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

Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

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

August 9, 2010

Certified Mail – Return Receipt Requested
Article Number: 7009-1410-0002-2347-4862

Catherine Presmyk
UCSD Physical Planning Office
9500 Gilman Drive, MC 0074
San Diego, CA 92093

In reply refer to:
749409:mporter

Dear Ms. Presmyk:

Subject: Action on Request for Clean Water Act Section 401 Water Quality Certification for the **UCSD East Campus Parking Structure** Water Quality Certification No. **10C-014**

Enclosed find Clean Water Act Section 401 Water Quality Certification for discharges to Waters of the U.S. and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017 DWQ for the **UCSD East Campus Parking Structure** (project). A description of the project and project location can be found in the project information sheet, location map, and site maps, 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.

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 Mike Porter at (858) 467-4726 or mporter@waterboards.ca.gov.

Respectfully,

DAVID W. GIBSON
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 10C-014 for the UCSD East Campus Parking Structure Project, with 5 attachments.

cc: Refer to Attachment 2 of Certification 10C-014 for Distribution List.

Tech Staff Info & Use	
File No.	10C-014
WDID	9000002033
Reg. Measure ID	373095
Place ID	749409
Party ID	521109
Person ID	521110

Linda S. Adams
Acting Secretary for Environmental Protection

California Regional Water Quality Control Board

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Arnold Schwarzenegger
Governor

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: **UCSD East Campus Parking Structure**
Certification Number: 10C-014
WDID Number: 9 000002033

APPLICANT: Catherine Presmyk
UCSD Physical Planning Office
9500 Gilman Drive, MC 0074
San Diego, CA 92093

CIWQS
Reg. Mes. ID: 373095
Place ID: 749409
Party ID: 521109

ACTION:

☐ Order for Low Impact Certification	☐ Order for Denial of Certification
☑ Order for Technically-conditioned Certification	☐ Waiver of Waste Discharge Requirements
☑ Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	☐ Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:

The project is located in the City of San Diego on the University of California at San Diego (UCSD) campus. The project site is across from Thornton Hospital, north of Medical Center Drive and west of Campus Point Drive. The project will construct two separate adjacent parking structures and an athletic field. The multi-level parking structures will be situated parallel to Medical Center Drive and northeast of the Cardiovascular Center. The project will permanently impact 0.05 acres (287 linear feet) of waters of the United States/State.

STANDARD CONDITIONS:

The following three standard conditions apply to <u>all</u> 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 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, UCSD must satisfy the following:

A. GENERAL CONDITIONS:

1. UCSD 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 (San Diego Water 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 San Diego Water Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.

2. During construction, UCSD must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.

3. UCSD must permit the 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.

d. Sampling of any discharge or surface water covered by this Order.

4. UCSD must notify the San Diego Water 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.

5. UCSD 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.

6. This Certification is not transferable to any person except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.

   a. Transfer of Property Ownership: UCSD must notify the San Diego Water Board of any change in ownership of the project area. Notification of change in ownership must include, but not be limited to, a statement that UCSD has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the Executive officer of the San Diego Water Board within **10 days** of the transfer of ownership.

   b. Transfer of Mitigation Responsibility: Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in Section D shall include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board within **10 days** of the transfer date.

7. 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.

8. 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 must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

9. 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.

10. UCSD and successor owners must submit annual progress reports to the San Diego Water Board prior to **August 1** of each year following the issuance of this Certification until the project has reached completion.

11. UCSD must submit a **Final Project Annual Report** to the San Diego Water Board within 30 days of completion of the project. The report should include as-built drawings no bigger than 11" x 17" and photos of the completed project including post-construction BMPs.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually thereafter, UCSD must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and BMP implementation and maintenance.

2. UCSD 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 has 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. UCSD must notify the San Diego Water Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities.

4. UCSD must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, and any subsequent re-

issuance as applicable, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

5. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to CWC § 13260.

6. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.

7. 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.

8. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.

9. 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.

10. All areas that will be left in a rough graded state must be revegetated with native species no later than one week after completion of grading. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at http://www.cal-ipc.org/ip/inventory/weedlist.php.

C. POST CONSTRUCTION STORM WATER MANAGEMENT:

1. All storm drain inlet structures within the project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.

2. The BMPs proposed for this project include:

a. Structural Control Measures
   i. Permanent Vegetative Controls
   ii. Runoff Minimizing Landscape Design

b. Non-Structural Control Measures
   i. Street Sweeping and Landscape Maintenance
   ii. Catch Basin Stenciling
   iii. Inlet Stenciling
   iv. Efficient Irrigation Practices

c. Structural BMPs – Permanent
   i. Storm Drains
   ii. Asphalt Dikes
   iii. Inlet Structures
   iv. Toe Drain
   v. Brow Ditch
   vi. Retaining Wall
   vii. Curb and Gutter
   viii. Landscaping
   ix. Pavement

d. Structural BMPs-Temporary
   i. Gravel Bags
   ii. Rock Bags
   iii. Silt Fences
   iv. Plastic Mesh Reinforced Straw
   v. Jute Mat
   vi. Soil Sealer
   vii. Binder Materials
   viii. Irrigated and Non-Irrigated Types
   ix. Polymers
   x. Visqueen

e. Sediment ad Erosion Control BMPs
   i. Seeding and Planting
   ii. Mulching
   iii. Employee/Subcontractor Training
   iv. Dust Controls
   v. Stabilizing Construction Entrances
   vi. Temporary Drains and Swales
   vii. Silt Fences
   viii. Sand Bag Barrier
   ix. Storm Drain Inlet Protection

f. Non-Storm Water BMPs
   i. Paving Operations

ii. Structure Construction and Painting
iii. Material Delivery and Storage
iv. Material Use
v. Spill Control
vi. Solid Waste Management
vii. Hazardous Waste Management
viii. Contaminated Soil Management
ix. Concrete Waste Management
x. Sanitary/Septic Management
xi. Vehicle and Equipment Cleaning
xii. Vehicle and Equipment Fueling
xiii. Vehicle and Equipment Maintenance
xiv. Employee/Subcontractor Training

3. All Post Construction BMPs in the Storm Water Pollution Prevention Plan (SWPPP) for UCSD East Campus Parking Structure project dated January 2010, must be sized to comply with the following numeric sizing criteria:

a. Volume
Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

i. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record; or
ii. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
iii. The volume of annual runoff based on unit basin storage volume, to achieve 90% or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (1993); or
iv. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event; or

b. Flow
Flow-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

i. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or

iii. The maximum flow rate of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

4. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.

5. **Prior to project construction**, UCSD must submit to the San Diego Water Board a letter accepting full responsibility for the inspection and maintenance of all post construction BMPs installed on all roads that are required to be improved as part of the project. Alternatively, UCSD may submit a letter documenting that another party accepts full responsibility for the inspection and maintenance of all BMPs installed on all roads that are required to be improved as part of the project, including, but not limited to Medical Center Drive and Campus Point Drive.

6. Records must be kept regarding inspections and maintenance in order to assess the performance of the systems and determine whether adaptations are necessary to protect receiving waters.

7. All post-construction structural BMPs must be regularly inspected and maintained for the life of the project per manufacturers' specifications and the SWPPP prepared for the project by RBF Consulting on January 2010.

8. Preventive and corrective maintenance procedures will be performed as outlined in the SWPPP.

D. COMPENSATORY MITIGATION FOR LOSS OF WATERS OF THE U.S./STATE:

1. Mitigation for permanent discharges to 0.03 acre of southern willow scrub, < 0.01 acre of herbaceous wetland, 0.01 acre of disturbed wetland, and 0.01 acre of ephemeral streambed (0.05 acre total, 257 linear feet) of waters of the United States and/or State associated with UCSD East Campus Parking Structure must be achieved by rehabilitation and enhancement of portions of the riparian corridor occurring in the Central Canyon on UCSD Park lands at a 3:1 ratio. Based on this ratio, 0.15 acres of rehabilitation and enhancement is required to be conducted in accordance with the Wetland Mitigation Plan prepared by Helix Environmental Planning and dated July 26, 2010.

2. UCSD must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States/State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with

native species. The UCSD must implement all necessary BMPs to control erosion and runoff from areas associated with this project.

3. San Diego Water Board acceptance of the final mitigation plan applies only to the site and plan that mitigates for the **UCSD East Campus Parking Structure** and must not be construed as approval of the mitigation site or plan for use by other current or future.

4. UCSD must salvage leaf litter, coarse woody debris, and upper soil horizons from impacted jurisdictional water sites that are relatively free of invasive exotic species for use in on-site mitigation areas.

5. UCSD must also salvage large cuttings from appropriate tree species if they exist at the impact site and use them as pole plantings at the mitigation site.

6. **Prior to the start of construction**, UCSD must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. **Within one year of the issuance of this Certification**, UCSD must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. Construction of the site must not be initiated until a completed preservation mechanism is received. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the U.S. that it supports. The 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 and streambed functions and values of the site. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

7. UCSD must submit a report (including topography maps and planting locations) to the San Diego Water Board within **90 days** of completion of mitigation site preparation and planting, describing as-built status of the mitigation project.

8. The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation

implementation of 10% of the cumulative compensatory mitigation for each month of delay.

9. Prior to initiation of mitigation activities, UCSD must conduct a quantitative function-based assessment using CRAM to evaluate the pre-project condition of the mitigation site. The results of the assessment must be submitted in the San Diego Water Board **first Annual Report (see Condition D.13)**. Followup CRAM assessments will be conducted, at a minimum, in Year 3 and 5 and reported in the respective year annual report.

10. Throughout the mitigation monitoring program mitigation areas must be maintained free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 10 percent of the onsite or offsite mitigation areas.

11. Any maintenance activities that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities are limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species and remedial measures deemed necessary for the success of the restoration program.

12. If at any time during the implementation and establishment of the mitigation area(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation area, UCSD is responsible for repair and replanting of the damaged area(s).

13. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful. Annual monitoring reports must be submitted prior to **December 1** of each year. Monitoring reports must include, but not be limited to, the following:

    a. Names, qualifications, and affiliations of the persons contributing to the report
    b. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data, including at a minimum;
    c. Topographic complexity characteristics at each mitigation site;
    d. Upstream and downstream habitat and hydrologic connectivity;
    e. Source of hydrology;
    f. Width of native vegetation buffer around the entire mitigation site;
    g. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
    h. Photo documentation from established reference points
    i. A Survey report documenting boundaries of mitigation area; and

j. Other items specified in the final Wetland Mitigation Plan, May 17, 2010 by Helix Environmental.

14. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the U.S./State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the U.S./State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the U.S./State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the U.S./State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the U.S./State (e.g., conservation easement).

15. 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 must be quantified to comply with mitigation requirements.

E. PHOTO DOCUMENTATION PROCEDURE:

1. UCSD, and its successors, must conduct photo documentation of the project site, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, including all areas of permanent and temporary impact, prior to and after project construction. Photo documentation must be conducted in accordance with the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as **Attachment (5)**. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. UCSD must submit this information in a photo documentation report to the San Diego Water Board with **Annual Reports (see Condition D.13)**. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

F. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES PHOTO DOCUMENTATION PROCEDURE

1. UCSD must conduct photo documentation of implemented post-construction BMPs. Photo-documentation must be modeled after the State Water

Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 5. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced. UCSD must submit this information in a photo documentation report to the San Diego Water Board with the **Annual Reports (see Condition A.10)**. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

G. Geographic Information System Reporting

1. UCSD must submit Geographic Information System (GIS) shape files of the impact and mitigation areas within **30 days** of mitigation installation. All impact and mitigation areas shapefiles must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.

H. 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 reports and information submitted to the San Diego Water 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 San Diego Water 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 municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
    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 San Diego Water Board Executive Officer.

5. All applications, reports, or information submitted to the San Diego Water 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. UCSD must 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; Project No. 10C-003
   9174 Sky Park Court, Suite 100
   San Diego, California 92123

7. The following list summarizes the required reports, excluding spill notifications and emergency situations, per the conditions of this Certification to be submitted to the San Diego Water Board.

Report Topic	Certification Condition	Due Date(s)
Transfer of Property Ownership	A.6.a	Within 10 Days of Transfer of Ownership
Transfer of Mitigation Responsibility	A.6.b	Within 10 Days of Transfer Date
Project Annual Reports	A.10	August 01, Annually
As-Built Drawings	A.11	With Annual Reports
Notification of dredge/fill	B.3	5 days prior
Inspection and Maintenance Responsibility	C.5	Prior to Construction
Draft Preservation Mechanism	D.6	Prior to Construction
Final Preservation Mechanism	D.6	Within 1 year of Start of Construction
Mitigation As-Built Drawings	D.7	Within 90 Days of Mitigation Site Preparation and Planting
CRAM Assessment	D.9	With Annual Reports
Mitigation Annual Reports	D.13	December 1, Annually
Photo Documentation	E.1	With Mitigation Reports
BMP Photo-Documentation	F.1	With First Annual Report
GIS Reporting	G.1	Within 30 Days of Mitigation Installation

CEQA FINDINGS:

1. UCSD is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and prepared a Final Initial Study/Mitigated Negative Declaration pursuant to CEQA requirements. A Notice of Determination was filed on June 9, 2010 for a Mitigated Negative Declaration (SCH# 2010031044) for the project under CEQA Guidelines Title 14, California Code of Regulations, 15075 (14 CCR § 15075).

2. The San Diego Water Board has reviewed the Initial Study and also finds that the project as proposed will not have a significant effect on the environment with incorporation of mitigation measures. The San Diego Water Board therefore determines that issuance of this Certification is consistent with the Mitigated Negative Declaration.

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On **February 17, 2010** receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No comments were received for this project.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Mike Porter
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
858-467-4726
mporter@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the UCSD East Campus Parking Structure Project (Project No. 10C-014) 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 San Diego Water 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 San Diego Water Board's Water Quality Control Plan (Basin Plan).

David W. Gibson

DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

9 Aug 2010
Date

Attachments:

1. Project Information
2. Distribution List
3. Project and Site Map
4. Post-Construction BMP Map
5. Stream Photodocumentation Procedure

ATTACHMENT 1
PROJECT INFORMATION

Applicant:	UCSD Physical Planning Office Attention: Catherine Presmyk 9500 Gilman Drive, MC 0074, San Diego, CA 92093 Telephone: (858) 534-3860 Facsimile: (858) 822-5990 Email: cpresmyk@cpo.ucsd.edu
Applicant Representative:	Helix Environmental Attention: Greg Mason 7578 El Cajon Blvd, Suite 200 Telephone: (619) 462-1515 Facsimile: (619) 462-0552 Email: gregm@helixepi.com
Project Name:	UCSD East Campus Parking Structure
Project Location:	San Diego, CA Latitude: 32°87'99.28"N, Longitude: 117°22'55.06"W
Type of Project:	Construction of two parking structures and an athletic field.
Need for Project:	To address additional parking needed for UCSD East Campus Medical Center and Thornton Hospital
Project Description:	The project is located in the City of San Diego on the University of California at San Diego (UCSD) campus. The project site is across from Thornton Hospital, north of Medical Center Drive and west of Campus Point Drive. The project will construct two separate adjacent parking structures and an athletic field. The multi-level parking structures will be situated parallel to Medical Center Drive and northeast of the Cardiovascular Center. The project will permanently impact 0.05 acres (287 linear feet) of waters of the United States.
Federal Agency/Permit:	U.S. Army Corps of Engineers §404, Lanika Cervantes
Other Required Regulatory Approvals:	California Department of Fish and Game Streambed Alteration Agreement, Kelly Fisher

California Environmental Quality Act (CEQA) Compliance:	UCSD is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and prepared a Final Initial Study/Mitigated Negative Declaration pursuant to CEQA requirements. A Notice of Determination was filed on June 9, 2010 for a Mitigated Negative Declaration (SCH# 2010031044) for the project under CEQA Guidelines Title 14, California Code of Regulations, 15075 (14 CCR § 15075).
Receiving Water:	Los Penasquitos Hydrologic Unit
Affected Waters of the United States and/or State:	Temporary: Streambed: None Permanent: Streambed: 0.05 acres
Related Projects Implemented/to be Implemented by the Applicant(s):	UCSD East Campus Bed Tower Project
Compensatory Mitigation:	Mitigation for permanent discharges to 0.05 acres (257 linear feet) of un-vegetated waters of the United States and/or State associated with UCSD East Campus Parking Structure must be achieved by rehabilitation and enhancement of 0.15 acres of the riparian corridor occurring in the Central Canyon on UCSD Park lands in accordance with the Wetland Mitigation Plan prepared by Helix Environmental Planning, July 26, 2010, as revised pursuant to Condition D.
Mitigation Location:	Mitigation is proposed to occur on UCSD Park Restoration Lands located in the Central Canyon, south of Medical Center Drive.
Best Management Practices (BMPs):	Construction: In accordance with State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ. Post Construction: In accordance with the Storm Water Pollution Prevention Plan (SWPPP) for UCSD East Campus Parking Structure project dated January 2010.

Public Notice:	On **February 17, 2010** receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No comments were received for this project.
Fees:	Total Due: $1,755.00 Total Paid: $1,755.00 (Check Nos. 27751 and 42129136)
CIWQS:	Regulatory Measure ID: 373095 Place ID: 749409 Party ID: 521109

ATTACHMENT 2
E-MAIL DISTRIBUTION LIST

Catherine Presmyk, UCSD Physical Planning Office
cpresmyk@cpo.ucsd.edu

Lanika Cervantes, US Army Corps of Engineers
Lanika.L.Cervantes@usace.army.mil

Kelly Fisher, California Department of Fish and Game
kfisher@dfg.ca.gov

Greg Mason, Helix Environmental
gregm@helixepi.com

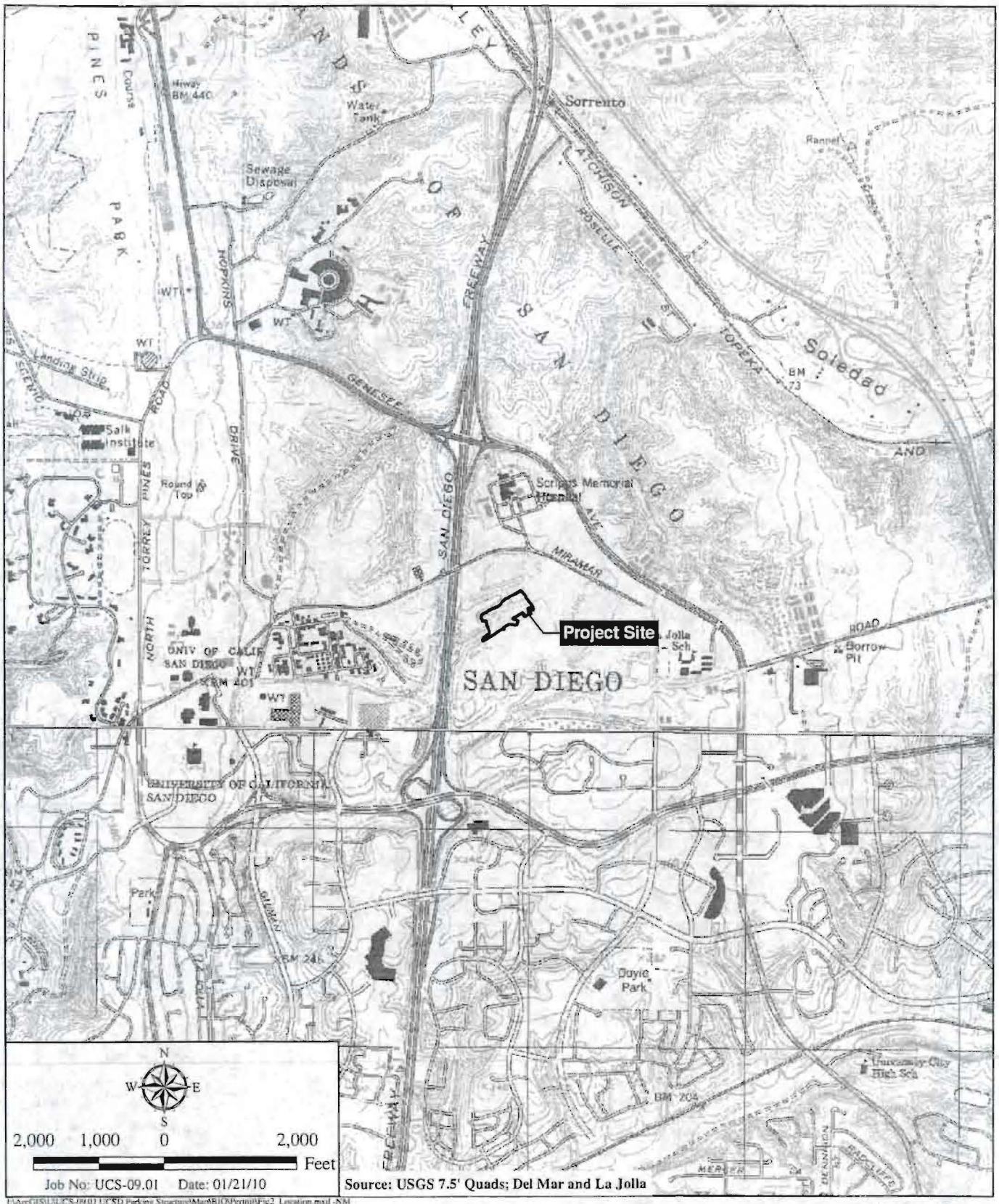
State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

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

ATTACHMENT 3

PROJECT AND SITE MAPS



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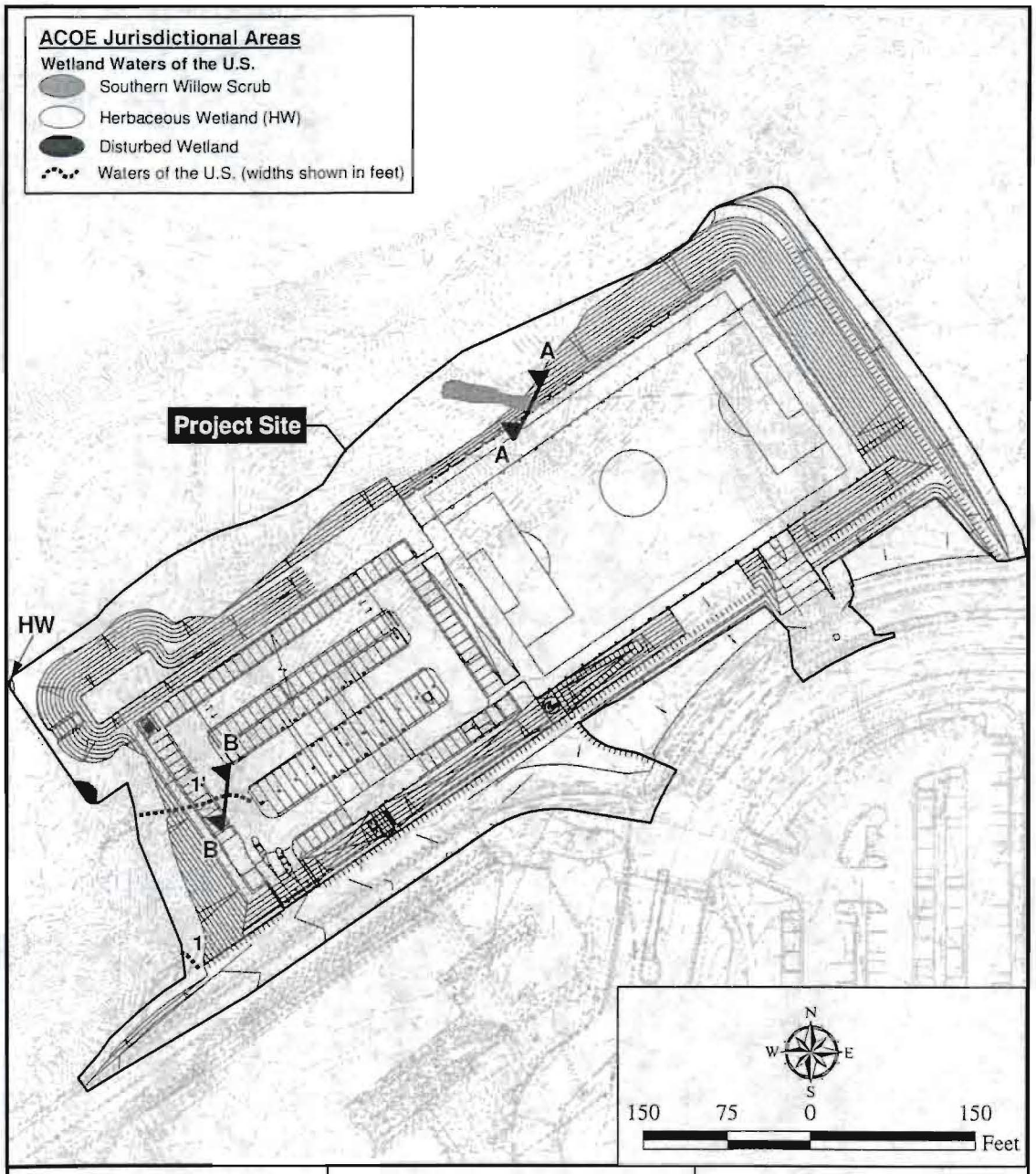
Location Map

UCSD EAST CAMPUS PARKING STRUCTURE PROJECT

Figure 2



PURPOSE: Parking Structure Project (Institutional)

DATUM: MSL

ADJACENT PROPERTY OWNERS: University of California, San Diego and California Department of Transportation

PLAN VIEW

UCSD EAST CAMPUS PARKING STRUCTURE PROJECT

Medical Center Drive North
San Diego, CA 92108

WATERBODY: Unnamed Tributaries

COUNTY: San Diego **STATE:** CA

APPLICANT: University of California, San Diego

AGENT: HELIX Environmental Planning, Inc.
7578 El Cajon Blvd. Suite 200
La Mesa, CA 91942

USGS Quadrangle: Del Mar

LAT: 32°52' 48" N LONG: 117°13' 32" W

T: 15S R: 3W S: Unsectioned

Sheet 2 of 4 **Date: 02/08/10**

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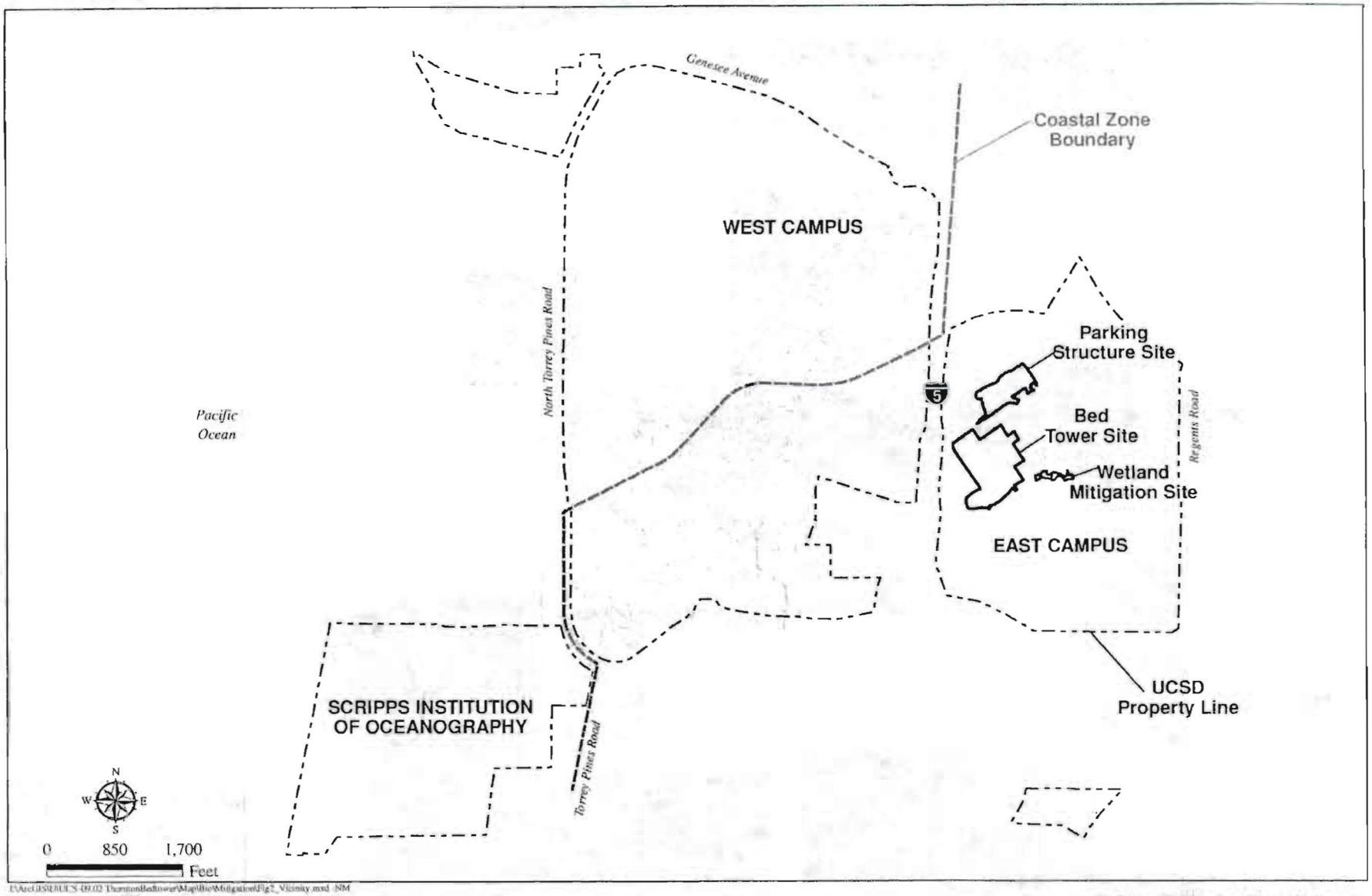

Site Vicinity Map

EAST CAMPUS PARKING STRUCTURE AND OFFICE BUILDING PROJECT

HELIX

Figure 2