

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

2375 Northside Drive, Suite 100, San Diego, CA 92108
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<http://www.waterboards.ca.gov/sandiego/>

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

PROJECT: Staver Road Project
Certification Number R9-2014-0061
WDID: 9000002724

Reg. Meas. ID: 396738 Place ID: 806919 Party ID: 547057 Person ID: 547060
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APPLICANT: Rancho Summit, LLC
171 Saxony Road
Encinitas, CA 92024

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

An application dated June 3, 2014 was submitted by Rancho Summit, LLC (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) for the proposed Staver Road Project (Project). 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-2014-374-MER).

The Project is located within an unincorporated area of San Diego County, California approximately 475 feet northeast of the intersection of Fortuna Ranch Road and Canyon de Oro in north San Diego County. The Project center reading is located at latitude 33.067395 north and longitude -117.196363 west. The Applicant has paid all required fees for this Certification in the amount of \$3,676.00. On June 10, 2014, 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 to improve and realign Staver Road to provide access to the 112.56 acre Rancho Summit Estates subdivision. Construction of the Project will involve grading, fill, and placement of a double 36-inch culvert permanently impacting 0.085 acre (194 linear feet) of streambed waters of the United States and/or State. A headwall will be installed at the upper and lower ends of the culvert with an energy dissipater at the lower end that consists of ½ ton un-grouted rip-rap with filter cloth. In addition, an 8-foot wide recreational trail will be

installed to connect with the existing City of Encinitas (City) recreational trail system. The trail will be comprised of up to 4 inches of decomposed granite or native fill.

To offset the permanent impacts from the Project, a total of 0.09 acres of wetland restoration credit will be purchased from the San Luis Rey Mitigation Bank. In addition, an existing dirt road measuring approximately 20-feet wide and 60-feet long and associated culvert will be removed and restored to its natural topography. In total, approximately 0.04 acres (57 linear feet) of waters of the U.S. and/or State will be restored to pre-Project conditions.

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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. R9-2014-0061 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 U.S.C. §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/go_wdr401regulated_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 *Water Quality Control Plan for the San Diego Basin (9)* (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 U.S.C §1313).
- 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 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 the unnamed tributary to Escondido Creek;
 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. STORM WATER 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. **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 best management practice (BMP) plan) to prevent the discharge of sediment and other pollutants during construction activities.
- C. **Post-Construction BMP Design.** The Project must be designed to comply with the most current Standard Storm Water Mitigation and Hydromodification Plans for the County of San Diego.

IV. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to an unnamed tributary to Escondido Creek within the Carlsbad Watershed must not exceed 0.085 acre (194 linear feet). 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						
Streambed	0.0003	4	0.09 Re- establishment/ Re-habilitation ¹	1.1:1	N/A ¹	N/A ¹
Wetland	0.085	190				

1. Mitigation credits will be purchased from the San Luis Rey Mitigation Bank. Mitigation credits purchased are not reported in terms of linear feet of mitigation; however, the mitigation is part of a larger linear restoration project.
2. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.

- B. **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.

- C. **Mitigation Credits.** Proof of mitigation credit purchase from the San Luis Rey Mitigation Bank must be provided to the San Diego Water Board **30 days** before the start of Project construction. Should mitigation credits not be available for purchase, the Applicant must provide a mitigation plan that proposes compensatory mitigation acceptable to the San Diego Water Board prior to the start of Project construction.

V. MONITORING AND REPORTING REQUIREMENTS

- A. **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 report must include the following information:
1. The names, qualifications, and affiliations of the persons contributing to the report;
 2. A description of Project construction delays encountered that affected the schedule for construction completion;
 3. A description of each incident of noncompliance during Project construction and its cause, the period of the noncompliance including exact dates and times, the manner in which the noncompliance has been corrected, and the steps taken to reduce, eliminate, and prevent reoccurrence of the noncompliance;
 4. Date of construction initiation;
 5. Date of construction completion;
 6. As-built drawings of the Project, no bigger than 11"X17"; and
 7. 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.
- B. **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.

- C. **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. R9-2014-0061: PIN 806919
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, 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. R9-2014-0061: PIN 806919.

- D. **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.

- E. **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."

VI. 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. **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.
- C. **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 this Certification in the event that a transferee fails to comply.

- D. **Discharge Commencement.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of Encinitas 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 Determination dated February 10, 2006 for the Final Supplemental Environmental Impact Report (FEIR) titled Staver Property Grading Plan 6242-G (State Clearing House Number 90011123). 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 FEIR 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 FEIR are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 3 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FEIR, 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 section V 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).

VIII. SAN DIEGO WATER BOARD CONTACT PERSON

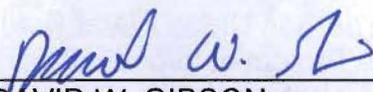
Alan Monji, Environmental Scientist
Telephone: (619) 521-3968
Email: Alan.Monji@waterboards.ca.gov

IX. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Staver Road Project** (Certification No. R9-2014-0061) 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. R9-2014-0061 issued on November 12, 2014.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

12 Nov. 2014
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.

California Rapid Assessment Method (CRAM) - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

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.

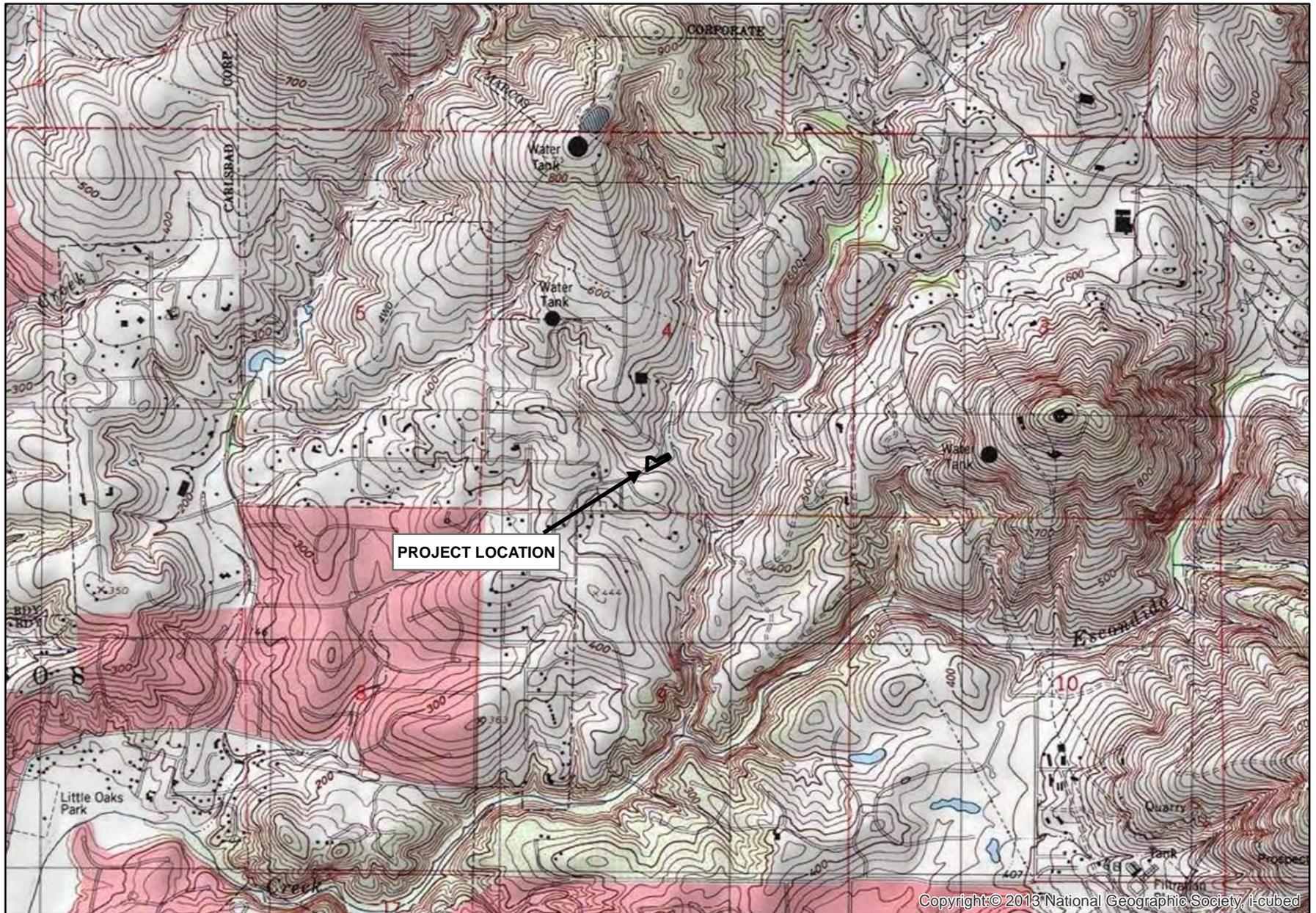
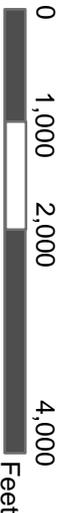
Rancho Summit LLC
Staver Rd Project
Certification No. R9-2014-0061

ATTACHMENT 2

PROJECT LOCATION MAP and FIGURES

1. Glenn Lukos Associates, Exhibit 2, Vicinity Map
2. Glenn Lukos Associates, Exhibit 5, Corps/RWQCB Jurisdictional Delineation/Impact Map
3. Glenn Lukos Associates, Exhibit 6, Restoration Map
4. Pasco Laret Suiter and Associates, Fortuna Ranch Road and Rancho Summit Drive, City of Encinitas, T.M. 89-031 Grading Plans, Pages 1-4

Adapted from USGS Rancho Santa Fe, CA quadrangle



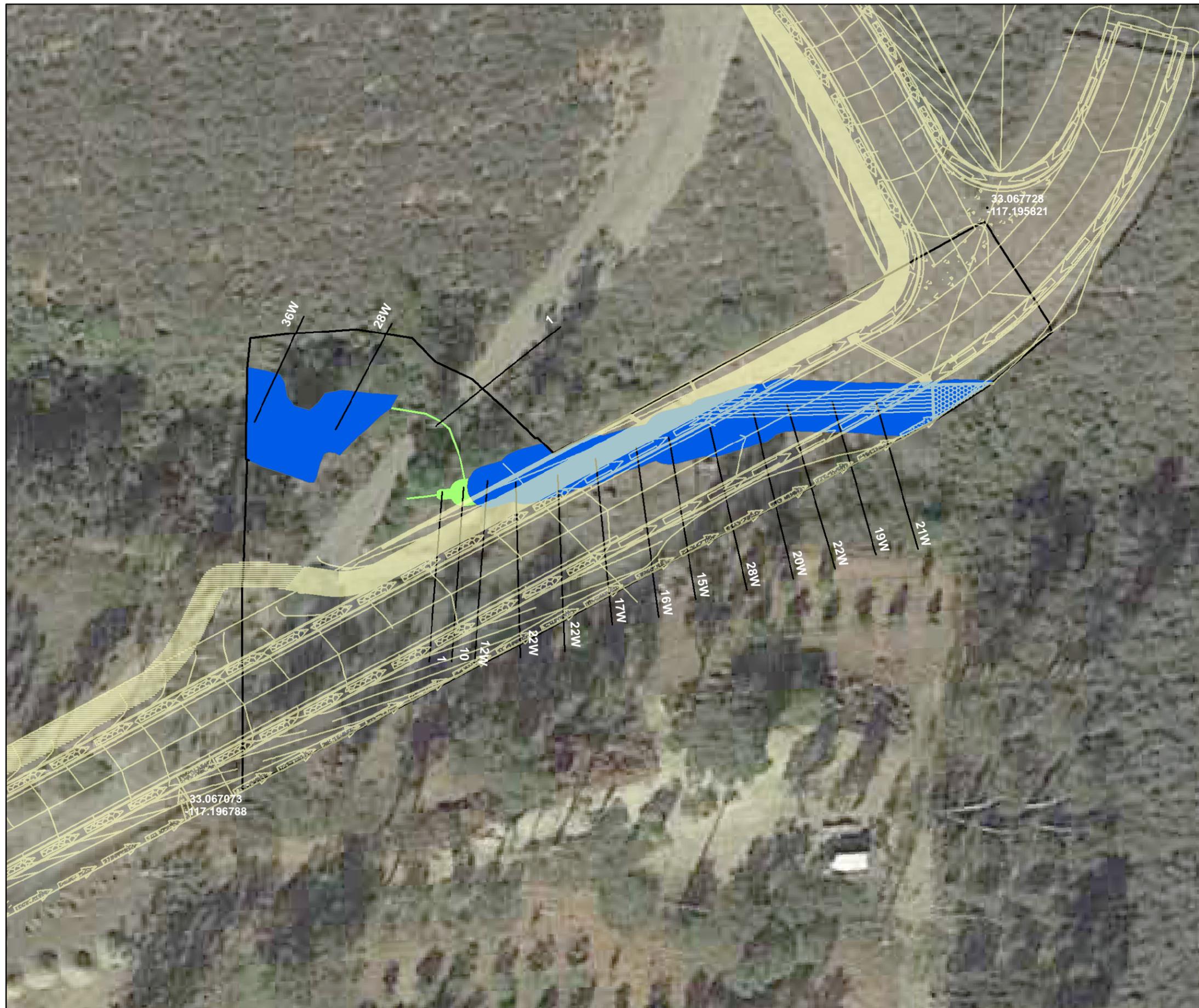
STAVER ROAD PROJECT

Vicinity Map

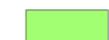
GLENN LUKOS ASSOCIATES

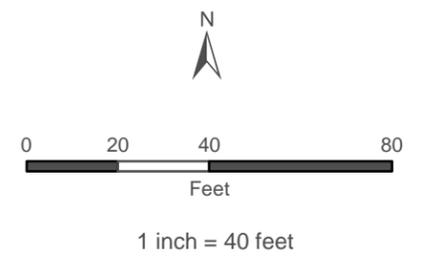


Exhibit 2



Legend

-  Study Area
-  Project Footprint
-  Corps/RWQCB Non-Wetland Waters
-  Corps/RWQCB Wetland
-  Width in Feet



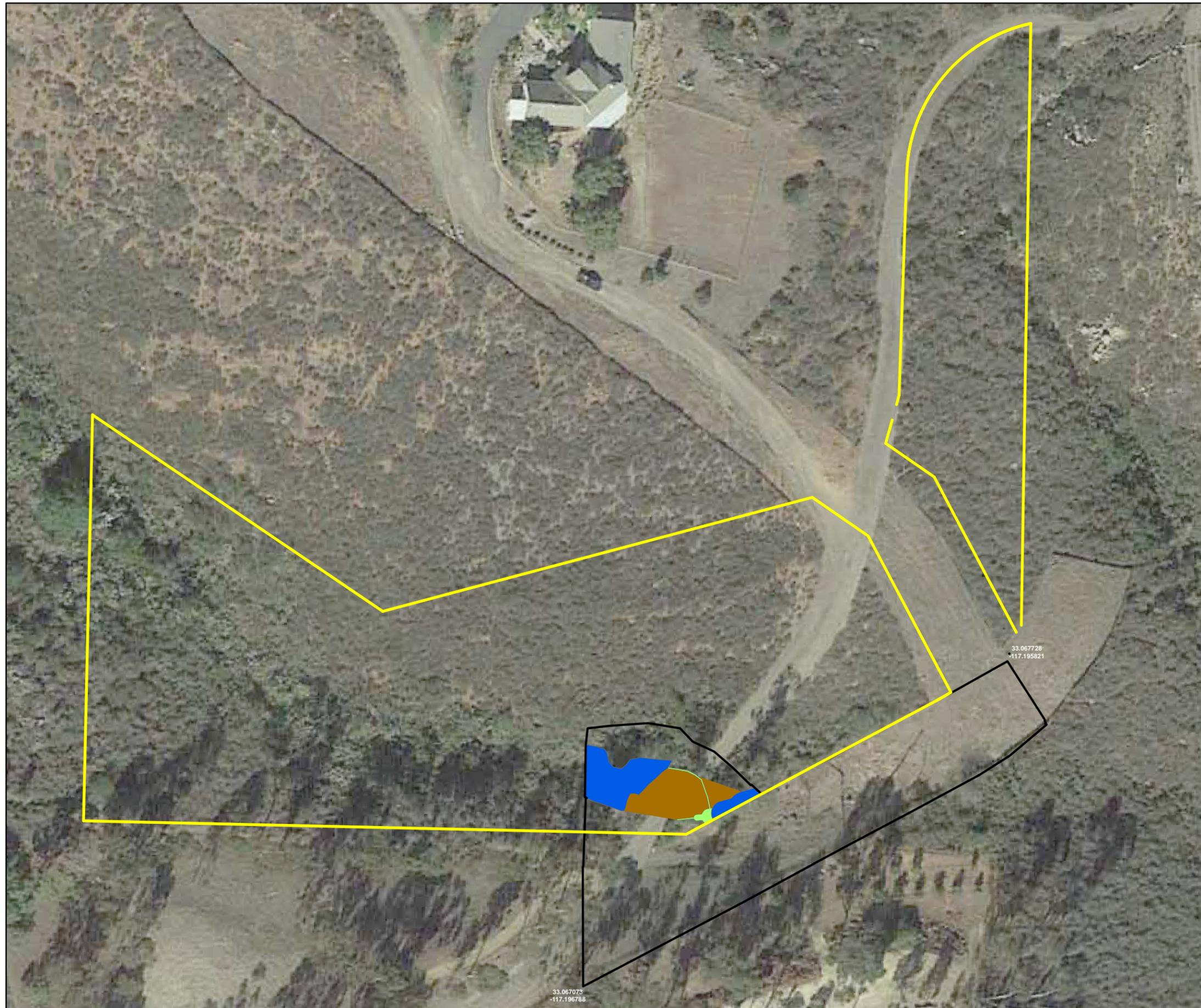
Aerial Photo: ESRI Basemaps
 Reference Elevation Datum: State Plane 6 NAD 83
 Map Prepared by: K. Kartunen, GLA
 Date Prepared: May 13, 2014

STAVER ROAD PROJECT
 Corps/RWQCB Jurisdictional Delineation/Impact Map

GLENN LUKOS ASSOCIATES

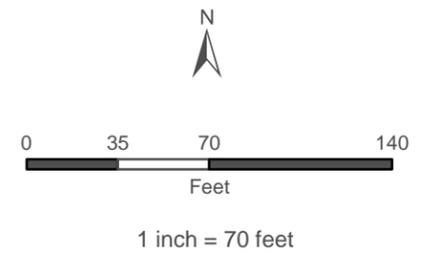


Exhibit 5



Legend

-  Study Area
-  Existing Conservation Easement
-  Existing Corps/RWQCB Non-Wetland Waters
-  Existing Corps/RWQCB Wetland
-  Restoration Area



Aerial Photo: ESRI Basemaps
 Reference Elevation Datum: State Plane 6 NAD 83
 Map Prepared by: K. Kartunen, GLA
 Date Prepared: May 23, 2014

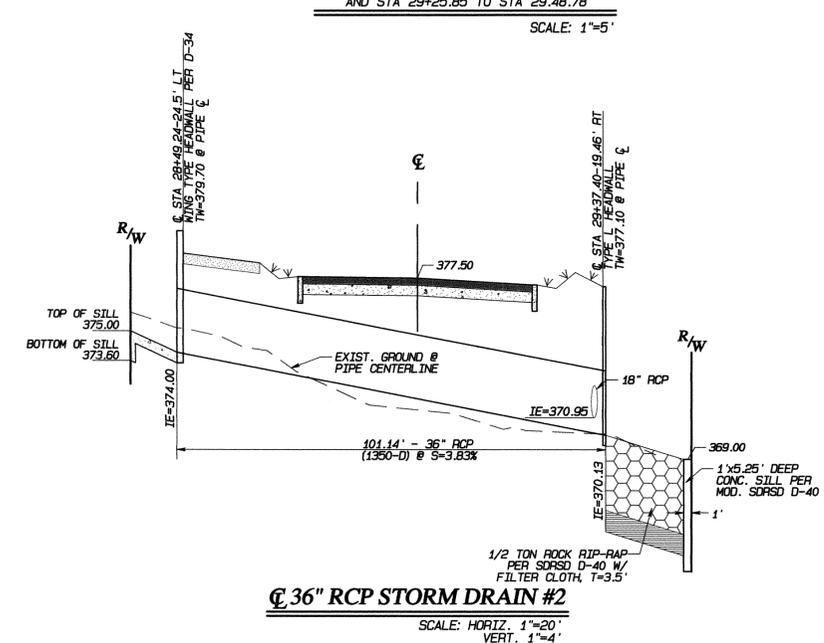
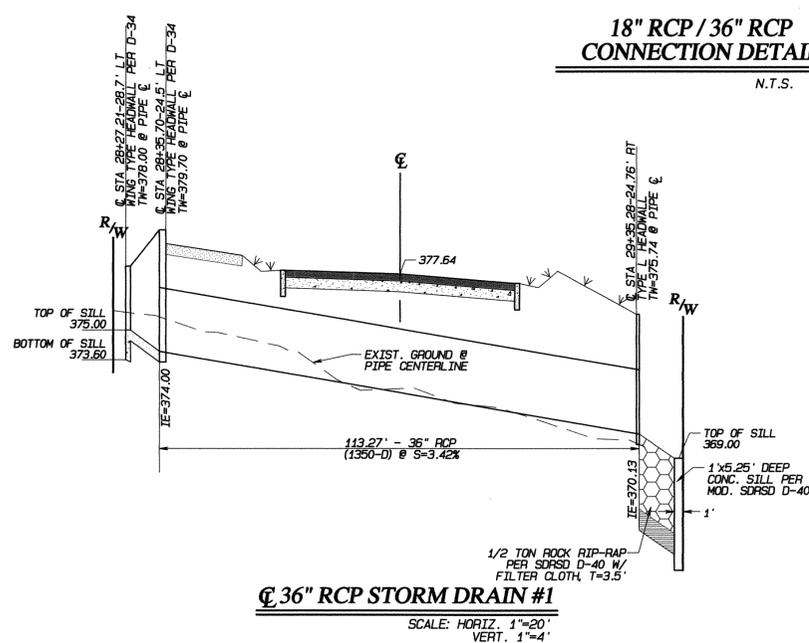
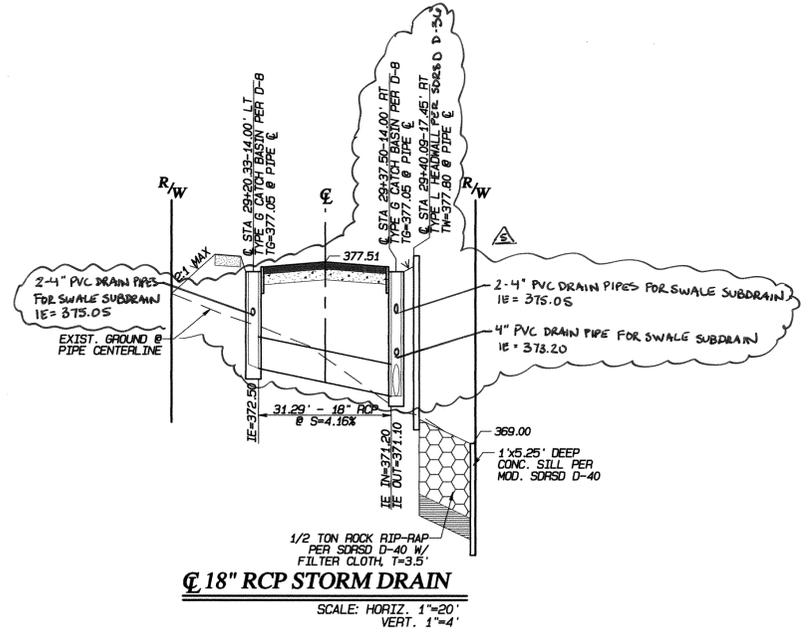
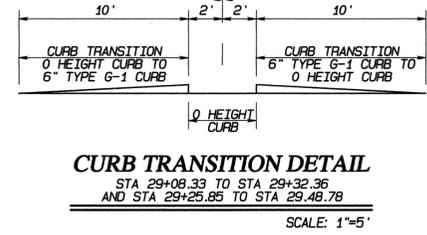
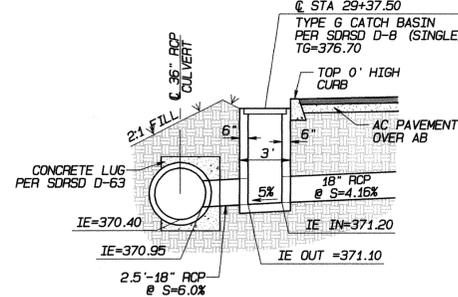
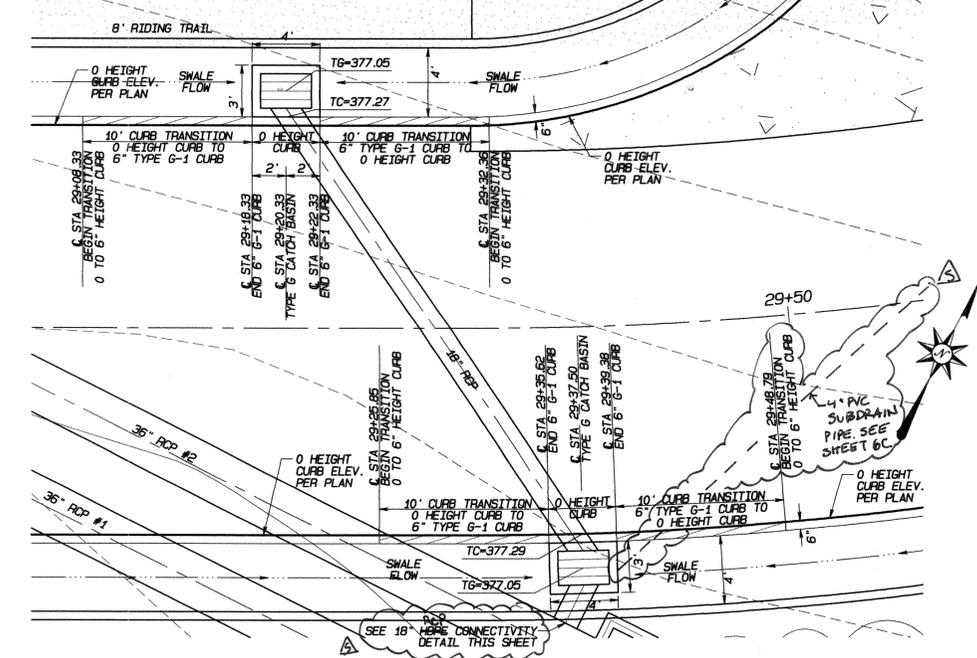
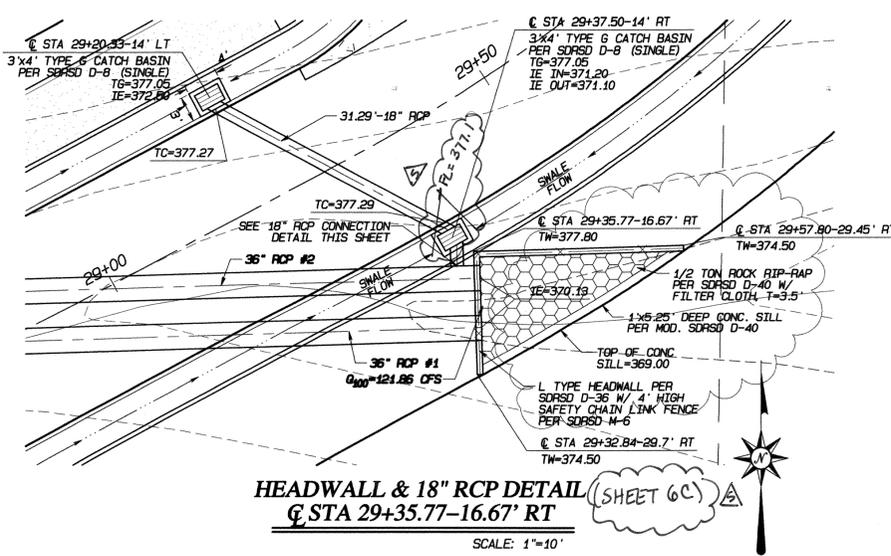
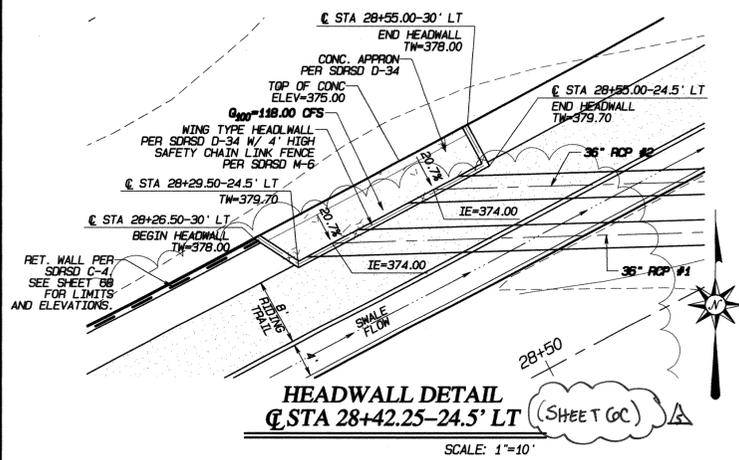
STAVER ROAD PROJECT

Restoration Map

GLENN LUKOS ASSOCIATES



Exhibit 6



AS BUILT

JAMES A. LARET DATE
R.C.E. NO. 29375
EXP. 3/31/13

PASCO LARET SUITER & ASSOCIATES
CIVIL ENGINEERING + LAND PLANNING + LAND SURVEYING
535 N Coast Highway 101 Ste A Solana Beach, CA 92075
ph 858.259.8212 | fx 858.259.4812 | plsengineering.com

REVISIONS	APPROVED	DATE	REFERENCES	DATE	BENCHMARK	SCALE
ADDED SHEET 2C, 9B, 9B	J.A.L.	5/18/12			COUNTY BENCH MARK H-0028 1.1 MI. S.W. HODGES DAM, 15' NLY OF CYL HWY. BENEATH CONC. FLUME CENTER, HWL. CONC. CULVERT, STD. TAB M X D 1938-H28-148. ELEV.=148.224, A.M.S.L.	HORIZONTAL N/A VERTICAL N/A
REVISED P.V.T. IMPROVEMENTS	J.A.L.	12/24/13				

DESIGNED BY: TGL
DRAWN BY: TGL
CHECKED BY: JAL

PLANS PREPARED UNDER THE SUPERVISION OF
DATE: 5/16/12
R.C.E. NO. 29375
EXP. 03-31-13

APPROVALS

RECOMMENDED BY: [Signature]
DATE: [Blank]

APPROVED BY: M.M.D.
DATE: 5/18/12

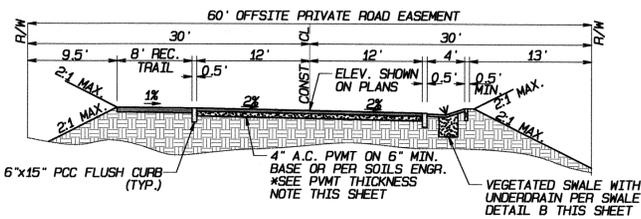
CITY OF ENCINITAS ENGINEERING DEPARTMENT

GRADING AND PRIVATE STREET IMPROVEMENT PLANS FOR:
FORTUNA RANCH ROAD & RANCHO SUMMIT DRIVE
CITY OF ENCINITAS T.M. 89-031

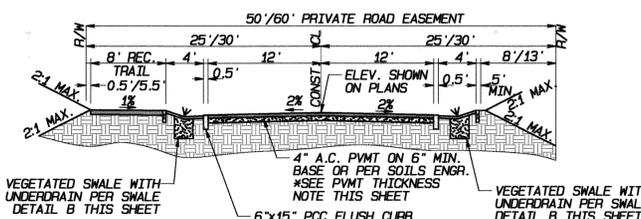
DRAWING NO. 6242-G

SHEET 2C OF 29
PLSA 10108CONSTRUCTION

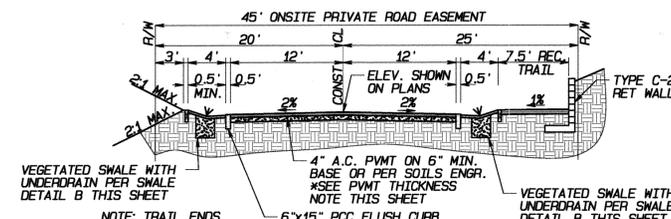




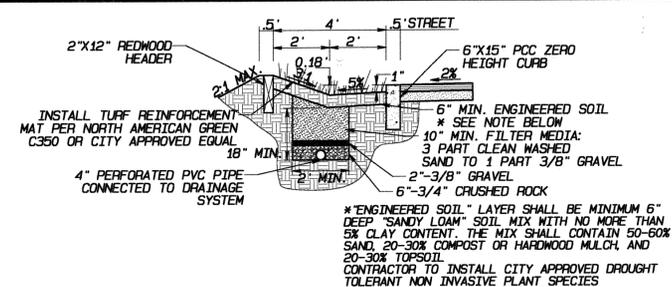
**SHEET 5B
OFFSITE
FORTUNA RANCH ROAD/CANYON DE ORO**
TYPICAL CROSS SECTION N.T.S.
STA. 18+00 TO STA. 22+00
PRIVATE STREET



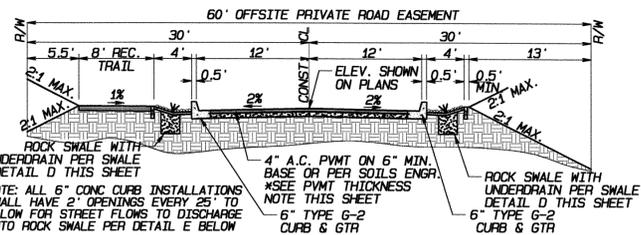
**SHEET 8B & 9B
RANCHO SUMMIT DRIVE**
TYPICAL CROSS SECTION N.T.S.
STA. 14+25 TO STA. 20+00 - 60' ROW
STA. 22+90 TO STA. 29+25 - TRANSITION
PRIVATE STREET



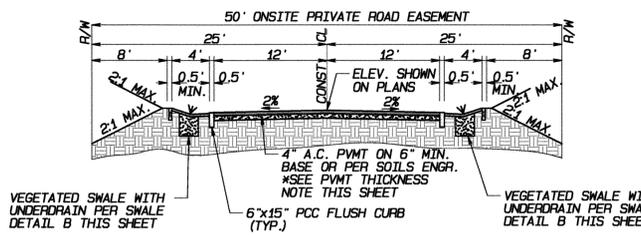
**SHEET 11C
RANCHO SUMMIT DRIVE**
TYPICAL CROSS SECTION N.T.S.
STA. 50+00 TO CUL DE SAC
PRIVATE STREET



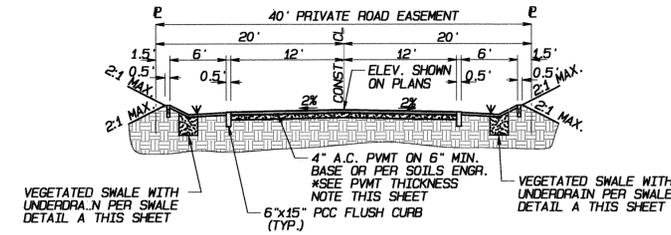
SWALE DETAIL - B
N.T.S.



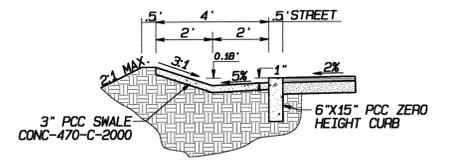
**SHEET 6B
OFFSITE
CANYON DE ORO**
TYPICAL CROSS SECTION N.T.S.
STA. 24+00 TO STA. 26+00
PRIVATE STREET



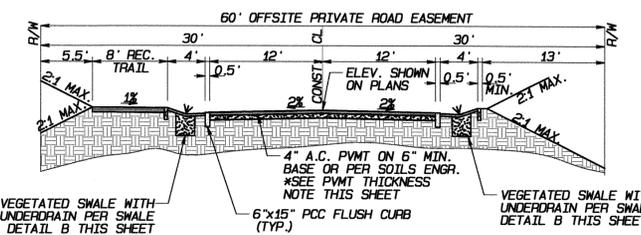
**SHEET 9B
RANCHO SUMMIT DRIVE**
TYPICAL CROSS SECTION N.T.S.
STA. 29+25 TO STA. 32+15
PRIVATE STREET



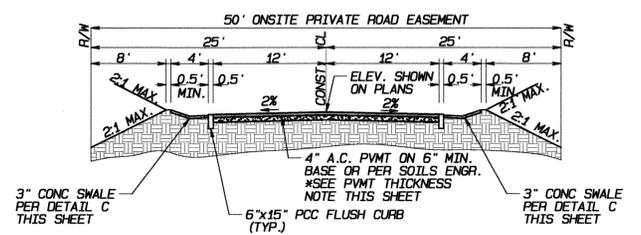
JAMES COURT
TYPICAL CROSS SECTION N.T.S.
PRIVATE STREET



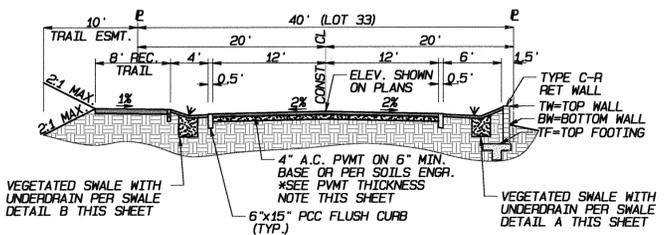
CONC. SWALE DETAIL - C
N.T.S.



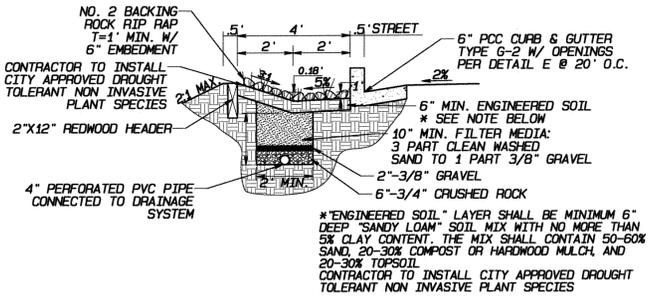
**SHEET 6B
OFFSITE
CANYON DE ORO**
TYPICAL CROSS SECTION N.T.S.
STA. 28+00 TO STA. 31+00
PRIVATE STREET



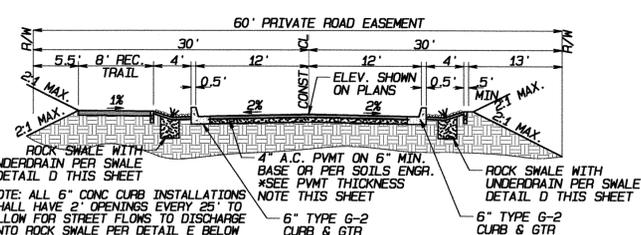
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RANCHO SUMMIT DRIVE**
TYPICAL CROSS SECTION N.T.S.
STA. 32+15 TO STA. 46+00
PRIVATE STREET



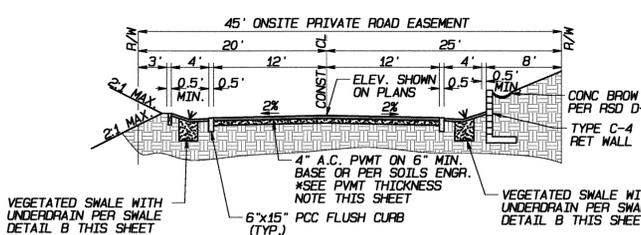
WILLIAMS TERRACE
TYPICAL CROSS SECTION N.T.S.
PRIVATE STREET



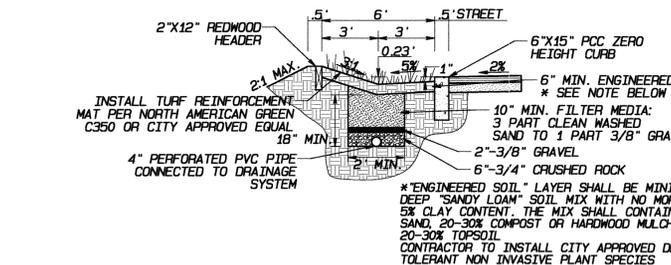
ROCK SWALE DETAIL - D
N.T.S.



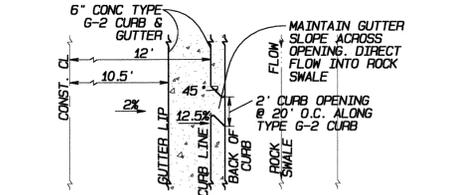
**SHEET 6B, 7B, 8B & 9B
OFFSITE
RANCHO SUMMIT DR**
TYPICAL CROSS SECTION N.T.S.
STA. 1+00 TO STA. 14+25
STA. 20+00 TO STA. 22+90
PRIVATE STREET



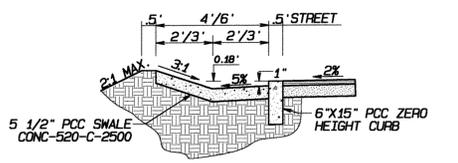
**SHEET 11C
RANCHO SUMMIT DRIVE**
TYPICAL CROSS SECTION N.T.S.
STA. 46+00 TO STA. 50+00
PRIVATE STREET



SWALE DETAIL - A
N.T.S.



CURB OPENING DETAIL - E
N.T.S.



CONC. SWALE DETAIL - F
N.T.S.

PAVEMENT THICKNESS NOTE: FOR ROADWAY GRADES EXCEEDING 10% THE AC PAVEMENT SECTION SHALL BE AS FOLLOWS:

10%-12%	4.5" AC
>12%-14%	5.0" AC
>14%-16%	5.5" AC
>16%-18%	6.0" AC

NEW SHEET

NOTE:
TOP OF ZERO HEIGHT CURB
ELEV. LEFT AND RIGHT FOR
ALL STREETS = \mathcal{C} ELEV - 0.24'

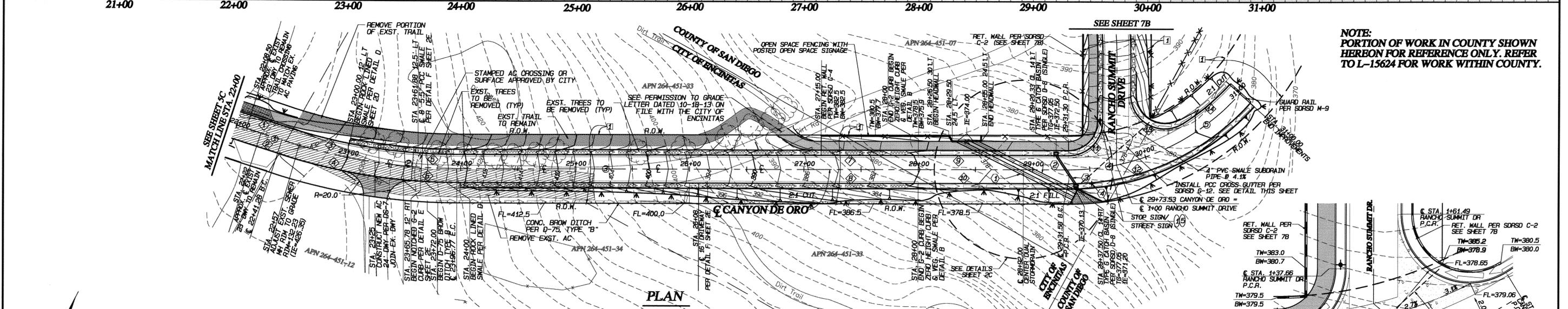
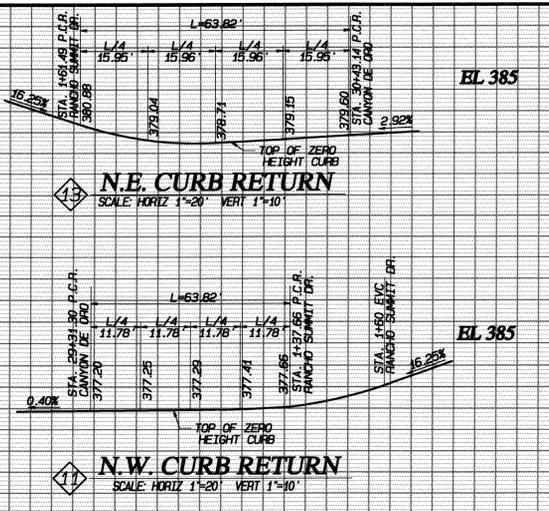
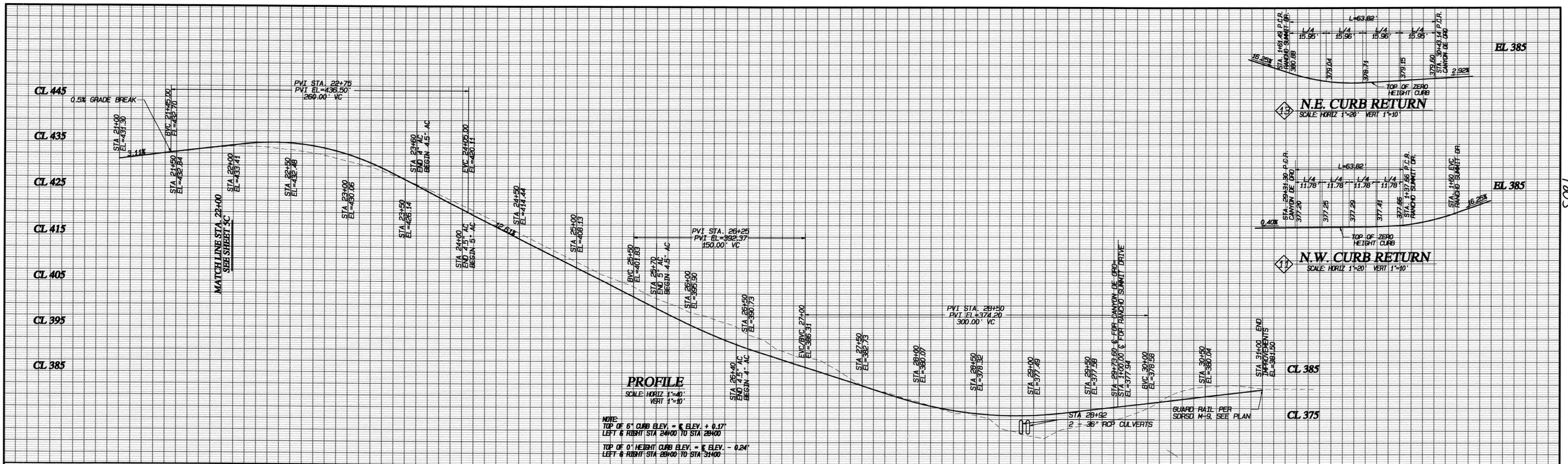
TOP OF 6" CONC CURB
ELEV. LEFT AND RIGHT FOR
ALL STREETS = \mathcal{C} ELEV + 0.17'

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ph 858.259.8212 | fx 858.259.4812 | plsengineering.com



REVISIONS	APPROVED	DATE	REFERENCES	DATE	BENCHMARK	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY	APPROVALS	CITY OF ENCINITAS ENGINEERING DEPARTMENT	DRAWING NO.	
ADDED SHEET 2E		12/26/13			COUNTY BENCH MARK H-0028 1.1 MI. S.W. HODGES DAM, 15' NLY OF C/L HWY. BENEATH CONC. FLUME CENTER, HOML. CONC. CULVERT, STD. TAB M YD 1938-H28-148. ELEV.=148.221, A.M.S.L. NVG029	HORIZONTAL N/A VERTICAL N/A	TBL	TBL	JAL	RECOMMENDED BY: <i>[Signature]</i> DATE: 12/23/13 EXP. 03-31-15	APPROVED BY: <i>[Signature]</i> DATE: 12/26/13	GRADING PLAN FOR: FORTUNA RANCH ROAD & RANCHO SUMMIT DRIVE CITY OF ENCINITAS T.M. 89-031	6242-G SHEET 2E OF 29

1803



CURB DATA TABLE

NO.	Δ / BEARING	RADIUS	LENGTH	DESCRIPTION
1	N79°48'54"E	-	41.28'	6"X15" PCC FLUSH CURB
2	N79°48'54"E	-	41.28'	6"X15" PCC FLUSH CURB
3	06°43'45"	488'	57.31'	6"X15" PCC FLUSH CURB
4	14°16'01"	512'	127.49'	6"X15" PCC FLUSH CURB
5	11°05'20"	488'	94.45'	6" PCC C&G PER SDRSD G-2 W/ 2' OPENINGS @ 20' O.C.
6	03°33'04"	512'	31.73'	6" PCC C&G PER SDRSD G-2 W/ 2' OPENINGS @ 20' O.C.
7	S61°59'49"W	-	403.23'	6" PCC C&G PER SDRSD G-2 W/ 2' OPENINGS @ 20' O.C.
8	S61°59'49"W	-	403.23'	6" PCC C&G PER SDRSD G-2 W/ 2' OPENINGS @ 20' O.C.
9	S61°59'49"W	-	131.30'	6"X15" PCC FLUSH CURB
10	S61°59'49"W	-	131.30'	6"X15" PCC FLUSH CURB
11	90°00'00"	30'	47.12'	6"X15" PCC FLUSH CURB
12	48°10'21"	212'	178.24'	6"X15" PCC FLUSH CURB
13	121°52'55"	30'	63.82'	6"X15" PCC FLUSH CURB
14	16°17'26"	188'	53.45'	6"X15" PCC FLUSH CURB

STORM DRAIN DATA TABLE

NO.	BEARING	LENGTH	DESCRIPTION
1	S88°18'57"W	113.27'	36" RCP
2	S88°18'57"W	101.14'	36" RCP
3	S62°05'20"E	31.29'	18" RCP
4	S1°41'03"E	2.49'	18" RCP

(SEE DETAILS SHEET 2E)

CONSTRUCTION CENTER LINE DATA TABLE

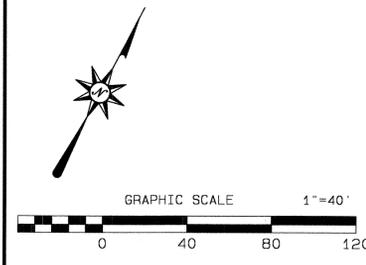
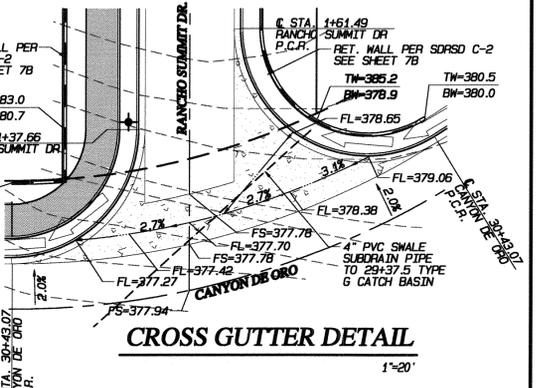
NO.	Δ / BEARING	RADIUS	LENGTH
1	N79°48'54"E	-	41.28'
2	17°49'05"	500'	155.49'
3	S61°59'49"W	-	535.08'
4	11°57'42"	200'	41.75'
5	36°12'39"	200'	126.40'

EASEMENT NOTES

1 EXISTING 60 FOOT PRIVATE ROAD EASEMENT AND PUBLIC UTILITY EASEMENT PER DOC. NO. 19604 FILED JANUARY 31, 1964 AND PROPOSED 60 FOOT PRIVATE ROAD EASEMENT

CONSTRUCTION NOTES

1 STOP SIGN PER RS-1
2 STREET NAME SIGN PER DS-13A



AS BUILT

JAMES A. LARET
R.C.E. NO. 29375
EXP. 03/31/15

DATE

REVISIONS	APPROVED	DATE	REFERENCES	DATE	BENCHMARK	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY	APPROVALS	CITY OF ENCINITAS ENGINEERING DEPARTMENT	DRAWING NO.	
1	AS	12/26/13			COUNTY BENCH MARK H-0028 1.1 MI. S.W. HODGES DAM, 15' NLY OF C/L HMY. BENEATH CONC. FLUME CENTER, HOML. CONC. CULVERT, STD. TAB M1KD 1938-H28-148. ELEV. = 148.221, A.M.S.L. NGVD29	HORIZONTAL 1"=40' VERTICAL 1"=10'	DESIGNED BY JAL	DRAWN BY JAL	CHECKED BY JAL	PLANS PREPARED UNDER THE SUPERVISION OF DATE: 12.2.13 R.C.E. NO. 29375 JAMES A. LARET EXP. 03-31-15	APPROVED BY: M.M.L. DATE: 12/26/13	GRADING AND PRIVATE STREET IMPROVEMENT PLANS FOR: FORTUNA RANCH ROAD & RANCHO SUMMIT DRIVE CITY OF ENCINITAS T.M. 89-031	6242-G SHEET (6C) OF 29

PASCO LARET SUITER & ASSOCIATES
CIVIL ENGINEERING + LAND PLANNING + LAND SURVEYING
535 North Highway 101, Ste A, Solana Beach, CA 92075
ph 858.259.8212 | fx 858.259.4812 | plsengineering.com

REGISTERED PROFESSIONAL ENGINEER
JAMES A. LARET
No. 29375
Exp. 03/31/15
STATE OF CALIFORNIA

NEW SHEET

Rancho Summit LLC
Staver Rd Project
Certification No. R9-2014-0061

ATTACHMENT 3

CEQA Mitigation Monitoring and Reporting Program

1. Mitigation and Monitoring Reporting Program, Staver Property Grading Plan 6242-G, Table A and B

R9-244-0061

806919

6/14/14

FINAL
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
STAVER PROPERTY GRADING PLAN 6242-G
Case No. 01-229

a continuation of
Case No.98-018 and Case No.89-031
SCH#90011123

Prepared for

City of Encinitas
505 South Vulcan Avenue
Encinitas, California 92024

By

Curtis Scott Englehorn and Associates
Post Office Box 458
Cardiff by the Sea, California 92007

July 2004

Table A
Significant Effects and Mitigation Measures

Impact	Mitigation	Level of Significance After Mitigation
<p><u>Biology</u> Loss of 1.58 acres of Diegan Coastal Sage Scrub; loss of 0.08 acre of Southern Willow Scrub.</p>	<p>The applicant shall provide proof of purchase of credits for 3.20 acres of Diegan Coastal Sage Scrub and 0.24 acre of Southern Willow Scrub from an off-site mitigation bank suitable to the Community Development Director prior to issuance of the grading permit; or</p> <p>The applicant shall set aside 3.20 acres of Diegan Coastal Sage Scrub under an open space easement on residential lots adjacent to established open space lots and provide proof of purchase of credits for 0.24 acre of Southern Willow Scrub from an off-site mitigation bank suitable to the Community Development Director prior to issuance of the grading permit.</p>	<p>Insignificant</p>

Biology

Significant Effects

As currently designed, the Grading Plan road, trail, and sewer improvements would result in the loss of 2.33 acres (City 0.54 ac trail/sewer line plus 0.21 ac road; County 1.58 ac) of Diegan Coastal Sage Scrub and 0.08 acre of Southern Willow Scrub.

Mitigation Measures

The applicant shall provide proof of purchase of credits for (based on a ratio of 2:1) 3.20 acres of Diegan Coastal Sage Scrub and (based on a ratio of 3:1) 0.24 acre of Southern Willow Scrub from an off-site mitigation bank suitable to the Community Development Director prior to issuance of the grading permit. As an alternative option to mitigate the sage scrub loss the applicant may choose to set aside (based on a ratio of 2:1) 3.20 acres of Diegan Coastal Sage Scrub under an open space easement on residential lots adjacent to established open space lots. These measures would reduce impacts to biology to an insignificant level.

Mitigation Monitoring and Reporting Program

Assembly Bill (AB) 3180 mandates a mitigation monitoring and reporting program to ensure that a project complies with adopted mitigation measures. The program for the Grading Plan is itemized in Table B.

Table B
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting
<p>A. <u>Biology: Need to compensate for loss of sensitive habitat</u></p> <p>The applicant shall provide proof of purchase of credits for 3.20 acres of Diegan Coastal Sage Scrub and 0.24 acre of Southern Willow Scrub from an off-site mitigation bank suitable to the Community Development Director prior to issuance of the grading permit; or</p> <p>The applicant shall set aside 3.20 acres of Diegan Coastal Sage Scrub under an open space easement on residential lots adjacent to established open space lots and provide proof of purchase of credits for 0.24 acre of Southern Willow Scrub from an off-site mitigation bank suitable to the Community Development Director prior to issuance of the grading permit.</p>	<p>A. Prior to approval of the Grading Plan the City Engineer shall receive clearance from the Community Development Director that the applicant has provided acceptable proof of purchase of off-site habitat as directed by the aside identified mitigation measure for biology; or</p> <p>B. Prior to approval of the Grading Plan the City Engineer shall receive clearance from the Community Development Director that the applicant has placed an open space easement on the final map and provided acceptable proof of purchase of off-site habitat as directed by the aside identified mitigation measure for biology.</p>