



California Regional Water Quality Control Board San Diego Region



Over 50 Years Serving San Diego, Orange, and Riverside Counties

Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

Linda S. Adams
Acting Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

March 3, 2011

In reply refer to:
749089: amonji

Hasan Daabas
Caltrans, District 11
4050 Taylor Street
San Diego, CA 92110

Dear Mr. Daabas:

Subject: **Amendment to Clean Water Act Section 401 Water Quality Certification No. 10C-010 for the San Onofre Culvert and Slope Repair Project**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the San Onofre Culvert and Slope Repair Project, Certification number 10C-010. This amendment to the Water Quality Certification has been requested by the California Department of Transportation (Caltrans), District 11.

Changes/additions/deletions to section B (Project Conditions) of 401 Water Quality Certification 10C-010 are shown in bold strikeout/underline below:

- ~~10. All~~ **No** construction activity within waters of the U.S. and/ or State ~~shall~~ **must** occur **while water is flowing through the work area** ~~during the dry season (May 1—September 30).~~

Any petition for reconsideration of this Certification amendment 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 Caltrans District 11 has accepted and will comply with all conditions of the Certification. Failure to comply with all conditions of this Certification may result in enforcement actions against Caltrans District 11.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Alan Monji at (858) 637-7140 or AMonji@waterboards.ca.gov.

Respectfully,

David W. Gibson
Executive Officer
San Diego Regional Water Quality Control Board

WDID	9000002028
Reg. Measure	372934
Place ID	749089
Party ID	7222

March 3, 2011

Cc:

Hasan Daabas, California Department of Transportation
Hasan_Daabas @dot.ca.gov

Bruce April, California Department of Transportation
Bruce_April@dot.ca.gov

Stephanie Hall, US Army Corps of Engineers
stephanie.j.hall@usace.army.mil

Darren Bradford, California Department of Fish and Game
dbradford@dfg.ca.gov

State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

U.S. Department of the Interior
Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

U.S. EPA, OWOW, Region 9
75 Hawthorne St.,
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

Notice of Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: California Regional Water Quality Control Board
San Diego
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Project Title: Line Section 122/126 Washout Repair at Sandy's Ranch

Project Location – Specific: The project is located in Gonzalez Canyon in San Diego County, approximately 1/2 mile east of Old El Camino Real Road and 1/2 mile north of Torrey Pines High School (32.9658, -117.2241).

Project Location – City: City of Del Mar

Project Location – County: San Diego County

Description of Nature, Purpose, and Beneficiaries of Project: The project proposes to protect two petroleum pipelines that are exposed due to erosion in Gonzalez Canyon. Pipe LS 122 will be cut and capped at the banks of the ephemeral wash, and Pipe LS 126 will be covered with a grout filled geotextile mattress, secured to the bed and banks of the channel. An area approximately 35-feet wide by 35-feet long will be disturbed within, and adjacent to the channel (permanent impacts will total 0.009 acre of streambed and temporary impacts will no more than 0.003 acre). Access to the site will come from existing utility access roads. The pipeline right-of-way will be used for temporary stockpile of soil. Work will occur when there is no water flowing in the channel and when no rain is forecasted for 48 hours. Work will avoid the breeding season. All temporary impacts will be restored to pre-project conditions. An additional 0.12 acre of coastal sage scrub mitigation credits will be purchased from an established mitigation bank with an MHPA or through the deposition of money into the City of San Diego Habitat Acquisition Fund.

Name of Public Agency Approving Project: California Regional Water Quality Control Board, San Diego

Name of Person or Agency Carrying Out Project: SFPP, L. P. operating for Kinder Morgan Energy Partners, L.P.

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State Type and Section Number: *Class 1, Section 15301(b)***
- Statutory Exemption. State code number.

Reason why project is exempt: Minor alteration of existing public or private structures, facilities, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. There is no cumulative impact on resources, and no historic resources in the project area

Lead Agency Contact Person: Lucas Salazar or Alan Monji

Telephone: 858-467-3272, 858-637-7140

If filed by applicant:

1. Attach a certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving projects?

Signature: David W. Gibson Date: 3-3-11 Title: Executive Officer
DAVID W. GIBSON

Date received for filing at OPR:

- Signed by Lead Agency
- Signed by Applicant