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Item 8
Doc. 9

May 12, 2008

Assistant Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn.: Chiara Clemente
Senior Environmental Scientist
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Re: Certification of Substantial Compliance
Order No. R9-2007-0226
Sprinter Rail Project – CWU:10-3022900.02.bneill

Dear Ms. Clemente:

I hereby certify, under penalty of law, that the document referenced above was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violation.



Don Bullock, Sprinter Project Manager



SPRINTER

CERTIFICATION OF SUBSTANTIAL COMPLIANCE

Great Circle International, LLC (Michael V. Harding, CPESC No. 679) was engaged by Whitson Construction Management, Inc. to provide third party observations to the North County Transit District ("NCTD") relative to the California Regional Water Quality Control Board – San Diego Region's Cleanup and Abatement Order ("CAO") No. R9-2007-0226. The CAO requires NCTD to have implemented:

- 1) An effective and appropriate combination of sediment and erosion controls on all disturbed areas.
- 2) Specific BMPs to prevent the discharge of sediment and sediment laden water to the MS4 and waters of the State.
- 3) Specific measures to prevent pollution, erosion, and sediment transport from off-site runoff flowing through construction areas and storage yards.
- 4) A comprehensive maintenance program to ensure continued BMP effectiveness.

The CAO further requires NCTD to "*certify full compliance with the Stormwater Permit requirements in accordance with the SWPPP*".

Based upon my inspections of the Sprinter site from April 17 through 30, 2008, I hereby certify that on those dates, the site appeared to be substantially compliant with the requirements of the CAO; specifically those requirements listed as items 1-4 above. The site also appeared to be substantially compliant with the requirements of the Statewide Construction General Permit, and the BAT/BCT discharge limitation standard set forth therein.

At this time, San Diego County is moving out of the winter rainy season into a drier time of the year. The temporary BMPs installed on-site, while they appear to be sufficient for the summer months, will probably need to be augmented and/or replaced prior to the rainy season. In the interim, NCTD should plan and implement design elements to make improvements and alterations where necessary to complete the Sprinter site's permanent BMP's for a submitting a Notice of Termination.

Signed: _____



Michael V. Harding, CPESC #679
Great Circle International, LLC

May 2, 2008.