

**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/>

**Amendment No. 1 to Clean Water Act Section 401
Water Quality Certification No. R9-2012-0083**

**PROJECT: CP San Onofre to CP Pulgas Double Track –
Stage 2: MP 216.65 to MP 218.3
Certification Number R9-2012-0083**

**APPLICANT: San Diego Association of Governments
401 B Street
Suite 800
San Diego, CA 92101**

Reg. Meas. ID: 387689
Place ID: 787023
Party ID: 39834
Person ID: 524619
WDID: 9000002522

On February 22, 2013, Clean Water Act Section 401 Water Quality Certification No. R9-2012-0083 (Certification) was issued to the San Diego Association of Governments (Applicant) for the CP San Onofre to CP Pulgas Double Track - Stage 2: MP 216.65 to MP 218.3 Project (Project). On December 26, 2018, the Certification was amended to reflect changes in the amount of impacts and mitigation locations.

By letter dated April 10, 2017, the Applicant requested the Certification be amended to accommodate railway design changes and the relocation of compensatory mitigation from onsite to offsite, due to the failure of the onsite mitigation.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. R9-2012-0083 remain in full force and effect. The following changes are made to Certification No. R9-2012-0083 and are shown in underline/strikeout format to indicate added and removed language:

Page 2-3, PROJECT DESCRIPTION is modified as follows:

The construction of the Project will permanently impact ~~0.397~~ 0.44 acres (~~4257~~ 1,217 linear feet) of jurisdictional waters of the United States which include ~~0.017~~ 0.01 acre (~~425~~ 112 linear feet) of non-wetlands within Mulefat scrub and Riparian scrub habitats and ~~0.38~~ 0.43 acre (~~4,132~~ 1,105 linear feet) of wetlands waters within Mulefat scrub and Riparian scrub habitats. 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. Project impacts and compensatory mitigation are summarized in the following table:

Impacts and Compensatory Mitigation:	Acreage:	Linear feet:
Permanent Impacts to non-wetland waters of the U.S.	0.017 acre	125 linear feet
Temporary Impacts to non-wetland waters of the U.S.	0.021 acre	161 linear feet
Permanent Impacts to wetland waters of the U.S.	0.38 acre	1,105 linear feet
Temporary Impacts to wetland waters of the U.S.	0.34 acre	1,395 linear feet
Mitigation: offsite establishment of wetlands	0.38 acre	1,105 linear feet
Mitigation: offsite enhancement of wetlands	1.101 acres, minimum	To be determined.
Mitigation: offsite establishment of non-vegetated drainages	0.01 acre	112 linear feet
Mitigation: offsite enhancement of non-vegetated drainages	0.028 acre	To be determined.

Mitigation: onsite restoration of wetlands	0.34 acre, minimum	To be determined, but approximately 1,395 linear feet.
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Pages 8-9 ADDITIONAL CONDITIONS: IMPACTS AND COMPENSATORY MITIGATION is modified as follows:

- A. Impacts to waters of the United State and/or State associated with the Project are limited to:
 - 1. Permanent impacts to non-wetland waters of the U.S. and State of no more than ~~0.017~~ 0.01 acre and ~~425~~ 112 linear feet.
 - 2. Temporary impacts to non-wetland waters of the U.S. and State of no more than ~~0.21~~¹ 0.03 acre and ~~464~~ 217 linear feet.
 - 3. Permanent impacts to wetland waters of the U.S. and State of no more than ~~0.38~~ 0.43 acre and ~~1,132~~ 1,105 linear feet.
 - 4. Temporary impacts to wetland waters of the U.S. and State of no more than ~~0.34~~ 0.27 acre and ~~1,395~~ 1,217 linear feet.
- B. A compensatory mitigation plan acceptable to the San Diego Water Board must be submitted within 60 days of issuance of this Certification.
- C. Mitigation must be in-kind with the impacts or be of a higher ecological function.
- D. Mitigation must be within the Santa Margarita San Luis Rey watershed.
- E. The mitigation plan must follow the 2008 Mitigation Rule².
- F. ~~The~~ Compensatory mitigation plan must propose include the following:
 - 1. ~~Establishment of a minimum of 0.38 acre, 1,132 linear feet, of wetlands as Mulefat scrub and Riparian scrub.~~
 - 2. ~~Enhancement of a minimum of 1.101 acres of wetlands as Mulefat scrub and Riparian scrub.~~

¹ The 0.21 acre is a typographic error in the original Certification: it should have stated 0.021 acre.

² See Department of Defense, Department of the Army, Corps of Engineers, 33 CFR Parts 325 and 332 and Environmental Protection Agency, 40 CFR Part 230, Compensatory Mitigation for Losses of Aquatic Resources; Final Rule. Access at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx

3. ~~Establishment of a minimum of 0.017 acre, 125 linear feet, of non-vegetated drainages.~~
4. ~~Enhancement of a minimum of 0.021 acre of non-vegetated drainages.~~
5. ~~Onsite restoration of 0.34 acres, ~1,395 linear feet, of Riparian scrub and associated understory.~~

	<u>Impacts (acres)</u>	<u>Impacts (linear ft.)</u>	<u>Mitigation for Impacts (acres)</u>	<u>Mitigation Ratio (area mitigated :area impacted)</u>	<u>Mitigation for Impacts (linear ft.)</u>	<u>Mitigation Ratio (linear feet mitigated :linear feet impacted)</u>
<u>Permanent Impacts</u>						
<u>Wetland</u>	<u>0.43</u>	<u>1,105</u>	<u>0.43 @ Foss</u> <u>0.052 @ SLR</u> <u>Establishment¹</u>	<u>1.14:1</u>	<u>N/A</u>	<u>N/A</u>
<u>Riparian Zone</u>	<u>0.01</u>	<u>112</u>	<u>1.13 @ Foss</u> <u>0.325 @ SLR</u> <u>Enhancement²</u>	<u>1.45:1</u>	<u>N/A</u>	<u>N/A</u>
<u>Combined Totals</u>	<u>0.44</u>	<u>1,217</u>	<u>1.937</u>	<u>4.4:1</u>		
<u>Temporary Impacts</u>						
<u>Wetland</u>	<u>0.27</u>	<u>1,217</u>	<u>0.38 @ SLR</u> <u>Enhancement³</u>	<u>1.27:1</u>		

<u>Riparian Zone</u>	<u>0.03</u>	<u>217</u>				
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1. Purchase of Wetland establishment credits from Foss Lake Mitigation (Foss) and San Luis Rey Mitigation (SLR) Banks.
2. Purchase of Wetland enhancement credits from Foss Lake Mitigation (Foss) and San Luis Rey Mitigation Banks (SLR).
3. On-site re-establishment of wetland and riparian flora was repeatedly attempted over a three year period as mitigation for temporary impacts. Changes to on-site hydrology prevented wetland and riparian flora to re-establish. Upland grasses and shrubs were established onsite where wetland/riparian mitigation failed. Temporary impacts were mitigated through the purchase of wetland mitigation credits from the San Luis Rey Mitigation Bank.

Page 17 ATTACHMENT 1: PROJECT INFORMATION is modified as follows:

Applicant: Mr. Rob Rundle Keith Greer
 Principal Planner
 San Diego Association of Governments
 Department of Land Use and Transportation Planning
 Environmental/Public Facilities Planning
 401 B Street
 Suite 800
 San Diego, CA 92101
 Telephone: 619-699-6949 7390
 Fax: 619-699-4888 1905
 Email: rob.rundle keith.greer@sandag.org

Page 20 ATTACHMENT 1: PROJECT INFORMATION is modified as follows:

~~Impacted Wetlands
and Waters of the
United States and
State:~~

Permanent impacts:

~~Wetland waters — 0.38 acre, 1,132 linear feet.~~

~~Non-wetland waters — 0.017 acre, 125 linear feet.~~

Temporary:

~~Wetland waters — 0.34 acre, 1,395 linear feet.~~

~~Non-wetland waters — 0.021 acre, 161 linear feet.~~

Compensatory
Mitigation:

Compensatory mitigation will include the following:

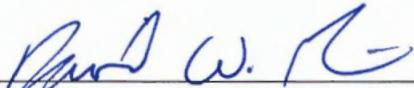
- ~~• Offsite establishment of 0.38 acre, 1,132 linear feet, of wetlands as Mulefat scrub and Riparian scrub at Foss Lake.~~
- ~~• Offsite enhancement of 1.101 acres of wetlands as Mulefat scrub and Riparian scrub with linear feet to be determined at Foss Lake.~~
- ~~• Offsite establishment of 0.017 acre, 125 linear feet of non-vegetated drainages.~~
- ~~• Offsite enhancement of 0.021 acre of non-vegetated drainages with linear to be determined.~~
- ~~• Onsite restoration of 0.34 acre, approximately 1,395 linear feet, of riparian trees and associated understory.~~

San Diego Association of Governments
CP San Onofre to CP Pulgas Double Track –
Stage 2: MP 216.65 to MP 218.3
Certification No. R9-2012-0083

Certified: February 22, 2013
Amended: January 28, 2019

Notification: 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 Amendment. 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.

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. R9-2012-0083 issued on January 28, 2019.



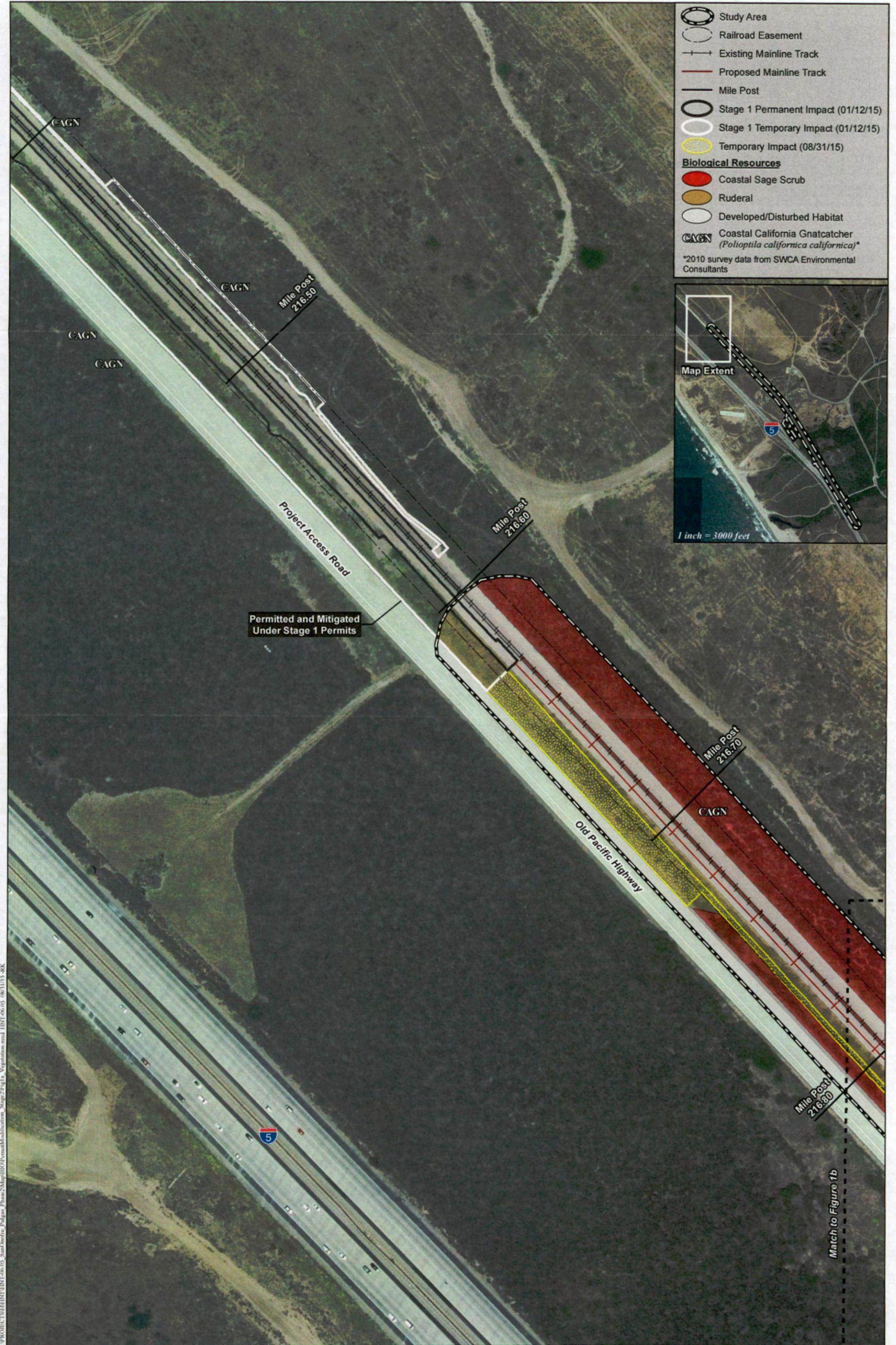
DAVID W. GIBSON
Executive Officer
San Diego Water Board

28 January 2019
Date

San Diego Association of Governments
San Onofre to Pulgas Double Track
Amendment 1
Certification No. R9-2012-0083

ATTACHMENT 1

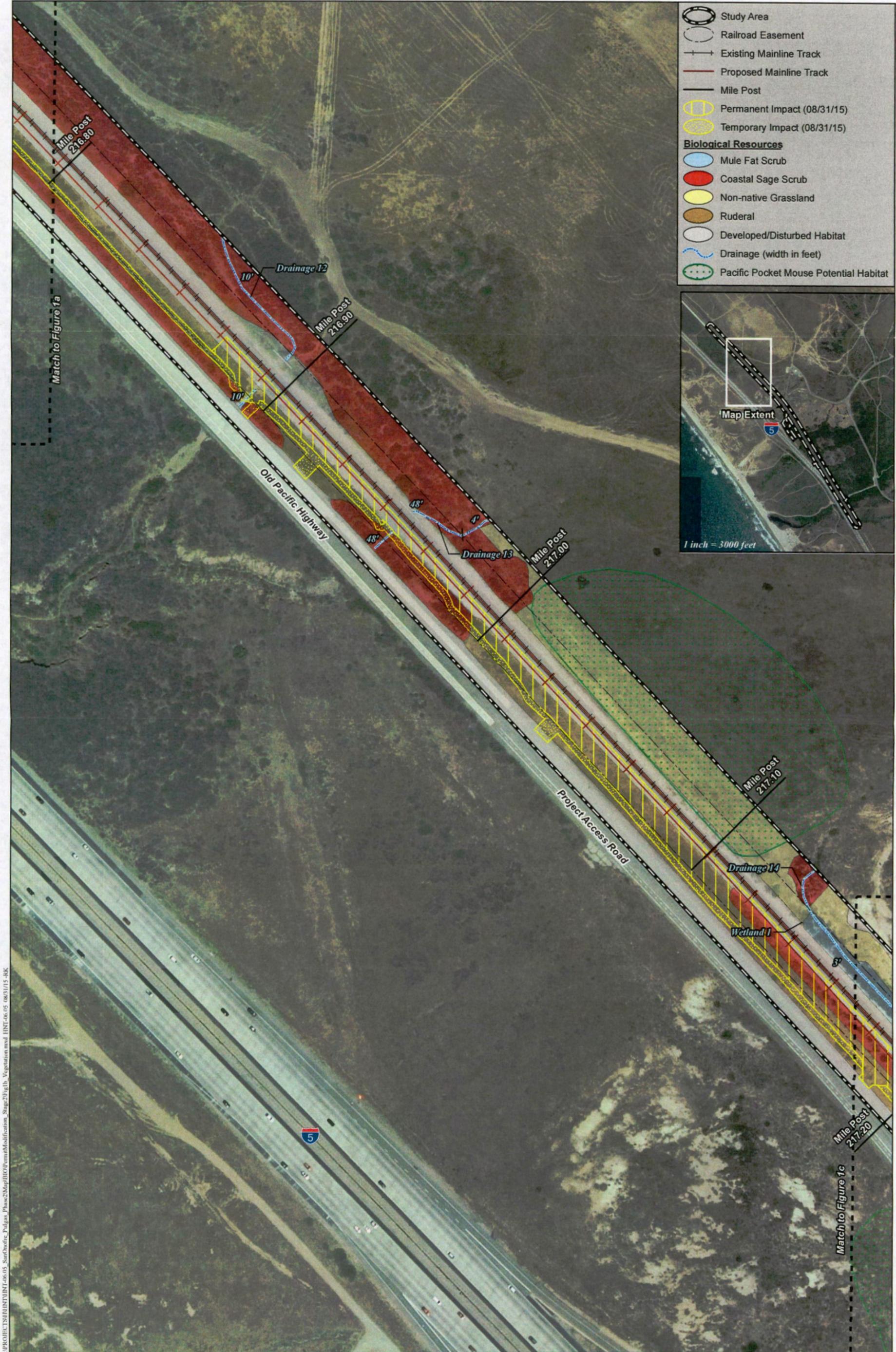
REVISED PROJECT IMPACTS FIGURES (15)



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Existing Vegetation and Sensitive Resources/Project Impacts

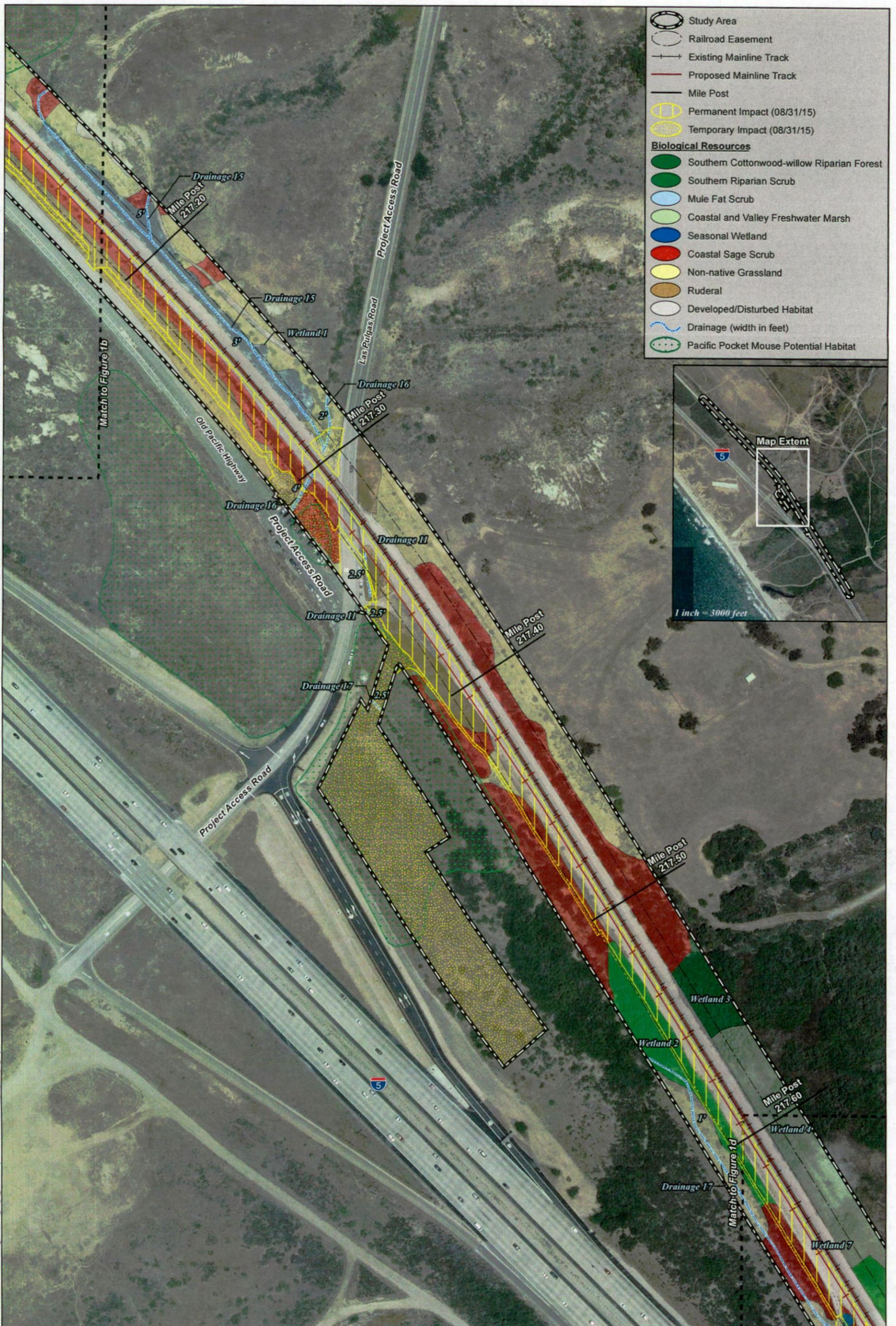
CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3



Existing Vegetation and Sensitive Resources/Project Impacts

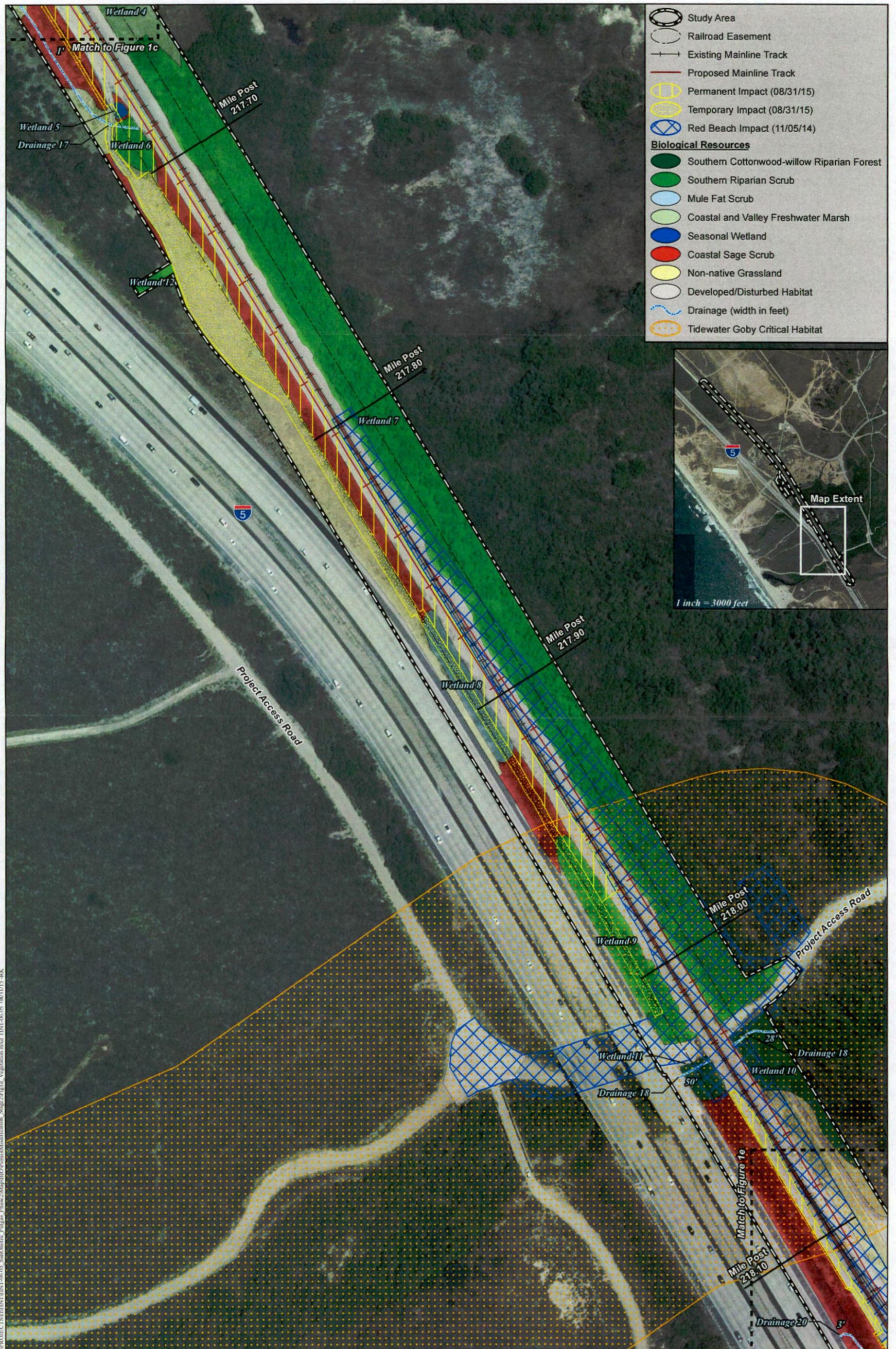
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Existing Vegetation and Sensitive Resources/Project Impacts

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

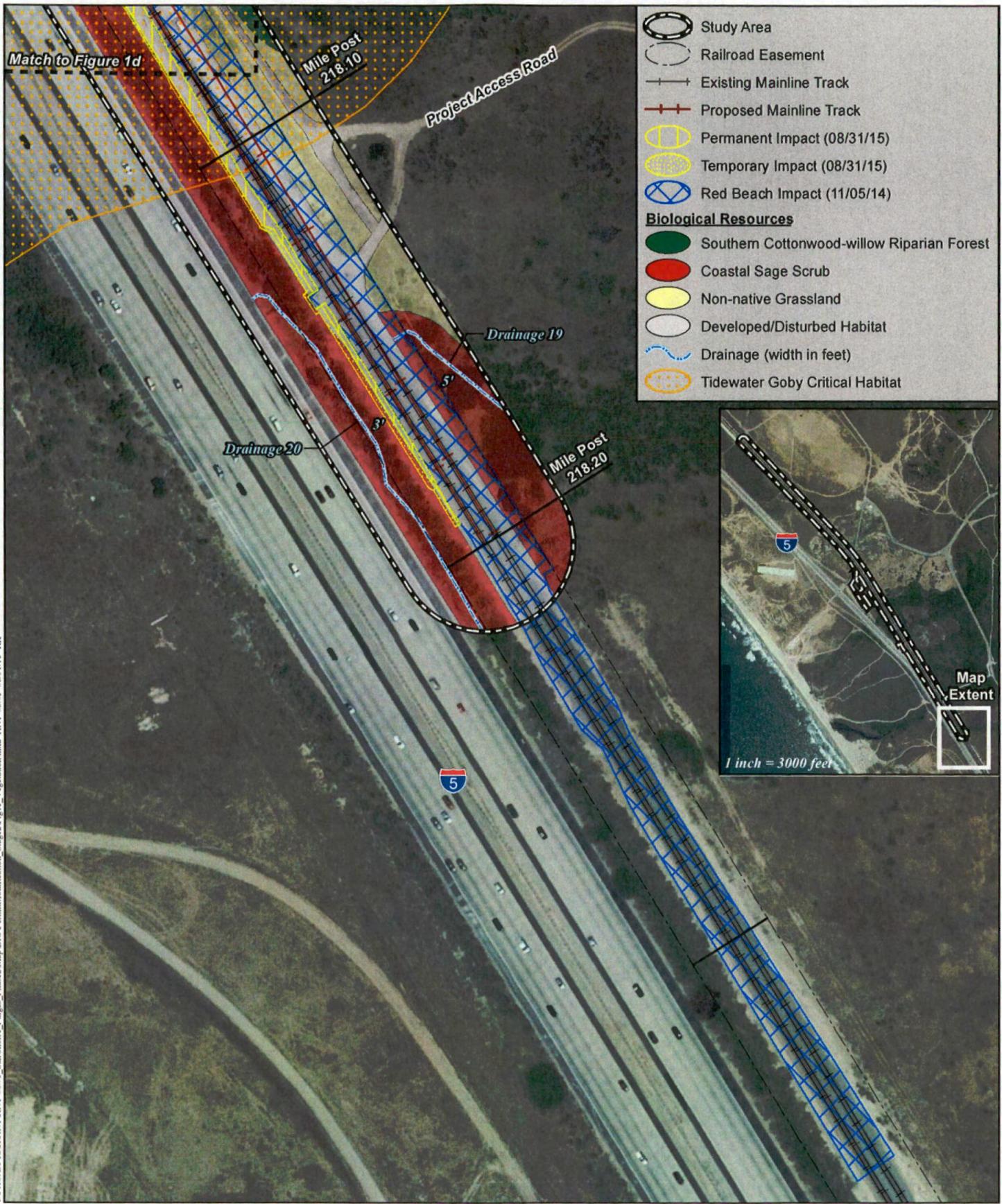


Existing Vegetation and Sensitive Resources/Project Impacts

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

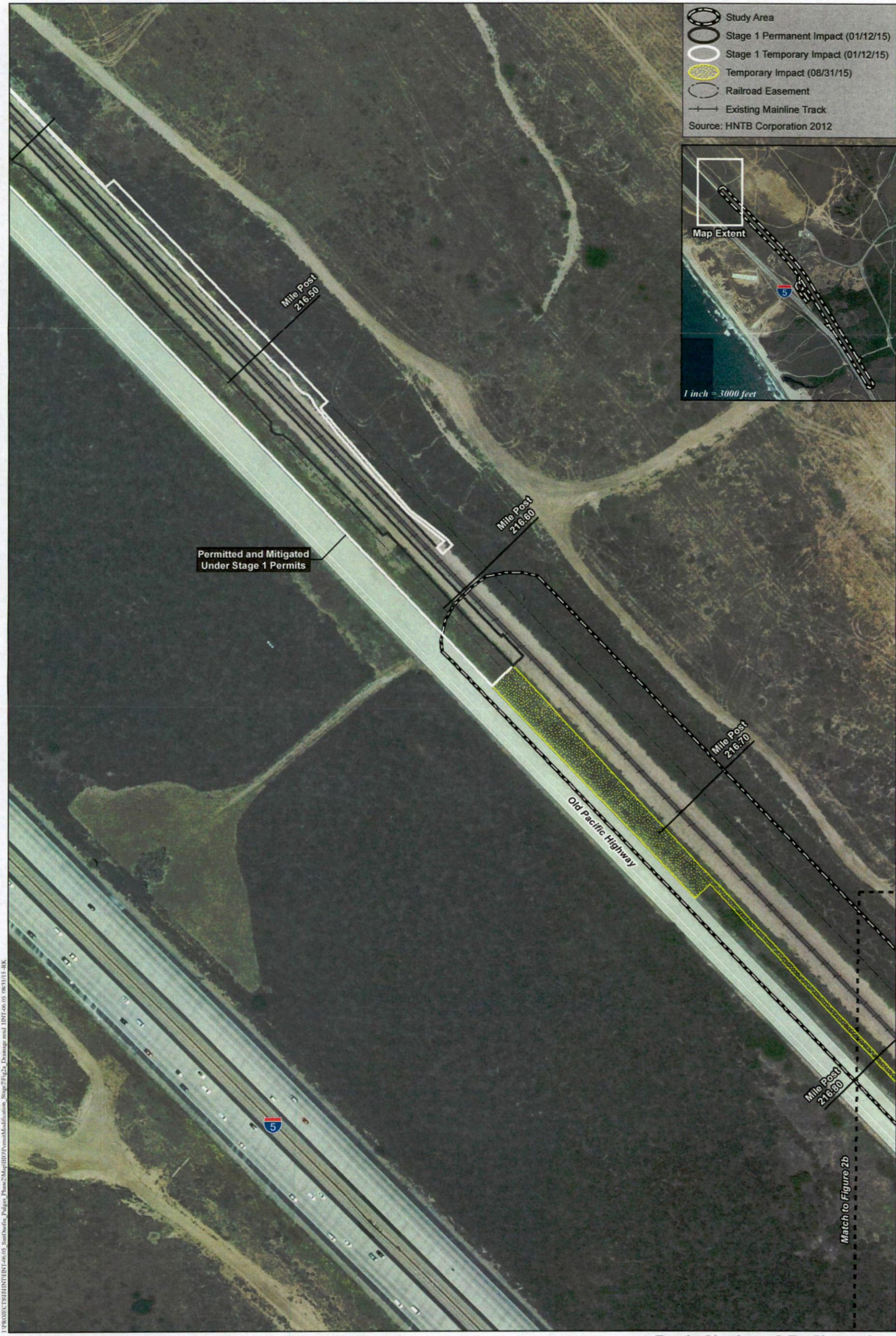
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Existing Vegetation and Sensitive Resources/Project Impacts

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3



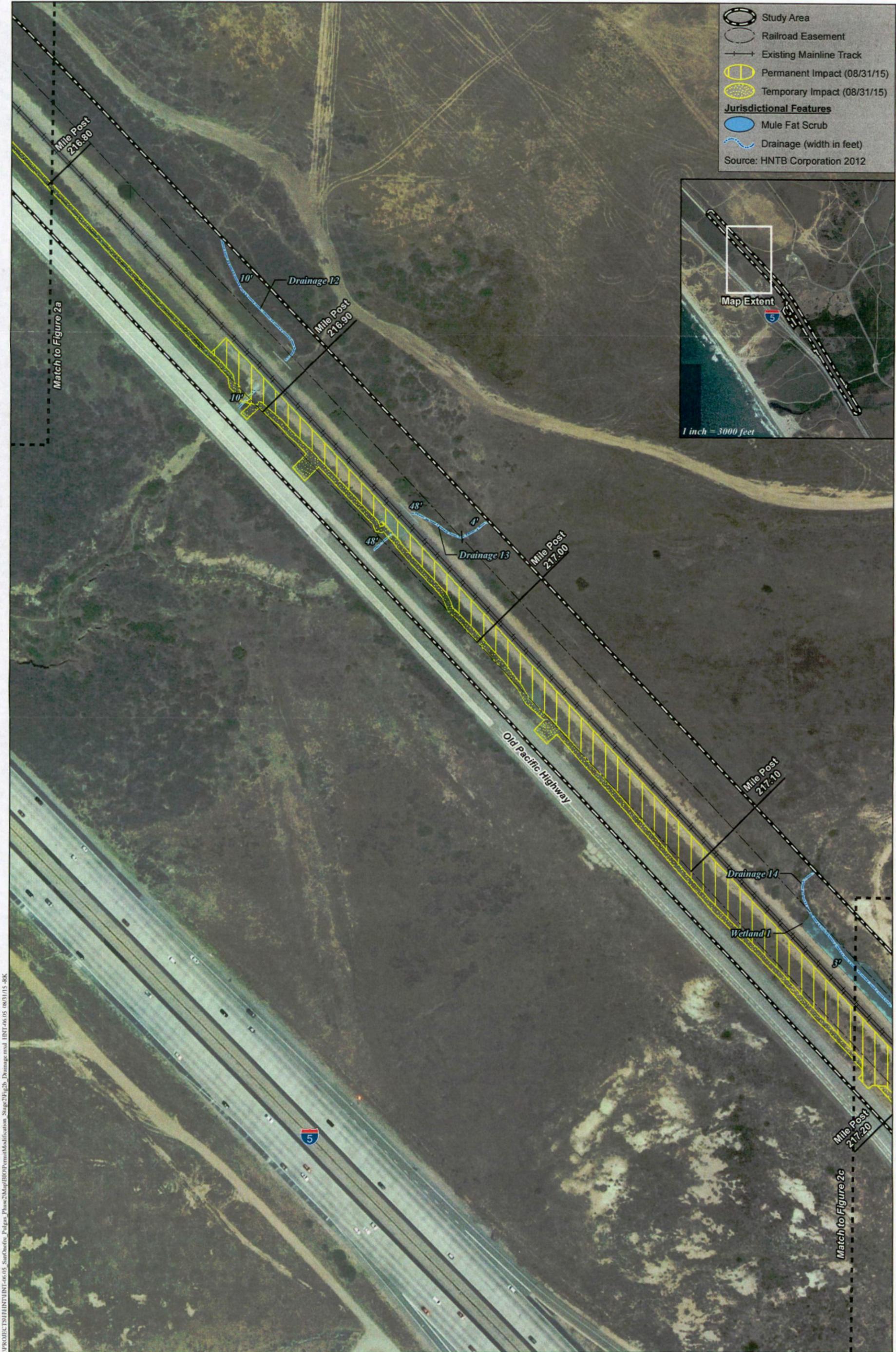
- Study Area
 - Stage 1 Permanent Impact (01/12/15)
 - Stage 1 Temporary Impact (01/12/15)
 - Temporary Impact (08/31/15)
 - Railroad Easement
 - Existing Mainline Track
- Source: HNTB Corporation 2012



Jurisdictional Delineation

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

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Jurisdictional Delineation

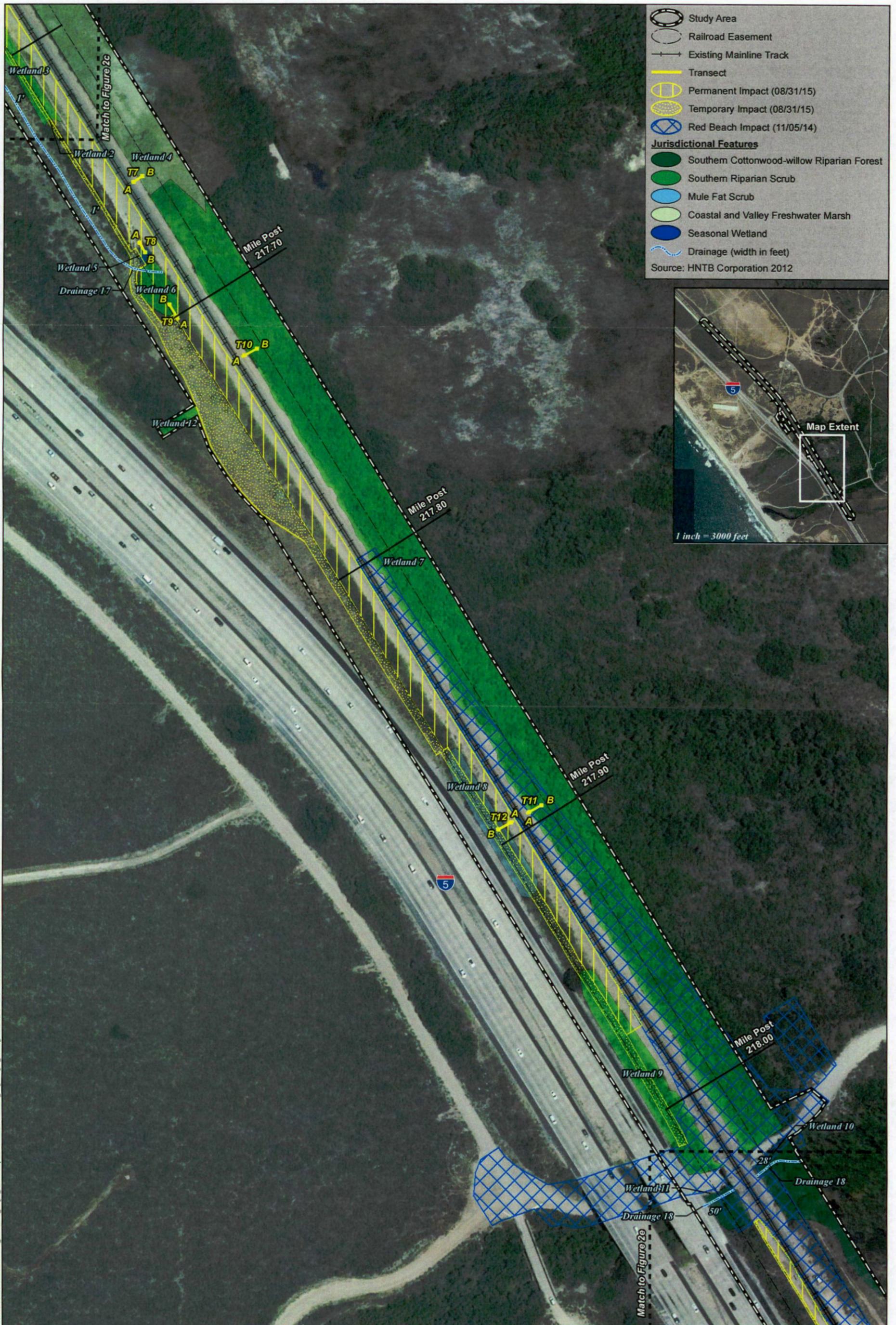
CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3



Jurisdictional Delineation

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

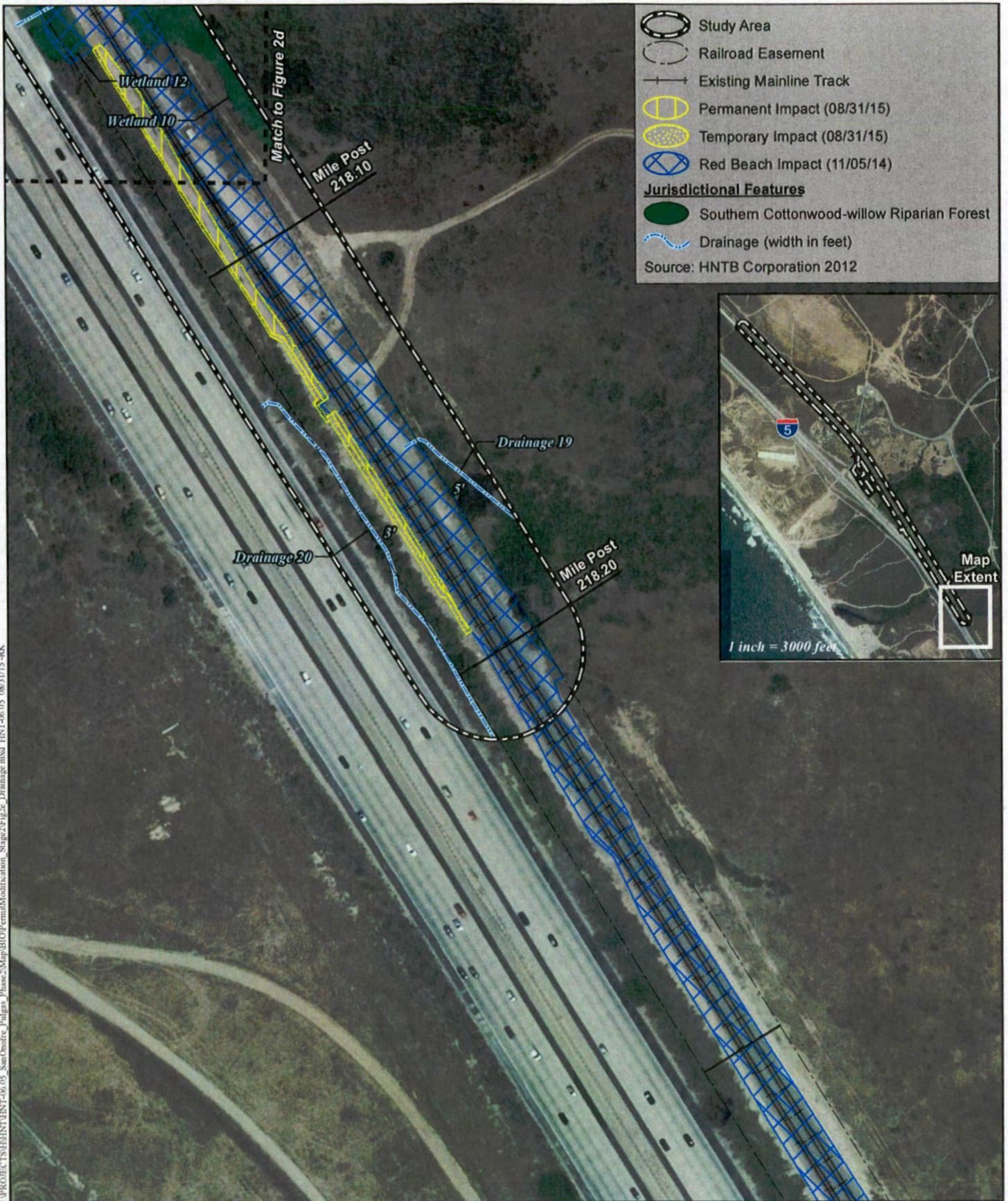
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Jurisdictional Delineation

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

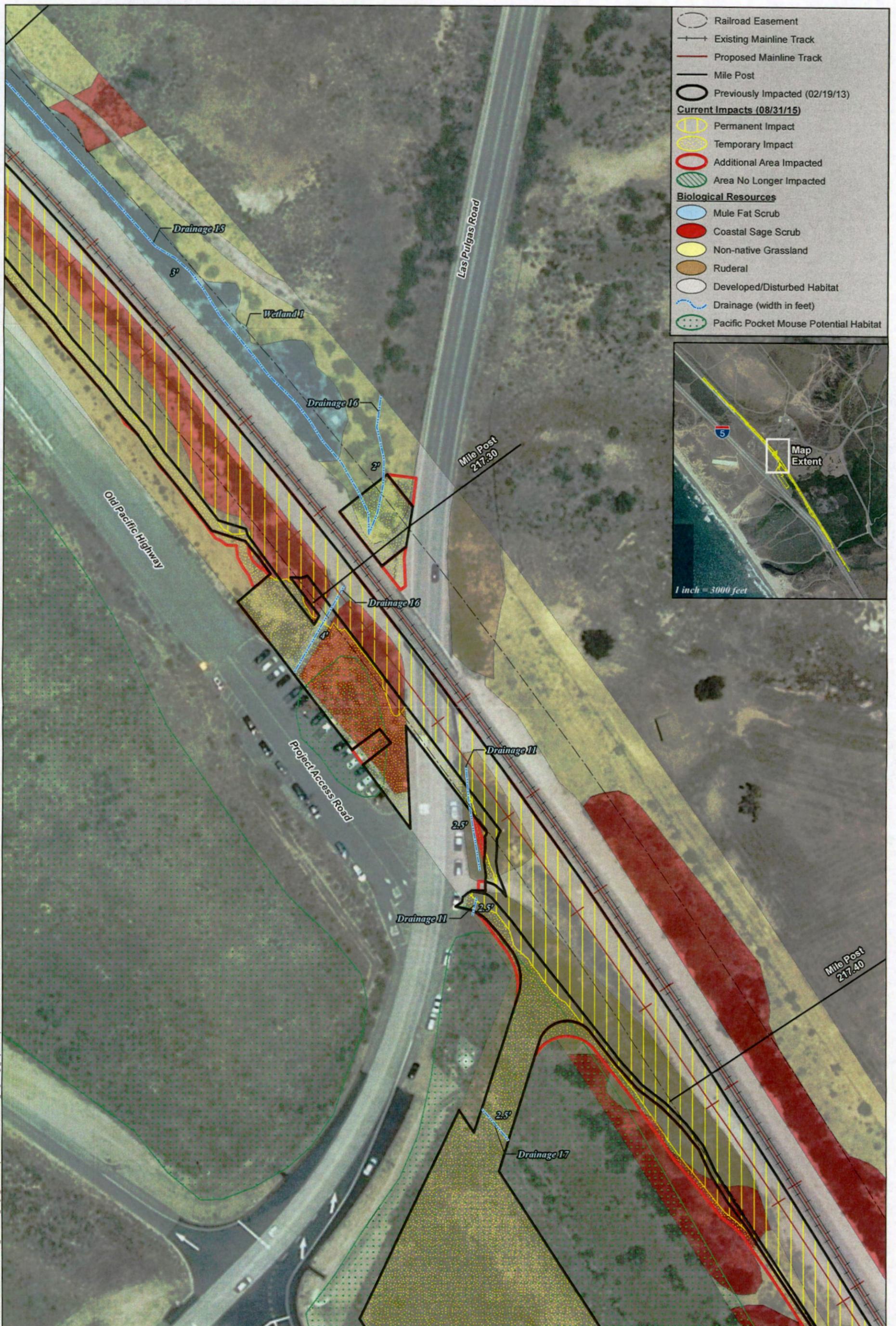
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Jurisdictional Delineation

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

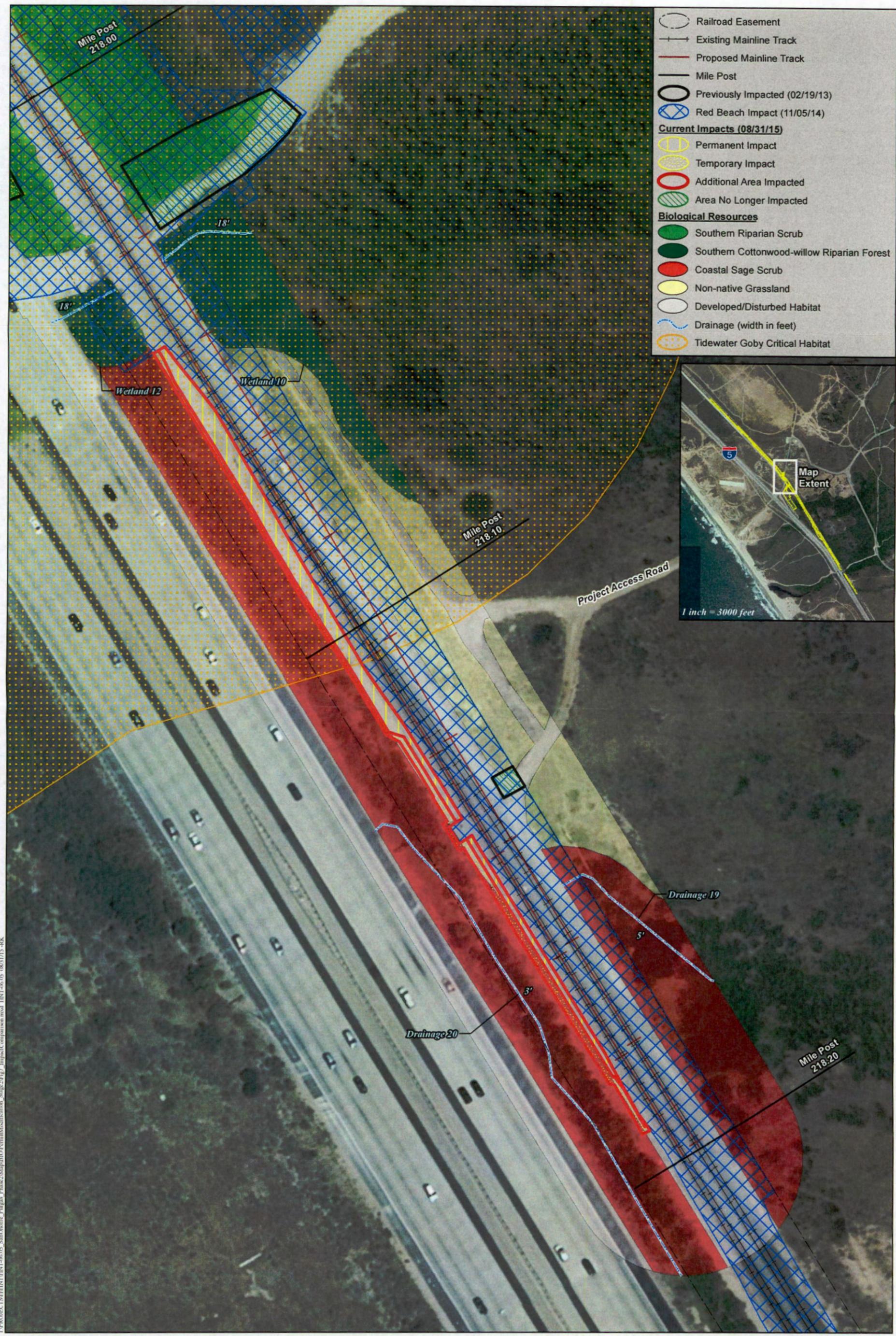
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Existing Vegetation and Sensitive Resources/Project Impact Comparison

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

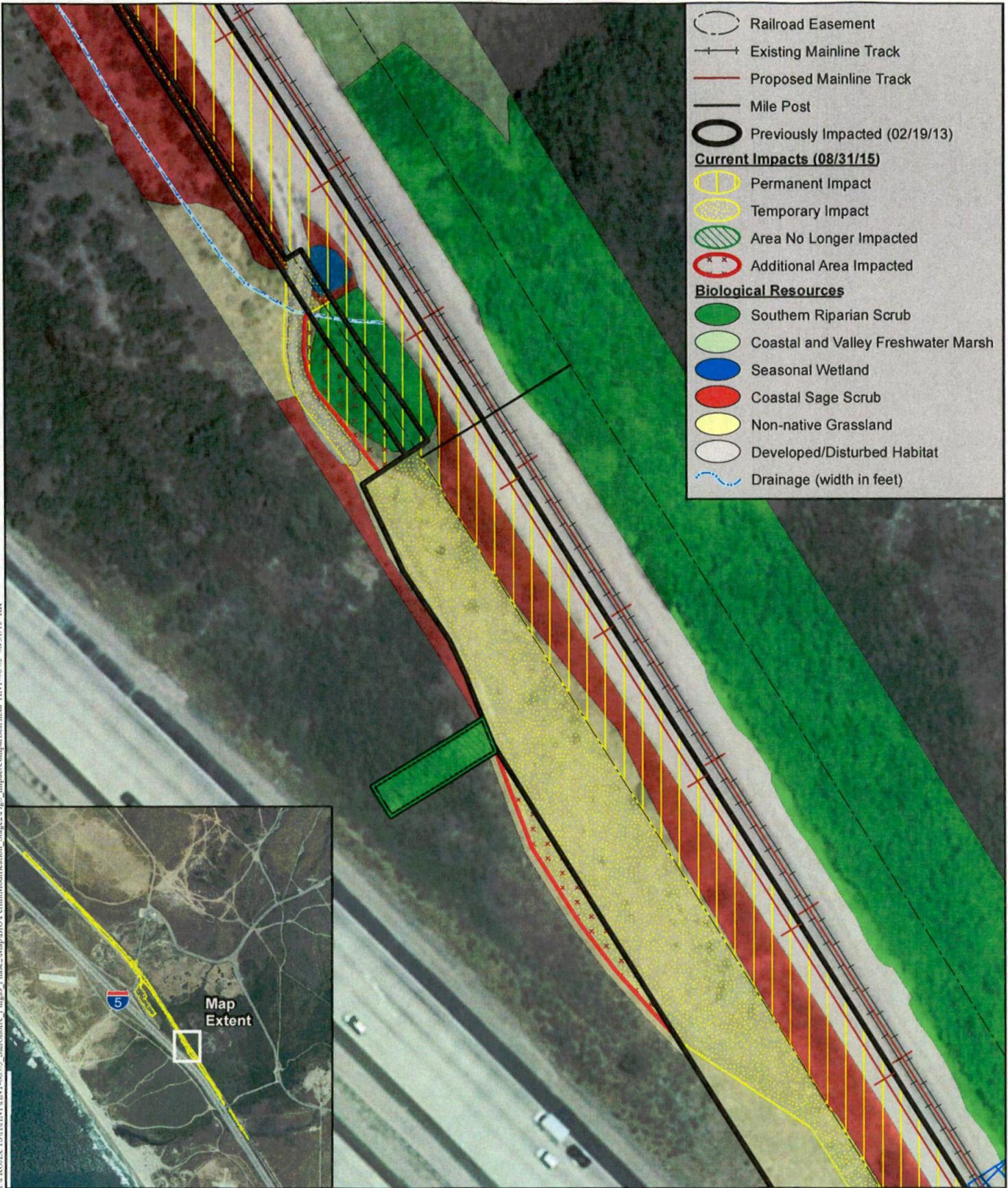


Existing Vegetation and Sensitive Resources/Project Impact Comparison

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

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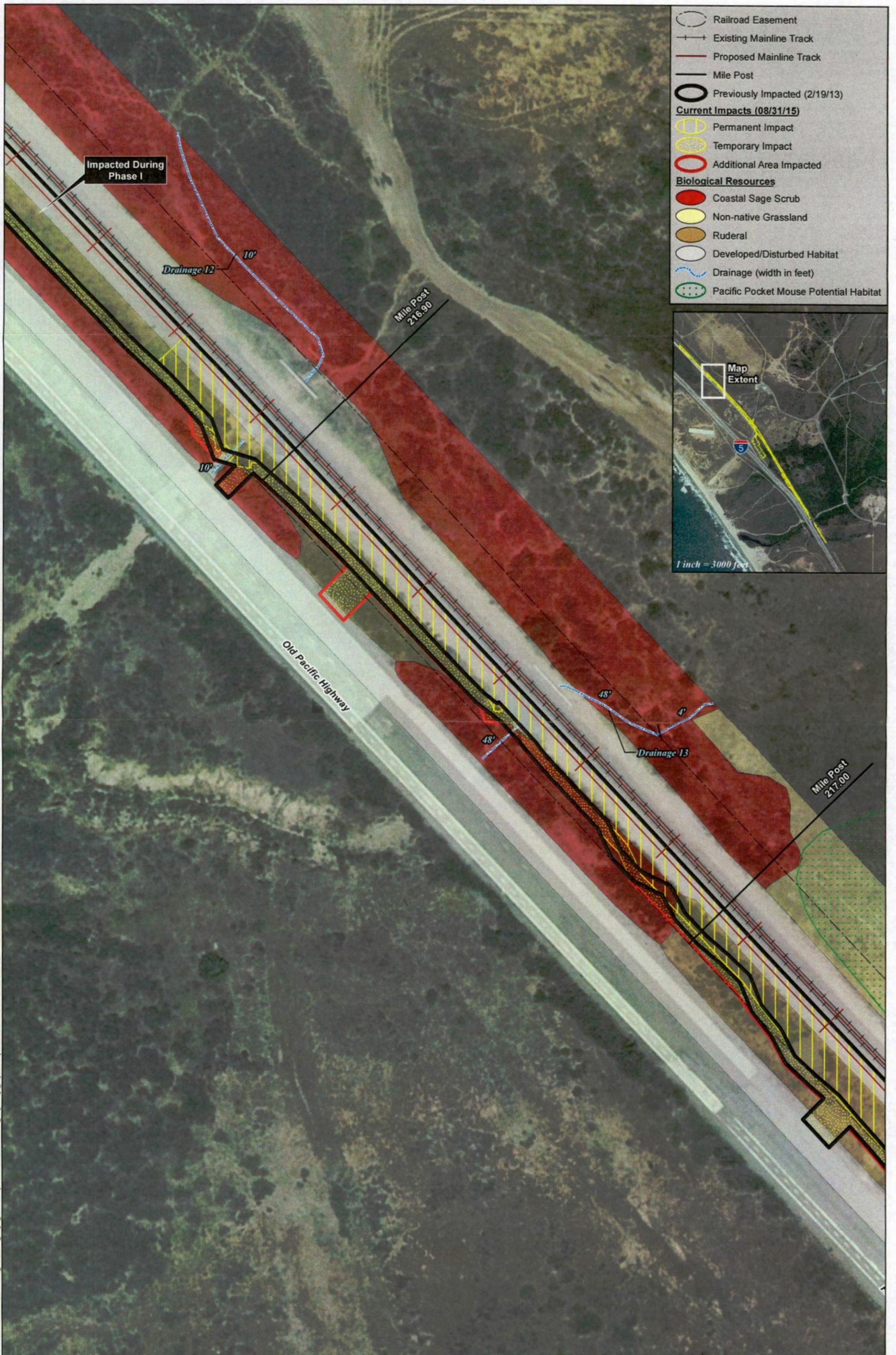


- Railroad Easement
- Existing Mainline Track
- Proposed Mainline Track
- Mile Post
- Previously Impacted (02/19/13)
- Current Impacts (08/31/15)**
- Permanent Impact
- Temporary Impact
- Area No Longer Impacted
- Additional Area Impacted
- Biological Resources**
- Southern Riparian Scrub
- Coastal and Valley Freshwater Marsh
- Seasonal Wetland
- Coastal Sage Scrub
- Non-native Grassland
- Developed/Disturbed Habitat
- Drainage (width in feet)

Existing Vegetation and Sensitive Resources /Project Impact Comparison

CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT
STAGE 2: MP 216.5 TO MP 218.3

Figure 6



Existing Vegetation and Sensitive Resources/Project Impact Comparison

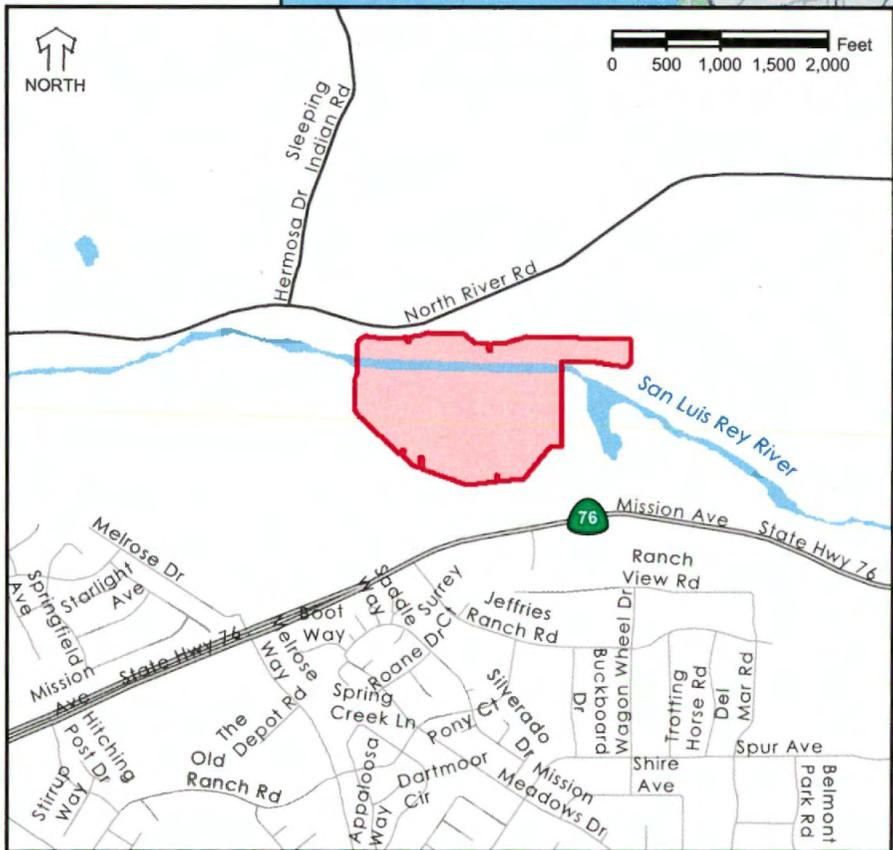
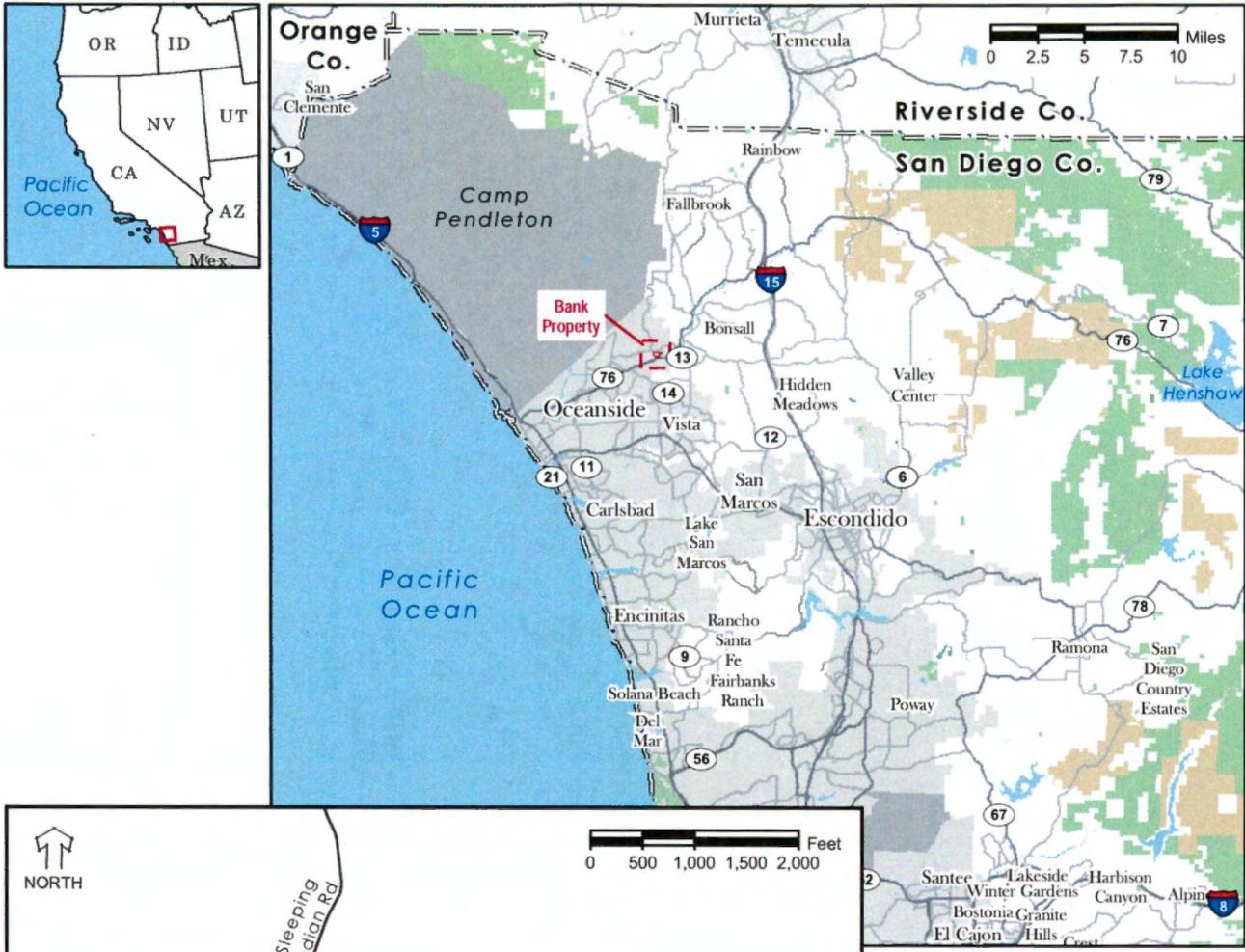
CP SAN ONOFRE TO CP PULGAS DOUBLE TRACK PROJECT - STAGE 2: MP 216.5 TO MP 218.3

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San Diego Association of Governments
San Onofre to Pulgas Double Track
Amendment 1
Certification No. R9-2012-0083

ATTACHMENT 2

**SAN LUIS REY MITIGATION BANK
LOCATION MAPS AND FIGURES (4)**



LEGEND
 Bank Property

WILDLANDS

San Luis Rey Mitigation Bank
 RWQCB Annual Report

Figure 1
 Regional Vicinity Map





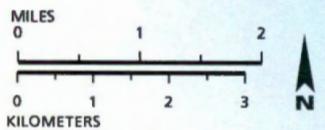
Project Location

Camp Pendleton

Bonsall

San Luis Rey Mitigation Bank

**San Onofre to Pulgas
Double Track Stage 2
Compensatory
Mitigation Location**



OCEANSIDE

VISTA

S COAST HWY

MISSION AVE
DOUGLAS DR
EL CAMINO REAL

MESA DR
COLLEGE BLVD
OCEANSIDE BLVD
COLLEGE BLVD

VANDEGRIFT BLVD

NORTH RIVER RD

San Luis Rey River

COLLEGE BLVD
N MELROSE DR

N MELROSE DR
N SANTA FE AVE

E BOBIER DR

VISTA VILLAGE DR

S SANTA FE AVE

MISSION RD

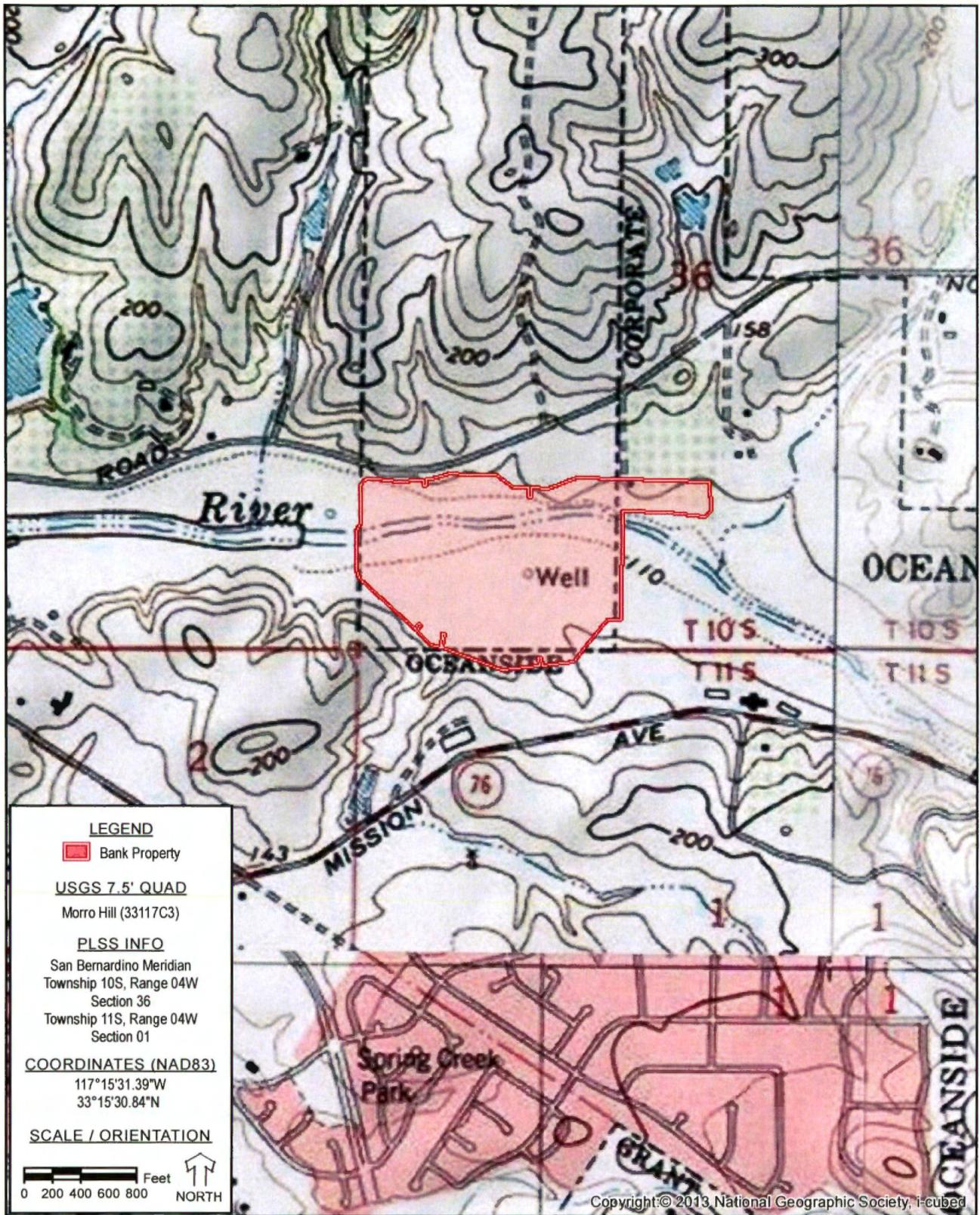
S MISSION RD

EVISTA WAY

76

78

5

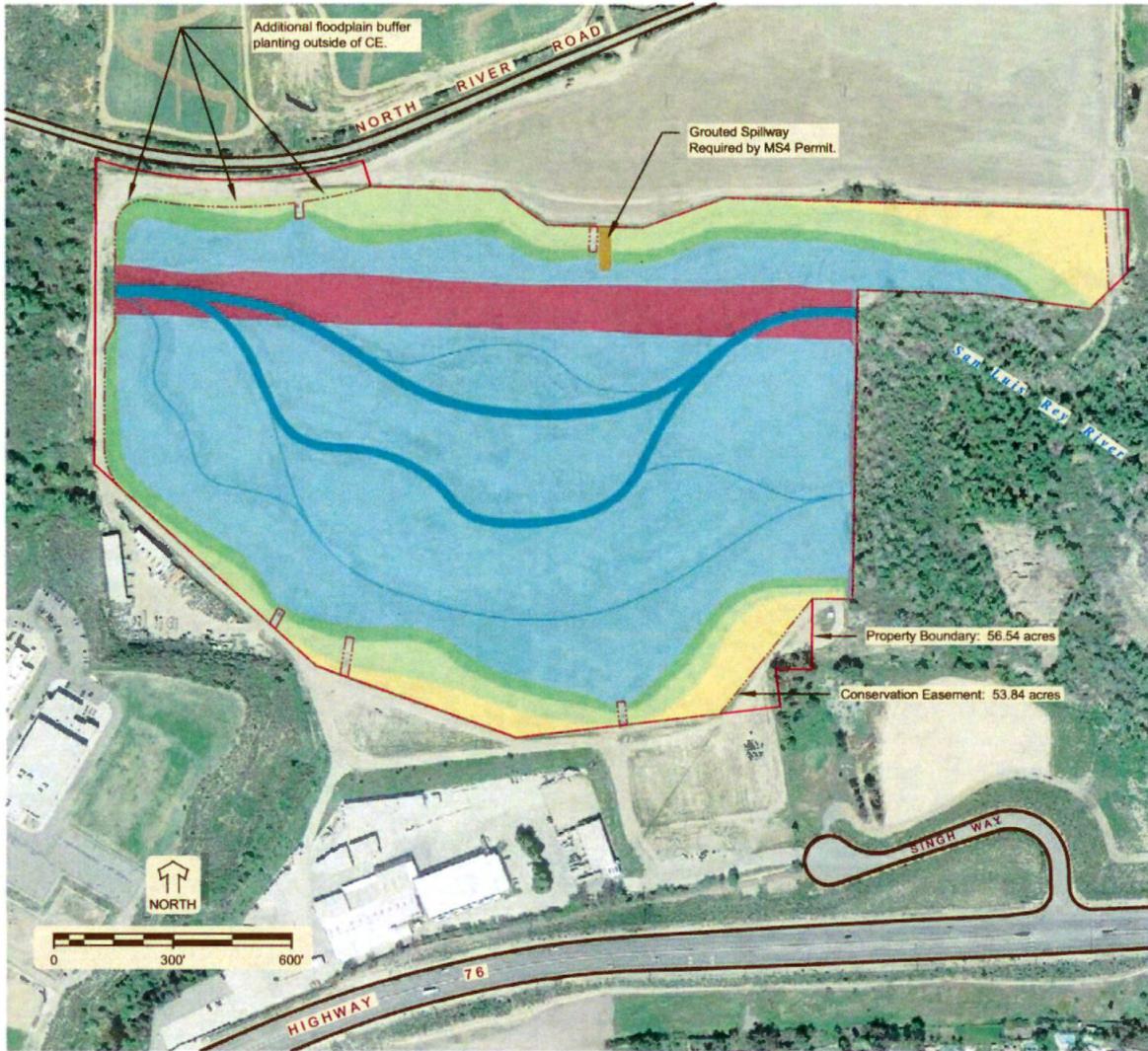


WILDLANDS

San Luis Rey Mitigation Bank
 Year 3 Monitoring Report

Figure 2
 USGS Quad





Habitat Type	
	Rehabilitated River: Wetland Waters of the U.S./State
	Re-established River: Wetland Waters of the U.S./State
	Re-established Floodplain: Waters of the U.S./State
	Re-established Floodplain: State jurisdictional/Non-Waters of the U.S.
	Re-established Grassland Buffer: Non-Waters of the U.S./State
	Existing Riparian Forest*
Total:	

* Existing Riparian Forest is not a creditable habitat type.

San Diego Association of Governments
San Onofre to Pulgas Double Track
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ATTACHMENT 3

**SAN LUIS REY MITIGATION BANK
CREDIT INVENTORY LEDGER**

**SAN LUIS REY MITIGATION BANK
CREDIT INVENTORY LEDGER**

Contract No.	Credit Purchaser Name Address Phone Number	Project Name	Agency & Agency File Number(s)	Waters of the U.S. and Buffer (*\$3.82 Total Credits)					Credit Transfer Date	Endowment Amount
				Waters of the State (*\$0.27 Total Credits)						
				Wetland Waters of the U.S./State Credits (Rehabilitate)	Wetland Waters of the U.S./State Credits (Re-establish)	Waters of the U.S./State Credits (Re-establish)	Buffer Credits			
							Waters of the State/Non- waters of the U.S. (Re-establish)	Grassland Non- waters of the U.S./State** (Re-establish)		
				*5.28 Credits	*35.82 Credits	*3.87 Credits	*5.30 Credits	*3.28 Credits		
		<i>Credit Release #1 - 15% Bank Establishment, January 28, 2015</i>		0.790	5.380	0.650	0.800	0.490		
		<i>Credit Release #2 - 25% As-Builts, July 7, 2016</i>		1.320	8.952	0.965	1.319	0.813		
		<i>Credit Release #3 - 15% Year 2 Performance, June 14, 2018</i>		0.790	5.380	0.650	0.800	0.490		
		Total Released to Date		2.900	19.712	2.125	2.819	1.793		
SLRMB-15-01	San Diego Gas & Electric Company 8315 Century Park Court San Diego, CA 92123 (858) 637-3756	Various O & M Projects: 0.05 - Transmission Line 698 0.004 - ETS21593 Access Road Repair 2222341, CPEN 0.02 - eTS 25538 Tower 718311 Access Road Repair 0.011 - eTS 31612 Access Rd Repair at Z510515 0.04 - eTS 31503 Access Rd Repair Hidden Meadows 0.13 - Mission Trails Gas Access Road Repair 0.002 - eTS 31872 Project 0.0002 - eTS 35332 Project 0.01 - eTS21593 Access Road Repair 2223141, CPEN Project 0.002 - eTS 23298 Torrey Pines Culvert Phase II 0.006 - eTS 31381.01 De Luz Crossing 0.034 - eTS 30903-01 Carlsbad Drainage Crossings 0.05 - eTS 35902 0.4408 - Remaining	Corps SPL-2011-00271-PJB RWQCB R9-2015-0158 RWQCB R8-2015-0194 RWQCB R9-2016-0118 RWQCB R9-2016-0035 Corps SPL-2010-00159 RWQCB 10C-018.749716 RWQCB R9-2016-0215 SWRCB File No. TBD RWQCB R9-2015-0158 SWRCB NWP 12 SWRCB NWP 12 RWQCB R9-2017-0093 RWQCB R9-2018-0016 Others to be determined		0.800				01/28/15	\$ 6,824.80
SLRMB-15-02	Bonsall Group, LLC 2603 Main Street, Suite 1300 Irvine, CA 92614 (949) 851-7259	Lilac del Cielo	Corps SPL-2008-00617-RJV CDFW 1600-2014-0003-R5 RWQCB R9-2014-0015		0.440				01/29/15	\$ 3,753.64
SLRMB-15-05	McMinn QC2, LLC 2750 Womble Road, Suite 200 San Diego, CA 92106 (619) 794-1208	Quarry Creek Master Plan	Corps SPL-2012-00807-RJV RWQCB R9-2013-0101		0.250				01/29/15	\$ 2,132.75
SLRMB-15-07	Dougherty Citrus, Inc. 10872 Meads Ave. Orange, CA 92869 (714) 639-8221	Dougherty Citrus Residential	Corps SPL-2013-00832-PJB RWQCB R9-2013-0180			0.010			02/04/15	\$ 85.31

**SAN LUIS REY MITIGATION BANK
CREDIT INVENTORY LEDGER**

Contract No.	Credit Purchaser Name Address Phone Number	Project Name	Agency & Agency File Number(s)	Waters of the U.S. and Buffer (*63.62 Total Credits)					Credit Transfer Date	Endowment Amount
				Waters of the State (*60.27 Total Credits)						
				Wetland Waters of the U.S./State Credits (Rehabilitate)	Wetland Waters of the U.S./State Credits (Re-establish)	Waters of the U.S./State Credits (Re-establish)	Buffer Credits			
							Waters of the State/Non- waters of the U.S. (Re-establish)	Grassland Non waters of the U.S./State** (Re-establish)		
				*5.28 Credits	*36.82 Credits	*3.87 Credits	*5.30 Credits	*3.25 Credits		
SLRMB-15-08	Harper Construction 2241 Kethner Blvd., Suite 300 San Diego, CA 92101-1769 (619) 233-7900	Camp Pendleton P-109 CNATT	Corps SPL-2012-00572-SAS		0.890				02/04/15	\$ 7,592.59
SLRMB-15-03	Shea Homes Limited Partnership 9990 Mesa Rim Rd., Ste. 200 San Diego, CA 92121 (858) 526-6551	Staver Road	Corps SPL-2014-374 RWQCB R9-2014-0061		0.090				02/10/15	\$ 767.79
SLRMB-15-04	City of San Marcos 1 Civic Center Drive San Marcos, CA 92069 (760) 744-1050	Citywide Storm Channel Maintenance	Corps SPL-2010-00371-RJV RWQCB 11C-063 CDFW 1800-2011-0232-R5		1.000				02/24/15	\$ 8,531.00
SLRMB-15-09	San Diego Gas & Electric Company 8315 Century Park Court San Diego, CA 92123 (619) 654-0225	Jeff Valley Spillway Repair	Corps SPL-2014-00296-SAS RWQCB R9-2014-0057		0.020				03/03/15	\$ 170.62
SLRMB-15-06	The Oceanside Project Owner LLC 2235 Encinitas Blvd., Suite 216 Encinitas, CA 92024 (760) 944-7511	Villa Stona	CDFW 1800-2014-0242-R5		0.240				03/10/15	\$ 2,047.44
SLRMB-15-10	North County Transit District 810 Mission Avenue Oceanside, CA 92054 (760) 968-6582	Bypass Freight Tract Emergency Repairs	Corps SPL-2013-00811-RJV		0.050				05/18/15	\$ 426.55
SLRMB-15-11	Heritage Homes of California, Inc. 1250 Corona Pointe Ct., Ste. 210 Corona, CA 92879 (951) 547-8312	Sugarbush Development known as Quintessa	To be determined		0.100				05/20/15	\$ 853.10
SLRMB-15-12	Lennar Homes of California, Inc. 980 Montecito Drive, Suite 302 Corona, CA 92879 (951) 817-3567	Biarwood Development	RWQCB R9-2015-0028	0.310	0.110				05/27/15	\$ 3,583.02
SLRMB-15-13	Heritage Homes of California, Inc. 1250 Corona Pointe Ct., Ste. 210 Corona, CA 92879 (951) 547-8312	Sugarbush Development known as Quintessa	To be determined		0.020				07/06/15	\$ 170.62
SLRMB-15-14	U.S. General Services Administration 795 E. San Ysidro Blvd. San Diego, CA 92173 (619) 730-7370	San Ysidro Land Port of Entry Improvements	Corps SPL-2015-00390-RAG		0.220				09/17/15	\$ 1,876.82
SLRMB-15-15	Don Mechling 14633 High Valley Rd. Poway, CA 92084 (619) 748-5511	Mechling - High Valley Residential Development	RWQCB WQC No. 08C-016 Corps NWP No. 39		0.080				10/01/15	\$ 682.48

**SAN LUIS REY MITIGATION BANK
CREDIT INVENTORY LEDGER**

Contract No.	Credit Purchaser Name Address Phone Number	Project Name	Agency & Agency File Number(s)	Waters of the U.S. and Buffer (*63.62 Total Credits)					Credit Transfer Date	Endowment Amount
				Waters of the State (*60.27 Total Credits)						
				Wetland Waters of the U.S./State Credits (Rehabilitate)	Wetland Waters of the U.S./State Credits (Re-establish)	Waters of the U.S./State Credits (Re-establish)	Buffer Credits			
			Waters of the State/Non- waters of the U.S. (Re-establish)	Grossland Non- waters of the U.S./State** (Re-establish)						
				*5.28 Credits	*35.82 Credits	*3.87 Credits	*5.30 Credits	*3.26 Credits		
SLRMB-15-16	Shea Homes Limited Partnership 9990 Mesa Rim Rd., Ste. 200 San Diego, CA 92121 (858) 528-6551	Hidden Valley Estates	Corps SPL-2015-00409 RWQCB R9-2015-0101 CDFW 1600-2015-0104-R5		0.080				11/09/15	\$ 682.48
SLRMB-15-17	Hinde Investment Properties, LLC 5350 Kearny Mesa Road San Diego, CA 92111 (858) 279-9700	A-Way Motors	Corps SPL-2015-00145-TOB RWQCB 813827 amonj		0.030				12/10/15	\$ 255.93
SLRMB-16-18	Montecito Ranch, LLC 402 W. Broadway, Suite 1320 San Diego, CA 92101-8579 (619) 696-7355	Montecito Ranch	RWQCB R6-2013-0179		0.060				01/15/16	\$ 511.86
SLRMB-16-19	Alla Colina, LLC 560 First Street, Suite 104 Lake Oswego, OR 97035 (503) 675-3825	Approved Tract Map 29476	RWQCB R9-2014-0129		0.020				01/20/16	\$ 170.82
SLRMB-16-20	Vallecitos Water District 201 Vallecitos de Oro San Marcos, CA 92069-1453 (760) 744-0460	Land Outfall Access Road	Corps SPL-2014-00706-RJV		0.430				01/22/16	\$ 3,668.33
Endowment fund deposit to bring amount deposited to 18% minimum funding level for Release #2 (as-built) - February 17, 2016										\$ 2,556.90
SLRMB-16-21	Riverside County Transportation Department 3525 14th Street Riverside, CA 92501 (951) 955-1506	Clinton Keith Road Extension	Corps SPL-2008-02205-RJV CDFW 1600-2014-0234-R6 RWQCB 07C-110			0.150			04/27/16	\$ 1,292.38
SLRMB-16-22	Kevin Gawle 2288 Via Aprilia Del Mar, CA 92014 (619) 368-5172	Valley Ridge Estates Project	Corps SPL-2015-00346-WSZ CDFW 1600-2015-0083-R5 RWQCB R9-2015-0088		0.060				06/06/16	\$ 516.95
SLRMB-16-23	Riverside County Transportation Department 3525 14th Street Riverside, CA 92501 (951) 955-1506	Briggs Road Improvement at Warm Springs Creek Project	CDFW 1600-2015-0180-R6 RWQCB R9-2015-0173		0.020				06/09/16	\$ 172.32
SLRMB-16-24	San Diego County Water Authority 4877 Overland Avenue San Diego, CA 92123 (858) 522-8758	Carryover Storage and San Vincent Dam Raise	Corps SPL-2006-01015-RRS USFWS FWS-SDG-08B00061- 08F0732 CDFW 1600-2008-0216-R5		3.230				08/05/16	\$ 27,829.26
SLRMB-16-25	SDG&E 1010 Tavern Road, SD 1116 Alpine, CA 91901 (858) 503-5211	TL 629	RWQCB R9-2015-0142		0.010				08/05/16	\$ 86.16
SLRMB-16-27	FVS Partners, LLC 4100 Newport Place, Suite 400 Newport Beach, CA 92660 (819) 462-1515	French Valley South Tentative Tract 30837	Corps SPL-2014-00594-PJB CDFW 1600-2014-0129-R6 CDFW 1600-2015-0106-R6 RWQCB R9-2014-0088		0.010				09/30/16	\$ 86.15

SAN LUIS REY MITIGATION BANK CREDIT INVENTORY LEDGER										
Contract No.	Credit Purchaser Name Address Phone Number	Project Name	Agency & Agency File Number(s)	Waters of the U.S. and Buffer (*53.62 Total Credits)					Credit Transfer Date	Endowment Amount
				Waters of the State (*50.27 Total Credits)						
				Wetland Waters of the U.S./State Credits (Rehabilitate)	Wetland Waters of the U.S./State Credits (Re-establish)	Waters of the U.S./State Credits (Re-establish)	Buffer Credits			
							Waters of the State/Non- waters of the U.S. (Re-establish)	Grassland Non waters of the U.S./State** (Re-establish)		
*5.28 Credits	*35.82 Credits	*3.87 Credits	*5.30 Credits	*3.25 Credits						
SLRMB-16-26	LS Terracina, LLC 55 E. Rincon Street, Suite 300 Corona, CA 92879 (951) 898-5525	Terracina Residential Development	Corps SPL-2012-00852 CDFW 1600-2012-0189-R6 RWQCB R9-2012-0008		0.250				12/19/16	\$ 2,153.97
SLRMB-17-29	Reyes Construction, Inc./CPEN 7540 Metropolitan Drive, Suite 101 San Diego, CA 92108 (909) 62-2259	Stuart Mesa Road Repairs	Corps SPL-2015-00119-MBT		0.230				03/15/17	\$ 2,014.57
SLRMB-16-26a	University of California, San Diego 9500 Gilman Drive Mail Code 0074 La Jolla, CA 92093-0074	UC San Diego Osler Parking Structure Project	Corps SPL-2016-00620-AP CDFW 1600-2016-0201-R5 RWQCB R9-2016-0184		0.150				05/17/17	\$ 2,584.76
SLRMB-17-30	Washington Road 1 Inv., LLC 3121 Michelson Drive, Suite 150 Irvine, CA 92612 (949) 837-0404	Washington Street Improvement	Corps SPL-2016-00236-PJB CDFW 1600-2016-0019-R6 RWQCB R9-2016-0056		0.150				07/07/17	\$ 1,313.85
SLRMB-17-31	City of Murrieta 1 Town Square Murrieta, CA 92562 (951) 461-6076	Clinton Keith Road at I-215 Interchange	RWQCB 07C-0114		0.200				07/12/17	\$ 3,503.60
SLRMB-17-32	City of Murrieta 1 Town Square Murrieta, CA 92562 (951) 461-6076	Whitewood (Meadowfork) Road Between Baxter Road and Keller Road	Corps SPL-2015-00336-PJB CDFW 1600-2015-0069-R6 RWQCB R9-2015-0074		0.300				07/14/17	\$ 5,255.41
SLRMB-17-33	FAIT Insurance Partnership, LLC 1151 Dove St., Suite 175 Newport Beach, CA 92660 (949) 252-9334	Murrieta's Hospitality Commons	RWQCB R9-2016-0193		0.050				08/03/17	\$ 875.90
SLRMB-17-34	City of San Diego 525 B Street, Suite 750 San Diego, CA 92101 (619) 533-5275	Langmuir Street and Osler Street Storm Drain Improvements	RWQCB R9-2016-0209		0.040				09/26/17	\$ 700.72
SLRMB-17-35	Western Pacific Housing, Inc. 2280 Wardlow Circle, Suite 100 Corona, CA 92880 (949) 837-0404	Santa Rosa Highlands	Corps SPL-2015-00782-PJB CDFW 1600-2015-0175-R6 RWQCB R9-2015-0174		0.750				11/09/17	\$ 13,138.52
SLRMB-17-36	Tule Wind, LLC 6822 S. Lamar St. Littleton, CO 80128 (720) 357-3190	Tule Wind	County of San Diego 3300 09-019		0.050				12/15/17	\$ 875.90
SLRMB-18-37	San Diego Association of Governments 401 B Street, Suite 800 San Diego, CA 92101 (619) 595-5665	San Onofre to Pulgas Phase 2 Double Track	Corps SPL-2012-00705-CMS RWQCB 12C-083		0.360				01/02/18	\$ 6,656.85
Endowment fund deposit to bring amount deposited to 40% minimum funding level for Release #3 - January 4, 2018										\$ 14,595.68

SAN LUIS REY MITIGATION BANK CREDIT INVENTORY LEDGER										
Contract No.	Credit Purchaser Name Address Phone Number	Project Name	Agency & Agency File Number(s)	Waters of the U.S. and Buffer (*63.62 Total Credits)					Credit Transfer Date	Endowment Amount
				Waters of the State (*60.27 Total Credits)			Buffer Credits			
				Wetland Waters of the U.S./State Credits (Rehabilitate)	Wetland Waters of the U.S./State Credits (Re-establish)	Waters of the U.S./State Credits (Re-establish)	Waters of the State/Non- waters of the U.S. (Re-establish)	Grassland Non- waters of the U.S./State** (Re-establish)		
				*5.28 Credits	*35.62 Credits	*3.87 Credits	*5.30 Credits	*3.25 Credits		
SLRMB-18-38	Adlai 1, LLC 8109 Sanbakuz Village Green South San Diego, CA 92127 (619) 559-0372	Riker Ranch Subdivision	RWQCB R9-2016-0084		0.120				01/18/18 \$ 2,102.16	
SLRMB-18-39	TOR Investments, L.P. 1000 Pioneer Way El Cajon, CA 92020 (619) 247-4382	Lake Jennings Park Road Subdivision	RWQCB R9-2015-0146		0.050				05/09/18 \$ 917.79	
SLRMB-18-40	Mr. Joseph Justus 33402 Hillcrest Ct Wildomar, CA 92595 (951) 300-6403	Hillcrest Court	RWQCB R9-2017-0115		0.010				05/16/18 \$ 183.56	
SLRMB-18-41	Lakeside Fire Protection District 1566 Melvin Lane El Cajon, CA 92021 (619) 972-2765	Lakeside Fire Station #1	Corps SPL-2018-00199 RWQCB R9-2018-0064			0.060			06/06/18 \$ 1,101.35	
SLRMB-18-42	Raul Cervantes 13654 Sage Meadow Lane Valley Center, CA 92082 (760) 738-8800	Culverts of Cervantes	RWQCB R9-2017-0186		0.010				06/28/18 \$ 183.56	
					0.320	10.990	0.220	0.000	0.000	
					2.580	8.722	1.905	2.919	1.793	
									\$ 135,486.02	

*Total Credits are subject to the Credit Release Schedule as specified in Exhibit F-1 of the Bank Enabling Instrument.
 **Grassland Credits not approved by CDFW.

San Diego Association of Governments
San Onofre to Pulgas Double Track
Amendment 1
Certification No. R9-2012-0083

ATTACHMENT 4

**SAN LUIS REY MITIGATION BANK
AGREEMENT FOR SALE OF MITIGATION CREDITS
DECEMBER 15, 2017**

**AGREEMENT FOR SALE OF MITIGATION CREDITS
SAN LUIS REY MITIGATION BANK**

**USACE File No. SPL-2012-00705-CMS
RWQCB File No. 12C-083**

This Agreement is made and entered into this 15th day of December, 2017 by and between WILDLANDS SLR HOLDINGS I, LLC, a Delaware limited liability company ("Bank Sponsor") and SAN DIEGO ASSOCIATION OF GOVERNMENTS, a California public agency ("Project Proponent"), collectively referred to as "Parties," as follows:

RECITALS

A. Bank Sponsor has developed the San Luis Rey Mitigation Bank ("Bank") located in San Diego County, California; and

B. The Bank has been developed pursuant to a Bank Enabling Instrument entered into by and between Bank Sponsor, United States Army Corps of Engineers ("USACE"), and California Department of Fish and Wildlife ("CDFW"); and

C. Bank Sponsor has received the approval of the USACE and CDFW to operate the Bank as a mitigation bank with wetland waters of the United States/State credits, waters of the United States/State credits and buffer credits for sale as compensation for the loss of waters of the United States, waters of the State and/or State jurisdictional habitats; and

D. Project Proponent is seeking to implement the project described on Exhibit "A" attached hereto ("Project"), which would unavoidably and adversely permanently impact waters of the U.S. thereon, and seeks to compensate for such impacts by purchasing 0.38 acre of Re-established River: Wetland Waters of the U.S./State credits from Bank Sponsor; and

E. Project Proponent has been authorized by USACE (File No. SPL-2012-00705-CMS) and Regional Water Quality Control Board ("RWQCB") (File No. 12C-083) to purchase 0.38 acre of Re-established River: Wetland Waters of the U.S./State credits; and

F. Project Proponent desires to purchase from Bank Sponsor and Bank Sponsor desires to sell to Project Proponent 0.38 acre of Re-established River: Wetland Waters of the U.S./State credits.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Bank Sponsor hereby agrees to sell to Project Proponent and Project Proponent hereby agrees to purchase from Bank Sponsor 0.38 acre of Re-established River: Wetland Waters of the U.S./State credits ("Credits") for the purchase price of \$218,500.00 ("Purchase Price"). The Purchase Price for said Credits shall be paid by wire transfer of funds according to written instructions by Bank Sponsor to Project Proponent, or by check payable to "Wildlands

SLR Holdings I, LLC." Upon receipt of the Purchase Price, Bank Sponsor will deliver to Project Proponent an executed Bill of Sale in the form attached hereto as Exhibit "B."

2. The sale and transfer herein is not intended as a sale or transfer to Project Proponent of a security, license, lease, easement, or possessory or non-possessory interest in real property, nor the granting of any interest of the foregoing.

3. Project Proponent shall have no obligation whatsoever by reason of the purchase of the Credits, to support, pay for, monitor, report on, sustain, continue in perpetuity, or otherwise be obligated or liable for the success or continued expense or maintenance in perpetuity of the Credits sold, or the Bank. As required by law, Bank Sponsor shall monitor and make reports to the appropriate agency or agencies on the status of any Credits sold to Project Proponent. Bank Sponsor shall be fully and completely responsible for satisfying any and all conditions placed on the Bank or the Credits, by all state or federal jurisdictional agencies.

4. The Credits sold and transferred to Project Proponent shall be nontransferable and non-assignable, and shall not be used as compensatory mitigation for any other Project or purpose, except as set forth herein.

5. Project Proponent must deliver the Purchase Price to Bank Sponsor within 30 days of the date of this Agreement. After the 30-day period this Agreement will be considered null and void and Bank Sponsor shall have no further obligations hereunder.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

BANK SPONSOR

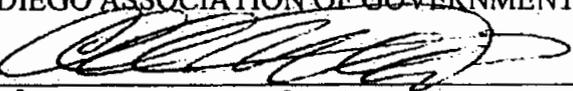
WILDLANDS SLR HOLDINGS I, LLC, a Delaware limited liability company

By:  _____

Name: Wildlands, Manager
Its: Mark Heintz, Manager

PROJECT PROPONENT

SAN DIEGO ASSOCIATION OF GOVERNMENTS, California public agency

By:  _____

Name: Charles Muggs Stoll
Its: Director of Land Use and Transportation Planning

Exhibit "A"

**DESCRIPTION OF PROJECT
TO BE
MITIGATED**

A total of 5.8 miles of second mainline rail track will be added to the LOSSAN coastal rail line within the U.S. Marine Corps Base Camp Pendleton. The project spans San Onofre State Park to Las Flores Creek just south of Las Pulgas Road in the NCTD railroad right-of-way. The project also includes the replacement of two rail bridges, the addition of a universal track crossover, and new signaling. SANDAG has completed the engineering, environmental permitting, and design of the entire project, which is being built in two stages.

SANDAG completed Stage 1 of construction in November 2015. The project added 4.2 miles of double track from San Onofre State Park to Las Flores Creek just south of Las Pulgas Road in the NCTD railroad right-of-way. Stage 1 also included the replacement of a wood timber trestle bridge, built in 1931, with a modern concrete structure, new signaling, and a retaining wall. The project was ranked as the No. 1 priority among all rail projects in San Diego County according to the 2009 LOSSAN Prioritization Analysis compiled for SANDAG.

The second stage of construction will complete a 1.6-mile segment of second track from north of Las Pulgas Road to Las Flores Creek, on Camp Pendleton, north of Oceanside in the County of San Diego, California.

Exhibit "B"

BILL OF SALE

Contract # SLRMB-18-37

**USACE File No. SPL-2012-00705-CMS
RWQCB File No. 12C-083**

In consideration of \$218,500.00, receipt of which is hereby acknowledged, WILDLANDS SLR HOLDINGS I, LLC, a Delaware limited liability company ("Bank Sponsor") does hereby bargain, sell and transfer to the SAN DIEGO ASSOCIATION OF GOVERNMENTS, a California public agency ("Project Proponent") 0.38 acre of Re-established River: Wetland Waters of the U.S./State Credits for the San Onofre to Pulgas Phase 2 Double Track Project, in the San Luis Rey Mitigation Bank in San Diego County, California, developed and approved under the authority of the United States Army Corps of Engineers and California Department of Fish and Wildlife.

Bank Sponsor represents and warrants that it has good title to the Credits, has good right to sell the same, and that they are free and clear of all claims, liens, or encumbrances.

Bank Sponsor covenants and agrees with the Project Proponent to warrant and defend the sale of the Credits hereinbefore described against all and every person and persons whomsoever lawfully claiming or to claim the same.

DATED: January 2, 2018

WILDLANDS SLR HOLDINGS I, LLC, a Delaware limited liability company

By:  _____

Name:

Its:

**Wildlands, Manager
Mark Heintz, Manager**

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Revised: 1/3/2018