

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

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

**PROJECT: Planning Areas 3 and 4, the Cow Camp Road Bridge over San Juan Creek, and the Grandeza Drive Bridge over Gobernadora Creek Project
Certification Number R9-2017-0175
WDID: 9000003227**

Reg. Meas. ID: 416843 Place ID: 841103 Party ID: 297330 Person ID: 73367

**APPLICANT: Rancho Mission Viejo
28811 Ortega Highway
San Juan Capistrano, CA 92675**

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 October 25, 2017 was submitted by Rancho Mission Viejo (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 Planning Areas 3 and 4, the Cow Camp Road Bridge over San Juan Creek, and the Grandeza Drive Bridge over Gobernadora Creek Project (collectively referred to as Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on June 4, 2018. 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-2017-00783-ERS).

The Project is located in unincorporated Orange County, California, north and south of Ortega Highway, east of Antonio Parkway, south of the community of Coto de Caza, and west of Caspers Wilderness Park. Planning Area 3 (PA3) is located to the east of Cañada Gobernadora. Gobernadora Creek flows in a southerly direction along the westerly boundary of PA3 until its confluence with San Juan Creek. Planning Area 4 (PA4) is located east of PA3, and is within Central San Juan Creek Canyon. Cow Camp Road Bridge at San Juan Creek will be constructed between PA3 and PA4, and will span San Juan Creek. Grandeza Drive Bridge will connect PA2 and PA3, spanning Gobernadora Creek and much of Cañada Gobernadora. The Project center reading is located at latitude 33.52569 and longitude

-117.55848. The Applicant has paid all required application fees for this Certification in the amount of \$130,000.00. On an annual basis, the Applicant must also pay all active discharge fees and post discharge monitoring fees, as appropriate¹. On June 6, 2018, 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 Applicant proposes the development of the Master Area Plan and Subarea Plans for PA3 and PA4 and associated infrastructure improvements (See site maps; Attachment 2, Exhibits 2 & 3). PA3 is approximately a 2,162-acre development area of which 2,116 acres will be developed. PA4 encompasses approximately 1,127 acres of which 503 acres will be developed. The non-development portion of PA4 (a total of 624 gross acres) will be dedicated to permanent open space reserve. PA3 and PA4 will include 2,360-gross acres consisting of 7,500 residential dwelling units (7,000 in PA3 and 500 in PA4), and the construction of residential arterial streets, trails, and bikeways. PA3 will also include non-residential uses including parkland, an Urban Activity Center, Neighborhood Center, and a Business Park. PA4 will also include an Urban Activity Center.

Cow Camp Road (CCR) is a major east-west arterial roadway beginning east of Antonio Parkway and ending at Ortega Highway (See Attachment 2, Exhibit 1 – Cow Camp Road Conceptual WQMP Vicinity Map). CCR is being constructed in phases by the Applicant. Phase 1A and two lanes of the northerly bridge of Phase 1B have already been constructed (Water Quality Certification No. R9-2013-0067). Phase 1B ends at the eastern boundary of PA2. Portions of the roadway segments addressed in Phase 2 of CCR will extend the roadway from its present terminus to Ortega Highway. Phase 2 involves the construction of two bridges, Gobernadora Creek Bridge (Water Quality Certification No. R9-2017-0074) and San Juan Creek Bridge (See Project Site Map, Attachment 2, Exhibit 4). The construction of the Cow Camp Road Bridge over San Juan Creek is covered under this Certification.

Grandeza Drive (formerly named "K" Street) is a proposed roadway that will extend in an east-west direction between PA2, on the westerly side of Gobernadora Canyon, to PA3 on the easterly side. Grandeza Drive will support regional traffic flow between PA2 and PA3, and will provide access to Los Patrones Parkway (formerly named "F" Street). Grandeza Drive will also provide for an extension of Chiquita Canyon Drive within PA2. As part of the construction of Grandeza Drive, a bridge structure will be constructed to fully span Gobernadora Creek.

Construction of seven storm drain outfalls will result in permanent impacts to portions of San Juan Creek. Six of the outfalls are located on the northern bank, receiving discharge from PA3 with one outfall associated with PA4 on the south side of San Juan Creek (See Outfall Exhibits, Attachment 4).

¹ Additional information regarding Water Quality Fees, Waste Discharge Requirement Fees, and the Water Quality Certification Dredge and Fill Application Fee Calculator can be found electronically on the State Water Resources Control Board website at the following location: http://www.waterboards.ca.gov/resources/fees/water_quality/#wqfees (as of July 16, 2018).

The Project will convert approximately 1,405 acres of pervious ground cover to impervious surfaces. 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 the following treatment control BMPs: infiltration basins, harvest and use, dry extended detention basins, biofiltration basins, bioretention basins, bioretention areas, and media filtration. The proposed Cow Camp Road drainage network consists of five Drainage Management Areas (DMAs) and will intercept and convey onsite runoff along the entirety of the project site to offsite systems that will include water quality retention/treatment and flood control facilities (designed as part of PAs 2, 3 and 4) before discharging to San Juan Creek. The DMAs will connect to the proposed storm drain networks, as depicted in Attachment 3. The Grandeza Drive drainage network will intercept and convey on-site runoff along the entirety of the project site to an offsite system that will include water quality retention/treatment, hydromodification control, and flood control facilities (designed as part of PA3) before discharging to Cañada Gobernadora. The Grandeza Drive drainage network will consist of one DMA. These BMPs will be designed, constructed, and maintained to meet Orange County's Low Impact Development (LID) Capture Volume and hydromodification treatment requirements. Routine non-structural and structural source control BMPs will include, but are not limited to: education for property owners, tenants, and occupants; activity restrictions (for surface water quality protection); common area landscape management; BMP maintenance; spill contingency plan; common area catch basin inspection; street sweeping private streets and parking lots; storm drain stenciling and signage; the use of efficient irrigation systems and landscape design; the protection of slopes and channels; and vehicle/equipment wash areas.

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).

Project construction will permanently impact 5.59 acres (88,861 linear feet) of streambed waters of the United States and/or State, 10.26 acres (6,916 linear feet) of wetland waters of the United States and/or State, and 4.25 acres (15,413 linear feet) of riparian 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 20.10 acres (111,190 linear feet) of jurisdictional waters will be achieved through the establishment, enhancement, and preservation of 78.08 acres of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. 22.19 acres of wetland and riparian establishment mitigation has been completed by the Applicant at the Gobernadora Ecological Restoration Area (GERA) and GERA 2 for 20.10-acres of permanent discharges of fill to waters of the United States and/or State at a ratio of 1.1:1 (area mitigated:area impacted). The GERA and GERA 2 are located in the Canada Gobernadora hydrologic sub-area (HSA 901.24) (GERA Mitigation Areas Map Attachment 4, Exhibit 10) and are protected and preserved under a recorded conservation easement. Compensatory mitigation is being provided in a large contiguous area at the GERA and GERA 2 therefore; compensatory mitigation for linear feet is not being calculated. The GERA and GERA 2 are proposed for wetland mitigation because of the successful development of wetlands there. The GERA has already attracted endangered species. The wetland sites are built in advance to compensate for project impacts already identified. This reduces the time lag between the lost or reduced wetland functions from project related impacts and environmental compensation for those impacts.

In addition, enhancement mitigation for discharges of fill to waters of the United States and/or State will be achieved at a minimum ratio of 2.78:1 (area mitigated: area impacted) by implementation of the Invasive Species Control Plan (ISCP) (July 2006, Glenn Lukos Associates, Inc.) in accordance with the San Juan Creek/Western San Mateo Creek Watershed Special Area Management Plan (SAMP). The Applicant has demonstrated through the functional assessment that such a ratio for invasive species removal will provide more than a 1:1 functional replacement for the loss of the on-site streambeds. In addition, implementation of the SAMP will ensure that the highest value aquatic resources in the Ranch Plan are maintained in a manner that will ensure long-term viability. Invasive species removal is proposed to mitigate for streambed fills because the SAMP process identified the eradication of exotic, invasive species in San Juan Creek and tributaries as a high priority for meeting the SAMP objectives of long-term viability of the aquatic resources. In addition, the Applicant will implement the Aquatic Resource Conservation Plan to promote aquatic resource functions and services within San Juan Creek and western San Mateo Creek watersheds. The Applicant's development plans include a funding mechanism for the long-term monitoring and maintenance of the mitigation sites. Based on these considerations, the mitigation plans will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and /or State associated with the discharge of fill material. Project impacts and mitigation are summarized in Section V of this Certification.

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 *Invasive Species Control Plan* (Mitigation Plan), dated July 2006. 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.

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Attachments:

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

The San Diego Water Board has independently reviewed the record of the Project to analyze the extent and nature of proposed Project impacts to the water quality and beneficial uses of waters of the United States and/or State and associated compensatory mitigation required to offset impacts attributed to the Project. In accordance with this Certification, the Applicant may proceed with the Project under the following terms and conditions:

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. R9-2017-0175 (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 Juan Creek, Gobernadora Creek or their 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 Juan Creek, Gobernadora Creek or their 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.
- Q. **Groundwater Dewatering.** If groundwater dewatering is required for the Project, the Applicant shall enroll in and comply with the requirements of San Diego Water Board Order No. R9-2015-0013 NPDES No. CAG919003, *General Waste Discharge Requirements For Groundwater Extraction Discharges to Surface Waters within the San Diego Region* or its successor permit.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **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.
- B. **Storm Drain Inlets.** All storm drain inlet structures within the Project boundaries must be stamped or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design.** The Project must be designed to comply with the most current Standard Storm Water Mitigation and Hydromodification Plans for Orange County. Post-construction BMPs are described in the *Conceptual Master Area Plan Water Quality Management Plan (WQMP) for The Ranch Plan, Planning Areas 3 and 4* (prepared by RBF Consulting, 2015); *Conceptual County of Orange/San Diego Region Priority WQMP for Cow Camp Road Phase 2* (prepared by Geosyntec Consultants,

2015); and the *Orange County Public Works Public Project WQMP Grandeza Drive* (prepared by Geosyntec Consultants, 2016) (Collectively, SWMP).

- D. **Post-Construction BMP Implementation.** All post-construction BMPs must be constructed, functional, and implemented prior to completion of Project construction, occupancy, and/or planned use, and maintained in perpetuity. The post construction BMPs must include those described in the SWMP, or any subsequent version of the SWMP approved by Orange County.
- E. **Post-Construction BMP Maintenance.** The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Storm Water Quality Association (CASQA)² guidance. The Applicant shall:
1. No less than two times per year, assess the performance of the BMPs to ensure protection of the receiving waters and identify any necessary corrective measures;
 2. Perform inspections of BMPs, at the beginning of the wet season no later than October 1 and the end of the wet season no later than April 1, for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;
 3. Regularly perform preventative maintenance of BMPs, including removal of accumulated trash and debris, as needed to ensure proper functioning of the BMPs;
 4. Identify and promptly repair damage to BMPs; and
 5. Maintain a log documenting all BMP inspections and maintenance activities. The log shall be made available to the San Diego Water Board upon request.
- F. **Bridge, Crossing, and Culvert Design.** Bridges, culverts, dip crossings, or other stream crossing structures shall be designed and installed so they will not cause scouring of the stream bed and/or erosion of the banks in the vicinity of the Project. Storm drain lines/culverts and other stream crossing structures shall be designed and maintained to accommodate at least a 100-year, 24-hour storm event, including associated bedload and debris, with a similar average velocity as upstream and downstream sections. Bottoms of temporary culverts shall be placed at stream channel grade and bottoms of permanent culverts shall be open bottom or embedded and backfilled below the grade of the stream greater than or equal to a depth of 1 foot.

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.

² California Storm Water Quality Association (*California Storm Water BMP Handbook, New Development and Redevelopment 2003*), available on-line at: <http://www.cabmphandbooks.org/> [Accessed on January 15, 2012]

B. Project Impacts and Compensatory Mitigation. Unavoidable Project impacts to San Juan Creek, Gobernadora Creek and their tributaries within the San Juan 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:

	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						
Ephemeral Stream Channel	5.59	88,861	5.59 Establishment ¹ 25.15 Enhancement ²	1:1 4.5:1	N/A ³	N/A
Wetlands	10.26	6,916	10.26 Establishment ¹ 20.52 Enhancement ²	1:1 2:1	N/A ³	N/A
Riparian	4.25	15,413	6.34 Establishment ¹ 10.22 Enhancement ²	1.49:1 2.4:1	N/A ³	N/A
Temporary Impacts⁴						
Streambed and Riparian	1.29	464	N/A	N/A	N/A	N/A

1. 7.25-acres of wetland establishment at the Gobernadora Ecological Restoration Area (GERA) and 14.94-acres of wetland establishment at GERA 2.
2. Streambed arundo removal enhancement within San Juan Creek consistent with the ISCP.
3. Compensatory mitigation is being provided in a contiguous area at the GERA and GERA 2 therefore; compensatory mitigation for linear feet is not being calculated.
4. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.

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.

- D. Functional Assessment.** If the functional assessment monitoring described in the ISCP cannot demonstrate, after five years of mitigation monitoring, that the estimated functional benefits have been achieved, the Applicant must propose and implement mitigation for streambed impacts within the same watershed as the impact site. The Applicant shall propose in-kind establishment at a 1:1 ratio (area mitigated: area impacted), or restoration at a 2:1 ratio, or a combination thereof as appropriate for the site conditions and functional benefits achieved to date. For the purpose of determining mitigation credit for the removal of exotic/invasive plant species, only the actual area occupied by exotic/invasive plant species shall be quantified to comply with mitigation requirements. The mitigation proposal must be submitted as part of the year five mitigation monitoring report required in section VI.J of this Certification. The Applicant shall implement the mitigation proposal in accordance with the schedule contained in the proposal unless otherwise directed in writing by the San Diego Water Board.
- E. 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.
- F. 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 (1) *Aquatic Resources Habitat Restoration Plan* (ARHRP) prepared for the EIR, and (2) *Invasive Species Control Plan* (ISCP) (July 2006, Glenn Lukos Associates, Inc.). The ARHRP and the ISCP are incorporated by reference as if set forth herein. Mitigation, monitoring, maintenance, and the long-term management of the mitigation areas must be implemented as described in the ARHRP and the ISCP. Any deviation from, or revisions to, the ARHRP or the ISCP must be approved by the San Diego Water Board. 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.

G. Timing of Mitigation Site Construction. Arundo removal conducted under the ISCP must be completed no later than nine months following the discharge of fill attributable to Project construction into on-site waters of the State. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10% of the cumulative compensatory mitigation for each month of delay.

H. Mitigation Site(s) Preservation Mechanism. The Applicant must record conservation easements for all mitigation areas pursuant to the Phased Dedication Program as set forth in the SAMP and the Southern Orange County Subregion Habitat Conservation Plan (HCP) Implementation Agreement. **Within 90 days** following recordation of the conservation easement, the Applicant must submit proof of the completed conservation easement protecting all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the State that it supports. The legal limitation must prohibit all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the site, except those specific uses defined as "Covered Activities" in the HCP and SAMP that are allowed within the HCP Habitat Reserve and/or SAMP Aquatic Resource Conservation Areas, respectively. 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.

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. Hybrid Wetland Functional Assessment.** Hybrid Wetland Functional Assessment (HWFA) (July 2006) prepared by Glenn Lukos Associates, Inc., monitoring must be performed to assess the current and potential ecological conditions (ecological integrity) of the impact site and proposed compensatory mitigation site(s). These conditions reflect the overall level of ecological function of an aquatic resource. Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implement Hybrid Wetland Functional Assessment (HWFA) monitoring. The Applicant must conduct a quantitative function-based assessment of the health of streambed habitat to establish pre-project baseline conditions, set HWFA success criteria, and assess the mitigation site(s) progress towards meeting the success criteria. HWFA monitoring must be conducted at the impact site and San Juan Creek compensatory mitigation site prior to the start of Project construction authorized under this Certification and annually at the compensatory mitigation sites following construction completion for a period of 5 years. The annual HWFA monitoring results shall be submitted with the Annual Project Progress Report. An evaluation, interpretation, and tabulation of all HWFA assessment data shall be submitted with the Final Project Completion Report. If the assessment cannot demonstrate that the estimated benefits have been achieved, the functional assessment shall be repeated every two years afterwards until the benefits have been demonstrated. The functional assessments shall be conducted using the same methodology as in the Draft Hybrid Wetland Functional Assessment.
- F. 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.
- G. Geographic Information System Data.** The Applicant must submit Geographic Information System (GIS) shape files of the Project impact sites within 30 days of the start of project construction and GIS shape files of the Project mitigation sites within 30 days of mitigation installation. All impact and mitigation site shape files must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.

H. **Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation, compensatory mitigation construction and implementation, and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. The Annual Project Progress Reports must contain compensatory mitigation monitoring information sufficient to demonstrate how the compensatory mitigation project is progressing towards accomplishing its objectives and meeting its performance standards. Annual Project Progress Reports must be submitted even if Project construction has not begun. The monitoring period for each Annual Project Progress Report shall be January 1st through December 31st of each year. Annual Project Progress Reports must include, at a minimum, the following:

1. **Project Status and Compliance Reporting.** The Annual Project Progress Report must include the following Project status and compliance information:
 - a. The names, qualifications, and affiliations of the persons contributing to the report;
 - b. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices project features for erosion and storm water quality treatment;
 - c. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
 - d. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
2. **Compensatory Mitigation Monitoring Reporting.** Mitigation monitoring information must be submitted as part of the Annual Project Progress Report for a period of not less than five years, sufficient to demonstrate that the compensatory mitigation project has accomplished its objectives and met ecological success performance standards contained in the Mitigation Plan. Following Project implementation the San Diego Water Board may reduce or waive compensatory mitigation monitoring requirements upon a determination that performance standards have been achieved. Conversely the San Diego Water Board may extend the monitoring period beyond five years upon a determination that the performance standards have not been met or the compensatory mitigation project is not on track to meet them. The Annual Project Progress Report must include the following compensatory mitigation monitoring information:

- a. Names, qualifications, and affiliations of the persons contributing to the report;
- b. An evaluation, interpretation, and tabulation of the parameters being monitored, including the results of the Mitigation Plan monitoring program, and all quantitative and qualitative data collected in the field;
- c. A description of the following mitigation site(s) characteristics:
 - i. Detritus cover;
 - ii. General topographic complexity;
 - iii. General upstream and downstream habitat and hydrologic connectivity; and
 - iv. Source of hydrology
- d. Monitoring data interpretations and conclusions as to how the compensatory mitigation project(s) is progressing towards meeting performance standards and whether the performance standards have been met;
- e. A description of the progress toward implementing a plan to manage the compensatory mitigation project after performance standards have been achieved to ensure the long term sustainability of the resource in perpetuity, including a discussion of long term financing mechanisms, the party responsible for long term management, and a timetable for future steps;
- f. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
- g. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after mitigation site construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/401c/401PhotoDocRB9V713.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced;
- h. A qualitative comparison to adjacent preserved streambed areas;
- i. The results of the Hybrid Wetland Functional Assessment (HWFA) monitoring required under section VI.E of this Certification. The final Compensatory Mitigation Monitoring Report which is due five years following project construction shall include an evaluation, interpretation, and tabulation of all HWFA assessment data collected throughout the term of such monitoring in accordance with section VI.E of this Certification;
- j. Results of the annual mitigation monitoring program described in the ISCP and Mitigation Plan and results from the functional assessment conducted after the fifth year of monitoring;

- k. Any other monitoring and reporting information specified in the ISCP not listed above;
 - l. As required by section V.C.2.b of this Certification, a streambed mitigation proposal.
 - m. As-built drawings of the compensatory mitigation project site(s), no bigger than 11"X17"; and
 - n. A survey report documenting boundaries of the compensatory mitigation site(s).
- I. **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
 - 6. An evaluation, interpretation, and tabulation of all Hybrid Wetland Functional Assessment (HWFA) data collected throughout the term of Project construction in accordance with section VI.E of this Certification.
- J. **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.
- K. **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. R9-2017-0175:841103:dbradford
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF), 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. R9-2017-0175:841103:dbradford.

- L. **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.

- M. **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 as provided in Water Code section 13271(b), 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 Orange, 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 as provided in Water Code section 13272(b), 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 responsibility for compliance with this Certification in the event that a transferee fails to comply.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The County of Orange 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 Determinations for the Ranch Plan Final Environmental Impact Reports (FEIR) 584, certified October 24, 2006 (State Clearing House Number 2003021141), FEIR 589, certified on November 8, 2004 (State Clearing House Number 2006061140), and filed a subsequent Notice of Determination of their FEIRs for Cow Camp Road (IP 08-338), certified on November 18, 2008 (State Clearing House Number 2003021141). 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 FEIRs 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 FEIRs 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 FEIRs, 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

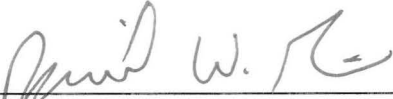
Darren Bradford, Environmental Scientist
Telephone: (619) 521-3356
Email: darren.bradford@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Planning Areas 3 and 4, the Cow Camp Road Bridge over San Juan Creek, and the Grandeza Drive Bridge over Gobernadora Creek Project**(Certification No. R9-2017-0175) 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. R9-2017-0175 issued on July 23, 2018.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

23 July 2018
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.

Hybrid Wetland Functional Assessment (HWFA) - is a conditional assessment method intended to characterize and evaluate the functions of ephemeral drainages. Specifically, this assessment method provides for a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of aquatic resources. Various metrics were evaluated to determine riparian functions. The metrics evaluated describe three categories of function based on the United States Army Corps of Engineers Hydrogeomorphic Approach (HGM): hydrologic functions, physical process functions (e.g., biogeochemical functions), and biological functions related to habitat. In addition, functions from the California Rapid Assessment Method (CRAM) and Landscape Level Functional Assessment (LLFA) were incorporated.

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.

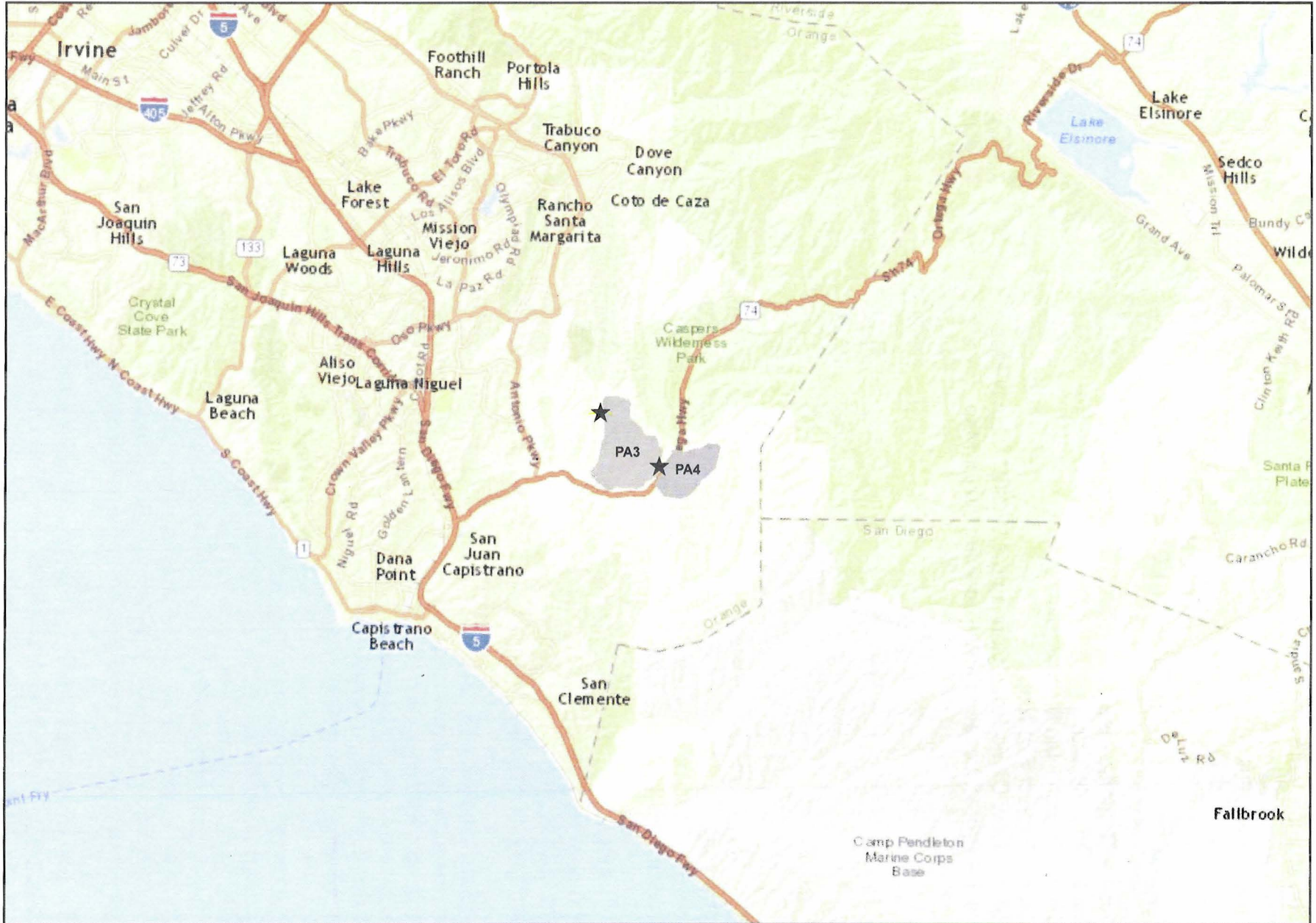
Restoration - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: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

Source: ESRI World Street Map



RANCHO MISSION VIEJO PA3 & PA4
Regional Map

GLENN LUKOS ASSOCIATES

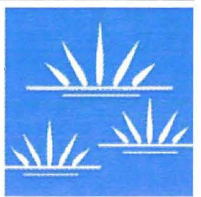
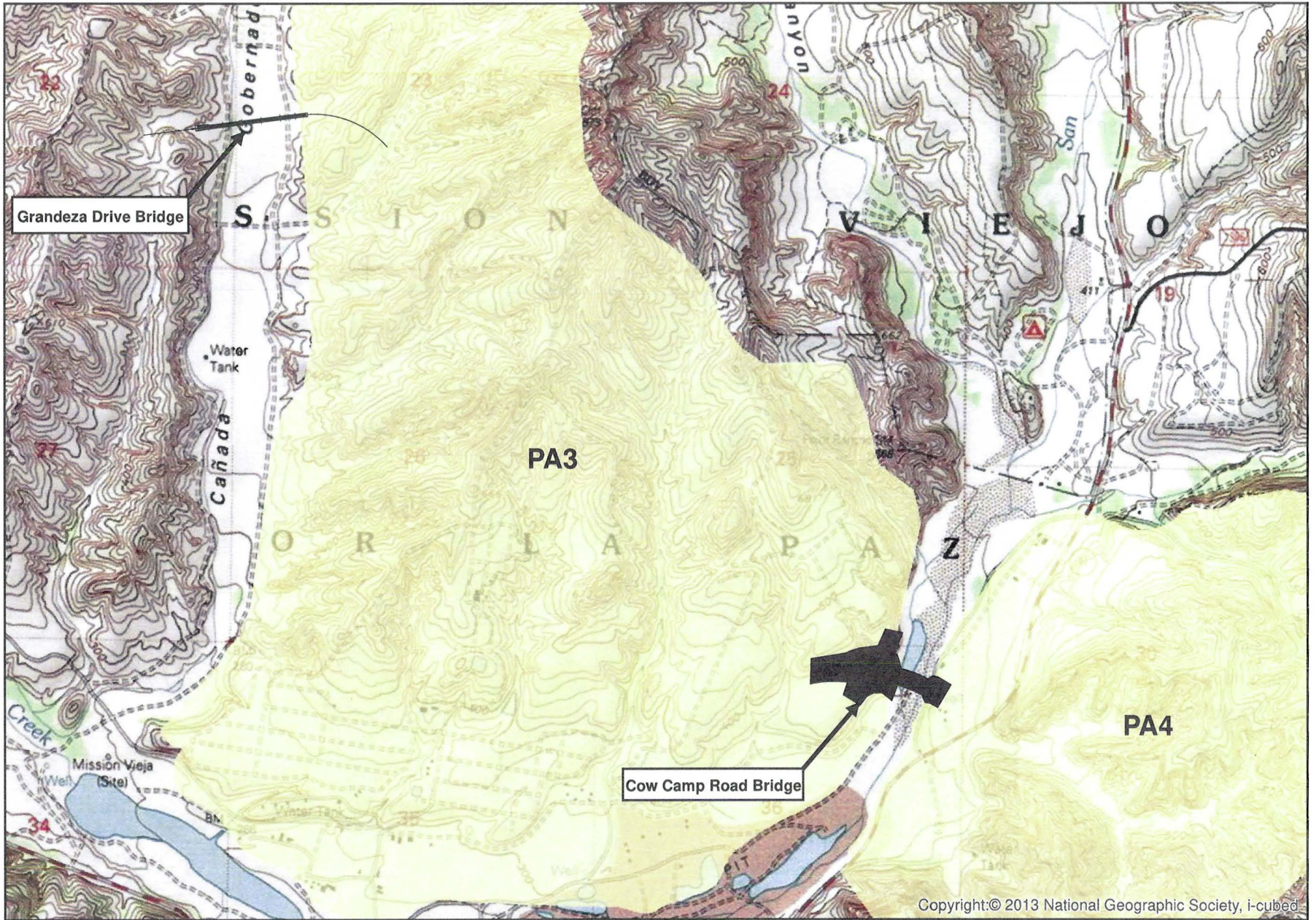


Exhibit 1

Adapted from USGS Canada Gobernadora, CA quadrangle



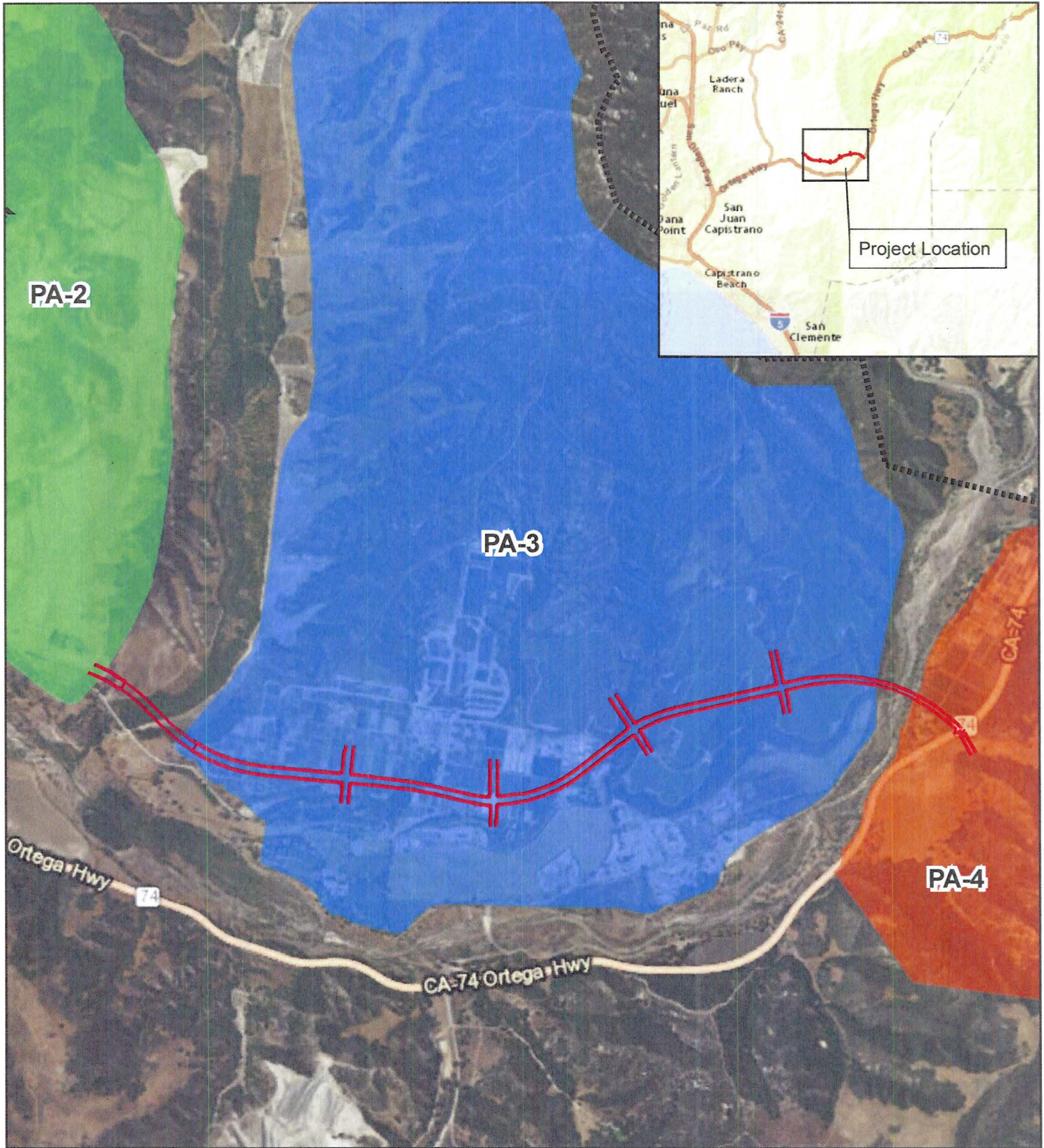
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0
1,000
2,000
4,000
Feet

RANCHO MISSION VIEJO PA3 & PA4
Vicinity Map

GLENN LUKOS ASSOCIATES



Exhibit 2



Legend

- Ranch Zoning Boundary
- PA-2
- PA-3
- PA-4
- Project Location

N

 0 2,400 Feet

**Cow Camp Road Conceptual WQMP
Vicinity Map**

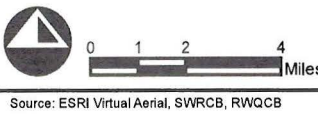
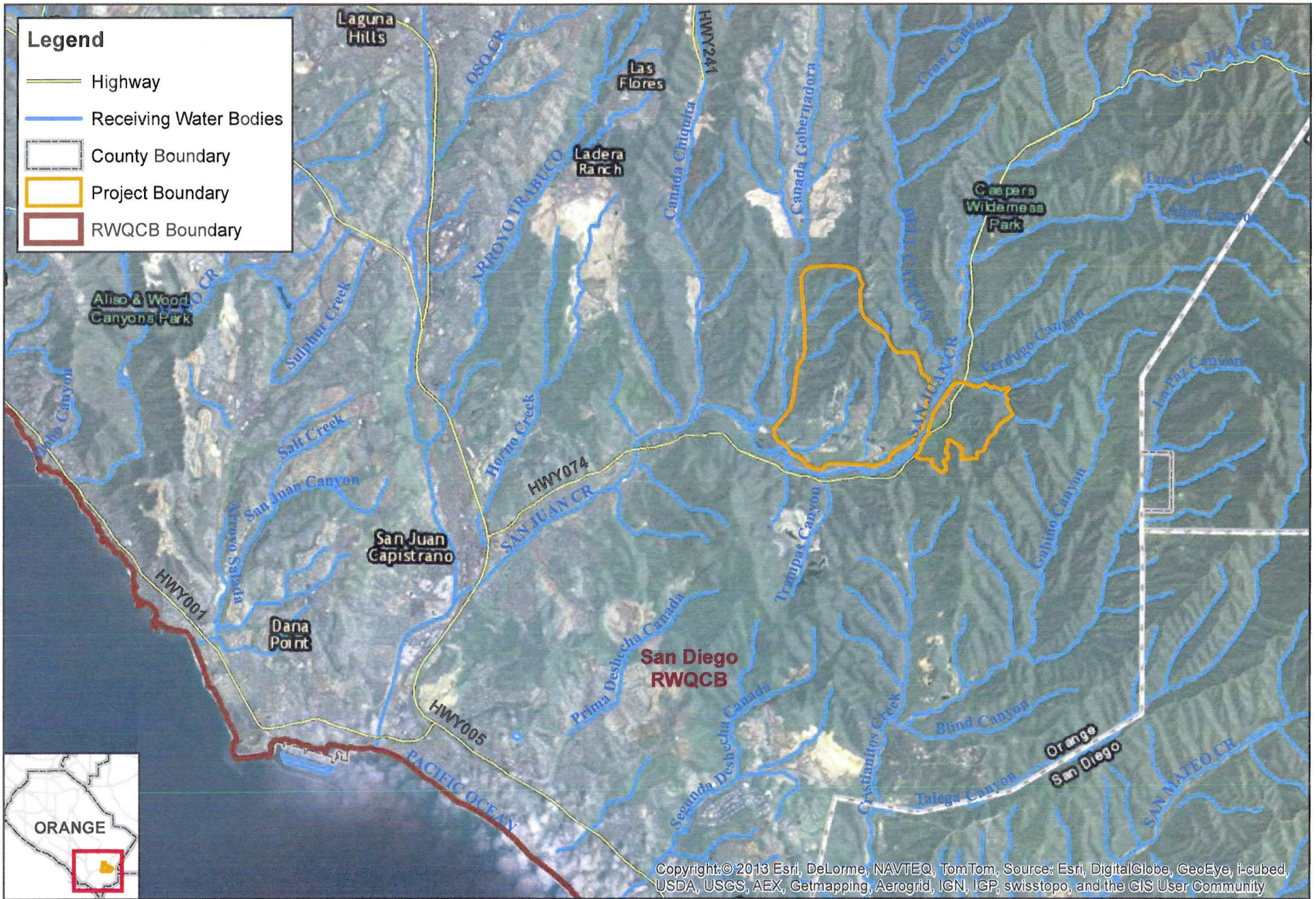
1111 Broadway
Oakland, California

Geosyntec
consultants

Exhibit
1

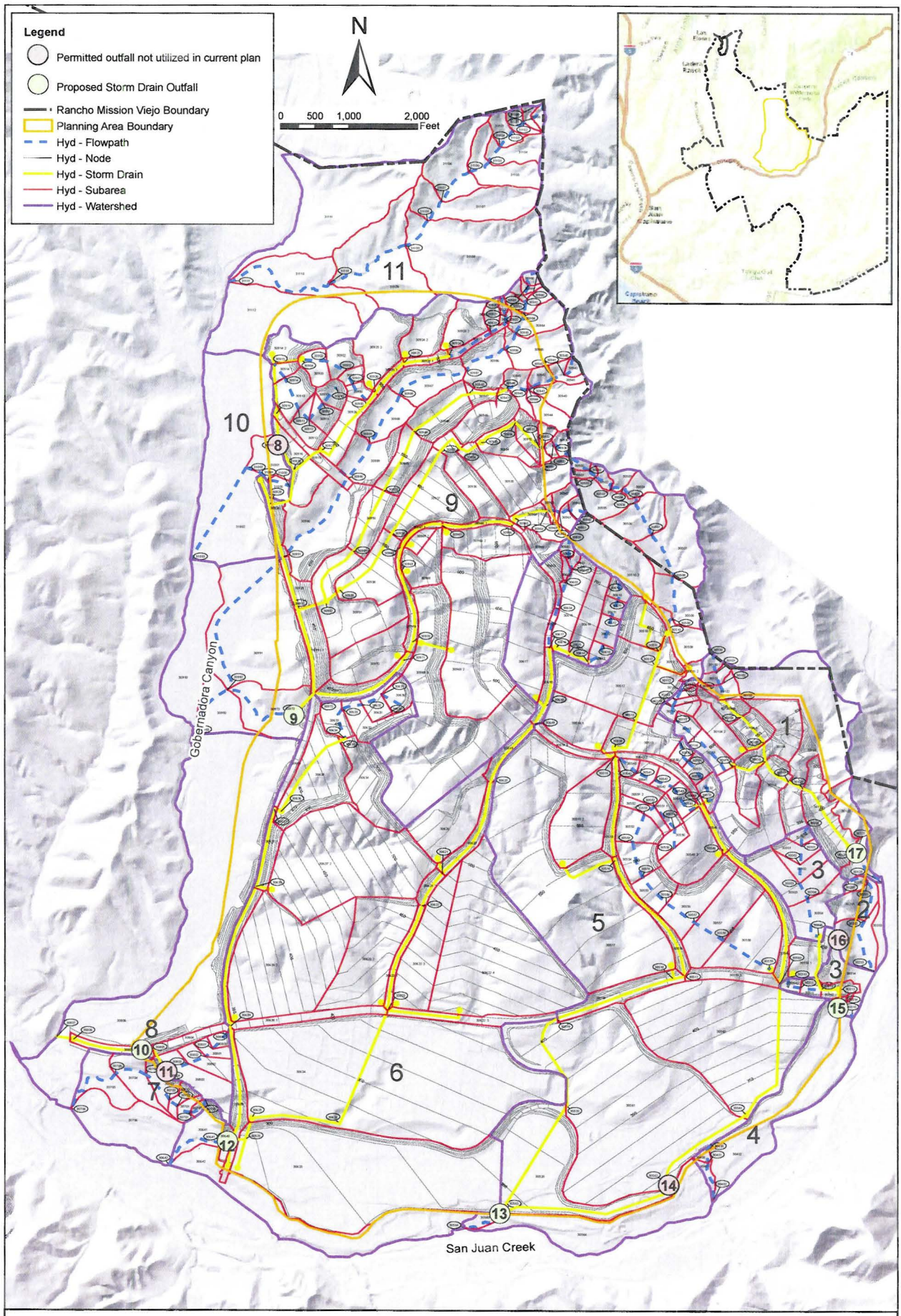
WW1930
October 2015

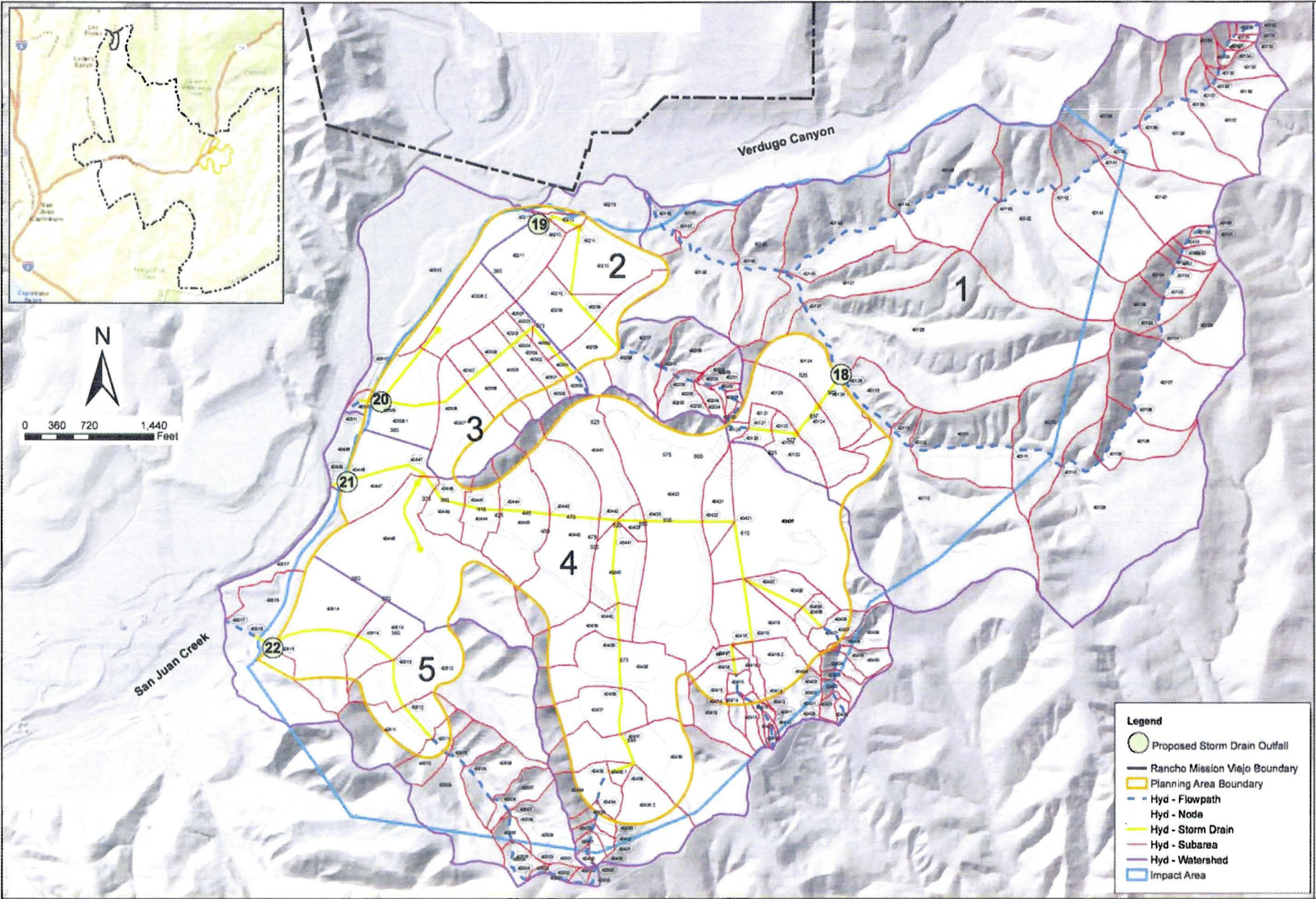
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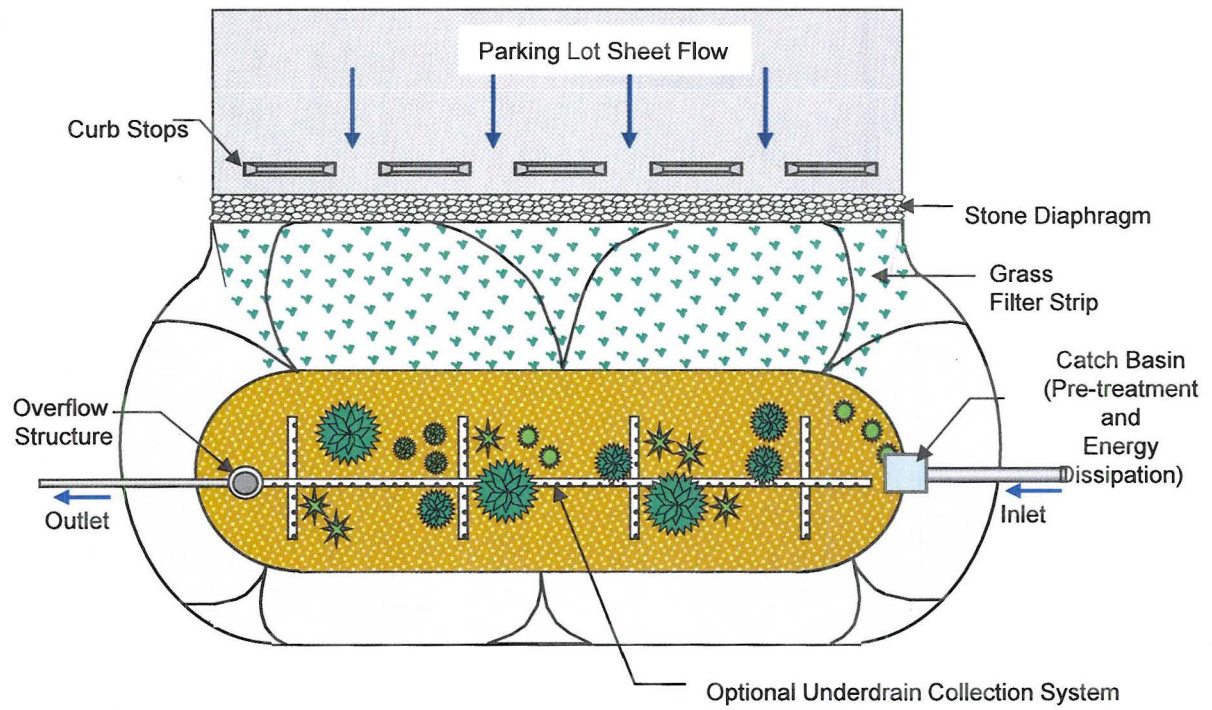
Project Location and Receiving Water Map

Figure 1

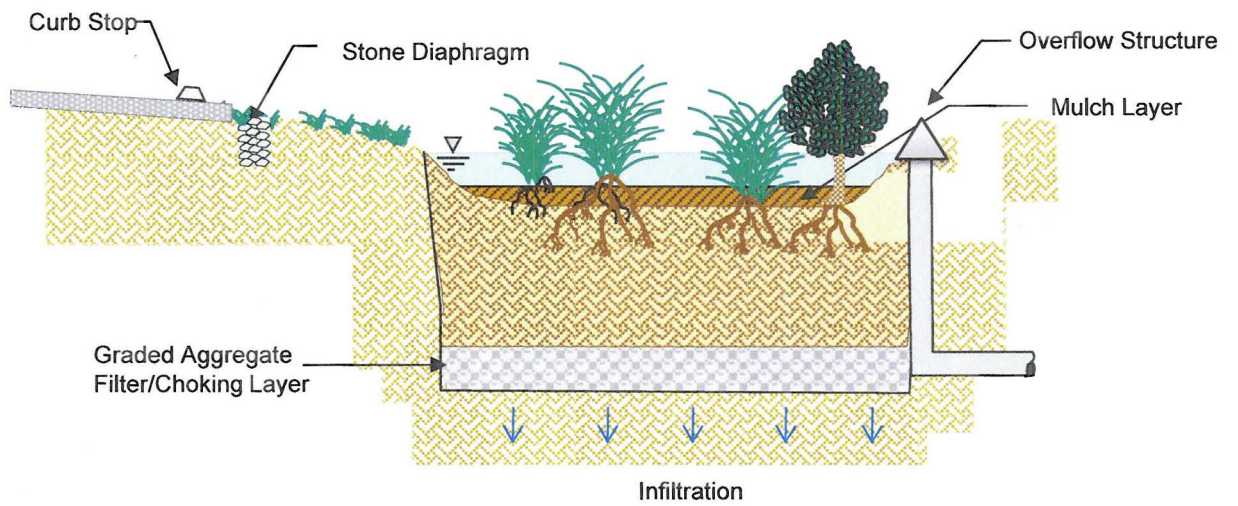




Plan View



Profile



Conceptual Illustration of an Infiltration Basin
Cow Camp Road WQMP

Geosyntec consultants

Exhibit
5

Oakland




April 2015

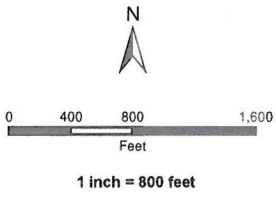
Rancho Mission Viejo
Planning Areas 3 and 4
Certification No. R9-2017-0175

**ATTACHMENT 4
MITIGATION FIGURES**

Revised Exhibit 5 – PA3 Jurisdictional Delineation/Impact Map
Revised Exhibit 6 – PA4 Jurisdictional Delineation/Impact Map
Outfall Exhibit – Key Map
Outfall Exhibits – Sheet 1-3
Exhibit 7 - Cow Camp Road Bridge Vegetation/Impact Map
Exhibit 8 – Grandeza Drive Bridge Vegetation/Impact Map
Exhibit 10 – GERA Mitigation Areas Map
Exhibit 3 – Giant Reed Eradication Mitigation Areas
Exhibit 11 – San Juan Creek Arundo Eradication Areas (Within Area 1)
Revised Exhibit 12 – San Juan Creek Arundo Eradication Area 2 & 3



-  Planning Area 3
-  Planning Area 4
-  Storm Drain Outfall



Reference Elevation Datum: State Plane 6 NAD 83
 Map Prepared by: K. Kartunen, GLA
 Date Prepared: April 5, 2018

RANCHO MISSION VIEJO PA3 & PA4
 Storm Drain Outfalls Key Map

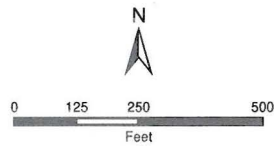
GLENN LUKOS ASSOCIATES 

Outfall Exhibit - Key Map

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- Planning Area 3
- Planning Area 4
- Storm Drain Outfall
- Corps/RWQCB Non-Wetland Waters
- Corps/RWQCB Wetlands



1 inch = 250 feet

Reference Elevation Datum: State Plane 6 NAD 83
Map Prepared by: K. Kartunen, GLA
Date Prepared: April 5, 2018

RANCHO MISSION VIEJO PA3 & PA4

Storm Drain Outfalls Corps/RWQCB Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES

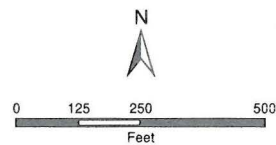


Outfall Exhibit - Sheet 1



- Planning Area 3
- Planning Area 4
- Storm Drain Outfall

- Corps/RWQCB Non-Wetland Waters
- Corps/RWQCB Wetlands



1 inch = 250 feet

Reference Elevation Datum: State Plane 6 NAD 83
Map Prepared by: K. Kartunen, GLA
Date Prepared: April 5, 2018

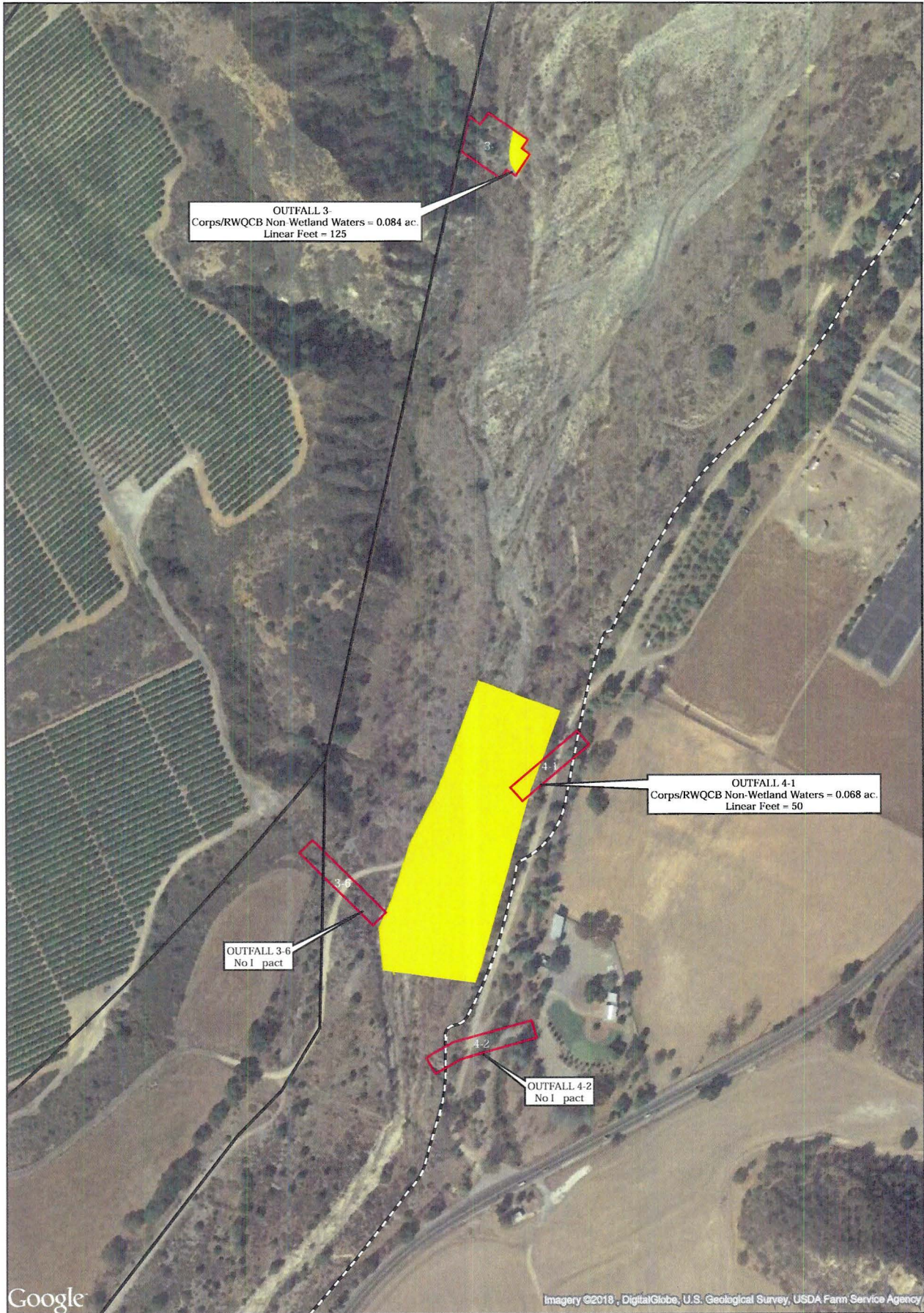
RANCHO MISSION VIEJO PA3 & PA4

Storm Drain Outfalls Corps/RWQCB Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES



Outfall Exhibit - Sheet 2



OUTFALL 3
Corps/RWQCB Non Wetland Waters = 0.084 ac.
Linear Feet = 125

OUTFALL 4-1
Corps/RWQCB Non-Wetland Waters = 0.068 ac.
Linear Feet = 50

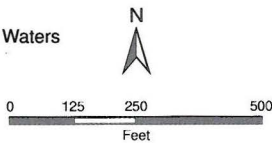
OUTFALL 3-6
No 1 pact

OUTFALL 4-2
No 1 pact

Google

Imagery ©2018, DigitalGlobe, U.S. Geological Survey, USDA Farm Service Agency

- Planning Area 3
- Corps/RWQCB Non-Wetland Waters
- Planning Area 4
- Corps/RWQCB Wetlands
- Storm Drain Outfall



RANCHO MISSION VIEJO PA3 & PA4
Storm Drain Outfalls Corps/RWQCB Jurisdictional Delineation Map

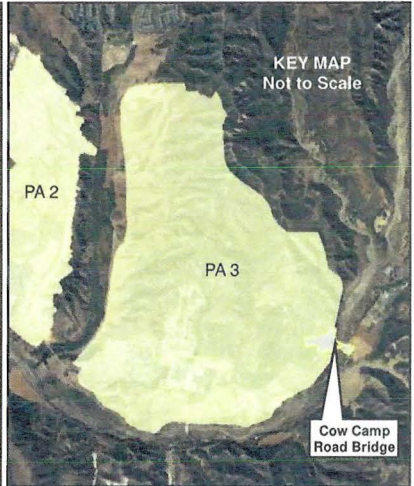
GLENN LUKOS ASSOCIATES



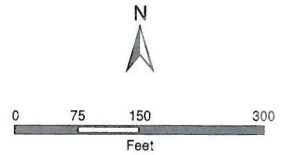
Outfall Exhibit - Sheet 3

Reference Elevation Datum: State Plane 6 NAD 83
Map Prepared by: K. Kartunon, GLA
Date Prepared: April 5, 2018

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- Permanent Impact Footprint
- Temporary Impact Footprint
- Limits of Corps Jurisdiction
- Limits of CDFW Jurisdiction
- Disturbed
- Disturbed Annual Grassland
- Red Willow
- Unvegetated
- Willow Scrub

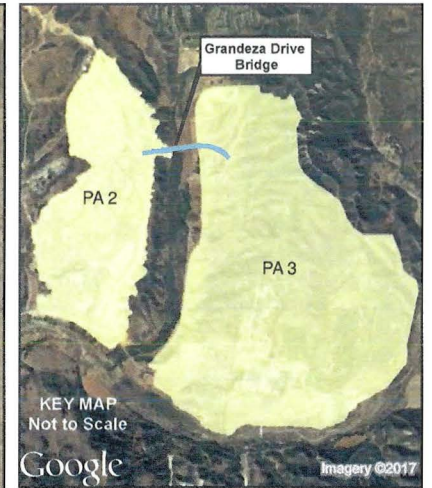
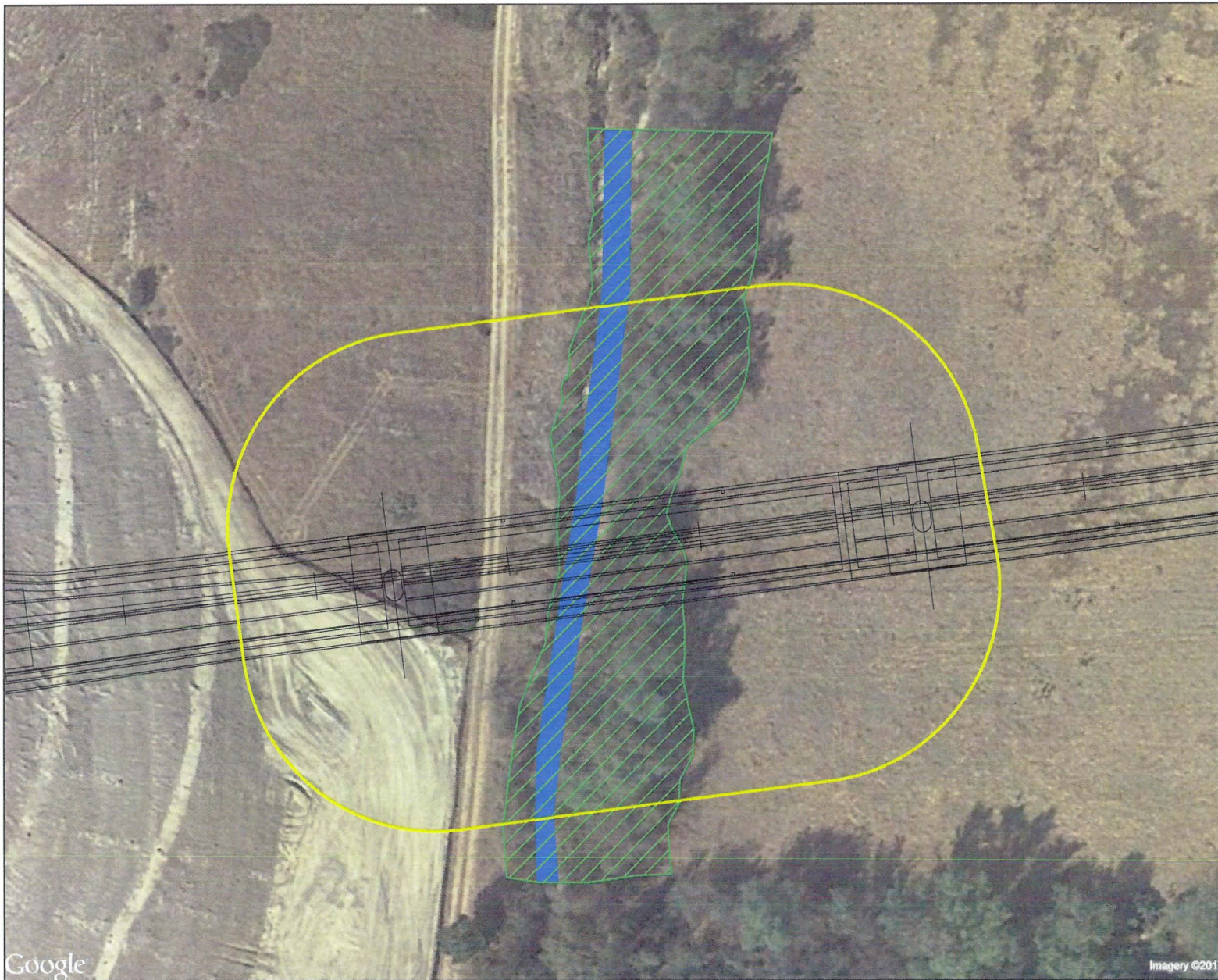


1 inch = 150 feet

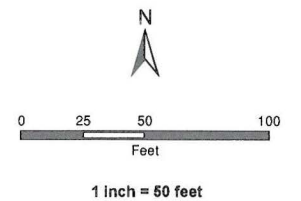
RANCHO MISSION VIEJO PA3 & PA4
Cow Camp Road Bridge Vegetation/Impact Map

GLENN LUKOS ASSOCIATES

Exhibit 7



-  Temporary Impact
-  Grandeza Drive Bridge
-  CDFW Riparian
-  Corps Non-Wetland Waters



RANCHO MISSION VIEJO PA3 & PA4
 Grandeza Drive Bridge Jurisdictional Delineation/Impact Map

GLENN LUKOS ASSOCIATES

Exhibit 8



Google

Imagery ©2017

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- | | |
|--|--|
| <ul style="list-style-type: none"> Planning Area GERA 2 15 acres of PA3 Mitigation 7.25 acres of PA3 Mitigation Cow Camp Road Gobernadora Bridge - 0.54 SWS* 12.28 acres of Ladera Mitigation 4.75 acres of PA1 Mitigation | <ul style="list-style-type: none"> Cow Camp Road - 0.11 ac. Southern Willow Scrub PA 2 - 4.26 ac. Southern Willow Scrub PA 2 Ammdement - 0.14 ac SWS Cow Camp Road Western Abutment - 0.174 ac. SWS 1.17 acres Trampas Canyon Reservoir (2,950 LF) Horno |
|--|--|

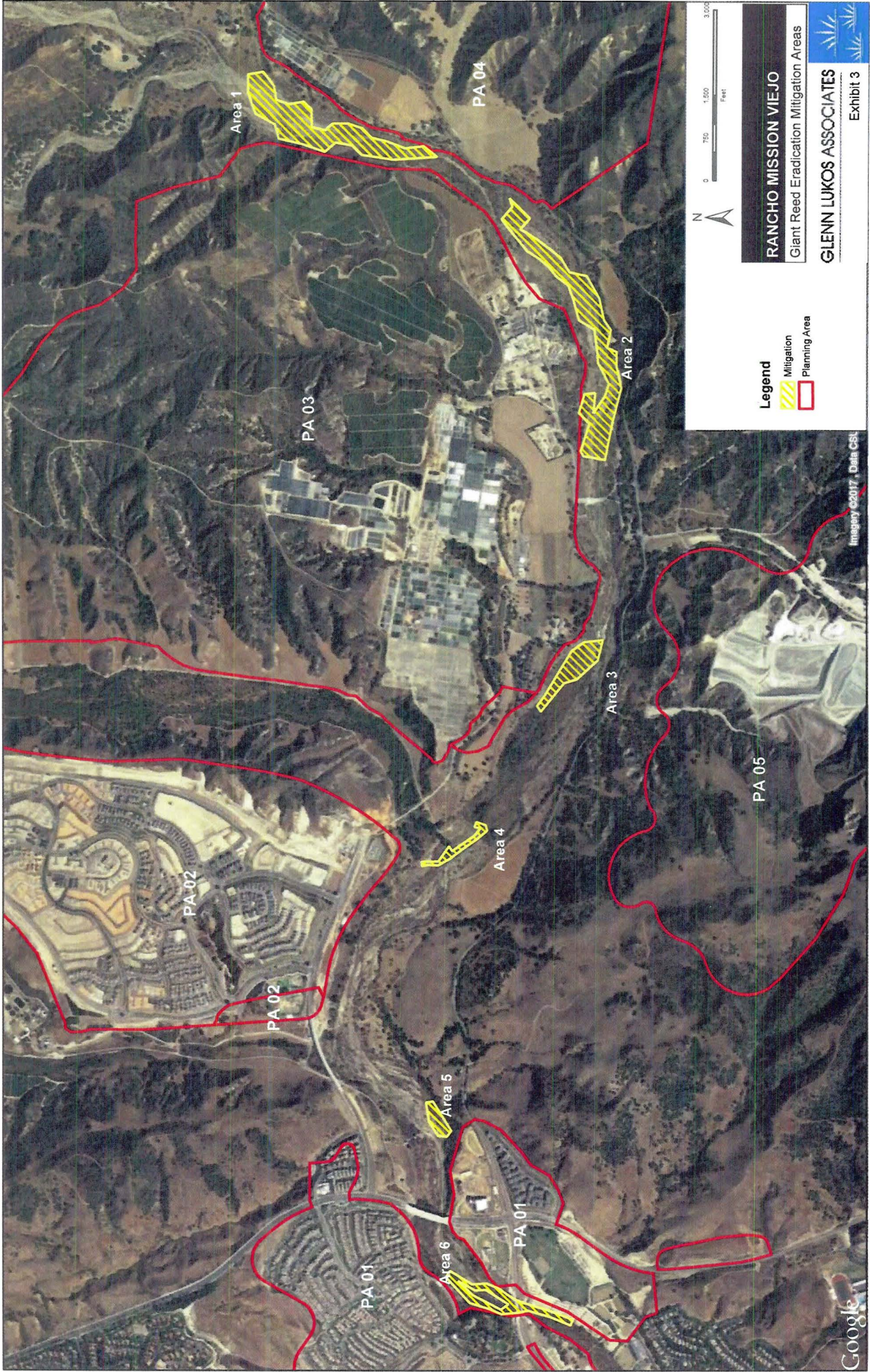
RANCHO MISSION VIEJO
PA3 & PA 4

GERA Mitigation Areas Map

GLENN LUKOS ASSOCIATES

Exhibit 10

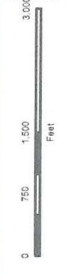




Legend
 Mitigation
 Planning Area

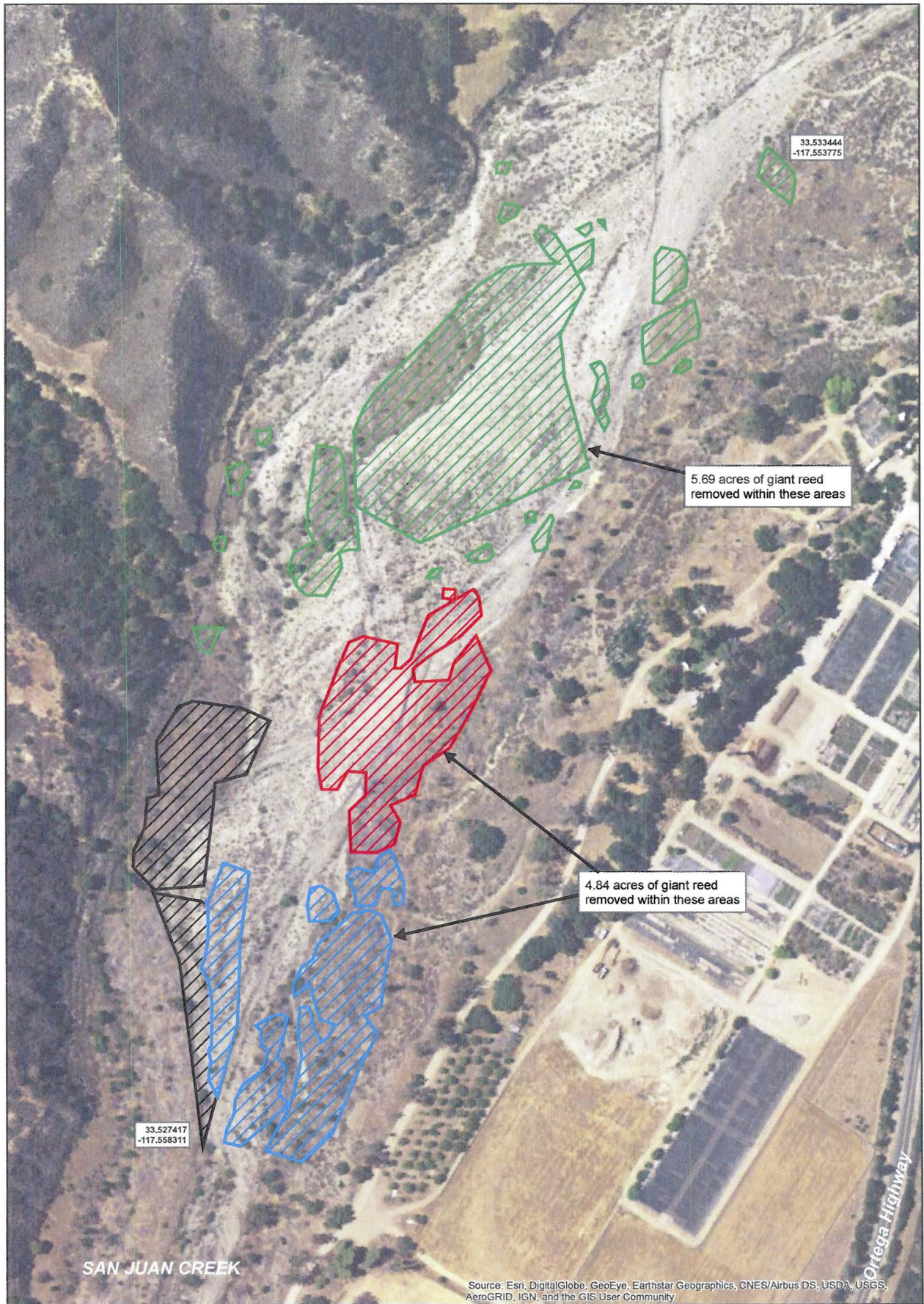
RANCHO MISSION VIEJO
 Giant Reed Eradication Mitigation Areas

GLENN LUKOS ASSOCIATES
 Exhibit 3

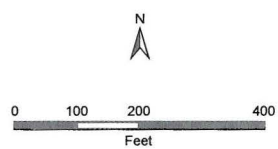


Google

Imagery ©2017, Data C&S



-  Giant Reed Eradication Area 1-1
-  Giant Reed Eradication Area 1-2
-  Giant Reed Eradication Area 1-3
-  Previous Mitigation




RANCHO MISSION VIEJO PA3 & PA4
 San Juan Creek Arundo Eradication Areas (Within Area 1)

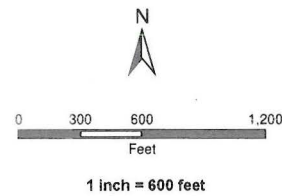
GLENN LUKOS ASSOCIATES

Exhibit 11





 Giant Reed Removal Areas - 45.36 ac.



RANCHO MISSION VIEJO
PA3/PA4/BRIDGES/OUTFALLS
San Juan Creek Arundo Eradication Area 2 & 3

GLENN LUKOS ASSOCIATES 
Revised Exhibit 12

Rancho Mission Viejo
Planning Areas 3 and 4
Certification No. R9-2017-0175

ATTACHMENT 5
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

Item No.	Cross Reference Column	Source	Condition, Mitigation, Public Benefit or Entitlement Provision	Timing	Requirements or Entitlement Provisions	Reviewing / Approving Authority (Advisory Agency in Parentheses)	Form of Compliance	Guidance for Compliance	Area Application
6	7-12 (MM 4.4-1)	EIR 589	MM 4.4-1	Prior to the approval of each the first tentative tract map in each Planning Area	Prior to the approval of each the first tentative tract map in each Planning Area, the applicant shall submit a geotechnical report to the Director, OC Planning Deputy Director, Planning and Development Services , for approval. The report shall meet the requirements outlined in the County of Orange Grading Code and Manual, and as appropriate, shall adequately address each of the following issues to the satisfaction of the Deputy Director, Planning and Development Services:	Director, PDS Director, OC Planning	Preparation and submittal of satisfactory geotechnical report addressing required elements	This TT Map geotechnical report is to be qualitative, not quantitative, providing an overview of the site's geologic conditions, demonstrating understanding of geotechnical issues, and how they are to be remediated. A more complete subsurface investigation is to be performed prior to issuance of a grading permit (Item No. 521, SC 4.4-1).	Each PA
7	6 and 8-12 (MM 4.4-1)	EIR 589	MM 4.4-1 (cont.)	See above	a. Locate, define and map the activity status of any faults within the development area of the project site, and if any active faults are encountered, determine the appropriate structural setbacks.	Director, PDS Director, OC Planning	The purpose of the TT Map study is to identify fault locations per published maps and literature. The Grading Permit study will define limits and activity as necessary.	See Above	Each PA
8	6-7 and 9-12 (MM 4.4-1)	EIR 589	MM 4.4-1 (cont.)	See above	b. Identify and map areas where grading activities may encounter unconsolidated soils (e.g., alluvial deposits, colluvium, native soil, debris flow deposits, etc.) susceptible to soil creep, liquefaction, landslides, or settlement. Define specific measures to be taken when such soils are encountered during grading (i.e., removal and replacement with compacted fill, slope stabilization, etc.).	Director, PDS Director, OC Planning	The purpose of the TT Map study is to identify soil types and boundaries. The Grading Permit study will further define soil types and boundaries as necessary.	See Above	Each PA
9	6-8 and 10-12 (MM 4.4-1)	EIR 589	MM 4.4-1 (cont.)	See above	c. Identify and map areas where fill is to be placed on top of unconsolidated soils (e.g., alluvium, colluvium, landslide debris, etc.). Define specific measures to be taken when such fills are anticipated during grading (i.e., removal and re-compaction of unconsolidated soils, settlement monitoring in deep canyon areas, etc.).	Director, PDS Director, OC Planning	The purpose of the TT Map study is to identify where fill is to be placed on top of unconsolidated soils. The Grading Permit study will further define these areas as necessary.	See Above	Each PA
10	6-9 and 11-12 (MM 4.4-1)	EIR 589	MM 4.4-1 (cont.)	See above	d. Locate and map all landslides within the development area of the project site and evaluate the lateral extent, depth and potential instability as a result of grading and the potential effects of settlement due to fill loads. Define specific measures to be taken during grading (i.e., bury under proposed fills, complete or partial removal, slope stabilization, avoidance, etc.).	Director, PDS Director, OC Planning	The purpose of the TT Map study is to identify landslides per published maps, preliminary exploration, surface mapping & observations, and anticipated limits of remediation. The Grading Permit study will further define the extent and limits of the landslides as necessary.	See Above	Each PA
11	6-10 and 12 (MM 4.4-1)	EIR 589	MM 4.4-1 (cont.)	See above	e. Identify and map areas susceptible to debris flows and surficial slumping, including potential debris flow volumes. Define specific measures to be taken during grading (i.e., removal during mass grading, containment within a debris basin, etc.).	Director, PDS Director, OC Planning	The purpose of the TT Map study is to identify areas of potential debris flows. The Grading Permit study will further define quantities and remedial measures as necessary.	See Above	Each PA

Item No.	Cross Reference Column	Source	Condition, Mitigation, Public Benefit or Entitlement Provision	Timing	Requirements or Entitlement Provisions	Reviewing / Approving Authority (Advisory Agency in Parentheses)	Form of Compliance	Guidance for Compliance	Area Application
12	6-11 (MM 4.4-1)	EIR 589	MM 4.4-1 (cont.)	See above	f. Identify and map areas susceptible to expansive soils. Define specific measures to be taken during grading (i.e., pre-saturation of expansive soils during construction, reinforcement of building foundations and concrete slabs, removal and replacement with non-expansive granular soil beneath structures, etc.).	Director, PDS Director, OC Planning	The purpose of the TT Map study is to identify and map areas susceptible to expansive soils. It should be understood that expansive soils could end up throughout the site as a result of grading.	See Above	Each PA
33	32 and 34-35 (MM 4.5-4)	EIR 589	MM 4.5-4 (cont.)	See above	(i) How site-design, source-control and treatment control BMPs will be implemented at the Sub-Area Plan level for the area in question,	*Manager of OC Flood Control and Manager of Watershed and Coastal Resources Director, OC Planning	See above		Each PA
34	32-33 and 35 (MM 4.5-4)	EIR 589	MM 4.5-4 (cont.)	See above	(ii) The size, location and design features of the individual water resource facilities to be developed within the subject Sub-Area Plan area, and	*Manager of OC Flood Control and Manager of Watershed and Coastal Resources Director, OC Planning	See above		Each PA
35	32-34 (MM 4.5-4)	EIR 589	MM 4.5-4 (cont.)	See above	(iii) Monitoring, operation and maintenance of the stormwater BMPs within the relevant Sub-Area Plan area.	*Manager of OC Flood Control and Manager of Watershed and Coastal Resources Director, OC Planning	See above		Each PA
104	105-107 (MM 4.7-1)	EIR 589	MM 4.7-1	Prior to the issuance of a grading permit	In order to reduce diesel fuel engine emissions, the project applicant shall require that all construction bid packages include a separate "Diesel Fuel Reduction Plan." This plan shall identify the actions to be taken to reduce diesel fuel emissions during construction activities (inclusive of grading and excavation activities). Reductions in diesel fuel emissions can be achieved by measures including, but not limited to, the following: a) use of alternative energy sources, such as compressed natural gas or liquefied petroleum gas, in mobile equipment and vehicles; b) use of "retrofit technology," including diesel particulate traps, on existing diesel engines and vehicles; and c) other appropriate measures. Prior to the issuance of a grading permit, the Diesel Fuel Reduction Plan shall be filed with the County of Orange. The Diesel Fuel Reduction Plan shall include the following provisions:	Director, OC Planning Director, PDS-(AQMP)	Preparation and submittal of a Diesel Fuel Reduction Plan identifying actions to reduce diesel fuel emissions during construction (with specified provisions)		Each PA
105	104 and 106-107 (MM 4.7-1)	EIR 589	MM 4.7-1 (cont.)	See above	a. All diesel fueled off-road construction equipment shall be California Air Resources Board (CARB) certified or use post-combustion controls that reduce pollutant emissions to the same level as CARB certified equipment. CARB certified off-road engines are engines that are three years old or less and comply with lower emission standards. Post-combustion controls are devices that are installed downstream of the engine on the tailpipe to treat the exhaust. These devices are now widely used on construction equipment and are capable of removing over 90 percent of the PM10, carbon monoxide, and volatile organic compounds from engine exhaust, depending on the specific device, sulfur content of the fuel, and specific engine. The most common and widely used post-combustion control devices are particulate traps (i.e., soot filters), oxidation catalysts, and combinations thereof.	Director, OC Planning Director, PDS-(AQMP)	See above		Each PA

Item No.	Cross Reference Column	Source	Condition, Mitigation, Public Benefit or Entitlement Provision	Timing	Requirements or Entitlement Provisions	Reviewing / Approving Authority (Advisory Agency in Parentheses)	Form of Compliance	Guidance for Compliance	Area Application
106	104-105 and 107 (MM 4.7-1)	EIR 589	MM 4.7-1 (cont.)	See above	b. All diesel fueled on-road construction vehicles shall meet the emission standards applicable to the most current year to the greatest extent possible. To achieve this standard, new vehicles shall be used or older vehicles shall use post-combustion controls that reduce pollutant emissions to the greatest extent feasible.	Director, OC Planning Director, PDS-(AQMP)	See above		Each PA
107	104-106 (MM 4.7-1)	EIR 589	MM 4.7-1 (cont.)	See above	c. The effectiveness of the latest diesel emission controls is highly dependent on the sulfur content of the fuel. Therefore, diesel fuel used by on-road and off-road construction equipment shall be low sulfur (>15 ppm) or other alternative low polluting diesel fuel formulation such as PuriNOXTM or Amber363. Low sulfur diesel fuel shall be required by existing regulations after the year 2007 and it is already being produced and sold as the regulation is phased in.	Director, OC Planning Director, PDS-(AQMP)	See above		Each PA
112		EIR 589	MM 4.7-4	Prior to issuance of grading permit	All construction staging areas and stockpile sites will be located as far as feasible from residential areas. This provision will apply to currently existing residential areas and to future residential developments that are completed prior to later development stages.	Director, PDS Director, OC Planning	Preparation and approval of construction staging area plan	These locations will change throughout the grading process. OCFA must be kept abreast of the most current access information	Each PA
113		EIR 589	MM 4.7-4 (cont.)	See above	A vegetative buffer zone, including trees and shrubs, will be placed between grading sites and residential areas or other locations where sensitive receptors can be reasonably expected.	Director, PDS Director, OC Planning	Preparation and approval of a grading plan showing a vegetative buffer zone (if applicable) **Handbook should define sensitive receptors**	Currently no sensitive receptors located within Ranch Plan planned community	Each Grading Permit area (if applicable)
121.1	122-124 (MM 4.9-22)	EIR 589	MM 4.9-22	Prior to completion of the Project Report for F Street issuance of a Grading Permit for construction of Cristianitos Road and	Prior to completion of the Project Report issuance of a grading permit for construction of Cristianitos Road from PA 5 to PA 2 and Cow Camp Road (see 121.2 below), the applicant shall demonstrate to the satisfaction of the County's Director of Planning Services Department or his/her designee that the design for the specified portions of Cristianitos Road and Cow Camp Road (see 121.2 below) includes the following features to facilitate wildlife movement: (see Items 122-124 below)	Director, PDS Director, OC Planning	Approval of a Street Improvement Plan demonstrating the design for Cristianitos Road and Cow Camp Road (see 121.2 below) includes features to facilitate wildlife movement	The portion of Cristianitos Road not eliminated by the ROSA is depicted on the OCTA approved Circulation Plan [Hyperlink #10]	PA-1.1, 2-8 and 10
124.1	121-123 (MM 4.9-22)	EIR 589	MM 4.9-22 (cont.)	Prior to completion of the Project Report for F Street issuance of a Grading Permit for construction of Cristianitos Road and	• All lighting on the bridge, if required for public health and safety, shall be shielded to prevent spill-over effects.	Director, PDS Director, OC Planning	Project Report for F Street	Project Report for F Street shall include sufficient detail to demonstrate that lighting of bridge(s) will prevent spill-over effect, thereby facilitating wildlife movement	PA-2-8 and 10

Item No.	Cross Reference Column	Source	Condition, Mitigation, Public Benefit or Entitlement Provision	Timing	Requirements or Entitlement Provisions	Reviewing / Approving Authority (Advisory Agency in Parentheses)	Form of Compliance	Guidance for Compliance	Area Application
136	144-150 (MM 4.9-30)	EIR 589	MM 4.9-26	Prior to issuance of grading permit	During construction, a construction monitoring program shall be implemented to mitigate for short-term noise impacts to nesting raptors, to the satisfaction of the County of Orange, Manager, Subdivision and Grading. Indirect impacts shall be mitigated by limiting heavy construction (i.e., mass grading) within 300 feet of occupied raptor nests. Occupied raptor nests shall be marked as "Environmentally Sensitive Areas" on grading/construction plans and shall be protected with fencing consisting of T-bar posts and yellow rope. Signs noting the area as an "Environmentally Sensitive Area" will be attached to the rope at regular intervals.	Director, PDS Director, OC Planning	Preparation and <u>submittal approval</u> of a Construction Monitoring Program with subsequent implementation	Only Construction Monitoring Program submittal documentation is required: [Hyperlink #12] No copy of USFWS approval is required (often no formal written approval granted by USFWS)	Each Applicable PA
140	141 (MM 4.9-28) 515 (ROSA Exhibit G)	EIR 589	MM 4.9-28	Prior to the issuance of building permits on streets for tracts with public street lighting adjacent to RMV Open Space habitat areas	Lighting shall be shielded or directed away from RMV Open Space habitat areas through the use of low-sodium or similar intensity lights, light shields, native shrubs, berms or other shielding methods.	Director, PDS Director, OC Planning	Preparation of a lighting plan	Preparation of street improvement plans for public streets that detail how street lighting is to be directed away from RMV Open Space areas	Each Applicable PA
141	140 (EIR 589, MM 4.9-28)	EIR 589	MM 4.9-28 (cont.)	See above	a. Prior to the issuance of building permits for a tract with public street lighting adjacent to RMV Open Space habitat areas, the County of Orange shall verify that measures to shield such lighting have been incorporated in the street improvement building plans .	Director, PDS Director, OC Planning	Preparation of building plans in compliance with lighting measures		Each Applicable PA
144	136 (MM 4.9-26) 145-150 (EIR 589, MM 4.9-30)	EIR 589	MM 4.9-30	Prior to issuance of grading (GA) permits	Biological resources outside of the Proposed Project impact area shall be protected during construction. To ensure this protection, the Project Applicant shall prepare and implement a Biological Resources Construction Plan (BRCP) that provides for the protection of the resource and established the monitoring requirements. The BRCP shall contain at a minimum the following:	Director, PDS Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		Each PA
145	144 and 148-150 (EIR 589, MM 4.9-30) Item Nos. 146 and 147 have been integrated into 145 (originally three bullet points were separate items)	EIR 589	MM 4.9-30 (cont.)	Prior to issuance of grading (GA) permits	<ul style="list-style-type: none"> • Specific measures for the protection of sensitive amphibian, mammal, bird, and plant species during construction. • Identification and qualification of habitats to be removed. • Design of protective fencing around conserved habitat areas and the construction staging areas. 	Director, PDS Director, OC Planning	See above		Each PA
148	144-145 and 149-150 (EIR 589, MM 4.9-30)	EIR 589	MM 4.9-30 (cont.)	Prior to issuance of grading (GA) permits	<ul style="list-style-type: none"> • Specific construction monitoring programs for sensitive species required by Wildlife Agencies including, but not limited to, programs for the arroyo southwestern toad, western spadefoot toad, southwestern pond turtle, cactus wren, and coastal California gnatcatcher. Such measures shall be consistent with prior Section 7 consultations and 1600 agreements e.g., Arroyo Trabuco Golf Course. 	Director, PDS Director, OC Planning	See above		Each PA
149	144-148 and 150 (EIR 589, MM 4.9-30)	EIR 589	MM 4.9-30 (cont.)	Prior to issuance of grading (GA) permits	<ul style="list-style-type: none"> • Specific measures required by Wildlife Agencies (e.g., Arroyo Trabuco Golf Course) for the protection of sensitive habitats including, but are not limited to, erosion and siltation control measures, protective fencing guidelines, dust control measures, grading techniques, construction area limits, and biological monitoring requirements. 	Director, PDS Director, OC Planning	See above		Each PA

Item No.	Cross Reference Column	Source	Condition, Mitigation, Public Benefit or Entitlement Provision	Timing	Requirements or Entitlement Provisions	Reviewing / Approving Authority (Advisory Agency in Parentheses)	Form of Compliance	Guidance for Compliance	Area Application
150	144-149 (EIR 589, MM 4.9-30)	EIR 589	MM 4.9-30 (cont.)	Prior to issuance of grading (GA) permits	Provisions for biological monitoring during construction activities to ensure compliance and success of each protective measure. The monitoring procedures will (1) identify specific locations of wildlife habitat and sensitive species to be monitored; (2) identify the frequency of monitoring, monitoring methodology (for each habitat and sensitive species to be monitored); (3) list required qualifications of biological monitor(s); and (4) identify reporting requirements.	Director, PDS Director, OC Planning	See above		Each PA
157	158 (EIR 589, MM 4.9-37)	EIR 589	MM 4.9-37	Prior to issuance of grading permit as monitored by the County Biological Monitor	Catalina mariposa lily shall be salvaged and relocated to the coastal sage scrub/native grassland restoration and enhancement areas by the Project Applicant; or seed can be collected prior to project impacts for use in the seed mix for coastal sage scrub/native grassland restoration areas. The receiver sites shall support clay soils and other conditions suitable for Catalina mariposa lily.	Director, PDS Director, OC Planning	Preparation and approval of Final Plant Species Translocation, Propagation and Management Plan	Satisfied by GLA's response to comment letter dated August 8, 2013.	Each Applicable PA
158	157 (EIR 589, MM 4.9-37)	EIR 589	MM 4.9-37 (cont.)	Prior to initiation of grading as monitored by the County Biological Monitor	In addition, where feasible, clay soils shall be salvaged from development areas and appropriately transported to restoration areas to provide a seed bank. Implementation details of the salvage and relocation program shall be identified in the Final Plant Species Translocation, Propagation and Management Plan, outlined in Appendix J-1.	Director, PDS Director, OC Planning	Verification of Catalina mariposa lily salvage/ relocation		Each Applicable PA
163	164 (EIR 589, MM 4.9-40)	EIR 589	MM 4.9-40	Prior to issuance of a grading permit as monitored by the County Biological Monitor	Mud nama inoculum (topsoil and dried plants to obtain seed) shall be collected prior to project impacts for use in the relocation of this species. The receiver sites shall support appropriate soils and other conditions suitable for mud nama.	Director, PDS Director, OC Planning	Preparation and approval of Final Plant Species Translocation, Propagation and Management Plan		Each Applicable PA
164	163 (EIR 589, MM 4.9-40)	EIR 589	MM 4.9-40 (cont.)	Prior to initiation of grading as monitored by the County Biological Monitor	Implementation details of the salvage and relocation program shall be identified in the Final Plant Species Translocation, Propagation and Management Plan.	Director, PDS Director, OC Planning	Verification of Mud nama inoculum seed collection		Each Applicable PA
166		EIR 589	MM 4.9-42	Prior to issuance of grading permit for those areas with federal or state endangered species, or jurisdictional land	The project applicant shall obtain Section 404, 1600, and federal and state Endangered Species Act permits, as applicable.	Director, PDS Director, OC Planning (CDFG, USFWS, ACOE)	Provide evidence of Section 404, 1600, and federal and state Endangered Species Act permits from the regulatory agencies	Regulatory agency permit summary letter from RMV [Hyperlink #15], accompanied by diagram identifying proposed development footprint and overlay of federal or state endangered species, or jurisdictional land location.	Each Applicable PA

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172	173-176 (EIR 589, MM 4.11-3) 571 (SC 4.11-1)	EIR 589	MM 4.11-3	Prior to issuance of grading permit in vicinity of identified resources	As applicable, the following archaeological sites shall be mitigated to a less than significant level: CA-ORA-656, -753, -754, -882, -1043, -1048, -1121, -1122, -1125, -1137, 1144, -1185, -1449, -1556, -1559, -1560, and -1565, and historic sites CA-ORA-29, 30-176631, 30-176633, 30-176634, and 30-176635. Based on the mitigation standards set forth in the California Environmental Act (CEQA) Guidelines §15126.4(b) and Public Resources Code §21083.2, mitigation shall be accomplished through implementation of one of the following mitigation options consistent with the Cultural Resources Management Plan: <i>(Revised per Bonterra, 8/25/06)</i>	Director, PDS in conjunction with the Manager of Harbors, Beaches & Parks HBP/Coastal and Historical Facilities Director, OC Planning	Mitigate impacts to archaeological sites through implementation of options set forth in Cultural Resources Management Plan (see below)	Only Pre-historic sites CA-ORA -1043 (Cow Camp Road), -1048 (PA2), -1121 (PA3), -1122 (PA3), -1559 (PA2), -1560 (PA2), and -1565 (PA3) and historic sites CA-ORA-29 (PA2) still need to be addressed. Resource Organization Settlement Agreement eliminated development in areas which contain prehistoric sites CA-ORA-1125, -1137, 1144, -1185, -1449, -1556, and historic sites CA-ORA-30-176631.	Each Applicable PA
173	172 and 174-176 (EIR 589, MM 4.11-3) 571 (SC 4.11-1)	EIR 589	MM 4.11-3 (cont.)	Prior to issuance of grading permit in vicinity of identified resources; during grading activities	a. Relocation of grading boundaries/fuel modification zones to completely avoid disturbance to the site(s). Should the boundary relocation be infeasible, an archaeological monitor shall be present during grading and fuel modification brush clearance in the vicinity of archaeological resources. Fencing or stakes shall be erected outside of the sites to visually depict the areas to be avoided during construction.	Director, PDS in conjunction with the Manager of Harbors, Beaches & Parks HBP/Coastal and Historical Facilities Director, OC Planning	Verify archaeological sites have been avoided or the presence of a county certified archaeologist during grading and brush removal	Approved Planning Area 1 Archaeology report [Hyperlink #19] addresses prehistoric site CA-ORA-882. Approved Planning Area 8 Archaeology report [Hyperlink] addresses prehistoric sites CA-ORA-753 & 754 and historic sites 30-176633, -176634, and -176635. Prehistoric site CA-ORA-656 is not a development area, but rather a utility area (not applicable to Ranch Plan development).	Each Applicable PA
174	172-173 and 175-176 (EIR 589, MM 4.11-3) 571 (SC 4.11-1)	EIR 589	MM 4.11-3 (cont.)	Prior to issuance of grading permit in vicinity of identified resources	b. Prior to grading in the vicinity of archaeological resources (note: confidential archaeological mapping is on file at the County of Orange), Phase III data recovery (salvage excavations) shall be conducted for these archaeological sites or any other sites within the potential impact area of development that cannot be avoided. The Phase III work shall provide sufficient scientific information to fully mitigate the impacts of development on these sites and be performed in accordance with standards of the State Office of Historic Preservation.	Director, PDS in conjunction with the Manager of Harbors, Beaches & Parks HBP/Coastal and Historical Facilities Director, OC Planning	Conduct Phase III data recovery for archaeological sites		Each Applicable PA

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175	172-174 and 176 (EIR 589, MM 4.11-3) 571 (SC 4.11-1)	EIR 589	MM 4.11-3 (cont.)	During performance of grading activities	In accordance with California Health and Safety Code Section 7050.5, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains. The County Coroner shall make such determination within two working days of notification of discovery. The County Coroner shall be notified within 24 hours of the discovery. If the County Coroner determines that the remains are or believed to be Native American, the County Coroner shall notify the Native American Heritage Commission in Sacramento within 24 hours.	Director, PDS in conjunction with the Manager of Harbors, Beaches & Parks HBP/Coastal and Historical Facilities Director, OC Planning	If human remains found, stop work and follow identified procedures		Each Applicable PA
176	172-175 (EIR 589, MM 4.11-3) 571 (SC 4.11-1)	EIR 589	MM 4.11-3 (cont.)	During performance of grading activities	In accordance with California Public Resources Code Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 24 hours of notification. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.	Director, PDS in conjunction with the Manager of Harbors, Beaches & Parks HBP/Coastal and Historical Facilities Director, OC Planning	If Native American remains found, stop work and follow identified procedures		Each Applicable PA
178	179-182 (EIR 589, MM 4.14-1)	EIR 589	MM 4.14-1	Prior to issuance of a GA grading permit	Prior to the issuance of a grading permit, the contractor shall develop an approved Health and Safety Contingency Plan (HSCP) in the event that unanticipated/ unknown environmental contaminants are encountered during construction. The plan shall be developed to protect workers, safeguard the environment, and meet the requirements of the California Code of Regulations (CCR), Title 8, General Industry Safety Orders—Control of Hazardous Substances. The HSCP should be prepared as a supplement to the Contractor's Site-Specific Health and Safety Plan, which should be prepared to meet the requirements of CCR Title 8, Construction Safety Orders. Specifically, the HSCP must:	Director, PDS (OCFA) Director, OC Planning (Health Care Agency and OCFA)	Preparation and approval of a Health and Safety Contingency Plan (with subsequent implementation)	PA1 approved Health and Safety Contingency Plan HSCP [Hyperlink #22]	Each PA
179	178 and 180-182 (EIR 589, MM 4.14-1)	EIR 589	MM 4.14-1 (cont.)	See above	1) Describe the methods, procedures, and processes necessary to identify, evaluate, control, or mitigate all safety and health hazards associated with any soil, groundwater and/or air contamination that may be encountered during field construction activities.	See above	See above	PA1 approved Health and Safety Contingency Plan HSCP [Hyperlink #22]	Each PA
180	178-179 and 181-182 (EIR 589, MM 4.14-1)	EIR 589	MM 4.14-1 (cont.)	See above	2) Apply to all site construction workers, on-site subcontractors, site visitors, and other authorized personnel who are involved in construction operations.	See above	See above	PA1 approved Health and Safety Contingency Plan HSCP [Hyperlink #22]	Each PA
181	178-180 and 182 (EIR 589, MM 4.14-1)	EIR 589	MM 4.14-1 (cont.)	See above	3) Be approved by the Manager of Subdivision and Grading Services (PDS) Manager OC Planned Communities in consultation with the Manager of Environmental Resources (PFRD) and/or their appointed consultant team.	See above	See above	PA1 approved Health and Safety Contingency Plan HSCP [Hyperlink #22]	Each PA

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182	178-181 (EIR 589, MM 4.14-1)	EIR 589	MM 4.14-1 (cont.)	See above	The HSCP will take effect only if materials affected by environmental contaminants are exposed during construction. This includes undocumented waste materials, contaminated soils, affected groundwater, and related substances that may be classified as hazardous or regulated materials, and/or materials that could endanger worker or public health. If affected materials are encountered, the HSCP will be implemented to reduce the potential exposure to the environment and workers at the site. All site workers will be required to perform work in a prescribed manner to reduce the potential that they will endanger themselves, others, or the general public.	See above	See above	PA1 approved Health and Safety Contingency Plan HSCP [Hyperlink #22]	Each PA
183		EIR 589	MM 4.14-2	Prior to issuance of GA grading permits	During construction, if environmentally affected soil, groundwater, or other materials are encountered on-site, the project engineer shall be quickly mobilized to evaluate, assess the extent of, and mitigate the affected materials. The contractor or owner's consultant shall be responsible for implementing all applicable sampling and monitoring of the project. At present, applicable sampling and monitoring activities are expected to include air monitoring (both for personal protection and SCAQMD Rule 1166 compliance), collecting soil and groundwater samples for analysis, and documenting mitigation activities. Specific applicable sampling and monitoring requirements will vary, depending upon the nature, concentration, and extent of affected materials encountered.	Director, PDS Director, OC Planning	Show condition wording as notes on approved GA grading plans	PA1 approved Health and Safety Contingency Plan HSCP [Hyperlink #22]	Each PA
196	197 (EIR 589, MM 4.14-13)	EIR 589	MM 4.14-13	Prior to issuance of grading permits	Prior to issuance of grading permits within each Planning Area, the Environmental Site Assessments (ESAs) will be updated for that grading permit area. If the Phase I Update identifies new actual or potential impacts, a Phase II ESA will be completed as necessary for the grading area by the landowner or subsequent project applicant. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented including directives of the OCHCA and/or Regional Water Quality Control Board (RWQCB), as appropriate.	Director, PDS-Director, OC Planning (Orange County Health Care Agency)	Updated Environmental Site Assessment and, if required, prepare Phase II (with subsequent remediation, if necessary)		Each PA
197	196 (EIR 589, MM 4.14-13)	EIR 589	MM 4.14-13 (cont.)	During construction	If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. If requested by the qualified environmental professional, the results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.	Director, PDS-Director, OC Planning (Orange County Health Care Agency)	Stop work upon encountering condition; prepare evaluation and submit to OCHCA and/or RWQCB (as directed)		Each PA
521		EIR 589	SC 4.4-1	Prior to the issuance of a grading permit	Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager of Subdivisions Manager OC Planned Communities and Grading, for approval. The report shall meet the requirements outlined in the County of Orange Grading Code and Manual. (County Standard Condition G01)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submittal of satisfactory geotechnical report		Each PA

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522		EIR 589	SC 4.4-2	Prior to the issuance of a grading permit	Prior to the issuance of any grading permits, the Manager of Subdivision and Grading shall review the grading plan for conformance with the grading shown on the approved tentative map. If the applicant submits a grading plan which the Manager of Subdivision and Grading Manager OC Planned Communities determines to show a significant deviation from the grading shown on the approved tentative map, specifically with regard to slope heights, slope ratios, pad elevations or configurations, the Subdivision Committee shall review the plan for a finding of substantial conformance. (County Standard Condition G02)	County of Orange Director of Planning & Development Services, Director, OC Planning	Approval of grading plan demonstrating submittal conformance with the grading shown on the approved TTM		Each PA
523		EIR 589	SC 4.4-2 (cont.)	Prior to the issuance of a grading permit	If the Subdivision Committee fails to make such a finding, the applicant shall process a revised tentative map; or, if a final map has been recorded, the applicant shall process a new tentative map or a site development permit application per Orange County Zoning Code Sections 7-9-139 and 7-9-150. Additionally, the applicant shall process a new environmental assessment for determination by the decision making entity. (County Standard Condition G02)	Subdivision Committee review for substantial conformance, if required	Process new subdivision, if necessary		Each PA
524		EIR 589	SC 4.4-3	Prior to the recordation of a subdivision map or prior to issuance of a Grading Permit, whichever comes first	Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, whichever comes first, and if determined necessary by the County of Orange Manager, Subdivision and Grading, the applicant shall record a letter of consent from the affected property owners permitting off-site grading, cross lot drainage, drainage diversions and/or unnatural concentrations. The applicant shall obtain approval of the form of the letter of consent from the Manager, Subdivision and Grading Services before recordation of the letter. (County Standard Condition G04)	County of Orange Director of Planning & Development Services, Director, OC Planning	Recordation of a letter of consent from affected property owners if determined necessary by County of Orange Director of Planning & Development Services		Each PA
527		EIR 589	SC 4.5-1	Prior to recordation of a Subdivision Map or issuance of a Grading Permit, whichever comes first	Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading permits, whichever comes first, the following drainage studies shall be submitted to and approved by the Manager, Subdivision and Grading: (County Standard Condition D01a)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submittal of satisfactory of drainage study		Each PA
527.1		EIR 589	SC 4.5-1 (cont.)	See above	A. A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; and B. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and C. Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood. (County Standard Condition D01a)	See above	See above		Each PA
528		EIR 589	SC 4.5-2	Prior to recordation of a Subdivision Map or issuance of a Grading Permit, whichever comes first	A. Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading permits, whichever comes first, the applicant shall in a manner meeting the approval of the Manager, Subdivision and Grading: (County Standard Condition D02a)	County of Orange Director of Planning & Development Services, Director, OC Planning	Approval of storm drain drainage plans and offer(s) of dedication, if necessary		Each PA

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528.1		EIR 589	SC 4.5-2 (cont.)	See above	1) Design provisions for surface drainage; 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) Dedicate the associated easements to the County of Orange, if determined necessary. (County Standard Condition D02a)	See above	See above		Each PA
530		EIR 589	SC 4.5-3	Prior to the issuance of Grading Permits	A. Prior to the issuance of any grading permits, the applicant shall in a manner meeting the approval of the Manager, Subdivision and Grading. (County Standard Condition D02b)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submission of satisfactory drainage plans		Each PA
530.1		EIR 589	SC 4.5-3 (cont.)	See above	1) Design provisions for surface drainage; and 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) Dedicate the associated easements to the County of Orange, if determined necessary. (County Standard Condition D02b)	See above	See above		Each PA
531		EIR 589	SC 4.5-3 (cont.)	Prior to the issuance of Certificates of Use and Occupancy	B. Prior to the issuance of any certificates of use and occupancy, said improvements shall be constructed in a manner meeting the approval of the Manager, Construction. (County Standard Condition D02b)	County of Orange Manager of Inspection, Manager, OC Inspection Division	Verification of installation of drainage improvement		Each PA
537		EIR 589	SC 4.5-8	Prior to the recordation of a Subdivision Map or the issuance of any Grading or Building Permit, whichever comes first	Prior to the recordation of any final subdivision map (except those maps for financing or conveyance purposes only) or the issuance of any grading or building permit (whichever comes first), the applicant shall submit for review and approval by the Manager, Inspection Services Division, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. This WQMP shall identify, at a minimum, the routine structural and non-structural measures specified in the current Drainage Area Management Plan (DAMP). The WQMP may include one or more of the following: (County Standard Condition WQ01)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submission of satisfactory Water Quality Management Plan		Each PA
537.1		EIR 589	SC 4.5-8 (cont.)	See above	• Discuss regional water quality and/or watershed programs (if available for the project); • Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas; • Include the applicable Routine Source Control BMPs as defined in the DAMP. (County Standard Condition WQ01)	See above	See above		Each PA
538		EIR 589	SC 4.5-8 (cont.)	See above	Demonstrate how surface runoff and subsurface drainage shall be managed and directed to the nearest acceptable drainage facility (as applicable), via sump pumps if necessary. (Standard Condition of Approval, WQ03)	See above	See above		Each PA

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540		EIR 589	SC 4.5-10	Prior to the issuance of any Grading or Building Permits	Prior to the issuance of any grading or building permits, the applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for County review on request. (County Standard Condition WQ04)	County of Orange Manager of Building Inspection Manager, OC Inspection Division (Regional Water Quality Control Board)	Provision of Notice of Intent and verification of a copy of the Storm Water Pollution Prevention Plan (SWPPP); at the project site		Each PA
541		EIR 589	SC 4.5-11	Prior to the issuance of any Grading or Building Permits	Prior to the issuance of any grading or building permit, the applicant shall submit a Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building Permit Services, to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the project site and be available for County review on request. (County Standard Condition WQ05)	County of Orange Manager of Building Permits; Manager, Permit Services (Building Plan Check)	Submittal of satisfactory Erosion and Sediment Control Plan (ESCP); verification of copy of ESCP at project site		Each PA
542		EIR 589	SC 4.5-12	Prior to recordation of a subdivision map (except for financing purposes) or issuance of any grading permit or building permit, whichever comes first	Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or the issuance of any grading or building permits, whichever occurs first, within the FP-2 Zoning District, the applicant shall submit all of the necessary documents to the Federal Emergency Management Agency (FEMA) to receive a Conditional Letter of Map Revision (CLOMR) of the Flood Insurance Rate Map (FIRM). Concurrently, the applicant shall submit to the Manager, Subdivision and Grading, three (3) sets of the calculations and plans showing the method of satisfying FEMA and FP-2 Zoning District Regulations, all in a manner meeting the approval of the Manager, Subdivision and Grading. (County Standard Condition D08A)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submittal of a CLOMR and three sets of calculations	Cleared per transmittal of CLOMR to FEMA on January 29th, 2007 (Determine whether approval is for PA1 only, or for entire Ranch Plan PC)	Each PA
546		EIR 589	SC 4.6-4	Prior to the recordation of a Subdivision Map	Prior to the recordation of a subdivision map, the subdivider shall design and construct (or provide evidence of financial security, such as bonding) the following improvements in accordance with plans and specifications meeting the approval of the Manager, Subdivision and Grading: (County Standard Condition T04)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submittal of satisfactory improvements and utility plans with verification of subsequent construction/installation of improvements	If applicable, bonding may substitute for construction of each of the required improvements.	Each PA
546.1		EIR 589	SC 4.6-4 (cont.)	See above	A. Streets, bus stops, on-road bicycle trails, street names, signs, striping and stenciling. (County Standard Condition T04)	See above	See above	See above	Each PA
546.2		EIR 589	SC 4.6-4 (cont.)	See above	B. The water distribution system and appurtenances shall also conform to the applicable laws and adopted regulations enforced by the County Fire Chief. (County Standard Condition T04)	See above	See above	See above	Each PA

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546.3		EIR 589	SC 4.6-4 (cont.)	See above	C. Underground utilities (including gas, cable, electrical and telephone), streetlights, and mailboxes. (County Standard Condition T04)	See above	See above	See above	Each PA
548		EIR 589	SC 4.6-6	Prior to the issuance of Grading Permits	Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Subdivision and Grading. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Subdivision and Grading Services. (Standard Condition of Approval T07)	County of Orange Director of Planning & Development Services, Director, OC Planning	Approved grading plans verifying adequate sight distance		Each PA
551		EIR 589	SC 4.6-9	Prior to the recordation of a Subdivision Map	Prior to the recordation of a subdivision map, the subdivider shall dedicate a signal maintenance easement to the County of Orange at the project site access, in a manner meeting the approval of the Manager, Subdivision and Grading. (County Standard Condition T13b)	County of Orange Director of Planning & Development Services, Director, OC Planning	Submission of offer(s) of dedication for signal maintenance easement(s)		Each PA
552		EIR 589	SC 4.6-10	Prior to the recordation of a Subdivision Map	Prior to the recordation of a subdivision map, the subdivider shall design and construct/provide a cash deposit of ___ % of the cost of / /enter into an agreement with the County of Orange, accompanied by financial security, for the cost of ___ % of) a traffic signal at the intersection of ___ and ___ in a manner meeting the approval of the Manager, Subdivision and Grading. (County Standard Condition T14b)	County of Orange Director of Planning & Development Services, Director, OC Planning	Verification of approved street improvement plans with subsequent installation of improvements or enter into agreement with County for construction (with appropriate financial security)	If applicable, bonding may substitute for construction of each of the required improvements.	Each PA
555		EIR 589	SC 4.7-1	Prior to the issuance of a grading permit	All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust, and Rule 402, Nuisance. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:	County of Orange Director of Planning & Development Services, Director, OC Planning	Verification of compliance with Rule 403 and Rule 402		Each PA
555.1		EIR 589	SC 4.7-1 (cont.)	See above	a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from traveling more than 100 feet in any direction.	See above	See above		Each PA
555.2		EIR 589	SC 4.7-1 (cont.)	See above	b. Apply chemical stabilizers to disturbed surface areas (i.e., completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.	See above	See above		Each PA
555.3		EIR 589	SC 4.7-1 (cont.)	See above	c. Water excavated soil piles hourly or cover with temporary coverings.	See above	See above		Each PA
555.4		EIR 589	SC 4.7-1 (cont.)	See above	d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.	See above	See above		Each PA
555.5		EIR 589	SC 4.7-1 (cont.)	See above	e. Wash mud-covered tires and under-carriages of trucks leaving construction sites.	See above	See above		Each PA

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555.5		EIR 589	SC 4.7-1 (cont.)	See above	f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing from project sites.	See above	See above		Each PA
556		EIR 589	SC 4.7-2	Prior to issuance of a grading permit	The applicant shall comply with the following measures, as feasible, to reduce NO _x and ROC from heavy equipment.	County of Orange Director of Planning & Development Services, Director, OC Planning	Place as general notes on approved grading plan		Each PA
556.1		EIR 589	SC 4.7-2 (cont.)	See above	a. Turn equipment off when not in use for more than five minutes.	See above	See above		Each PA
556.2		EIR 589	SC 4.7-2 (cont.)	See above	b. Maintain equipment engines in good condition and in proper tune as per manufacturers' specifications.	See above	See above		Each PA
556.3		EIR 589	SC 4.7-2 (cont.)	See above	c. Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time.	See above	See above		Each PA
557		EIR 589	SC 4.8-1	Prior to the issuance of grading permits	During construction, the project applicant shall ensure that all noise generating activities be limited to the hours of 7 a.m. to 8 p.m. on weekdays and Saturdays. No noise generating activities shall occur on Sundays and holidays in accordance with the County of Orange Noise Ordinance.	County of Orange Director of Planning & Development Services, Director, OC Planning	General note on approved grading plan		Each PA
558		EIR 589	SC 4.8-2	Prior to the issuance of grading permits	A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building Permits Services, that: (County Standard Condition N10)	County of Orange Director of Planning & Development Services, Director, OC Planning	General note on approved grading plan		Each PA
558.1		EIR 589	SC 4.8-2 (cont.)	See above	(1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers. (County Standard Condition N10)	See above	See above		Each PA
558.2		EIR 589	SC 4.8-2 (cont.)	See above	(2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control). (County Standard Condition N10)	See above	See above		Each PA
558.3		EIR 589	SC 4.8-2 (cont.)	See above	(3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings. (County Standard Condition N10)	See above	See above		Each PA
558.4		EIR 589	SC 4.8-2 (cont.)	See above	B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition. (County Standard Condition N10)	See above	See above		Each PA

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571	172-176 (MM 4.11-3)	EIR 589	SC 4.11-1	Prior to the issuance of any grading permits	Prior to the issuance of any grading permit, the applicant shall provide written evidence to the County of Orange Manager, Subdivision and Grading, that applicant has retained a County-certified archaeologist to observe grading activities and salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference; shall establish procedures for archaeological resource surveillance; and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. (County Standard Condition A04)	County of Orange Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities OC Public Works/OC Planning*	Written evidence that a County-certified archaeologist has been retained to observe grading and salvage, and to catalogue archaeological resources	If prior to rough grade (GA permit) applicant has obtained archaeological clearance, no additional review or clearance required if precise grading (GB) permit is in compliance with GA permit.	Each PA
572		EIR 589	SC 4.11-1 (cont.)	Prior to the release of the grading bond	Prior to the release of the grading bond, the applicant shall obtain approval of the archaeologist's follow-up report from the Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. (County Standard Condition A04)	County of Orange Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities OC Public Works/OC Planning*	Approval of the archaeologist's follow-up report		Each PA
573		EIR 589	SC 4.11-1 (cont.)	Prior to the release of the grading bond	These actions, as well as final mitigation and disposition of the resources shall be subject to the approval of the Manager, HBP/Coastal and Historical Facilities. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisor, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee, all in a manner meeting the approval of the Manager, HBP/Coastal and Historical Facilities. (County Standard Condition A04)	County of Orange Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities OC Public Works/OC Planning*	Verification of payment of curatorial fee if an applicable fee program has been adopted by the Board of Supervisor at the time of presentation		Each PA
574		EIR 589	SC 4.11-2	Prior to the issuance of any grading permits	Prior to the issuance of any grading permit, the project contractor shall provide written evidence to the Manager, Subdivision and Grading, that contractor has retained a County certified paleontologist to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resources surveillance, and shall establish, in cooperation with the contractor, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the contractor, which ensure proper exploration and/or salvage. (County Standard Condition A07)	County of Orange Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities OC Public Works/OC Planning*	Written evidence that a County-certified archaeologist has been retained to observe grading and salvage, and to catalogue fossils as necessary		Each PA

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575		EIR 589	SC 4.11-2 (cont.)	Prior to the release of the grading bond	Prior to the release of any grading bond, the contractor shall submit the paleontologist's follow up report for approval by the County Manager, HBP/Coastal and Historical Facilities. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. The contractor shall prepare excavated material to the point of identification. The contractor shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first-refusal basis. (County Standard Condition A07)	County of Orange Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities OC Public Works/OC Planning*	Approval of the paleontologist's follow-up report		Each PA
576		EIR 589	SC 4.11-2 (cont.)	Prior to the release of the grading bond	These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the HBP/Coastal and Historical Facilities. The contractor shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee, all in a manner meeting the approval of the County Manager, HBP/Coastal and Historical Facilities. (County Standard Condition A07)	County of Orange Manager, Harbors, Beaches & Parks HBP/Coastal and Historical Facilities OC Public Works/OC Planning*	Verification of payment of curatorial fee if an applicable fee program has been adopted by the Board of Supervisor at the time of presentation		Each PA
621		Fire Prot. Prog.	Cond. 6	Prior to approval of any GA "Mass Grading Permit", operations that include generators and fuel tanks (up to 10,000 gallons)	Prior to approval of any GA "Mass Grading Permit", operations that include generators and fuel tanks (up to 10,000 gallons), shall be included as part of the grading plan notes. The applicant commits to the following (a-d) prior to bringing fuel storage or deliver systems within the grading permit area:	Director, PDS, Director, OC Planning	Notes on grading plan		
622		Fire Prot. Prog.	Cond. 6 (cont.)	See above	a) All Weather Surface access, a minimum of 16-feet wide, to within 300 feet of any fuel tank and/or generator.	Director, PDS, Director, OC Planning	Notes on grading plan		
623		Fire Prot. Prog.	Cond. 6 (cont.)	See above	b) No combustible vegetation or combustible structures within 500 feet of any fuel tank and/or generator.	Director, PDS, Director, OC Planning	Notes on grading plan		
624		Fire Prot. Prog.	Cond. 6 (cont.)	See above	c) Only Class II or III combustible liquids are stored or dispensed.	Director, PDS, Director, OC Planning	Notes on grading plan		
625		Fire Prot. Prog.	Cond. 6 (cont.)	See above	d) Prior to actual installation of tanks, RMV agrees to process the required OCFA plan approvals.	Director, PDS, Director, OC Planning	Notes on grading plan		
664		Southern Subregion HCP (SSHCP)	Bio-1	Prior to the issuance of any grading permits	Biological resources outside of the Proposed Project impact area shall be protected during construction. To ensure this protection, the Project Applicant shall prepare and implement a Biological Resources Construction Plan (BRCP) that provides for the protection of the resource and established the monitoring requirements. The BRCP will contain at minimum the following:	Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		
665		Southern Subregion HCP (SSHCP)	Bio-1 (cont.)	Prior to the issuance of any grading permits	* Specific measures for protection of special-status wildlife and plant species during construction.	Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		
666		Southern Subregion HCP (SSHCP)	Bio-1 (cont.)	Prior to the issuance of any grading permits	* Precise identification and quantification of vegetation communities to be removed.	Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		
667		Southern Subregion HCP (SSHCP)	Bio-1 (cont.)	Prior to the issuance of any grading permits	* Design of protective fencing around Conserved Vegetation Communities and the construction staging areas.	Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		

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668		Southern Subregion HCP (SSHCP)	Bio-1 (cont)	Prior to the issuance of any grading permits	• Specific construction monitoring programs for special-status species required by the Wildlife Agencies that may occur in the Project Area, including, but not limited to, California gnatcatcher and cactus wren.	Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		
669		Southern Subregion HCP (SSHCP)	Bio-1 (cont)	Prior to the issuance of any grading permits	• Specific measures required by the Wildlife Agencies for protection of sensitive vegetation communities, including, but not limited to, erosion and siltation control measures, protective fencing guidelines, dust control measures, grading techniques, construction area limits, and biological monitoring requirements.	Director, OC Planning	Preparation and approval of a Biological Resources Construction Plan (BRCP)		
670		Southern Subregion HCP (SSHCP) Appendix U	Bio-2		All temporarily impacted upland areas shall be restored to pre-construction elevations within one month following completion of work. All temporarily impacted upland areas will be restored to equivalent or better conditions compared to the existing condition at the time of impact. Revegetation should commence within three months after restoration of pre-construction elevations and be completed within one growing season. If re-vegetation cannot start due to seasonal conflicts (e.g., impacts occurring in late fall/early winter should not be re-vegetated until seasonal conditions are conducive to re-vegetation), exposed earth surfaces should be stabilized immediately with jute-netting, straw matting, or other applicable best management practice to minimize any erosion from wind or water.	Director, OC Planning			
671		"F" Street Addendum	Bio-3		The loss of 87.8 Habitat Reserve acres and their associated value will be addressed through the following:	Director, OC Planning			
672		"F" Street Addendum	Bio-3 (cont)		• RMV will restore 118 acres (F Street slopes in open space) of temporary impacts. USFWS will give 1/4 credit for each acre restored (29.5 acres).	Director, OC Planning			
673		"F" Street Addendum	Bio-3 (cont)		• RMV will forego the opportunity to develop the remainder of PA 2-North outside of the footprint of the proposed F Street Project. This is estimated to be approximately 23.5 acres. RMV will record an irrevocable covenant over the remainder of PA 2-North upon initiation of clearing and grubbing for F Street in open space.	Director, OC Planning			
674		"F" Street Addendum	Bio-3 (cont)		• RMV will reduce the development acreage for PA 4 by 35 acres resulting in a development footprint of 515 acres. The exact location of PA 4 development will be determined in the future but will be located within the impact analysis area set forth in the SSHCP. RMV will record an irrevocable covenant over the 35 acres in PA 4 upon initiation of clearing and grubbing of PA 4. Management and monitoring of this open space would be initiated upon recordation.	Director, OC Planning			
675		"F" Street Addendum	Bio-3 (cont)		• RMV will record an irrevocable covenant over the open space associated with PA 2 North upon initiation of clearing and grubbing for F Street in open space. PA 2-North open space is approximately 207 acres. Vegetation communities and covered wildlife species present in this open space are set forth in Table 8 and 9 below.	Director, OC Planning			

