

San Diego Regional Water Quality Control Board

Amendment No. 1 to Clean Water Act Section 401 Water Quality Certification No. R9-2013-0098

PROJECT: Distrito La Novia/San Juan Meadows
Certification Number R9-2013-0098

APPLICANT: Advanced Groups 99-SJ & 03-79-2
23792 Rockfield Boulevard, Suite 100
Lake Forest, CA 92630

Reg. Meas. ID: 390294
Place ID: 794321
Party ID: 540123
Person ID: 540124
WDID: 9000002601

On August 26, 2014, Clean Water Act Section 401 Water Quality Certification No. R9-2013-0098 (Certification) was issued to Advanced Groups 99-SJ & 03-79-2 (Applicant) for the Distrito La Novia/San Juan Meadows Project (Project). The Project consists of a trail-oriented mixed-use development comprising up to 94 single-family dwelling units, 130 residential condominium units, a 500-horse equestrian center, 75,100 gross square feet of commercial/retail use, 16,000 gross square feet of office use, and general/recreational open space.

By letter dated May 17, 2019, Glenn Lukos Associates, on behalf of the Applicant, requested the Certification be amended to extend the Project Section 401 Certification expiration date to March 16, 2023. The Applicant needs additional time to complete final grading plan approval with the City of San Juan Capistrano and compliance with pre-construction permit conditions. Construction of the Project will commence once the grading permit is issued and all pre-construction conditions are cleared.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification to extend the Certification to March 16, 2023. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. R9-2013-0098 remain in full force and effect. The following changes are made to Certification No. R9-2013-0098 and are shown in underline/strikeout format to indicate added and removed language:

Page 5, GENERAL CONDITION II.A is deleted and replaced with the following:

This Certification is valid until March 16, 2023, or until the associated federal permit or license expires, whichever comes first.

HENRY ABARBANEL, PH.D., CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

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Page 14, PROJECT IMPACTS AND COMPENSATORY MITIGATION V.I is modified as follows:

Mitigation Site(s) Preservation Mechanism. Within 60 days from the start of Project construction, the Applicant must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. ~~Within one year of the issuance of this Certification~~ Within one year from the start of Project construction, the Applicant must submit proof of a completed final preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the United States and/ or State that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the sites. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

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. R9-2013-0098 issued on June 14, 2019.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

14 June 2019

Date