer date and that the new owner is liable from the transfer date on.

8. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.
9. In response to a suspected violation of any condition of this certification, the San Diego Water Board may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the San Diego Water Board deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
10. In response to any violation of the conditions of this certification, the San Diego Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
11. This certification authorizes work only in the concrete channels specified in the application for this Certification; it does not authorize work in earthen channels. Maintenance activities in concrete channels other than those specified in this Certification shall require an amendment to the Certification.
12. This certification expires five years from the date of issuance. On August 13, 2007, the original Certification was issued to the City of Poway for the Concrete Flood Channel Maintenance and Cleaning Project. The effective term of the current Certification is from August 13, 2007 through August 13, 2012. By letter dated August 31, 2011 the City of Poway requested the Certification be extended an additional five years to allow the City to continue project activities. Based on the City's request, the San Diego Water Board is amending the Certification to extend the term for an additional five years through August 13, 2017.

## **B. REPORTING**

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to furnish requested information pursuant to CWC section 13268.
2. All applications, reports, or information submitted to the San Diego Water Board shall be signed and certified as follows:

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

3. The City of Poway shall submit reports required under this certification, or other information required by the San Diego Water Board, to:

Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification; File No 07C-068  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

### **PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

On July 6, 2007, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public.

### **REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

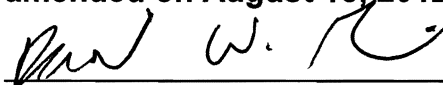
Alan Monji  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
(858) 637-7140  
amonji@waterboards.ca.gov

**WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from the Concrete Flood Control Channel Maintenance and Cleaning (File No. 07C-068) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under California Regional Water Quality Control Board, San Diego Region, Waiver of Waste Discharge Requirements (Waiver Policy) No. 17. Please note that this waiver is conditional and, should new information come to our attention that indicates a water quality problem, the Regional Board may issue waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).

**I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 07C-068 issued on August 13, 2007 and amended on August 13, 2012.**

  
\_\_\_\_\_  
David W. Gibson  
Executive Officer  
Regional Water Quality Control Board

13 August 2012  
Date

- Attachments:
1. Project Information
  2. Distribution List
  3. Location Map
  4. Site Map
  5. List of Concrete Channel Sections
  6. Site Photos
  7. Schematic of Equipment/BMP Placement

## ATTACHMENT 1 PROJECT INFORMATION

Applicant:	Mr. Patrick Ryan Public Works Department City of Poway P.O. Box 789 Poway, CA 92074-0789
Applicant Representatives:	Same
Project Name:	Concrete Flood Control Channel Maintenance and Cleaning
Project Location:	Various concrete channels in the City of Poway, CA. See Location Map ( <b>Attachment 3</b> ) and Site Map ( <b>Attachment 4</b> ).
Type of Project:	Concrete channel maintenance
Project Description:	Annual maintenance of concrete drainage channels in the City of Poway to remove sediment, weeds, trash, and debris (concrete channels only; no natural channels). See List of Concrete Channel Sections to be maintained ( <b>Attachment 5</b> ) and Site Photos ( <b>Attachment 6</b> ).
Federal Agency/Permit:	U.S. Army Corps of Engineers Nationwide Permit 18
Other Required Regulatory Approvals:	None
California Environmental Quality Act (CEQA) Compliance:	On June 26, 2007, the City of Poway determined that the project was Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15301(b), Class 1.
Receiving Water:	Rattlesnake Creek, Poway Creek, Concrete Flood Channels that feed to Los Penasquitos Creek and Los Penasquitos Lagoon.
Impacted Waters of the United States:	The project will entail temporary impacts to 0.0123 acres of un-vegetated waters. [Per U.S. Army Corps of Engineers, placement of waddles and oil-absorbent booms during maintenance activities constitutes fill.] No permanent impacts to Waters of the US/State will occur.
Dredge Volume:	None



Related Projects Implemented/to be Implemented by the Applicant(s):	None
Compensatory Mitigation:	All impacts will be temporary, and no compensatory mitigation is required.
Best Management Practices:	Straw waddles and oil absorbent booms will be placed at the downstream end of each concrete channel section during maintenance to prevent downstream transport of sediment, debris, and oil. A vacuum truck will be used to remove the straw waddles, oil absorbent booms, and any sediment that may have collected after maintenance activity on each section is completed. Absorbent waddles, drip pan, spill kit, and tarp will be used as appropriate for out-of-channel equipment storage. Concrete channels will be maintained one section at a time to minimize environmental impact. Maintenance will be conducted prior to rainy season when there is little water in the concrete channels, weeds are dry, debris is visible, and the need to control vectors and odor is greatest. In-channel equipment (skid steer, small tractor) will be hoisted out of the channel at the end of each day, and/or if there is a 50% or greater chance of rain within 24 hours. See Schematic of Equipment/BMP Placement ( <b>Attachment 7</b> ).
Public Notice:	On July 6, 2007, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public
Fees:	Total Due: \$500 Total Paid: \$500 (Check No. #00163232)

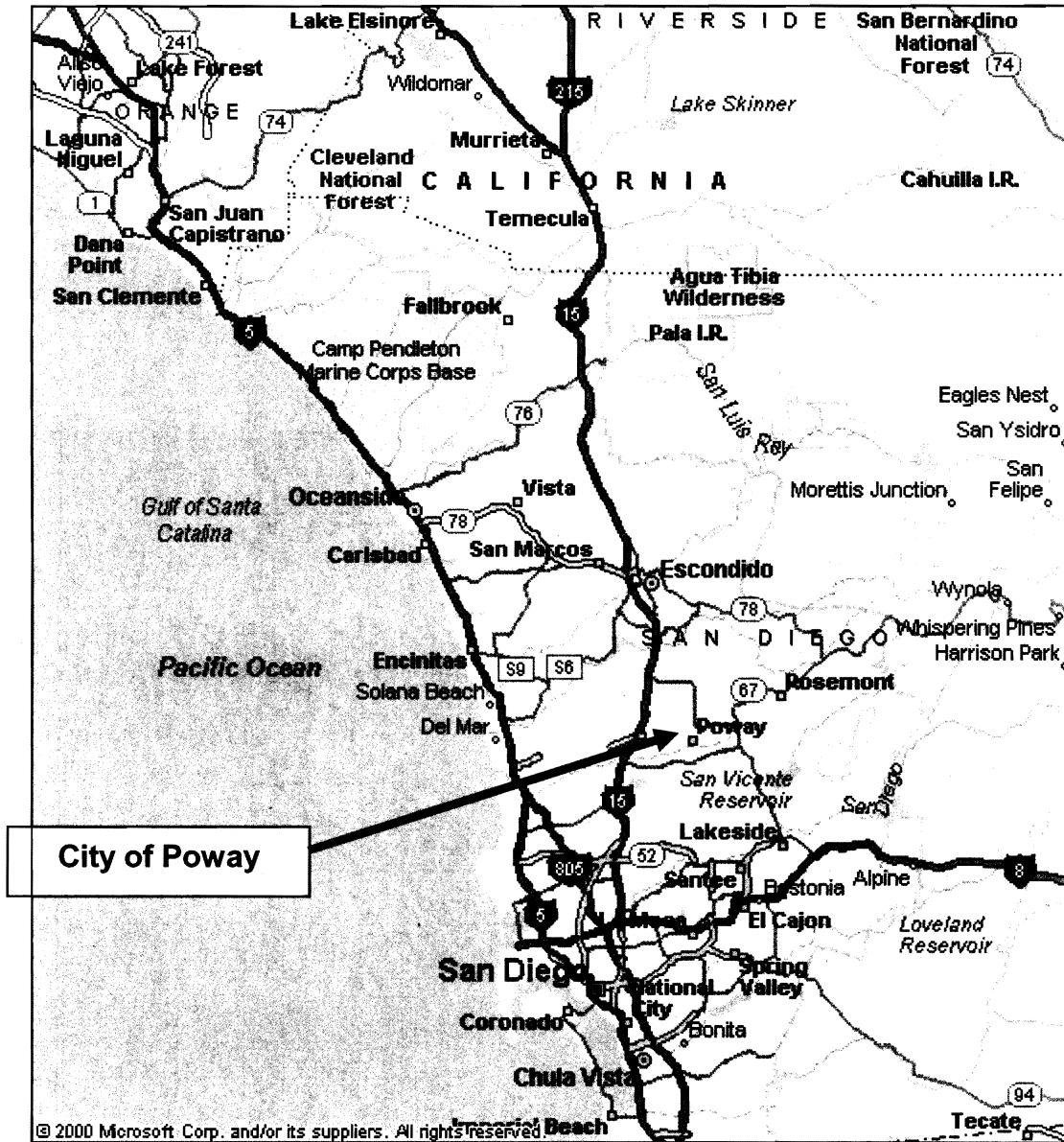
**ATTACHMENT 2  
DISTRIBUTION LIST**

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### ATTACHMENT 3 LOCATION MAP





**ATTACHMENT 5  
LIST OF CONCRETE CHANNEL SECTIONS**

**Concrete Channels '09**

ID	Location / Description	Thos Coord	Anul	Inspect	Wet/Dry	Length	Width	Waddle Lf	Oil Boom Lf	Stream Length Impact Lf	
PomChan 1	<b>Pomerado Channel (South to Poway Creek)</b>	Monte Vista west to Pomerado Rd (Pharmacy)	1170 C6	Yes	5/1/2007	Dry	918	3'	3	4	1
PomChan 2		Pharmacy south to Via Monte Claro	1170 C6	Yes	5/1/2007	Wet	345	7' 8"	18	4	2
PomChan 3		Via Monte Claro south to Casa Avenida	1170 C6	Yes	5/1/2007	Wet	553	7' 8"	18	4	2
PomChan 4		Casa Avenida south to Roberto Way	1170 C6	Yes	5/1/2007	Wet	529	7' 8"	18	4	2
PomChan 5		Roberto Way to Kaitz St.	1170 C7	Yes	5/1/2007	Wet	1332	6' 3"	15	4	2
PomChan 6		Kaitz St. looking south.	1170 C7	Yes	5/1/2007	Wet	461	8'	18	4	2
PomChan 7		14975 Amso looking toward Jacala St.	1170 C7	Yes	5/1/2007	Wet	714	10'	24	4	2
PomChan 8		Jacala St. south to Twin Peaks.	1190 C1	Yes	5/1/2007	Wet	500	9'	18	4	2
PomChan 9		RCP pipes under shopping center	1190 C1	Yes	5/1/2007	Wet	192	0	0	4	0.5
PomChan 10		Glen Oak south to Holland St.	1190 C2	Yes	5/1/2007	Wet	1295	10'	24	4	2
PomChan 11		Holland St. to Vaughan St.	1190 C2	Yes	5/1/2007	Wet	1410	10'	24	4	2
PomChan 12		Vaughan St. to foot bridge.	1190 C2 and C3	Yes	5/1/2007	Wet	1552	10'	24	4	2
PomChan 13		Foot bridge to Tassel St.	1190 C3	Yes	5/1/2007	Wet	1206	16' 8"	45	8	2.5
PomChan 14		Tassel St. to McFeron.	1190 C4	Yes	5/1/2007	Wet	999	13'	30	4	2
PomChan 15		Mcferon to Robison	1190 C4	Yes	5/1/2007	Wet	775	10'	24	4	2
PomChan 16		Outlet at Brookview Apts.	1190 C5	Yes	5/1/2007	Wet	45	0	0	4	0.5
PomChan 17		Outlet at Poway Rd. to Oak Knoll Rd.	1190 C5	Yes	5/1/2007	Wet	53	0	0	4	0.5
PowChan 18		Outlet at Oak Knoll to 50' south of Oak Knoll.	1190 B5	Yes	5/1/2007	Wet	130	0	0	4	0.5
FloralChan 1	<b>Floral Channel (South to Poway Creek.)</b>	Bowdoin to Fairburn	1190 J4	Yes	5/1/2007	Dry	600	5' 4"	12	4	1
FloralChan 2		Fairburn to Garden Rd.	1190 J4	Yes	5/1/2007	Dry	825	4' 9"	9	4	1
AllbrookChan1	<b>Allbrook Ch. (East of Iola Wy.)</b>	East of Iola Wy.	1190 A5	Yes	5/1/2007	Dry	423	2'	2	4	1
RedCloudChan1	<b>Red Cloud Ch. (West to Garden Rd.)</b>	West to Garden Rd	1190 H4	Yes	5/1/2007	Wet	408	2'	2	4	1
SpringChan 1	<b>Springvale Ch. (Bowdoin south to Springvale)</b>	Bowdoin south to Springvale	1190 H4	Yes	5/1/2007	Wet	587	7' *6	18	4	1.5
PowChan 1	<b>Poway Channel (West to Poway Creek)</b>	Whitewater at Garden Rd.	1190 J4	Yes	5/1/2007	Wet	383	30' / 16'	42	8	2.5
PowChan 2		Acton Ave to Standish	1190 H5	Yes	5/2/2007	Wet	1182	14'	36	4	2
PowChan 3		Standish to Neddick	1190 H5	Yes	5/2/2007	Wet	306	14'	36	4	2
PowChan 4		Neddick to Claire	1190 H5	Yes	5/2/2007	Wet	585	20' 5"	60	4	2
CarlCtChan 1	<b>Carlson Ct.Ch. (South to Twin Peaks Rd.)</b>	South to Twin Peaks Rd	1190 H1	Yes	5/2/2007	Dry	836	2' 5"	6	4	1
MtnRdChan 1	<b>Mountain Rd. Ch. (west to Espola Rd.)</b>	West to Espola Rd	1170 G1	Yes	5/2/2007	Dry	218	2' 3" / 8'	18	4	2
DurhulChan 1	<b>Durhullen Ch. (South)</b>	South	1170 G7	Yes	5/2/2007	Dry	942	3' 2"	9	4	2
DurhulChan 2	<b>Durhullen Ch. (East to Espola Rd.)</b>	East to Espola Rd	1190 G1	Yes	5/2/2007	Dry	695	10' 8"	24	8	2
DurhulChan 3	<b>Durhullen Ch. (South on Espola Rd. to TwinPeaks)</b>	South on Espola Rd. to TwinPeaks	1190 G1	Yes	5/2/2007	Dry	840	3' 2"	9	4	1.5
BudChan 1	<b>Budwin Ln. Ch. ( South to RSCK)</b>	South to RSCK	1190 F1	Yes	5/2/2007	Wet	720	8'	18	4	1.5
MidNorChan 1	<b>Midland Rd. North Ch.</b>	Orange Blossom south to Twin Peaks Rd.	1190 F1	Yes	5/2/2007	Dry	506	5' 10"	12	4	1

RSCKChan 1	<b>RSCK Channel ( Norwalk south to Aubrey St.)</b>	Norwalk south to Aubrey St.	1190 F2	Yes	5/2/2007	Wet	918	10'	24	4	1.5
RSCKChan 2	<b>RSCK Channel (Hilleary Pk.south to Wanesta )</b>	Hilleary Pk.south to Wanesta	1190 E4	Yes	5/2/2007	Wet	1161	20' 9"	60	8	2.5
RSCKChan 3	<b>RSCK Ch. Community Pk. To Confluence Wall.</b>		1190 D5	Yes	5/2/2007	Wet	1530	31'	60	8	2.5
AdahChan 1	<b>Adah Ln. Channel (Poway Rd.south to Adah.)</b>		1190 G4	Yes	5/2/2007	Dry	817	7' / 14'	24	4	2
CedarTreChan1	<b>Cedar Tree Channel.</b>	East of Elmfield Ln.	1170 D3	Yes	5/2/2007	Wet	155	5' 3"	12	4	1.5
LuisenoChan 1	<b>Luiseno Bennyee Lee Channel.</b>	Stone Canyon north to Luiseno.	1170 D5	Yes	5/2/2007	Wet	260	4' 6"	12	4	1.5
IndianTriChan 1	<b>Indian Trail Ch.</b>	North of Bennyee Lee.	1170 D4	Yes	5/2/2007	Wet	151	6' 8"	15	4	1.5
ReoRealChan 1	<b>Reo Real Ch.</b>	Blanco Ct. west past Reo Real.	1190 D5	Yes	5/2/2007	Dry	955	3' 3"	9	4	1.5
ComMetChanS 1	<b>Community Rd. Channel. South/of Metate Ln.</b>	Community Pk. To Confluence Wall	1190 D5	Yes	5/2/2007	Wet	1006	5' 5"	12	4	1.5
ComMetChanN 2	<b>Community Rd. Channel North/of Metate Ln.</b>	North/of Metate Ln.	1190 E5	Yes	5/2/2007	Wet	328	8'	24	4	2
FranChan 1	<b>Francine and Selma</b>	Need Concrete Repair	1190 B5	Yes	5/2/2007	Dry	408	2'	6	4	2
BountyChan 1	<b>Bounty Way Channel</b>	Perrelels Bounty Way and Harrow Lane	1170 G5	Yes	4/15/2009	Dry	1728	4	12	4	1
Total Length If									886	204	75.5

**Total Impact Length 76.5**

$886+204=1106$ lf $1090 \times .5 \times .5 = 272.5$ cu ft $276.5 / 27 = 10.09$ cu yd
<b>Total Cubic Yards 10.09</b>

BMP Footprint (feet)	0.5	0.5	
Total Footprint (sq ft)	443	102	Total BMP Footprint (sq ft) 545 SF
			<b>Total BMP Foot Print, (acre) 0.013 acre</b>

**ATTACHMENT 6  
SITE PHOTOS**





Adah Ln Chan 01 LS.jpg



Adah Ln Chan 01.JPG



Allbrook Chan 01 LS.jpg



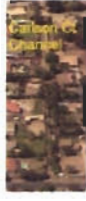
Allbrook Chan 01.JPG



Budwin Chan 01 LS.jpg



Budwin Chan 01.JPG



Carlson Ct Chan 01 LS.jpg



Carlson Ct Chan 01.JPG



Cedar Tree Chan 01 LS.jpg



Cedar Tree Chan 01.JPG



Community Metate North Chan 01 LS.jpg



Community Metate North Chan 01.JPG



Community Metate South Chan 01 LS.jpg



Community Metate South Chan 01.JPG



Durhullen Chan 01 LS.jpg



Durhullen Chan 01.JPG



Floral Chan 01 LS.jpg



Floral Chan 01.JPG



Floral Chan 02 LS.jpg



Floral Chan 02.JPG



Fran Chan 01.JPG



Indian Trail Chan 01 LS.jpg



Indian Trail Chan 01.JPG



Luiseno B. Lee Chan 01 LS.jpg



Luiseno B. Lee Chan 01.JPG



Midland North Chan 01 LS.jpg



Midland North Chan 01.JPG



Mtn Rd Chan 01 LS.jpg



Mtn Rd Chan 01.JPG



Pom Chan 01 LS.jpg



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Pom Chan 18 LS.jpg



Pom Chan 18.JPG



Pow Chan 01 LS.jpg



Pow Chan 01.JPG



Pow Chan 02 LS.jpg



Pow Chan 02.JPG



Pow Chan 03 LS.jpg



Pow Chan 03.JPG



Pow Chan 04 LS.jpg



Pow Chan 04.JPG



Red Cloud Chan 01 LS.jpg



Red Cloud Chan 01.JPG



Reo Real Chan 01.JPG



Reo Real Chan 011.jpg



RSCK Chan 01 LS.jpg



RSCK Chan 01.JPG



RSCK Chan 02 LS.jpg



RSCK Chan 02.JPG



RSCK Chan 03 LS.jpg



RSCK Chan 03.JPG



Springvale Chan 01 LS.jpg



Springvale Chan 01.JPG

### ATTACHMENT 7 SCHEMATIC OF EQUIPMENT/BMP PLACEMENT

