

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

2375 Northside Drive, Suite 100, San Diego, CA 92108
Phone (619) 516-1990 • Fax (619) 516-1994
<http://www.waterboards.ca.gov/sandiego/>

**Amendment No. 2 to Clean Water Act Section 401
Water Quality Certification No. 05C-118**

**PROJECT: Escondido Sewer Outfall Operations and Maintenance Activities
Project
Certification Number 05C-118**

**APPLICANT: City of Escondido
201 N. Broadway
Escondido, California 92025**

Reg. Meas. ID: 328868
Place ID: 229504
Party ID: 8671
Person ID: 564724
WDID: 9 000001690

On August 24, 2007, Clean Water Act Section 401 Water Quality Certification No. 05C-118 (Certification) was issued to the City of Escondido (Applicant) for the Escondido Sewer Outfall Operations and Maintenance Activities Project (Project). On July 23, 2012, the Certification was amended to extend an additional five years because of delays in initiating Project activities and other agencies' permitting process. Following this issuance, six of the 18 permitted operations and maintenance activities have been conducted annually or biannually from 2013 to 2015. Additionally, one cathodic protection and maintenance repair event occurred in 2014 and one emergency excavation/outfall line repair event occurred in 2015. The Certification authorized up to 0.36 acre of permanent impacts to waters of the State. To date, only 0.01 acre of impacts to waters of the State have occurred, all of which have been mitigated at the Kit Carson Park Mitigation site.

By letter dated December 23, 2016, Helix Environmental Planning, Inc., on behalf of the Applicant, requested the Certification be amended a second time to extend the expiration date of the Certification an additional five years, until August 24, 2022, for continued operations and maintenance activities.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification to extend the expiration date of the Certification to **August 24, 2022**. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. 05C-118 remain in full force and effect. The following changes are made to Certification No. 05C-118 and are shown in underline/strikeout format to indicate added and removed language:

Page 2, Standard Conditions 1, 2, and 3, are replaced with the following:

Pursuant to section 3860 of title 23 of the California Code of Regulations, the following three standard conditions apply to all water quality certification actions:

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the Water Code and chapter 28, article 6 (commencing with title 23, section 3867), of the California Code of Regulations.
- B. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to California Code of Regulations title 23, section 3855 subdivision (b), and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. This Certification action is conditioned upon total payment of any fee required under title 23, chapter 28 (commencing with section 3830) of California Code of Regulations and owed by the applicant.

Page 2, Section A. General Conditions, Condition 2 is modified as follows:

- 2. This Water Quality Certification No. 05C-118 is valid for 5 years from date of issuance. A time extension has been granted for this project. The extension period will begin on August 25, ~~2012~~ 2017 and expire on August 24, ~~2017~~ 2022.

Page 3, Section A. General Conditions, Condition 4 is modified as follows:

- 4. The City of Escondido must enroll in and, at all times, comply with the requirements of State Water Resources Control Board Water Quality Order No. ~~99-08-DWQ~~ 2009-0009-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Land Disturbance Activity, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.

Page 8, Section G. Reporting is modified as follows:

- 1. ~~All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.~~ **Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San

Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.

2. ~~The city of Escondido must submit reports and information required under this certification, or other information required by the Regional Board, to:~~ **Electronic Document Submittal.** The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification; Project No. 05C-118:229504:amonji
9174 Sky Park Court, Suite 100 2375 Northside Dr., Suite 100
San Diego, California 92123 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject: Certification No. 05C-118:229504:amonji.

Page 9, Section H. Signature Requirement, is modified as follows:

1. **Document Signatory Requirements.** All applications, reports, or information submitted to the Regional San Diego Water Board Executive Officer must be signed and certified as follows:
- a) 1. For a corporation, by a responsible corporate officer of at least the level of vice president.
 - b) 2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c) 3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
 - 2) 4. A duly authorized representative ~~of a person designated in Items 1.a. through 1.c. above~~ may sign ~~documents~~ applications, reports, or information if:
 - a) The authorization is made in writing by a person described in ~~Items 1.a. through 1.c. 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 Regional San Diego Board Executive Officer.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

- 3) 5. Document Certification Requirements. ~~Any person signing a document under this section shall make the following certification:~~ All applications, reports, or information submitted to the San Diego Water Board must be certified as follows:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Page 9, Regional Water Quality Control Board Contact Person is modified as follows:

Alan Monji
~~California Regional Water Quality Control Board, San Diego Region~~
~~9174 Sky Park Court, Suite 100~~
~~San Diego, CA 92123-4340~~
~~858-637-7140 Telephone: 619-521-3968~~
~~amonji@waterboards.ca.gov Email: Alan.Monji@waterboards.ca.gov~~

Page 10, Amended Water Quality Certification is modified as follows:

I hereby certify that the proposed discharge from the Escondido Sewer Outfall Operations and Maintenance Activities Project, Amendment #2 (Certification No. 05C-118) will comply with the applicable provision 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 ~~California Regional Water Quality Control Board, San Diego Region, Waiver of Waste Discharge Requirements (Waiver Policy) No. 17. State Water Board Order No. 2003-0017-~~DWQ, "Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certifications (General

WDRs),” which requires compliance with all conditions of this Water Quality Certification. Please note that ~~this waiver enrollment under Order No. 2003-0017-DWQ~~ is conditional and, should new information come to our attention that indicates a water quality problem, the Regional San Diego Water Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all eCertification actions are contingent on (a) the discharge being limited to, and all proposed mitigation being completed in strict compliance with, the applicant’s pProject description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board’s Water Quality Control Plan (Basin Plan).

Page 11, Attachment 1, Project Information, is modified as follows:

Applicant: City of Escondido Utilities Department
Mr. Lance Lauricha Ms. Elisa Marrone
475 North Spruce Street 201 N. Broadway
Escondido, CA 92025
Telephone: 760-839-4347 4075
Facsimile: 760-745-7214
Email: llauricha@ci.escondido.ca.us
EMarrone@escondido.org

Applicant
Representative: Ms. Michelle Fehrensén Mr. Karl Osmundson
EDAW, Inc. HELIX Environmental Planning, Inc.
1420 Kettner Blvd. 7578 El Cajon Boulevard
Suite 620 Suite 200
San Diego, CA 92101 La Mesa, CA 91942
Telephone: 619-233-1454 619-462-1515
Facsimile: 619-233-0952
Email: Michelle.Fehrensén@edaw.com
KarlO@helixepi.com

Project Name: Amendment No. 2 to Clean Water Act Section 401
Water Quality Certification No. 05C-118 for the
Escondido Sewer Outfall Operations and
Maintenance Activities Project (05C-118)

Page 12, Attachment 1, Project Information is modified as follows:

Federal Agency/Permit: Army Corps of Engineers, Regional General Permit –
Laurie Monarres Mr. Winston Zack

Other Required
Regulatory Approvals: California Department of Fish and ~~Game~~Wildlife,
Streambed Alteration Agreement – ~~Tamara Spear~~ Ms.
Marilyn Fluharty

Page 14, Attachment 2, Distribution List, is modified as follows:

~~Ms. Laurie Monarres~~ Mr. Winston Zack
U.S. Army Corps of Engineers
San Diego Field Office
16885 West Bernardo Drive
Suite 300A
San Diego, CA 92127
Winston.S.Zack@usace.army.mil

~~Ms. Tamara Spear~~ Ms. Marilyn Fluharty
California Department of Fish and ~~Game~~Wildlife
South Coast Region
Habitat Conservation Planning — South Streambed Alteration Program
4949 Viewridge Avenue
San Diego, CA 92123
Marilyn.Fluharty@wildlife.ca.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

~~Ms. Elizabeth Goldman~~
~~Wetlands Regulatory Office~~
U.S. Environmental Protection Agency, Region 9
~~75 Hawthorne Street~~
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

Ms. Melissa Scianni
U.S. EPA, OWOW, Region 9
Scianni.melissa@epa.gov

~~Ms. Michelle Fehrens~~ Mr. Karl Osmundson
EDAW, Inc. HELIX Environmental Planning, Inc.
1420 Kettner Blvd
Suite 620

City of Escondido
Escondido Sewer Outfall Operations and
Maintenance Activities Project
Certification No. 05C-118

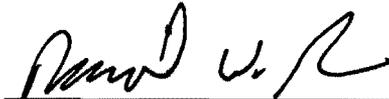
August 24, 2007
Amendment No. 1 on July 23, 2012
Amendment No. 2 on July 26, 2017

~~San Diego, CA 92104~~
~~KarlO@helixepi.com~~

Mr. Eric Becker
Regional Water Quality Control Board – San Diego Region
~~9174 Sky Park Court, Suite 100~~
~~San Diego, CA 92123-4340~~
~~Eric.becker@waterboards.ca.gov~~

Notification: Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 2 to Certification No. 05C-118 issued on July 26, 2017.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

26 July 2017
Date



California Regional Water Quality Control Board

San Diego Region



Linda Adams
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

Arnold
Schwarzenegger
Governor

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

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

PROJECT: Escondido Sewer Outfall Operations and Maintenance Activities
Programmatic Water Quality Certification No. 05C-118

APPLICANT: City of Escondido
Attention: Mr. Lance Lauricha
475 North Spruce Street
Escondido, CA 92025

WDID	9 000001690
CIWQS:	
Party No.	8671
Party No.	360499
Place No.	229504
Reg. M. No.	328868

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 checked="" type="checkbox"/> Waiver of Waste Discharge Requirements |

This Water Quality Certification is programmatic and is for a Regional General Permit being sought by the City of Escondido from the U.S. Army Corps of Engineers for the activities described in their application. Being a programmatic permit, exact impacts and mitigation is not known, but estimated. This Certification is based on estimated impacts and stipulates types and ratios of mitigation. This Certification is valid for 5 years from date of issuance. At the end of 5 years, the City of Escondido may apply for a new Certification, ~~not~~ or an extension.

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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NON-UNION

STANDARD CONDITIONS:

The following three standard conditions apply to all certification actions, except as noted under Condition 3 for denials (Action 3).

1. 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).
2. 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.
3. 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.

ADDITIONAL CONDITIONS:

In addition to the three standard conditions, City of Escondido must satisfy the following:

A. GENERAL CONDITIONS

1. This Certification is programmatic and is for a Regional General Permit being sought by the City of Escondido from the U.S. Army Corps of Engineers for activities described in the Application.
2. This Certification is valid for 5 years from date of issuance. **A time extension has been granted for this project. The extension period will begin on August 25, 2012 and expire on August 24, 2017.**
3. The City of Escondido must at all times fully comply with the engineering plans, specifications and technical reports submitted with this application for Clean Water Act §401 Water Quality Certification and all subsequent submittals required as part of this certification.

4. The City of Escondido must enroll in and, at all times, comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-08-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
5. During construction or work on the project, the City of Escondido must maintain a copy of this certification, the application, and supporting documentation at the project site at all times for review by site personnel and agencies.
6. Prior to the start of the project and annually thereafter, the City of Escondido must educate all applicable personnel on the requirements in this certification, pollution prevention measures, and spill response.
7. The City of Escondido must permit the California Regional Water Quality Control Board – San Diego Region (Regional Board) or its authorized representative at all times, upon presentation of credentials:
 - a) Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - b) Access to copy any records required to be kept under the terms and conditions of this certification.
 - c) Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this certification.
 - d) Sampling of any discharge or surface water covered by this Order.
8. The City of Escondido must notify the Regional Board within 24 hours of any unauthorized discharge to waters of the U.S. 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.
9. The City of Escondido must maintain appropriate types and sufficient quantities of materials onsite to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reached a waters of the U.S. and/or State.
10. This Certification is not transferable.
11. 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.

12. In response to a suspected violation of any condition of this certification, the Regional 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 Regional Board deems appropriate, provided that the burden, including costs, of the reports must be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
13. In response to any violation of the conditions of this certification, the Regional Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
14. This Certification only authorizes work in the areas specified in the application. Work or activities outside of the specified areas will require an amendment to the Certification or a new Certification at the Regional Board's discretion.

B. BEST MANAGEMENT PRACTICES

1. All Best Management Practices (BMPs) listed within the City of Escondido's Application for Clean Water Act Section 401 Water Quality Certification, dated November 17, 2005, must be implemented and maintained by City of Escondido.
2. Applicable BMPs must include, but not be limited to:
 - a) Scheduling work to avoid the rainy season when feasible.
 - b) Minimizing the area of ground disturbance and preserving existing vegetation.
 - c) Backfilling excavations with original soil.
 - d) Installation of temporary downstream filters (e.g., gravel bags).
 - e) Temporary diversion of water when working within the creek.
 - f) Hydraulic mulch.
 - g) Hydroseeding.
 - h) Soil binders.
 - i) Straw mulch.
 - j) Geotextiles, plastic sheeting, and erosion control blankets/mats.
 - k) Wood mulching.
 - l) Earthen dikes.
 - m) Outlet protection / velocity dissipation devices.

3. The City of Escondido, or their designated party, must inspect and maintain post-construction BMPs per the manufacturers' specifications and/or engineering design specifications. An inspection and maintenance log must be maintained and copies of the inspection and maintenance log must be provided to the Regional Board upon request.

C. MITIGATION

1. Compensatory mitigation for impacts to waters of the U.S. and State are generally described in the Habitat Mitigation Plan for the Escondido Sewer Outfall Operations and Maintenance Activities, EDAW, March 2006, and the Daley Ranch Conservation Bank – Potential Wetland/Riparian Mitigation Opportunities in the North-Central Valley Area letter, EDAW, November 30, 2006. The City of Escondido estimates that approximately 2.2-acres of potential Southern willow scrub/woodland wetland creation and 4.9-acres of Coast live oak riparian forest creation opportunities exist within the Daley Ranch Conservation Bank. Permanent impacts are estimated at (fill) 0.27-acre of vegetated (wetland and riparian) waters of the U.S. in and along 14+ miles of Escondido Creek. Temporary impacts are estimated up to 0.38 acres of wetlands (as waters of the U.S.) by creek crossings. The City of Escondido must submit a final mitigation plan to the Regional Board at least 60 days before planned impacts and no later than September 1, 2008.
2. Impacts are not allowed until the Regional Board approves the mitigation plan.
3. Compensatory mitigation must be the creation, restoration, and enhancement of these vegetation communities, habitats, and waters at these ratios:
 - a) Southern Sycamore-Alder Riparian Woodland 3:1
 - b) Southern Riparian Scrub 3:1
 - c) Southern Coast Live Oak Riparian Forest 3:1
 - d) Coastal and Valley Freshwater Marsh 3:1
 - e) Alkali Marsh 4:1
 - f) Disturbed Wetland 2:1
4. Permanent impacts must be mitigated with the creation of equal or like habitat/vegetation communities at the minimum ratios listed in condition C.3. above.
5. Temporary impacts must be mitigated with the creation, restoration, or enhancement creation of equal or like habitat/vegetation communities at the minimum ratios listed in condition C.3., above.

6. The construction of proposed mitigation must be completed within the same calendar year as impacts occur, or at least no later than 9 months following the close of the calendar year in which impacts first occur (e.g., if impacts occur in June 2003, construction of mitigation for all impacts must be completed no later than February 2004). Delays in implementing mitigation must result in an increased mitigation ratio by 1.0 acre for each acre of impact for each year, or part thereof, of delay.
7. Maintenance plan and success criteria: The City of Escondido must monitor and maintain the mitigation areas until final success criteria is met as approved by the Regional Board and as described in the mitigation plan.
8. Within 90 days of the issuance of this certification, the City of Escondido must provide a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. The conservation easement 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, or activities which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the U.S. that it supports. The conservation easement or other appropriate 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 functions and values of the site. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, paved maintenance roads, and areas of maintained landscaping for recreation. The City of Escondido must submit proof of a completed preservation mechanism within one year of issuance of this certification and prior to any impacts.
9. The City of Escondido must submit a report (including topography maps and planting locations) to the Regional Board within 90 days of completion of mitigation site preparation and planting, describing as-built status of the mitigation project. If the site grading and planting are not completed within six weeks of each other, separate reports will be submitted describing those specific as-built conditions.
10. 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 onsite or offsite mitigation areas.
11. 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 City of Escondido, or future owners, must be responsible for repair and replanting of the damaged area(s).

12. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful by the Regional Board or by Regional Board deference to another resource agency. A reporting schedule shall be included in the Mitigation Plan. Monitoring reports must be submitted no later than 30 days following the end of the monitoring period as specified in the mitigation plan. Monitoring reports must include, but not be limited to, the following:
- a) Names, qualifications, and affiliations of the persons contributing to the report;
 - b) Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
 - c) Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
 - d) Photodocumentation from established reference points;
 - e) Survey report documenting boundaries of mitigation area; and
 - f) Other items specified in the draft and final Wetland and Riparian Mitigation and Monitoring Plan.
13. 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.
14. For purposes of this certification, creation is defined as the creation of vegetated or unvegetated waters of the U.S. where they have never been documented or known to occur (e.g., conversion of nonnative grassland to freshwater marsh). Restoration is defined as the creation of waters of the U.S. where they previously occurred (e.g., removal of fill material to restore a drainage). Enhancement is defined as modifying existing waters of the U.S. to enhance functions and values (e.g., removal of exotic plant species from jurisdictional areas and replacing with native species).

D. STREAM PHOTO DOCUMENTATION PROCEDURE

The City of Escondido must conduct photo documentation of the project site 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 the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 7. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. The City of Escondido must submit this information in a photo documentation report to the Regional Board with the Mitigation Maintenance and Monitoring

reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

E. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES PHOTO DOCUMENTATION PROCEDURE

The City of Escondido must conduct photo documentation of implemented post-construction BMPs. Photo-documentation must be modeled after the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 7. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. The City of Escondido must submit this information in a photo documentation report to the Regional Board with the Mitigation Maintenance and Monitoring reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

F. GEOGRAPHIC INFORMATION SYSTEM REPORTING

The City of Escondido must submit Geographic Information System (GIS) shape files of the impact and mitigation areas within 30 days of project impacts and the mitigation areas within 30 days of mitigation installation. All impact and mitigation areas shapefiles must be polygons. 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.

G. REPORTING

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.
2. The City of Escondido must submit reports and information required under this certification, or other information required by the Regional Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification; Certification No. 05C-118
9174 Sky Park Court, Suite 100
San Diego, California 92123

H. SIGNATORY REQUIREMENT

1. All applications, reports, or information submitted to the Regional Board Executive Officer must be signed and certified as follows:
 - a) For a corporation, by a responsible corporate officer of at least the level of vice president.
 - b) For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c) For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in Items 1.a. through 1.c. above may sign documents if:
 - a) The authorization is made in writing by a person described in Items 1.a. through 1.c. 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 Regional Board Executive Officer.
3. Any person signing a document under this section shall make the following certification:

"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."

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On December 21, 2005, receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

~~Mike Porter~~ Alan Monji
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
858-467-2726/637-7140
~~mporter~~ amonji@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **Escondido Sewer Outfall Operations and Maintenance Activities** project (Certification No. 05C-118) 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 California Regional Water Quality Control Board, San Diego Region, Waiver of Waste Discharge Requirements (Waiver Policy) No. 17. Please note that this waiver is conditional and, should new information come to our attention that indicates a water quality problem, the Regional 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 applicant's project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 05C-118 issued on August 24, 2007 and amended on July 23, 2012.

~~John H. Robertus~~ David W. Gibson

Date

Executive Officer
Regional Water Quality Control Board

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Maps
 4. Site Maps
 5. Operations and Maintenance Activities
 6. Mitigation Maps
 7. Stream Photo Documentation Procedure

ATTACHMENT 1
PROJECT INFORMATION

Applicant: City of Escondido
Mr. Lance Lauricha
475 North Spruce Street
Escondido, CA 92025
Telephone: 760-839-4347
Facsimile: 760-745-7214
E-mail: llauricha@ci.escondido.ca.us

Applicant Representative: Ms. Michelle Fehrensen
EDAW, Inc.
1420 Kettner Blvd.
Suite 620
San Diego, CA 92101
Telephone: 619-233-1454
Facsimile: 619-233-0952
E-mail: Michelle.Fehrensen@edaw.com

Project Name: Escondido Sewer Outfall Operations and Maintenance Activities (05C-118)

Project Location: The project is located in northern San Diego County, originating at the City of Escondido's Hale Avenue Sewer Treatment Facility (1521 Hale Ave.), following the treated sewage line easement along Escondido Creek for approximately 14.2-miles, and terminating at the San Elijo Ocean Outfall within the City of Carlsbad.

Type of Project: Sewage line infrastructure monitoring and maintenance.

Project Description: The project is the continued operations and maintenance (O&M) of the 14.2-mile treated sewage line and infrastructure for the City of Escondido's land outfall. The infrastructure includes the treated sewer line, 95 manholes, 16 cathodic protection test stations, 4 cathodic protection rectifier stations, and access roads for vehicles and pedestrians. Examples and categories of O&M activities will include:

1. Protection (armoring) and maintenance of the treated sewer line where it crosses Escondido Creek.
2. Repair of channel banks or bottoms where the line is exposed.
3. Repair of broken culverts.
4. Removal of debris clogs from the riparian corridor, including fallen trees.
5. Periodic vegetation clearing to maintain pedestrian or vehicle access at key locations.
6. Protection or repair of cathodic protection devices (rectifiers)

and test stations).

7. Maintenance of existing access roads.

See Attachment 5 for a list of O&M Activities proposed for this project and permitting cycle.

Federal Agency/Permit: Army Corps of Engineers, Regional General Permit – Laurie Monarres

Other Required Regulatory Approvals: California Department of Fish and Game, Streambed Alteration Agreement – Tamara Spear

California Environmental Quality Act (CEQA) Compliance:

1. City of Escondido, Mitigated Negative Declaration for the Escondido Sewer Outfall Operations and Maintenance Activities, November 2005, City case File No. ER 2004-43, Project No. 2873, SCH No. 2005111069.
2. City of Escondido, Notice of Determination for Escondido Sewer Outfall Operations and Maintenance Activities, March 2, 2006, SCH No. 2005111069.

Receiving Water: Perennial Escondido Creek. Carlsbad hydrologic unit, Escondido Creek hydrologic area, San Elijo (904.61) and Escondido (904.62) hydrologic subareas.

Estimated Impacted Waters of the United States: This project does not propose specific locations and amounts of impacts. Those details are not known at this time. However, the City has estimated impacts as follows:

1. Permanent impacts are estimated at (fill) 0.27-acre of vegetated (wetland and riparian) waters of the U.S. in and along 14+ miles of Escondido Creek.
2. Temporary impacts are estimated up to 0.38 acres of wetlands (as waters of the U.S.) by creek crossings.

Dredge Volume: None

Related Projects Implemented/to be Implemented by the Applicant(s): City of Escondido has not disclosed a related project.

Compensatory Mitigation: Compensatory mitigation for impacts to waters of the U.S. and State are described in the Habitat Mitigation Plan for the Escondido Sewer Outfall Operations and Maintenance Activities, EDAW, March 2006, and the Daley Ranch Conservation Bank – Potential Wetland/Riparian Mitigation Opportunities in the North-Central Valley Area, EDAW, November 30, 2006.

Specific mitigation details are not proposed as the exact amounts of impacts are not known. However, when mitigation occurs, it will occur at these ratios for these vegetation communities and habitats and consist of creation, restoration, and enhancement:

- | | |
|--|-----|
| a) Southern Sycamore-Alder Riparian Woodland | 3:1 |
| b) Southern Riparian Scrub | 3:1 |
| c) Southern Coast Live Oak Riparian Forest | 3:1 |
| d) Coastal and Valley Freshwater Marsh | 3:1 |
| e) Alkali Marsh | 4:1 |
| f) Disturbed Wetland | 2:1 |

When impacts are quantified, the City will then prepare mitigation proposal notifications for review and approval by all permitting agencies.

Best Management Practices:

The City of Escondido's Application for Clean Water Act Section 401 Water Quality Certification, dated November 17, 2005, proposes the following construction and post-construction Best Management Practices (BMPs):

- a) Scheduling work to avoid the rainy season when feasible.
- b) Minimizing the area of ground disturbance and preserving existing vegetation.
- c) Backfilling excavations with original soil.
- d) Installation of temporary downstream filters (e.g., gravel bags).
- e) Temporary diversion of water when working within the creek.
- f) Hydraulic mulch.
- g) Hydroseeding.
- h) Soil binders.
- i) Straw mulch.
- j) Geotextiles, plastic sheeting, and erosion control blankets/mats.
- k) Wood mulching.
- l) Earthen dikes.
- m) Outlet protection / velocity dissipation devices.

Public Notice: December 21, 2005

Fees: Total Due: \$2,560.00
Total Paid: \$2,560.00 (check No. 152906)

**ATTACHMENT 2
DISTRIBUTION LIST**

Ms. Laurie Monarres
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San Diego Field Office
16885 West Bernardo Drive
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San Diego, CA 92127

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

Ms. Tamara Spear
California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – South
4949 Viewridge Avenue
San Diego, CA 92123

State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit
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