



California Regional Water Quality Control Board San Diego Region



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Certified Mail – Return Receipt Requested

Article Number: 7009 1410 0002 2347 5982

October 13, 2009

Esther Daigneault
Environmental Planning Manager
County of San Diego, Dept. of Public Works
5469 Kearny Villa Road, Suite 305
San Diego, CA 92123

In reply refer to:

643812: mporter

Dear Ms. Daigneault:

Subject: **Action on Request to Amend Clean Water Act Section 401 Water Quality Certification No. 06C-089 for the Black Canyon Road Bridge Replacement Project.**

The California Regional Water Quality Control Board, San Diego Region (Regional Board) is amending the Black Canyon Road Bridge replacement project, Certification number 06C-089. This amendment has been requested by the County of San Diego to extend the mitigation installation deadline and to incorporate a new Conceptual Mitigation Plan.

The previously approved off-site mitigation area was located adjacent to Ramona Landfill at the intersection of Pamo Road and Burma Road. In February 2008, a historic burn dump was identified within the mitigation area. Per discussions with the resource agencies in August 2008, the site could no longer be used to mitigate for impacts of the project since the remediation areas overlapped with the mitigation boundaries. Two new mitigation sites, the Knight property and the Sun property, have been proposed based on their location within the same watershed as the project and the property owner's willingness to sell a conservation easement. The sites were also selected for mitigation because they are ecologically appropriate to restore and enhance wetland/riparian and oak woodland habitat and because of their location adjacent to an environmentally sensitive area.

Any petition for reconsideration of this Certification amendment 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 County of San Diego has accepted and will comply with all conditions of the Certification. Failure to comply with all conditions of this Certification may result in enforcement actions against the County of San Diego.

Changes to the Certification are shown in ~~strikeout~~ and underline fonts below.

California Environmental Protection Agency

B. MITIGATION

2. Mitigation for permanent impacts to 0.04 acres of waters of the US/State will be achieved at a 5:1 ratio, by the creation/restoration of wetland habitat at the ~~Betsworth Mitigation Site in accordance the July 2006 DPW ESU Betsworth Conceptual Wetland Mitigation Plan for Black Canyon Road and Valley Center Bridge Replacement Projects Valley Center, California (Prepared by EDAW Inc).~~ **in accordance with the Conceptual Wetland and Oak Riparian Forest Mitigation Plan for Black Canyon Road Bridge Replacement Project San Diego County, California, prepared August 26, 2009 by EDAW, Inc.**

6. The construction of proposed mitigation shall be completed within the same calendar year as impacts occur, or at least no later than 9 months following the close of the calendar year in which impacts first occur (e.g., if impacts occur in June 2007, construction of mitigation for all impacts must be completed no later than September 2008). **by February 2010.**

Attachment 1:

Compensatory
Mitigation:

Mitigation for permanent impacts to 0.04 acres of waters of the US/State will be achieved at a 5:1 ratio, by the creation/restoration of wetland habitat at the ~~Betsworth Mitigation Site in accordance the July 2006 DPW ESU Betsworth Conceptual Wetland Mitigation Plan for Black Canyon Road and Valley Center Bridge Replacement Projects Valley Center, California (Prepared by EDAW Inc).~~ **in accordance with the Conceptual Wetland and Oak Riparian Forest Mitigation Plan for Black Canyon Road Bridge Replacement Project San Diego County, California, prepared August 26, 2009 by EDAW, Inc.**

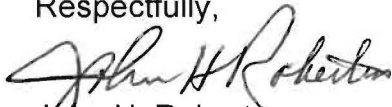
Mitigation for temporary impacts to 0.115 acres of waters of the US/State, will be achieved at a 1:1 ratio, by the restoration of impacted areas to preconstruction conditions.

Attachment 5:

Attachment 5 of the original Certification is removed and replaced with the mitigation map dated July 20, 2009.

In the subject line of any response, please include the requested **"In reply refer to:"** information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mike Porter at (858) 467-2726 or mporter@waterboards.ca.gov.

Respectfully,



John H. Robertus
Executive Officer

San Diego Regional Water Quality Control Board

Cc via email:

Terrence Dean
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Kelly Fisher
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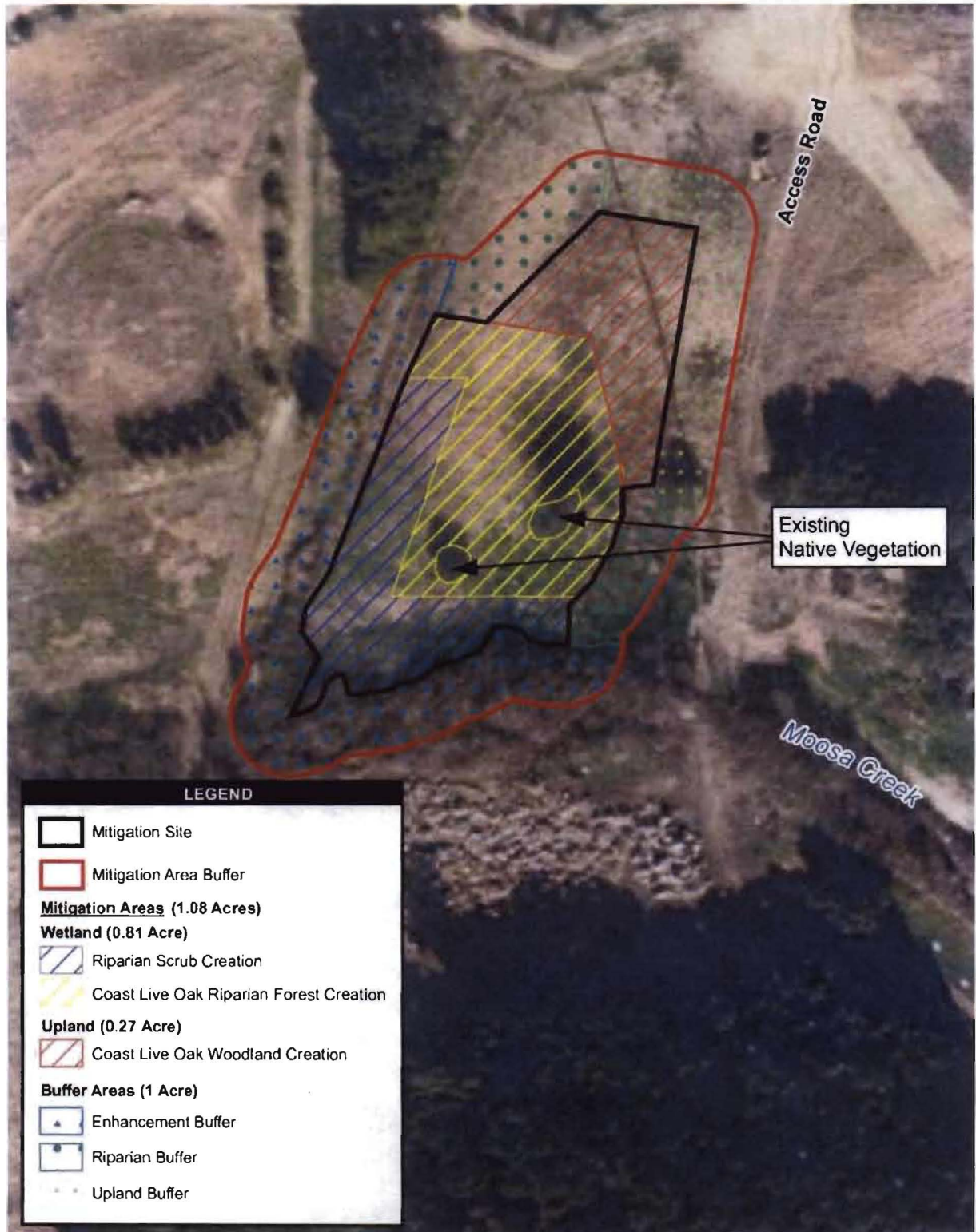
Bill Orme
State Water Resources Control Board, Division of Water Quality
Stateboard401@waterboards.ca.gov

Enclosed: Attachment 5: Mitigation Map

Tech Staff Info & Use	
File No.	06C-089
WDID	9 000001536
Reg. Measure ID	316536
Place ID	643812
Party ID	287958
Person ID	341074

ATTACHMENT 5 MITIGATION MAP

This map is to be removed from the Certification
Date of map: July 13, 2006



**ATTACHMENT 5
MITIGATION MAP**
This map is to be added to the Certification
Date of map: July 20, 2009

