



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

February 28, 2013

Certified Mail – Return Receipt Requested

Article Number: 7011 0470 0002 8962 0005

Mr. Rob Rundle
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92078

In reply refer to / attn:
778582:dbradford

**Subject: Action on Request for Amendment to Clean Water Act Section
401 Water Quality Certification for CP San Onofre to CP Pulgas Double
Track Project, Water Quality Certification 12C-018**

Mr. Rundle:

You will find enclosed Amendment No. 1 to Clean Water Act Section 401 Water Quality Certification No. 12C-018 for Control Point (CP) San Onofre to CP Pulgas Double Track Project (Project). The Amendment shows changes in redline/strikeout format to indicate added and removed language. Water Quality Certification No. 12C-018 has been enclosed for your reference.


On August 15, 2012, the original Certification was issued to the San Diego Association of Governments (SANDAG) for the Project. By letter dated December 21, 2012, SANDAG requested an amendment to Water Quality Certification No. 12C-018 to update the Project impacts and mitigation. The California Regional Water Quality Control Board, San Diego Region has amended the Certification in accordance with the request.

Any petition for reconsideration of this amended Certification must be filed with the State Water Resources Control Board (State Water Board) within 30 days of certification action (23 CCR § 3867). If a petition is not filed with the State Water Board within 30 days, SANDAG will have accepted the changes to Certification No. 12C-018 and must comply with all the certification conditions. Failure to comply with all conditions of this certification and the amendment may result in enforcement actions against SANDAG.

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In the subject line of any response, please include the reference number 778582:dbradford.
For questions or comments, please contact Mr. Darren Bradford by phone at 858-637-7137, or by email at dbradford@waterboards.ca.gov.

Respectfully,


for James G. Smith, AFO
DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

DWG:jgs:db:kd:db

Enclosures:

Amendment No. 1 to Clean Water Act Section 401 Water Quality Certification
No.12C-018 with seven figures.

Clean Water Action Section 401 Water Quality Certification No. 12C-018 for the
CP San Onofre to CP Pulgas Double Track Project with five attachments.

cc: (via email)

Courtney Stevens
U.S. Army Corps of Engineers
Regulatory Division
San Diego Field Office
Courtney.m.stevens@usace.army.mil

U.S. EPA, OWOW, 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

Tom Huffman, HELIX Environmental Planning, Inc.
tomh@helixepi.com

Tech Staff Info & Use	
Place ID	778582
File No.	12C-018
WDID	9000002428
Reg. Measure ID	383703
Party ID	524619



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MATTHEW RODRIGUEZ
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California Regional Water Quality Control Board, San Diego Region

**Amendment No. 1 to Clean Water Act Section 401
Water Quality Certification No. 12C-018**

PROJECT: CP San Onofre to CP Pulgas Double Track Project
Water Quality Certification No. 12C-018

APPLICANT: San Diego Association of Governments
Attention: Mr. Rob Rundle
401 B Street
Suite 800
San Diego, CA 92078

WDID	9 000002428
CIWQS:	
Party No.	524619
Place No.	778582
Reg. M. No.	383703

The following changes have been made to Clean Water Act Section 401 Water Quality Certification No. 12C-018, CP (Control Point) San Onofre to CP Pulgas Double Track Project. Changes below are shown in redline/strikeout format to indicate added and removed language.

1. Pages 1 & 2, PROJECT DESCRIPTION has been modified as follows:

The Control Point (CP) San Onofre to CP Pulgas Double Track Project (Project) includes the construction of a second mainline railroad track adjacent to an existing single mainline railroad track along approximately ~~4.3~~ 4.45 miles of the Los Angeles-San Diego-San Luis Obispo (LOSSAN) rail corridor in northern San Diego County. The Project limits will extend from mile post (MP) ~~212.2 to MP 216.5~~ 212.2 to MP 216.65 (between CP San Onofre to CP Pulgas), directly adjacent and parallel to the Interstate 5 (I-5) corridor within an existing right-of-way (ROW) that traverses Marine Corps Base Camp Pendleton. The new second mainline track will begin from the north near the San Onofre State Beach campground area and end about 0.5 mile south of the Old Pacific Highway overcrossing. The project will connect into an existing double track section at the north end of the Project limits.

One railroad bridge will be replaced at MP 215.3. The existing 44-foot-long timber-pile bridge at this location will be removed and replaced with a soft-bottom concrete box culvert that will support both the existing mainline track and the proposed second mainline track. The proposed project will also require extending several existing culverts at unnamed drainages, installing rip-rap

energy dissipaters, and installing concrete aprons to accommodate the proposed second track.

Temporary laydown areas and access roads will occur at specific locations along the Project corridor to accommodate topsoil stockpiles, construction equipment, and materials. Proposed access roads and laydown areas will be located to avoid sensitive habitats where practicable.

Permanent best management practices (BMPs) will include low impact development (LID) BMPs, source control BMPs, and treatment control BMPs pertinent for a railway project. Proposed water quality BMPs are described in the *Preliminary Water Quality Technical Report (WQTR)*, dated October 2011.

The Project will result in permanent impacts to ~~0.05-acre~~ 0.073 acre (~~296~~ 360 linear feet) of unvegetated ephemeral non-wetland waters of the United States and/or State.

Mitigation for permanent impacts will include on-site establishment of a minimum of ~~0.07~~ 0.084 acre (~~1,300~~ 1,400 linear feet) of non-wetland waters of the United States and/or State (ephemeral streambed).

2. Page 8, ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION has been modified as follows:

- A. Unavoidable permanent impacts to eight (8) un-named tributaries to the Pacific Ocean in the San Juan Watershed are limited to:
 1. Permanent Impacts - ~~0.05-acre~~ 0.073 acre of non-wetland waters of the United States and/or State, ~~296-~~ 360 linear feet
- B. Mitigation for unavoidable impacts must be implemented as described in the letter *San Diego Association of Governments' CP San Onofre to CP Pulgas Double Track Project (Stage 1 – MP 212.2 to 216.5)*, dated June 20, 2012. The mitigation includes the new swales near Drainages 7 and 10 and the new swale near Drainage 1 which is found in the Permit Modification Request dated December 20, 2012. Any deviations must be approved by the San Diego Water Board.
- C. Mitigation must include on-site establishment of a minimum of ~~0.07~~ 0.084 acre (~~1,100~~ 1,300 linear feet) of non-wetland waters of the United States and/or State (ephemeral streambed) which will be provided by the establishment of new swale areas that will be hydro seeded with a native species mix.

3. Pages 14-17, ATTACHMENT 1, PROJECT INFORMATION has been modified as follows:

Project Location: The project site is approximately ~~4.3~~ 4.45 miles and is located on Sections 11, 13, 14, 24 of Township 10 South, Range 6 West of the San Bernardino Base and Meridian, USGS 7.5' Las Pulgas Canyon, CA Quadrangle. This double track project includes areas directly adjacent and parallel to the Interstate 5 (I-5) corridor within a right-of way (ROW) that traverses Marine Corps Base Camp Pendleton from approximately the southern terminus of the San Onofre State Beach campground to Las Pulgas Road farther south. The project is located approximately from latitude 33.35246 and longitude 117.526636 (north end) to latitude 33.5193 and longitude 117.798544 (south end).

Project Description: The CP San Onofre to CP Pulgas Double Track Project (Project) includes the construction of a second mainline railroad track adjacent to an existing single mainline railroad track along approximately ~~4.3~~ 4.45 miles of the LOSSAN rail corridor in northern San Diego County. The Project limits will extend from MP ~~212.2 to MP 216.5~~ 212.2 to MP 216.65 (between CP San Onofre to CP Pulgas), directly adjacent and parallel to the Interstate 5 (I-5) corridor within a right-of-way (ROW) that traverses Marine Corps Base Camp Pendleton. The new second mainline railroad track will begin from the north near the San Onofre State Beach campground area and end about 0.5 mile south of the Old Pacific Highway overcrossing. The Project will connect into an existing double track section at the north end of the project limits.

Impacted Wetlands of the United States and/or State: Unavoidable permanent impacts to eight (8) un-named tributaries to the Pacific Ocean in the San Juan Watershed are limited to:

1. Permanent Impacts – ~~0.050-acre~~ 0.073 acre of non-wetland waters of the United States and/or State, ~~296~~ 360-linear feet

February 28, 2013

Related Projects Implemented/to be Implemented by the Applicant(s): The CP San Onofre to CP Pulgas Double Track Project is a ~~4.3~~ 4.45 mile portion of a package of recommended actions addressed in the Program Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) prepared for the LOSSAN rail corridor between Los Angeles and San Diego.

Compensatory Mitigation: Mitigation for unavoidable impacts must be implemented as described in the letter *San Diego Association of Governments' CP San Onofre to CP Pulgas Double Track Project (Stage 1 – MP 212.2 to 216.5)*, dated June 20, 2012. The mitigation includes the new swales near Drainages 7 and 10 and the new swale near Drainage 1 which is found in the Permit Modification Request dated December 20, 2012. Any deviations must be approved by the San Diego Water Board.

Mitigation for permanent impacts will include on-site establishment of a minimum of ~~0.07~~ 0.84 acre (~~1,100~~ 1,300 linear feet) of non-wetland waters of the United States and/or State (ephemeral streambed).

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No.1 to Certification No. 12C-018 issued on February 28, 2013.



James G. Smith, AEO

for David W. Gibson
Executive Officer
Regional Water Quality Control Board

28 Feb 2013
Date

Attachments: Site Figures (7).