



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Acting Secretary for
Environmental Protection

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

Edmund G. Brown Jr.
Governor

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(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

June 3, 2011

In reply refer to:
762000:cloflen

Mr. Russell Williams
Riverside County Transportation Department
3525 14th Street
Riverside, CA 92501

Dear Mr. Williams:

**SUBJECT: CLEAN WATER ACT SECTION 401 WATER
QUALITY CERTIFICATION NO. 11C-007 FOR THE
STATE ROUTE 79 WIDENING PROJECT:
THOMPSON ROAD TO DOMENIGONI PARKWAY.**

Enclosed is the 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 State Route 79 Widening Project: Thompson Road to Domenigoni Parkway 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 6.

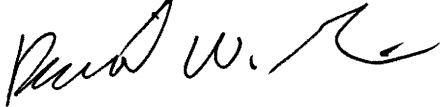
Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that you have accepted and will comply with all the conditions of this Certification.

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.

California Environmental Protection Agency

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 Chad Loflen at (858) 467-2727 or cloflen@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-007 for State Route 79 Widening Project: Thompson Road to Domenigoni Parkway Project, with six attachments

E-copies: Refer to Attachment 2 of Certification 11C-007 for the Distribution List.

Tech Staff Info & Use	
File No.	11C-007
WDID	900002221
Reg. Measure ID	377353
Place ID	762000
Party ID	525654
Person ID	525655



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

PROJECT: State Route 79 Widening Project -
Thompson Road to Domenigoni Parkway
Certification Number 11C-007

APPLICANT: Mr. Russell Williams
Riverside County Transportation Department
3525 14th Street
Riverside, CA 92501

CIWQS
Reg. Meas: 377353
Place: 762000
Party: 525654
WDID: 9 000002221

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

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



PROJECT DESCRIPTION:

The project includes the widening and improvement of State Route 79 (SR-79) for a distance of approximately 7.5-miles from Thompson Road to Domenigoni Parkway. The project will take place within the California Regional Water Quality Control Boards, San Diego and Santa Ana Regions. The majority of the project, including all impacts to waters of the United States (U.S.) will occur within the jurisdiction of the San Diego Region (San Diego Water Board). The project will widen SR-79 from two to four lanes and construct associated median and turn lane improvements. The project will result in permanent impacts to approximately 0.11-acres (1,482 linear feet) of waters of the U.S. and/or State, with impacts primarily associated with culvert replacements and extensions. The project also includes the installation of approximately 23,000-linear feet of biofiltration swales and strips. The swales and strips will treat some of the existing and most of the new impervious surfaces associated with the project. Approximately 27.5-acres of existing impervious surfaces and 32.3-acres of new impervious surface area will receive treatment by the swales and strips. Approximately 7-acres (18%) of new impervious areas cannot be treated due to site topography and existing right-of-way restrictions. Although 100% of the new impervious areas will not be treated, the retro-treatment of 27.5-acres of existing impervious areas provides compensatory pollutant removal to the affected watershed.

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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 (Action 3).

- 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 (Actions 1 and 2) 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-007 (Certification) is only valid if the project begins no later than 5 (five) years from the date of issuance. If the project has not begun within 5 years from the date of issuance, then this Certification expires.
- B. The Riverside County Transportation Department 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. The Riverside County Transportation Department 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, the Riverside County Transportation Department 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. The Riverside County Transportation Department 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 require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the San Diego Water Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- H. In response to any violation of the conditions of this Certification, the San Diego Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the project, and annually thereafter, the Riverside County Transportation Department must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices (BMPs) implementation and maintenance.
- B. The Riverside County Transportation Department 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.
- C. The Riverside County Transportation Department must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *NPDES General Permit for Storm Water Discharges Associated with Construction Activity*.
- D. 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 § 13260.
- E. Discharges of concentrated flow during construction or after completion must not cause erosion or damage to properties or stream habitat.
- F. 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.
- G. 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.
- H. All areas that will be left in a rough graded state must be stabilized no later than one week after completion of grading. The Riverside County Transportation Department is responsible for implementing and

maintaining BMPs to prevent erosion of the rough graded areas to prevent flow from this area from causing negative impacts to beneficial uses. After completion of grading, all areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/weedlist.php>.

- I. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- J. 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. Removal of vegetation must occur outside of the avian nesting season (March 15 - August 31).

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The Riverside County Transportation Department is prohibited from allowing post-construction discharges to cause onsite or offsite downstream erosion, damage to properties or damage to stream habitats in the area that will receive post-construction discharges from project site.
- B. All storm drain inlet structures within the project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. For all added impervious surfaces, post-construction BMPs as proposed in SR-79, Thompson Road to Domenigoni Parkway Storm Water Data Report, Caltrans (December 28, 2010), must be sized to comply with the following numeric sizing criteria:
 1. Volume
Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

- a. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record; or
 - b. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event; or
2. Flow
Flow-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:
- a. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
 - b. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or
 - c. The maximum flow rate of runoff, as determined from the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.
- D. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of project areas.
- E. All post-construction BMPs, including but not limited to, biofiltration swales and biofiltration strips, as described in SR-79, Thompson Road to Domenigoni Parkway Storm Water Data Report, Caltrans (December 28, 2010), and storm water discharge points must:
1. Be regularly inspected and maintained for the life of the project per manufactures' specifications and industry standards.
 2. Have all preventive and corrective maintenance performed.
 3. Be inspected no less than one time per year, immediately prior to the commencement of the rainy season (October 1) and after every storm event exceeding 0.5 inches of precipitation.
 4. Have a log documenting all BMP inspections and maintenance activities.
- F. The Riverside County Transportation Department must maintain the biofiltration swales and strips in perpetuity according to the most recent

California Stormwater Quality Association guidance for extended detention basins. Typical activities include, but are not limited to:

1. Semiannual inspection for the beginning and end of the wet season for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows.
2. Removal of accumulated trash and debris in the swales and strips as needed to ensure proper functioning of the swales and strips.
3. Maintenance mowing and reseeding (if necessary).

V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION

- A. Mitigation for permanent discharges to 0.11-acre (1,482-linear feet) and temporary discharges to 0.01-acres (200-linear feet) of wetland and non-wetland waters of the United States and/or State must be achieved at as described in the State Route 79 Widening Project: Thompson Road to Domenigoni Parkway, Draft Habitat Mitigation and Monitoring Plan, Caltrans (April 2011). Mitigation must include:
 1. In-watershed establishment of 0.14-acre of Southern willow scrub.
 2. In-watershed establishment of 0.10-acre (1,500-linear feet) of streambed.
- B. The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months 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. The Riverside County Transportation Department 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. The Riverside County Transportation Department must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
- D. The Riverside County Transportation Department must salvage leaf litter, coarse woody debris, and upper soil horizons from impacted jurisdictional water sites that are relatively free of invasive exotic species for use in on-site mitigation areas.

- E. The Riverside County Transportation Department must also salvage large cuttings from appropriate tree species if they exist at the impact site and use them as pole plantings at the mitigation site.
- F. The mitigation site must be designed and constructed to meet the following conditions:
 - 1. Most of the channel through the mitigation site is characterized by equilibrium conditions, with no evidence of severe aggradation or degradation.
 - 2. As viewed along cross-sections, the channel and buffer have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope contains physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall.
 - 3. The mitigation site has a well-developed plant community characterized by a high degree of horizontal and vertical interspersation among plant zones and layers.
- G. Throughout 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.
- H. San Diego Water Board acceptance of the final mitigation plan applies only to the site and plan that mitigates for the State Route 79 Widening Project: Thompson Road to Domenigoni Parkway 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.
- I. 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.
- J. 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, The Riverside County Transportation Department is responsible for repair and replanting of the damaged area(s).

- K. For the purpose of determining mitigation credit for the removal of exotic/invasive plant species, only the actual area occupied by exotic/invasive plant species must be quantified to comply with mitigation requirements.
- L. 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).
- M. Mitigation maintenance and monitoring shall continue until success criteria are achieved.

VI. MONITORING REQUIREMENTS:

- A. Monitoring of the mitigation site must utilize a quantitative, function-based assessment to establish baseline conditions, set success criteria, and to assess mitigation site progress, until criteria have been met.

VII. NOTIFICATION REQUIREMENTS:

- A. The Riverside County Transportation Department must notify the San Diego Water Board within **24 hours** of any unauthorized discharge, including hazardous or toxic materials, to waters of the United States and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best

management practices (BMPs) or other measures that will be implemented to prevent future discharges.

- B. This Certification is not transferable in its entirety or in part to any person except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.
1. **Transfer of Property Ownership:** the Riverside County Transportation Department 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 Riverside County Transportation Department 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 Executive Officer of 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 Section V and section V.I.C of 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 Riverside County Transportation Department 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 Riverside County Transportation Department 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. 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.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Riverside County Transportation Department will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve The Riverside County Transportation Department of this Certification in the event that a transferee fails to comply.

- C. **Prior** to construction, the Riverside County Transportation Department must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. Within **one year** of the start of construction, the Riverside County Transportation Department must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. Construction of the site must not be initiated until a completed preservation mechanism is received. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the United States that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the site. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

VIII. REPORTING REQUIREMENTS:

- A. The Riverside County Transportation Department must submit annual progress reports describing status of compliance with all requirements of this Certification to the San Diego Water Board prior to **August 1** of each year following the issuance of this Certification until the project has reached completion. The Riverside County Transportation Department must submit a Final Project Annual Report to the San Diego Water Board prior to **August 1** following completion of the project. The reports must include the following:

1. Date of construction initiation.

2. Projected date of construction completion.
 3. Status of BMPs for the project.
 4. GPS coordinates for post-construction BMPs.
 5. Final Project Report: As-built drawings no larger than 11”X17.”
- B. The Riverside County Transportation Department must submit a Final Mitigation Plan **prior to commencement of Project** construction.
- C. The San Diego Water Board Executive Officer may make revisions to the Receiving Water monitoring program at any time during the five year monitoring term, and may include a reduction or increase in the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. Mitigation monitoring reports must be submitted annually 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. Results of functional assessments.
 6. Topographic complexity characteristics at each mitigation site;
 7. Upstream and downstream habitat and hydrologic connectivity.
 8. Source of hydrology.
 9. Width of native vegetation buffer around the entire mitigation site.
 10. Analysis of success criteria.

11. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results.
 12. 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.
 13. 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.
- E. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to furnish requested information pursuant to CWC section 13268.
- F. 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.
- G. 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.
- H. 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."

- I. The Riverside County Transportation Department must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 11C-007
9174 Sky Park Court, Suite 100
San Diego, California 92123

IX. CEQA FINDINGS:

- A. The State of California Department of Transportation 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 December 31, 2010, for a Mitigated Negative Declaration under CEQA Guidelines Title 14, California Code of Regulations. The State of California Department of Transportation has determined the project will not have a significant effect on the environment and mitigation measures were made a condition of the project.
- B. The San Diego Water Board has reviewed the lead agency's Mitigated Negative Declaration and also finds that the project as proposed will not have a significant effect on the environment with conditioned mitigation measures and therefore determines that issuance of this Certification is consistent with the Mitigated Negative Declaration.

X. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

- A. On January 27, 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.

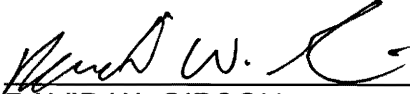
XI. SAN DIEGO WATER BOARD CONTACT PERSON:

Mike Porter
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
858-467-2726 and mporter@waterboards.ca.gov

XII. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **State Route 79 Widening Project Thompson Road to Domenigoni Parkway** (Certification No. 11C-007) 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 waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).



 DAVID W. GIBSON
 Executive Officer
 Regional Water Quality Control Board

6-3-2011
 Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map(s)
 4. Site Map(s)
 5. Mitigation Map(s)
 6. Checklist of Required Reports and Notifications

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Riverside County Transportation Department
Attention: Mr. Russell Williams
3525 14th Street
Riverside, CA 92501
Telephone: 951-955-2016
Facsimile: 951-955-3164
Email: ruwillia@rctlma.org

**Applicant
Representatives:** ICF International
Attention: Ms. Lesley Hill
1 Ada Street
Suite 100
Irvine, CA 92618
Telephone: 949-333-6600
Facsimile: 949-333-6601
Email: lhill@icfi.com

Project Name: State Route 79 Widening Project: Thompson Road to
Domenigoni Parkway

Project Location: State Route 79 between Thompson Road and Domenigoni
Parkway in the unincorporated French Valley and Domenigoni
Valley areas of southwestern Riverside County.

Latitude: 33.647698° N Longitude: -117.084022°W

Type of Project: Transportation

Need for Project: Improve traffic capacity and safety.

Project Description: The project includes the widening and improvement of State
Route 79 (SR-79) for a distance of approximately 7.5-miles
from Thompson Road to Domenigoni Parkway. The project
will take place within the California Regional Water Quality
Control Boards, San Diego and Santa Ana Regions. The
majority of the project, including all impacts to waters of the
United States (U.S.) will occur within the jurisdiction of the

San Diego Region (San Diego Water Board). The project will widen SR-79 from two to four lanes and construct associated median and turn lane improvements. The project will result in permanent impacts to approximately 0.11-acres (1,482 linear feet) of waters of the U.S. and/or State, with impacts primarily associated with culvert replacements and extensions. The project also includes the installation of approximately 23,000-linear feet of biofiltration swales and strips. The swales and strips will treat some of the existing and most of the new impervious surfaces associated with the project.

Approximately 27.5-acres of existing impervious surfaces and 32.3-acres of new impervious surface area will receive treatment by the swales and strips. Approximately 7-acres (18%) of new impervious areas cannot be treated due to site topography and existing right-of-way restrictions. Although 100% of the new impervious areas will not be treated, the retro-treatment of 27.5-acres of existing impervious areas provides compensatory pollutant removal to the affected watershed.

Federal
Agency/Permit:

U.S. Army Corps of Engineers §404, NWP 2011-0169-SJH, ACOE Staff Ms. Stephanie Hall, Los Angeles Regulatory.

Other Required
Regulatory Approvals:

California Department of Fish and Game Streambed Alteration Agreement, Ms. Joanna Gibson, Ontario Office.

California
Environmental Quality
Act (CEQA)
Compliance:

State Route 79 Widening Project: Thompson Road to Domenigoni Parkway, Initial Study with Mitigated Negative Declaration / Environmental Assessment, December 28, 2010, State Clearing House Number 2009071028, State of California Department of Transportation.

Receiving Water:

The project area lies within the San Jacinto River and Santa Margarita River watersheds. The northernmost 0.75 miles of the project alignment is tributary to Salt Creek, which in turn drains to Canyon lake, Lake Elsinore and the Santa Ana River.

The majority of the site is tributary to Warm Springs, Tocalota and Santa Gertrudis Creeks, all draining to Murrieta Creek and the Santa Margarita River.

Impacted waters are unnamed tributaries that are exclusively in the Santa Margarita hydrologic unit, Murrieta hydrologic area, French (902.33) and Domenigoni (902.35) hydrologic subareas.

Affected Waters of the United States:	Temporary:	
	Wetland	0.003-acre
	Streambed	0.007-acre, 200-linear feet
	Permanent:	
	Wetland	0.02-acre
	Streambed	0.06-acre, 1,482-linear feet

Affected Waters of the State:	Temporary:	
	Wetland	0.003-acre
	Streambed	0.007-acre, 200-linear feet
	Permanent:	
	Wetland	0.02-acre
	Streambed	0.06-acre, 1482-linear feet
	Pond	0.03 acre (ephemeral)

Dredge Volume: None

Related Projects Implemented/to be Implemented by the Applicant(s):	The 401 application identifies an earlier project for improvements on SR-79 from Hunter to Thompson and for the Clinton Keith Road Extension from I-215 to SR-79.
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Compensatory Mitigation:	Riparian/Wetland	0.14-acre
	Streambed	0.10-acre, 1,500-linear feet

Mitigation is described in the State Route 79 Widening Project: Thompson Road to Domenigoni Parkway, Draft Habitat Mitigation and Monitoring Plan, dated April 2011.

Compensatory mitigation includes creation of 1,500 linear feet of new stream bed (3 feet wide), planting the banks of the new stream with a riparian seed mix, and creation of new Southern willow scrub habitat on a parcel that is conserved under the

Western Riverside Multiple-species Habitat Conservation Plan.

Mitigation Location: The proposed mitigation site is located approximately 3 miles west of SR-79 on Western Riverside County Multiple Species Habitats Conservation Plan land (APN 388-270-015) which is adjacent to an unnamed tributary to Warm Springs Creek within the northern area of the Santa Margarita Watershed. The site is located south of Golden Jay Lane and West of Briggs Road. Access to the mitigation site is via Briggs Road, east of I-215, off Scott Road. The site is within the Romonoland, CA 7.5-minute USGS quadrangle Section 24, Township 6 South, and Range 2 West.

Latitude: 33.629006° N Longitude: -117.136867° W

Best Management Practices (BMPs): Proposed Construction BMPs are described in SR-79, Thompson Road to Domenigoni Parkway Storm Water Data Report, dated December 28, 2010. Proposed BMPs include:

Fiber rolls.
Silt fences.
Gravel bags.
Stabilized construction entrances/exits.
Tire washing stations.
Street sweeping.
Storm drain inlet protection.
Concrete washout areas.
Hazardous materials storage areas.
Hydroseeding, binders, geotextiles, blankets, and mats.

Proposed Post-construction BMPs are described in SR-79, Thompson Road to Domenigoni Parkway Storm Water Data Report, dated December 28, 2010. Proposed BMPs include approximately 23,000-linear feet of biofiltration swales and biofiltration strips that will treat existing and new impervious surfaces associated with the project. The runoff from approximately 27.5-acres of existing impervious surfaces and 32.3-acres of new impervious surface areas will be treated.

Public Notice: January 27, 2011.

Fees:

Total Due: \$34,221.00

Total Paid: \$640.00 Check No. 0502163853
\$33,581.00 (sent to and received by State Board)

CIWQS:

Regulatory Measure: 377353
Place: 762000
Party: 525654

ATTACHMENT 2

DISTRIBUTION LIST

Ms. Stephanie Hall
U.S. Army Corps of Engineers, Regulatory Branch
Los Angeles District
915 Wilshire Blvd.
Suite 1101
Los Angeles, CA 90017
Stephanie.J.Hall@spl01.usace.army.mil

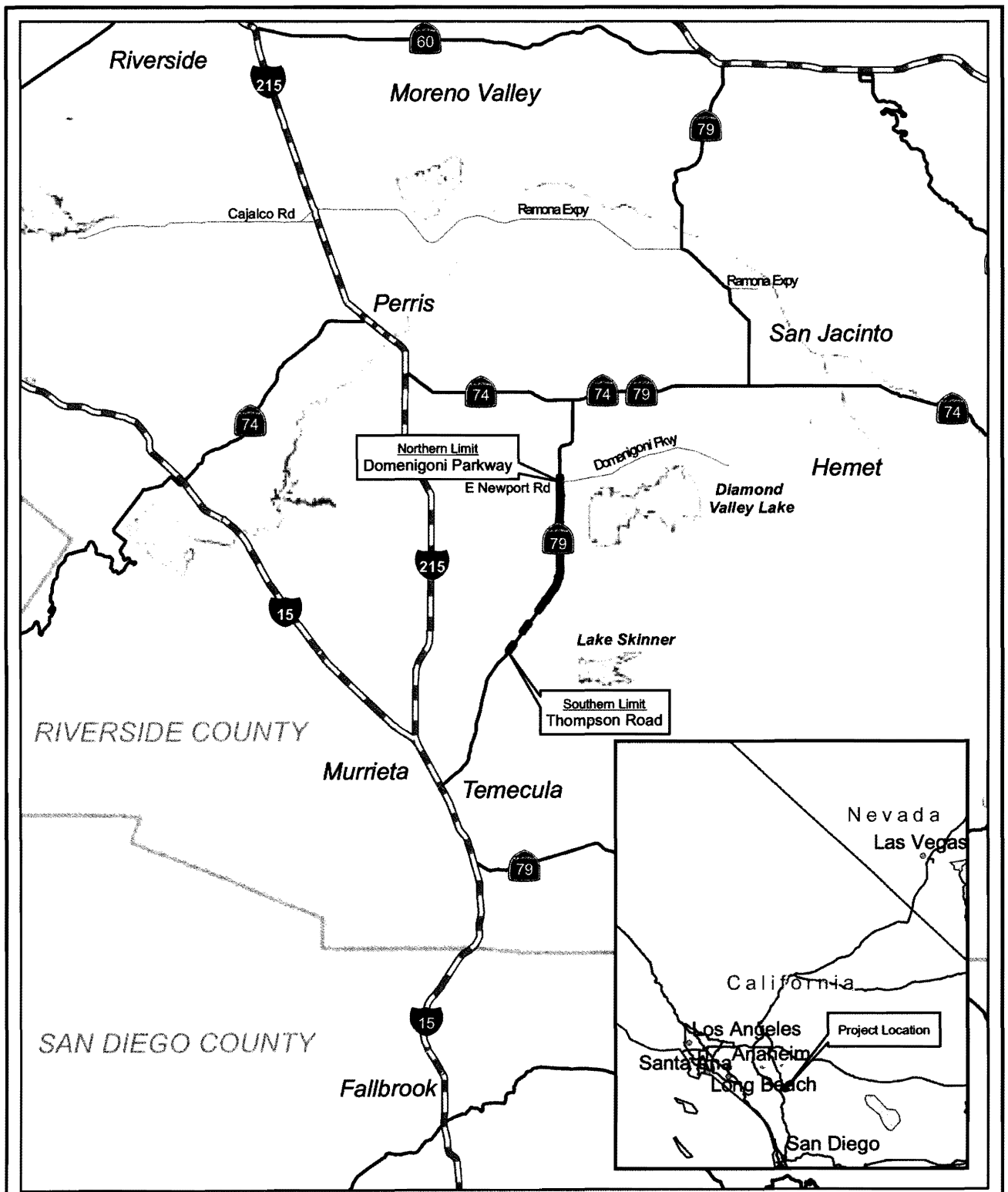
Ms. Joanna Gibson
California Department of Fish and Game
Inland Deserts Region
3602 Inland Empire Blvd
Ontario, CA 91764
jgibson@dfg.ca.gov

U.S. EPA, OWOW, Region 9
75 Hawthorne Street
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

Mr. Marc Brown
Water Quality Certification Program Manager
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348
mbrown@waterboards.ca.gov

ATTACHMENT 3
PROJECT LOCATION MAP(s)



Basemap Data: ESRI StreetMaps, 2004.

\\galt\proj\rctd\334188\2006\MapFiles\jands\biodoc\85x11_RPL_v1.mxd 9/5/2007

LEGEND

- Interstate
- State Route
- Local Road
- Portion of State Route 79 Proposed for Widening within the Proposed Project
- County Boundary
- Lakes

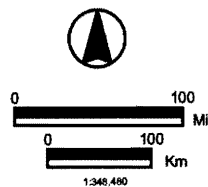
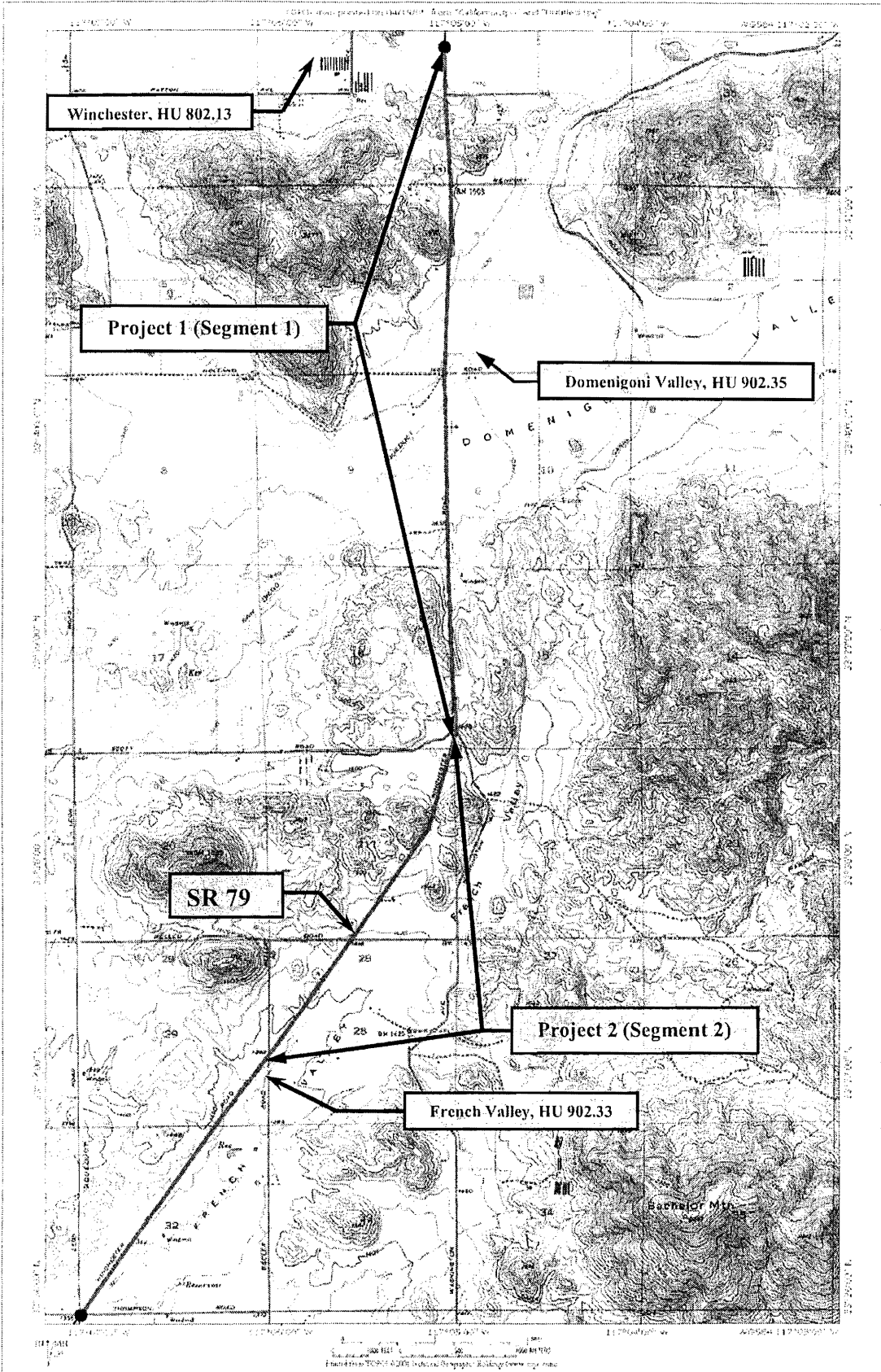


Figure 1
Regional Project Area
 State Route 79 Widening Project
 Thompson Road to Domenigoni Parkway



Route 79
08-RIV-79-KP R13.5/R25.6 (PM R8.4/15.87)
Thompson Road to Domenigoni Parkway
Highway Widening
EA 464600
County of Riverside
VICINITY MAP



Aerial Date: February 2004, AirPhotoUSA

\\gal\proj\RiversideCA\CountyOf\321965\MapFiles\JandS\BioDoc\85x11_ProjOverview_V2.mxd 2/11/2008

LEGEND

- SR 79 Centerline
- Portion of State Route 79
- Proposed for Widening within the Proposed Project**

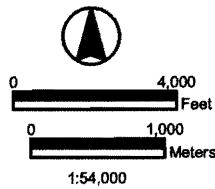


Figure 2

Project Location

State Route 79 Widening Project
Thompson Road to Domenigoni Parkway

ATTACHMENT 5
MITIGATION MAP(s)

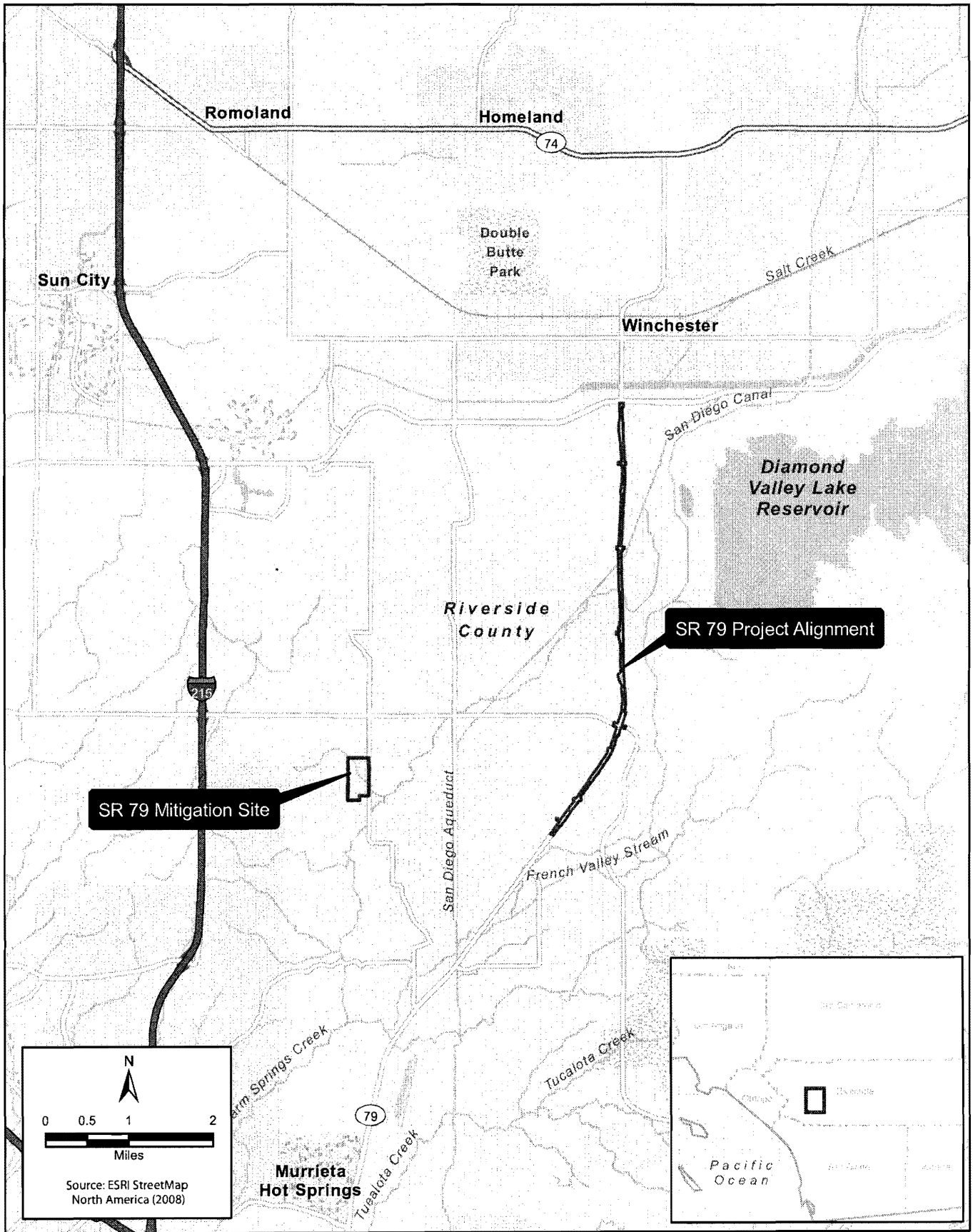
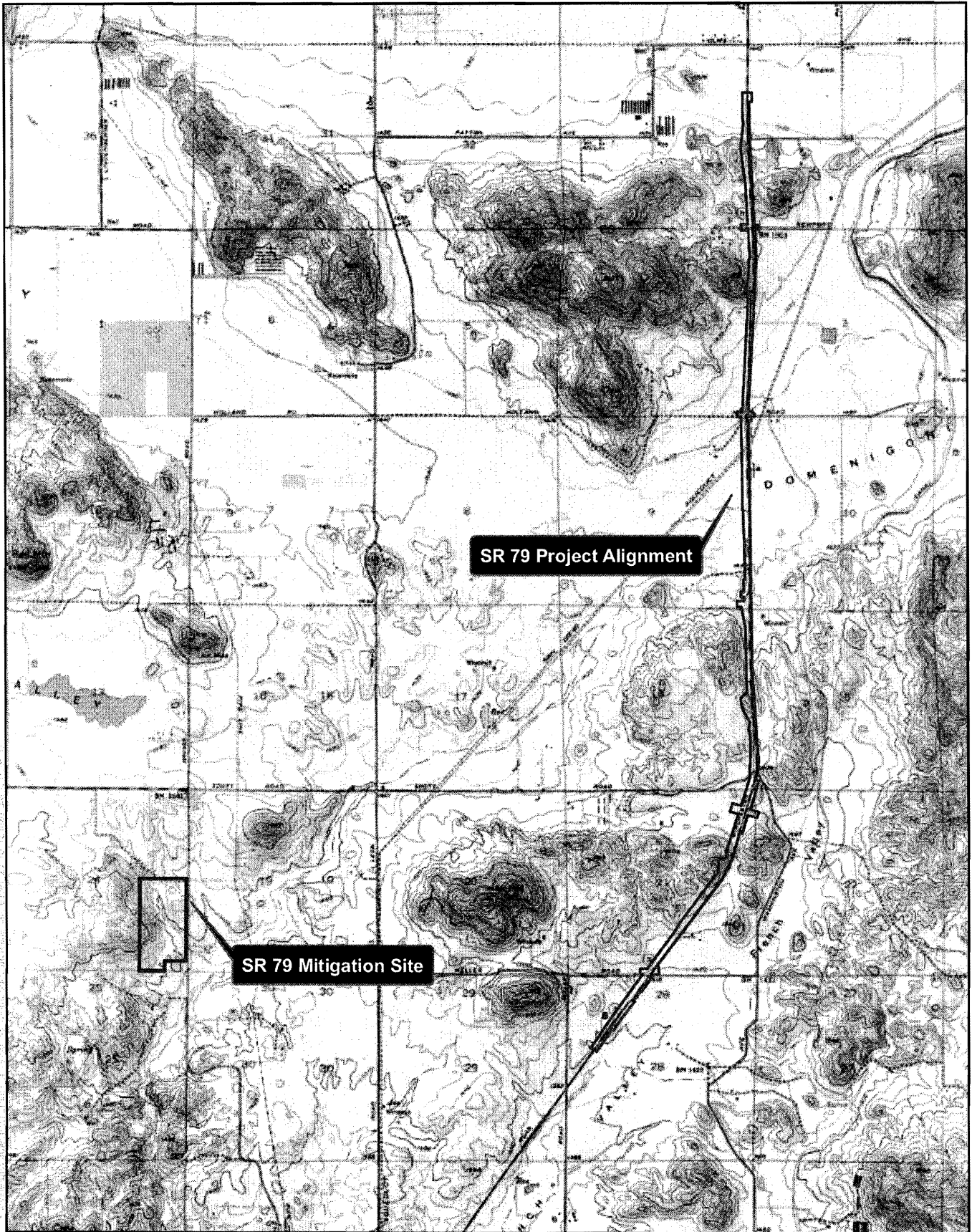


Figure 1
Project Vicinity Map
State Route 79 Widening Project
Thompson Road to Domenigoni Parkway



ICF
INTERACTUAL

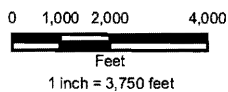


Figure 2
Project Location
State Route 79 Widening Project
Thompson Road to Domenigoni Parkway

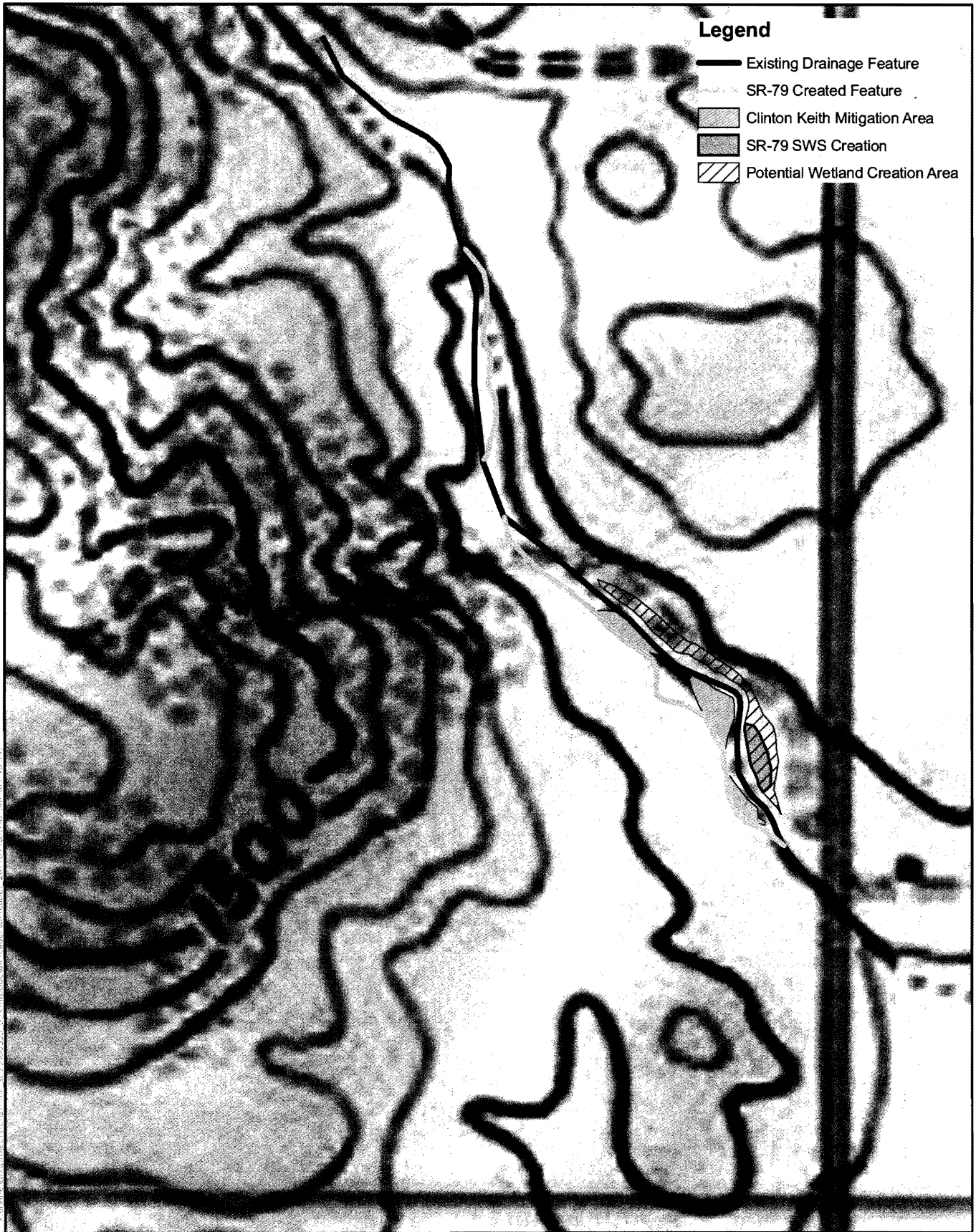


Figure 4
Mitigation Site
State Route 79 Widening Project
Thompson Road to Domenigoni Parkway

Checklist of Required Reports and Notifications

Required Notifications: 401 Certification No. 11C-007

Notification Requirement	Required Notification Period	Required Condition(s) To Be Met	Date Received
Unauthorized Discharge	Within 24 Hours of Discharge	VII.A	
Transfer of Certification Responsibility	Within 10 Days of Transfer	VII.B.1	
Transfer of Mitigation Responsibility	Within 10 Days of Transfer	VII.B.2	
Transfer of Post-construction BMP Maintenance	Within 10 Days of Transfer	VII.B.3	
Draft and Final Mitigation Preservation Mechanism	Prior to construction and within one year of construction commencement, respectively.	VII.C	

Required Reports and Submittals: 401 Certification No. 11C-007

Required Report	Due Date	Required Condition(s) To Be Met	Date Received
Annual Project Report	August 1 st , Annually	VIII.A	
Final Annual Project Report	August 1 st After Project Completion	VIII.A	
Final Mitigation Plan	60 days after Certification issuance	VIII.B	
Annual Mitigation Monitoring Report	Prior to December 1 annually	VIII.D	