



California Regional Water Quality Control Board San Diego Region



Matthew Rodriguez
Secretary for
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from U.S. EPA

Edmund G. Brown Jr.
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

February 14, 2012

In reply refer to:
769846: dbradford

Jeff Clemens
Lennar Spencer's Crossing, LLC
391 North Main Street, Suite 301
Corona, CA 92880

Dear Jeff Clemens:

SUBJECT: CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION NO. 11C-066; LEON BASIN SWALE RELOCATION PROJECT

Enclosed find Clean Water Act Section 401 Water Quality Certification for discharges to Waters of the U.S. and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the **Leon Basin Swale Relocation 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 1 through 4.

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 you have 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.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. Please note that the San Diego Water Board staff contact for the project has changed. For questions pertaining to the subject matter, please contact Darren Bradford at (858) 637-7137 or dbradford@waterboards.ca.gov.

California Environmental Protection Agency

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-066 for the **Leon Basin Swale Relocation Project**, with 4 attachments

cc: Refer to Attachment 2 of Certification 11C-066 for Distribution List.

Tech Staff Info & Use	
File No.	11C-066
WDID	9000002330
Reg. Measure ID	380363
Place ID	769846
Party ID	26810
Person ID	528507



California Regional Water Quality Control Board

San Diego Region



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9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

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: Leon Basin Swale Relocation Project,
Certification Number 11C-066,
WDID: 9 000002330**

**APPLICANT: Jeff Clemens
Lennar Spencer's Crossing, LLC
391 North Main Street, Suite 301
Corona, CA 92880**

CIWQS Reg. Meas. ID: 380363 Place ID: 769846 Party ID: 26810

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 proposed project is located in the County of Riverside and consists of the reconstruction of a storm drain outfall and relocation of an unnamed creek adjacent to the outfall. The proposed project would temporarily impact 140 linear feet (0.01 acres) of wetland portions of an unnamed tributary to Warm Springs Creek through the relocation of the creek and reconstruction of a storm drain outfall for Leon Road. The storm drain outfall was not constructed to the engineered design elevation, and the surrounding area associated with the road crossing was not graded to design specifications, resulting in a creek flow path that causes inundation and pooling at the outfall during and after storm events. The storm drain will be elevated and discharge point regraded to allow for proper storm water flow, while the creek flow line will be established to the west. The project, which will take place outside of the rainy season, includes the seeding of the new creek flowline and storm drain outflow with native species. No new impervious surfaces are associated with the project.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



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I. STANDARD CONDITIONS:

The following three standard conditions apply to all Certification actions, except as noted under Condition 3 for denials.

- 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 section 3867 of Title 23 of the California Code of Regulations (23 CCR).
- B. This Certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility 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. The validity of any non-denial Certification action must be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

II. ADDITIONAL CONDITIONS: GENERAL

- A. Water Quality Certification No. 11C-066 (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, this Certification expires.
- B. Jeff Clemens & Lennar Spencer's Crossing, LLC 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/go_wdr401regulated_projects.pdf.
- C. Jeff Clemens & Lennar Spencer's Crossing, LLC must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (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, Jeff Clemens & Lennar Spencer's Crossing, LLC must maintain a copy of this Certification at the Project site so as to be available at all times to site personnel and agencies.
- E. Jeff Clemens & Lennar Spencer's Crossing, LLC must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
 - 1. Entry onto Project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - 2. Access to copy any records required to be kept under the terms and conditions of this Certification.
 - 3. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
 - 4. Sampling of any discharge or surface water covered by this Order.
- 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 pursuant to Water Code sections 13267 and 13383, require the holder of any permit or license subject to this Certification to investigate, monitor and report information on the violation. The only restriction is that the burden, including costs, of preparing the reports must bear a reasonable relationship to the need for 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 modify the conditions of this Certification as appropriate to ensure compliance.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

- A. Prior to the start of the project, and annually thereafter, Jeff Clemens & Lennar Spencer's Crossing, LLC must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
- B. Construction of the proposed project must occur prior to October 1 and after April 30, the start and end of the San Diego Water Board rainy season.
- C. Jeff Clemens & Lennar Spencer's Crossing, LLC 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. If applicable, Jeff Clemens & Lennar Spencer's Crossing, LLC must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*.
- 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 CWC § 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 which 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. 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.

- I. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. Jeff Clemens & Lennar Spencer's Crossing, LLC 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 adverse effects 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>.
- J. 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, except as authorized by this Certification. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- K. Removal of vegetation must occur by hand, mechanically, or using EPA approved herbicides deployed using applicable BMPs to prevent impacts to beneficial uses of waters of the 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. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Not applicable to this project.

V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION

- A. Mitigation for temporary impacts to 140 linear feet (0.01 acres) of wetland waters of the U.S. must be achieved in accordance with the *Mitigation Plan for the Leon Basin Swale Relocation Project*, prepared by VCS Environmental and received by the San Diego Water Board on January 9, 2012. Mitigation shall consist of no less than:
 1. On-site establishment of 0.1 acres (400 linear feet) of the unnamed drainage (all waters of the United States); and

2. Restoration of temporary impacts associated with storm drain reconstruction.
 - B. The construction of on-site mitigation must be completed no later than one growing season following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10 percent of the cumulative compensatory mitigation for each month of delay.
 - C. Jeff Clemens & Lennar Spencer's Crossing, LLC 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/State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. Jeff Clemens & Lennar Spencer's Crossing, LLC must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
 - D. The mitigation site must be designed, constructed, and maintained in perpetuity so that most of the channel through the mitigation site is characterized by equilibrium conditions, with no evidence of severe aggradation or degradation.
 - E. Mitigation shall be considered acceptable once it has met the pre-determined success criteria for that site, and shall be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified.
 - F. Throughout the duration of the mitigation monitoring program, mitigation areas must be maintained 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 on-site or off-site mitigation areas.
 - G. The San Diego Water Board acceptance of the final mitigation plan must not be construed as approval of the mitigation site or plan for use by other current or future projects that are planning to use additional acreage at the site for mitigation.
 - H. Any maintenance activities that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities are 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 restoration program.

- I. If at any time during the implementation and establishment of the mitigation area(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation area, Jeff Clemens & Lennar Spencer's Crossing, LLC is responsible for repair and replanting of the damaged area(s).
- J. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States/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/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/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/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/State (e.g., conservation easement).

VI. MONITORING REQUIREMENTS

- A. Photodocumentation monitoring must occur as prescribed in the *Mitigation Plan for the Leon Basin Swale Relocation Project*, prepared by VCS Environmental and received by the San Diego Water Board on January 9, 2012. 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.

VII. NOTIFICATION REQUIREMENTS

- A. Jeff Clemens & Lennar Spencer's Crossing, LLC must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally **within 24 hours** from the time Jeff Clemens or Lennar Spencer's Crossing, LLC becomes aware of the circumstances. A written submission shall also be

provided within five (5) days of the time Jeff Clemens & Lennar Spencer's Crossing, LLC 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. Jeff Clemens & Lennar Spencer's Crossing, LLC and transferee must notify the San Diego Water Board of any transfer in responsibility for implementation of the requirements of this Certification. Notification must include, but not be limited to, a statement that Jeff Clemens & Lennar Spencer's Crossing, LLC has provided the transferee with a copy of the Certification and that the transferee understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so. Jeff Clemens & Lennar Spencer's Crossing, LLC and transferee must sign and date the notification and including a designated date of transfer. Jeff Clemens & Lennar Spencer's Crossing, LLC must provide such notification to the Executive Officer of the San Diego Water Board **prior to the intended date of transfer**.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to Jeff Clemens & Lennar Spencer's Crossing, LLC will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve Jeff Clemens & Lennar Spencer's Crossing, LLC of this Certification in the event that a transferee fails to comply.

- C. Jeff Clemens & Lennar Spencer's Crossing, LLC must notify the San Diego Water Board in writing **at least 5 days prior to** the actual commencement of dredge, fill, and discharge activities.

VIII. REPORTING REQUIREMENTS

- A. Mitigation monitoring reports must be submitted as prescribed in the *Mitigation Plan for the Leon Basin Swale Relocation Project*, prepared by VCS Environmental and received by the San Diego Water Board on January 9, 2012, until mitigation has been deemed successful. Annual monitoring reports must be submitted **prior to December 1 of each year**. Monitoring reports must include, but not be limited to, the following:

1. Names, qualifications, and affiliations of the persons contributing to the report;
 2. Date of initiation of mitigation installation and date mitigation installation was completed.
 3. Mitigation as-builts, including topography maps and planting locations.
 4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
 5. Topographic complexity characteristics at each mitigation site;
 6. Upstream and downstream habitat and hydrologic connectivity;
 7. Source of hydrology, including any quantitative and qualitative changes in groundwater levels;
 8. Width of native vegetation buffer around the entire mitigation site;
 9. Stream Photodocumentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, 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.
 10. A Survey report documenting boundaries of mitigation area, including Geographic Information System (GIS) shape files (polygons) of the impact and mitigation areas (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.
- B. The submittal of information under this Certification is required pursuant to California Water Code (CWC) sections 13267 and 13283. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit required information pursuant to CWC section 13268 or 13385.
- C. 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.

D. 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.

E. 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."

F. Jeff Clemens & Lennar Spencer's Crossing, LLC 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; Project No. 11C-066, Place ID: 769846
9174 Sky Park Court, Suite 100
San Diego, California 92123

IX. CEQA FINDINGS:

- A. The County of Riverside is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed a Notice of Determination on June 8, 2001, for an Environmental Impact Report (EIR) under CEQA Guidelines Title 14, California Code of Regulations. The EIR was prepared for the entire master planned community (E.A. Number 37469, Specific Plan No. 312), which includes the open space and storm drain construction. The County of Riverside has determined the project, without mitigation, will have a significant effect on the environment and therefore, identified mitigation measures for the project to reduce the effects on the environment to less than significant.
- B. The San Diego Water Board is a responsible agency under CEQA and has reviewed and considered the lead agency's EIR for the master planned community. The San Diego Water Board finds that the final EIR prepared by the lead agency is appropriate for use in issuing a Clean Water Act Section 401 Water Quality Certification for the Leon Basin Swale Relocation Project. The San Diego Water Board finds that the Leon Basin Swale Relocation Project, as proposed, will have a significant effect on the environment. However, this Certification contains conditioned mitigation measures that will result in the project having less than significant environmental effects. Therefore, the San Diego Water Board has determined that issuance of this Section 401 Water Quality Certification is consistent with the EIR for the master planned community.

X. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

- A. On August 16, 2011, 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. SAN DIEGO WATER BOARD CONTACT PERSON:

Chad Loflen
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
858-467-2727
cloflen@waterboards.ca.gov

XII. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from **Leon Basin Swale Relocation Project** (Project No. 11C-066) 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 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).



 DAVID W. GIBSON
 Executive Officer
 Regional Water Quality Control Board

2/14/2012
 Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Maps
 4. Site and Mitigation Maps

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Jeff Clemens
Lennar Spencer's Crossing, LLC
391 North Main Street, Suite 301
Corona, CA 92880

Telephone: 951-817-3663
Facsimile: 951-817-3650
Email: jeff.clemens@lennar.com

Applicant Representatives: Vandermost Consulting Services
Attention: Julie Vandermost
30900 Rancho Viejo Road, Suite 100
San Juan Capistrano, CA 92675
Telephone: 949-489-2700
Facsimile: 949-489-0309
Email: jvandermost@vcs.com

Project Name: Leon Basin Swale Relocation Project

Project Location: Latitude: 33.601729 N
Longitude: 117.126698 W

Type of Project: Infrastructure Repair

Need for Project: According to the application:
"The need for the project is to increase drainage from the basin through the open space and eliminate the stagnant pool of water that Vector Control considers a mosquito abatement problem."

Project Description: The proposed project is located in the County of Riverside and consists of the reconstruction of a storm drain outfall and relocation of an unnamed creek adjacent to the outfall. The proposed project would temporarily impact 140 linear feet (0.01 acres) of wetland portions of an unnamed tributary to Warm Springs Creek through the relocation of the creek and reconstruction of a storm drain outfall for Leon Road. The storm drain outfall was not constructed to the engineered design elevation, and the surrounding area associated with the road crossing was not graded to design specifications, resulting in a creek flow path that causes inundation and pooling at the outfall during and after storm events. The storm drain will be elevated and discharge point regraded to allow

for proper stormwater flow, while the creek flow line will be established to the west. The project includes the seeding of the new creek flowline and storm drain outflow with native species. No new impervious surfaces are associated with the project.

Federal
Agency/Permit:

U.S. Army Corps of Engineers 404, James Mace

Other Required
Regulatory Approvals:

California Department of Fish and Game Streambed
Alteration Agreement, Kim Freeburn-Marquez

California
Environmental Quality
Act (CEQA)
Compliance:

Environmental Impact Report, NOD: June 8, 2001, Lead
Agency: County of Riverside

Receiving Water:

Unnamed Tributary to Warm Springs Creek (902.33), Santa
Margarita HU, Murrieta HA, French HSA

Affected Waters of the
United States:

Temporary:
Wetland: 0.01 acres, 140 linear feet

Dredge Volume:

Estimated 15 cubic yards of soil to repair improper grading.

Related Projects
Implemented/to be
Implemented by the
Applicant(s):

401 No. 01C-067 for the master planned community

Compensatory
Mitigation:

On-Site
Establishment of 0.1 acres (400 linear feet) of waters of the
United States via relocating the unnamed drainage to the
west. The drainage will be slightly longer and wider.

Restoration of all temporary impacts associated with the storm
drain improvement.

Mitigation Plan for the Leon Basin Swale Relocation Project,
prepared by VCS Environmental and received by the San
Diego Water Board on January 9, 2012

Mitigation Location:

On-site

Best Management Practices (BMPs): No new impervious surfaces are associated with the project.

Public Notice: August 16, 2011 (no comments received)

Inspection: n/a

Fees: Total Due: \$2,266
Paid: \$640 (check No. 11854)
Paid: \$896 (check No. 11955)
Paid: \$426 (check No. 11987)

CIWQS: Regulatory Measure ID: 380363
Place ID: 769846
Party ID: 26810

**ATTACHMENT 2
E-MAIL DISTRIBUTION LIST**

James Mace
U.S. Army Corps of Engineers, Regulatory Branch
James.E.Mace@usace.army.mil

Kim Freeburn-Marquez
California Department of Fish and Game
Inland Deserts Region
kfreeburn@dfg.ca.gov

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

Julie Vandermost
Wade Caffrey
Vandermost Consulting Services
jvandermost@vcsenvironmental.com
wcaffrey@vcsenvironmental.com



DATA SOURCE: Microsoft Corp. Bing Maps 2010

Lennar Spencer's Crossing – Leon Basin Swale Relocation

SITE LOCATION MAP – Extended View

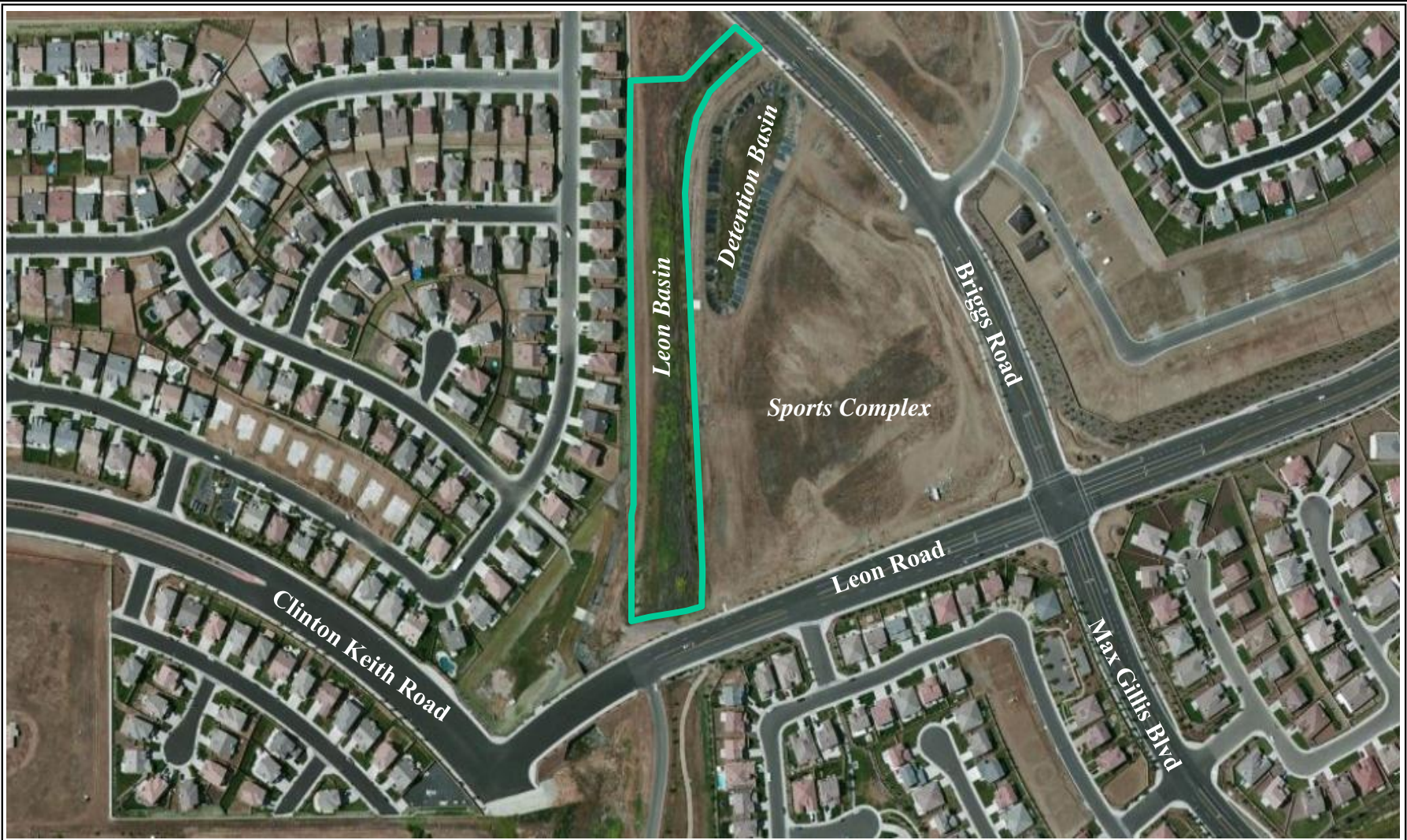


NTS

ATTACHMENT 3: LOCATION MAPS



11C-066
Figure 1 Sheet 1



DATA SOURCE: Microsoft Corp. Bing Maps 2010

Lennar Spencer's Crossing – Leon Basin Swale Relocation

SITE LOCATION MAP



NTS



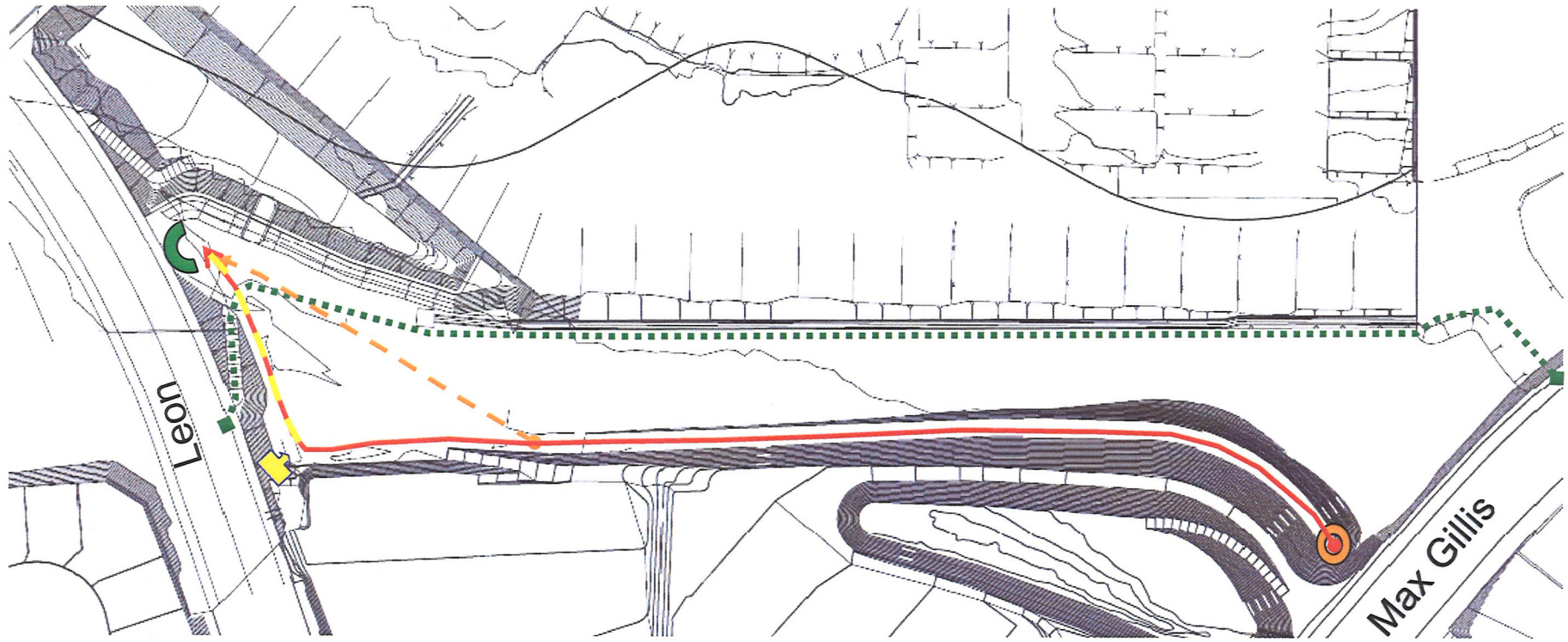
PROJECT BOUNDARY








ATTACHMENT 3: LOCATION MAPS

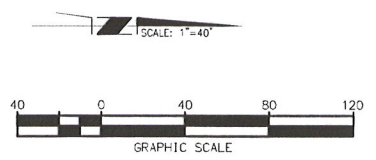
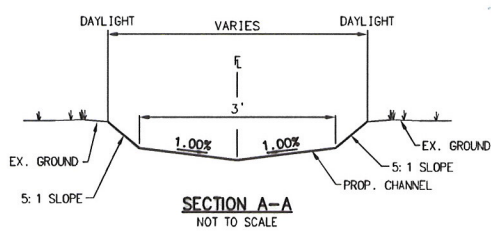
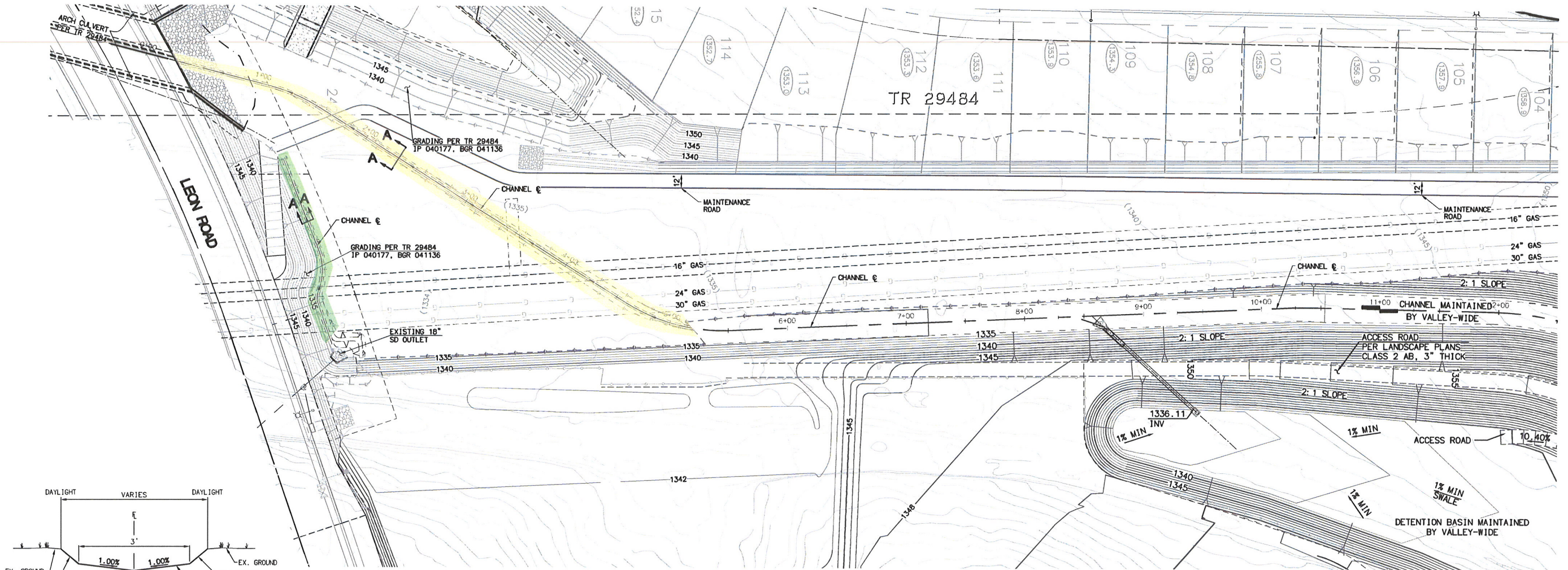


11C-066
Figure 1 Sheet 2

Leon Basin Exhibit



-  Existing hydro arch outlet structure
-  Existing Drainage Course
-  Existing Drainage Course Remaining for Outlet
-  Proposed re-aligned drainage course for water coming from hydro arch outlet through upland open space
-  Hydro Arch Permit 29484 (Installed)
-  Existing access road
-  Outlet from Storm Drain off Leon Road



- Proposed Relocation of Swale
- Lowering of Drainage from Outlet

STORM DRAIN CHANNEL PLAN

RBF CONSULTING
 PLANNING ■ DESIGN ■ CONSTRUCTION
 40810 COUNTY CENTER DRIVE, SUITE 100
 TEMECULA, CALIFORNIA 92591-6022
 951.676.8042 • FAX 951.676.7240 • www.RBF.com

TR 30696-1
 STORM DRAIN CHANNEL

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