



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

June 7, 2013

Certified Mail – Return Receipt Requested

Article Number: 7011 0470 0002 8961 6060

Mr. Jason Yeung
Caltrans District 12
3347 Michelson Dr. Suite 100
Irvine, CA 92616

In reply refer to / attn:
754958: dbradford

Subject: Action on Request for Clean Water Act Section 401 Water Quality Certification No. 10C-053, SR-74 Storm Drain Repair Project

Mr. Yeung:

Enclosed find Clean Water Act Section 401 Water Quality Certification No. 10C-053 (Certification) for discharge to waters of the United States and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the **SR-74 Storm Drain Repair Project** (Project). A description of the Project and Project location can be found in the Project information sheet, location map, and site maps which are included as attachments to the Certification.

Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that Caltrans District 12 has accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject you to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.


TOMAS MORLAES, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

9174 Sky Park Court, Suite 100, San Diego, CA 92123 | (858) 467-2952 | www.waterboards.ca.gov/sandiego



In the subject line of any response, please include the reference number 754958:dbradford. For questions or comments, please contact Darren Bradford by phone at (858) 637-7137, or by email at dbradford@waterboards.ca.gov.

Respectfully,



David W. Gibson
Executive Officer
San Diego Regional Water Quality Control Board

DWG:js:db:kkd:atm

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. **10C-053** for the **SR-74 Storm Drain Repair Project**, with **4** attachments

cc: Refer to Attachment 1 of Certification **10C-053** for Distribution List.

Tech Staff Info & Use	
File No.	10C-053
WDID	9000002102
Reg. Measure ID	372996
Place ID	754958
Party ID	523686

California Regional Water Quality Control Board, San Diego Region

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

**PROJECT: State Route 74 Ortega Highway Storm Drain Repair
Project, Certification Number 10C-053,
WDID: 9 000002102**

**APPLICANT: California Department of Transportation (Caltrans)
District 12
3347 Michelson Dr. Suite 100
Irvine, CA 92616**

CIWQS Reg. Meas. ID: 372996 Place ID: 754958 Party ID: 523686
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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"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION

The California Department of Transportation (Caltrans) (hereinafter Applicant) submitted an application for Water Quality Certification pursuant to section 401 of the Clean Water Act for the proposed State Route 74 (SR-74) Ortega Highway Storm Drain Repair Project (Project) on June 23, 2010. Additional information to complete the application was received on August 9, 2010, April 15, 2011, August 18, 2011, October 14, 2011, and October 24, 2012. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has deemed the application to be complete. The Applicant proposes to discharge fill material to waters of the United States and State associated with construction activity at the Project site.

The Project is located in an unincorporated area of Orange County, California approximately 6.2 miles east of Interstate 5 and along SR-74 south of San Juan Creek. In the winters of 2009 and 2010, temporary emergency actions and projects were authorized by the United States Army Corps of Engineers (USACE) under Regional General Permit (RGP) 63 for Repair and Protection Activities in Emergency Situations for the Applicant to remove excess slide

debris, place ¼ ton rock for slope protection, place three new reinforced concrete pipes across SR-74 with headwalls upstream and downstream of the new culverts, and construct a temporary access road. The Project created three permanent concrete culverts, (Western, Middle, and Eastern culverts) at Post Mile (PM) 6.2, 6.37, and 6.72 and four rock slope protection areas west of PM 6.2. As of May 17, 2010, work was suspended due to lack of funding for the installation of one head wall, rock slope and seeding to temporary impacts remaining at PM 6.2. Compensatory mitigation for the RGP 63 was required by U.S. Fish and Wildlife Service and has been implemented by the Applicant through a contribution to an ongoing invasive aquatic species eradication program for the San Juan Creek watershed. No additional mitigation was required by the USACE or San Diego Water Board. Water Quality Certification coverage for the emergency project was not completed within a year of the RGP 63 authorization and therefore the Applicant is now required to obtain a Water Quality Certification to complete the remaining work. The Applicant will complete the remaining work with this Certification.

The Applicant has proposed to complete the previously proposed work at PM 6.2 which includes installation of one head wall, rock slope protection, and reseeding of the temporary impacts at PM 6.2 including the temporary access road. Approximately 30 cubic yards of ½ ton rock will be placed at the end of the proposed headwall.

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 best management practices (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 do not cause onsite or offsite 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 Region (9) (Basin Plan).

The Applicant reports that the Project will temporarily impact 0.042 acres (75 linear feet) of waters of the United States and State and permanently impact 0.0025 acres (22 linear feet) waters of the United States and 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.

Compensatory enhancement mitigation for the permanent loss of 0.0025 acres of waters of the United States has been implemented by the Applicant through a \$75,000.00 contribution to an ongoing invasive aquatic species red swamp crayfish (*Procambarus clarkia*), American bullfrog (*Lithobates catesbeiana*), and African clawed frogs (*Xenopus laevis*) eradication program for the San Juan Creek watershed. As part of the compensatory mitigation, the Applicant will also fund and participate in a three year aquatic invasive species eradication and monitoring program in San Juan Creek from approximately SR-74 PM 2.93 to PM 13.3. The eradication program will be funded by the Applicant as part of the SR-74 widening project from La Pata

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Attachments:

1. Distribution List
2. Location Maps
3. Site Plans
4. Letter from Caltrans District 12 dated October 24, 2012

I. STANDARD CONDITIONS

Pursuant to section 3860 of Title 23 of the California Code of Regulations (23 CCR), 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 California Water Code and Article 6 (commencing with section 3867 of 23 CCR).
- 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 23 CCR subsection 3855(b), and the 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 the full fee required under Chapter 28 (commencing with section 3830) of 23 CCR and owed by the Applicant.

II. GENERAL CONDITIONS

- A. Clean Water Act Section 401 Water Quality Certification No.10C-053 (Certification) is only valid if the Project begins no later than five (5) years from the date of issuance. If the Project has not begun within 5 years from the date of issuance, then this Certification shall expire 5 years from the date of issuance.
- B. The Applicant must comply with the requirements of State Water Resources Control Board 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*. These General Waste Discharge Requirements are accessible at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf.
- C. The Applicant must, at all times fully comply with the engineering plans, specifications, and technical reports submitted to the San Diego Water Board to support this Certification and all subsequent submittals required as part of this Certification and as described in Attachment 1. The conditions within this Certification must supersede conflicting provisions within such plans submitted prior to the Certification action. Any modifications thereto, would require notification to the San Diego Water Board and reevaluation for individual waste discharge requirements and/or Certification amendment.

- D. During 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.
- E. The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project premises where a regulated facility or activity is located or conducted, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 2. Have access to copy, at reasonable times, any records that must be kept under the terms and conditions of this Certification.
 3. Inspect and photograph, at reasonable times, any facilities (including monitoring and control equipment, practices, or operations) regulated or required under this Certification.
 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.
- F. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must 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.
- G. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the San Diego Water Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- H. In response to any violation of the conditions of this Certification, the San Diego Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the Project, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response measures, and Best Management Practices (BMPs) implementation and maintenance.
- B. 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 State.
- C. The Applicant must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2012-0011-DWQ, NPDES No. CAS000003, *Statewide Storm Water Permit Waste Discharge Requirements for State of California Department of Transportation*, and any subsequent reissuance as applicable.
- D. If applicable, the Applicant must enroll in and comply with the requirements of San Diego Water Board Order No. 2008-0002, *General Waste Discharge Requirements and NPDES Permit for Discharges from Groundwater Extraction Waste to Surface Waters within the San Diego Region except for San Diego Bay*, and any subsequent reissuance as applicable.
- E. The treatment, storage, and disposal of wastewater during the life of the Project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to Water Code section 13263.
- F. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- G. 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 the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
- H. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity that may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters.
- I. Any temporary cofferdam or other artificial obstruction constructed must only be built from materials such as steel or fiberglass sheet pile which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location. If storm discharges through the Project area threaten to exceed

the capacity of flow bypass systems, to effectively manage the flow rate, the Applicant shall: 1) remove equipment, construction materials, and all suspendable debris from within the dewatered construction cofferdam area; and 2) stabilize areas within and downstream of the cofferdam by laying a temporary geosynthetic discharge apron to avoid spillway scour of sediments.

- J. The Applicant shall prepare and maintain a contingency plan to address high flow conditions should they occur during construction.
- K. All areas left in a rough graded state must be stabilized no later than one week after completion of grading. The Applicant, and subsequent owners, are responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas to prevent flow from this area from causing negative impacts to beneficial uses. After completion of grading, all areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/weedlist.php>.
- L. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw 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. Removal of vegetation must use applicable BMPs to prevent impacts to beneficial uses of waters of the United States and State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, and any subsequent reissuance as applicable.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The Applicant is prohibited from allowing post-construction discharges to cause onsite or offsite erosion, damage to properties or damage to habitats in receiving waters that will receive post-construction discharges from the Project site.
- B. Any storm drain inlet structures within the Project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.

V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. Unavoidable impacts to San Juan Creek within the San Juan Watershed attributable to the Project must be limited to:
1. Permanent impacts:
Streambed: 0.0025 acres (22 linear feet)
 2. Temporary Impacts:
Streambed: 0.042 acres (75 linear feet)
- B. Compensatory mitigation for temporary impacts to 0.042 acres (75 linear feet) of waters of the United States and/or State and permanent impacts to 0.0025 acres (22 linear feet) waters of the United States and/or State has been achieved by providing funds for the eradication of invasive aquatic species in San Juan Creek. The invasive removal effort for red swamp crayfish, American bullfrog, and African clawed frog was conducted from June 2010 through June 2012. In addition, the Applicant shall fund and continue invasive species removal for work conducted for SR-74 improvement projects, as described in Attachment 4 of this Certification. The Applicant will fund and participate in a three year aquatic invasive species eradication and monitoring program in San Juan Creek between PM 2.93 to PM 13.3. The eradication program will be funded by the Applicant as part of the future SR-74 widening project from La Pata Avenue/Antonio Parkway to Cristianitos Road. The widening work is projected to start in March 2016 and take three years to complete.
- If the proposed eradication program is not funded and initiated by March 31, 2017, 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. 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.
- C. San Diego Water Board acceptance of the final mitigation, including the proposed mitigation for future SR-74 widening project from La Pata Avenue/Antonio Parkway to Cristianitos Road, 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.
- D. 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 to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant must

implement all necessary BMPs to control erosion and runoff from areas associated with the Project.

- E. If feasible, the Applicant must salvage leaf litter, coarse woody debris, and upper soil horizons from impacted jurisdictional water sites that are relatively free of invasive exotic species for use in on-site restoration areas. If available, large cuttings from appropriate native tree species at the impact site shall be used as pole plantings for the restoration of temporary impacts.
- F. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States and/or State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the United States and/or State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the United States and/or State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the United States and/or State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the United States and/or State (e.g., conservation easement).

VI. MONITORING REQUIREMENTS

- A. **California Rapid Assessment Method.** Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implements the California Rapid Assessment Method (CRAM)¹ for the PM 6.2 Project site. The Applicant must conduct a quantitative function-based assessment of the health of wetland and riparian habitats to establish baseline conditions, set success criteria, and assess site progress at the PM 6.2 in San Juan Creek site using CRAM. At a minimum, CRAM must be performed at three sites (assessment stations) on San Juan Creek. The first assessment station is the reference station, which must be located upstream of PM 6.2, 6.37 and 6.72 in a reference area; the second assessment station must be located near PM 6.2 site; and the third assessment station must be located immediately downstream of the PM 6.2. The reference station upstream of the Project discharge must be located and sampled concurrently with the second and third assessment stations. CRAM monitoring must be conducted prior to the start of construction authorized under this Certification and then three and five years

¹ Information on CRAM is available at the California Rapid Assessment Method homepage at <http://www.cramwetlands.org/>

following construction completion. The CRAM results shall be reported with the applicable **Annual Progress Report**. An evaluation and tabulation of all the CRAM assessment data, including interpretations and conclusions as to whether applicable water quality standards were attained downstream of the Project site, shall be conducted and the findings submitted with the final Project Annual Progress Report.

- B. **Progress Monitoring.** The Applicant must monitor compliance with this Certification, including BMP implementation, and report the monitoring results to the San Diego Water Board in accordance with the reporting requirements in section VIII of this Certification.
- C. The San Diego Water Board may make revisions to the monitoring program at any time during the five-year monitoring term, and may include a reduction or increase in the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.

VII. NOTIFICATION REQUIREMENTS

- A. The Applicant must report to the San Diego Water Board any noncompliance that may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a written description of the incident 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The San Diego Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours.
- B. The Applicant must notify the San Diego Water Board in writing at least 10 days prior to the actual commencement of dredge, fill, and discharge activities.

VIII. REPORTING REQUIREMENTS

- A. **Annual Progress Reports.** The Applicant must submit annual progress reports describing status of BMP implementation and the status of compliance with all requirements of this Certification to the San Diego Water Board prior to August 1 of each year following the issuance of this Certification until the Project has reached completion. The annual progress report must contain a description of each incident of noncompliance and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, state the anticipated time it is expected to continue; and identify the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

B. Final Project Completion Report. The Applicant must submit a Final Project Completion Report to the San Diego Water Board **prior to August 1 following completion of the project.** The report must include the following:

1. Date of construction initiation.
2. Date of construction completion.
3. Status of BMPs for the project.
4. Final Project Report: As-built drawings no bigger than 11”X17.”
5. Final Project Report: Photo documentation of implemented post-construction BMPs. 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.

C. Mitigation Monitoring Reports. Mitigation monitoring reports must be submitted annually for a minimum of three years. Annual mitigation monitoring reports must be submitted prior to **March 1** of each year. Monitoring reports must include, but not be limited to, the following information:

1. Names, qualifications, and affiliations of the persons contributing to the report;
2. A description of the progress toward the removal of red swamp crayfish, American bullfrog, and African clawed frog;
3. Results of the annual mitigation monitoring program;
4. Tables and an analysis of the raw quantitative and qualitative data collected in the field;
5. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
6. An evaluation of upstream and downstream habitat and hydrologic connectivity;
7. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation sites, including all areas of permanent and temporary impact, 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

Geographic Positioning System (GPS) coordinates for each of the photo points referenced.

8. A survey report documenting boundaries of mitigation area;
- D. The submittal of information under this Certification is required pursuant to Water Code section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit required information pursuant to Water Code section 13268.
 - E. All reports and information submitted to the San Diego Water Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
 - F. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified 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.

- G. All applications, reports, or information submitted to the San Diego Water Board must be signed and 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."

- H. The Applicant must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 10C-053,
Place ID No. 754958
9174 Sky Park Court, Suite 100
San Diego, California 92123

IX. CEQA FINDING

The San Diego Water Board has reviewed the Applicant's Categorical Exemption documentation for the Project and finds that the issuance of this Certification is consistent with the Project's CEQA documentation.

X. PUBLIC NOTIFICATION OF PROJECT APPLICATION

On July 14, 2010, receipt of the Project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.

XI. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the Ortega Highway Storm Drain Repair Project (Project No. 10C-053) 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 and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 10C-053 issued on June 7, 2013.



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

7 June 2013

Date

Tech Staff Info & Use	
File No.	10C-053
WDID	9 000002102
Reg. Measure ID	372996
Place ID	754958
Party ID	523686
Person ID	523687

ATTACHMENT 1

DISTRIBUTION LIST

Sophia Huynh
U.S. Army Corps of Engineers, Regulatory Branch
Sophia.c.huynh@usace.army.mil

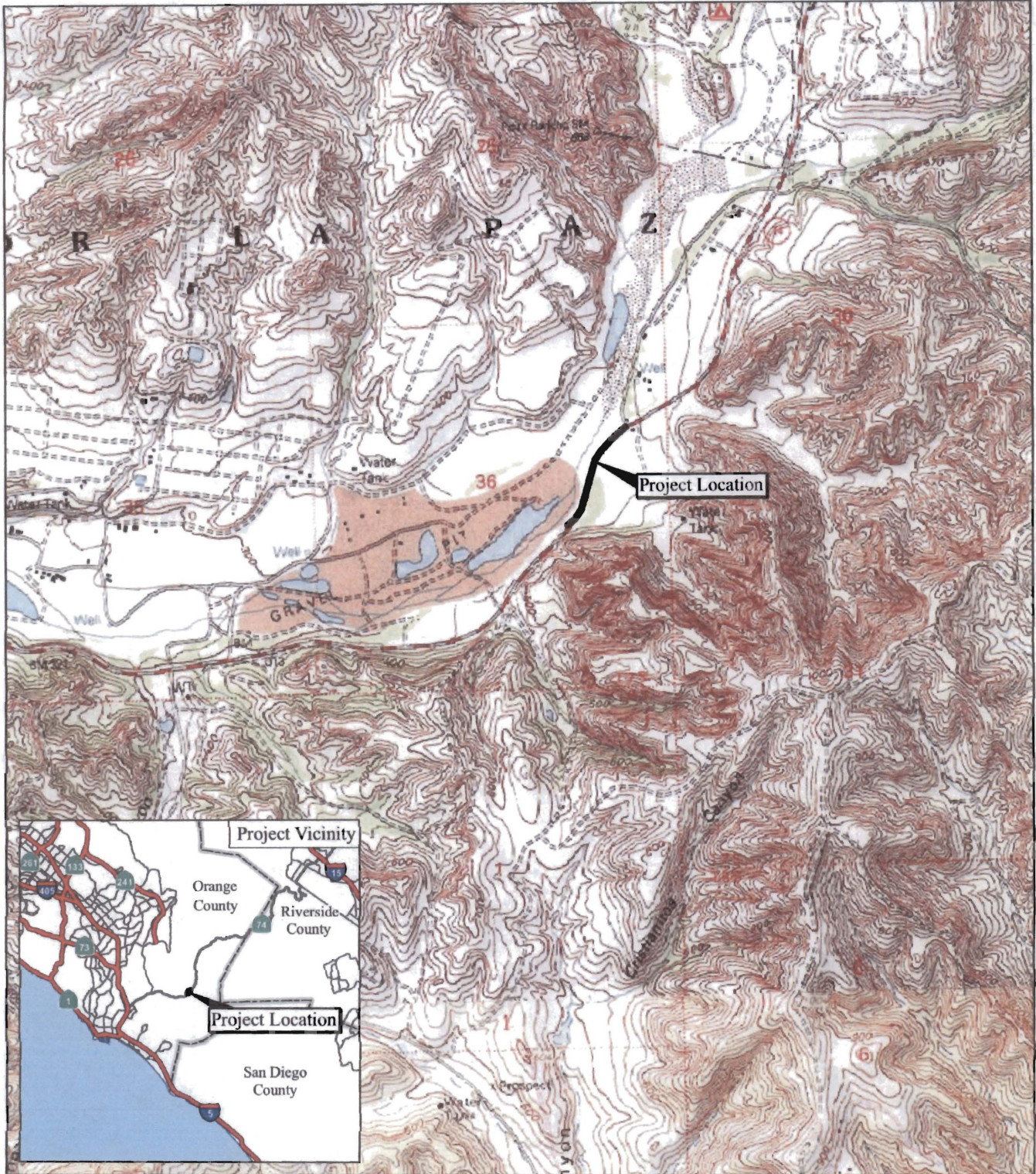
Marilyn Fluharty
California Department of Fish and Game
mfluharty@wildlife.ca.gov

U.S. Department of the Interior
Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

U.S. EPA, OWOW, Region 9
75 Hawthorne St.,
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
P.O. Box 100
Sacramento, CA 95812-0100
Stateboard401@waterboards.ca.gov

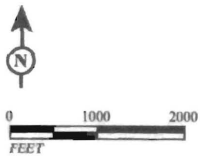
ATTACHMENT 2
LOCATION MAPS



LEGEND

— Project Location

FIGURE 1



SOURCE: USGS 7.5' QUAD - Canada Gobernadora (1988)

F:\CDT1003\GIS\Culvert_Project_Loc.mxd (5/10/10)

SR-74 Emergency Slope Repair

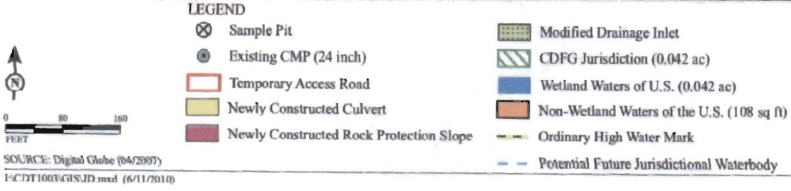
Project Location

12-ORA-74 PM 5.1/6.5

EA# 0L4603



FIGURE 3



SOURCE: Digital Globe (04/2007)

 F:\CDT1000\GIS\JD.mxd (6/11/2010)

SR-74 Emergency Slope Repair
 Potential ACOE and CDFG Jurisdictional Areas
 12-ORA-74 PM 5.1/6.5
 EA# 0L4603

ATTACHMENT 3

SITE PLANS

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	TITLE AND LOCATION MAP
2	CONSTRUCTION AREA SIGNS
3	EROSION CONTROL PLANS
4	DRAINAGE PLANS
5	DRAINAGE PROFILES
6	REVISED NEW STANDARD PLANS
7-8	NEW STANDARD PLANS

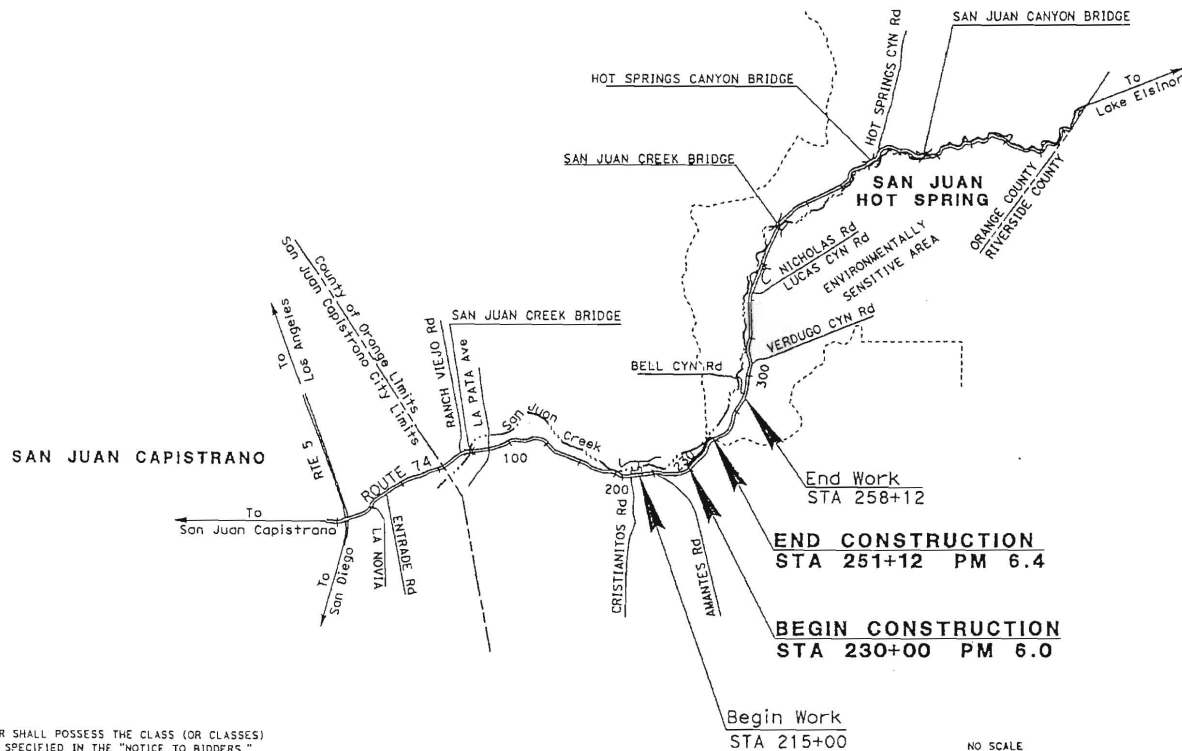
THE STANDARD PLANS LIST APPLICABLE TO THIS CONTRACT IS INCLUDED IN THE NOTICE TO BIDDERS AND SPECIAL PROVISIONS BOOK.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
**PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY**
IN ORANGE COUNTY
FROM AMANTES ROAD TO BELL CANYON ROAD

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Oran	74	6.0/6.4	1	8



DESIGN ENGINEER
ROBERTA C. HETTICK

PROJECT MANAGER
MASSOUD TAJIK

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

END CONSTRUCTION
STA 251+12 PM 6.4

BEGIN CONSTRUCTION
STA 230+00 PM 6.0

DESIGNED BY: *RCH* DATE: 8/31/10
PROJECT ENGINEER: ROBERTA C. HETTICK, REGISTERED CIVIL ENGINEER
No. C 52860
Exp. 12-31-10
CIVIL
STATE OF CALIFORNIA

PLANS APPROVAL DATE: September 15, 2010
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

CONTRACT No.	12-0L6304
PROJECT ID	1200020100

DATE PLOTTED: 21-AUG-2010
TIME PLOTTED: 03:46:15
08-16-10

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Et Caltrans
 MAINTENANCE
 FUNCTIONAL SUPERVISOR: MASSOUD TAJIK
 P. TERM: R. C. HETTICK
 CALCULATED/DESIGNED BY: CHECKED BY:
 REVISED BY: DATE REVISED:

NOTE:

1. EXACT SIGN LOCATIONS TO BE DETERMINED BY THE ENGINEER.

LEGEND:

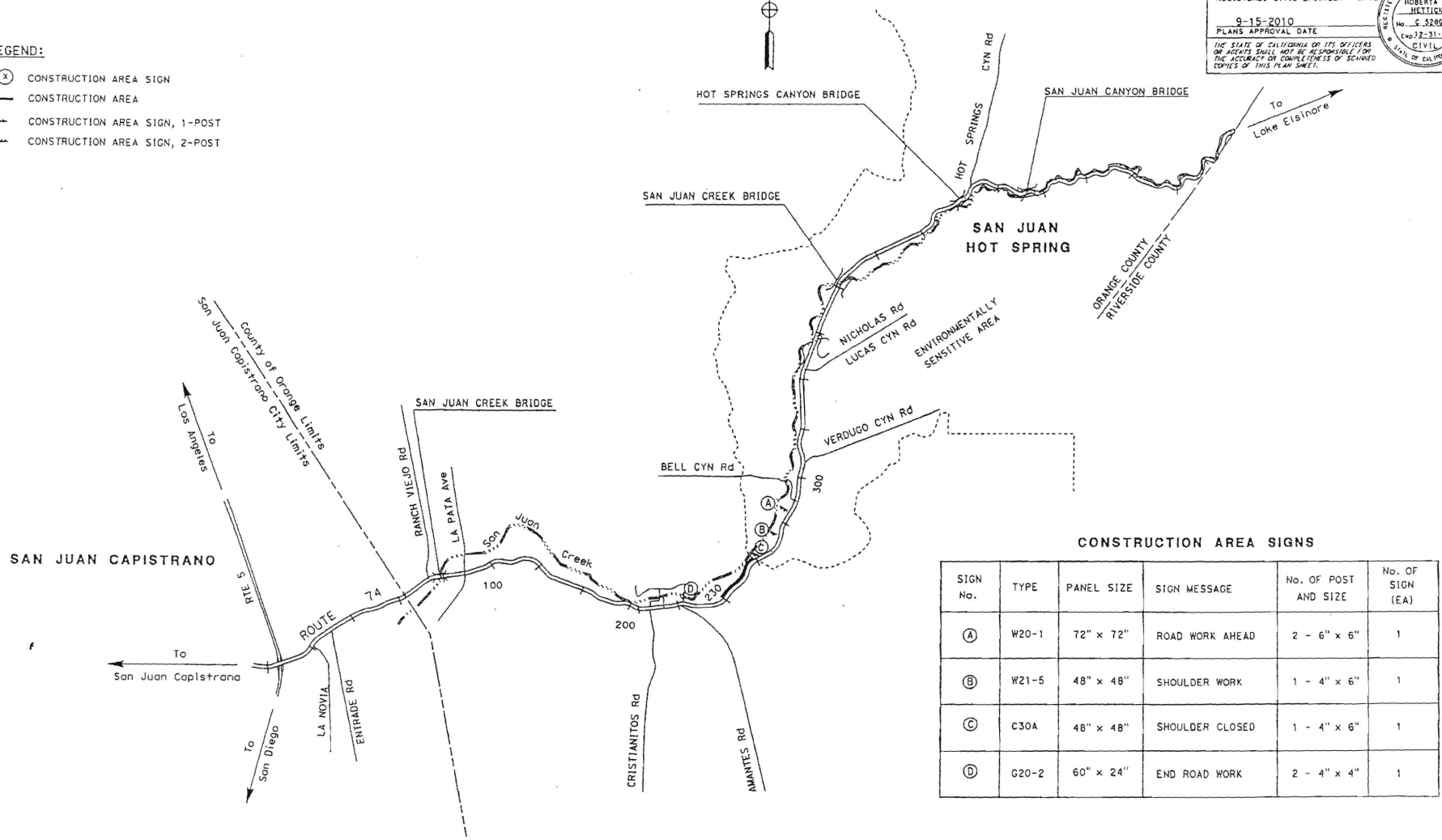
- (X) CONSTRUCTION AREA SIGN
- CONSTRUCTION AREA
- ↑ CONSTRUCTION AREA SIGN, 1-POST
- ↓ CONSTRUCTION AREA SIGN, 2-POST

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
12	Ora	74	6.0/6.4	2	8

REGISTERED CIVIL ENGINEER DATE: 8-31-10
 9-15-2010
 PLANS APPROVAL DATE

ROBERTA C. HETTICK
 No. S. 52860
 Exp. 12-31-10
 CIVIL
 STATE OF CALIFORNIA

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCHEMATIC COPIES OF THIS PLAN SHEET.



CONSTRUCTION AREA SIGNS

SIGN No.	TYPE	PANEL SIZE	SIGN MESSAGE	No. OF POST AND SIZE	No. OF SIGN (EA)
(A)	W20-1	72" x 72"	ROAD WORK AHEAD	2 - 6" x 6"	1
(B)	W21-5	48" x 48"	SHOULDER WORK	1 - 4" x 6"	1
(C)	C30A	48" x 48"	SHOULDER CLOSED	1 - 4" x 6"	1
(D)	G20-2	60" x 24"	END ROAD WORK	2 - 4" x 4"	1

CONSTRUCTION AREA SIGNS

NO SCALE CS-1

THIS PLAN ACCURATE FOR CONSTRUCTION AREA SIGN ONLY.

108-15-10 TIME ADJUSTED TO 3:11-AUG-2010
 108-15-10 TIME ADJUSTED TO 3:11-AUG-2010

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Et-Gilman
 LANDSCAPE ARCHITECTURE

FUNCTIONAL SUPERVISOR
 ERIC DICKSON

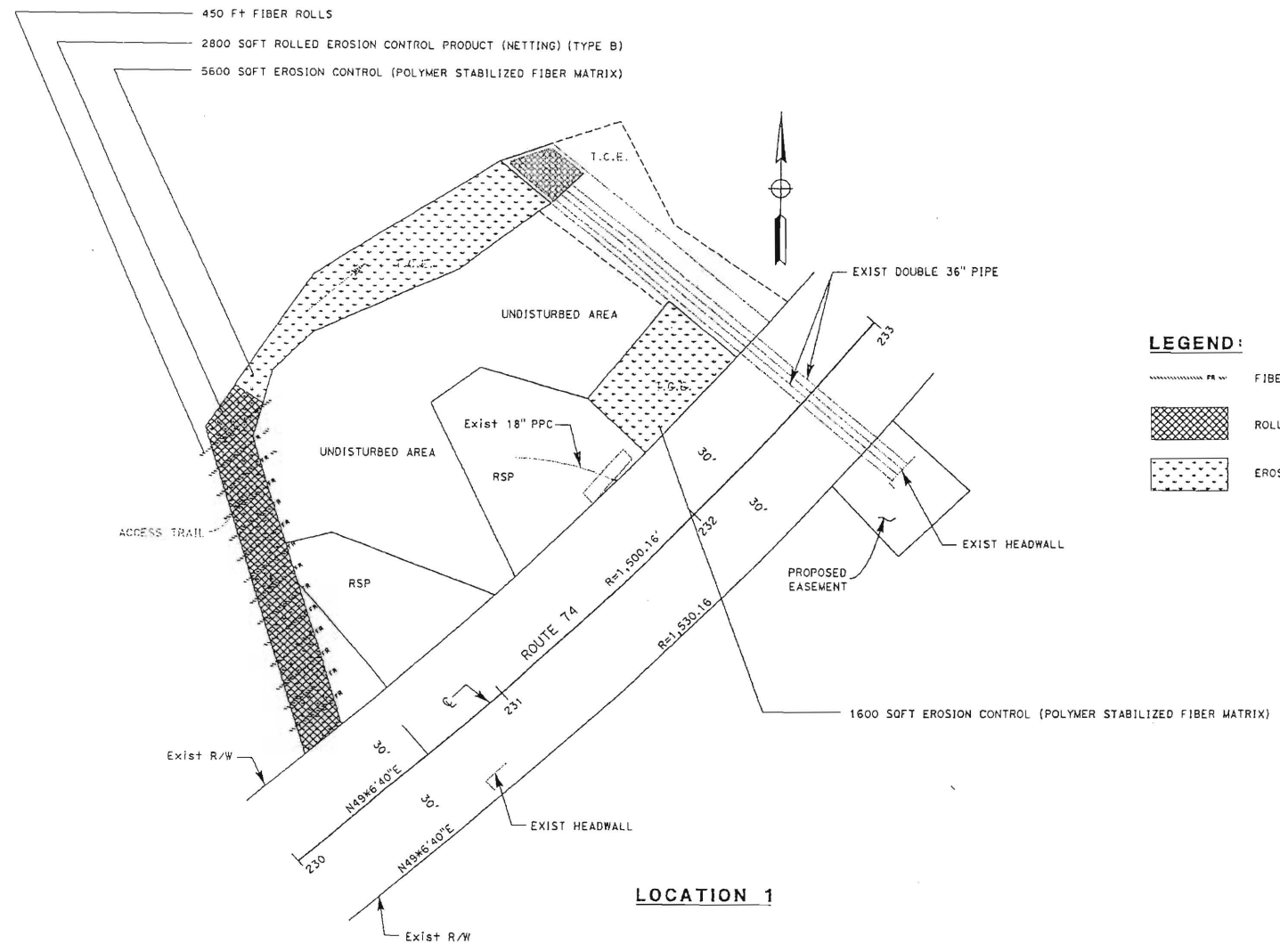
CALCULATED-DESIGNED BY
 CHECKED BY

REVISOR
 VATHANA CHY
 RONALD J. WONG

REVISOR
 DATE REVISOR

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Oran	74	6.0/6.4	3	8

Ronald Wong
 LICENSED LANDSCAPE ARCHITECT
 9-15-2010
 PLANS APPROVAL DATE
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



- LEGEND:**
- FIBER ROLLS
 - ROLLED EROSION CONTROL PRODUCT (NETTING) (TYPE B)
 - EROSION CONTROL (POLYMER STABILIZED FIBER MATRIX)

LOCATION 1

EROSION CONTROL PLAN
 SCALE 1:20 **EC-1**

DATE PLOTTED 03/31/AUG/2010
 JOB 19-19-10 TIME PLOTTED 07:10:17

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
St. Caltrans MAINTENANCE

FUNCTIONAL SUPERVISOR
 MASSOUD TAJIK

CALCULATED-
 DESIGNED BY
 CHECKED BY

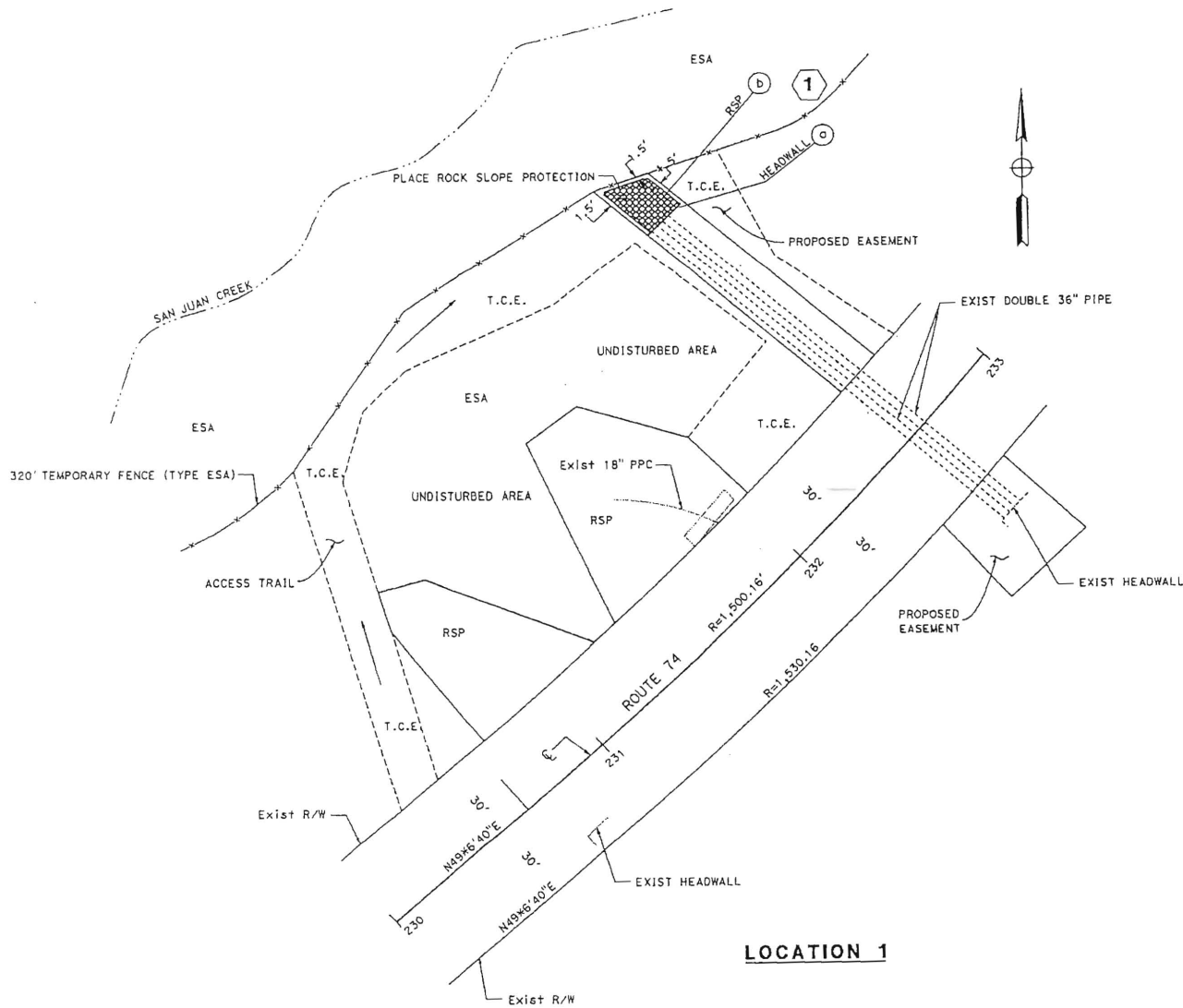
K. BHATT
 R. C. HETTICK

REVISED BY
 DATE REVISED

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Ora	74	6.0/6.4	4	8

REGISTERED CIVIL ENGINEER DATE 8-31-10
 ROBERTA C. HETTICK
 No. C 52860
 Exp. 12-31-10
 PLANS APPROVAL DATE 9-15-2010
 CIVIL
 STATE OF CALIFORNIA

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



LOCATION 1

DRAINAGE PLANS

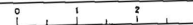
SCALE 1:20

D-1

BORDER LAST REVISED 7/2/2010

USERNAME => s125184
 DCN FILE => 20163010001.dgn

RELATIVE BORDER SCALE
 15 IN INCHES



UNIT 3064

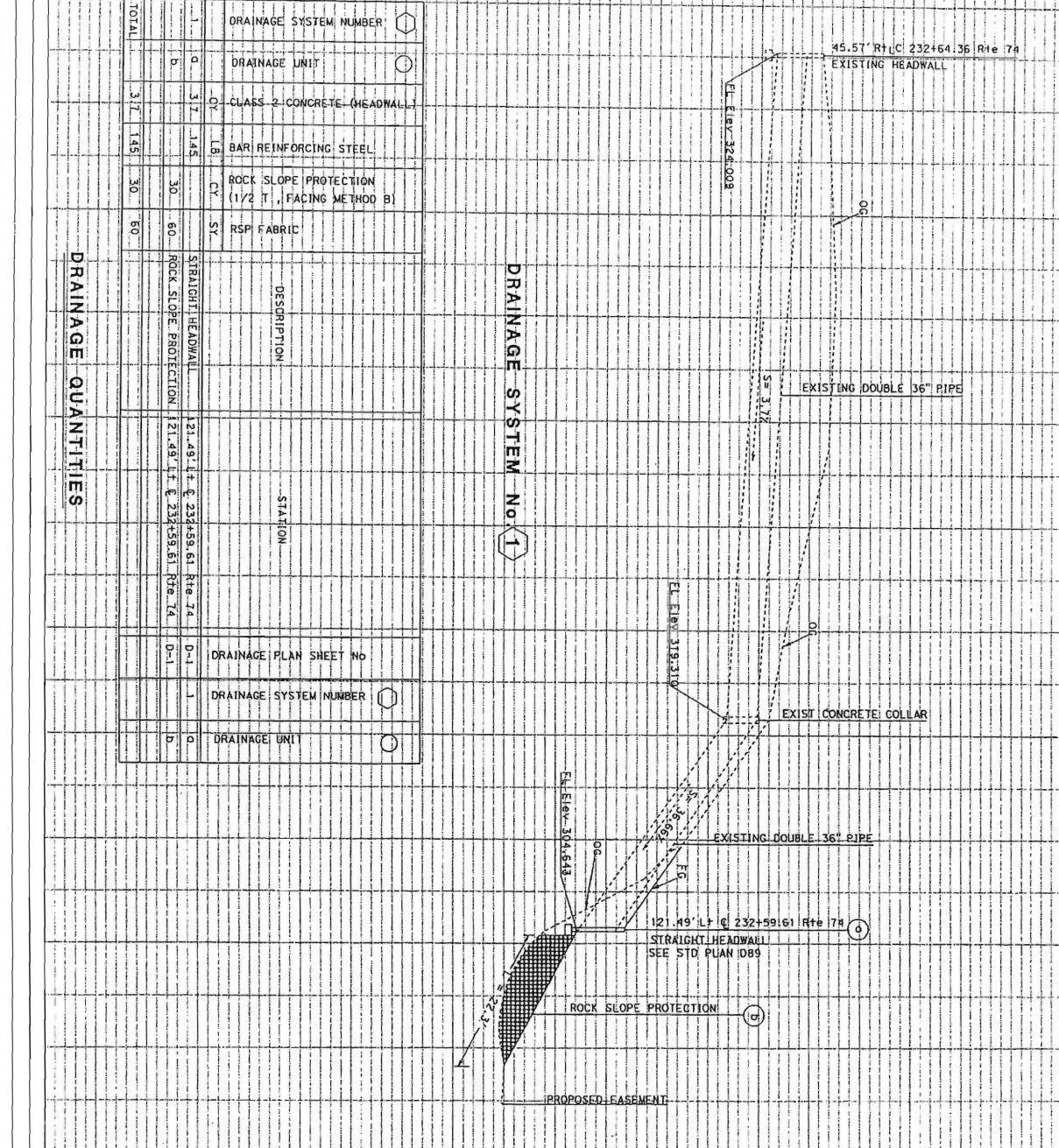
PROJECT NUMBER & PHASE

12000201001

PLOT NUMBER DATE PLOTTED => 31-AUG-2010
 JOB-16-10 TIME PLOTTED => 14:18

BORDER LAST REVISED 7/2/2010
 DRAWING NO. 1115151
 CON. FILE # 2010015001.099
 RELATIVE BORDER SCALE 15 IN. HEIGHTS
 UNIT 3084
 PROJECT NUMBER & PHASE 12000201001

STATION	295	300	305	310	315	320	325	330
CY Exc								
CY Emb								



STATION	DESCRIPTION	QUANTITY
1	DRAINAGE SYSTEM NUMBER	1
1	DRAINAGE UNIT	1
1	CLASS 2 CONCRETE (HEADWALL)	317
1	BAR REINFORCING STEEL	145
1	ROCK SLOPE PROTECTION (1/2 T, FACING METHOD B)	30
1	RSP FABRIC	60
TOTAL		317 145 30 60

DRAINAGE QUANTITIES

DRAINAGE SYSTEM No. 1

DRAINAGE PLAN SHEET No	D-1
DRAINAGE SYSTEM NUMBER	1
DRAINAGE UNIT	D

DRAINAGE PROFILES

SCALE: HORIZ 1" = 20'
 VERT 1" = 5'

DP-1

12 COUNTY ROUTE 74 POST MILES 6.0/6.4 SHEET TOTAL 5 8

REGISTERED CIVIL ENGINEER DATE 8-31-10

REGISTERED CIVIL ENGINEER DATE 9-15-2010

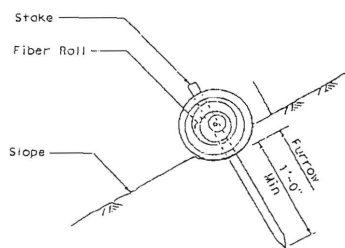
PLANS APPROVAL DATE 9-15-2010

REGISTERED CIVIL ENGINEER DATE 9-15-2010

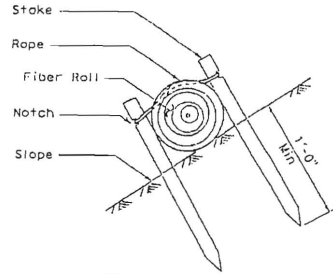
REGISTERED CIVIL ENGINEER DATE 9-15-2010

REGISTERED CIVIL ENGINEER DATE 9-15-2010

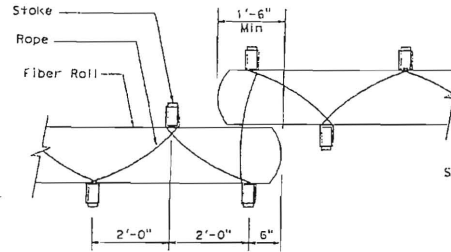
REGISTERED CIVIL ENGINEER DATE 9-15-2010



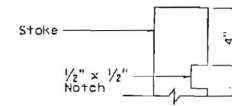
SECTION
FIBER ROLL
(TYPE 1)



SECTION
FIBER ROLL
(TYPE 2)



PLAN
FIBER ROLL
(TYPE 2)



ELEVATION
STAKE NOTCH DETAIL

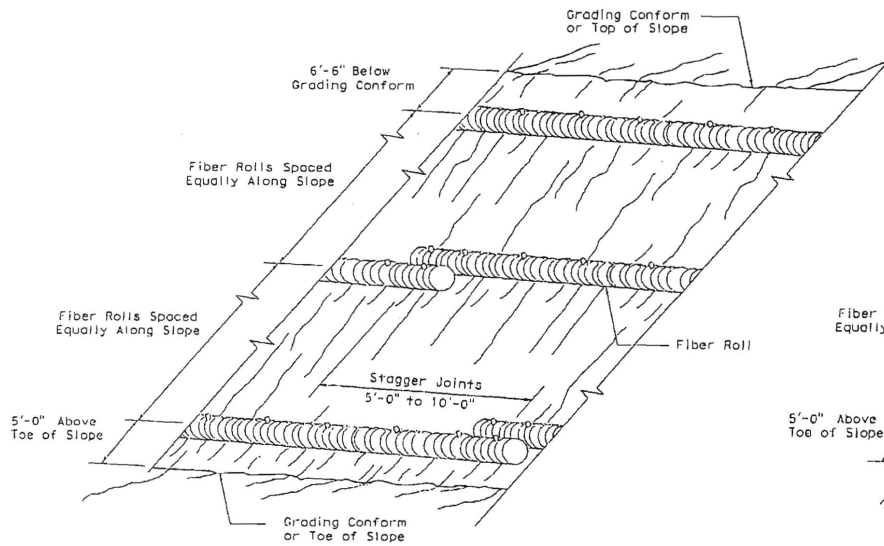
DIST.	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Oro	74	6.0/6.4	6	8

Signature: *Alvin A. Egan*
 LICENSED LANDSCAPE ARCHITECT
 April 3, 2009
 PLANS APPROVAL DATE
 THE STATE OF CALIFORNIA OR ITS OFFICIALS OR AGENCIES SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SEAMER COPIES OF THIS PLAN SHEET.

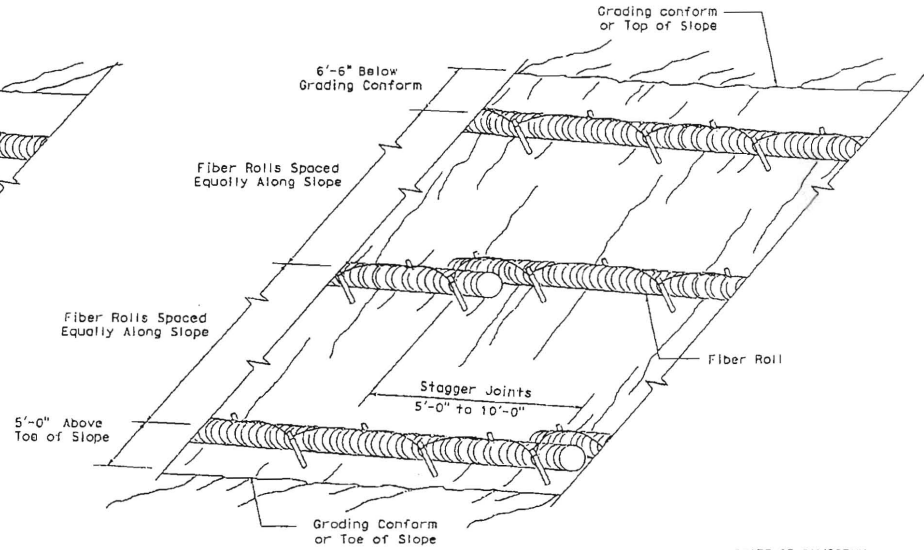
To accompany plans dated 9-15-2010

NOTES:

1. Fiber roll spacing varies depending upon slope inclination.
2. Installations shown in the perspectives are for slope inclination of 10:1 and steeper.



PERSPECTIVE
FIBER ROLL (TYPE 1)



PERSPECTIVE
FIBER ROLL (TYPE 2)

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
EROSION CONTROL DETAILS
(FIBER ROLL)

NO SCALE

RNSP H51 DATED APRIL 3, 2009 SUPERSEDES NSP H51 DATED DECEMBER 1, 2006 THAT SUPPLEMENTS THE STANDARD PLANS BOOK DATED MAY 2006.

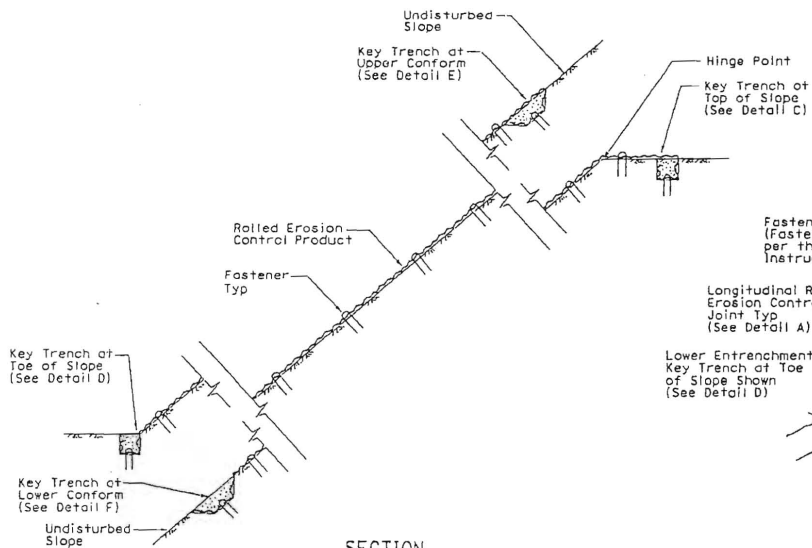
REVISED NEW STANDARD PLAN RNSP H51

Dist	COUNTY	ROUTE	POST MILES	SHEET	TOTAL
12	Ora	74	6.0/6.4	7	8
<i>Myron A. Egan</i> LICENSED LANDSCAPE ARCHITECT					
April 3, 2009 PLANS APPROVAL DATE					
<small>THE STATE OF CALIFORNIA AND ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.</small>					

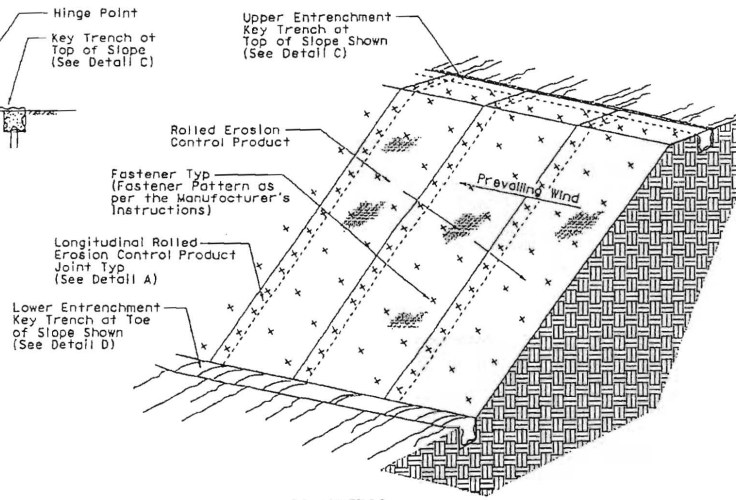
To accompany plans dated 9-15-2010

NOTE:

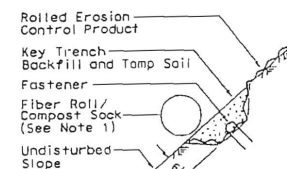
1. Fiber Roll/Compost Sock shown for reference purposes only.
2. If transverse rolled erosion control product joints are required on slopes, see Detail B.



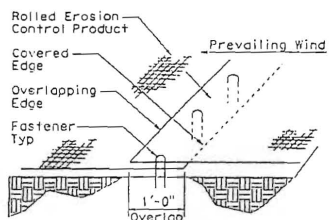
SECTION
ROLLED EROSION CONTROL PRODUCT
ON SLOPE WITH VARIOUS KEY ENTRENCHMENTS



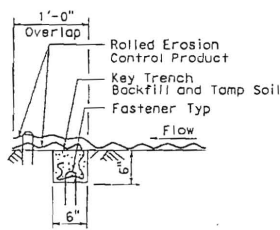
ISOMETRIC
ROLLED EROSION CONTROL PRODUCT
ON SLOPE



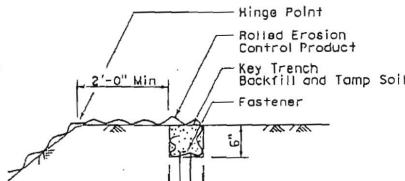
SECTION
DETAIL F
KEY TRENCH AT
LOWER CONFORM



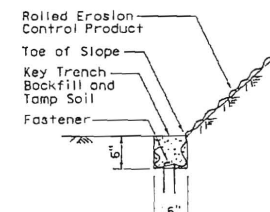
PERSPECTIVE
DETAIL A
LONGITUDINAL ROLLED EROSION
CONTROL PRODUCT JOINT



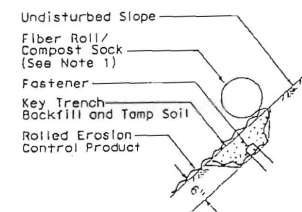
SECTION
DETAIL B
TRANSVERSE ROLLED EROSION
CONTROL PRODUCT JOINT



SECTION
DETAIL C
KEY TRENCH AT
TOP OF SLOPE



SECTION
DETAIL D
KEY TRENCH AT
TOE OF SLOPE



SECTION
DETAIL E
KEY TRENCH AT
UPPER CONFORM

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
ROLLED EROSION CONTROL PRODUCT
 NO SCALE

NSP H53 DATED JUNE 5, 2009 SUPPLEMENTS
 THE STANDARD PLANS BOOK DATED MAY 2006.

NEW STANDARD PLAN NSP H53

2006 NEW STANDARD PLAN NSP H53

DIST.	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Orc	74	6.0/6.4	8	8

Raymond A. Cohen
 IN CHARGE, LANDSCAPE ARCHITECT

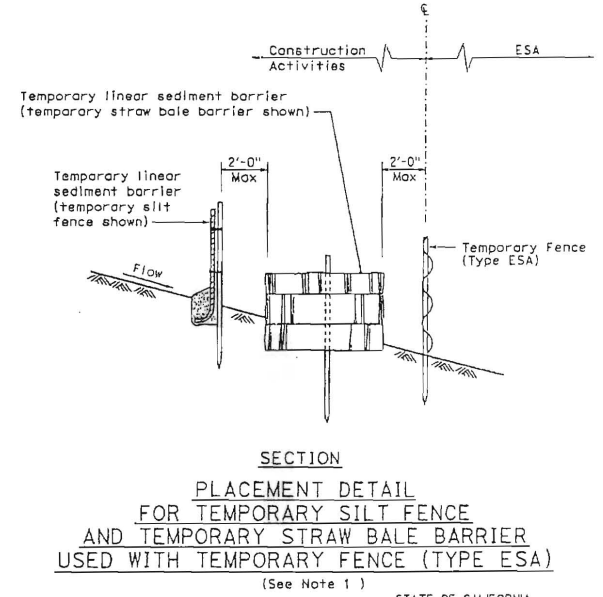
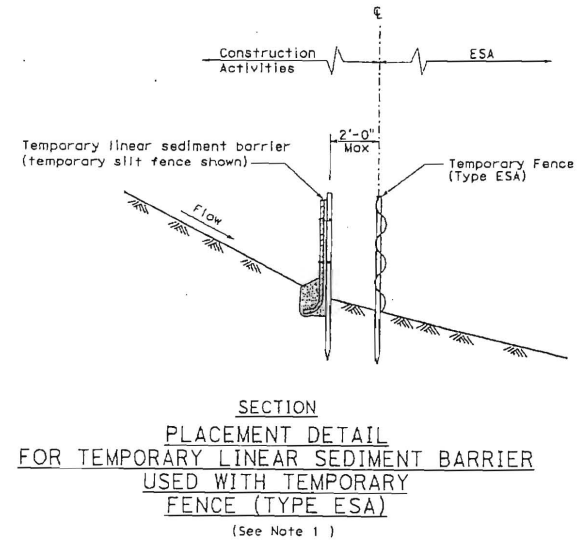
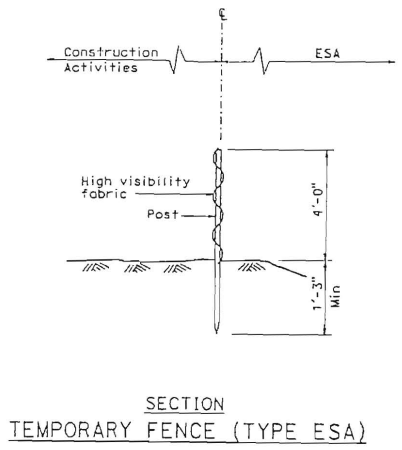
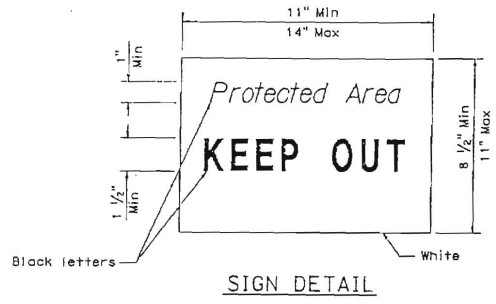
APRIL 3, 2009
 PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SKETCHED COPIES OF THIS PLAN SHEET.



To accompany plans dated 9-15-2010

- NOTE:**
1. Temporary silt fence and temporary straw bale barrier shown for reference purposes only.



STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION

TEMPORARY WATER POLLUTION CONTROL DETAILS
[TEMPORARY FENCE (TYPE ESA)]

NO SCALE

NSP T65 DATED APRIL 3, 2009 SUPPLEMENTS
 THE STANDARD PLANS BOOK DATED MAY 2006.

2006 NEW STANDARD PLAN NSP T65

ATTACHMENT 4

LETTER FROM CALTRANS DISTRICT 12

DEPARTMENT OF TRANSPORTATION

3347 MICHELSON DRIVE, SUITE 100
IRVINE, CA 92612-8894
PHONE: (949) 724-2100
FAX: (949) 440-4465
TTY: (949) 756-7813
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

October 24, 2012

San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123
Attn: Kelly Dorsey

Subject: Mitigation for SR-74 PM 6.2

Dear Kelly Dorsey:

This is to request approval of the 401 permit required for our Drainage Outlet Repair Project/Storm Damage. Department of Transportation District 12 (D12), if required by the resource/regulatory agencies (agencies) during the permitting process, will continue the invasive species removal efforts within San Juan Creek in Orange County, adjacent to SR-74. These efforts will continue as part of the SR-74 improvement project (improvement project) from east of Antonio/La Pata Road to west of Cristianitos Road in unincorporated Orange County (EA 0L720_), if required by the agencies. This improvement project is a funded project adjacent to the Drainage Outlet Repair Project/Storm Damage and also within the San Juan Watershed. This improvement project is a currently funded project, of a large-enough scale that mitigation may be required.

The above mentioned effort by D12 started in February 2007 under Safety Project 04320_, and focused on invasive wildlife species, including red swamp crayfish (*Procambarus clarkii*), American bullfrog (*Lithobates catesbeiana*), and African clawed frog (*Xenopus laevis*). The removal effort has continued annually since 2007, and from June 2010 through June 2012, was conducted as mitigation for the SR-74 Drainage Outlet Repair Project/Storm Damage.

Should you have any questions regarding this correspondence please contact me at (949) 724-2100.

Sincerely,

A handwritten signature in blue ink that reads "Bob Bazargan".

Bob Bazargan
Project Manager

c: Ahmed Abou-Abdou, Nooshin Yoosefi, Chris Flynn, Arianne Preite