



California Regional Water Quality Control Board San Diego Region



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September 1, 2011

In reply refer to:

765313: cclemente

Joseph van Haaster
Temecula Valley Congregation of
Jehovah's Witnesses
41221 Via Anita
Temecula, CA 92521

Dear Mr. Haaster:

Subject: Action on Request for Clean Water Act Section 401 Water Quality Certification for the **Kingdom Hall of Jehovah's Witnesses Project** Water Quality Certification No. **11C-028**

Enclosed find Clean Water Act Section 401 Water Quality Certification for discharge to Waters of the U.S. for the **Kingdom Hall of Jehovah's Witnesses 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.

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 Chiara Clemente at (858) 467-2359 or cclemente@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-028 for Kingdom Hall of Jehovah's Witnesses Project, with 6 attachments

cc: Refer to Attachment 2 of Certification 11C-028 for Distribution List.

Tech Staff Info & Use	
File No.	11C-028
WDID	9000002254
Reg. Measure ID	378561
Place ID	765313
Party ID	526525
Person ID	526526



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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: Kingdom Hall of Jehovah's Witnesses
Project, Certification Number 11C-028

APPLICANT: Joseph van Haaster
Temecula Valley Congregation of
Jehovah's Witnesses
41221 Via Anita
Temecula, CA 92521

CIWQS Reg. Meas. ID: 378561 Place ID: 765313 Party ID: 526525 WDID: 9 000002254

ACTION:

<input checked="" type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input type="checkbox"/> Order for Technically-conditioned Certification	<input type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:

The project is the construction of a 8,284-square foot single-story building, with 49,023-square feet of parking, and 37,778-square feet of landscaping. The project site is located east of Calle Girasol, north of Calle Chapos, and south of Aussie Road within the City of Temecula in Riverside County. The project will widen a previously installed dip crossing on Aussie Road where it crosses an ephemeral streambed that is a tributary to Murrieta Creek which eventually flows into the Santa Margarita River. The concrete crossing will impact 1,817-square feet (0.0417-acre) of streambed. Rip Rap sized at one-half ton will be placed before the crossing and impact 274-square feet (0.0063-acre) of streambed. Total project impacts from the crossing will be 0.063-acre (56-linear feet). The project will be mitigated by the removal of non-native species and the restoration of 0.26-acre (480-linear feet) along an ephemeral stream located on the project site.

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>.

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11-011-0

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I. STANDARD CONDITIONS:

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

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
- B. This Certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. The validity of any non-denial Certification action (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-028 (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 Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
 - 1. Entry onto Project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - 2. Access to copy any records required to be kept under the terms and conditions of this Certification.
 - 3. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
 - 4. Sampling of any discharge or surface water covered by this Order.
- F. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
- G. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may pursuant to Water Code sections 13267 and 13383, require the holder of any permit or license subject to this Certification to investigate, monitor and report information on the violation. The only restriction is that the burden, including costs, of preparing the reports must bear a reasonable relationship to the need for and the benefits to be obtained from the reports.
- H. In response to any violation of the conditions of this Certification, the San Diego Water Board may modify the conditions of this Certification as appropriate to ensure compliance.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the project, and annually thereafter, the Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*.
- 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 downstream 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. 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 Kingdom Hall of Jehovah's Witnesses and subsequent owners, are responsible for implementing and maintaining BMPs to prevent erosion of the rough

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

- 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).
- K. All rough graded desilting basins must be designed, constructed and maintained, until all development on the project site is completed, according to the most recent California Stormwater Quality Association guidance for sediment basins.

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The Kingdom Hall of Jehovah's Witnesses is prohibited from allowing post-construction discharges to cause onsite or offsite downstream erosion, damage to properties or damage to stream habitats in the ephemeral streambed that is a tributary to Murrieta Creek that flows into the Santa Margarita River.
- 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. All post-construction BMPs, including those described in the Project Specific Water Quality Management Plan (WQMP) for the Kingdom Hall of Jehovah's Witnesses titled *3164 Calle Girasol WQMP*, prepared by JHA Engineering on March 12, 2011, must be implemented and sized to

comply with the following numeric sizing criteria and treat 100 percent of the impervious surfaces associated with the project:

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 (0.6 inch approximate average for the San Diego County area); 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 development areas.

E. For all post-construction BMPs, including but not limited to, the retention basin, the bio-swale, and the bio-retention basin, as described in *31640 Calle Girasol WQMP*, prepared by JHA Engineering on March 12, 2011; 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. No less than one time per year assess the performance of the systems on protection of the receiving waters and identify any necessary corrective measures;

3. Have all preventive and corrective maintenance performed;
4. 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; and
5. Maintain a log documenting all BMP inspections and maintenance activities.

V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION

- A. Mitigation for permanent discharges to 0.063-acre (56-linear feet) of non-wetland waters of the United States must be achieved by the restoration of 0.021-acre of non-wetland waters of the United States and 0.24-acre of uplands, along 480-linear feet of an ephemeral streambed located on site as described in the 401 application submittals and *Mitigation Monitoring and Reporting Plan Vegetative Restoration Assessors Parcel No. 957-120-019* (Laurence N. Dean, July 2011). Mitigation must include:
 1. Non-native plants will be removed from the mitigation site and replaced with native plants. The planting palette includes a native seed mix of *Leymus condensatus* (Giant wild rye), *Isocoma menziesii* (Goldenbush), *Baccharis emoryi* (Emory's baccharis), *Artemisia dracuncululus* (Tarragon) and container plantings of *Sambucus mexicana* (Blue elderberry) and *Artemisia californica* (Coast sagebrush).
- 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. Permanent fill (rip-rap) void space must be backfilled with native soil and planted with native species.
- D. The Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses must implement all necessary BMPs to control erosion and runoff from areas associated with this project.

- E. The Kingdom Hall of Jehovah's Witnesses 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.
- F. The Kingdom Hall of Jehovah's Witnesses 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.
- G. The mitigation site must be designed, constructed, and maintained to meet the following conditions:
 - 1. The channel(s) through the mitigation site are characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
 - 2. As viewed along cross-sections, the channels and buffers 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; and
 - 3. The mitigation site has a well-developed plant community characterized by a high degree of horizontal and vertical interspersion among plant zones and layers.
- H. 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.
- I. The San Diego Water Board acceptance of the final mitigation plan must not be construed as approval of the mitigation site or plan for use by other current or future projects that are planning to use additional acreage at the site for mitigation.
- J. 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.
- K. 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 Kingdom Hall of Jehovah's Witnesses is responsible for repair and replanting of the damaged area(s).

- L. 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.
- M. 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).
- N. Mitigation site maintenance and monitoring must continue until the mitigation site has met success criteria stated in the mitigation plan.
- O. The Kingdom Hall of Jehovah's Witnesses mitigation site must be maintained in perpetuity by the Kingdom Hall of Jehovah's Witnesses or by another party designated by the Kingdom Hall of Jehovah's Witnesses.

VI. MONITORING REQUIREMENTS:

- A. Monitoring of the mitigation site must utilize a quantitative function-based assessment to establish baseline conditions, set success criteria, and assess mitigation site progress. The California Rapid Assessment Method (CRAM), or Hydrogeomorphic Assessment (HGM) must be utilized.

VII. NOTIFICATION REQUIREMENTS:

- A. The Kingdom Hall of Jehovah's Witnesses must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the Kingdom Hall of Jehovah's Witnesses becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Kingdom Hall of Jehovah's Witnesses becomes aware of the circumstances. The written submission shall contain a written description of the incident and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The San Diego Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours.

- B. This Certification is not transferable in its entirety or in part to any person except after notice to the San Diego Water Board in accordance with the following terms:
 1. Transfer of Property Ownership: The Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses 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 VII. for 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 Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses 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.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Kingdom Hall of Jehovah's Witnesses will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Kingdom Hall of Jehovah's Witnesses of this Certification in the event that a transferee fails to comply.

- C. The Kingdom Hall of Jehovah's Witnesses must notify the San Diego Water Board in writing **at least 5 days prior to** the actual commencement of dredge, fill, and discharge activities.
- D. The Kingdom Hall of Jehovah's Witnesses must notify the San Diego Water Board in writing **at least 5 days** prior to the actual commencement of mitigation installation, and completion of mitigation installation.
- E. **Within three months** of the start of construction, the Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. 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.

- F. **Prior** to project construction, the Kingdom Hall of Jehovah's Witnesses must submit to the San Diego Water Board a letter accepting full responsibility for the inspection and maintenance of all BMPs installed on all roads that are required to be improved as part of the project, including, but not limited to, Aussie Avenue and Calle Girasol. Alternatively, the Kingdom Hall of Jehovah's Witnesses may submit a letter documenting that the City of Temecula accepts full responsibility for the inspection and maintenance of all BMPs installed on all roads that are required to be improved as part of the project, including, but not limited to, Aussie Avenue and Calle Girasol.
- G. The San Diego Water Board may be requested to review planned BMP implementation that clearly demonstrate to meet or exceed the performance standards herein. Such requests must be made 30 days prior to the planned BMP implementation.

VIII. REPORTING REQUIREMENTS:

- A. The Kingdom Hall of Jehovah's Witnesses 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 Kingdom Hall of Jehovah's Witnesses 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. Final Project Report: As-built drawings no bigger than 11"X17."
- B. Mitigation monitoring reports must be submitted annually in accordance with their 401 application submittals and the *Mitigation Monitoring and Reporting Plan Vegetative Restoration Assessors Parcel No. 957-120-019* (Laurence N. Dean, July 2011). Annual monitoring reports must be submitted **prior to December 1 of each year**. Monitoring reports must include, but not be limited to, the following:

1. Names, qualifications, and affiliations of the persons contributing to the report;
 2. Date of initiation of mitigation installation and date mitigation installation was completed.
 3. Mitigation as-builts, including topography maps and planting locations.
 4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
 5. Topographic complexity characteristics at each mitigation site;
 6. Upstream and downstream habitat and hydrologic connectivity;
 7. Source of hydrology;
 8. Width of native vegetation buffer around the entire mitigation site;
 9. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results.
 10. 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.
 11. 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.
- C. In the event that the proposed mitigation does not obtain the 3rd year success criteria milestones for mitigation as presented in table 1 of the *Mitigation Monitoring and Reporting Plan Vegetative Restoration Assessors Parcel No. 957-120-019* (Laurence N. Dean, July 2011), the applicants must provide the San Diego Water Board with a technical report detailing the actions that will be taken to bring the mitigation up to the success criteria. This report must also provide an evaluation of

alternative mitigation opportunities within the Auld Hydrologic Area to be utilized for additional mitigation, if portions of the required mitigation are unsuccessful after five years.

- D. In the event that the proposed mitigation does not obtain the 4th year success criteria milestones for mitigation, The applicants must provide the San Diego Water Board with a technical report detailing the actions that will be taken to bring the mitigation up to the success criteria, and a conceptual mitigation plan for an alternative mitigation site within the Auld Hydrologic Area to be utilized for additional mitigation, if portions of the required mitigation are unsuccessful after five years. The mitigation plan must mitigate for any portion of the mitigation that does not meet final success criteria, at a ratio of 2:1.
- E. In the event that the proposed mitigation does not obtain full success with the 5th year success criteria the applicants must finalize the conceptual mitigation plan (see condition No.10) and submit the plan to the San Diego Water Board within 30 days of the 5th year monitoring report period. No later than 90 days following San Diego Water Board acceptance of the final mitigation plan, or 30 days after San Diego Water Board receipt of the plan, the applicants must begin implementation of the final mitigation plan.
- F. The submittal of information under this Certification is required pursuant to California Water Code (CWC) sections 13267 and 13283. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit required information pursuant to CWC section 13268 or 13385.
- G. 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.
- H. 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.
- I. 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."

- J. The Kingdom Hall of Jehovah's Witnesses 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; 11C-028
9174 Sky Park Court, Suite 100
San Diego, California 92123

IX. CEQA FINDINGS:

- A. The City of Temecula, County of Riverside is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed a Notice of Determination on September 14, 2010, for a Mitigated Negative Declaration under CEQA Guidelines Title 14, California Code of Regulations. The City of Temecula 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 April 8, 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.

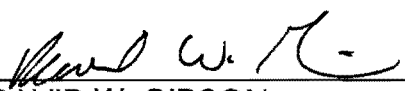
XI. SAN DIEGO WATER BOARD CONTACT PERSON:

Chiara Clemente
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
858-467-2359
cclemente@waterboards.ca.gov

XII. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the Kingdom Hall of Jehovah's Witnesses Project (Project No. 11C-028) 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

9/1/2011
Date

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

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Joseph van Haaster
Kingdom Hall of Jehovah's Witnesses
41221 Via Anita
Temecula, CA 92521
Telephone: 951-662-9405
Email: joe@dezineworks4u.com

Project Name: Kingdom Hall of Jehovah's Witnesses

Project Location: Latitude: 33.5406
Longitude: -117.1096

Type of Project: Construction Project

Need for Project: This Church facility has been approved by City of Temecula planning commission.

Project Description: The project is the construction of a 8,284-square foot single-story building, with 49,023-square feet of parking, and 37,778-square feet of landscaping. The project site is located east of Calle Girasol, north of Calle Chapos, and south of Aussie Road within the City of Temecula in Riverside County. The project will widen a previously installed dip crossing on Aussie Road where it crosses an ephemeral streambed that is a tributary to Murrieta Creek which eventually flows into the Santa Margarita River. The concrete crossing will impact 1,817-square feet (0.0417-acre) of streambed. Rip Rap sized at one-half ton will be placed before the crossing and impact 274-square feet (0.0063-acre) of streambed. Total project impacts from the crossing will be 0.063-acre (56-linear feet). The project will be mitigated by the removal of non-native species and the restoration of 0.26-acre (480-linear feet) along an ephemeral stream located on the project site.

Federal Agency/Permit: U.S. Army Corps of Engineers §404, NWP 14, ACOE, Jim Mace

Other Required Regulatory Approvals: California Department of Fish and Game Streambed Alteration Agreement, Anna Milloy

California Environmental Quality Act (CEQA) Compliance: Kingdom Hall of Jehovah's Witnesses, Mitigated Negative Declaration was filed September 17, 2010, City of Temecula, County of Riverside

Receiving Water: Unnamed ephemeral tributary to Murrieta Creek, Gertrudis HSA (902.42)

Affected Waters of the United States and State: Permanent:
Streambed: 0.063 (56 linear feet)

Related Projects Implemented/to be Implemented by the Applicant(s): There are no projects that have been proposed related to the current project.

Compensatory Mitigation: Streambed: 0.021 acre of non-wetland waters
Upland: 0.24 acre of uplands
Restoration will occur on-site along 480 linear feet of streambed.

Mitigation Monitoring and Reporting Plan Vegetative Restoration Assessors Parcel No. 957-120-019 (Laurence N. Dean, July 2011)

Mitigation Location: On-site
Latitude: 33.5406
Longitude: -117.1096

Best Management Practices (BMPs): Bio-swales, pervious parking lot, and retention basins are included as part of the project.

3164 Calle Girasol WQMP, prepared by JHA Engineering on March 12, 2011

Public Notice: On April 8, 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.

Fees: Total Due: \$640.00
Total Paid: \$640.00 (check No. 1075)

CIWQS:

Regulatory Measure ID: 378561
Place ID: 765313
Party ID: 526525

**ATTACHMENT 2
DISTRIBUTION LIST**

Jim Mace
U.S. Army Corps of Engineers, Regulatory Branch
Los Angeles District
915 Wilshire Blvd.
Suite 1101
Los Angeles, CA 90017
James.e.mace@usace.army.mil

Anna Ewing
California Department of Fish and Game
Inland Deserts Region
3602 Inland Empire Blvd
Ontario, CA 91764
Aewing@dfg.ca.gov

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

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

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

WATER CONTROL SPECIFIC PLANTING

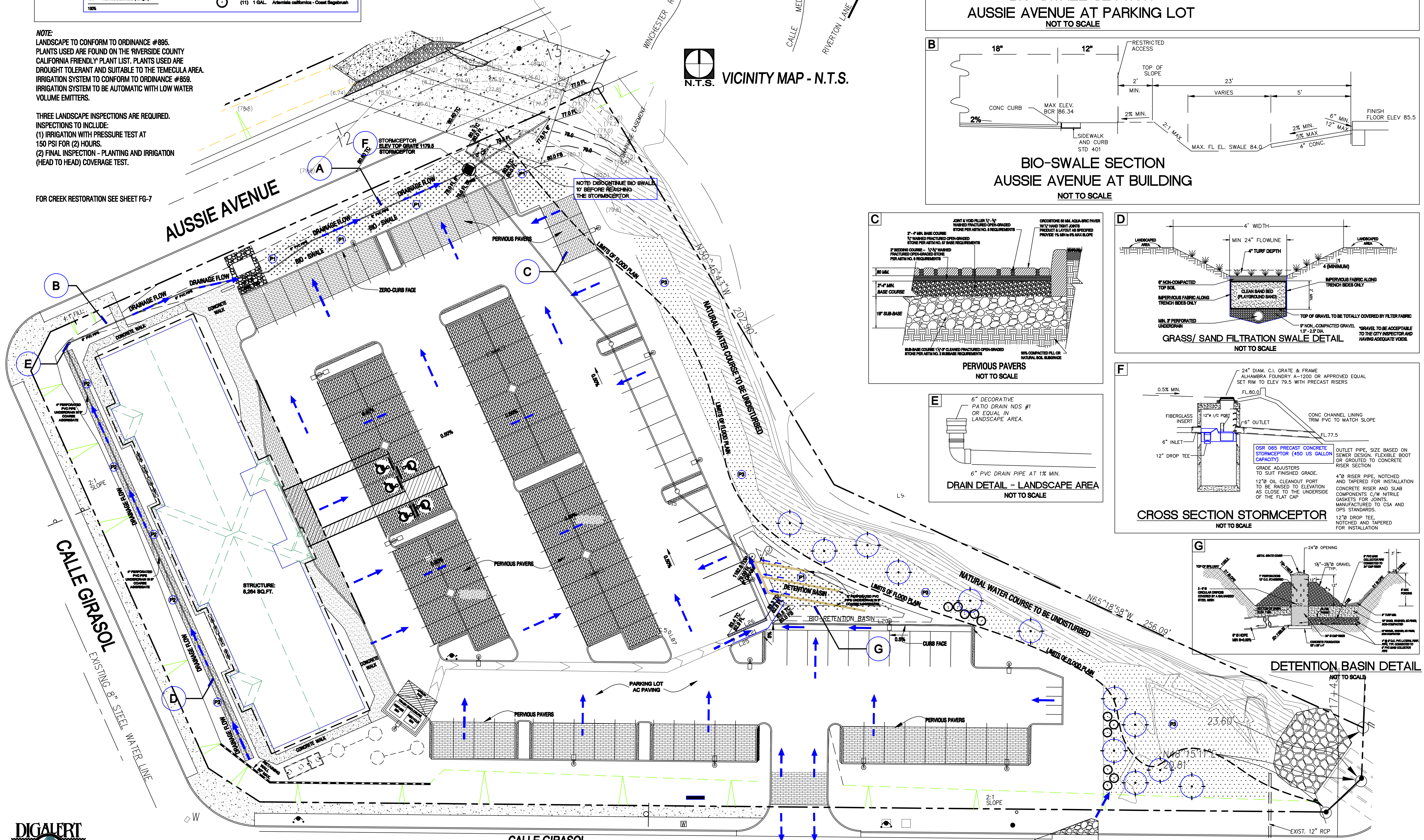
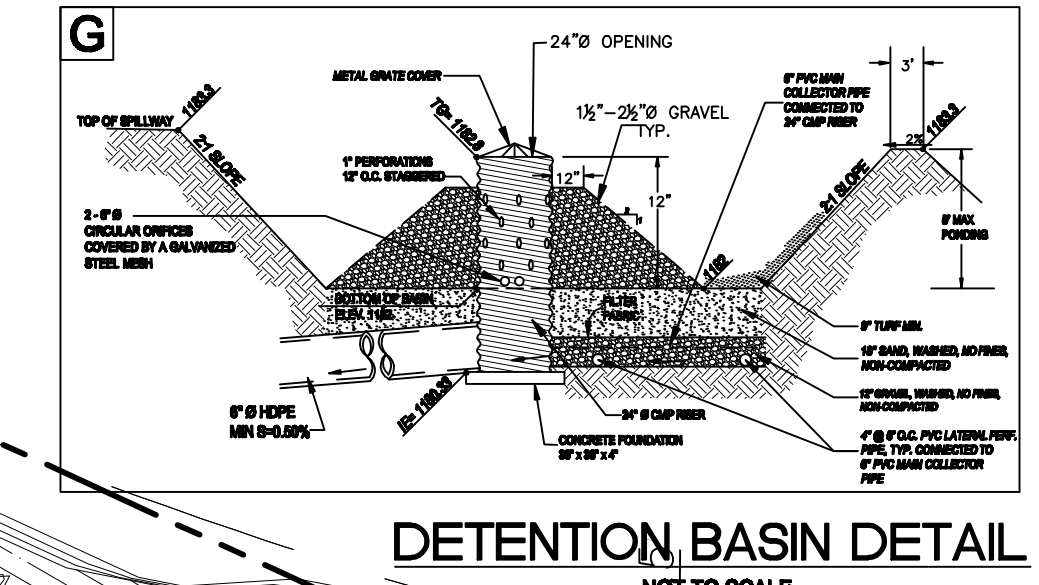
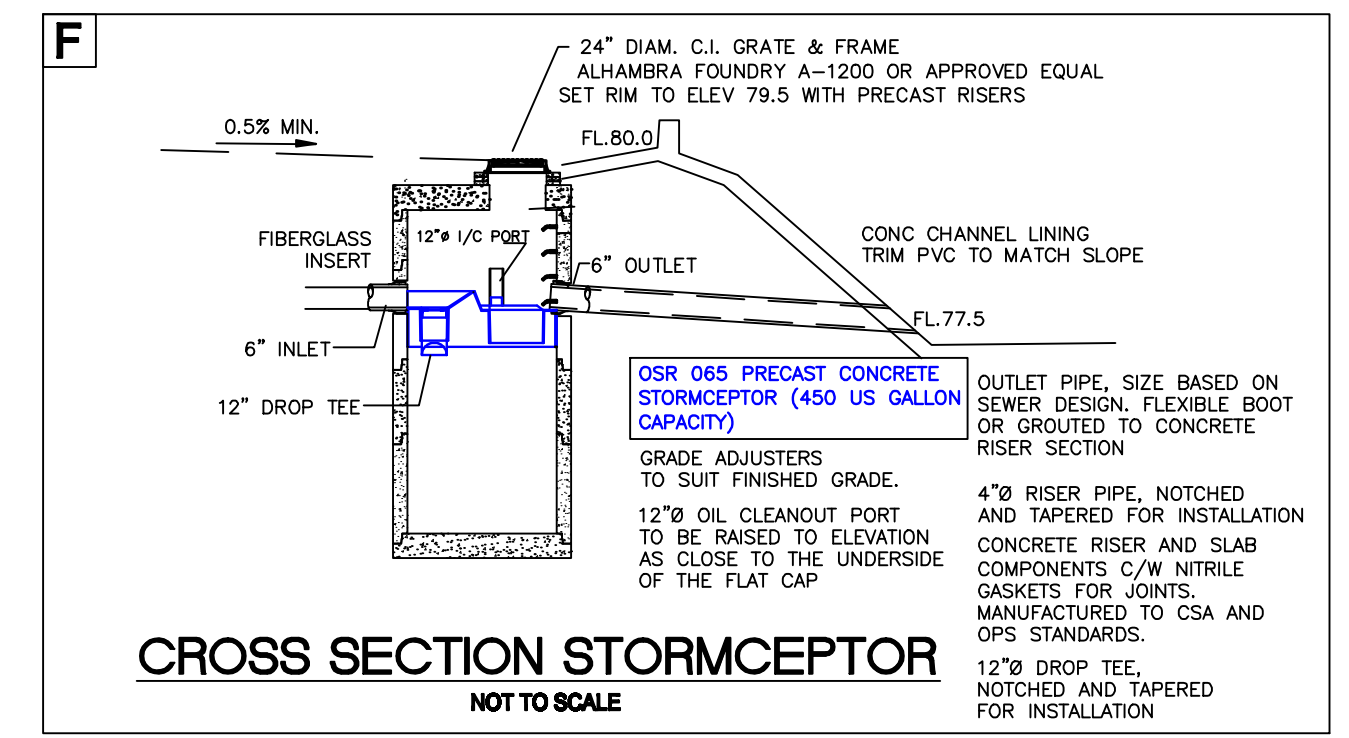
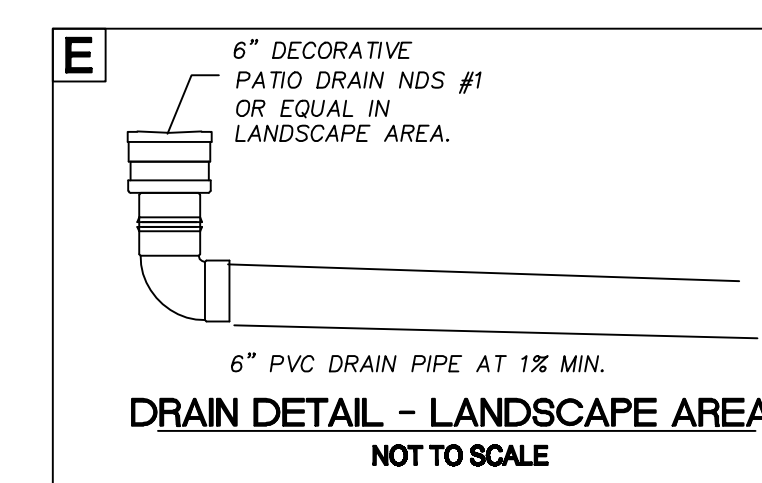
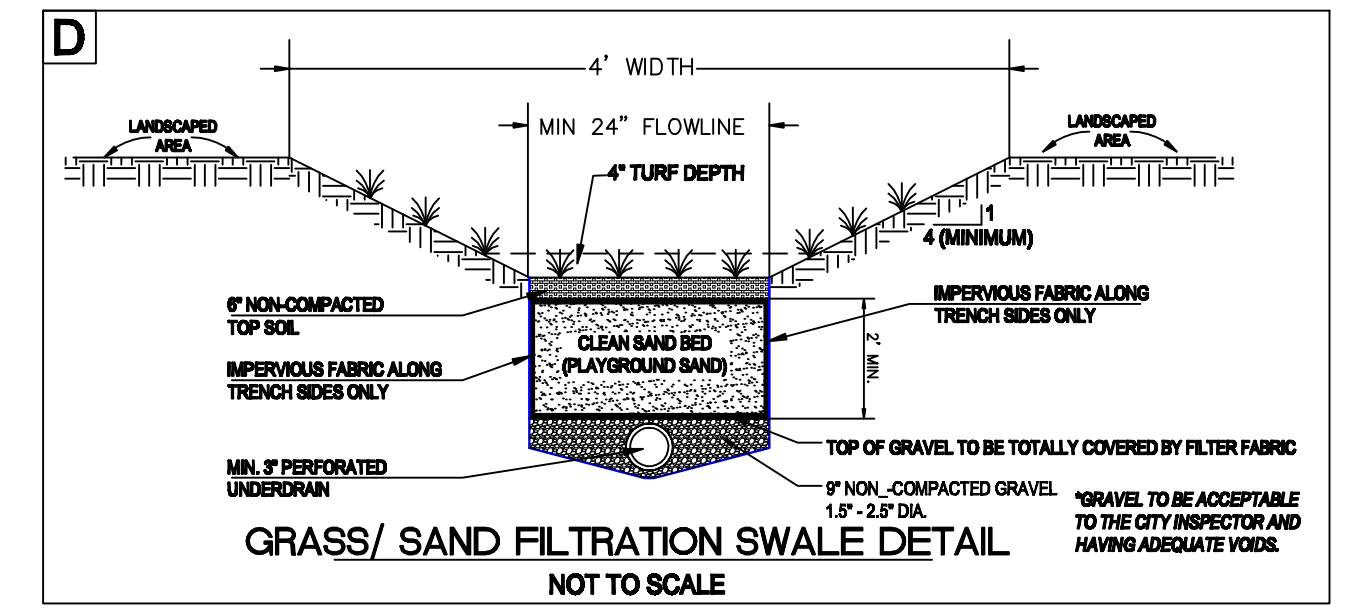
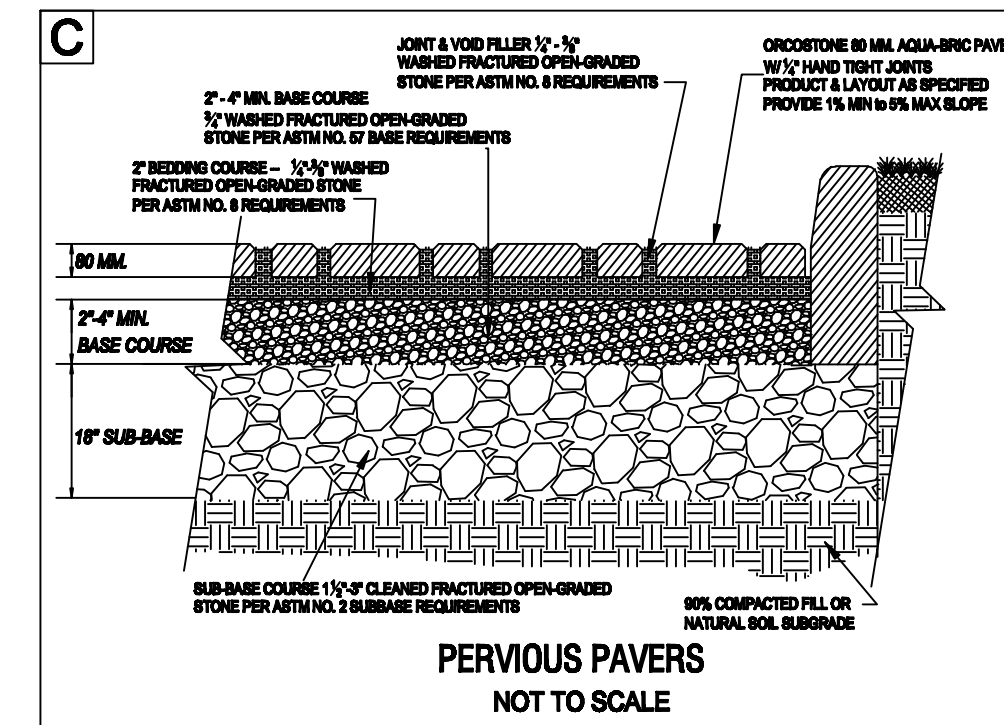
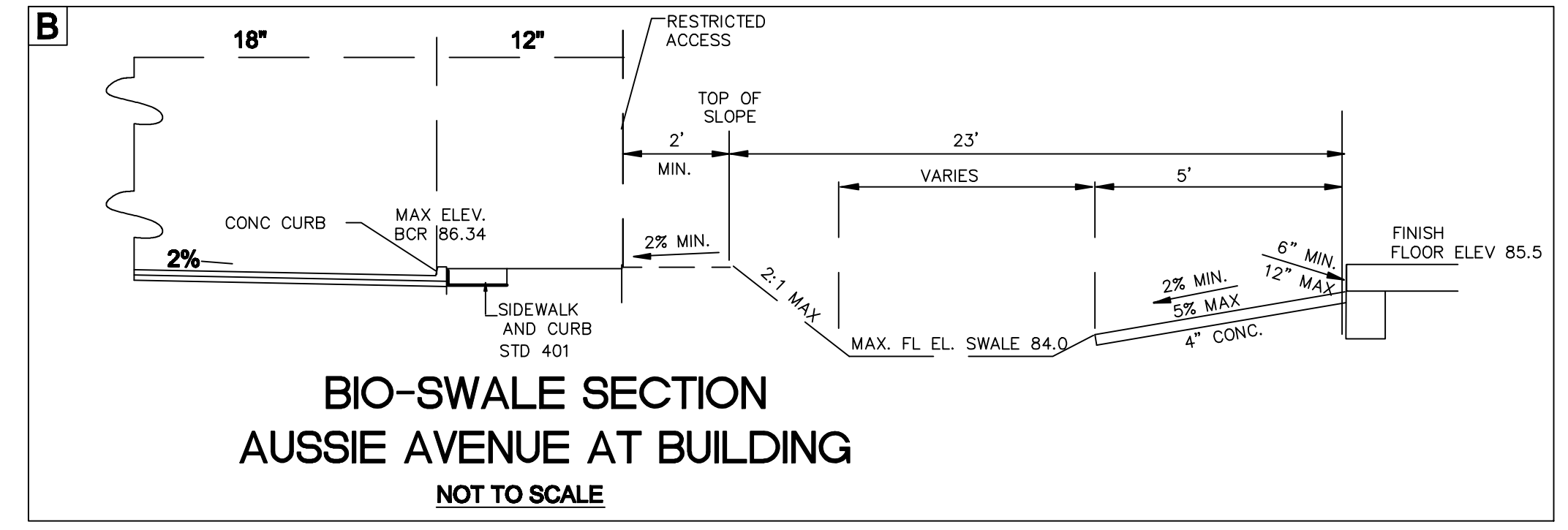
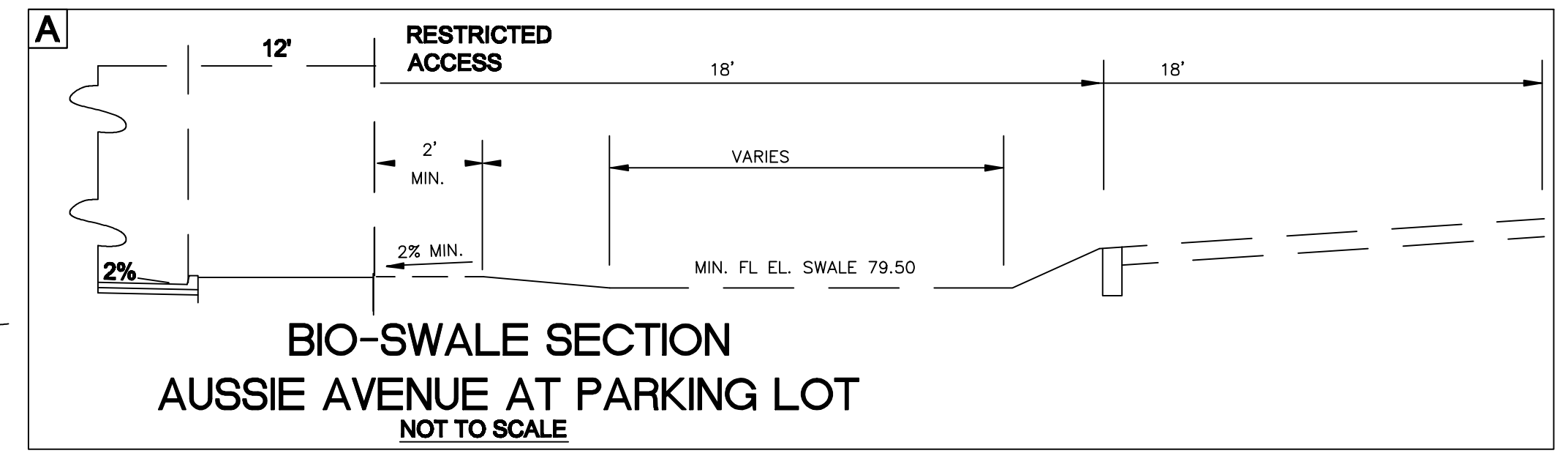
- Rorippa officinale 'Huntington's Carpet' cuttings from beds planted 18" on center. Utilized for controlling water flow velocity & erosion control.
 - Festuca ovina glauca 'High Blue' cuttings from beds planted 18" on center. Designed to hold storm water runoff in swales, allow the water to soak into the ground, and filter it at the same time.
- STREAM RESTORATION PLANTING:**
 (Preferable for small channels to natural streamways)
- | NATIVE HYDRO-BIODEGRADABLE | | CONTAINER PLANTING | |
|-------------------------------------|-------------------------------------|--|--|
| 100% 50 Gallon | 100% 50 Gallon | (12) 5 GAL. Bambusa nana - Blue Elderberry | |
| 40% Laysan Condalia (Bart Wild Fly) | 20% Laysan Condalia (Bart Wild Fly) | (1) 1 GAL. Artemisia californica - Coast Sagebrush | |
| 20% Laysan Condalia (Bart Wild Fly) | 20% Laysan Condalia (Bart Wild Fly) | | |
| 10% Artemisia californica (Temper) | 10% Artemisia californica (Temper) | | |
| 100% | 100% | | |

DRAINAGE NOTE:
 ALL THE IN-GROUND PLANTERS SHALL HAVE POSITIVE DRAINAGE AWAY FROM THE BUILDING AS REQUIRED PER THE 2007 CODE, 2% ON CONCRETE 5% ON EARTH. SHALL BE NO TRAPPING OF WATER BY THE HARDSCAPE/WALKWAYS.

NOTE:
 LANDSCAPE TO CONFORM TO ORDINANCE #895. PLANTS USED ARE FOUND ON THE RIVERSIDE COUNTY CALIFORNIA FRIENDLY PLANT LIST. PLANTS USED ARE DROUGHT TOLERANT AND SUITABLE TO THE TEMECULA AREA. IRRIGATION SYSTEM TO CONFORM TO ORDINANCE #859. IRRIGATION SYSTEM TO BE AUTOMATIC WITH LOW WATER VOLUME EMITTERS.

THREE LANDSCAPE INSPECTIONS ARE REQUIRED. INSPECTIONS TO INCLUDE:
 (1) IRRIGATION WITH PRESSURE TEST AT 150 PSI FOR (2) HOURS.
 (2) FINAL INSPECTION - PLANTING AND IRRIGATION (HEAD TO HEAD) COVERAGE TEST.

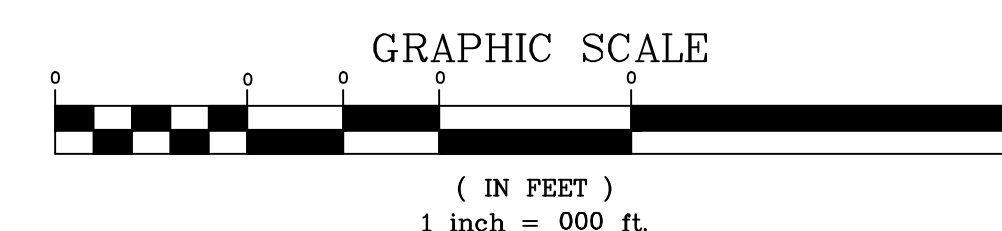
FOR CREEK RESTORATION SEE SHEET FG-7



UNDERGROUND UTILITIES:
 The Contractor shall be responsible for locating or verifying locations of all existing utilities, and for protection of same. Damages resulting from Contractor's work or that of Contractor's sub-contractors shall be restored to original condition at their own expense. City shall have the final say if repairs are to be made by Contractor or others.

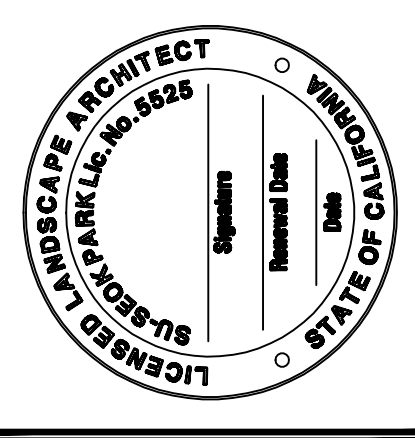
All Work to Meet or Exceed State & Local Codes and Industry Standards. Written Dimensions to Precede Scaled Dimensions.

Site Plan Scale: 1" = 20'



DIGALERT
 DIAL TOLL FREE 1-800-227-2600
 AT LEAST TWO DAYS BEFORE YOU DIG
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

Planterra Consulting
 Landscape Design & Planning
 41221 Via Anita
 Temecula, CA 92592



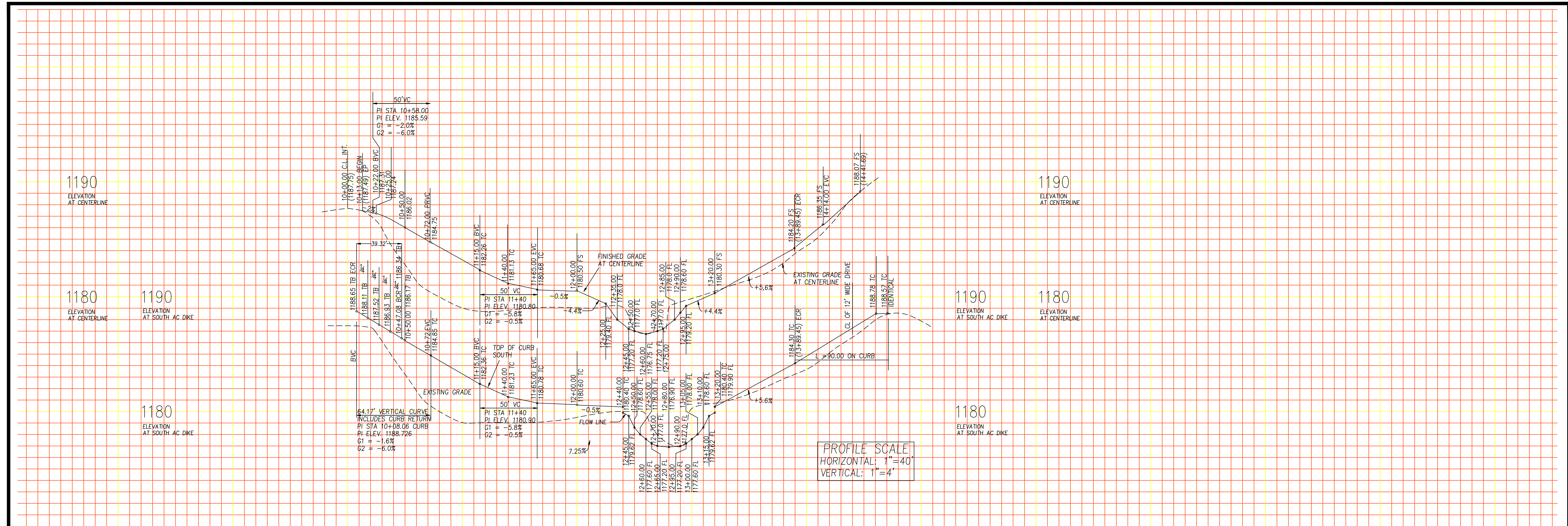
Owner/Applicant:
 Temecula Valley Congregation of Jehovah's Witnesses
 41221 Via Anita
 Temecula, CA 92592

Project:
Calle Girasol Kingdom Hall
 31640 Calle Girasol
 Temecula, CA
 Landscape Construction Documents

Sheet Description:
Water Quality Management Plan

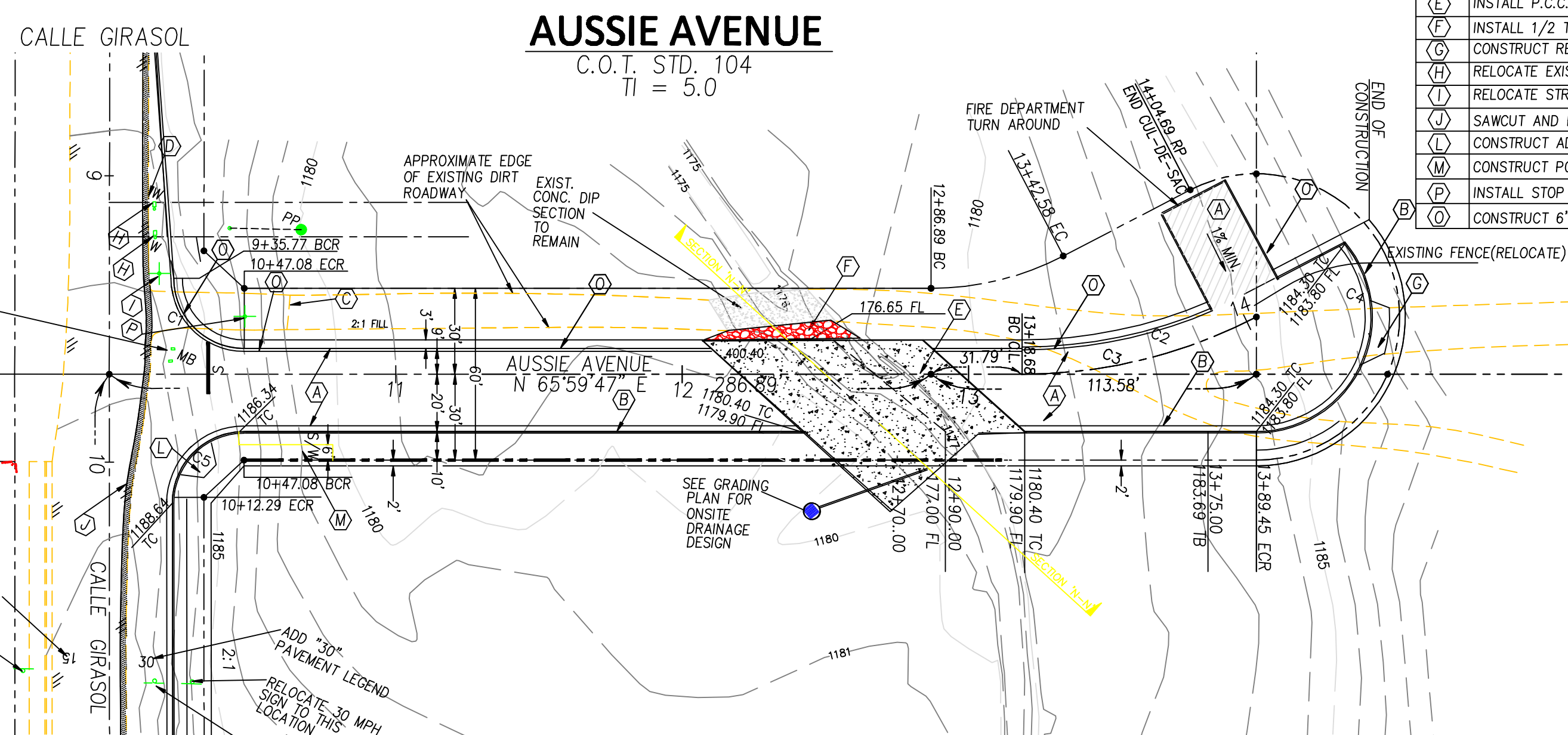
Date: January 16, 2011
 Job No.: CA4-717
 Drawn by: GRP
 Revisions: 01 March 16, 2011

Sheet:
L-8
 Of: 8

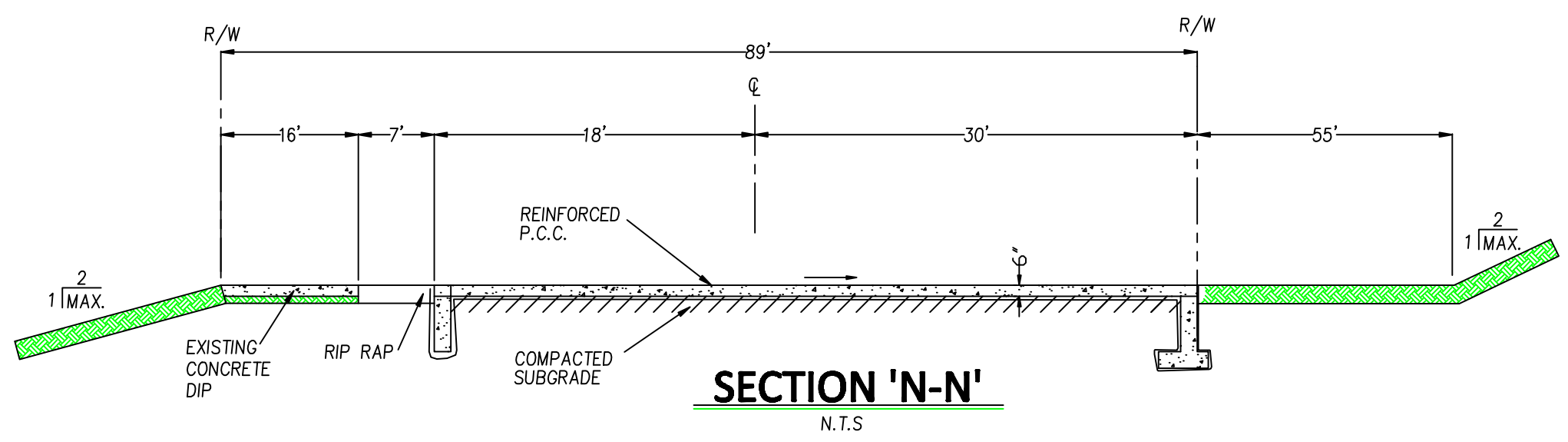
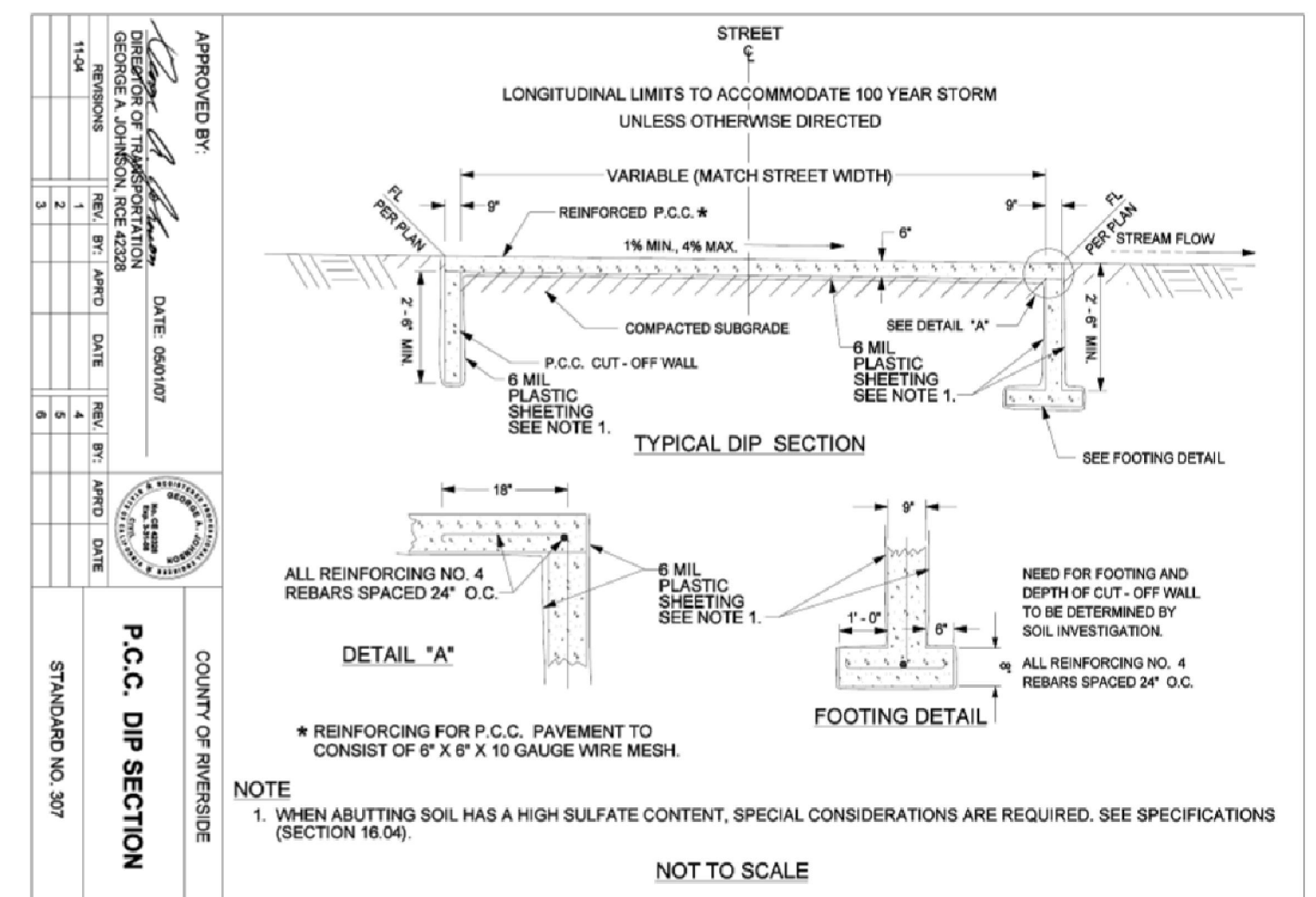


CURVES

NUMBER	D =	R =	L =
C1	90°06'48"	25'	39.32'
C2	27°28'54"	112'	53.72'
C3	27°28'54"	177.24'	85.01'
C4	207°28'54"	38'	137.61'
C5	90°06'48"	25'	39.32'
C6	65°24'24"	36'	41.10'
C7	65°24'24"	58'	66.21'
C8	91°37'21"	25'	40.00'

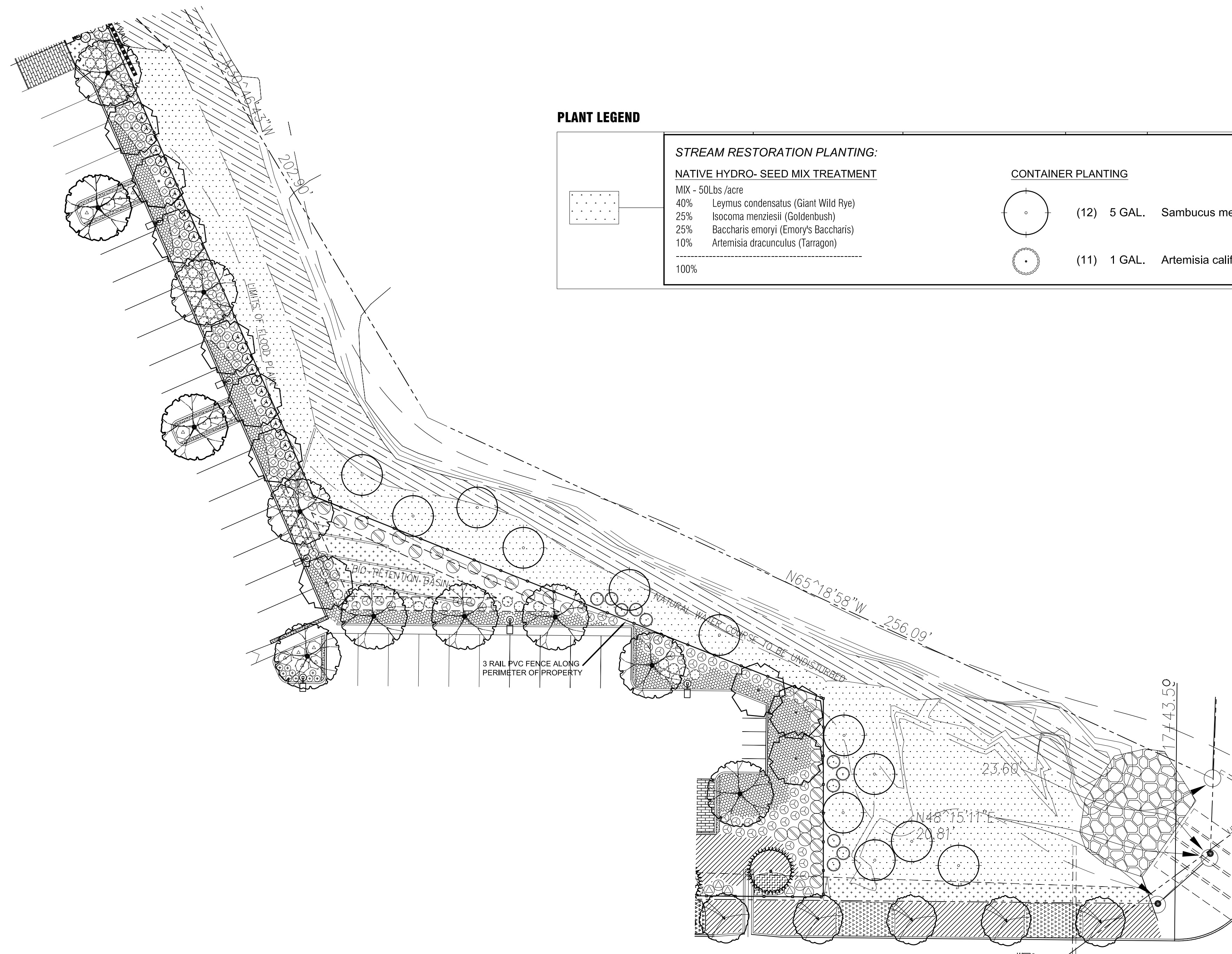


- CONSTRUCTION NOTES:**
- CONSTRUCT AC (182 TONS) OVER CRUSHED AGGREGATE BASE (138 C.Y. BASE), SECTION T.B.D. BY SOILS ENGINEER ESTIMATED AT 4" MIN. AC OVER 6" CAB (MIN.)
 - CONSTRUCT 6" CURB AND GUTTER PER CITY OF TEMECULA STD. DWG. NO. 200
 - REMOVE EXISTING PAVEMENT
 - INSTALL P.C.C. DIP SECTION PER CIV. CO. STD. NO. 307 PER DETAIL HERE ON
 - INSTALL 1/2 TON RIP RAP ENERGY DISSIPATOR AS SHOWN
 - CONSTRUCT RESIDENTIAL DRIVEWAY PER C.O.T. STD. DRAWING 207
 - RELOCATE EXIST WATER METER AS NECESSARY PER RCWD SPECIFICATIONS
 - RELOCATE STREET SIGN PER CITY OF TEMECULA STANDARDS
 - SAWCUT AND REMOVE 2"(MIN) WIDE STRIP OF EXISTING AC FOR SMOOTH JOIN
 - CONSTRUCT ADA RAMP PER CITY OF TEMECULA STD. DWG. NO.402 AND SIDEWALK DWG. NO. 401
 - CONSTRUCT PCC SIDEWALK PER CITY OF TEMECULA STD. DWG. NO. 400
 - INSTALL STOP SIGN, STREET NAME SIGN, & STOP PAVEMENT LEGEND PER C.O.T. STD 403 & 405.
 - CONSTRUCT 6" A.C. DIKE PER CITY OF TEMECULA STD. DWG. NO.214



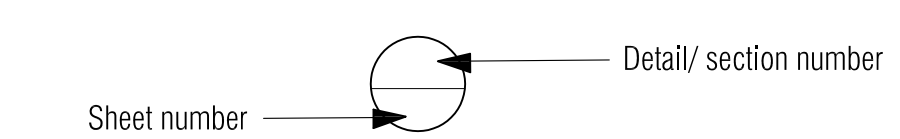
Underground Service Alert
 Call: TOLL FREE
 1-800-422-4133
 TWO WORKING DAYS BEFORE YOU DIG

CONTRACTOR	DATE	BY	REVISIONS	ACC'D	BENCH MARK T-1-81 EL=1026.428 2-1/2" BRASS DISK IN CONC. CYL. 2.4 MI. S.E. ON HWY 79 FROM INT. MAIN AND FRONT, TEMECULA, 53.3' S OF C.L. HWY 79, 3.2' E. OF GT POLE (GT2453) 300' E., BETWEEN PP 75580 AND 75581, ON LINE WITH FENCE RUNNING N-S, SET WIT. POST, FIBERGLASS, 1' SOUTH OF MONUMENT.	SCALE Horizontal 1"=40' Vertical AS NOTED	SEAL: PROFESSIONAL ENGINEER CIVIL NO. 14814 EXPIRES 3-31-13	Designed By JHH	Drawn By JHH	Checked By	RECOMMENDED BY: _____ DATE: _____	CITY OF TEMECULA DEPARTMENT OF PUBLIC WORKS STREET IMPROVEMENT PLAN AUSSIE AVENUE, STA 10+00.00 TO 13+89.45 PARCEL MAP 34711	Drawing No. ST-3
Inspector										ACCEPTED BY: _____ DATE: _____ GREG BUTLER DIRECTOR OF PUBLIC WORKS/CITY ENGINEER R.C.E. No. 47109	Sheet 3 of 3		



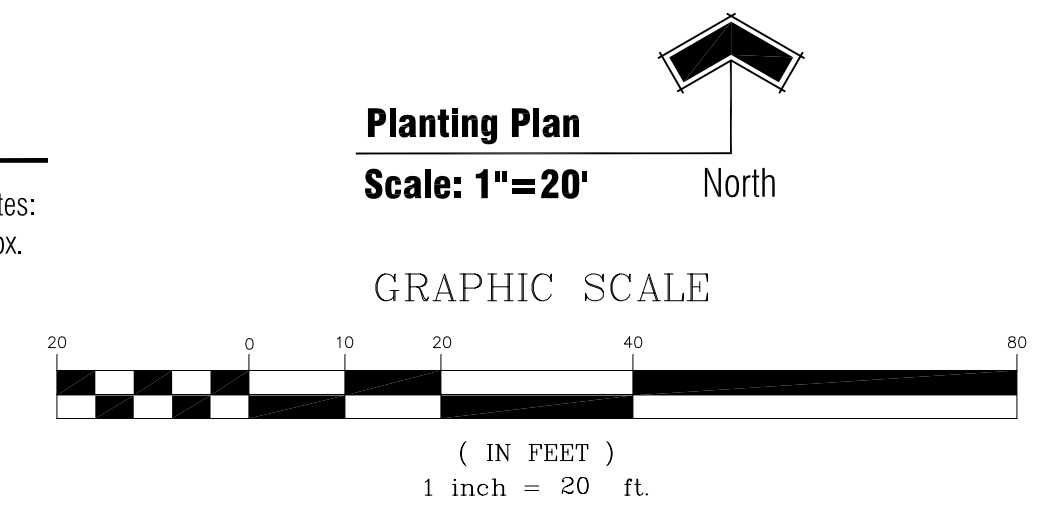
PLANT LEGEND

STREAM RESTORATION PLANTING:		CONTAINER PLANTING	
NATIVE HYDRO- SEED MIX TREATMENT			
MIX - 50Lbs /acre			
40%	Leymus condensatus (Giant Wild Rye)	(12) 5 GAL.	Sambucus mexicana - Blue Elderberry
25%	Isocoma menziesii (Goldenbush)		
25%	Baccharis emoryi (Emory's Baccharis)	(11) 1 GAL.	Artemisia californica - Coast Sagebrush
10%	Artemisia dracunculoides (Tarragon)		
100%			



Planting Notes

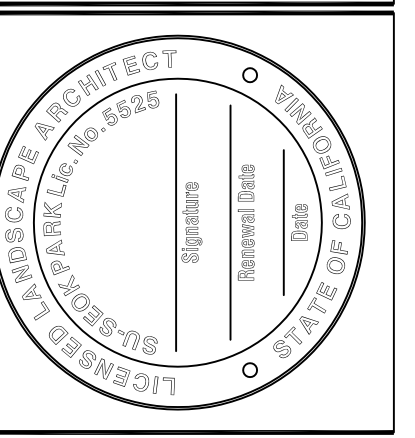
In addition to specified backfill mix, plants shall also receive Gro-Power 7 gram Planting Tablets at the following rates: 3 tablets per 1 gallon, 8 tablets per 5 gallon, 15 tablets per 15 gallon, 16 tablets per 24" box, 30 tablets per 36" box. Mulch is NOT TO BE USED as a groundcover. A 3" deep layer of shredded bark mulch shall be placed in all planting beds to retain water for plant material. Plant counts are for bidding purposes only. Contractor shall be responsible for exact count per plan. All above ground utilities and irrigation equipment shall be screened.



All Work to Meet or Exceed State & Local Codes and Industry Standards. Written Dimensions to Precede Scaled Dimensions.

UNDERGROUND UTILITIES:
The Contractor shall be responsible for locating or verifying locations of all existing utilities, and for protection of same. Damages resulting from Contractor's work or that of Contractor's sub-contractors shall be restored to original condition at their own expense. City shall have the final say if repairs are to be made by Contractor or others.

Planterra Consulting
Landscape Design & Planning
41221 Via Anita
Temecula, CA 92592
951.750.3826
Landprint@gmail.com



Owner/Applicant:
Temecula Valley Congregation of Jehovah's Witnesses
41221 Via Anita
Temecula, CA 92592

Project:
Calle Girasol Kingdom Hall
31640 Calle Girasol
Temecula, CA
Landscape Construction Documents

Sheet Description:
STREAM RESTORATION PLANTING

Date: **February 16, 2011**
Job No.: **CA4-717**
Drawn by: **GRP**
Revisions:

Sheet:
FG-7
Of: **7**

Attachment 6 Checklist of Required Reports and Notifications

Required Notifications: 401 Certification No. 11C-028

Notification Requirement	Required Notification Period	Required Condition(s) To Be Met	Date Notified
Unauthorized Discharge	Within 24 Hours of Discharge	VI.A	
Transfer of Certification Responsibility	Within 10 Days of Transfer	VII.B	
Dredge or Fill Commencement	5 Days Prior to Commencement	VII.C	
Mitigation Installation	5 Days Prior to Commencement	VII.D	
Mitigation Site Preservation Mechanism	Within 1 Year of Construction Commencement	VII.E	

Required Reports and Submittals: 401 Certification No. 11C-028

Required Report	Due Date	Required Condition(s) To Be Met	Report Received
Project Annual Report	August 1 st , Annually	VIII.A	
Final Annual Project Report	August 1 st After Project Completion	VIII.A	
Mitigation and Monitoring Annual Reports	December 1 st , Annually	VIII.B	
Final Mitigation and Monitoring Annual Report	December 1 st After Mitigation Success	VIII.C	