

California Regional Water Quality Control Board, San Diego Region

October 18, 2012

Certified Mail – Return Receipt Requested

Article Number: 7011 0470 0002 8961 6350

Mr. Thomas Duffy
Environmental Planning Manager
Department of Public Works,
Environmental Services Unit
County of San Diego
5510 Overland Avenue
Suite 410
San Diego, CA 92123

**In reply/refer to:
779849:mporter**

**Subject: Clean Water Act Section 401 Water Quality Certification
No. 11C-087 for the Buckman Springs Road/Oak Drive
Intersection Improvements Project**

Mr. Duffy:

Enclosed is Clean Water Act Section 401 Water Quality Certification No. 11C-087 (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 Buckman Springs Road/Oak Drive Intersection Improvements 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 to this Certification.

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 the County of San Diego 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.

In the subject line of any response, please include the reference number 779849:mporter. For questions or comments, please contact Mike Porter by phone at 858-467-2726 or by email at mporter@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. 11C-087 for the Buckman Springs Road/Oak Drive Intersection Improvements Project, with four attachments.

DWG:jgs:eb:kd:mgp

cc: Ms. Meris Bantilan-Smith
U.S. Army Corps of Engineers
San Diego Field Office
meris.bantilan-smith@usace.army.mil

Ms. Kelly Fisher
California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – North
kfisher@dfg.ca.gov

Ms. Malia Durand
Environmental Land Use Planner II
County of San Diego, Department of Public Works
Environmental Services Unit
malia.durand@sdcounty.ca.gov

Mr. Eric Raffini
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
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

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

Tech Staff Info & Use	
Certification No.	11C-087
Party (GT/CIWQS) ID	11763
File No.	11C-087
WDID	9 000002366
NPDES No.	None
Reg. Measure ID	381865
Place ID	772218
Person ID	399949
Inspection ID	None



EDMUND G. BROWN JR.
GOVERNOR
MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

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: Buckman Springs Road/Oak Drive Intersection Improvements Project, Water Quality Certification No. 11C-087, WDID: 9 00002398

**APPLICANT: Mr. Thomas Duffy
Environmental Planning Manager
County of San Diego
Department of Public Works
Environmental Services Unit
5510 Overland Avenue
Suite 410
San Diego, CA 92123**

Reg. Meas.	384327
Place	779849
Party	7222
Person	526363

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, Programmatic 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 County of San Diego Buckman Springs Road/Oak Drive Intersection Improvements Project (Project) consists of improvements to a total of 0.39-mile of Buckman Springs Road and Oak Drive, including intersection improvements, drainage improvements, and construction of a trail segment. The installation of the dedicated facilities proposed in the project are needed to improve roadway line-of-sight for motorists, traffic flow, storm water conveyance to

accommodate 100-year storm water elevations, and safety for bicyclists, pedestrians, and equestrians.

Permanent impacts to 0.003-acre (16.5-linear feet) of non-wetland waters of the United States (U.S.) and/or State will be caused by roadway improvements and related facilities. The Project will also cause temporary impacts of 0.036-acre (640-linear feet) to non-wetland waters of the U.S. and/or State.

Unavoidable impacts will be mitigated through the onsite establishment of 0.006-acres (37-linear feet) of streambed and the onsite restoration of 0.036-acre (640-linear feet) of streambed. Project impacts and mitigation are summarized in the following table:

Permanent Impacts to non-wetland waters of the U.S. and State	0.003-acre	16.5-linear feet
Temporary Impacts to non-wetland waters of the U.S. and State	0.036-acre	640-linear feet
Mitigation: onsite establishment of streambed	0.006-acre	37-linear feet
Mitigation: onsite restoration of streambed	0.036-acre	640-linear feet

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I. STANDARD CONDITIONS:

The following three standard conditions apply to all Certification actions, except as noted under Condition C 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. 11C-087 (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 shall expire 5 years from the date of issuance.
- B. The County of San Diego (Applicant) 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 Applicant 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 Applicant must maintain a copy of this Certification at the project site. This Certification must be available at all times to site personnel and agencies.
- E. Upon presentation of credentials, the Applicant must permit the San Diego Water Board or its authorized representative(s) to:
 - 1. Enter onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - 2. Access and/or copy any records required to be kept under the terms and conditions of this Certification.
 - 3. Inspect of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
 - 4. Sample any discharge or surface water covered by this Certification.
- 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 California Water Code (CWC) 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; provided that the burden, including costs of preparing the reports, bears 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, or if the results of the Project have unintended impacts to water quality, 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. Construction Best Management Practices (BMPs) must be implemented as described in the June 2011 *Stormwater Pollution Prevention Plan for Buckman Springs Road/Oak Drive Intersection*, prepared by Dokken Engineering. Proposed construction BMPs must include, but not be limited to:
1. Sediment Control;
 2. Erosion Control;
 3. Material Delivery and Storage;
 4. Material Use;
 5. Stockpile Management;
 6. Spill Prevention and Control;
 7. Solid Waste Management;
 8. Hazardous Waste Management;
 9. Sanitary/Septic Waste Management;
 10. Storm Drain Inlet Protection;
 11. Water Conservation Practices;
 12. Dewatering Operations;
 13. Paving and Grinding Operations;
 14. Vehicle and Equipment Cleaning;
 15. Vehicle and Equipment Fueling;
 16. Vehicle and Equipment Maintenance;
 17. Concrete Waste and Curing Management; and
 18. Stabilized Construction Ingress/Egress.
- B. The Applicant 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*.
- C. Prior to the start of the Project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and BMPs implementation and maintenance.
- D. The Applicant 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 U.S. and/or State.
- E. 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.

- F. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- G. 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.
- H. 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.
- I. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. The Applicant, land owners, and/or land managers are responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be revegetated. 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>.
- J. Except as authorized by this Certification, 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 U.S. and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- K. Removal of vegetation must occur by hand, mechanically, or using United States Environmental Protection Agency (USEPA) 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, Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable.)
- L. If groundwater dewatering with discharge to surface water is necessary for project construction, the Applicant must comply with *San Diego Water Board Order No. R9-2008-0002, General Waste Discharge Requirements for Discharges from Groundwater Extraction and Similar Discharges to Surface Waters within the San Diego Region*.

These General Waste Discharge Requirements are accessible at:
http://www.swrcb.ca.gov/rwqcb9/board_decisions/adopted_orders/2008/2008_0002.pdf

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

A. Post-construction BMPs must be implemented as described in the June 2001 *Plans for Construction of Buckman Springs Road/Oak Drive Intersection Improvements*, prepared by Dokken Engineering, and the June 6, 2011 Applicant Water Quality Technical Report. Proposed structural, post-construction BMPs must include two bioretention basins.

B. Structural Best Management Practices (BMPs) must be sized to comply with the following numeric sizing criteria:

a) Volume

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

- i. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record (0.6 inch approximate average for the San Diego County area); or
- ii. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
- iii. The volume of annual runoff based on unit basin storage volume, to achieve 90% or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (1993); or
- iv. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event.

b) Flow

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

- i. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
 - ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or
 - iii. The maximum flow rate of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.
- C. Pedestrian-accessible storm drain inlet structures within the project boundaries must be stamped and/or stenciled with appropriate language prohibiting non-storm water discharges.
- D. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.
- E. The Applicant must inspect and maintain post-construction structural BMPs per the manufacturers' specifications and/or engineering design specifications. An inspection and maintenance log must be maintained for review by the San Diego Water Board. Copies of the inspection and maintenance log must be provided to upon request.
- F. Any extended bioretention basins must be designed and constructed in accordance with the most recent California Stormwater Quality Association guidance for extended bioretention basins

V. ADDITIONAL CONDITIONS: IMPACTS AND COMPENSATORY MITIGATION

- A. Permanent impacts to waters of the U.S. and State are limited to 0.003-acre and 16.5-linear feet.
- B. Temporary impacts to waters of the U.S. and State are limited to 0.036-acre and 640-linear feet.
- C. Mitigation for permanent and temporary project impacts to non-wetland waters of the U. S. and State must be implemented as described in the *Buckman Springs Road/Oak*

Drive Intersection Biological Resources Letter Report, prepared by Technology Associates, and dated March 20, 2012.

- D. Compensatory impacts will be mitigated through onsite establishment of 0.006-acres (37-linear feet) of non-vegetated streambed to replace, in-kind, what is permanently impacted by the project and onsite restoration of 0.036-acre (640-linear feet) of streambed for temporary impacts.
- E. The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10 percent of the cumulative compensatory mitigation for each month of delay.
- F. The Applicant 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 U.S. and State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species.
- G. Throughout the mitigation monitoring program phase, 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 mitigation areas.
- H. San Diego Water Board acceptance of the final mitigation plan for each project site applies only to the site and plan that mitigates for each 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.
- I. Any maintenance activities that do not contribute to the success of the mitigation sites 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.
- J. If at any time during the implementation and establishment of the mitigation areas, and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation areas, the Applicant is responsible for repair and replanting of the damaged areas.
- K. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the U.S. and/or State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is

divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the U.S. and/or State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the U.S. and/or State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the U.S. and/or State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the U.S. and/or State (e.g., conservation easement).

- L. Mitigation site monitoring must continue until the mitigation site has met the success criteria stated in the mitigation plan(s). The mitigation site must be maintained free of non-native and invasive plant species and maintained in accordance with specified success criteria in perpetuity.

VI. NOTIFICATION REQUIREMENTS

- A. The Applicant must report to the San Diego Water Board any noncompliance that may endanger human health or the environment. Any information shall be provided orally within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within **five (5) days** of the time the Applicant 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. The Applicant must notify the San Diego Water Board of any transfer in responsibility for implementation of the requirements of this Certification. Notification must include, but not be limited to, a statement that the Applicant has provided the transferee with a copy of the Certification and that the transferee understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so. The Applicant and transferee must sign and date the notification and including a designated date of transfer. The Applicant must provide such notification to the Executive Officer of the San Diego Water Board **prior to the intended date of transfer**. Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of

responsibility does not necessarily relieve the Applicant of this Certification in the event that a transferee fails to comply.

- C. **Prior to the start of construction**, the Applicant must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. **Within one year of the start of construction**, the Applicant 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.

VII. REPORTING REQUIREMENTS

- A. The Applicant 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 Applicant 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, but not be limited to, 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", GPS readings of all post-construction BMPs, and photo documentation of post-construction 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.
 10. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, prior to and after implementation. 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(s), 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 Applicant 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. 11C-087
9174 Sky Park Court, Suite 100
San Diego, California 92123

VIII. CEQA FINDINGS

- A. The County of San Diego is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and issued the *Buckman Springs Road/Oak Drive Intersection Improvements Negative Declaration*, County of San Diego, State Clearinghouse No. 2011071044, August 30, 2011.
- B. The San Diego Water Board has reviewed the lead agency's Mitigated Negative Declaration and finds that the project as proposed will not have a significant effect on the environment if compensatory mitigation is accomplished as conditioned in this Certification.

IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION

On October 20, 2011 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

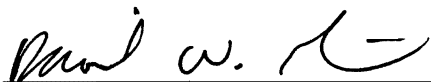
Mike Porter, Engineering Geologist
California Regional Water Quality Control Board San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
Telephone: 858-467-2726
Email: mporter@waterboards.ca.gov

XI. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Buckman Springs Road/Oak Drive Intersection Improvements Project** (Certification No. 11C-087) 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).

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 11C-087 issued on October 18, 2012.



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

10/18/2012
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map(s)
 4. Site and Mitigation Figures(s)

ATTACHMENT 1 PROJECT INFORMATION

Applicant: Mr. Thomas Duffy
Environmental Planning Manager
County of San Diego
Department of Public Works
Environmental Services Unit
5510 Overland Avenue
Suite 410
San Diego, CA 92123
Telephone: 858-874-4039
Fax: 858-874-4043
Email: Thomas.Duffy@sdcounty.ca.gov

Applicant Representatives: None.

Project Name: Buckman Springs Road/Oak Drive Intersection Improvements Project

Project Location: The proposed project is located at the intersection of Buckman Springs Road and Oak Drive, within the unincorporated community of Campo/Lake Morena, south-eastern San Diego County, California. The project is located approximately at latitude 32° 41' 25.5" north and longitude -116° 29' 22.2" east.

Type of Project: Transportation and flood control improvements.

Project Description and Need: The Project consists of improvements to a total of 0.39-mile of Buckman Springs Road and Oak Drive, including intersection improvements, drainage improvements, and construction of a trail segment. The installation of the dedicated facilities proposed in the project are needed to improve roadway line-of-sight for motorists, traffic flow, storm water conveyance to accommodate 100-year storm water elevations, and safety for bicyclists, pedestrians, and equestrians.

Federal Agency/Permit: U.S. Army Corps of Engineers §404, Nationwide Permits 7, 14, and 33, Ms. Meris Bantilan-Smith, San Diego Field Office.

Other Required Regulatory Approvals: California Department of Fish and Game (CDFG) § 1602 Streambed Alteration Agreement, Ms. Kelley Fisher.

U.S. Forest Service, Special Use Permit, Mr. Spencer Bleadorn.

California Environmental Quality Act (CEQA) Compliance: *Buckman Springs Road/Oak Drive Intersection Improvements Negative Declaration*, County of San Diego, State Clearinghouse No. 2011071044, August 30, 2011.

Receiving Waters: An unnamed tributary to La Posta Creek; Tijuana River hydrologic unit, Cameron hydrologic area (907.11).

Impacted Wetlands and Waters of the United States and State: Permanent –
Unvegetated streambed 0.003-acre, 16.5-linear feet.

Temporary –
Unvegetated streambed 0.036-acre, 640-linear feet.

Impacted Waters for CDFG jurisdiction only: None.

Dredge Volume: None.

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

Compensatory Mitigation: Unavoidable impacts will be mitigated through onsite establishment of 0.006-acres (37-linear feet) of non-vegetated streambed to replace, in-kind, what is permanently impacted by the project and onsite restoration of 0.036-acre (640-linear feet) of streambed for temporary impacts.

Best Management Practices (BMPs): Proposed Construction BMPs will include:

- Sediment Control;
- Erosion Control;
- Material Delivery and Storage;
- Material Use;
- Stockpile Management;
- Spill Prevention and Control;
- Solid Waste Management;
- Hazardous Waste Management;
- Sanitary/Septic Waste Management;
- Storm Drain Inlet Protection;
- Water Conservation Practices;
- Dewatering Operations;
- Paving and Grinding Operations;
- Vehicle and Equipment Cleaning;
- Vehicle and Equipment Fueling;
- Vehicle and Equipment Maintenance;
- Concrete Waste and Curing Management; and
- Stabilized Construction Ingress/Egress.

Proposed post-construction BMPs will include two bioretention basins).

Public Notice: On October 20, 2012, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No comments were received.

Fees: Total Due: \$640.00
Total Paid: \$640.00 (Check No. 3483145)

CIWQS: Regulatory Measure ID: 381865
Place ID: 772218
Party ID: 11763
Person ID: 399949
WDID 9 000002366

**ATTACHMENT 2
DISTRIBUTION LIST**

Ms. Meris Bantilan-Smith
U.S. Army Corps of Engineers
San Diego Field Office
meris.bantilan-smith@usace.army.mil

Ms. Kelly Fisher
California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – North
kfisher@dfg.ca.gov

Ms. Malia Durand
Environmental Land Use Planner II
County of San Diego, Department of Public Works
Environmental Services Unit
malia.durand@sdcounty.ca.gov

Mr. Eric Raffini
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
R9-WTR8-Mailbox@epa.gov

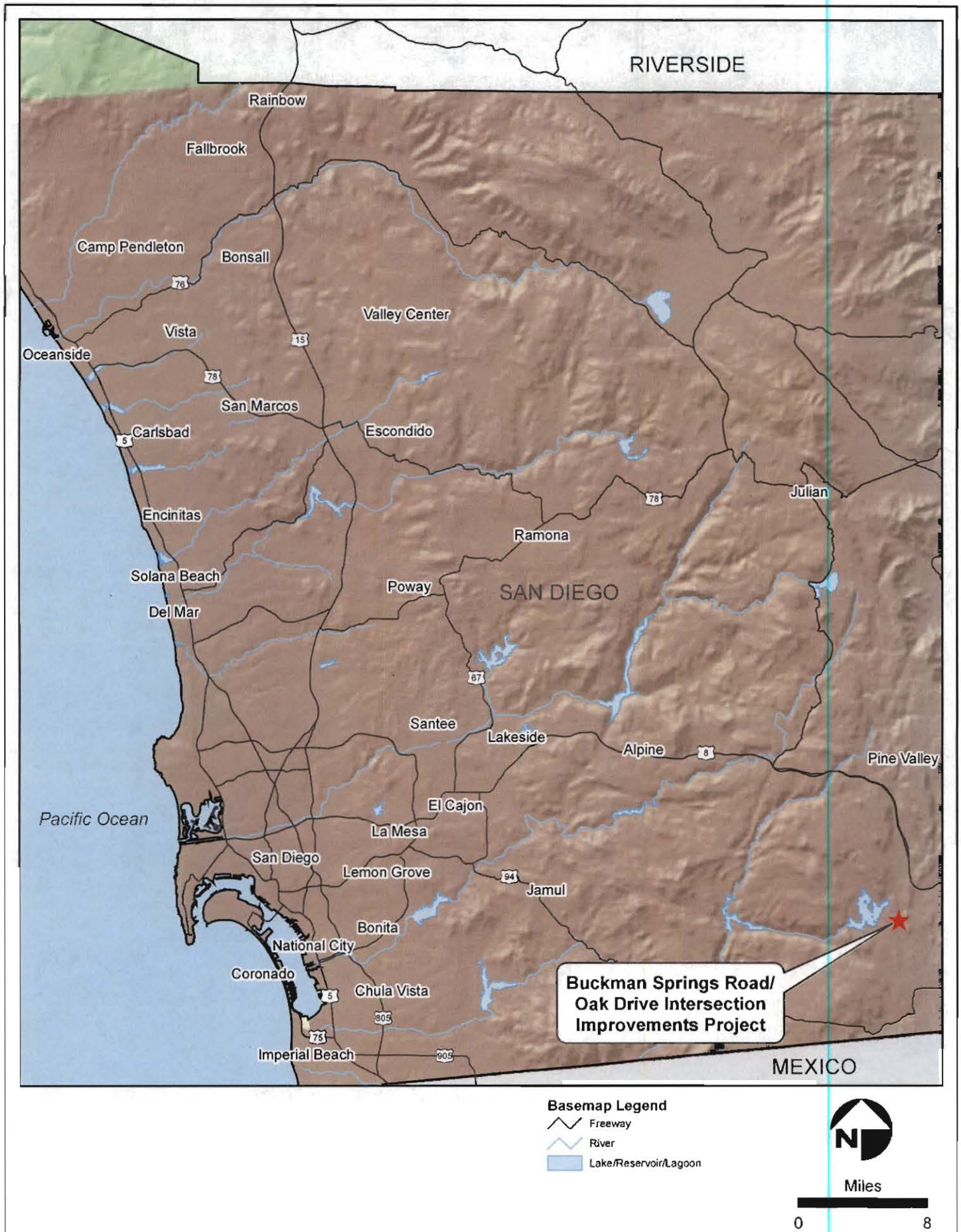
State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

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

Certification No. 11C-087

ATTACHMENT 3

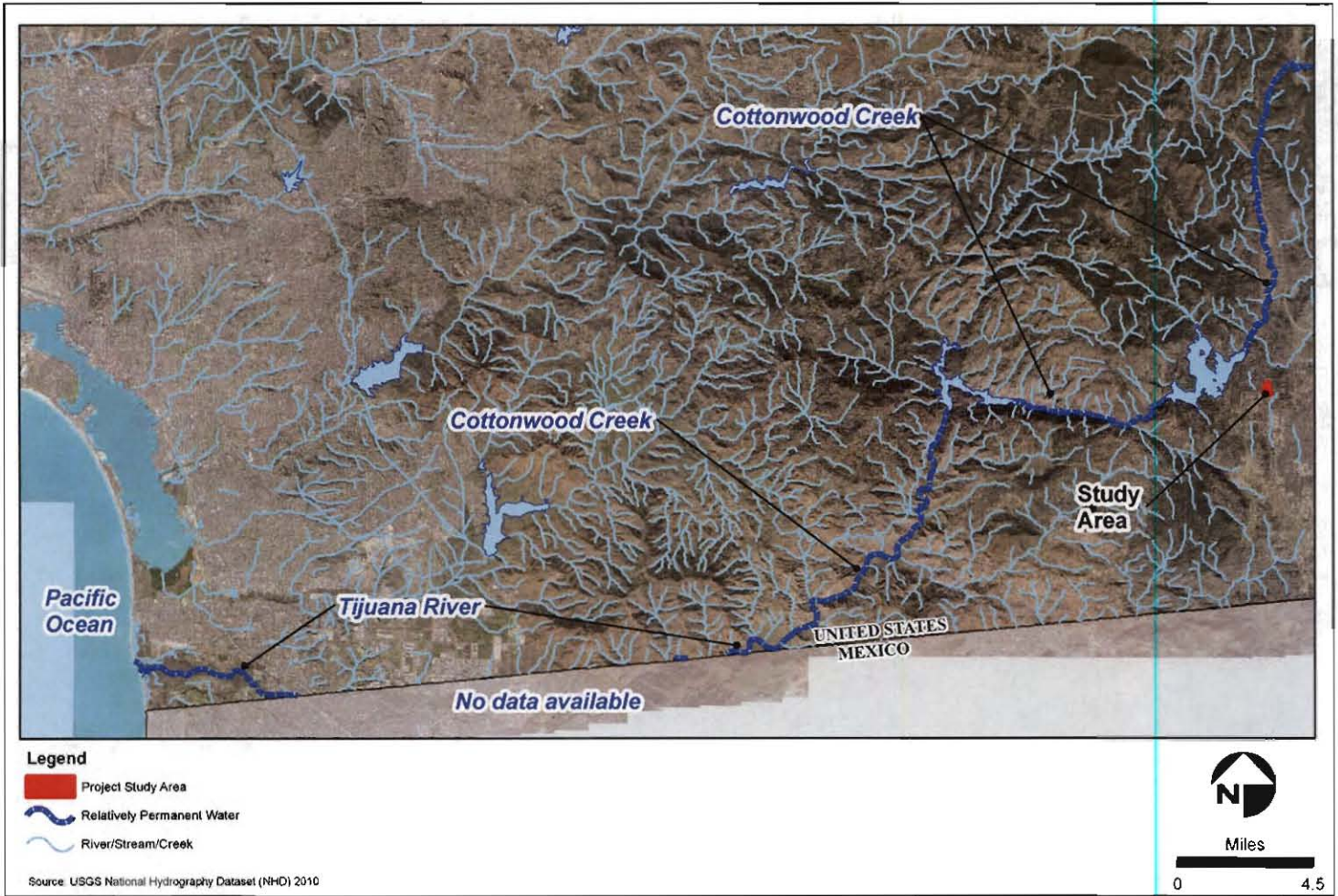
LOCATION MAPS



***Buckman Springs Road/
Oak Drive Intersection
Improvements Project***

Regional Location Map

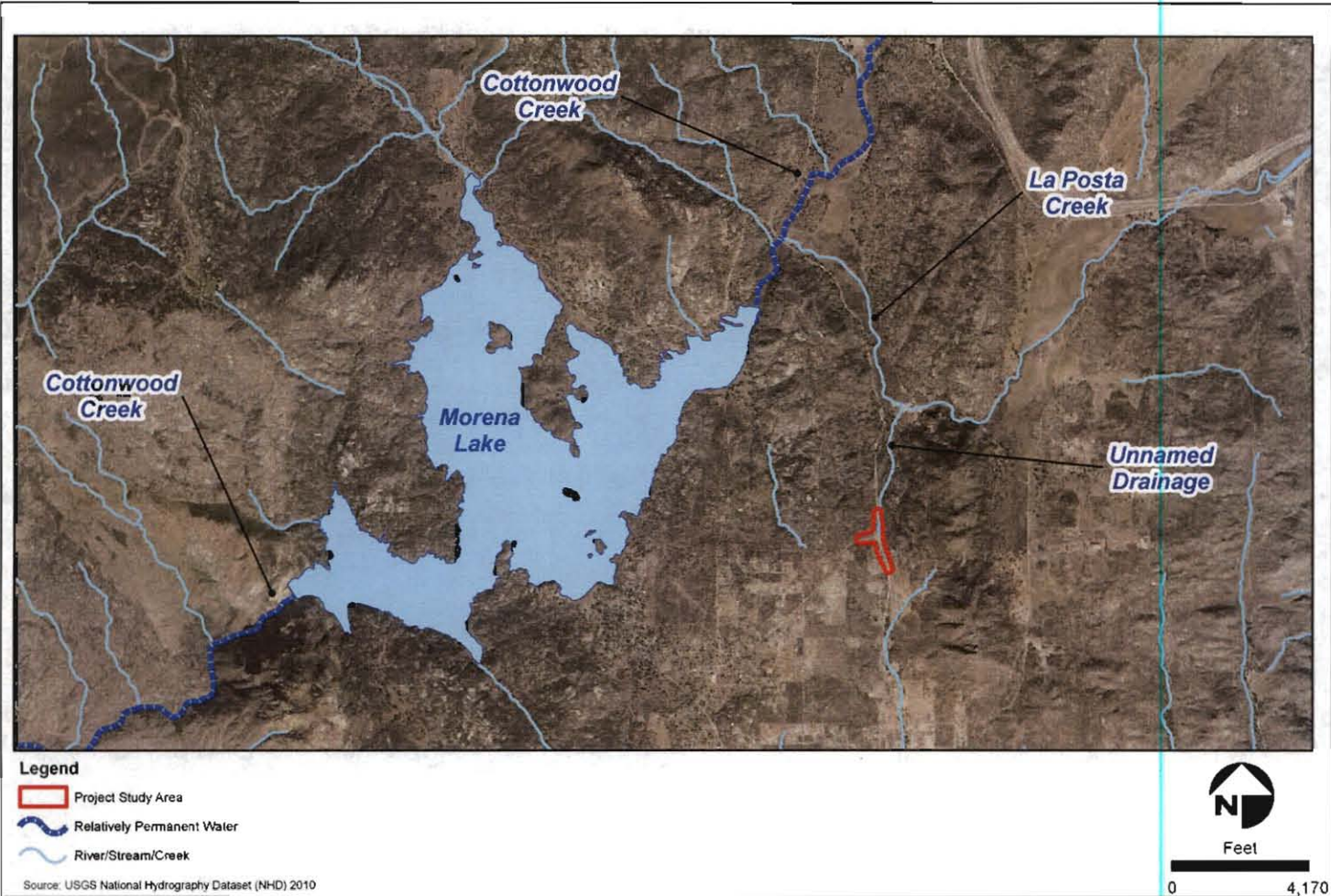
Figure 1



**Buckman Springs Road/
Oak Drive Intersection
Improvements Project**

Significant Nexus to Traditionally Navigable Waters

Figure 5



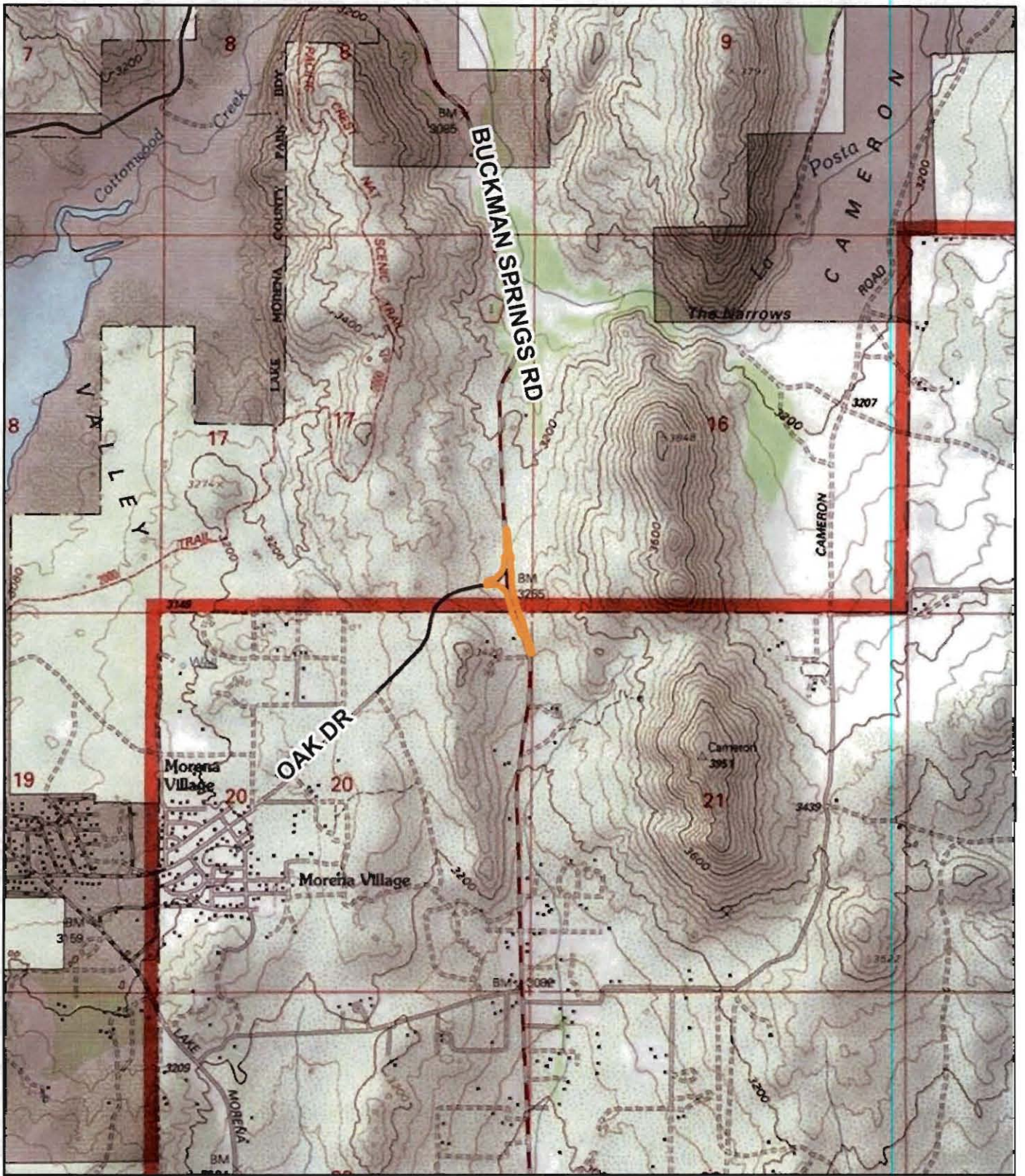
***Buckman Springs Road/
Oak Drive Intersection
Improvements Project***

Significant Nexus to Downstream Waters

Figure 4

ATTACHMENT 4

SITE AND MITIGATION FIGURES



Legend
 Project Area



Feet



Map Source: USGS 7.5 minute topographic map series, Cameron Corners and Morena Reservoir quadrangles T17S R05E



**Buckman Springs Road/
 Oak Drive Intersection
 Improvements Project**

USGS Topographical Quadrangles

Figure 2



Legend

-  Project Boundary
-  Survey Area



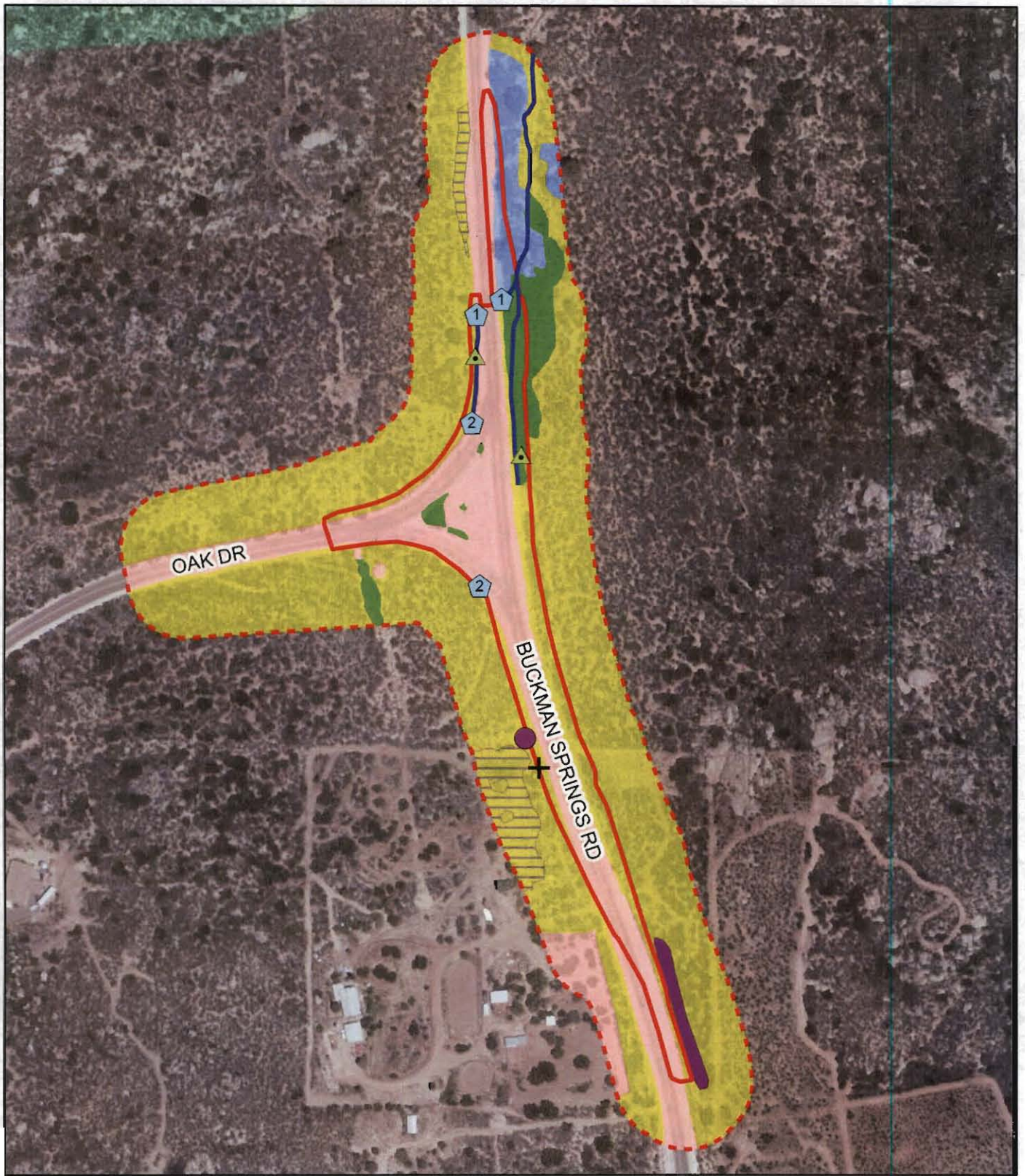
Feet



***Buckman Springs Road/
Oak Drive Intersection
Improvements Project***

Project Area

Figure 3



Legend

- Project Boundary
- Survey Area
- Culvert
- Corps Waters of the US/CDFG Seasonal Streambed

Vegetation Communities

- Open Coast Live Oak Woodland
- Chamise Chaparral
- Disturbed Chamise Chaparral
- Big Sagebrush Scrub
- Urban/Developed

Sensitive Species Observations

- Coastal western whiptail
- Two-striped garter snake
- Sticky geræa
- Sticky geræa



Feet

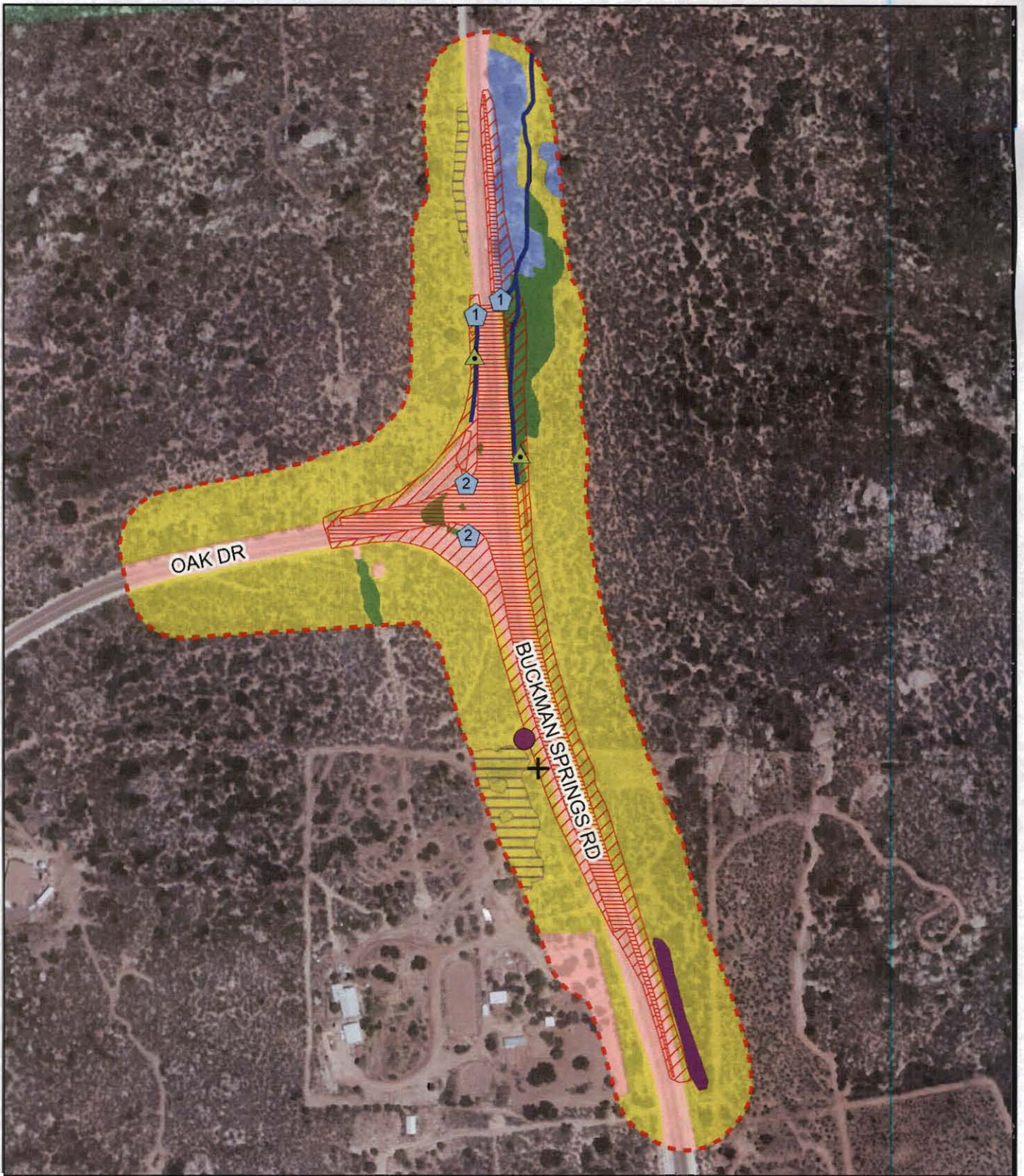
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Sources: RECON 2010. TAIC 2011. County OPW 2011

**Buckman Springs Road/
Oak Drive Intersection
Improvements Project**

Existing Biological Resources

Figure 4



Legend

- Permanent Impact
- Temporary Impact
- Survey Area
- Corps Waters of the US/CDFG Seasonal Streambed
- Culvert

Vegetation Communities

- Open Coast Live Oak Woodland
- Chamise Chaparral
- Disturbed Chamise Chaparral
- Big Sagebrush Scrub
- Urban/Developed

Sensitive Species Observations

- Coastal western whiptail
- Two-striped garter snake
- Sticky geraea
- Sticky geraea

Sources: RECON 2010, TAIC 2012, County DPW 2012



Feet

0 250

***Buckman Springs Road/
Oak Drive Intersection
Improvements Project***

Impacts to Biological Resources

Figure 5



Legend

-  Survey Area
-  Drainage
-  Permanent Impact
-  Unvegetated Channel Creation
-  Temporary Impact
-  Open Coast Live Oak Woodland
-  Chamise Chaparral
-  Big Sagebrush Scrub

Sources: RECON 2010, TAIC 2012, County DPW 2012



Feet



**Buckman Springs Road/
Oak Drive Intersection
Improvements Project**

Revegetation Areas

Figure 6



First-Class Mail
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Mike Porter

California Regional Water Quality
Control Board- San Diego Region 9
9174 Sky Park Court, Suite 100
San Diego, California 92123-4353

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Thomas Duffy
Environmental Planning Manager
County of San Diego
DPW- ESU
5510 Overland Ave.
Suite 410
SD, CA 92123

2. Article Number

(Transfer from service label)

7011 0470 0002 8961 6350

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

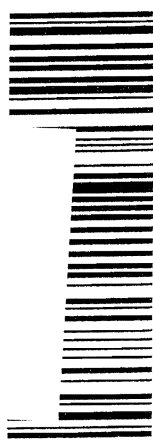
Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



7011 0470 0002 8961 6350
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Buckman

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Tom Duffy, County of SD, DPW-ESU
Street, Apt. No.;
or PO Box No. 5510 Overland Ave., Suite 410
City, State, ZIP+4
SD, CA 92123

PS Form 3800, August 2006

See Reverse for Instructions