



# California Regional Water Quality Control Board San Diego Region



Over 50 Years Serving San Diego, Orange, and Riverside Counties

Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

**Matthew Rodriguez**  
Secretary for  
Environmental Protection

**Edmund G. Brown Jr.**  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

August 4, 2011

In reply refer to:  
649929: jebesen

Willie Gaters  
San Diego Gas and Electric Company  
8315 Century Park Court, CP22C  
San Diego, CA 92123

Dear Mr. Willie Gaters:

**Subject: Action on Request for Clean Water Act Section 401 Water Quality Certification for the Mission Control Perimeter Fence and Swale Maintenance Water Quality Certification No. 07C-040**

Enclosed find Clean Water Act Section 401 Water Quality Certification for the **Mission Control Perimeter Fence and Swale Maintenance** project. A description of the project and project location can be found in the project information sheet, location map, and site maps which are included as Attachments 1 through 6.

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

Failure to comply with all conditions of this Certification may subject you to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

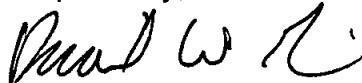
**California Environmental Protection Agency**



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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 Jody Ebsen at (858) 636-3146 or [jebsen@waterboards.ca.gov](mailto:jebsen@waterboards.ca.gov).

Respectfully,



DAVID W. GIBSON  
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 07C-040 for Mission Control Perimeter Fence and Swale Maintenance project, with 6 attachments

cc: Refer to Attachment 2 of Certification 07C-040 for Distribution List.

Tech Staff Info & Use	
File No.	07C-040
WDID	9000001639
Reg. Measure ID	324470
Place ID	649929
Party ID	375883
Person ID	375884



# California Regional Water Quality Control Board

## San Diego Region



**Matthew Rodriquez**  
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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:** Mission Control Perimeter Fence and  
Swale Maintenance, Certification  
Number 07C-040, WDID: 9000001639

**APPLICANT:** Willie Gaters  
San Diego Gas and Electric Company  
8315 Century Park Court, CP22C  
San Diego, CA 92123-1548

CIWQS Reg. Meas. ID: 324470 Place ID: 649929 Party ID: 375883
--

**ACTION:**

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

**PROJECT DESCRIPTION:**

The project is to repair six existing severely eroded concrete-lined swales where portions of San Diego Gas and Electric's (SDG&E) Mission Control Center perimeter fence crosses six jurisdictional areas along the western and northern boundaries of the site. The project site is located east of Interstate 805 and north of Friars Road. SDG&E will repair these sites by installing reinforced concrete-lined swales, replacing deteriorated fence sections, repairing fence posts where necessary, and installing security bar grates at each of the six locations to improve facility security. Permanent jurisdictional impacts (0.023 acre) will result from the placement of concrete, riprap, and new fencing. Temporary impacts (0.10 acre) to jurisdictional areas will result from clearing approximately 10 feet of vegetation around the concrete-lined swale or the limits of grading (whichever is greater) at each site to provide ample access and workspaces as necessary to complete the work safely.

*California Environmental Protection Agency*

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## I. STANDARD CONDITIONS:

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

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
- B. This Certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. The validity of any non-denial Certification action (Actions 1 and 2) must be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

## II. ADDITIONAL CONDITIONS: GENERAL

- A. Water Quality Certification No. 07C-040 (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. SDG&E 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](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf).
- C. SDG&E 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, SDG&E 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. SDG&E 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, SDG&E must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices (BMPs) implementation and maintenance.
- B. SDG&E 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. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- D. 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.
- E. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- F. All areas that will be left in a rough graded state must be stabilized no later than one week after completion of grading. SDG&E 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>.
- G. 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.

- H. 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.
- I. All cleared vegetation and other debris will be removed from the project site and properly disposed. All work should be conducted during the dry season. If project activities occur during the coastal California gnatcatcher breeding season (March 15 through August 31), a qualified biologist should survey the coastal sage scrub vegetation for the presence and location of any nesting coastal California gnatcatcher.

#### **IV. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION**

- A. Mitigation for permanent discharges to 0.023 acres (570 linear feet) non-wetland waters of the United States and temporary discharges to 0.013 acres (237.37 linear feet) non-wetland waters of the United States must be achieved at a 3:1 ratio for a total of 0.099 acre as described in the *Compensatory Mitigation and Monitoring Plan San Diego Gas and Electric eTS 5712 – Mission Control Fence Replacement Project* dated May 12, 2010. Mitigation must include:
  - 1. Permanent impacts to 0.023 acre of non-wetland (unvegetated) waters of the United States shall be mitigated by the creation of 0.023 acre of on-site non-wetland waters of the United States and by the enhancement of 0.066 acre of on-site streambed and banks. Creation will be achieved by the expansion of the ordinary high water mark after the swales have been repaired. Enhancement will be achieved by the eradication of nonnative perennial species from upstream areas that are subject to CDFG jurisdiction.
  - 2. Temporary impacts to 0.010 acre of non-wetland waters of the United States shall be mitigated by the on-site restoration of those areas at a 1:1 ratio after construction is completed.
- 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. SDG&E 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. SDG&E must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
- E. SDG&E 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. SDG&E 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. Throughout the mitigation monitoring program mitigation areas must be maintained free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the on-site or off-site mitigation areas.
- H. 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.
- I. 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; SDG&E is responsible for repair and replanting of the damaged area(s).
- J. 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.

- K. 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).

#### **V. MONITORING REQUIREMENTS:**

- A. Monitoring of the mitigation site and receiving water areas 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.

#### **VI. NOTIFICATION REQUIREMENTS:**

- A. SDG&E 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 SDG&E becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time SDG&E 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 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:** SDG&E 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 SDG&E 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 of this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**
- Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to SDG&E will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve SDG&E of this Certification in the event that a transferee fails to comply.
- C. SDG&E 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. SDG&E 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. Prior to the start of construction, SDG&E 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, SDG&E must submit proof of a completed preservation mechanism that will protect

all mitigation areas and their buffers in perpetuity. Construction of the site must not be initiated until a completed preservation mechanism is received. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the United States that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the site. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

## VII. REPORTING REQUIREMENTS:

- A. SDG&E 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. SDG&E must submit a Final Project Report to the San Diego Water Board **prior to August 1 following completion of the project**. All 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 and receiving water monitoring reports must be submitted annually for a minimum of five years until mitigation has been deemed successful. Annual monitoring reports must be submitted **prior to December 1 of each year**. Monitoring reports must include, but not be limited to, the following:
1. Names, qualifications, and affiliations of the persons contributing to the report.

2. Date of initiation of mitigation installation and date mitigation installation was completed.
  3. Mitigation as-builts, including topography maps and planting locations.
  4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data.
  5. Topographic complexity characteristics at each mitigation and receiving water sites.
  6. Upstream and downstream habitat and hydrologic connectivity.
  7. Source of hydrology.
  8. Width of native vegetation buffer around the entire mitigation and receiving water sites.
  9. Qualitative and quantitative comparisons of current mitigation and receiving water conditions with pre-construction conditions and previous mitigation and receiving water 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](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. **Within 60 Days of Certification Issuance**, SDG&E must provide the San Diego Water Board with a Habitat Mitigation and Monitoring Report that identifies, at a minimum, the final planting plan, monitoring (including functional assessment to be conducted), and success criteria for the mitigation site.
- D. 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.

- E. 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.
- F. 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.
- G. 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."
- H. SDG&E 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; Project No. 07C-040  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

**VIII. CEQA FINDINGS:**

- A. The San Diego Water Board is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed a Notice of Exemption, for a Categorical Exemption under CEQA Guidelines Title 14 Article 19 Section 15301b, of the California Code of Regulations dated August 4, 2011. The San Diego Water Board finds that the proposed project will not have a significant effect on the environment, and therefore determines that issuance of this Certification is consistent with the Categorical Exemption.

**IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

- A. On April 27, 2007 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.


**X. SAN DIEGO WATER BOARD CONTACT PERSON:**

Jody Ebsen  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
858-636-3146, [jebsen@waterboards.ca.gov](mailto:jebsen@waterboards.ca.gov)

## XI. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the Mission Control Perimeter Fence and Swale Maintenance Project (Project No. 07C-040) 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

8-4-2011  
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:** Willie Gaters  
San Diego Gas and Electric Company  
8315 Century Park Court, CP22C  
San Diego, CA 92123-1548  
Telephone: 858-637-3726  
Email: wgaters@semprautilities.com

**Project Name:** Mission Control Perimeter Fence Swale Maintenance

**Project Location:** Latitude: 32.787325  
Longitude: -117.140067

**Type of Project:** Fence and swale repair.

**Need for Project:** Severe erosion has resulted in compromised facility security from the destruction of the old concrete-lined swales and deeply eroded channels. The erosion has created gaps underneath the fence at six separate locations.

**Project Description:** The project is to repair six existing severely eroded concrete-lined swales where portions of San Diego Gas and Electric's (SDG&E) Mission Control Center perimeter fence crosses six jurisdictional areas along the western and northern boundaries of the site. The project site is located east of Interstate 805 and north of Friars Road. SDG&E will repair these sites by installing reinforced concrete-lined swales, replacing deteriorated fence sections, repairing fence posts where necessary, and installing security bar grates at each of the six locations to improve facility security. Permanent jurisdictional impacts (0.023 acre) will result from the placement of concrete, riprap, and new fencing. Temporary impacts (0.10 acre) to jurisdictional areas will result from clearing approximately 10 feet of vegetation around the concrete-lined swale or the limits of grading (whichever is greater) at each site to provide ample access and workspaces as necessary to complete the work safely.

**Federal Agency/Permit:** U.S. Army Corps of Engineers §404, NWP 3, Crystel Doyle

**Other Required Regulatory Approvals:** California Department of Fish and Game Streambed Alteration Agreement, Kelly Fisher

California Environmental Quality Act (CEQA) Compliance: Notice of Exemption for San Diego Gas & Electric (SDG&E) – Mission Control Perimeter Fence Swale Maintenance Project, August 4, 2011, San Diego Water Board

Receiving Water: Unnamed ephemeral tributaries to the San Diego River, Mission San Diego HSA (907.11)

Affected Waters of the United States: Temporary:  
Streambed: 0.010 acre (237.37 linear feet)  
Permanent:  
Streambed: 0.023 acre (570.16 linear feet)

Related Projects Implemented/to be Implemented by the Applicant(s): No projects related to the proposed activity have been carried out in the last 5 years nor are planned for implementation in the next 5 years.

Compensatory Mitigation: On-site:  
  
Permanent impacts to 0.023 acre of non-wetland (unvegetated) waters of the United States shall be mitigated by the creation of 0.023 acre of on-site non-wetland waters of the United States and by the enhancement of 0.066 acre of on-site non-riparian streambed and banks. Creation will be achieved by the expansion of the ordinary high water mark after the swales have been repaired. Enhancement will be achieved by the eradication of nonnative perennial species from upstream areas that are subject to CDFG jurisdiction.  
  
Temporary impacts to 0.010 acre of non-wetland waters of the United States shall be mitigated by the on-site restoration of those areas at a 1:1 ratio after construction is completed.  
  
*Compensatory Mitigation and Monitoring Plan San Diego Gas and Electric eTS 5712 – Mission Control Fence Replacement Project dated May 12, 2010*

Mitigation Location: On-site and upstream of the project site.  
Latitude: 32.788106  
Longitude: -117.139721

Best Management Practices (BMPs): All cleared vegetation and other debris will be removed from the project site and properly disposed. All work should be conducted during the dry season. If project activities occur

during the coastal California gnatcatcher breeding season (March 15 through August 31), a qualified biologist should survey the coastal sage scrub vegetation for the presence and location of any nesting coastal California gnatcatcher.

**Public Notice:** On April 27, 2007 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: \$5,808  
Total Paid: \$5,308 (check no. 733508) \$500 (check no. 590372)

**CIWQS:** Regulatory Measure ID: 324470  
Place ID: 649929  
Party ID: 375883

**ATTACHMENT 2  
DISTRIBUTION LIST**

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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](mailto:Stateboard401@waterboards.ca.gov)

# Attachment 3 Location Map

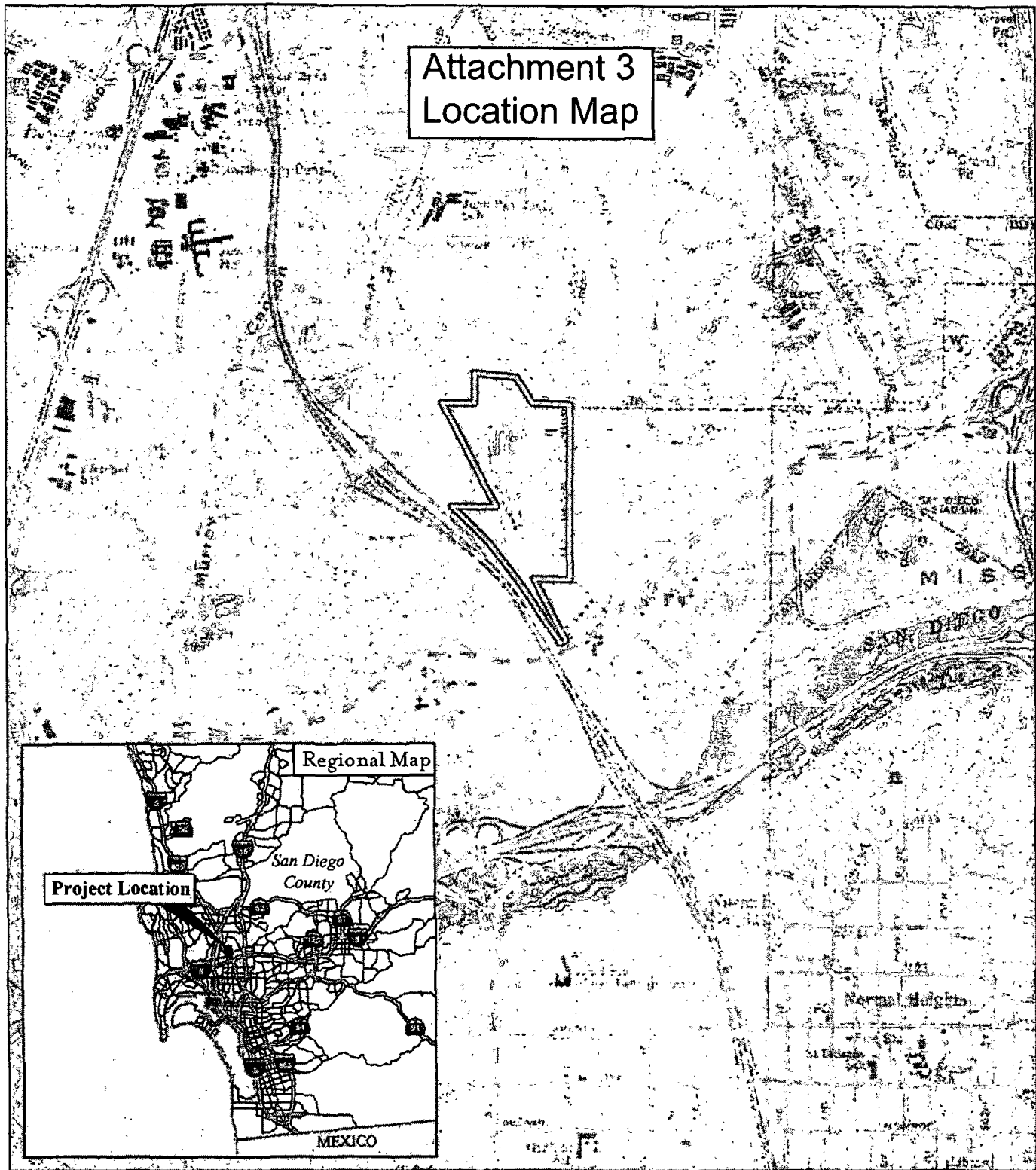


FIGURE 1

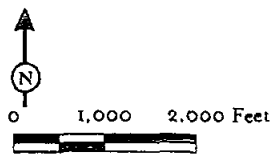
LSA

LEGEND

— MISSION CONTROL CENTER PERIMETER FENCE LINE



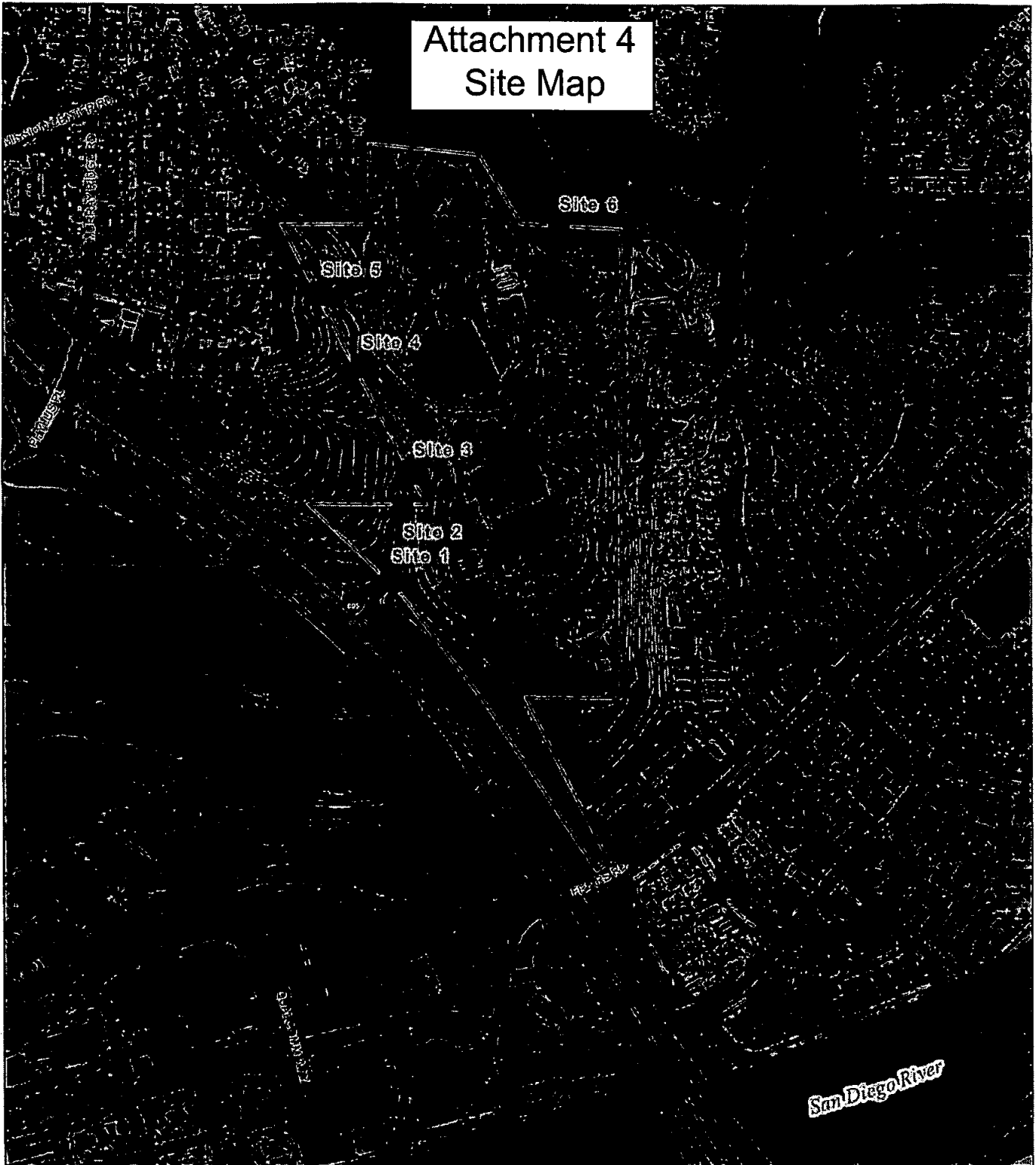
Mission Control Perimeter  
Fence Swale Maintenance  
Regional and Project Location



SOURCE: USGS 7.5' Quad, LA JOLLA, California (1975).

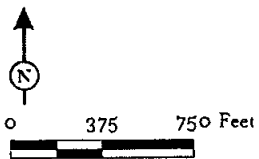
\\rv06\CBD03-Images\SGE0601\GIS\Figure\_1\_ProjectLocation.mxd (03/08/07)

# Attachment 4 Site Map



LSA

FIGURE 2



**LEGEND**

- PROJECT SITES
- EXISTING TOPOGRAPHY (10' INTERVAL)
- MISSION CONTROL CENTER PERIMETER FENCE LINE



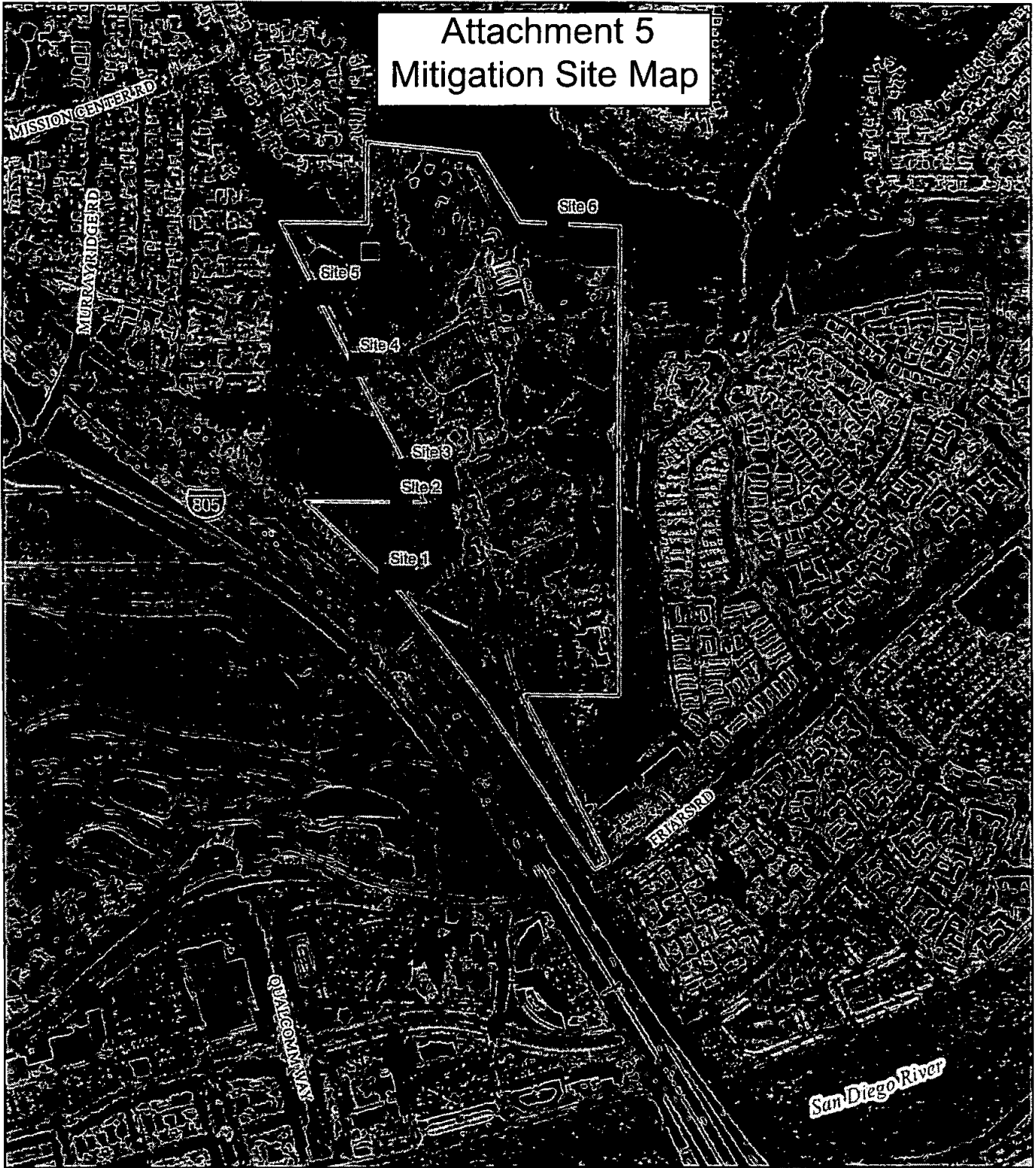
Mission Control Perimeter  
Fence Swale Maintenance

Project Sites I through 6 Locations

SOURCE: AirPhotoUSA (2/06); SDG&E (08/06)

\\rv06\CBD03-Images\SGE0601\GIS\Figure\_2\_ProjectSites.mxd (03/08/07)

# Attachment 5 Mitigation Site Map



L S A



0 375 750 Feet

### LEGEND

- Mitigation Site
- Project Sites 1-6
- Mission Control Center Perimeter Fence Line

FIGURE 2

Mitigation Site Locations

*San Diego Gas & Electric*

Mission Control Fence Replacement Project  
Compensatory Mitigation and Monitoring Plan

SOURCE: DigitalGlobe (2008); SDG&E (08/06)

I:\SGE0805\GIS\Figure\_2\_ProjectSites.mxd (11/13/08)

## Attachment 6 Checklist of Required Reports and Notifications

### Required Notifications: 401 Certification No. 07C-040

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	VI.B	
Dredge or Fill Commencement	5 Days Prior to Commencement	VI.C	
Mitigation Installation Commencement	5 Days Prior to Commencement	VI.D	
Mitigation Site Preservation Mechanism	Within 1 Year of Construction Commencement	VI.E	

### Required Reports and Submittals: 401 Certification No. 07C-040

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

11/02/08