



California Regional Water Quality Control Board San Diego Region



Matthew Rodriguez
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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Edmund G. Brown Jr.
Governor

November 7, 2011

Certified Mail – Return Receipt Requested
Article Number: 7010 1060 0000 4952 9086

Mr. Ron Caraet
Program Manager
California Department of Transportation
4050 Taylor Street
San Diego, CA 92110

In reply refer to:
768188: mporter

Dear Mr. Caraet:

**SUBJECT: Clean Water Act Section 401 Water Quality Certification No. 11C-052
for the I-805 North Managed Lanes Project**

Enclosed is the Clean Water Act Section 401 Water Quality Certification for discharges to Waters of the U.S. and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ and Order No. 2004-0004-DWQ for the I-805 North Managed Lanes Project (project). A description of the project and project location can be found in the project information sheet, location map, and site maps which are included as Attachments 1 through 6.

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

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

California Environmental Protection Agency

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mike Porter at 858-467-2726 or mporter@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-052 for I-805 North Managed Lanes Project, with six attachments.

E-copies: Refer to Attachment 2 of Certification 10C-099 for the Distribution List.

Tech Staff Info & Use	
File No.	11C-052
WDID	900002308
Reg. Measure ID	380099
Place ID	768188
Party ID	7222
Person ID	527665



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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: I-805 North Managed Lanes Project
Water Quality Certification No. 11C-052

APPLICANT: Mr. Ron Caraet
Project Manager
California Department of Transportation
4050 Taylor Street
San Diego, CA 92110

WDID	9000002308
Reg. Meas.	380099
Place	768188
Party	7222
Person	527665

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, Programmatic Certification	<input type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input checked="" type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:

The project consists of improvements to Interstate 805 (I-805) to maintain or improve future traffic operations between State Route 52 (SR-52) and to just north of Mira Mesa Boulevard. Four managed lanes will be constructed (two in each direction) from SR-52 to La Jolla Village Drive and two High Occupancy Lanes (HOV) (one in each direction) from La Jolla Village Drive to just north of Mira Mesa Boulevard. This project also includes the south portion of Carroll Canyon Direct Access Ramps (DAR), the Nobel Drive DAR, and Nobel Drive Park-and-Ride (P&R)/Bus Rapid Transit Station, and the SR-52/I-805 HOV direct connector ramp.

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



Temporary impacts to 0.01-acre (30-linear feet) of wetlands and 0.15-acre (1,250-linear feet) of non-wetland waters (streambeds) of the U.S and/or State will be caused by construction activities and access to the construction areas.

Permanent impacts to 0.02-acre (189-linear feet) of non-wetlands of the U.S. and/or State will be caused by highway improvements and related facilities.

Permanent impacts to 0.0060 acre (30-linear feet) of road pool, occupied with Fairy shrimp, will also be caused by highway improvements and related facilities.

Unavoidable impacts will be mitigated through the:

1. Offsite establishment of 0.18-acre (189-linear feet) of Southern willow scrub, consisting of willows (4 species), Fremont's cottonwood, Coast live oak, and Western sycamore, Mulefat, and herbaceous understory at the Deer Canyon Mitigation site.
2. Offsite rehabilitation of 0.01205-acre of Vernal pools at the Del Mar Mesa Mitigation site (a.k.a. Zamudio Parcel) and the onsite enhancement of 0.01205-acre of Vernal pools.
3. Regrading and revegetation of all temporary impacts to fully restore wetland and stream functions.

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I. STANDARD CONDITIONS:

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

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

II. ADDITIONAL CONDITIONS: GENERAL

- A. Water Quality Certification No. 11C-052 (Certification) is only valid if the project begins no later than 5 (five) years from the date of issuance. If the project has not begun within 5 years from the date of issuance, this Certification expires.
- B. The California Department of Transportation must comply with the requirements of State Water Resources Control Board adopted Order No. 99-06-DWQ, NPDES No. CAS000003 NPDES Permit Statewide Storm Water Permit and Waste Discharge Requirements (WDRs) for the State of California, Department of Transportation must be implemented as described in the September 12, 2011 California Department of Transportation letter (Attachment 7).
- C. The California Department of Transportation must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.

- D. For impacts to non-federal waters, the California Department of Transportation must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2004-004-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction*. These General Waste Discharge Requirements are accessible at:
http://www.swrcb.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf.
- E. The California Department of Transportation must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the Regional Water Quality Control Board San Diego Region (San Diego Water Board), to support this Certification and all subsequent submittals required as part of this Certification and as described in Attachment 1. The conditions within this Certification must supersede conflicting provisions within such plans submitted as part of this Certification action.
- F. The California Department of Transportation must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
1. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 2. Access to copy any records required to be kept under the terms and conditions of this Certification.
 3. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
 4. Sampling of any discharge or surface water covered by this Order.
- G. 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.

- H. In response to a suspected violation of any condition of this Certification, the San Diego Water 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 San Diego Water 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.
- I. In response to any violation of the conditions of this Certification, the San Diego Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The California Department of Transportation must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*.
- B. Prior to the start of the project, and annually thereafter, the California Department of Transportation must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices (BMP) implementation and maintenance.
- C. The California Department of Transportation must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.
- D. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to CWC § 13260.
- E. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- F. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm

flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.

- G. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. 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.
- H. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. The California Department of Transportation, land owners, and/or land managers are responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be revegetated. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/weedlist.php>.
- I. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- J. Removal of vegetation must occur by hand, mechanically, or using EPA approved herbicides deployed using applicable BMPs to prevent impacts to Beneficial Uses of waters of the State. Use of aquatic pesticides must be done in accordance with *State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ*, and any subsequent reissuance as applicable. Removal of vegetation must occur outside of the avian nesting season (March 15 to August 31).
- K. If groundwater dewatering with discharge to surface water is necessary for project construction, the California Department of Transportation must comply with *San Diego Water Board Order No. R9-2008-0002, General Waste Discharge Requirements for Discharges from Groundwater Extraction and Similar Discharges to Surface Waters Within the San Diego Region*. These General Waste Discharge Requirements are accessible at:
http://www.swrcb.ca.gov/rwqcb9/board_decisions/adopted_orders/2008/2008_0002.pdf

- L. During construction, the California Department of Transportation must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Post-construction BMPs must be implemented as described in the September 12, 2011 letter (Attachment 7) from the California Department of Transportation to the San Diego Water Board Executive Officer. As such, the project must not add more than 40.3-acres of new, impervious surface, and must be required to treat 76.3 acres of impervious surface using a combination of biofiltration swales, detention/infiltration basins, and porous pavement.
- B. A Storm Water Management Plan must be submitted to the San Diego Water Board when the project design and engineering is at least 80% complete and prior to project impacts.
- C. All park and ride facilities must be designed and constructed with Low Impact Development (LID) elements. LID guidance can be found at <http://www.lid-stormwater.net/>.
- D. Structural Best Management Practices (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:

- i. 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 California Stormwater Best

Management Practices Handbook – Industrial/Commercial,
(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.
- E. Pedestrian-accessible storm drain inlet structures within the project boundaries must be stamped and/or stenciled with appropriate language prohibiting non-storm water discharges.
 - F. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.
 - G. Caltrans must inspect and maintain post-construction structural BMPs per the manufacturers' specifications and/or engineering design specifications. An inspection and maintenance log must be maintained for review by germane agencies. Copies of the inspection and maintenance log must be provided to the San Diego Water Board upon request.
 - H. Any extended detention basins 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.

V. ADDITIONAL CONDITIONS: IMPACTS and COMPENSATORY MITIGATION

A. Impacts to Waters and Wetlands of the U.S. and State are limited to the following:

ACOE Jurisdictional Wetland/Waters				
Channel Location	Area (acres)	Linear feet	Lat	Long
Permanent Impacts:				
Unnamed Drainage 2	<0.01	47'x3'wide	32.8674	-117.1937
Unnamed Drainage 3	0.01	142'x3'wide	32.8694	-117.1939
Total Permanent Other Waters of the US Impacts	0.02			
Temporary impacts:				
Rose Canyon Creek (tributary)	0.03	237'x5'wide	32.8645	-117.1889
Rose Canyon Creek	0.08	440' variable width	32.8645	-117.1889
Unnamed Drainage 2	0.01	161'x3'wide	32.8672	-117.1934
Unnamed Drainage 3	0.02	226'x3'wide	32.8699	-117.194
Unnamed Drainage 4 Wetland	0.01	30' length	32.87	-117.1926
Unnamed Drainage 5	0.006	121' x 2'wide	32.8733	-117.1972
Unnamed Drainage 7	0.001	65'x0.75' wide	32.8918	-117.2098
Total Temporary Other Waters of the US Impacts	0.15			
Total Temporary Wetlands Impacts	0.01			
* There are no impacts to ACOE jurisdictional waters in San Clemente or Soledad Canyon Creeks				

B. Impacts to Vernal pools (endangered species-occupied road pools) are limited to 0.0060-acres and 30-linear feet.

C. Mitigation for permanent and temporary project impacts to wetland and non-wetland waters of the United States and/or State must be implemented as described in the Final Compensatory Wetland/Upland Mitigation Plan for Deer Canyon, prepared by the California Department of Transportation, and dated May 25, 2011. The Deer Canyon Mitigation site is proposed to provide compensatory mitigation for the proposed impacts from the I-5/Genesee Avenue Interchange, the I-805 Managed Lanes, and

Carroll Canyon Road Extension, and the Sorrento to Miramar Double Track Project – Phase I projects.

- D. Mitigation for permanent impacts to Vernal pools must be implemented as described in the Del Mar Mesa and Nobel Vernal Pool Draft Habitat Mitigation and Monitoring Plan, prepared by the California Department of Transportation, District 11, and dated October 20, 2011.
- E. Compensatory mitigation must consist of:
1. Establishment of 0.18-acre of Southern willow scrub (189-linear feet) consisting of willows (4 species), Fremont's cottonwood, Coast live oak, and Western sycamore, Mulefat, and herbaceous understory at the Deer Canyon Mitigation site.
 2. Rehabilitation of 0.01205-acre of Vernal pools at the Del Mar Mesa Mitigation site (Zamudio Parcel) and the onsite enhancement of 0.01205-acre of Vernal pools.
- F. Project impacts will require the mathematical subtraction of 0.18-acre of Southern willow scrub credits from the Deer Canyon Mitigation site available mitigation credits ledger.
- G. The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10 percent of the cumulative compensatory mitigation for each month of delay.
- H. The California Department of Transportation must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the U.S. and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The restoration must fully restore functions wetland and stream functions. The California Department of Transportation must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
- I. The California Department of Transportation 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.
- J. The California Department of Transportation 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 and/or the onsite restored areas.

- K. The Deer Canyon mitigation site must be designed, constructed, and maintained in perpetuity to meet the following conditions:
1. Most of the channel through the mitigation sites are characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
 2. As viewed along cross-sections, the channel and buffer have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope contains physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall; and
 3. The mitigation sites have a well-developed plant community characterized by a high degree of horizontal and vertical interspersion among plant zones and layers.
- L. Throughout the mitigation monitoring program phase, mitigation areas must be maintained free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the on-site or off-site mitigation areas.
- M. San Diego Water Board acceptance of the final mitigation plan for each project site applies only to the site and plan that mitigates for each 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 additional acreage at the site for mitigation.
- N. Any maintenance activities that do not contribute to the success of the mitigation sites 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.
- O. If at any time during the implementation and establishment of the mitigation areas, and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation areas, the California Department of Transportation is responsible for repair and replanting of the damaged areas.

- P. For the purpose of determining mitigation credit for the removal of exotic/invasive plant species, only the actual area occupied by exotic/invasive plant species must be quantified to comply with mitigation requirements.
- Q. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the U.S. and/or State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the U.S. and/or State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the U.S. and/or State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the U.S. and/or State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the U.S. and/or State (e.g., conservation easement).
- R. Mitigation site maintenance and monitoring must continue until the mitigation site has met the success criteria stated in the mitigation plan(s). The mitigation site must be maintained free of non-native and invasive plant species and maintained in accordance with specified success criteria in perpetuity.

VI. MONITORING REQUIREMENTS:

A. Bioassessment -

The California Department of Transportation must conduct bioassessment monitoring, as described in this section, to assess effects on the biological integrity of the Rose Creek impact area and Deer Canyon mitigation site. Bioassessment shall include: 1) the collection and reporting of specified instream biological data, and 2) the collection and reporting of specified instream physical and habitat data. The results of the Bioassessment must be submitted **each year with the Mitigation Monitoring Reports.**

Site Locations and Frequency

Macroinvertebrate samples shall be collected at the Rose Creek impact area and Deer Canyon mitigation site. Sampling areas must be located upstream, within, and downstream of the Rose Creek impact area and mitigation area. Annual sampling must occur for 5 years until established success criteria are met for the Deer Creek mitigation site. Annual sampling must occur for 5 years or until directed otherwise by the San Diego Water Board for the Rose Creek impact area.

Index Period

Macroinvertebrate sampling shall be conducted between April 1st and October 1st. Sampling should be conducted when water is present and preferably flowing.

Field Methods for Macroinvertebrate Collections

In collecting macroinvertebrate samples, the California Department of Transportation shall use the "Reachwide Benthos (Multihabitat) Procedure" specified in Standard Operating Procedures for Collecting Benthic Macroinvertebrate Samples and Associated Physical and Chemical Data for Ambient Bioassessments in California (Ode 2007, available at: http://www.swrcb.ca.gov/swamp/docs/phab_sopr6.pdf).

Habitat Assessment Methods

The California Department of Transportation shall conduct, concurrently with all required macroinvertebrate collections, the "Full" suite of physical/habitat characterization measurements as specified in Standard Operating Procedures for Collecting Benthic Macroinvertebrate Samples and Associated Physical and Chemical Data for Ambient Bioassessments in California (Ode 2007), and as summarized in the Surface Water Ambient Monitoring Program's Stream Habitat Characterization Form — Full Version.

Laboratory Methods

Macroinvertebrates shall be identified and classified according to the Standard Taxonomic Effort (STE) Level II of the Southwestern Association of Freshwater Invertebrate Taxonomists (SAFIT; requirements for Level I and Level II taxonomic effort, and are located at: <http://www.safit.org/ste.html>) and using a fixed-count of 600 organisms per sample.

Quality Assurance

The California Department of Transportation shall have and follow a quality assurance (QA) plan that covers the required bioassessment monitoring. The QA plan shall include, or be supplemented to include, a specific requirement for external QA checks (i.e., verification of taxonomic identifications and correction of data where errors are identified). External

QA checks shall be performed on one of the discharger's macroinvertebrate samples collected per calendar year, or ten percent of the samples per year (whichever is greater). QA samples shall be randomly selected. The external QA checks shall be paid for by the discharger, and performed by the California Department of Fish and Game's Aquatic Bioassessment Laboratory. An alternate laboratory with equivalent or better expertise and performance may be used if approved in writing by Water Board staff.

Sample Preservation and Archiving

The original sample material shall be stored in 70 percent ethanol and retained by the discharger until: 1) all QA analyses specified herein and in the relevant QA plan are completed; and 2) any data corrections and/or re-analyses recommended by the external QA laboratory have been implemented. The remaining subsampled material shall be stored in 70 percent ethanol and retained until completeness checks have been performed according to the relevant QA plan. The identified organisms shall be stored in 70 percent ethanol, in separate glass vials for each final ID taxon. (For example, a sample with 45 identified taxa would be archived in a minimum of 45 vials, each containing all individuals of the identified taxon.) Each of the vials containing identified organisms shall be labeled with taxonomic information (i.e., taxon name, organism count) and collection information (i.e., site name/site code, waterbody name, date collected, and method of collection). The identified organisms shall be archived (i.e., retained) by the discharger for a period of not less than three years from the date that all QA steps are completed, and shall be checked at least once per year and "topped off" with ethanol to prevent desiccation. The identified organisms shall be relinquished to the Water Board upon request by any Water Board staff.

Definitions: The "original sample material" is that material (i.e., macroinvertebrates, organic material, gravel, etc.) remaining after the subsample has been removed for identification. The "remaining subsampled material" is that material (e.g., organic material, gravel, etc.) that remains after the organisms to be identified have been removed from the subsample for identification. (Generally, no macroinvertebrates are present in the remaining subsampled material, but this needs to be verified via QA completeness checks.) The "identified organisms" are those organisms within the subsample that are specifically identified and counted.

Data Submittal

The macroinvertebrate results (i.e., taxonomic identifications consistent with the specified SAFIT STEs, and number of organisms within each taxa) shall be submitted to the Water Board in electronic format. The Water Board's Surface Water Ambient Monitoring Program (SWAMP) is

currently developing standardized formats for reporting bioassessment data. All bioassessment data collected after those formats become available shall be submitted using the SWAMP formats. Until those formats are available, the biological data shall be submitted in MS-Excel (or equivalent) format. The physical/habitat data shall be reported using the standard format titled SWAMP Stream Habitat Characterization Form - Full Version.

Invasive Species Prevention

In conducting the required bioassessment monitoring, the discharger and its consultants shall take precautions to prevent the introduction or spread of aquatic invasive species. At minimum, the discharger and its consultants shall follow the recommendations of the California Department of Fish and Game to minimize the introduction or spread of the New Zealand mudsnail.

B. California Rapid Assessment Method

The California Department of Transportation must conduct a quantitative, function-based assessment of the health of wetland and riparian habitats in the Rose Creek impact area and the Deer Canyon mitigation site using the California Rapid Assessment Method (CRAM)¹ upstream, within, and downstream of Rose Creek impact and Deer Canyon mitigation sites. Monitoring must occur prior to impacts and for at least three consecutive years after impacts. The results of the CRAM assessment must be submitted **each year with the Mitigation Monitoring Reports.**

VII. NOTIFICATION REQUIREMENTS:

- A. The California Department of Transportation must notify the San Diego Water Board within **24 hours** of any unauthorized discharge, including hazardous or toxic materials, to waters of the United States and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best management practices (BMPs) or other measures that will be implemented to prevent future discharges.
- B. This Certification is not transferrable in its entirety or in part to any person or organization except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.

¹ Information on CRAM is available at the California Rapid Assessment Method homepage at <http://www.cramwetlands.org/>

1. **Transfer of Property Ownership:** the California Department of Transportation must notify the San Diego Water Board of any change in ownership of the project area. Notification of change in ownership must include, but not be limited to, a statement that the California Department of Transportation has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the Executive Officer of the San Diego Water Board within **10 days** of the transfer of ownership.
2. **Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). The California Department of Transportation must provide such notification to the Executive Officer of the San Diego Water Board within **10 days** of the transfer of mitigation responsibility.
3. **Transfer of Post-Construction BMP Maintenance Responsibility:** The California Department of Transportation assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the California Department of Transportation must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The California Department of Transportation must provide such notification to the Executive Officer of the San Diego Water Board within **10 days** of the transfer of BMP maintenance responsibility.

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

- C. Prior to the start of construction, the California Department of Transportation must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. Within one year of the start of construction, the California Department of Transportation must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the United States that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the site. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

VIII. REPORTING REQUIREMENTS:

- A. The California Department of Transportation must submit annual progress reports describing status of compliance with all requirements of this Certification to the San Diego Water Board prior to **August 1** of each year following the issuance of this Certification until the project has reached completion. The California Department of Transportation must submit a Final Project Annual Report to the San Diego Water Board prior to **August 1** following completion of the project. The reports must include the following:
1. Date of construction initiation.
 2. Projected date of construction completion.
 3. Status of BMPs for the project.
 4. Final Project Report: As-built drawings no larger than 11"X17", GPS readings of all post-construction BMPs, and photodocumentation of post-construction BMPs.

- B. 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:
1. Names, qualifications, and affiliations of the persons contributing to the report;
 2. Date of initiation of mitigation installation and date mitigation installation was completed.
 3. Mitigation as-builts, including topography maps and planting locations.
 4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;
 5. Topographic complexity characteristics at each mitigation site;
 6. Upstream and downstream habitat and hydrologic connectivity;
 7. Source of hydrology;
 8. Width of native vegetation buffer around the entire mitigation site;
 9. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results, including evaluation of Benthic Macroinvertebrate Community Analysis, California Rapid Assessment Method, and other success criteria.
 10. Stream Photodocumentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, prior to and after implementation. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced.
 11. A Survey report documenting boundaries of mitigation area(s), including Geographic Information System (GIS) shape files (polygons) of the impact and mitigation areas (Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points). GIS metadata must also be submitted.

- C. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to furnish requested information pursuant to CWC section 13268.
- D. All reports and information submitted to the San Diego Water Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
- E. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
 - 1. For a corporation, by a responsible corporate officer of at least the level of vice president.
 - 2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - 3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
 - 4. A duly authorized representative may sign applications, reports, or information if:
 - a. The authorization is made in writing by a person described above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the San Diego Water Board Executive Officer.
- F. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:

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

- G. The California Department of Transportation must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification; Project No. 11C-052
9174 Sky Park Court, Suite 100
San Diego, California 92123

IX. CEQA FINDINGS:

- A. The California Department of Transportation is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and issued the I-805 Managed Lanes North Project, Initial Study with Mitigated Negative Declaration/Environmental Assessment With Finding of No Significant Impact, California Department of Transportation, State Clearing House No. 2010021032, on December 2010.
- B. The San Diego Water Board has reviewed the lead agency's Mitigated Negative Declaration and finds that the project as proposed will not have a significant effect on the environment if compensatory mitigation is accomplished as conditioned in this Certification.

X. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

A. On July 6, 2011, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. Public comments received are summarized as follows:

Comments submitted by:	Summary of Comments	San Diego Water Board Responses
<p>James A. Peugh Conservation Chair San Diego Audubon Society peugh@cox.net</p>	<p>1 - Requests a hearing before Regional Board.</p> <p>2 - There are alternatives that may avoid or at least reduce impacts to vernal pools, waterways, the health of the watersheds, and thereby water quality that should be evaluated.</p> <p>3 - These alternatives may provide transportation to a more useable location so they will support more efficient land use and in turn result in better water quality</p>	<p>1 - The Executive Officer of the San Diego Water Board has determined that a hearing before the San Diego Water Board is not warranted because the impacts are relatively small, avoidance and mitigation has been fully evaluated, the mitigation ratio is higher than most projects, and the project will result in a net improvement in water quality functions by treatment and retrofit of 76.3-acreas of runoff from new and existing project areas.</p> <p>2 – Caltrans solicited public comments through the CEQA process and has evaluated multiple alternatives. The alternative selected is the least impactful alternative that meets the project purpose.</p> <p>3 – Caltrans has evaluated alternative sites for the Nobel/I-805 BRT, as suggested by the public, and has determined that the alternative sites are infeasible.</p>

<p>Deborah Knight Executive Director Friends of Rose Canyon P.O. Box 221051 San Diego, CA 92192-1051 rosecanyon@san.rr.com</p>	<p>1 - Requests hearing before Regional Board.</p> <p>2 - Objects to a specific aspect of proposed project – the proposed location of the Nobel/I-805 Bus Rapid Transit Station and Park and Ride.</p> <p>3 - Prefer that Station be moved to La Jolla Village Drive/I-805 intersection for these reasons:</p> <p>a - Would reduce widening of bridge over Rose Creek; and</p> <p>b – Location change would reduce impacts to environmentally sensitive lands.</p>	<p>1 – See above.</p> <p>2 - Caltrans has evaluated alternative sites for the Nobel/I-805 BRT, as suggested by the public, and has determined that the alternative sites are infeasible.</p> <p>3. a. – Caltrans has stated that relocation of the BRT would not obviate the need to widen the bridge. Regardless, the widening of I-805 will not result in any permanent impacts to Waters of the U.S. and/or State.</p> <p>3. b. – The “environmentally sensitive lands” referred to are Multiple Species Conservation Program uplands that are regulated by the City of San Diego, California Department of Fish and Game, and the U.S. Fish and Wildlife Service.</p>
<p>Eric Bowlby Executive Director San Diego Canyonlands eric@sdcanyonlands.org</p>	<p>1 - Requests hearing before Regional Board.</p> <p>2 - Project will impact San Clemente Creek, Rose Creek and Soledad Canyon Creek, and has the potential to have significant water quality impacts on all three.</p>	<p>1 – See above.</p> <p>2 – The proposed project will not have permanent or temporary impacts to San Clemente or Soledad Canyon Creeks. In fact, proposed structural post-construction BMPs are likely to improve water quality in the receiving waters by treating the road runoff prior to entering the creeks.</p>

	<p>3 - The environmental community should have the opportunity to weigh in on this project.</p> <p>4 - Changing the location of the proposed Nobel BRT Station and Park and Ride to La Jolla Village Drive would significantly reduce the impact on Rose Creek.</p>	<p>3 – Per Caltrans, the CEQA document was circulated in accordance with noticing requirements thereby allowing for public comments. Additionally, Caltrans has met with the public to discuss this matter on multiple occasions.</p> <p>4 – The BRT Station on the mesa will not permanently or temporarily impact Rose Creek.</p>
<p>Karin Zirk Friends of Rose Creek kzirk@earthlink.net 4629 Cass Street #188 San Diego CA 92109</p>	<p>1 - Requests hearing before Regional Board.</p> <p>2 - This project will directly impact three creeks: San Clemente, Rose and Soledad Canyon.</p> <p>3 - Additionally, the potential for significant water quality impacts applies not only to these three creeks, but to Mission Bay as well.</p> <p>4 - The environmental community should have the opportunity to weigh in on this project.</p> <p>5 - Changing the location of the proposed Nobel BRT Station and Park and Ride to La Jolla Village Drive would significantly reduce the impact on Rose Creek.</p>	<p>1 - See above.</p> <p>2 & 3 – See above.</p> <p>4 – See above.</p> <p>5 – See above.</p>
<p>Gabriel Solmer Legal Director San Diego Coastkeeper® gabe@sdcoastkeeper.org 2825 Dewey Road, Suite 200 San Diego, CA 92106</p>	<p>1 - Requests this decision be agendized for full Board consideration.</p> <p>2 - Project has the potential for significant water quality impacts on San Clemente Creek, Rose Creek and Soledad Canyon Creek.</p>	<p>1 - See above.</p> <p>2 – See above.</p>

	<p>3 - The public, including environmental groups, have specific suggestions on the certification that could reduce water quality impacts.</p>	<p>3 – The San Diego Water Board has not received any specific suggestions for water quality improvements other than moving the BRT Station.</p>
<p>Carrie Schneider Conservation Chair California Native Plant Society – San Diego Chapter carrieschneider@cox.net</p>	<p>1 - Requests this decision be agendized for full Board consideration.</p> <p>2 - Project has the potential for significant water quality impacts on San Clemente Creek, Rose Creek and Soledad Canyon Creek.</p> <p>3 - The public, including environmental groups, have specific suggestions on the certification that could reduce water quality impacts.</p>	<p>1 - See above.</p> <p>2 – See above.</p> <p>3 – See above.</p>

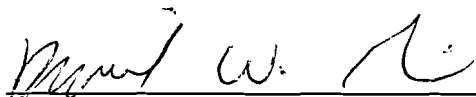
XI. SAN DIEGO WATER BOARD CONTACT PERSON:

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

XII. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **I-805 North Managed Lanes Project** (Certification No. 11C-052) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual 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 to, and all proposed mitigation being completed in strict compliance with, the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

7 November 2011
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map(s)
 4. Site Figures(s)
 5. Mitigation Figures(s)
 6. Required Reports and Notifications Checklist
 7. Caltrans BMP letter dated September 12, 2011
 8. Public Comment Letters

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Mr. Ron Caraet
Project Manager
California Department of Transportation
4050 Taylor Street
MS 331
San Diego, CA 92110
Telephone: 619-220-5391
Fax: 619-688-4258
Email: Ron.Caraet@dot.ca.gov

**Applicant
Representatives:** Ms. Kim Smith
Chief Environmental Stewardship and
Ecological Services Branch
California Department of Transportation
4050 Taylor Street
MS 331
San Diego, CA 92110
Telephone: 619-688-0220
Fax: 619-688-4258
Email: kim_t_smith@dot.ca.gov

Project Name: I-805 North Managed Lanes Project

Project Location: The proposed project is located on Interstate 805 North, between State Route 52 (just south of) and where Interstate 805 North merges with Interstate 5. The project is located in the City of San Diego's communities of Clairemont, University City, Miramar, and Sorrento Valley, San Diego County, California. The project is located approximately between latitude 32° 45' 32" north and longitude -117° 17' 30" east and latitude 32° 52' 30" north and longitude -117° 17' 00" east.

Type of Project: Highway improvements.

Project Description and Need:

The project consists of improvements to Interstate 805 (I-805) to maintain or improve future traffic operations between State Route 52 (SR-52) to Mira Mesa Boulevard. Four managed lanes will be constructed (two in each direction) from SR-52 to La Jolla Village Drive and two High Occupancy Lanes (HOV) (one in each direction) from La Jolla Village Drive to just north of Mira Mesa Boulevard. The project also includes the south portion of Carroll Canyon Direct Access Ramps (DAR), the Nobel Drive DAR, and Nobel Drive Park-and-Ride (P&R)/Bus Rapid Transit Station, and the SR-52/I-805 HOV direct connector ramp.

Federal Agency/Permit:

U.S. Army Corps of Engineers §404, Nationwide Permits 14 and 33, Ms. Sophia C. Huynh, Los Angeles District

Other Required Regulatory Approvals:

California Department of Fish and Game (CDFG) § 1602 Streambed Alteration Agreement, Mr. Tim Dillingham.

California Environmental Quality Act (CEQA) Compliance:

I-805 North Managed Lanes Project Initial Study with Mitigated Negative Declaration/Environmental Assessment With Finding of No Significant Impact, California Department of Transportation, State Clearing House No. 2010021032, December 2010.

Receiving Waters:

Rose Canyon Creek, unnamed tributaries to Rose Canyon Creek, unnamed tributaries to San Clemente Creek, unnamed tributaries to Soledad Canyon Creek, and a Vernal pool (road pool). Penasquitos hydrologic unit, Miramar Reservoir and Miramar hydrologic areas (906.10 and 906.40).

Impacted Wetlands and Waters of the United States and State:

ACOE Jurisdictional Wetland/Waters	
Channel Location	Area (acres)
Permanent Impacts:	
Unnamed Drainage 2	<0.01
Unnamed Drainage 3	0.01
Total Permanent Other Waters of the US Impacts	0.02
Temporary impacts:	
Rose Canyon Creek (tributary)	0.03
Rose Canyon Creek	0.08
Unnamed Drainage 2	0.01
Unnamed Drainage 3	0.02
Unnamed Drainage 4 Wetland	0.01
Unnamed Drainage 5	0.006
Unnamed Drainage 7	0.001
Total Temporary Other Waters of the US Impacts	0.15
Total Temporary Wetlands Impacts	0.01

Impacted Waters for CDFG jurisdiction only:

Permanent -
Riparia 0.063-acre, 246-linear feet

Temporary -
Riparia 1.83-acre, 1440-linear feet

Dredge Volume:

None.

Related Projects Implemented/to be Implemented by the Applicant(s):

None.

Compensatory Mitigation:

Unavoidable impacts will be mitigated through the:

1. Establishment of 0.18-acre of Southern willow scrub (189-linear feet) consisting of willows (4 species), Fremont's cottonwood, Coast live oak, and Western sycamore, Mulefat, and herbaceous understory at the Deer Canyon Mitigation site.
2. The offsite rehabilitation of 0.01205-acre of Vernal pools at the Del Mar Mesa Mitigation site (Zamudio Parcel) and the onsite enhancement of 0.01205-acre of Vernal pools.

Best Management Practices (BMPs):

Construction and post-construction BMPs will be determined when the project has been engineered and project hydrology is fully evaluated.

Post-construction BMPs will treat 76.3-acres of impervious areas (new and existing), and will most likely (per Caltrans, Attachment 7) include:

- 31 bioswales.
- 3 detention/infiltration basins.
- Porous pavement in the Park and Ride facilities.
- Low Impact Design elements

Public Notice:

On July 6, 2011, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. Six public comments were received, and have been addressed in the Certification.

Fees:

Total Due: \$11,635.00
Total Paid: \$750.00 (Check No. 082-950857)
Total Paid: \$10,885.00 (Check No. 082-960510)

CIWQS:

Regulatory Measure ID: 380099
Place ID: 768188
Party ID: 7222
Person ID: 527665
WDID 9 000002308

**ATTACHMENT 2
DISTRIBUTION LIST**

Ms. Sophia C. Huynh
Environmental Protection Specialist/Senior PM
USACOE-Los Angeles District
Regulatory Division
sophia.c.huyn@usace.army.mil

Mr. Tim Dillingham
California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – North
tdillingham@dfg.ca.gov

Mr. Eric Raffini
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
R9-WTR8-Mailbox@epa.gov

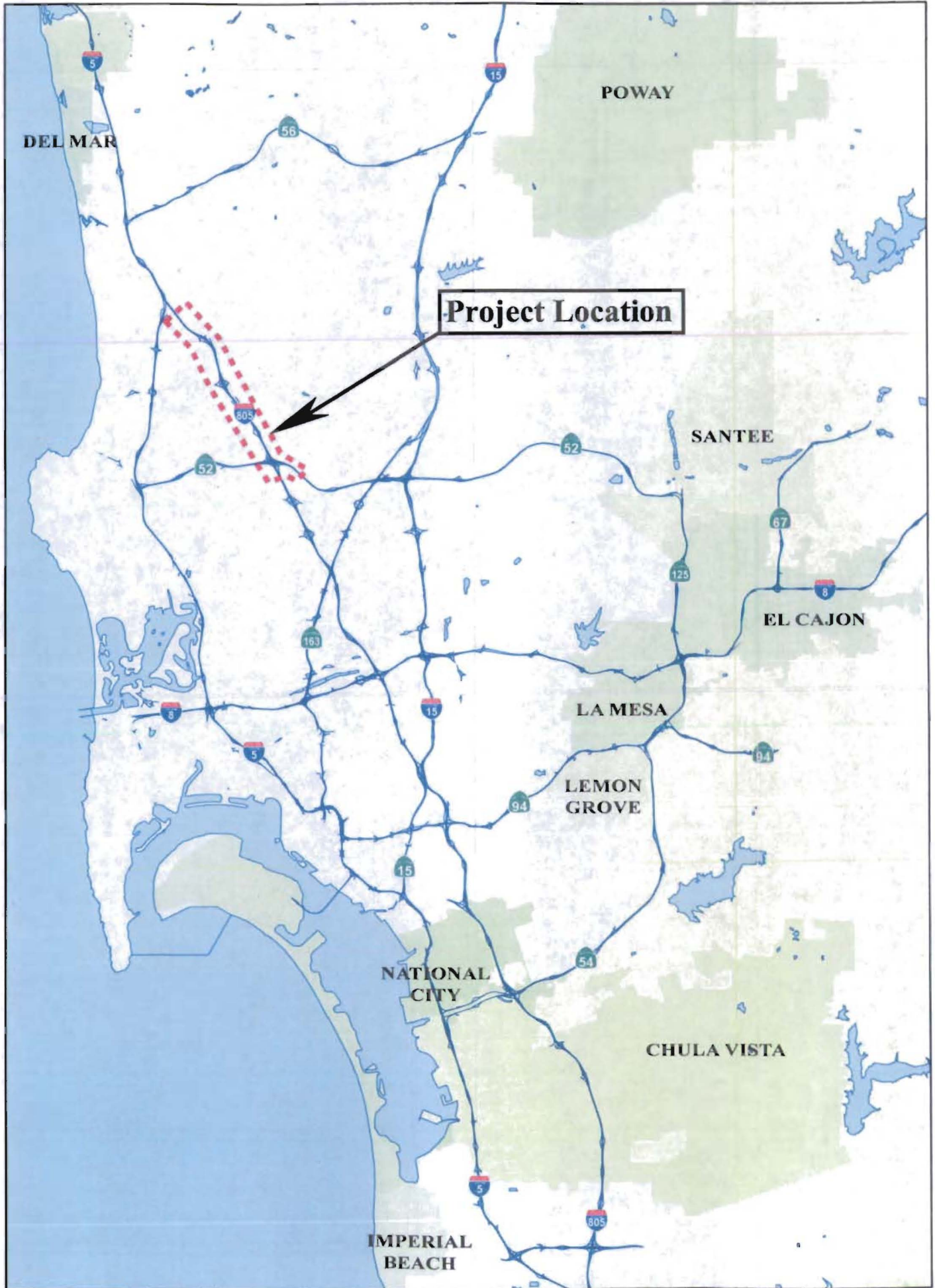
State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

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

ATTACHMENT 3

LOCATION MAP(S)

LOCATION MAP



11-SD-805, 52
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 3.5/4.1
 EA: 11-081630

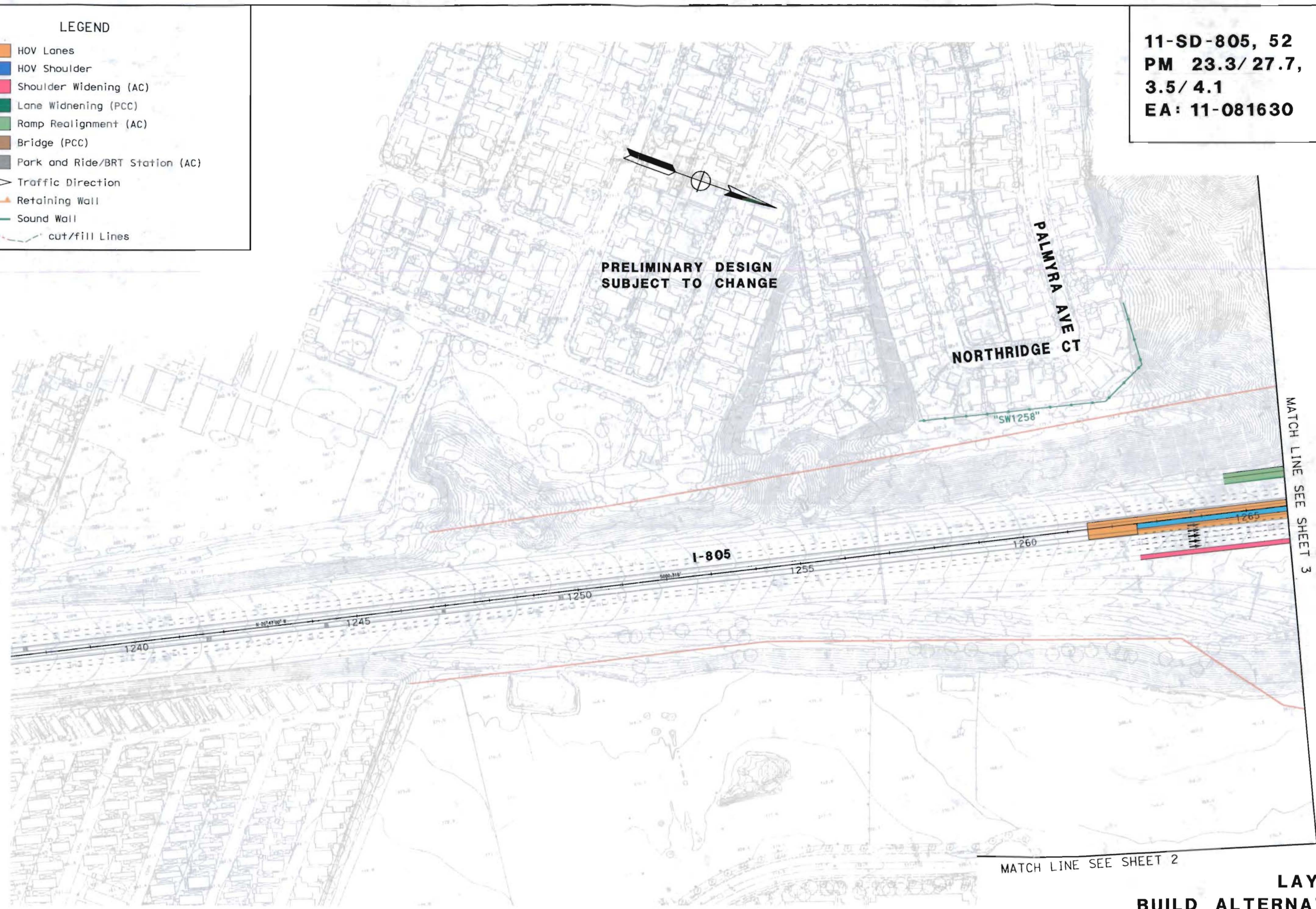
LEGEND

- HOV Lanes
- HOV Shoulder
- Shoulder Widening (AC)
- Lane Widening (PCC)
- Ramp Realignment (AC)
- Bridge (PCC)
- Park and Ride/BRT Station (AC)
- Traffic Direction
- Retaining Wall
- Sound Wall
- cut/fill Lines

REVISOR	DATE	REVISION	DATE	REVISION
CALCULATED-DESIGNED BY	CHECKED BY			
FUNCTIONAL SUPERVISOR				
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION				

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
St. Gibbons

BORDER LAST REVISED 4/11/2008



Attachment 3

LAYOUT
BUILD ALTERNATIVE
 SCALE 1"=200'
 SHEET 1 OF 11



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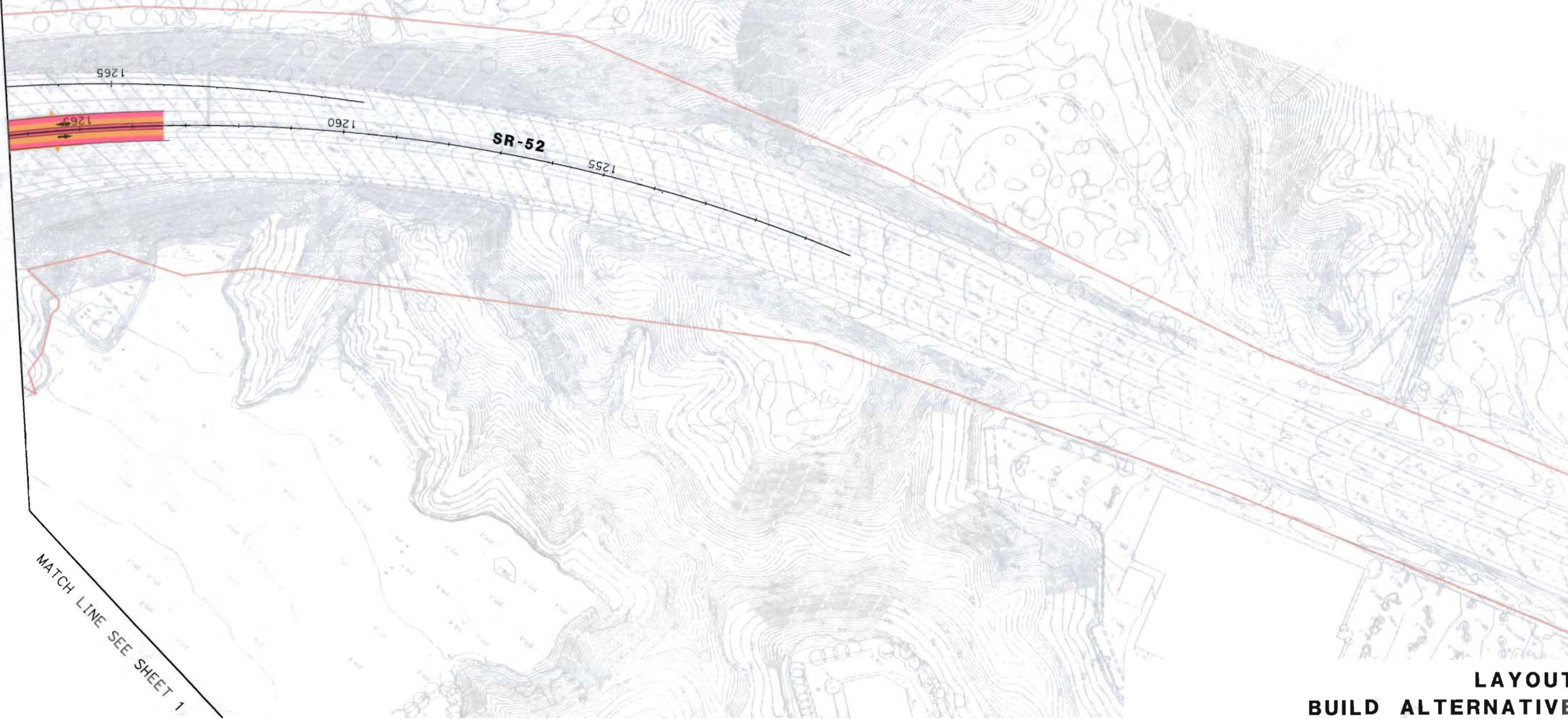
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 3.5/4.1
 EA: 11-081630

PRELIMINARY DESIGN
 SUBJECT TO CHANGE



MATCH LINE SEE SHEET 3

MATCH LINE SEE SHEET 1



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR		CHECKED BY	REVISOR BY
	CALCULATED-DESIGNED BY		DATE	REVISOR
Et. Caltrans				

**LAYOUT
 BUILD ALTERNATIVE**
 SCALE 1"=200' SHEET 2 OF 11

BORDER LAST REVISED 4/11/2008

RELATIVE BORDER SCALE
 15 IN INCHES



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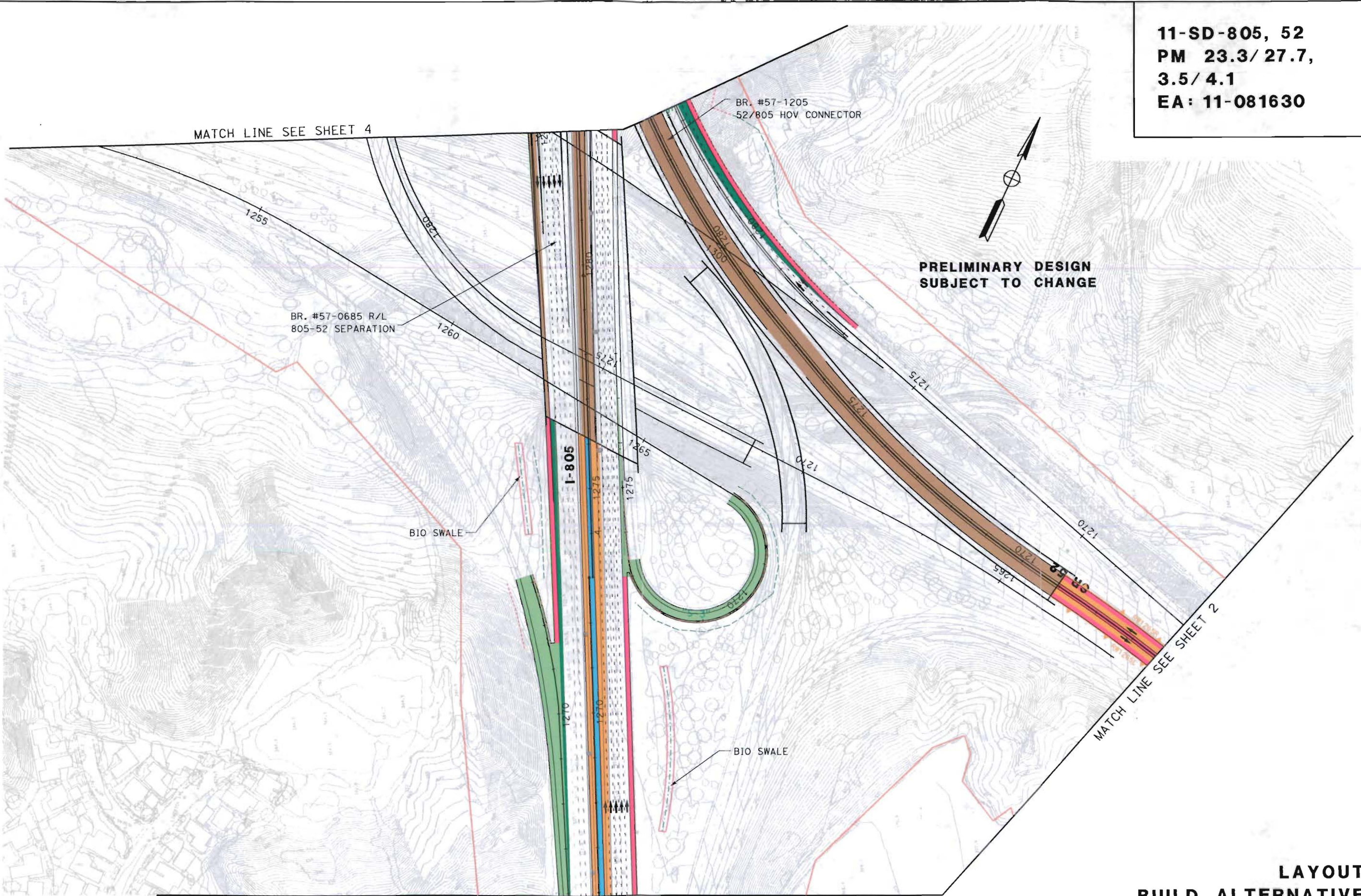
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Caltrans		CHECKED BY	DATE REVISED



PRELIMINARY DESIGN
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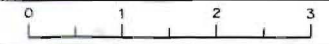
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 BUILD ALTERNATIVE**

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MATCH LINE SEE SHEET 2



11-SD-805, 52
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 3.5/4.1
 EA: 11-081630

MATCH LINE SEE SHEET 5



PRELIMINARY DESIGN
 SUBJECT TO CHANGE

52/805 HOV CONNECTOR
 MSE WALLS

MAYNARD ST.
 WOLFSTAR CT.

BASIN / FILTER A

BIO SWALE

BIO SWALE

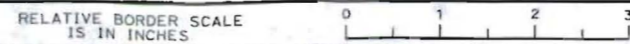
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LAYOUT
 BUILD ALTERNATIVE

SCALE 1"=200' SHEET 4 OF 11

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Caltrans		CHECKED BY	DATE REVISED

BORDER LAST REVISED 4/11/2008



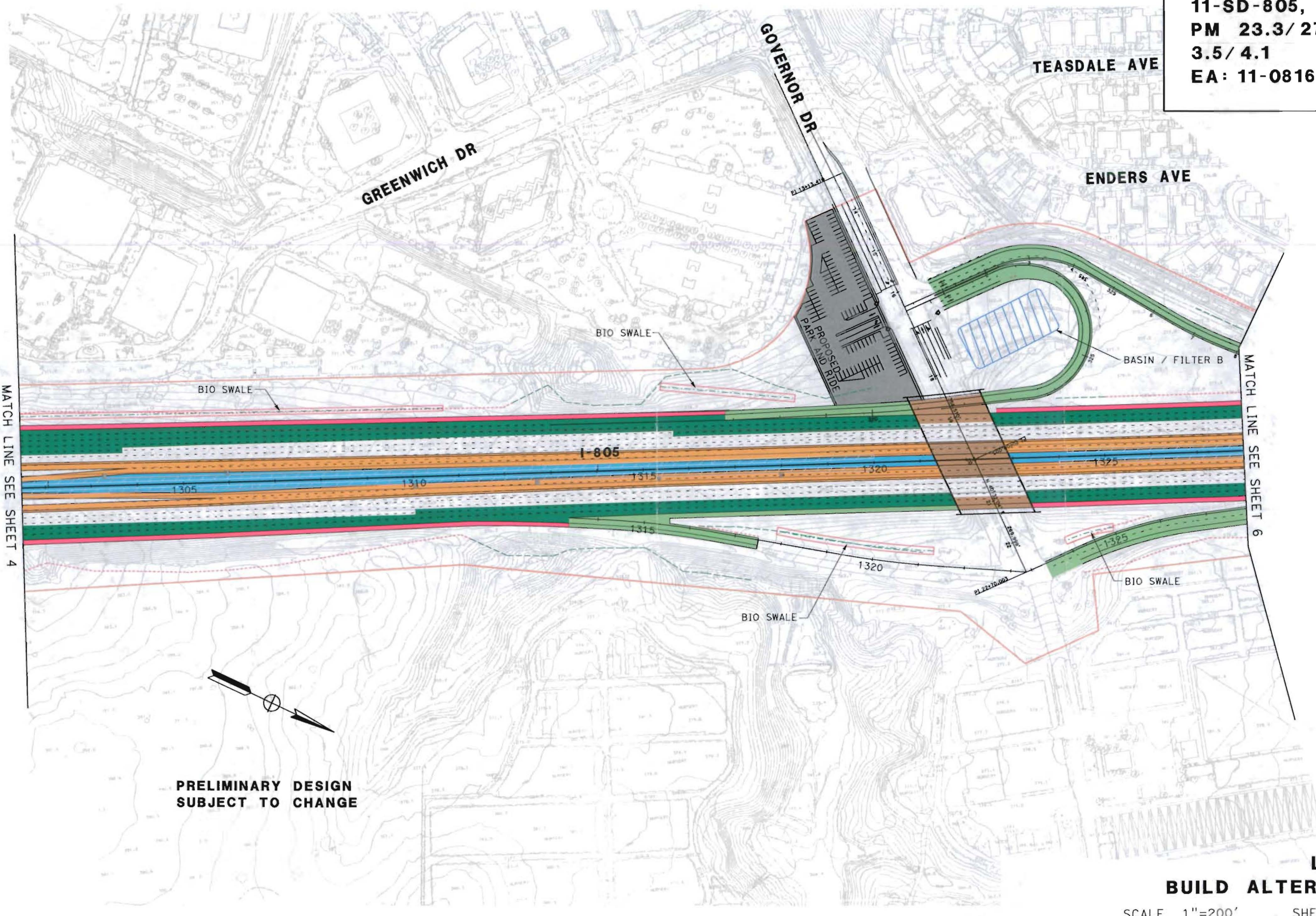
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 EA: 11-081630



**PRELIMINARY DESIGN
 SUBJECT TO CHANGE**

**LAYOUT
 BUILD ALTERNATIVE**

SCALE 1"=200' SHEET 5 OF 11

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CHECKED BY	DESIGNED BY	REVISOR
Caltrans				
BORDER LAST REVISED 4/11/2008				



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11-SD-805, 52
 I-805 PM 23.3/27.7
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 EA: 11-081630

EASTGATE MALL

PRELIMINARY DESIGN
 SUBJECT TO CHANGE

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 (EASTGATE MALL OC)

BR. #57-1420 A/B
 (EASTGATE MALL OC
 TIEBACK WALLS)

I-805

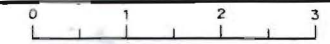
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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CHECKED BY	DESIGNED BY	REVISOR	DATE
Caltrans					

BORDER LAST REVISED 4/11/2008

RELATIVE BORDER SCALE
 IS IN INCHES



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SHEET 9 OF 11

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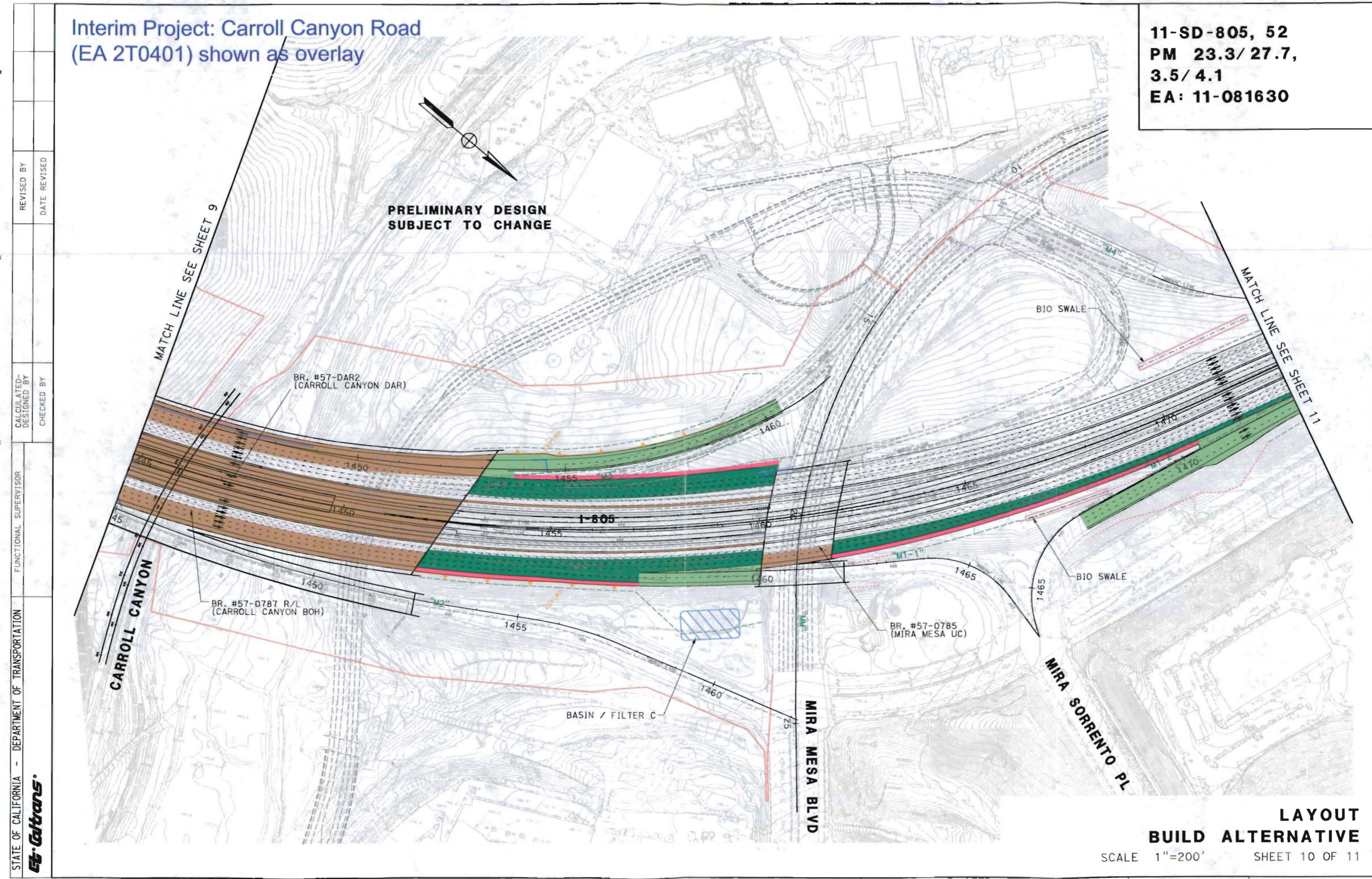
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**LAYOUT
 BUILD ALTERNATIVE**

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 00-00-00 TIME PLOTTED => 13:37

Interim Project: Carroll Canyon Road
(EA 2T0401) shown as overlay

11-SD-805, 52
PM 23.3/27.7,
3.5/4.1
EA: 11-081630



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CALCULATED, DESIGNED BY	CHECKED BY	REVISOR	DATE
St. Gobans					

BORDER LAST REVISED 4/11/2008



USERNAME => s127934
DGN FILE => build_Layout_10

SCALE 1"=200'

LAYOUT BUILD ALTERNATIVE

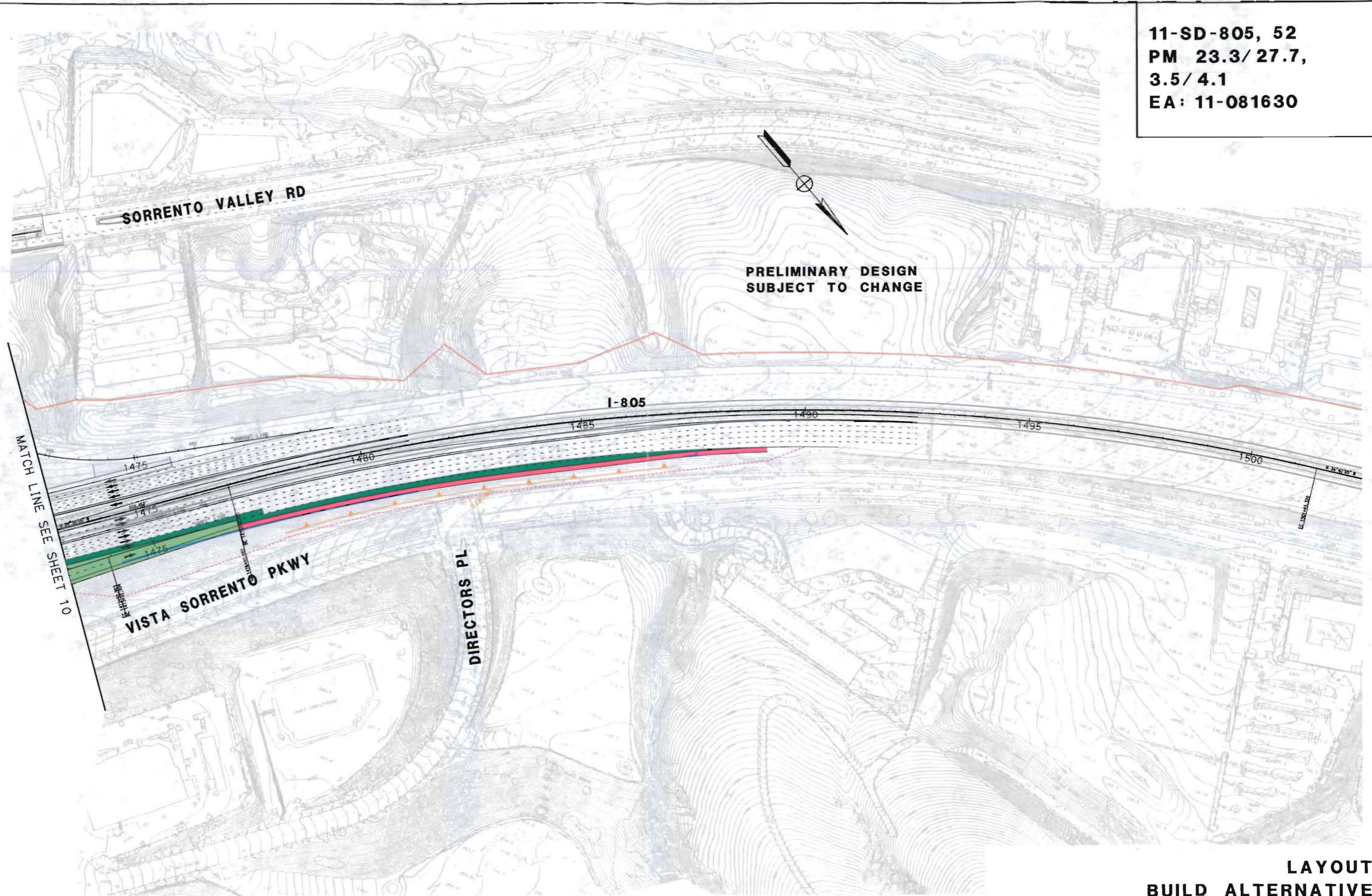
SHEET 10 OF 11

CU 00000

EA 000000

LAST REVISION DATE PLOTTED => 11-JAN-2011
00-00-00 TIME PLOTTED => 14:37

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 PM 23.3/ 27.7,
 3.5/ 4.1
 EA: 11-081630

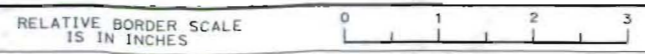


STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CALCULATED-DESIGNED BY	REVISOR
EtGibbons		CHECKED BY	DATE REVISOR

**LAYOUT
 BUILD ALTERNATIVE**

SCALE 1"=200' SHEET 11 OF 11

BORDER LAST REVISED 4/11/2008



USERNAME => s127934
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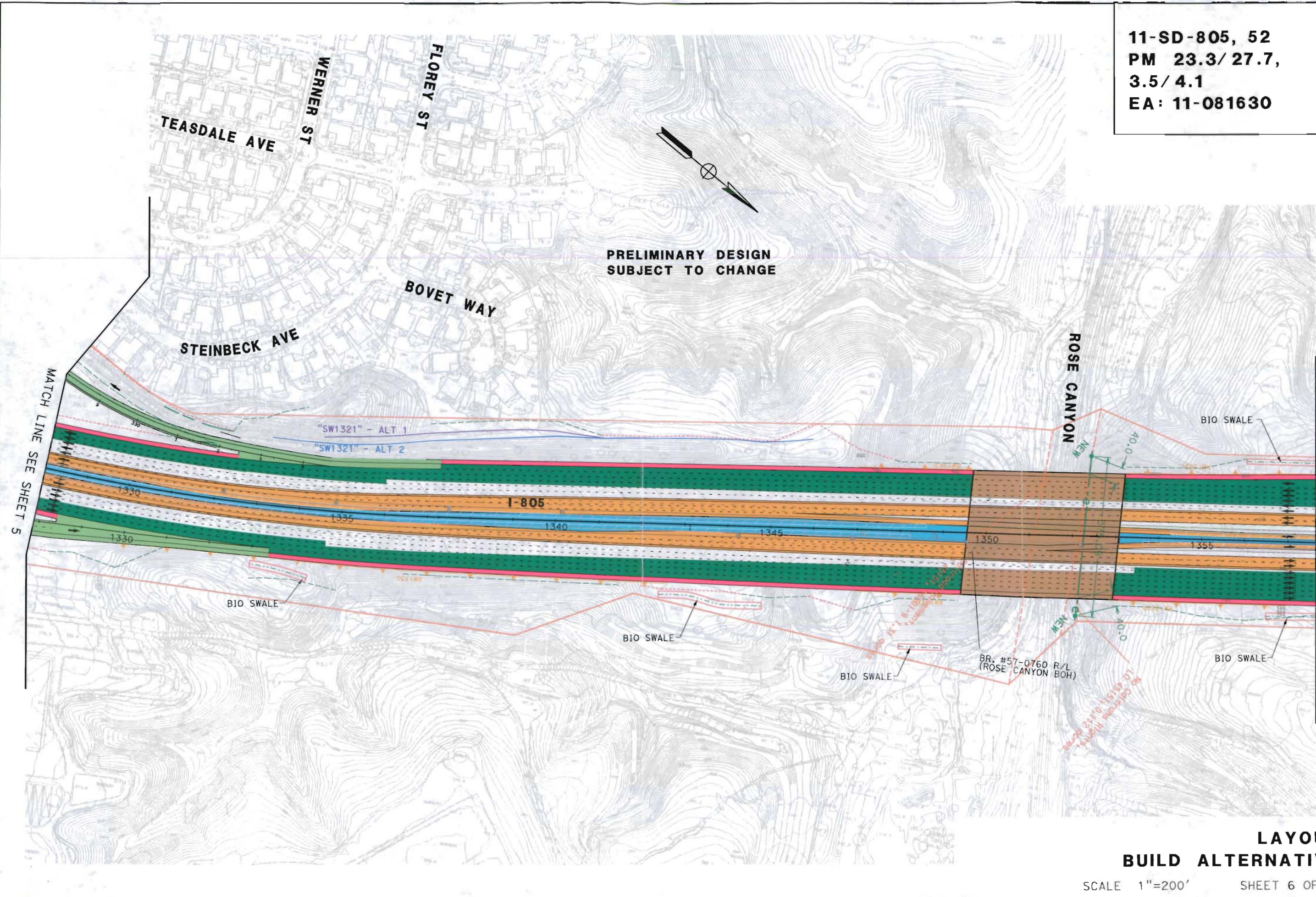
CU 00000

EA 000000

LAST REVISION: DATE PLOTTED => 18-JAN-2011
 00-00-00 TIME PLOTTED => 14:53

11-SD-805, 52
 PM 23.3/27.7,
 3.5/4.1
 EA: 11-081630

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CHECKED BY	DESIGNED BY	REVISOR
Caltrans				
BORDER LAST REVISED 4/11/2008				



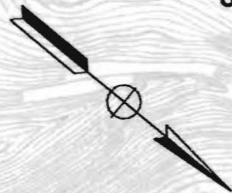
**LAYOUT
 BUILD ALTERNATIVE**

SCALE 1"=200' SHEET 6 OF 11



11-SD-805, 52
 PM 23.3/27.7,
 3.5/4.1
 EA: 11-081630

PRELIMINARY DESIGN
 SUBJECT TO CHANGE



PROPOSED
 PARK AND RIDE
 LOTS/BRT
 STATION

NOBEL DR

NOBEL DRIVE DAR BRIDGE
 BRIDGE #57-1206

I-805

NOBEL DAR
 57-DAR1

NOBEL OC TIEBACK WALLS

MATCH LINE SHEET 6

MATCH LINE SHEET 8

LAYOUT
 BUILD ALTERNATIVE

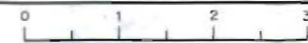
SCALE 1"=200'

SHEET 7 OF 11

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CALCULATED-DESIGNED BY	REVISOR
St. Gobans		CHECKED BY	DATE REVISED

BORDER LAST REVISED 4/11/2008

RELATIVE BORDER SCALE
 15 IN INCHES



USERNAME => s127934
 DGN FILE => build_Layout_7

CU 00000

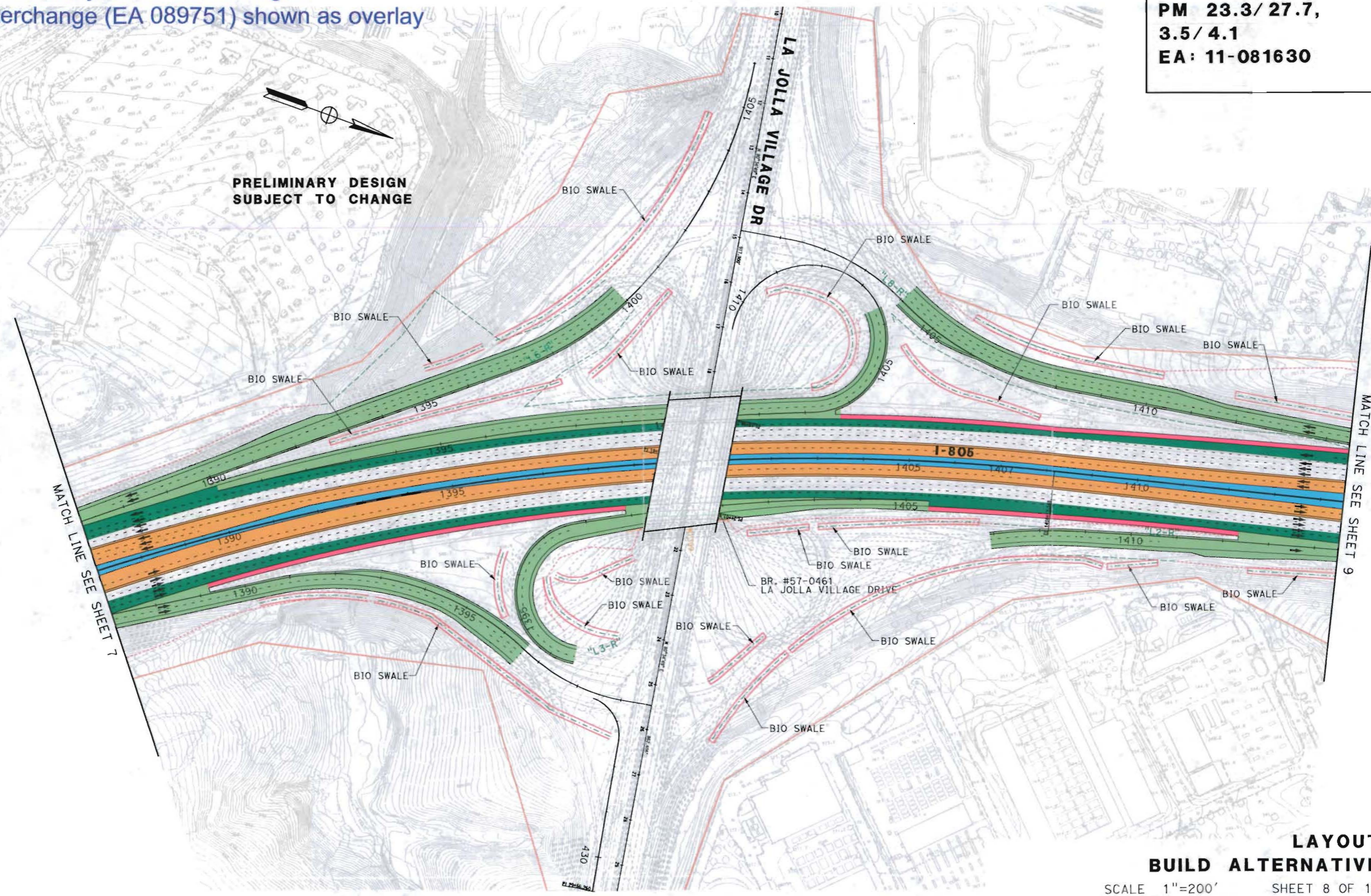
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LAST REVISION: DATE PLOTTED => 07-JAN-2011
 00-00-00 TIME PLOTTED => 13:37

Interim Project: La Jolla Village Drive
Interchange (EA 089751) shown as overlay

11-SD-805, 52
PM 23.3/27.7,
3.5/4.1
EA: 11-081630

PRELIMINARY DESIGN
SUBJECT TO CHANGE



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CHECKED BY	REVISOR BY
Caltrans			
BORDER LAST REVISED 4/11/2008			

RELATIVE BORDER SCALE 15 IN INCHES

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DGN FILE => build_Layou_8

LAYOUT
BUILD ALTERNATIVE
SCALE 1"=200' SHEET 8 OF 11

CU 00000 EA 00000

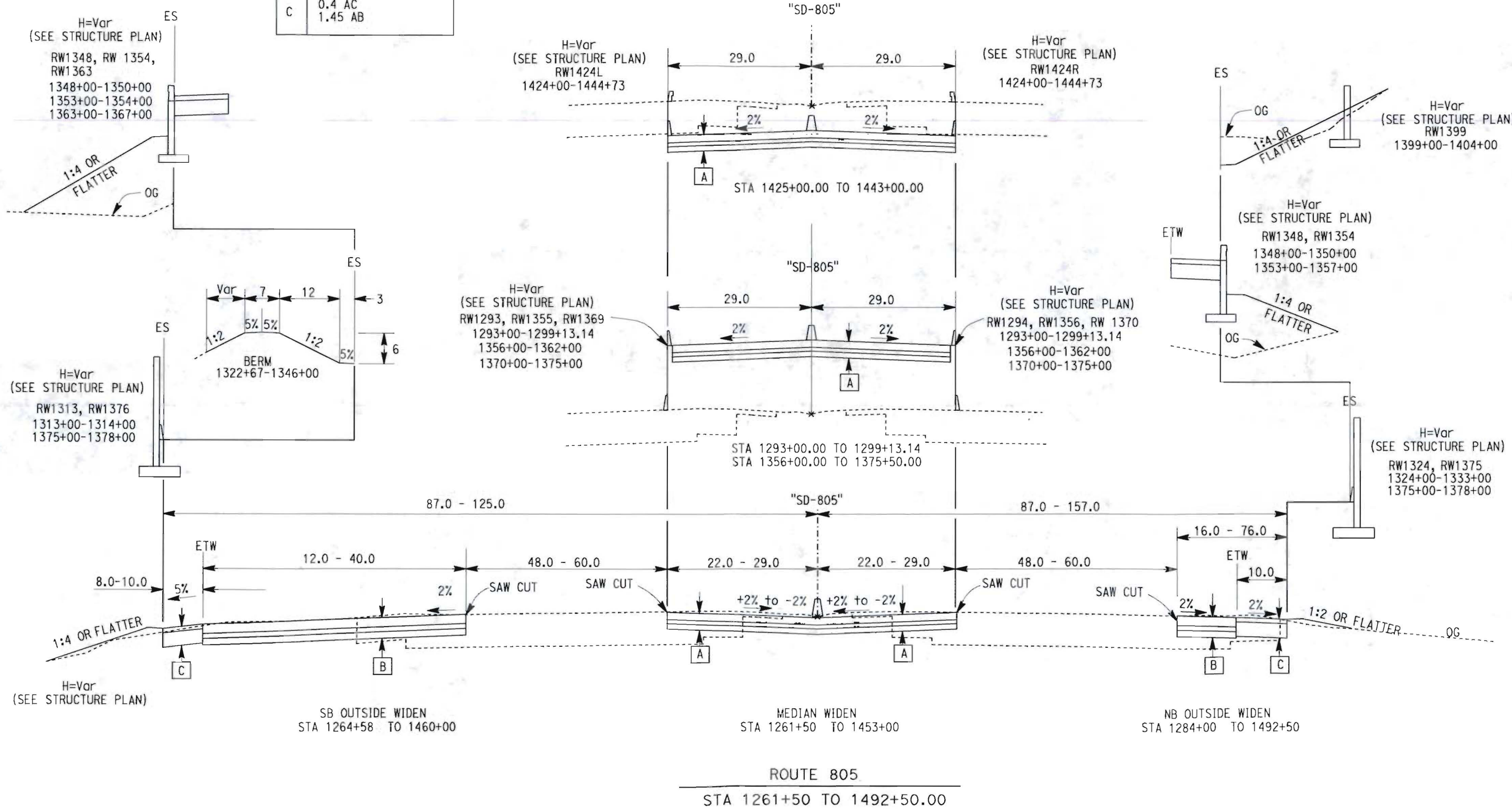
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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
St. Gobbons
 REVISIONS: REVISOR, DATE, REVISION BY, DATE, REVISION BY, CHECKED BY, CALCULATED/DESIGNED BY, FUNCTIONAL SUPERVISOR

STRUCTURAL SECTION

A	0.75 JPCP 0.40 HMA-A 0.55 AB
B	0.95 JPCP 0.50 HMA-A 0.65 AB
C	0.4 AC 1.45 AB

11-SD-805
I-805 PM 23.3/27.7
SR-52 PM 3.5/4.1
EA: 11-081630



ALL DEMENSIONS ARE IN FEET UNLESS OTHERWISE SHOWN

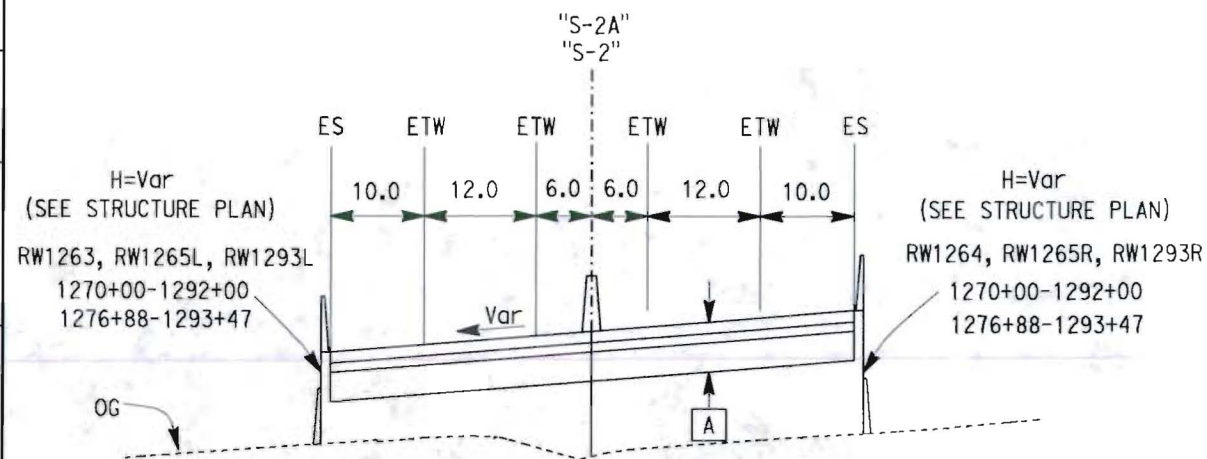
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TYPICAL CROSS SECTIONS
SHEET 1

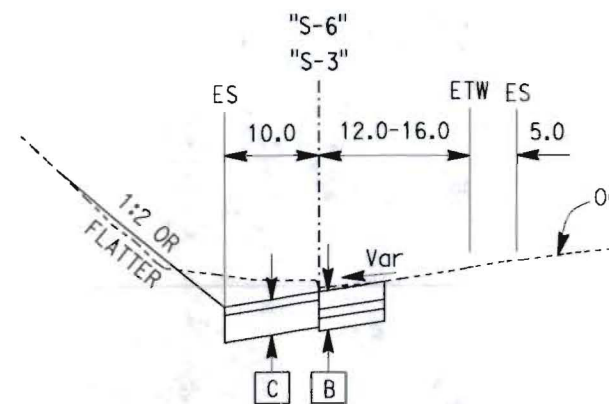
DATE PLOTTED => 23-JUN-2009
 TIME PLOTTED => 14:56

Attachment 13

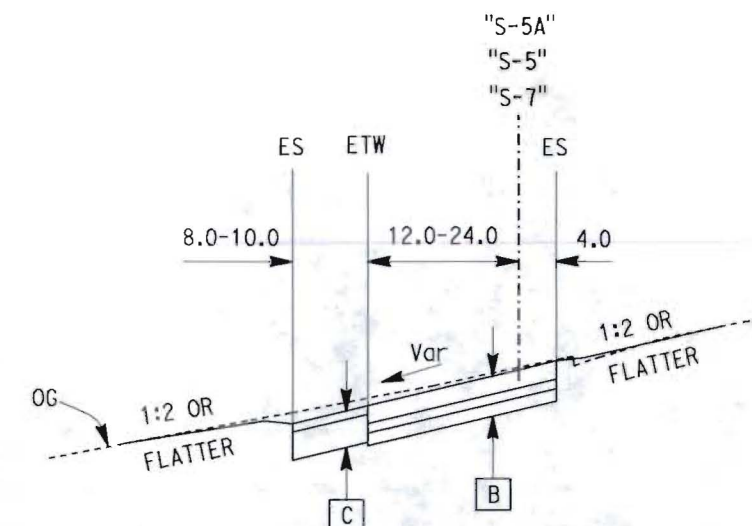
11-SD-805
 I-805 PM 23.3/27.7
 SR-52 PM 3.5/4.1
 EA: 11-081630



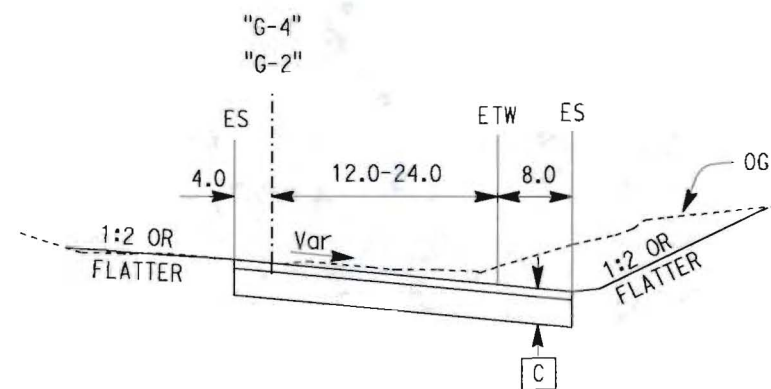
"S-2", "S-2A" CONNECTOR
 STA 1270+00.00 TO 1292+00.00
 STA 1276+88.66 TO 1293+47.42



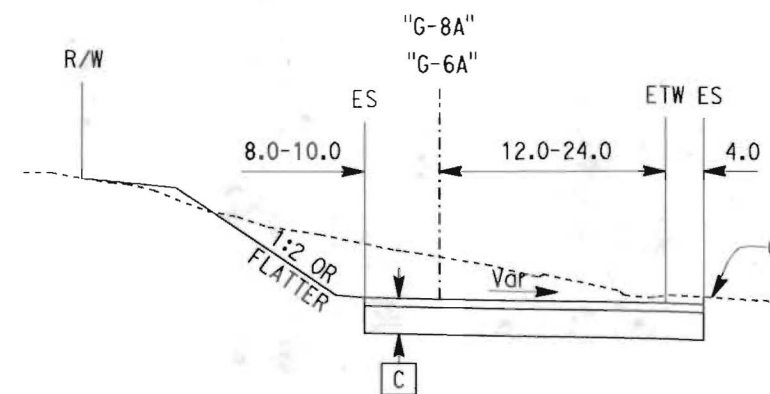
"S-3", "S-6" CONNECTOR
 STA 1267+18.12 TO 1278+15.91
 STA 1264+58.59 TO 1273+16.39



"S-7", "S-5", "S5A" CONNECTOR
 STA 1280+73.52 TO 1291+48.55
 STA 1276+40.39 TO 1297+62.10
 STA 1279+81.71 TO 1287+11.62



"G-2", "G-4" RAMP
 STA 1324+01.74 TO 1328+33.46
 STA 1315+56.20 TO 1370+50.00



"G-6A", "G-8A" RAMP
 STA 1322+68.14 TO 1330+78.39
 STA 1323+35.78 TO 1332+54.00

ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE SHOWN

NO SCALE

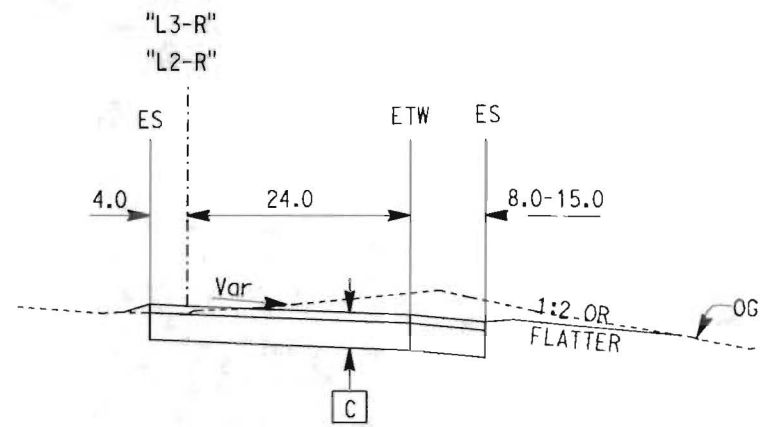
TYPICAL CROSS SECTIONS
 SHEET 2

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 Functional Supervisor
 REVISIONS: REVISION NO., DATE, REVISION BY, DATE REVISION BY, CHECKED BY, CALCULATED-DESIGNED BY

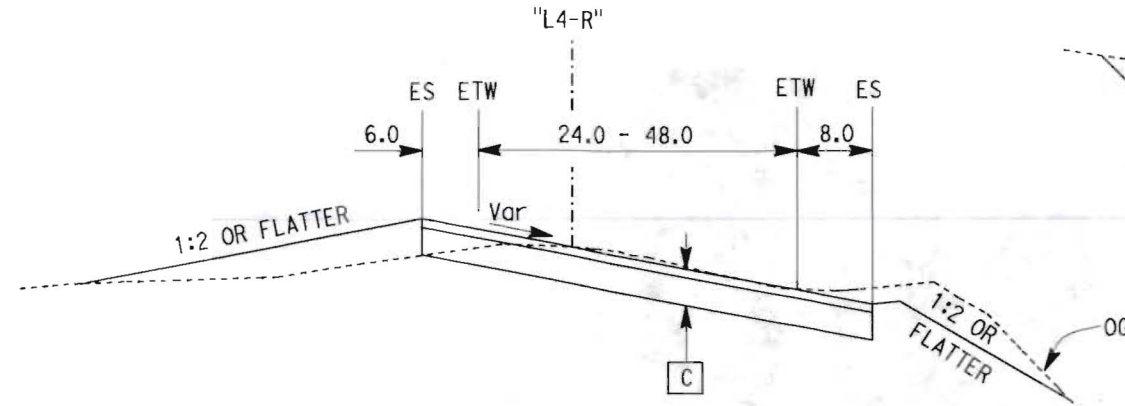


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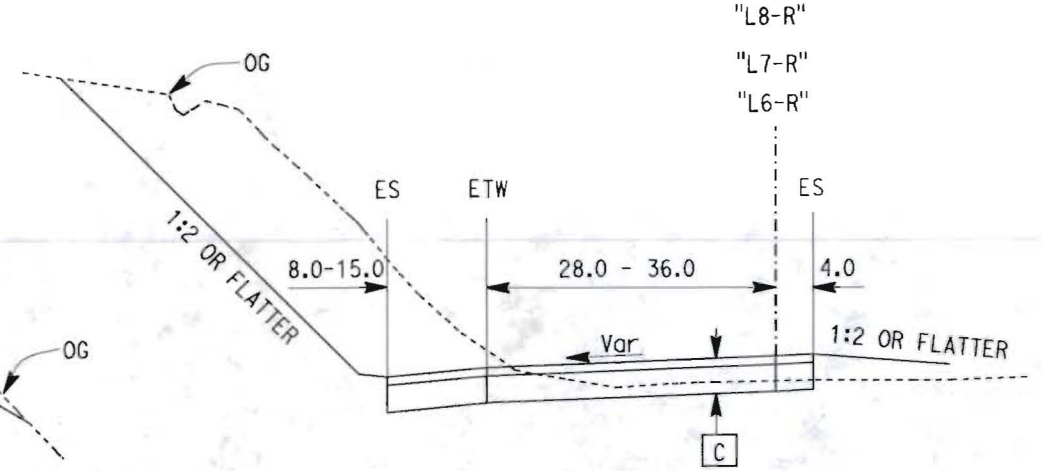
11-SD-805
 I-805 PM 23.3/27.7
 SR-52 PM 3.5/4.1
 EA: 11-081630



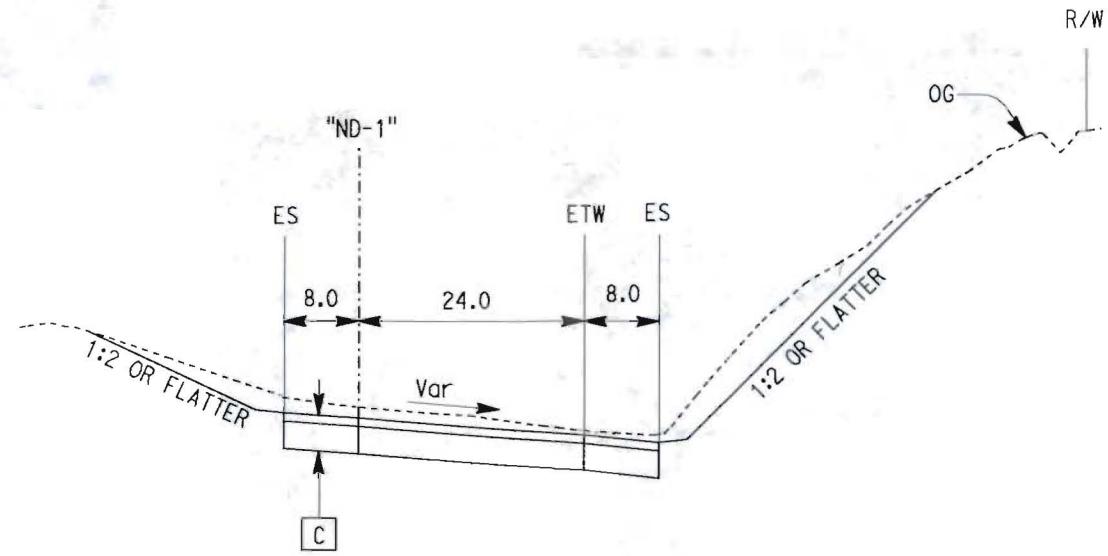
"L2-R", "L3-R" RAMP
 STA 1406+87.83 TO 1412+29.06
 STA 1393+46.74 TO 1398+87.79



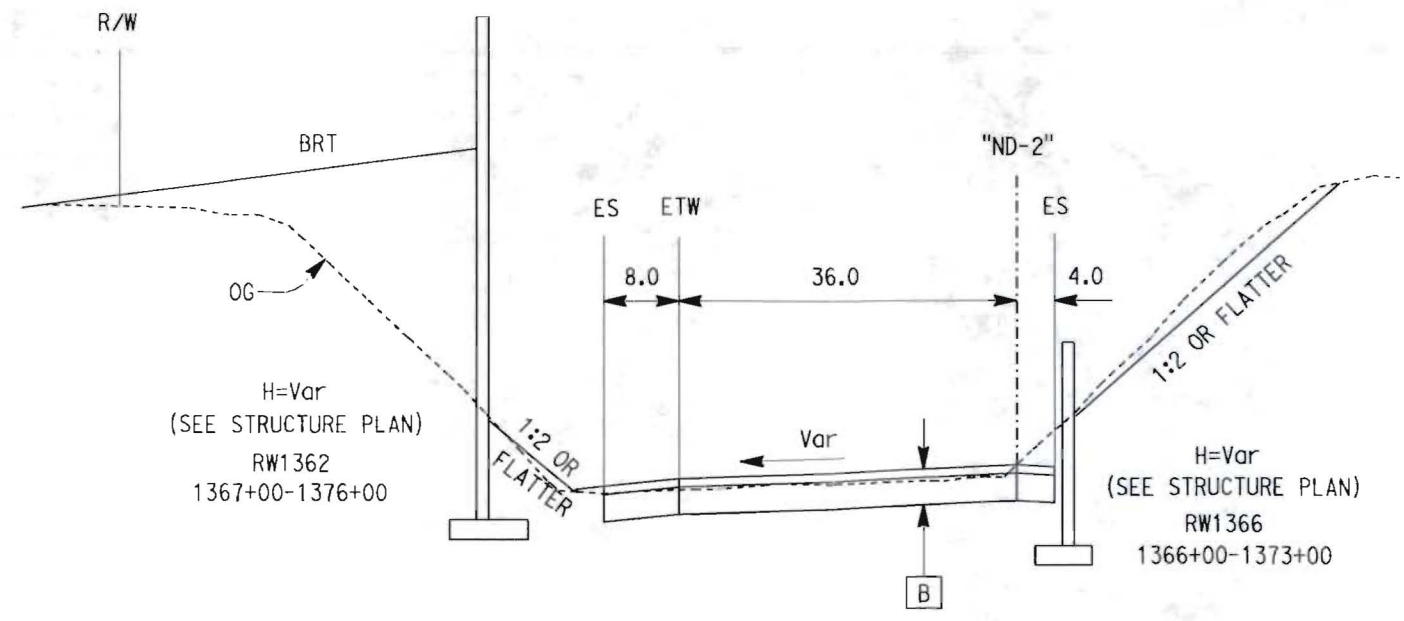
"L4-R" RAMP
 STA 1389+21.50 TO 1396+60.57



"L6-R", "L7-R", "L8-R" RAMP
 STA 1389+92.25 TO 1399+96.40
 STA 1403+76.94 TO 1406+38.87
 STA 1404+05.36 TO 1414+58.38



"ND-1" RAMP
 STA 1359+23.30 TO 1377+63.12



"ND-2" RAMP
 STA 1367+00.00 TO 1375+74.40

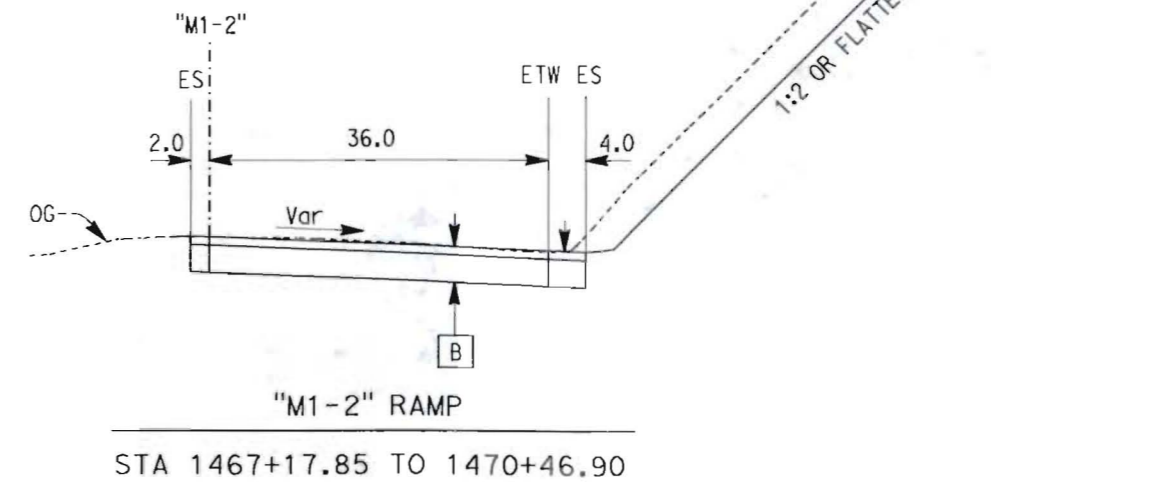
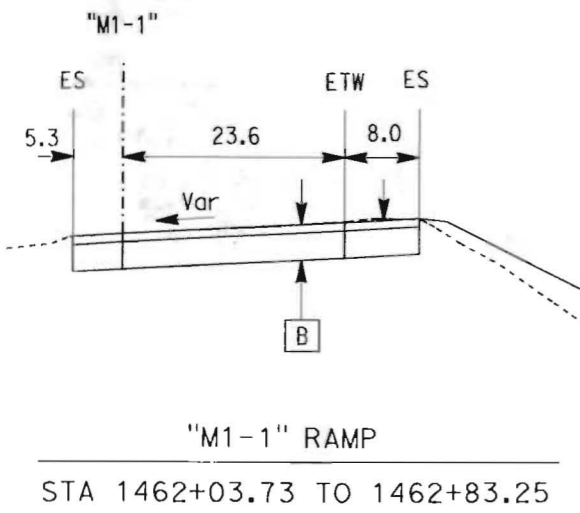
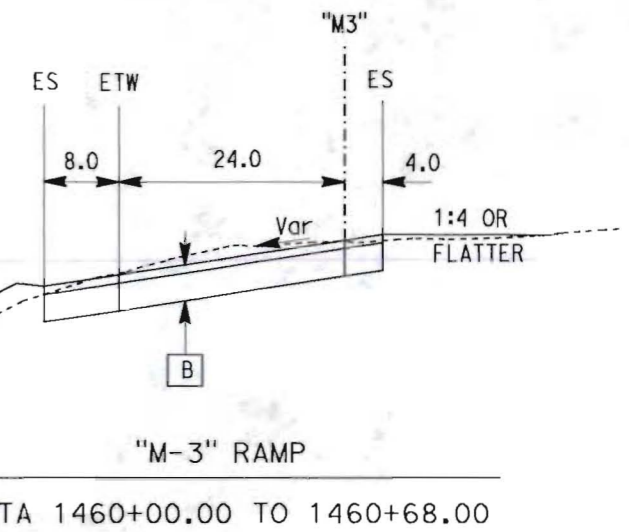
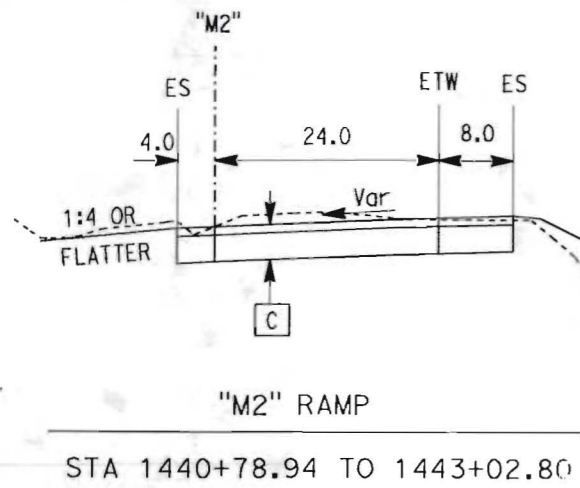
ALL DEMENSIONS ARE IN FEET UNLESS OTHERWISE SHOWN

NO SCALE

TYPICAL CROSS SECTIONS
 SHEET 3

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 Et Gibson
 REVISIONS: DATE PLOTTED => 23-JUN-2009
 00-00-00 TIME PLOTTED => 14:57

11-SD-805
 I-805 PM 23.3/27.7
 SR-52 PM 3.5/4.1
 EA: 11-081630



ALL DEMENSIONS ARE IN FEET UNLESS OTHERWISE SHOWN

NO SCALE

TYPICAL CROSS SECTIONS
 SHEET 4

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 EtGibbons

REVISOR BY
 DATE REVISOR

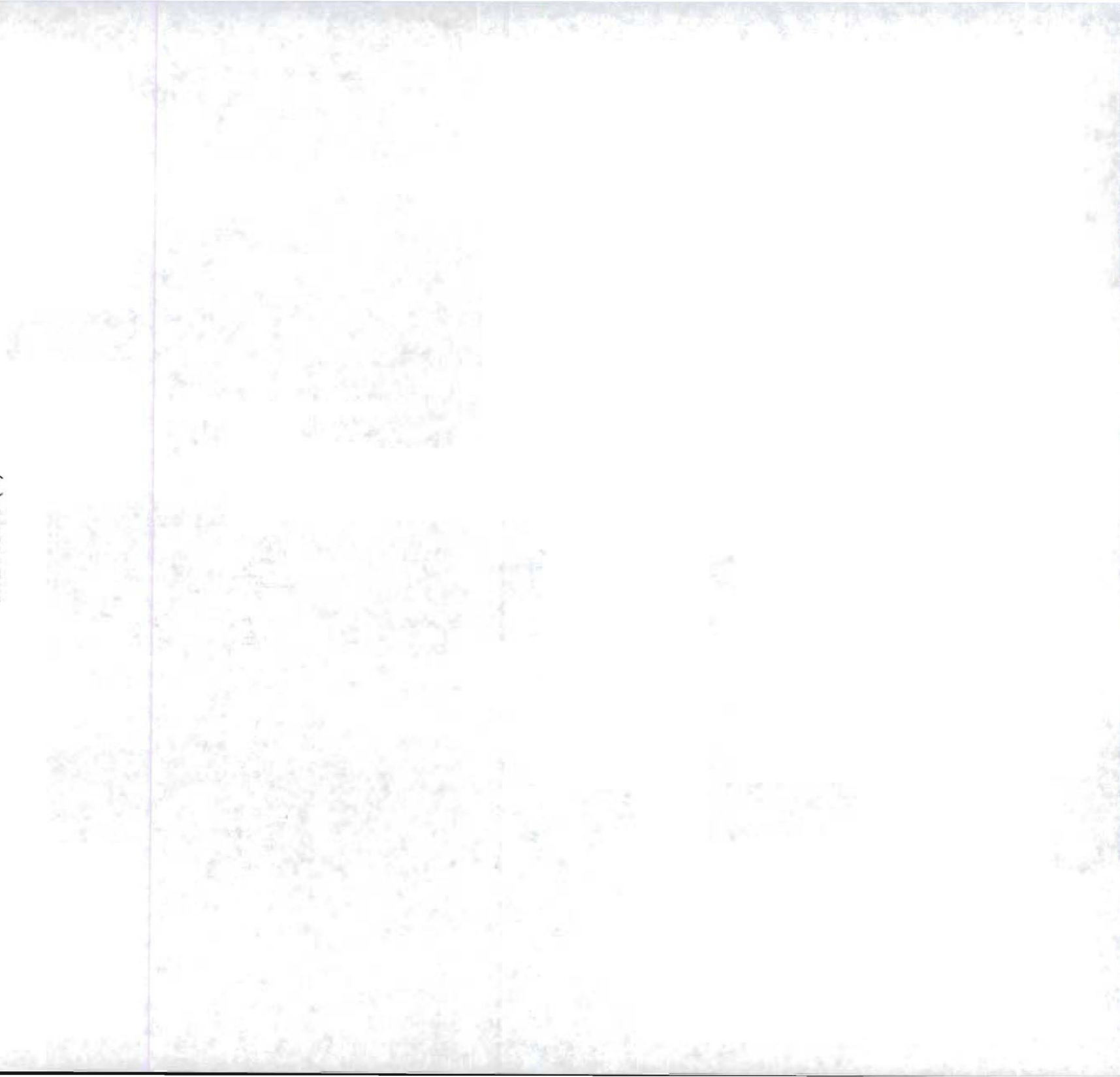
CALCULATED BY
 DESIGNED BY
 CHECKED BY

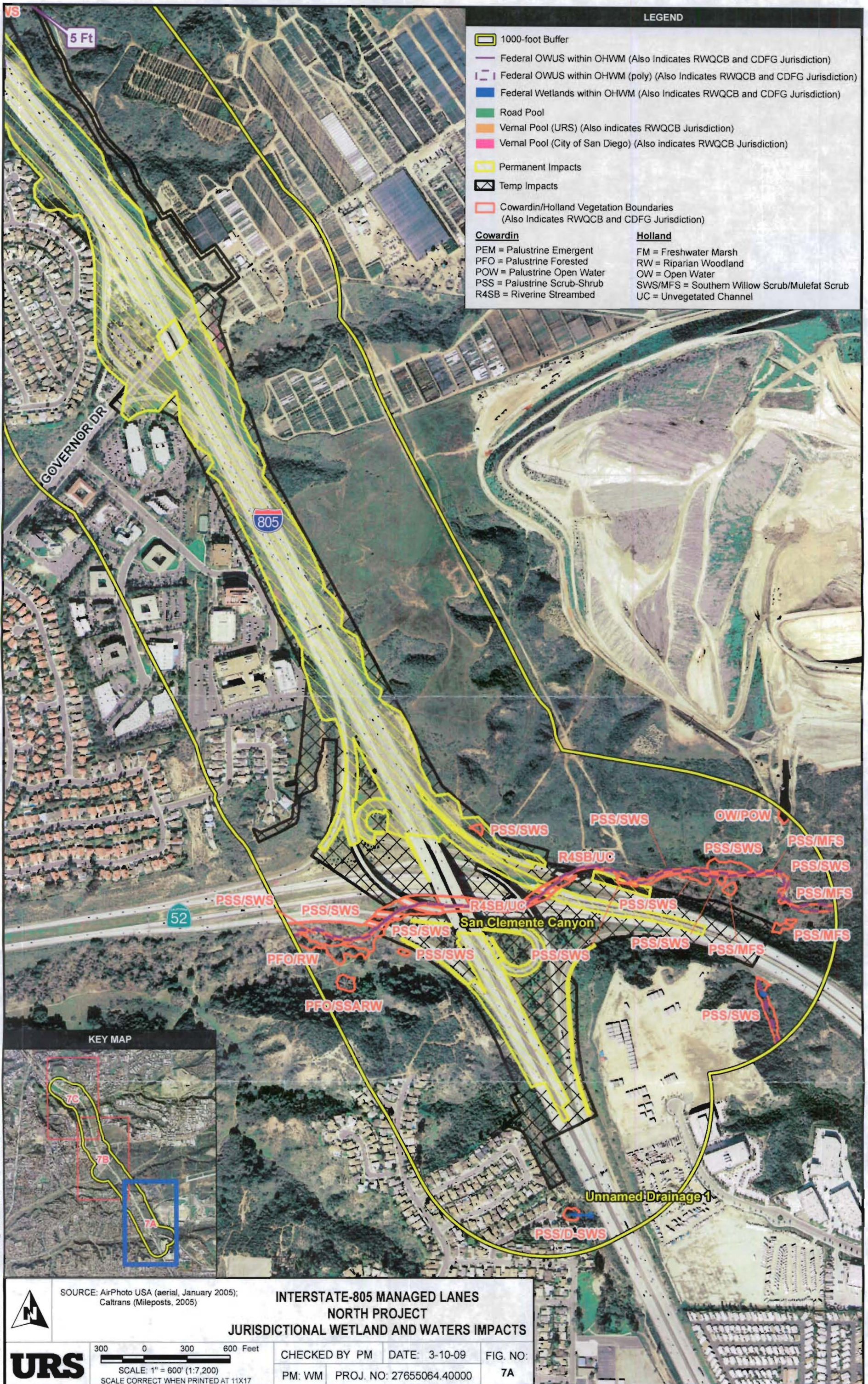
FUNCTIONAL SUPERVISOR

DATE PLOTTED => 23-JUN-2009
 TIME PLOTTED => 14:57

ATTACHMENT 4

SITE FIGURE(S)





LEGEND

- 1000-foot Buffer
 - Federal OWUS within OHWM (Also Indicates RWQCB and CDFG Jurisdiction)
 - Federal OWUS within OHWM (poly) (Also Indicates RWQCB and CDFG Jurisdiction)
 - Federal Wetlands within OHWM (Also Indicates RWQCB and CDFG Jurisdiction)
 - Road Pool
 - Vernal Pool (URS) (Also indicates RWQCB Jurisdiction)
 - Vernal Pool (City of San Diego) (Also indicates RWQCB Jurisdiction)
 - Permanent Impacts
 - Temp Impacts
 - Cowardin/Holland Vegetation Boundaries (Also Indicates RWQCB and CDFG Jurisdiction)
- | | |
|--|--|
| <p>Cowardin</p> <p>PEM = Palustrine Emergent
 PFO = Palustrine Forested
 POW = Palustrine Open Water
 PSS = Palustrine Scrub-Shrub
 R4SB = Riverine Streambed</p> | <p>Holland</p> <p>FM = Freshwater Marsh
 RW = Riparian Woodland
 OW = Open Water
 SWS/MFS = Southern Willow Scrub/Mulefat Scrub
 UC = Unvegetated Channel</p> |
|--|--|

GOVERNOR DR

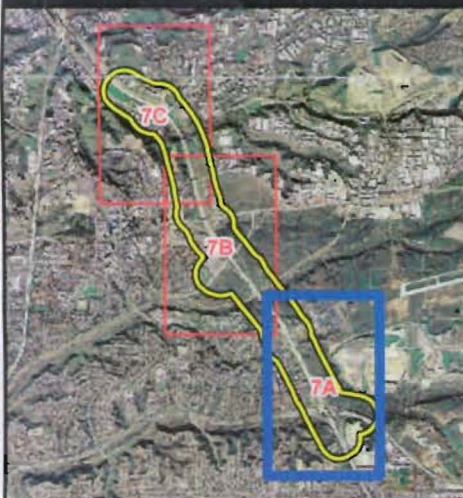
805

52

San Clemente Canyon

Unnamed Drainage 1

KEY MAP



SOURCE: AirPhoto USA (aerial, January 2005);
 Caltrans (Mileposts, 2005)

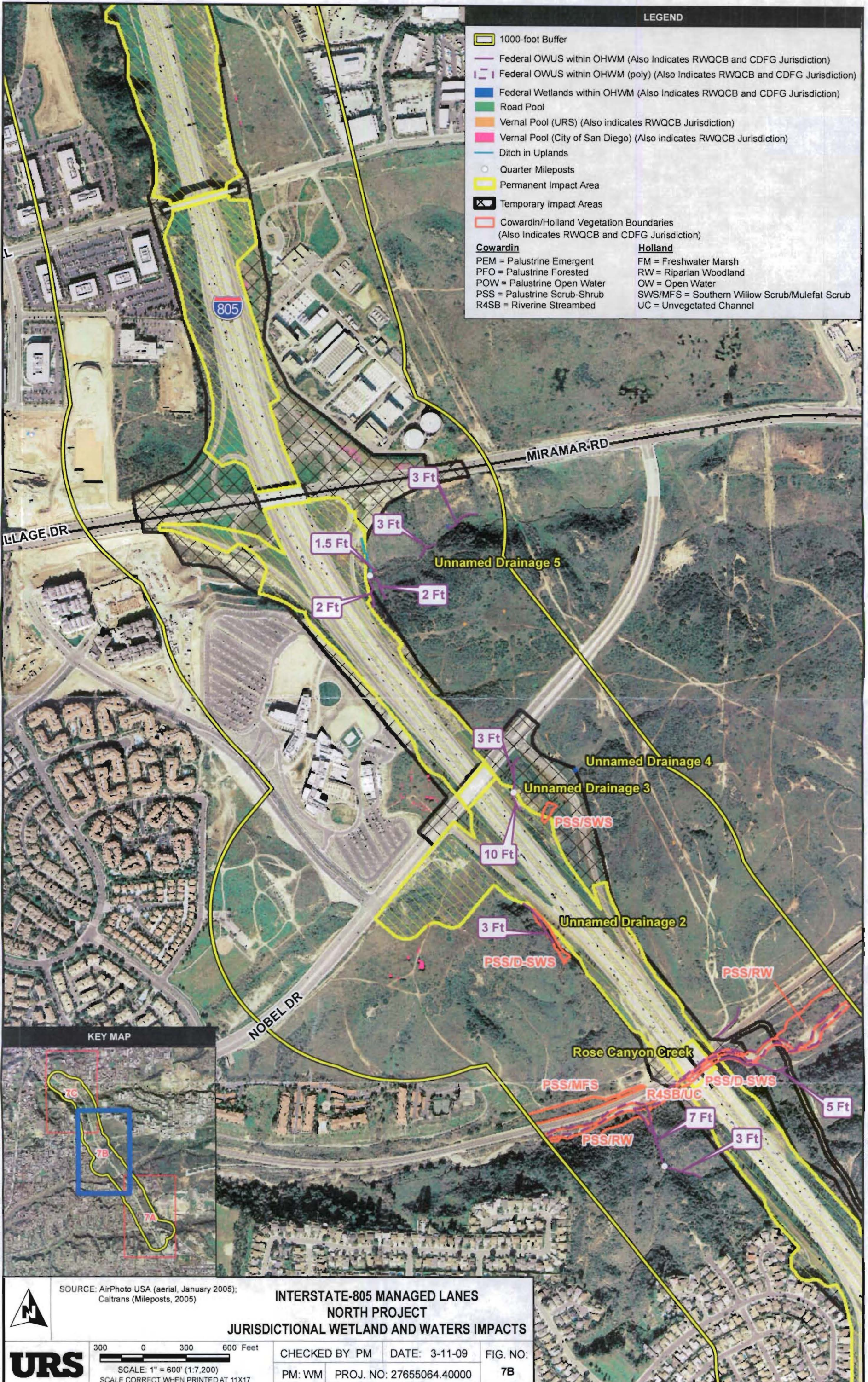
**INTERSTATE-805 MANAGED LANES
 NORTH PROJECT
 JURISDICTIONAL WETLAND AND WATERS IMPACTS**



300 0 300 600 Feet
 SCALE: 1" = 600' (1:7,200)
 SCALE CORRECT WHEN PRINTED AT 11X17

CHECKED BY PM	DATE: 3-10-09	FIG. NO:	
PM: WM	PROJ. NO: 27655064.40000	7A	

Path: G:\proj\proj\157737655064\NCS_Wetland\North_H1\7A.mxd, 05/11/09, paul_morero



LEGEND

- 1000-foot Buffer
 - Federal OWUS within OHWM (Also Indicates RWQCB and CDFG Jurisdiction)
 - Federal OWUS within OHWM (poly) (Also Indicates RWQCB and CDFG Jurisdiction)
 - Federal Wetlands within OHWM (Also Indicates RWQCB and CDFG Jurisdiction)
 - Road Pool
 - Vernal Pool (URS) (Also indicates RWQCB Jurisdiction)
 - Vernal Pool (City of San Diego) (Also indicates RWQCB Jurisdiction)
 - Ditch in Uplands
 - Quarter Mileposts
 - Permanent Impact Area
 - Temporary Impact Areas
 - Cowardin/Holland Vegetation Boundaries (Also Indicates RWQCB and CDFG Jurisdiction)
- | | |
|------------------------------|---|
| Cowardin | Holland |
| PEM = Palustrine Emergent | FM = Freshwater Marsh |
| PFO = Palustrine Forested | RW = Riparian Woodland |
| POW = Palustrine Open Water | OW = Open Water |
| PSS = Palustrine Scrub-Shrub | SWS/MFS = Southern Willow Scrub/Mulefat Scrub |
| R4SB = Riverine Streambed | UC = Unvegetated Channel |

KEY MAP



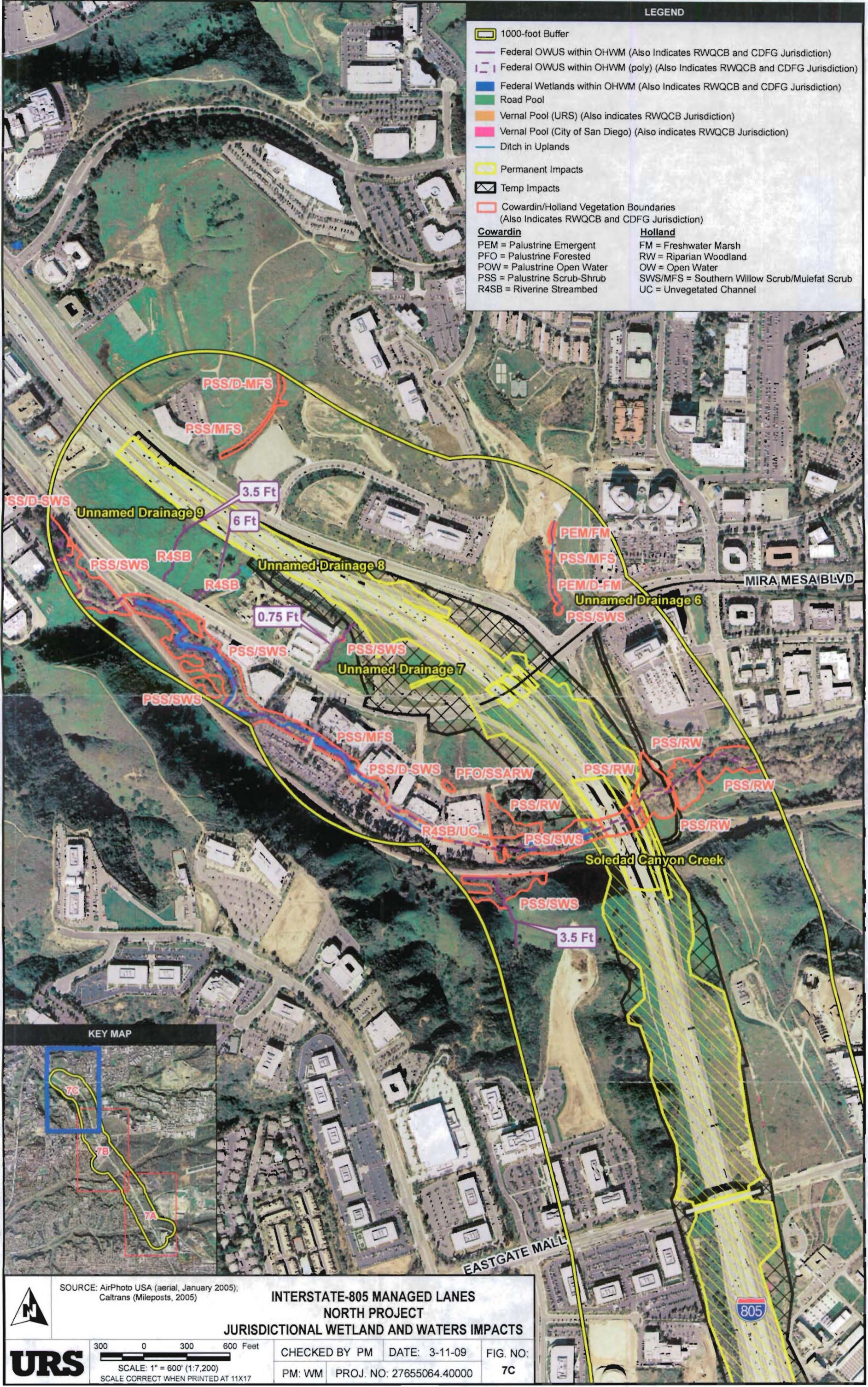
SOURCE: AirPhoto USA (aerial, January 2005);
Caltrans (Mileposts, 2005)

**INTERSTATE-805 MANAGED LANES
NORTH PROJECT
JURISDICTIONAL WETLAND AND WATERS IMPACTS**



300 0 300 600 Feet
SCALE: 1" = 600' (1:7,200)
SCALE CORRECT WHEN PRINTED AT 11X17

CHECKED BY PM	DATE: 3-11-09	FIG. NO:
PM: WM	PROJ. NO: 27655064.40000	7B



LEGEND

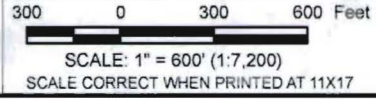
- 1000-foot Buffer
 - Federal OWUS within OHWM (Also Indicates RWQCB and CDFG Jurisdiction)
 - Federal OWUS within OHWM (poly) (Also Indicates RWQCB and CDFG Jurisdiction)
 - Federal Wetlands within OHWM (Also Indicates RWQCB and CDFG Jurisdiction)
 - Road Pool
 - Vernal Pool (URS) (Also indicates RWQCB Jurisdiction)
 - Vernal Pool (City of San Diego) (Also indicates RWQCB Jurisdiction)
 - Ditch in Uplands
 - Permanent Impacts
 - Temp Impacts
 - Cowardin/Holland Vegetation Boundaries (Also Indicates RWQCB and CDFG Jurisdiction)
- | | |
|------------------------------|---|
| Cowardin | Holland |
| PEM = Palustrine Emergent | FM = Freshwater Marsh |
| PFO = Palustrine Forested | RW = Riparian Woodland |
| POW = Palustrine Open Water | OW = Open Water |
| PSS = Palustrine Scrub-Shrub | SWS/MFS = Southern Willow Scrub/Mulefat Scrub |
| R4SB = Riverine Streambed | UC = Unvegetated Channel |

KEY MAP



SOURCE: AirPhoto USA (aerial, January 2005);
Caltrans (Mileposts, 2005)

**INTERSTATE-805 MANAGED LANES
NORTH PROJECT
JURISDICTIONAL WETLAND AND WATERS IMPACTS**



CHECKED BY PM	DATE: 3-11-09	FIG. NO:
PM: WM	PROJ. NO: 27655064.40000	7C

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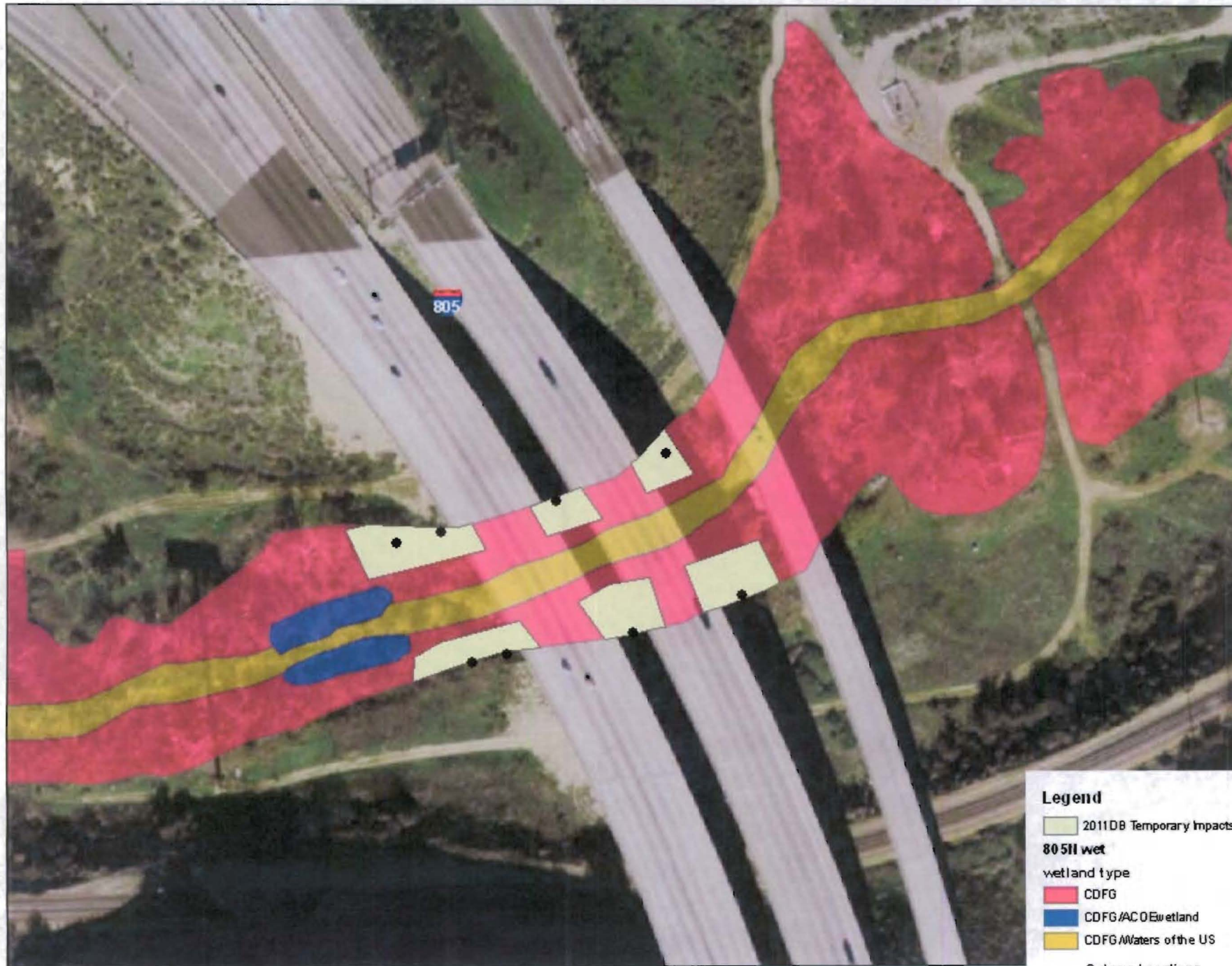


- Legend**
- 805H wet**
wetland type
- CDFG
 - CDFG/ACOE wetland
 - CDFG/Waters of the US
 - Non-wetland Waters of the US
 - 805N_Permanent Impacts
 - 805N_Temporary Impacts

805 North Managed Lanes Waters of the US Impacts near Nobel



11/07/2011



Legend

2011DB Temporary Impacts

805H wet

wetland type

CDFG

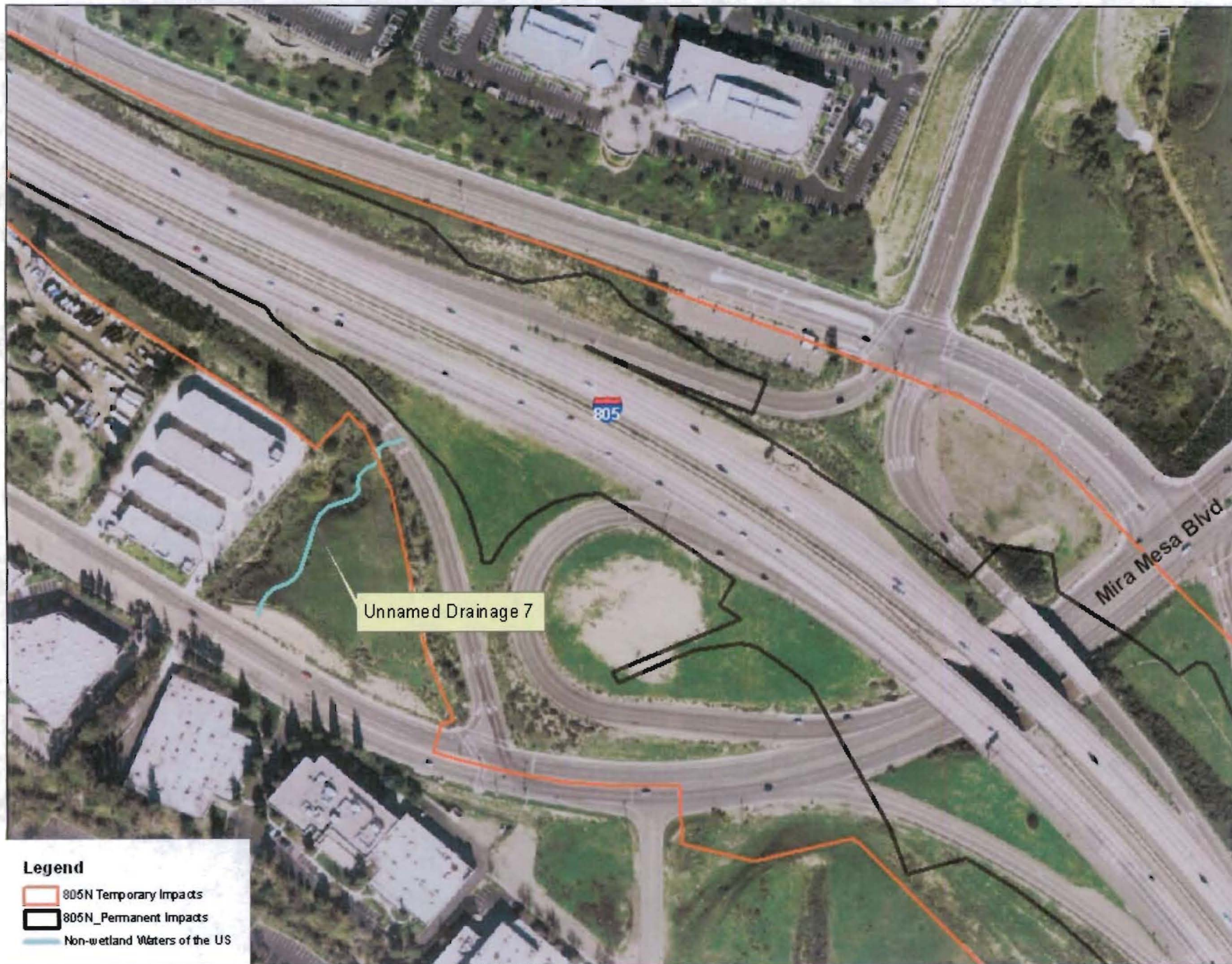
CDFG/ACOE wetland

CDFG/Waters of the US




● Column Locations
(each 100 sq ft)

805 North Managed Lanes Carroll Canyon Wetland Impacts





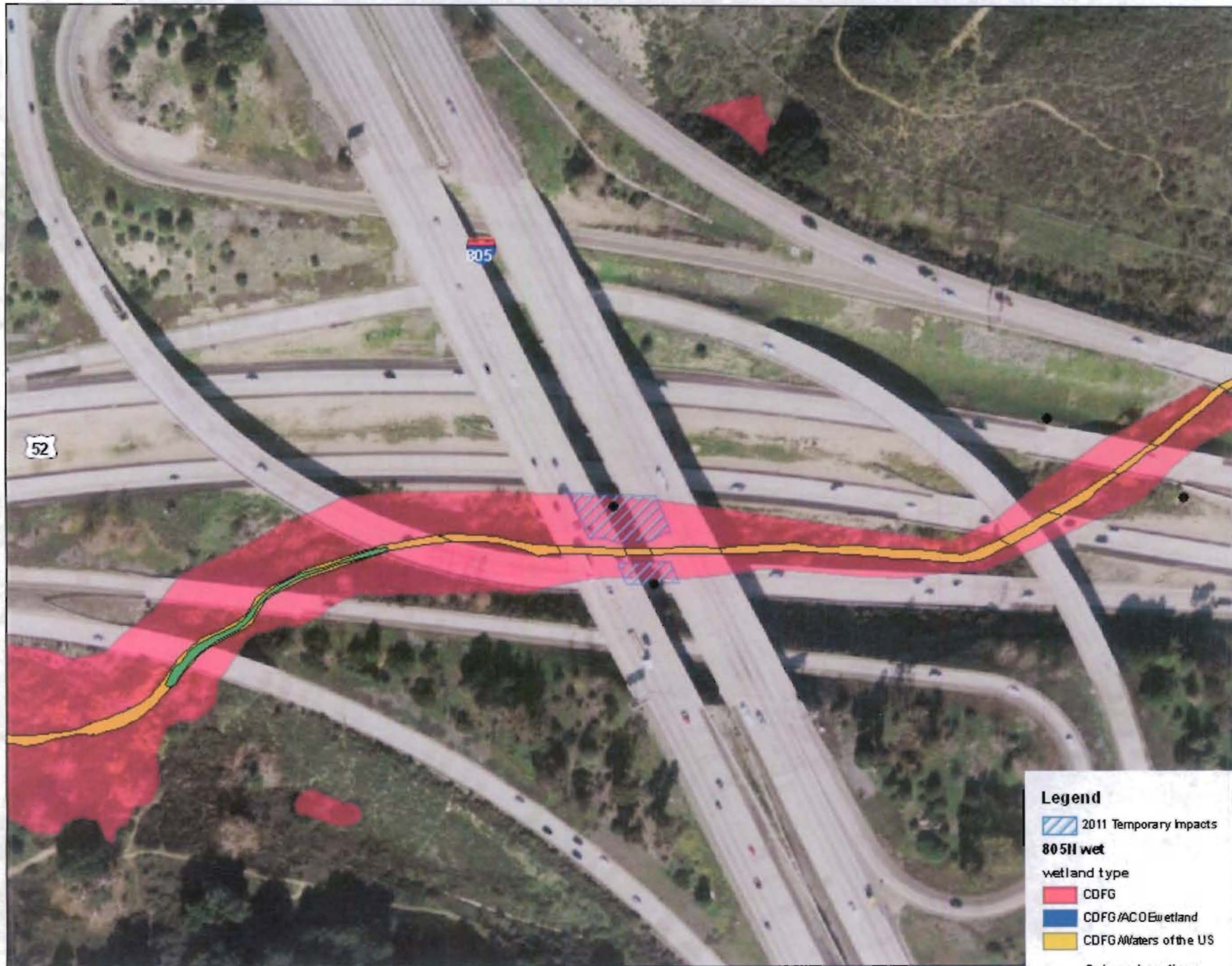
Legend

-  805N Temporary Impacts
-  805N Permanent Impacts
-  Non-wetland Waters of the US






805 North Managed Lanes Carroll Canyon Wetland Impacts



11/02/2011/6



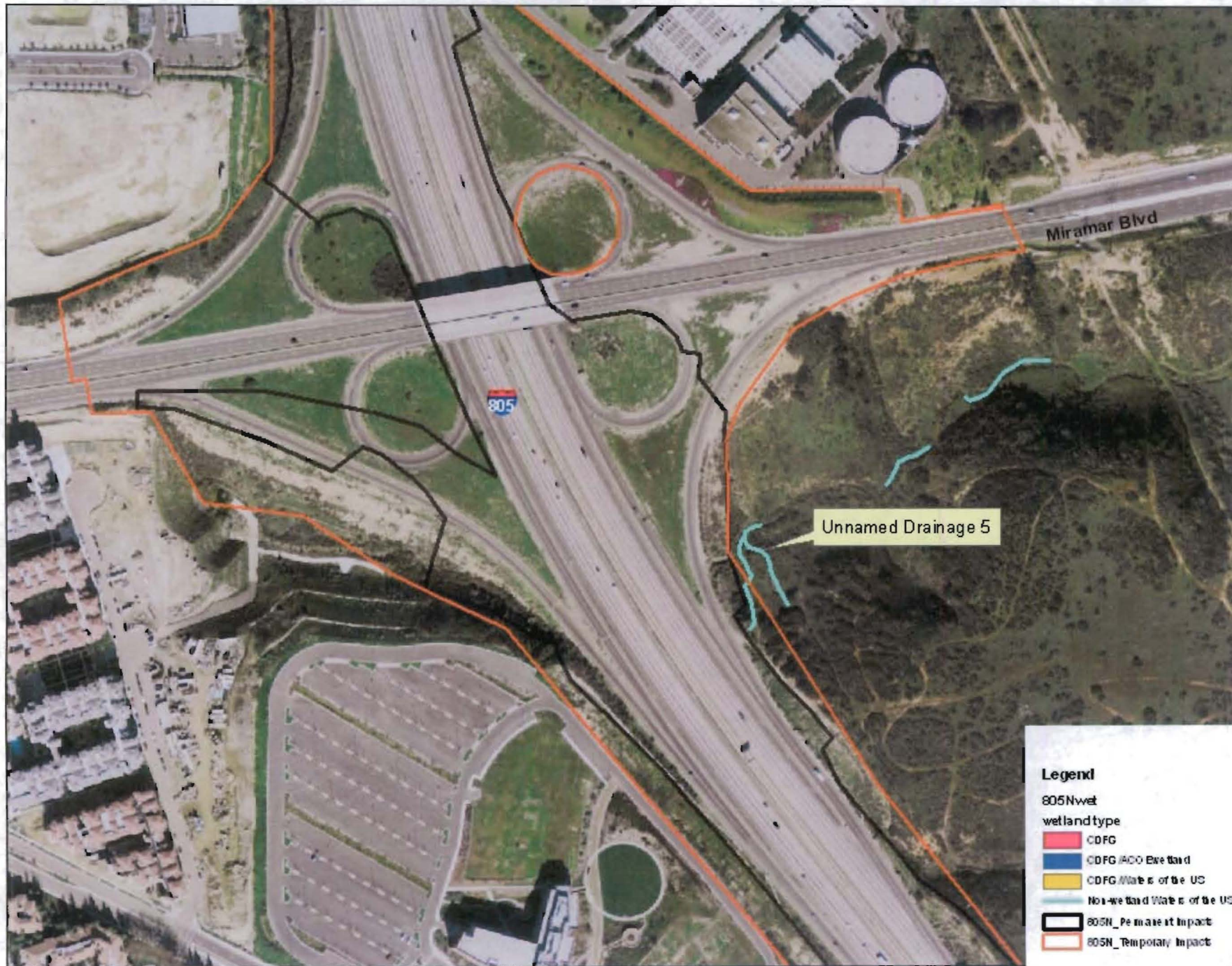
Legend

-  2011 Temporary Impacts
- 805ll wet**
- wetland type
-  CDFG
-  CDFG/ACOE wetland
-  CDFG Waters of the US
-  Column Locations (each 100 sq ft)

805 North Managed Lanes San Clemente Canyon Wetland Impacts

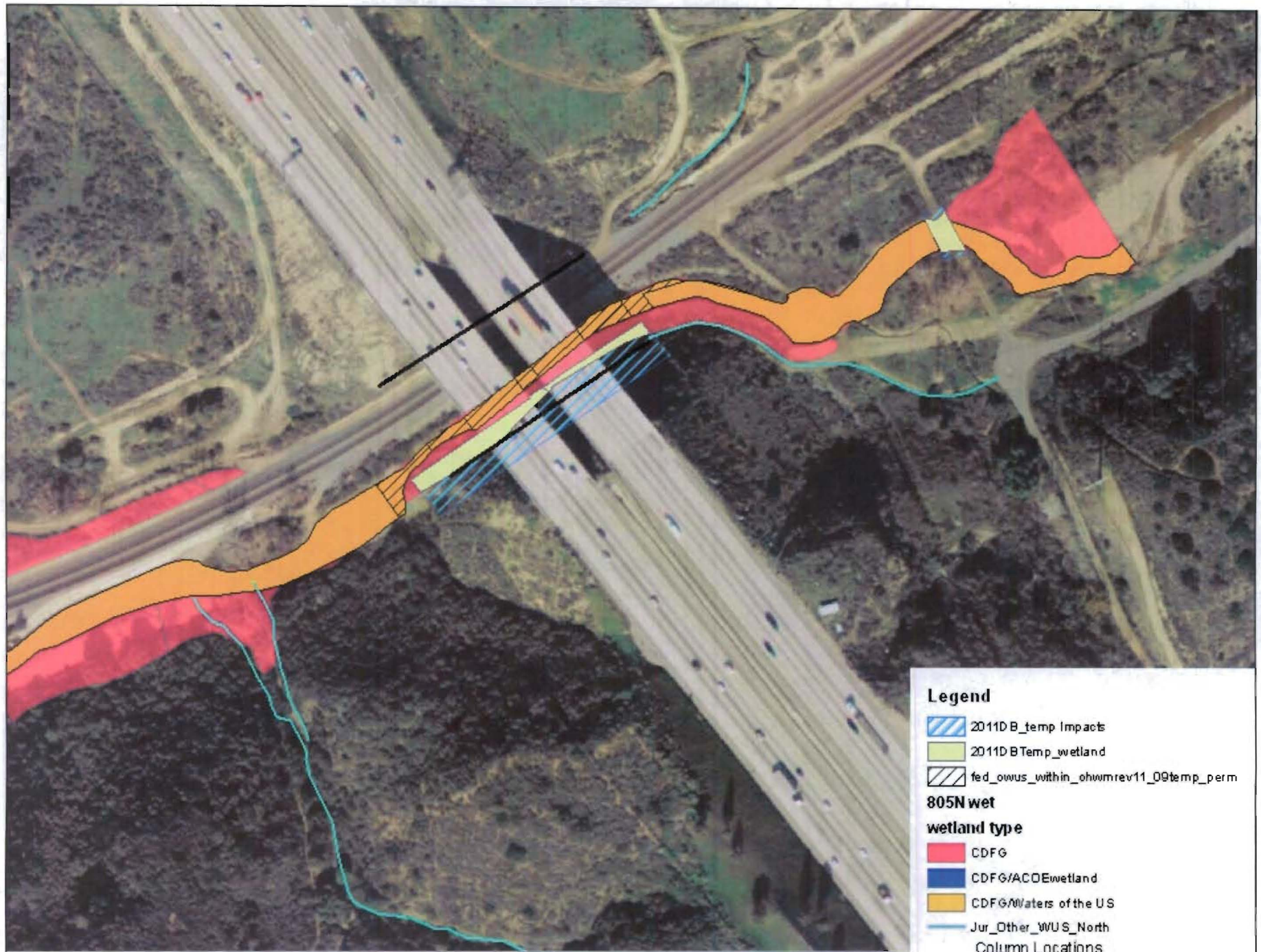


11/02/2011/6



805 North Managed Lanes Waters of the US Impacts near Miramar Blvd.





Legend

-  2011D B Temp Impacts
-  2011D B Temp wetland
-  fed_owus_within_ohwmrev11_09temp_perm
- 805N wet**
- wetland type**
-  CDFG
-  CDFG/ACOE wetland
-  CDFG/Waters of the US
-  Jur_Other_WUS_North
-  Column Locations (each 100 sq ft)

805 North Rose Canyon





I-805 N Permanent Impact Footprint for Park and Ride and Direct Access Ramp at Nobel Drive



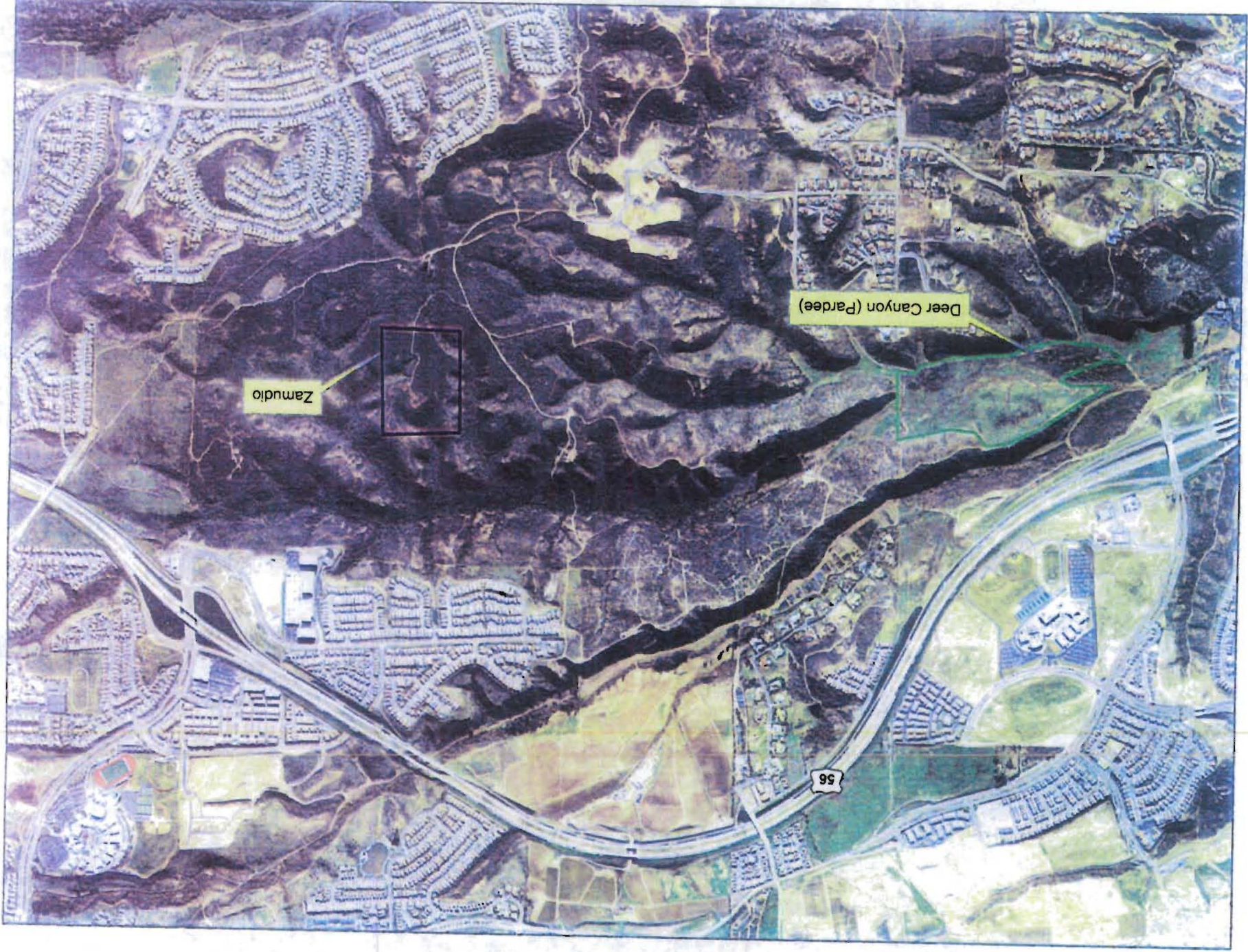
Certification No. 11C-052

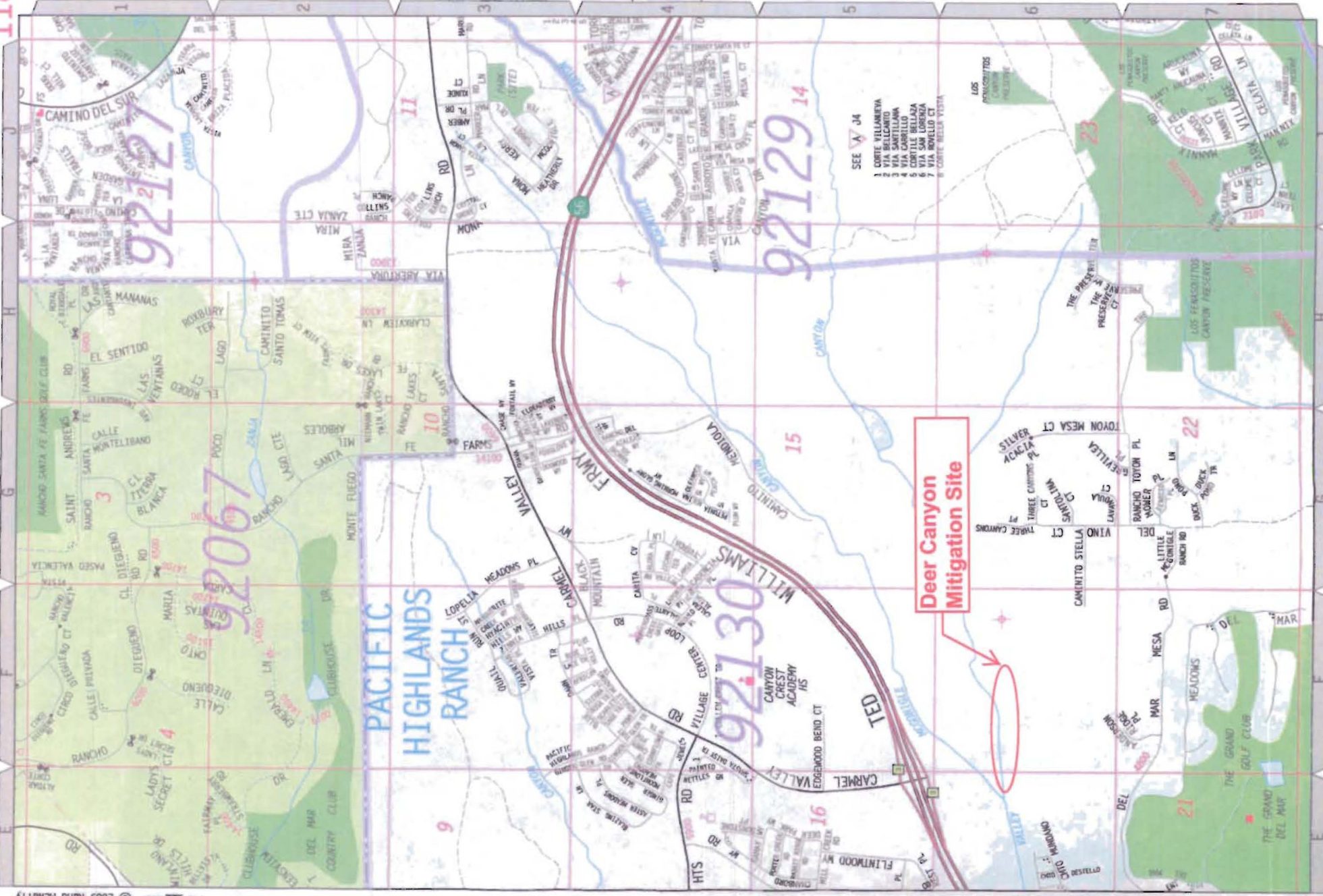
ATTACHMENT 5

MITIGATION FIGURES

Canyon)

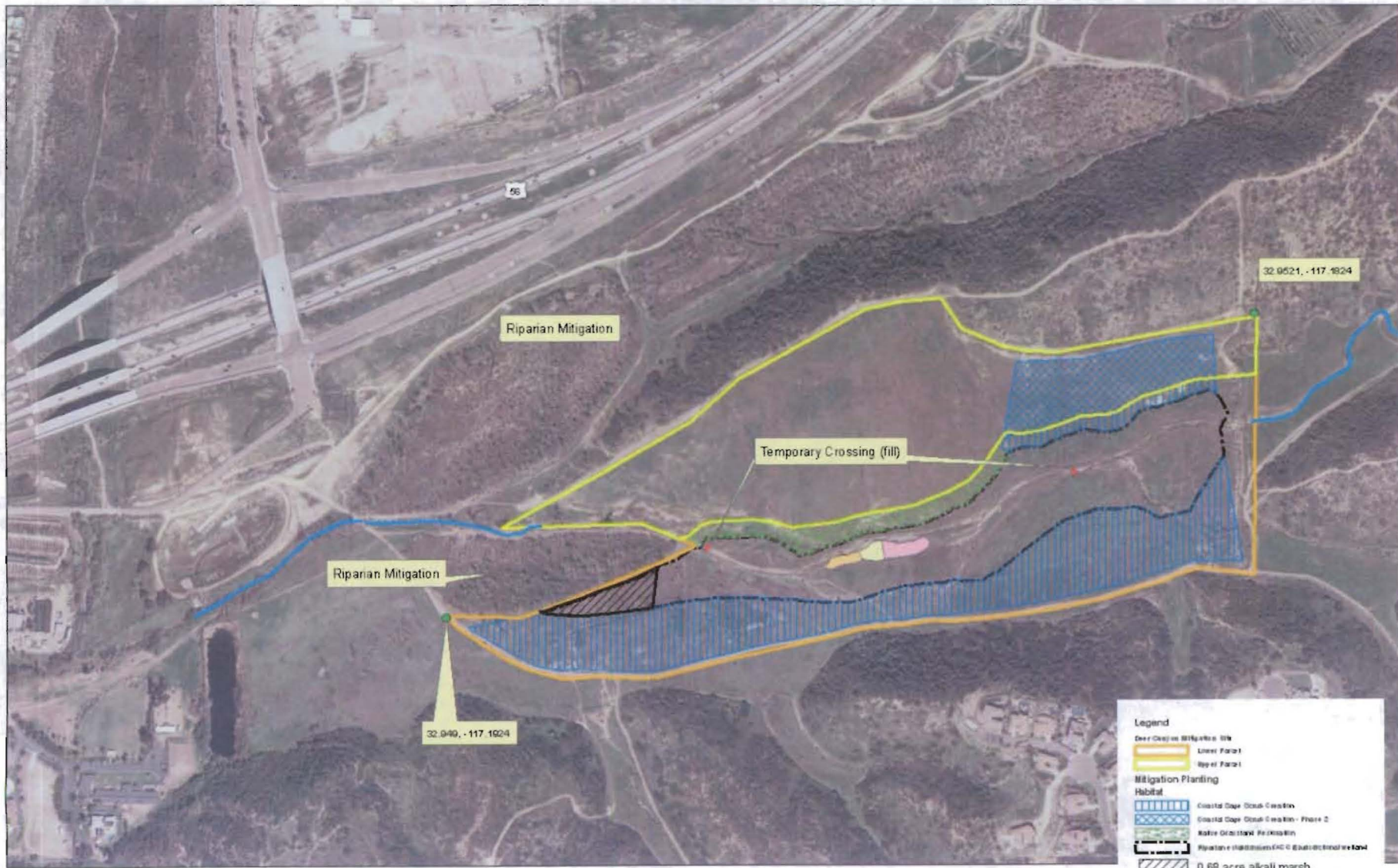
Attachment 3 (also displays Deer Zamudio Parcel Location





Deer Canyon Mitigation Site

- SEE A J4
- 1 CORTE VILLAMIERA
 - 2 VIA BELLEGO
 - 3 VIA CARBELLINA
 - 4 CORTILE BELLANA
 - 5 VIA SAN LORENZA
 - 6 VIA ROVELLO CT
 - 7 CORTE BELLA VISTA



670 335 0 670 Feet
 1 inch = 333 feet

Figure 6. Deer Canyon Mitigation Site

- Legend**
- Deer Canyon Mitigation Site
 - Lower Parcel
 - Upper Parcel
 - Mitigation Planting Habitat
 - Coastal Sage Scrub Creation
 - Coastal Sage Scrub Creation - Phase 2
 - Native Grassland Restoration
 - Riparian Habitats (RIP) @ Subirachana/Kawli
 - 0.68 acre alkali marsh
 - 0.09 acres ACOE mitigation for I-5/Genesee
 - 0.20 acres ACOE mitigation for I-805 North ML
 - 0.09 acres ACOE mitigation for Sorrento to Miramar





Figure 1. Project Locations

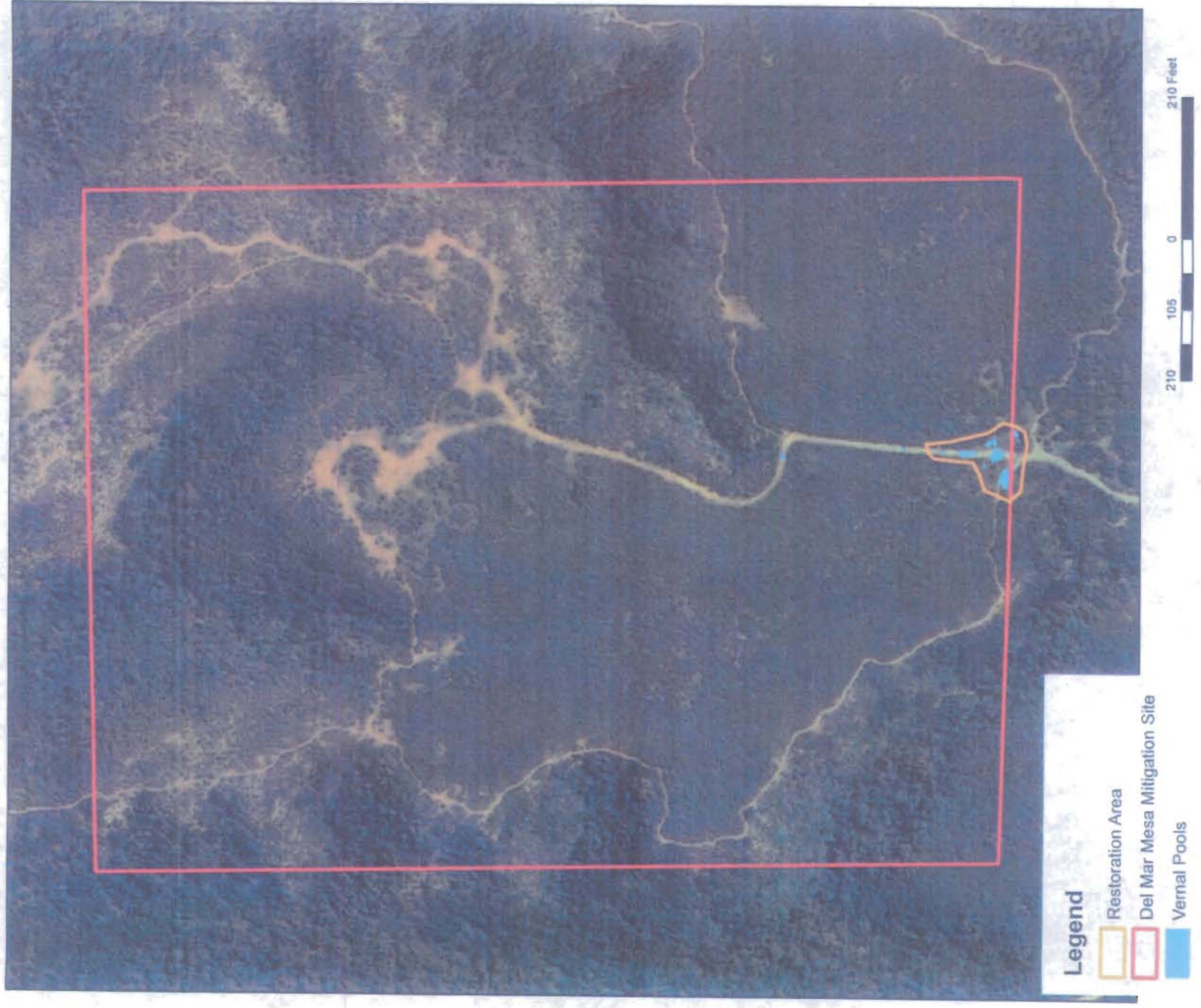


Figure 2. Del Mar Mesa Mitigation Site Vernal Pool Restoration Area



Figure 3. Nobel Drive Vernal Pool Restoration Area

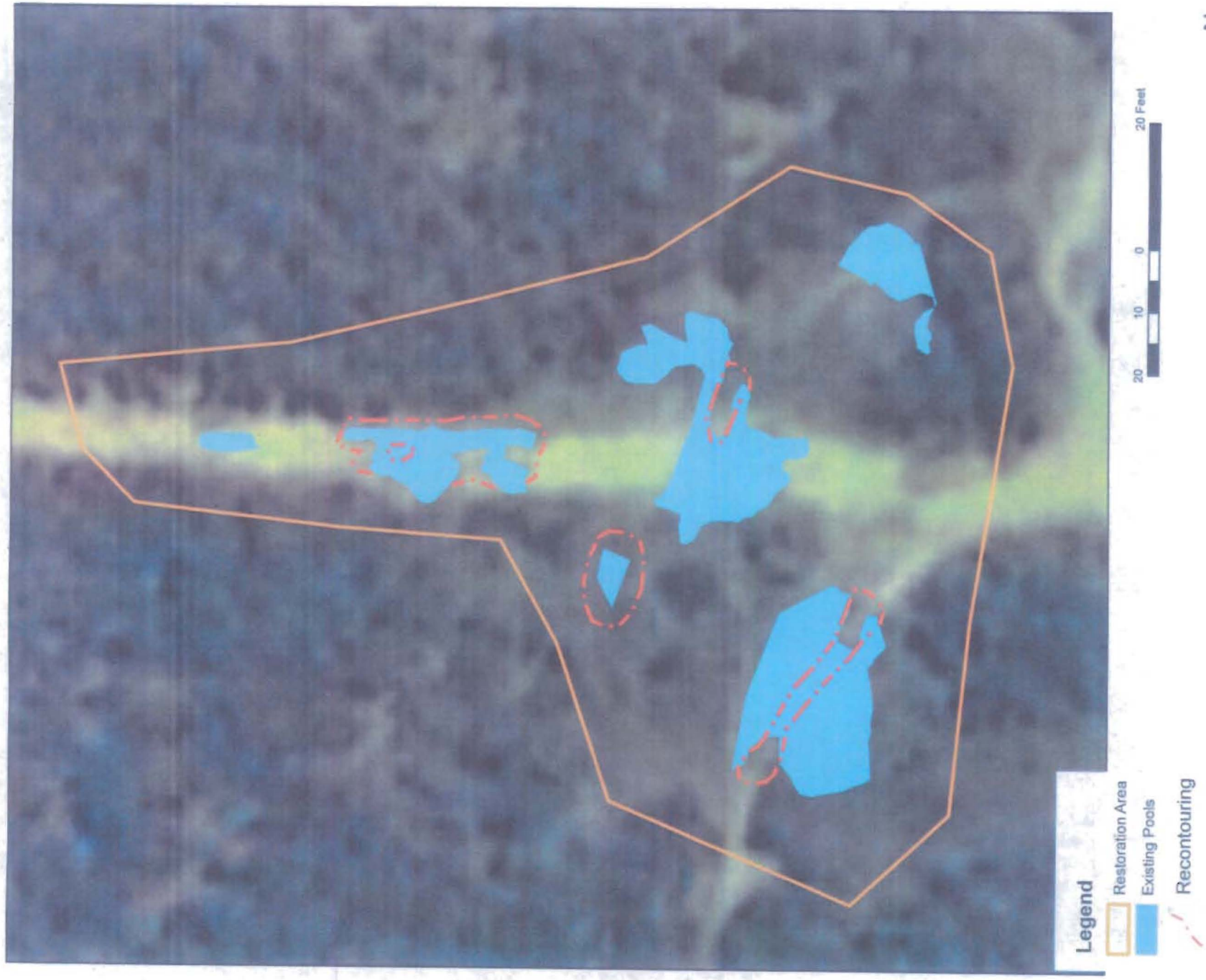


Figure 4. Example of Vernal Pool Contouring at the Del Mar Mesa Mitigation Site



Figure 5. Example of Vernal Pool Recontouring at Nobel Drive



ATTACHMENT 6

REQUIRED REPORTS AND NOTIFICATIONS CHECKLIST

Attachment 6

Checklist of Required Reports and Notifications

Required Notifications: 401 Certification No. 11C-052

Notification Requirement	Required Notification Period	Required Condition(s) To Be Met	Date Received
Unauthorized Discharge	Within 24 Hours of Discharge	VII.A	
Transfer of Responsibilities	Within 10 Days of Transfer	VII.B.	
Mitigation Preservation Mechanism	Prior to construction commencement; Final within 1 year	VII.C	

Required Reports and Submittals: 401 Certification No. 11C-052

Required Report	Due Date	Required Condition(s) To Be Met	Date Received
Benthic Macroinvertebrate Report	Submit with Annual Mitigation Monitoring Report	VI.A.	
California Rapid Assessment Report	Submit with Annual Mitigation Monitoring Report	VI.B.	
Annual Project Report	August 1 st , Annually	VIII.A	
Final Annual Project Report	August 1 st After Project Completion	VIII.A	
Annual Mitigation Monitoring Report	Prior to December 1 annually	VIII.B.	

Certification No. 11C-052

ATTACHMENT 7

CALTRANS BMPs LETTER, DATED SEPTEMBER 12, 2011

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, M.S. 120

SAN DIEGO, CA 92110

PHONE (619) 688-6668

FAX (619) 688-3122

TTY 711

www.dot.ca.gov

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Be energy efficient!*

September 12, 2011

Mr. David Gibson, Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Ste. 100
San Diego, CA 92123

Attention: Mike Porter

Dear Mr. Gibson:

Subject: 805 North HOV / BRT Project - Storm Water Compliance Strategy

A preliminary review of the project area has been completed and potential locations and types of treatment BMPs have been assessed for feasibility (based on such factors as climate, water volume, soil conditions, physical limitations, other environmental considerations, etc.). Preliminary locations of some of the treatment BMPs are shown on the Project Features Maps (Appendix B). When the proposed project proceeds to the design phase, the locations of these treatment BMPs would be further evaluated to determine feasibility in relation to right-of-way limitations, environmental constraints or hydraulic capacity. In addition, in areas where treatment BMPs cannot be incorporated due to above mentioned reasons, vegetation will be maximized and very effort will be made to ensure the successful establishment of landscaping and erosion control throughout the project limits. The project would also consider any future treatment BMPs that might be approved by Caltrans from the ongoing research and monitoring program.

The State Water Resources Control Board adopted Order No. 99-06-DWQ, NPDES No. CAS000003 NPDES Permit Statewide Storm Water Permit and Waste Discharge Requirements (WDRs) For the State of California, Department Of Transportation (Caltrans) properties, facilities and activities herein referred to as Permit. The permit requires the Department to implement a Storm Water Management Plan, SWMP; which purpose is to protect and achieve water quality standards at all times. The minimum requirement is to ensure that pollutants in discharges from storm drain systems owned or operated by Caltrans are reduced to the maximum extent practicable (MEP) and that pollutants in discharges from construction activities covered by the General Construction Permit are reduced by employing Best Available Technology /Best Conventional Technology (BAT/BCT) performance standards. The MEP analysis is the process of evaluating the selected BMPs based on legal and institutional constraints, technical feasibility, relative effectiveness, and cost/benefit ratio.

The Department continues to comply with CWA§402 by complying with the requirements of the statewide NPDES permit. The permit and the approved SWMP consolidated the Department's storm water compliance activities under one permit and provided a framework for consistent and effective

"Caltrans improves mobility across California"

implementation of storm water management practices on a statewide basis. The project will be designed to comply with the current Statewide NPDES Permit or any reissuance thereafter.

The Statewide Storm Water Management Plan (SWMP) describes how the California Department of Transportation (Department) will comply with the provisions of the NPDES Permit (Order 99-06-DWQ), or any reissuance thereafter. The SWMP describes the program that the Department would implement to reduce the discharge of pollutants to the storm water drainage system that serve the highway and highway related properties, facilities and activities.

Best Management Practices (BMPs) will need to be considered to address potential water quality impacts during the planning and design, construction, and operational and maintenance phases. The SWMP divides the BMPs into separate categories from the planning and design phase to the operational and maintenance phase.

Caltrans is providing you with clarification of the Department's Storm Water compliance approach for the I-805 North Design-Build project to treat to the Maximum Extent Practicable.

EA	Co.	Rte	PM	Description Of Work
11-081630	SD	805	23.3/27.7	Freeway HOV / BRT and Direct Access Ramp

I have attached the link to the Environmental Document which shows preliminary siting locations for treatment BMP locations on the Project Features Maps.

http://www.dot.ca.gov/dist11/Env_docs/I_805N_MND-FONSI.pdf

Below is a summary from most recent project development information which will be updated in the next draft Storm Water Data Report. The most current SWDR was prepared and signed for the Project Approval / Environmental Document phase of the project on January 20, 2010.

Please find below a summary of the SWDR based on the most current project development:

- *Existing impervious area is 111.7 acres. Proposed impervious area is 152 acres. The project will increase the impervious surface area by 40.3 acres.*
- *The proposed project is within the Miramar Reservoir (906.10) & Miramar (906.40) Hydrologic Areas which are within the Peñasquitos Hydrologic Unit. The proposed project drains directly into San Clemente Canyon, Rose Canyon, and Carroll Canyon. San Clemente Canyon and Rose Canyon merge together approximately 4 miles east of I-805 south of the I-5/SR-52 interchange and drain south to Mission Bay, which is approximately 2.5 miles south of their point of convergence. Carroll Canyon runs west under I-805 and joins Soledad Canyon, which runs north along I-805 until it merges with Penasquitos Creek. Carroll Canyon is one of the three Creeks that feed into the Los Peñasquitos Lagoon in addition to Los Peñasquitos Creek and Carmel Valley Creek.*
- *The project is anticipated to have 31 bioswales, 3 detention/infiltration basins throughout the project limits, as well as porous pavement in the Park and Ride facilities. The Park and Ride lots will have 100% treatment from porous pavement, infiltration trench and / or biofiltration swales. The project is anticipated to treat 76.3 acres of impervious surface, which is equivalent to 50.2% of the total pavement (new and existing) and equivalent to 189.3 % of new pavement.*

- *Implementation of biofiltration swales, detention/infiltration basins and porous pavement are proposed as the treatment BMP strategy. This strategy was selected based on pollutants of concern in the receiving water bodies, hydraulic feasibility, existing site constraints (topography and R/W limitations), and the feasibility of each of the approved Treatment BMPs. Treatment BMPs have been evaluated individually for implementation on the proposed project in accordance with the guidelines provided in the PPDG.*

If you have any questions regarding this document, please contact me at (619) 688-3626.

Sincerely,



CONSTANTINE KONTAXIS
Branch Chief
NPDES / Storm Water Compliance

c: Project Engineer
Resident Engineer

Certification No. 11C-052

ATTACHMENT 8

PUBLIC COMMENT LETTERS

Friends of Rose Canyon
PO Box 221051
San Diego, CA 92192-1051
858-597-0220 rosecanyon@san.rr.com

August 30, 2011

To: Mike Porter, RWQCB
Re: CALTRANS application for Interstate 805 North Managed Lanes project
(File No. 11C-052)

Dear Mr. Porter,

Friends of Rose Canyon strongly objects to a specific aspect of this proposed project that would significantly increase the water quality impacts on Rose Creek. We object to issuance of a 401 Permit for this project as it is now proposed. Because of the significant impacts on water quality in three creeks, we request that the permit for this project be heard before the full board.

The project could and should be changed to reduce the water quality impacts on Rose Creek. We urge the RWQCB to deny a 401 permit until the following change is made:

- Move the proposed Nobel/I-805 BRT (Bus Rapid Transit) Station and Park and Ride from the southwest corner of Nobel/I805 intersection to the La Jolla Village Drive/I-805 intersection

The reasons this change would substantially reduce the impacts on Rose Creek are:

1. This change would reduce the necessary widening of the bridge over Rose Canyon by about 57', thus significantly reducing the impact on Rose Creek
2. This change would eliminate the construction of the BRT station and Park and Ride on undeveloped environmentally sensitive lands on Rose Canyon that drain directly into Rose Creek and are partially in the MSCP and adjacent to many acres of conserved land; it would move these major structures to a location that is largely developed or scraped and not on the canyon rim

This change would also better meet the project purpose – a win-win

A major purpose of the project is to provide transit to the major employment areas in North University City. The Nobel Drive location is a poor one for meeting this project purpose. The Nobel location is nowhere near the major concentration of employers, and in walking distance to only one; it is walking distance to a relatively small number of high-end condos whose residents are not likely to be major users of transit. The location of the BRT Station at La Jolla Village Drive and I-805, however, would put it within walking distance of a dense concentration of high-rise office buildings as well as the UTC mall and high-density rental housing whose residents would be far more likely to be users of transit. BRT busses that continue on a route through University City

would be passing immediately through their target area. Were BRT buses to begin a route through University City from a station at Nobel, they would be 1-2 miles away from any high density.

Why the change would reduce the widening of the bridge over Rose Canyon

A major component of the BRT Station and Park and Ride are Direct Access Ramps (DARs), similar to what has been constructed on the I-15. These are large two-lane ramps that rise up from the new managed lanes in the center of the freeway and cross like bridges over the other lanes to allow vehicles to directly enter and leave the managed lanes to the BRT Station and Park and Ride without cutting across the regular freeway lanes. The DARs are huge structures, and, where they are built, require significant additional freeway widening above and beyond the widening for the new managed lanes.

The location of the proposed Nobel BRT station and Park and Ride at the southwest corner of the Nobel/I-805 intersection on Rose Canyon means that DARs will extend south on I-805 to the bridge over Rose Canyon. Construction of these DARs will require that the bridge over Rose Canyon be widened significantly more than if the bridge did not have to accommodate DARs. If the BRT station and Park and Ride are located instead at the La Jolla Village Drive/I-805 intersection, the DARs will be built well to the north of the Rose Canyon bridge. The bridge will need to be widened by about 40% less, greatly reducing the impact on Rose Creek.

Proposed Nobel BRT Station, Park and Ride and Direct Access Ramps (DARs)

The project as proposed will require the widening of the bridge over Rose Canyon by 136'. Chapter 1, p. 13 of the MND states:

"The existing Rose Canyon Bridge will be widened by 28 feet in the median and up to 54 feet on either side with 6 additional columns being added. The Carroll Canyon Bridge will be widened up to 53 ft in the southbound direction and up to 44 ft in the northbound direction with 22 additional columns added at the Carroll Canyon Bridge and Carroll Canyon DAR locations. The southbound ramp that connects the I-805 to SR-52 will be widened 28 ft in the median and 18 ft on the southbound side."

However, a substantial portion of this widening is due to the addition of the DARs for the Nobel BRT/Park and Ride station located at the southwest corner of Nobel and I-805.

Caltrans conducted a study of potential locations for the BRT Station and Park and Rides entitled: "Interstate-805 Managed Lanes North Project Direct Access Ramp Technical Analysis Summary" dated August 31, 2007 (Attachment 1). For the Rose Canyon bridge, the study stated: "The DARs require approximately 57 feet of additional widening with the freeway median to provide ingress and egress for a barrier separated Managed Lanes" (p. 5-1).

Thus if the BRT Station/Park and Ride were instead located at La Jolla Village Drive/I-805, the Rose Canyon bridge could be widened by approximately 41 percent less. However, the Caltrans study failed to even consider the La Jolla Village Drive location for the BRT Station and Park and Ride.

The current I-805 bridge over Rose Canyon is a twin bridge with a significant gap between the northbound and southbound lanes, allowing considerable natural light to reach the habitat below, including Rose Creek. From Google maps, the existing roadway appears to be c. 65-70' wide northbound and the same southbound. Thus the Caltrans project, as proposed, would almost double the width of the bridge, including the elimination of the c. 26' wide opening between the northbound and southbound lanes. This will severely impact a number of beneficial uses of Rose Creek.

Water quality and erosion

The Attached Photo (Attachment 2) shows the existing I-805 bridge over Rose Creek, looking north. The passage under the bridge is relatively narrow, consisting of the rail line, Rose Creek, and a dirt path. Steep slopes rise up the bridge abutments on either side of this narrow passage. Because the bridge is fairly short, its impact on Rose Creek and on wildlife use of the area is very large.

- The project as proposed will eliminate the open area that currently allows significant daylight to penetrate between the twin bridge sections. The project will thus greatly increase the area under the bridge that has no vegetation. It will eliminate vegetation in Rose Creek and greatly increase the area of bare slopes under the bridge abutments.
- Eliminating the DARs here would reduce the required widening of the bridge by about 41%, significantly reducing the amount of area under the bridge that is bare soil and allowing more of the creek channel and surrounding wetlands to remain vegetated.

Wildlife habitat and corridor

The I-805 bridge over Rose Canyon spans a well recognized and important wildlife corridor between Rose Canyon to the west (much of which is open space, parkland, and in the MSCP) and the thousands of acres of open space at MCAS Miramar to the east. Coyotes, bobcats, deer, fox, and numerous species of birds and other animals use this riparian corridor regularly to pass between Rose Canyon and MCAS Miramar lands. The project as proposed will significantly degrade both the riparian habitat in and around Rose Creek under the bridge and make the area far less attractive as a wildlife corridor, as passage under the bridge would be far longer, darker and significantly more bare of vegetation.

Warm fresh water habitat

The proposed widening of the bridge and elimination of the light through the middle will reduce the growth of willow and other riparian vegetation in the creek and surrounding riparian area.

Trash

The more pavement above, the more trash below. The attached photo provides evidence of the trash that comes into Rose Canyon currently. The I-805 Managed Lanes project will add significantly to the roadway, and the addition of the DARs will increase that even more. No one picks up this trash. Hence, much of it makes its way to Mission Bay.

Protection of water quality in Mission Bay

Rose Creek flows into Mission Bay, which is a 303d listed water body. Reducing the bridge widening by 57' would help protect the water quality of Rose Creek and reduce its degradation.

Why it is important to make this change in the project now

Although the Nobel BRT Station and Park and Ride are scheduled to be built in Stage 4 of this project, the widening of the Rose Canyon Bridge is scheduled to occur in Stage 1. Thus, it is critical that the project change occur now so that the Rose Canyon bridge is not widened more than is necessary.

P. 18-19 of the MND describes the proposed construction staging. The project features in Stage 1 include:

- Carroll Canyon Bridge and Overhead (widening)
- Carroll Canyon Direct Access Ramp Bridge and Overhead
- Carroll Canyon Direct Access Ramp Walls
- Governor Drive Undercrossing (median widening)
- Rose Canyon Bridge and Overhead (widening)
- Two inside HOV lanes (widening)
- Two outside lanes from La Jolla Village Drive to north of Mira Mesa Boulevard (widening)

Sincerely,

Deborah Knight
Executive Director

Attachment 1: "Interstate-805 Managed Lanes North Project Direct Access Ramp
Technical Analysis Summary" August 31, 2007

Attachment 2: Photo of current I-805 bridge over Rose Canyon

Mike Porter - Caltrans 401 certification: request public hearing

From: Gabriel Solmer <gabe@sdcoastkeeper.org>
To: <mporter@waterboards.ca.gov>
Date: 8/31/2011 13:59
Subject: Caltrans 401 certification: request public hearing
CC: Deborah Knight <dknight3@san.rr.com>

Dear Mike:

I have just heard from Debby Knight (cc'd here) that the Regional Board plans to consider the 401 certification for the I-805 North Managed Lanes Project at the staff level. As you know, I have a great respect for the staff's cumulative wisdom and experience in water quality. Nonetheless, I request this decision be agendized for full Board consideration. This construction project has the potential for significant water quality impacts on San Clemente Creek, Rose Creek and Soledad Canyon Creek. The public, including environmental groups, have specific suggestions on the certification that could reduce water quality impacts. A decision of this magnitude mandates the robust discussion that a Board-level decision engenders.

Please consider this email a formal request for the Caltrans 401 certification for the I-805 North Managed Lanes Project to be heard in front of the Board at a regularly scheduled Regional Board meeting.

Thank you. Please feel free to contact me if I can provide any other information.

Best,
Gabe

Gabriel Solmer
Legal Director
San Diego Coastkeeper®

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From: Karin Zirk <kzirk@earthlink.net>
To: <mporter@waterboards.ca.gov>
CC: <kzirk@earthlink.net>
Date: 8/31/11
Subject: CALTRANS 401 Certification on I-805

Please encourage the Regional Water Quality Control Board to hold a hearing before the full board on the CALTRANS application for 401 Water Quality Certification on the I-805 North Managed Lanes Project.

This project will directly impact three creeks: San Clemente, Rose and Soledad Canyon.

Additionally, the potential for significant water quality impacts applies not only to these three creeks, but to Mission Bay as well.

The environmental community should have the opportunity to weigh in on this project. Changing the location of the proposed Nobel BRT Station and Park and Ride to La Jolla Village Drive would significantly reduce the impact on Rose Creek, and we urge the RWQCB not to approve 401 Certification for the project unless this change is made.

Regards,

Karin Zirk
Friends of Rose Creek
4629 Cass Street #188
San Diego CA 92109
<http://www.saverosecreek.org>

Mike Porter - I-805 North Managed Lanes Project

From: Eric Bowlby <eric@sdcanonlands.org>
To: <mporter@waterboards.ca.gov>
Date: 8/31/2011 15:03
Subject: I-805 North Managed Lanes Project

Mike,

We strongly urge the Regional Water Quality Control Board to hold a hearing before the full board on the CALTRANS application for 401 Water Quality Certification on the I-805 North Managed Lanes Project. This massive construction project project will impact San Clemente Creek, Rose Creek and Soledad Canyon Creek, and has the potential to have significant water quality impacts on all three. The environmental community should have the opportunity to weigh in on this project. Changing the location of the proposed Nobel BRT Station and Park and Ride to La Jolla Village Drive would significantly reduce the impact on Rose Creek, and we urge the RWQCB not to approve 401 Certification for the project unless this change is made.

Sincerely,

Eric Bowlby
San Diego Canyonlands, (SDCL)
Executive Director
619-284-9399
eric@sdcanonlands.org
www.sdcanonlands.org

Mike Porter - I-805 North Managed Lanes Project.

From: Carrie <carrieschneider@cox.net>
To: <mporter@waterboards.ca.gov>
Date: 8/31/2011 20:47
Subject: I-805 North Managed Lanes Project.

Dear Mr Porter,

The California Native Plant Society is concerned about the effect of this project on native habitats including riparian woodland.

We agree with the Friends of Rose Canyon in urging the Regional Water Quality Control Board to hold a hearing before the full board on the CALTRANS application for 401 Water Quality Certification on the I-805 North Managed Lanes Project. This massive construction project project will impact San Clemente Creek, Rose Creek and Soledad Canyon Creek, and has the potential to have significant water quality impacts on all three. The environmental community should have the opportunity to weigh in on this project. Changing the location of the proposed Nobel BRT Station and Park and Ride to La Jolla Village Drive would significantly reduce the impact on Rose Creek, and we urge the RWQCB not to approve 401 Certification for the project unless this change is made.

Carrie Schneider
Conservation Chair
California Native Plant Society - San Diego Chapter
info@cnpssd.org
www.cnpssd.org

Mike Porter - CALTRANS 805 Managed Lane project, Northern section

From: Jim Peugh <peugh@cox.net>
To: Michael Porter <MPorter@waterboards.ca.gov>
Date: 9/2/2011 15:53
Subject: CALTRANS 805 Managed Lane project, Northern section
CC: Chris Redfern <redfern@sandiegoaudubon.org>

Hello Mike,

We request that the Regional Board itself hear the permit application for the CALTRANS 805 Managed Lane. We find that there are alternatives that may avoid or at least reduce impacts to vernal pools, waterways, the health of the watersheds, and thereby water quality that should be evaluated. We suspect that these alternatives may provide transportation to a more useable location so they will support more efficient land use and in turn result in better water quality. A public hearing will be the public's only opportunity to discuss the avoidable negative impacts to water quality, beneficial uses, and other natural resources of the current plan and alternatives and measures to avoid or minimize them.

Thanks for considering our request.

James A. Peugh
Conservation Chair
San Diego Audubon Society