



California Regional Water Quality Control Board San Diego Region



Linda S. Adams
Secretary for
Environmental
Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold
Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

December 4, 2008

In reply refer to: WPC:07C-094:bjames

Ronilee Clark
California Department of Parks and Recreation
4477 Pacific Highway
San Diego, CA 92110

Certified Mail Receipt No:
7008 1140 0002 8456 9625

WDID 9 000001707
CIWQS:
Party No. 398868
Person No. 398870
Place No. 357478
Reg. Mes. No. 332116

Dear Ms. Clark:

SUBJECT: Action on Request for Clean Water Act Section 401 Water Quality Certification for **Los Peñasquitos Lagoon Mouth Maintenance Project** Water Quality Certification No. **07C-094**

Enclosed is the Clean Water Act Section 401 Water Quality Certification and acknowledgment of enrollment under State Water Resources Control Board General Waste Discharge Requirements Order Number 2003-017 DWQ for discharge to Waters of the U.S. for the Los Peñasquitos Lagoon Mouth Maintenance project. A description of the project and project location can be found in the project information sheet, project location map, and project site maps, by the Regional Board, which are included as Attachments 1 through 4.

Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that you have accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject you to enforcement actions by the California Regional Water Quality Control Board, San Diego Region, including administrative enforcement orders requiring you 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, referral to the District Attorney for criminal prosecution.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

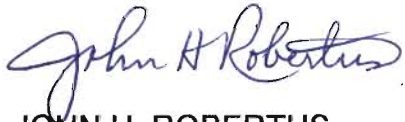
Ronilee Clark
CA Dept. Parks and Recreation
401 Certification No. 07C-094

- 2 -

December 4, 2008

If you have any questions regarding this notification, please contact Mr. Benjamin James directly at (858) 467-2968 or by email via bjames@waterboards.ca.gov.

Respectfully,



JOHN H. ROBERTUS
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. 07C-094 for the Los Peñasquitos Lagoon Mouth Maintenance Project, with 5 attachments

cc: Refer to Attachment 2 of Certification 07C-094 for Distribution List.



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

PROJECT: Los Peñasquitos Lagoon Mouth Maintenance Project
Certification No. 07C-094, WDID Number 9 000001707

APPLICANT: California Department of Parks and Recreation
4477 Pacific Highway
San Diego, CA 92110
Attention: Ronilee Clark

CIWQS
Reg. Mes. ID: 332116
Place ID: 657478
Party ID: 398868
Person ID: 398870

ACTION:

<input type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input checked="" type="checkbox"/> Order for Technically-conditioned Certification	<input type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:

The proposed project involves two maintenance activities to the Los Peñasquitos Lagoon mouth in order to restore the tidal flow of water through the lagoon and the placement of dredged sediment in the surf zone of the nearby beach. The two activities are classified as Emergency Breaches and Emergency Openings.

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).

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper

2. This Certification action is not intended and must 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) must be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

ADDITIONAL CONDITIONS:

In addition to the three standard conditions, the California Department of Parks and Recreation must satisfy the following:

A. GENERAL CONDITIONS:

1. This Certification expires **5 years** from the date of issuance.
2. The California Department of Parks and Recreation must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (Regional Board), to support this 401 Water Quality Certification (Certification) and all subsequent submittals required as part of this Certification and as described in Attachment 1. The conditions within this Certification must supersede conflicting provisions within such plans submitted prior to the Certification action. Any modifications thereto, would require notification to the Regional Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.
3. During construction, the California Department of Parks and Recreation must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.
4. California Department of Parks and Recreation must permit the Regional 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.

- d. Sampling of any discharge or surface water covered by this Order.
5. The California Department of Parks and Recreation must notify the Regional Board within 24 hours of any unauthorized discharge, including hazardous or toxic materials, 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 best management practice (BMPs) or other measures that will be implemented to prevent future discharges.
6. The California Department of Parks and Recreation must, 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 reach 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 Regional Board. The California Department of Parks and Recreation must notify the Regional Board of any change in ownership of the project area. Notification must include, but not be limited to, a statement that the property owner has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands the permit requirements and must implement them. If the property is sold, the seller and purchaser must sign and date the notification. If the Certification is transferred, the Certification holder and the transferee must sign and date the notification. The notification for transfer of mitigation responsibility shall include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of the Certification. Notification must be provided within **10 days** of the sale or transfer of the property.
8. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must 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 Regional 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 Regional Board deems appropriate, provided that the burden, including costs, of the reports must bear 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 Regional Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually thereafter, the California Department of Parks and Recreation must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
2. The California Department of Parks and Recreation must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, Statewide General Waste Discharge Requirements for discharges of dredged or fill material that have received State Water Quality Certification. These General Waste Discharge Requirement are accessible at:
http://www.waterboards.ca.gov/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.
3. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
4. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
5. Biostimulatory Substances, Hazardous Wastes/Materials. The sand dredged from the mouth opening activity that will be placed on Torrey Pines State Reserve and State Beach may not contain biostimulatory substances in concentrations that exceed natural background levels; the sand may not contain hazardous wastes or materials.
6. Grain Size Restrictions. The sand dredged from the inlet opening activity that will be placed on Torrey Pines State Reserve and State Beach must be comprised of at least 80 percent sand and no more than 20 percent fines, in order to be suitable for beach placement.

7. Compliance with Water Quality Control Plan. Discharges shall comply with the California Ocean Plan and the Regional Board's Water Quality Control Plan (Basin Plan).
8. Grunion Protection. If discharges occur between March 1st and August 31st, applicant will comply with the following:
 - a. Determine beach habitat suitability for grunion spawning:
 - i. Applicant shall evaluate the proposed discharge site no more than 30 days before any discharge for suitability to support successful spawning of California grunion (e.g., adequate beach width above average neap high tide line and/or sand depth greater than 5 inches). No additional monitoring for grunion will be required for beaches with unsuitable habitat.
 - b. If beach is potentially suitable for grunion spawning:
 - i. The applicant shall consult with California Department of Fish and Game (CDFG) to identify appropriate measures to avoid significant impacts to grunion spawning (e.g., halting or re-directing work or creating protective berms). The measures shall be documented in the annual and final reports.
 - ii. A qualified monitor will observe the beach for grunion spawning during the dates of predicted runs according to the annual CDFG grunion spawning calendar; observations shall begin two to three weeks prior to discharge and shall continue through the discharge period. Monitoring shall be initiated on the second night after a new or full moon and continue on the next two nights (three nights of monitoring). The monitoring period shall extend from one (1) hour before the peak high tide to two (2) hours after the peak high tide (at least three hour duration monitoring period).
 - iii. If grunion are present, the number of grunion will be estimated within the project area according to the Walker Scale (Attachment 5), and the applicant will consult CDFG to select the appropriate measures identified pursuant to Condition b.i. above to avoid significant impacts to grunion spawning.
 - iv. A grunion survey and mitigation report that includes methods, findings, any consultation required during project

implementation, and the effectiveness of implemented protective measures, shall be submitted as part of the annual and final reports.

9. California least tern, *Sterna antillarum browni*, Breeding Season. No activities authorized under this certification will be conducted within 1,000 yards of a California least tern breeding colony from April 1 through September 30.

10. Transport and Discharge Plan. The applicant shall prepare a Transport and Discharge Plan that shall include the "Hauling Operations" and "Hazardous Materials Management" measures below in order to qualify for this certification:

a. Hauling Operations:

- i. All trucks hauling sand or other loose materials shall be covered or required to maintain at least two feet of freeboard.
- ii. All equipment engines shall be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- iii. All operations shall be conducted in compliance with County Air Quality Management District requirements.

b. Hazardous Materials Management:

- i. The Transport and Discharge Operations Plan shall include a "Spill Prevention, Containment and Countermeasures Plan" that specifies fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.
- ii. All equipment shall be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks shall not enter the beach area.
- iii. Equipment shall be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized facility.

11. Daily Turbidity Monitoring. The placement of the sand dredged from the lagoon mouth and placed on the beach may not cause turbidity plumes in excess of natural turbidity as compared to nearby, near shore areas that did not receive a placement of sand. Turbidity shall be monitored by a qualified observer from a high vantage point (e.g., a lifequard tower) during each day of construction. If visual monitoring indicates turbidity greater than ambient one-half mile from the discharge site (either offshore or downcoast) at any time for two (2) consecutive days, then:

- a. The monitor shall immediately advise the Regional Water Board, Corps, and CDFG.
- b. The discharger shall comply with any measures identified by the Regional Board, in consultation with other responsible agencies as appropriate, to mitigate project-related turbidity, including modifying or halting discharge.
- c. If turbidity persists on the third day, the monitor shall commence daily water clarity testing and reporting to the Regional Water Board, Corps, and CDFG. Testing shall consist of measuring transmission of light through the water using a transmissometer. Daily testing shall continue until no project-related turbidity is detectable (i.e., until offshore and downcoast readings return to ambient). Testing shall be designed to document the areal extent and concentration of the turbidity plume at the time of day it is most developed, and shall include at least: samples taken as close as practicable to the discharge site, one-half mile upcoast of the discharge site, one-half mile offshore from the discharge site, and one-half mile downcoast of the discharge site (minimum four samples). Sampling shall be done at mid-depth in the water column. These sampling protocols may be modified with the Regional Board's written approval. The applicant shall document logistical arrangements for such potential water quality sampling and shall include draft quality assurance/quality control protocols in the project's MMRP or, if this is not required to be submitted, then as part of a "Turbidity Monitoring Plan" in the RGP 67 application.
- d. If turbidity is greater than ambient one-half mile from the discharge site (either offshore or downcoast) for five (5) consecutive days, the discharge shall be halted or modified to reduce turbidity.

C. NOTIFICATION AND REPORTING OF WORK:

1. The California Department of Parks and Recreation must provide the Regional Board notice at least **24 hours** prior to the initiation of any Emergency Breaches.
2. The California Department of Parks and Recreation must notify the Regional Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities associated with Emergency Openings.
3. California Department of Parks and Recreation and successor owners must submit annual progressive reports to the Regional Board prior to **April 1** of each year following the issuance of this Certification. The annual report must provide details of the Emergency Breaches and Emergency Openings of the lagoon mouth that occurred over the previous 12 months. The annual report should include, but is not limited to, the following details:
 - a. The date of the opening(s) which occurred, along with the date of each subsequent closure.
 - b. Any noted adverse impacts on lagoon resources or adjacent public beach or park and recreation areas resulting from each mouth opening, and recommendations to avoid or mitigate these impacts with future openings.
 - c. Project specific details of each inlet opening activity, including but not limited to, the specific biological criteria pursuant to the Coastal Development Permit that authorized each opening along with a site map indicating the location where the determining samples were taken, the duration of time it took to complete the opening activity, the total cubic yards of sediment dredged, the location of the dredged sediment placed on the beach, the duration of turbidity following placement.
 - d. A summary of the impacts of the multiple openings, including the project's impacts on public access and recreation, and the biological productivity of the lagoon, any changes in the tidal prism caused by external factors (such as upstream development impacts, extreme storm conditions, unusual tides, etc.) which may have contributed to the need for the lagoon inlet openings, and shall include recommendations for any necessary changes or modifications to the project.

D. REPORTING REQUIREMENTS:

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.
2. All reports and information submitted to the Regional Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
3. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:
 - a. For a corporation, by a responsible corporate officer of at least the level of vice president.
 - b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
4. A duly authorized representative of a person designated in Items 3.a. through 3.c. above may sign documents if:
 - a. The authorization is made in writing by a person described in Items 3.a. through 3.c. above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the Regional Board Executive Officer.
5. All applications, reports, or information submitted to the Regional Board must 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."

6. The California Department of Parks and Recreation must submit reports required under this Certification, or other information required by the Regional Board, to:

Executive Officer
 California Regional Water Quality Control Board
 San Diego Region
 Attn: 401 Certification No. 07C-094
 9174 Sky Park Court, Suite 100
 San Diego, California 92123

6. Required Reports: The following list summarizes the reports, excluding spill notifications and emergency situations, required per the conditions of this Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Transfer of Responsibility	A.1	Within 10 days of the transfer
Emergency Breaches	C.1	At least 24 hours prior to activity
Emergency Openings	C.1	At least 5 days prior to activity
Maintenance Openings	C.1	At least 5 days prior to activity
Annual Report	C.3	April 1

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On October 1, 2007 receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.


REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Benjamin James
 California Regional Water Quality Control Board, San Diego Region
 9174 Sky Park Court, Suite 100
 San Diego, CA 92123
 858-467-2968
 bjames@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the Los Peñasquitos Lagoon Mouth Maintenance Project (Project No. 07C-094) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017 DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the 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 Board's Water Quality Control Plan (Basin Plan).



JOHN H. ROBERTUS
Executive Officer
Regional Water Quality Control Board

4 December 2008
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map
 4. Site Map
 5. Walker Scale

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: ✓ California Department of Parks and Recreation
4477 Pacific Highway
San Diego, CA 92110
Attention: Ronilee Clark
Telephone: 619-688-3260
Facsimile: 619-688-3229
Email: Ronilee@parks.ca.gov

Applicant Representatives: ✓ Jones & Stokes
17310 Red Hill Avenue, Suite 320
Irvine, CA 92614
Attention: Shelah Riggs
Telephone: 949-260-1080
Facsimile: 949-260-1081
Email: sriggs@jsanet.com

Project Name: ✓ Los Peñasquitos Lagoon Mouth Maintenance Project.

Project Location: The project is located at the inlet of the Los Peñasquitos Lagoon in the City of San Diego, adjacent to the Torrey Pine State Reserve and State Beach, is bisected by Highway 101, at approximately 32.929 North, 117.252 West.
Assessor's Parcel Number: 301-130-100.

Type of Project: ✓ Lagoon mouth maintenance.

Project Description: The project involves maintenance activities to restore tidal flow to the lagoon and the placement of dredged material (sand) in the surf zone of the nearby beach. These activities have occurred over the past approximately 22 years under emergency permits. The project boundaries of work to be performed under this certification is limited to the areas that have been work has previously been conducted as conditioned in the CEQA Notice of Exemption.

Emergency Breaches involve breaching a sand berm (barrier bar) which forms at the mouth blocking the tidal flow of water under and west of the Highway 101 bridge and when water quality levels decline below the limit established in the Coastal Development Permit. Emergency Breaches will be performed when ocean conditions are not favorable for a larger opening. Emergency Breaches will take place primarily between November and February, involve 1 to 2 days of working activity, have a project footprint of approximately 250 feet long by 20 feet wide by 6 feet deep (-2 to -2.5 NGVD) between Transect A1 to A2 or Transect A1 to A3 when lagoon water levels are low, and dredge approximately 2,000 – 5,000 cubic yards of sand.

Emergency Openings expand the emergency breach by excavating a channel to the deepwater point located between Transects D and E2. Emergency Openings will take place primarily between February and May, involve 4 to 5 days of working activity, have a project footprint of approximately 1,000 feet long by 20 feet wide by 6 feet deep (-2.5 NGVD), and dredge approximately 10,000 – 15,000 cubic yards of sand.

- Federal Agency/Permit: ✓ U.S. Army Corps of Engineers §404, Individual Permit, Robert Smith.
- Other Required Regulatory Approvals: California Coastal Commission, Coastal Development Permit 6-07-021 issued on August 21, 2007.
- California Environmental Quality Act (CEQA) Compliance: Notice of Exemption for the Maintenance of Lagoon Mouth Tidal Flows at Los Penasquitos Lagoon. California Department of Parks and Recreation, November 14, 2007.
- Receiving Water: ✓ Los Penasquitos Lagoon and Pacific Ocean, Penasquitos Hydrologic Unit, Miramar Reservoir Hydrologic Area (906.10).
- Impacted Waters of the United States: ✓ Each activity of the project will temporarily impact:
 Emergency Breaches: ~ 3.59 acre of unvegetated waters of the U.S.
 Emergency Openings: ~ 5.27 acres of unvegetated waters of the U.S.
- Dredge Volume: Each activity for this project will dredge the following approximate volumes:
 ✓ Emergency Breaches:
 ~ 2,000 – 3,000 cubic yards between Transect A1 to A2.
 ~ 3,000 – 5,000 cubic yards between Transect A1 to A3, when water levels in the lagoon are low.
 - Emergency Openings: ~ 10,000 – 15,000 cubic yards between Transect A1 to the deepwater point between Transects D and E2.
- Related Projects Implemented/to be Implemented by the Applicant(s): Similar activities have taken place over the past 20 years.
- Compensatory Mitigation: ✓ No compensatory mitigation is required as this project is considered self-mitigating.

Best Management
Practices (BMPs):

No heavy equipment storage, maintenance or fueling will occur in the lagoon or on the beach.

Turbidity resulting from the placement of dredge spoils will be monitored. If excessive turbidity plumes are observed for an extended duration, sand placement will be modified or halted.

Public Notice:

October 1, 2007

Fees:

Total Due: \$500.00

Total Paid: \$500.00 (check No. 1186)

CIWQS:

Regulatory Measure ID: 332116

Place ID: 657478

Party ID: 398868

Person ID: 398870

WDID No.: 9 000001707

ATTACHMENT 2
DISTRIBUTION LIST (Via Email)

Robert Smith
US Army Corps of Engineers
Regulatory Division
South Coast Branch, San Diego Section
6010 Hidden Valley Road, Suite 105
Carlsbad, California 92011
Robert.R.Smith@spl01.usace.army.mil

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

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

Shelah Riggs
Jones & Stokes
17310 Red Hill Avenue, Suite 320
Irvine, CA 92614
srigss@jsanet.com

Mike Hastings
Los Peñasquitos Lagoon Foundation
P.O. Box 940
Cardiff by the Sea, CA 92007
Mikehastings1066@gmail.com

**ATTACHMENT 3
PROJECT LOCATION**

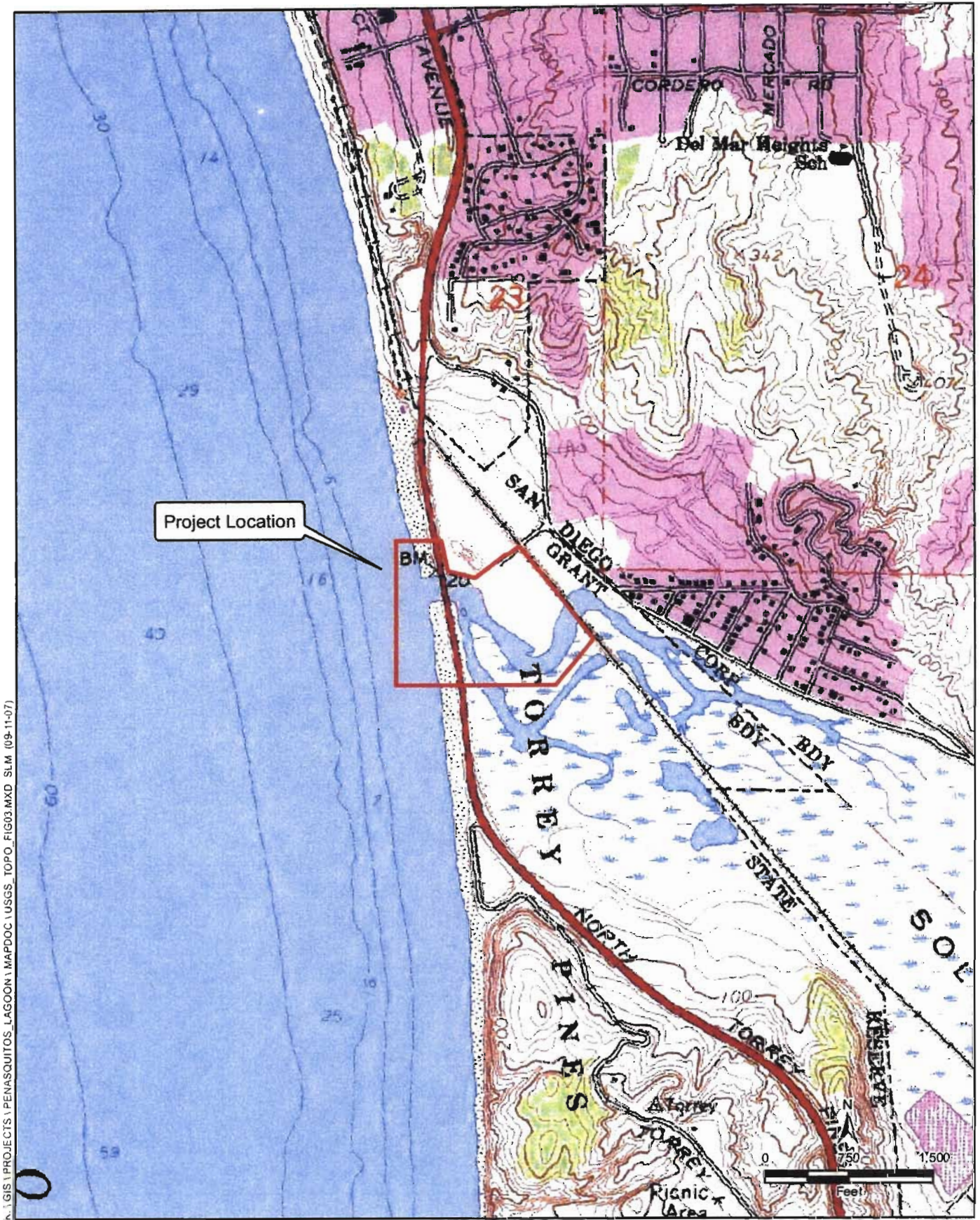


N:\GIS\PROJECTS\PENASQUITOS_LAGOON\MAPDOC\REGIONAL_LOCATION_FIG01.MXD SLM (09-10-07)

SOURCE: ESRI, AND, TANA (2007)



Figure 1
Regional Location
Master Work Program:
Los Penasquitos Lagoon Mouth Maintenance



N:\GIS\PROJECTS\PENASQUITOS_LAGOON\MAPDOC\USGS_TOPO_FIG03.MXD_SLM (09-11-07)

SOURCE: USGS 7.5' Quad., California: Del Mar



Figure 3
USGS Topographic Map
Master Work Program:
Los Penasquitos Lagoon Mouth Maintenance



Aerials Express (2006)



Figure 2
Project Vicinity
Master Work Program:
Los Penasquitos Lagoon Mouth Maintenance

**ATTACHMENT 4
SITE MAP**



SOURCE: ESRI USA Imagery (1m, 2007)

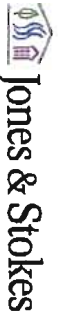


Figure 2
Penasquitos Lagoon
Emergency Breach-Jurisdictional Impacts
Master Work Program:
Los Penasquitos Lagoon Mouth Maintenance



SOURCE: ESRI USA Imagery (1m, 2007)

Jones & Stokes

Figure 3
 Penasquitos Lagoon
 Emergency Openings - Jurisdictional Impacts
 Master Work Program:
 Los Penasquitos Lagoon Mouth Maintenance

NOON 11 6

**ATTACHMENT 5
WALKER SCALE**

The Walker Scale for Assessment of Grunion Runs
Developed by K. Martin, M. Schaadt, and S. Laurenz-Miller, 2001

<u>Scale</u>	<u>Numbers of grunion</u>	<u>Duration</u>	<u>Descriptor</u>
W-0	no fish or only a few individuals, no spawning	under 1 hr	not a run
W-1	10 --100 fish scattered on beach at a time, some spawning	under 1 hr	light run
W-2	100 – 500 fish spawning at different times, fish ashore with many of the large waves	under 1 hr	good run
W-3	Hundreds of fish spawning at once in several areas of beach	to 1 hr	strong run
W-4	Thousands of fish together, little sand visible between fish	to 1 hr	excellent run
W-5	Fish covering the beach several individuals deep, a silver lining along the surf	more than 1 hr	incredible run