



San Diego Regional Water Quality Control Board

September 18, 2015

Certified Mail – Return Receipt Requested Article Number: 7010 1060 0000 4953 0389

Mr. Jong Choi City of San Diego 525 B Street, Suite 750, MS 908A San Diego, CA 92101 In reply/refer to: R9-2014-0115:809183:lbh

Subject: Clean Water Act Section 401 Water Quality Certification No. R9-2014-0115

for the Old Otay Mesa Road Improvements Project

Mr. Choi:

Enclosed find Clean Water Act Section 401 Water Quality Certification No. R9-2014-0115 (Certification) issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) in response to the application submitted by the City of San Diego for the Old Otay Mesa Road Improvements Project (Project). A description of the Project and Project location can be found in the Certification and site maps which are included as attachments to the Certification.

The City of San Diego is enrolled under State Water Resources Control Board Order No. 2003-017-DWQ as a condition of the Certification and is required to implement and comply with all terms and conditions of the Certification in order to ensure that water quality standards are met for the protection of wetlands and other aquatic resources. Failure to comply with this Certification may subject the City of San Diego to enforcement actions by the San Diego Water Board including administrative enforcement orders requiring the City of San Diego 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.

Please submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to the San Diego Water Board, 2375 Northside Drive, San Diego, CA 92108. Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line:

Certification No. R9-2014-0115:809183:lbh.

For questions or comments regarding the Certification, please contact Lisa Honma by telephone at (619) 521-3367 or by email at Lisa. Honma@waterboards.ca.gov.

Respectfully,

DAVID W. GIBSON Executive Officer

Pend W. K

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. R9-2014-0115 for

the Old Otay Mesa Road Improvements Project

DWG:jgs:esb:lbh

CC:

via email

U.S. Army Corps of Engineers, Regulatory Branch San Diego Field Office Ms. Melanie Tymes Melanie.B.Tymes@usace.army.mil

California Department of Fish and Game South Coast Region Habitat Conservation Planning – South Ms. Kelly Fisher Kelly.Fisher@wildlife.ca.gov

U.S. EPA, OWOW, 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

City of San Diego Mr. James Arnhart JArnhart@sandiego.gov - 3 -

cc: (Continued)

Helix Environmental Planning, Inc. Ms. Stacy Nigro stacyn@helixepi.com

San Diego Water Board Mr. Eric Becker Kelly.Dorsey@waterboards.ca.gov

San Diego Water Board Mr. David Barker David.Barker@waterboards.ca.gov

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

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

Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Discharge of Dredged and/or Fill Materials

PROJECT: Old Otay Mesa Road Improvements

Certification Number R9-2014-0115

WDID: 9 000002759

APPLICANT: City of San Diego, Department of Public Works

525 B Street, Suite 750 MS 908A

San Diego, CA 92101

Reg. Meas. ID: 398141 Place ID: 809183 Party ID: 42981 Person ID: 548445

ACTION:

☐ Order for Low Impact Certification	☐ Order for Denial of Certification
☑ Order for Technically-conditioned	☐ Enrollment in Isolated Waters Order
Certification	No. 2004-004-DWQ
☑ Enrollment in SWRCB GWDR	
Order No. 2003-017-DWQ	

PROJECT DESCRIPTION

An application dated August 19, 2014 was submitted by the City of San Diego (hereinafter Applicant) for Water Quality Certification pursuant to section 401 of the Clean Water Act (United States Code (USC) Title 33, section 1341) for the proposed Old Otay Mesa Road Improvements Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on January 9, 2015. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2014-00563-MBS).

The Project is located within the City of San Diego, San Diego County, California on Old Otay Mesa Road between Hawken Drive and Crescent Bay Drive. The Project center reading is located at latitude 32.564 and longitude -117.029. The Applicant has paid all required application fees for this Certification in the amount of \$200. On January 9, 2015, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Applicant proposes to realign and widen an approximately 3,700 linear foot-long section of Old Otay Mesa Road. These new roadway improvements include adding new sidewalks and bicycle lanes on both sides of the road and enhanced safety features. Installation of guardrails, chain-link fencing, and road realignment to increase the curve radius of existing curves along the roadway are all part of the new safety features. Two existing drainage structures will be replaced and modified as part of the Project.

The first drainage structure is an existing 85 foot-long corrugated metal pipe culvert. The culvert will be replaced in the same location with an 85 foot-long reinforced concrete pipe and extended an additional 97 linear feet to the bottom of the canyon slope. The culvert extension will have a new outfall structure constructed at the downslope end of the culvert and will permanently fill in the additional 97 linear feet of the existing drainage to the unnamed tributary of the Tijuana River (Attachment 3; Figure 6, Stream Channel Segment A). The culvert extension will be buried under clean fill, permanently filling in the existing drainage. A new ephemeral drainage will be created adjacent to the original location and revegetated with native plants to mitigate for the lost functions of the existing drainage (Attachment 3; Construction Plans Sheet C-16). The area will be revegetated with native upland species and monitored for a minimum of 25 months during the maintenance period.

The second drainage structure is an existing 40 linear feet of storm drain associated with the upstream end of the unnamed tributary, at the eastern end of the Project (Attachment 3; Figure 6, Stream Channel Segment B and Construction Plans Sheet C-11). The storm drain will be replaced and realigned around a new retaining wall needed to facilitate the road widening and reconnected to the existing outfall structure. The construction activity will potentially impact 45 linear feet of the unnamed tributary, which will be restored to pre-project contours and revegetated with native species consistent with the surrounding area.

The Project will convert approximately 0.99 acres of pervious ground cover to impervious surfaces. The redesigned two-lane road, which currently lacks any storm water treatment, includes constructing new storm water treatment facilities for the entire road segment. Post-construction best management practices (BMPs) to manage and control the effects of these runoff increases will consist of a cistern/bioretention basin system, a bioretention basin, and a biofilter/cistern system. These BMPs will be designed, constructed, and maintained to meet City of San Diego's Low Impact Development (LID) Capture Volume and hydromodification treatment requirements.

The Project application includes a description of the design objective, operation, and degree of treatment expected to be attained from equipment, facilities, or activities (including construction and post-construction BMPs) to treat waste and reduce runoff or other effluents which may be discharged. Compliance with the Certification conditions will help ensure that construction and post-construction discharges from the Project will not cause on-site or off-site downstream erosion, damage to downstream properties, or otherwise damage stream habitats in violation of water quality standards in the *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan).

Project construction will permanently impact 0.002 acre (97 linear feet) and temporarily impact 0.005 acre (130 linear feet) of stream channel waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.002 acre (97 linear feet) of jurisdictional waters will be achieved through the establishment of 0.002 acres (97 linear feet) of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant adjacent to the impact site located in the San Ysidro hydrologic sub-area (HSA 911.11) at a minimum compensation ratio of 1:1 (area mitigated:area impacted). Performance standards are a condition of this Certification.

Detailed written specifications and work descriptions for the compensatory mitigation site including, but not limited to, the geographic boundaries of the project, timing, sequence, monitoring, maintenance, and ecological success performance standards are described in the construction plans (Attachment 3, Sheets C-1 through C-18) and the Revegetation Plan, dated November 27, 2013 (considered together as the Mitigation Plan). San Diego Water Board acceptance of the Mitigation Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Mitigation Plan is incorporated in this Certification by reference as if set forth herein. The Mitigation Plan provides for implementation of compensatory mitigation which offsets adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Mitigation Plan will reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. Based on all of these considerations, the Mitigation Plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

Additional Project details are provided in Attachments 1 through 5 of this Certification.

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Attachments:

- 1. Definitions
- Project Location Maps
 Project Site Plans

- 4. Mitigation Figures5. CEQA Mitigation Monitoring and Reporting Program

I. STANDARD CONDITIONS

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

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

II. GENERAL CONDITIONS

- A. **Term of Certification**. Water Quality Certification No. R9-2014-0115 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. General Waste Discharge Requirements. The requirements of this Certification are enforceable through Water Quality Order No. 2003-0017-DWQ, Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf.

D. **Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality certification are incorporated by reference into this Certification as if fully stated herein. Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.

E. **Project Conformance with Water Quality Control Plans or Policies**. Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 USC section 1313). The Basin Plan is accessible at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml

- F. **Project Modification**. The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water Board for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification.
- G. **Certification Distribution Posting**. During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.
- H. **Inspection and Entry**. The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
 - 1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
 - 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 - Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and

4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.

- I. Enforcement Notification. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall 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.
- J. **Certification Actions**. This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
 - 1. Violation of any term or condition of this Certification;
 - Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of the unnamed tributary of the Tijuana River or its tributaries;
 - 3. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
 - 4. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 - 5. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
 - The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.
- K. **Duty to Provide Information**. The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- L. **Property Rights**. This Certification does not convey any property rights of any sort, or any exclusive privilege.
- M. **Petitions**. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing

petitions may be found on the Internet at: http://www.waterboards.ca.gov/public notices/petitions/water quality or will be provided upon request.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction**. The Applicant shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Personnel Education.** Prior to the start of the Project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response measures, and BMP implementation and maintenance measures.
- C. **Spill Containment Materials.** The Applicant 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. General Construction Storm Water Permit. Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- E. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff. The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050. Upon Project completion, all Project generated debris, building materials, excess material, waste, and trash shall be removed from the Project site(s) for disposal at an authorized landfill or other disposal site in compliance with federal, state and local laws and regulations.
- F. **Waste Management**. Except for a discharge permitted under this Certification, the dumping, deposition, or discharge of trash, rubbish, unset cement or asphalt, concrete, grout, damaged concrete or asphalt, concrete or asphalt spoils, wash water, organic or earthen material, steel, sawdust or other construction debris waste from Project activities directly into waters of the United States and or State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited.

G. Downstream Erosion. Discharges of concentrated flow during construction or after Project completion must not cause downstream erosion or damage to properties or stream habitat.

- H. Construction Equipment. All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- I. Process Water. 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 State or placed in locations that may be subjected to storm water runoff flows. Pollutants discharged to areas within a stream diversion must be removed at the end of each work day or sooner if rain is predicted.
- J. Surface Water Diversion. All surface waters, including ponded waters, must be diverted away from areas of active 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 the receiving water quality objectives. 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.
- K. Re-vegetation and Stabilization. All areas that have 14 or more days of inactivity must be stabilized within 14 days of the last activity. The Applicant shall implement and maintain BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be re-vegetated with native species appropriate for the area. The re-vegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be accessed at http://www.cal-ipc.org/ip/inventory/.
- L. Hazardous Materials. Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused 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.
- M. Vegetation Removal. Removal of vegetation must occur by hand, mechanically, or through application of United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to minimize adverse effects to beneficial uses of waters of the United States and/or State. Discharges related to the application of aquatic pesticides within waters of the United States must be done in compliance with State Water Resources Control Board Water Quality Order No. 2004-

0009-DWQ, the Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States, and any subsequent reissuance as applicable.

- N. **Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. On-site Qualified Biologist. The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- P. **Beneficial Use Protection**. The Applicant must take all necessary measures to protect the beneficial uses of waters of the unnamed tributary of the Tijuana River. This Certification requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to surface waters (including rivers or streams) occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification. Associated Project activities may not resume without approval from the San Diego Water Board.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to on-site or off-site erosion or damage to properties or stream habitats.
- B. **Storm Drain Inlets.** All storm drain inlet structures within the Project boundaries must be stamped or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design.** The Project must be designed to comply with the most current Standard Storm Water Mitigation and Hydromodification Plans for the City of San Diego. Post-construction BMPs are described in the *Water Quality Technical Report, Old Otay Mesa Road* (WQTR).
- D. Post-Construction BMP Implementation. All post-construction BMPs must be constructed, functional, and implemented prior to completion of Project construction, occupancy, and/or planned use, and maintained in perpetuity. The post construction BMPs must include those described in the WQTR, dated January 28, 2014, prepared on behalf of the Applicant by Nasland Engineering; or any subsequent version of the WQTR approved by the City of San Diego.

- E. Post-Construction BMP Maintenance. The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Storm Water Quality Association (CASQA) ¹ guidance. The Applicant shall:
 - 1. No less than two times per year, assess the performance of the BMPs to ensure protection of the receiving waters and identify any necessary corrective measures;
 - 2. Perform inspections of BMPs, at the beginning of the wet season no later than October 1 and the end of the wet season no later than April 1, for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;
 - 3. Regularly perform preventative maintenance of BMPs, including removal of accumulated trash and debris, as needed to ensure proper functioning of the BMPs;
 - 4. Identify and promptly repair damage to BMPs; and
 - 5. Maintain a log documenting all BMP inspections and maintenance activities. The log shall be made available to the San Diego Water Board upon request.

V. PROJECT IMPACTS AND MITIGATION

- A. **Project Impact Avoidance and Minimization**. The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.
- B. Project Impacts and Compensatory Mitigation. Unavoidable Project impacts to the unnamed tributary of the Tijuana River and its unnamed tributaries within the Tijuana Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, mitigation required to offset unavoidable permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

California Storm Water Quality Association (California Storm Water BMP Handbook, New Development and Redevelopment 2003), available on-line at: http://www.cabmphandbooks.org/ [Accessed on January 15, 2012]

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated: area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated: linear feet impacted)
Permanent Impa	ects					
Stream Channel	0.002	97	0.002 Establishment ¹	1:1	97 Establishment ¹	1:1
Temporary Impa	acts					
Stream Channel ^{2, 3}	0.005	130	N/A	N/A	N/A	N/A

- Establishment of an equivalent length of vegetated ephemeral drainage adjacent to the impacted ephemeral drainage will replace the water quality functions of the impacted drainage to the hillside on the north side of the road. Attachment 3, sheet C-16 and Attachment 4, Figure 1 and sheet L-4 provide design and planting requirements.
- 2. Temporary impacts include 0.002 acre (85 linear feet) of Stream Channel Segment (Drainage) A and 0.003 acre (45 linear feet) of Stream Channel Segment (Drainage) B. See Attachment 3, Figure 6.
- 3. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.
 - C. Compensatory Mitigation Plan Implementation. The Applicant must fully and completely implement the *Plans for the Construction of Old Otay Mesa Road*, prepared on behalf of the Applicant by Nasland Engineering, dated May 30, 2014, and *Revegetation Plan*, dated November 27, 2013, prepared on behalf of the Applicant by Helix Environmental Planning, Inc.; any deviations from, or revisions to, the Mitigation Plan must be approved by the San Diego Water Board.
 - D. **Performance Standards.** Compensatory mitigation required under this Certification shall be considered achieved once it has met the ecological success performance standards contained in the Revegetation Plan (Section VII, page 12) to the satisfaction of the San Diego Water Board and demonstrated that the on-site ephemeral drainage (mitigation site) is performing the functions of a natural ephemeral drainage.

If the established mitigation site fails to perform as a natural ephemeral drainage and erosional features develop outside of/adjacent to the drainage channel at any time after installation, then the Applicant must redesign the mitigation site to function correctly and restart the monitoring timeline in accordance with the requirements in Section VI, below. Alternatively, the Applicant must establish a rare hydrophitic vegetation community (e.g., cismontane alkali marsh) within either of the Otay or Tijuana Hydrologic Units at an out-of-kind ratio of 10:1. If alternate compensatory mitigation is selected, a compensatory mitigation plan must be submitted to the San Diego Water Board for approval prior to implementation.

- E. **Compensatory Mitigation Site Design.** The mitigation site shall be designed to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features (e.g., pumps) and appropriate siting to ensure that natural hydrology and landscape context support long-term sustainability in conformance with the following conditions:
 - 1. The mitigation site shall be characterized by equilibrium conditions, with no evidence of severe aggradation or degradation; and
 - The mitigation site shall have a well-developed plant community characterized by a moderate degree of horizontal and vertical interspersion among plant zones and layers.
- F. **Temporary Project Impact Areas.** The Applicant must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge of pollutants to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.
- G. Long-Term Management and Maintenance. The mitigation site must be managed, protected, and maintained, in perpetuity, in conformance with the final ecological success performance standards identified in the Revegetation Plan. The mitigation site must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:
 - 1. Any maintenance activities on the mitigation site that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited;
 - Maintenance activities must be 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 compensatory mitigation project;
 - 3. The mitigation site must be maintained, in perpetuity, 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 mitigation site(s); and
 - 4. If at any time a catastrophic natural event (e.g., fire, flood) causes damage(s) to the mitigation site(s) or other deficiencies in the compensatory mitigation project, the Applicant must take prompt and appropriate action to repair the damage(s) including replanting the affected area(s) and address any other deficiencies. The San Diego Water Board may require additional monitoring by the Applicant to assess how the compensatory mitigation site or project is responding to a catastrophic natural event.

- H. **Timing of Mitigation Site Construction.** The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the start of Project construction. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10% of the cumulative compensatory mitigation for each month of delay.
- Mitigation Site(s) Preservation Mechanism. Within 90 days from the issuance of this Certification, the Applicant must provide the San Diego Water Board with a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. Within 60 days of the start of Project construction, the Applicant must submit proof of a completed final 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 properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the United States and/ or State 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 sites. 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.

VI. MONITORING AND REPORTING REQUIREMENTS

- A. **Representative Monitoring**. Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. **Monitoring Reports**. Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.
- C. Monitoring and Reporting Revisions. The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. Records of Monitoring Information. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The individual(s) who performed the sampling or measurements;
 - The date(s) analyses were performed;
 - 4. The individual(s) who performed the analyses;

- 5. The analytical techniques or methods used; and
- 6. The results of such analyses.
- E. **Discharge Commencement Notification**. The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.
- F. Geographic Information System Data. The Applicant must submit Geographic Information System (GIS) shape files of the Project impact sites within 30 days of the start of project construction and GIS shape files of the Project mitigation sites within 30 days of mitigation installation. All impact and mitigation site shape files must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.
- G. **Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. Annual Project Progress Reports must be submitted even if Project construction has not begun. The monitoring period for each Annual Project Progress Report shall be January 1st through December 31st of each year. Annual Project Progress Reports must include, at a minimum, the following:

<u>Project Status and Compliance Reporting</u>. The Annual Project Progress Report must include the following Project status and compliance information:

- 1. The names, qualifications, and affiliations of the persons contributing to the report;
- 2. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices project features for erosion and storm water quality treatment;
- 3. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
- 4. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- 5. Mitigation reporting information for the establishment and revegetation of the mitigation site and the revegetation of temporary impact areas must be submitted as part of the Annual Project Progress Report for a period of not less than 5 years, sufficient to demonstrate that the establishment of the mitigation site and revegetation of native habitat has been accomplished and met ecological success performance standards contained in the Revegetation Plan. Conversely, the San Diego Water Board may extend the monitoring period beyond 5 years upon a

determination that the performance standards have not been met, the compensatory mitigation project is not on track to meet them, and/or the ephemeral drainage is not functioning. The Annual Project Progress Report must include the following compensatory mitigation monitoring information:

- a. An evaluation, interpretation, and tabulation of the parameters being monitored, including the results of the Revegetation Plan monitoring program, and all quantitative and/or qualitative data collected in the field;
- b. Photo documentation, including all areas of permanent and temporary impact, prior to and after mitigation site construction and annually for 5 years. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/401c/401PhotoDocRB9V713.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced;
- Monitoring data interpretations and conclusions as to how the on-site mitigation is progressing towards functioning as an ephemeral drainage and meeting performance standards and whether the performance standards have been met;
- d. As-built drawings of the compensatory mitigation project site(s), no bigger than 11"X17"; and
- e. A survey report documenting boundaries of the compensatory mitigation site(s).
- H. Final Project Construction Completion Report. The Applicant must submit a Final Project Construction Completion Report to the San Diego Water Board within 30 days of completion of the Project Construction. The final report must include the following information:
 - 1. Date of construction initiation;
 - 2. Date of construction completion;
 - 3. BMP installation and operational status for the Project;
 - 4. As-built drawings of the Project, no bigger than 11"X17"; and
 - 5. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.

 Reporting Authority. The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.

J. Electronic Document Submittal. The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board San Diego Region Attn: 401 Certification No. R9-2014-0115:809183:lhonma 2375 Northside Drive, Suite 100 San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2014-0115:809183:lhonma.

- K. **Document Signatory Requirements**. All applications, reports, or information submitted to the San Diego Water Board must be signed 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.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the

above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

L. **Document Certification Requirements**. All applications, reports, or information submitted to the San Diego Water Board must be certified as follows:

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

VII. NOTIFICATION REQUIREMENTS

- A. Twenty Four Hour Non-Compliance Reporting. The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- B. Hazardous Substance Discharge. Except for a discharge which is in compliance with this Certification, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. Oil or Petroleum Product Discharge. Except for a discharge which is in compliance with this Certification, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially

impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.

- D. Anticipated Noncompliance. The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- E. **Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
 - 1. Transfer of Property Ownership: The Applicant 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 Applicant 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 San Diego Water Board within 10 days of the transfer of ownership.
 - 2. Transfer of Post-Construction BMP Maintenance Responsibility: The Applicant 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 Applicant 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 Applicant must provide such notification to 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 Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of responsibility for compliance with this Certification in the event that a transferee fails to comply.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of San Diego is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated September 16, 2014 for the Final Mitigated Negative Declaration (FMND) titled Final Mitigated Negative Declaration for Old Otay Mesa Road Improvements (State Clearing House Number 2014071003). The Lead Agency has determined the Project will not have a significant effect on the environment and mitigation measures were made a condition of the approval of the Project.
- B. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's FMND and finds that the Project as proposed will not have a significant effect on resources within the San Diego Water Board's purview because the San Diego Water Board has required mitigation measures as a condition of this Certification. These mitigation measures will avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.
- C. The Lead Agency has adopted a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the FMND are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 5 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FMND, as it pertains to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMRP requirements as specified in sections V and VI of this Certification.
- D. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

IX. SAN DIEGO WATER BOARD CONTACT PERSON

Lisa Honma, Environmental Scientist

Telephone: 619-521-3367

Email: Lisa.Honma@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Old Otay Mesa Road Improvements** (Certification No. R9-2014-0115) 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.

- 21 -

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 the description in this Certification, and (b) compliance with all applicable requirements of the Basin Plan.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. R9-2014-0115 issued on September 18, 2015.

DÁVID W. GIBSON

Executive Officer

San Diego Water Board

18 Sept. 2015

Date

ATTACHMENT 1

DEFINITIONS

Activity - when used in reference to a permit means any action, undertaking, or project including, but not limited to, construction, operation, maintenance, repair, modification, and restoration which may result in any discharge to waters of the state.

Buffer - means an upland, wetland, and/or riparian area that protects and/or enhances aquatic resource functions associated with wetlands, rivers, streams, lakes, marine, and estuarine systems from disturbances associated with adjacent land uses.

California Rapid Assessment Method (CRAM) - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

Compensatory Mitigation Project - means compensatory mitigation implemented by the Applicant as a requirement of this Certification (i.e., applicant -responsible mitigation), or by a mitigation bank or an in-lieu fee program.

Discharge of dredged material – means any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States and/or State.

Discharge of fill material – means the addition of fill material into waters of the United States and/or State.

Dredged material – means material that is excavated or dredged from waters of the United States and/or State.

Ecological Success Performance Standards – means observable or measurable physical (including hydrological), chemical, and/or biological attributes that are used to determine if a compensatory mitigation project meets its objectives.

Enhancement – means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Establishment – means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Creation results in a gain in aquatic resource area.

Fill material – means any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body.

Isolated wetland – means a wetland with no surface water connection to other aquatic resources.

Mitigation Bank – means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing mitigation for impacts authorized by this Certification.

Preservation - means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Start of Project Construction - For the purpose of this Certification, "start of Project construction" means to engage in a program of on-site construction, including site clearing, grading, dredging, landfilling, changing equipment, substituting equipment, or even moving the location of equipment specifically designed for a stationary source in preparation for the fabrication, erection or installation of the building components of the stationary source within waters of the United States and/or State.

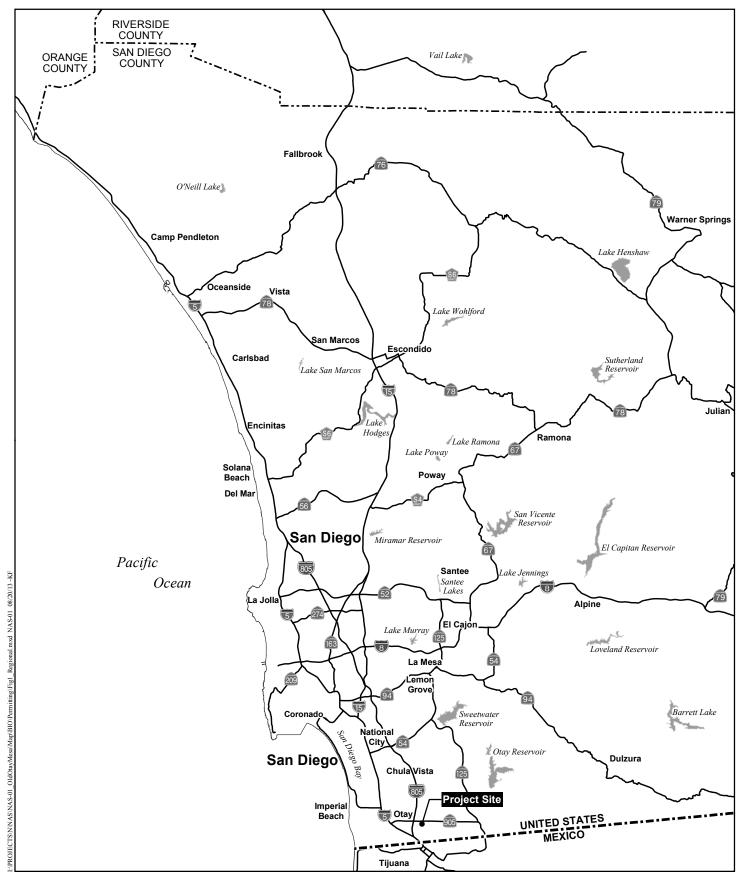
Uplands - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and constructed stock ponds lack aboveground hydrological connection to other aquatic areas. In the watershed context, uplands comprise the landscape matrix in which aquatic areas form. They are the primary sources of sediment, surface runoff, and associated chemicals that are deposited in aquatic areas or transported through them.

Water quality objectives and other appropriate requirements of state law – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate requirement of state law.

City of San Diego Old Otay Mesa Road Improvements Project Certification No. R9-2014-0115

ATTACHMENT 2 PROJECT LOCATION MAPS

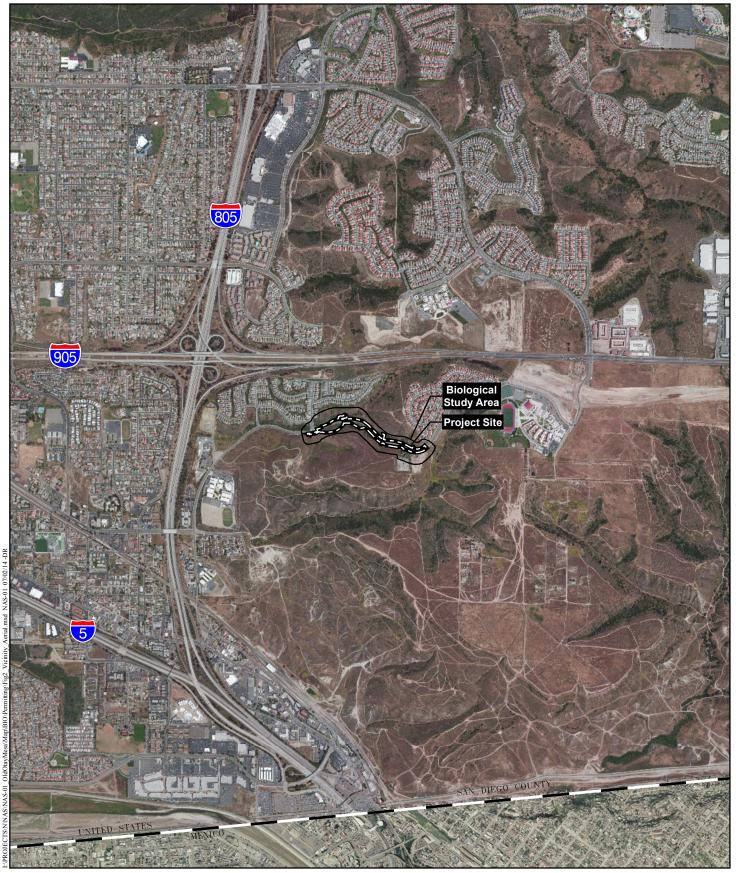
Figure 1: Regional Location Map Figure 2: Project Vicinity Map (Aerial Photograph)



Regional Location Map







Project Vicinity Map (Aerial Photograph)



City of San Diego Old Otay Mesa Road Improvements Project Certification No. R9-2014-0115

ATTACHMENT 3 PROJECT SITE PLANS

Figure 5: Site Plan

Figure 6: USACE Jurisdictional Areas/Impacts

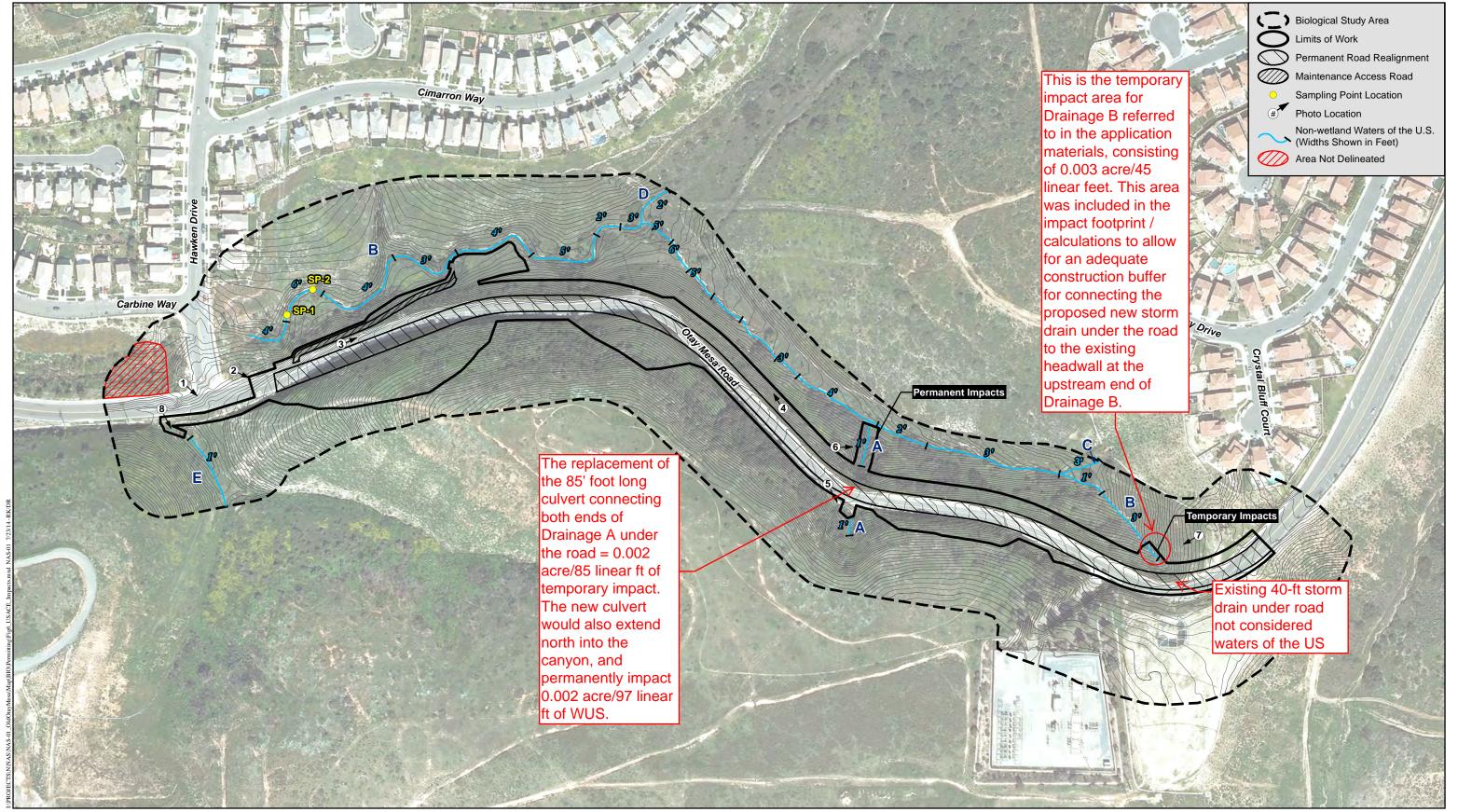
Figure 7: CDFW Jurisdictional Areas/Impacts

Sheets C-1 through C-18 – Plans for the Construction

of Old Otay Mesa Road



Site Plan



USACE Jurisdictional Areas/Impacts





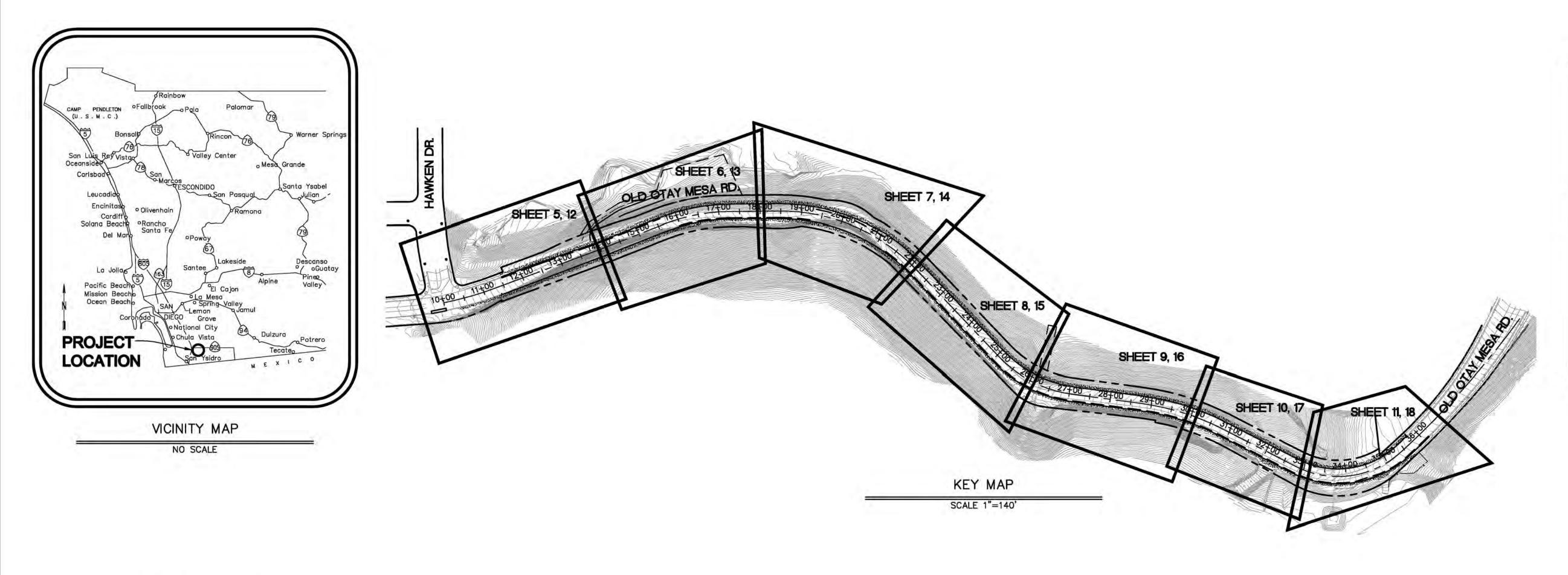
CDFW Jurisdictional Areas/Impacts

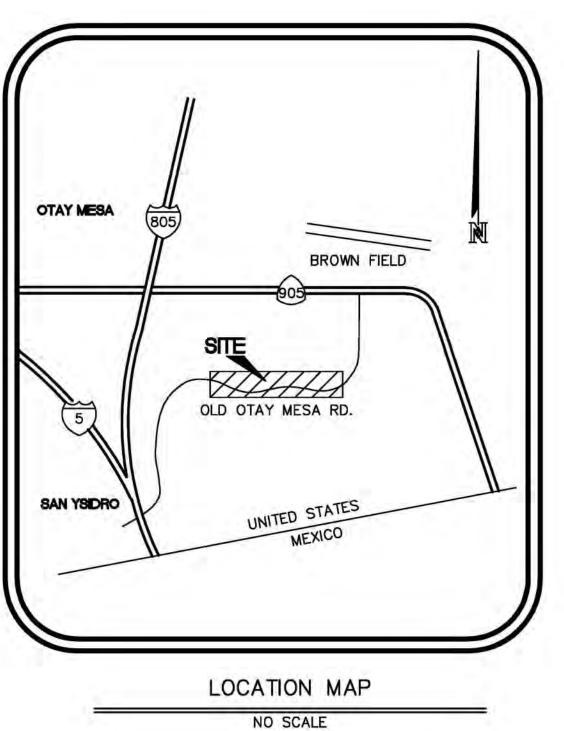


CONTRACT DRAWINGS FOR

CAPITAL IMPROVEMENTS PROGRAM City of San Diego

OLD OTAY MESA ROAD IMPROVEMENTS





DECLARATION OF RESPONSIBLE CHARGE

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME AS ENGINEER OF WORK, OR OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

LAWRENCE P. THORNBURGH R.C.E. 49795 D R.C.E. EXPIRATION DATE: 09/30/14

NASLAND ENGINEERING 4740 RUFFNER STREET SAN DIEGO, CA 92111 (858) 292-7770

4140 M	uffner Street, S	an Die	go, California, 92111 •858-292-777
REVISION	DATE	BY	PROJECT ENGR: LARRY THOS
95% SUBMITTAL	5-30-14	N.E.	DESIGNED BY: PAUL PITM
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			DRAWN BY: PAUL PITMAN SCALE: AS SHOWN

		CONSTRUCTION CHANGE / ADDENDUM	
HANGE	DATE	AFFECTED OR ADDED SHEET NUMBERS	APPROVAL NO.

WARNING	
O 1 IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS	CITY PUB
NOT TO SCALE	

CITY OF SAN DIEGO
PUBLIC WORKS PROJECT



PLANS FOR THE CONSTRUCTION OF
OLD OTAY MESA ROAD
COVER SHEET

SPEC NO. 1216

AS-BUILT INFORMATION

CI	PUB	SAN DIEGO, CAI LIC WORKS DEPARTME EET 1 OF 54 SHEET	NT		WBS#287806
APPROVED:		Y ENGINEER IT NAME	DA	TE	JONG CHOI PROJECT MANAGER
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ORIGINAL	N.E.				144–1759 CCS27 COORDINATES
AS-BUILTS					1784–6319 CCS83 COORDINATES
CONTRACTOR INSPECTOR		DATE STAF			37517-1 -D

TOPOGRAPHY SOURCE

THE SOURCE OF TOPOGRAPHIC INFORMATION IS A TOPOGRAPHIC SURVEY COMPLETED BY THE CITY OF SAN DIEGO ON 9-12-2008, UPDATED ON 5-18-2012.

CONTROL PER CITY JOB NUMBER 287806. WO 526420

BENCH MARK

NORTHWEST CORNER OLD OTAY MESA ROAD AND HAWKEN DRIVE, BRASS PLUG.

ELEV. = 305.97

(SEE SHEET 5)

ABBREVIATIONS

AC	ASPHALT CONCRETE	MH	MANHOLE
BC	BEGINNING OF CURVE	PCC	PORTLAND CONCRETE CEMENT
BLVD.	BOULEVARD	PCR	POINT OF CURVE RETURN
CCL	CALIFORNIA COORDINATE SYSTEM	R	RADIUS
Q.	CENTER LINE	RCP	REINFORCED CONCRETE PIPE
CONC.	CONCRETE	RT.	RIGHT
EC	END OF CURVE	R/W	RIGHT OF WAY
ELEV.	ELEVATION	SD	STORM DRAIN
EVC	END VERTICAL CURVE	SDCB	STORM DRAIN CATCH BASIN
EX.	EXISTING	SDG	STANDARD DESIGN GUIDE
FG	FINISHED GRADE	SS	SANITARY SEWER
FL	FLOW LINE	STA.	STATION
FS	FINISHED SURFACE	TC	TOP OF CURB
GB	GRADE BREAK	TS	TRAFFIC SIGNAL
LT.	LEFT	TYP	TYPICAL
MIN,	MINIMUM	WM	WATER METER
EPB	PULLBOX	TR	TELEPHONE RISER
IE	INVERT ELEVATION	RIM	FINISHED GRADE AT MANHOLE COVER

DISCIPLINE CODE

AC (DESIGN)

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OLD OTAY MESA ROAD	2 LANE COLLECTOR ST.	25	30	2,490	72

CTB (AS-BUILT)

AC (AS-BUILT)

CTB (DESIGN)

13"

SHEET INDEX

DESCRIPTION	SHEET
COVER SHEET	1
NOTES	2
DEMOLITION PLANS	3
CROSS SECTIONS	4
IMPROVEMENT PLANS	5-11
GRADING, PAVING AND DRAINAGE PLANS	12-18
STORM DRAIN DETAILS	19
RIGHT-OF-WAY ACQUISITION	20
SOIL NAIL WALLS	21-31
REINFORCED CONCRETE CRIB WALLS	32-37
STRIPING AND LIGHTING PLAN	38-39
RE-VEGETATION PLANS	40-47
EROSION AND SEDIMENT CONTROL PLANS	48-54
TRAFFIC CONTROL PLANS	T1-T5
PHASING PLANS	T6-T10

GRADING NOTES

1. GRADING AS SHOWN ON THESE PLANS SHALL BE IN CONFORMANCE WITH CURRENT STANDARD SPECIFICATIONS AND CHAPTER 14, ARTICLE 2, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE.

2. PLANT AND IRRIGATE ALL CUT AND FILL SLOPES AS REQUIRED BY ARTICLE 2, DIVISION 4, SECTION 142.0411 OF THE SAN DIEGO LAND DEVELOPMENT CODE AND ACCORDING TO SECTION IV OR THE LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS.

3. GRADED, DISTURBED, OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED, COVERED BY STRUCTURE, OR PLANTED FOR A PERIOD OVER 90 DAYS SHALL BE TEMPORARILY RE-VEGETATED WITH A NON-IRRIGATED HYDROSEED MIX, GROUND COVER, OR EQUIVALENT MATERIAL.

CAUTION: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

GRADING QUANTITIES

ROADWAY SLOPE EXCAVATION: 10,000 CY IMPORT STRUCTURAL BACKFILL: 50,000 CY

NOTE: EARTHWORK QUANTITIES DO NOT REFLECT ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT AND ARE FOR REFERENCE ONLY. SINCE THE ENGINEER CANNOT CONTROL THE EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES.

THIS PROJECT PROPOSES EXPORT OF 4000 CUBIC YARDS OF MATERIAL FROM THE PROJECT SITE. ALL EXPORT MATERIAL SHALL BE DISCHARGED INTO A LEGAL DISPOSAL SITE. THE APPROVAL OF THIS PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT.

STORM WATER PROTECTION NOTES

1. THIS PROJECT IS SUBJECT TO MUNICIPAL STORM WATER PERMIT ORDER NO. R9-2007-0001; AND RISK LEVEL/TYPE: CHECK ONE BELOW

□ WPCP □ CGP RISK LEVEL 1 CGP LUP TYPE 1 GP LUP TYPE 2 CGP RISK LEVEL 2 CGP RISK LEVEL 3

2. THE CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS NOTED IN THE WHITE BOOK 2012, SECTION 701. THIS PROJECT REQUIRES TO DEVELOP AND IMPLEMENT A "STORM WATER POLLUTION PREVENTION PLAN" (SWPPP)

PROPOSED IMPROVEMENTS MPROVEMENT	STANDARD DWGS.	SYMBOL
IGHT-OF-WAY		——————————————————————————————————————
URB AND GUTTER TYPE H	SDG-151, G-10	·
AWCUT LINE	SDG-156	
RIND EXISTING PAVEMENT MINIMUM 5" AND OVERLAY 4.5" MIN TO ROPOSED GRADE	320 130	
C PAVEMENT SCHEDULE "J"	SDG-113 (5" AC/13 CTB)	500000
RIVEWAY	SDG-159	
URB OUTLET	D-25	
ONTOUR	7-51	340-
RAINAGE DITCH(TYPE B OR D)	SDD-106	⇒ ⇒
TORM DRAIN	SDD-110	
UTURE WATER MAIN	100	w
YPE A STORM DRAIN CLEANOUT	D-9	w_
URB INLET (TYPE B)	SDD-116	
ONCRETE ENERGY DISSIPATOR		
ETAINING WALL	SDD-105 CALTRANS C7A & C7B	لنا
IDEWALK	SDG-155	** 4.4
LOPE		YY
AYLIGHT LINE	-V1V2W111W-14M110	
UARD RAIL	CALTRANS A77A2	
HPA BOUNDARY		
URVEY MONUMENT	M-10	
URB RAMP TYPE "B"	SDG-130, SDG-132	
VINYL COATED CL FENCE	SDM-112	- x
XISTING IMPROVEMENTS		SYMBO
XISTING SEWER		

C-2

PLANS FOR THE CONSTRUCTION OF OLD OTAY MESA ROAD NOTES

NASLAND ENGINEERING CIVIL ENGINEERING • SURVEYING • LAND PLANNING 4740 Ruffner Street, San Diego, California, 92111 •858-292-7770

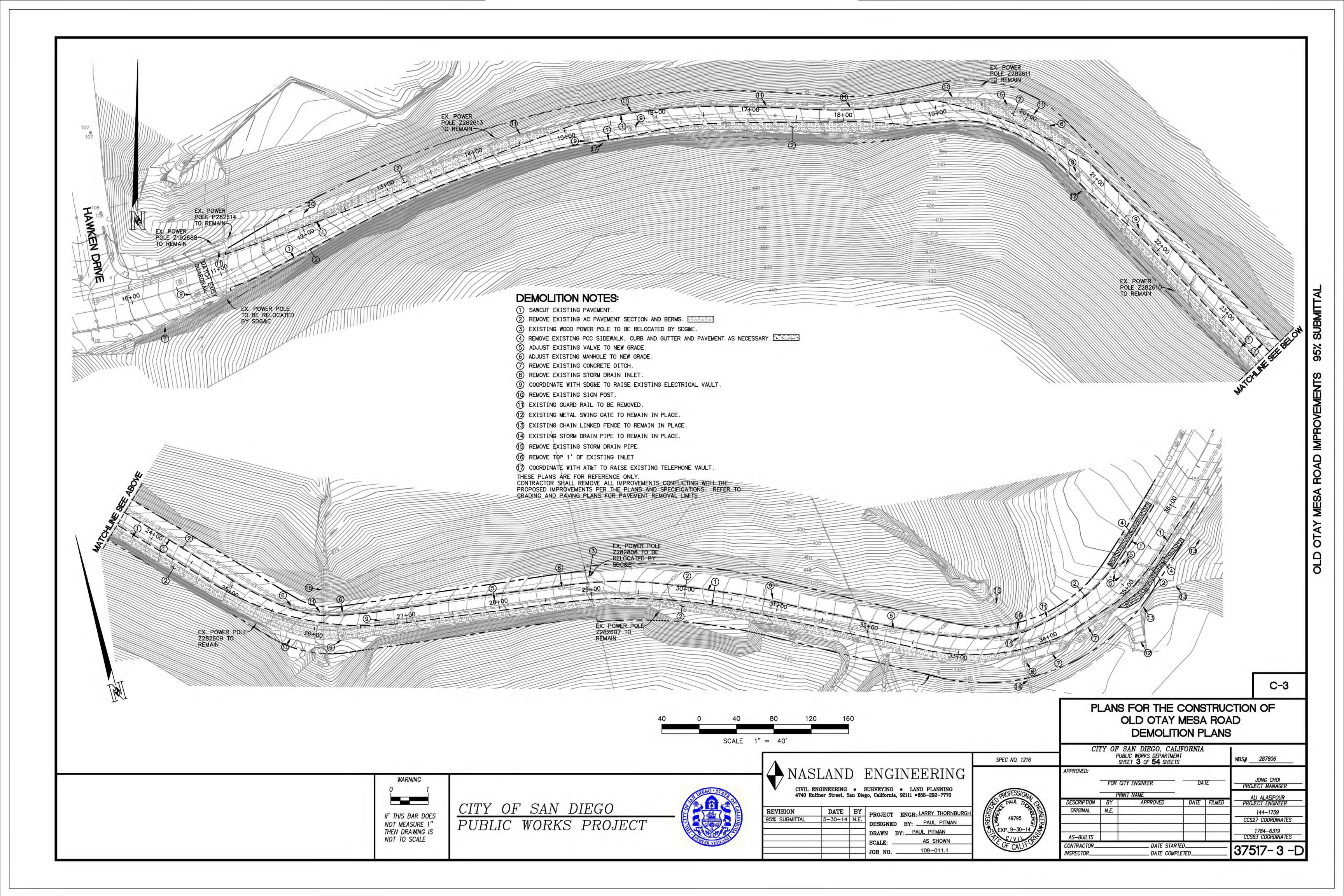
ISION	DATE	BY	PROJECT ENGR: LARRY THORNBURGH	
SUBMITTAL	5-30-14	N.E.	DESIGNED BY: PAUL PITMAN	
			DRAWN BY: PAUL PITMAN SCALE: AS SHOWN	
			JOB NO. 109-011.1	

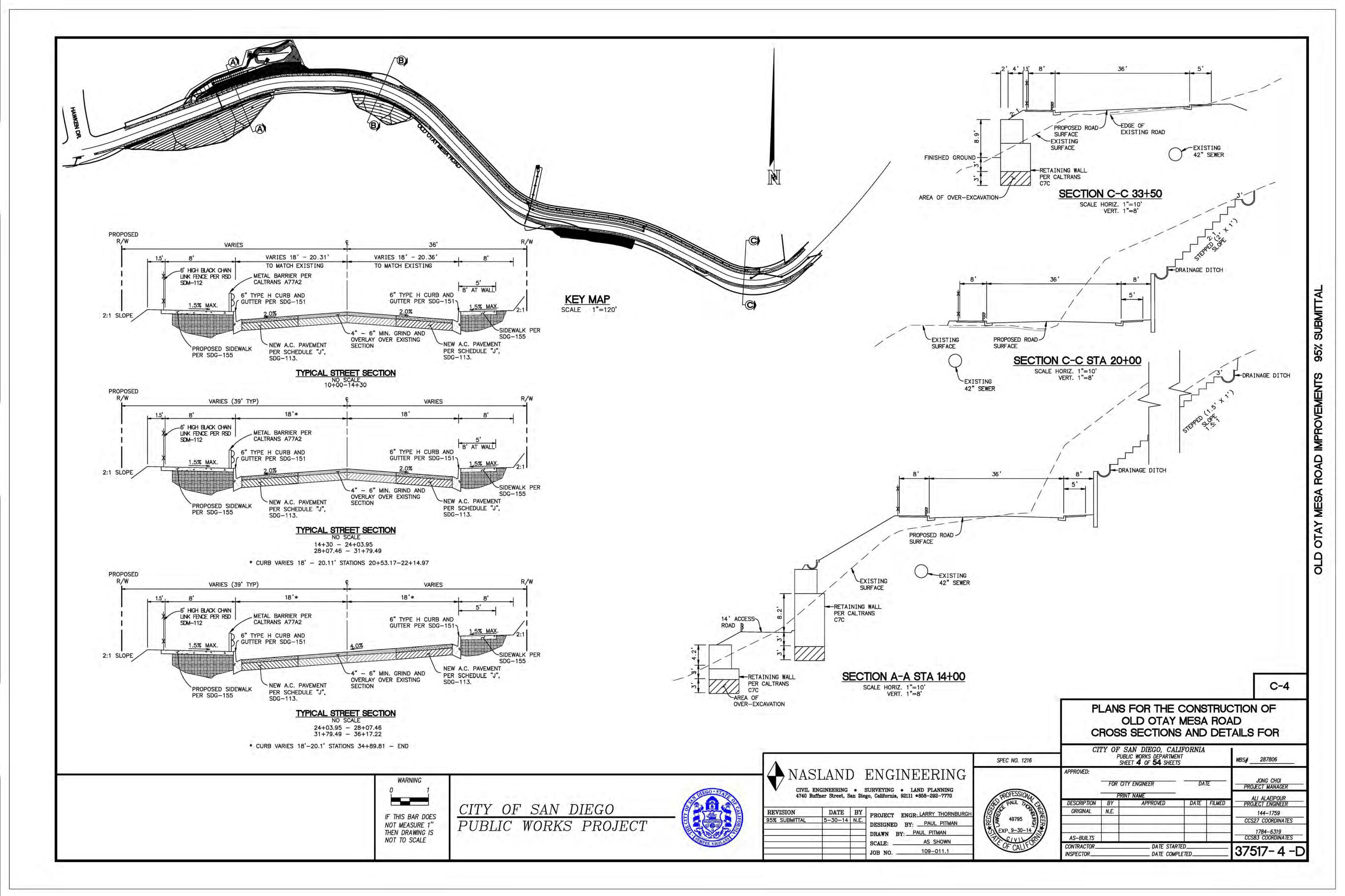
SPEC NO. 1216

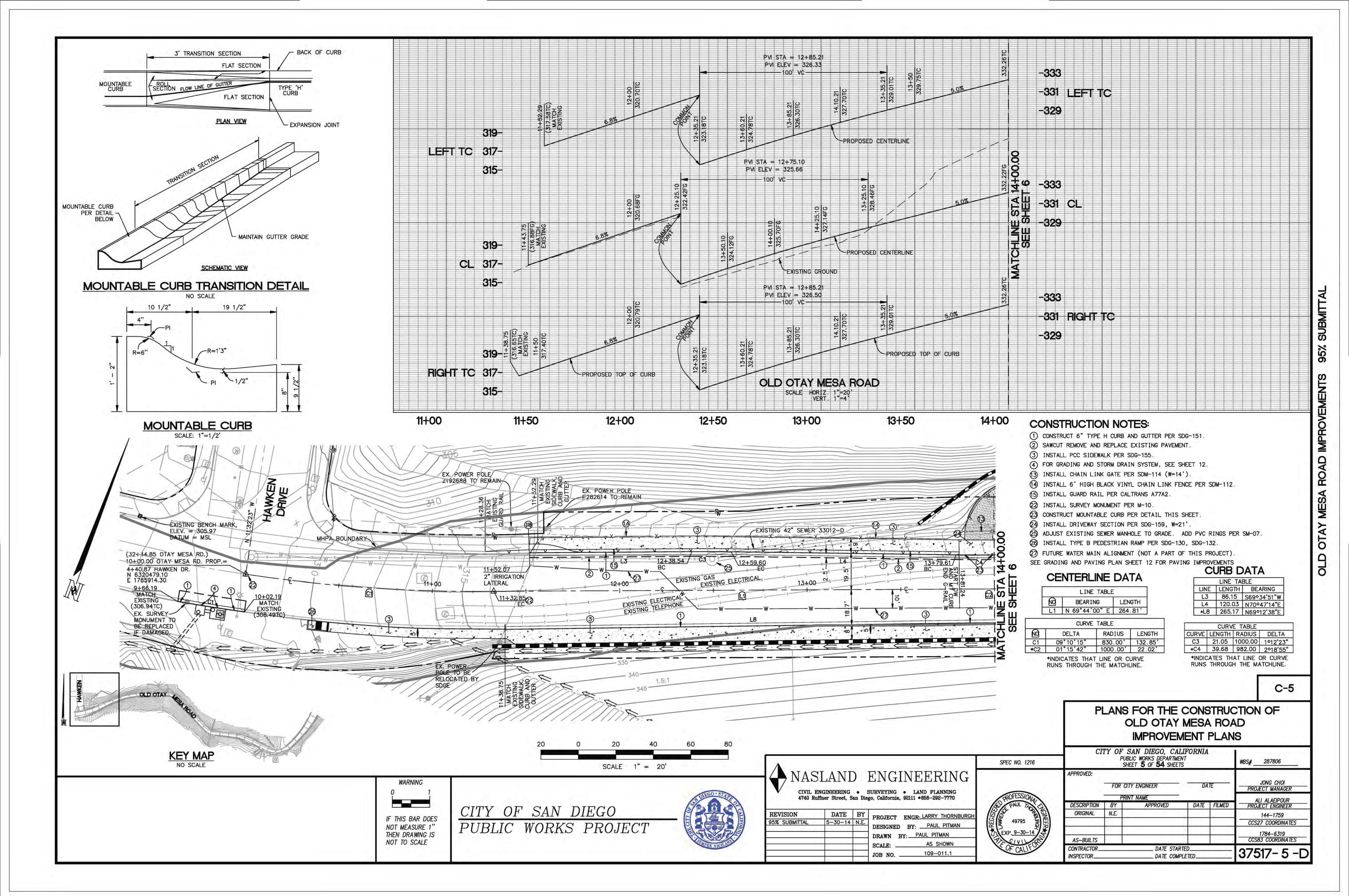
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ORIGINAL	N.E.		T THE		144-1759
					CCS27 COORDINATES
					1784-6319
AS-BUILTS					CCS83 COORDINATES
CONTRACTOR INSPECTOR		37517-2-D			

WARNING IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

CITY OF SAN DIEGO PUBLIC WORKS PROJECT









JONG CHOI PROJECT MANAGER

ALI ALAEIPOUR PROJECT ENGINEER

144-1759

CCS27 COORDINATES

1784–6319 CCS83 COORDINATES

37517-12-D

DATE FILMED

_ DATE STARTED_

_ DATE COMPLETED_

FOR CITY ENGINEER

PRINT NAME

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DESCRIPTION BY

ORIGINAL

AS-BUILTS

CONTRACTOR_

INSPECTOR_

CIVIL ENGINEERING • SURVEYING • LAND PLANNING 4740 Ruffner Street, San Diego, California, 92111 •858-292-7770

5-30-14 N.E.

REVISION

95% SUBMITTAL

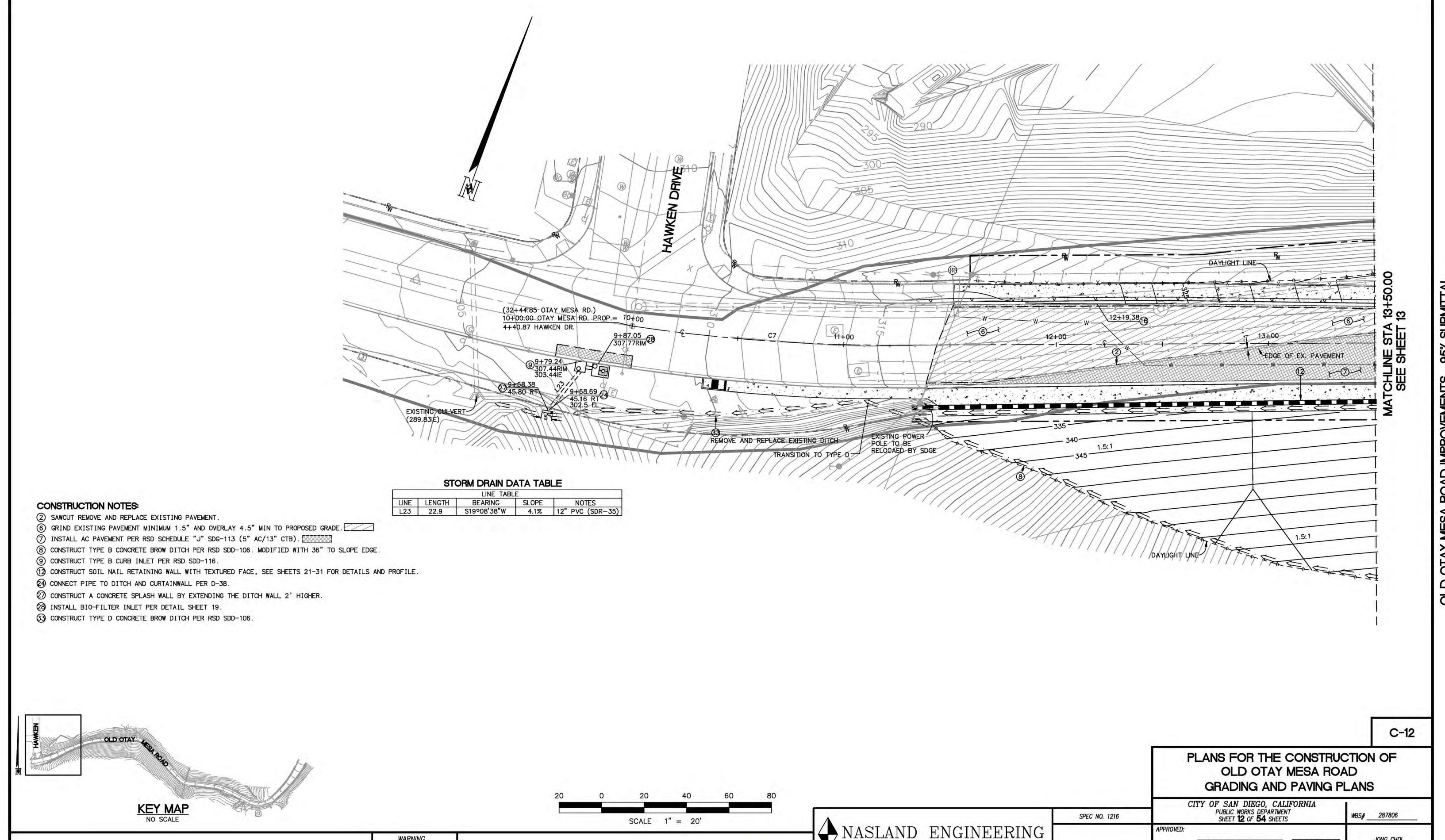
DATE BY PROJECT ENGR: LARRY THORNBURGE

JOB NO. -

DESIGNED BY: PAUL PITMAN

109-011.1

DRAWN BY: PAUL PITMAN



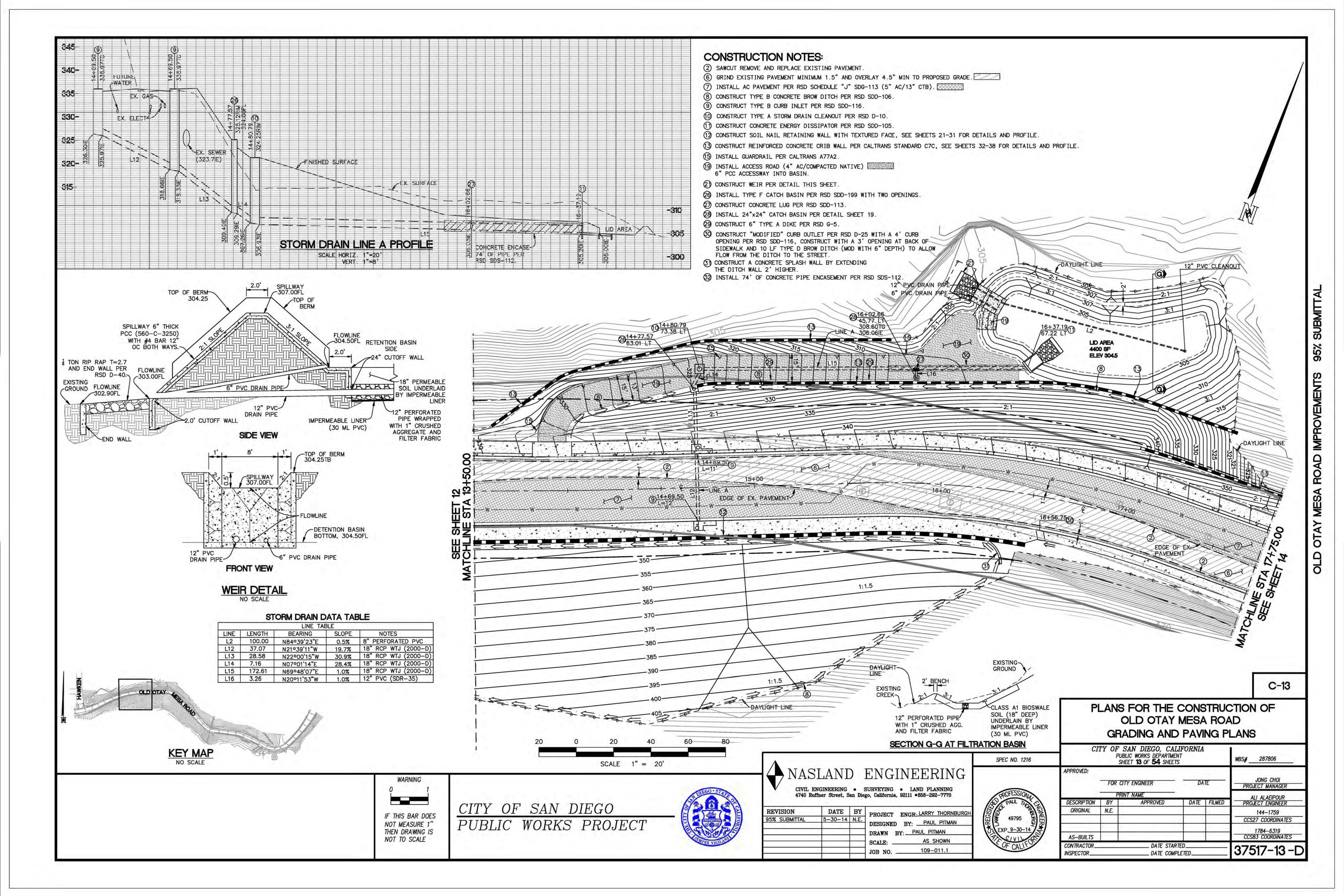
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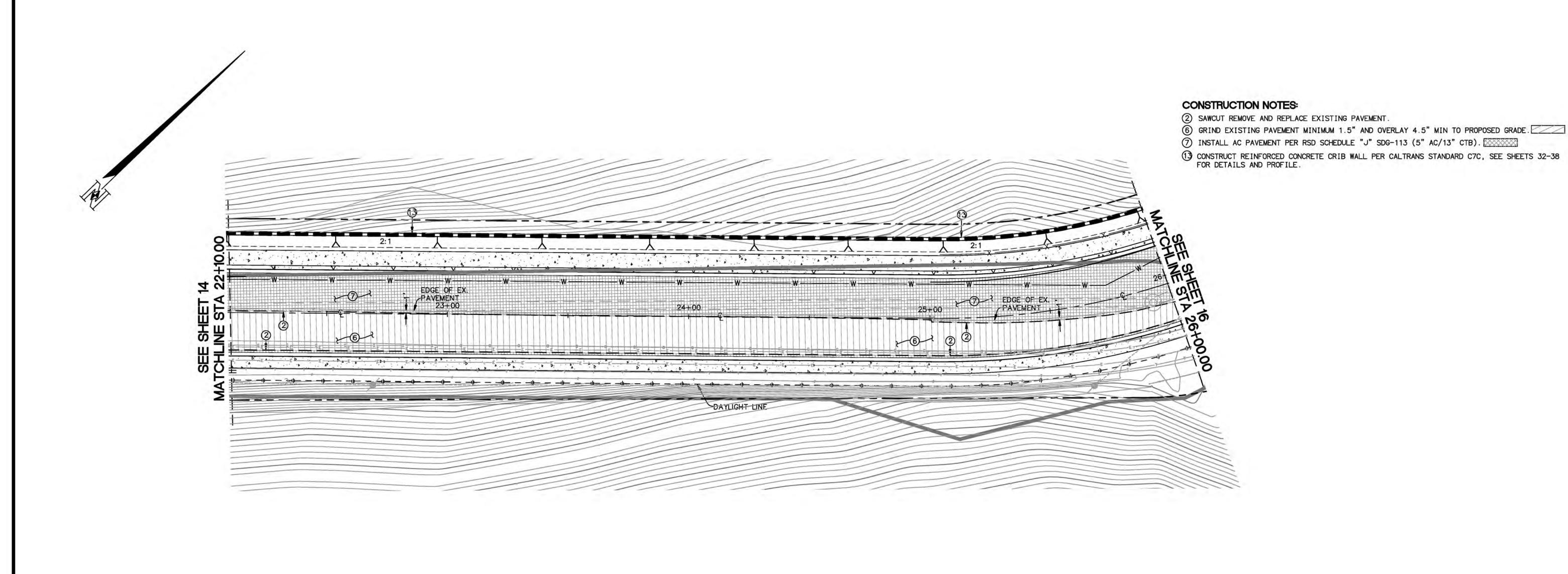
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CITY OF SAN DIEGO

PUBLIC WORKS PROJECT





C-15

PLANS FOR THE CONSTRUCTION OF OLD OTAY MESA ROAD GRADING AND PAVING PLANS

CITY OF SAN DIEGO, CALIFORNIA PUBLIC WORKS DEPARTMENT SHEET **15** OF **54** SHEETS

CONTRACTOR_ INSPECTOR___

SPEC NO. 1216

WBS# ____287806 APPROVED: JONG CHOI PROJECT MANAGER ALI ALAEIPOUR PROJECT ENGINEER ORIGINAL 144–1759 CCS27 COORDINATES 1784–6319 CCS83 COORDINATES AS-BUILTS

___ DATE STARTED___ __ DATE COMPLETED_

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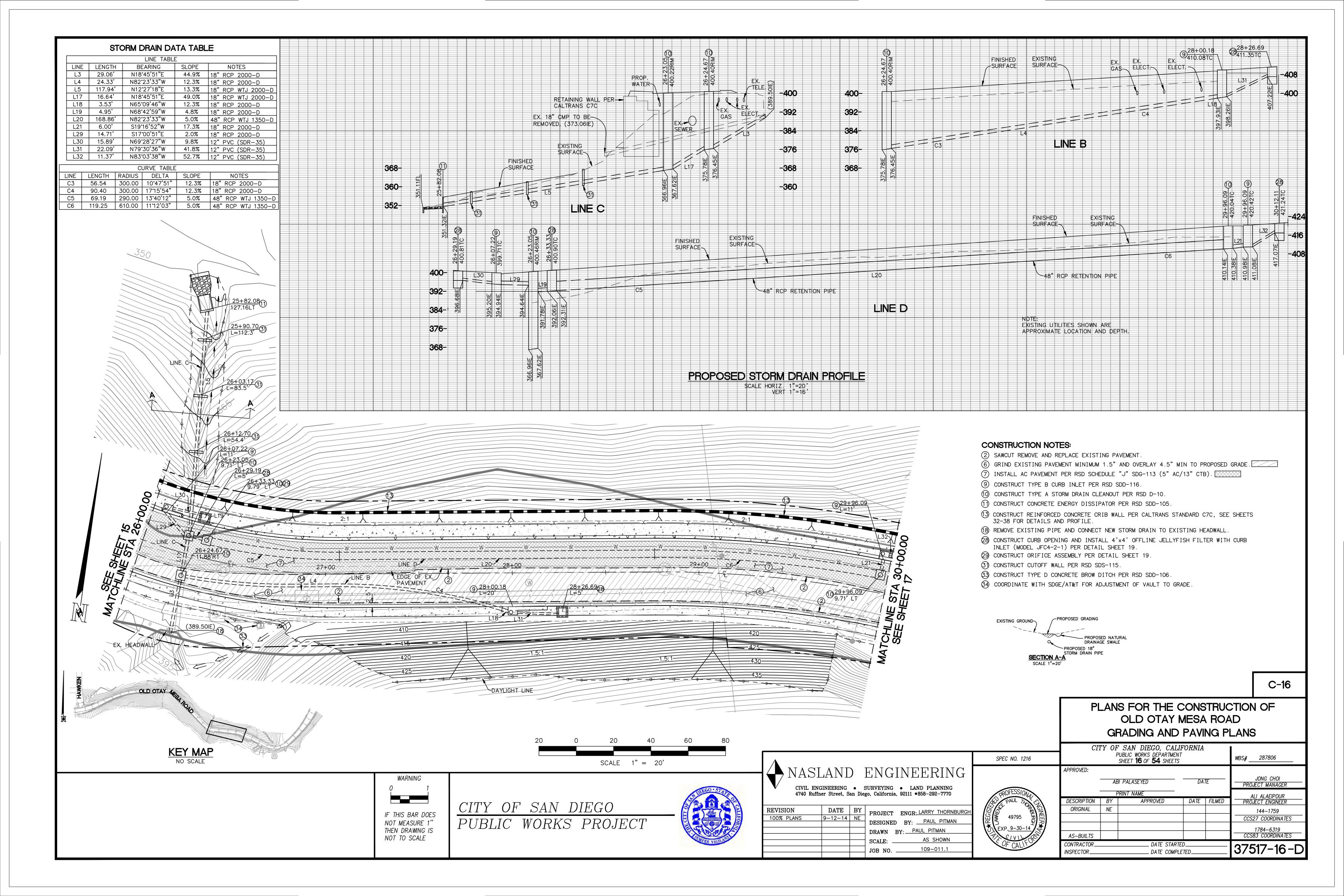
KEY MAP NO SCALE

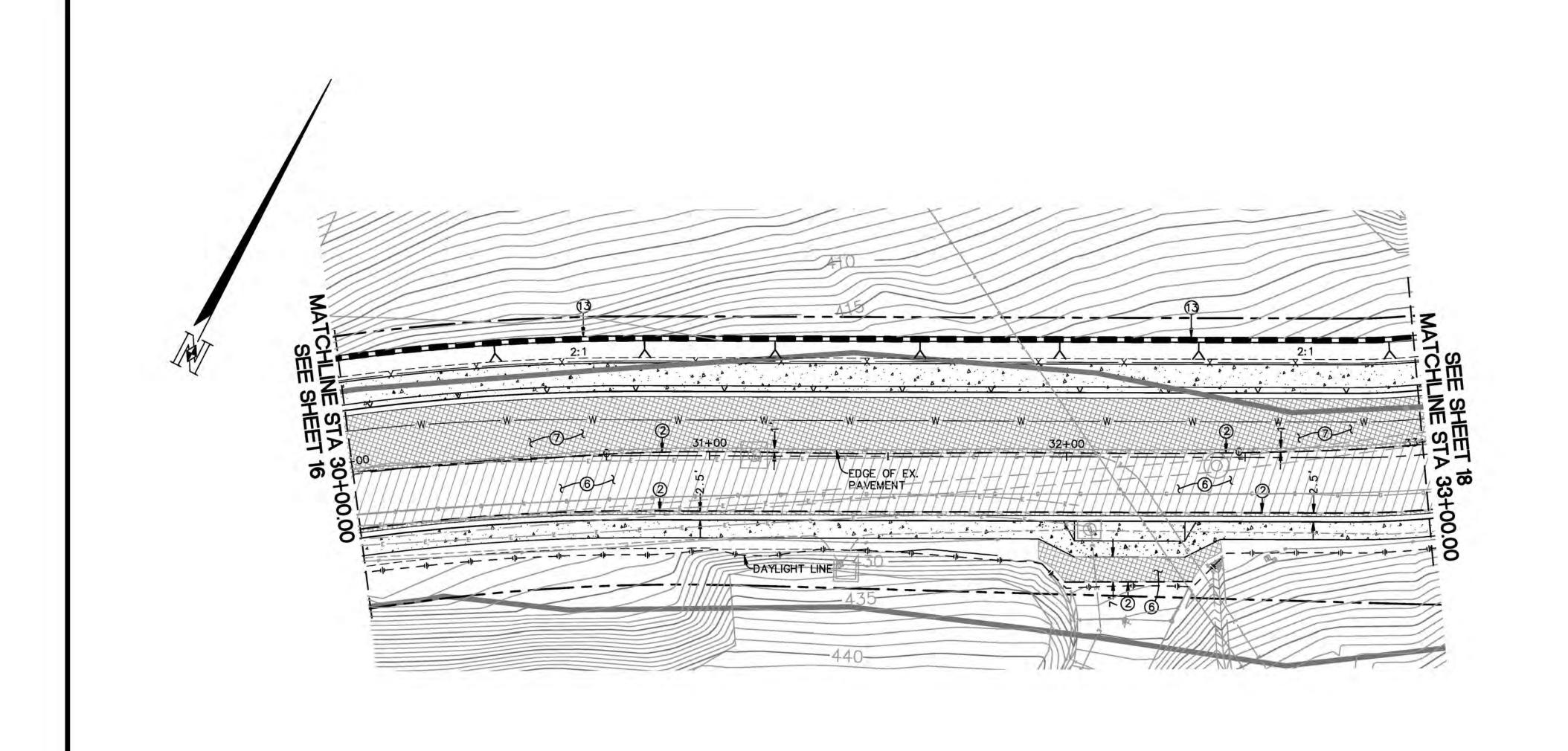
CITY OF SAN DIEGO PUBLIC WORKS PROJECT NASLAND ENGINEERING CIVIL ENGINEERING • SURVEYING • LAND PLANNING

REVISION	DATE	BY	PROJECT ENGR: LARRY THORNE	UR
95% SUBMITTAL	5-30-14	N.E.	DESIGNED BY: PAUL PITMAN	
		Y .	DRAWN BY: PAUL PITMAN	
			SCALE: AS SHOWN	
			JOB NO. 109-011.1	

SCALE 1" = 20'

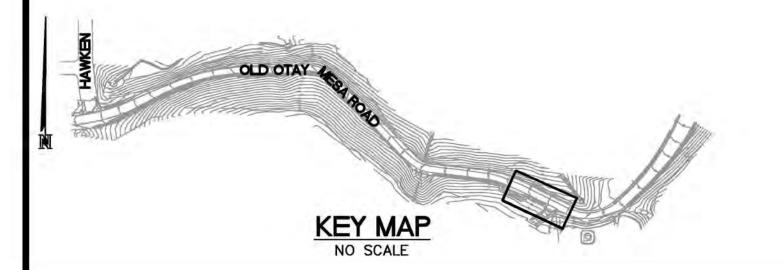
4740 Rt	iffner Street, S	an Die	go, California, S	92111 •858-292-7770
REVISION	DATE	BY	PROTECT	ENGR: LARRY THORN
95% SUBMITTAL	5-30-14	N.E.	Caracas de Section	BY: PAUL PITMA
				: PAUL PITMAN
			SCALE:	AS SHOWN
			TOP NO	109-011.1





CONSTRUCTION NOTES:

- 2 SAWCUT REMOVE AND REPLACE EXISTING PAVEMENT.
- 6 GRIND EXISTING PAVEMENT MINIMUM 1.5" AND OVERLAY 4.5" MIN TO PROPOSED GRADE.
- 7 INSTALL AC PAVEMENT PER RSD SCHEDULE "J" SDG-113 (5" AC/13" CTB).
- 3 CONSTRUCT REINFORCED CONCRETE CRIB WALL PER CALTRANS STANDARD C7C, SEE SHEETS 32-38 FOR DETAILS AND PROFILE.



20 0 20 40 60 80 SCALE 1" = 20'

WARNING

0 1

IF THIS BAR DOES

NOT MEASURE 1"
THEN DRAWING IS

NOT TO SCALE

CITY OF SAN DIEGO
PUBLIC WORKS PROJECT



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REVISION	DATE	BY	PROJECT ENGR: LARRY THORNBURGH
95% SUBMITTAL	5-30-14	N.E.	DESIGNED BY: PAUL PITMAN
			DRAWN BY: PAUL PITMAN
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APPROFESSIONAL DESCRIPTION OF SALES OF

SPEC NO. 1216

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AS-BUILTS					1784–6319 CCS83 COORDINATES
CONTRACTOR INSPECTOR	37517-17-				

PLANS FOR THE CONSTRUCTION OF

OLD OTAY MESA ROAD

C-17

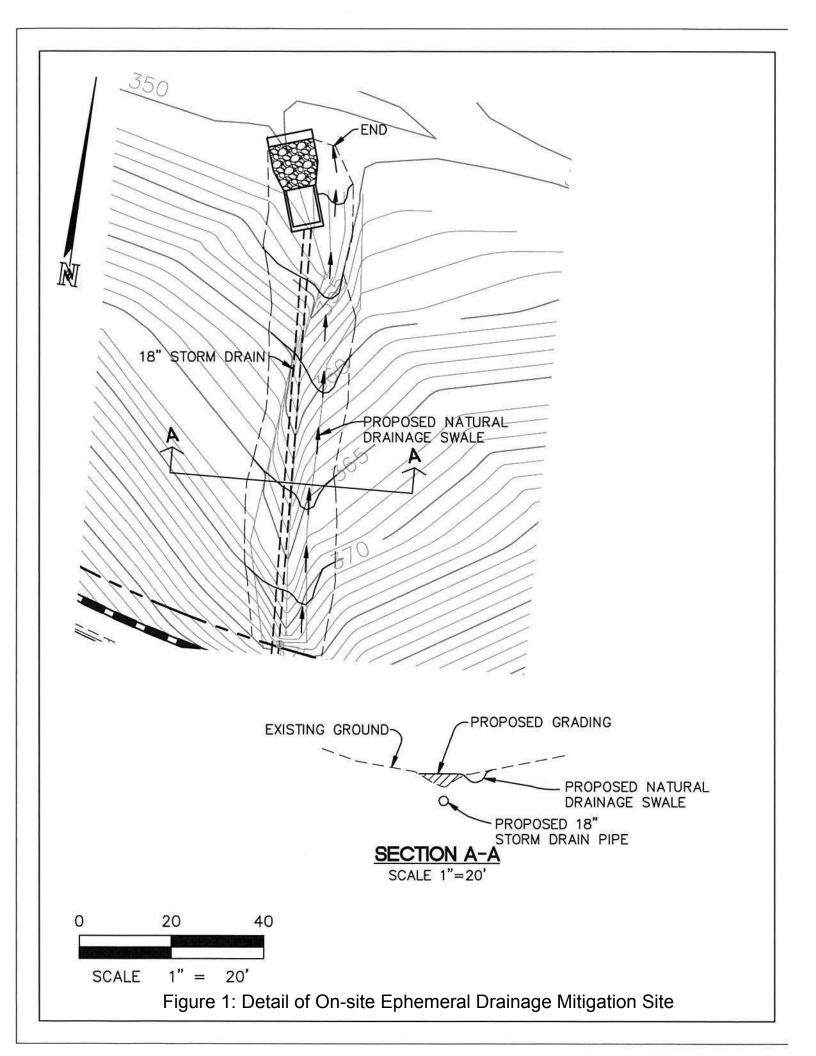
City of San Diego Old Otay Mesa Road Improvements Project Certification No. R9-2014-0115

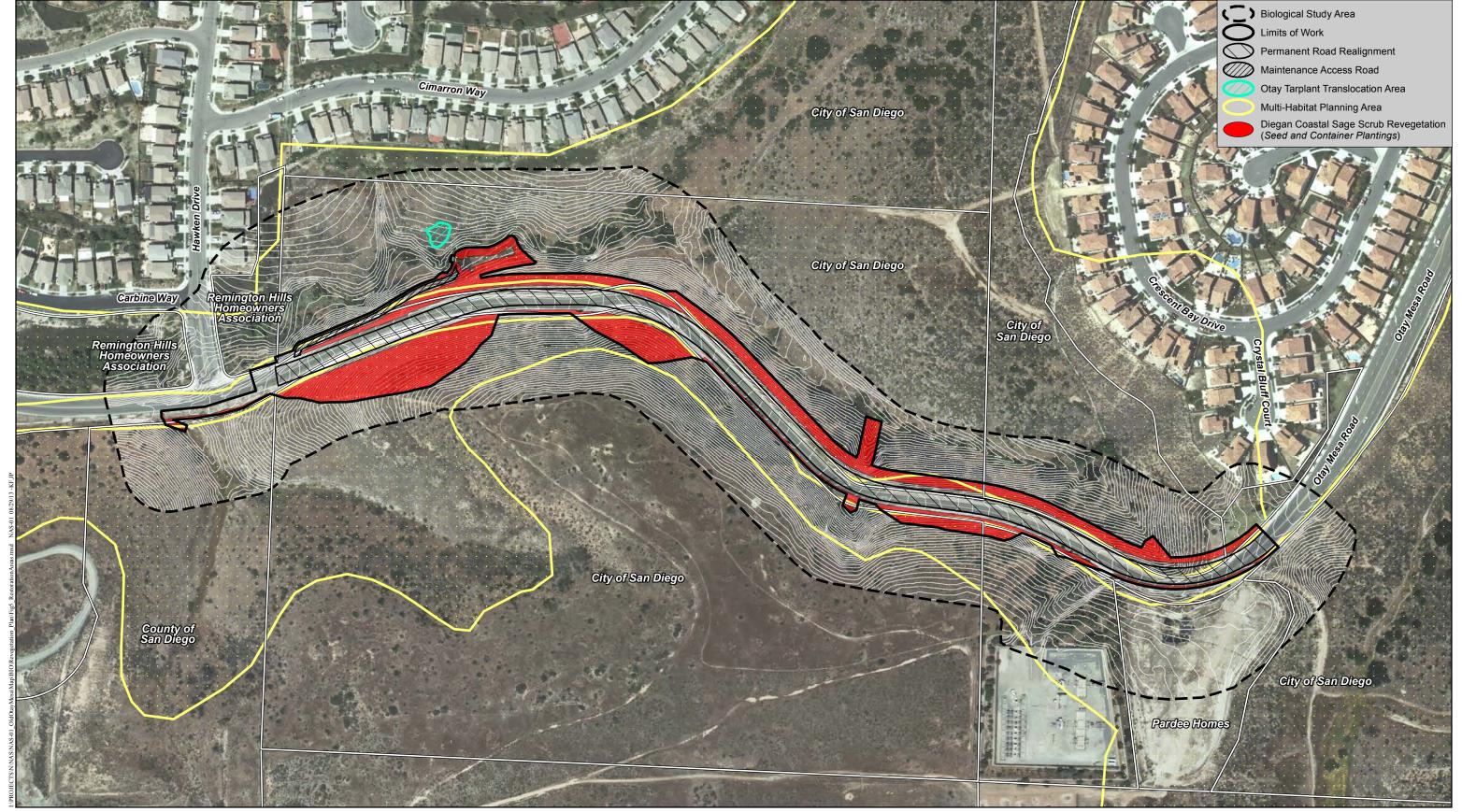
ATTACHMENT 4 MITIGATION FIGURES

Figure 1: Detail of On-site Ephemeral Drainage

Figure 5: Diegan Coastal Sage Scrub Revegetation

Sheets L-Title through L-7 - Revegetation Plans





Diegan Coastal Sage Scrub Revegetation

OLD OTAY MESA ROAD IMPROVEMENTS



GENERAL REVEGETATION NOTES:

- 1. REVEGETATION OF THE PROJECT AREA SHALL BE IN ACCORDANCE WITH THE "OLD OTAY MESA ROAD IMPROVEMENT PROJECT REVEGETATION PLAN" (RP) PREPARED BY HELIX ENVIRONMENTAL NOVEMBER 27, 2013 AND LATEST EDITION OF THE CITY OF SAN DIEGO LANDSCAPE STANDARDS AND CITY SPECIFICATIONS UNDER THE DIRECTION OF THE RESIDENT ENGINEER (RE) AND PROJECT BIOLOGIST.
- 2. THE UPPER EIGHT—INCHES OF TOPSOIL FROM THE SITE SHALL BE SALVAGED, IF SOIL IS REMOVED, AND/OR AS DIRECTED BY THE RE AND PROJECT BIOLOGIST. PROJECT BIOLOGIST SHALL ENSURE THAT SOIL WILL BE STOCKPILED WITHIN THE LIMITS OF THE PROJECT, NO MORE THAN THREE FEET HIGH WHEN POSSIBLE. BMPS, SILT FENCING, AND/OR COVER SHALL BE INSTALLED AROUND THE STOCKPILE TO PREVENT EROSION AND AS A BARRIER TO PRECLUDE ANY UNAUTHORIZED ACCESS, OR AS RECOMMENDED BY THE PROJECT BIOLOGIST.
- 3. PRIOR TO REVEGETATION AND/OR PLANT INSTALLATION, THE PROJECT BIOLOGIST SHALL PROVIDE WRITTEN RECOMMENDATIONS TO THE RE AS TO THE SALVAGED SOIL RELOCATION, RE-COMPACTION (EG. MAX 75 PERCENT WITHIN TOP 8 INCHES), AND/OR PREPARATION FOR REVEGETATION PURPOSES TO BE DONE BY THE CONTRACTOR. IF TOPSOIL CANNOT BE SALVAGED, CLEAN AND WEEDFREE CLASS" A" TOPSOIL WILL BE PROVIDED AND INSTALLED BY CONTRACTOR.
- 4. SEED MIX AND/OR CONTAINER STOCK USED FOR EROSION CONTROL AND ON SLOPES SHALL ACHIEVE 100 PERCENT (OR AS APPROVED BY THE PROJECT BIOLOGIST AND CITY REPRESENTATIVE BASED ON SITE CONDITIONS IF LESSER % COVERAGE) SOIL COVERAGE WITHIN 25 MONTHS OF BEING INSTALLED AFTER THE 120 DAY PLANT ESTABLISHMENT PERIOD (PEP). AT THE END OF YEAR 1, PLANT COVERAGE SHALL MEET 50 PERCENT COVERAGE, AS VERIFIED BY THE PROJECT BIOLOGIST (TARLE 1)
- 5. REVEGETATION OF MANUFACTURED SLOPES AND OTHER DISTURBED AREAS ADJACENT TO AREAS OF NATIVE VEGETATION SHALL BE ACCOMPLISHED IN A MANNER SO AS TO PROVIDE VISUAL AND HORTICULTURAL COMPATIBILITY WITH THE INDIGENOUS NATIVE PLANT MATERIALS.
- 6. INVASIVE PLANT SPECIES INCLUDING BUT NOT LIMITED TO THOSE LISTED IN THE CITY'S LANDSCAPE STANDARDS ARE PROHIBITED AND SHALL BE ERADICATED AND REMOVED BY CONTRACTOR AND NATIVE PLANT SPECIES SHALL BE USED IN NATURALIZED AREAS. ANY HERBICIDE APPLICATION SHALL BE PERFORMED BY A PESTICIDE APPLICATOR POSSESSING A CA QUALIFIED APPLICATORS CERTIFICATION (QAC) WITH A WRITTEN RECOMMENDATION BY A CALIFORNIA LICENSE PESTICIDE ADVISOR.
- 7. REVEGETATION AND EROSION CONTROL TIMING ALL REQUIRED REVEGETATION AND EROSION CONTROL SHALL BE COMPLETED WITHIN 30 CALENDAR DAYS OF THE COMPLETION OF GRADING OR DISTURBANCE IN ORDER TO START THE 120 DAY PEP, OR AS RECOMMENDED BY THE RE AND THE PROJECT BIOLOGIST.
- 8. ALL SLOPES 3:1 OR GREATER SHALL REQUIRE BIODEGRADABLE EROSION CONTROL BLANKET OR OTHER SLOPE PROTECTION METHODS PROVIDED BY CONTRACTOR AS RECOMMENDED BY THE PROJECT BIOLOGIST PRIOR TO THE INSTALLATION OF THE REVEGETATION, OR IN THE EVENT OF SLOPE OR RESTORATION FAILURE. ALL MULCH GROUNDCOVER USED SHALL BE CREATED FROM ONSITE VEGETATION, IF FEASIBLE AND SHALL BE CLEAN, FREE FROM WEEDS, SEEDS, AND DEBRIS AS CERTIFIED BY THE SUPPLER, AS APPLICABLE.
- 9. CONTRACTOR SHALL CORRECT ALL SOIL EROSION, AND SHALL REPAIR AND/OR REPLACE ALL ABOVE GROUND EROSION CONTROL BMPS DAMAGED DURING THE 120 DAY PEP AND THROUGHOUT THE 25 MONTH MAINTENANCE AND MONITORING PERIOD. ANY ABOVE GRADE EROSION CONTROL MEASURES SUCH AS BUT NOT LIMITED TO SILT FENCING, GRAVEL BAGS, FIBER ROLLS AND/OR HAY BALES SHALL BE REMOVED BY THE CONTRACTOR FOLLOWING ACCEPTANCE OF THE 25 MONTH MAINTENANCE AND MONITORING PERIOD BY RE AND PROJECT BIOLOGIST. ALL HAY/STRAW PRODUCTS SHALL BE UN-DECAYING, CLEAN AND FREE OF WEED SEEDS AND DEBRIS.
- 10. 1:1 REPLACEMENT OF CONTAINER PLANTS (IN KIND) SHALL BE MONITORED AND MAINTAINED FOR A PERIOD OF NO LESS THAN 90 DAYS TO ENSURE SUCCESSFUL ESTABLISHMENT OF PLANTINGS PER CONTRACT SPECIFICATIONS.
- 11. ORANGE CONSTRUCTION FENCE SHALL BE INSTALLED AND MAINTAINED BY CONTRACTOR AT THE INSTALLATION OF ALL REVEGETATION PLANT MATERIALS THROUGH THE 120 DAY PEP, AND UNTIL THE END OF THE 25 MONTH MAINTENANCE AND MONITORING PERIOD. FOLLOWING ACCEPTANCE OF THE 25 MONTH MAINTENANCE AND MONITORING PERIOD BY THE CITY REPRESENTATIVE AND PROJECT BIOLOGIST THE CONTRACTOR SHALL REMOVE ALL ORANGE FENCING.
- 12. CONTRACTOR SHALL REMOVE ALL TRASH AND/OR DEBRIS FROM THE REVEGETATION SITE PRIOR TO AND FOLLOWING THE REVEGETATION INSTALLATION, AND UNTIL THE END OF THE 25 MONTH MAINTENANCE AND MONITORING PERIOD. CONTRACTOR SHALL REMOVE ALL TEMPORARY IRRIGATION LINES AND APPURTENANCES FOLLOWING ACCEPTANCE OF REVEGETATION BY THE RE AND CITY REPRESENTATIVE.

TEMPORARY IRRIGATION

- 1. UNDER THE DIRECTION OF THE RE AND PROJECT BIOLOGIST, TEMPORARY IRRIGATION WILL BE APPLIED AS FOLLOWS:
- 2. HYDROSEED AND/OR CONTAINER PLANTS SHALL BE PLANTED BETWEEN OCTOBER 1 AND FEBRUARY 15 DURING RAINY SEASON. PROJECT BIOLOGIST SHALL RECOMMEND TEMPORARY IRRIGATION MEASURES AS NEEDED. CONTRACTOR SHALL PROPOSE METHODS OF IRRIGATION AND SHALL PROVIDE IRRIGATION LINES AND APPURTENANCES TO FUNCTION AUTOMATICALLY.
- 3. HYDROSEED AND/OR CONTAINER PLANTS PLANTED FEBRUARY 15 OCTOBER 1 SHALL REQUIRE A COMPREHENSIVE IRRIGATION PLAN AND APPROVAL BY CITY REPRESENTATIVE AND PROJECT BIOLOGIST. CONTRACTOR SHALL PREPARE AND SUBMIT THE PLAN TO THE RE FOR APPROVAL. CONTRACTOR SHALL PROVIDE ALL IRRIGATION LINES AND APPURTENANCE TO FUNCTION AUTOMATICALLY AND IN ACCORDANCE WITH THE PLAN AND MAKE ANY ADJUSTMENTS NECESSARY TO MEET THE SUCCESS CRITERIA PER PROJECT BIOLOGIST RECOMMENDATIONS.
- 4. TEMPORARY IRRIGATION VIA IRRIGATION LINES AND APPURTENANCES (OR ALTERNATE METHOD APPROVED BY RE AND PROJECT BIOLOGIST) SHALL BE PROVIDED BY THE CONTRACTOR FOR A PERIOD SUFFICIENT TO ESTABLISH PLANT MATERIAL AND TO PROVIDE VEGETATIVE COVER THAT PREVENTS SOIL EROSION. THE AMOUNT OF IRRIGATION MUST BE ADJUSTED WHEN WARRANTED BY SITE CONDITIONS. PROJECT BIOLOGIST AND LANDSCAPE CONTRACTOR SHALL MONITOR TO DETERMINE SUCCESS AND ADDED REQUIREMENT FOR TEMPORARY IRRIGATION.
- 5. IRRIGATION SHALL BE PREFORMED IN A MANNER THAT AVOIDS RUNOFF, SEEPAGE, AND OVERSPRAY ONTO ADJACENT PROPERTIES, NON-IRRIGATED AREAS, WALLS, ROADWAYS, OR STRUCTURES.
- 6. THE WATER DELIVERY RATE SHALL BE MATCHED TO THE SLOPE GRADIENT AND THE PERCOLATION RATE OF THE SOIL.
- 7. IRRIGATION SHALL DELIVER WATER SUFFICIENTLY AND UNIFORMLY AND SHALL BE APPROPRIATE TO THE NEEDS OF THE PLANT MATERIALS. RECOMMENDED REFERENCE MATERIALS FOR IRRIGATION SYSTEMS DESIGN ARE LISTED IN APPENDIX "A" OF THE CITY'S LANDSCAPE STANDARDS.
- 8. OVERWATERING AS EVIDENCED BY SOGGY SOILS, CONTINUALLY WET PAVEMENT, STANDING WATER, RUNOFF IN STREET GUTTERS AND OTHER SIMILAR CONDITIONS SHALL BE MANAGED AND PREVENTED.
- 9. IF THE PROJECT BIOLOGIST RECOMMENDS AN ALTERNATIVE IRRIGATION METHOD SUCH AS TRUCK WATERING, ALL VEHICLES SHALL STAY ON THE PERMANENT ACCESS ROUTES AND SHALL NOT IRRIGATE BEYOND THE REVEGETATION BOUNDARY.

SEED MIXES:

- 1. THE SEED MIX IN TABLES IDENTIFIED SHALL BE APPLIED IN ALL NON HARDSCAPED AREAS DISTURBED BY THE PROJECT.

 THE SEED SHALL BE INSTALLED VIA HYDROSEED METHODS, UNLESS OTHERWISE DIRECTED BY THE PROJECT BIOLOGIST.

 SEED APPLIED BETWEEN NOVEMBER MARCH SHALL BE COVERED BY CONTRACTOR WITH SUITABLE BIODEGRADABLE COVER AS APPROVED BY THE PROJECT BIOLOGIST.
- 2. ALL SEEDS SHALL MEET THE MINIMUM %PURE LIVE SEED AS NOTED IN TABLES. IF MINIMUM % PURE LIVE SEED COUNT CANNOT BE MET CONTRACTOR TO COORDINATE AND OBTAIN WRITTEN APPROVAL FROM THE PROJECT BIOLOGIST FOR ALTERNATIVE COMPLIANCE.
- 3. ALL SEEDS SHALL ORIGINATE FROM WITHIN THE PROJECT VICINITY (EG. 10 MILES RADIUS) OF THE PROJECT SITE OR CONTRACTOR TO PROVIDE EVIDENCE THAT THE SEED IS NOT AVAILABLE AND NOTIFY THE CITY REPRESENTATIVE AND THE PROJECT BIOLOGIST FOR ALTERNATIVE COMPLIANCE. CONTRACTOR SHALL RETAIN AND SUBMIT ALL SEED TAGS FOR SEED PRODUCTS TO BE USED TO THE RE AND PROJECT BIOLOGIST PRIOR TO APPLICATION.

HYDROSEEDING PROCEDURES:

- 1. SEEDING SHALL OCCUR ONLY AFTER THE PROJECT BIOLOGIST HAS OBSERVED AND APPROVED. THAT THE SITE HAS BEEN PROPERLY PREPARED.
- 2. ONLY AS DIRECTED BY THE RE AND PROJECT BIOLOGIST TYPE 9 MULCH (WOOD FIBER) OR BONDED FIBER MATRIX (BFM) SHALL BE APPLIED AT THE MINIMUM RATE OF 1,500 POUNDS PER ACRE; HYDROPOST PREMIUM COMPOST, OR EQUAL, SHALL BE APPLIED AT THE MINIMUM RATE OF 1,000 POUNDS PER ACRE; BIOSOL MIX 7-2-3 ORGANIC FERTILIZER, OR EQUAL, SHALL BE APPLIED AT THE MINIMUM RATE OF 800 POUNDS PER ACRE; AM 120 MYCORRHIZAL INOCULUM, OR EQUAL, SHALL BE APPLIED AT THE MINIMUM RATE OF 60 POUNDS PER ACRE.
- 3. TYPE 9 MULCH (WOOD FIBER) OR BFM AND HYDROPOST COMPOST SHALL BE UNIFORMLY SPREAD AND "TACKED" WITH TYPE 10 MULCH (STABILIZING EMULSION) BINDER AT A MINIMUM RATE OF 150 LBS PER ACRE. THE BINDER SHALL BE AN ORGANIC DERIVATIVE OR PROCESSED ORGANIC ADHESIVE, OR AS DIRECTED BY THE PROJECT BIOLOGIST.
- 4. A WETTING AGENT CONSISTING OF ONE TON PER ACRE AGRICULTURAL GYPSUM (95% ALKYL POLYETHYLENE GLYCOL ETHER OR AS APPROVED BY THE BIOLOGIST) SHALL BE APPLIED AS PER MANUFACTURER'S RECOMMENDATIONS, OR RECOMMENDED BY THE BIOLOGIST.
- 5. EQUIPMENT USED FOR THE APPLICATION OF SLURRY SHALL HAVE A BUILT—IN AGITATION SYSTEM TO SUSPEND AND HOMOGENEOUSLY MIX THE SLURRY, THE SLURRY MIX SHALL BE DYED GREEN. THE EQUIPMENT MUST HAVE A PUMP CAPABLE OF APPLYING SLURRY UNIFORMLY.

CONTAINER PLANT PROCEDURES:

- 1. IN ADDITION TO HYDROSEED IN THE TABLES, CONTRACTOR SHALL SUPPLY AND PLANT UP TO 2000 (1) GALLON CONTAINER PLANTS PER ACRES OF NATIVE PLANTS AS SHOWN IN TYPICALS #1 AND /OR #2 AND ACCESS PATH PLANT TYPES AT THE RECOMMENDATION AND UNDER THE DIRECTION OF THE RE AND PROJECT BIOLOGIST. PROJECT BIOLOGIST SHALL CONSIDER THE 120 PEP, 25 MONTH MAINTENANCE AND MONITORING PERIOD, SUCCESS CRITERIA, IN THE EVENT THAT ADDITIONAL CONTAINER PLANTS ARE RECOMMENDED BY THE BIOLOGIST FOR INSTALLATION.
- 2. CONTAINER PLANTS SHALL BE PROCURED FROM A NURSERY QUALIFIED TO PROPAGATE AND CARE FOR PLANT SPECIES. SOURCE FOR ANY NATIVE CONTAINER PLANT MATERIALS SHALL ORIGINATE WITHIN 25-MILES FROM THE VICINITY WITHIN SAN DIEGO COUNTY TO THE EXTENT PRACTICAL (EG. WITHIN A 25 MILES RADIUS), OR AS APPROVED BY THE RE AND PROJECT BIOLOGIST.
- 3. CONTAINER PLANT MATERIAL MUST BE DELIVERED TO THE PROJECT SITE AT THE APPROPRIATE TIME, IN A HEALTHY AND VIGOROUS CONDITION AND LABELED CLEARLY. THE PROJECT BIOLOGIST WILL REJECT PLANT MATERIAL DELIVERED PRIOR TO ITS PLANTING DATE. SPECIMENS SHOWING EVIDENCE OF DISEASE, MISHANDLING, DEFECTS OR DAMAGE, OVER OR UNDERWATERING, OR OTHER DEFICIENCY AT THE TIME OF DELIVERY WILL BE REJECTED.
- 4. CONTAINER PLANTS WILL BE PLACED BY THE CONTRACTOR FOR REVIEW AND APPROVAL BY THE PROJECT BIOLOGIST IN THE REVEGETATION AREAS. THE SUGGESTED CONTAINER PLANT INSTALLATION PROCEDURE SHALL BE AS DIRECTED BY THE RE AND PROJECT BIOLOGIST.

MAINTENANCE REQUIREMENTS

- 1. REVEGETATION AREA SHALL BE MAINTAINED FOR A PERIOD OF NOT LESS THAN 25 MONTHS (TABLE 2) OR AS DETERMINED BY THE RE AND PROJECT BIOLOGIST. ALL REVEGETATED AREAS SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL FINAL APPROVAL BY THE CITY. THE MAINTENANCE PERIOD BEGINS ON THE FIRST DAY FOLLOWING ACCEPTANCE (AT END OF 120 DAY PEP) AND MAY BE EXTENDED AT THE DETERMINATION OF THE CITY REPRESENTATIVE AND RE.
- 2. PRIOR TO FINAL APPROVAL, THE CITY REPRESENTATIVE MAY REQUIRE CORRECTIVE ACTION INCLUDING BUT NOT LIMITED TO WEED ERADICATION AND APPROVAL, REPLANTING, THE PROVISION OR MODIFICATION OR IRRIGATION SYSTEMS, AND THE REPAIR OF ANY SOIL EROSION OR SLOPE SLIPPAGE, IN CONSULTATION WITH THE PROJECT BIOLOGIST.
- 3. THE 120 DAY PEP FOLLOWS HYDROSEED APPLICATION. THE PEP AND START OF 25 MONTHS MAINTENANCE AS WELL AS ACCEPTANCE FOLLOWING THE MAINTENANCE PERIOD IS DETERMINED BY CITY REPRESENTATIVE IN CONSULTATION WITH PROJECT BIOLOGIST.
- 4. WEEDING, HERBICIDE, AND/OR PESTICIDE APPLICATION SHALL BE DONE REGULARLY BY CONTRACTOR. WEEDING SHALL BE DONE AT A MINIMUM OF BIWEEKLY UNTIL THE END OF THE 120 DAY PEP, AND MONTHLY THROUGHOUT THE 25 MONTHS OF MAINTENANCE. WEEDS SHALL BE PROPERLY DISPOSED OF OFFSITE. CONTRACTOR SHALL OBTAIN APPROVAL FROM CITY REPRESENTATIVE AND PROJECT BIOLOGIST PRIOR TO HERBICIDE/PESTICIDE APPLICATION, AND SHALL APPLY HERBICIDE/PESTICIDE PER MANUFACTURER'S RECOMMENDATION AND ANY STATE OF CALIFORNIA GUIDELINES. CONTRACTOR MUST POSSESS A VALID STATE PESTICIDE AND/OR HERBICIDE LICENSE AT ALL TIMES.
- 5. CONTRACTOR SHALL CONTROL WEEDS AS IDENTIFIED BY THE PROJECT BIOLOGIST SUCH THAT NO WEED COVER EXCEEDS 5% OF THE PROJECT SITE, BEFORE THEY EXCEED TWELVE INCHES (12°) IN HEIGHT, AND BEFORE THEY SET SEED. AREAS WHERE WEEDING CREATES IN EXCESS OF 25 SQUARE FEET OF BARE SOIL SHALL BE REPLANTED AND MAINTAINED BY CONTRACTOR.
- 6. IN AREAS WHERE NON-NATIVE GRASSLANDS (NNG) HAVE BEEN DISTURBED, ALL COVERAGE REQUIREMENTS CAN BE ACHIEVED BY ESTABLISHMENT OF NATIVE OR NON-NATIVE GRASSES OR FORBS THAT 1) ARE NOT LISTED IN THE CITY OF SAN DIEGO LANDSCAPE GUIDELINES AS INVASIVE PLANT SPECIES AND 2) ARE NOT RATED BY THE CALIFORNIA INVASIVE PLANT COUNCIL (CAL-IPC) AS HIGHLY INVASIVE.
- 7. ALL PRECONSTRUCTION MEETINGS, INSPECTIONS, PROGRESS MEETINGS, AND ANY APPROVALS SHALL INCLUDE THE PARK AND RECREATION DEPARTMENT, OPEN SPACE DIVISION.

PARAMETER	PERCENT VEG	ETATION COVER	PLANT SURVI	VAL
	HYDROSEED		CONTAINER F	PLANTS**
PERFORMANCE STANDARD - IMPACT AREA	YEAR 1: 25 MONTHS :	50 PERCENT 100 PERCENT	YEAR 1: 25 MONTHS:	100 PERCENT 80 PERCENT
PERFORMANCE STANDARD - ACCESS PATH	YEAR 1: 25 MONTHS :	50 PERCENT 100 PERCENT	YEAR 1: 25 MONTHS:	100 PERCENT 80 PERCENT

- * SEE GENERAL REVEGETATION NOTE #4 IF LOWER PERCENT APPROVED BY PROJECT BIOLOGIST. AT THE END OF YEAR 1, PLANT COVERAGE OF HYDROSEED AND CONTAINER PLANTS COMBINED SHALL MEET 50% COVERAGE.
- ** CONTAINER PLANTS NOT MEETING PLANT SURVIVAL SUCCESS CRITERIA, AS VERIFIED AND RECOMMENDED BY THE PROJECT BIOLOGIST, SHALL BE REPLACED AND MAINTAINED AT CONTRACTOR'S EXPENSE UNTIL THE SUCCESS CRITERIA HAS BEEN

PERIOD	ACTIVITY FOR PROJECT BIOLOGIST/CONTRACTOR	BIOLOGIST SITE VISIT FREQUENCY	SUBMITTALS/ CHECKLIST	REPORTING FREQUENCY
REVEGETATION INSTALLLATION	PROJECT BIOLOGIST WILL BE RESPONSIBLE FOR MONITORING/ LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE.	AS NEEDED OR AT LEAST ONCE EVERY TWO WEEKS.	REPORTS PREPARED BY THE BIOLOGIST (BASED ON THE REVEGETATION PLAN CRITERIA)	AT SUCCESSFUL INSTALLATION (AS DETERMINED BY THE PROJECT BIOLOGIST)
120 DAY PEP	PROJECT BIOLOGIST WILL BE RESPONSIBLE FOR MONITORING/ LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR MAINTENANCE.	MONTHS 1 &2- BIWEEKLY, MONTHS 3 & 4- AT LEAST ONCE A MONTH	REPORTS PREPARED BY THE BIOLOGIST (BASED ON THE REVEGETATION PLAN CRITERIA)	AT THE END OF PEP**
25-MONTH LONG TERM MAINTENANCE & MONITORING	PROJECT BIOLOGIST WILL BE RESPONSIBLE FOR MONITORING/ LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR MAINTENANCE.	EVERY 3 MONTHS	REPORTS PREPARED BY THE BIOLOGIST (BASED ON THE REVEGETATION PLAN CRITERIA)	EVERY 3 MONTHS FOR THE FIRST 9 MONTHS YEAR 1** 25 MONTHS**

NOTE: IF 25 MONTH SUCCESS CRITERIA ARE NOT MET, THE M&M PROGRAM WILL BE EXTENDED AS REQUIRED. QUARTERLY MAINTENANCE AND MONITORING WITH YEARLY REPORTING SHALL CONTINUE AS NEEDED.

** PEP, 1 YEAR AND 25 MONTH FINAL REPORT (S) REQUIRED TO INCLUDE ABOVE INFORMATION.

L-TITLE

PLANS FOR THE CONSTRUCTION OF OLD OTAY MESA ROAD REVEGETATION PLANS

CITY OF SAN DIEGO, CALIFORNIA

NASLAND ENGINEERING

CIVIL ENGINEERING • SURVEYING • LAND PLANNING
4740 Ruffner Street, San Diego, California, 92111 •858-292-7770

REVISION	DATE	BY	PROJECT ENGR: LARRY THORNBUR
5% SUBMITTAL	5-30-14	N.E.	DESIGNED BY: PAUL PITMAN
			DRAWN BY: PAUL PITMAN SCALE: AS SHOWN
			JOB NO. 109-011.1



SPEC NO. 1216

PUBLIC WORKS DEPARTMENT WBS# 287806 SHEET 40 OF 54 SHEETS APPROVED: JONG CHOI PROJECT MANAGER FOR CITY ENGINEER PRINT NAME ALI ALAEIPOUR PROJECT ENGINEER DESCRIPTION BY APPROVED DATE | FILMED ORIGINAL N.E. 144-1759 CCS27 COORDINATES CCS83 COORDINATES AS-BUILTS CONTRACTOR. _ DATE STARTED_ 37517-40-D DATE COMPLETED_ INSPECTOR_

WARNING

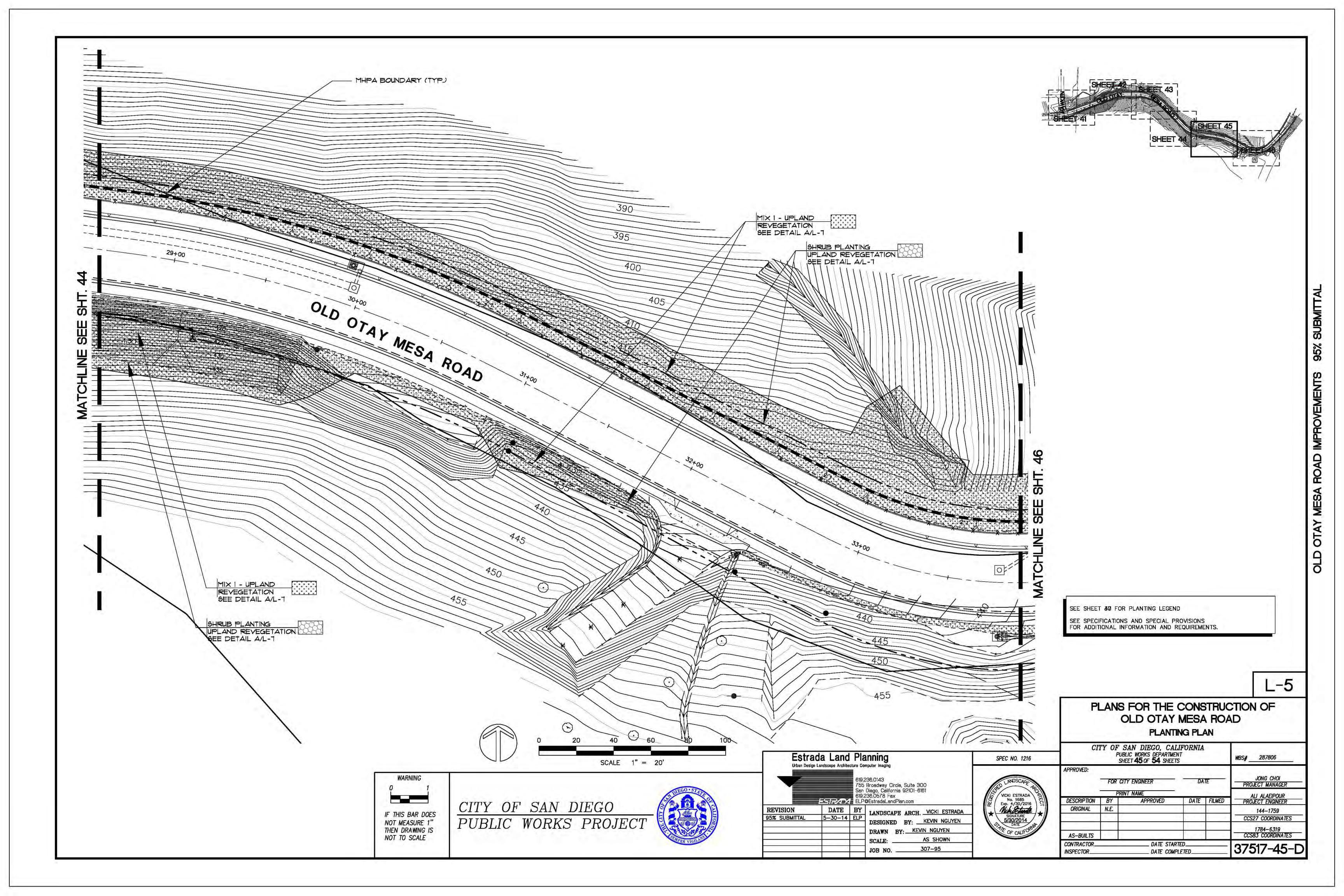
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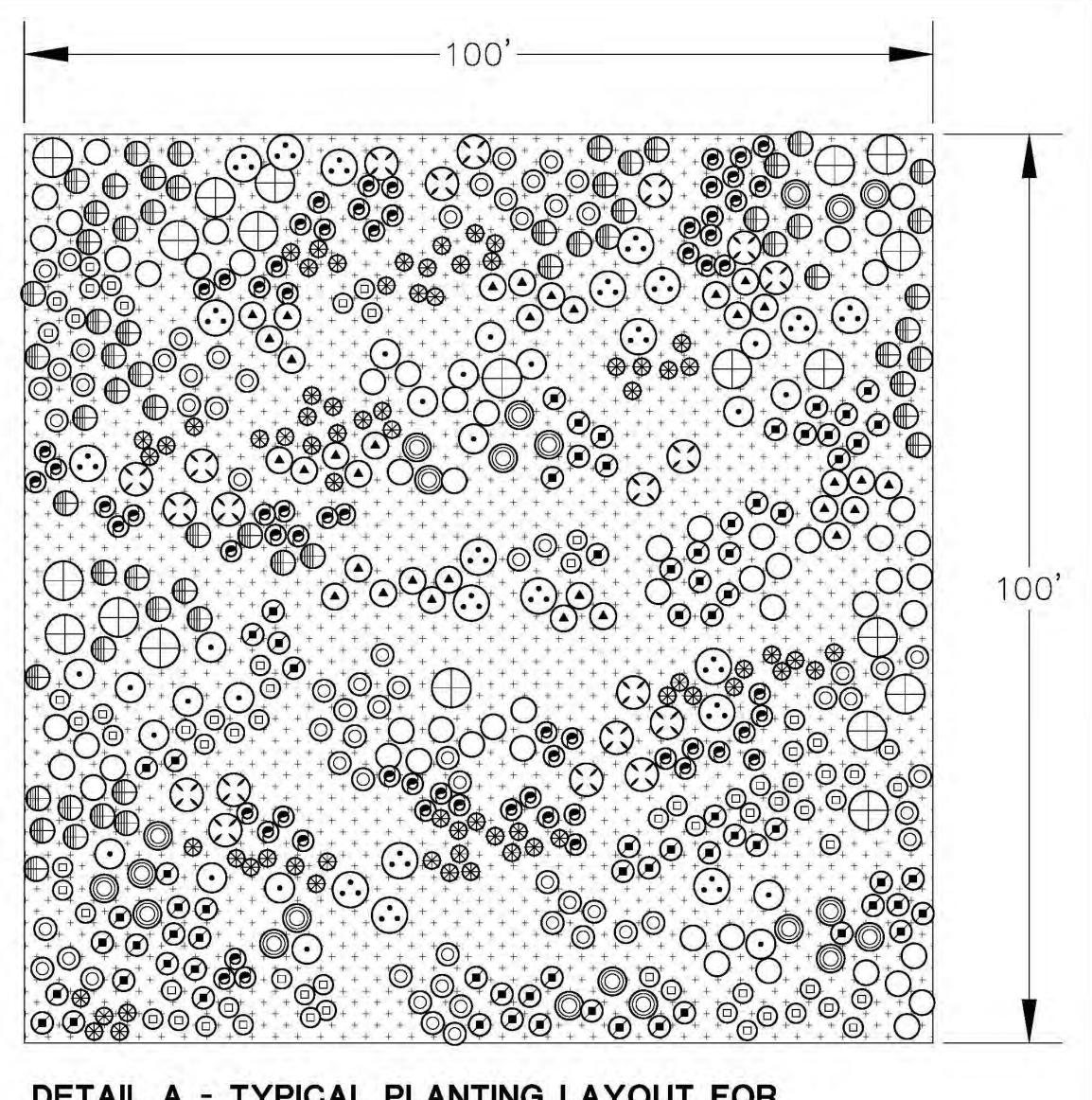
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CITY OF SAN DIEGO
PUBLIC WORKS PROJECT



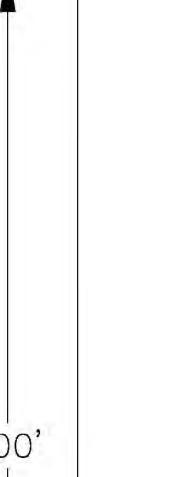
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DETAIL A - TYPICAL PLANTING LAYOUT FOR SHRUB PLANTING UPLAND REVEGETATION AREA

PERMANENT EROSION CONTROL NOTES

- CONTRACTOR SHALL BE RESPONSIBLE FOR BEING FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES, CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COSTS INCURRED DUE TO DAMAGE OF SAID UTILITIES.
- 2. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH PERMANENT EROSION CONTROL HYDROSEEDING WHEN IT IS OBVIOUS THAT GRADING OPERATIONS HAVE NOT BEEN COMPLETED OR SITE OBSTRUCTIONS EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE RESIDENT ENGINEER THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
- 3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH OTHER SUBCONTRACTORS AND RESIDENT ENGINEER AS REQUIRED TO ACCOMPLISH THE PERMANENT HYDROSEED INSTALLATION FOR THIS PROJECT.
- 4. SEE LANDSCAPE SPECIFICATIONS FOR PREPARATION OF SLOPES, GRADING REQUIREMENTS, AND TEMPORARY EROSION CONTROL IMPROVEMENTS, AND HYDROSEED/ PERMANENT EROSION CONTROL REQUIREMENTS, MATERIALS, EXECUTION AND MAINTENANCE.
- 5. ALL HYDROSEEDING MATERIALS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT OR RESIDENT ENGINEER UPON DELIVERY TO THE SITE, AND PRIOR TO INSTALLATION.
- 6. IF DISCREPANCIES ARISE BETWEEN ACTUAL SLOPE AREA SIZES IN THE FIELD AND THOSE SHOWN ON THE PLANS, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT OR RESIDENT ENGINEER FOR RESOLUTION PRIOR TO BEGINNING WORK, FAILURE TO MAKE SUCH CONFLICTS KNOWN WILL RESULT IN CONTRACTOR'S LIABILITY FOR MATERIALS RELOCATION.





BOTANICAL NAME	COMMON NAME	LBS/ ACRE	PURITY/ GERMINATION	% LIVE SEED	TOTAL LBS
ACMISPON GLABER	DEERWEED	0.5	95/80	85	1.7
CRYPTANTHA MURICATA	POPCORN FLOWER	3	15/50	10	10.0
DEINANDRA FASCICULATA	FASCICLED TARWEED	3	20/80	20	10.0
ENCELIA CALIFORNICA	CALIFORNIA ENCELIA	5	40/60	25	16.5
ERIOGONUM FASCICULATUM	CALIFORNIA BUCKWHEAT	5	50/20	10	16.5
ERIOPHYLLUM CONFERTIFLORUM	GOLDEN YARROW	3	30/70	25	10.0
PLANTAGO ERECTA	DWARF PLANTAIN	5	90/80	85	16.5
SALVIA APIANA	WHITE SAGE	3	TØ/3Ø	25	10.0
SALVIA MELLIFERA	BLACK SAGE	3	70/50	40	10.0
STIPA LEPIDA	FOOTHILL NEEDLEGRASS	6	90/60	65	20.0
				TOTAL	104.7

SHRUB PLANTING - UPLAND REVEGETATION AREA

SYMBOL	BOTANICAL NAME	COMMON NAME	NUMBER PER ACRE	SPACING ON CENTER (FEET)	TOTAL LBS
	ATRIPLEX CANESCENS ATRIPLEX POLYCARPA ARTEMISSIA CALIFORNICA BAHIOPSIS LACINIATA HETEROMELES ARBUTIFOLIA ENCELIA CALIFORNICA ERIOGONUM FASCILULATUM ISOMERIS ARBOREA MALOSMA LAURINA	FOUR-WING SALTBUSH MANY-FRUIT SALTBUSH CALIFORNIA SAGEBRUSH SAN DIEGO SUNFLOWER TOYON CALIFORNIA ENCELIA CALIFORNIA BUCKWHEAT BLADDERPOD LAUREL SUMAC	30 30 100 114 30 100 100 100 30	8 8 5 5 6 5 6 70	99 99 330 376 99 330 330 99
© 	RHUS INTEGRIFOLIA SALVIA APIANA SALVIA MELLIFERA SIMMONDSIA CHINENSIS	LEMONADEBERRY WHITE SAGE BLACK SAGE JOJOBA	30 114 114 50	6 TO 10 5 5	99 376 376 165
				TOTAL	3,108

MIX 2 - BIOSWALE / DETENTION BASIN SEEDING AREA

SYMBOL	BOTANICAL NAME	COMMON NAME	LBS/ ACRE	PURITY/ GERMINATION	% LIVE SEED	TOTAL LBS
	MUHLENBERGIA RIGENS DESCHAMPSIA DANTHONOIDES GRACILIS LAYMUS TRITICOIDES RIO VULPIA MICROSTACHYS	DEER GRASS ANNUAL HAIRGRASS CREEPING WILDRYE SMALL FESCUE	6.0 2.0 4.0 8.0		**	0.75 0.25 0.50 1.0 1.0
	HORDEUM BRACHYANTHERUM	MEADOW BARLEY	8.0	22		1.0
				*	TOTAL	3.5

AS SHOWN

307-95

SPEC NO. 1216

VICKI ESTRADA

No. 1685
Exp. 4/30/2016

With Stants
SIGNATURE
5/30/2014
DATE
DATE

- CONTRACTOR SHALL FIELD WALK THE SITE WITH THE RESIDENT ENGINEER AND STAKE THE SPECIFIC AREAS TO APPLY HYDROSEEDING. SLOPES SHALL BE REVIEWED PRIOR TO HYDROSEEDING APPLICATION TO CONFIRM COMPLETION OF GRADING OPERATIONS.
- 8. CONTRACTOR SHALL CONFIRM THE AREAS OF ACCESS BY HYDROSEED CREW / EQUIPMENT TO APPLY HYDROSEEDING TO ALL AREAS AS INDICATED ON THE PLANS AND AS DIRECTED BY THE RESIDENT ENGINEER.
- 9. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF PERMANENT EROSION CONTROL APPLICATION, IN PLACE.
- 10. ALL WORK TO BE PERFORMED BY LICENSED (C27) CONTRACTORS AND EXPERIENCED WORKERS.
- 11. ALL MANUFACTURED SLOPE AREAS SHALL BE COVERED WITHIN 30 DAYS OF COMPLETION OF GRADING WITH TEMPORARY EROSION CONTROL MEASURES AS OUTLINED IN THE DRAWINGS AND SPECIFICATIONS, CAPABLE OF CONTROLLING SURFACE SOIL EROSION UNTIL PERMANENT EROSION CONTROL HAS BEEN INSTALLED.
- 12. THE LONG TERM MAINTENANCE FOR THIS PROJECT SHALL BE THE RESPONSIBILITY OF MTS.

Estrada Land Planning Urban Design Landscape Architecture Computer Imaging 755 Broadway Circle, Suite 300 San Diego, California 92101-6161 619.236.0578 Fax ELP@EstradaLandPlan.com REVISION DATE BY LANDSCAPE ARCH. VICKI ESTRADA 95% SUBMITTAL 5-30-14 ELP DESIGNED BY: KEVIN NGUYEN

PLANS FOR THE CONSTRUCTION OF OLD OTAY MESA ROAD PLANTING LEGEND AND NOTES

	CI	PUBL	AN DIEGO, CAI LIC WORKS DEPARTME ET 47 OF 54 SHEET	NT		WBS#287806
1	APPROVED:	7 7 97 - 230	Y ENGINEER T NAME	DATE		JONG CHOI PROJECT MANAGER ALI ALAEIPOUR
3	DESCRIPTION	BY	APPROVED	DATE	FILMED	PROJECT ENGINEER
	ORIGINAL	N.E.				144-1759 CCS27 COORDINATES
	AS-BUILTS					1784-6319 CCS83 COORDINATES
	CONTRACTOR INSPECTOR	DATE STAR DATE COMP			37517-47-D	

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CITY OF SAN DIEGO PUBLIC WORKS PROJECT



City of San Diego Old Otay Mesa Road Improvements Project Certification No. R9-2014-0115

ATTACHMENT 5 CEQA MITIGATION MONITORING AND REPORTING PROGRAM



Advance Planning & Engineering Division (619) 446-5460

FINAL MITIGATED NEGATIVE DECLARATION

Project No. 287806 SCH No. 2014071003

SUBJECT:

Old Otay Mesa Road Improvements: A SITE DEVELOPMENT PERMIT, OPEN SPACE EASEMENT VACATION, and CITY COUNCIL ORDINANCE RESOLUTION (CITY CHARTER SECTION 55) for roadway improvements to a 3.700-foot long section of Otay Mesa Road between Hawken Drive and Crescent Bay Drive. The roadway improvements would include widening and realigning an existing 26-foot wide, two-lane, undivided road to a 36-foot wide modified twolane local collector in accordance with the City of San Diego Street Design Manual; two striped 12-11-foot wide vehicular travel lanes; two 2-foot buffers; two 6 5-foot wide, Class II bicycle lanes; new sidewalks on each side of the roadway with curb and gutter; driveways; pedestrian ramps; street signage; utility relocations and adjustments; crib walls, faux-rock retaining walls, street lights, striping, and a new storm water drainage system. A guardrail and six-foot high, black vinyl-coated, chain-link fencing would be constructed along the sidewalk on the north side of Otay Mesa Road for pedestrian safety. Street lighting would be installed at 300-foot spacing. Disturbed areas would be revegetated with native plant species appropriate to the surrounding areas per the approved revegetation/erosion control plan.

The project is located south of State Route 905 and east of Interstate 805 along a portion of Otay Mesa Road extending east from the intersection of Hawken Drive and Otay Mesa Road and terminating just westerly of Crescent Bay Drive within the Otay Mesa Community Plan area (Council District 8). The project site is zoned AR-1-1 (Agricultural – Residential) and RM-2-4 (Residential – Multiple Unit). All work would occur within the City right-of-way and dedicated City open space. Legal Description: Portion of Government Lot 2, Section 31, Township 18 South, Range 1 West; and Section 36, Township 18 South, Range 2 West, San Bernardino base and meridian, in the County of San Diego, State of California, according to official plat thereof (APNs 645-060-07 and 645-342-56).

UPDATE: 8/28/2014

Revisions and/or minor corrections have been made to this document when compared to the Draft Mitigated Negative Declaration (DMND). Minor additions have been made to the Final Mitigated Negative Declaration (FMND that clarifies the project descripton and includes an additional figure (Figure 11). The revisions are shown in a strikethrough underline format.

In accordance with the California Environmental Quality Act, Section 15073.5 (c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modification does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is identification of new significant environmental impact or the addition of a new mitigation measure required to avoid a significant environmental impact. Modifications within the environmental document do not affect the environmental analysis or conclusions of the FEIR.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): **Biological Resources**, **Land Use (MHPA Land Use Adjacency)**, **Paleontological Resources**, and **Archaeological Resources**. The project as presented now avoids or mitigates the potentially significant environmental effects identified and the preparation of an Environmental Impact Report (EIR) would not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP):

A. GENERAL REQUIREMENTS – PART I

Plan Check Phase (prior to permit issuance)

- 1. Prior to Bid Opening/Bid Award or beginning any construction related activity onsite, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.
- 2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

http://www.sandiego.gov/development-services/industry/standtemp.shtml

- **4**. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
- B. GENERAL REQUIREMENTS PART II
 Post Plan Check (After permit issuance/Prior to start of construction)
 - 1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Biologist, Revegetation Contractor, Archaeologist, Native American Monitor, and Paleontologist.

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call the **RE and MMC at 858-627-3360**
- 2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) No. 287806, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and RE. The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

Note:

Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC <u>BEFORE</u> the work is performed.

3. OTHER AGENCY REQUIREMENTS: Evidence that any other agency requirements or permits have been obtained or are in process shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within

one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

California Department of Fish and Wildlife (CDFW) - Streambed Alteration Permit, Regional Water Quality Control Board (RWQCB) - 401 Water Quality Certificate, and Army Corps of Engineers (ACOE) - preconstruction notification.

- **4. MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.
- **5. OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

Issue Area	Document submittal	Associated Inspection/Approvals/Note
General	Consultant Qualification Letters meeting	Prior to Pre-construction
General	Consultant Const. Monitoring	Prior to or at the Pre-Construction meeting
Biology	Biology Report	Prior to Construction – Limits of Work (Verification – Project Site)
Biology	Otay Tarplant Translocation Plan	Prior to Construction – Otay Tarplant Seed Collection (June /July 2015) and Preservation of San Diego Barrel Cacti On-Site for Translocation (Verification) Prior to Translocation – Limits of Work (Verification – Translocation Site)
Archaeology	Archaeology Reports	Archaeology Observation
Paleontology	Paleontology Reports	Paleontology Observation
Final MMRP		Final MMRP Inspection

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:

A. BIOLOGICAL RESOURCES

- I. <u>Prior to the Notice to Proceed</u>, which will be sent to DSD, the ADD Environmental Designee of the Entitlements Division shall verify that one of the following two conditions have occurred to mitigate direct impacts to 2.2 acres of Tier II habitat (i.e. 1.0 acre of Diegan coastal sage scrub and 1.2 acre of Diegan coastal sage scrublemonadeberry dominated) and 1.9 acres of Tier IIIB habit (i.e. non-native grasslands):
 - a. In order to mitigate for the impacts to uplands the applicant would be required to either:
 - 1) Purchase mitigation credits for 2.2 acres of Tier II habitat to satisfy the 1:1 mitigation ratio within the MHPA and 1.6 acres of Tier IIIB habitat to satisfy the 0.5:1 (0.6 acre outside MHPA) and 1:1 (1.3 acre within MHPA) mitigation ratios at the Cornerstone Lands Conservation Bank; or
 - 2) Use of mitigation credits available at the City's Wruck Canyon parcel for 1.46 acres within the MHPA and 3.73 acres outside the MHPA consisting of 1.46 acre of Tier I habitat (i.e. maritime succulent chaparral) to satisfy the 1:1 mitigation ratio for 1.46 acre of Tier II habitat within the MHPA, 0.28 acre of Tier I habitat to satisfy the 2:1 mitigation ratio for 0.14 acre of Tier II habitat within the MHPA and mitigated for outside the MHPA, 0.9 acre of Tier I habitat to satisfy the 1.5:1 mitigation ratio for 0.6 acre of Tier II habitat outside the MHPA, 1.95 acres of Tier I habitat to satisfy the 1.5:1 mitigation ratio for 1.3 acre of Tier IIIB habitat within the MHPA mitigated for outside the MHPA, and 0.6 acre of Tier I habitat to satisfy the 1:1 mitigation ratio for 0.6 acre of IIIB habitat outside the MHPA.
- II. Prior to Permit Issuance or Bid Opening/Bid Award the Applicant shall provide detailed revegetation/ restoration plans and specifications, satisfactory to the City Manager to mitigate for impacts to the Otay tar plant and San Diego barrel cactus. Specifications must be found to be in conformance with the conceptual restoration plan (Helix Environmental, November 2013)

Letters of Qualification Have Been Submitted to ADD

- 1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the Principal Qualified Biologist (PQB) and Qualified Biological Monitor (QBM) and the names of all other persons involved in the implementation of the biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet should be updated annually.
- 2. MMC will provide a letter to the applicant confirming the qualifications of the PQB /QBM and all City Approved persons involved in the biological monitoring of the project.
- 3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the biological monitoring of the project.
- 4. PBQ must also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

II. Prior to Start of Construction

- A. PQB Shall Attend Preconstruction (Precon) Meetings
 - 1. Prior to beginning any work that requires monitoring:
 - a. The owner/permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.
 - b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the biological monitoring program.
 - c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.
 - 2. When Biological Monitoring Will Occur
 - a. Prior to the start of any work, the PQB shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.
 - 3. PQB Shall Contact MMC to Request Modification
 - a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

III. During Construction

- A. PQB or QBM Present During Construction/Grading/Planting
 - 1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, and excavation, in association with the construction of the project which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The QBM is responsible for notifying the PQB of changes to any approved construction plans, procedures, and/or activities. The PQB is responsible to notify MMC of the changes.
 - 2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVR's shall be faxed by the CM the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.
 - 3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).
 - 4. All construction activities (including staging areas) shall be restricted to the development areas. The PQB or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is

- to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance.
- 5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats.
- 6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly
- 7. The PQB or QBM shall oversee implementation of BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMP's upon completion of construction activities. Removal of temporary construction BMP's shall be verified in writing on the final construction phase CSVR.
- 8. PQB shall verify in writing on the CSVR's that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

B. Disturbance/Discovery Notification Process

- 1. If unauthorized disturbances occurs or sensitive biological resources are discovered that were not previously identified, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.
- 2. The PQB shall also immediately notify MMC by telephone of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate Best Management Practices (BMP's). After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMP's.
- 3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

- 1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.
- 2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

IV. General Bird Mitigation

To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the

Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City DSD for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

B. <u>LAND USE (MSCP LAND USE ADJACENCY GUIDELINES)</u>

- I. Prior to issuance of any construction permit or notice to proceed, DSD/LDR, and/or MSCP staff shall verify the Applicant has accurately represented the project's design in or on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines. The applicant shall provide an implementing plan and include references on/in CD's of the following:
 - A. Grading/Land Development/MHPA Boundaries MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. Otay Mesa Road is a Community Circulation Element Road, which is a conditionally compatible use allowed within the MHPA. DSD Planning and/or MSCP staff shall ensure that all grading is in conformance with the development footprint as delineated on the City Council approved plans.
 - B. **Drainage** All new developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
 - C. Toxics/Project Staging Areas/Equipment Storage Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or may impact native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly-

owned property when applications for renewal occur. Provide a note in/on the CD's that states: "All construction-related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."

- D. Lighting Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA, and would be subject to City Outdoor Lighting Regulations per the City of San Diego's Land Development Code, Section 142.0740.
- E. **Barriers** New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot tall, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- F. **Invasives** No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- G. **Noise** Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for California Gnatcatcher (3/1-8/15) and Least Bell's vireo (3/15-9/15). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species presence/ absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring. Please see below.

II. LEAST BELL'S VIREO (State Endangered/Federally Endangered)

- I. Prior to the preconstruction meeting, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:
 - NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 15 AND SEPTEMBER 15, THE BREEDING SEASON OF THE LEAST BELL'S VIREO, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:
- A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE WETLAND AREAS THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE LEAST BELL'S VIREO. SURVEYS FOR THE THIS SPECIES SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL

SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. IF THE LEAST BELL'S VIREO IS PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

- 1. BETWEEN MARCH 15 AND SEPTEMBER 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED LEAST BELL'S VIREO HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
- 2. BETWEEN MARCH 15 AND SEPTEMBER 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED LEAST BELL'S VIREO OR HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A OUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF ANY OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
- 3. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A OUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE LEAST BELL'S VIREO. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES. NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (SEPTEMBER 16).

^{*} Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A)

hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. IF LEAST BELL'S VIREO ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 15 AND SEPTEMBER 15 AS FOLLOWS:
 - 1. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR LEAST BELL'S VIREO TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.
 - 2. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

III. COASTAL CALIFORNIA GNATCATCHER (State Species of Special Concern/Federally Threatened)

- I. Prior to the preconstruction meeting, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:
 - NO MECHANIZED CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:
 - A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(A)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [DB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:
 - 1. BETWEEN MARCH 1 AND AUGUST 15. NO CONSTRUCTION

ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 DB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 DB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR

- AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (E.G., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 DB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 DB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).
- * Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
 - B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND

APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:

- 1. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.
- 2. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO FURTHER MITIGATION MEASURES ARE NECESSARY.

C. <u>HISTORICAL RESOURCES (ARCHAEOLOGY)</u>

I. Prior to Permit Issuance or Bid Opening/Bid Award

- A. Entitlements Plan Check
 - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
- B. Letters of Qualification have been submitted to ADD
 - 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
 - 3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
 - 3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.
- B. PI Shall Attend Precon Meetings

- 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects) The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
- 3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).
 - c. MMC shall notify the PI that the AME has been approved.
- 4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
- 5. Approval of AME and Construction Schedule
 After approval of the AME by MMC, the PI shall submit to MMC written
 authorization of the AME and Construction Schedule from the CM.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 - 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
 - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based

- on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
- 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
- 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

- 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

- 1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
 - (1) Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final

Monitoring Report. The letter shall also indicate that that no further work is required.

- (1) Note: For Pipeline Trenching and other linear projects in the public Right-of-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
- (2) Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources Pipeline Trenching and other Linear Projects in the Public Right-of-Way

 The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes_to reduce impacts to below a level of significance:
 - 1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
 - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

- 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site

- 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
- 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

- 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
- 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
- 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
- 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission, OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
 - c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC:
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT** Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS,

the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

MMC via fax by 8AM of the next business day.

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
 In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to
 - b. Discoveries
 All discoveries shall be processed and documented using the existing procedures detailed in Sections III During Construction, and IV Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries
 If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction and IV-Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
 - For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical

Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

- 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

- 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
- 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

- 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
- 2. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV Discovery of Human Remains, Subsection C.
- 3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
- 4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
- 5. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

- 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
- 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

D. PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance or Bid Opening/Bid Award

- A. Entitlements Plan Check
 - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the

requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

- 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
- 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
- 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

- 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
- 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

- 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects) The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring program.

3. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits. Monitoring shall begin at depths below 10 feet from existing grade or as determined by the PI in consultation with MMC. The determination shall be based on site specific records search data which supports monitoring at depths less than ten feet.
- b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- c. MMC shall notify the PI that the PME has been approved.
- 4. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.
- 5. Approval of PME and Construction Schedule
 After approval of the PME by MMC, the PI shall submit to MMC written
 authorization of the PME and Construction Schedule from the CM.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 - 1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME that could result in impacts to formations with high and/or moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
 - 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 - 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

- 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

- 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC

- and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
- (1) Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.
 - (1) Note: For Pipeline Trenching Projects Only. If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.
 - (2) Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources Pipeline Trenching Projects
 The following procedure constitutes adequate mitigation of a significant discovery
 encountered during pipeline trenching activities including but not limited to
 excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to
 below a level of significance.
 - 1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the fossil resources within the trench alignment and width shall be documented in-situ photographically, drawn in plan view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum and included in the Final Monitoring Report.
 - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Night and/or Weeekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via the RE via fax by 8AM on the next business day.

- b. Discoveries
 - All discoveries shall be processed and documented using the existing procedures detailed in Sections III During Construction.
- c. Potentially Significant Discoveries
 If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction shall be followed.
- d. The PI shall immediately contact the RE and MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
 The PI shall be responsible for recording (on the appropriate forms) any
 significant or potentially significant fossil resources encountered during the
 Paleontological Monitoring Program in accordance with the City's
 Paleontological Guidelines, and submittal of such forms to the San Diego
 Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- C. Curation of artifacts: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.

- 3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.
- 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

- 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.
- 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

United States Government U.S. Fish & Wildlife Service (23)

State of California

California Department of Fish & Game (32) Regional Water Quality Control Board, Region 9 (44) State Clearinghouse (46)

City of San Diego:

Councilmember David Alvarez, District 8 Mayor's Office (MS 11A) Shannon Thomas (MS 59) Hilda Mendoza (MS 59)

Planning, Neighborhoods, and Economic Development Cathy Winterrowd (MS 413) Jeanne Krosch (MS 413) Theresa Millette (MS 413)

Public Works – Engineering and Capital Projects

Abi Palaseyed (MS 908A) Jong Choi (MS 908A) Ali Alaeipour (MS 908A) James Arnhart (MS 908A)

Development Services Department

Kerry Santoro (MS 501)
Helene Deisher (MS 501)
Jeff Szymanski (MS 501)
Gary Geiler (MS 501)
Don Weston (MS 501)
Ann Gonsalves (MS 501)
Patrick Thomas (MS 501)
Fred LePage (MS 501)

Real Estate Assets Fred Reale (MS 51A) Roger Bush (MS 51A)

Park and Recreation Laura Ball (MS 5D) Paul Kilburg (MS 5D)

Library Dept.-Gov. Documents MS 17 (81) San Ysidro Branch Library MS 17 (81EE)

Other:

Otay Mesa Community Planning Committee (235)

San Ysidro Community Planning Group (433)

San Diego Unified School District (132)

Janet Vadakkumcherry (236)

Theresa Acerro (230)

San Diego Gas & Electric Co. (114)

San Diego Audubon Society (167)

Historical Resources Board (87)

Carmen Lucas (206)

South Coastal Information Center (210)

San Diego Archaeological Center (212)

Save Our Heritage Organisation (214)

Ron Christman (215)

Clint Linton (215B)

Frank Brown – Inter-Tribal Cultural Resources Council (216)

Campo Band of Mission Indians (217)

San Diego County Archaeological Society, Inc. (218)

Kumeyaay Cultural Heritage Preservation (223)

Kumeyaay Cultural Repatriation Committee (225)

Native American Distribution (225 A-S) (Public Notice & Location Map Only)

Sierra Club (165)

San Diego Audubon Society (167)

Mr. Jim Peugh (167A)

California Native Plant Society (170)

Endangered Habitats League (182A)

Wetland Advisory Board (171)

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (x) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Entitlements Division for review, or for purchase at the cost of reproduction.

Jeff Szymanski, Senior Planner

Development Services Department

June 25, 2014
Date of Draft Report

August 28, 2014
Date of Final Report

Attachments:

Initial Study Checklist

Figure 1 – Vicinity Map

Figure 2 – Location Map

Figures 3-9 – Site Plan

Figure 10 – ROW Easement Exhibit

<u>Figure 11 – Retaining Wall Visual Simulation</u>