



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Secretary for
Environmental
Protection

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

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

January 29, 2010

Certified Mail No. 7009 1410 0002 2347 7368

Ms. Kathy Weldon
Program Manager
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

In reply, please refer to:

Certification	08C-087
WDID	9 000001892
Reg. Measure	355414
Place	729255
Party	491399

SUBJECT: Action on Request for Clean Water Act Section 401 Water Quality Certification for the City of Encinitas Beach Opportunistic Beach Restoration Program
Water Quality Certification No. 08C-087

Dear Ms. Weldon:

Enclosed is the Clean Water Act Section 401 Water Quality Certification for City of Encinitas Beach Opportunistic Beach Restoration Program. A description of the project and project location can be found in the project information sheet, project location map, and project site maps 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 the City of Encinitas and will comply with all conditions of the Certification. Failure to comply with all conditions of this Certification may result in enforcement actions against the City of Encinitas.

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 include these codes 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 call Mike Porter directly at (858) 467-2726 or via email at mporter@waterboards.ca.gov.

Respectfully,

DAVID W. GIBSON
Executive Officer

California Environmental Protection Agency

01-01-10

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



Ms. Weldon
401 Certification 08C-087

January 29, 2010

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. 08C-087 for the Encinitas Beach Opportunistic Beach Restoration Program, with 5 attachments.

CC:

Mr. Robert Smith
U.S. Army Corps of Engineers
San Diego Field Office
6010 Hidden Valley Road
Suite 105
Carlsbad, CA 92011
Robert.R.Smith@spl01.usace.army.mil

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

Mr. Eric Raffini
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

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

Ms. Weldon
401 Certification 08C-087


January 29, 2010

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

Mr. Brian Leslie,
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North, Suite 200
San Diego, CA 92108

01001/1/10

California Environmental Protection Agency

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Acting Secretary for
Environmental
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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: City of Encinitas Beach Opportunistic
Beach Restoration Program
Certification Number (08C-087)

APPLICANT: Kathy Weldon
Program Manager
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

CIWQS
Reg. Mes. ID: 355414
Place ID: 729255
Party ID: 491399

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 proposes to place a maximum of up to 150,000 cubic yards per year (for five years) of beach-quality sand from upland projects on Batiquitos and Moonlight Beaches. The sand placed on the beach will provide erosion control, recreational benefits, and habitat enhancement. The sand will not contain more than 25% fine-grained sediment. The sand will be received from upland sources and placed in the surf zone.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



STANDARD CONDITIONS:

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

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

ADDITIONAL CONDITIONS:

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

A. GENERAL CONDITIONS:

1. The City of Encinitas 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 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 City of Encinitas must maintain a copy of this certification at the project site so as to be available at all times to site personnel and agencies.

- 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 City of Encinitas 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 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 City of Encinitas 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 State.
 6. This Certification is not transferable to any entity except after notice to the Executive Officer of the Regional Board. Notification must include
 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.

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10. The City of Encinitas and successor owners must submit annual progress reports to the Regional Board prior to August 1 of each year following the issuance of this certification until the project has reached completion. The reports shall discuss status of compliance with conditions specified by the certification.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually thereafter, the City of Encinitas must educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
2. The City of Encinitas 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_wdr401regulated_projects.pdf.
3. The City of Encinitas must notify the Regional Board in writing at least 5 days prior to the actual commencement of initial fill activities.
4. 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.
5. 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.

C. PLACEMENT OF SEDIMENT

The proposed project must be implemented as described in the application. This certification is valid for five years from date of issuance of ACOE permit for this project. The proposed project must place not more than 150,000 cubic yards of sediment per year for five years. A Sampling and Analysis Plan (SAP) that contains all information as stipulated in the ACOE SAP guidelines must be submitted for verification that project qualifies as work conditioned in this certification approval for each placement. The sediment must not form a

hardpan after placement. The sediment that will be placed on the beach must have less than 10% sand difference from the receiving beach and no negative aesthetic impact on the receiving beach.

1. Sediment Quality

a. *Biostimulatory Substances*

The sediment must not contain biostimulatory substances in concentrations that exceed natural background levels.

b. *Hazardous Wastes and Material*

The sediment must not contain hazardous wastes or materials.

c. *Bacteria*

The sediment must not contain bacteria concentrations that affect the beneficial uses of the waters of the United States and/or State.

d. *Grain Size*

The sand must not contain more than 25% of fine grained particles. Fine grained particles is defined as particles that are smaller than 0.074 millimeters or pass through the #200 sieve.

e. *Trash*

The sediment must be free of trash and debris.

f. *Color*

The sediment must reasonable match the color of natural beach sand after exposure to the marine environment.

2. Discharge/Compliance with Water Quality Control Plan

Discharges must comply with the California Ocean Plan and the Regional Board's Water Quality Control Plan (Basin Plan).

3. Protection of biological resources

a. *California grunion (Leuresthes tenuis)*

If the project proposes to place sediment on the beach between March 1 to May 31, the City of Encinitas must determine beach habitat suitability for grunion spawning per Special Condition No. 6 in the Water Quality Certification for Regional General Permit 67 – Beach Nourishment in Southern California (http://www.dbw.ca.gov/CSMW/reg_gen_permit.aspx).

b. *California least tern (Sterna antillarum)*

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No activities authorized under this certification will be conducted within 1,000 yards of a California least tern breeding colony from April 1 through September 30.

- c. *Western Snowy Plover (Caradrius alexandrinus nivosus)*
No activities authorized under this certification will be conducted within 500 yards of a Western Snowy Plover breeding colony from May 1 through September 30.
- d. *Eelgrass (Zostera marina)*
The proposed project should avoid vegetated eelgrass area or potential eelgrass areas to the maximum extent feasible.
- e. *Pismo Clam (Tivela stultorum)*
The City of Encinitas must contact the California Department of Fish and Game, Marine Region, prior to the survey to request current information on local populations and the appropriate methods in the project area.
- f. *Areas of Special Biological Significance (ASBS)*
Turbidity plumes from sediment deposition outside an ASBS must not significantly alter natural water quality or harm marine aquatic life in an ASBS.

4. Transport and Discharge Plan

The applicant's Transport and Discharge Plan must include the "Hauling Operations" and "Hazardous Materials Management" measures below in order to qualify for this certification:

- a. *Hauling Operations*
 - i. All trucks hauling sand or other loose materials must be covered or required to maintain at least two feet of freeboard.
 - ii. All equipment engines must be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
 - iii. All operations must be conducted in compliance with County Air Quality Management District requirements.
- b. *Hazardous Materials Management*
 - i. The Transport and Discharge Operations Plan must include a "Spill Prevention, Containment and Countermeasures Plan" that specifies fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.

- ii. All equipment must be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks must not enter the beach area.
- iii. Equipment must be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized designation.

5. Qualitative Monitoring

Qualitative (visual) turbidity monitoring by an onshore observer from a high vantage point must be conducted during each day of construction. Visible turbidity monitoring shall Photodocumentation in accordance with condition E.1. If visual monitoring indicates turbidity greater than ambient one-half mile from the discharge site (either offshore or downcoast) at any time for two (2) consecutive days, then:

- a. The monitor must immediately advise the Regional Board, Corps, and CDFG.
- b. The City of Encinitas must comply with any measures identified by the Regional Board, in consultation with other responsible agencies as appropriate, to mitigate project-related turbidity, including modifying or halting discharge.
- c. If turbidity persists on the third day, the monitor must commence daily turbidity testing and reporting to the Regional Board, Corps, and CDFG. Testing must consist of measuring transmission of light through the water using a turbidity meter. Daily testing must continue until no project-related turbidity is detectable (i.e., until offshore and downcoast readings return to ambient). Testing must be designed to document the areal extent and concentration of the turbidity plume at the time of day it is most developed, and must include at least: samples taken as chose as practicable to the discharge site, one-half mile upcoast of the discharge site, one-half mile offshore from the discharge site, and one-half mile downcoast of the discharge site (minimum four samples). Sampling must be done at mid-depth in the water column. These sampling protocols may be modified with the Regional Board's written approval. The City of Encinitas must document logistical arrangements for such potential water quality sampling and must include draft quality assurance/quality control protocols.
- d. If turbidity is greater than ambient one-half mile from the discharge site (either offshore or downcoast) for five (5) consecutive days, the discharge must be halted or modified to reduce turbidity.

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6. Quantitative Monitoring

Physical (grain size) testing shall be performed during beach placement to confirm the percentage of fine grained material (%passing the #200 sieve) being placed on the beach is within allowable limits. Samples shall be collected on the first and third days of beach placement during each week. During each sampling event, three samples will be collected from newly placed piles on the receiving beach, which will be composited together and tested. Results of the sampling will be included in the post-construction report.

D. MITIGATION:

The project is self-mitigating as the project will restore sand-based marine habitats, and recreational opportunities.

E. PHOTO DOCUMENTATION PROCEDURE:

1. The City of Encinitas must conduct photo documentation of the project site, including all areas of permanent and temporary impact, before, during, 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 5. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. The City of Encinitas must submit this information in a photo documentation report to the Regional Board with the Monitoring reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar). For this project, adequate photo documentation can be substituted for the photo documentation required for the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure.

F. GEOGRAPHIC INFORMATION SYSTEM REPORTING:

1. The City of Encinitas must submit Geographic Information System (GIS) shape files of the impact annually with the annual progress reports. All impact areas shapefiles must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.

H. REPORTING:

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.

2. 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. The City of Encinitas 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. The City of Encinitas must submit reports required under this certification, or other information required by the Regional Board, to:
Executive Officer

GHON \ \ \ \

California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification; Project No. 08C-087
9174 Sky Park Court, Suite 100
San Diego, California 92123

6. Required Reports: The following list summarizes the reports required per the conditions of this Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Unauthorized discharge	A.4	Within 24 hours of the unauthorized discharge
Annual Progress Reports	A.10	Prior to December 1 of each year until the project is complete
Notification	B.3	At least 5 days prior to commencement of construction
Notification	B.7	Within 30 days of completion of the project
Final Report	B.7	After post-construction monitoring is completed.
Sampling and Analysis Plan	C.	Approval needed before each placement
Photo Documentation	E.1	With Monitoring reports
GIS	F.1	Annually

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On November 14, 2008, receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public. No comments were received.

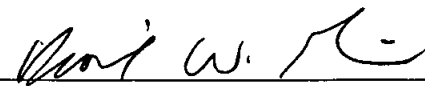
REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

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

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **City of Encinitas Beach Opportunistic Beach Restoration Program** (Project No. 08C-087) 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).



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

1-29-2010
Date

08081111

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map
 4. Site Map
 5. Photodocumentation Procedure

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Ms. Kathy Weldon,
Program Manager
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024
Telephone: 760-633-2632
Fax: 760-633-2818
Email: Kweldon@ci.encinitas.ca.gov

**Applicant
Representatives:** Mr. Brian Leslie,
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North, Suite 200
San Diego, CA 92108
Telephone: 619-200-6050
Fax: 619-200-6055
Email: bleslie@moffattnichol.com

Project Name: City of Encinitas Beach Opportunistic Beach Restoration Program

Project Location: The proposed project is located on Batiquitos and Moonlight
Beaches within the City of Encinitas, north-coastal San Diego
County.

Type of Project: Placement of opportunistically derived sediment for beach
restoration.

Project Description: The project proposes to place a maximum of up to 150,000 cubic
yards per year (for five years) of beach-quality sand from upland
projects on Batiquitos and Moonlight Beaches. The sand placed on
the beach will provide erosion control, recreational benefits, and
habitat enhancement. The sand will not contain more than 25%
fine-grained sediment.

Federal Agency/Permit: U.S. Army Corps of Engineers §404 and §10, Mr. Robert Smith.

**Other Required
Regulatory Approvals:** California Coastal Commission, Coastal Development Permit, Mr.
Lee McEachern.

California State Lands Commission, Lease of State Lands, Mr. Ken
Foster.

**California Environmental
Quality Act (CEQA)
Compliance:** Final Mitigated Negative Declaration, Opportunistic Beach Fill
Program in the Cities of Encinitas, Solana Beach, Coronado,
and Imperial Beach, prepared by San Diego Association of
Governments (SANDAG), April 2008, State Clearing House

Number #2008021048.

Receiving Water:	Pacific Ocean.
Impacted Waters of the United States:	The proposed project will temporarily impact ~5.4-acres (2,600 linear feet) to coastal waters of the U.S.
Dredge Volume:	None proposed.
Related Projects Implemented/to be Implemented by the Applicant(s):	2001 SANDAG Regional Beach Sand Placement Project (>100,000 cubic yards).
Compensatory Mitigation:	The project is self-mitigating as the project will restore sand-based marine habitats, and recreational opportunities, therefore compensatory mitigation is not proposed.
Best Management Practices (BMPs):	<p>During construction, the following BMPs for the project must include, but not be limited to:</p> <ul style="list-style-type: none">▪ All trucks hauling sand or other loose materials shall be covered or required to maintain at least two feet of freeboard.▪ All equipment engines shall be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.▪ All operations shall be conducted in compliance with County Air Quality Management District requirements.▪ The Transport and Discharge Operations Plan shall include a "Spill Prevention, Containment and Countermeasures Plan" that specifies fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.▪ All equipment shall be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks shall not enter the beach area.▪ Equipment shall be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized designation.

City of Encinitas Beach Opportunistic
Beach Restoration Program

Certification No. 08C-087

Public Notice: On November 14, 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: \$ 640
Total Paid: \$500 (Check No. 094314)
\$140 (Check No. 096002)

CIWQS: Regulatory Measure ID: 355414
Place ID: 729255
Party ID: 491399
WDID 9 000001892

OHONVW

**ATTACHMENT 2
DISTRIBUTION LIST**

Mr. Robert Smith
U.S. Army Corps of Engineers
San Diego Field Office
6010 Hidden Valley Road
Suite 105
Carlsbad, CA 92011
Robert.R.Smith@spl01.usace.army.mil

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

Mr. Eric Raffini
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

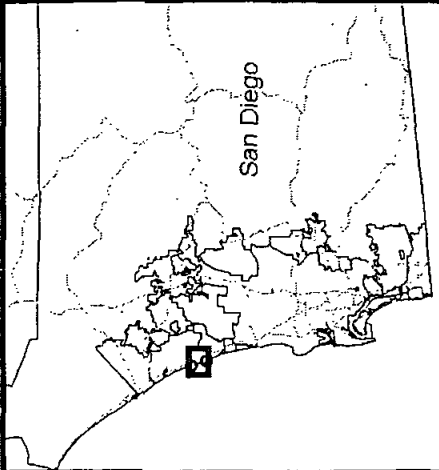
State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit
P.O. Box 100
Sacramento, CA 95812-0100
Stateboard401@waterboards.ca.gov

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

Mr. Brian Leslie,
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North, Suite 200
San Diego, CA 92108

ATTACHMENT 3

Location Map

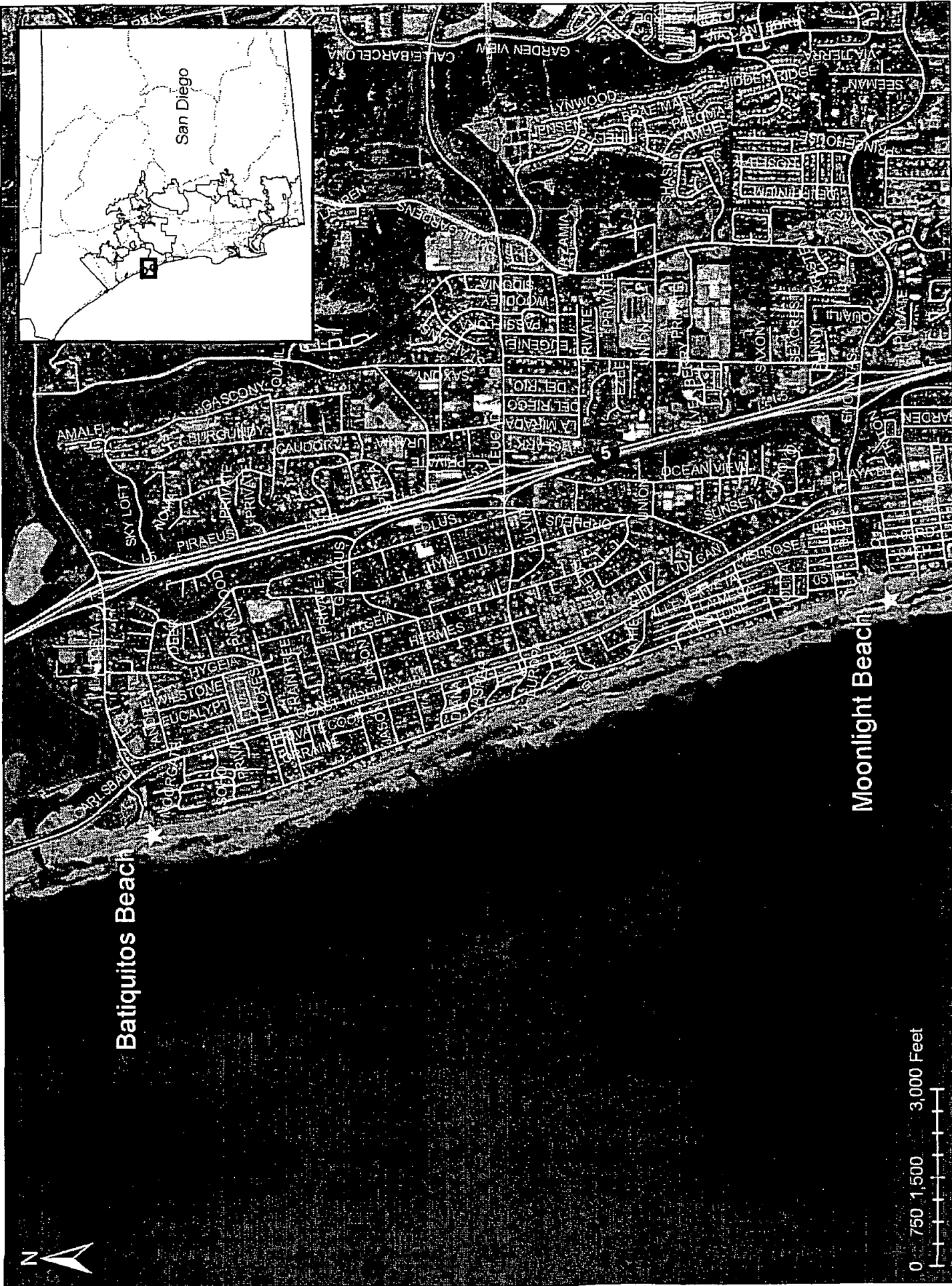


Batiquitos Beach

Moonlight Beach



0 750 1,500 3,000 Feet



ATTACHMENT 4

Site Maps

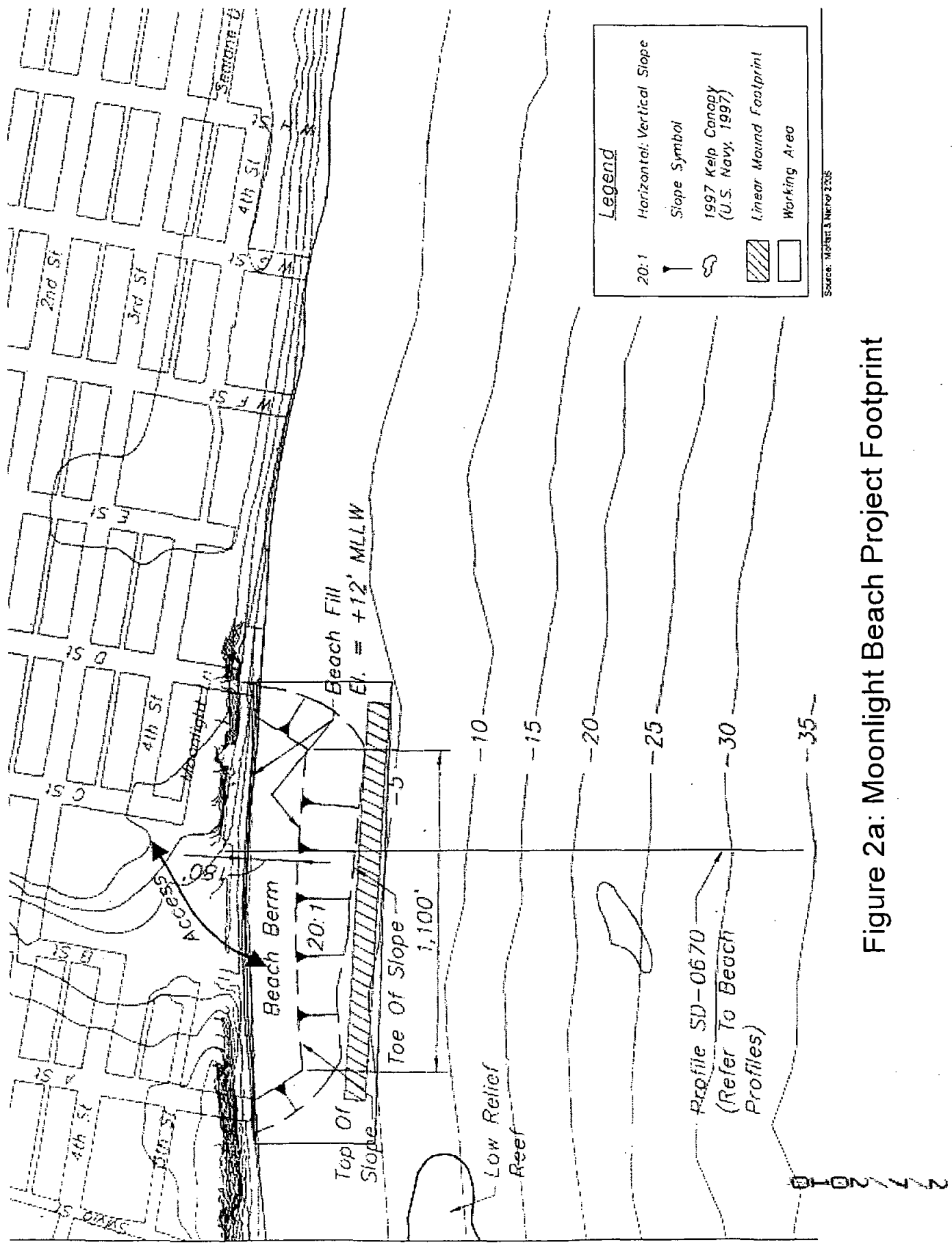


Figure 2a: Moonlight Beach Project Footprint

Source: MOHAWK & NEHER 2005

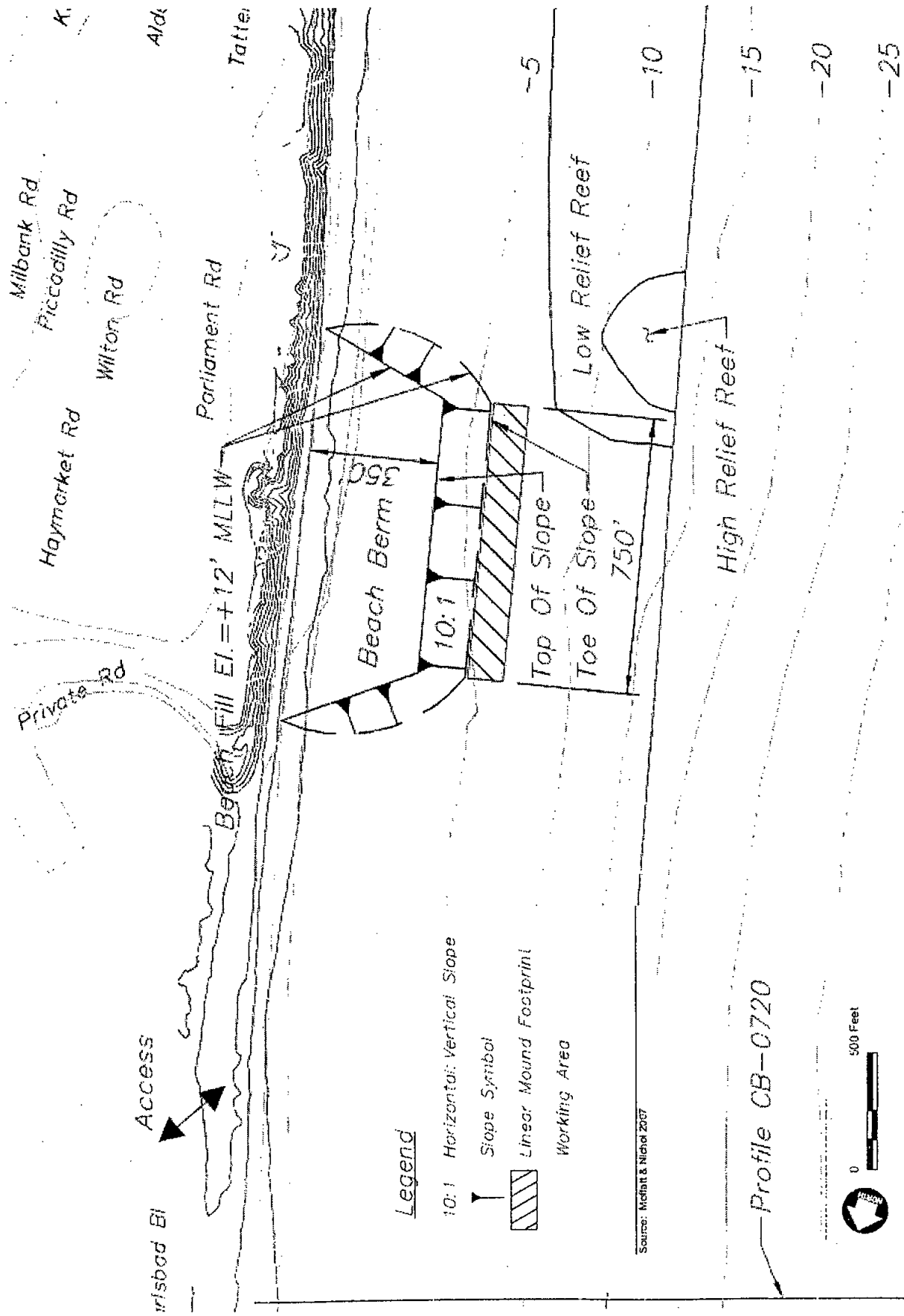


Figure 2b: Batiquitos Beach Project Footprint

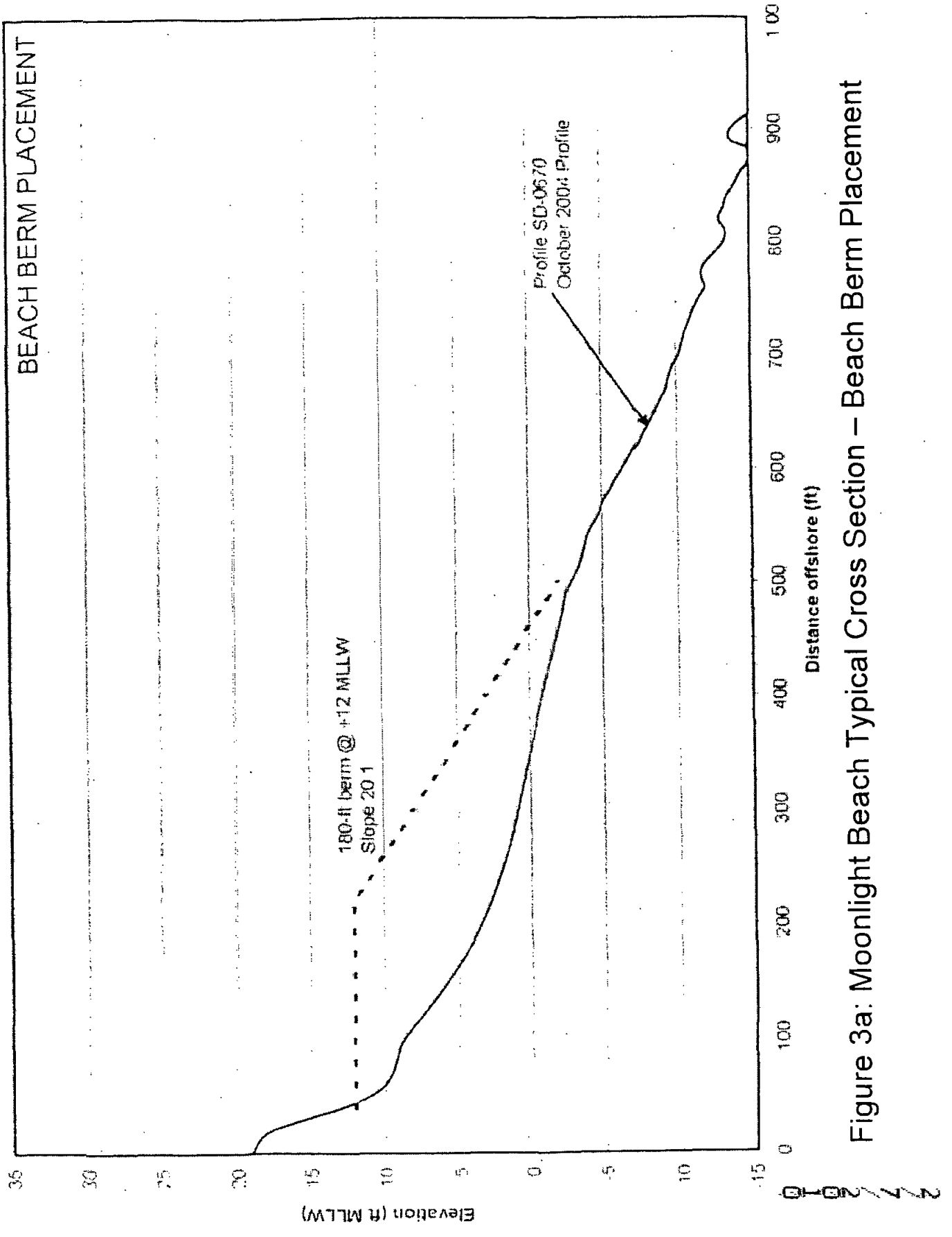


Figure 3a: Moonlight Beach Typical Cross Section – Beach Berm Placement

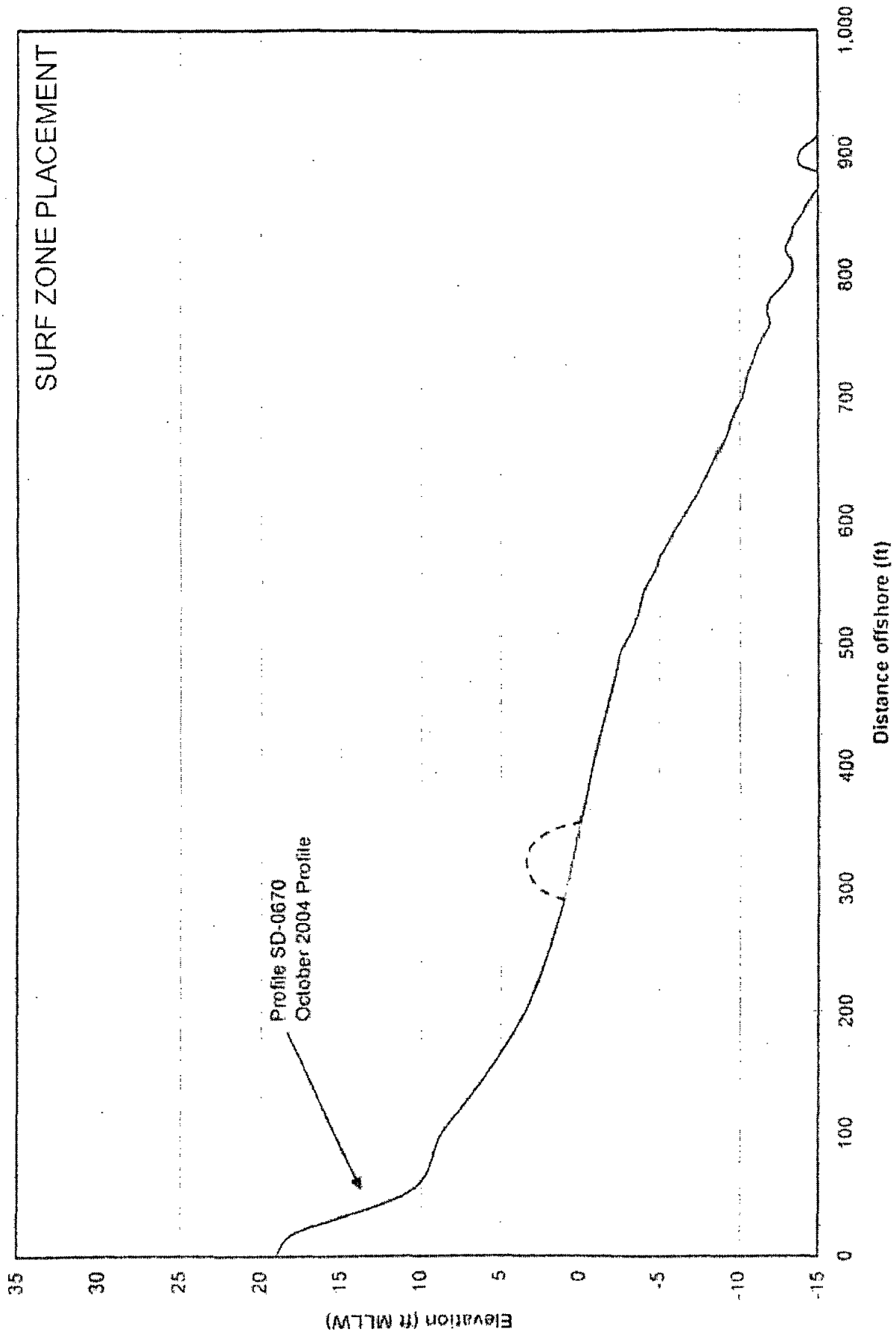


Figure 3b: Moonlight Beach Typical Cross Section - Surf Zone Placement

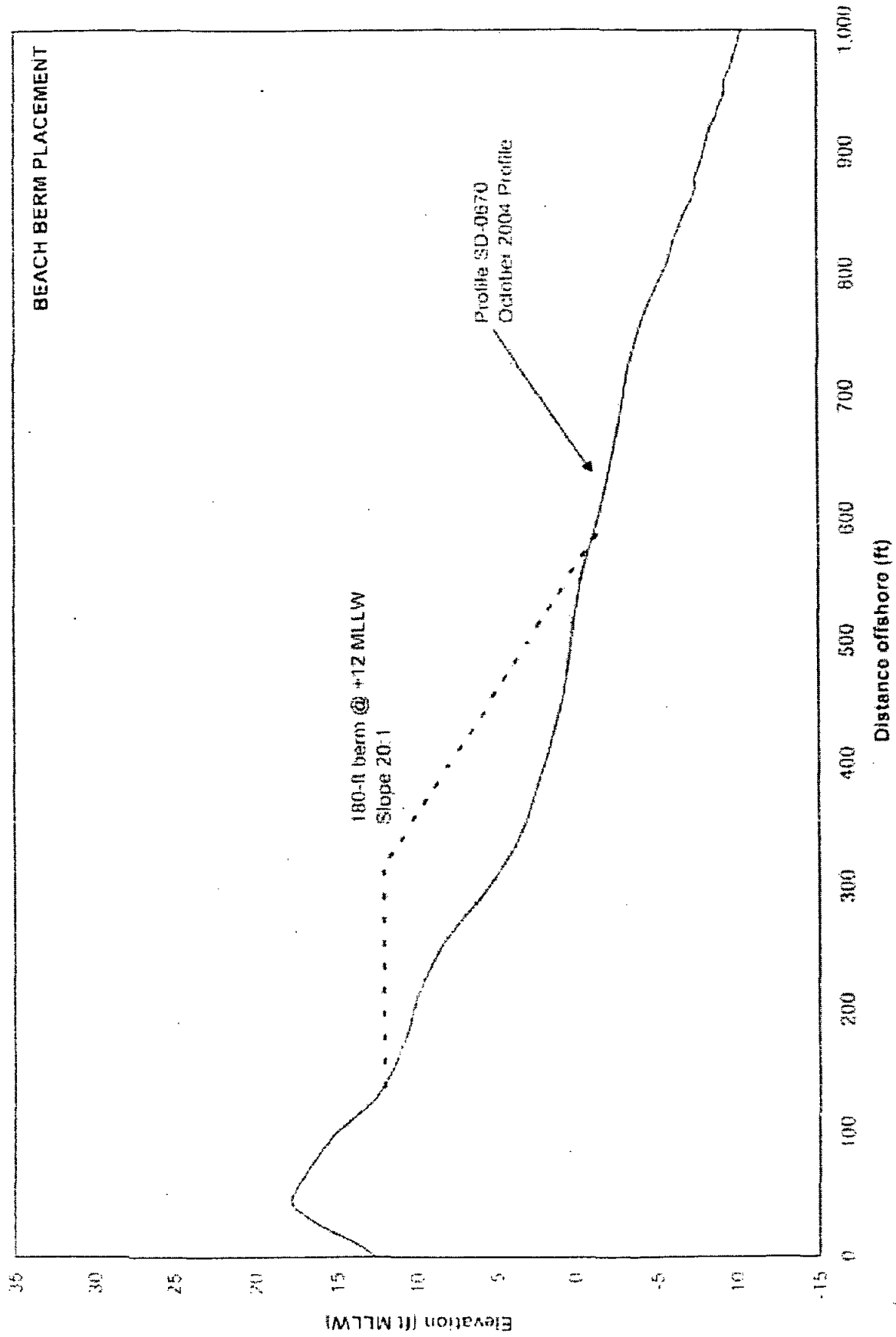


Figure 4a: Batiqitos Beach Typical Cross Section – Beach Berm Placement

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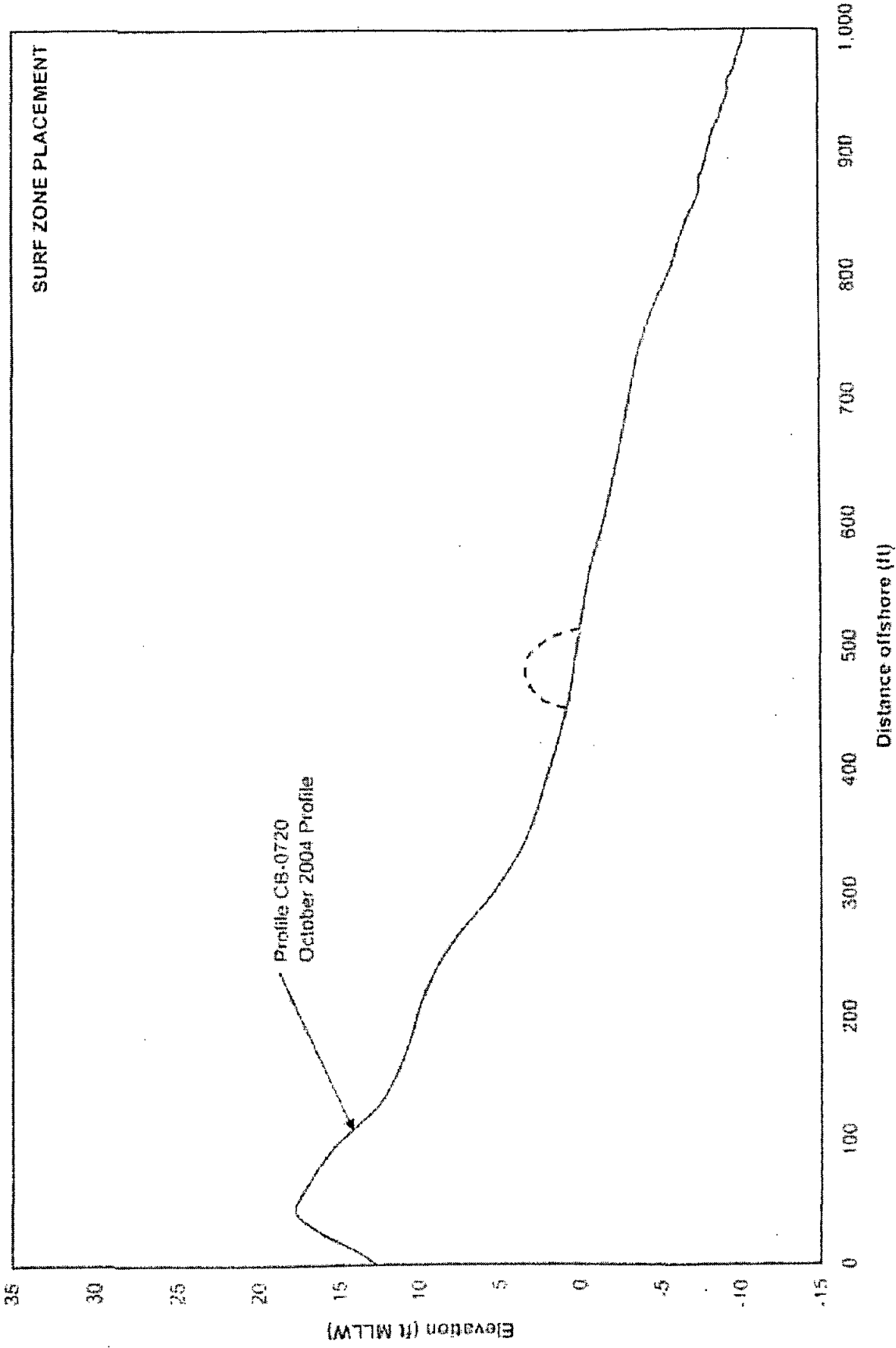


Figure 4b: Batiqitos Beach Typical Cross Section – Surf Zone Placement

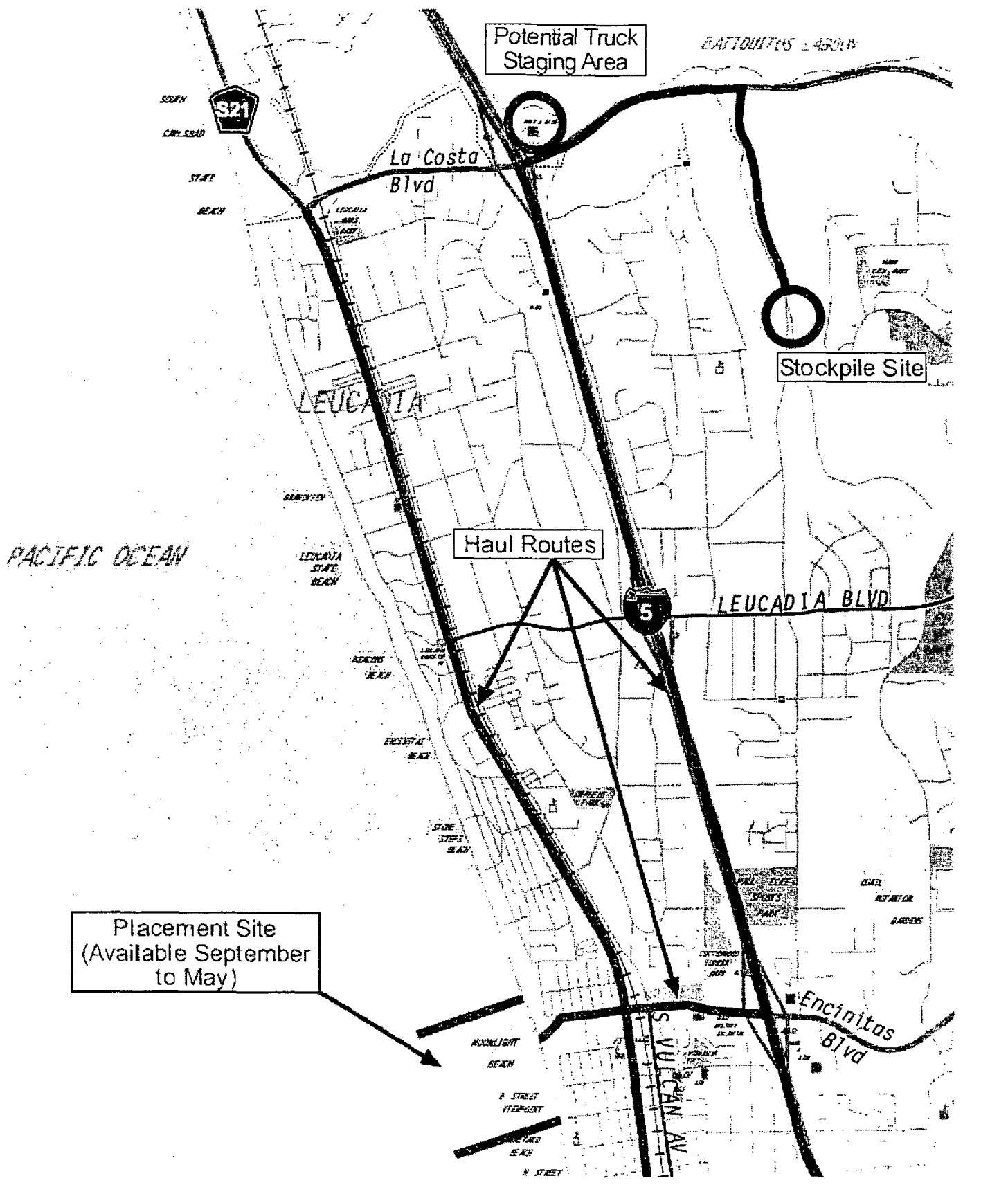


Figure 5a: Moonlight Beach Haul Route

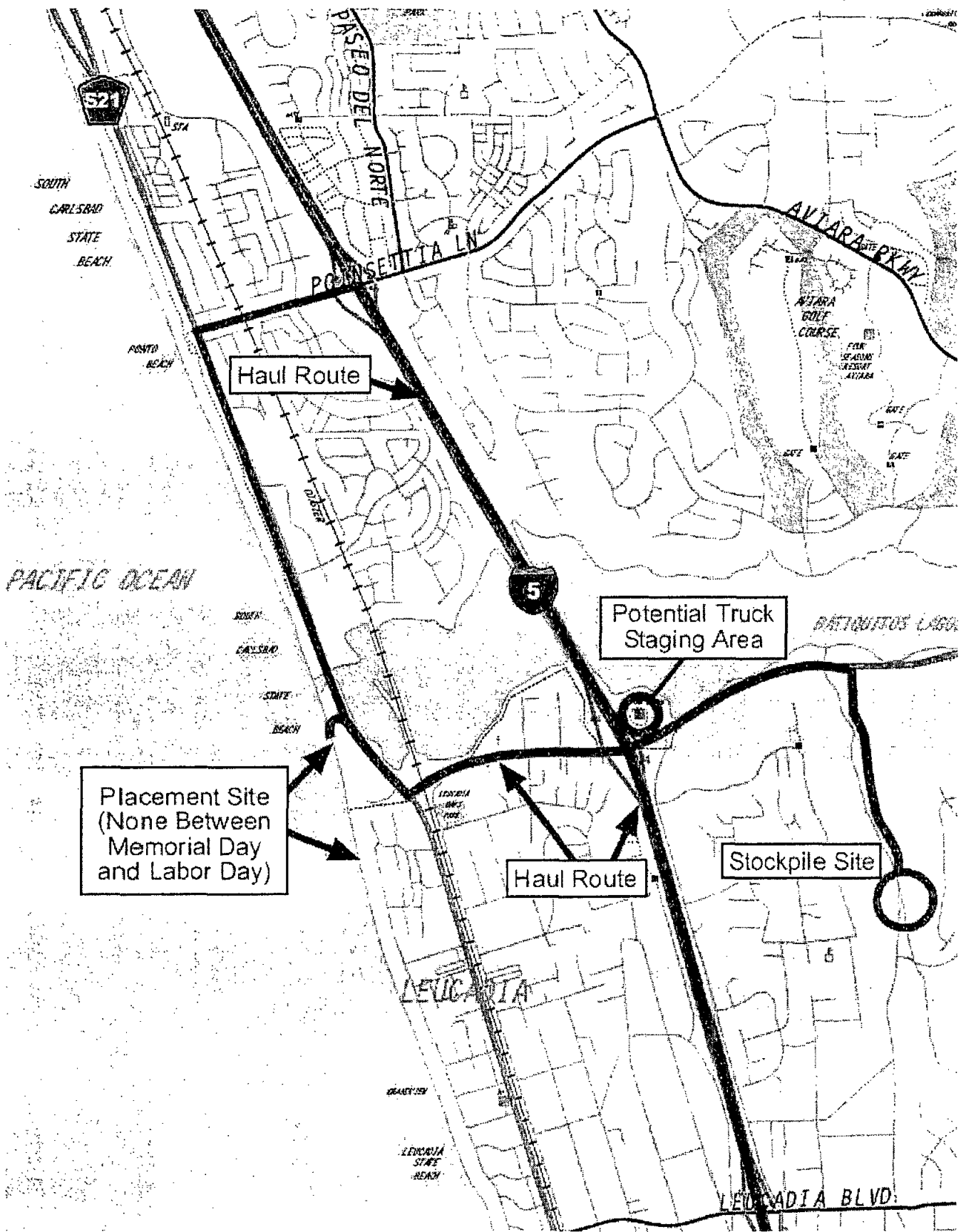


Figure 5b: Batiquitos Beach Haul Route

Certification No. 08C-087

ATTACHMENT 5

PHOTO DOCUMENTATION PROCEDURE

Standard Operating Procedure (SOP) 4.2.1.4

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 focal length 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

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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.

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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
 - 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 photo-points 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).
3. 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.

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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.

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

Location:

Subject Description:

Date:

Time:

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



7009 1410 0002 2347 7368
 7009 1410 0002 2347 7368

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com.

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6. ⁴⁹	

Sent To Kathy Weldon, City of Encinitas
 Street, Apt. No., or PO Box No. 505 S. Vulcan Avenue
 City, State, ZIP+4 Encinitas, CA 92024
 PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 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. 	<p>A. Signature <input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to: <u>Kathy Weldon</u> <u>City of Encinitas</u> <u>505 S. Vulcan Avenue</u> <u>Encinitas, CA 92024</u></p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number <u>7009 1410 0002 2347 7368</u> (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

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