

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

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<http://www.waterboards.ca.gov/sandiego/>

**Amendment No. 2 to Clean Water Act Section 401
Water Quality Certification No. 07C-022**

**PROJECT: Beach Opportunistic Beach Restoration Program
Certification Number 07C-022
WDID: 9000001619**

Reg. Meas. ID: 322076 Place ID: 647860 Party ID: 32483 Person ID: 523449

**APPLICANT: City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92051-1070**

On May 20, 2010, Clean Water Act Section 401 Water Quality Certification No. 07C-022 (Certification) was issued to the City of Oceanside (Applicant) for the Beach Opportunistic Beach Restoration Program Project (Project). On July 13, 2010, an Amended Certification was issued to correct typographical errors in the original Certification.

By letter dated June 16, 2014, Moffatt & Nichol, on behalf of the Applicant, requested the Amended Certification be amended to extend the expiration date of the Certification an additional five years.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Amended Certification to extend the expiration date of the Certification to April 10, 2020. Except as modified or superseded by the Amended Certification modifications set forth below, all of the findings, provisions and other requirements of Amended Certification No. 07C-022 remain in full force and effect. The following changes are made to Amended Certification No. 07C-022 and are shown in underline/strikeout format to indicate added and removed language:

1. Page 2, Project Description is modified as follows:

The proposed amendment as described in the amendment request would change the grain size distribution for the beach restoration program. The sediment would contain no more than 25% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.74 mm. The proposed changes will also prohibit activities within 500 yards of a Western Snowy Plover breeding colony from May 1 through September 30. These changes are consistent with other ~~RGP 67~~ and 401 Certifications issued for other opportunistic beach fill programs within the region.

2. Page 2, Standard Conditions 1, 2, and 3 are replaced with the following:

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

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

3. Page 4, Section A, General Condition 11 is modified as follows:

11. Certification 07C-022 ~~expires 5 years from issuance~~ shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 U.S.C §1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) April 10, 2020, whichever occurs first.

4. Page 4, Section B, Project Condition 2 has been deleted:

- ~~2. The City of Oceanside must comply with the requirements of Regional Board Resolution No. R9-2007-0104, Conditional Waiver 6.1.A. Discharges of Dredged or Fill Materials Nearby or Within Surface Waters. These waivers of Waste Discharge Requirements are accessible at:
[http://www.waterboards.ca.gov/sandiego/board decisions/waivers/index.shtml](http://www.waterboards.ca.gov/sandiego/board%20decisions/waivers/index.shtml).~~

5. Page 5, Section B, Project Condition 3 is modified as follows:

3. The City of Oceanside must comply with the requirements of State Water Resources Control Board Water Quality Order No. ~~2009-0009-DWQ~~ ~~99-08-DWQ~~, the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Activity (General Construction Storm Water Permit). If Project construction activities do not require coverage

under the General Construction Storm Water Permit, the City of Oceanside must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.

6. Page 5, Section B, Project Condition 6 is modified as follows

6. The City of Oceanside must submit a notification to the Regional Board within 30 days of completion of the each beach restoration Project. The final report should include photos of the completed project.

7. Page 6, Section C.3.a, *California grunion (Leuresthes tenuis)*, is replaced with the following:

a. California grunion (Leuresthes tenuis)

No excavation, construction, or maintenance activities authorized under this Certification shall be conducted within potential spawning habitat of the California grunion, except as provided below. California grunion is a State managed species, and the intertidal zone at the Project site is potential spawning habitat. A fact sheet describing the unique reproductive behavior of grunion is available at:

<http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=36316&inline=true>.

- 1) To the greatest extent possible, any work seaward of the semilunar high tide line must be scheduled to occur outside of the grunion spawning season, which is March 1 through August 31.

- 2) If work during grunion spawning season is essential for Project effectiveness, the following conditions shall apply from March 1 through August 31.

a) **Four-day predicted runs.** No Project activity that entails sand disturbance seaward of the semilunar high tide line shall be conducted during the four-day periods of predicted grunion runs that are posted by the California Department of Fish and Wildlife (<http://www.dfg.ca.gov/marine/grunionschedule.asp>). As an example, if a predicted run series starts on July 18, no sand-disturbance activity seaward of the semilunar high tide line would be allowed on July 18, 19, 20, or 21.

b) **Other days.** Prior to Project activity that entails sand disturbance seaward of the semilunar high tide line on other days during spawning season, the presence or absence of egg nests in or near the work area must first be determined by monitoring the presence of adult grunion on the beach during predicted runs.

- i. A qualified biologist or appropriately trained personnel shall monitor for the presence of adult grunion during the predicted grunion runs. Monitoring must be done on all four nights of the predicted run series prior to the work activity, except that if grunion are observed spawning within the work area or a 10-yard buffer on a given night, the presence of egg nests can be assumed and surveys on subsequent nights are not required. For example, if grunion are observed in the work area of the 10-yard buffer on night 1, then monitoring on nights 2, 3, and 4 would not be required. If grunion are not observed within the work area or the 10 yard buffer on night 1, then night 2 must be surveyed and so forth.
 - ii. Monitoring must start at the time of the high tide and continue for two hours or until the grunion stop running, whichever is later. For each night of monitoring, recorded information must include the time period monitored, grunion run time and duration, approximate grunion density within the work area and 10-yard buffer, and approximate grunion density in a broader area (i.e., within approximately 50 yards up-coast or 50 yards down-coast of the work area).
 - iii. If grunion spawning is observed within the work area or 10-yard buffer on any night of a four-day run series, then Project activity that entails sand disturbance seaward of the semilunar high tide line shall be postponed until after the egg incubation period (i.e., until the day before the first date of the next predicted run, as described above in ii).
 - iv. If grunion spawning is not observed within the work area or 10-yard buffer on all four nights of a predicted run series, then the absence of egg nests and incubation activity near the work area can be assumed and, if needed, Project activity that entails sand disturbance can be conducted seaward of the semilunar high tide line up to and including the day before the date of the next predicted run. For example, if no grunion were observed during the predicted runs on July 4, 5, 6, and 7, and the date of the next predicted run is July 18, then work can occur seaward of the semilunar high tide line from July 8 through July 17.
- c) **April and May.** To protect grunion during their peak spawning season (and closed season for recreational fishery), Project activity that entails sand disturbance seaward of the semilunar high tide line shall, to the greatest extent possible, be scheduled to avoid April and May.

7. Page 8, Section C.5, Qualitative Monitoring, is replaced by the following:

5. Turbidity: Turbidity shall be monitored daily by a qualified observer from a high vantage point (e.g., a lifeguard tower) during construction. If significant water quality impacts are evident, then the discharge activities shall be modified or suspended as follows:
 - i. If visual monitoring indicates significant turbidity¹ greater than ambient one-half mile from the discharge site (either offshore or down-coast) for two (2) consecutive days, then the City of Oceanside shall:
 1. Evaluate littoral conditions (wind, tide, wave climate, and littoral drift) to determine if the plume distribution is likely to be short term in nature;
 2. Evaluate effectiveness of discharge site BMPs and identify opportunities to modify sand placement methods to further reduce sediment discharge during periods of strong long-shore movement;
 3. Record and implement necessary modifications to BMPs;
 4. Notify the Regional Board and United States Army Corps of Engineers (USACE) contacts by telephone or email; and,
 5. Comply with any measures identified by the Regional Board, in consultation with other responsible agencies, as appropriate, to mitigate Project-related turbidity, including modifying or halting the discharge.
 - ii. If significant turbidity persists on the third day, the monitor shall commence daily water clarity testing and reporting to the Regional Board and the USACE. Testing shall consist of measuring transmission of light through the water using a transmissometer or other turbidity measuring device. Daily testing shall continue until no Project related turbidity is detectable (i.e., until offshore and down-coast reading return to ambient levels). Testing shall be designed to document the areal extent and concentration of the turbidity plume at the time of day it is most developed, and shall, at a minimum, include at least three sample stations located as close as practicable to the discharge site, one-half mile up-coast of the discharge site, and one-half mile down-coast of the discharge site. Sampling shall be done throughout the water column (surface, mid-depth, and near the bottom). These sampling protocols may be modified with the Regional Board's written approval. The City of Oceanside shall document logistical arrangements for such potential water quality sampling and shall include draft quality assurance/ quality control protocols in the Project monitoring plan.

¹ For this certification, significant turbidity is defined as when the area of discharge is observed to differ from the surrounding waters and a secchi disc cannot be seen below three feet from the surface. No limitation is placed on the overall size of the turbidity plume being generated by beach replenishment operations.

- iii. If significant turbidity is greater than ambient one-half mile from the discharge site (either offshore or down-coast) for five (5) consecutive days, the discharge shall be halted or modified to reduce turbidity.

8. Page 10, Section H , Reporting, is modified as follows:

- ~~1. All information requested in this certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for Failure to furnish requested information pursuant to CWC section 13268.~~
1. The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the Regional Board for failure to submit information pursuant to Water Code sections 13268 and 13385.
- ~~2. All reports and information submitted to the Regional Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is on file in PDF format that is also Optical Character Recognition (OCR) capable.~~
- ~~3. 2. The City of Oceanside must submit a final report to the Regional Board within 30 days of completion of the each restoration Project. The final report must include the following information: should include as-built drawings no bigger than 11" x 17" and photos of the completed project including post construction BMPs.~~
 - a. Date of construction initiation;
 - b. Date of construction completion;
 - c. BMP installation and operational status for the Project;
 - d. As-built drawings of the Project, no bigger than 11"x17";
 - e. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after Project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.

4. 3. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:
 - a. For a corporation, by a responsible corporate officer if at least the level of vice president.
 - b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
5. 4. A duly authorized representative of a person designated in items 3.a.4.a. through 3.c.4.e. above may sign the documents if:
 - a. The authorization is made in writing by a person described in Items 3.a.4.a. through 3.c.4.e. above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the Regional Board's Executive Officer.
6. 5. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:

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

- ~~7. The City of Oceanside must submit reports required under this certification, or other information required by the Regional Board, to:~~

~~Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 08C-078
9174 Sky Park Court, Suite 100
San Diego, CA 92123~~

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

California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 07C-022: PIN 647860
2375 Northside Drive, Suite 100
San Diego, CA 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the Regional Board must include the following identification number in the header or subject line: Certification No. 07C-022: PIN 647860.

8. 7. Required Reports: The following list summarizes the reports, including spill notifications and emergency situations, required per the conditions of this Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Unauthorized Discharges	A.4	Within 24 hours of unauthorized discharge
Annual Progress Reporting	A.10	Prior to <u>August 1</u> December 1 of each year until the Project is complete
<u>Notification of Dredge, Fill, or Discharge Activities</u>	B.3	At least 5 days prior to commencement of construction
<u>Notification of Completion of Project</u>	<u>B.6</u> B.7	Within 30 days of completion of the <u>each</u> Project
Final Report	<u>H.2</u> B.7	<u>Within 30 days of completion of each Project</u> After post construction monitoring is completed
Sampling and Analysis Plan	C	Approval needed before each placement
Photo Documentation	E	With monitoring reports
GIS shapefiles	F	<u>Within 30 days of</u>

		<u>Project impacts:</u> <u>Within 30 days of</u> <u>mitigation installation</u> Annually
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9. Page 12, Regional Water Quality Control Board Contact Person, is replaced with the following:

Alan Monji, Environmental Scientist
Telephone: (619) 521-3968
E-mail: Alan.Monji@waterboards.ca.gov

10. Page 15, Project Description, is modified as follows:

The proposed amendment as described in the amendment request would change the grain size distribution for the beach restoration program. The sediment would contain no more than 25% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.74 mm. The proposed changes will also prohibit activities within 500 yards of a Western Snowy Plover breeding colony from May 1 through September 30. These changes are consistent with other ~~RGP 67~~ and 401 Certifications issued for other opportunistic beach fill programs within the region.

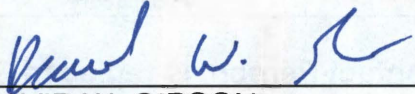
11. Page 18, Attachment 2, Distribution List, is modified as follows:

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

Ms. Loni Adams
California Department of Fish and Wildlife
South Coast Region
Habitat Conservation Planning - South
Loni.Adams@wildlife.ca.gov

Notification: Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 2 to Certification No. 07C-022 issued on April 16, 2015.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

16 April 2015
Date



Linda S. Adams
Acting Secretary for
Environmental
Protection

California Regional Water Quality Control Board San Diego Region

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

PROJECT: City of Oceanside Beach Opportunistic
Beach Restoration Program
Water Quality Certification No. 07C-022

APPLICANT: Mr. Frank Quan
City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92051-1070

WDID	9000001619
Reg. Measure	322076
Place	647860
Party	32485
Person	523449

ACTION:

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

PROJECT DESCRIPTION:

The proposed project is the placement of up to 150,000-yd³ of sand per year (for no more than five years) on South Oceanside Beach for beach sand nourishment. The sand would be placed as a beach berm and as low tide mound placement. Placement would occur from September through March. Beach quality sand would be opportunistically-sourced from upland and dredging sites and stored at the City-owned El Corazon Quarry site in Oceanside until placed on the beach.

California Environmental Protection Agency

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The sand will not contain more than 25% fine-grained sediment. The proposed sand placement site is the same site used by SANDAG for the Regional Beach Sand Project that placed 421,000-yd³ of sand during August and September of 2001.

The proposed amendment as described in the amendment request would change the grain size distribution for the beach restoration program. The sediment would contain no more than 25% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.74 mm. The proposed changes will also prohibit activities within 500 yards of a Western Snowy Plover breeding colony from May 1 through September 30. These changes are consistent with other RGP 67 and 401 Certifications issued for other opportunistic beach fill programs within the region.

STANDARD CONDITIONS:

The following three standard conditions apply to all certification actions, except as noted under Condition 3 for denials (Action 3).

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

ADDITIONAL CONDITIONS:

In addition to the three standard conditions, the City of Oceanside must satisfy the following:

A. GENERAL CONDITIONS:

1. The City of Oceanside must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (Regional Board), to support this 401 Water Quality Certification and all subsequent submittals required as part of this certification and as described in Attachment 1. The conditions within this certification must supersede conflicting provisions within such plans submitted prior to the certification action. Any modifications thereto, would require notification to the Regional Board and reevaluation for individual Waste Discharge Requirements and/or certification amendment.
2. During construction activities, the City of Oceanside must maintain a copy of this certification at the project site so as to be available at all times to site personnel and agencies.
3. The City of Oceanside must permit the Regional Board or its authorized representative at all times, upon presentation of credentials:
 - a. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - b. Access to copy any records required to be kept under the terms and conditions of this certification.
 - c. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this certification.
 - d. Sampling of any discharge or surface water covered by this Order.
4. The City of Oceanside must notify the Regional Board within **24 hours** of any unauthorized discharge, including hazardous or toxic materials, to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best management practice (BMPs) or other measures that will be implemented to prevent future discharges.
5. The City of Oceanside must, at all times, maintain appropriate types and sufficient quantities of materials onsite to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the U.S. and/or State.
6. This Certification is not transferable to any person except after notice to the Executive Officer of the Regional Board. The City of Oceanside must notify the Regional Board of any change in ownership of the project area. Notification must include, but not be limited to, a statement that the property owner has provided the purchaser with a copy of the Section 401 Water

Quality Certification and that the purchaser understands the permit requirements and must implement them; the seller and purchaser must sign and date the notification. The notification for transfer of mitigation responsibility must include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of the Certification. Notification must be provided within 10 days of the sale of the property.

7. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.
8. In response to a suspected violation of any condition of this certification, the Regional Board may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
9. In response to any violation of the conditions of this certification, the Regional board may add to or modify the conditions of this certification as appropriate to ensure compliance.
10. The City of Oceanside and successor owners must submit annual progressive reports to the Regional Board prior to August 1 of each year following the issuance of this certification until the project has reached completion.
11. Certification 07C-022 expires 5 years from issuance.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually thereafter, the City of Oceanside must educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and Best Management Practices implementation and maintenance.
2. The City of Oceanside must comply with the requirements of Regional Board Resolution No. R9-2007-0104, Conditional Waiver 6.I.A. - Discharges of Dredged or Fill Materials Nearby or Within Surface Waters. These waivers of

Waste Discharge Requirements are accessible at:
[http://www.waterboards.ca.gov/sandiego/board decisions/waivers/index.shtml](http://www.waterboards.ca.gov/sandiego/board%20decisions/waivers/index.shtml)

2. The City of Oceanside must notify the Regional Board in writing at least 5 days prior to the actual commencement of dredge, fill, and discharge activities.
3. The City of Oceanside must comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-08-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
4. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
5. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
6. The City of Oceanside must submit a notification to the Regional Board within 30 days of completion of the project. The final report should include photos of the completed project.

C. PLACEMENT OF SEDIMENT

The proposed project must be implemented as described in the application, with the exception of limiting the discharge of fine-grained material to 25% or less. The proposed project must place not more than 150,000 cubic yards of sediment per year over a five year period. The sediment must not form a hardpan after placement. The sediment that will be placed on the beach must have less than 10% sand difference from the receiving beach and no negative aesthetic impact on the receiving beach or water.

1. Sediment Quality

All sediment must be tested for hazardous wastes and material, and grain size distribution. All sediment that has potential sources of biostimulatory substances and bacteria, must be tested for biostimulatory substances and bacteria.

a. *Biostimulatory Substances*

The sediment must not contain biostimulatory substances in concentrations that exceed natural background levels.

b. *Hazardous Wastes and Material*

The sediment must not contain hazardous wastes or materials.

c. *Bacteria*

The sediment must not contain bacteria concentrations that affect the beneficial uses of the waters of the United States and/or State.

d. *Grain Size*

The sediment must contain no more than ~~40~~ 25% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.074 millimeters or pass through the #200 sieve.

e. *Trash*

The sediment must be free of trash and debris.

f. *Color*

The sediment must reasonable match the color of natural beach sand after exposure to the marine environment.

2. Discharge/Compliance with Water Quality Control Plan

Discharges must comply with the California Ocean Plan and the Regional Board's Water Quality Control Plan (Basin Plan).

3. Protection of biological resources

a. *California grunion (Leuresthes tenuis)*

The project proposes to place sediment on the beach from March 1 to May 31; therefore the City of Oceanside must determine beach habitat suitability for grunion spawning. The applicant must comply with the Special Condition No. 6 of the Regional General Permit 67 - Beach Nourishment in Southern California with respect to protecting grunion (Corps File No. 200401896-JLB).

b. *California least tern (Sterna antillarum)*

No activities authorized under this certification will be conducted within 1,000 yards of a California least tern breeding colony from April 1 through September 30.

c. *Western Snowy Plover (Caradrius alexandrinus nivosus)*

No activities authorized under this certification will be conducted within ~~5000~~ 500 yards of a Western Snowy Plover breeding colony from May 1 through September 30.

d. *Eelgrass (Zostera marina)*

The proposed project should avoid vegetated eelgrass area or potential eelgrass areas to the maximum extent feasible.

e. *Pismo Clam (Tivela stultorum)*

The City of Oceanside must contact the California Department of Fish and Game, Marine Region, prior to the survey to request current information on local populations and the appropriate methods in the project area.

f. *Areas of Special Biological Significance (ASBS)*

Turbidity plumes from sediment deposition outside an ASBS must not significantly alter natural water quality or harm marine aquatic life in an ASBS.

g. *Giant kelp (Macrocystis pyrifera) and surf grass.*

The transport (by wave or tidal actions) of placed sand must not affect the photosynthesis or reproduction of nearby kelp or surf grass.

4. Transport and Discharge Plan

The applicant's Transport and Discharge Plan must include the "Hauling Operations" and "Hazardous Materials Management" measures below in order to qualify for this certification:

a. *Hauling Operations*

- i. All trucks hauling sand or other loose materials must be covered or required to maintain at least two feet of freeboard.

- ii. All equipment engines must be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- iii. All operations must be conducted in compliance with County Air Quality Management District requirements.

b. Hazardous Materials Management

- i. The Transport and Discharge Operations Plan must include a "Spill Prevention, Containment and Countermeasures Plan" that specifies fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.
- ii. All equipment must be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks must not enter the beach area.
- iii. Equipment must be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized designation.

5. Qualitative Monitoring

Qualitative (visual) turbidity monitoring by an onshore observer from a high vantage point must be conducted during each day of construction (placement) and must not be greater than ambient beyond one-half mile offshore at or downcoast of the placement site. If visual monitoring indicates turbidity greater than ambient one-half mile from the discharge site (either offshore or downcoast) at any time for two (2) consecutive days, then:

- a. The monitor must immediately advise the Regional Board, Corps, and CDFG.
- b. The City of Oceanside must comply with any measures identified by the Regional Board, in consultation with other responsible agencies as appropriate, to mitigate project-related turbidity, including modifying or halting discharge.
- c. If turbidity persists on the third day, the monitor must commence daily water clarity testing and reporting to the Regional Board, Corps, and

CDFG. Testing must consist of measuring transmission of light through the water using a turbidity meter. Daily testing must continue until no project-related turbidity is detectable (i.e., until offshore and downcoast readings return to ambient). Testing must be designed to document the areal extent and concentration of the turbidity plume at the time of day it is most developed, and must include at least: samples taken as close as practicable to the discharge site, one-half mile upcoast of the discharge site, one-half mile offshore from the discharge site, and one-half mile downcoast of the discharge site (minimum four samples). Sampling must be done at mid-depth in the water column. These sampling protocols may be modified with the Regional Board's written approval. The City of Oceanside must document logistical arrangements for such potential water quality sampling and must include draft quality assurance/quality control protocols.

- d. If turbidity is greater than ambient one-half mile from the discharge site (either offshore or downcoast) for five (5) consecutive days, the discharge must be halted or modified to reduce turbidity.

6. Quantitative Monitoring

Physical (grain size) testing shall be performed during beach placement to confirm the percentage of fine grained material (%passing the #200 sieve) being placed on the beach is within allowable limits. Samples shall be collected on the first and third days of beach placement during each week. During each sampling event, three samples will be collected from newly placed piles on the receiving beach, which will be composited together and tested. Results of the sampling will be included in the post construction report.

D. MITIGATION

The project is self-mitigating as the project will restore sand-based marine habitats, and recreational opportunities.

E. PHOTO DOCUMENTATION PROCEDURE:

The City of Oceanside, and its successors, must conduct photo documentation of project site, including all areas of permanent and temporary impact, prior to and after construction, and mitigation areas, including all areas of permanent and temporary impact, prior to and after project construction. Photo-documentation must be conducted in accordance with the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 5. In addition, photo documentation must include Global Positioning System

(GPS) coordinates for each of the photo points referenced. The City of Oceanside must submit this information in a photo documentation report to the Regional Board with the Monitoring reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar). For this project, adequate photo documentation can be substituted for the photo documentation required for the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure.

F. GEOGRAPHIC INFORMATION SYSTEM REPORTING:

1. The City of Oceanside must submit Geographic Information System (GIS) shape files of the impact and mitigation areas within **30 days** of project impacts and the mitigation area within **30 days** of mitigation installation. All impact and mitigation areas shapefiles must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.

H. REPORTING:

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.
2. All reports and information submitted to the Regional Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
3. The City of Oceanside must submit a report to the Regional Board within 30 days of completion of the project. The report should include as-built drawings no bigger than 11" x 17" and photos of the completed project including post construction BMPs.
4. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:
 - a. For a corporation, by a responsible corporate officer of at least the level of vice president
 - b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.

5. A duly authorized representative of a person designated in Items 4.a. through 4.c. above may sign documents if:
 - a. The authorization is made in writing by a person described in Items 4.a. through 4.c. above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the Regional Board' Executive Officer.

6. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:

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

7. The City of Oceanside must submit reports required under this certification, or other information required by the Regional Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 08C-078
9174 Sky Park Court, Suite 100
San Diego, California 92123

8. Required Reports: The following list summarizes the reports, including spill notifications and emergency situations, required per the conditions of this Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Unauthorized Discharges	A.4.	Within 24 hours of unauthorized discharge
Annual Progress Reporting	A.10	Prior to December 1 of each year until the project is complete
Notification	B.3	At least 5 days prior to commencement of construction
Notification	B.7	Within 30 days of completion of the project
Final Report	B.7	After post construction monitoring is completed.
Sampling and Analysis Plan	C.	Approval needed before each placement
Photo Documentation	E.1	With monitoring reports
GIS shapefiles	F.1	Annually

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On March 12, 2007 receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public. No comments were received from the public.

On June 16, 2010 receipt of the amendment request was posted on the Regional Board web site to serve as appropriate notification to the public.


REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

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

AMENDED WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the City of Oceanside Opportunistic Beach Restoration Program **Amended** Project (Certification No. 07C-022) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017 DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the Regional Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

7/13/2010
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map
 4. Site Map
 5. Photodocumentation Procedure

**ATTACHMENT 1
PROJECT INFORMATION**

- Applicant: Mr. Frank Quan
City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92051-1070
Telephone: 760-435-4007
Fax: 760-757-1726
Email: FQuan@ci.oceanside.ca.us
- Applicant
Representatives: Mr. Brian Leslie
Coastal Scientist
Moffat & Nichol
1660 Hotel Circle North, Suite 200
San Diego, CA 92108
Telephone: 619-200-6050
Fax: 619-200-6055
Email: bleslie@moffatnichol.com
- Project Name: City of Oceanside Beach Opportunistic Restoration Program.
- Project Location: The proposed project is located on Oceanside Beach, within the City of Oceanside, north-coastal San Diego County.
- Type of Project: Placement of opportunistically derived sediment for beach restoration.
- Project Description: The proposed project is the placement of up to 150,000-yd³ of sand per year (for no more than five years) on South Oceanside Beach for beach sand nourishment. The sand would be placed as a beach berm and as low tide mound placement. Placement would occur from September through March. Beach-quality sand would be opportunistically sourced from upland and dredging sites and stored at the City-owned El Corazon Quarry site in Oceanside until placed on the beach. The sand will not contain more than 25% finegrained sediment. The proposed sand placement site is the same site used by SANDAG for the Regional Beach Sand Project that placed 421,000-yd³ of sand during August and

September of 2001.

The proposed amendment as described in the amendment request would change the grain size distribution for the beach restoration program. The sediment would contain no more than 25% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.74 mm. The proposed changes will also disallow activities to be conducted within 500 yards of a Western Snowy Plover breeding colony from May 1 through September 30. These changes are consistent with other RGP 67 and 401 Certifications issued for other opportunistic beach fill programs within the region.

Federal
Agency/Permit:

U.S. Army Corps of Engineers § 404 and § 10, Mr. Robert Smith.

Other Required
Regulatory Approvals:

California Coastal Commission. Coastal Development Permit, Mr. Lee McEachern.

California State Lands Commission. Lease of State Lands, Mr. Ken Foster.

California
Environmental Quality
Act (CEQA)
Compliance:

Final Mitigated Negative Declaration, San Compatibility & Opportunistic Use Program (SCOUP) Pilot Project Site, City of Oceanside, prepared by EDAW, Inc., November 2005, State Clearing House Number #2005081136.

Receiving Waters:

Pacific Ocean.

Impacted Waters of
the United States

The proposed project will temporarily impact ~5.8 acres (4,800 linear feet) to coastal waters of the U.S.

Dredge Volume:

None proposed.

Related Projects Implemented/to be Implemented by the Applicant(s): The proposed sand placement site is the same site used by SANDAG for the Regional Beach Sand Project that placed 421,000-yd³ of sand during August and September of 2001.

Compensatory Mitigation: The project is self-mitigating as the project will restore sand based marine habitats, and recreational opportunities, therefore compensatory mitigation is not proposed.

Best Management Practices (BMPs): During construction, the following BMPs for the project must include, but not be limited to:

- All trucks hauling sand or other loose materials shall be covered or required to maintain at least two feet of freeboard.
- All equipment engines shall be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- All operations shall be conducted in compliance with County Air Quality Management District requirements.
- The Transport and Discharge Operations Plan shall include a "Spill Prevention, Containment and Countermeasures Plan" that specifies fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.
- All equipment shall be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks shall not enter the beach area.
- Equipment shall be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized designation.

Public Notice: On March 12, 2007, receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.

City of Oceanside Beach Opportunistic
Beach Restoration Program

Amended Certification
No. 07C-022

Fees: Total Due: \$500.00
 Total Paid: \$500.00 (Check No. 91205)

Amendment Fees: **None**

**ATTACHMENT 2
DISTRIBUTION LIST**

Mr. Robert Smith
U.S. Army Corps of Engineers
San Diego Field Office
Robert.R.Smith@spl01.usace.army.mil

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

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

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

Mr. Brian Leslie,
Coastal Scientist
Moffat & Nichol
bleslie@moffatnichol.com

Amended Certification No. 07C-022

ATTACHMENT B

AMENDMENT REQUEST NO. 1

WITH

SUPPORTING DOCUMENTS, DATED MAY 27, 2010



1660 Hotel Circle North, Suite 500
San Diego, CA 92108
(619) 220-6050
Fax (619) 220-6055

May 27, 2010

David Gibson
Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

2010 MAY 27 A 10:05

RE: Amendment Request for Water Quality Certification No. 07C-022 for the City of Oceanside Opportunistic Beach Restoration Program.

Mr. Gibson

The applicant would like to request an amendment to Water Quality Certification No. 07C-022. Project conditions currently included within the certification are believed to potentially hinder the success of the City's program. The applicant proposes the following revisions to the 401 Certification in strike-out / underline format:

Additional Conditions

C.1.d. Grain Size

The sediment must contain no more than ~~40~~25% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.74 mm or pass through the #200 sieve.

Justification for request – The program wishes to place materials with up to 25% fines. The certification correctly states this project description detail elsewhere and this change would make this condition consistent with the remainder of the certification.

C.3.c. Western Snowy Plover

No activities authorized under this certification will be conducted within ~~5000~~500 yards of a Western Snowy Plover breeding colony from May 1 through September 30.

Justification for request – The applicant would like to be consistent with the conditions of RGP 67 and 401 Certifications issued for other opportunistic beach fill programs within the region.



1660 Hotel Circle North, Suite 500
San Diego, CA 92108
(619) 220-6050
Fax (619) 220-6055

Thank you for considering this 401 Certification amendment. Please feel free to contact me at (619) 220-6050 with any questions regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Leslie".

Brian Leslie
Moffatt & Nichol

CC: Frank Quan, City of Oceanside

Mike Porter - RE: City of Oceanside OBFP 401 Certification Amendment

From: "Leslie, Brian" <bleslie@moffattnichol.com>
To: "Mike Porter" <MPorter@waterboards.ca.gov>
Date: 5/27/2010 09:52
Subject: RE: City of Oceanside OBFP 401 Certification Amendment
CC: "Frank Quan" <FQuan@ci.oceanside.ca.us>, "Chiara Clemente" <CClemente@waterboards.ca.gov>
Attachments: City of Oceanside 401 Amendment Request.pdf

Hi Mike,

Please see the attached amendment request.

Thanks,

Brian Leslie
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North - Suite 500
San Diego, CA 92108
P: 619.220.6050
F: 619.220.6055

From: Mike Porter [mailto:MPorter@waterboards.ca.gov]
Sent: Wednesday, May 26, 2010 1:36 PM
To: Leslie, Brian
Cc: Frank Quan; Chiara Clemente
Subject: Re: City of Oceanside OBFP 401 Certification Amendment

Yes, I see the mistakes that I made. Even though I made the mistakes, please send in a simple letter to our EO requesting an amendment and why. There will be no amendment fee for this and it will have to be publically-noticed for 21 days before we can make any changes to the Cert.

Thanks, Mike

>>> On 5/26/2010 at 10:53 AM, in message <836A1ECE3814AD45AC53F26C355A3BE0BB5073@mnexs1.mne.net>, "Leslie, Brian" <bleslie@moffattnichol.com> wrote:

Hi Mike,

We received the 401 Certification for the City's Opportunistic Beach Fill Program in the mail. Thanks for processing this permit. I found a couple of errors through a review of the permit that we would like to request be revised (see attached). These revisions would be consistent with other 401 Certifications within the region.

Thanks,

Brian Leslie
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North - Suite 500
San Diego, CA 92108
P: 619.220.6050
F: 619.220.6055



California Regional Water Quality Control Board

San Diego Region



Arnold
Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental
Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

May 20, 2010

Certified Mail No. 7009 1410 0002 2347 4787

Mr. Frank Quan
City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92051-1070

In reply, please refer to:

Certification	07C-022
Regulatory:	322076
Place:	647860
Party:	148180

SUBJECT: Action on Request for Clean Water Act Section 401 Water Quality Certification for the City of Oceanside Beach Opportunistic Beach Restoration Program, Water Quality Certification No. 07C-022

Dear Mr. Quan:

Enclosed is the Clean Water Act Section 401 Water Quality Certification for City of Oceanside Beach Opportunistic Beach Restoration Program. A description of the project and project location can be found in the project information sheet, project location map, and project site maps which are included as Attachments 1 through 5. Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that the City of Oceanside and will comply with all conditions of the Certification. Failure to comply with all conditions of this Certification may result in enforcement actions against the City of Oceanside.

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 these codes 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 regarding this notification, please call Mike Porter directly at (858) 467-2726 or via email at mporter@waterboards.ca.gov.

Respectfully,

DAVID W. GIBSON
Executive Officer

California Environmental Protection Agency

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

Recycled Paper



OHONVNO

Ms. Weldon
401 Certification 07C-022

May 20, 2010

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. 07C-022 for the
Oceanside Beach Opportunistic Beach Restoration Program, with 5 attachments.

cc: See Attachment 2

California Environmental Protection Agency



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Acting Secretary for
Environmental
Protection

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(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

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

PROJECT: City of Oceanside Beach Opportunistic
Beach Restoration Program
Certification Number 07C-022

APPLICANT: Mr. Frank Quan
City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92051-1070

CIWQS	
Reg. Measure:	322076
Place:	647860
Party:	148180

ACTION:

<input type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input checked="" type="checkbox"/> Order for Technically-conditioned Certification	<input checked="" type="checkbox"/> Waiver of Waste Discharge Requirements
<input type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:

The proposed project is the placement of up to 150,000-yd³ of sand per year (for no more than five years) on South Oceanside Beach for beach sand nourishment. The sand would be placed as a beach berm and as low tide mound placement. Placement would occur from September through March. Beach-quality sand would be opportunistically-sourced from upland and dredging sites and stored at the City-owned El Corazon Quarry site in Oceanside until placed on the beach.

California Environmental Protection Agency

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

Recycled Paper



0400010

The sand will not contain more than 25% fine-grained sediment. The proposed sand placement site is the same site used by SANDAG for the Regional Beach Sand Project that placed 421,000-yd³ of sand during August and September of 2001.

STANDARD CONDITIONS:

The following three standard conditions apply to all certification actions, except as noted under Condition 3 for denials (Action 3).

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

ADDITIONAL CONDITIONS:

In addition to the three standard conditions, the City of Oceanside must satisfy the following:

A. GENERAL CONDITIONS:

1. The City of Oceanside must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (Regional Board), to support this 401 Water Quality Certification and all subsequent submittals required as part of this certification and as described in Attachment 1. The conditions within this certification must supersede conflicting provisions within such plans submitted prior to the certification action. Any modifications thereto, would require notification to the Regional Board and reevaluation for individual Waste Discharge Requirements and/or certification amendment.

2. During construction, the City of Oceanside must maintain a copy of this certification at the project site so as to be available at all times to site personnel and agencies.
3. The City of Oceanside must permit the Regional Board or its authorized representative at all times, upon presentation of credentials:
 - a. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - b. Access to copy any records required to be kept under the terms and conditions of this certification.
 - c. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this certification.
 - d. Sampling of any discharge or surface water covered by this Order.
4. The City of Oceanside must notify the Regional Board within 24 hours of any unauthorized discharge, including hazardous or toxic materials, to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best management practice (BMPs) or other measures that will be implemented to prevent future discharges.
5. The City of Oceanside must, at all times, maintain appropriate types and sufficient quantities of materials onsite to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the U.S. and/or State.
6. This Certification is not transferable to any person except after notice to the Executive Officer of the Regional Board. The City of Oceanside must notify the Regional Board of any change in ownership of the project area. Notification must include, but not be limited to, a statement that the property owner has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands the permit requirements and must implement them; the seller and purchaser must sign and date the notification. The notification for transfer of mitigation responsibility must include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of the Certification. Notification must be provided within 10 days of the sale of the property.
7. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any

State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.

8. In response to a suspected violation of any condition of this certification, the Regional Board may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
9. In response to any violation of the conditions of this certification, the Regional Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
10. The City of Oceanside and successor owners must submit annual progressive reports to the Regional Board prior to August 1 of each year following the issuance of this certification until the project has reached completion.
11. Certification 07C-022 expires 5 years from issuance.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually thereafter, the City of Oceanside must educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
2. The City of Oceanside must comply with the requirements of Regional Board Resolution No. R9-2007-0104, Conditional Waiver 6.I.A. - Discharges of Dredged or Fill Materials Nearby or Within Surface Waters. These waivers of Waste Discharge Requirements are accessible at:
http://www.waterboards.ca.gov/sandiego/board_decisions/waivers/index.shtml
!
3. The City of Oceanside must notify the Regional Board in writing at least 5 days prior to the actual commencement of dredge, fill, and discharge activities.
4. The City of Oceanside must comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-08-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

5. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
6. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
7. The City of Oceanside must submit a notification to the Regional Board within 30 days of completion of the project. The final report should include photos of the completed project.

C. PLACEMENT OF SEDIMENT

The proposed project must be implemented as described in the application, with the exception of limiting the discharge of fine-grained material to 25% or less. The proposed project must place not more than 150,000 cubic yards of sediment per year over a five year period. The sediment must not form a hardpan after placement. The sediment that will be placed on the beach must have less than 10% sand difference from the receiving beach and no negative aesthetic impact on the receiving beach or water.

1. Sediment Quality

All sediment must be tested for hazardous wastes and material, and grain size distribution. All sediment that has potential sources of biostimulatory substances and bacteria, must be tested for biostimulatory substances and bacteria.

a. *Biostimulatory Substances*

The sediment must not contain biostimulatory substances in concentrations that exceed natural background levels.

b. *Hazardous Wastes and Material*

The sediment must not contain hazardous wastes or materials.

c. *Bacteria*

The sediment must not contain bacteria concentrations that affect the beneficial uses of the waters of the United States and/or State.

d. *Grain Size*

The sediment must contain no more than 10% of fine grained sediment. Fine grained sediment is defined as particles that are smaller than 0.074 millimeters or pass through the #200 sieve.

e. *Trash*

The sediment must be free of trash and debris.

f. *Color*

The sediment must reasonable match the color of natural beach sand after exposure to the marine environment.

2. Discharge/Compliance with Water Quality Control Plan

Discharges must comply with the California Ocean Plan and the Regional Board's Water Quality Control Plan (Basin Plan).

3. Protection of biological resources

a. *California grunion (Leuresthes tenuis)*

The project proposes to place sediment on the beach from March 1 to May 31; therefore the City of Oceanside must determine beach habitat suitability for grunion spawning. The applicant must comply with the Special Condition No. 6 of the Regional General Permit 67 – Beach Nourishment in Southern California with respect to protecting grunion (Corps File No. 200401896-JLB).

b. *California least tern (Sterna antillarum)*

No activities authorized under this certification will be conducted within 1,000 yards of a California least tern breeding colony from April 1 through September 30.

c. *Western Snowy Plover (Caradrius alexandrinus nivosus)*

No activities authorized under this certification will be conducted within 5000 yards of a Western Snowy Plover breeding colony from May 1 through September 30.

d. *Eelgrass (Zostera marina)*

The proposed project should avoid vegetated eelgrass area or potential eelgrass areas to the maximum extent feasible.

e. *Pismo Clam (Tivela stultorum)*

The City of Oceanside must contact the California Department of Fish and Game, Marine Region, prior to the survey to request current information on local populations and the appropriate methods in the project area.

f. *Areas of Special Biological Significance (ASBS)*

Turbidity plumes from sediment deposition outside an ASBS must not significantly alter natural water quality or harm marine aquatic life in an ASBS.

g. *Giant kelp (Macrocystis pyrifera) and surf grass.*

The transport (by wave or tidal actions) of placed sand must not affect the photosynthesis or reproduction of nearby kelp or surf grass.

4. Transport and Discharge Plan

The applicant's Transport and Discharge Plan must include the "Hauling Operations" and "Hazardous Materials Management" measures below in order to qualify for this certification:

a. *Hauling Operations*

- i. All trucks hauling sand or other loose materials must be covered or required to maintain at least two feet of freeboard.
- ii. All equipment engines must be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- iii. All operations must be conducted in compliance with County Air Quality Management District requirements.

b. *Hazardous Materials Management*

- i. The Transport and Discharge Operations Plan must include a "Spill Prevention, Containment and Countermeasures Plan" that specifies fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.

- ii. All equipment must be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks must not enter the beach area.
- iii. Equipment must be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized designation.

5. Qualitative Monitoring

Qualitative (visual) turbidity monitoring by an onshore observer from a high vantage point must be conducted during each day of construction (placement) and must not be greater than ambient beyond one-half mile offshore at or downcoast of the placement site. If visual monitoring indicates turbidity greater than ambient one-half mile from the discharge site (either offshore or downcoast) at any time for two (2) consecutive days, then:

- a. The monitor must immediately advise the Regional Board, Corps, and CDFG.
- b. The City of Oceanside must comply with any measures identified by the Regional Board, in consultation with other responsible agencies as appropriate, to mitigate project-related turbidity, including modifying or halting discharge.
- c. If turbidity persists on the third day, the monitor must commence daily water clarity testing and reporting to the Regional Board, Corps, and CDFG. Testing must consist of measuring transmission of light through the water using a turbidity meter. Daily testing must continue until no project-related turbidity is detectable (i.e., until offshore and downcoast readings return to ambient). Testing must be designed to document the areal extent and concentration of the turbidity plume at the time of day it is most developed, and must include at least: samples taken as close as practicable to the discharge site, one-half mile upcoast of the discharge site, one-half mile offshore from the discharge site, and one-half mile downcoast of the discharge site (minimum four samples). Sampling must be done at mid-depth in the water column. These sampling protocols may be modified with the Regional Board's written approval. The City of Oceanside must document logistical arrangements for such potential water quality sampling and must include draft quality assurance/quality control protocols.
- d. If turbidity is greater than ambient one-half mile from the discharge site (either offshore or downcoast) for five (5) consecutive days, the discharge must be halted or modified to reduce turbidity.

6. Quantitative Monitoring

Physical (grain size) testing shall be performed during beach placement to confirm the percentage of fine grained material (%passing the #200 sieve) being placed on the beach is within allowable limits. Samples shall be collected on the first and third days of beach placement during each week. During each sampling event, three samples will be collected from newly placed piles on the receiving beach, which will be composited together and tested. Results of the sampling will be included in the post-construction report.

D. MITIGATION:

The project is self-mitigating as the project will restore sand-based marine habitats, and recreational opportunities.

E. PHOTO DOCUMENTATION PROCEDURE:

1. The City of Oceanside, and its successors, must conduct photo documentation of the project site, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, including all areas of permanent and temporary impact, prior to and after project construction. Photo documentation must be conducted in accordance with the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 5. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. The City of Oceanside must submit this information in a photo documentation report to the Regional Board with the Monitoring reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar). For this project, adequate photo documentation can be substituted for the photo documentation required for the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure.

F. GEOGRAPHIC INFORMATION SYSTEM REPORTING:

1. The City of Oceanside must submit Geographic Information System (GIS) shape files of the impact within 30 days of project impacts. All impact and mitigation areas shapefiles must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.

H. REPORTING:

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.
2. All reports and information submitted to the Regional Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
3. The City of Oceanside must submit a report to the Regional Board within 30 days of completion of the project. The report should include as-built drawings no bigger than 11" x 17" and photos of the completed project including post-construction BMPs.
4. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:
 - a. For a corporation, by a responsible corporate officer of at least the level of vice president.
 - b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
5. A duly authorized representative of a person designated in Items 4.a. through 4.c. above may sign documents if:
 - a. The authorization is made in writing by a person described in Items 4.a. through 4.c. above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the Regional Board Executive Officer.
6. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:

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

7. The City of Oceanside must submit reports required under this certification, or other information required by the Regional Board, to:
Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification; Project No. 07C-022
9174 Sky Park Court, Suite 100
San Diego, California 92123
6. Required Reports: The following list summarizes the reports, excluding spill notifications and emergency situations, required per the conditions of this Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Unauthorized discharge	A.4	Within 24 hours of the unauthorized discharge
Annual Progress Reports	A.10	Prior to December 1 of each year until the project is complete
Notification	B.3	At least 5 days prior to commencement of construction
Notification	B.7	Within 30 days of completion of the project
Final Report	B.7	After post-construction monitoring is completed.
Sampling and Analysis Plan	C.	Approval needed before each placement
Photo Documentation	E.1	With Monitoring reports
GIS	F.1	Annually

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On March 12, 2007, receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public. No comments were received from the public.

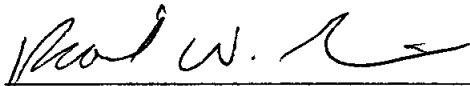
REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

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

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **City of Oceanside Beach Opportunistic Beach Restoration Program** (Project No. 07C-022) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017 DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the Regional Board may issue waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

5-20-2010
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map
 4. Site Map
 5. Photodocumentation Procedure

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Mr. Frank Quan
City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92051-1070
Telephone: 760-435-4007
Fax: 760-757-1726
Email: FQuan@ci.oceanside.ca.us

**Applicant
Representatives:** Mr. Brian Leslie,
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North, Suite 200
San Diego, CA 92108
Telephone: 619-200-6050
Fax: 619-200-6055
Email: bleslie@moffattnichol.com

Project Name: City of Oceanside Beach Opportunistic Beach Restoration Program.

Project Location: The proposed project is located on Oceanside Beach, within the City of Oceanside, north-coastal San Diego County.

Type of Project: Placement of opportunistically derived sediment for beach restoration.

Project Description: The proposed project is the placement of up to 150,000-yd³ of sand per year (for no more than five years) on South Oceanside Beach for beach sand nourishment. The sand would be placed as a beach berm and as low tide mound placement. Placement would occur from September through March. Beach-quality sand would be opportunistically-sourced from upland and dredging sites and stored at the City-owned El Corazon Quarry site in Oceanside until placed on the beach. The sand will not contain more than 25% fine-grained sediment. The proposed sand placement site is the same site used by SANDAG for the Regional Beach Sand Project that placed 421,000-yd³ of sand during August and September of 2001.

**Federal
Agency/Permit:** U.S. Army Corps of Engineers §404 and §10, Mr. Robert Smith.

- Other Required Regulatory Approvals: California Coastal Commission, Coastal Development Permit, Mr. Lee McEachern.
- California Environmental Quality Act (CEQA) Compliance: California State Lands Commission, Lease of State Lands, Mr. Ken Foster.
- California Environmental Quality Act (CEQA) Compliance: Final Mitigated Negative Declaration, San Compatibility & Opportunistic Use Program (SCOUP) Pilot Project Site, City of Oceanside, prepared by EDAW, Inc., November 2005, State Clearing House Number #2005081136.
- Receiving Water: Pacific Ocean.
- Impacted Waters of the United States: The proposed project will temporarily impact ~5.8-acres (4,800-linear feet) to coastal waters of the U.S.
- Dredge Volume: None proposed.
- Related Projects Implemented/to be Implemented by the Applicant(s): The proposed sand placement site is the same site used by SANDAG for the Regional Beach Sand Project that placed 421,000-yd³ of sand during August and September of 2001.
- Compensatory Mitigation: The project is self-mitigating as the project will restore sand-based marine habitats, and recreational opportunities, therefore compensatory mitigation is not proposed.
- Best Management Practices (BMPs): During construction, the following BMPs for the project must include, but not be limited to:
- All trucks hauling sand or other loose materials shall be covered or required to maintain at least two feet of freeboard.
 - All equipment engines shall be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
 - All operations shall be conducted in compliance with County Air Quality Management District requirements.
 - The Transport and Discharge Operations Plan shall include a "Spill Prevention, Containment and Countermeasures Plan" that specifies

fueling and equipment maintenance procedures to prevent spills and leaks, and containment and cleanup measures to be followed in the event of a spill.

- All equipment shall be inspected for leaks immediately prior to the start of beach operations, and regularly inspected thereafter until project completion. Vehicles with leaks shall not enter the beach area.
- Equipment shall be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully authorized designation.

Public Notice: On March 12, 2007, receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.

Fees: Total Due: \$500.00
Total Paid: \$500.00 (Check No. 91205)

CIWQS: Regulatory: 322076
Place: 647860
Party: 148140
Person: 290492

**ATTACHMENT 2
DISTRIBUTION LIST**

Mr. Robert Smith
U.S. Army Corps of Engineers
San Diego Field Office
6010 Hidden Valley Road
Suite 105
Carlsbad, CA 92011
Robert.R.Smith@spl01.usace.army.mil

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

Mr. Eric Raffini
Wetlands Regulatory Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

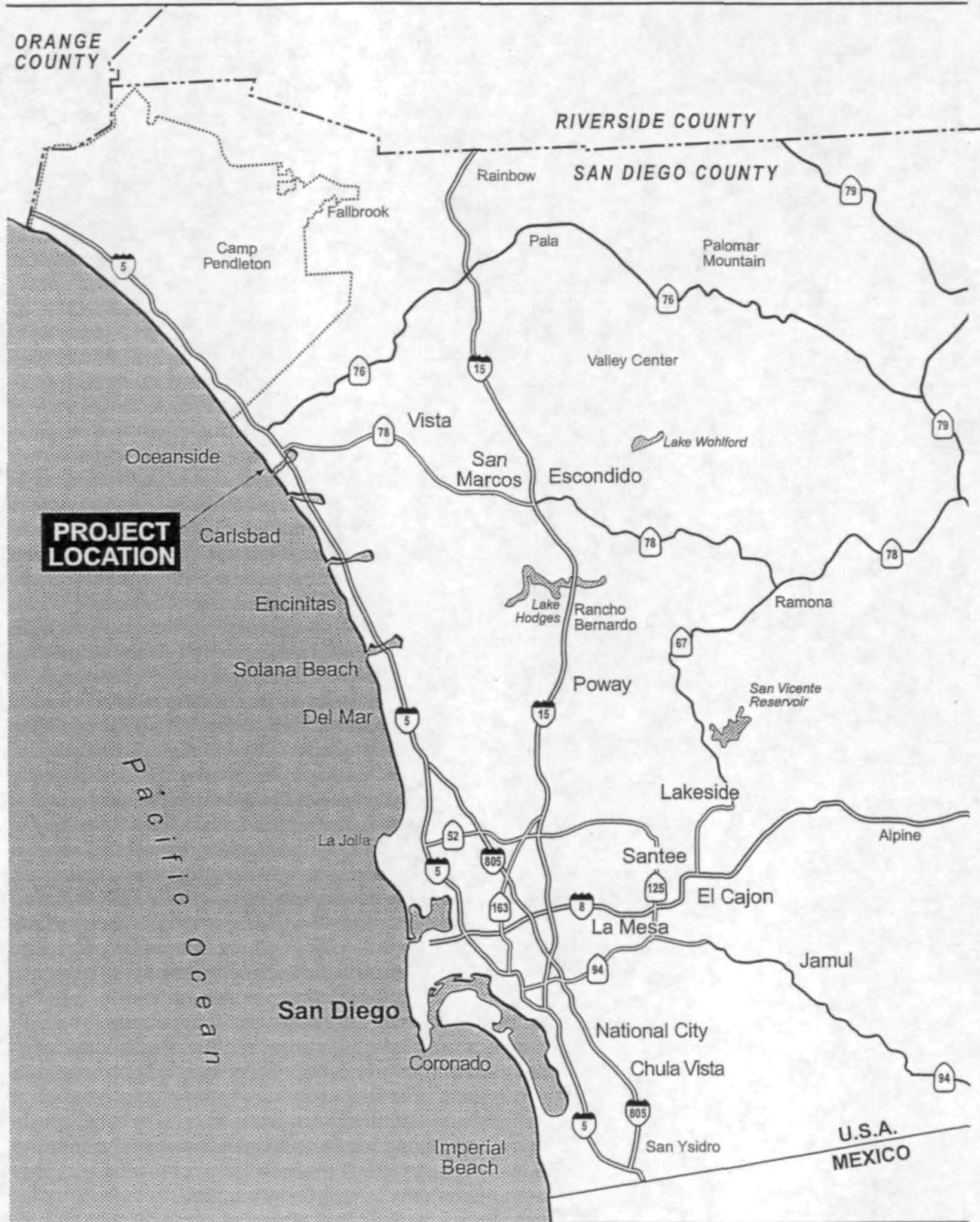
State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit
P.O. Box 100
Sacramento, CA 95812-0100
Stateboard401@waterboards.ca.gov

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

Mr. Brian Leslie,
Coastal Scientist
Moffatt & Nichol
1660 Hotel Circle North, Suite 200
San Diego, CA 92108

ATTACHMENT 3

LOCATION MAP



**PROJECT
LOCATION**



No Scale

**Figure 1
Regional Location Map**

ATTACHMENT 4

SITE MAPS

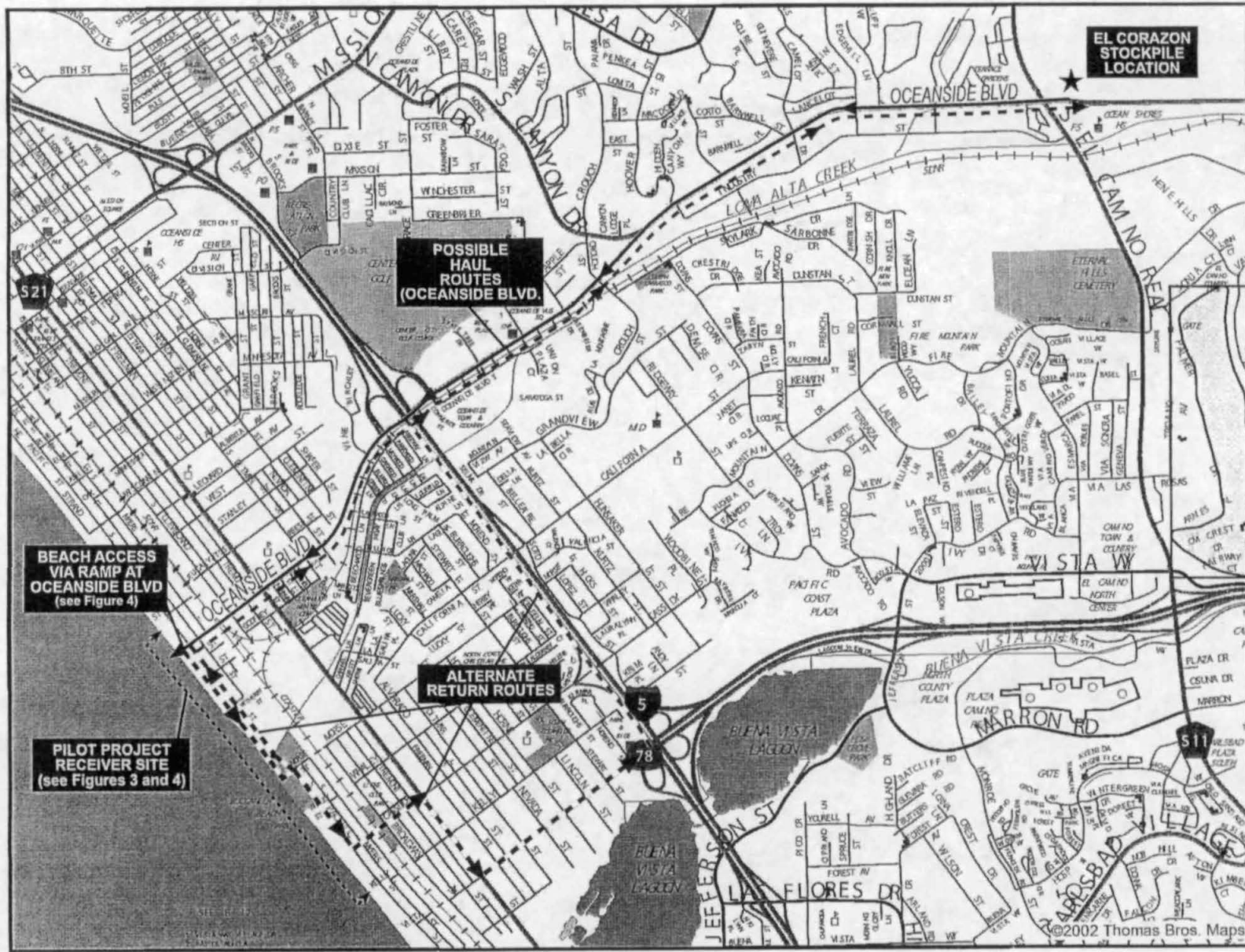


Figure 2
Proposed Project Features

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 Oceanside SCOUF MND

01/02/7/6



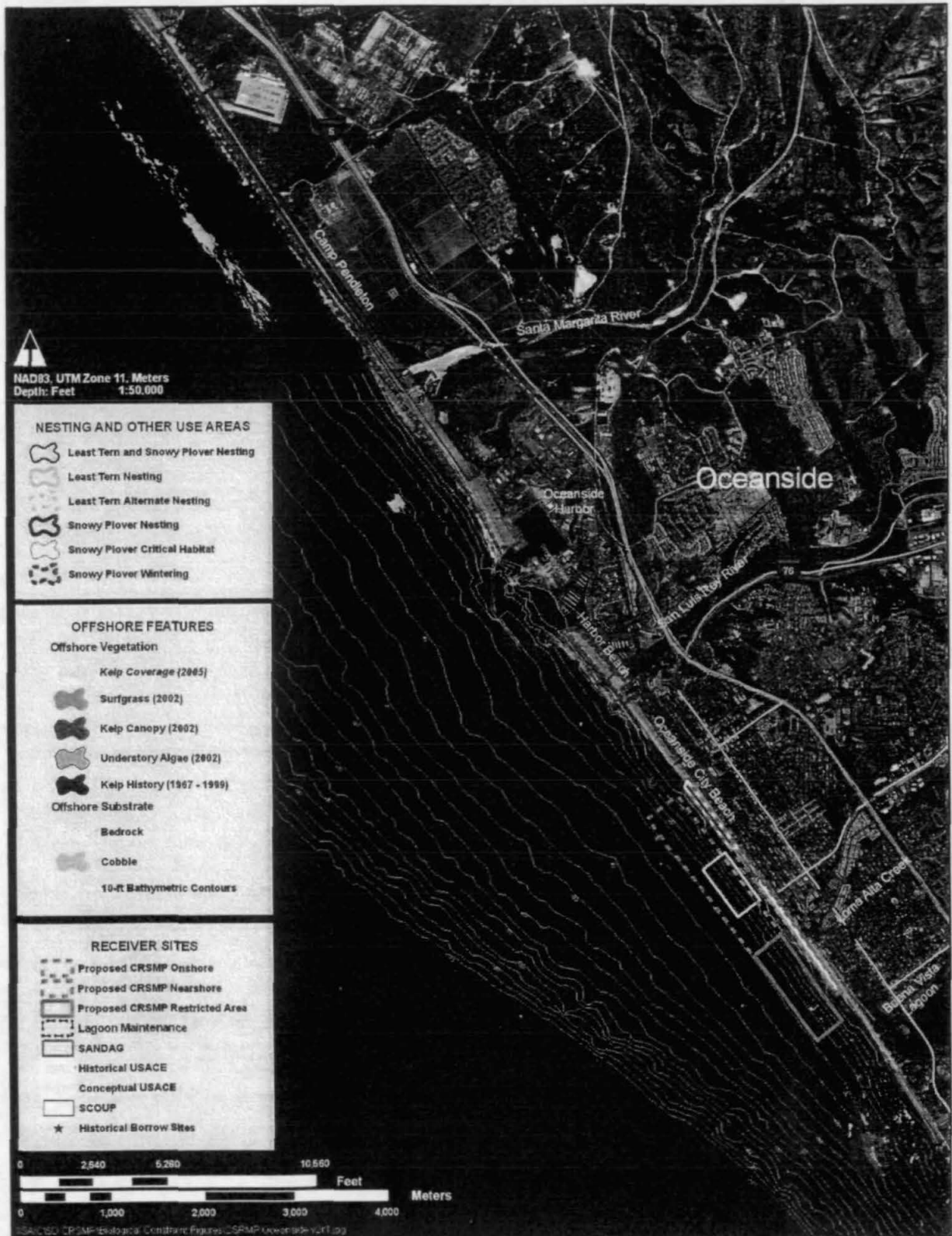
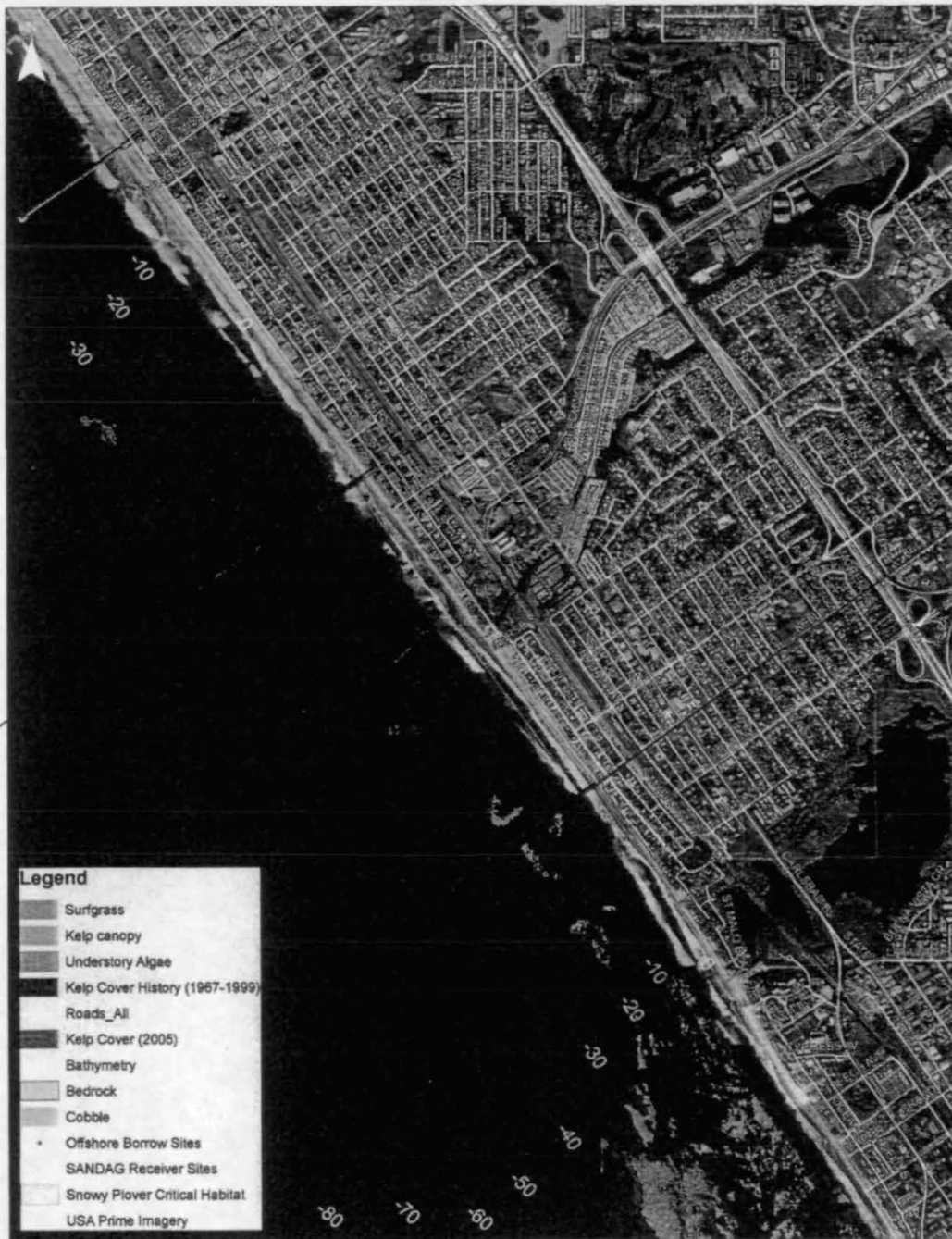


Figure 5: North Coastal Habitats



Forster St
 Area of sand placement
 Kelly Street

0 2,500 5,000 Feet
 625' 1250'

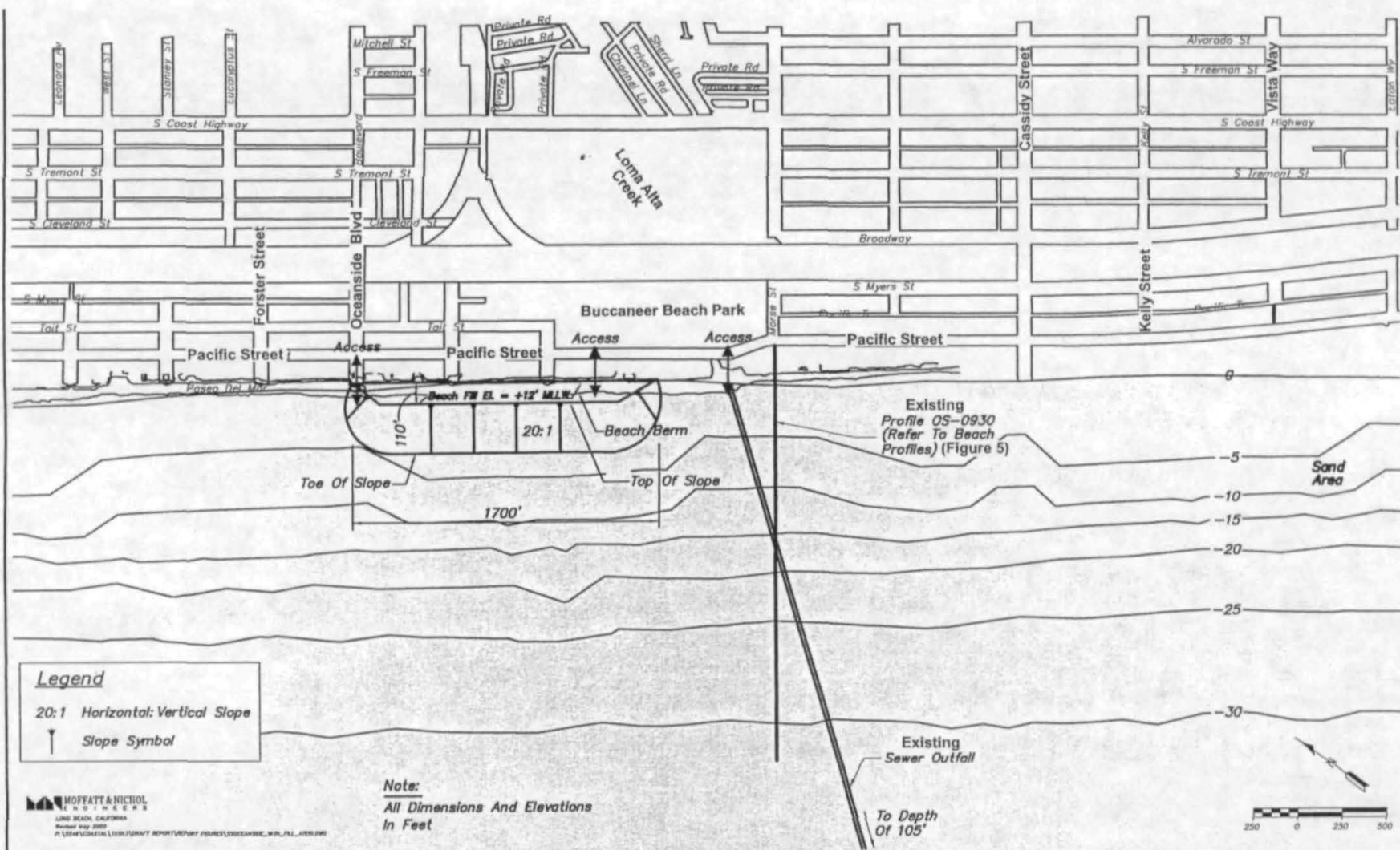


Figure 3
Site Plan for Potential Beach Fill - Option 1

Source: Moffatt & Nichol, Engineers 2005

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Oceanside SCOUN MND

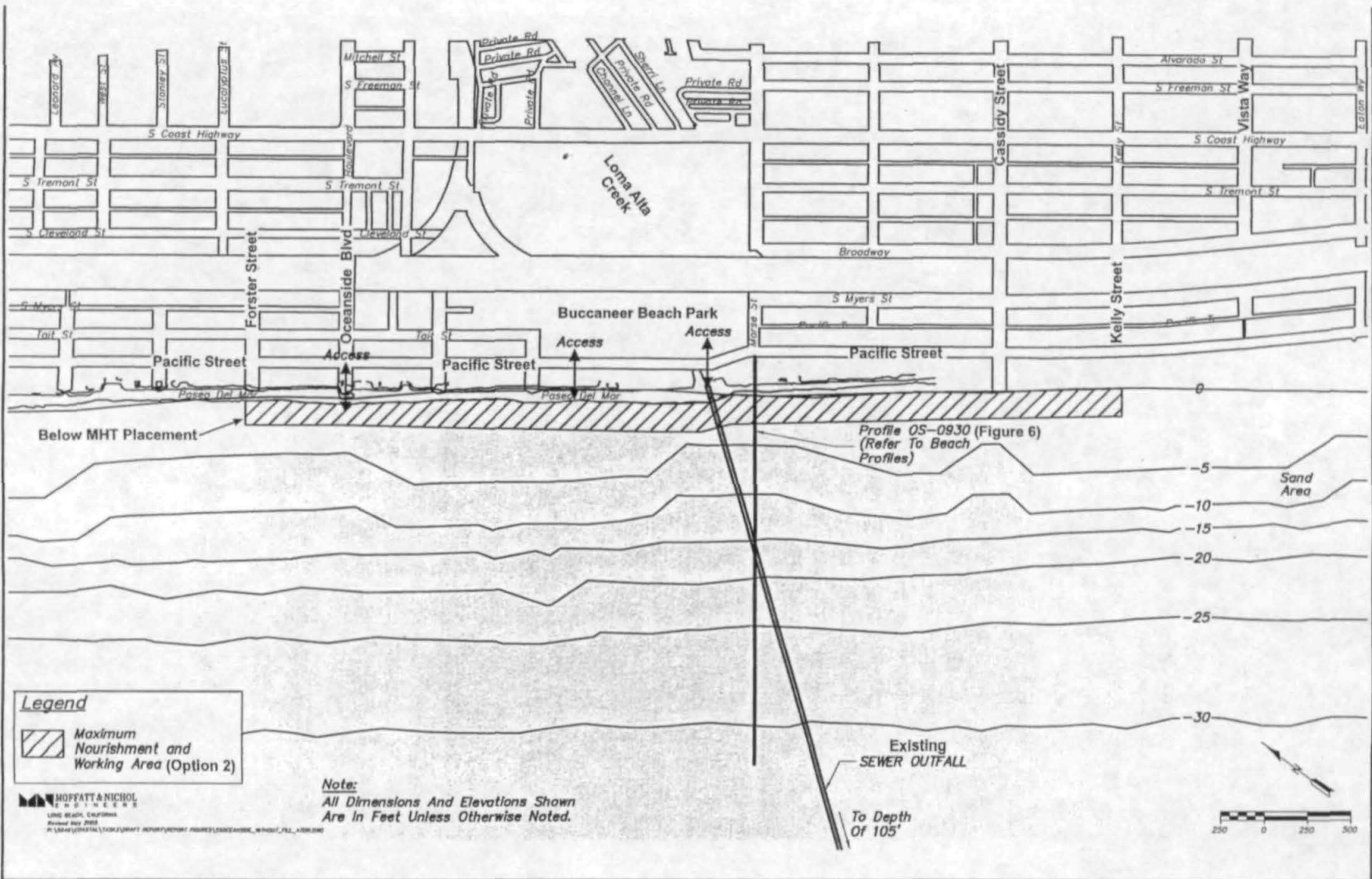
01/02/7/6

MOFFATT & NICHOL
ENGINEERS
LONG BEACH, CALIFORNIA
March 2005
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Oceanside SCoup MIND

01/04/06



Source: Moffatt & Nichol, Engineers 2005

Figure 4
Site Plan for Potential Beach Fill - Option 2

Amended Certification No. 07C-022

ATTACHMENT 5

PHOTODOCUMENTATION PROCEDURE

Standard Operating Procedure (SOP) 4.2.1.4

Photo Documentation Procedure

(CARCD 2001, Written by TAC Visual Assessments work group)

Introduction:

Photographs provide a qualitative, and potentially semi-quantitative, record of conditions in a watershed or on a water body. Photographs can be used to document general conditions on a reach of a stream during a stream walk, pollution events or other impacts, assess resource conditions over time, or can be used to document temporal progress for restoration efforts or other projects designed to benefit water quality. Photographic technology is available to anyone and it does not require a large degree of training or expensive equipment. Photos can be used in reports, presentations, or uploaded onto a computer website or GIS program. This approach is useful in providing a visual portrait of water resources to those who may never have the opportunity to actually visit a monitoring site.

Equipment:

Use the same camera to the extent possible for each photo throughout the duration of the project. Either 35 mm color or digital color cameras are recommended, accompanied by a telephoto lens. If you must change cameras during the program, replace the original camera with a similar one comparable in terms of media (digital vs. 35 mm) and other focal length characteristics. A complete equipment list is suggested as follows:

Required:

- Camera and backup camera
- Folder with copies of previous photos (do not carry original photos in the field)
- Topographic and/or road map
- Aerial photos if available
- Compass
- Timepiece
- Extra film or digital disk capacity (whichever is applicable)
- Extra batteries for camera (if applicable)
- Photo-log data sheets or, alternatively, a bound notebook dedicated to the project
- Yellow photo sign form and black marker, or, alternatively, a small black board and chalk

Optional:

- GPS unit
- Stadia rod (for scale on landscape shots)
- Ruler (for scale on close up views of streams and vegetation)
- Steel fence posts for dedicating fixed photo points in the absence of available fixed landmarks

How to Access Aerial Photographs:

Aerial Photos can be obtained from the following federal agencies:

USGS Earth Science Information Center
507 National Center
12201 Sunrise Valley Drive
Reston, VA 22092
800-USA-MAPS

USDA Consolidated Farm Service Agencies
Aerial Photography Field Office
222 West 2300 South
P.O. Box 30010
Salt Lake City, UT 84103-0010
801-524-5856

Cartographic and Architectural Branch
National Archives and Records Administration
8601 Adelphi Road
College park, MD 20740-6001
301-713-7040

Roles and Duties of Team:

The team should be comprised of a minimum of two people, and preferably three people for restoration or other water quality improvement projects, as follows:

1. Primary Photographer
2. Subject, target for centering the photo and providing scale
3. Person responsible for determining geographic position and holding the photo sign forms or blackboard.

One of these people is also responsible for taking field notes to describe and record photos and photo points.

Safety Concerns:

Persons involved in photo monitoring should **ALWAYS** put safety first. For safety reasons, always have at least two 2 volunteers for the survey. Make sure that the area(s) you are surveying either are accessible to the public or that you have obtained permission from the landowner prior to the survey.

Some safety concerns that may be encountered during the survey include, but are not limited to:

- Inclement weather
- Flood conditions, fast flowing water, or very cold water

- Poisonous plants (e.g.: poison oak)
- Dangerous insects and animals (e.g.: bees, rattlesnakes, range animals such as cattle, etc.)
- Harmful or hazardous trash (e.g.: broken glass, hypodermic needles, human feces)

We recommend that the volunteer coordinator or leader discuss the potential hazards with all volunteers prior to any fieldwork.

General Instructions:

From the inception of any photo documentation project until it is completed, always take each photo from the same position (photo point), and at the same bearing and vertical angle at that photo point. Photo point positions should be thoroughly documented, including photographs taken of the photo point. Refer to copies of previous photos when arriving at the photo point. Try to maintain a level (horizontal) camera view unless the terrain is sloped. (If the photo can not be horizontal due to the slope, then record the angle for that photo.) When photo points are first being selected, consider the type of project (meadow or stream restoration, vegetation management for fire control, ambient or event monitoring as part of a stream walk, etc.) and refer to the guidance listed on *Suggestions for Photo Points by Type of Project*.

When taking photographs, try to include landscape features that are unlikely to change over several years (buildings, other structures, and landscape features such as peaks, rock outcrops, large trees, etc.) so that repeat photos will be easy to position. Lighting is, of course, a key ingredient so give consideration to the angle of light, cloud cover, background, shadows, and contrasts. Close view photographs taken from the north (i.e., facing south) will minimize shadows. Medium and long view photos are best shot with the sun at the photographer's back. Some artistic expression is encouraged as some photos may be used on websites and in slide shows (early morning and late evening shots may be useful for this purpose). Seasonal changes can be used to advantage as foliage, stream flow, cloud cover, and site access fluctuate. It is often important to include a ruler, stadia rod, person, farm animal, or automobile in photos to convey the scale of the image. Of particular concern is the angle from which the photo is taken. Oftentimes an overhead or elevated shot from a bridge, cliff, peak, tree, etc. will be instrumental in conveying the full dimensions of the project. Of most importance overall, however, is being aware of the goal(s) of the project and capturing images that clearly demonstrate progress towards achieving those goal(s). Again, reference to *Suggestions for Photo Points by Type of Project* may be helpful.

If possible, try to include a black board or yellow photo sign in the view, marked at a minimum with the location, subject, time and date of the photograph. A blank photo sign form is included in this document.

Recording Information:

Use a systematic method of recording information about each project, photo point, and photo. The following information should be entered on the photo-log forms (blank form included in this document) or in a dedicated notebook:

- Project or group name, and contract number (if applicable, e.g., for funded restoration projects)
- General location (stream, beach, city, etc.), and short narrative description of project's habitat type, goals, etc.
- Photographer and other team members
- Photo number
- Date
- Time (for each photograph)
- Photo point information, including:
 - Name or other unique identifier (abbreviated name and/or ID number)
 - Narrative description of location including proximity to and direction from notable landscape features like roads, fence lines, creeks, rock outcrops, large trees, buildings, previous photo points, etc. – sufficient for future photographers who have never visited the project to locate the photo point
 - Latitude, longitude, and altitude from map or GPS unit
- Magnetic compass bearing from the photo point to the subject
- Specific information about the subject of the photo
- Optional additional information: a true compass bearing (corrected for declination) from photo point to subject, time of sunrise and sunset (check newspaper or almanac), and cloud cover.

For ambient monitoring, the stream and shore walk form should be attached or referenced in the photo-log.

When monitoring the implementation of restoration, fuel reduction, or Best Management Practices (BMP) projects, include or attach to the photo-log a narrative description of observable progress in achieving the goals of the project. Provide supplementary information along with the photo, such as noticeable changes in habitat, wildlife, and water quality and quantity.

Archive all photos, along with the associated photo-log information, in a protected environment.

The Photo Point: Establishing Position of Photographer:

1. Have available a variety of methods for establishing position: maps, aerial photos, GPS, permanent markers and landmarks, etc. If the primary method fails (e.g., a GPS or lost marker post) then have an alternate method (map, aerial photo, copy of an original photograph of the photo-point, etc).

2. Select an existing structure or landmark (mailbox, telephone pole, benchmark, large rock, etc.), identify its latitude and longitude, and choose (and record for future use) the permanent position of the photographer relative to that landmark. Alternatively, choose the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the photographer.
3. For restoration, fuel reduction, and BMP projects, photograph the photo-points and carry copies of those photographs on subsequent field visits.

Determining the Compass Bearing:

1. Select and record the permanent magnetic bearing of the photo center view. You can also record the true compass bearing (corrected for declination) but do not substitute this for the magnetic bearing. Include a prominent landmark in a set position within the view. If possible, have an assistant stand at a fixed distance from both the photographer and the center of the view, holding a stadia rod if available, within the view of the camera; preferably position the stadia rod on one established, consistent side of the view for each photo (right or left side).
2. Alternatively, use the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the focal point (photo center).
3. When performing ambient or event photo monitoring, and when a compass is not available, then refer to a map and record the approximate bearing as north, south, east or west.

Suggestions for Photo Points by Type of Project:

Ambient or Event Monitoring, Including Photography Associated with Narrative Visual Assessments:

1. When first beginning an ambient monitoring program take representative long and/or medium view photos of stream reaches and segments of shoreline being monitored. Show the positions of these photos on a map, preferably on the stream/shore walk form. Subjects to be photographed include a representative view of the stream or shore condition at the beginning and ending positions of the segment being monitored, storm drain outfalls, confluence of tributaries, structures (e.g., bridges, dams, pipelines, etc.).
2. If possible, take a close view photograph of the substrate (streambed), algae, or submerged aquatic vegetation.
3. Time series: Photographs of these subjects at the same photo points should be repeated annually during the same season or month if possible.

4. Event monitoring refers to any unusual or sporadic conditions encountered during a stream or shore walk, such as trash dumps, turbidity events, oil spills, etc. Photograph and record information on your photo-log and on your Stream and Shore Walk Visual Assessment form. Report pollution events to the Regional Board. Report trash dumps to local authorities.

All Restoration and Fuel Reduction Projects – Time Series:

Take photos immediately before and after construction, planting, or vegetation removal. Long term monitoring should allow for at least annual photography for a minimum of three years after the project, and thereafter at 5 years and ten years.

Meadow Restoration:

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long view showing an overlapping sequence of photos illustrating a long reach of stream and meadow (satellite photos, or hill close by, fly-over, etc.)
3. Long view up or down the longitudinal dimension of the creek showing riparian vegetation growth bounded on each side by grasses, sedges, or whatever that is lower in height
4. Long view of conversion of sage and other upland species back to meadow vegetation
5. Long view and medium view of streambed changes (straightened back to meandering, sediment back to gravel, etc.)
6. Medium and close views of structures, plantings, etc. intended to induce these changes

Stream Restoration/stabilization:

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long-view showing all or representative sections of the project (bluff, bridge, etc.)
3. Long view up or down the stream (from stream level) showing changes in the stream bank, vegetation, etc.
4. Long view and medium view of streambed changes (thalweg, gravel, meanders, etc.)
5. Medium and close views of structures, plantings, etc. intended to induce these changes.
6. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 3 and 4 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, *Stream Channel Reference Sites: An Illustrated Guide to Field Techniques*, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

Vegetation Management for Fire Prevention ("fuel reduction"):

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long view showing all or representative sections of the project (bluff, bridge, etc.)
3. Long view (wide angle if possible) showing the project area or areas. Preferably these long views should be from an elevated vantage point.
4. Medium view photos showing examples of vegetation changes, and plantings if included in the project. It is recommended that a person (preferably holding a stadia rod) be included in the view for scale
5. To the extent possible include medium and long view photos that include adjacent stream channels.

Stream Sediment Load or Erosion Monitoring:

1. Long views from bridge or other elevated position.
2. Medium views of bars and banks, with a person (preferably holding a stadia rod) in view for scale.
3. Close views of streambed with ruler or other common object in the view for scale.
4. Time series: Photograph during the dry season (low flow) once per year or after a significant flood event when streambed is visible. The flood events may be episodic in the south and seasonal in the north.
5. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 1 and 2 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, *Stream Channel Reference Sites: An Illustrated Guide to Field Techniques*, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

PHOTO- LOG FORM

Project:
Location:
Date:
Photographer:
Team members:

Photo #	Time	Photo Point ID	Photo Pt. Description & Location	Bearing to Subject	Subject Description

General Notes or Comments (weather, cloud cover, time of sunrise and sunset, other pertinent information):

PHOTO SIGN FORM: Print this form on yellow paper. Complete the following information for each photograph. Include in the photographic view so that it will be legible in the finished photo.

Location:

Subject Description:

Date:

Time: