

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

2375 Northside Drive, Suite.100, San Diego, CA 92108
Phone (619) 516-1990 • Fax (619) 516-1994
<http://www.waterboards.ca.gov/sandiego/>

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

**PROJECT: Wet Weather Intermittent Stream Discharge
Certification Number 12C-081
WDID: 9000002478**

Reg. Meas. ID: 387644 Place ID: 786931 Party ID: 537145 Person ID: 488761

**APPLICANT: City of San Diego
9192 Topaz Way
San Diego, CA 92123**

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"/> Enrollment in Isolated Waters Order No. 2004-004-DWQ
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017-DWQ	

PROJECT DESCRIPTION

An application dated September 18, 2012 was submitted by City of San Diego (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (United States Code (USC) Title 33, section 1341) for the proposed Wet Weather Stream Discharge Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on April 1, 2015. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2012-00700-MG).

The Project is located within the City of San Diego, San Diego County, California on Marine Corps Air Station Miramar (MCAS Miramar) property at the City of San Diego's Metropolitan Biosolids Center (MBC). The Project center reading is located at latitude 32.8442528 and longitude -117.1642806. The Applicant has paid all required application fees for this Certification in the amount of \$1,605.00. On an annual basis, the Applicant shall also pay all active discharge fees and post discharge monitoring fees, as appropriate¹. On September 28,

¹ The Applicant shall pay an annual active discharge fee each fiscal year or portion of a fiscal year during which discharges occur until the San Diego Water Board or the State Board issues a Notice of Completion of Discharges Letter to the discharger. Dischargers shall pay an annual post-discharge monitoring fee each fiscal year or portion of a fiscal year commencing with the first fiscal year following the fiscal year in which the regional board or State Board issued a Notice of Completion of Discharges Letter to the discharger, but continued water quality monitoring or compensatory mitigation

(footnote continued on next page)

2012, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Project purpose is to alleviate the peak wet weather flows in the Applicant's Metropolitan Wastewater System. During rain events, the system is subjected to infiltration and inflow that cause the system to reach capacity. Additionally, demand for recycled water is low during the wet season and recycled water is diverted back into the wastewater system, further impacting the capacity. As part of the Peak Flow Management Strategy, the Applicant is proposing to discharge recycled water from the North City Water Reclamation Plant to a tributary of San Clemente Creek as a last option to offset peak loading of the wastewater system during wet weather events. The estimated discharge to San Clemente Creek is from 16 to 30 million gallons per day (mgd) and last from 2 to 6 hours. The maximum volume discharged would be 7.5 mgd. Discharges to San Clemente Creek would occur during 10 year or greater storm events. The need for the Project is also temporary. Once long term capital improvement projects, such as the Indirect Potable Reuse and/or the South Bay Water Reclamation Plant expansion, are implemented, there will be no need for the wet weather discharge.

The Project proposes the creation of an access roadway, installation of piping and dechlorination systems, and upgrades to the existing storm water outfall structure. The upgrades to the storm water outfall structure consist of installing a rip-rap apron to dissipate energy and slow down velocity of the discharged water to prevent erosion. Approximately 245 cubic yards of rip-rap will be used to construct the apron.

The Project will convert approximately 0.20 acres of pervious ground cover to impervious surfaces by the construction of the access road and dechlorination facility. Runoff leaving the developed Project area would be significantly greater in volume, velocity, peak flow rate, and duration than pre-development runoff from the same area without mitigation. Post-construction best management practices (BMPs) to manage and control the effects of these runoff increases will consist of revegetation at the Project site using native plant seed mix and installation of native container plants.

The Project application includes a description of the design objective, operation, and degree of treatment expected to be attained from equipment, facilities, or activities (including construction and post-construction BMPs) to treat waste and reduce runoff or other effluents which may be discharged. Compliance with the Certification conditions will help ensure that construction and post-construction discharges from the Project will not cause on-site or off-site downstream erosion, damage to downstream properties, or otherwise damage stream habitats in violation of water quality standards in the *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan).

(footnote continued from previous page)

monitoring is required. Dischargers shall pay the annual post-discharge monitoring fee each fiscal year until the regional board or the State Board issues a Notice of Project Complete Letter to the discharger. Additional information regarding fees can be found electronically at the following location:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/dredgefillcalculator.xlsx

Project construction will permanently impact 0.009 acre (68 linear feet) and temporarily impact 0.002 acre (16 linear feet) of streambed waters of the United States and/or State. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.009 acre of jurisdictional waters will be achieved through use of 0.009 acres establishment/re-establishment credits from the City of San Diego's San Clemente Wetland and Upland Site (ledgers provided in Attachment 4). All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant at San Clemente Wetland and Upland Site located in the Miramar hydrologic area (HA 906.40) at a minimum compensation ratio of 1:1 (area mitigated:area impacted). This ratio is appropriate based on the minimal impacts of the Project and the fact that the mitigation site has already met all success criteria prior to any Project impacts.

Detailed written specifications and work descriptions for the compensatory mitigation project including, but not limited to, the geographic boundaries of the project, timing, sequence, monitoring, maintenance, ecological success performance standards and provisions for long-term management and protection of the mitigation areas are described in the *Conceptual Mitigation Plan for the Canyon Sewer Projects with San Clemente Canyon – City of San Diego Metropolitan Wastewater Department* (Mitigation Plan), dated September 12, 2005. San Diego Water Board acceptance of the Mitigation Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Mitigation Plan is incorporated in this Certification by reference as if set forth herein. The Mitigation Plan provides for implementation of compensatory mitigation which offsets adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Mitigation Plan will reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. Based on all of these considerations, the Mitigation Plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

Additional Project details are provided in Attachments 1 through 5 of this Certification.

TABLE OF CONTENTS

I.	STANDARD CONDITIONS.....	5
II.	GENERAL CONDITIONS	5
III.	CONSTRUCTION BEST MANAGEMENT PRACTICES	8
IV.	POST-CONSTRUCTION BEST MANAGEMENT PRACTICES	10
V.	PROJECT IMPACTS AND COMPENSATORY MITIGATION	10
VI.	MONITORING AND REPORTING REQUIREMENTS	13
VII.	NOTIFICATION REQUIREMENTS	15
VIII.	CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE	17
IX.	SAN DIEGO WATER BOARD CONTACT PERSON	18
X.	WATER QUALITY CERTIFICATION.....	18

Attachments:

1. Definitions
2. Project Location Maps
3. Project Site Plans
4. Mitigation Figures
5. CEQA Mitigation Monitoring and Reporting Program

I. STANDARD CONDITIONS

Pursuant to section 3860 of title 23 of the California Code of Regulations, the following three standard conditions apply to all water quality certification actions:

- 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 Water Code and chapter 28, article 6 (commencing with title 23, section 3867), of the California Code of Regulations.
- B. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to California Code of Regulations title 23, section 3855 subdivision (b), and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. This Certification action is conditioned upon total payment of any fee required under title 23, chapter 28 (commencing with section 3830) of California Code of Regulations and owed by the applicant.

II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. 12C-081 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section 1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through 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* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf.
- D. **Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality

certification are incorporated by reference into this Certification as if fully stated herein. Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.

- E. **Project Conformance with Water Quality Control Plans or Policies.** Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 USC section 1313). The Basin Plan is accessible at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml

- F. **Project Modification.** The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water Board for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification.
- G. **Certification Distribution Posting.** During Project 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. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.
- H. **Inspection and Entry.** The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and
 4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.

- I. **Enforcement Notification.** In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall 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.
- J. **Certification Actions.** This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
1. Violation of any term or condition of this Certification;
 2. Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of San Clemente Creek or its tributaries;
 3. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
 4. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 5. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.

The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.

- K. **Duty to Provide Information.** The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- L. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.
- M. **Petitions.** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:
http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Applicant shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Personnel Education.** 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 measures, and BMP implementation and maintenance measures.
- C. **Spill Containment Materials.** 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 United States and/or State.
- D. **General Construction Storm Water Permit.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- E. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff. The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050. Upon Project completion, all Project generated debris, building materials, excess material, waste, and trash shall be removed from the Project site(s) for disposal at an authorized landfill or other disposal site in compliance with federal, state and local laws and regulations.
- F. **Waste Management.** Except for a discharge permitted under this Certification, the dumping, deposition, or discharge of trash, rubbish, unset cement or asphalt, concrete, grout, damaged concrete or asphalt, concrete or asphalt spoils, wash water, organic or earthen material, steel, sawdust or other construction debris waste from Project activities directly into waters of the United States and or State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited.
- G. **Downstream Erosion.** Discharges of concentrated flow during construction or after Project completion must not cause downstream erosion or damage to properties or stream habitat.

- H. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- I. **Process Water.** 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 State or placed in locations that may be subjected to storm water runoff flows. Pollutants discharged to areas within a stream diversion must be removed at the end of each work day or sooner if rain is predicted.
- J. **Surface Water Diversion.** All surface waters, including ponded waters, must be diverted away from areas of active 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 the receiving water quality objectives. 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.
- K. **Re-vegetation and Stabilization.** All areas that have 14 or more days of inactivity must be stabilized within 14 days of the last activity. The Applicant shall implement and maintain BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be re-vegetated with native species appropriate for the area. The re-vegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be accessed at <http://www.cal-ipc.org/ip/inventory/>.
- L. **Hazardous Materials.** Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- M. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or through application of United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to minimize adverse effects to beneficial uses of waters of the United States and/or State. Discharges related to the application of aquatic pesticides within waters of the United States must be done in compliance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, the *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.

- N. Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. On-site Qualified Biologist.** The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- P. Beneficial Use Protection.** The Applicant must take all necessary measures to protect the beneficial uses of waters of San Clemente Creek and its tributaries. This Certification requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to surface waters (including rivers or streams) occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification. Associated Project activities may not resume without approval from the San Diego Water Board.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

Post-Construction Discharges. The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to on-site or off-site erosion or damage to properties or stream habitats.

V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.
- B. Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to San Clemente Creek and its unnamed tributaries within the Penasquitos Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

C. Compensatory Mitigation Plan Implementation. The Applicant must fully and completely implement the Mitigation Plan; any deviations from, or revisions to, the Mitigation Plan must be pre-approved by the San Diego Water Board.

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
Permanent Impacts						
Stream Channel	0.009	68	0.009 Establishment/ Re-establishment ¹	1:1	68 Establishment/ Re-establishment	1:1
Temporary Impacts⁴						
Stream Channel	0.002	16	0.002 Re-Establishment	1:1	16 Re-Establishment	1:1

1. Streambed establishment credit from the City of San Diego's San Clemente Wetland and Upland Site.
2. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.

D. Mitigation Use Ledger. The Applicant shall establish and maintain a mitigation use ledger for the San Clemente Wetland and Upland Mitigation Site. The mitigation use ledger shall show all mitigation use transactions from each mitigation site and shall show the beginning and current balance of available mitigation for each type, all additions and subtractions of mitigation, and any other changes in mitigation availability, such as additional mitigation released or suspended mitigation transfers. The mitigation use ledger shall include at a minimum:

1. Mitigation site(s) name;
2. Mitigation site(s) water quality certification number;
3. Total amount (acres) of each type of mitigation;
4. Project name to expend mitigation;
5. Project contact name and phone number;
6. Date of mitigation expenditure;
7. Type(s) of mitigation expended;
8. Amount of mitigation expended for the Project; and

9. Balance (acres) of each type of mitigation remaining.

- E. Mitigation Use Ledger Submittal.** The Applicant shall submit an updated mitigation use ledger for the San Clemente Mitigation and Upland Mitigation Site to the San Diego Water Board within 30 days of the issuance of this Certification. Additionally, the Applicant shall submit an updated mitigation use ledger with each water quality certification application submitted by the Applicant that proposes to use compensatory mitigation for project impacts from the San Clemente Mitigation and Upland Mitigation Site.
- F. Performance Standards.** Compensatory mitigation required under this Certification shall be considered achieved once it has met the ecological success performance standards contained in the Mitigation Plan (Table 8, page 32) to the satisfaction of the San Diego Water Board.
- G. Compensatory Mitigation Site Design.** The compensatory mitigation site(s) shall be designed to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features (e.g., pumps) and appropriate siting to ensure that natural hydrology and landscape context support long-term sustainability in conformance with the following conditions:
1. Most of the channels through the mitigation sites shall be characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
 2. As viewed along cross-sections, the channel and buffer area(s) shall have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope shall contain physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall; and
 3. The mitigation sites shall have a well-developed plant community characterized by a high degree of horizontal and vertical interspersions among plant zones and layers.
- H. Temporary Project Impact Areas.** 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 of pollutants to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and re-vegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.
- I. Long Term Management and Maintenance.** The compensatory mitigation site(s), must be managed, protected, and maintained, in perpetuity, in conformance with the long term management plan and the final ecological success performance standards identified in the Mitigation Plan. The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:

1. Any maintenance activities on the mitigation site(s) that do not contribute to the success of the mitigation site(s) and enhancement of beneficial uses and ecological functions and services are prohibited;
2. Maintenance activities must be 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 compensatory mitigation project;
3. The Mitigation site(s) must be maintained, in perpetuity, 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 site(s); and
4. If at any time a catastrophic natural event (e.g., fire, flood) causes damage(s) to the mitigation site(s) or other deficiencies in the compensatory mitigation project, the Applicant must take prompt and appropriate action to repair the damage(s) including replanting the affected area(s) and address any other deficiencies. The San Diego Water Board may require additional monitoring by the Applicant to assess how the compensatory mitigation site(s) or project is responding to a catastrophic natural event.

VI. MONITORING AND REPORTING REQUIREMENTS

- A. **Representative Monitoring.** Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. **Monitoring Reports.** Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.
- C. **Monitoring and Reporting Revisions.** The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. **Records of Monitoring Information.** Records of monitoring information shall include:
 1. The date, exact place, and time of sampling or measurements;
 2. The individual(s) who performed the sampling or measurements;
 3. The date(s) analyses were performed;
 4. The individual(s) who performed the analyses;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.

- E. Discharge Commencement Notification.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.
- F. Final Project Completion Report.** The Applicant must submit a Final Project Completion Report to the San Diego Water Board **within 30 days of completion of the Project**. The final report must include the following information:
1. Date of construction initiation;
 2. Date of construction completion;
 3. BMP installation and operational status for the Project;
 4. As-built drawings of the Project, no bigger than 11"X17";
 5. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf.

In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced; and.

- G. Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.
- H. Electronic Document Submittal.** The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 12C-081:786931:amonji
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. 12C-081:786931:amonji.

- I. **Document Signatory Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be signed 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.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

- J. **Document Certification Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be 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."

VII. NOTIFICATION REQUIREMENTS

- A. **Twenty Four Hour Non-Compliance Reporting.** The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of 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 recurrence of the noncompliance. The

San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

- B. Hazardous Substance Discharge.** Except for a discharge which is in compliance with this Certification, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. Oil or Petroleum Product Discharge.** Except for a discharge which is in compliance with this Certification, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- D. Anticipated Noncompliance.** The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- E. Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
- 1. Transfer of Property Ownership:** The Applicant 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 Applicant 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 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 Applicant 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 Applicant 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. The Applicant must provide such notification to the San Diego Water Board **within 10 days** of the transfer of BMP maintenance responsibility.

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.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of San Diego is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated September 5, 2014 for the Final Mitigated Negative Declaration (MND) titled Wet Weather Intermittent Stream Discharge (State Clearing House Number 2013101098). The Lead Agency has determined the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project.
- B. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's MND and finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- C. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.

- D. The Lead Agency has adopted a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the MND are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 5 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the MND, as it pertains to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMRP requirements as specified in sections V and VI of this Certification.
- E. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

IX. SAN DIEGO WATER BOARD CONTACT PERSON


Alan Monji, Environmental Scientist
Telephone: 619-521-3968
Email: Alan.Monji@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Wet Weather Weather Discharge Project** (Certification No. 12C-081) 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 the description in this Certification, and (b) compliance with all applicable requirements of the Basin Plan.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 12C-081 issued on August 20, 2015.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

20 August 2015
Date

ATTACHMENT 1

DEFINITIONS

Activity - when used in reference to a permit means any action, undertaking, or project including, but not limited to, construction, operation, maintenance, repair, modification, and restoration which may result in any discharge to waters of the state.

Buffer - means an upland, wetland, and/or riparian area that protects and/or enhances aquatic resource functions associated with wetlands, rivers, streams, lakes, marine, and estuarine systems from disturbances associated with adjacent land uses.

California Rapid Assessment Method (CRAM) - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

Compensatory Mitigation Project - means compensatory mitigation implemented by the Applicant as a requirement of this Certification (i.e., applicant -responsible mitigation), or by a mitigation bank or an in-lieu fee program.

Discharge of dredged material – means any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States and/or State.

Discharge of fill material – means the addition of fill material into waters of the United States and/or State.

Dredged material – means material that is excavated or dredged from waters of the United States and/or State.

Ecological Success Performance Standards – means observable or measurable physical (including hydrological), chemical, and/or biological attributes that are used to determine if a compensatory mitigation project meets its objectives.

Enhancement – means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Establishment – means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Creation results in a gain in aquatic resource area.

Fill material – means any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body.

Isolated wetland – means a wetland with no surface water connection to other aquatic resources.

Mitigation Bank – means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing mitigation for impacts authorized by this Certification.

Preservation - means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Start of Project Construction - For the purpose of this Certification, "start of Project construction" means to engage in a program of on-site construction, including site clearing, grading, dredging, landfilling, changing equipment, substituting equipment, or even moving the location of equipment specifically designed for a stationary source in preparation for the fabrication, erection or installation of the building components of the stationary source within waters of the United States and/or State.

Uplands - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and constructed stock ponds lack aboveground hydrological connection to other aquatic areas. In the watershed context, uplands comprise the landscape matrix in which aquatic areas form. They are the primary sources of sediment, surface runoff, and associated chemicals that are deposited in aquatic areas or transported through them.

Water quality objectives and other appropriate requirements of state law – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate requirement of state law.

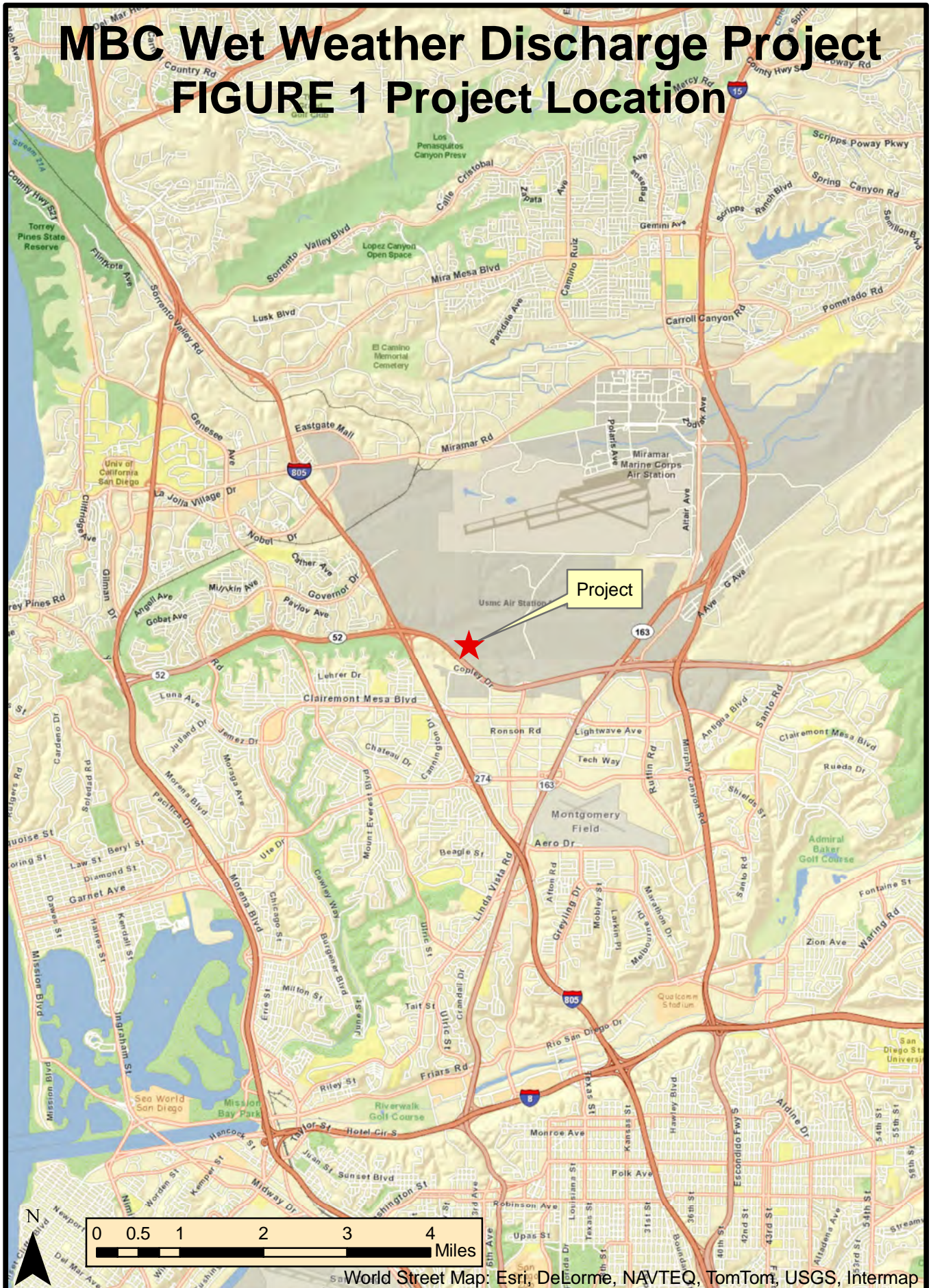
ATTACHMENT 2

LOCATION MAP

1. City of San Diego Figure 1, MBC Wet Weather Discharge Project

MBC Wet Weather Discharge Project

FIGURE 1 Project Location



World Street Map: Esri, DeLorme, NAVTEQ, TomTom, USGS, Intermap

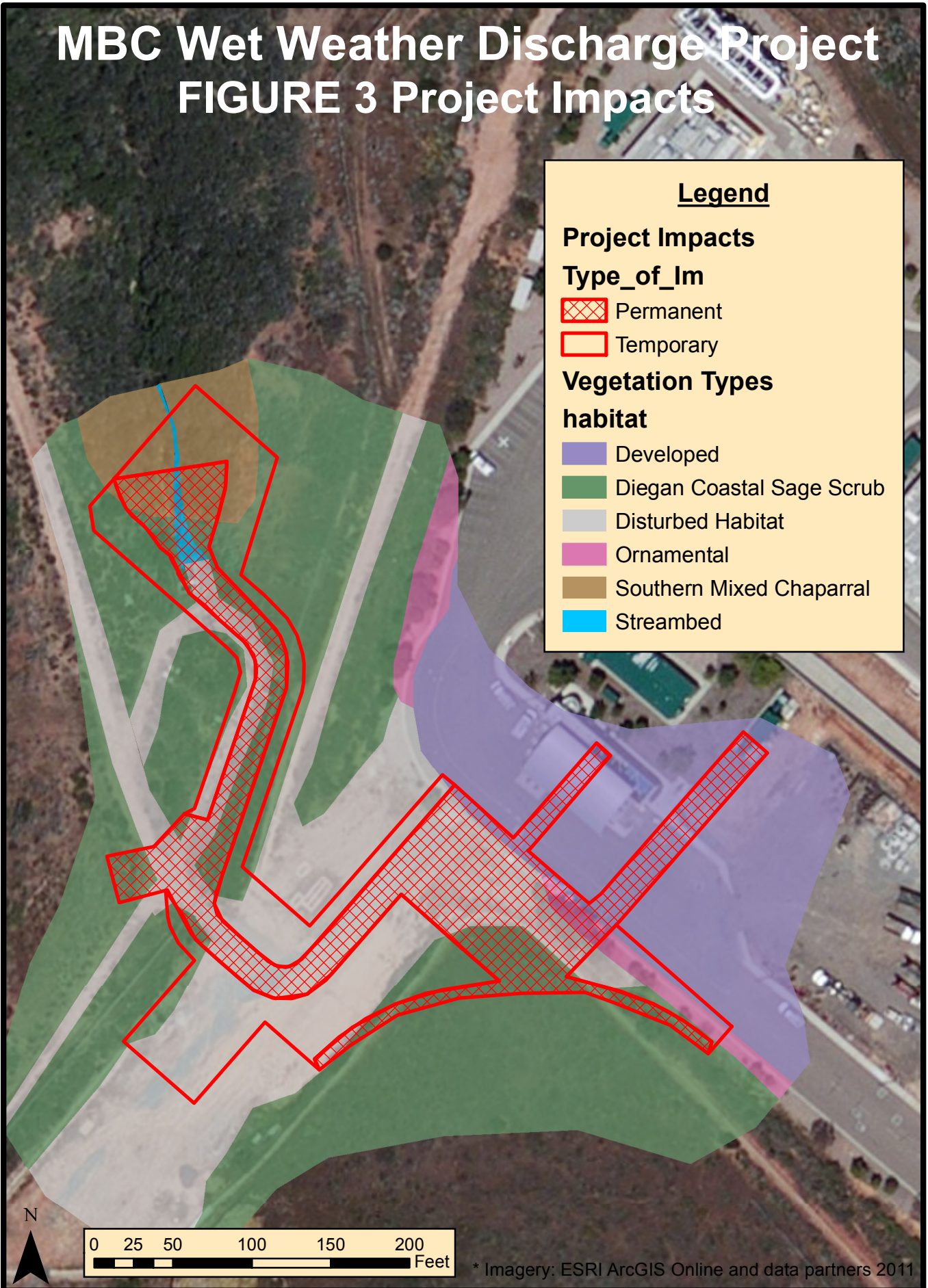
ATTACHMENT 3

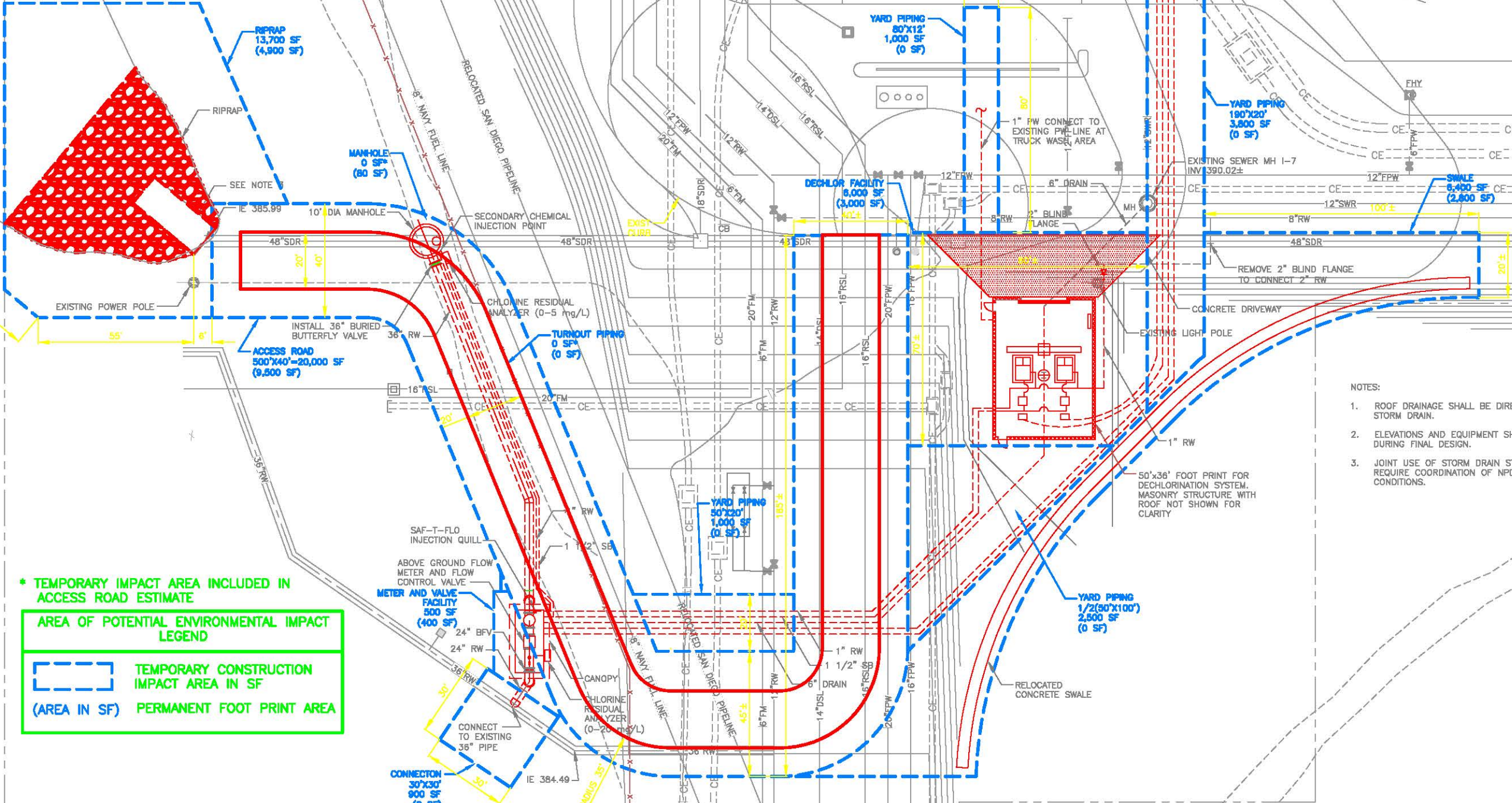
PROJECT FIGURES

1. City of San Diego Figure 3, MBC Wet Weather Discharge Project
2. City of San Diego Metropolitan Wastewater Department, MBC Discharge and Dechlorination Facilities Potential Impacts, Sheet M-6
3. City of San Diego Metropolitan Wastewater Department, MBC Site Valve and Meter Facility, Sheet M-5

MBC Wet Weather Discharge Project

FIGURE 3 Project Impacts





* TEMPORARY IMPACT AREA INCLUDED IN ACCESS ROAD ESTIMATE

AREA OF POTENTIAL ENVIRONMENTAL IMPACT LEGEND

TEMPORARY CONSTRUCTION IMPACT AREA IN SF

(AREA IN SF) PERMANENT FOOT PRINT AREA

- NOTES:
1. ROOF DRAINAGE SHALL BE DIRECTED TO EXISTING STORM DRAIN.
 2. ELEVATIONS AND EQUIPMENT SHALL BE VERIFIED DURING FINAL DESIGN.
 3. JOINT USE OF STORM DRAIN STRUCTURE WOULD REQUIRE COORDINATION OF NPDES PERMIT CONDITIONS.

FILENAME: X-RMC\TBLK 8-19-12 07:23am G:\user\j\j\REFS\REFS177

Concept Design
 Submittal
 Not for
 Construction

0" = 1" SCALE BAR IS ONE INCH LONG ON FULL SIZE DRAWING. IF NOT ONE INCH LONG ON THIS DRAWING, ADJUST SCALES ACCORDINGLY



REV	DATE	BY	APVD	DESCRIPTION

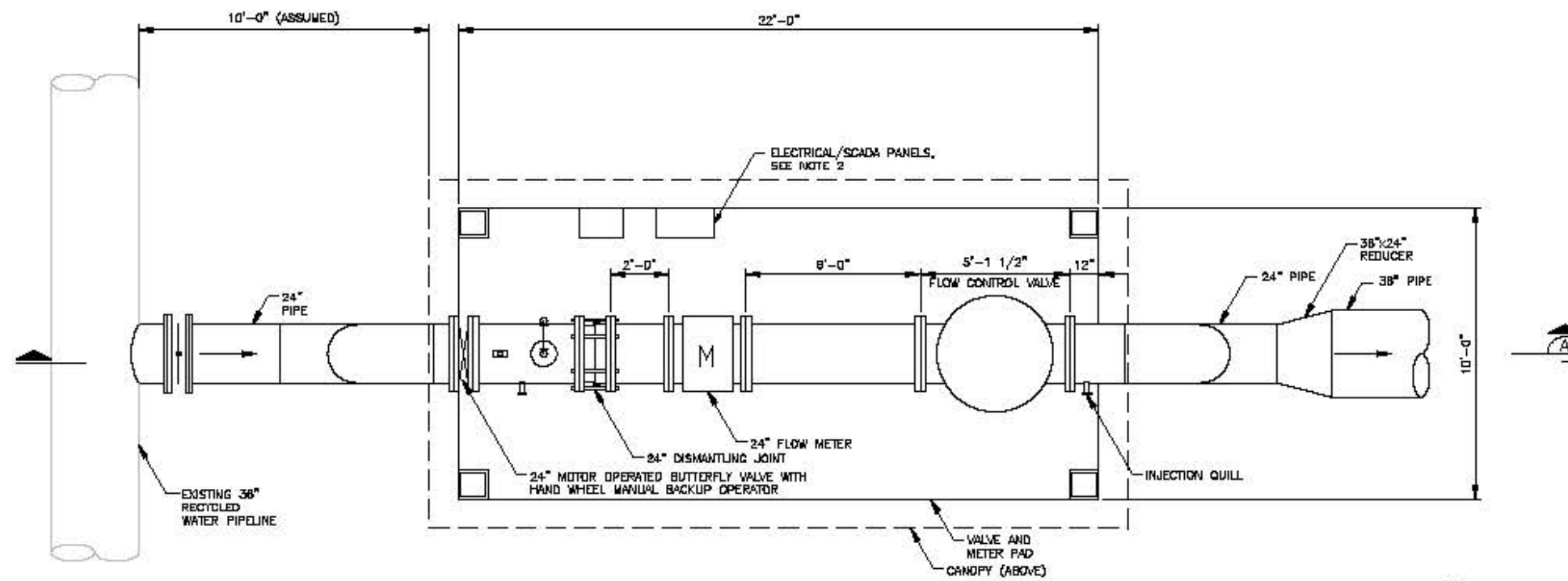
DESIGNED	M. Doyle	SUBMITTED	RMC PROJ ENGR	C
DRAWN	C. To	APPROVED	RMC ENGR	C
CHECKED	D. Brown			

METROPOLITAN WASTEWATER DEPARTMENT
 City of San Diego

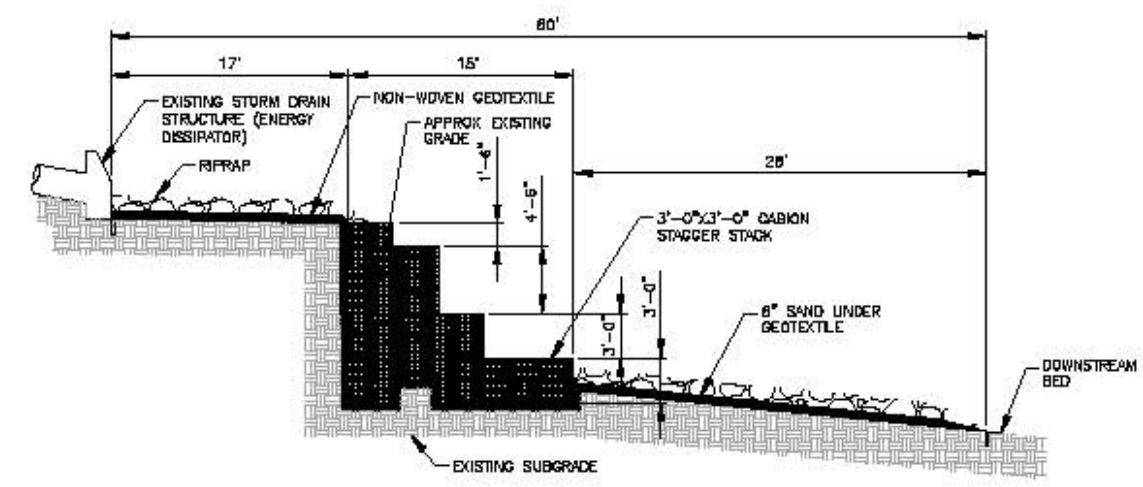
SAN DIEGO - LIVE STREAM DISCHARGE PROJECT
MBC SITE DISCHARGE & DECHLORINATION FACILITIES - POTENTIAL IMPACT AREAS

DWG NO	M-6
SHEET NO	4 OF 4
PROJ NO	0104-003
DATE	October 2011

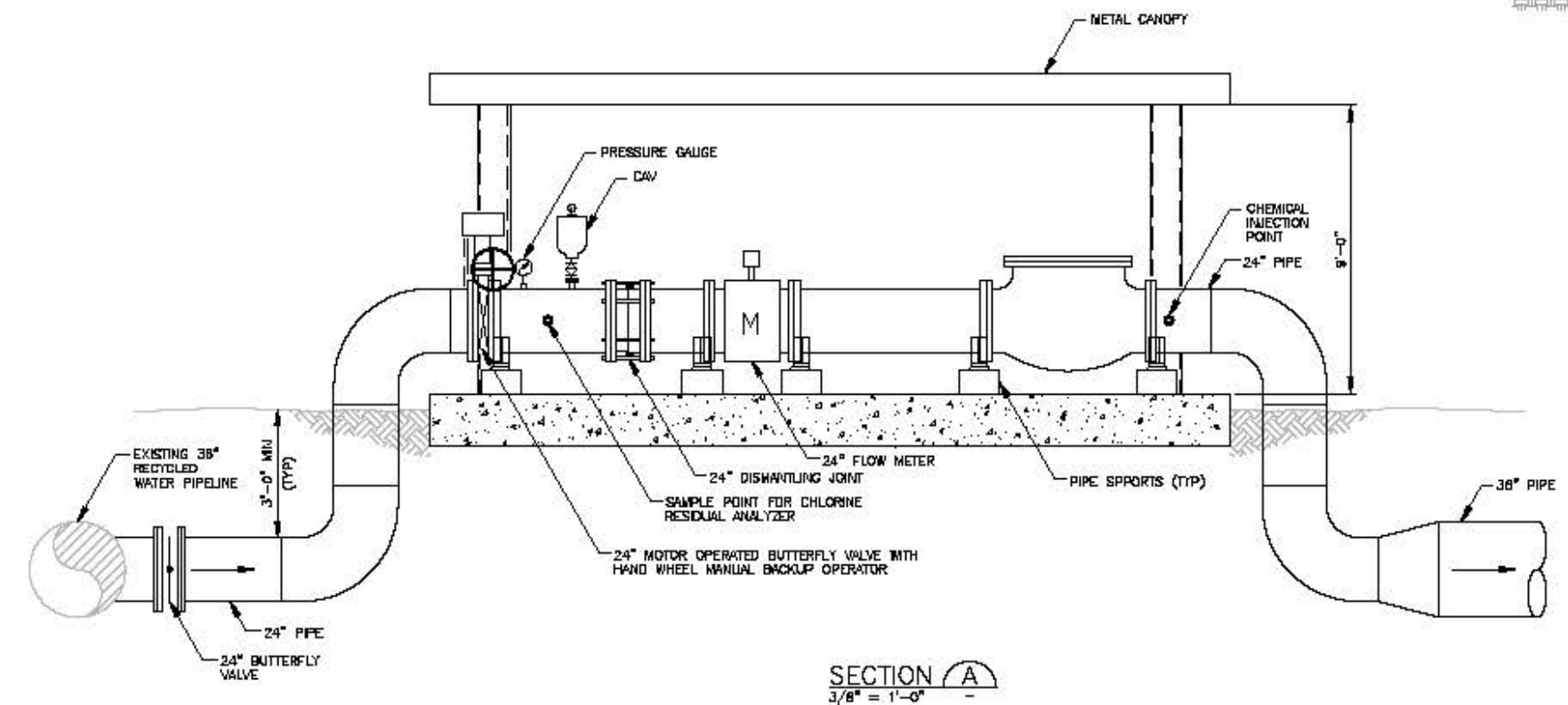
Last Saved By: [GETPROP]??



PLAN VIEW BELOW GRATING
3/8" = 1'-0"



GABION AND RIPRAP DETAIL A
N.T.S.



SECTION A
3/8" = 1'-0"

- NOTES:
1. ALL DIMENSIONS AND LAYOUTS SHOWN ARE CONCEPTUAL AND MUST BE VERIFIED DURING FINAL DESIGN.
 2. ELECTRICAL AND SCADA PANELS IDENTIFY A LOCATION FOR THE EQUIPMENT ONLY. NUMBER, AND SIZE OF PANELS WAS NOT DETERMINED, WIRING AND CONDUIT FOR ELECTRICAL, SCADA AND LIGHTING IS NOT SHOWN.
 3. FACILITY CONCEPTUAL LAYOUTS AND SIZING ARE BASED ON A DISCHARGE RATE OF 16 MGD (MINIMUM) TO 30 MGD (MAXIMUM).

FILENAME: 0104-0105-MS 10-12-11 04:10pm emilar XREFS: X-RADIALLY LOC...

Concept Design
Submittal
Not for
Construction

1" VERTICAL SCALE
DATE IS THIS SCALE
LONG ON THIS
SCALE ACCORDINGLY



REV	DATE	BY	APPD	DESCRIPTION

DESIGNED BY: M. Uyeda, R. Gools
DRAWN BY: C. To
CHECKED BY: D. Payne

SUBMITTED: 10/12/11
APPROVED: [Signature]
DATE: 10/12/11

METROPOLITAN WASTEWATER
DEPARTMENT
City of San Diego



SAN DIEGO - LIVE STREAM DISCHARGE PROJECT
MBC SITE
VALVE AND METER FACILITY

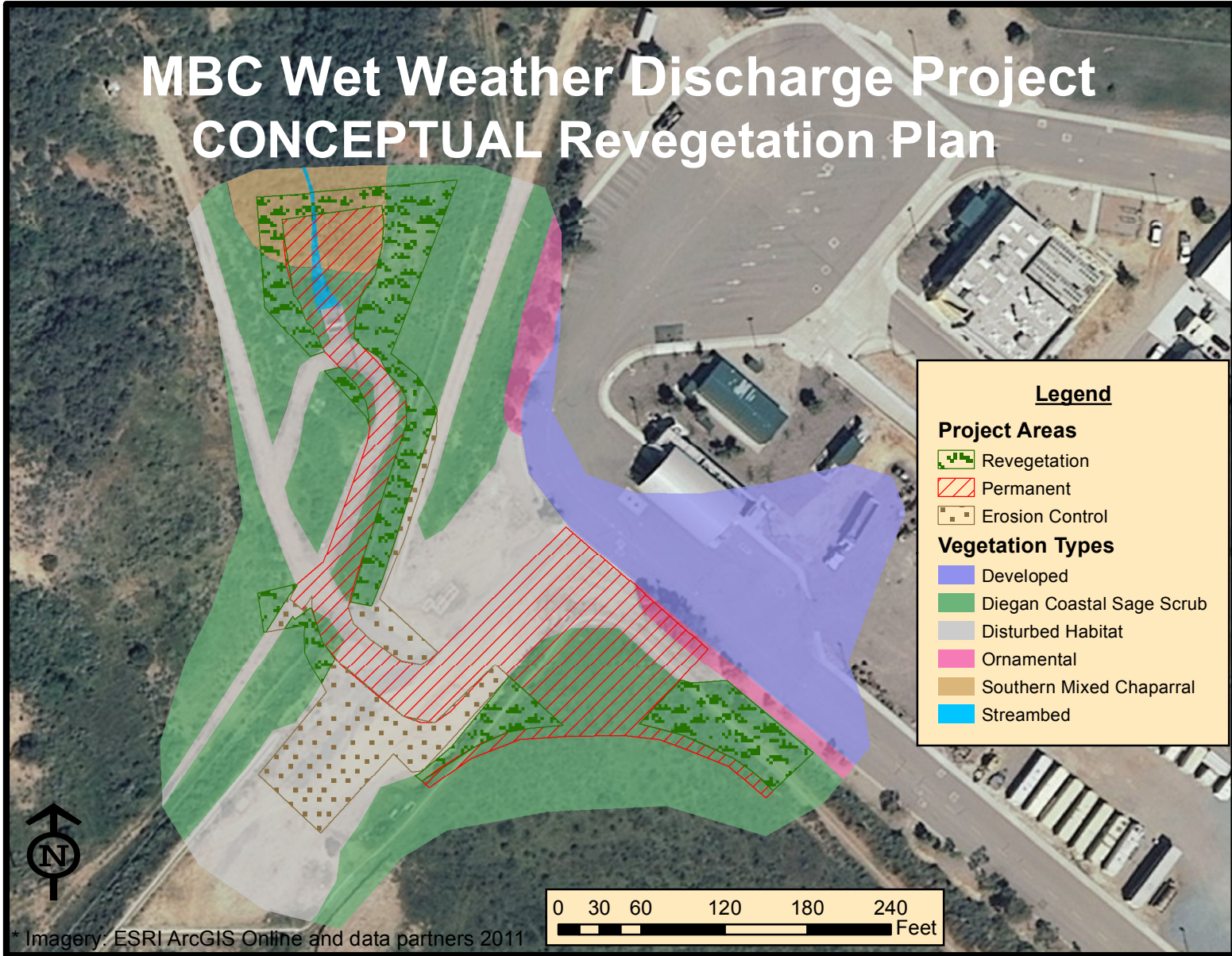
DWG NO: M-5
SHEET NO: 5 OF 6
PROJ NO: 0104-005
DATE: October 2011

ATTACHMENT 4

MITIGATION FIGURES

1. Merkel and Associates Figure 1, Project Vicinity Map, San Clemente Mitigation Project
2. City of San Diego MBC Wet Weather Discharge Project Conceptual Revegetation Plan
3. City of San Diego Mitigation by Mitigation Site Ledger, San Clemente Wetland and Upland Site
4. City of San Diego Mitigation by Project Site Ledger, Wet Weather Stream Discharge Project

MBC Wet Weather Discharge Project CONCEPTUAL Revegetation Plan

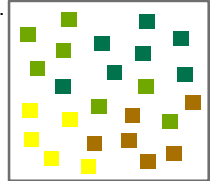


* Imagery: ESRI ArcGIS Online and data partners 2011

Container Plants - Southern Mixed Chaparral		Center (feet)	% composition
Chamise	<i>Adenostoma fasciculatu</i>	10	30%
Wart-stem eanothus	<i>Ceanothus verrucosus</i>	12	15%
Felt leaved yerba santa	<i>Eriodictyon crassifolium</i>	4	35%
Mission manzanita	<i>Xylococcus bicolor</i>	12	20%
Container Plants - Diegan Coastal Sage Scrub			
California sagebrush	<i>Artemisia californica</i>	4	35%
Goldenbush	<i>Isocoma menziesii</i>	4	30%
Flat-topped buckwheat	<i>Eriogonum fasciculatum</i>	4	35%
Seed Mixture		% purity/germination	lbs/acre
Purple needlegrass	<i>Nassella pulchra</i>	70/60	4
Black sage	<i>Salvia mellifera</i>	70/50	6
California encelia	<i>Encelia californica</i>	40/60	2
Deerweed	<i>Lotus scoparius</i>	90/60	7
Tarplant	<i>Deinandra fasciculata</i>	10/25	5
Arroyo lupine	<i>Lupinus succulentus</i>	95/85	4
California everlasting	<i>Gnaphalium californicum</i>	5/40	2
Total			30

Final impact areas will be measured post construction using a hand-held GPS device, and a final Revegetation Plan will be included with the post-impact report. Container plant list and seed mixes will be finalized in the final Revegetation Plan, but shall contain at least all species and at the proportions included in the Conceptual Revegetation Plan. Revegetation area will be maintained for 25 months. Container plants shall be 1-gallon. All species selected are drought tolerant and do not require regular watering; however, supplemental watering may be needed and if applied, will mimic natural rainfall cycles.

Schematic vignette of simple 4-species distribution and layout for restoration. Diagram shows that distribution and layout of plants for restoration will take into account natural clumping tendencies of plant communities. Not intended to represent distribution of species listed in the table.



Revegetation will occur in Diegan Coastal Sage Scrub and Southern Mixed Chaparral areas that received temporary impacts. No container plants or seed mix specific for the Streambed is recommended because the original condition was unvegetated. No container plants or seed mix will be recommended for the Disturbed areas because they are currently being used as dirt access roads and storage areas.



Mitigation by Project

Project: Wet Weather Stream Discharge



Mitigation Type	Mitigation Habitat	Impact Habitat	Acres
Wet Weather Stream Discharge			0.4500
San Clemente Wetland and Upland			0.4500
Upland Restoration	Coastal Sage Scrub (CSS)	Diegan Coastal Sage Scrub (DCSS)	0.1950
Upland Restoration	Coastal Sage Scrub (CSS)	Diegan Coastal Sage Scrub (DCSS)	0.1850
Upland Restoration	Coastal Sage Scrub (CSS)	Southern Mixed Chaparral (SMC)	0.0400
Upland Restoration	Coastal Sage Scrub (CSS)	Southern Mixed Chaparral (SMC)	0.0200
Wetland Creation/Restoration	Riparian Forest (RF)	Non-Vegetated Channel (NVC)	0.0100



Mitigation by Mitigation Site

Mitigation Site: San Clemente Wetland and Upland

Mitigation Type: <All Mitigation Types>

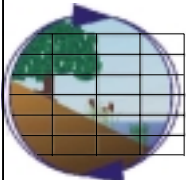
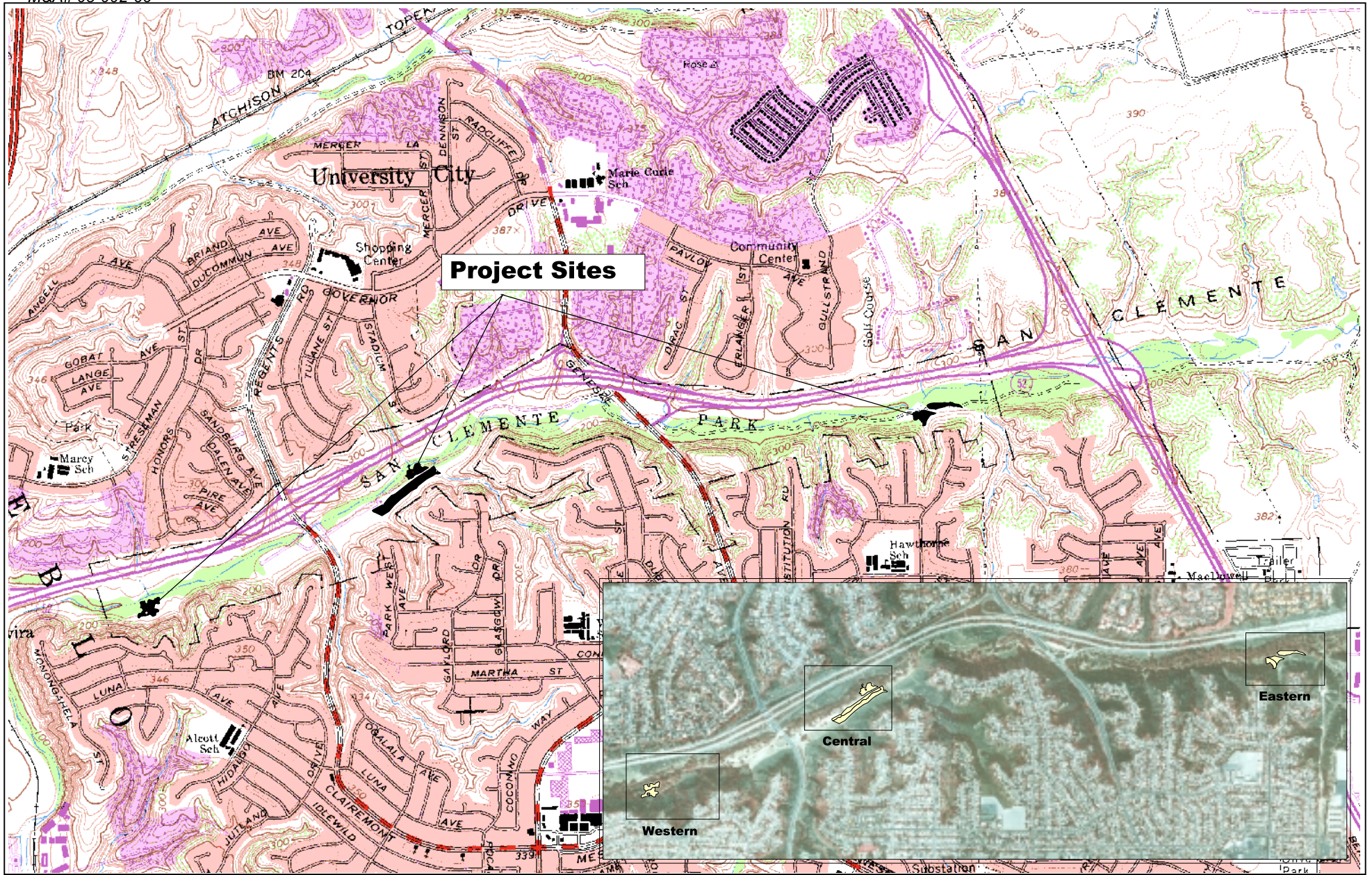
Project: <All Projects>



Mitigation Type	Mitigation Habitat	Project	Impact Habitat	Mitigation Acres	In/Adjacent/Out Watershed	In/Out Canyon	In/Out Project	Impact Date
San Clemente Wetland and Upland 4.1370								
				Upland 2.0830				
Upland Restoration	Coastal Sage Scrub (CSS)	Gesner LT	Diegan Coastal Sage Scrub (DCSS)	0.1000	In	Out	Out	
		Gesner/Huron	Non-Native Grassland (NNG)	0.0100	In	Out	Out	
		Penasquitos Bluffs (Finger Canyon Emergency)	Non-Native Grassland (NNG)	0.0300	In	Out	Out	11/1/2000
		Penasquitos Bluffs (Finger Canyon Emergency)	Chamise Chaparral (CC)	0.0200	In	Out	Out	11/1/2000
		Penasquitos Bluffs (Finger Canyon Emergency)	Diegan Coastal Sage Scrub (DCSS)	0.4200	In	Out	Out	11/1/2000
		Penasquitos Bluffs (Finger Canyon Emergency)	Diegan Coastal Sage Scrub (DCSS)	0.2700	In	Out	Out	11/1/2000
		Penasquitos Bluffs (Finger Canyon Emergency)	Diegan Coastal Sage Scrub (DCSS)	0.0200	In	Out	Out	11/1/2000
		San Clemente (Emergency Repairs Combined)	Non-Native Grassland (NNG)	0.0050	In	In	Out	9/17/2001
		San Clemente (Emergency Repairs Combined)	Diegan Coastal Sage Scrub (DCSS)	0.0510	In	In	Out	9/17/2001
		San Clemente Canyon Access Path LT Project	Diegan Coastal Sage Scrub (DCSS)	0.0170	In	In	Out	
		San Clemente Canyon Access Path LT Project	Diegan Coastal Sage Scrub (DCSS)	0.0130	In	In	Out	
		San Clemente Canyon Access Path LT Project	Coast Live Oak Woodland (CLOW)	0.1500	In	In	Out	
		San Clemente Canyon Access Path LT Project	Coast Live Oak Woodland (CLOW)	0.3900	In	In	Out	
		San Clemente Canyon Biltmore Pipe Protection Emerg	Diegan Coastal Sage Scrub (DCSS)	0.0100	In	In	Out	
		San Clemente Canyon Biltmore Pipe Protection Emerg	Non-Native Grassland (NNG)	0.0510	In	In	Out	
		San Clemente Canyon Biltmore Pipe Protection Emerg	Southern Mixed Chaparral (SMC)	0.0100	In	In	Out	
		San Clemente LT MH #4	Poison Oak Scrub (POS)	0.0180	In	In	Out	
		San Clemente LT MH #4	Non-Native Grassland (NNG)	0.0580	In	In	Out	
Wet Weather Stream Discharge	Diegan Coastal Sage Scrub (DCSS)	0.1950	In	Out	Out			

Mitigation Type	Mitigation Habitat	Project	Impact Habitat	Mitigation Acres	In/Adjacent/Out Watershed	In/Out Canyon	In/Out Project	Impact Date
San Clemente Wetland and Upland 4.1370								
Upland Restoration	Coastal Sage Scrub (CSS)	Wet Weather Stream Discharge	Diegan Coastal Sage Scrub (DCSS)	0.1850	In	Out	Out	
		Wet Weather Stream Discharge	Southern Mixed Chaparral (SMC)	0.0400	In	Out	Out	
		Wet Weather Stream Discharge	Southern Mixed Chaparral (SMC)	0.0200	In	Out	Out	
Wetland 2.0540								
Wetland Creation/Restoration	Riparian Forest (RF)	Balboa Terrace Trunk Sewer Replacement	Southern Coast Live Oak Riparian Forest (SCLORF)	0.0030	In	Out	Out	
		Balboa Terrace Trunk Sewer Replacement	Non-Vegetated Channel (NVC)	0.0140	In	Out	Out	
		Balboa Terrace Trunk Sewer Replacement	Mule Fat Scrub (MFS)	0.0220	In	Out	Out	
		Balboa Terrace Trunk Sewer Replacement	Disturbed Wetland (DWET)	0.1070	In	Out	Out	
		Balboa Terrace Trunk Sewer Replacement	Freshwater Marsh (FM)	0.0400	In	Out	Out	
		Balboa Terrace Trunk Sewer Replacement	Southern Willow Scrub (SWS)	0.0640	In	Out	Out	
		Carroll Canyon Emergency Sewer Repair	Non-Vegetated Channel (NVC)	0.0100	In	Out	Out	
		Carroll Canyon Emergency Sewer Repair	Southern Arroyo Willow Riparian Forest (SAWRF)	0.0300	In	Out	Out	
		Dakota Canyon Replacement/Relocation/Access	Non-Vegetated Channel (NVC)	0.0300	In	Out	Out	
		East Tecolote Canyon Pipe Encasemt Protection Proj	Open Water (OW)	0.0230	In	Out	Out	
		East Tecolote Canyon Pipe Encasemt Protection Proj	Southern Willow Scrub (SWS)	0.0360	In	Out	Out	
		East Tecolote Canyon Pipe Encasemt Protection Proj	Southern Riparian Forest (SRF)	0.0300	In	Out	Out	
		Penasquitos Bluffs LT	Freshwater Marsh (FM)	0.0140	In	Out	Out	
		Penasquitos Bluffs LT	Alkali Marsh (AM)	0.0040	In	Out	Out	
		Penasquitos Bluffs LT	Alkali Marsh (AM)	0.0100	In	Out	Out	
		Penasquitos Bluffs LT	Southern Willow Scrub (SWS)	0.0030	In	Out	Out	
		Penasquitos Bluffs LT	Southern Willow Scrub (SWS)	0.0070	In	Out	Out	
		San Clemente Canyon Access Path LT Project	Southern Coast Live Oak Riparian Forest (SCLORF)	0.8500	In	In	Out	
		San Clemente Canyon Access Path LT Project	Southern Cottonwood-Willow Riparian Forest (SCWRF)	0.2700	In	In	Out	
		San Clemente Canyon Biltmore Pipe Protection Emerg	Southern Coast Live Oak Riparian Forest (SCLORF)	0.1170	In	In	Out	

Mitigation Type	Mitigation Habitat	Project	Impact Habitat	Mitigation Acres	In/Adjacent/Out Watershed	In/Out Canyon	In/Out Project	Impact Date
San Clemente Wetland and Upland 4.1370								
Wetland Creation/Restoration	Riparian Forest (RF)	San Clemente Canyon Biltmore Pipe Protection Emerg	Non-Vegetated Channel (NVC)	0.0040	In	Out	Out	
		San Clemente Canyon Mitigation Project	Southern Coast Live Oak Riparian Forest (SCLORF)	0.0030	In	Out	Out	
		San Clemente Emergency Sewer Encasement Repair	Southern Coast Live Oak Riparian Forest (SCLORF)	0.0200	In	Out	Out	
		San Clemente Emergency Sewer Encasement Repair	Non-Vegetated Channel (NVC)	0.0100	In	Out	Out	
		Soledad Valley Water Line Break	Alkali Marsh (AM)	0.2000	In	Out	Out	
		Stevenson Long Term Access Project	Southern Willow Scrub (SWS)	0.0280	In	Out	Out	
		Stevenson Long Term Access Project	Mule Fat Scrub (MFS)	0.0850	In	Out	Out	
		Tecolote Mt. Ashmun Pipe Protection Emergency	Riparian Forest (RF)	0.0100	In	Out	Out	
		Wet Weather Stream Discharge	Non-Vegetated Channel (NVC)	0.0100	In	Out	Out	



Project Vicinity Map
 San Clemente Mitigation Project
 source: USGS 7.5' La Jolla, California Quadrangle

Figure 1

ATTACHMENT 5

CEQA MITIGATION REQUIREMENTS

1. City of San Diego, Wet Weather Intermittent Stream Discharge Mitigation Monitoring and Reporting Program, July 8, 2014. Exhibit A, 5 pages.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The PM/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

<i>Issue Area</i>	<i>Document submittal</i>	<i>Associated Inspection/Approvals/Note</i>
General	Monitor Qualification Letter	Prior to Construction
General	Monitoring Exhibit	Prior to Construction
Biology	Gnatcatcher Survey Report	Prior to Construction
Biology	General Bird Nesting Survey	Prior to Construction
Biology	Monitoring Reports	During/Post Construction
Biology	Final MMRP	Final MMRP Inspection

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:

C. BIOLOGICAL RESOURCES

I. Prior to Construction

A. Prior to the start of construction, notice of which will be provided by the PM, the DSD Environmental Designee (ED) shall verify that the following conditions have occurred to mitigate direct impacts to ~~0.544~~ 0.38 acres of Diegan coastal sage scrub habitat:

1. The applicant shall allocate 0.44 acres of upland credits at the San Clemente Canyon Upland and Wetland Mitigation site. The total allocation of 0.44 acres of upland credits would satisfy the required mitigation ratio of 1:1 for unoccupied Diegan coastal sage scrub, and 0.5:1 for southern mixed chaparral habitat.

B. The PM shall provide a letter to the City’s Mitigation Monitoring Coordination (MMC) stating that a qualified biologist, as defined in the City of San Diego’s Biological Review References, has been retained to implement the project’s biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

C. The Qualified Biologist shall submit required documentation to MMC verifying that any special reports, maps, plans, and timelines; including but not limited to, revegetation plans, avian or other wildlife protocol surveys, impact avoidance areas, or other such information has been completed or scheduled.

ATTACHMENT 5

CEQA MITIGATION REQUIREMENTS

1. City of San Diego, Wet Weather Intermittent Stream Discharge Mitigation Monitoring and Reporting Program, July 8, 2014. Exhibit A, 5 pages.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The PM/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

<i>Issue Area</i>	<i>Document submittal</i>	<i>Associated Inspection/Approvals/Note</i>
General	Monitor Qualification Letter	Prior to Construction
General	Monitoring Exhibit	Prior to Construction
Biology	Gnatcatcher Survey Report	Prior to Construction
Biology	General Bird Nesting Survey	Prior to Construction
Biology	Monitoring Reports	During/Post Construction
Biology	Final MMRP	Final MMRP Inspection

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:

C. BIOLOGICAL RESOURCES

I. Prior to Construction

A. Prior to the start of construction, notice of which will be provided by the PM, the DSD Environmental Designee (ED) shall verify that the following conditions have occurred to mitigate direct impacts to ~~0.544~~ 0.38 acres of Diegan coastal sage scrub habitat:

1. The applicant shall allocate 0.44 acres of upland credits at the San Clemente Canyon Upland and Wetland Mitigation site. The total allocation of 0.44 acres of upland credits would satisfy the required mitigation ratio of 1:1 for unoccupied Diegan coastal sage scrub, and 0.5:1 for southern mixed chaparral habitat.

B. The PM shall provide a letter to the City’s Mitigation Monitoring Coordination (MMC) stating that a qualified biologist, as defined in the City of San Diego’s Biological Review References, has been retained to implement the project’s biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

C. The Qualified Biologist shall submit required documentation to MMC verifying that any special reports, maps, plans, and timelines; including but not limited to, revegetation plans, avian or other wildlife protocol surveys, impact avoidance areas, or other such information has been completed or scheduled.

BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

BETWEEN FEBRUARY 15 AND AUGUST 31, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND

1. BETWEEN FEBRUARY 15 AND AUGUST 31, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE DSD ED AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
2. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE

- D. The Qualified Project biologist shall attend the Preconstruction meeting and discuss the project's biological monitoring program.
- E. The project biologist shall submit a biological construction monitoring exhibit (BCME) (site plan reduced to 11X17) describing the projects biological monitoring program. The exhibit shall include impact avoidance areas, buffers, and wildlife survey information.
- F. To avoid any direct impacts to raptors and/or any migratory birds, removal of habitat that supports active nests on the proposed area of disturbance should occur outside of the breeding season for these species (January 15 to August 31). If removal of habitat on the proposed area of disturbance must occur during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds within the proposed area of disturbance. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan as deemed appropriate by the City, shall be prepared and include proposed measures to be implemented to ensure that disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City.
- G. The qualified biologist shall supervise the placement of orange construction fencing, flagging, or equivalent along the limits of disturbance adjacent to sensitive biological resources and verify compliance with any other project conditions as shown on the BCME.

H. COASTAL CALIFORNIA GNATCATCHER

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN FEBRUARY 15 AND AUGUST 31, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE DSD ED:

- a. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED

BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

BETWEEN FEBRUARY 15 AND AUGUST 31, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND

1. BETWEEN FEBRUARY 15 AND AUGUST 31, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE DSD ED AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
2. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE

ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- b. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE DSD ED AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN FEBRUARY 15 AND AUGUST 30 AS FOLLOWS:
 1. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION H.a. SHALL BE ADHERED TO AS SPECIFIED ABOVE.
 2. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

II. During Construction

- A. All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys.
- B. Appropriate BMP's will be used during and after construction to address erosion control.
- C. The Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and

immediately in the case of any undocumented condition or discovery. Photographs will be taken of the project area before, during, and after the work to document the condition of the site and the extent of any impacts to the surrounding area.

- D. The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied to the satisfaction of MMC.

III. Post Construction:

- A. The qualified biologist shall submit a final construction monitoring report to DSD within 30 days of construction completion. The report shall address all biological monitoring requirements described on the BCME and approved construction documents.
- B. In the event impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL, State CEQA, and other applicable local, state and federal law.
- C. Post construction habitat restoration will be implemented for areas no longer necessary for routine access and maintenance and in accordance with the approved restoration plan. The restoration plan shall incorporate the sensitive wart-stemmed ceanothus in the planting palette and will be specified as container stock. The Wart-Stemmed Ceanothus would be required to make up 15% of the composition of the Southern Mixed Chaparral habitat planting palette.
- D. A qualified biologist will survey the project area and the downstream waterways for evidence of scour and erosion following a water release. A survey shall also be conducted to determine the presence or absence of previously documented willowy monardella plants following a water release. Results of these surveys that will include GPS data and photographs will be provided to MCAS Miramar and the resource agencies as requested.