



# California Regional Water Quality Control Board San Diego Region



**Linda S. Adams**  
Acting 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

**Edmund G. Brown Jr.**  
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](http://www.waterboards.ca.gov/sandiego)

May 27, 2011

**In reply refer to:**  
751071: cloflen

Will Becerra  
City of Temecula  
41000 Main Street  
Temecula, CA 92590

Dear Mr. Becerra:

**SUBJECT: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION  
NO. 10C-023 FOR THE FRENCH VALLEY PARKWAY INTERCHANGE  
PROJECT.**

Enclosed is the 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 French Valley Parkway Interchange Project (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 6.

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.

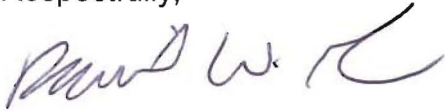
Failure to comply with all conditions of this Certification may subject you to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean 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.

**California Environmental Protection Agency**



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 Chad Loflen at (858) 467-2727 or [cloflen@waterboards.ca.gov](mailto:cloflen@waterboards.ca.gov).

Respectfully,



DAVID W. GIBSON  
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 10C-023 for French Valley Parkway Interchange Project, with seven attachments

E-copies: Refer to Attachment 2 of Certification 10C-023 for the Distribution List.

Tech Staff Info & Use	
File No.	10C-023
WDID	9000002048
Reg. Measure ID	373600
Place ID	751071
Party ID	457672
Person ID	521867



# California Regional Water Quality Control Board San Diego Region



**Linda S. Adams**  
Acting 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

**Edmund G. Brown Jr.**  
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)

## 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:** French Valley Parkway Interchange Project  
Certification Number 10C-023

**APPLICANT:** Mr. Will Becerra  
City of Temecula  
41000 Main Street  
Temecula, CA 92590

CIWQS
Reg. Meas: 373600
Place: 75107
Place: 457672
WDID: 9 000002048

**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

### 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



**PROJECT DESCRIPTION:**

The project includes the widening and improvement of I-15 and approaches from 0.9 km south of SR-79 to 1.5 km north of the I-15/215 junction. The project includes the construction of sound and retaining walls, new bridge features and replacements, the widening of existing ramps, and the construction of new ramps. The project will result in permanent impacts to approximately 0.19 acres (30 linear feet) of non-wetland waters of the U.S. and temporary impacts to 1.97 acres (200 linear feet) of non-wetland waters of the U.S. An additional 1.40 acres of impacts from bridge shading will occur at Warm Springs Creek (0.44 acres, riparian) and Santa Gertrudis Creek (0.96 acres, concrete lined). Permanent impacts are primarily associated with the bridge improvements necessary for ramp construction and widening. The project will occur in two phases. Phase 1 will extend French Valley Parkway west from Jefferson to the I-15, and will install mechanical filtration BMPs to treat 1.6 acres of new impervious surfaces and 13 acres of existing surfaces. Phase 2 of project includes the impacts to waters, and will install biofiltration swales, strips and infiltration basins that will treat all 52 acres of new impervious surfaces associated with Phase 2 and an additional 27 acres of existing impervious surfaces that currently lack treatment.

**TABLE OF CONTENTS:**

**I. STANDARD CONDITIONS: .....3**

**II. ADDITIONAL CONDITIONS: GENERAL.....3**

**III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES .....5**

**IV. ADDITIONAL CONDITIONS: POST CONSTRUCTION BEST MANAGEMENT PRACTICES .....6**

**V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION .....8**

**VI. MONITORING REQUIREMENTS:..... 11**

**VII. NOTIFICATION REQUIREMENTS: ..... 11**

**VIII. REPORTING REQUIREMENTS: ..... 13**

**IX. CEQA FINDINGS: ..... 15**

**X. PUBLIC NOTIFICATION OF PROJECT APPLICATION:..... 16**

**XI. SAN DIEGO WATER BOARD CONTACT PERSON:..... 16**

**XII. WATER QUALITY CERTIFICATION:..... 17**

## I. STANDARD CONDITIONS:

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

- 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 California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
- B. 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.
- C. 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.

## II. ADDITIONAL CONDITIONS: GENERAL

- A. Water Quality Certification No. 10C-023 (Certification) is only valid if the project begins no later than 5 (five) years from the date of issuance. If the project has not begun within 5 years from the date of issuance, then this Certification expires.
- B. The City of Temecula must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2078-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/go\\_wdr401regulated\\_projects.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf).
- C. The City of Temecula 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 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.

- D. During construction, the City of Temecula must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.
- E. The City of Temecula must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
  - 1. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
  - 2. Access to copy any records required to be kept under the terms and conditions of this Certification.
  - 3. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
  - 4. Sampling of any discharge or surface water covered by this Order.
- F. 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.
- G. 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.
- H. 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.

### III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the project, and annually thereafter, the City of Temecula must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices (BMPs) implementation and maintenance.
- B. The City of Temecula must, at all times, maintain appropriate types and sufficient quantities of materials on-site 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 United States and/or State.
- C. The City of Temecula must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *NPDES General Permit for Storm Water Discharges Associated with Construction Activity*.
- D. 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.
- E. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- F. 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.
- G. 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.
- H. All areas that will be left in a rough graded state must be stabilized no later than one week after completion of grading. The City of Temecula and subsequent owners, are responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas to prevent flow from

this area from causing negative impacts to beneficial uses. After completion of grading, all areas must be revegetated with native species appropriate for the area. 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>.

- I. 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.
- J. Removal of vegetation must occur by hand, mechanically, or using EPA approved herbicides deployed using applicable BMPs to prevent impacts to Beneficial Uses of waters of the State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, and any subsequent reissuance as applicable. Removal of vegetation must occur outside of the avian nesting season (March 15 - August 31).

#### **IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES**

- A. The City of Temecula is prohibited from allowing post-construction discharges to cause onsite or offsite erosion, damage to properties, or damage to stream habitats in the area that will receive post-construction discharges from the project site.
- B. 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.
- C. Post-construction low impact development (LID) BMPs must be utilized to treat 100 percent of new impervious surfaces associated with Phase 2 of the project, and in accordance with Attachment 6 for Phase 1. If 100% of new impervious surfaces cannot be treated, existing untreated impervious surfaces nearby may be treated to mitigate for the untreated impervious surfaces.
- D. All post-construction BMPs, including those in Attachment 6 and as proposed in French Valley Parkway Interchange Storm Water Data Report, Caltrans (June 30, 2010), must be sized to comply with the following numeric sizing criteria and:



1. Volume

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

- a. The volume of runoff produced from a 24-hour 85<sup>th</sup> percentile storm event, as determined from the local historical rainfall record (0.6 inch approximate average for the San Diego County area); or
- b. 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 85<sup>th</sup> percentile 24-hour runoff event; or

2. Flow

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

- a. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
- b. The maximum flow rate of runoff produced by the 85<sup>th</sup> percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or
- c. The maximum flow rate of runoff, as determined from the same reduction in pollutant loads and flows as achieved by mitigation of the 85<sup>th</sup> percentile hourly rainfall intensity multiplied by a factor of two.

- E. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of project areas.
- F. For all post-construction BMPs, including but not limited to, biofiltration swales and biofiltration strips, as described in French Valley Parkway Interchange Storm Water Data Report, Caltrans (June 30, 2010), the City of Temecula must:
  1. Regularly inspect and maintain the BMP for the life of the project per manufactures' specifications and industry standards.
  2. No less than one time per year, assess the performance of the systems on protection of the receiving waters and identify any necessary corrective measures.
  3. Have all preventive and corrective maintenance performed.

4. Be inspected no less than one time per year, immediately prior to the commencement of the rainy season (October 1) and after every storm event exceeding 0.5 inches of precipitation.
  5. Have a log documenting all BMP inspections and maintenance activities.
- G. The City of Temecula must maintain biofiltration swales and strips, infiltration basins, and retention basins in perpetuity according to the most recent California Stormwater Quality Association guidance for extended detention basins. Typical activities include, but are not limited to:
1. Semiannual inspection for the beginning and end of the wet season for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows.
  2. Removal of accumulated trash and debris in the swales and strips as needed to ensure proper functioning of the swales and strips.
  3. Yearly inspection and removal of accumulated sediment.
  4. Maintenance mowing and reseeding (if necessary).

## **V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION**

- A. Mitigation for permanent discharges to 0.19 acre (30 linear feet), temporary discharges to 1.97 acres (200-linear feet), and for 1.40 acres of shading, of non-wetland waters of the United States and State, must be achieved as described in the Habitat Mitigation and Monitoring Program French Valley Parkway Interchange Project, prepared by Bonterra Consulting (May 5, 2011). Mitigation must include:
1. Offsite establishment of 2.73 acres (300 linear feet) of riparian mixed willow scrub.
  2. Onsite enhancement of 0.22 acres of the temporarily impacted area within Warm Springs Creek.
- B. The construction of proposed off-site 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 percent of the cumulative compensatory mitigation for each month of delay.

- C. New rip-rap void space must be backfilled with native soil and planted with native species.
- D. The City of Temecula 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 City of Temecula must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
- E. The City of Temecula 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.
- F. The City of Temecula 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.
- G. The mitigation site must be designed and constructed to meet the following conditions:
  - 1. Most of the channel through the mitigation site is characterized by equilibrium conditions, with no evidence of severe aggradation or degradation.
  - 2. As viewed along cross-sections, the channel and buffer have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope contains physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall.
  - 3. The mitigation site has a well-developed plant community characterized by a high degree of horizontal and vertical interspersion among plant zones and layers.
- H. 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 5 percent of the on-site or off-site mitigation areas.
- I. San Diego Water Board acceptance of the final mitigation plan applies only to the site and plan that mitigates for the French Valley Parkway project and must not be construed as approval of the mitigation site or

- plan for use by other current or future projects that are planning to use additional acreage at the site for mitigation.
- J. 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.
  - K. 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, the City of Temecula is responsible for repair and replanting of the damaged area(s).
  - L. 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.
  - M. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States/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 United States/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 United States/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 United States/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 United States/State (e.g., conservation easement).
  - N. Mitigation maintenance and monitoring at the establishment site shall continue until success criteria, including CRAM scores as described in the Habitat Mitigation and Monitoring Program French Valley Parkway Interchange Project, prepared by Bonterra Consulting (May 5, 2011), is achieved.

## VI. MONITORING REQUIREMENTS:

- A. Monitoring of the mitigation site must utilize CRAM as proposed in the Habitat Mitigation and Monitoring Program French Valley Parkway Interchange Project, prepared by Bonterra Consulting (May 5, 2011) to establish baseline conditions, set success criteria, and to assess mitigation site progress annually.

## VII. NOTIFICATION REQUIREMENTS:

- A. The City of Temecula must notify the San Diego Water Board within **24 hours** of any unauthorized discharge, including hazardous or toxic materials, to waters of the United States 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 practices (BMPs) or other measures that will be implemented to prevent future discharges.
- B. This Certification is not transferable in its entirety or in part to any person except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.
  1. Transfer of Property Ownership: the City of Temecula 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 the City of Temecula 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**.
  2. Transfer of Mitigation Responsibility: Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in Section V of this Certification must 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.**

3. Transfer of Post-Construction BMP Maintenance Responsibility: the City of Temecula assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the City of Temecula must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. 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.**

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the City of Temecula will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve The City of Temecula of this Certification in the event that a transferee fails to comply.

- C. **Prior to project construction**, the City of Temecula must submit, for San Diego Water Board review, a final Storm Water Data Report for Phase 2 of the project.
- D. **Within one year of the start of construction**, the City of Temecula must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. 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 United States 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.

## VIII. REPORTING REQUIREMENTS:

- A. The City of Temecula must submit annual progress reports describing status of compliance with all requirements of this Certification 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. The City of Temecula must submit a Final Project Annual Report to the San Diego Water Board **prior to August 1 following completion of the project**. The reports must include the following:
1. Date of construction initiation.
  2. Projected date of construction completion.
  3. Status of BMPs for the project.
  4. Final Project Report: As-built drawings no larger than 11"X17" and GIS coordinates of all post-construction treatment BMPs.
- B. 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:
1. Names, qualifications, and affiliations of the persons contributing to the report;
  2. Date of initiation of mitigation installation and date mitigation installation was completed.
  3. Mitigation as-builts, including topography maps and planting locations.
  4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
  5. Topographic complexity characteristics at each mitigation site;
  6. Upstream and downstream habitat and hydrologic connectivity;
  7. Source of hydrology;
  8. Width of native vegetation buffer around the entire mitigation site;
  9. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results, including CRAM results.

10. Stream Photodocumentation, 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 guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/StreamPhotoDocSOP.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf). In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced.
  11. A Survey report documenting boundaries of mitigation area, including Geographic Information System (GIS) shape files (polygons) of the impact and mitigation areas (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.
- C. 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.
- D. 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.
- E. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
1. For a corporation, by a responsible corporate officer of at least the level of vice president.
  2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
  3. 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 may sign applications, reports, or information if:
    - a. The authorization is made in writing by a person described 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.
- F. 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."

- G. The City of Temecula 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 No. 10C-023  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

## **IX. CEQA FINDINGS:**

- A. The City of Temecula is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA), and filed a Notice of Determination on February 25, 2010, for a Mitigated Negative Declaration under CEQA Guidelines Title 14, California Code of Regulations. The City of Temecula has determined the project will not have a significant effect on the environment and mitigation measures were made a condition of the project.
- B. The San Diego Water Board has reviewed the lead agency's Mitigated Negative Declaration and also finds that the project as proposed will not have a significant effect on the environment with conditioned mitigation measures and therefore determines that issuance of this Certification is consistent with the Mitigated Negative Declaration.

**X. PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

- A. On March 29, 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 public comments were received.

**XI. SAN DIEGO WATER BOARD CONTACT PERSON:**

Chad Loflen  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
858-467-2727 and [cloflen@waterboards.ca.gov](mailto:cloflen@waterboards.ca.gov)

**XII. WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from the **French Valley Parkway Interchange Project** (Certification No. 10C-023) 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 Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).



\_\_\_\_\_  
 DAVID W. GIBSON  
 Executive Officer  
 Regional Water Quality Control Board

5/27/11

\_\_\_\_\_  
 Date

- Attachments:
1. Project Information
  2. Distribution List
  3. Location Map(s)
  4. Site Map(s)
  5. Mitigation Map(s)
  6. Phase 1 Post-construction BMP Map
  7. Checklist of Required Reports and Notifications

**ATTACHMENT 1  
PROJECT INFORMATION**

Applicant: City of Temecula  
Attention: Will Becerra  
City of Temecula  
41000 Main Street  
Temecula, CA 92590  
Telephone: 951-693-3963  
Facsimile: 951-693-3929  
Email: [will.becerra@cityoftemecula.org](mailto:will.becerra@cityoftemecula.org)

Applicant  
Representatives: Bonterra Consulting  
Attention: Gary Medeiros  
151 Kalmus Drive, Suite E-200  
Costa Mesa, CA 92626  
Telephone: 714-444-9199  
Facsimile: 714-444-9599  
Email: [gmedeiros@bonterraconsulting.com](mailto:gmedeiros@bonterraconsulting.com)

Project Name: French Valley Parkway Interchange Project

Project Location: I-15 from 0.9 km south of SR-79 to 1.5 km north of the I-15/215 junction.  
  
Center Reading:  
Latitude: 33 32'20"N      Longitude: 117 10'25"W

Type of Project: Transportation Improvement

Need for Project: Improve traffic capacity and safety.

Project Description: The project includes the widening and improvement of I-15 and approaches from 0.9 km south of SR-79 to 1.5 km north of the I-15/215 junction. The project includes the construction of sound and retaining walls, new bridge features and replacements, the widening of existing ramps, and the construction of new ramps. The project will result in permanent impacts to approximately 0.19 acres (30 linear feet) of non-wetland waters of the U.S. and temporary impacts

to 1.97 acres (200 linear feet) of non-wetland waters of the U.S. An additional 1.40 acres of impacts from bridge shading will occur at Warm Springs Creek (0.44 acres, riparian) and Santa Gertrudis Creek (0.96 acres, concrete lined). Permanent impacts are primarily associated with the bridge improvements necessary for ramp construction and widening. The project will occur in two phases. Phase 1 will extend French Valley Parkway west from Jefferson to the I-15, and will install mechanical filtration BMPs to treat 1.6 acres of new impervious surfaces and 13 acres of existing surfaces. Phase 2 of project includes the impacts to waters, and will install biofiltration swales, strips and infiltration basins that will treat all 52 acres of new impervious surfaces associated with Phase 2 and an additional 27 acres of existing impervious surfaces that currently lack treatment.

Federal Agency/Permit: U.S. Army Corps of Engineers §404, NWP 14, Stephanie Hall

Other Required Regulatory Approvals: California Department of Fish and Game Streambed Alteration Agreement, Anna Milloy.

California Environmental Quality Act (CEQA) Compliance: Mitigated Negative Declaration, NOD: February 25,2010, SCH#2009041108, Lead Agency: City of Temecula

Receiving Water: Warm Springs Creek, Santa Maragrita HU, Murrieta HA, French HSA

Santa Gertrudis Creek, Santa Margarita HU, Auld HA, Gertrudis HSA

Affected Waters of the United States: Temporary:  
Streambed: 1.97 acres (200 linear feet)  
Permanent:  
Streambed: 0.19 (30 linear fee)  
Shading:  
Riparian: 0.44 acres  
Concrete streambed: 0.96 acres

Dredge Volume: None

Related Projects Implemented/to be Implemented by the Applicant(s):

none

Compensatory Mitigation:

Off-site:  
Riparian: Establishment of 2.73 acres in Temecula Creek

On-site:  
Riparian: Enhancement of 0.22 acres in Warm Springs Creek

Habitat Mitigation and Monitoring Program French Valley Parkway Interchange Project, prepared by Bonterra Consulting (May 5, 2011)

On-site compensatory mitigation includes the recountouring of temporarily impacted areas within Warm Springs and Santa Gertrudis Creek, as well as 0.22 acres of enhancement willow plantings at Warm Springs Creek.

Off-site compensatory mitigation includes the establishment of 2.73 acres of riparian habitat within a floodplain of Temecula Creek.

Mitigation Location:

The proposed off-site mitigation is located at Temecula Creek, south of highway 79 and east of Pechanga Parkway.

Latitude: 33.474767 Longitude: -117.124158

Best Management Practices (BMPs):

Construction:

In accordance with State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *NPDES General Permit for Storm Water Discharges Associated with Construction Activity*

Post-Construction:

Phase 1: See attachment 6.

Phase 2: In accordance with the French Valley Parkway Interchange Storm Water Data Report, Caltrans (June 30, 2010). Phase 2 will utilize biofiltration swales and infiltration basins to treat 79 acres of impervious surfaces associated with the project (52 new, 27 existing). A final storm water data report must be submitted prior to construction.

Public Notice: March 29, 2010.

Fees: Total Due: \$6584.00  
Total Paid: (check No. 137130 and 138385)

CIWQS: Regulatory Measure ID: 373600  
Place ID: 751071  
Party ID: 457672

**ATTACHMENT 2**  
**ELECTRONIC DISTRIBUTION LIST**

Stephanie Hall  
U.S. Army Corps of Engineers, Regulatory Branch  
Stephanie.J.Hall@usace.army.mil

Anna Milloy  
California Department of Fish and Game  
Inland Deserts Region  
amilloy@dfg.ca.gov

U.S. EPA, OWOW, Region 9  
[R9-WTR8-Mailbox@epa.gov](mailto:R9-WTR8-Mailbox@epa.gov)

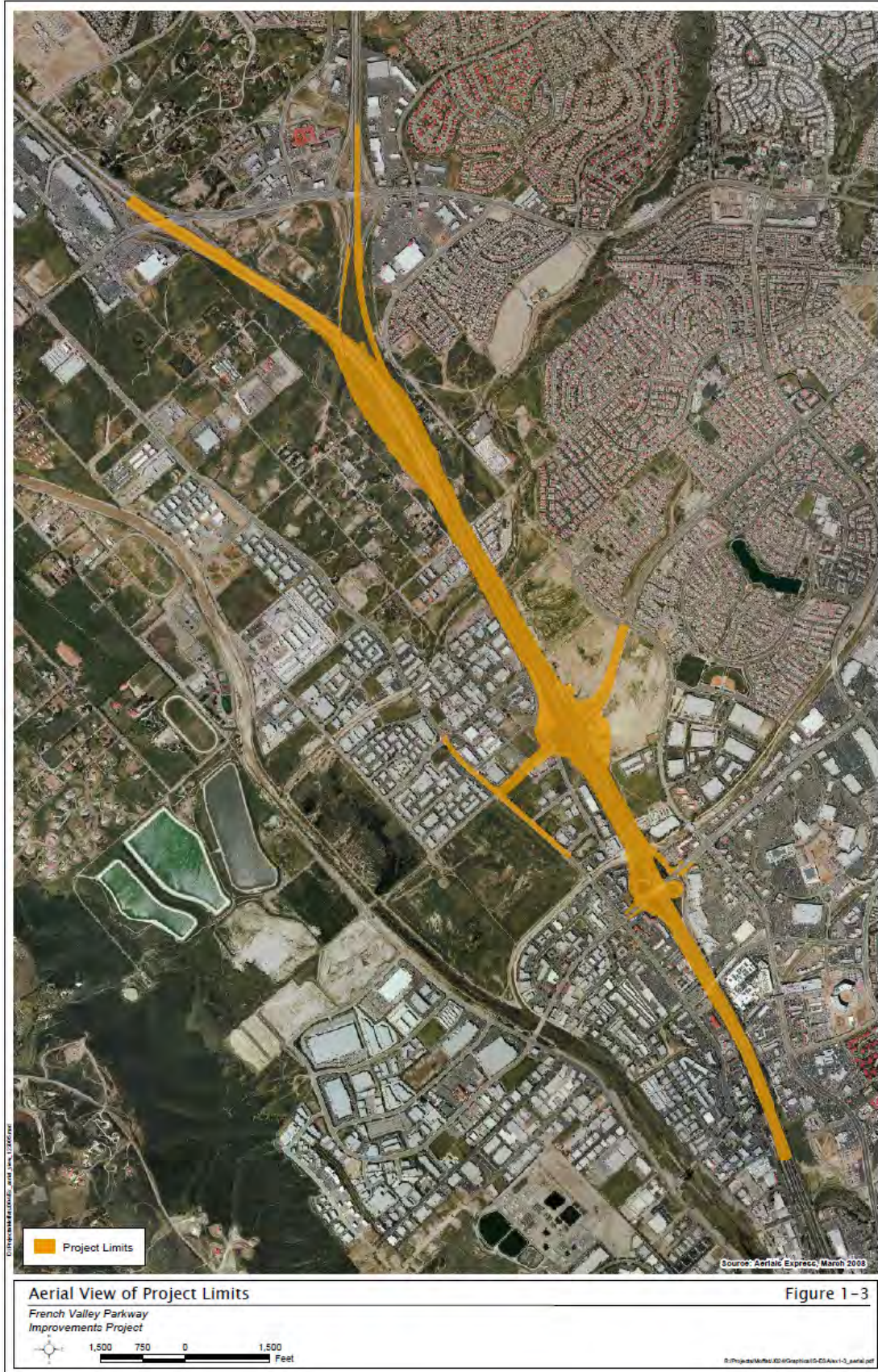
State Water Resources Control Board, Division of Water Quality  
401 Water Quality Certification and Wetlands Unit  
[Stateboard401@waterboards.ca.gov](mailto:Stateboard401@waterboards.ca.gov)

Gary Medeiros  
Bonterra Consulting  
gmediros@bonterraconsulting.com



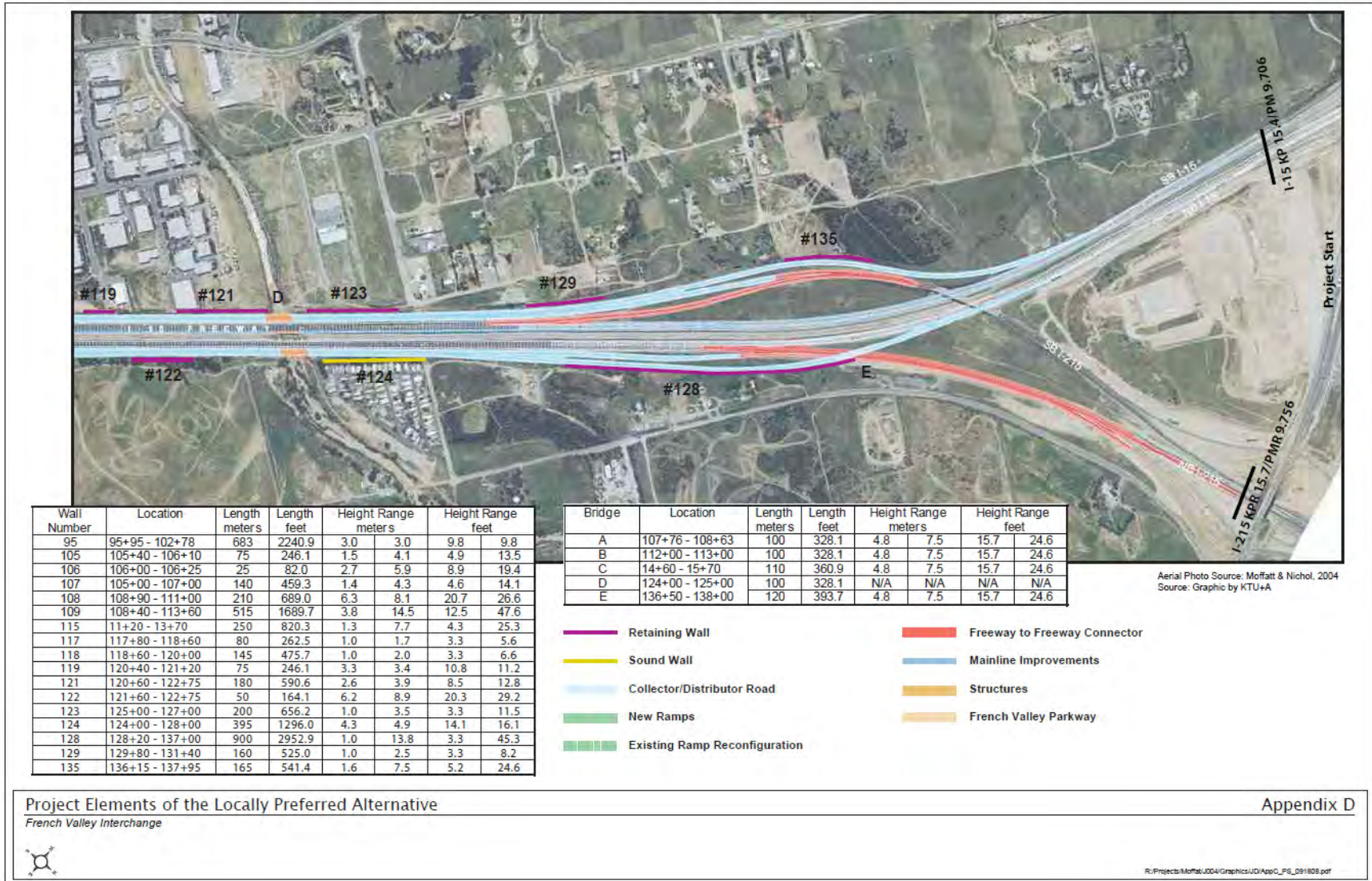








### ATTACHMENT 4 SITE MAP(S)

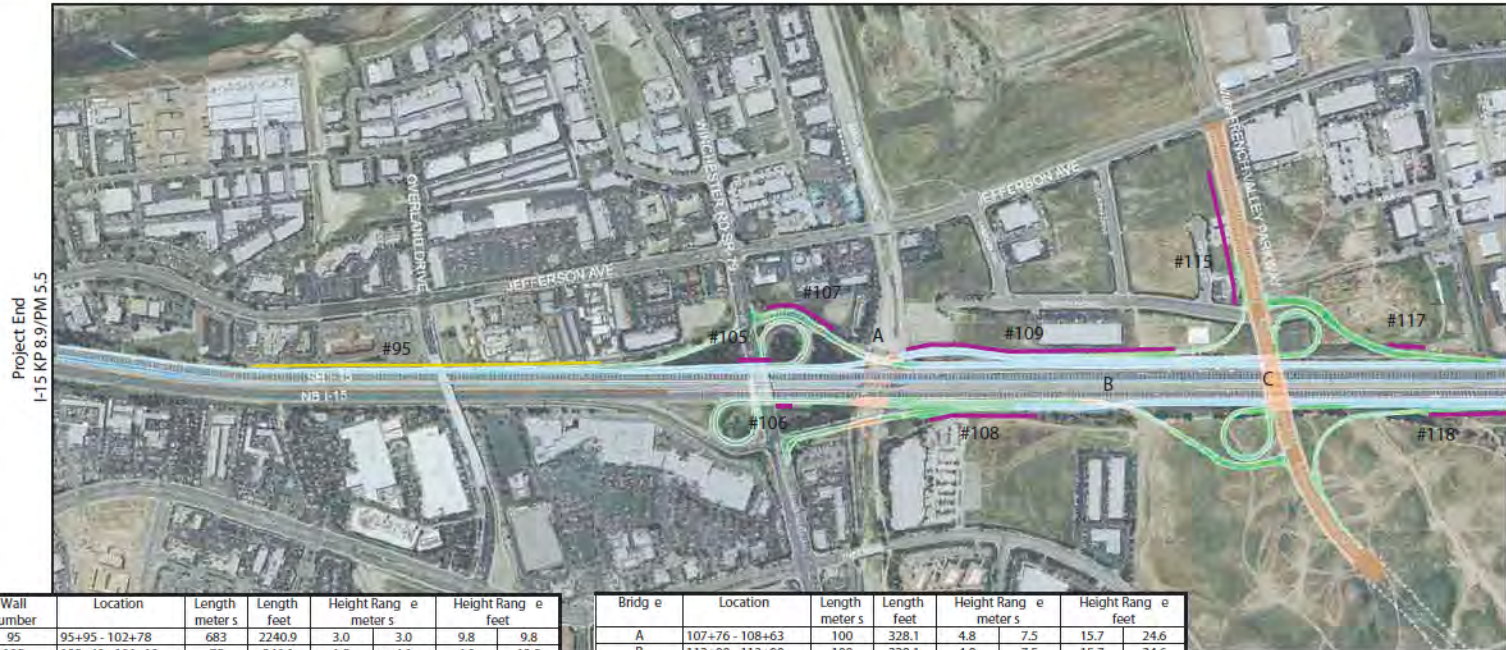


Wall Number	Location	Length meters	Length feet	Height Range meters		Height Range feet	
95	95+95 - 102+78	683	2240.9	3.0	3.0	9.8	9.8
105	105+40 - 106+10	75	246.1	1.5	4.1	4.9	13.5
106	106+00 - 106+25	25	82.0	2.7	5.9	8.9	19.4
107	105+00 - 107+00	140	459.3	1.4	4.3	4.6	14.1
108	108+90 - 111+00	210	689.0	6.3	8.1	20.7	26.6
109	108+40 - 113+60	515	1689.7	3.8	14.5	12.5	47.6
115	11+20 - 13+70	250	820.3	1.3	7.7	4.3	25.3
117	117+80 - 118+60	80	262.5	1.0	1.7	3.3	5.6
118	118+60 - 120+00	145	475.7	1.0	2.0	3.3	6.6
119	120+40 - 121+20	75	246.1	3.3	3.4	10.8	11.2
121	120+60 - 122+75	180	590.6	2.6	3.9	8.5	12.8
122	121+60 - 122+75	50	164.1	6.2	8.9	20.3	29.2
123	125+00 - 127+00	200	656.2	1.0	3.5	3.3	11.5
124	124+00 - 128+00	395	1296.0	4.3	4.9	14.1	16.1
128	128+20 - 137+00	900	2952.9	1.0	13.8	3.3	45.3
129	129+80 - 131+40	160	525.0	1.0	2.5	3.3	8.2
135	136+15 - 137+95	165	541.4	1.6	7.5	5.2	24.6

Bridge	Location	Length meters	Length feet	Height Range meters		Height Range feet	
A	107+76 - 108+63	100	328.1	4.8	7.5	15.7	24.6
B	112+00 - 113+00	100	328.1	4.8	7.5	15.7	24.6
C	14+60 - 15+70	110	360.9	4.8	7.5	15.7	24.6
D	124+00 - 125+00	100	328.1	N/A	N/A	N/A	N/A
E	136+50 - 138+00	120	393.7	4.8	7.5	15.7	24.6

- Retaining Wall
- Sound Wall
- Collector/Distributor Road
- New Ramps
- Existing Ramp Reconfiguration
- Freeway to Freeway Connector
- Mainline Improvements
- Structures
- French Valley Parkway

Aerial Photo Source: Moffatt & Nichol, 2004  
Source: Graphic by KTU+A



Wall Number	Location	Length meters	Length feet	Height Range meters	Height Range feet
95	95+95 - 102+78	683	2240.9	3.0 - 3.0	9.8 - 9.8
105	105+40 - 106+10	75	246.1	1.5 - 4.1	4.9 - 13.5
106	106+00 - 106+25	25	82.0	2.7 - 5.9	8.9 - 19.4
107	105+00 - 107+00	140	459.3	1.4 - 4.3	4.6 - 14.1
108	108+90 - 111+00	210	689.0	6.3 - 8.1	20.7 - 26.6
109	108+40 - 113+60	515	1689.7	3.8 - 14.5	12.5 - 47.6
115	11+20 - 13+70	250	820.3	1.3 - 7.7	4.3 - 25.3
117	117+80 - 118+60	80	262.5	1.0 - 1.7	3.3 - 5.6
118	118+60 - 120+00	145	475.7	1.0 - 2.0	3.3 - 6.6
119	120+40 - 121+20	75	246.1	3.3 - 3.4	10.8 - 11.2
121	120+60 - 122+75	180	590.6	2.6 - 3.9	8.5 - 12.8
122	121+60 - 122+75	50	164.1	6.2 - 8.9	20.3 - 29.2
123	125+00 - 127+00	200	656.2	1.0 - 3.5	3.3 - 11.5
124	124+00 - 128+00	395	1296.0	4.3 - 4.9	14.1 - 16.1
128	128+20 - 137+00	900	2952.9	1.0 - 13.8	3.3 - 45.3
129	129+80 - 131+40	160	525.0	1.0 - 2.5	3.3 - 8.2
135	136+15 - 137+95	165	541.4	1.6 - 7.5	5.2 - 24.6

Bridge	Location	Length meters	Length feet	Height Range meters	Height Range feet
A	107+76 - 108+63	100	328.1	4.8 - 7.5	15.7 - 24.6
B	112+00 - 113+00	100	328.1	4.8 - 7.5	15.7 - 24.6
C	14+60 - 15+70	110	360.9	4.8 - 7.5	15.7 - 24.6
D	124+00 - 125+00	100	328.1	N/A	N/A
E	136+50 - 138+00	120	393.7	4.8 - 7.5	15.7 - 24.6

Source: Moffatt & Nichol, 2004 for design data  
Source: Graphic by KTU+A

- Retaining Wall
- Sound Wall
- Collector/Distributor Road
- New Ramps
- Existing Ramp Reconfiguration
- Freeway to Freeway Connector
- Mainline Improvements
- Structures
- French Valley Parkway

Project Elements of the Locally Preferred Alternative

Appendix D

French Valley Interchange



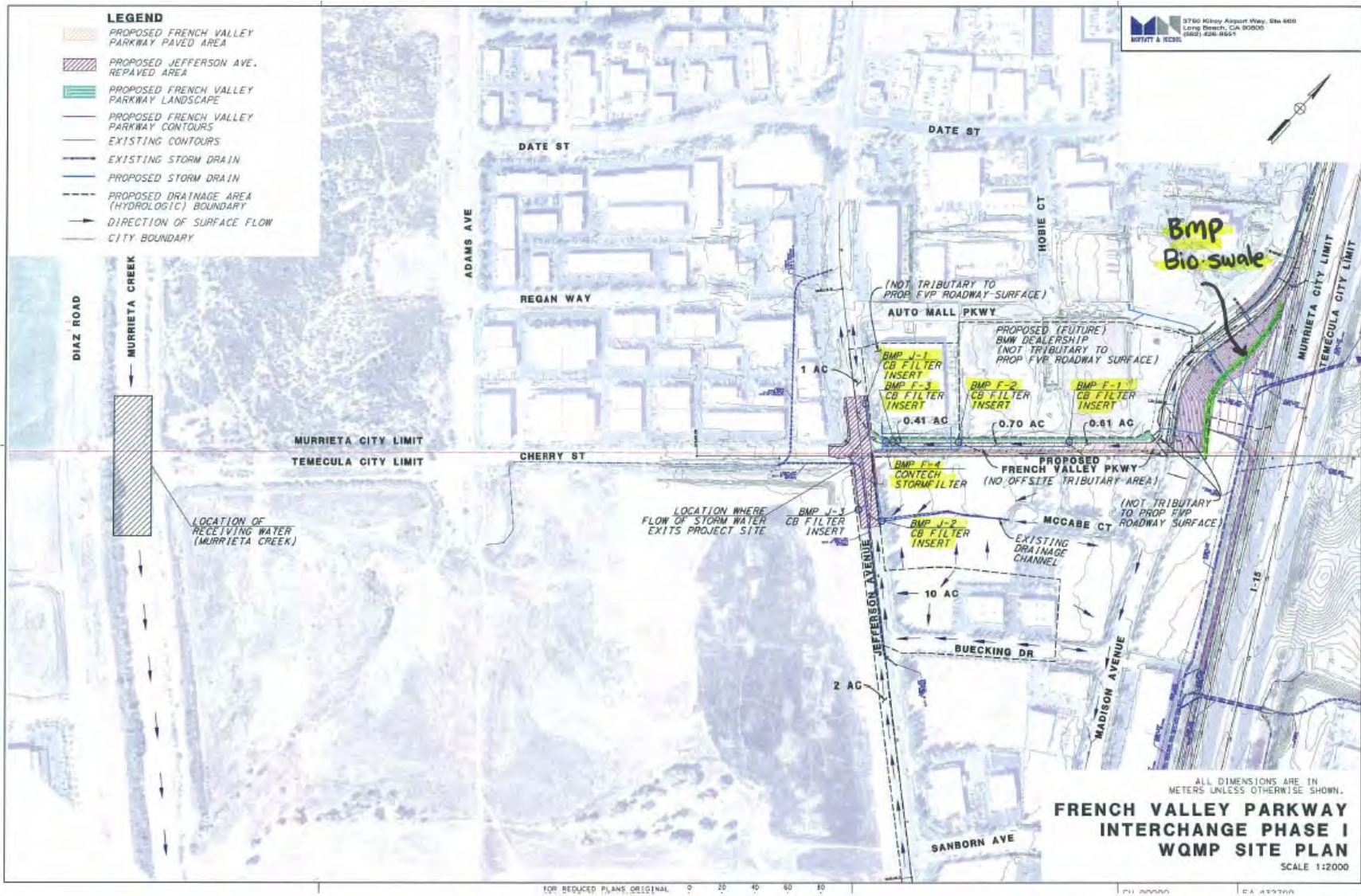
R:\Projects\Moffat\004\Graphics\UD\AppC\_091808.pdf



### ATTACHMENT 5 MITIGATION MAP(S)



# ATTACHMENT 6 PHASE I POST CONSTRUCTION BMP MAP



## Attachment 7

### Checklist of Required Reports and Notifications

#### Required Notifications:

Notification Requirement	Required Notification Period	Required Condition(s) To Be Met	Date Notified
Unauthorized Discharge	Within 24 Hours of Discharge	VII.A	
Transfer of Certification Responsibility	Within 10 Days of Transfer	VII.B.1	
Transfer of Mitigation Responsibility	Within 10 Days of Transfer	VII.B.2	
Transfer of BMP Responsibility	Within 10 Days of Transfer	VII.B.3	
Final Storm Water Data Report	Prior to Project Construction	VII.C	
Mitigation Preservation Mechanism	Within one year of construction commencement	VII.D	



**Required Reports and Submittals:**

<b>Required Report</b>	<b>Due Date</b>	<b>Required Condition(s) To Be Met</b>	<b>Report Received</b>
Annual Project Report	August 1 <sup>st</sup> , Annually	VIII.A	
Final Annual Project Report	August 1 <sup>st</sup> After Project Completion	VIII.A	
Annual Mitigation Monitoring Report	Prior to December 1 annually	VIII.B	