California Regional Water Quality Control Board

San Diego Region

Linda S. Adams Secretary for Environmental Protection

Internet Address: http://www.swrcb.ca.gov/rwgcb9/ 9174 Sky Park Court, Suite 100, San Diego, California 92123-4340 Phone (858) 467-2952 • FAX (858) 571-6972



in reply, refer to:

WPS:MGP:18-2004152.02

November 19, 2007

Mr. Allen Kashani Pardee Homes 12626 High Bluff Drive Suite 100 San Diego, CA 92130

WDID 9 000001650

CIWQS:

Party No.

35134

Place No.

641282

Reg. Measure. No.

310828

RE:

SHAW LORENZ (04C-152)

401 WATER QUALITY CERTIFICATION AMENDMENT

Dear Mr. Kashani:

The California Regional Water Quality Control Board San Diego Region (Regional Board) is amending the Shaw Lorenz project 401 Water Quality Certification (Certification No. 04C-152). This amendment has been requested by you to reflect a revised, proposed project with less impacts to waters of the U.S., less impacts to waters of the State (depression features, vernal road pools, or vernal swales), and the proposed increase of vernal pool mitigation. The amendment request was received via email from David Moskovitz, Glen Lukos Associates on November 13, 2007. Changes to the Certification are shown in strikeout and underline fonts below.

ADDITIONAL CONDITIONS

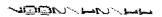
C. MITIGATION

2. Compensatory mitigation for impacts to 0.06 acre of waters of the State (vernal road pools) shall consist of the 1:1 2:1 creation of 0.06 0.12 acre of vernal pools within the Shaw Lorenz development. Mitigation shall be implemented as described in the Final Shaw Lorenz Vernal Pool Restoration and Enhancement Plan (dated-September 1, 2006 revised November 8, 2007) prepared by RECON.

California Environmental Protection Agency

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





ATTACHMENT 1 PROJECT INFORMATION

Impacted Waters of the United States:

The proposed project will permanently impact (fill) 0.236 0.231 acre (5334 5175 linear feet) of unvegetated and 0.012 acre (255 linear feet) of vegetated waters of the U.S.

Impacted Waters of the State:

The proposed project will discharge waste (fill) to $0.06 \ 0.0591$ acre ($2555 \ 2515$ feet²) waters of the State (vernal road pools).

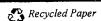
Compensatory Mitigation:

Compensatory mitigation for impacts to waters of the U.S. from the Shaw Lorenz project is proposed as the 2.02:1 2.06:1 creation/restoration of 0.50 acre within the Pacific Highlands Ranch (PHR) mitigation area in McGonigle Canyon. The Implementation Report for Wetland Restoration Activities, Pacific Highlands Ranch – Subarea III, San Diego, California prepared by RECON (dated September 7, 2004) identified the overall creation of 21.56 acres of wetland and non-wetland waters of the U.S. at the PHR property. The U.S. Army Corps of Engineers (Corps) has acknowledged that 1.5 acres of excess mitigation was created, and that Pardee Homes has chosen to use part of that excess as mitigation for other development projects, including 0.50 acre of wetlands for the Shaw Lorenz project.

Compensatory mitigation for impacts to water of the State (vernal road pools) from the Shaw Lorenz project is proposed as the 1:1 2.03:1 creation of 0.06 0.12 acre (255 feet 5227 ft²) of onsite vernal pools. Vernal pool creation, maintenance and monitoring is described in the Final Shaw-Lorenz Vernal Pool Restoration and Enhancement Plan prepared by RECON (dated September 1, 2006 revised November 8, 2007).

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter. If you have any questions

California Environmental Protection Agency



regarding this notification, please contact Mike Porter directly at (858) 467-2726 or by email mporter@waterboards.ca.gov.

Respectfully,

John H. Robertus Executive Officer

San Diego Regional Water Quality Control Board

cc: Ms. Kari Coler
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San Diego Field Office
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San Diego, CA 92127

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

Ms. Elizabeth Goldmann (via e-mail)
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U.S. Environmental Protection Agency, Region 9
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Mr. David Moskovitz Glen Lukos Associates 29 Orchard Lake Forest, CA 92630

State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit

P.O. Box 100 Sacramento, CA 95812-0100

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

Mr. Hugh Hewitt Hewitt & O'Neil LLP 19900 MacArthur Boulevard Suite 1050 Irvine, CA 92612