

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

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**CONDITIONAL WAIVER OF WASTE DISCHARGE  
REQUIREMENTS ORDER R8-2024-0032**

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**ORDER INFORMATION**

**Status:** Adopted  
**Program:** Dredged or Fill Material Program  
**Discharger(s):** Rancho Paseo De Valencia, LLC dba  
Forest Park  
**Project:** Forest Park Residential Project  
**County:** Riverside County  
**CIWQS WDID:** N/A  
**Prior Order(s):** R8-2014-0009 and R8-2019-0015

**CERTIFICATION**

I, JAYNE JOY, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on March 15, 2024.

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JAYNE JOY  
Executive Officer

**TABLE OF CONTENTS**

**Findings ..... 1**

    Project Description and Discharge Characteristics ..... 1

    Regulatory Considerations..... 4

**Requirements ..... 6**

    A. Discharge Specifications ..... 6

    B. Discharge Prohibitions..... 7

    C. Mitigation Requirements ..... 8

    D. Provisions ..... 9

**Attachment A—Exhibits ..... 13**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA BASIN REGION

**ORDER R8-2024-0032**

RENEWAL OF CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS  
FOR  
RANCHO PASEO DE VALENCIA, LLC dba FOREST PARK  
CITY OF CORONA, RIVERSIDE COUNTY

**FINDINGS**

The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) hereby finds as follows:

1. Rancho Paseo De Valencia, LLC (hereinafter Discharger) submitted a Report of Waste Discharge on November 14, 2013, for discharges of fill materials to waters of the state related to the proposed construction of the Forest Park Residential Development (Project).
2. On April 25, 2014, the Santa Ana Water Board adopted an individual conditional waiver of waste discharge requirements (WDRs) Order R8-2014-0009 for a five-year period, as allowed by the California Water Code Section 13269, subdivision (a)(2).
3. On March 24, 2019, the Santa Ana Water Board adopted a renewal of the individual conditional waiver Order R8-2019-0015, which expires on March 22, 2024.
4. Given no change to the construction proposal, and no construction to date, the proposed Order R8-2024-0032 renews this individual conditional waiver until March 15, 2029. The Santa Ana Water Board may renew the waiver prior to its expiration. The Discharger shall submit a written request to the Santa Ana Water Board to renew the waiver at least 180 days prior to the expiration of the waiver.

**Project Description and Discharge Characteristics**

1. The Project, also known as Tentative Tract Map No. 34760, is located in the City of Corona in Riverside County. The Discharger proposes to remove an orchard farm and construct manufactured slopes, infrastructure, and 34 residential lots, on 49.6 acres of a 64.4-acre Project site. The Project site is adjacent to the Cleveland National Forest in the lower foothills of the Santa Ana Mountains (latitude 33.8308°, longitude -117.5836°).

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

2. There are eight channels, also referred to as drainage courses, (see Exhibits 1 and 2) within the Project site. Three of these drainage courses are man-made agricultural drainages that have no designated beneficial uses and are therefore not considered waters of the state for the purpose of this Order. The Discharger is proposing to permanently fill seven of the eight drainage courses. Five channels on the Project site, designated Drainage A, Drainage B, Drainage C, Drainage E, and Drainage E1, as shown on Exhibits 1 and 2, are waters of the state. The filling activities will impact 3,223 linear feet and 0.577 acre of these drainage courses.
3. Table 1, below, identifies the impacts to waters of the state that will result from permanently filling the five drainage courses:

**Table 1: Channel Impacts**

<b>Drainage</b>	<b>Acreage</b>	<b>Linear Feet</b>	<b>Average Width (feet)</b>	<b>Square Feet</b>	<b>Description</b>
<b>A</b>	0.117	1,067.2	4.79	5,111.89	To be permanently impacted. The Discharger will provide a total of 0.225-acre of compensatory mitigation area in and adjacent to Drainage C in Lot G for habitat impacts in Drainage A.
<b>B</b>	0.289	1,200	10.5	12,600	To be permanently impacted. Compensatory mitigation to be conducted in Drainage C for loss of beneficial uses in Drainage B.

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FOREST PARK RESIDENTIAL PROJECT

Drainage	Acreage	Linear Feet	Average Width (feet)	Square Feet	Description
<b>C</b>	0.133	Reach 1 = 415 Reach 2 = 69 Total = 0.133	12	5,808	To be temporarily impacted by installation of erosion control matting. The location of compensatory mitigation for loss of beneficial uses in drainages A, B, E, and E1, including habitat impacts to Drainage A.
<b>E</b>	0.034	Reach 1 = 230.2 Reach 2 = 71 Total = 301.2	4.86	1,463.83	To be permanently impacted.
<b>E1</b>	0.004	170.6	1.04	177.42	To be permanently impacted. Tributary to Drainage E. Upland/riparian vegetation in natural slope.

4. The Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) specifies water quality objectives and beneficial uses for waters in the Santa Ana Region. The conditions specified in this Order are consistent with the Basin Plan.
5. The onsite waters of the state on the Project site currently support some or all of the following beneficial uses:
  - a. Wildlife Habitat (WILD);
  - b. Warm Freshwater Habitat (WARM);
  - c. Groundwater Recharge (GWR);
  - d. Non-Contact Water Recreation (REC2); and
  - e. Agricultural Supply (AGR)
6. The Project site overlies the Temescal Groundwater Management Zone (GMZ), and the beneficial uses are: Municipal Supply (MUN), Agricultural Supply (AGR), Industrial Process Supply (PROC), and Industrial Service Supply (IND).

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

7. The discharge of waste, in this case, fill materials to Drainages A, B, E, and E1 will cause permanent loss of the beneficial uses of these drainage courses. The construction of erosion control measures within Drainage C will temporarily impact beneficial uses.
8. On February 14, 2014, the Discharger submitted a Mitigation Plan for all of the identified impacts to waters of the state from the proposed Project. After several iterations, the Executive Officer approved the April 9, 2014, version on April 23, 2014. The California Department of Fish (CDFW), in coordination with Santa Ana Water Board staff, reviewed the Mitigation Plan during development of a Streambed Alteration Agreement for the Project and made minor changes to the Mitigation Plan. The final version, "*Riparian Habitat Mitigation Plan, Rancho Paseo de Valencia, LLC, dba Forest Park, Corona California, April 9, 2014, Revised April 15, 2015,*" (Final Mitigation Plan) was approved by CDFW and Santa Ana Water Board staff on May 14, 2015. The Final Mitigation Plan is incorporated into this Order.

### **Regulatory Considerations**

9. The City of Corona is the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) for the Project. The City of Corona certified the Final Environmental Impact Report (EIR) for the Project and filed a Notice of Determination on May 4, 2011. The City of Corona determined that the Project, without mitigation, will have potentially significant impacts on the environment. The EIR includes mitigation measures to mitigate the Project's impacts on the environment to less than significant levels. The EIR also determined that certain effects were significant and unavoidable and adopted a Statement of Overriding Considerations. The impacts in the Statement of Overriding Considerations do not pertain to water quality.
10. The Santa Ana Water Board is a responsible agency for this Project. As a responsible agency, the Regional Board is "responsible for considering only the effects of those activities involved in a project which it is required to carry out or approve" (Pub. Res. Code § 21002.1, subd. (d)). The Regional Board has reviewed and considered the impacts to water quality in the EIR and finds that the impacts to water quality are less than significant level with mitigation required to further reduce the environmental impacts.
11. Pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097, the City of Corona adopted a mitigation monitoring and reporting program (MMRP) to ensure that the mitigation measures identified in the EIR are implemented. The MMRP is incorporated herein by reference and the Discharger shall implement mitigation and conditions for water quality impacts as required in the EIR.

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

12. In part, California Water Code (CWC) Section 13269 authorizes the Santa Ana Water Board to waive issuance of waste discharge requirements if the Santa Ana Water Board determines that the waiver is consistent with the applicable Basin Plan and is in the best public interest. CWC Section 13269 specifies, among other criteria, that waivers shall be conditional, monitoring shall be included as a condition of waivers, and that waivers may not exceed five years in duration but may be renewed. The Santa Ana Water Board finds that the renewal of this individual conditional waiver is consistent with the Basin Plan, includes monitoring requirements and is in the best public interest.
13. The Discharger will be responsible for establishing, monitoring, successfully completing, and maintaining the measures identified in the final Mitigation Plan. An appropriate party will be identified to maintain the completed mitigation area in perpetuity, through a conservation easement to be copied to the Santa Ana Water Board.
14. The construction activities at the site will be conducted in accordance with a City of Corona approved Water Quality Management Plan (WQMP), the Municipal Storm Water Permit for Riverside County, and the State Water Resources Control Board's General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities, State Water Board Order No. 2022-0009-DWQ.
15. The State Water Resources Control Board established California's antidegradation policy in State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality Water in California* (Antidegradation Policy). The Antidegradation Policy requires that WDRs reflect best practicable treatment or control of wastes and that any degradation of high quality waters (a) will be consistent with the maximum benefit to the people of the State, (b) will not unreasonably affect present and anticipated beneficial uses, and (c) will not result in water quality less than that prescribed in state policies (e.g., water quality objectives in Water Quality Control Plans).
16. Consistent with the Antidegradation Policy, the Discharger may not carry out any activity that may cause or threaten to cause a condition of pollution or nuisance, and any degradation will be consistent with the maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in state policies. The filling of Drainages A, B, E, and E1 will cause permanent loss of the beneficial uses of these drainages. However, the Discharger is required to provide and maintain compensatory mitigation to offset the loss of beneficial uses. Additionally, the development of housing under the Project will benefit the people by providing jobs and accommodating growth in Riverside County.

17. The Regional Board, in a public meeting, heard and considered all comments pertaining to this Order.

## **REQUIREMENTS**

**IT IS HEREBY ORDERED** that the Santa Ana Water Board waives the waste discharge requirements for the discharge of fill materials to the drainage courses identified in Table 1, above, pursuant to California Water Code Section 13269, provided that the Discharger complies with the following conditions:

### **A. Discharge Specifications**

1. No activities associated with the Project shall cause or threaten to cause a condition of nuisance, contamination or pollution as defined in Water Code section 13050.
2. The groundwater in the vicinity of the Project shall not be degraded resulting from the Project activities or placement of fill materials for the Project.
3. The Discharger shall, as applicable, obtain coverage under and comply with the State Water Board's NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order 2022-0057-DWQ; NPDES No. CAS000002) and any subsequent amendments (Construction General Permit). If the Project construction activities do not require coverage under the Construction General Permit, the Discharger shall develop and implement a runoff management plan or equivalent construction best management practices plan, to prevent the discharge of sediment and other pollutants during construction activities.
4. The Discharger shall comply with the local regulations associated with the Santa Ana Water Board's Municipal Stormwater Permit issued to Riverside County and co-permittees under NPDES No. CAS618033 and WDRs Order R8-2010-0033 and subsequent iterations thereof.
5. Discharges of fill materials shall be limited to the placement of native fill and inert waste, as defined in California Code of Regulations, title 27, section 20230. Fill material other than native soil shall not be discharged as part of the project.
6. Construction and post-construction best management practices shall be implemented.



RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

**B. Discharge Prohibitions**

1. Permanent impacts to waters of the state from the Project shall not exceed quantities identified in Table 1.
2. Expect as expressly authorized in another WDRs order, waste shall not be discharged in a manner or location other than as described in the findings herein.
3. Except for authorized fill material discharges to waters of the state, the direct discharge of wastes, including rubbish, refuse, bark, sawdust, or any other solid or liquid wastes, into water channels, surface waters, or any place where they would contact or be eventually transported to surface waters, including flood plains, is prohibited.
4. The discharge of oil or other floating materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters is prohibited.
5. The discharge of silt, sand, clay, or other earthen materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters is prohibited.
6. Discharges to surface waters of wastes or pollutants that are not authorized by this Order or regulated by a separate permit are prohibited.
7. During the grading and filling operation, there shall be no onsite fueling, lubrication, changing of oil or other equipment fluids and their filters, or any other maintenance or storage of construction equipment within or next to drainage areas or other surface runoff conveyances.
8. The discharge of any substance in concentrations toxic to animal or plant life is prohibited.
9. The discharge of fill materials as identified above is contingent upon the Discharger's timely implementation of the final Mitigation Plan, and the satisfactory and timely completion of all its specified activities. Implementation of the Final Mitigation Plan shall occur concurrently with earthmoving or construction activities that discharge waste to waters of the state.
10. The Discharger shall comply with Monitoring and Reporting Program (M&RP) No. R8-2019-0015, which is a part of this Order. The M&RP may be modified by the Executive Officer at any time during the term of this Order.

**C. Mitigation Requirements**

1. The Project's Final Mitigation Plan has been reviewed and approved by the Executive Officer. The Discharger shall implement the Final Mitigation Plan, which includes:
  - a. Drainage C (in southeastern corner of the Project site, in Lot G) has been chosen by the Discharger to be an appropriate location in which to implement mitigation for impacts to beneficial uses subject to the Regional Board's jurisdiction and for impacts to wildlife habitat under the authority of CDFW.
  - b. A minimum of 0.219 acre of mitigation area that will support warm freshwater habitat and wildlife habitat beneficial uses will be implemented within and along the 484-foot segment of Drainage C that is between the upstream side of the proposed 0.225-acre CDFW mitigation site and the existing road that follows the Project site's property line at its southernmost corner. The area where mitigation is to occur is shown on Exhibit 4. The width of the mitigation area is expected to average 20 feet and will not be less than 12 feet.
  - c. The work necessary to implement the mitigation will include grading and the excavation of Drainage C as necessary to conform to the final Mitigation Plan concept, which includes installation of erosion-control matting in a manner specified by the manufacturer. The final Mitigation Plan requires that the installed matting in Drainage C be covered with soil and planted using the plant palette specified in the Mitigation Plan.
  - d. To the extent possible, plants that will be used to implement the final Mitigation Plan must be propagated from locally collected seeds and cuttings. Locally collected seed shall be used in re-seeding operations. Undesirable and invasive plants must be removed from the mitigation area to the extent possible to allow establishment of the native plant palette.
  - e. The mitigation area (Final Mitigation Plan) shall meet specified success criteria, which are:
    - i. After one (1) year, cover of herbaceous plantings shall be at least 80 percent of the planted area; herbaceous cover shall be maintained.
    - ii. After one (1) year, cover for the woody species shall be at least 20 percent of the planted area to complement the herbaceous

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

- plantings. A minimum of 80 percent of the initial plantings shall survive.
- iii. After two (2) years, cover for the woody species shall be at least 30 percent of the planted area.
  - iv. After three (3) years, cover for the woody species shall be at least 50 percent of the planted area.
  - v. After four (4) years, cover for the woody species shall be at least 70 percent of the planted area.
  - vi. After five (5) years, cover for the woody species shall be at least 80 percent of the planted area and maintained at that coverage in perpetuity.
2. The mitigation program will be considered successful upon the establishment of a self-sustaining riparian habitat.
  3. The mitigation site shall be monitored regularly, from when installation of plants specified by the final Mitigation Plan is completed to when the mitigation meets Year 5 success criteria. Any derivations from B.8.e.1) – 6) percentages (owing to drought, fire, disease, etc.) shall be explained in the annual December monitoring reports specified in Monitoring and Reporting Program R8-2024-0032.
  4. The mitigation site shall have an operating irrigation system for as long as necessary to ensure successful germination and growth of plant species specified by the final Mitigation Plan.
  5. The Discharger will be responsible for establishing, monitoring, successfully completing, and maintaining the measures identified in the Final Mitigation Plan. The Discharger shall obtain a conservation easement for the mitigation site, to protect the site from conflicting uses in perpetuity. The conservation easement shall be recorded with the Riverside County Recorder's office and shall expressly grant the Santa Ana Water Board the authority to enter upon and inspect the property, and to enforce the terms of the Final Mitigation Plan.

**D. Provisions**

1. The Discharger shall maintain a copy of this Order at the Project site so that it is always available to site operating personnel. Key operating personnel shall be familiar with the Order's content.

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

2. The Discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health and the environment.
3. This Order is not transferable to any person without written approval by the Santa Ana Water Board's Executive Officer. Prior to any change in ownership, the Discharger shall notify the Santa Ana Water Board's Executive Officer in writing at least 30 days in advance. The notice shall include a written transfer agreement between the existing owner and the new owner. At a minimum, the transfer agreement shall contain a specific date for transfer of responsibility for compliance with this Order and an acknowledgment that the new owner or operator is liable for compliance with this Order from the date of transfer. The Santa Ana Water Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate other requirements as may be necessary under the Water Code.
4. The Discharger, for so long as it owns the land, and thereafter the successor owner or owners of the land, or other party to whom responsibility for compliance with this Order has been assigned and who has accepted this assignment, or who has control over the Project (collectively, Successor), must comply with all conditions of this waiver. Any violation of the waiver conditions, including provisions of the M&RP, may be grounds for administrative and/or judicial enforcement action, termination of this waiver, revocation and re-issuance of this waiver, denial of an application for re-issuance of this waiver, or a combination thereof.
5. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during any unresolved enforcement action or litigation regarding this discharge or when requested by the Santa Ana Water Board.
6. The Discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally to the Santa Ana Water Board office and the Office of Emergency Services within twenty-four (24) hours of when the Discharger becomes aware of the incident. If noncompliance occurs outside of business hours, the Discharger shall leave a message on the Santa Ana Water Board's office voicemail. A written report shall also be provided within five (5) business days of the time when the Discharger becomes aware of the incident. The written report shall

contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. All other forms of noncompliance shall be reported with the Discharger's next scheduled Monitoring Report, or earlier if requested by the Executive Officer.

7. Before initiating a new discharge or making a material change in the character, location, or volume of an existing discharge, the Discharger shall report all pertinent information in writing to the Santa Ana Water Board, and if required by the Santa Ana Water Board, obtain revised requirements before any modifications are implemented.
8. The Discharger shall allow the Santa Ana Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law to:
  - a. Enter premises where a regulated facility or activity is located or conducted, or where records are kept under the requirements of this Order;
  - b. Access and copy any records that are kept under the requirements of this Order;
  - c. Inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
  - d. Photograph, sample, or monitor for the purpose of assuring compliance with this Order or as otherwise authorized by the Water Code.
9. This Order becomes effective on the date of adoption by the Santa Ana Water Board.
10. This Order will remain valid for five years from the date of its adoption.

#### **LIST OF ATTACHMENTS**

Attachment A—Exhibits  
Attachment B—Monitoring and Reporting Program

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

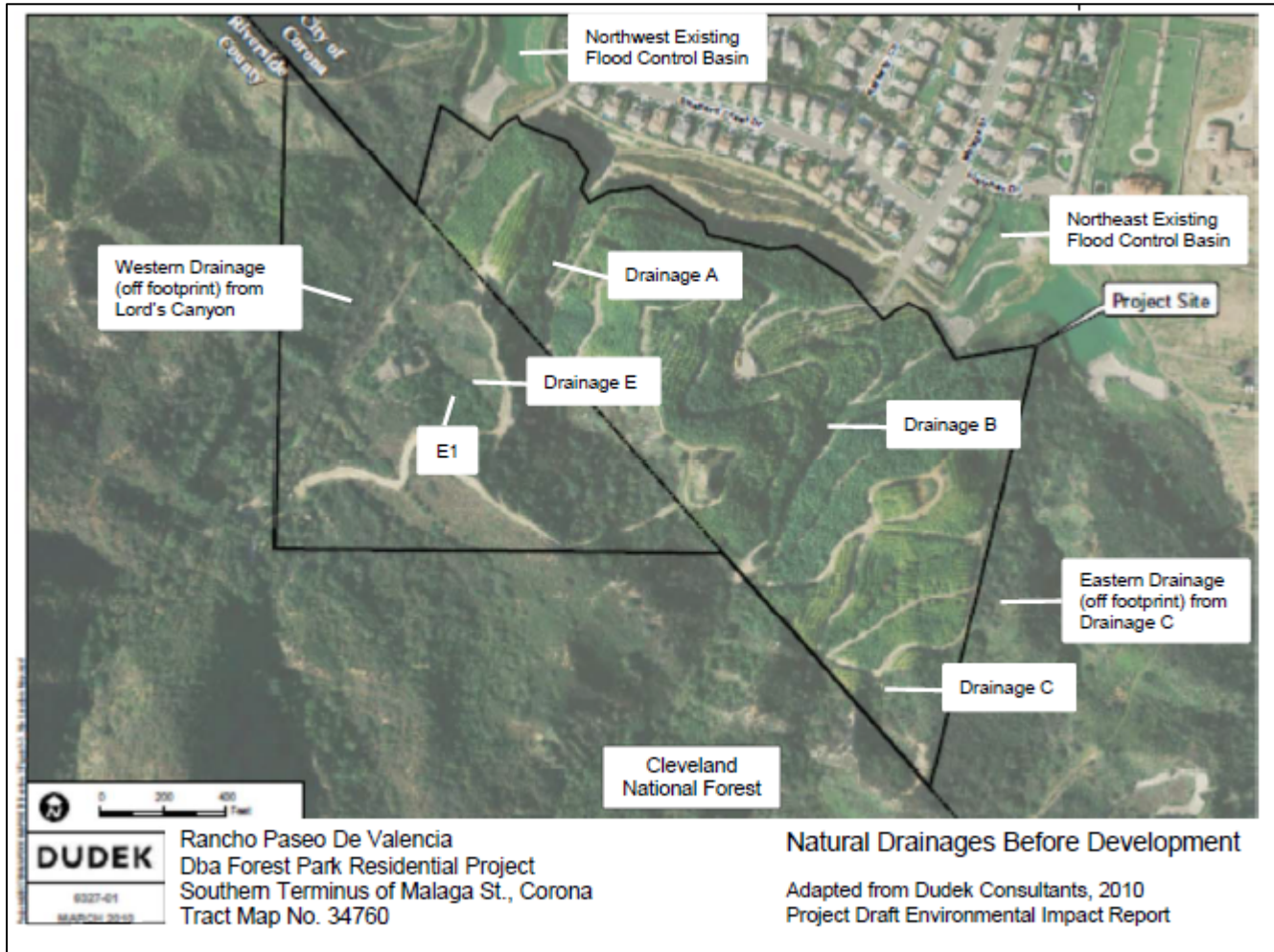
### **ENFORCEMENT**

The Santa Ana Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code sections 13300 and 13308, or referral to the California Attorney General for recovery of judicial civil liability. Failure to comply with this Order may result in the assessment of administrative civil liability of up to \$10,000 per violation, per day, depending on the type of violation.

### **ADMINISTRATIVE REVIEW**

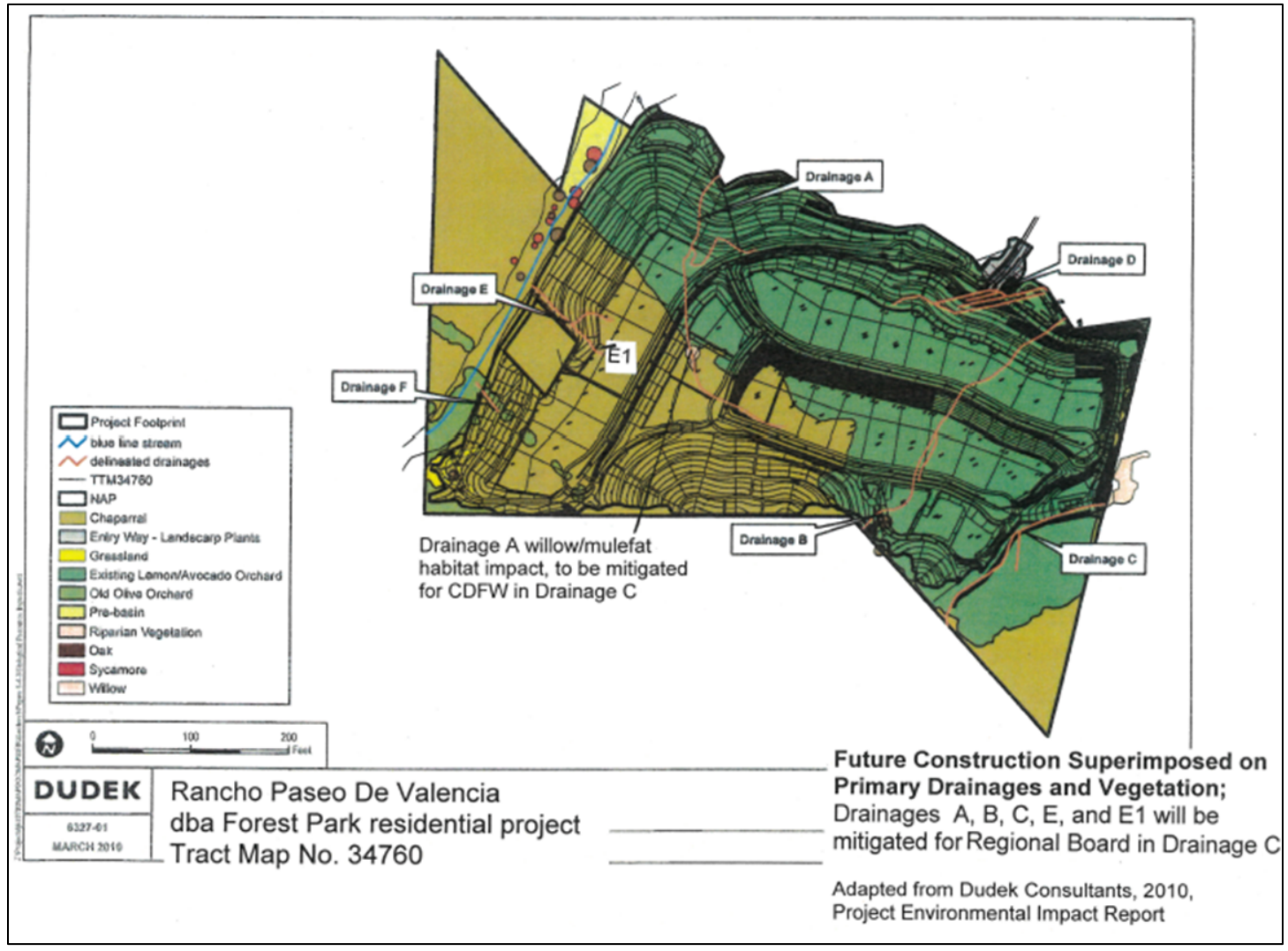
Any person aggrieved by this Santa Ana Water Board waiver renewal action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)). Copies will also be provided upon request.

**ATTACHMENT A—EXHIBITS**



**Exhibit 1: Drainage Courses On-Site**

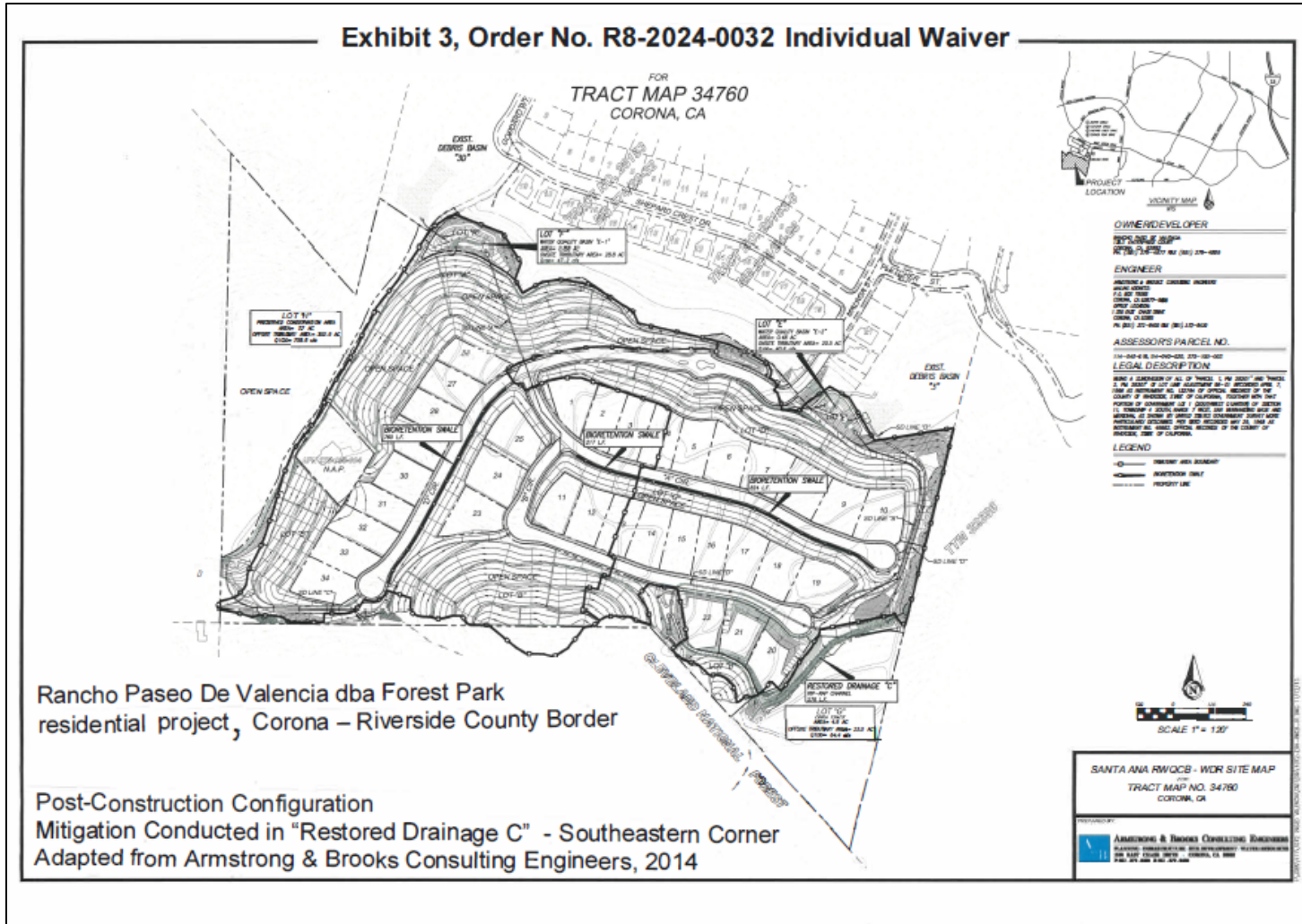
ORDER R8-2024-0032  
 RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
 FOREST PARK RESIDENTIAL PROJECT  
**ATTACHMENT A—EXHIBITS**



**Exhibit 2: Proposed Development**



ORDER R8-2024-0032  
 RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
 FOREST PARK RESIDENTIAL PROJECT  
 ATTACHMENT A—EXHIBITS



**Exhibit 3: Post-Construction Configurations**

## **ATTACHMENT B—MONITORING AND REPORTING PROGRAM**

NO. R8-2024-0032

RENEWAL OF CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS

FOR

RANCHO PASEO DE VALENCIA, LLC, dba FOREST PARK

CITY OF CORONA, RIVERSIDE COUNTY

California Water Code Section 13269 authorizes the Regional Board to require monitoring as a condition of a waiver of waste discharge requirements. This Monitoring and Reporting Program establishes the monitoring and reporting necessary to verify compliance with the conditions of Order No. R8-2024-0032.

### **A. General Monitoring Requirements**

1. All reports and records required by this program must be retained by the Rancho Paseo De Valencia, LLC, dba Forest Park, Riverside County (Discharger) for as long as it owns the affected land and operates the Project, and thereafter by the successor owner or operator of the project, including other party or parties to whom responsibility for compliance with Order No. R8-2019-0015 has been assigned and who accept this assignment (collectively, Successor), for a period of not less than five (5) years from when Year Five success criteria for the Forest Park mitigation site have been met. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or by the request of the Santa Ana Water Board at any time. Records of monitoring information shall include, but are not limited to:
  - a. The date(s) and approximate time (s) that site monitoring occurred;
  - b. The individual(s) who performed the monitoring;
  - c. Field worksheets used to record monitoring information;
  - d. Photographic images taken during monitoring;
  - e. Reports in which collected field data are summarized
2. All monitoring instruments and devices used to fulfill this prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
3. Reports and records required by this program, including photographic images, shall be maintained on the Project site, and shall be made available to Regional Board staff upon request.

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

4. For every item where the conditions of the Order and Monitoring and Reporting Program are not met, the Discharger or its Successor shall timely submit a report and time schedule of the actions undertaken or proposed which will bring the discharge into full compliance at the earliest time.
5. All reports shall be signed by the Discharger or its Successor or their authorized representative and shall be submitted under penalty of perjury.

### **B. Monitoring Locations**

1. The Discharger or its Successor shall establish permanently marked photo points, locations from which representative photographs or images of the mitigation area<sup>1</sup>, and upstream and downstream of the area, can be obtained. GPS coordinates of these photo points shall be recorded. Photo point markings shall include the direction of the representative view(s) that are taken from that location.
2. The Discharger or its Successor shall establish a minimum of four (4) transects across the mitigation area from which data can be collected as to the composition and condition of the plant and animal species present. GPS coordinates of these transects shall be recorded, and the ends of the transects shall be permanently marked. One of these transects shall be between the existing access road along the Project site's southerly property line and the planned maintenance road. The remaining transects shall be representative of the remainder of the mitigation area. The general guidelines to delineate assessment areas, in the most recent version of "California Rapid Assessment Method for Wetlands and Riparian Habitats" (CRAM), shall be followed when selecting transect locations.

### **C. Monitoring**

1. The Discharger or its Successor shall conduct regular monitoring of the mitigation site. This monitoring shall include observations of the site from at least the established photo points and transects, to inspect the condition and growth of installed plant materials, the irrigation system, the need for herbivore control, and the need for weed control. Each time the site is monitored for reporting under this program:
  - a. The site shall be photographed from the established photo points.
  - b. Observations shall be made of indications of trespass, vandalism, the need to replace dead plant materials, extraordinary maintenance needs, or other conditions that threaten the viability or success of the mitigation.
  - c. Percent coverage by the approved plant palette shall be estimated by standard protocols.

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

- d. Colonization by desirable and undesirable plant species from surrounding areas, with removal of undesirable species, shall be recorded and reported.
  - e. Observations and indications of wildlife on the site shall be reported.
2. Quarterly, beginning with installation of the plant palette specified in the final Mitigation Plan, and continuing with all procedures therein until five-year success criteria are met to the satisfaction of the Executive Officer, the Discharger or its Successor shall monitor the mitigation site as described in C.1, above.
  3. In monitoring years 2 and 4, the condition of the mitigation area shall be assessed and recorded using the procedures specified in the most recent version of CRAM for wetland and riparian habitats. These assessments shall be conducted at the end of the growing season.

**D. Reporting**

1. The Discharger or its Successor shall notify Santa Ana Water Board staff two weeks prior to commencement of construction work necessary to prepare Drainage C for implementation of the Final Mitigation Plan. This notification shall include a construction schedule.
2. The Discharger or its Successor shall notify Santa Ana Water Board staff within two weeks of completion of the installation of the mitigation in Drainage C.
3. Reports on quarterly monitoring shall be submitted quarterly, by the last working day of March, June, September and December, until approved success criteria are met to the satisfaction of the Executive Officer.
4. If appropriate, quarterly reports shall include a discussion of remedial actions taken or needed, and a schedule for future actions.
5. CRAM assessment findings shall be reported to the [California Rapid Assessment Wetland Method](#) website and to the Santa Ana Water Board, by the last working day of March of the year following the assessment.
6. December reports shall also constitute an annual report, which shall include a comparison of the condition of the mitigation area to the approved success criteria. Any deviation, and reason for the deviation, of vegetational percent cover and other mitigation area conditions from the approved success criteria shall be explained in the December reports.
7. December reports shall include agreements between the Discharger or its Successor and others concerning implementation of the final Mitigation Plan, including responsibility for its perpetual management and oversight.

RANCHO PASEO DE VALENCIA, LLC DBA FOREST PARK  
FOREST PARK RESIDENTIAL PROJECT

8. Within one year of meeting success criteria, a Final Report summarizing the measures that have been taken to satisfy the conditions of the Order shall be submitted.