

California Regional Water Quality Control Board, San Diego Region

October 3, 2013

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8961 5810

Mr. Jeff Hitch
City of Murrieta
24601 Jefferson Avenue
Murrieta, CA 92562

In reply refer to / attn:
778482:dbradford

**Subject: Clean Water Act Section 401 Water Quality Certification No. 12C-014;
Guava Street Bridge Project**

Mr. Hitch:

Enclosed find Clean Water Act Section 401 Water Quality Certification 12C-014 (Certification) and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the **Guava Street Bridge Project** (Project). A description of the Project can be found in the Certification, location map, and site maps which are included as Attachments 1 through 4.

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 you have accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject the City of Murrieta to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

In the subject line of any response, please include the reference number 778482:dbradford. For questions or comments, please contact Darren Bradford by phone at (619) 521-3356 or by email at DBradford@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer
San Diego Water Board

DG:js:db:kd:dlb

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. 12C-014 for Guava Street Bridge Project.

E-copies: Refer to Attachment 2 of Certification 12C-014 for Distribution List.

Tech Staff Info & Use	
File No.	12C-014
WDID	9000002424
Reg. Measure ID	383680
Place ID	778482
Party ID	493370
Person ID	493371



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

**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: Guava Street Bridge Project
Certification Number 12C-014
WDID: 9000002424**

Reg. Meas. ID: 383680
Place ID: 778482
Party ID: 493370
Person ID: 493371

**APPLICANT: City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 92562**

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 type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" 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 City of Murrieta (hereinafter Applicant) submitted an application dated February 23, 2012, for Water Quality Certification pursuant to section 401 of the Clean Water Act for the proposed Guava Street Bridge Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on March 20, 2012. The Applicant proposes to discharge fill material to waters of the United States and/or State associated with construction activity at the Project site.

The proposed Project is located within the City of Murrieta along Murrieta Creek, approximately 1 mile southwest of Interstate 15 (I-15), Riverside County, California. The Project center reading is located at latitude 33.541537 and longitude -117.197916.

The Applicant proposes to remove the existing bridge crossing for Murrieta Creek at Washington Avenue, add a cul-de-sac to Washington Avenue on the south side of Murrieta Creek, connect Washington Avenue with Brown Street on the north side of Murrieta Creek, and construct a new Murrieta Creek crossing by extending Guava Street between Washington

Avenue and Adams Avenue. The Guava Street extension will be approximately 0.25-mile long and will include construction of an approximately 490-foot-long, five-span bridge over Murrieta Creek. The Guava Street extension and bridge will consist of a two-lane roadway with an approach and bridge curb-to-curb width of 40 feet, to accommodate two 12-foot lanes and two 8-foot shoulders. The bridge will have a 5-foot-wide sidewalk along one side for a total bridge deck width of approximately 48 feet.

Construction is anticipated to require 12 to 18 months. The Guava Street extension and bridge will be constructed before removing the Washington Avenue Bridge, to allow continued access across Murrieta Creek during construction.

The Project will add approximately 2.15 acres of additional impervious surface. Post-construction BMPs will consist of bio/infiltration swales and curb inlet filter inserts that will meet Riverside County's Low Impact Development (LID) Capture Volume and hydromodification treatment requirements. The City of Murrieta will be responsible for the operation and maintenance of these systems.

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

Project construction will temporarily impact 0.09 acre of wetland and 0.76-acre (213 linear feet) of unvegetated non-wetland waters of the United States and/or State and permanently impact 0.001 acre of wetland and 0.001 acre (114 linear feet) of unvegetated non-wetland waters of the United States and/or State. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.001 acre of non-wetland waters will be achieved through the removal of Washington Avenue Bridge, which crosses over Murrieta Creek approximately 0.25 river mile upstream of the Project site. The Project will not result in a net loss of streambed because the permanent Project impacts of 0.001 acre from the placement bridge piles in Murrieta Creek will be mitigated by the removal of 0.001 acre of bridge piles from Murrieta Creek at the Washington Avenue Bridge location.

All waters of the United States and/or State receiving temporary discharges will be restored upon removal of the fill. Mitigation for permanent discharges of fill to 0.001 acre of wetland waters of the United States and/or State shall include off-site establishment of a minimum of 0.003 acre of mulefat scrub wetland habitat within the Mapleton Mitigation Site. The proposed

mitigation site is located approximately 6.5 miles north east of the Project site in the Santa Margarita hydrologic unit, Murrieta hydrologic area (HA 902.3). The Mapleton Mitigation site must be conserved and maintained in perpetuity. This provides a replacement ratio of 3:1 (area mitigated:area impacted) for permanent impacts to wetland waters.

The Applicant's mitigation plan includes a funding mechanism for in perpetuity monitoring and maintenance of the mitigation sites. The mitigation plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State associated with the discharge of fill material. Project impacts and mitigation are summarized in Section V of this Certification.

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Attachments:

- 1. Distribution List**
- 2. Location Maps**
- 3. Project Site Plans**
- 4. Mitigation Figures**

I. STANDARD CONDITIONS

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

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

II. GENERAL CONDITIONS

- A. Water Quality Certification No. 12C-014 (Certification) is only valid if the Project begins no later than 5 (five) years from the date of issuance. If the Project has not begun within 5 years from the date of issuance, then this Certification shall expire 5 years from the date of issuance.
- B. The Applicant must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.
- C. The Applicant 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 (San Diego Water Board), to support this Certification and all subsequent submittals required as part of this Certification and as described herein. The conditions within this Certification must supersede conflicting provisions within such plans submitted as part of this Certification action. Any modifications thereto, shall require notification to the San Diego Water Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.

- D. During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies.
- E. The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project premises where a regulated facility or activity is located or conducted, or in which records are kept under the conditions of this Certification.
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification.
 3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification.
 4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or California Water Code (Water Code), any substances or parameters at any location.
- F. 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 (CWA), 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.
- G. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may, pursuant to Water Code sections 13267 and 13383, require the holder of any permit or license subject to this Certification to investigate, monitor, and report information on the violation. The only restriction is that the burden, including costs of preparing the reports, must bear a reasonable relationship to the need for and the benefits to be obtained from the reports.
- H. In response to any violation of the conditions of this Certification, or if the results of the Project have unintended impacts to water quality, the San Diego Water Board may modify the conditions of this Certification as appropriate to ensure compliance.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The Applicant must enroll under, and comply with the requirements of, State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance as applicable. If the Project construction activities are not covered under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- B. The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. . The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. The Applicant shall not allow post-construction discharges from the Project site to cause onsite or offsite downstream erosion or damage to properties or stream habitats.
- B. The Project must be designed to comply with the most current Standard Storm Water Mitigation and Hydromodification Plans for County of Riverside.
- C. All post-construction BMPs must be implemented, installed, and functional prior to construction completion and planned use, and maintained, in perpetuity, in accordance with the requirements in *California Regional Water Quality Control Board, San Diego Region Order No. R9-2007-0001, NPDES No. CAS0108758, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County Of Riverside* or most recent California Stormwater Quality Association (CASQA)¹ guidance.

¹ California Storm Water Quality Association (*California Storm Water BMP Handbook, New Development and Redevelopment 2003*), available on-line at: <http://www.cabmphandbooks.org/> [Accessed on January 15, 2012]

V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. The Project must avoid and minimize adverse impacts to the aquatic environment to the maximum extent practicable.
- B. Unavoidable Project impacts to Murrieta Creek within the Santa Margarita Watershed must not exceed the type of impacts and amounts described in the table below. At a minimum, compensatory mitigation amounts required to offset unavoidable Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (area mitigated :area impacted)
Permanent Impacts					
Streambed	0.001	114	0.001 Re- establishment ¹	114	1:1
Wetland	0.001		0.03 Establishment ²		3:1
Temporary Impacts³					
Streambed	0.76	213	0.76	213	1:1
Wetland	0.09		0.09		1:1

- 1. Streambed re-establishment at Washington Avenue Bridge site.
- 2. Wetland establishment at the Mapleton Mitigation Site.
- 3. Mitigation must restore all areas of temporary impacts to pre-project contours and revegetate with native species.

- C. The Applicant must fully and completely implement the *Guava Street Bridge Project; Wetland/Riparian Conceptual Mitigation Plan* (Mitigation Plan), dated January 2012 (and any subsequent versions reviewed and accepted/approved by the San Diego Water Board). Any deviation from, or revisions to, the Mitigation Plan must be pre-approved by the San Diego Water Board.
- D. Compensatory mitigation required under this Certification shall be considered achieved once it has met the ecological success performance standards for the mitigation site(s) identified in the Mitigation Plan.
- E. The Applicant must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.

- F. The construction of the mitigation(s) must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into on-site waters. Delays in constructing the mitigation site(s) must be compensated by an increased mitigation implementation of 10 percent of the cumulative compensatory mitigation for each month of delay.
- G. The compensatory mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation site(s). The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation site(s). If at any time during the implementation and establishment of the mitigation site(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation site(s), the Applicant shall repair and replant the damaged area(s). The mitigation site(s) must be maintained, in perpetuity, free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the mitigation site(s).
- H. Any maintenance activities that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities must be limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species, and remedial measures deemed necessary for the success of the restoration program.
- I. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States/State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the United States/State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the United States/State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the United States/State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the United States/State (e.g., conservation easement).

VI. MONITORING REQUIREMENTS

- A. **California Rapid Assessment Method.** The California Rapid Assessment Method (CRAM) must be utilized at the Project impact and compensatory mitigation site(s) prior to Project impacts to establish pre-project baseline conditions. In addition, CRAM must be utilized at the mitigation site(s) following completion of mitigation site construction at years 3 and 5 and continuing until success criteria have been met. The Applicant must submit the results of the CRAM assessment **each year with the Annual Monitoring Reports** and upload data into eCRAM (<http://www.cramwetlands.org>).
- B. **Progress Monitoring.** The Applicant must monitor compliance with this Certification, including BMP implementation, and report the monitoring results to the San Diego Water Board in accordance with the reporting requirements in section VIII of this Certification.
- C. The San Diego Water Board may make revisions to the monitoring program at any time during the five-year monitoring term, and may include a reduction or increase in the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.

VII. NOTIFICATION REQUIREMENTS

- A. The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- B. This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
1. **Transfer of Property Ownership:** The Applicant must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification

to the San Diego Water Board **within 10 days of the transfer of ownership.**

2. **Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**
3. **Transfer of Post-Construction BMP Maintenance Responsibility:** The Applicant assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the Applicant must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Applicant must provide such notification to the San Diego Water Board **within 10 days** of the transfer of BMP maintenance responsibility.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of this Certification in the event that a transferee fails to comply.

- C. The Applicant must record conservation easements for the mitigation areas within **6 months** of the start of construction. **Within 90 days** following recordation of the conservation easement, the Applicant must submit proof of the completed conservation easement protecting all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the State that it supports.
- D. The Applicant must notify the San Diego Water Board in writing **at least 5 days prior** to the actual commencement of dredge, fill, and discharge activities.

VIII. REPORTING REQUIREMENTS

- A. **Within 45 days of the start of Project construction**, the Applicant must provide a Final Habitat Mitigation and Monitoring Plan (HMMP) for the compensatory mitigation to the San Diego Water Board for review and approval. At a minimum, the HMMP shall include the following information:
1. A description of the physical conditions at the restoration site, including water resources and habitat types, and a map that identifies the location of the site;
 2. A plan for the preparation of the habitat restoration site, including the removal of nonnative plant species, non-wetland/riparian plant species, and grading;
 3. A local California native plant palette;
 4. A planting plan, including monitoring and maintenance measures and a timeline;
 5. An irrigation plan;
 6. Procedures to ensure that nonnative plants are not introduced or allowed to sustain within the restoration site and a nonnative plant removal plan; and
 7. Success criteria with contingency measures.
- B. The Applicant must submit Geographic Information System (GIS) shape files of the impact and mitigation sites within **30 days** of project impacts and within **30 days** of mitigation installation. All impact and mitigation sites shape files must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.
- C. **Annual Project Reports.** The Applicant must submit annual progress reports containing the date of construction initiation and describing the status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification until the Project has reached completion. The report must contain a description of each incident of noncompliance and its cause, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- D. **Final Project Completion Report.** The Applicant must submit a Final Project Completion Report to the San Diego Water Board **within 30 days of completion of the Project**. The final report must include the following information:
1. Date of construction initiation;

2. Date of construction completion;
 3. Status of BMPs for the Project;
 4. As-built drawings no bigger than 11"X17"; and,
 5. Photo documentation of implemented post-construction BMPs. 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.
- E. Mitigation Monitoring Reports.** The Applicant must submit mitigation monitoring reports annually until mitigation has been deemed successful by the San Diego Water Board. Annual mitigation monitoring reports must be submitted prior to **March 1** of each year. Monitoring reports must include, but not be limited to, the following information:
1. Names, qualifications, and affiliations of the persons contributing to the report;
 2. A description of the progress toward establishing a program to provide for maintenance in perpetuity of all mitigation site(s) subject to the Mitigation Plan, including a timetable for future steps;
 3. Results of the annual mitigation monitoring program described in the Mitigation Plan and results from the functional assessment conducted after the fifth year of monitoring;
 4. An evaluation, interpretation, and tabulation of the raw quantitative and qualitative data collected in the field and the following information:
 - i. Detritus cover;
 - ii. General topographic complexity characteristics at each mitigation site;
 - iii. General upstream and downstream habitat and hydrologic connectivity; and
 - iv. Source of hydrology to the mitigation areas;
 5. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
 6. An evaluation of upstream and downstream habitat and hydrologic connectivity;
 7. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after Project construction, and mitigation sites, including all areas of permanent and temporary impact, 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 Geographic Positioning System (GPS) coordinates for each of the photo points referenced.

8. A qualitative comparison to adjacent preserved streambed areas; and,
 9. A survey report documenting boundaries of mitigation area.
- F. The submittal of information under this Certification is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13383.
- G. All reports and information submitted to the San Diego Water 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.
- H. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
1. For a corporation, by a responsible corporate officer of at least the level of vice president.
 2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
 4. A duly authorized representative may sign applications, reports, or information if:
 - a. The authorization is made in writing by a person described above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the San Diego Water Board Executive Officer.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or

together with any reports, information, or applications, to be signed by an authorized representative.

- I. All applications, reports, or information submitted to the San Diego Water 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."

- J. The Applicant must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 12C-014: PIN 778482
2375 Northside Drive, Suite 100
San Diego, California 92108

IX. CEQA FINDINGS

- A. The City of Murrieta is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed a Notice of Determination for the *Mitigated Negative Declaration, Guava Street Bridge Project, County of Riverside, State Clearing House No. 2011011083, June 2, 2011*. The City of Murrieta has determined the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project.
- B. The San Diego Water Board has reviewed the lead agency's Mitigated Negative Declaration and also finds that the Project as proposed will have a significant effect on the environment and has conditioned mitigation measures accordingly and therefore determines that issuance of this Certification is consistent with the Notice of Determination.

X. PUBLIC NOTIFICATION OF PROJECT APPLICATION

On November 28, 2012, receipt of the Project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.

XI. SAN DIEGO WATER BOARD CONTACT PERSON

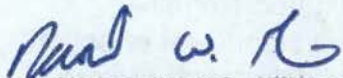
Darren Bradford, Environmental Scientist
California Regional Water Quality Control Board, San Diego Region
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Email: DBradford@waterboards.ca.gov

XII. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Guava Street Bridge Project** (Certification No. 12C-014) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited to, and all proposed mitigation being completed in strict compliance with, the applicants' Project description and/or the description in this Certification and attachments, and (b) on compliance with all applicable requirements of the *Water Quality Control Plan for the San Diego Basin* (9) (Basin Plan).

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 12C-014 issued on October 3, 2013.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

10-3-2013

Date

**ATTACHMENT 1
DISTRIBUTION LIST**

Mr. Ms. Peggy Bartels
U.S. Army Corps of Engineers
Regulatory Branch
Peggy.J.Bartels @usace.army.mil

Mr. Juan Torres
California Department of Fish and Game
jtorres@wildlife.ca.gov

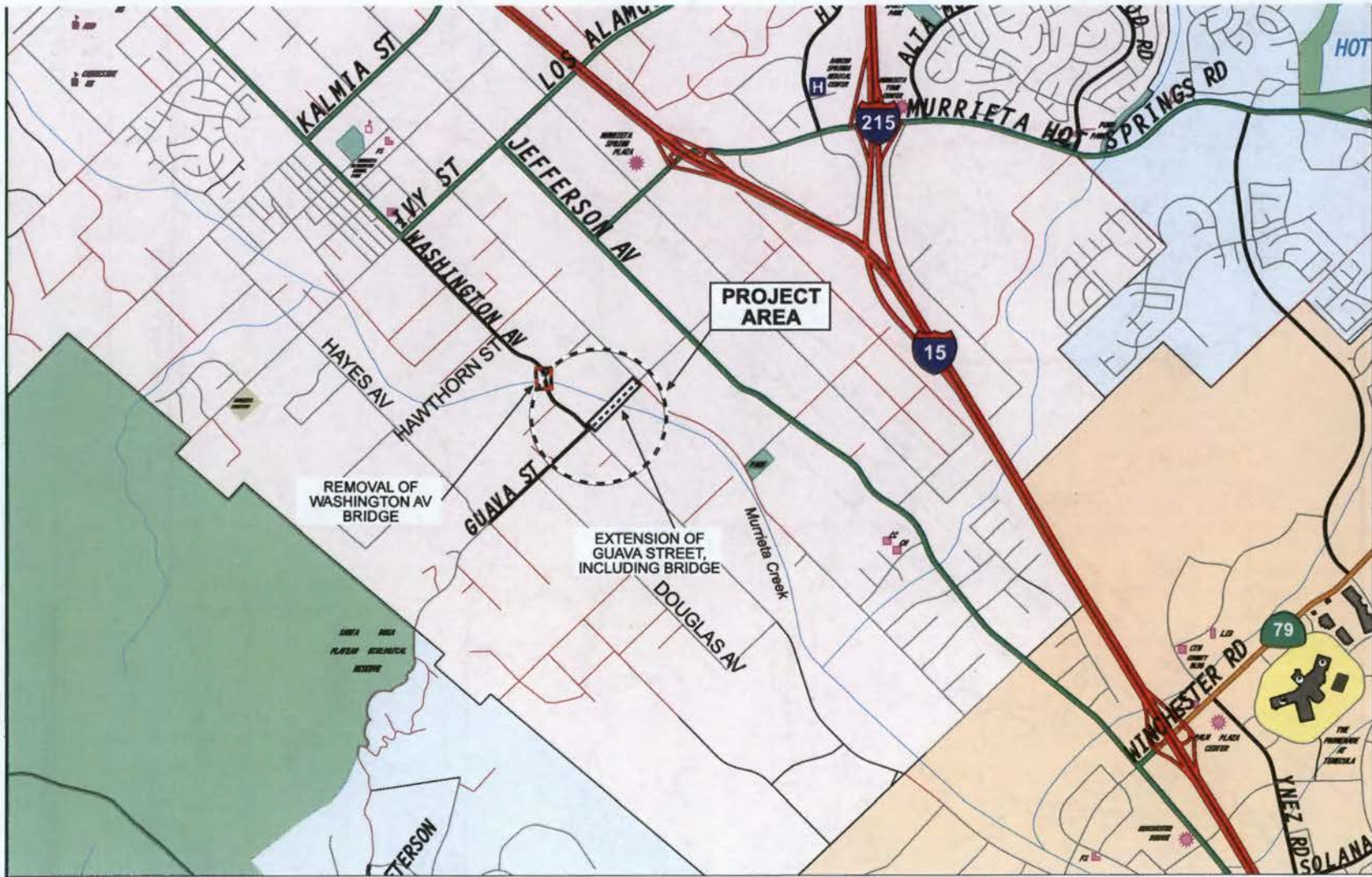
U.S. EPA, OWOW, Region 9
75 Hawthorne St.
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

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

City of Murrieta
Guava Street Bridge Project
Certification No. 12C-014

October 3, 2013

**ATTACHMENT 2
LOCATION MAP(S)**



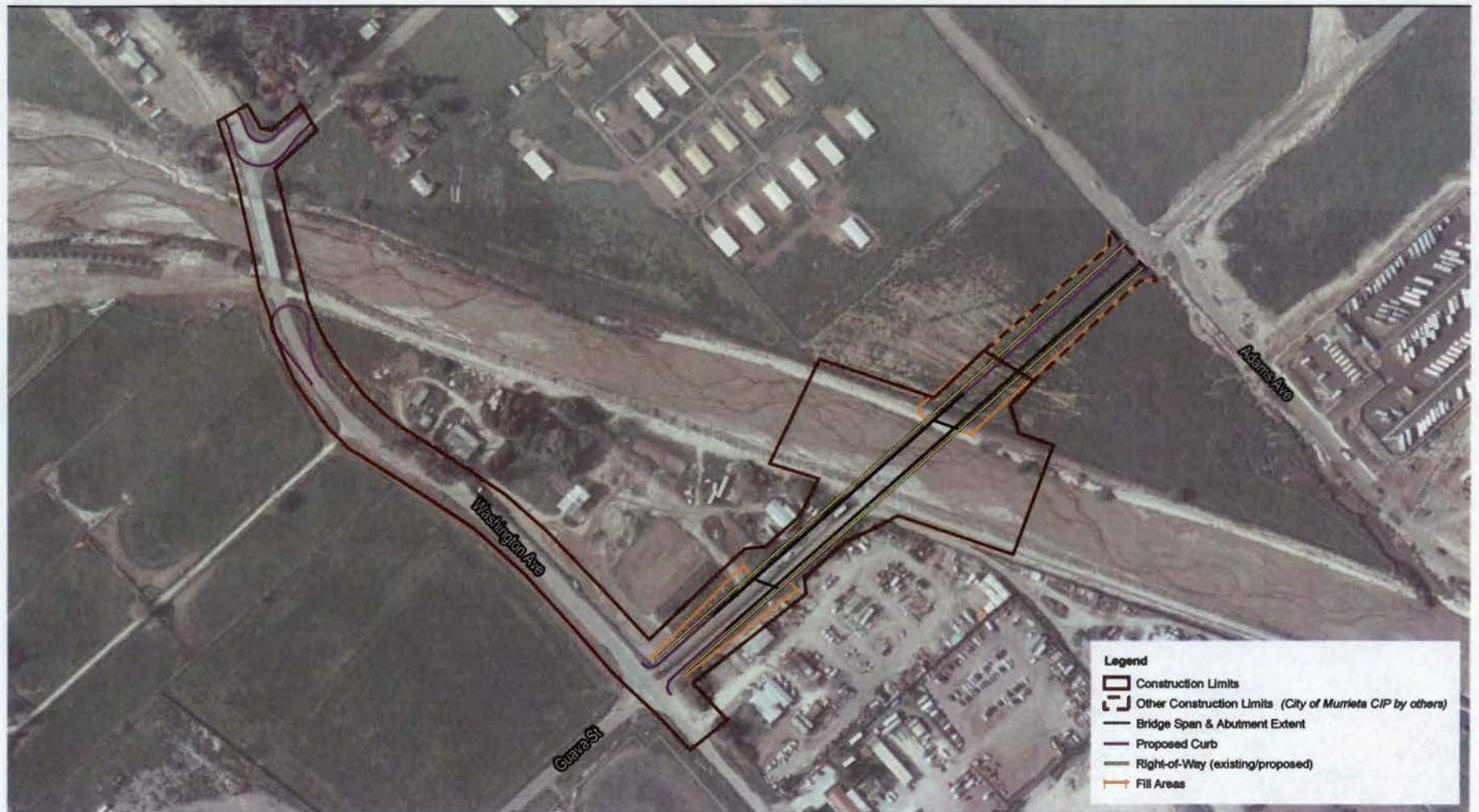
Source: Thomas Bros. 2004

Figure 2
Project Location Map

City of Murrieta
Guava Street Bridge
Certification No. 12C-014

October 3, 2013

**ATTACHMENT 3
SITE FIGURE(S)**



Source: EBRD 2007; Risk Engineering July 2007; T.Y. Lin 2007; EDNAW 2007

200 100 0 200 Feet

Scale: 1:2,400; 1 inch = 200 feet

- Legend**
- Construction Limits
 - Other Construction Limits (City of Murrieta CIP by others)
 - Bridge Span & Abutment Extent
 - Proposed Curb
 - Right-of-Way (existing/proposed)
 - Fill Areas

Figure 3
Project Features Map

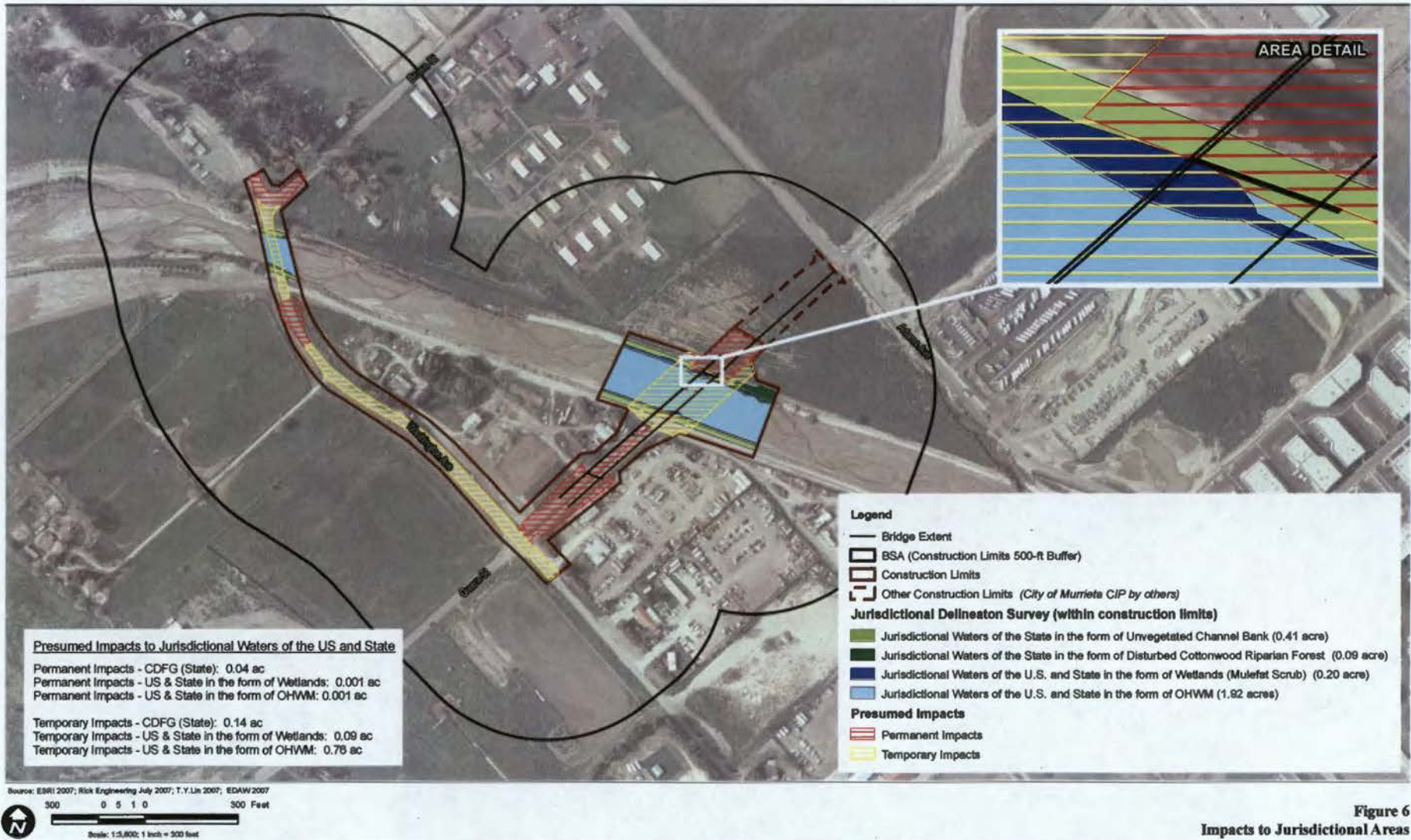
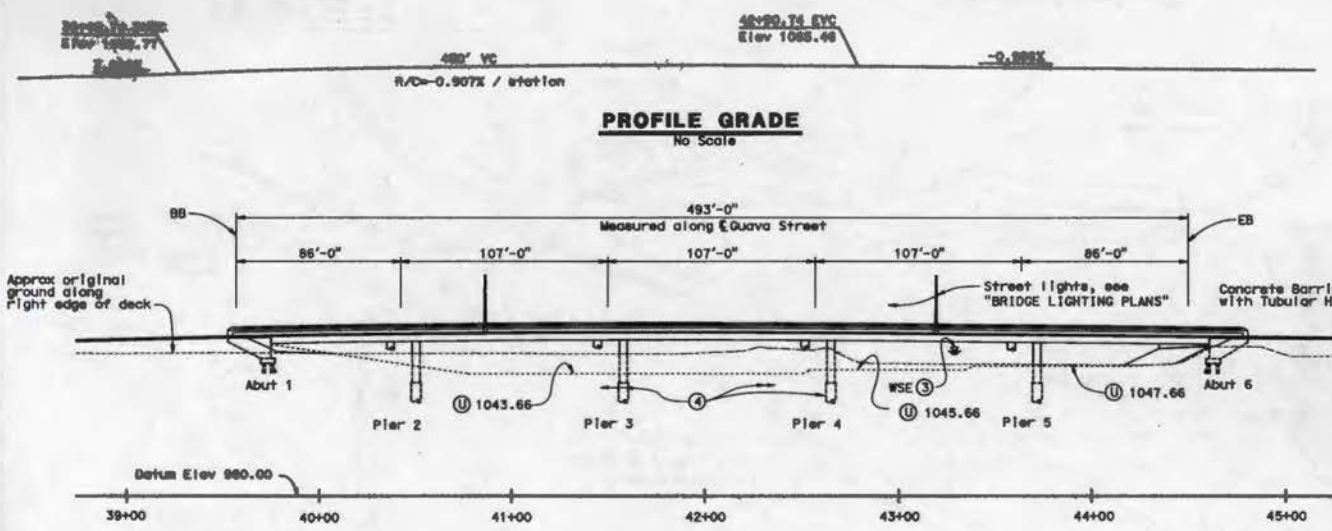
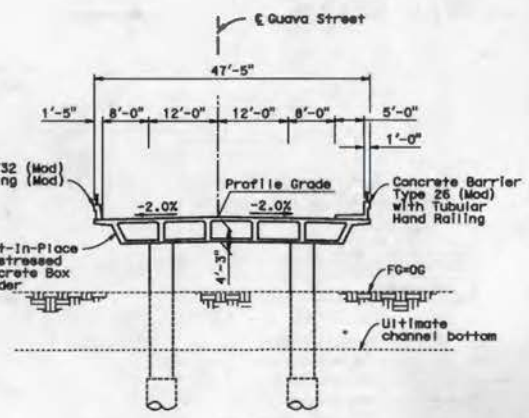


Figure 6
Impacts to Jurisdictional Areas

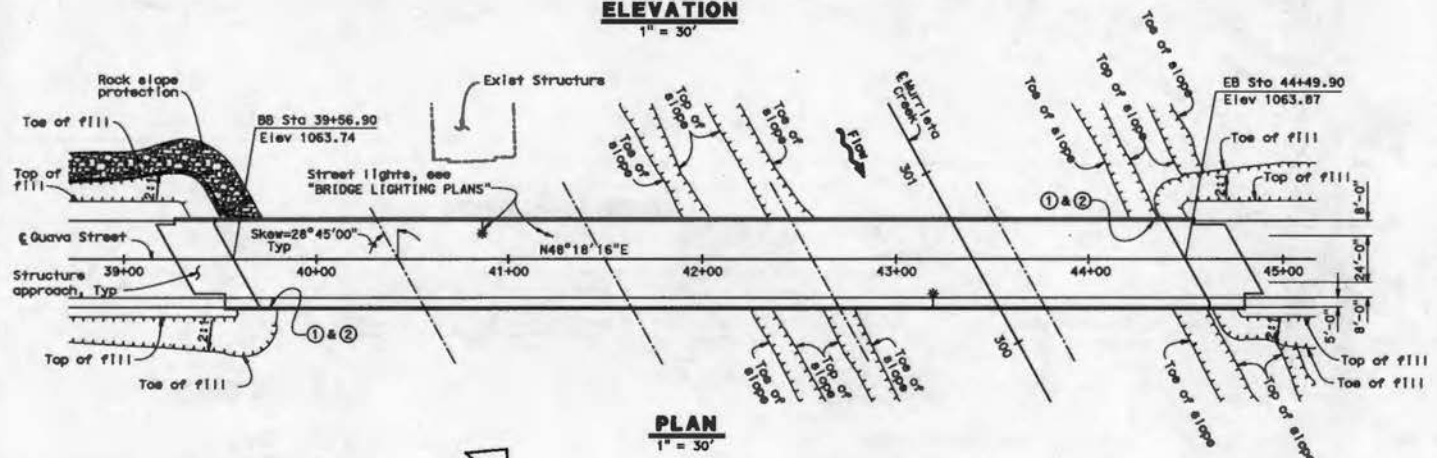


PROFILE GRADE
No Scale

ELEVATION
1" = 30'



TYPICAL SECTION
1" = 10'



PLAN
1" = 30'

UTILITIES (TBD)

① -

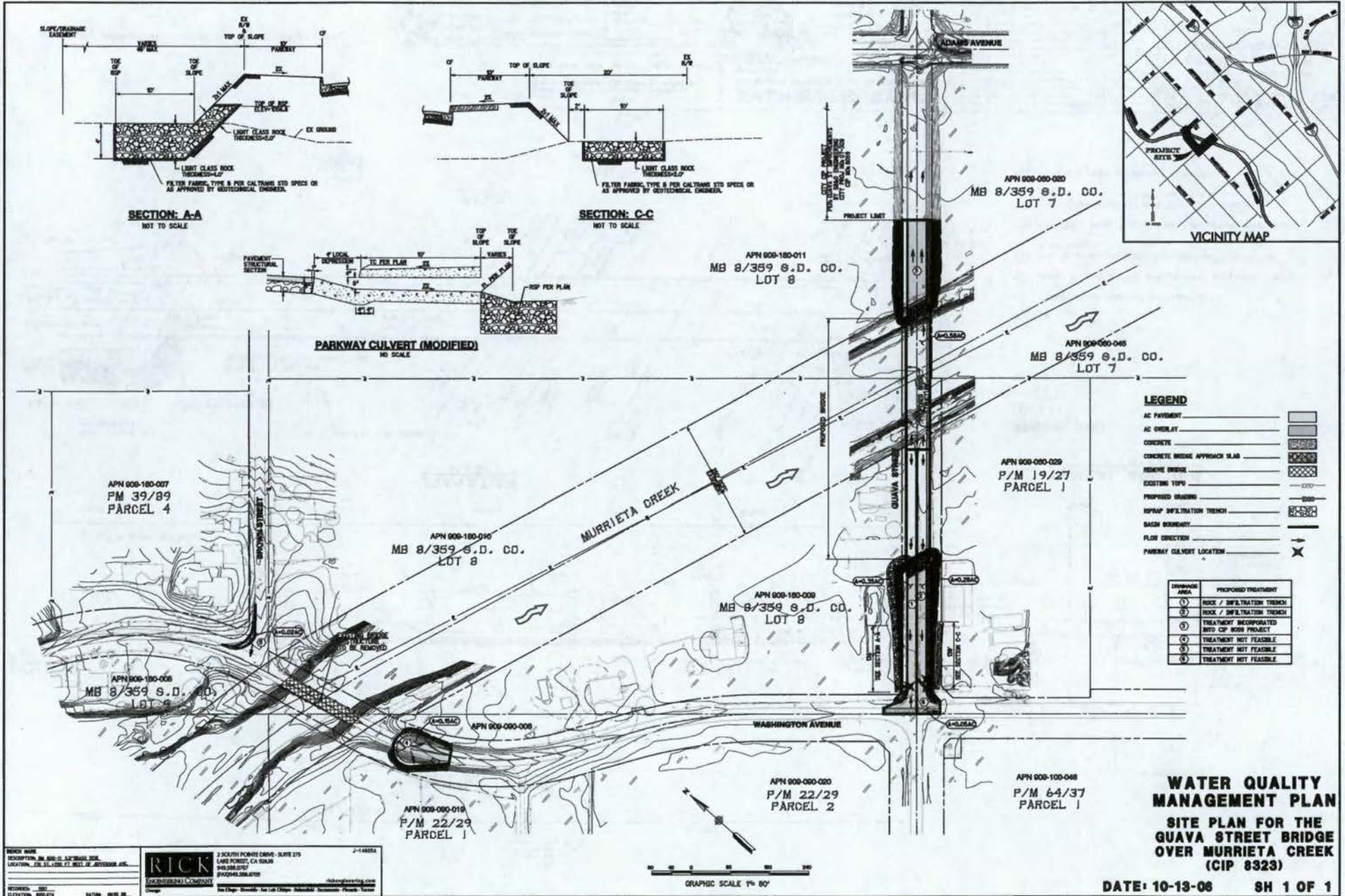
NOTES

- ① Paint bridge number and year built.
- ② Paint "Guava Street Bridge Over Murrieta Creek."
- ③ See "Hydrologic Data Summary" on "Foundation Plan" sheet.
- ④ For "Pile Data Table," see "Foundation Plan" sheet.
- ⑤ For "General Notes" and "Index to Bridge Plans," see "Deck Contours" sheet.
- ⓪ Ultimate Channel Bottom Elevation

Load Factor Design
Live Loadings: HS20-44, Alternative, and Permit Design Load

<p>"AS-BUILT"</p> <p>The receipt of the final Plans and City's acceptance thereof does not absolve the Subcontractor/Developer of any responsibility for their accuracy.</p> <p>Engineer of works _____ Date _____</p> <p>RCE _____ EXP. _____</p>		<p>TYLIN INTERNATIONAL</p> <p>5030 CAMINO DE LA VENTA, SUITE 204, SAN DIEGO, CA 92108</p> <p>619-592-9200 www.tylin.com</p>		<p>PREPARED BY: _____ DATE: _____</p> <p>Checked by: _____</p> <p>Approved by: _____</p>		<p>SHEET 11 CITY OF MURRIETA ENGINEERING DEPARTMENT SHEETS 26</p> <p>GUAVA STREET BRIDGE OVER MURRIETA CREEK GENERAL PLAN</p> <p>APPROVED: PATRICK A. THOMAS, CITY ENGINEER FOR CITY OF MURRIETA DATE: _____</p> <p>R.C.E. No. 1488 EXP. DATE 6-30-09</p> <p>FOR OFF. _____ PROJECT No. _____ DRAWING No. 02-25</p>	
<p>Underground Service Alerts</p> <p>CALL TOLL FREE 1-800-424-4353</p> <p>LOCATION: 4000 N. G ST. MURRIETA, CA 92562</p> <p>PROPOSED: BRIDGE</p> <p>ELEVATION: 1063.87</p>	<p>WHICH FUND: _____</p> <p>CONTRACT NO.: _____</p> <p>CITY OF MURRIETA</p> <p>APP. NO.: _____</p> <p>R.C.E. NO.: _____</p> <p>EXP. DATE: _____</p>	<p>APPROVED FOR SUBMITTAL:</p> <p>_____ DATE: _____</p>	<p>James L. Ruckler R.C.E. No. 4776 EXP. DATE: 12-31-07</p>	<p>HORIZONTAL SCALE: AS NOTED</p> <p>VERTICAL SCALE: AS NOTED</p>	<p>REV. NO. _____</p> <p>DATE _____</p> <p>DESCRIPTION _____</p>	<p>REV. NO. _____</p> <p>DATE _____</p> <p>CITY APPROVAL _____</p>	

03/11/07 11:11:11 AM
 03/11/07 11:11:11 AM
 03/11/07 11:11:11 AM

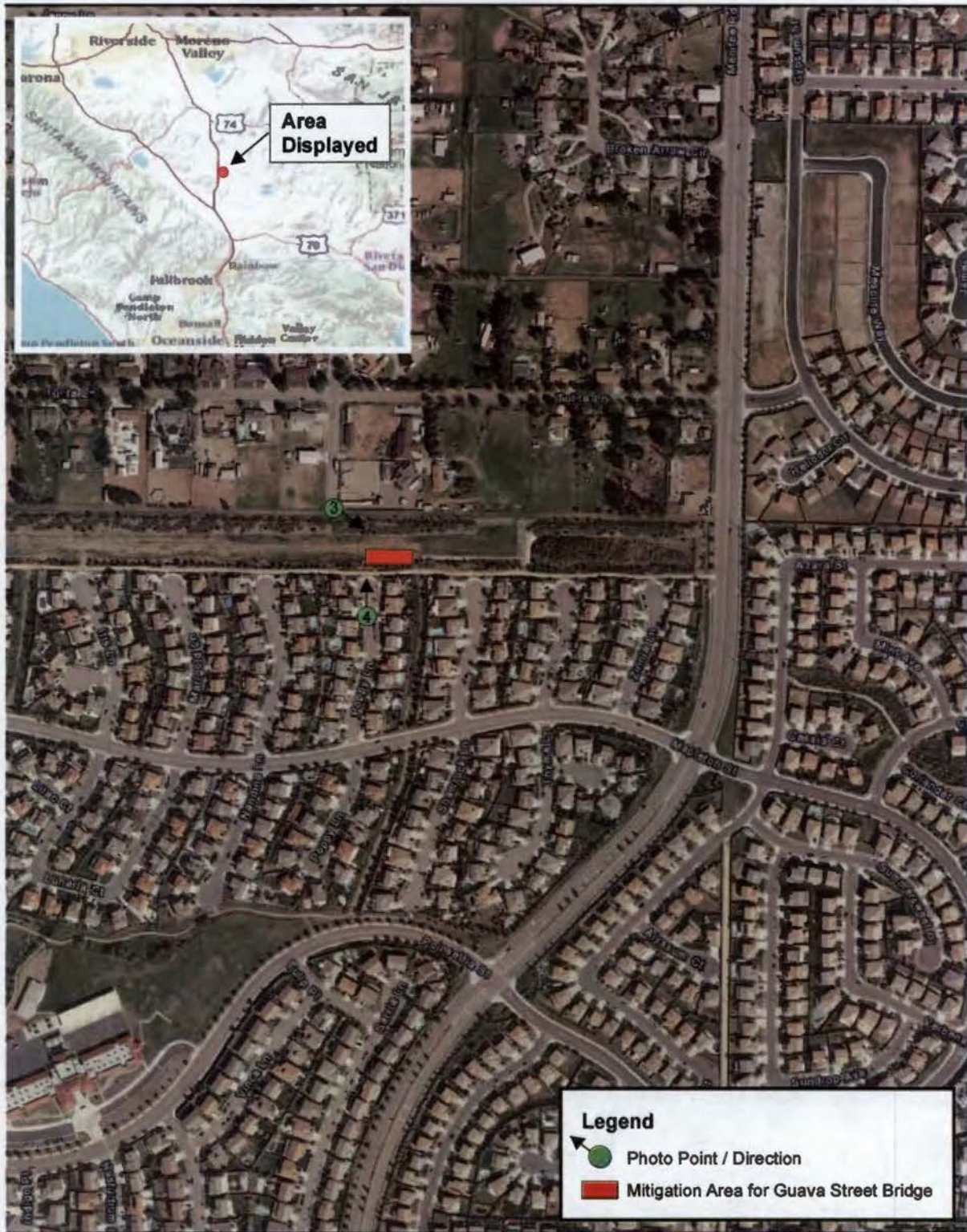


RICK
 ENGINEERING COMPANY
 2 SOUTH FORNEY DRIVE, SUITE 175
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 (949) 251-1100
 FAX: (949) 251-1101
 www.rickeng.com

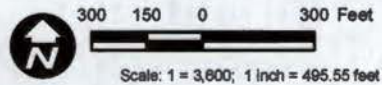
City of Murrieta
Guava Street Bridge
Certification No. 12C-014

October 3, 2013

**ATTACHMENT 4
MITIGATION MAP(S)**



Source: Aerials Express 2010; Riverside County 2009



Legend



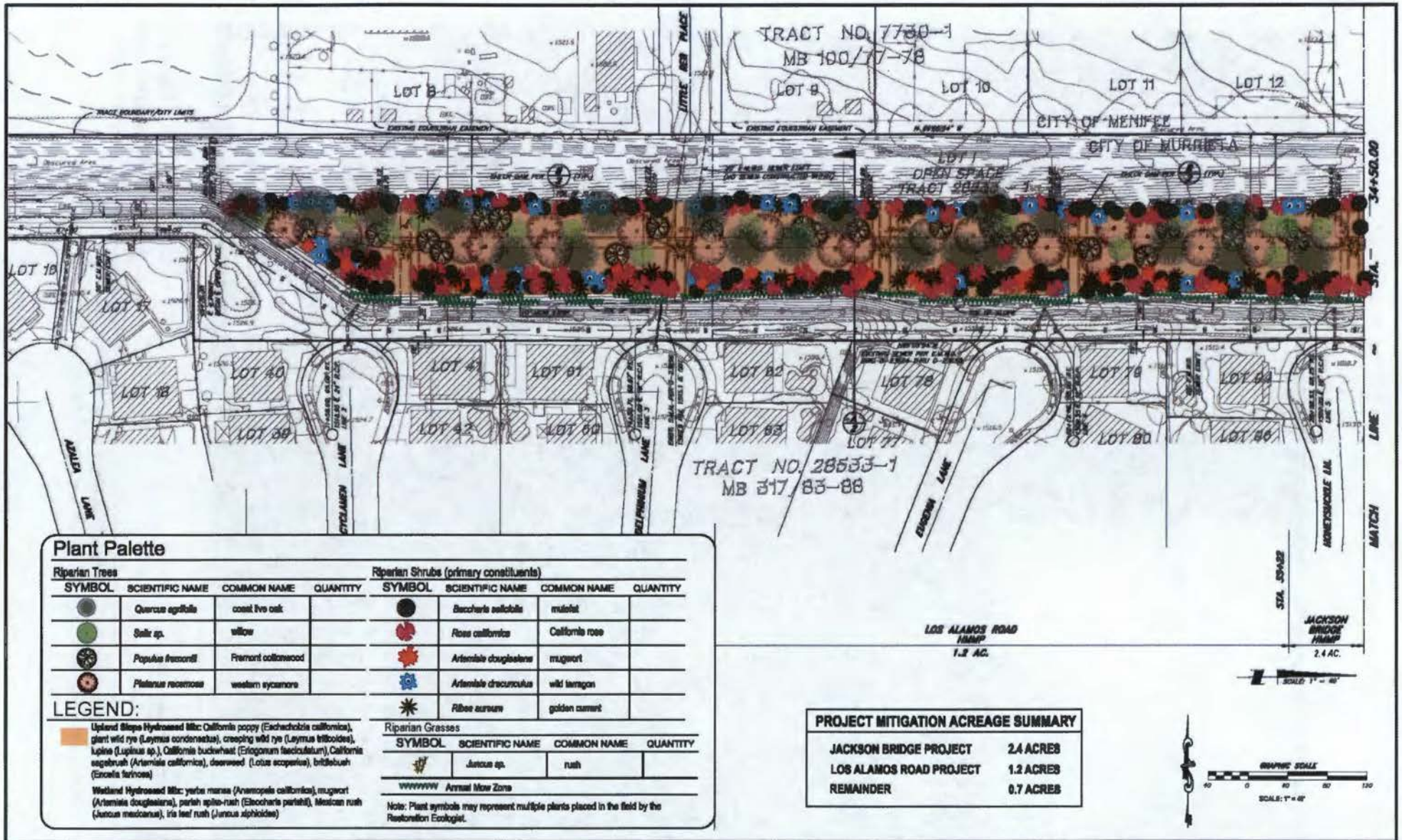
-  Photo Point / Direction
-  Mitigation Area for Guava Street Bridge

Figure 4
Mapleton Mitigation Site

Guava Street Bridge Project Wetland/Riparian Conceptual Mitigation Plan

Path: P:\200404120116 Guava Street Bridge\GIS\Mxd\DRSP\potential_mitigation_area_20100427_b.mxd, 04/27/10, LeeJ



Plant Palette

Riparian Trees				Riparian Shrubs (primary constituents)			
SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY
	<i>Quercus agrifolia</i>	coast live oak			<i>Baccharis salicifolia</i>	mulefat	
	<i>Salix sp.</i>	willow			<i>Rosa californica</i>	California rose	
	<i>Populus fremontii</i>	Fremont cottonwood			<i>Artemisia douglasiana</i>	mugwort	
	<i>Platanus racemosa</i>	western sycamore			<i>Artemisia dracunculoides</i>	wild tarragon	
					<i>Ribes aureum</i>	golden currant	

LEGEND:

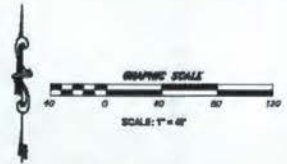
Upland Slope Hydrated MHC: California poppy (*Eschscholzia californica*), giant wild rye (*Leymus condanensis*), creeping wild rye (*Leymus triticoides*), lupine (*Lupinus sp.*), California buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), downwood (*Lotus scoparius*), brittlebush (*Encelia farinosa*)

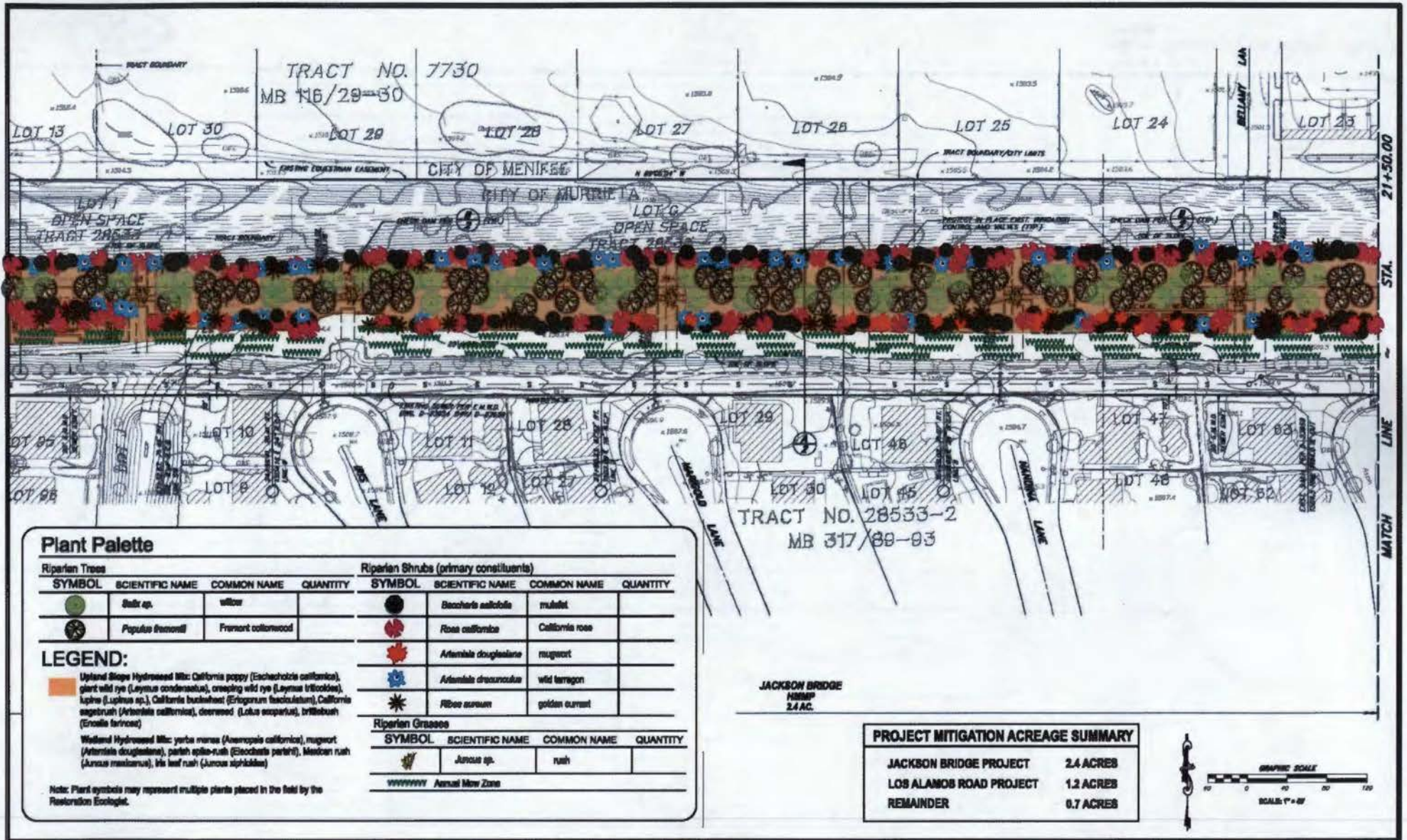
Wetland Hydrated MHC: yarrow manna (*Anemopsis californica*), mugwort (*Artemisia douglasiana*), parish spiro-rush (*Eleocharis parvifl.*), Mexican rush (*Juncus mexicanus*), iris leaf rush (*Juncus sphaceloides*)

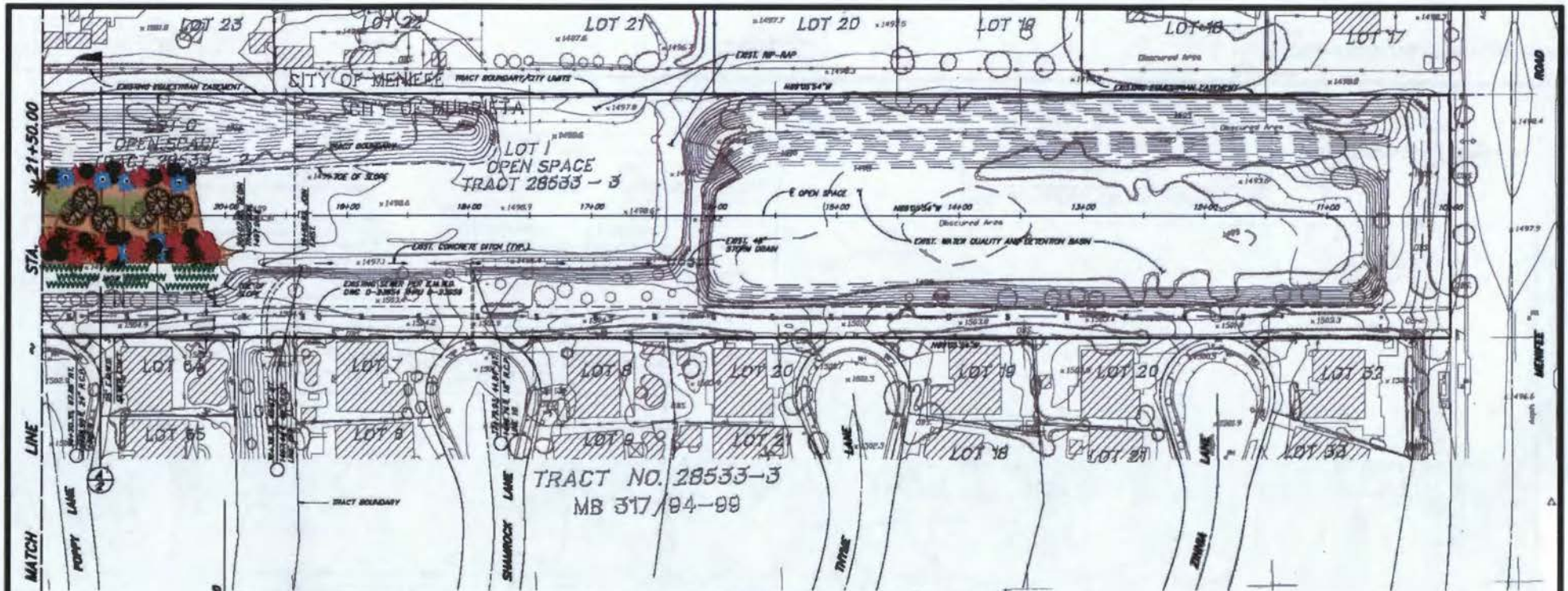
Riparian Grasses			
SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY
	<i>Juncus sp.</i>	rush	
	Arrest Mow Zone		

Note: Plant symbols may represent multiple plants placed in the field by the Restoration Ecologist.

PROJECT MITIGATION ACREAGE SUMMARY	
JACKSON BRIDGE PROJECT	2.4 ACRES
LOS ALAMOS ROAD PROJECT	1.2 ACRES
REMAINDER	0.7 ACRES







Plant Palette

Riparian Trees

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY
	<i>Salix</i> sp.	willow	
	<i>Populus fremontii</i>	Fremont cottonwood	

LEGEND:

- Upland Slope Hydroseed Mix: California poppy (*Erythroxyle californica*), giant wild rye (*Leymus condensatus*), creeping wild rye (*Leymus triticoides*), lupine (*Lupinus* sp.), California baccharis (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), downweed (*Lolium scoparium*), brittlebush (*Encelia farinosa*)
- Wetland Hydroseed Mix: yerba mansa (*Anemopsis californica*), mugwort (*Artemisia douglasiana*), parish spike-rush (*Eleocharis parishii*), Mexican rush (*Juncus mexicanus*), life leaf rush (*Juncus sphaceloides*)

Note: Plant symbols may represent multiple plants placed in the field by the Restoration Ecologist.

Riparian Shrubs (primary constituents)

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY
	<i>Baccharis californica</i>	mulefat	
	<i>Rosa californica</i>	California rose	
	<i>Artemisia douglasiana</i>	mugwort	
	<i>Artemisia dracunculoides</i>	wild tarragon	
	<i>Ribes aureum</i>	golden currant	

Riparian Grasses

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY
	<i>Juncus</i> sp.	rush	
~~~~~	Annual Mow Zone		

### PROJECT MITIGATION ACREAGE SUMMARY

JACKSON BRIDGE PROJECT	2.4 ACRES
LOS ALAMOS ROAD PROJECT	1.2 ACRES
REMAINDER	0.7 ACRES

