

Exhibit No. 1

State Water Resources Control Board

NOTICE OF INTENT

GENERAL PERMIT TO DISCHARGE STORM WATER
ASSOCIATED WITH CONSTRUCTION ACTIVITY
(WQ ORDER No. 2009-0009-DWQ)



WDID:

Risk Level: Level2

Property Owner Information

Type: Private Business

Name: SAN ALTOS LEMON GROVE LLC

Contact Name: Ben Anderson

Address: 5780 Fleet Avenue

Title: Contact

Address 2: Suite 225

Phone #: 714-966-1544

City/State/Zip: Carlsbad CA 92008

Email: kimberlyv@bcadevelopment.com

Contractor/Developer Information

Name: BCA DEVELOPMENT INC

Contact Name: Ben Anderson

Address: 3194 Airport Loop Drive

Title:

Address 2: Suite C2

Phone #: 714-966-1544

City/State/Zip: Costa Mesa CA 92626

Email: kimberlyv@bcadevelopment.com

Construction Site Information

Site Name: Valencia

Contact Name: Ben Anderson

Address: 1350 San Altos Place

Title:

City/State/Zip: Lemon Grove CA 91945

Site Phone #: 714-966-1544

County: San Diego

Email: kimberlyv@bcadevelopment.com

Latitude: 32.7163

Longitude: -117.04805

Total Size of Construction Area: 18.26

Construction Start: March 01, 2014

Total Area to be Disturbed: 18.26

Complete Grading:

Final Stabilization: December 31, 2015

Risk Values

R: 41.3

K: 0.24

LS: 2.11

Beneficial Uses/303(d): No

Type of Construction: *Residential

Receiving Water: Chollas Creek

Qualified SWPPP Developer: Kamal Sweis

Certification #: 20266

RWQCB Jurisdiction: Region 9 - San Diego

Phone: 619-516-1990

Email: r9_stormwater@waterboards.ca.gov

Certification

Name Ben Anderson

Date: March 06, 2014

Title: President



Exhibit No. 2

NOTICE

DATE: 12/2/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AITOS PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson (via email)
DATE/TIME: 12/2/14 3pm
BY: GARY HARPER
TITLE: Eng. Inspector
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: Harper / [Signature] / 12/14 / 1pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) Weekly

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GC-1692

Project Name & Type: VALENCIA, Subdivision

Project Location & Address: SAN AITOJ PL

Contractor's Name & Telephone #: ANDERSON Development (949) 275-6739

Property Owner & Telephone #: SAN AITOJ LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 36 9143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: M 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Is construction site phased/scheduled to address erosion control on a timely basis?	X			CONTRACTOR HYDROSEEDING AS NEEDED, BUT DID NOT SEED AS PLANNED	N
Preservation of existing vegetation?	X				Y
Physical Stabilization: Hydraulic Mulch, <u>Hydroseeding</u> , Soil Binders, Straw Mulch					
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			NOT ENOUGH PLASTIC COVERS FOR STUMP PILES	NO
Site Drainage: Outlet Protection/Slope Drain	X				Y
Inlet/Outlet Protection	Y				Y
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				Y

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y				Y
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	Y			ENTRANCE NEEDS TO BE CLEANED. ALSO NEED STREET SWEEP	NO
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	Y			SOME ARE COVERED SOME ARE NOT	NO
Are heavy equipment and vehicles parked in designated areas with permeable surface?	Y				Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.	Y				Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	Y				Y
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		TC-1 IS DOWNSTREAM OF UPPER SITE; NEEDS TO BE CLEANED	NO
Other					
Are there any other potential storm water pollution issues/concerns?	Y			RAIN EVENT TODAY, TC-1 SHOULD BE PROTECTED	NO
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: 12/2/14

RECOMMENDED CORRECTIVE ACTION

SEE STOP WORK NOTICE - Discharge is
IMMINENT IF NOAA FORECAST CORRECT: 100% HEAVY
 RAIN THIS AFTERNOON.
 I CALL TO TIM ANANDON THIS MORNING AT 9AM.
 LEFT V. MAIL THAT SITUATION NEEDED ATTENTION ASAP - NO
 RETURN CALL

Lack of eroision control BMPs on inactive areas.



Lack of eroision control BMPs on active areas.





Lack of eroision control BMPs on inactive areas.







Unprotected stockpile.



Lack of erosion control BMPs on inactive areas.



Stockpiles lack coverage and perimeter containment.





Lack of eroison control BMPs on active areas.



Lack of eroison control BMPs on inactive areas.



Lack of eroison control BMPs on inactive areas.







Exhibit No. 3

NOTICE

DATE: 12/4/2014
PROJECT: Valencia
PROJECT #: GIR-1692
ADDRESS: SAN ANTONIO PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other Illegal Discharge

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson (Email)
DATE/TIME: 12/4/2014 10AM
BY: GARY HANCOCK
TITLE: ENR. INSPECTOR
PHONE: (619) 454 1222

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

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Sediment in street.



Lack of erosion control in inactive areas.





Lack of erosion control BMPs on active areas.



Sediment in street.



Although stockpile is partially covered it lacks perimeter containment.

Item 12

Supporting Document 03a



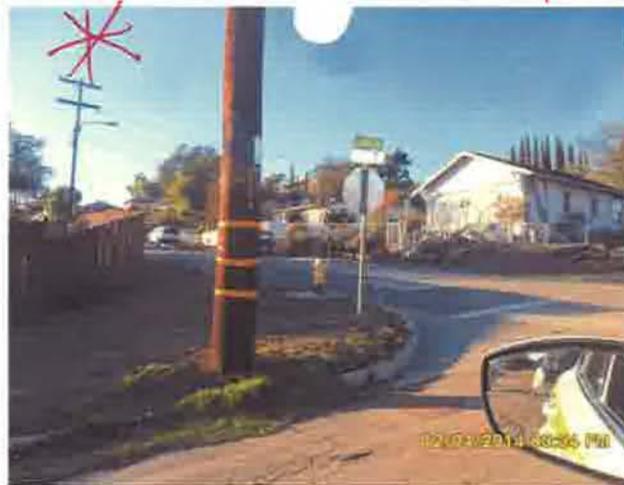


* = CITY OF SAN DIEGO 19TH ST RUNOFF. NOT VAKNCIA

March 9, 2016

Item 12

Supporting Document 03a





CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

Exhibit No. 4

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: Harvey / [Signature] / 12/8/14 10:00 am

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) Weekly (pre storm)

Construction Project Priority: High Medium Low Friday = 9/5/20

GENERAL INFORMATION

Grading or Building Permit #: ~~Gr-159~~ Gr-1692

Project Name & Type: Valencia Homes

Project Location & Address: SAN ALTO PLACE

Contractor's Name & Telephone #: ANDERSON DEV (949) 275-673

Property Owner & Telephone #: SAN ALTO LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: M 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?	Y			on @/w slopes	Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	Y			HYDRO SEED TODAY	Y
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	Y				
Site Drainage: Outlet Protection/Slope Drain					
Inlet/Outlet Protection					
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				N
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y			inlet to be cleaned	N

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping				ENTRANCE BEING REBUILT, ST. SWEEP TIRE WASH	
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?		N		NEED TO COVER STOCK PILES	N
Are heavy equipment and vehicles parked in designated areas with permeable surface?		N		VEHICLES IN USE	Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.		N		NO CONC WORK	Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?					
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		STILL CLEANING -	NO
Other					
Are there any other potential storm water pollution issues/concerns?		N			
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

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- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: 12/4/14

RECOMMENDED CORRECTIVE ACTION

NOT WRITTEN LAST WEEK, CONTRACTOR WORKING ON ISCM'S.

Uncovered stockpile.



Lack of erosion controls in active areas.



Lack of erosion controls in inactive areas.





Exhibit No. 5

NOTICE

DATE: 12/9/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN ANTONIO PLACE

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 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other: _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: TIM ANDERSON VIA EMAIL
DATE/TIME: 12/9/14 6:30 PM
BY: GARY HARPER
TITLE: ENGR. INSPECTOR
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

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CITY OF LEMON GROVE ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ — is due no later than — to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Site Representative

Mailing Address: 3194-C2 Airport Loop Drive 1 Project Manager

Business Name (if applicable): Costa Mesa, CA 92626
BGA Development

cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
B.48.060 18.08.560 Inadequate BMP's - see
18.08.170 attached inspection reports
18.08.180

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendation's 12/15/14
Maintain adequate surplus of BMP's 5:00 P.M.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Finseth Phone No.: 619-825-3825 Signature: [Signature] Date: 12/11/14

Person Cited - Signature Acknowledging Receipt: _____ (Date)

Citation Served (circle one): In Person By Mail / Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

Lemon Grove Municipal Code						
Up	Previous	Next	Main	Search	Print	No Frames
Title 8 HEALTH AND SAFETY						
Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL						

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. **Applicable Requirements.** All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. **Minimum Best Management Practices for All Dischargers.** All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. **Eroded Soils.** Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.
2. **Pollution Prevention.** Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.
3. **Prevention of Illegal Discharges.** Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.
4. **Slopes.** Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.
5. **Storage of Materials and Wastes.** All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.
6. **Use of Materials.** All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. **Inspection, Maintenance, Repair and Upgrading of BMPs.** BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. **Stormwater Pollution Prevention Plan.** An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS Chapter 18.08 EXCAVATION AND GRADING Article II. Permits and Fees							

18.08.170 Erosion control required.

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;
2. The name, address and signature of the civil engineer or person who prepared the plan;
3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;
4. The streets, easements, drains, and other improvements;
5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;
6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.
2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.
3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.
4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.
5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.
6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment or silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article II. Permits and Fees							

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS Chapter 18.08 EXCAVATION AND GRADING Article V. Grading Operations							

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3811



Date: 12/11/14 5:00 P.M.	Project: Valencia
<input type="checkbox"/> Meeting	<input type="checkbox"/> Phone
<input checked="" type="checkbox"/> Site Visit	
Attendees: Leon + Gary	
Notes: Site inspection to review recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).	
① No erosion control provided.	
② Insufficient/Improperly installed check dams.	
③ Repair + stabilization of gullies not completed.	
④ Not completed.	
⑤ Completed.	
⑥ Not visible.	
⑦ Mostly complete.	
⑧ N/A	



National Weather Service Forecast Office

San Diego, CA



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- Forecast Discussion
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- Rivers and Lakes
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- Local
- National
- Drought
- More...
- Climate portal

Weather Safety

- Preparedness
- Weather Radio
- SkyWarn™
- StormReady
- TsunamiReady

Additional Info

- Items of Interest
- Other Useful Links
- Education Resources
- COOP Observer

Warnings and/or Advisories In Effect for this Point:

- [Flash Flood Watch](#)
- [Wind Advisory](#)

For warnings and/or advisories in effect for adjacent areas to this point, see <http://www.wrh.noaa.gov/sgx>

Change Table Font Size [Increase](#) [Decrease](#)

Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft) Lemon Grove CA

Forecast Created at: 6pm PST Dec 11, 2014

Custom Weather Forecast Table

Weather	Thu Dec 11				Fri Dec 12				Sat Dec 13				Sun Dec 14				Mon Dec 15				Tue Dec 16				
	Chance Rain	Slight Chance TStorms and Rain	Rain Showers and TStorms	Likely Rain Showers and TStorms	Likely Rain Showers	Chance Rain Showers	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain	Chance Rain		
Daily-Temp	High 67 Low 53				High 63 Low 58				High 63 Low 51				High 65 Low 48				High 64 Low 50				High 64 Low 52				
Chance of Precip	0%	0%	5%	45%	100%	90%	65%	75%	30%	15%	5%	5%	5%	5%	5%	5%	5%	5%	40%	40%	55%	55%	60%	60%	40
Precip	0.00"	0.00"	0.00"	0.01"	0.57"	0.29"	0.06"	0.12"	0.00"	0.00"	0.00"	0.00"	0.00"	0.00"											
12-hr Snow Total	0"				0"				0"																
FRET	0.06"				0.06"				0.05"				0.06"				0.07"								
6-Hour Temp	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am
Temp	53	62	65	60	58	61	60	54	52	59	59	52	49	59	61	54	51	59	61	55	53	60	61	55	5:
Cloudiness	86%	49%	75%	100%	100%	91%	84%	75%	69%	51%	30%	37%	31%	21%	30%	30%	41%	41%	62%	62%	90%	90%	87%	87%	71
Dewpoint	52	53	54	53	52	54	52	50	49	48	46	46	43	44	44	48	44	43	45	49	47	51	49	51	4:
Relative Humidity	94%	73%	67%	78%	79%	77%	73%	88%	89%	69%	61%	81%	80%	57%	52%	81%	79%	57%	54%	81%	82%	72%	63%	88%	89
Wind	S	S	S	S	SE	W	SW	W	E	W	NW	E	E	N	W	E	E	S	SW	SE	SE	S	S	S	S\
	2	7	8	10	15	6	6	6	2	2	5	3	3	1	5	5	6	7	7	7	8	9	7	6	1
Snow Level (ft)			9317	9161	7608	6313	5478	5212	5704										6701	5923	5850	5993	5805	5704	56:

Forecast Weather Table Interface

Select Weather Format	Enter a Location or Click on Map Below
Custom Weather Table XML Point Forecast Page Point Forecast Matrix Hourly Tabular Forecast Hourly Weather Graph	Search by address; city,state; latitude/longitude... 
Interval in Hours: 1 3 6 Duration in Days: 1 2 3 4 5 6 7	



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
 CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] / 12/11/14 9:00AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			see inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.



CITY OF LEMON GROVE

3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: TAD NAKATANI [Signature] 12/9/14 1:00 pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 9370369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeded areas. Some pads not seeded, northern road eroding.	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lcks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Several are unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

- Add erosion controls to all ^{disturbed} areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

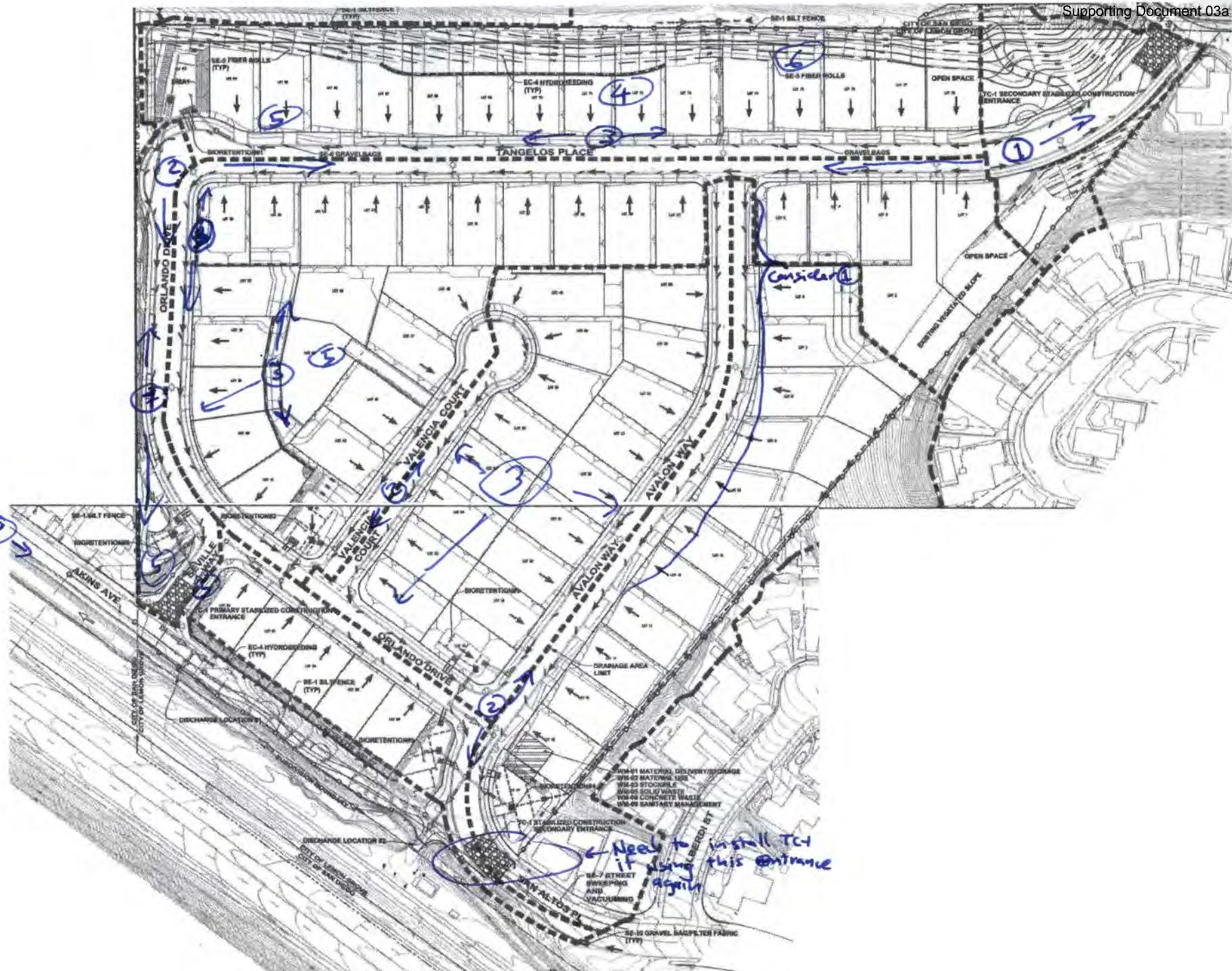
Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 12/9/14

Recommendations:

- ① • Add erosion control to road segment (eg northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.
- ② • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls
- ③ • Repair ^{Establish} gullies in slopes on edges of pads. May consider using erosion control blankets*
- ④ • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control
- ⑤ • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered
- ⑥ • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site
- ⑦ • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion
- ⑧ • Sweep road to remove sediment



Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 8 HEALTH AND SAFETY							
Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL							

8.48.040 Discharge of non-stormwater prohibited.

A. **Illegal Discharges.** The discharge of pollutants to non-stormwater, directly or indirectly into the stormwater conveyance system or receiving waters, is prohibited, except as exempted in Section 8.48.050 of this chapter. The discharge of pollutants to stormwater, directly or indirectly into the stormwater conveyance system or receiving

waters, is prohibited, unless the applicable requirements of this chapter have been met.

B. **Illegal Connection.** The establishment of illegal connections is prohibited. The use of illegal connections is prohibited, even if the connection was established pursuant to a valid city permit and was legal at the time it was constructed.

C. **Litter, Dumps, and Stockpiles.** Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illegal discharge is prohibited. (Ord. 369 § 1, 2008)

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences



Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer

Handwritten initials 'JQ' in black ink, located to the right of the 'From:' field.

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valencia_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

Sampling at Valencia Construction Site
December 12, 2014
Page 2 of 4



Figure 1. Sampling Locations



Photo 1. Site Valencia_Akins

Sampling at Valencia Construction Site
December 12, 2014
Page 3 of 4



Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)



Photo 3. Site Akins_Inlet

Sampling at Valencia Construction Site
December 12, 2014
Page 4 of 4



Photo 4. First Sample (11:05) from Site Valencia_Akins



Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)



Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)

Exhibit No. 8

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM**

FACILITY INSPECTION REPORT

FACILITY: Valencia
WDID/FILE NO.: 937C369143

INSPECTION DATE/TIME: 12/15/2014; 10:00 am

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME: <u>Wayne Chiu</u>	AFFILIATION: <u>San Diego Water Board</u>
NAME: <u>Ben Anderson</u>	AFFILIATION: <u>BCA Development, Inc.</u>
NAME: <u>Tim Anderson</u>	AFFILIATION: <u>BCA Development, Inc.</u>
NAME: <u>Donald Sturgeon</u>	AFFILIATION: <u>Whitson CM</u>
NAME: <u>Leon Firsh</u>	AFFILIATION: <u>City of Lemon Grove</u>
NAME: <u>Gary Harper</u>	AFFILIATION: <u>City of Lemon Grove</u>

San Altos Lemon Grove LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

5780 Fleet Avenue
Carlsbad, CA 92008
OWNER MAILING ADDRESS

BCA Development, Inc.
FACILITY OR DEVELOPER NAME (if different from owner)

1350 San Altos Place
Lemon Grove, CA 91945
FACILITY ADDRESS

Ben Anderson, 714-966-1544
OWNER CONTACT NAME AND PHONE #

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- | | |
|---|---|
| <input type="checkbox"/> MS4 URBAN RUNOFF REQUIREMENTS | <input type="checkbox"/> GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES |
| <input checked="" type="checkbox"/> CONSTRUCTION GENERAL PERMIT | <input type="checkbox"/> GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS |
| <input type="checkbox"/> CALTRANS GENERAL PERMIT | <input type="checkbox"/> SECTION 401 WATER QUALITY CERTIFICATION |
| <input type="checkbox"/> INDUSTRIAL GENERAL PERMIT | <input type="checkbox"/> CWC SECTION 13264 |

INSPECTION TYPE (Check One):

- "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
- "B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
- NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
- ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
- COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
- PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
- NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
- NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
- COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

Facility: Valencia
Inspection Date: 12/15/2014

I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

On December 2, 2014, the City of Lemon Grove (City) issued a Stop Work/Notice of Violation to the Valencia construction site (WDID 9 37C369143) for failing to implement construction storm water best management practices (BMPs) required by local ordinances. The City's inspection report issued with the Stop Work/Notice of Violation noted inadequate implementation of erosion controls, entrance/exit stabilization, and stockpile management and warned the project manager that a "discharge is imminent" without adequate BMPs. The site was required to stop work and implement BMPs to be prepared for a storm event that occurred on December 3 and 4, 2014.

The site failed to implement BMPs before the storm, resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's municipal separate storm sewer system (MS4). The City issued a second Stop Work/Notice of Violation on December 4, 2014 for the illegal discharges to the City's MS4. The City conducted a follow up inspection on December 9, 2014 and noted the same BMP deficiencies identified before the December 3 and 4, 2014 storm event, as well as additional deficiencies in perimeter sediment controls. The inspection report provided recommendations for locations that needed to be addressed and types of BMPs. The site again failed to implement BMPs before a subsequent storm event that occurred on December 11, 2014, again resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's MS4. On December 11, 2014, the City issued an Administrative Citation to the site requiring BMPs to be implemented by December 15, 2014 before monetary penalties would begin. The Stop Work/Notice of Violation issued on December 2 and 4, 2014 and the Administrative Citation issued on December 11, 2014 by the City are attached to the end of this inspection report.

On the morning of December 12, 2014, the City contacted the San Diego Water Board about the unauthorized discharges of sediment and sediment-laden storm water to their MS4 from the Valencia construction site. According to the City's storm water manager, the site owner was claiming the site was in compliance with the requirements of the Statewide Construction General Storm Water Permit, Order No. 2009-0009-DWQ (CGP) and therefore should be considered in compliance with the City's ordinances. The City's storm water manager requested an inspection from the San Diego Water Board to determine whether the construction site was in compliance with the requirements of the CGP.

Wayne Chiu of the San Diego Water Board performed an inspection of the Valencia construction site for compliance with the requirements CGP. According to the Storm Water Multiple Application & Report Tracking System (SMARTS), the site is a Risk Level 2 construction site, disturbing over 18 acres, and owned by San Alto Lemon Grove LLC. The developer of the site is BCA Development, Inc.

The San Diego Water Board inspector met with Mr. Ben Anderson, the contact for the owner and developer of the site, Mr. Tim Anderson, project manager for the developer,

Facility: Valencia
Inspection Date: 12/15/2014

and Mr. Donald Sturgeon, the Qualified Storm Water Pollution Prevention Plan (SWPPP) Practitioner (QSP) performing the weekly inspections. Also present to observe during the inspection were Mr. Leon Firsh and Mr. Gary Harper, City Engineer and Construction Storm Water Inspector for the City of Lemon Grove, respectively. The San Diego Water Board inspector did not review the SWPPP or other records during the inspection.

II. FINDINGS

1. Several **stockpiles observed without adequate containment** (See Photo 1). Evidence of erosion and sediment transport from the stockpile observed during the inspection. All construction sites are required to contain and securely protect stockpiled waste material from wind and rain at all times unless actively being used.
2. Construction **equipment and vehicles observed without** appropriate BMPs (e.g. **drip pans**) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters (See Photos 2 and 3). All construction sites are required to prevent oil, grease or fuel to leak in to the ground, storm drains, or surface waters, and to place all equipment and vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.
3. Several areas were **observed to be inactive**, or could be scheduled to be inactive, **without effective soil cover** to control potential erosion. Several completed building pads and several inactive slopes (See Photos 4 through 7) lacked any effective soil cover for erosion control. The lack of erosion controls in these areas contributed to **unauthorized sediment discharges from the site** (See Photos 9 through 11). All construction sites are required to provide effective soil cover for inactive areas (i.e. areas that have been disturbed and not scheduled to be re-disturbed for at least 14 days) and all finished slopes, open space, utility backfill, and completed lots.
4. **Active areas** were observed to **lack appropriate erosion control BMPs** (runoff control and soil stabilization) to prevent erosion during storm events (See Photo 8). The project manager and QSP could not describe any erosion control measures that were in place or were ready to be deployed before the December 3 and 4, 2014 and December 11, 2014 storm events. Risk Level 2 construction sites are required to implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.
5. Several slopes throughout the site were observed to **lack linear sediment controls** along the toe and grade breaks of exposed slopes (See Photos 4 through 7). Risk Level 2 construction sites are required to apply linear sediment controls along the toe of the slope, face of the slopes, and at the grade breaks of exposed

Facility: Valencia
Inspection Date: 12/15/2014

slopes to comply with sheet flow lengths given in Table 1 of Attachment D to the CGP.

6. Lack of effective perimeter sediment controls observed which resulted in unauthorized sediment discharges from the site (See Photos 9 through 14). All construction sites are required to establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site.
7. **Lack of effective run-on and runoff controls** observed within and around the site which contributed to sediment discharges from the site (See Photos 4 and 14). All construction sites are required to effectively manage run-on, all runoff within the site and all runoff that discharges off the site.

III. COMMENTS AND RECOMMENDATIONS

Comments

1. There is evidence that good site management "housekeeping" BMPs were not being adequately implemented (See Findings 1 and 2).
2. There is evidence that erosion controls were not adequately implemented for several inactive areas contributing to discharges of sediment from the site (See Finding 3).
3. There is evidence that erosion controls were not adequately implemented for several active areas prior to storm events contributing to discharges of sediment from the site (See Finding 4).
4. There is evidence that linear sediment controls were not adequately implemented for several exposed slopes contributing to slope erosion and discharges of sediment from the site (See Finding 5).
5. There is evidence that perimeter sediment controls, as well as run-on and runoff controls, were not adequately implemented which contributed to discharges of sediment from the site (See Findings 6 and 7).
6. There was evidence observed during the inspection that the site has not implemented BMPs to meet BCT Technology Based Effluent Limitations (TBELs) under Section V.A.2 of the CGP, as required for all construction sites, which resulted in the unauthorized discharges of sediment and sediment-laden water from the site observed or documented on December 4, 11, and 15, 2014 (See Compliance History discussion and Findings 1 through 7).

Facility: Valencia
Inspection Date: 12/15/2014

7. There is evidence that either the QSP was not adequately identifying and recommending implementation of good site management “housekeeping,” erosion control, sediment control, and run-on/runoff control BMPs, or the owner/developer was not directing the implementation of the BMPs as recommended by the QSP.

Recommendations

1. Issue a Notice of Violation for discharges of sediment from the site and failure to implement Risk Level 2 requirements of CGP.
2. Refer the site to the Compliance Assurance Unit to determine whether or not issuing formal enforcement action may be appropriate.

IV. SIGNATURE SECTION

Wayne Chiu
STAFF INSPECTOR

SIGNATURE

12/15/2014
INSPECTION DATE

Eric Becker
REVIEWED BY SUPERVISOR

SIGNATURE

DATE

SMARTS:

Tech Staff Info & Use	
WDID	937C369143
Place ID	SM-828060
Inspection ID	2024185
Violation ID	855345, 855346

Facility: Valencia
Inspection Date: 12/15/2014



Photo 1

Photo 1 shows soil **stockpile without adequate containment**. Evidence of erosion and sediment transport along that base of the stockpile. Most stockpiles observed during inspection lacked adequate containment.



Photo 2

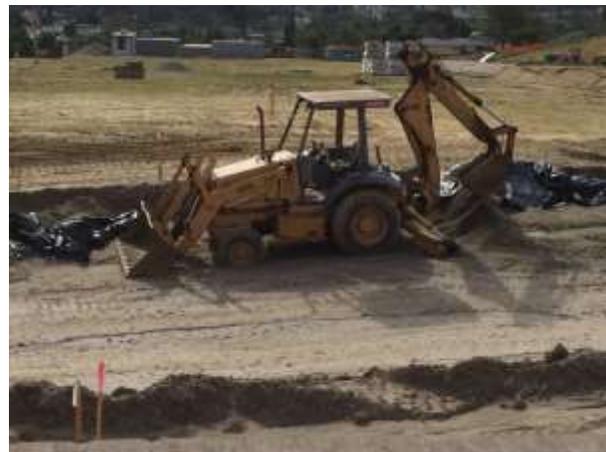


Photo 3

Photos 2 and 3 show **construction equipment and vehicles without** appropriate BMPs (e.g. **drip pans**) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters. Most vehicles observed during inspection lacked appropriate BMPs.

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Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

Photos 4 through 7 show completed building pads and adjacent slopes **without any erosion controls** and evidence of significant erosion and sediment transport. **Photo 8** shows evidence of erosion and sediment transport in unpaved road sloping to locations shown in Photos 9 through 11. Sediment from completed lots and slopes in Photos 4 through 7 transported to road in Photo 8 **lacking any erosion control** measures during storm events, and **inadequate runoff controls** to reduce and prevent transport of sediment through site.

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Photo 9



Photo 10



Photo 11



Photo 12

Photos 9 through 12 show inadequate implementation of perimeter sediment controls and run-on/runoff controls to prevent discharges of sediment from the site. Photo 9 shows evidence of erosion and sediment transport from road shown in Photo 8 to perimeter with inadequately installed perimeter sediment and runoff controls (i.e. fiber roll not properly trenched and staked). Photos 10 shows evidence of sediment transport from the site beneath the inadequately installed perimeter sediment and runoff controls. Photo 11 shows evidence of sediment transport from the site to MS4 channel protected by silt fence and gravel bags. Photo 12 shows **sediment that has been discharged into the MS4 channel** due to inadequate implementation of erosion, sediment, and runoff controls by the site.

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Photo 13



Photo 14

Photos 13 and 14 show lack of effective perimeter sediment controls and run-on/runoff controls. Photo 13 shows evidence of erosion and sediment transport due to lack of perimeter run-on controls. Photo 14 shows evidence of sediment discharged from the site to the MS4 drainage system due to **erosion caused by run-on** that then ran off the site due to inadequate perimeter sediment controls and runoff controls.



NOTICE

DATE: 12/2/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AITOS PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson (via email)
DATE/TIME: 12/2/14 3pm
BY: Gary Harper
TITLE: Eng. Inspector
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: Harper / [Signature] / 12/2/14 / 1pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) Weekly

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GC-1692

Project Name & Type: VALENCIA, Subdivision

Project Location & Address: SAN AITOJ PL

Contractor's Name & Telephone #: ANDERSON Development (949) 275-6739

Property Owner & Telephone #: SAN AITOJ LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 36 9143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: M 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Is construction site phased/scheduled to address erosion control on a timely basis?	X			CONTRACTOR HYDRO SEEDING AS NEEDED, BUT DID NOT SEED AS PLANNED	N
Preservation of existing vegetation?	X				Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch					
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			NOT ENOUGH PLASTIC COVERS FOR STOCKPILES	N/A
Site Drainage: Outlet Protection/Slope Drain	X				Y
Inlet/Outlet Protection	Y				Y
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				Y

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y				Y
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	Y			ENTRANCE needs to be cleaned. also need STREET SWEEP	NO
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	Y			SOME ARE COVERED SOME ARE NOT	NO
Are heavy equipment and vehicles parked in designated areas with permeable surface?	Y				Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.	Y				Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	Y				Y
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		TC-1 IS DOWN STREAM OF UPPER SITE; needs to be cleaned	NO
Other					
Are there any other potential storm water pollution issues/concerns?	Y			RAIN EVENT TODAY, TC-1 SHOULD BE PROTECTED	NO
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: 12/2/14

RECOMMENDED CORRECTIVE ACTION

SEE STOP WORK NOTICE - DISCHARGE IS IMMEDIATE IF NOAA FORECAST CORRECT: 100% HEAVY RAIN THIS AFTERNOON.
 I CALL TO TIM ANDERSON THIS MORNING AT 9AM.
 LEFT V. MAIL THAT SITUATION NEEDED ATTENTION ASAP - NO RETURN CALL



NOTICE

DATE: 12/4/2014
PROJECT: Valencia
PROJECT #: GIR-1692
ADDRESS: SAN ANTONIO PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

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THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

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 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other: _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other: Illegal Discharge

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson (Email)
DATE/TIME: 12/4/2014 10AM
BY: GARY HARPER
TITLE: ENGR. INSPECTOR
PHONE: (619) 454 1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.



CITY OF LEMON GROVE ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ — is due no later than — to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Site Representative

Mailing Address: 3194-C2 Airport Loop Drive Costa Mesa, CA 92626 1 Project Manager

Business Name (if applicable): BGA Development

cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
B.48.060 18.08.560 Inadequate BMP's - see
18.08.170 attached inspection reports
18.08.180

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendation's 12/15/14
Maintain adequate surplus of BMP's 5:00 P.M.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Finstet Phone No.: 619-825-3825 Signature: [Signature] Date: 12/11/14

Person Cited - Signature Acknowledging Receipt: _____ (Date)

Citation Served (circle one): In Person By Mail / Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

Lemon Grove Municipal Code						
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Title 8 HEALTH AND SAFETY						
Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL						

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. Applicable Requirements. All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. Minimum Best Management Practices for All Dischargers. All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. Eroded Soils. Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.
2. Pollution Prevention. Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.
3. Prevention of Illegal Discharges. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.
4. Slopes. Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.
5. Storage of Materials and Wastes. All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.
6. Use of Materials. All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. Inspection, Maintenance, Repair and Upgrading of BMPs. BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. Stormwater Pollution Prevention Plan. An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

Lemon Grove Municipal Code						
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Title 18 CITYWIDE REGULATIONS Chapter 18.08 EXCAVATION AND GRADING Article II. Permits and Fees						

18.08.170 Erosion control required.

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;
2. The name, address and signature of the civil engineer or person who prepared the plan;
3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;
4. The streets, easements, drains, and other improvements;
5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;
6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.
2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.
3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.
4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.
5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.
6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment of silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

Lemon Grove Municipal Code							
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Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article II. Permits and Fees							

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

Lemon Grove Municipal Code							
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[Title 18 CITYWIDE REGULATIONS](#)
[Chapter 18.08 EXCAVATION AND GRADING](#)
[Article V. Grading Operations](#)

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record



Engineering Department

3232 Main Street

Lemon Grove, CA 91945

619-825-3811

Date: 12/11/14 5:00 P.M.	Project: Valencia
<input type="checkbox"/> Meeting	<input type="checkbox"/> Phone
<input checked="" type="checkbox"/> Site Visit	
Attendees: Leon + Gary	
Notes: Site inspection to review recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).	
① No erosion control provided.	
② Insufficient/Improperly installed check dams.	
③ Repair + stabilization of gullies not completed.	
④ Not completed.	
⑤ Completed.	
⑥ Not visible.	
⑦ Mostly complete.	
⑧ N/A	



National Weather Service Forecast Office

San Diego, CA



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Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft) Lemon Grove CA

Forecast Created at: 6pm PST Dec 11, 2014

Custom Weather Forecast Table

Weather	Thu Dec 11				Fri Dec 12				Sat Dec 13				Sun Dec 14				Mon Dec 15				Tue Dec 16											
	Chance Rain				Slight Chance TStorms and Rain	Rain Showers and TStorms	Likely Rain Showers and TStorms	Likely Rain Showers	Chance Rain Showers				Chance Rain				Chance Rain				Likely Rain											
Daily-Temp	High 67 Low 53				High 63 Low 58				High 63 Low 51				High 65 Low 48				High 64 Low 50				High 64 Low 52											
Chance of Precip	0%	0%	5%	45%	100%	90%	65%	75%	30%	15%	5%	5%	5%	5%	5%	5%	5%	5%	40%	40%	55%	55%	60%	60%	40							
Precip	0.00"	0.00"	0.00"	0.01"	0.57"	0.29"	0.06"	0.12"	0.00"	0.00"	0.00"	0.00"	0.00"	0.00"																		
12-hr Snow Total	0"				0"				0"																							
FRET	0.06"				0.06"				0.05"				0.06"				0.07"				0.07"											
6-Hour Temp	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm
Temp	53	62	65	60	58	61	60	54	52	59	59	52	49	59	61	54	51	59	61	55	53	60	61	55	53	60	61	55	53	60	61	55
Cloudiness	86%	49%	75%	100%	100%	91%	84%	75%	69%	51%	30%	37%	31%	21%	30%	30%	41%	41%	62%	62%	90%	90%	87%	87%	71							
Dewpoint	52	53	54	53	52	54	52	50	49	48	46	46	43	44	44	48	44	43	45	49	47	51	49	51	47	51	49	51	47	51	49	51
Relative Humidity	94%	73%	67%	78%	79%	77%	73%	88%	89%	69%	61%	81%	80%	57%	52%	81%	79%	57%	54%	81%	82%	72%	63%	88%	89							
Wind	S	S	S	S	SE	W	SW	W	E	W	NW	E	E	N	W	E	E	S	SW	SE	SE	S	S	S	S	S	S	S	S	S	S	S
Snow Level (ft)			9317	9161	7608	6313	5478	5212	5704												6701	5923	5850	5993	5805	5704	561					

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Interval in Hours: 1 3 6
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CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] / 12/11/14 9:00AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Grulies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			see inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/ contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.



CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/9/14 1:00 pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 9370369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeded pads Some pads not seeded; northern road eroding	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lacks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Several are unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

- Add erosion controls to all ^{disturbed} areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 12/9/14

Recommendations:

- ① • Add erosion control to road segment (eg northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.
- ② • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls
- ③ • Repair ^{establish} gullies in slopes on edges of pads. May consider using erosion control blankets*
- ④ • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control
- ⑤ • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered
- ⑥ • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site
- ⑦ • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion
- ⑧ • Sweep road to remove sediment

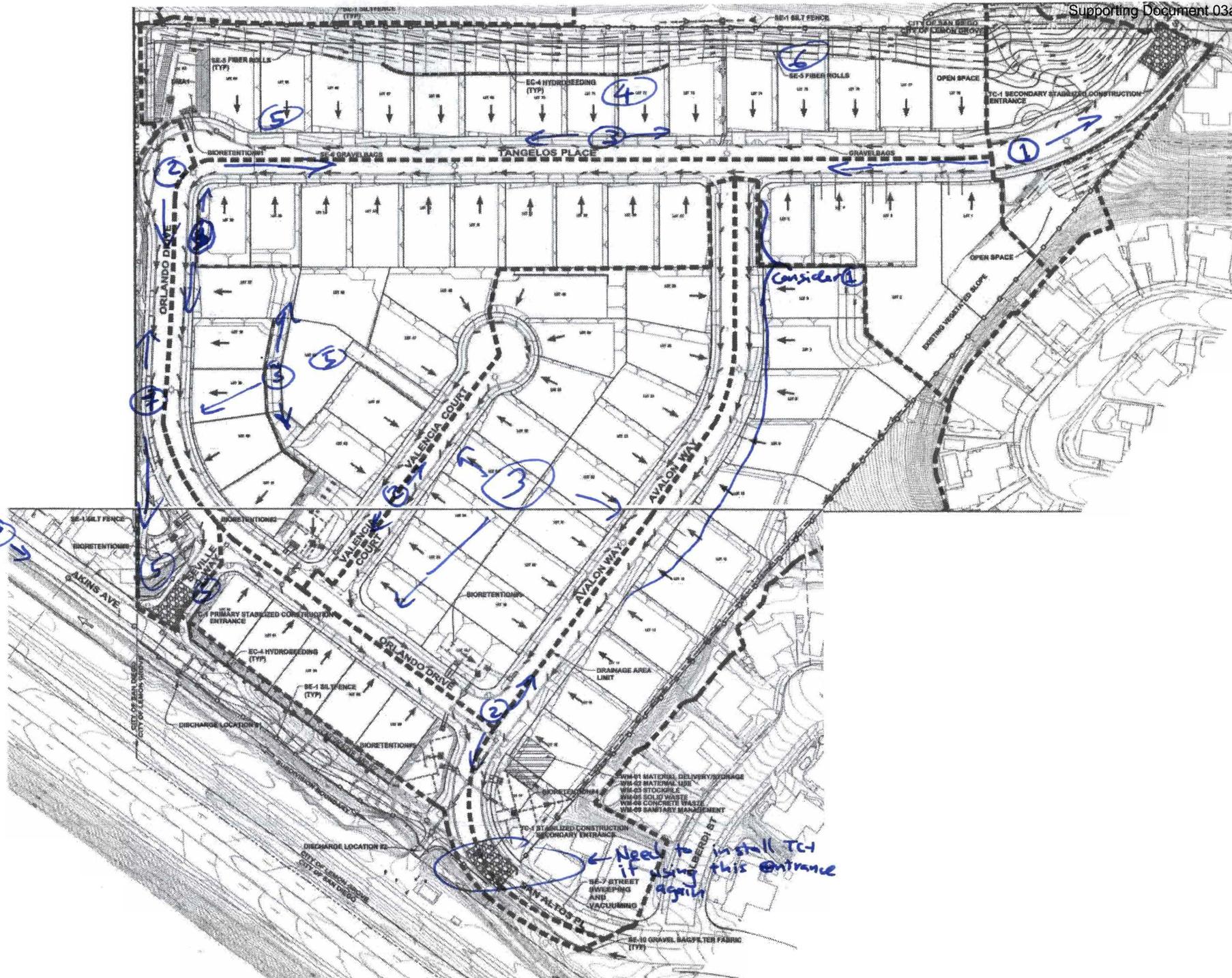




Exhibit No. 9

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Tim Anderson
Project Manager, BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Ongoing Stormwater Violations at Valencia Project Site

Dear Tim,

Under the direction of the City of Lemon Grove (City), D-MAX Engineering Inc. conducted a follow-up stormwater compliance inspection early this afternoon at the Valencia project site (site). As you are aware, the site remains under a Stop Work Notice and no work other than implementation of best management practices (BMPs) are allowed. Today's follow-up inspection findings state that the site is still not in compliance. The deficiencies include failure to effectively implement erosion prevention and sediment control BMPs.

The City reiterates that it will not accept any discharges of sediment laden runoff from the site into its storm drain system. Water quality monitoring is being conducted to assess whether or not illegal discharges are occurring from your site during this rain event and future rain events.

Although there are workers continuing to implement BMPs, the City through Municipal Code Section 18.08.170, has the right to contact an erosion control company to implement sufficient BMPs to eliminate sediment discharge from the site. As such, the City is putting you on notice should inadequate BMPs and/or failure of BMPs continue, the City will hire an erosion control company at your cost to prevent illegal discharges from occurring. Alternatively, you may also directly contact and hire an erosion control company to facilitate in bringing your construction site into compliance.

Attached you will find a third citation regarding the failure to install adequate BMPs. A copy of this citation is also being provided to the San Diego Regional Water Quality Control Board.

If you have any questions regarding this matter, please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsh
City Engineer

Copy: Phil Dowley, Bob Rodine, Ben Anderson

File 3232 Main Street Lemon Grove California 91945-1705





NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/16/14 12:25

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			<input checked="" type="checkbox"/>		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	<input checked="" type="checkbox"/>			Numerous gullies still unprotected. Some pads & slopes still unstabilized.	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	<input checked="" type="checkbox"/>			Some plastic covers need to be repositioned/reinstalled.	No
Site Drainage: Outlet Protection/Slope Drain		<input checked="" type="checkbox"/>			
Inlet/Outlet Protection		<input checked="" type="checkbox"/>			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	<input checked="" type="checkbox"/>			Addition of perimeter & slope protection still needed for west side.	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	<input checked="" type="checkbox"/>				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NO ENTRANCE PERMITTEDLY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still significant sediment on AKINS	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams in complete	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
- Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE

12/16/2014



- ① ROADWAY STABILIZATION/CHECK DAMS NEEDED
- ② STABILIZATION EROSION CONTROLS NEEDED
- ③ ADD FIBER ROLLS ON SLOPE
- ④ Stabilize area of concentrated flow toward basin
- ⑤ Repair/stabilize gullies
(Numerous locations - Not individually shown on map)

Exhibit No. 10

**D-MAX Engineering, Inc.**

Consultants in Water & Environmental Sciences

Memo**Date:** December 17, 2014**To:** Malik Tamimi**Cc:** Tad Nakatani; John Quenzer**From:** Brian Nemerow**Subject:** December 17, 2014 Field Visit at Valencia Construction Site

Per the City's request, D-MAX visited the Valencia construction site on the morning of December 17, 2014, following a storm earlier in the morning. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the Akins or San Altos entrance/exit locations at the time of the site visit.

Evidence of sediment discharge was observed at the Akins entrance/exit location (Photos 1 and 2) and along the curb farther downstream (Photo 3). A crew from Downstream Services was power washing the curb along Akins to remove accumulated sediment (Photos 4, 5, and 6). This indicates that there likely had been a noticeable sediment discharge earlier in the day. Based on talking with the crew, our understanding is that they were working on behalf of the Valencia project, and they also planned to use a vactor truck to remove accumulated sediment from the downstream storm drain on Akins. The crew was taking measures to prevent discharge of water from power washing, including using a vactor truck to reclaim the water, but a small amount of water was observed discharging to the inlet along Akins. The water was seeping through gravel bags around the inlet and discharge to the storm drain. A sample of the power washing discharge water was collected, and turbidity was measured at 52 NTU.



Figure 1. Observation Locations



Photo 1. Evidence of sediment discharge at Akins entrance/exit



Photo 2. Evidence of sediment discharge at Akins entrance/exit



Photo 3. Sediment accumulation along Akins curb gutter, downstream of Akins entrance/exit



Photo 4. Power washing activity performed by Downstream Services

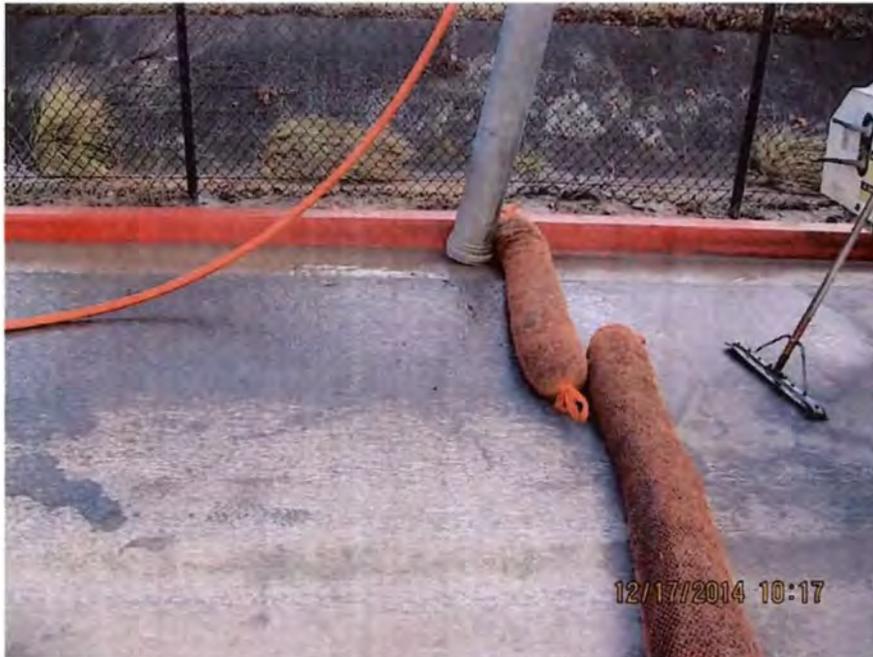


Photo 5. Power washing activity performed by Downstream Services



Photo 6. Power washing activity performed by Downstream Services



Exhibit No. 11

March 9, 2016
Item 12
Supporting Document 03a



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

December 19, 2014

Via email only

Ben Anderson
San Altos Lemon Grove LLC
5780 Fleet Avenue
Carlsbad, California 92008
bencanderson@bcadevelopment.com

In reply refer to / attn:
SM-828060:wchiu

Subject: Notice of Violation No. R9-2014-0153, Valencia Construction Project, Order No. 2009-0009-DWQ, NPDES Permit No. CAS000002, Construction General Permit

Mr. Anderson:

Enclosed is Notice of Violation (NOV) No. R9-2014-0153 issued to San Altos Lemon Grove LLC for violations of Order No. 2009-0009-DWQ, issued by the California State Water Resources Control Board and overseen by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). As described in the NOV, the violations are subject to further enforcement pursuant to the California Water Code. The San Diego Water Board reserves the right to take any enforcement action authorized by law.

Please provide a written response **by January 2, 2014** that confirms the violations have been corrected, identify a date by which the violations were corrected, and description of the actions taken to ensure future violations of Order No. 2009-0009-DWQ will not occur.

In making the determination of whether and how to proceed with further enforcement action, the San Diego Water Board will consider the severity and effect of the violation, the level of cooperation, the time it takes to correct the identified violations, and the sufficiency of the corrections.

Please send any written correspondence in response to this letter to SanDiego@waterboards.ca.gov. These electronic documents 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 also 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: **PIN: SM-828060:wchiu**.



Mr. Anderson
San Altos Lemon Grove LLC

For questions pertaining to the subject matter, please contact Wayne Chiu at (619) 521-3354 or wchiu@waterboards.ca.gov.

Respectfully,



Eric S. Becker, P.E.
Senior Water Resource Control Engineer
Storm Water Management Unit

ESB:wc

Enclosure: Notice of Violation No. R9-2014-0153

cc (via email only): Tim Anderson, BCA Development (tima@bcadevelopment.com)
Donald Sturgeon, Whitson CM (dsturgeon@whitsoncm.com)
Leon Firsht, City of Lemon Grove (lfirsht@lemongrove.ca.gov)
Gary Harper, City of Lemon Grove (gharper@lemongrove.ca.gov)
Malik Tamimi, City of Lemon Grove (mtamimi@lemongrove.ca.gov)

Tech Staff Info & Use	
Order No.	2009-0009-DWQ
NPDES No.	CAS000002
Place ID	SM-828060
WDID	937C369143
Inspection ID	2024185
Violation ID	855345, 855346
Enforcement ID	417155



California Regional Water Quality Control Board, San Diego Region

December 19, 2014

**NOTICE OF VIOLATION
No. R9-2014-0153**

Ben Anderson
San Altos Lemon Grove LLC
5780 Fleet Avenue
Carlsbad, California 92008

San Altos Lemon Grove LLC

Valencia Construction Project
PIN No. SM-828060:wchiu

**Violations of
Order No. 2009-0009-DWQ,
Construction General Permit**

SAN ALTOS LEMON GROVE LLC is hereby notified that the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reserves the right to take any enforcement action authorized by law for the violations described herein.

SAN ALTOS LEMON GROVE LLC is in violation of State Water Resources Control Board (State Water Board) Order No. 2009-0009-DWQ, NPDES No. CAS000002, *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit).

A. Summary of Violations

Construction General Permit Violations

1. Failure to Comply with Discharge Prohibitions for Construction Activities:

- a. Pursuant to Provision III.B of State Water Board Order No. 2009-0009-DWQ:**
All discharges are prohibited except for the storm water and non-storm water discharges specifically authorized by this General Permit or another NPDES permit.
- b. Observation:** On December 4, 2014, the San Diego Water Board inspected the Valencia construction site (WDID 937C369143). San Altos Lemon Grove LLC is the

Legally Responsible Person (LRP) enrolled under the Construction General Permit (CGP) for the site. On December 4 and 11, 2014, the City of Lemon Grove documented unauthorized discharges of sediment and sediment-laden storm water from the site due to inadequate implementation of best management practices (BMPs). On December 15, 2014, the San Diego Water Board inspector observed evidence of sediment discharged from the site due to inadequate and ineffective implementation of BMPs, constituting an unauthorized discharge of sediment from the site. See attached December 15, 2014 Facility Inspection Report Photos 9 through 12 and Attachments.

2. Failure to Comply with Effluent Limitations for Construction Activities:

- a. **Pursuant to Provision V.A.2 of State Water Board Order No. 2009-0009-DWQ:** Dischargers shall minimize or prevent pollutants in storm water discharges and authorized non-storm water discharges through the use of controls, structures, and management practices that achieve Best Available Technology Economically Achievable (BAT) for toxic and non-conventional pollutants and Best Conventional Pollutant Control Technology (BCT) for conventional pollutants.
- b. **Pursuant to Provision IX and Section A.1.b of Attachment C of State Water Board Order No. 2009-0009-DWQ:** Dischargers shall minimize or prevent pollutants in storm water and authorized non-storm water discharges through the use of controls, structures, and management practices that achieve BAT for toxic and non-conventional pollutants and BCT for conventional pollutants.
- c. **Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed the lack of effective erosion controls, perimeter sediment controls, and run-on and runoff controls required by the CGP, which directly lead to erosion and sedimentation that ultimately resulted in the discharge of sediment from the site observed on December 15, 2014. The discharge was a result of the implementation of controls, structures, and BMPs that do not achieve BCT. See attached December 4, 2014 Facility Inspection Report Photos 1 through 14.

3. Failure to Implement Good Site Management “Housekeeping” Best Management Practices (BMPs) for Construction Materials and Waste Management:

- a. **Pursuant to Provision X and Section B.1.a of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers are required to cover and berm loose stockpiled construction materials that are not actively being used (i.e. soil, spoils, aggregate, fly-ash, stucco, hydrated lime, etc.).
- b. **Pursuant to Provision X and Section B.2.f of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers are required to contain and securely protect stockpiled waste material from wind and rain at all times unless actively being used.

c. **Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed soil stockpiles without adequate cover, berm, containment or protection, resulting in erosion and sediment transport. See attached December 15, 2014 Facility Inspection Report Photo 1.

4. Failure to Implement Good Site Management “Housekeeping” BMPs for Vehicle Storage and Maintenance:

a. **Pursuant to Provision X and Section B.3.a of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers are required to prevent oil, grease, or fuel to leak in to the ground, storm drains or surface waters.

b. **Pursuant to Provision X and Section B.3.b of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers are required to place all equipment or vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.

c. **Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed several construction vehicles stored without appropriate BMPs to prevent oil, grease or fuel to leak in to the ground, storm drains or surface waters. See attached December 4, 2014 Facility Inspection Report Photos 2 and 3.

5. Failure to Implement Adequate Erosion Controls for Inactive Areas:

a. **Pursuant to Provision X and Section D.2 of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers shall provide effective soil cover for inactive areas and all finished slopes, open space, utility backfill, and completed lots.

b. **Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed several completed building pads and slopes on the site that appeared to be inactive, or could be scheduled to be inactive, without effective soil cover or other BMPs that could prevent erosion. Evidence of erosion and sediment transport due to lack or erosion control measures for inactive areas were observed throughout the site during the inspection. See attached December 15, 2014 Facility Inspection Report Photos 4 through 7.

6. Failure to Implement Adequate Perimeter Sediment Controls:

a. **Pursuant to Provision X and Section E.1 of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers shall establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site.

b. **Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed several areas of the site where perimeter controls were

not established or maintained to sufficiently control erosion and sediment discharges from the site. See attached December 15, 2014 Facility Inspection Report Photos 9 through 14.

7. Failure to Implement Adequate Erosion Controls for Active Areas:

- a. Pursuant to Provision X and Section E.3 of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers shall implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.
- b. Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed several active areas of the site that did not have appropriate erosion control BMPs in place or ready to be deployed. See attached December 15, 2014 Facility Inspection Report Finding 4 and Photo 8.

8. Failure to Implement Adequate Linear Sediment Controls for Exposed Slopes:

- a. Pursuant to Provision X and Section E.4 of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 dischargers shall apply linear sediment controls along the toe of the slope, face of the slope, and at the grade breaks of exposed slopes to comply with sheet flow lengths in accordance with Table 1.
- b. Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed several slopes throughout the site without linear sediment controls along the toe and grade breaks of exposed slopes. See attached December 15, 2014 Facility Inspection Report Photos 4 through 7.

9. Failure to Implement Adequate Run-on and Runoff Controls:

- a. Pursuant to Provision X and Section F of Attachment D of State Water Board Order No. 2009-0009-DWQ:** Risk Level 2 shall effectively manage all run-on, all runoff within the site and all runoff that discharges from the site. Run-on from off site shall be directed away from all disturbed areas or shall collectively be in compliance with the effluent limitations in the CGP.
- b. Observation:** During the December 15, 2014 inspection, the San Diego Water Board inspector observed a lack of effective runoff controls within the site, and at several areas around the site where perimeter controls were not established or maintained to prevent run-on to and runoff from the site, resulting in sediment being allowed to be discharged in runoff from the site. See attached December 15, 2014 Facility Inspection Report Photos 8 through 14.

Mr. Anderson
Notice of Violation No. R9-2014-0153

- 5 -

B. Summary of Potential Enforcement Options

These violations may subject you to additional enforcement by the San Diego Water Board or State Water Resources Control Board, including a potential civil liability assessment of \$10,000 per day of violation (Water Code section 13385) and/or any of the following enforcement actions:

Other Potential Enforcement Options	Applicable Water Code Section
Technical or Investigative Order	Sections 13267 or 13383
Cleanup and Abatement Order	Section 13304
Cease and Desist Order	Sections 13301-13303
Time Schedule Order	Sections 13300, 13308

In addition, the San Diego Water Board may consider revising or rescinding applicable waste discharge requirements, if any, referring the matter to other resource agencies, referring the matter to the State Attorney General for injunctive relief, and referral to the municipal or District Attorney for criminal prosecution.

In the subject line of any response, please include the information located in the heading of this letter: "in reply refer to." Questions pertaining to this Notice of Violation should be directed to Wayne Chiu at (619) 521-3354 or wchiu@waterboards.ca.gov.



Eric S. Becker, P.E.
Senior Water Resource Control Engineer
Storm Water Management

ESB:wc

Attachments: Facility Inspection Report dated December 15, 2014

Tech Staff Info & Use	
Place ID	SM-828060
WDID	937C369143
Inspection ID	2024185
Violation ID	855345, 855346
Enforcement ID	417155

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM**

FACILITY INSPECTION REPORT

FACILITY: Valencia
WDID/FILE NO.: 937C369143

INSPECTION DATE/TIME: 12/15/2014; 10:00 am

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME: <u>Wayne Chiu</u>	AFFILIATION: <u>San Diego Water Board</u>
NAME: <u>Ben Anderson</u>	AFFILIATION: <u>BCA Development, Inc.</u>
NAME: <u>Tim Anderson</u>	AFFILIATION: <u>BCA Development, Inc.</u>
NAME: <u>Donald Sturgeon</u>	AFFILIATION: <u>Whitson CM</u>
NAME: <u>Leon Firsh</u>	AFFILIATION: <u>City of Lemon Grove</u>
NAME: <u>Gary Harper</u>	AFFILIATION: <u>City of Lemon Grove</u>

San Altos Lemon Grove LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

5780 Fleet Avenue
Carlsbad, CA 92008
OWNER MAILING ADDRESS

Ben Anderson, 714-966-1544
OWNER CONTACT NAME AND PHONE #

BCA Development, Inc.
FACILITY OR DEVELOPER NAME (if different from owner)

1350 San Altos Place
Lemon Grove, CA 91945
FACILITY ADDRESS

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- | | |
|---|---|
| <input type="checkbox"/> MS4 URBAN RUNOFF REQUIREMENTS | <input type="checkbox"/> GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES |
| <input checked="" type="checkbox"/> CONSTRUCTION GENERAL PERMIT | <input type="checkbox"/> GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS |
| <input type="checkbox"/> CALTRANS GENERAL PERMIT | <input type="checkbox"/> SECTION 401 WATER QUALITY CERTIFICATION |
| <input type="checkbox"/> INDUSTRIAL GENERAL PERMIT | <input type="checkbox"/> CWC SECTION 13264 |

INSPECTION TYPE (Check One):

- "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
- "B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
- NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
- ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
- COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
- PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
- NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
- NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
- COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

Facility: Valencia
Inspection Date: 12/15/2014

I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

On December 2, 2014, the City of Lemon Grove (City) issued a Stop Work/Notice of Violation to the Valencia construction site (WDID 9 37C369143) for failing to implement construction storm water best management practices (BMPs) required by local ordinances. The City's inspection report issued with the Stop Work/Notice of Violation noted inadequate implementation of erosion controls, entrance/exit stabilization, and stockpile management and warned the project manager that a "discharge is imminent" without adequate BMPs. The site was required to stop work and implement BMPs to be prepared for a storm event that occurred on December 3 and 4, 2014.

The site failed to implement BMPs before the storm, resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's municipal separate storm sewer system (MS4). The City issued a second Stop Work/Notice of Violation on December 4, 2014 for the illegal discharges to the City's MS4. The City conducted a follow up inspection on December 9, 2014 and noted the same BMP deficiencies identified before the December 3 and 4, 2014 storm event, as well as additional deficiencies in perimeter sediment controls. The inspection report provided recommendations for locations that needed to be addressed and types of BMPs. The site again failed to implement BMPs before a subsequent storm event that occurred on December 11, 2014, again resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's MS4. On December 11, 2014, the City issued an Administrative Citation to the site requiring BMPs to be implemented by December 15, 2014 before monetary penalties would begin. The Stop Work/Notice of Violation issued on December 2 and 4, 2014 and the Administrative Citation issued on December 11, 2014 by the City are attached to the end of this inspection report.

On the morning of December 12, 2014, the City contacted the San Diego Water Board about the unauthorized discharges of sediment and sediment-laden storm water to their MS4 from the Valencia construction site. According to the City's storm water manager, the site owner was claiming the site was in compliance with the requirements of the Statewide Construction General Storm Water Permit, Order No. 2009-0009-DWQ (CGP) and therefore should be considered in compliance with the City's ordinances. The City's storm water manager requested an inspection from the San Diego Water Board to determine whether the construction site was in compliance with the requirements of the CGP.

Wayne Chiu of the San Diego Water Board performed an inspection of the Valencia construction site for compliance with the requirements CGP. According to the Storm Water Multiple Application & Report Tracking System (SMARTS), the site is a Risk Level 2 construction site, disturbing over 18 acres, and owned by San Alto Lemon Grove LLC. The developer of the site is BCA Development, Inc.

The San Diego Water Board inspector met with Mr. Ben Anderson, the contact for the owner and developer of the site, Mr. Tim Anderson, project manager for the developer,

Facility: Valencia
Inspection Date: 12/15/2014

and Mr. Donald Sturgeon, the Qualified Storm Water Pollution Prevention Plan (SWPPP) Practitioner (QSP) performing the weekly inspections. Also present to observe during the inspection were Mr. Leon Firsh and Mr. Gary Harper, City Engineer and Construction Storm Water Inspector for the City of Lemon Grove, respectively. The San Diego Water Board inspector did not review the SWPPP or other records during the inspection.

II. FINDINGS

1. Several stockpiles observed without adequate containment (See Photo 1). Evidence of erosion and sediment transport from the stockpile observed during the inspection. All construction sites are required to contain and securely protect stockpiled waste material from wind and rain at all times unless actively being used.
2. Construction equipment and vehicles observed without appropriate BMPs (e.g. drip pans) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters (See Photos 2 and 3). All construction sites are required to prevent oil, grease or fuel to leak in to the ground, storm drains, or surface waters, and to place all equipment and vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.
3. Several areas were observed to be inactive, or could be scheduled to be inactive, without effective soil cover to control potential erosion. Several completed building pads and several inactive slopes (See Photos 4 through 7) lacked any effective soil cover for erosion control. The lack of erosion controls in these areas contributed to unauthorized sediment discharges from the site (See Photos 9 through 11). All construction sites are required to provide effective soil cover for inactive areas (i.e. areas that have been disturbed and not scheduled to be re-disturbed for at least 14 days) and all finished slopes, open space, utility backfill, and completed lots.
4. Active areas were observed to lack appropriate erosion control BMPs (runoff control and soil stabilization) to prevent erosion during storm events (See Photo 8). The project manager and QSP could not describe any erosion control measures that were in place or were ready to be deployed before the December 3 and 4, 2014 and December 11, 2014 storm events. Risk Level 2 construction sites are required to implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.
5. Several slopes throughout the site were observed to lack linear sediment controls along the toe and grade breaks of exposed slopes (See Photos 4 through 7). Risk Level 2 construction sites are required to apply linear sediment controls along the toe of the slope, face of the slopes, and at the grade breaks of exposed

Facility: Valencia
Inspection Date: 12/15/2014

slopes to comply with sheet flow lengths given in Table 1 of Attachment D to the CGP.

6. Lack of effective perimeter sediment controls observed which resulted in unauthorized sediment discharges from the site (See Photos 9 through 14). All construction sites are required to establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site.
7. Lack of effective run-on and runoff controls observed within and around the site which contributed to sediment discharges from the site (See Photos 4 and 14). All construction sites are required to effectively manage run-on, all runoff within the site and all runoff that discharges off the site.

III. COMMENTS AND RECOMMENDATIONS

Comments

1. There is evidence that good site management "housekeeping" BMPs were not being adequately implemented (See Findings 1 and 2).
2. There is evidence that erosion controls were not adequately implemented for several inactive areas contributing to discharges of sediment from the site (See Finding 3).
3. There is evidence that erosion controls were not adequately implemented for several active areas prior to storm events contributing to discharges of sediment from the site (See Finding 4).
4. There is evidence that linear sediment controls were not adequately implemented for several exposed slopes contributing to slope erosion and discharges of sediment from the site (See Finding 5).
5. There is evidence that perimeter sediment controls, as well as run-on and runoff controls, were not adequately implemented which contributed to discharges of sediment from the site (See Findings 6 and 7).
6. There was evidence observed during the inspection that the site has not implemented BMPs to meet BCT Technology Based Effluent Limitations (TBELs) under Section V.A.2 of the CGP, as required for all construction sites, which resulted in the unauthorized discharges of sediment and sediment-laden water from the site observed or documented on December 4, 11, and 15, 2014 (See Compliance History discussion and Findings 1 through 7).

Facility: Valencia
Inspection Date: 12/15/2014

7. There is evidence that either the QSP was not adequately identifying and recommending implementation of good site management "housekeeping," erosion control, sediment control, and run-on/runoff control BMPs, or the owner/developer was not directing the implementation of the BMPs as recommended by the QSP.

Recommendations

1. Issue a Notice of Violation for discharges of sediment from the site and failure to implement Risk Level 2 requirements of CGP.
2. Refer the site to the Compliance Assurance Unit to determine whether or not issuing formal enforcement action may be appropriate.

IV. SIGNATURE SECTION

Wayne Chiu		12/15/2014
STAFF INSPECTOR	SIGNATURE	INSPECTION DATE
Eric Becker		12/16/14
REVIEWED BY SUPERVISOR	SIGNATURE	DATE

SMARTS:

Tech Staff Info & Use	
WDID	937C369143
Place ID	SM-828060
Inspection ID	2024185
Violation ID	855345, 855346

Facility: Valencia
Inspection Date: 12/15/2014



Photo 1

Photo 1 shows soil stockpile without adequate containment. Evidence of erosion and sediment transport along that base of the stockpile. Most stockpiles observed during inspection lacked adequate containment.



Photo 2



Photo 3

Photos 2 and 3 show construction equipment and vehicles without appropriate BMPs (e.g. drip pans) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters. Most vehicles observed during inspection lacked appropriate BMPs.

Facility: Valencia
Inspection Date: 12/15/2014



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

Photos 4 through 7 show completed building pads and adjacent slopes without any erosion controls and evidence of significant erosion and sediment transport. **Photo 8** shows evidence of erosion and sediment transport in unpaved road sloping to locations shown in Photos 9 through 11. Sediment from completed lots and slopes in Photos 4 through 7 transported to road in Photo 8 lacking any erosion control measures during storm events, and inadequate runoff controls to reduce and prevent transport of sediment through site.

Facility: Valencia
Inspection Date: 12/15/2014



Photo 9



Photo 10



Photo 11



Photo 12

Photos 9 through 12 show inadequate implementation of perimeter sediment controls and run-on/runoff controls to prevent discharges of sediment from the site. Photo 9 shows evidence of erosion and sediment transport from road shown in Photo 8 to perimeter with inadequately installed perimeter sediment and runoff controls (i.e. fiber roll not properly trenched and staked). Photos 10 shows evidence of sediment transport from the site beneath the inadequately installed perimeter sediment and runoff controls. Photo 11 shows evidence of sediment transport from the site to MS4 channel protected by silt fence and gravel bags. Photo 12 shows sediment that has been discharged into the MS4 channel due to inadequate implementation of erosion, sediment, and runoff controls by the site.

Facility: Valencia
Inspection Date: 12/15/2014



Photo 13



Photo 14

Photos 13 and 14 show lack of effective perimeter sediment controls and run-on/runoff controls. Photo 13 shows evidence of erosion and sediment transport due to lack of perimeter run-on controls. Photo 14 shows evidence of sediment discharged from the site to the MS4 drainage system due to erosion caused by run-on that then ran off the site due to inadequate perimeter sediment controls and runoff controls.



NOTICE

DATE: 12/2/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AITOS PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson (via email)
DATE/TIME: 12/2/14 3pm
BY: GARY HARPER
TITLE: Eng. Inspector
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: Harper / [Signature] / 12/2/14 / 1pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) Weekly

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GC-1692

Project Name & Type: VALENCIA, Subdivision

Project Location & Address: SAN AITOS PL

Contractor's Name & Telephone #: ANDERSON Development (949) 275-6739

Property Owner & Telephone #: SAN AITOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 36 9143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: M 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Is construction site phased/scheduled to address erosion control on a timely basis?	X			CONTRACTOR HYDROSEEDING AS NEEDED, BUT DID NOT SEED AS PLANNED	N
Preservation of existing vegetation?	X				Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch					
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			NOT ENOUGH PLASTIC COVERS FOR STOCKPILES	NO
Site Drainage: Outlet Protection/Slope Drain	X				Y
Inlet/Outlet Protection	Y				Y
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				Y

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y				Y
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	Y			ENTRANCE NEEDS TO BE CLEANED. ALSO NEED STREET SWEEP	NO
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	Y			SOME ARE COVERED SOME ARE NOT	NO
Are heavy equipment and vehicles parked in designated areas with permeable surface?	Y				Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.	Y				Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	Y				Y
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		TC-1 IS DOWN STREAM OF UPPER SITE; NEEDS TO BE CLEANED	NO
Other					
Are there any other potential storm water pollution issues/concerns?	Y			RAIN EVENT TODAY, TC-1 SHOULD BE PROTECTED	NO
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: 12/2/14

RECOMMENDED CORRECTIVE ACTION

SEE STOP WORK NOTICE - DISCHARGE IS IMMINENT IF NOAA FORECAST CORRECT: 100% HEAVY RAIN THIS AFTERNOON.

I CALL TO TIM ANASTON THIS MORNING AT 9AM. LEFT V. MAIL THAT SITUATION NEEDED ATTENTION ASAP - NO RETURN CALL



NOTICE

DATE: 12/4/2014
PROJECT: Valencia
PROJECT #: GIR-1692
ADDRESS: SAN ANTONIO PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other Illegal Discharge

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson (Email)
DATE/TIME: 12/4/2014 10AM
BY: GARY HAGER
TITLE: EWG INSPECTOR
PHONE: (619) 454 1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.



CITY OF LEMON GROVE ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ — is due no later than — to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Site Representative

Mailing Address: 3194-C2 Airport Loop Drive 1 Project Manager

Business Name (if applicable): Costa Mesa, CA 92626
BGA Development

cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
B.48.060 18.08.560 Inadequate BMP's - see
18.08.170 attached inspection reports
18.08.180

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendation's 12/15/14
Maintain adequate surplus of BMP's 5:00 P.M.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Finseth Phone No.: 619-825-3825 Signature: [Signature] Date: 12/11/14

Person Cited - Signature Acknowledging Receipt: _____ (Date)

Citation Served (circle one): In Person By Mail / Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

Lemon Grove Municipal Code						
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Title 8 HEALTH AND SAFETY						
Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL						

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. **Applicable Requirements.** All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. **Minimum Best Management Practices for All Dischargers.** All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. **Eroded Soils.** Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.
2. **Pollution Prevention.** Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.
3. **Prevention of Illegal Discharges.** Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.
4. **Slopes.** Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.
5. **Storage of Materials and Wastes.** All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.
6. **Use of Materials.** All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. **Inspection, Maintenance, Repair and Upgrading of BMPs.** BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. **Stormwater Pollution Prevention Plan.** An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

Lemon Grove Municipal Code							
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Title 18 CITYWIDE REGULATIONS Chapter 18.08 EXCAVATION AND GRADING Article II. Permits and Fees							

18.08.170 Erosion control required.

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;
2. The name, address and signature of the civil engineer or person who prepared the plan;
3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;
4. The streets, easements, drains, and other improvements;
5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;
6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.
2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.
3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.
4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.
5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.
6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment or silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

Lemon Grove Municipal Code							
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Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article II. Permits and Fees							

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS Chapter 18.08 EXCAVATION AND GRADING Article V. Grading Operations							

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record

CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3811



Date: 12/11/14 5:00 P.M.	Project: Valencia
<input type="checkbox"/> Meeting	<input type="checkbox"/> Phone
<input checked="" type="checkbox"/> Site Visit	
Attendees: Leon + Gary	
Notes: Site inspection to review recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).	
① No erosion control provided.	
② Insufficient/Improperly installed check dams.	
③ Repair + stabilization of gullies not completed.	
④ Not completed.	
⑤ Completed.	
⑥ Not visible.	
⑦ Mostly complete.	
⑧ N/A	



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San Diego, CA



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- Other Hazards

- Forecasts
- Forecast Discussion
- Local Area
- Activity Planner
- Aviation Weather
- Fire Weather
- Marine Weather
- Severe Weather
- Hurricane Center
- User Defined Area
- Fastlinks

- Hydrology
- Rivers and Lakes
- Forecasts / Obs

- Climate
- Local
- National
- Drought
- More...
- Climate portal
- Weather Safety
- Preparedness
- Weather Radio
- SkyWarn™
- StormReady
- TsunamiReady
- Additional Info
- Items of Interest
- Other Useful Links
- Education Resources
- COOP Observer

Warnings and/or Advisories In Effect for this Point:

- [Flash Flood Watch](#)
- [Wind Advisory](#)

For warnings and/or advisories in effect for adjacent areas to this point, see <http://www.wrh.noaa.gov/sgx>

Change Table Font Size [Increase](#) [Decrease](#)

Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft) Lemon Grove CA

Forecast Created at: 6pm PST Dec 11, 2014

Custom Weather Forecast Table

Weather	Thu Dec 11				Fri Dec 12				Sat Dec 13				Sun Dec 14				Mon Dec 15				Tue Dec 16				
	Chance Rain				Slight Chance TStorms and Rain	Rain Showers and TStorms	Likely Rain Showers and TStorms	Likely Rain Showers	Chance Rain Showers				Chance Rain				Likely Rain								
Daily-Temp	High 67 Low 53				High 63 Low 58				High 63 Low 51				High 65 Low 48				High 64 Low 50				High 64 Low 52				
Chance of Precip	0%	0%	5%	45%	100%	90%	65%	75%	30%	15%	5%	5%	5%	5%	5%	5%	5%	5%	40%	40%	55%	55%	60%	60%	40
Precip	0.00"	0.00"	0.00"	0.01"	0.57"	0.29"	0.06"	0.12"	0.00"	0.00"	0.00"	0.00"	0.00"	0.00"											
12-hr Snow Total	0"				0"				0"																
FRET	0.06"				0.06"				0.05"				0.06"				0.07"								
6-Hour Temp	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4am	10am	4pm	10pm	4a
Temp	53	62	65	60	58	61	60	54	52	59	59	52	49	59	61	54	51	59	61	55	53	60	61	55	5
Cloudiness	86%	49%	75%	100%	100%	91%	84%	75%	69%	51%	30%	37%	31%	21%	30%	30%	41%	41%	62%	62%	90%	90%	87%	87%	71
Dewpoint	52	53	54	53	52	54	52	50	49	48	46	46	43	44	44	48	44	43	45	49	47	51	49	51	4
Relative Humidity	94%	73%	67%	78%	79%	77%	73%	88%	89%	69%	61%	81%	80%	57%	52%	81%	79%	57%	54%	81%	82%	72%	63%	88%	89
Wind	S	S	S	S	SE	W	SW	W	E	W	NW	E	E	N	W	E	E	S	SW	SE	SE	S	S	S	S
	2	7	8	10	15	6	6	6	2	2	5	3	3	1	5	5	6	7	7	7	8	9	7	6	1
Snow Level (ft)	9317 9161				7608 6313 5478 5212				5704								6701 5923 5850 5993 5805 5704 56								

Forecast Weather Table Interface

Select Weather Format	Enter a Location or Click on Map Below
Custom Weather Table XML Point Forecast Page Point Forecast Matrix Hourly Tabular Forecast Hourly Weather Graph	Search by address; city,state; latitude/longitude... 
Interval in Hours: 1 3 6 Duration in Days: 1 2 3 4 5 6 7	



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] / 12/11/14 9:00AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			see inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.



CITY OF LEMON GROVE

3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: TAD NAKATANI [Signature] 12/9/14 1:00 pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: ^{Low}High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 9370369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeded areas. Some pads not seeded, northern road eroding.	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lcks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Several are unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

- Add erosion controls to all ^{disturbed} areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 12/9/14

Recommendations:

- ① • Add erosion control to road segment (eg northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.
- ② • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls
- ③ • Repair ^{Establish} gullies in slopes on edges of pads. May consider using erosion control blankets*
- ④ • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control
- ⑤ • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered
- ⑥ • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site
- ⑦ • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion
- ⑧ • Sweep road to remove sediment

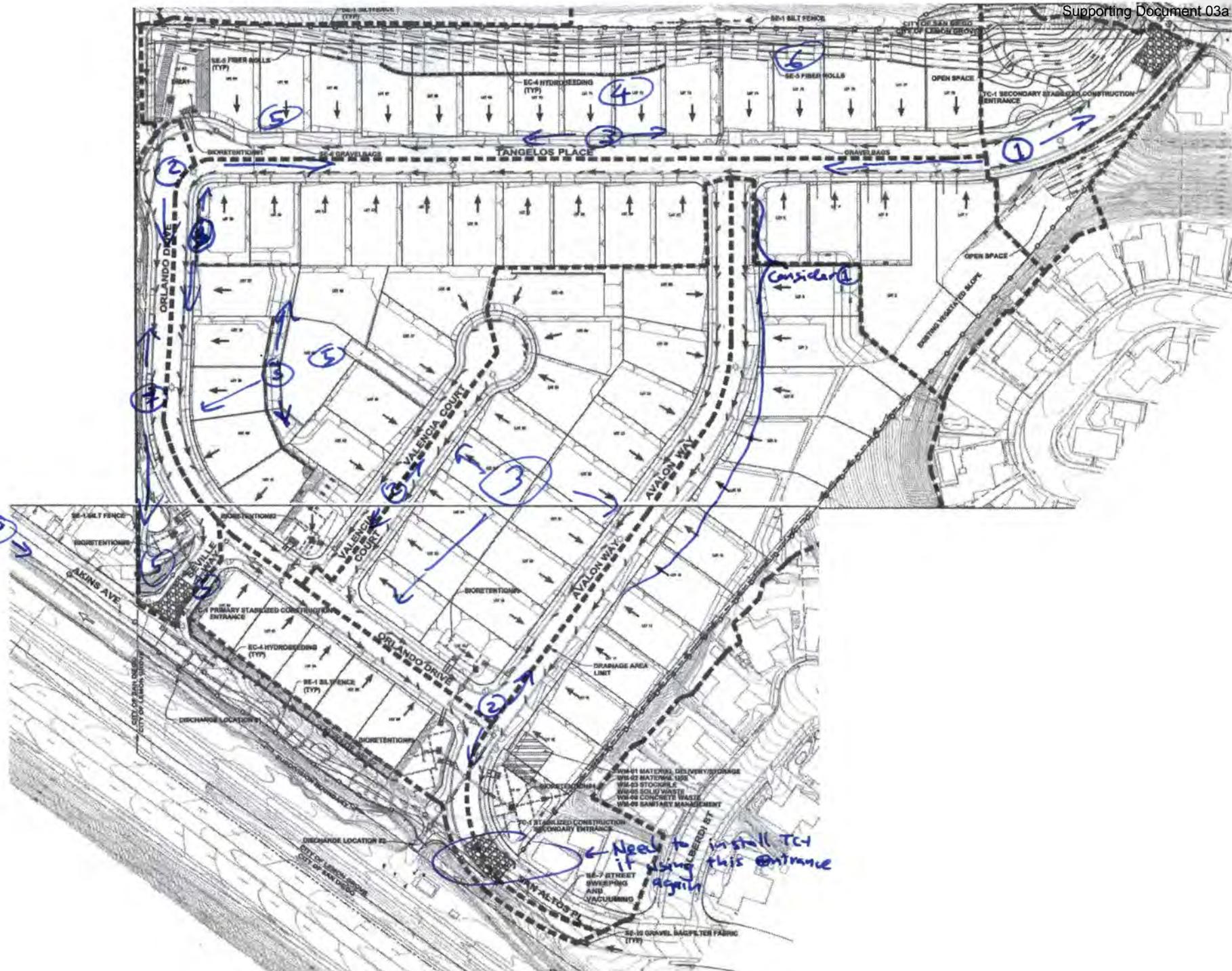
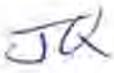


Exhibit No. 12

**D-MAX Engineering, Inc.**

Consultants in Water & Environmental Sciences

Memo**Date:** December 31, 2014**To:** Leon Firsht, Malik Tamimi**Cc:** Tad Nakatani**From:** John Quenzer **Subject:** December 31, 2014 Field Visit at Valencia Construction Site

D-MAX visited the Valencia construction site on the morning of December 31, 2014, following a storm earlier the previous night. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the time of the site visit.

Ponded water was observed at the Akins Avenue entrance/exit location and behind several sets of gravel bags installed along Akins Avenue. Samples were collected from the ponded water at the Akins Avenue entrance/exit (Photo 1) and from ponded water behind the first set of gravel bags downstream of the Akins Avenue exit/entrance (Photos 2 and 3). Turbidity was measured at 250 NTU in the first sample (Akins entrance/exit), and 235 NTU in the second sample (first set of gravel bags along Akins).

Some sediment had settled out at the bottom of the pools of water in both of the locations at which samples were collected, and care was taken not to disturb the settled sediment when samples were taken. Note that because water had been pooled and sediment had settled out over time, the turbidity results as given above are likely lower than the turbidity of the discharge that had occurred earlier when it was raining. To approximate that effect, the settled sediment at the Akins entrance/exit location was disturbed, and a sample was taken a few minutes later. The turbidity of that sample was 998 NTU.

Observations farther downstream along the curb indicated that in some places sediment had been conveyed around gravel bag installations. Photo 4 gives an example of this. Sediment accumulation was also noted along Akins Avenue, close to the storm drain inlet.



Figure 1. Map of Site and Immediate Vicinity



Photo 1. Ponded Water at Akins Avenue Entrance/Exit



Photos 2 &3. Ponded Water at First Set of Gravel Bags Downstream of Akins Avenue Entrance/Exit (Looking downstream and upstream, respectively)



Field Visit at Valencia Construction Site
December 17, 2014
Page 4 of 5



Photo 4. Evidence of Discharge Carrying Sediment around Gravel Bags along Akins Avenue



Photo 5. Sediment Accumulation along Akins Avenue, Close to Inlet



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
 CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: TAD NAKATANI T/N/AG 3/18/15 7:30AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PL

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6737

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			several slopes & inactive areas lack erosion control	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			covers not in place on all sidewalks and at basin inlets	No
Site Drainage: Outlet Protection/Slope Drain Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Inadequate perimeter controls at NW & SE corners silt fences not installed on western lot	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Drain on Avalon lacks protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			Multiple entrances need replacement/repair at TC-1. Driveways lack adequate tracking controls per plans. Sediment on roadways	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X			some liquids stored without secondary containment	No
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Numerous uncovered stockpiles but no indication that they are inactive	Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X			some vehicles lack drip pans	No
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X			concrete waste observed on gravel outside of washouts	No
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?		X			
Was there any employee or subcontractor training on stormwater BMPs?		X	X	not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

SEE NEXT PAGE FOR RECOMMENDATIONS

Construction BMP Recommendations

Site: VALENCIA

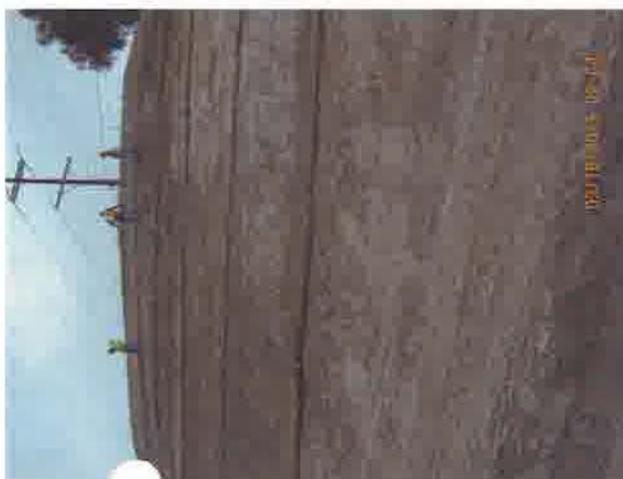
Date: 3/18/15

Recommendations:

- ① IMPLEMENT ADEQUATE EROSION CONTROLS ON SLOPES & SIDEWALLS
- ② CLEAN UP CONCRETE WASTE OBSERVED AT MULTIPLE LOCATIONS AND ENSURE THAT ALL EMPLOYEES USE WASHOUTS PROPERLY
- ③ IMPLEMENT ADEQUATE TRACKING CONTROLS IN DRIVEWAY TRANSITIONS FROM PAVEMENT TO EXPOSED LOTS
- ④ PROTECT INLET AND SURROUNDING AREA OF EXPOSED SOIL
- ⑤ SWEEP/CLEAN SEDIMENT FROM ROADWAY
- ⑥ IMPLEMENT ADEQUATE EROSION CONTROLS ON EXPOSED INACTIVE AREAS
- ⑦ PROVIDE STABILIZATION AT INLETS TO BASINS
- ⑧ REPLACE/REFRESH STABILIZED CONSTRUCTION ENTRANCE
- ⑨ IMPLEMENT ADEQUATE PERIMETER CONTROL BMPs
- ⑩ ENSURE THAT DRIP PANS ARE PLACED UNDER VEHICLES WHEN NOT IN USE
- ⑪ PROVIDE SECONDARY CONTAINMENT FOR LIQUID STORAGE

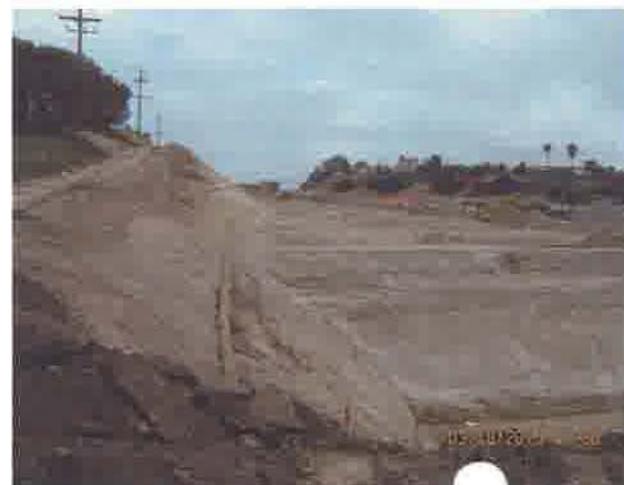








Failure to cover and provide secondary containment.





03/18/2015 06:35



03/18/2015 06:46



Exhibit No. 15

NOTICE

DATE: 3/24/15
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AITAS

STOP WORK

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: PROJECT PLANS, SHEETS 11A, 12, 13,

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: Tim Anderson via email
DATE/TIME: 3/24/15 3:30 pm
BY: Gary Harper
TITLE: Eng. Inspector
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.





Failure to cover and provide secondary containment.









Lack of erosion controls in active areas.



INSPECTOR'S REPORT



CITY OF LEMON GROVE

Engineering Department

3232 Main Street
 Lemon Grove, CA 91945
 619-825-3810

	Date: 3/24/15	Hours: 2.5
Project: Valencia	Project No.: GR-1692	
Developer: BCA	Inspector: Harper	Contract Day:
Location: San Altos	Weather: Clear/Warm	

MANPOWER AND EQUIPMENT

Grading Contractor:	Underground Contractor:	Other Contractors:
Cal West: Stormwater	Koloa & Ortega	New Point Homes (Kirk), Anderson Development (Tim)
Equipment:	Equipment:	Equipment:

Remarks: Developer's Supervisor Onsite: Y N

Follow up to Tad's inspection 3/18/15 and citations issued by the City to Anderson Development last week and items to be corrected yesterday by 5pm.

Attached "Construction BMP Recommendations" noted:

1. Erosion control on slopes and sidewalks: although crews are addressing items, some are not complete, such as western slope, northwest shear cut, west sidewalk areas of Orlando and Valencia Ct.
2. Concrete waste: crew did clean concrete waste, although another spill occurred at lot 23 that was not cleaned up.
3. Tracking controls at lot driveways: most have been destroyed by vehicles. Tim and Kirk asked a couple weeks ago if they could substitute shaker plates for the rock detail, sheet 11A. Responded that they needed to submit plan to engineering.
4. Inlet protection: 1 inlet has protection while the inlet at Avalon does not.
5. Street sweeping: streets are fairly clean and Kirk advised that streets are swept every Saturday.
6. Erosion control on exposed inactive areas: as in #1, exposed areas along Orlando and Valencia Ct. needs protection. Some other areas that seemed inactive last week are now active. The site changes almost daily as there is a large number of grading equipment and workers onsite.
7. Provide stabilization at inlets to basins: see #4.
8. Stabilized construction entrance: southwest 69th/Broadway has no TC-1, northwest 69th TC-1 needs to be cleaned of debris, TC-1 at Avalon/Tangelos Pl. looks acceptable.
9. Perimeter control: Crews are repairing/replacing silt fence and fiber rolls, although not complete.
10. Drip pans: most vehicles have drip pans, however one piece of equipment parked at 69th st. TC-1 did not.
11. Secondary containment: stack of 5 gallon drums of asphaltic material is still exposed at southwest area. New placement of two 55 gallon drums of diesel fuel with pump at Avalon/Tangelos Pl. needs to have secondary containment.

Because of concrete spill that wasn't cleaned up at lot 23, citation to be issued.

Because items addressed in 2nd citation were not addressed by due date of last night, but crews are actively mitigating, correct work to be issued.

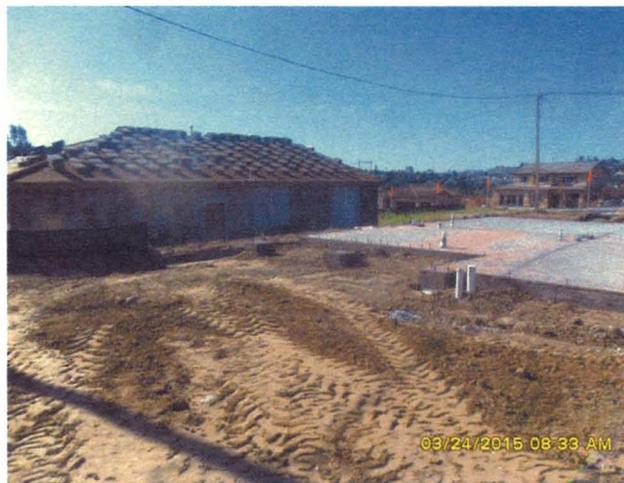
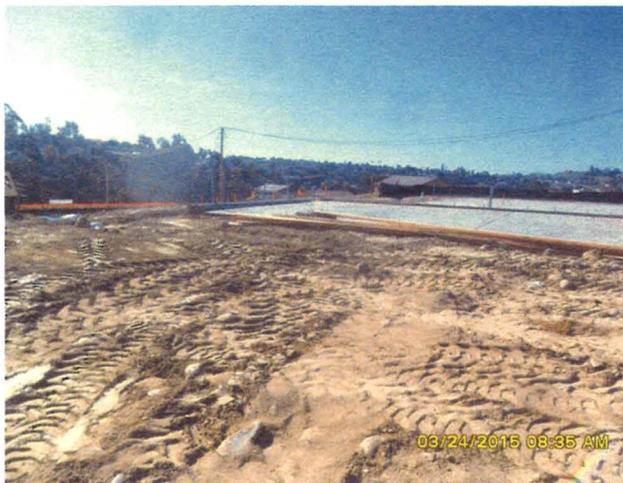


Exhibit No. 17



CITY OF LEMON GROVE ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ 1,000 is due no later than 5/1/15 to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson Tim
(Last Name) (First Name)

Circle One: Property Owner Tenant Business Owner Other Project Manager

Mailing Address: 3194-C2 Airport Loop Road, Costa Mesa, CA 92626

Business Name (if applicable): BCA Development CC: Phil Dowley, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 4/1/15 Time (Violation Observed): 12:25 PM

Location of Violation: 1350 San Altos Place / Valencia
(Street Address) (APN)

Violation(s) Observed (Code Section and Description):
8.48.040
Illegal Discharges of cementitious material -
See photos.

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Clean up cementitious material immediately. Verbal direction given 4/1/15.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name Tamara O'Neal Phone No. 619-825-3800 Signature [Signature] Date 4/1/15

Person Cited – Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person By Mail / Email n Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE ORIGINAL

PINK COPY

CITATION CARD OWNER



Exhibit No. 18

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM**

FACILITY INSPECTION REPORT

FACILITY: Valencia Hills **INSPECTION DATE/TIME:** May 8, 2015; 19:00 **WDID/FILE NO.:** 93 7C369143

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME: Frank Melbourn AFFILIATION: San Diego Water Board

NAME: Unnamed Security Guard AFFILIATION: Unknown

San Altos-Lemon Grove, LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

BCA Development, Inc.
FACILITY OR DEVELOPER NAME (if different from owner)

5780 Fleet Avenue
Carlsbad, CA 92008
OWNER MAILING ADDRESS

1350 San Altos Place
Lemon Grove, CA 91945
FACILITY ADDRESS

Ben Anderson, 714-966-1544
OWNER CONTACT NAME AND PHONE #

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- | | |
|---|---|
| <input type="checkbox"/> MS4 URBAN RUNOFF REQUIREMENTS | <input type="checkbox"/> GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES |
| <input checked="" type="checkbox"/> CONSTRUCTION GENERAL PERMIT | <input type="checkbox"/> GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS |
| <input type="checkbox"/> CALTRANS GENERAL PERMIT | <input type="checkbox"/> SECTION 401 WATER QUALITY CERTIFICATION |
| <input type="checkbox"/> INDUSTRIAL GENERAL PERMIT | <input type="checkbox"/> CWC SECTION 13264 |

INSPECTION TYPE (Check One):

- "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
- "B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
- NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
- ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
- COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
- PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
- NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
- NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
- COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

Facility: Valencia Hills
Inspection Date: May 8, 2015

I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

On August 14, 2014, the City of Lemon Grove (City) notified the San Diego Water Board of an unauthorized non-storm water discharge to the City's Municipal Separate Storm Sewer System (MS4) from the Site caused by a contractor hitting a 12-inch water main. On August 15, 2014, the San Diego Water Board issued a Staff Enforcement Letter (SEL) via email to San Altos-Lemon Grove, LLC (Discharger) notifying them that the non-storm water discharge from the Site was an unauthorized discharge, with a request for additional information. The Qualified SWPPP¹ Practitioner (QSP) estimated that approximately 31,000 gallons of potable water discharged through the Site, and was "brown and sediment laden" when it discharged from the Site.

On December 2, 2014, the City issued a Stop Work/Notice of Violation to the Site for failing to implement Best Management Practices (BMPs) required by local storm water ordinances. The City's inspection form issued with the Stop Work/Notice of Violation noted inadequate implementation of erosion controls, entrance/exit stabilization, and stockpile management and warned the project manager that a "discharge is imminent" without adequate BMPs. The Discharger was required to stop work and implement BMPs to be prepared for a storm event that was expected to occur on December 3 and 4, 2014. The Discharger failed to implement BMPs before the storm, resulting in unauthorized discharges of sediment and sediment laden storm water runoff from the Site to an unnamed tributary to Chollas Creek. The City issued a second Stop Work/Notice of Violation to the Discharger on December 4, 2014, for the illegal discharges to the City's MS4.

The City conducted a follow up inspection of the Site on December 9, 2014, and noted the same BMP deficiencies identified before the December 3 and 4, 2014, storm event, as well as additional deficiencies in perimeter sediment controls. The City's inspection form identified areas to be addressed by the Discharger and recommended appropriate BMPs.

The Discharger again failed to implement BMPs before a storm event on December 11, 2014, and again it resulted in unauthorized discharges of sediment and sediment laden storm water from the Site to an unnamed tributary to Chollas Creek. On December 11, 2014, the City issued an Administrative Citation to the Discharger requiring BMPs to be implemented by December 15, 2014, before monetary penalties would begin. On the morning of December 12, 2014, the City contacted the San Diego Water Board about the unauthorized discharges of sediment and sediment-laden storm water to their MS4 from the Site. According to the City, the Discharger claimed the Site was in compliance with the requirements of the Construction Storm Water Permit; therefore the Discharger should be considered in compliance with the City's storm water ordinance. The City requested an inspection from the San Diego Water Board to determine compliance with the Construction Storm Water Permit.

¹ Storm Water Pollution Prevention Plan (SWPPP).

Facility: Valencia Hills
Inspection Date: May 8, 2015

On December 15, 2014, San Diego Water Board inspector, Wayne Chiu inspected the Site for compliance with the Construction Storm Water Permit. During the inspection, the San Diego Water Board inspector found evidence of inadequate implementation of stockpile management, vehicle storage and maintenance, erosion control, sediment control, run-on and runoff control, and inspection, maintenance, and repair requirements. The San Diego Water Board inspector also found evidence of inadequate implementation of additional erosion control and sediment controls required for Risk Level 2 construction sites. On December 19, 2014, the San Diego Water Board issued Notice of Violation No. R9-2014-0153 to the Discharger and requested a written response demonstrating that the violations were corrected. The Discharger provided a written response, dated January 1, 2015.

On January 26, 2015, the City provided written notification to the San Diego Water Board that the Stop Work had been removed for the Site with a summary of inspections and enforcement conducted by the City between December 2, 2014, and January 22, 2015. Between December 16, 2014, and January 19, 2015, a contractor to the City continued to inspect the Site to track BMP implementation progress. Based on an inspection conducted on January 6, 2015, the contractor to the City indicated most of the major BMP deficiencies had been addressed. The contractor to the City indicated removal of the Stop Work is appropriate in a January 16, 2015, memo to the City. The City removed the Stop Work on January 22, 2015.

On March 27, 2015, the San Diego Water Board conducted a follow up inspection to determine if the Site had adequately implemented BMPs that achieve BAT and BCT for a Risk Level 2 construction site. While standing at the intersection of Orlando Drive and Seville Way, San Diego Water Board Inspector, Frank Melbourn, warned Discharger representatives that the then failure to have erosion and sediment control BMPs on Seville Way was a violation of the Construction Storm Water Permit, and would likely result in a sediment discharge if there were to be a rain event. Discharger representatives claimed that if the Site were to have another rain event, they would build a dirt berm at the top of Seville Way to prevent runoff from discharging down Seville Way. Overall, the San Diego Water Board inspector, Wayne Chiu, found that the Discharger implemented corrective actions that largely addressed the violations identified in Notice of Violation No. R9-2015-0153.

II. FINDINGS

1. The Site received approximately 0.5 inches of rain in the last 24 hours. Muddy sediment runoff was observed on Orlando Drive in two places, and also at the intersection of Orlando Drive and Valencia Court. The sediment came off of graded housing pads with ineffective or non-existent erosion and sediment control BMPs.
2. Several areas were observed to be inactive, or could be scheduled to be inactive, without effective soil cover to control erosion. The lack of erosion controls in these areas contributed to unauthorized sediment discharges from the site. All construction sites are required to provide effective soil cover for inactive areas

Facility: Valencia Hills
Inspection Date: May 8, 2015

- (i.e. areas that have been disturbed and not scheduled to be re-disturbed for at least 14 days) and all finished slopes, open space, utility backfill, and completed lots.
3. **Active areas** were observed to **lack appropriate erosion control BMPs** (runoff control and soil stabilization) to prevent erosion during storm events. Risk Level 2 construction sites are required to implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.
 4. Several slopes throughout the site were observed **without linear sediment controls** along the toe and grade breaks of exposed slopes. Risk Level 2 construction sites are required to apply linear sediment controls along the toe of the slope, face of the slopes, and at the grade breaks of exposed slopes to comply with sheet flow lengths given in Table 1 of Attachment D to the Construction Storm Water Permit.
 5. Seville Way is a short steep graded dirt street without erosion or sediment control BMPs. The failure to control the runoff from Seville Way resulted in a direct discharge into an unnamed tributary to Chollas Creek. Lack of effective perimeter sediment controls resulted in an unauthorized sediment discharge from the site. All construction sites are required to establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site.
 6. **Lack of effective run-on and runoff controls** observed within and around the site which contributed to sediment discharges from the site. All construction sites are required to effectively manage run-on, all runoff within the site and all runoff that discharges off the site.

III. COMMENTS AND RECOMMENDATIONS

Comments

1. There were no site storm water or construction personnel present to correct deficient/failed BMPs or to cleanup discharged sediment. There were two security guards on site.
2. There is evidence that erosion controls were not adequately implemented for several inactive areas contributing to discharges of sediment from the site.
3. There is evidence that erosion controls were not adequately implemented for several active areas prior to storm events contributing to discharges of sediment from the site.

Facility: Valencia Hills
Inspection Date: May 8, 2015

4. There is evidence that linear sediment controls were not adequately implemented for several exposed slopes contributing to slope erosion and discharges of sediment from the site.
5. There is evidence that perimeter sediment controls, as well as run-on and runoff controls, were not adequately implemented which contributed to discharges of sediment from the site.
6. There was evidence observed during the inspection that the site has not implemented BMPs to meet BCT Technology Based Effluent Limitations (TBELs) under Section V.A.2 of the CGP, as required for all construction sites, which resulted in the unauthorized discharges of sediment and sediment-laden water from the site.
7. There is evidence that either the QSP was not adequately identifying and recommending implementation of good site management "housekeeping," erosion control, sediment control, and run-on/runoff control BMPs, or the owner/developer was not directing the implementation of the BMPs as recommended by the QSP.
8. Failure to implement Rain Event Action Plan (REAP).

Recommendations

1. Issue a Notice of Violation for discharges of sediment from the site and failure to implement Risk Level 2 requirements of CGP.
2. Refer the site to the Compliance Assurance Unit to determine whether or not issuing formal enforcement action may be appropriate.

IV. SIGNATURE SECTION

Frank Melbourn  May 8, 2015
STAFF INSPECTOR SIGNATURE INSPECTION DATE

Chiara Clemente  5/12/15
REVIEWED BY SUPERVISOR SIGNATURE DATE

SMARTS:

Tech Staff Info & Use	
WDID	937C369143
Place ID	SM-828060
Inspection ID	2025608
Violation ID	857231 & 857232

Facility: Valencia Hills
Inspection Date: May 8, 2015



Photograph No. 1: 20150508_191716.jpg, taken by Frank Melbourn, San Diego Water Board

Photograph No. 1 looks west at Orlando Drive from San Altos Place. The photograph displays a **sediment discharge** from disturbed construction areas into the street. The sediment was an inch thick in some areas. Displayed slopes in the photograph show signs of erosion, and were lacking erosion and sediment control BMPs at their base. Parkway strips failed to have sediment control BMPs. There was no site personnel available to cleanup discharged sediment or maintain/reinforce failed BMPs. There was an absence of run-on/run-off control BMPs. For example there were no gravel bag chevrons or check dams along the street to slow down the runoff flow.

Facility: Valencia Hills
Inspection Date: May 8, 2015



Photograph No. 2: 20150508_191734.jpg, taken by Frank Melbourn, San Diego Water Board

Photograph No. 2 looks southwest at Orlando Drive from San Altos Place. The photograph displays a **sediment discharge** from disturbed construction areas into the street. The photograph also displays unprotected (absent erosion control BMPs) disturbed soil and a lack of sediment controls above street gutters. The gravel bags deployed to protect the storm drain inlet were ineffective as evidenced by the turbid sediment laden storm water on the inside edges of the gravel bags. Again the use of gravel bag chevrons could have been implemented in the street.

Facility: Valencia Hills
Inspection Date: May 8, 2015



Photograph No. 3: 20150508_191955.jpg, taken by Frank Melbourn, San Diego Water Board

Photograph No. 3 looks northeast at the corner of Valencia Court and Orlando Drive from Orlando Drive. The photograph displays a **sediment discharge** from disturbed construction areas into the street. Except the area with plastic sheeting, displayed slopes in the photograph show signs of erosion, and were lacking erosion and sediment control BMPs at their base.

Facility: Valencia Hills
Inspection Date: May 8, 2015



Photograph No. 4: 20150508_192214.jpg, taken by Frank Melbourn, San Diego Water Board

Photograph No. 4 looks northwest up Seville Way from Akins Avenue. The photograph displays disturbed soil without erosion control BMPs and sediment control BMPs.

Facility: Valencia Hills
Inspection Date: May 8, 2015



Photograph No. 5: 20150508_192234.jpg, taken by Frank Melbourn, San Diego Water Board

Photograph No. 5 looks southeast onto the unnamed tributary to Chollas Creek from the intersection of Seville Way and Akins Avenue. The photograph displays the **sediment discharge point** between the gap (identified by red arrow) in the site perimeter control BMPs into the unnamed tributary. A buildup of eroded sediment from the site can be seen at the base of the gravel bags.

Facility: Valencia Hills
Inspection Date: May 8, 2015



Photograph No. 6: 20150508_192253.jpg, taken by Frank Melbourn, San Diego Water Board

Photograph No. 6 looks northeast onto Akins Avenue from the intersection of Akins Avenue and Seville Way. The photograph displays disturbed soil **without erosion control BMPs** and **sediment control BMPs**. The photograph also displays perimeter control BMPs on the right hand side.