



California Regional Water Quality Control Board San Diego Region



Matthew Rodriguez
Secretary for
Environmental Protection

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

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>

December 12, 2011

In reply refer to:

759725: cloflen

Thomas Johnson
County of Riverside, Office of Education
P.O. Box 868
Riverside, CA 92502

Dear Mr. Johnson:

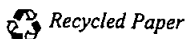
**SUBJECT: ACTION ON REQUEST FOR CLEAN WATER ACT SECTION 401
WATER QUALITY CERTIFICATION APPLICATION NO. 10C-110.**

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 **Murrieta Regional Learning Center** (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 5.

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.

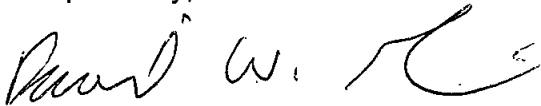
California Environmental Protection Agency



11-01-11

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

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures:
Clean Water Act Section 401 Water Quality Certification No. 10C-110 for **Murrieta Regional Learning Center**, with 5 attachments

cc: Refer to Attachment 2 of Certification 10C-110 for Distribution List.

Tech Staff Info & Use	
File No.	10C-110
WDID	9000002192
Reg. Measure ID	377009
Place ID	759725
Party ID	525411
Person ID	525412



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San Diego Region



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

PROJECT: Murrieta Regional Learning Center,
Certification Number (10C-110),
WDID: 9 000002192

APPLICANT: Thomas Johnson
County of Riverside
Office of Education
P.O. Box 868
Riverside, CA 92502

CIWQS Reg. Meas. ID: 377009 Place ID: 759725 Party ID: 525411
--

ACTION:

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

PROJECT DESCRIPTION:

The proposed project is located in the City of Murrieta and consists of the construction of a regional educational facility comprised of classrooms, hard courts and associated facilities and improvements. The proposed project would permanently impact all 1,054 linear feet (0.13 acre) of an unnamed jurisdictional streambed (waters of the United States) on-site. Mitigation includes the off-site creation of 1.0 acres (906 linear feet) of vegetated/unvegetated streambed and adjacent mixed riparian scrub waters of the State, in addition to the restoration of 0.5 acres of mixed riparian waters of the State. An existing road that traverses Wilson Creek and adjacent riparian habitat will be also be removed (estimated 0.13 acres, 579 linear feet of road) and replanted with appropriate native species. The mitigation site is located within a Western Riverside County Regional Conservation Authority parcel located in the Santa Margarita hydrologic unit. The on-site post-construction Best Management Practices (BMPs) include an infiltration basin and bioswale, which are sized to treat 100% of new impervious

California Environmental Protection Agency

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surfaces associated with the project. The post-construction BMPs are also sized to provide retrofit treatment to approximately 0.85 acres of existing untreated impervious surfaces on Madison and Guava Streets.

TABLE OF CONTENTS

I. STANDARD CONDITIONS:..... 3

II. ADDITIONAL CONDITIONS: GENERAL 3

III. ADDITIONAL CONDITIONS: CONSTRUCTION BMPs 5

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BMPs..... 6

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

VI. MONITORING REQUIREMENTS:..... 10

VII. NOTIFICATION REQUIREMENTS:..... 11

VIII. REPORTING REQUIREMENTS:..... 12

VIII. CEQA FINDINGS: 15

IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION: 15

X. SAN DIEGO WATER BOARD CONTACT PERSON: 16

XI. WATER QUALITY CERTIFICATION: 16

I. STANDARD CONDITIONS:

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

- 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 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-110 (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, this Certification expires.
- B. The County of Riverside, Office of Education must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material That Have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.
- C. The County of Riverside, Office of Education 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 County of Riverside, Office of Education 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 County of Riverside, Office of Education 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 pursuant to Water Code sections 13267 and 13383, require the holder of any permit or license subject to this Certification to investigate, monitor and report information on the violation. The only restriction is that the burden, including costs, of preparing the reports must bear a reasonable relationship to the need for 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 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 County of Riverside, Office of Education must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practice (BMP) implementation and maintenance.
- B. The County of Riverside, Office of Education 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 County of Riverside, Office of Education must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*.
- 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 two weeks after completion of grading. The County of Riverside, Office of Education 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 adverse effects 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, except as authorized by this Certification. 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.

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The County of Riverside, Office of Education is prohibited from allowing post-construction discharges to cause onsite or offsite downstream erosion, damage to properties or damage to stream habitats in the receiving waters that will receive post-construction discharges from 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. All post-construction BMPs, including the bioswales and infiltration basin, and those described in the *Project Supplemental Specific Water Quality Management Plan Document for Murrieta Regional Learning Center On-site Improvements*, prepared by Thatcher Engineering and Associates, Inc. and dated April 25, 2011, must be sized to comply with the following numeric sizing criteria:

1. Volume
Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:
 - a. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record (0.8 inch approximate average for the Riverside 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 85th 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 85th 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 85th percentile hourly rainfall intensity multiplied by a factor of two.
- D. Post-construction BMPs must be installed and functional prior to completion of project construction.
- E. All post-construction BMPs as described in the application, the *Project Supplemental Specific Water Quality Management Plan Document for Murrieta Regional Learning Center On-site Improvements*, prepared by Thatcher Engineering and Associates, Inc. and dated April 25, 2011; and storm water discharge points must:
1. Be regularly inspected and maintained for the life of the project per manufactures' specifications and industry standards;
 2. Be assessed for performance no less than one time per year to determine if the BMPs are protective of receiving water(s) and to 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; and
5. Have a maintenance log that documents all inspections and maintenance activities.

V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION

- A. Mitigation for permanent discharges to 0.13 acres (1054 linear feet) of non-wetland waters of the United States must be achieved as described in the *Habitat and Mitigation and Monitoring Plan Mulder Property (Wilson Creek) APN 581-070-012*, prepared by LSA Associates, Inc. and dated October 5, 2011. Mitigation will occur off-site and must include:
 1. Creation of 1.0 acres (906 linear feet of streambed) of mixed riparian scrub and vegetated/unvegetated streambed, all of which are considered waters of the State.
 2. Restoration of 0.5 acres (288 linear feet) of riparian waters of the State.
 3. Removal of the existing road through Wilson Creek (estimated 0.13 acres, 579 linear feet) and reseeded with appropriate native species (restoration).
- B. The construction of off-site mitigation must be 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. The County of Riverside, Office of Education 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 County of Riverside, Office of Education must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
- D. The County of Riverside, Office of Education 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.

- E. The County of Riverside, Office of Education 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.
- F. The mitigation site must be designed, constructed, and maintained in perpetuity 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; and
 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.
- G. Mitigation shall be considered acceptable once it has met the pre-determined success criteria for that site, and shall be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified.
- 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. The San Diego Water Board acceptance of the final mitigation plan 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 County of Riverside, Office of Education 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).

VI. MONITORING REQUIREMENTS:

- A. Monitoring of the mitigation site must utilize a quantitative function-based assessment to establish baseline conditions at impact and mitigation sites (i.e. conditions prior to project impacts), set success criteria, and assess mitigation site progress. The California Rapid Assessment Method (CRAM) must be utilized as proposed in the *Habitat and Mitigation and Monitoring Plan Mulder Property (Wilson Creek) APN 581-070-012*, prepared by LSA Associates, Inc. and dated October 5, 2011.
- B. Monitoring of the mitigation site must include groundwater well monitoring as proposed in the *Habitat and Mitigation and Monitoring Plan Mulder Property (Wilson Creek) APN 581-070-012*, prepared by LSA Associates, Inc. and dated August 26, 2011. Monitoring results must be included in annual mitigation and monitoring reports.

VII. NOTIFICATION REQUIREMENTS:

- A. The County of Riverside, Office of Education must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally **within 24 hours** from the time the County of Riverside, Office of Education becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the County of Riverside, Office of Education becomes aware of the circumstances. The written submission shall contain a written description of the incident and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The San Diego Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours.
- B. This Certification is not transferable in its entirety or in part to any person except after notice to the San Diego Water Board in accordance with the following terms:
1. **Transfer of Property Ownership:** The County of Riverside, Office of Education 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 County of Riverside, Office of Education 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 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 County of Riverside, Office of Education 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 County of Riverside, Office of Education 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 County of Riverside, Office of Education will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the County of Riverside, Office of Education of this Certification in the event that a transferee fails to comply.

- C. The County of Riverside, Office of Education must notify the San Diego Water Board in writing **at least 5 days prior to** the actual commencement of dredge, fill, and discharge activities.

VIII. REPORTING REQUIREMENTS:

- A. The County of Riverside, Office of Education 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 County of Riverside, Office of Education 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 bigger than 11"X17" and post-construction treatment BMP coordinates and photos.

- 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, including any quantitative and qualitative changes in groundwater levels;
 8. Width of native vegetation buffer around the entire mitigation site;
 9. Qualitative and quantitative comparisons of current mitigation conditions with on-site and mitigation site pre-construction conditions and previous mitigation monitoring results. CRAM must be utilized as outlined in the *Habitat and Mitigation and Monitoring Plan Mulder Property (Wilson Creek) APN 581-070-012*, prepared by LSA Associates, Inc. and dated August 26, 2011.
 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 mitigation construction/installation. 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. 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. In the event that any portion of the proposed mitigation does not obtain full success with the 5th year success criteria, and additional measures and monitoring to meet the 5th year success criteria are deemed unacceptable by the San Diego Water Board, the applicants must prepare a conceptual mitigation plan that will achieve compliance with the Certification's mitigation requirements and submit the plan to the San Diego Water Board within 180 days of the 5th year monitoring report.
- D. The submittal of information under this Certification is required pursuant to California Water Code (CWC) sections 13267 and 13283. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit required information pursuant to CWC section 13268 or 13385.
- E. 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.
- F. 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.
- G. 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."

- H. The County of Riverside, Office of Education 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-110 Place ID: 759725
9174 Sky Park Court, Suite 100
San Diego, California 92123

VIII. CEQA FINDINGS:

- A. The County of Riverside, Office of Education 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 19, 2004, for a Mitigated Negative Declaration under CEQA Guidelines Title 14, California Code of Regulations. The County of Riverside, Office of Education 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.

IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

- A. On December 22, 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.


X. 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
cloflen@waterboards.ca.gov

XI. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from **Murrieta Regional Learning Center** (Project No. 10C-110) 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 individual 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 to, 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

12-12-11
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location and Site Maps
 4. Post-construction BMP Maps
 5. Mitigation Maps

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: County of Riverside
Office of Education
Attention: Thomas Johnson
P.O. Box 868
Riverside, CA 92502
Telephone: 951-826-6437
Facsimile: 951-826-6437
Email: tomjohnson@rcoe.us

Applicant Representatives: LSA Associates, Inc.
Attention: Maria Lum
1500 Iowa Avenue, Suite 200
Riverside, CA 92507
Telephone: 951-781-9310
Facsimile: 951-781-4277
Email: maria.lum@lsa-assoc.com

Project Name: Murrieta Regional Learning Center

Project Location: Latitude: 33.546353 N
Longitude: 117.189999 W

Type of Project: Educational Facility Development

Need for Project: According to the application:
"The purpose of the project is to serve 500 students in alternative education, special education, and regional occupation programs."

Project Description: The proposed project is located in the City of Murrieta and consists of the construction of a regional educational facility comprised of classrooms, hard courts and associated facilities and improvements. The proposed project would permanently impact all 1,054 linear feet (0.13 acre) of an unnamed jurisdictional streambed (waters of the United States) on-site. Mitigation includes the off-site creation of 1.0 acres (906 linear feet) of vegetated/unvegetated streambed and adjacent mixed riparian scrub waters of the State, in addition to the restoration of 0.5 acres of mixed riparian waters of the State. An existing road that traverses Wilson Creek and adjacent riparian habitat will be also be removed (estimated 0.13 acres, 579 linear feet of road) and replanted with appropriate native species. The mitigation site is located within a Western Riverside County

Regional Conservation Authority parcel located in the Santa Margarita hydrologic unit. The on-site post-construction Best Management Practices (BMPs) include an infiltration basin and bioswale, which are sized to treat 100% of new impervious surfaces associated with the project. The post-construction BMPs are also sized to provide retrofit treatment to approximately 0.85 acres of existing untreated impervious surfaces on Madison and Guava Streets.

Federal Agency/Permit: U.S. Army Corps of Engineers NWP 39, Crystel Doyle

Other Required Regulatory Approvals: California Department of Fish and Game Streambed Alteration Agreement 1600-2010-0152-R6, Anna Ewing

California Environmental Quality Act (CEQA) Compliance: Mitigated Negative Declaration, NOD: February 19, 2004, SCH# 20033121082, Lead Agency: Riverside County Office of Education

Receiving Water: Unnamed tributary to Murrieta Creek, Santa Margarita HU, Murrieta HA, Murrieta HSA

Affected Waters of the United States: Permanent:
Unvegetated Streambed: 0.13 acres, 1054 linear feet

Dredge Volume: None

Related Projects Implemented/to be Implemented by the Applicant(s): None

Compensatory Mitigation: Off-Site Creation and Restoration
Mixed Riparian Scrub and vegetated/unvegetated Streambed: 1.0 acres of creation of waters of the State, including 906 linear feet of vegetated/unvegetated streambed.

Riparian Restoration: 0.5 acres (288 linear feet) of restoration.

Road Removal (restoration): Removal of an existing dirt road (estimated 0.13 acres, 579 linear feet) that traverses Wilson Creek and the adjacent riparian habitat and reseeding with appropriate native species.

Creek and the adjacent riparian habitat and reseeding with appropriate native species.

Mitigation will occur off-site at a Western Riverside County Regional Conservation Authority parcel located in the Santa Margarita hydrologic unit near Aguanga.

Habitat and Mitigation and Monitoring Plan Mulder Property (Wilson Creek) APN 581-070-012, prepared by LSA Associates, Inc. and dated October 5, 2011

Mitigation Location:

Off-site

Best Management Practices (BMPs):

100% of on-site new impervious surfaces and off-site roadway improvements will be treated via an on-site infiltration basin and bioswales, and in accordance with:

Project Supplemental Specific Water Quality Management Plan Document for Murrieta Regional Learning Center On-site Improvements, prepared by Thatcher Engineering and Associates, Inc. and dated April 25, 2011

The post-construction BMPs will also treat an estimated 0.85 acres of Guava and Madison Streets which currently receive no flow or pollutant treatment.

Public Notice:

December 22, 2010 (no comments received)

Inspection:

n/a

Fees:

Total Due: \$7,386
Paid: \$998 (check No. 14-897761)
Paid: \$6338 (check No. 14-832014)

CIWQS:

Regulatory Measure ID: 377009
Place ID: 759725
Party ID: 525411

**ATTACHMENT 2
E-MAIL DISTRIBUTION LIST**

Crystel Doyle
U.S. Army Corps of Engineers, Regulatory Branch
Crystel.L.Doyle@usace.army.mil

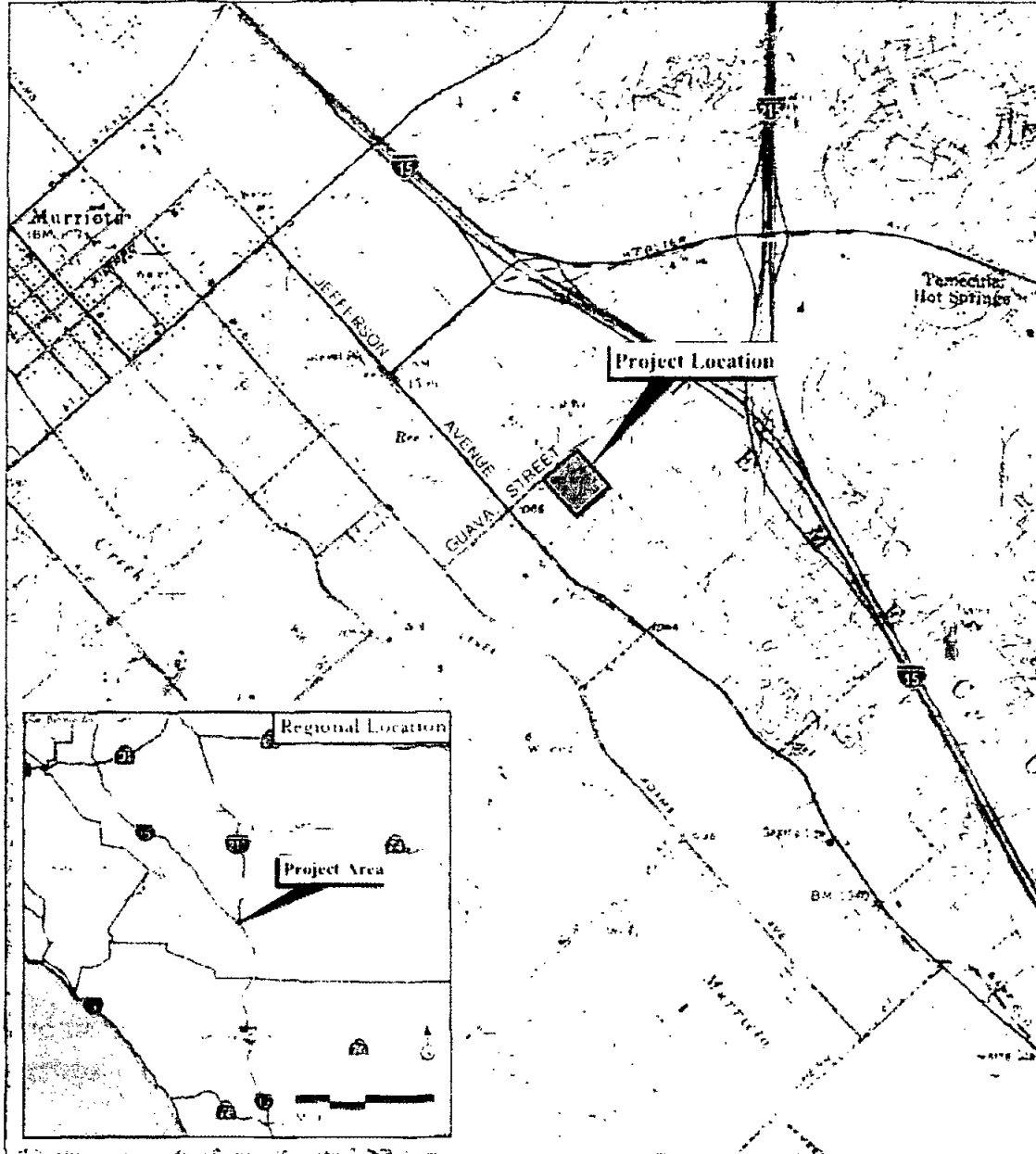
Anna Ewing
California Department of Fish and Game
Inland Deserts Region
aewing@dfg.ca.gov

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

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

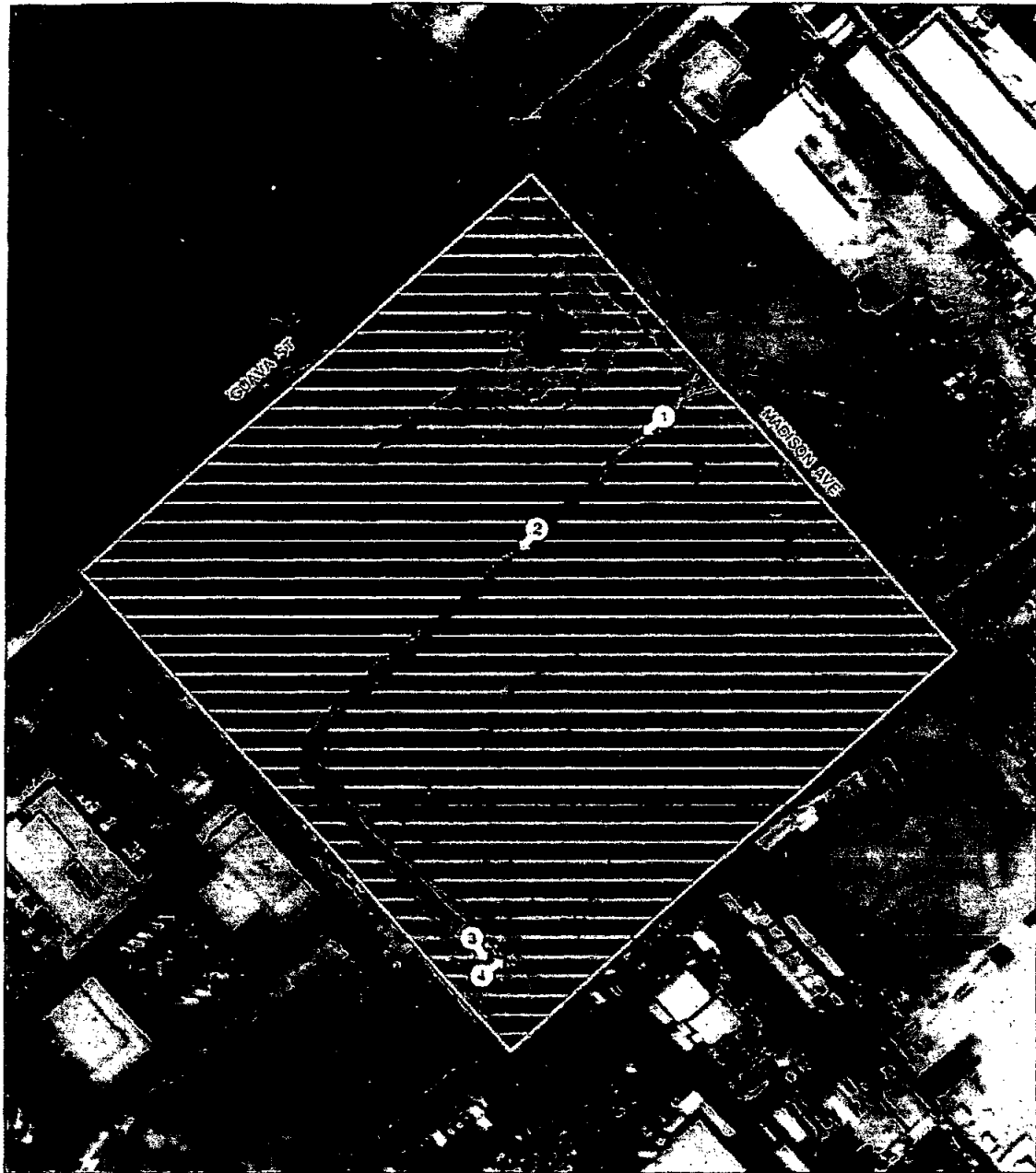
Maria Lum
Mike Trotta
LSA Associates, Inc.
Maria.Lum@lsa-assoc.com
Mike.Trotta@lsa-assoc.com

ATTACHMENT 3 LOCATION AND SITE MAPS



LSA

FIGURE 1



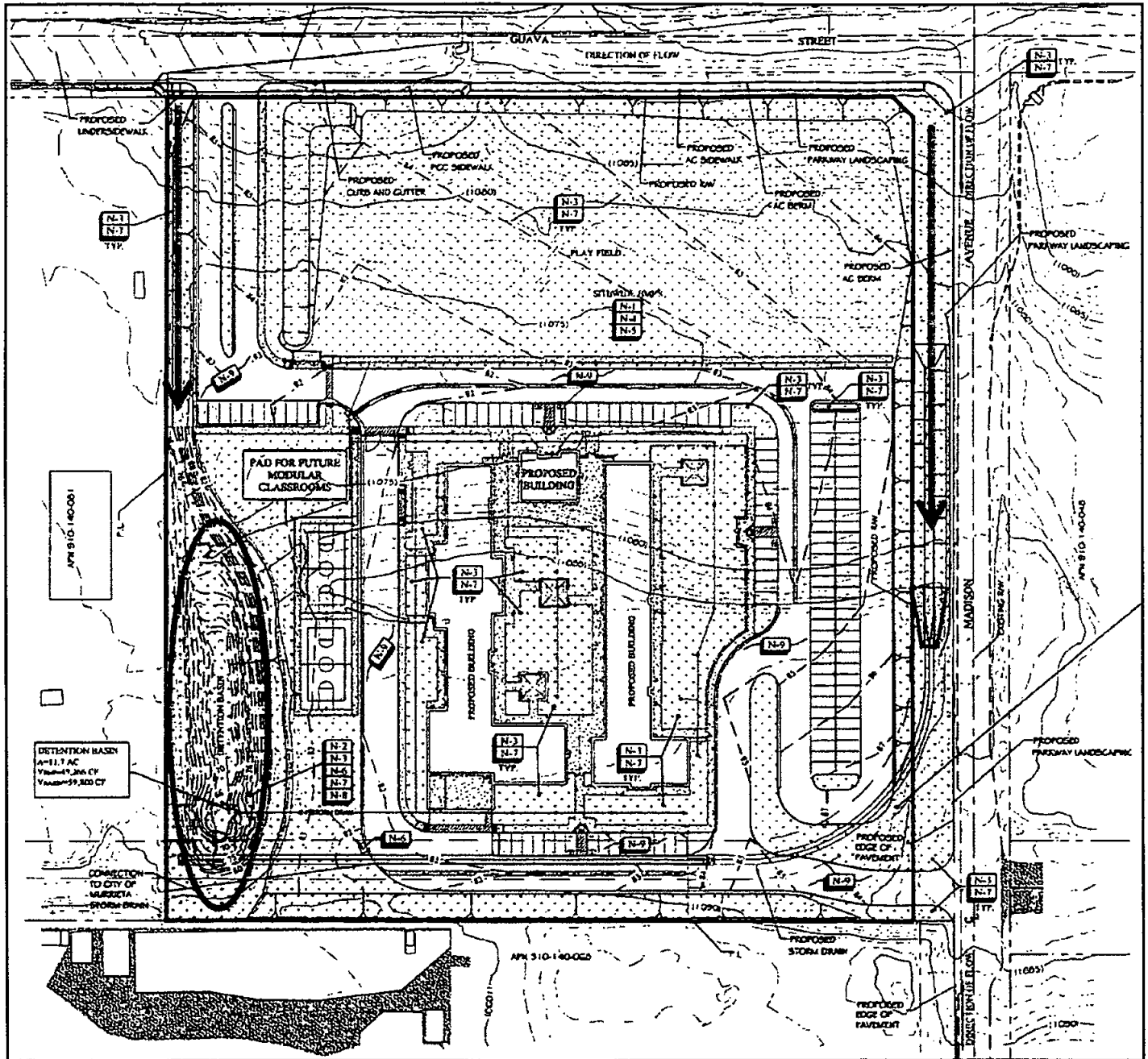
LSA
▲

STUDY AREA
— PHOTOGRAPHER'S WATERS

PHOTOGRAPHER'S WATERS AND PHOTOGRAPHER'S

FIGURE 2

ATTACHMENT 4 POST-CONSTRUCTION BMPs



* The green lines indicate the location of bioswales. The circle is the location of the combined infiltration/detention basin.

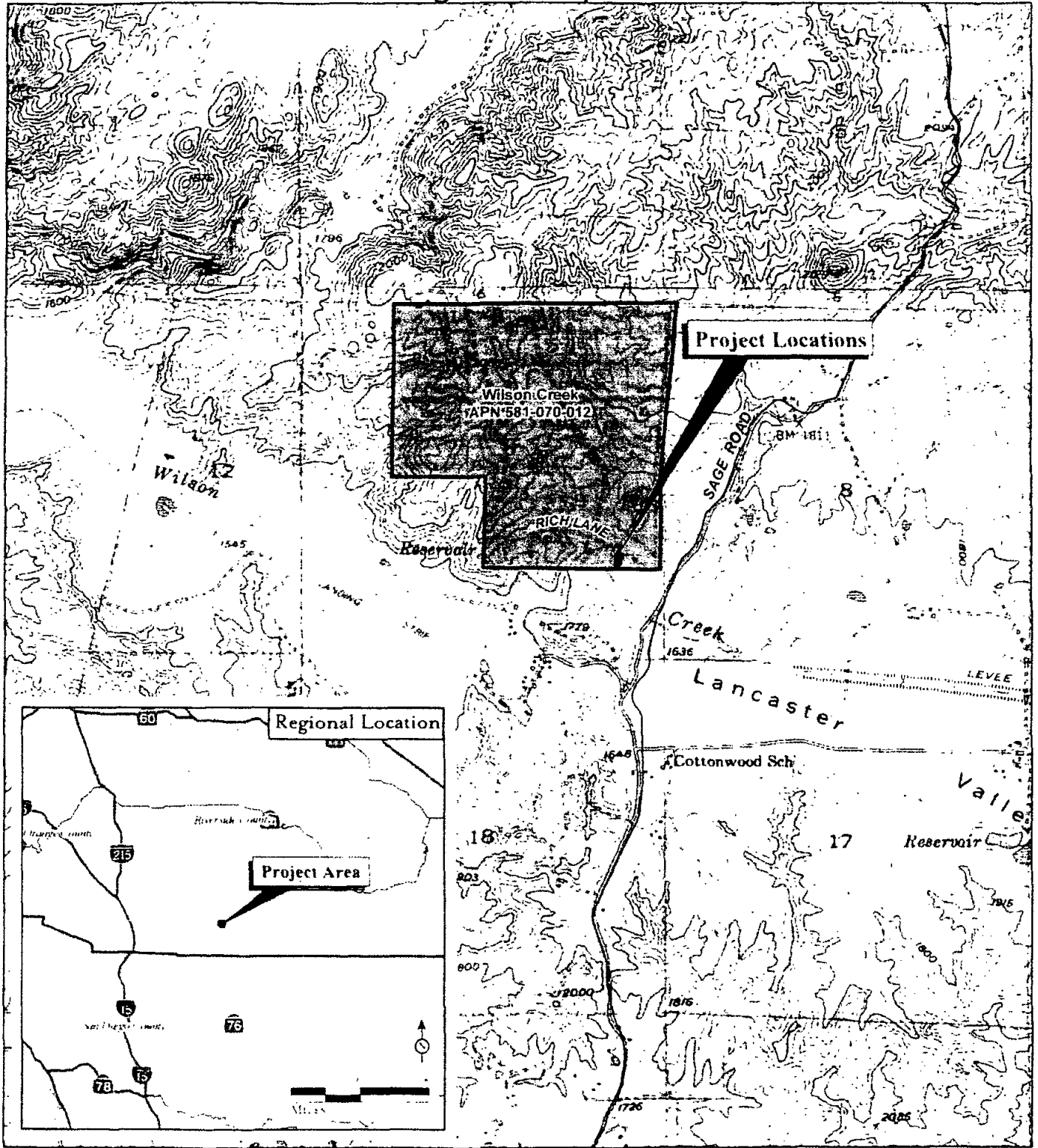
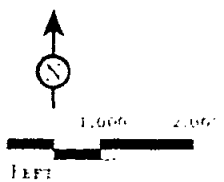


FIGURE 2

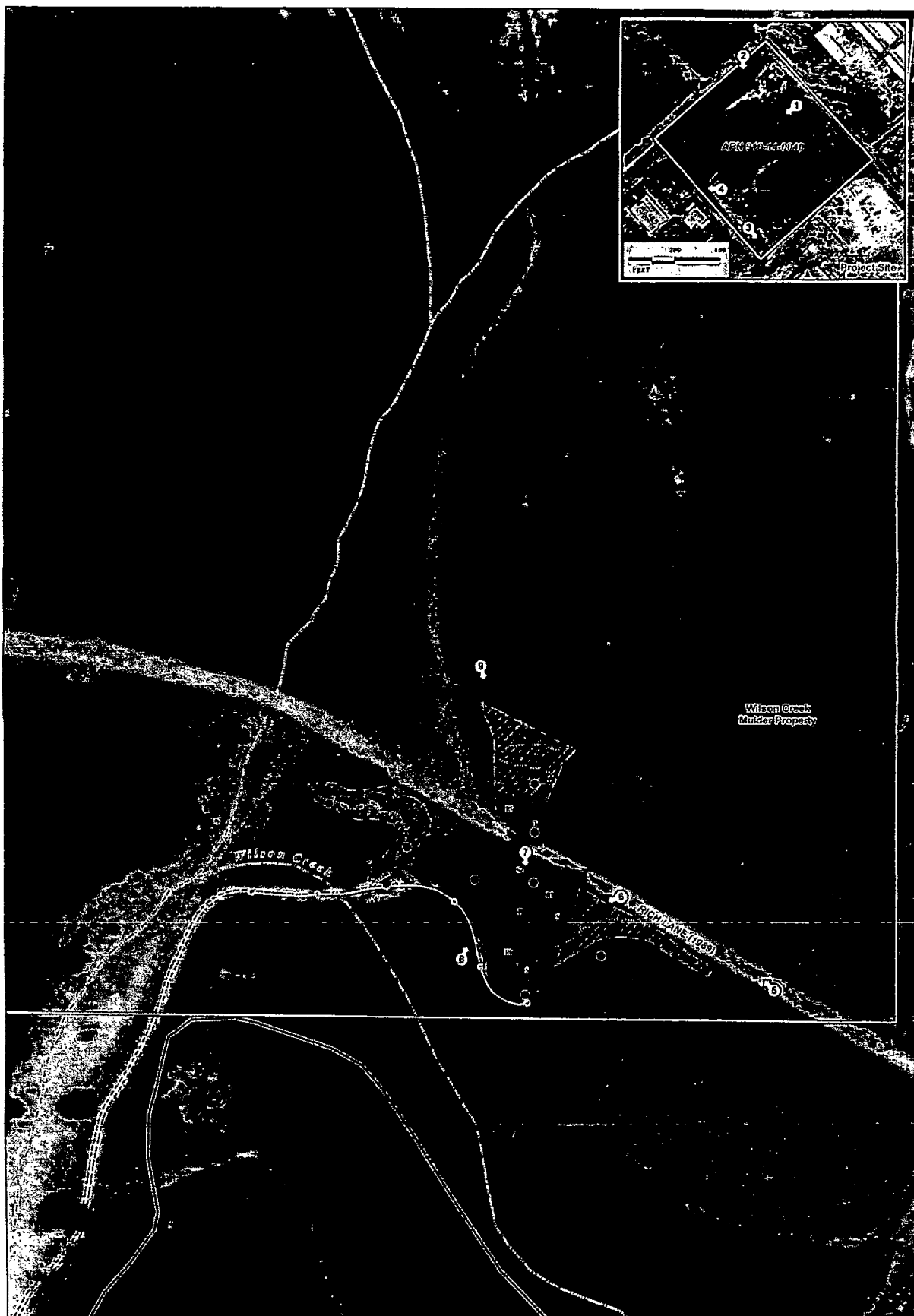
LSA



Riverside County Office of Education
RCA Habitat Mitigation and Monitoring Plan

Regional and Project Location

SOI RCJ USGS 7.5 Quads Sage, 1954; Agri Lake (1988) U.S. Thomas Bros. 2009
RCJ 100 2A/C Reports HMMIP fig 2 rep loc Wilson Creek map 08-08-11



2

LSA

Property Boundary APN 97-04-0047	S. California Bulrush	Canal to Pond (Pre-1989)	Monitoring Well
Photograph Location and Direction Taken	Pl. Fremont Cottonwood	Farm Road (1971 - 2005)	
	S. Arroyo Willow	Pre-1978 Flood	
	Lamarisk Eradication and Riparian Planting (2004 - 2011)	USGS Blue Line Stream (1953) Top Roadbed (2004)	
		Low Flow Channel (2004)	
		Excavated Shallow Basin (2004)	

FIGURE 3

Riverside County Office of Education
BCA Habitat Mitigation and Monitoring Plan
Ephemeral Streambed and Lamarisk Removal Areas and Photograph Locations