California Regional Water Quality Control Board

San Diego Region

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October 27, 2008

Protection

CERTIFIED MAIL 7008 1140 0004 9971 8238 In reply refer to: WPS:08C-047:JEbsen

Ms. Maureen A. Stapleton General Manager San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

WDID CIWQS:	9 000001801
Place	720832
Reg. Measure	348107
Party	42997
-	

SUBJECT: ACTION ON REQUEST FOR CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR THE CARRYOVER STORAGE AND SAN VICENTE DAM RAISE PROJECT, WATER QUALITY CERTIFICATION No. 08C-047

Dear Ms. Stapleton:

Enclosed find Clean Water Act Section 401 Water Quality Certification with enrollment under Statewide General Waste Discharge Requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ (Certification) for the Carryover Storage and San Vicente Dam Raise Project. A description of the project and project location can be found in the project information sheet, project location map, and project site maps, by the California Regional Water Quality Control Board, San Diego Region (Regional Board), which are included as Attachments 1 through 5.

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 Regional 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.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please

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.

include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions regarding this notification, please contact Ms. Jody Ebsen directly at (858) 636-3146 or by email via jebsen@waterboards.ca.gov.

Respectfully,

JOHN H. ROBERT Executive Officer

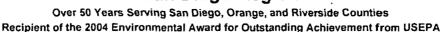
Enclosure: Clean Water Act Section 401 Water Quality Certification No. 08C-047 for Carryover Storage and San Vicente Dam Raise Project, with 6 attachments

cc: Refer to Attachment 2 of Certification 08C-047 for Distribution List



California Regional Water Quality Control Board

San Diego Region



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

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: Carryover Storage and San Vicente Dam Raise Project, Certification No. 08C-047, WDID No. 9000001801

APPLICANT: San Diego County Water Authority,
Mr. Laurence Purcell

4677 Overland Avenue San Diego, CA 92123

CIWQS

Reg. Mes. ID: 348107 Place ID: 720832 Party ID: 42997

ACTION:

☐ Order for Low Impact Certification	☐ Order for Denial of Certification
☑ Order for Technically-conditioned Certification	☐ Waiver of Waste Discharge Requirements
☑ Enrollment in SWRCB GWDR Order No. 2003-0017 DWQ	☐ Enrollment in Isolated Waters Order No. 2004-0004 DWQ

The project consists of relocating the current marina and raising the San Vicente Dam an additional 63 feet beyond a previously approved proposal to raise the dam by 54 feet, to increase local water storage at San Vicente Reservoir.

STANDARD CONDITIONS:

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

- 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 (CWC) 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

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- 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, the San Diego County Water Authority must satisfy the following:

A. GENERAL CONDITIONS:

- 1. The San Diego County Water Authority 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 (Regional Board), to support this 401 Water Quality Certification (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 Regional Board and reevaluation for individual Waste Discharge Requirements and/or certification amendment.
- 2. During construction, the San Diego County Water Authority must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.
- 3. San Diego County Water Authority must permit the 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.
- 4. The San Diego County Water Authority must notify the Regional Board within 24 hours of any unauthorized discharge, including hazardous or toxic materials, to waters of the U.S. and/or the 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 practice (BMPs) or other measures that will be implemented to prevent future discharges.
- 5. The San Diego County Water Authority must, at all times, 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 reach waters of the U.S. and/or the State.
- 6. This Certification is not transferable to any person except after notice to the Executive Officer of the Regional Board. San Diego County Water Authority must notify the Regional Board of any change in ownership of the project area. Notification must include, but not be limited to, a statement that the property owner has provided the purchaser with a copy of the Certification and that the purchaser understands the permit requirements and must implement them; the seller and purchaser must sign and date the notification. The notification for transfer of mitigation responsibility shall include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of the Certification. Notification must be provided within 10 days of the sale of the property.
- 7. 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.
- 8. 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 bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- 9. 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.

PROJECT CONDITIONS:

- Prior to the start of the project, and annually thereafter, the San Diego County Water Authority must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
- San Diego County Water Authority 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 Requirement are accessible at: http://www.waterboards.ca.gov/cwa401/docs/generalorders/go_wdr401regula ted_projects.pdf.
- 3. The San Diego County Water Authority must notify the Regional Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities.
- 4. The San Diego County Water Authority must 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. 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 Regional Board pursuant to CWC section 13260.
- 6. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat. All storm drain outlets (including drains that discharge onsite or offsite flows) on the Carryover Storage and San Vicente Dam Raise Project must be designed to prevent downstream erosion (e.g., through the use of velocity dissipators). If it is found that any flows from the project site are causing downstream erosion or damage to properties or habitat, the San Diego County Water Authority must notify the Regional Board immediately and implement measures to eliminate the erosive flows.
- 7. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the U.S. 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.

- 8. 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.
- 9. All areas that will be left in a rough graded must be revegetated with native species no later than one week after completion of grading. 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.calipc.org/ip/inventory/weedlist.php.
- 10. 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 U.S.. and/or the State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.

B. Post Construction Storm Water Management:

- 1. 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.
- In addition to the BMPs described in the San Diego County Water Authority memo dated August 13, 2008, the structural BMPs must be sized to comply with the following numeric sizing criteria:

a. Volume

Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

- 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
- ii. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
- iii. The volume of annual runoff based on unit basin storage volume, to achieve 90% or more volume treatment by the

- method recommended in <u>California Stormwater Best</u>
 <u>Management Practices Handbook Industrial/Commercial</u>, (1993); or
- iv. 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

b. Flow

Flow-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

- i. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
- ii. 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
- iii. The maximum flow rate 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 hourly rainfall intensity multiplied by a factor of two.
- 3. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.
- 4. Prior to project construction, San Diego County Water Authority must submit to the Regional 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, the marina access road. Alternatively, San Diego County Water Authority may submit a letter documenting that the City of San Diego 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, the marina access road.
- 5. All post-construction structural BMPs, including, but not limited to; swales, sand filters, energy dissipaters, check dams, detention basins; must be regularly inspected and maintained for the life of the project per manufacturers' specifications by the San Diego County Water Authority or their designated party.
- 6. No later than ninety (90) days prior to commencement of marina construction submit a final Storm Water Management Plan (SWMP) for review. The SWMP shall be in compliance with the City of San Diego's Standard Urban Stormwater Mitigation Plan (SUSMP) requirements for priority projects. The SWMP shall embody the site designs and structural Best Management Practices as described in the San Diego County Water Authority memo dated

- August 13, 2008. The SWMP shall include preventive and corrective maintenance procedures that will be performed in perpetuity.
- 7. All rough graded desilting basins must be designed, constructed, and maintained according to the most recent California Stormwater Quality Association guidance, until project development is completed.
- 8. The extended detention basin must be designed and constructed in accordance with the most recent California Stormwater Quality Association guidance for extended detention basins. The basin outlets must be placed to maximize the flowpath through the facility. The ratio of flowpath length to width from the inlet to the outlet must be at least 1.5:1. The flowpath length is defined as the mean width of the basin.
- 9. San Diego County Water Authority must maintain the extended detention basin in perpetuity according to the most recent California Stormwater Quality Association guidance for extended detention basins. Typical activities include, but are not limited to:
 - a. Semiannual inspection for the beginning and end of the wet season for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows:
 - b. Removal of accumulated trash and debris in the basin as needed to ensure proper functioning of the basin; and
 - c. Yearly inspection of accumulated sediment volume. Accumulated sediment should be removed and the basin re-graded when the accumulated sediment volume exceeds 10 percent of the basin volume.
- 10. San Diego County Water Authority must install Clearwater Solutions ClearWater BMP Filtration System inlet filters (or equivalent) in all storm drain inlets on the portion of the San Vicente Dam Raise Project that is being constructed as part of this project. San Diego County Water Authority must submit written documentation that the City of San Diego has accepted responsibility for the operation and maintenance of these filters in perpetuity within 30 days of the issuance of this Certification.
- 11. San Diego County Water Authority must install and maintain in perpetuity, storm drain inlet media filters on all storm drain inlets on the project site and on all roads that are required to be improved as part of the project. This includes, but is not limited to the Marina access road.
- 12. The Regional Board may be requested to review plans that are clearly demonstrated to meet or exceed the performance standards herein. Such requests must be made **30 days** prior to the planned BMP implementation.

- 13. As will be specified in the project's SWMP, the treatment BMPs will be inspected monthly and after every storm event exceeding 0.5 inches of precipitation.
- 14. Records must be kept regarding inspections and maintenance in order to assess the performance of the systems and determine whether adaptations are necessary to protect receiving waters.
- 15. The San Diego County Water Authority assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity.
- 16. At the time maintenance responsibility for post-construction BMPs is legally transferred, the San Diego County Water Authority must submit to the Regional Board a copy of such documentation within 30 days of transfer.
- 17. At the time maintenance responsibility for post-construction BMPs is legally transferred, the San Diego County Water Authority must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications.
- D. COMPENSATORY MITIGATION FOR LOSS OF WATERS OF THE U.S.AND/OR THE STATE:
- Mitigation for permanent discharges to 0.34 acres of waters of the U.S. and/or the State and temporary discharges to 5.71 acres of waters of the U.S. and/or the State must be achieved by as follows and as described in San Diego County Water Authority memo dated October 6, 2008, and Delineation of Jurisdictional Waters and Wetlands for the Rancho La Canada Property, dated July 2007, prepared by Jones and Stokes:
 - a. On-site creation of 0.29 acres of unvegetated stream channel along San Vicente Creek (Kimball Valley), Foster Creek and Padre Baron Creek. A buoy line will be installed blocking entrance to San Vicente Creek.
 - b. On-site creation of 2.11 acres of lakeshore/reservoir.
 - c. On-site restoration 0.36 acres of vegetated waters.
 - d. On-site restoration 3.29 acres of unvegetated stream channel.
 - e. Preservation of 0.25 acres of vegetated waters within the Rancho La Canada Property.
 - f. Preservation of 2 miles of San Vicente Creek within the Rancho La Canada Property.
 - g. Protection of 4.2 miles of new shoreline from shoreline fishing.

- 2. Within 90 days of the issuance of this Certification, San Diego County Water Authority must provide the Regional 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 issuance of this Certification, the San Diego County Water Authority 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 U.S. 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.
- 3. The San Diego County Water Authority must submit a Mitigation Plan to 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 U. S.and/or the State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The San Diego County Water Authority must implement all necessary BMPs to control erosion and runoff from areas associated with this project. The final Mitigation Plan must be submitted no later than 30 days prior to commencement of mitigation.
- 4. The San Diego County Water Authority must notify the Regional Board in writing at least **5 days** prior to the actual commencement of mitigation installation, and completion of mitigation installation.
- The San Diego County Water Authority 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.
- 6. The San Diego County Water Authority 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.

- 7. San Diego County Water Authority 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.
- 8. 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 onsite or offsite mitigation areas.
- 9. Regional Board acceptance of the final mitigation plan applies only to the site and plan that mitigates for the Carryover Storage and San Vicente Dam Raise Project and 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 the Rancho Canada Property for mitigation.
- 10. 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.
- 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, San Diego County Water Authority is responsible for repair and replanting of the damaged area(s).
- 12. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful. Annual monitoring reports must be submitted prior to **December 1** of each year. Monitoring reports must include, but not be limited to, the following:
 - Names, qualifications, and affiliations of the persons contributing to the report;
 - Tables presenting the raw data collected in the field as well as analyses of the physical and biological data, including at a minimum;
 - c. Topographic complexity characteristics at each mitigation site;
 - d. Upstream and downstream habitat and hydrologic connectivity;
 - e. Source of hydrology:
 - f. Width of native vegetation buffer around the entire mitigation site;
 - g. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;

- h. Photo documentation from established reference points;
- i. A Survey report documenting boundaries of mitigation area.
- 13. Responsible Party Updates: The San Diego County Water Authority must provide the name and contact information of any third party accepting responsibility for implementing the mitigation requirements of this Certification. The notification must be submitted to the Regional Board within 30 days of the transfer of responsibility. The notification must include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of the Certification.

E. S TREAM PHOTO DOCUMENTATION PROCEDURE:

1. San Diego County Water Authority, and its successors, must conduct photo documentation of the project site, 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 the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment Number (6). In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. San Diego County Water Authority 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. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES PHOTO DOCUMENTATION PROCEDURE:

1. San Diego County Water Authority 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 6. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced. San Diego County Water Authority 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).

G. GEOGRAPHIC INFORMATION SYSTEM REPORTING:

 San Diego County Water Authority must submit Geographic Information System (GIS) shape files of the impact and mitigation areas within 30 days of project impacts and the mitigation area within 30 days of mitigation installation. All impact and mitigation areas shape files 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.

H. REPORTING:

- 1. All information requested in this Certification is pursuant to 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. All reports and information submitted to the Regional 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.
- 3. San Diego County Water Authority must submit a report to the Regional Board within 30 days of completion of the project. The report should include as-built drawings no bigger than 11" x 17" and photos of the completed project including post-construction BMPs.
- 4. All applications, reports, or information submitted to the Regional Board 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.
- 5. A duly authorized representative of a person designated in Items 4.a. through 4.c. above may sign documents if:
 - a. The authorization is made in writing by a person described in Items 4.a. through 4.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.

6. All applications, reports, or information submitted to the Regional 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."

7. San Diego County Water Authority must submit reports 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; Project No. 08C-047
9174 Sky Park Court, Suite 100
San Diego, California 92123

Required Reports: The following list summarizes the reports, excluding spill
notifications and emergency situations, required per the conditions of this
Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Transfer of ownership/responsibility notification	A.6	Within 10 days of the sale/transfer
Pre-discharge notification	B.3	At least 5 days prior to commencement and termination of construction
Notification of downstream erosion (if needed)	B.6	Immediately
Final Storm Water Management Plan	C.7	90 days prior to commencement of marina construction
Transfer of BMP maintenance responsibility (if needed)	C.17	Within 30 days of transfer
Draft preservation mechanism	D.2	Within 90 days of issuance of this Certification

Final preservation mechanism	D.2	Within 1 year of issuance of this Certification and
		prior to initiation of construction
Final mitigation plan	D.3	No later than 30 days prior to commencement of mitigation
Commencement and completion of mitigation installation	D.4	5 days prior to commencement and completion of
		mitigation
Mitigation site report	D.7	Within 90 days of completion of mitigation
Annual mitigation monitoring reports	D.12	Prior to December 1 of each year
Transfer of mitigation responsibility (if needed)	D.13	Within 30 days of transfer
Stream photo documentation	E.1	With mitigation monitoring reports
Post-construction photo documentation	F.1	With mitigation monitoring reports
GIS	G.1	Within 30 days of project impacts and within 30 days of mitigation installation

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On June 30, 2008, 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:

Jody Ebsen, P.G.
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

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the Carryover Storage and San Vicente Dam Raise Project (Project No. 08C-047) 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 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 applicants' 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).

JOHN H. ROBERTUS

Executive Officer

Regional Water Quality Control Board

Attachments:

- 1. Project Information
- 2. Distribution List
- 3. Location Map
- 4. Site Map
- 5. Mitigation Map
- 6. Stream Photo Documentation Procedure

ATTACHMENT 1 PROJECT INFORMATION

Applicant: San Diego County Water Authority

Attention: Mr. Laurence Purcell

4677 Overland Avenue San Diego, CA 92123 Telephone: (858) 522-6600 Facsimile: (858) 522-6568 Email:lpurcell@sdcwa.org

Applicant

Jones & Stokes

Representatives:

Attention: Ms. Shelah Riggs

17310 Red Hill Avenue, Suite 320

Irvine, CA 92614

Telephone: (949) 260-1080 Facsimile: (949) 260-1081 Email: sriggs@jsanet.com

Project Name:

Carryover Storage and San Vicente Dam Raise Project (CSP),

08C-047

Project Location:

San Vicente Reservoir, Lakeside

Type of Project:

Dam Raise Project

Need for Project:

Provide additional carryover storage for regional water supply

Project Description:

The proposed project is the raising of the existing San Vicente Dam an additional 63 feet beyond the already approved ESP dam raise of 54 feet, raising the overall

dam height up to 117 feet (for a total dam height up to 337 feet).

Federal Agency/Permit:

U.S. Army Corps of Engineers §404/CESPLRGSD200601015RRS,

106 Programmatic Agreement, Mr. Robert R. Smith

Other Required

Regulatory Approvals:

California Department of Fish and Game Streambed Alteration

Agreement, MOU 2018 Permit, Ms. Kelly Fisher

U.S. Fish and Wildlife Service, Section 7, Ms. Felicia Sirchia

California Environmental

Quality Act (CEQA)
Compliance:

Final EIR/EIS for the Carryover Storage and San Vicente Dam Raise, October 10, 2007, SCH No. 2006101044, San Diego County

Water Authority

Receiving Water:

San Diego Hydrologic Unit, San Vicente Hydrologic Area,

Fernbrook Hydrologic Sub-Area.

Affected Waters of the United States:

Temporary:

Wetland 0.36 acres Streambed 3.29 acres Lake/Reservoir 2.06 acres

Permanent:

Streambed 0.29 acres Lake/Reservoir 0.05 acres

Compensatory Mitigation:

- a. On-site creation of 0.29 acres of unvegetated stream channel along San Vicente Creek (Kimball Valley), Foster Creek and Padre Baron Creek
- b. On-site creation of 2.11 acres of lakeshore/reservoir.
- c. On-site restoration 0.36 acres of vegetated waters.
- d. On-site restoration 3.29 acres of unvegetated stream channel.
- e. Preservation of 0.25 acres of vegetated waters within the Rancho La Canada Property.
- f. Preservation of 2 miles of San Vicente Creek within the Rancho La Canada Property.
- g. Protection of 4.2 miles of new shoreline from shoreline fishing.

San Diego County Water Authority memo dated October 6, 2008; Jones & Stokes memo dated August 13, 2008; Jones & Stokes: Delineation of Jurisdictional Waters and Wetlands for the Rancho La Canada Property, dated July 2007.

Best Management Practices (BMPs):

San Diego County Water Authority memo dated August 13, 2008. BMPs include: swales, sand filters, energy dissipaters, check dams, a detention basin.

Public Notice:

On June 30, 2008, receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.

Fees:

Total Due: \$13,507.50

Total Paid: \$13,507.50 (Check No. 499479)

CIWQS:

Regulatory Measure ID: 348107

Place ID: 720832 Party ID: 42997

ATTACHMENT 2 DISTRIBUTION LIST

Mr. Robert Smith U.S. Army Corps of Engineers, Regulatory Branch San Diego Field Office 16885 W. Bernardo Dr., Suite 300 A San Diego, CA 92127

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

Mr. David Smith Wetlands Regulatory Office U.S. Environmental Protection Agency, Region 9 75 Hawthorne Street San Francisco, CA 94105

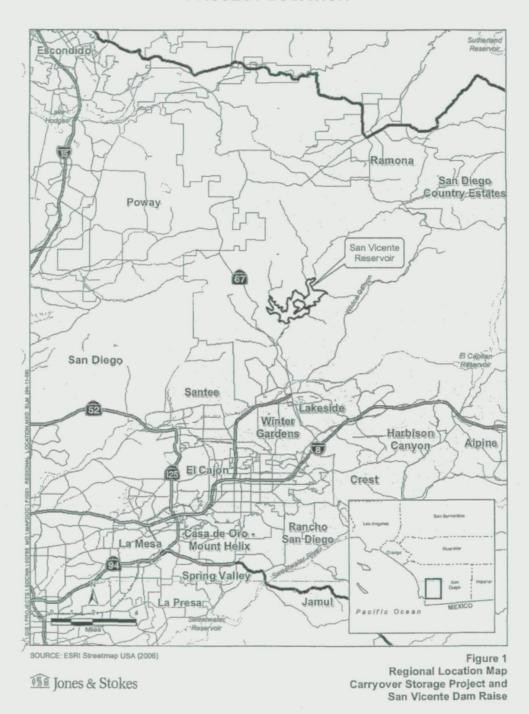
State Water Resources Control Board, Division of Water Quality 401 Water Quality Certification and Wetlands Unit Attn: Bill Orme P.O. Box 100 Sacramento, CA 95812-0100

Cc by email:

Mr. Laurence Purcell, San Diego County Water Authority, <u>LPurcell@sdcwa.org</u>

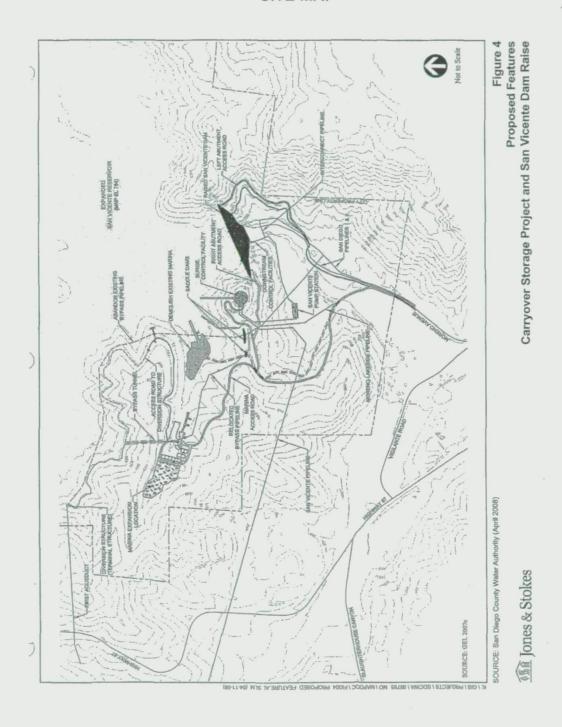
Ms. Kelley Gage, San Diego County Water Authority, KGage@sdcwa.org

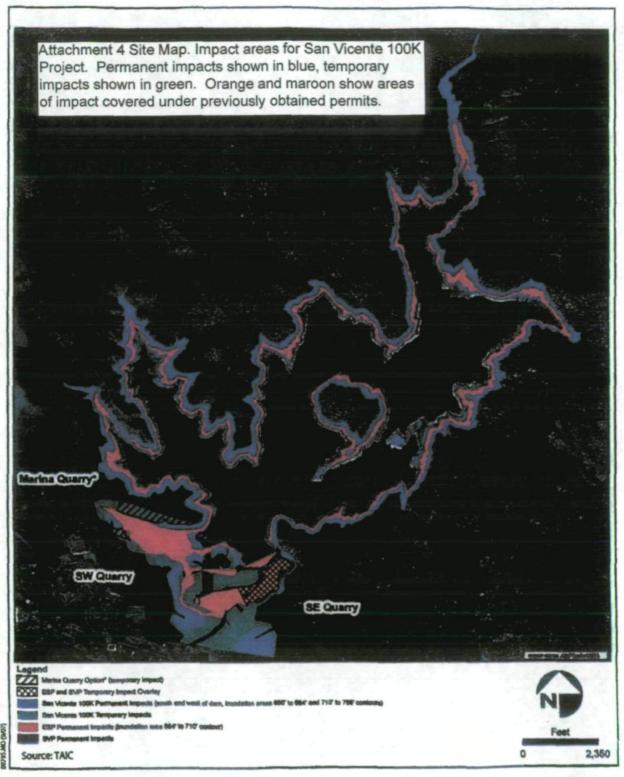
ATTACHMENT 3 PROJECT LOCATION



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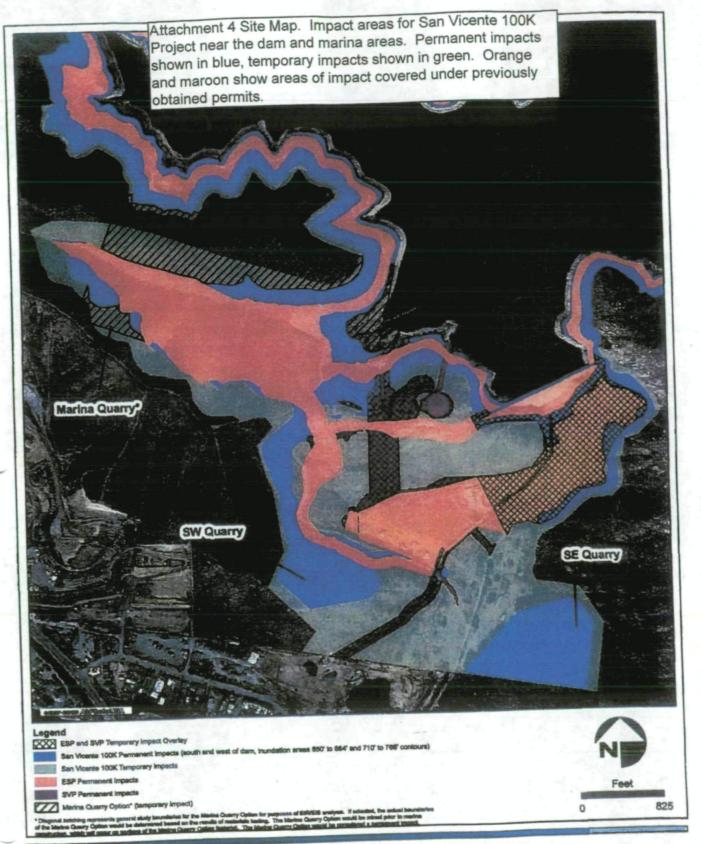
ATTACHMENT 4 SITE MAP





Ma Jones & Stokes

Figure 4 Impact Area



Carryover Storage and San Vicente Dam Raise Project San Vicente 100K, ESP and SVP Impact Areas - Downstream Construction Area Figure 2-5

ATTACHMENT 5 MITIGATION MAP



ATTACHMENT 6 STREAM PHOTO DOCUMENTATION PROCEDURES

Standard Operating Procedure (SOP)

Stream Photo Documentation Procedure (CARCD 2001, Written by TAC Visual Assessments work group)

Introduction:

Photographs provide a qualitative, and potentially semi-quantitative, record of conditions in a watershed or on a water body. Photographs can be used to document general conditions on a reach of a stream during a stream walk, pollution events or other impacts, assess resource conditions over time, or can be used to document temporal progress for restoration efforts or other projects designed to benefit water quality. Photographic technology is available to anyone and it does not require a large degree of training or expensive equipment. Photos can be used in reports, presentations, or uploaded onto a computer website or GIS program. This approach is useful in providing a visual portrait of water resources to those who may never have the opportunity to actually visit a monitoring site.

Equipment:

Use the same camera to the extent possible for each photo throughout the duration of the project. Either 35 mm color or digital color cameras are recommended, accompanied by a telephoto lens. If you must change cameras during the program, replace the original camera with a similar one comparable in terms of media (digital vs. 35 mm) and other characteristics. A complete equipment list is suggested as follows:

Required:

- Camera and backup camera
- Folder with copies of previous photos (do not carry original photos in the field)
- Topographic and/or road map
- · Aerial photos if available
- Compass
- Timepiece
- Extra film or digital disk capacity (whichever is applicable)
- Extra batteries for camera (if applicable)
- Photo-log data sheets or, alternatively, a bound notebook dedicated to the project
- Yellow photo sign form and black marker, or, alternatively, a small black board and chalk

Optional:

- GPS unit
- Stadia rod (for scale on landscape shots)
- Ruler (for scale on close up views of streams and vegetation)
- Steel fence posts for dedicating fixed photo points in the absence of available fixed landmarks

How to Access Aerial Photographs:

Aerial Photos can be obtained from the following federal agencies:

USGS Earth Science Information Center 507 National Center 12201 Sunrise Valley Drive Reston, VA 22092 800-USA-MAPS

USDA Consolidated Farm Service Agencies Aerial Photography Field Office 222 West 2300 South P.O. Box 30010 Salt Lake City, UT 84103-0010 801-524-5856

Cartographic and Architectural Branch National Archives and Records Administration 8601 Adelphi Road College park, MD 20740-6001 301-713-7040

Roles and Duties of Team:

The team should be comprised of a minimum of two people, and preferably three people for restoration or other water quality improvement projects, as follows:

- 1. Primary Photographer
- 2. Subject, target for centering the photo and providing scale
- 3. Person responsible for determining geographic position and holding the photo sign forms or blackboard.

One of these people is also responsible for taking field notes to describe and record photos and photo points.

Safety Concerns:

Persons involved in photo monitoring should **ALWAYS** put safety first. For safety reasons, always have at least two 2 volunteers for the survey. Make sure that the area(s) you are surveying either are accessible to the public or that you have obtained permission from the landowner prior to the survey.

Some safety concerns that may be encountered during the survey include, but are not limited to:

- Inclement weather
- · Flood conditions, fast flowing water, or very cold water
- Poisonous plants (e.g.: poison oak)
- Dangerous insects and animals (e.g.: bees, rattlesnakes, range animals such as cattle, etc.)
- Harmful or hazardous trash (e.g.: broken glass, hypodermic needles, human feces)

We recommend that the volunteer coordinator or leader discuss the potential hazards with all volunteers prior to any fieldwork.

General Instructions:

From the inception of any photo documentation project until it is completed, always take each photo from the same position (photo point), and at the same bearing and vertical angle at that photo point. Photo point positions should be thoroughly documented, including photographs taken of the photo point. Refer to copies of previous photos when arriving at the photo point. Try to maintain a level (horizontal) camera view unless the terrain is sloped. (If the photo can not be horizontal due to the slope, then record the angle for that photo.) When photo points are first being selected, consider the type of project (meadow or stream restoration, vegetation management for fire control, ambient or event monitoring as part of a stream walk, etc.) and refer to the guidance listed on *Suggestions for Photo Points by Type of Project*.

When taking photographs, try to include landscape features that are unlikely to change over several years (buildings, other structures, and landscape features such as peaks, rock outcrops, large trees, etc.) so that repeat photos will be easy to position. Lighting is, of course, a key ingredient so give consideration to the angle of light, cloud cover, background, shadows, and contrasts. Close view photographs taken from the north (i.e., facing south) will minimize shadows. Medium and long view photos are best shot with the sun at the photographer's back. Some artistic expression is encouraged as some photos may be used on websites and in slide shows (early morning and late evening shots may be useful for this purpose). Seasonal changes can be used to advantage as foliage,

stream flow, cloud cover, and site access fluctuate. It is often important to include a ruler, stadia rod, person, farm animal, or automobile in photos to convey the scale of the image. Of particular concern is the angle from which the photo is taken. Oftentimes an overhead or elevated shot from a bridge, cliff, peak, tree, etc. will be instrumental in conveying the full dimensions of the project. Of most importance overall, however, is being aware of the goal(s) of the project and capturing images that clearly demonstrate progress towards achieving those goal(s). Again, reference to Suggestions for Photo Points by Type of Project may be helpful.

If possible, try to include a black board or yellow photo sign in the view, marked at a minimum with the location, subject, time and date of the photograph. A blank photo sign form is included in this document.

Recording Information:

Use a systematic method of recording information about each project, photo point, and photo. The following information should be entered on the photo-log forms (blank form included in this document) or in a dedicated notebook:

- Project or group name, and contract number (if applicable, e.g., for funded restoration projects)
- General location (stream, beach, city, etc.), and short narrative description of project's habitat type, goals, etc.
- Photographer and other team members
- Photo number
- Date
- Time (for each photograph)
- Photo point information, including:
 - Name or other unique identifier (abbreviated name and/or ID number)
 - Narrative description of location including proximity to and direction from notable landscape features like roads, fence lines, creeks, rock outcrops, large trees, buildings, previous photo points, etc. – sufficient for future photographers who have never visited the project to locate the photo point
 - o Latitude, longitude, and altitude from map or GPS unit
- Magnetic compass bearing from the photo point to the subject
- · Specific information about the subject of the photo
- Optional additional information: a true compass bearing (corrected for declination) from photo point to subject, time of sunrise and sunset (check newspaper or almanac), and cloud cover.

For ambient monitoring, the stream and shore walk form should be attached or referenced in the photo-log.

When monitoring the implementation of restoration, fuel reduction, or Best Management Practices (BMP) projects, include or attach to the photo-log a narrative description of observable progress in achieving the goals of the project. Provide supplementary information along with the photo, such as noticeable changes in habitat, wildlife, and water quality and quantity.

Archive all photos, along with the associated photo-log information, in a protected environment.

The Photo Point: Establishing Position of Photographer:

- 1. Have available a variety of methods for establishing position: maps, aerial photos, GPS, permanent markers and landmarks, etc. If the primary method fails (e.g., a GPS or lost marker post) then have an alternate method (map, aerial photo, copy of an original photograph of the photo-point, etc).
- 2. Select an existing structure or landmark (mailbox, telephone pole, benchmark, large rock, etc.), identify its latitude and longitude, and choose (and record for future use) the permanent position of the photographer relative to that landmark. Alternatively, choose the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the photographer.
- 3. For restoration, fuel reduction, and BMP projects, photograph the photopoints and carry copies of those photographs on subsequent field visits.

Determining the Compass Bearing:

- 1. Select and record the permanent magnetic bearing of the photo center view. You can also record the true compass bearing (corrected for declination) but do not substitute this for the magnetic bearing. Include a prominent landmark in a set position within the view. If possible, have an assistant stand at a fixed distance from both the photographer and the center of the view, holding a stadia rod if available, within the view of the camera; preferably position the stadia rod on one established, consistent side of the view for each photo (right or left side).
- 2. Alternatively, use the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the focal point (photo center).
- When performing ambient or event photo monitoring, and when a compass is not available, then refer to a map and record the approximate bearing as north, south, east or west.

Suggestions for Photo Points by Type of Project:

Ambient or Event Monitoring, Including Photography Associated with Narrative Visual Assessments:

- 1. When first beginning an ambient monitoring program take representative long and/or medium view photos of stream reaches and segments of shoreline being monitored. Show the positions of these photos on a map, preferably on the stream/shore walk form. Subjects to be photographed include a representative view of the stream or shore condition at the beginning and ending positions of the segment being monitored, storm drain outfalls, confluence of tributaries, structures (e.g., bridges, dams, pipelines, etc.).
- 2. If possible, take a close view photograph of the substrate (streambed), algae, or submerged aquatic vegetation.
- 3. Time series: Photographs of these subjects at the same photo points should be repeated annually during the same season or month if possible.
- 4. Event monitoring refers to any unusual or sporadic conditions encountered during a stream or shore walk, such as trash dumps, turbidity events, oil spills, etc. Photograph and record information on your photo-log and on your Stream and Shore Walk Visual Assessment form. Report pollution events to the Regional Board. Report trash dumps to local authorities.

All Restoration and Fuel Reduction Projects – Time Series:

Take photos immediately before and after construction, planting, or vegetation removal. Long term monitoring should allow for at least annual photography for a minimum of three years after the project, and thereafter at 5 years and ten years.

Meadow Restoration:

- 1. Aerial view (satellite or airplane photography) if available.
- 2. In the absence of an aerial view, a landscape, long view showing an overlapping sequence of photos illustrating a long reach of stream and meadow (satellite photos, or hill close by, fly-over, etc.)

- 3. Long view up or down the longitudinal dimension of the creek showing riparian vegetation growth bounded on each side by grasses, sedges, or whatever that is lower in height
- 4. Long view of conversion of sage and other upland species back to meadow vegetation
- 5. Long view and medium view of streambed changes (straightened back to meandering, sediment back to gravel, etc.)
- 6. Medium and close views of structures, plantings, etc. intended to induce these changes

Stream Restoration/stabilization:

- 1. Aerial view (satellite or airplane photography) if available.
- 2. In the absence of an aerial view, a landscape, long-view showing all or representative sections of the project (bluff, bridge, etc.)
- 3. Long view up or down the stream (from stream level) showing changes in the stream bank, vegetation, etc.
- 4. Long view and medium view of streambed changes (thalweg, gravel, meanders, etc.)
- 5. Medium and close views of structures, plantings, etc. intended to induce these changes.
- 6. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 3 and 4 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, Stream Channel Reference Sites: An Illustrated Guide to Field Techniques, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

Vegetation Management for Fire Prevention ("fuel reduction"):

1. Aerial view (satellite or airplane photography) if available.

- 2. In the absence of an aerial view, a landscape, long view showing all or representative sections of the project (bluff, bridge, etc.)
- 3. Long view (wide angle if possible) showing the project area or areas.

 Preferably these long views should be from an elevated vantage point.
- 4. Medium view photos showing examples of vegetation changes, and plantings if included in the project. It is recommended that a person (preferably holding a stadia rod) be included in the view for scale
- 5. To the extent possible include medium and long view photos that include adjacent stream channels.

Stream Sediment Load or Erosion Monitoring:

- 1. Long views from bridge or other elevated position.
- 2. Medium views of bars and banks, with a person (preferably holding a stadia rod) in view for scale.
- 3. Close views of streambed with ruler or other common object in the view for scale.
- 4. Time series: Photograph during the dry season (low flow) once per year or after a significant flood event when streambed is visible. The flood events may be episodic in the south and seasonal in the north.
- 5. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 1 and 2 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, Stream Channel Reference Sites: An Illustrated Guide to Field Techniques, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

PHOTO-LOG FORM

Project:	
Location:	

Date:

Photographer:

Team members:

Photo #	Time	Photo Point ID	Photo Pt. Description & Location	Bearing to Subject	Subject Description
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General Notes or Comments (weather, cloud cover, time of sunrise and sunset, other pertinent information):

PHOTO SIGN FORM: Print this for	orm on yellow paper.	Complete the following
information for each photograph.	Include in the photog	raphic view so that it will
be legible in the finished photo.	_	

be legible in the finished photo.	moidde in the photograpine view so that it wil
Location:	
Subject Description:	
Subject Description:	
D .	
Date:	

Time:

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DE	LIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	A. Signature	☐ Agent
 so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to: Ms. Maureen Stapleton 4677 Overland Avenue San Diego, LA 92123	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
	3. Service Type Certified Mail	all eipt for Merchandise
	4. Restricted Delivery? (Extra Fee)	☐ Yes
2. Article Number (Transfer from service label) 7008	1140 0004 9971 823	3B

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PS Form 3811, February 2004

Domestic Return Receipt

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