California Regional Water Quality Control Board, San Diego Region

December 21, 2012

In reply refer to:
646926: amonji

Ms. Carlene Matchniff
Pardee Homes
26650 The Old Road, Suite 100
Valencia, California 91381

Subject: Amendment No.1 to Water Quality Certification No. 07C-012 for the Sunset Pointe Residential Development Project.

Ms. Matchniff:

You will find enclosed the Amendment No. 1 to Clean Water Act Section 401 Water Quality Certification No. 07C-012 (Certification Amendment) for the Sunset Pointe Residential Development Project (Project). The Certification Amendment shows changes in redline/strikeout format to indicate added and removed language. Water Quality Certification No. 07C-012 has also been enclosed for your reference.

On July 23, 2008, the original Certification was issued to Pardee Homes for the Project with no specified expiration date. By letter dated May 23, 2012, your consultant, Glenn Lukos Associates, requested the Certification be amended to reflect the habitat change to Drainage Feature A, which now includes 0.001 acres (40 square feet) of wetland waters of the United States. The overall Project impacts of 0.015 acres (345 linear feet) remains the same with 0.001 acres of the 0.015 acres now listed as wetlands. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has amended the Certification in accordance with the request. The amended Certification will be effective for a fixed term of five years with an expiration date of December 21, 2017.

Any petition for reconsideration of this amended Certification must be filed with the State Water Resources Control Board (State Board) within 30 days of certification action (23 CCR § 3867). If a petition is not filed with the State Board within 30 days, Pardee Homes will have accepted the changes to Certification No. 07C-012 and must comply with all the certification conditions. Failure to comply with all conditions of this certification may result in enforcement actions against the Pardee Homes.

In the subject line of any response, please include the reference number 646926:amonji. For questions or comments, please contact Alan Monji by phone at (858) 637-7140, or by email at amonji@waterboards.ca.gov.

Respectfully,

David W. Gibson,
Executive Officer
Regional Water Quality Control Board

DG:js:db:kdd:atm

Enclosures:

Amendment No. 1 to Clean Water Act Section 401 Water Quality Certification No. 07C-012

Clean Water Act Section 401 Water Quality Certification No. 07C-012 for the Sunset Pointe Project, with attachments.

Letter dated May 23, 2012 from Glenn Lukos and Associates requesting the San Diego Water Board amend the Sunset Pointe Residential Development Project, Water Quality Certification 07C-012.

cc: (via email)

Martin Rasnick
Glenn Lukos and Associates
mrasnick@wetlandpermitting.com

Meris Bantilan-Smith
US Army Corps of Engineers
Meris.Bantilan-Smith@usace.army.mil

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

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

Tech Staff Info & Use	
File No.	07C-012
WDID	9 000001606
Reg. Measure ID	320611
Place ID	646926
Party ID	364305

California Regional Water Quality Control Board, San Diego Region

Amendment No. 1 to Clean Water Act Section 401
Water Quality Certification No. 07C-012

PROJECT: Sunset Pointe Water Quality Certification No. 07C-012

APPLICANT: Pardee Homes
Attention: Ms. Carlene Marchniff
26650 The Old Road, Suite 110
Valencia, CA 91381

WDID 9 000001606

CIWQS:
Party No. 364305
Person No. 364306
Place No. 646926
Reg. Mes. No. 320611

The following changes have been made to Clean Water Act Section 401 Water Quality Certification No. 07-012, Sunset Pointe Project. Changes below are shown in redline/strikeout format to indicate added and removed language.

1. **Page 3, GENERAL CONDITION 11 has been added as follows:**

   Water Quality Certification No. 07C-012 (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 expires. A time extension has been granted for this Project. The extension period will begin on December 21, 2012 and expire on December 21, 2017.

2. **Page 5, PROJECT CONDITION 4 has been modified as follows:**

   Pardee Homes must comply with the requirements of State Water Resources Control Board Water Quality Order No. ~~99-08-DWQ~~2009-0009-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

3. **Page 7, MITIGATION PROVISION D.1 has been modified as follows:**

   As proposed in the Wetland Mitigation Plan for the Crescent Heights and Sunset Pointe Development Projects, San Diego, California, dated ~~September 18, 2007~~June 15, 2011 and revised on October 11, 2012, and prepared by RECON, ~~mitigation~~ mitigation for permanent impacts to 0.~~015~~014 acre (345 - linear feet) of ~~unvegetated~~ ephemeral drainage (Streambed) and 0.001 acres (40 square feet) of waters of the United States (wetlands), must be achieved at a 2:1 ratio, by the creation of 0.03 acre of southern willow scrub (Wetland).

4. **Page 9, MITIGATION PROVISION D.15 has been added as follows:**

   Mitigation shall be considered acceptable once it has met the pre-determined success criteria for that site, and shall be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified.

5. **Page 11, REPORTING CONDITION 6 has been modified as follows:**

   ~~John H. Robertus~~David W. Gibson
   California Regional Water Quality Control Board
   San Diego Region
   Attn: 401 Certification; Project No. 07C-012
   9174 Sky Park Court, Suite 100

6. **Page 13, REGIONAL WATER QUALITY CONTROL BOARD CONTACT INFORMATION has been modified as follows:**

   ~~Benjamin James~~Alan Monji
   California Regional Water Quality Control Board, San Diego Region
   9174 Sky Park .Court, Suite 100
   San Diego, CA 92123
   Phone: 858~~-467-2968~~637-7140
   E-mail:~~bjames~~amonji@waterboards.ca.gov

7. **ATTACHMENT 1, PROJECT INFORMATION, APPLICANT REPRESENTATIVES has been modified as follows:**

   Glenn Lukos Associates
   Attention: ~~Alexis Kessans~~Martin Rasnick
   29 Orchard
   Lake Forest, CA 92630-8300
   Telephone: (949) 837-0404 ~~x44~~x20
   Facsimile: (949) 837-5834
   E-mail: ~~akessans@wetlandpermitting.com~~mrasnick@wetlandpermitting.com

8. **ATTACHMENT 1, PROJECT INFORMATION, FEDERAL AGENCY/PERMIT has been modified as follows:**

   U.S. Army Corps of Engineers §404, NWP 29 - ~~Jeannette Baker~~Meris Bantilan-Smith

9. **ATTACHMENT 1, PROJECT INFORMATION, OTHER REQUIRED REGULATORY APPROVALS has been modified as follows:**

California Department of Fish and Game, Section 1602 Streambed Alteration Agreement - ~~Tamara Spears~~Marilyn Fluharty

10. **ATTACHMENT 1, PROJECT INFORMATION, IMPACTED WATERS OF THE UNITED STATES has been modified as follows:**

The proposed project will permanently impact (fill) 0.015 acre (~~295~~345 linear feet) of ~~unvegeted~~ ephemeral ~~drainage~~ waters of the U.S. (Streambed), including 0.001 acres (40 square feet) of waters of the U.S (wetlands).

11. **ATTACHMENT 1, PROJECT INFORMATION, COMPENSATORY MITIGATION has been modified as follows:**

As proposed in the Wetland Mitigation Plan for the Crescent Heights and Sunset Pointe Development Projects, San Diego, California, dated ~~September 18, 2007~~June 15, 2011 and revised on October 11, 2012, and prepared by RECON Environmental, Inc.:

Impacts to 0.015 acres of ~~non-wetland~~ waters of the U.S. (~~unvegetated~~ ephemeral drainage) including 0.001 acres of waters of the U.S (wetlands), will be mitigated at a 2:1 ratio via creation of 0.03 acres of wetland (southern willow scrub).

12. **ATTACHMENT 2, DISTRIBUTION LIST, has been modified as follows:**

~~Jeannette Baker~~Meris Bantilan-Smith
US Army Corps of Engineers
Regulatory Division
South Coast Branch, San Diego Section
6010 Hidden Valley Road, Suite 105
Carlsbad, California 92011

~~Tamara Spears~~Marilyn Fluharty
California Department of Fish and Game
South Coast Region
Habitat ConserVation Planning - South
~~4949 Viewridge Avenue~~3883 Ruffin Road
San Diego, CA 92123

~~Alexis Kessans~~Martin Rasnick
Glenn Lukos Associates
29 Orchard
Lake Forest, CA 92630-8300

~~AKessans~~mrasnick@wetlandspermitting.com

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No.1 to Certification No. 07C-012 issued on December 21, 2012.

David W. Gibson
Executive Officer
Regional Water Quality Control Board

12/21/12
Date

California Regional Water Quality Control Board

San Diego Region

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

Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

July 23, 2008

In reply refer to: WPC:07C-012:bjames

WDID 9 000001606

CIWQS:
Party No. 364305
Person No. 364306
Place No. 646926
Reg. Mes. No. 320611

Carlene Matchniff
Pardee Homes
26650 The Old Road, Suite 110
Valencia, CA 91381

Dear Ms. Matchniff:

SUBJECT: Action on Request for Clean Water Act Section 401 Water Quality Certification for **Sunset Pointe** Water Quality Certification No. **07C-012**

Enclosed find Clean Water Act Section 401 Water Quality Certification and acknowledgment of enrollment under State Water Resources Control Board General Waste Discharge Requirements Order Number 2003-017 DWQ for discharge to Waters of the U.S. for the Sunset Pointe project. A description of the project and project location can be found in the project information sheet, project location map, and project site maps, by the Regional Board, 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 you have accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject you to enforcement actions by the California Regional Water Quality Control Board, San Diego Region, 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.

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

If you have any questions regarding this notification, please contact Mr. Benjamin James directly at (858) 467-2968 or by email via bjames@waterboards.ca.gov.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. 07C-012 for the Sunset Pointe, with 6 attachments

cc: Refer to Attachment 2 of Certification 07C-012 for Distribution List.

Linda S. Adams
Acting Secretary for Environmental Protection

California Regional Water Quality Control Board

San Diego Region

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

Arnold Schwarzenegger
Governor

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

PROJECT: Sunset Pointe, Certification No. 07C-012
WDID Number: 9 000001606

CIWQS
Reg. Mes. ID: 320611
Place ID: 646926
Party ID: 364305
Person ID: 364306

APPLICANT: Pardee Homes
26650 The Old Road, Suite 110
Valencia, CA 91381
Attention: Carlene Matchniff

ACTION:

☐ Order for Low Impact Certification	☐ Order for Denial of Certification
☑ Order for Technically-conditioned Certification	☐ Waiver of Waste Discharge Requirements
☑ Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	☐ Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:
The project consists of a 20-lot subdivision on 37acres for the construction of a residential community and infrastructure.

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

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.
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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, Pardee Homes must satisfy the following:

A. GENERAL CONDITIONS:

1. Pardee Homes 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, Pardee Homes 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. Pardee Homes 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. Pardee Homes 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. Pardee Homes 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. Pardee Homes 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 shall 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. Pardee Homes and successor owners must submit annual progress reports to the Regional Board prior to **December 1** of each year following the issuance of this certification until the project construction has been completed.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually there after, Pardee Homes must educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and BMP implementation and maintenance.

2. Pardee Homes must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-017-DWQ, Statewide General Waste Discharge Requirements for discharges of dredged or fill material that have received State Water Quality Certification. These General Waste Discharge Requirement are accessible at: http://www.waterboards.ca.gov/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.

3. Pardee Homes must notify the Regional Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities.

4. Pardee Homes 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. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the Regional Board pursuant to CWC § 13260.

6. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.

7. 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.

8. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.

9. All areas that will be left in a rough graded state must be revegetated with native species no later than one week after completion of grading. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at http://www.cal-ipc.org/ip/inventory/weedlist.php.

10. 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.

11. Pardee Homes 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.

C. POST CONSTRUCTION STORM WATER MANAGEMENT:

1. All storm drain inlet structures within the project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.

2. In addition to the BMPs described in the Water Quality Technical Report for Sunset Pointe, dated September 14, 2007 and prepared by Rick Engineering Company, and referenced in Appendix I in support of the application, the structural BMPs must be sized to comply with the following numeric sizing criteria:

   a. Volume

   Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

   i. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record (0.6 inch approximate average for the San Diego County area); or
   ii. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
   iii. The volume of annual runoff based on unit basin storage volume, to achieve 90% or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (1993); or

iv. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event; or

b. Flow

Flow-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

i. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or
ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or
iii. The maximum flow rate of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

3. Post-Construction BMPs for the Sunset Pointe project include, but are not limited to:

Site Design BMPs:

1. Minimizing impervious areas.
2. Minimizing directly connected impervious areas.
3. Conserving natural areas.
4. Slope and channel stabilization.
5. Planting deep-rooted, drought tolerant plant species on all graded slopes and natural areas for erosion control.

Source Control BMPs:

1. Street sweeping.
2. Covered trash containers.
3. Efficient irrigation design.
4. Storm drain signs with prohibitive language.

Treatment BMPs:

1. CDS unit (1).

4. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.

5. Preventive and corrective maintenance procedures must be performed as outlined in the Water Quality Technical Report for Sunset Pointe, dated September 14, 2007 and prepared by Rick Engineering Company.

6. Pardee Homes assumes responsibility for the inspection and maintenance of all post-construction treatment BMPs until such responsibility is legally transferred to another entity.

7. At the time maintenance responsibility for post-construction treatment BMPs is legally transferred, Pardee Homes must submit to the Regional Board a copy of such documentation acknowledging that the transferee accepts full responsibility for the inspection and maintenance of all BMPs installed on the project.

8. At the time maintenance responsibility for post-construction BMPs is legally transferred, Pardee Homes must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications.

9. Records regarding inspections and maintenance must be kept and made available to the Regional Board in order to assess the performance of the systems and determine whether adaptations are necessary to protect receiving waters.

D. COMPENSATORY MITIGATION FOR LOSS OF WATERS OF THE U.S./STATE:

1. As proposed in the Wetland Mitigation Plan for the Crescent Heights and Sunset Pointe Development Projects, San Diego, California, dated September 18, 2007, and prepared by RECON. Mitigation for permanent impacts to 0.015 acre (345 - linear feet) of unvegetated ephemeral drainage (Streambed), must be achieved at a 2:1 ratio, by the creation of 0.03 acre of southern willow scrub (Wetland).

2. Pardee Homes must restore all areas of temporary impacts to waters of the United States/State and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. Pardee Homes must implement all necessary BMPs to control erosion and runoff from areas associated with this project.

3. Pardee Homes must notify the Regional Board in writing at least **5 days** prior to the actual commencement of mitigation installation, and completion of mitigation installation.

4. Within **90 days** of the issuance of this certification, Pardee Homes must provide the Regional Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. Within one year of the issuance of this certification, Pardee Homes must submit proof of a completed preservation mechanism that will protect all mitigation areas and their buffers in perpetuity.

The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the site. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

5. Pardee Homes must submit a report (including topography maps and planting locations) to the Regional Board within **90 days** of completion of mitigation site preparation and planting, describing as-built status of the mitigation project.

6. The construction of proposed mitigation 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 implementing mitigation must result in an increase of the mitigation area by 0.01 acre for each month of delay.

7. Prior to initiation of mitigation activities, Pardee Homes must conduct a quantitative function-based assessment to evaluate the condition of the mitigation site. The results of the functional assessment must be submitted to the Regional Board in a report no later than **30 days** after the initiation of mitigation activities.

8. Throughout the mitigation monitoring program mitigation areas must be maintained 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 onsite or offsite mitigation areas.

9. Regional Board acceptance of the final mitigation plan applies only to the site and plan that mitigates for the Sunset Pointe project and must not be construed as approval of the mitigation site or plan for use by other current or future projects that are planning to use the Pacific Highlands Ranch project site for mitigation.

10. 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 are 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.

11. If at any time during the implementation and establishment of the mitigation area(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation area, Pardee Homes is responsible for repair and replanting of the damaged area(s).

12. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful. Annual monitoring reports must be submitted prior to **December 1** of each year. Monitoring reports must include, but not be limited to, the following:

    a. Names, qualifications, and affiliations of the persons contributing to the report;
    b. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data, including at a minimum;
    c. Topographic complexity characteristics at each mitigation site;
    d. Upstream and downstream habitat and hydrologic connectivity;
    e. Source of hydrology;
    f. Width of native vegetation buffer around the entire mitigation site;
    g. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
    h. Photodocumentation from established reference points;
    i. A Survey report documenting boundaries of mitigation area; and
    j. Other items specified in the final Wetland Mitigation Plan for the Crescent Heights and Sunset Pointe Development Projects, San Diego, California, dated September 18, 2007, and prepared by RECON.

13. Pardee Homes must provide the name and contact information of any third party accepting responsibility for implementing the mitigation requirements of this Certification. The notification must be submitted to the Regional Board within 30 days of the transfer of responsibility. The notification 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.

14. For purposes of this certification, creation is defined as the creation of vegetated or unvegetated waters of the U.S./State where they have never been documented or known to occur (e.g., conversion of nonnative grassland to freshwater marsh). Restoration is defined as the creation of waters of the U.S./State where they previously occurred (e.g., removal of fill material to restore a drainage). Enhancement is defined as modifying existing waters of the U.S./State to enhance functions and values (e.g., removal of exotic plant species from jurisdictional areas and replacing with native species).

E. STREAM PHOTO DOCUMENTATION PROCEDURE:

1. Pardee Homes, 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 Number 6. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. Pardee Homes must submit this information in a photo documentation report to the Regional Board with the Mitigation Maintenance and Monitoring reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

F. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES PHOTO DOCUMENTATION PROCEDURE:

1. Pardee Homes must conduct photo documentation of implemented post-construction BMPs. Photo-documentation must be modeled after the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 6. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced. Pardee Homes must submit this information in a photo documentation report to the Regional Board with the Mitigation Maintenance and Monitoring reports. The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

G. GEOGRAPHIC INFORMATION SYSTEM REPORTING:

1. Pardee Homes 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.

3. All applications, reports, or information submitted to the Regional Board must be signed by Target Corporation, Inc. 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.

4. A duly authorized representative of a person designated in Items 3.a. through 3.c. above may sign documents if:

    a. The authorization is made in writing by a person described in Items 3.a. through 3.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.

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 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."

6. Pardee Homes must submit reports required under this certification, or other information required by the Regional Board, to:

    John H. Robertus
    California Regional Water Quality Control Board
    San Diego Region
    Attn: 401 Certification; Project No. 07C-012
    9174 Sky Park Court, Suite 100
    San Diego, California 92123

7. 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
Change of Ownership & Responsibility Notification	A.6	Within 10 days of the sale of property
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 and termination of construction
Notification	B.11	Within 30 days of completion of the project
Notification	D.3	At least 5 days prior to commencement and after completion of mitigation
Draft Preservation Mechanism	D.4	Within 90 days of certification issuance
Final Preservation Mechanism	D.4	Within 1 year of certification issuance
Mitigation Site Report	D.5	Within 90 days of mitigation site preparation & planting completion
Quantitative Function-Based Assessment of the Mitigation Site	D.7	Within 30 days after the initiation of mitigation activities
Mitigation Monitoring Reports	D.12	Prior to December 1 of each year until mitigation is deemed complete
Transfer of Mitigation Responsibility	D.13	Within 30 days of the transfer of responsibility

Stream Photo Documentation	E.1	With Mitigation Maintenance & Monitoring reports
Post-Construction Photo Documentation	F.1	With Mitigation Maintenance & Monitoring reports
GIS	G.1	Within 30 days of project impacts & within 30 days of mitigation installation

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On February 20, 2007 receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Benjamin James
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
Phone: 858-467-2968
E-mail : bjames@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **Sunset Pointe Project** (Project No. 07C-012) 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 Resources Control Board Order No. 2003-0017-DWQ for non-isolated Waters of the State. Please note that enrollment under Order No. 2003-0017-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 the at 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).

John H. Roberts

JOHN H. ROBERTUS
Executive Officer
Regional Water Quality Control Board

23 July 2008
Date

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

ATTACHMENT 1
PROJECT INFORMATION

Applicant:	Pardee Homes Attention: Carlene Matchniff 26650 The Old Road, Suite 110 Valencia, CA 91381 Telephone: (661) 222-3200 Facsimile: (661) 255-6546 Email: carlene.matchniff@pardeehomes.com
Applicant Representatives:	Glenn Lukos Associates Attention: Alexis Kessans 29 Orchard Lake Forest, CA 92630-8300 Telephone: (949) 837-0404 x44 Facsimile: (949) 837-5834 E-mail: akessans@wetlandpermitting.com
Project Name:	Sunset Pointe (07C-012)
Project Location:	Project is located south of Sorrento Valley Boulevard on Lopez Ridge Way in the City of San Diego, between the Los Peñasquitos Canyon Preserve to the north and Lopez Canyon open space to the south (Peñasquitos HU, Miramar Reservoir HA 906.10). Assessors Parcel Numbers: 311-020-25, 311-020-36
Type of Project:	Residential Development
Project Description:	Construction of a residential subdivision on approximately 8.00 acres of a 37.32 acre site, to include 20 single family residence units, associated infrastructure, and manufactured slopes.
Federal Agency/Permit:	U.S. Army Corps of Engineers §404, NWP 29 – Jeannette Baker
Other Required Regulatory Approvals:	California Department of Fish and Game, Section 1602 Streambed Alteration Agreement – Tamara Spears CCC Coastal Permit #6-03-099 – Ellen Lirley
California Environmental Quality Act (CEQA) Compliance:	Crescent Heights/Sunset Pointe Final Environmental Impact Report No. 99-0639 Certified: 7/1/03 Lead Agency: City of San Diego, Development Services Dept. State Clearing House No.: 99091107
Receiving Water:	Unnamed creek in Lopez Canyon tributary to Los Peñasquitos Creek (Peñasquitos HU, Miramar Reservoir HA 906.10)
Impacted Waters of the United States:	The proposed project will permanently impact (fill) 0.015 acre (295 linear feet) of unvegeted ephemeral drainage of the U.S.

(Streambed).

Dredge Volume: None

Related Projects Implemented/to be Implemented by the Applicant(s): Crescent Heights, a Pardee Homes development is adjacent to Sunset Pointe (Final EIR covers both projects)

Compensatory Mitigation: As proposed in the Wetland Mitigation Plan for the Crescent Heights and Sunset Pointe Development Projects, San Diego, California, dated September 18, 2007, and prepared by RECON Environmental, Inc.:
Impacts to 0.015 acres of non-wetland waters (unvegetated ephemeral drainage) will be mitigated at a 2:1 ratio via creation of 0.03 acres of wetland (southern willow scrub).

Best Management Practices (BMPs): As proposed in the Water Quality Technical Report, dated September 17, 2007, and prepared by Rick Engineering company, Post-Construction BMPs for the Sunset Pointe project must include, but not be limited to:

Site Design BMPs:
1. Minimizing impervious areas.
2. Minimizing directly connected impervious areas.
3. Conserving natural areas.
4. Slope and channel stabilization.
5. Planting deep-rooted, drought tolerant plant species on all graded slopes and natural areas for erosion control.

Source Control BMPs:
1. Street sweeping.
2. Covered trash containers.
3. Efficient irrigation design.
4. Storm drain signs with prohibitive language.

Treatment BMPs:
1. CDS unit (1).

Public Notice: On February 20, 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: $2,255
Total Paid: $2,255 (Check No. 2487271)

CIWQS: Regulatory Measure ID: 320611
Place ID: 646926
Party ID: 364305
WDID 9 000001606

ATTACHMENT 2
DISTRIBUTION LIST

Jeannette Baker
US Army Corps of Engineers
Regulatory Division
South Coast Branch, San Diego Section
6010 Hidden Valley Road, Suite 105
Carlsbad, California 92011

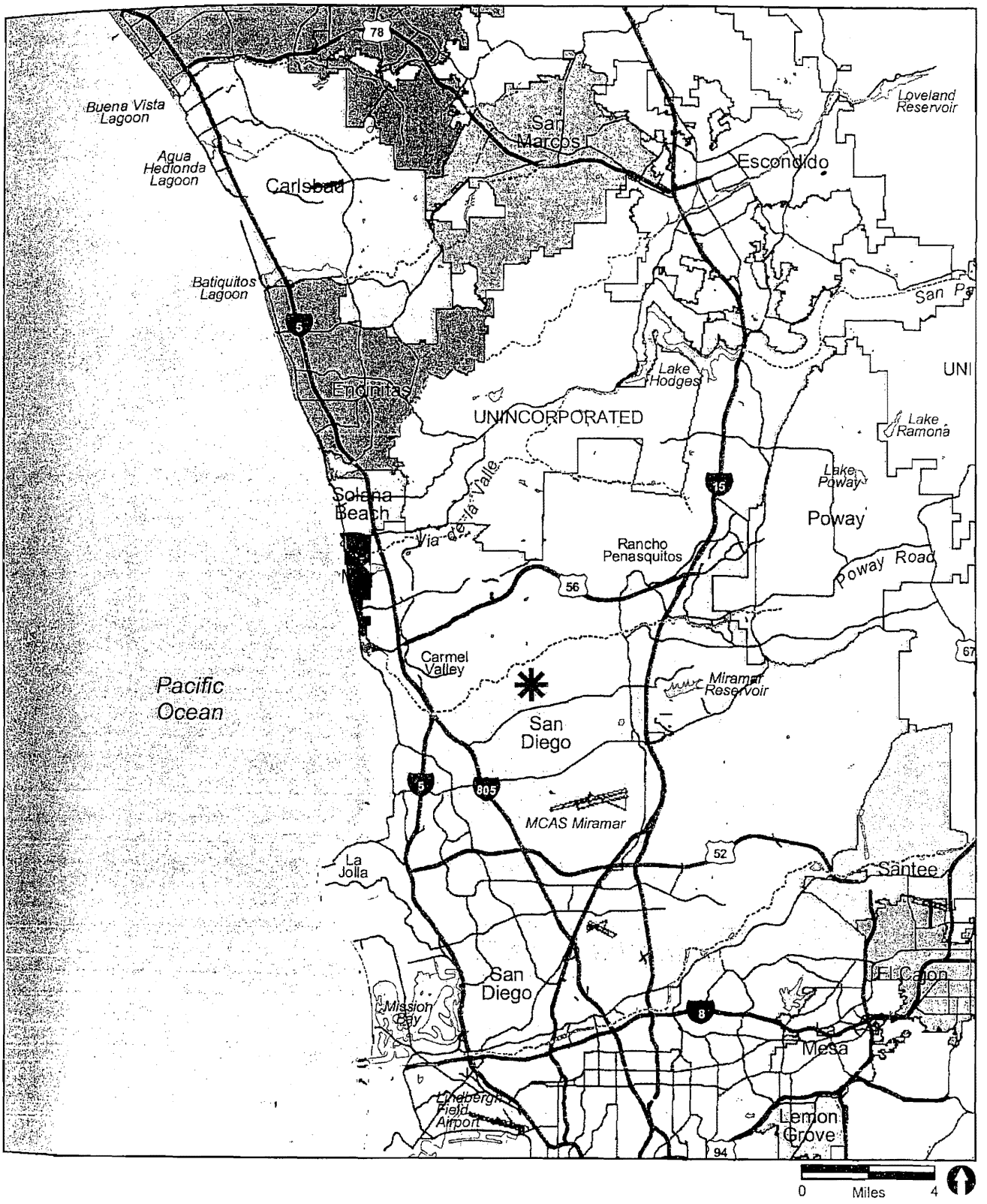
Tamara Spears
California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – South
4949 Viewridge Avenue
San Diego, CA 92123

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

Ms. Elizabeth Goldmann
Wetlands Regulatory Office,
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
Goldmann.Elizabeth@epamail.epa.gov

Alexis Kessans
Glenn Lukos Associates
29 Orchard
Lake Forest, CA 92630-8300
AKessans@wetlandspermitting.com

ATTACHMENT 3
PROJECT LOCATION



✱ Sunset Pointe and Crescent Heights Project Locations

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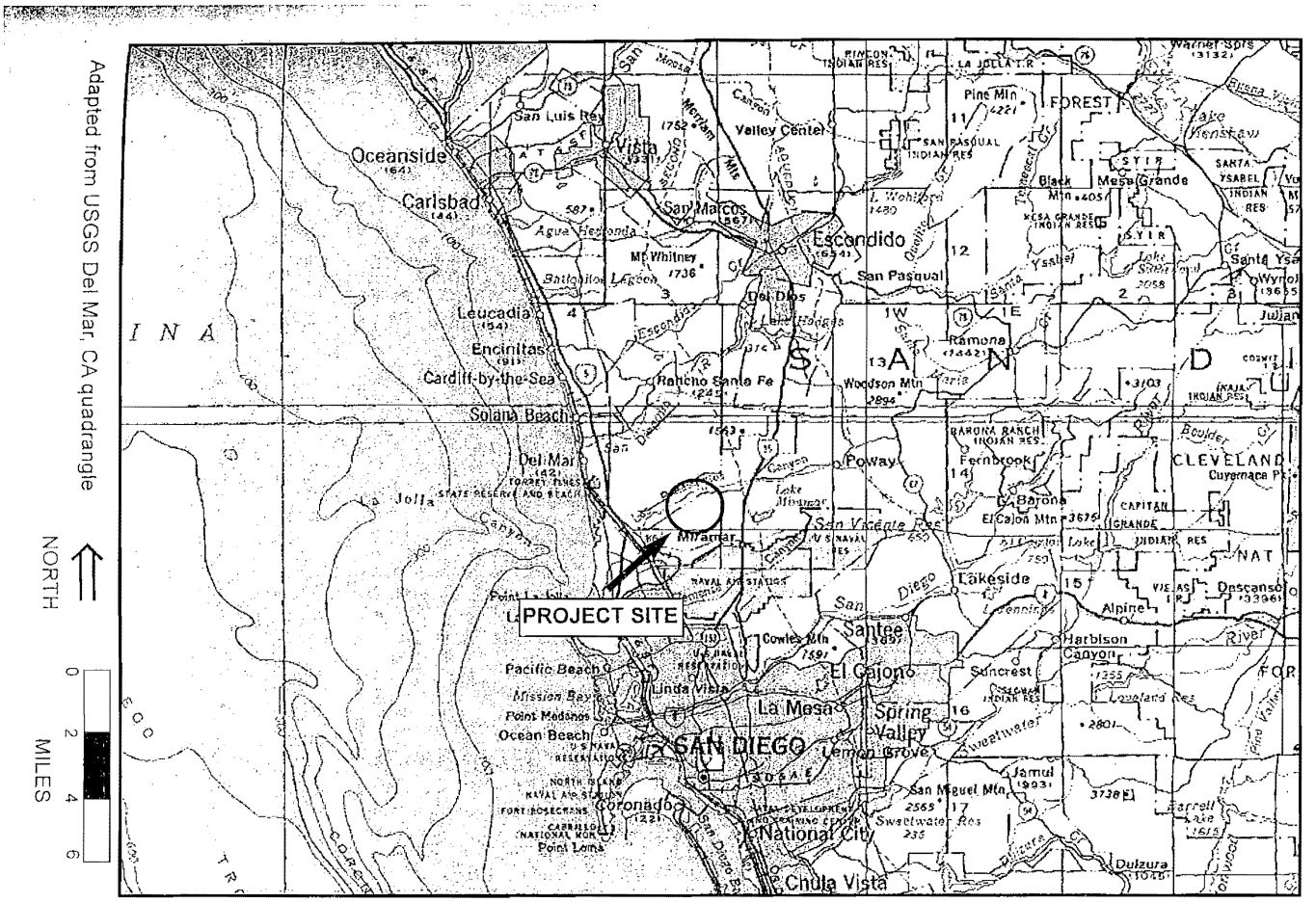
FIGURE 1
Regional Location of Sunset Pointe and Crescent Heights Projects

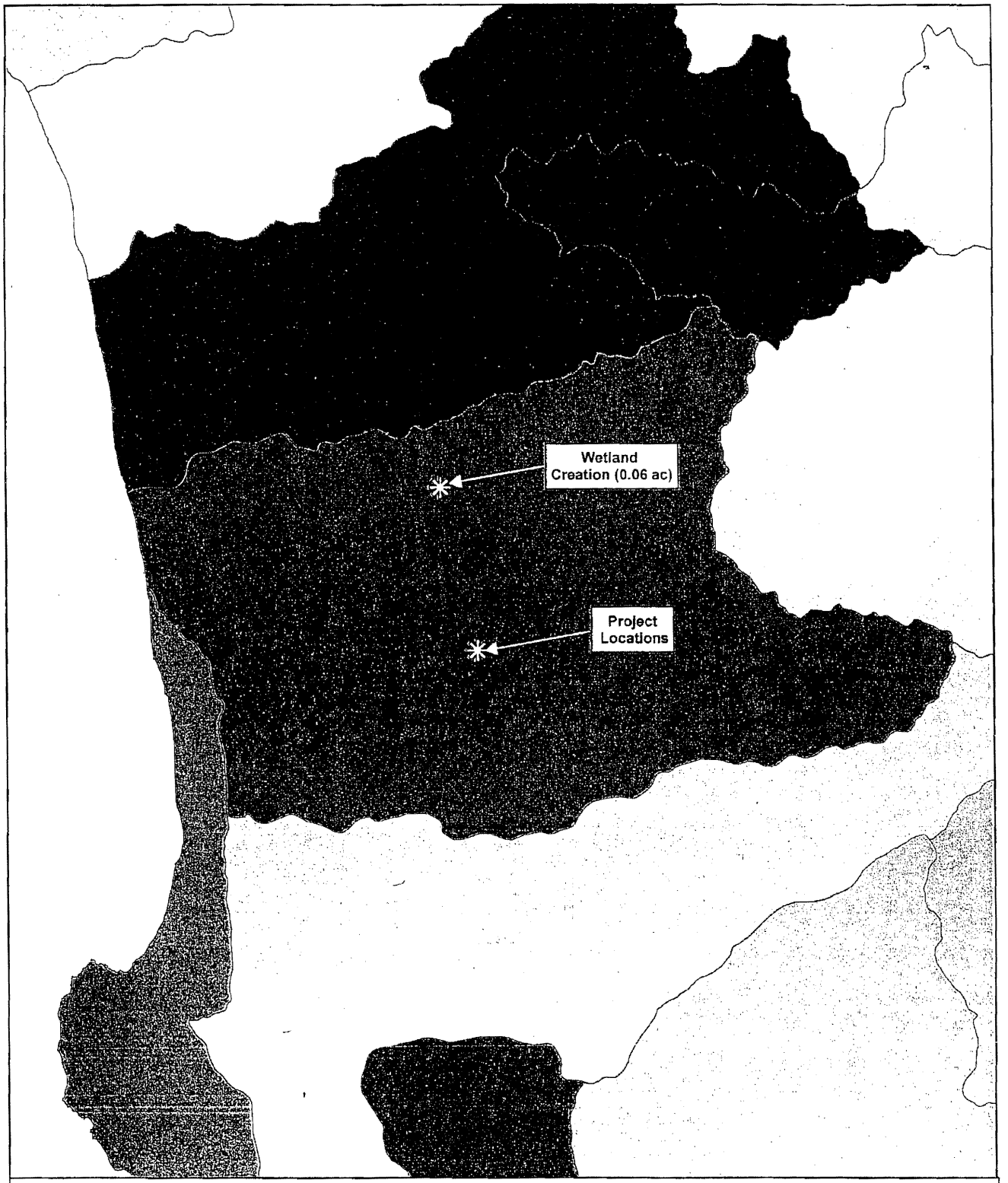


SUNSET POINTE

Regional Map

GLENN LUKOS ASSOCIATES

EXHIBIT 1



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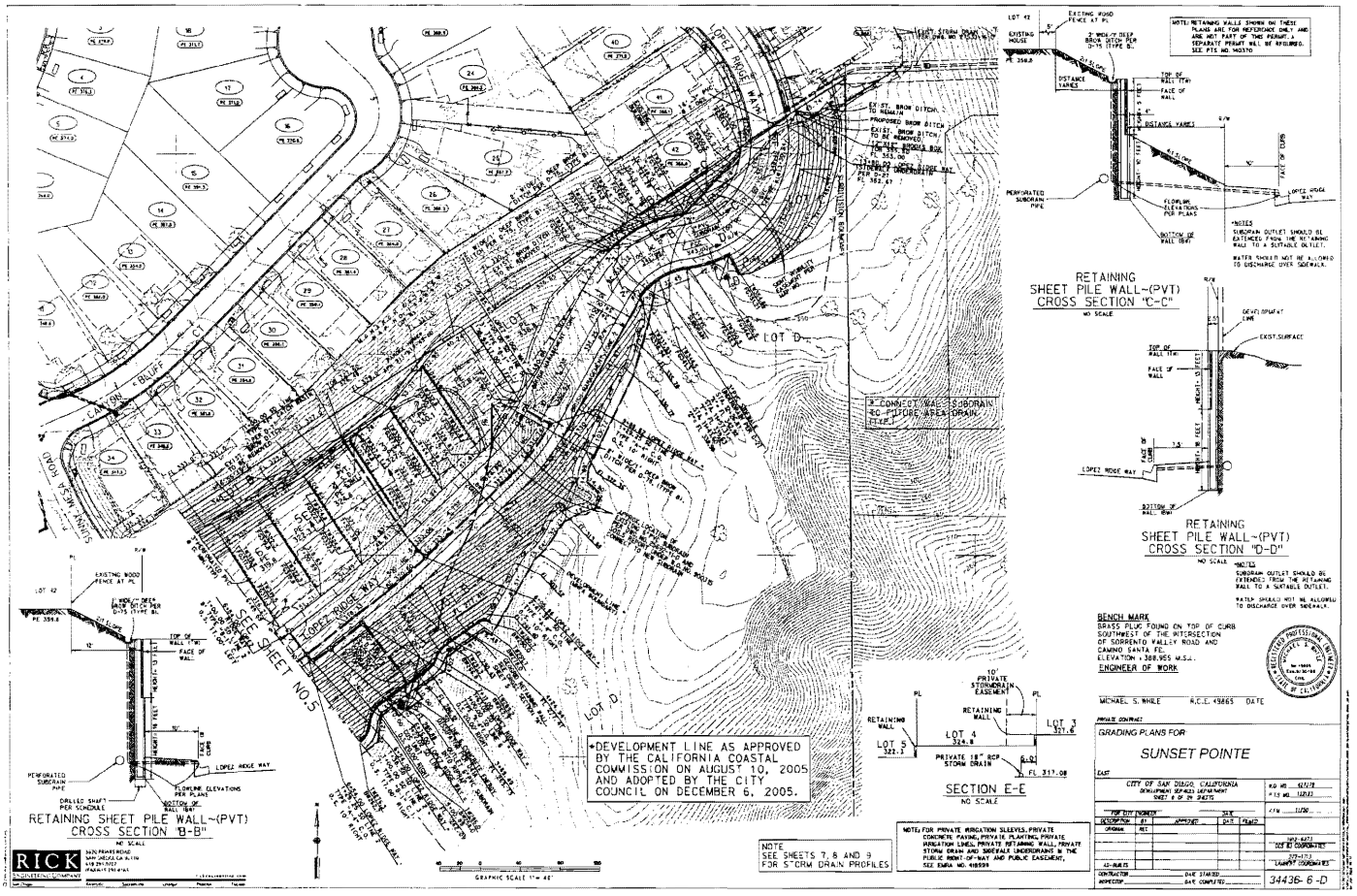
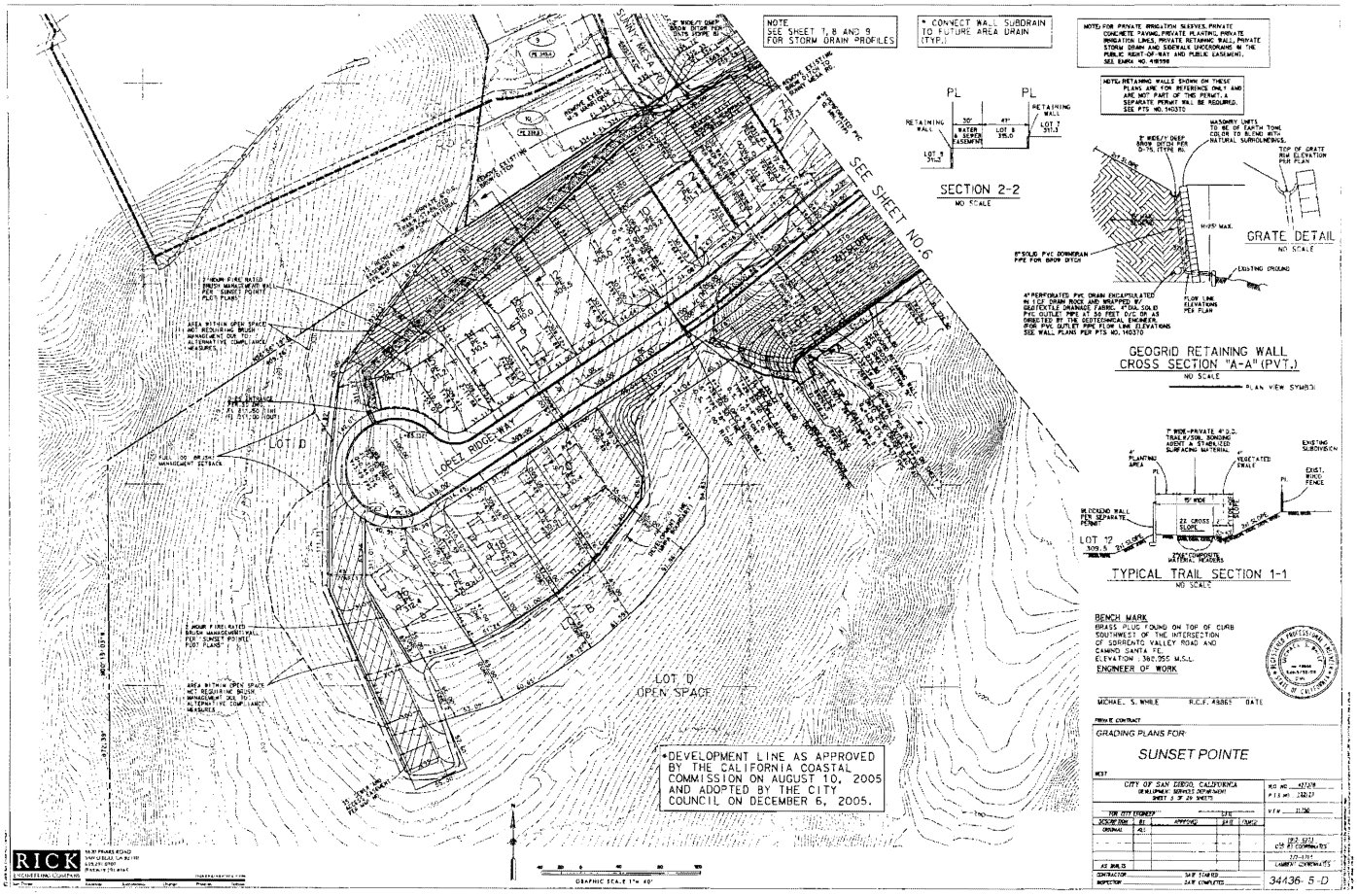
September 19, 2007

ATTACHMENT 4
SITE MAP


LOPEZ RIDGE WAY
CAMINO SANTA FE
SAINT MESA ROAD
LOT A
LOT D
LOT 42
EXISTING WOOD FENCE AT PL
EXISTING HOUSE
TOP OF WALL (TYP)
FACE OF WALL
DISTANCE VARIES
PERFORATED SUBDRAIN PIPE
FLOWLINE ELEVATIONS PER PLANS
BOTTOM OF WALL (BW)
DRILLED SHAFT PER SCHEDULE
RETAINING SHEET PILE WALL~(PVT) CROSS SECTION "B-B"
RETAINING SHEET PILE WALL~(PVT) CROSS SECTION "C-C"
RETAINING SHEET PILE WALL~(PVT) CROSS SECTION "D-D"
NO SCALE
NOTE: RETAINING WALLS SHOWN ON THESE PLANS ARE FOR REFERENCE ONLY AND ARE NOT PART OF THIS PERMIT. A SEPARATE PERMIT WILL BE REQUIRED. SEE PTS NO. 140370
*NOTES
SUBDRAIN OUTLET SHOULD BE EXTENDED FROM THE RETAINING WALL TO A SUITABLE OUTLET.
WATER SHOULD NOT BE ALLOWED TO DISCHARGE OVER SIDEWALK.
LOPEZ RIDGE WAY
EXIST. SURFACE
DEVELOPMENT LINE
SEE SHEET NO.5
*DEVELOPMENT LINE AS APPROVED BY THE CALIFORNIA COASTAL COMMISSION ON AUGUST 10, 2005 AND ADOPTED BY THE CITY COUNCIL ON DECEMBER 6, 2005.
9" CONNECT WALL SUBDRAIN TO 8" PIPE TO AREA DRAIN
10' PRIVATE STORMDRAIN EASEMENT
RETAINING WALL
LOT 4 324.8
LOT 5 322.3
LOT 3 321.6
PRIVATE 18" RCP STORM DRAIN
EL. 317.08
SECTION E-E
NO SCALE
NOTE
SEE SHEETS 7, 8 AND 9 FOR STORM DRAIN PROFILES
NOTE: FOR PRIVATE IRRIGATION SLEEVES, PRIVATE CONCRETE PAVING, PRIVATE PLANTING, PRIVATE IRRIGATION LINES, PRIVATE RETAINING WALL, PRIVATE STORM DRAIN AND SIDEWALK UNDERDRAIN IN THE PUBLIC RIGHT-OF-WAY AND PUBLIC EASEMENT, SEE EWRA NO. 618599
GRAPHIC SCALE 1" = 40'
BENCH MARK
BRASS PLUG FOUND ON TOP OF CURB SOUTHWEST OF THE INTERSECTION OF SORRENTO VALLEY ROAD AND CAMINO SANTA FE.
ELEVATION = 388.965 M.S.L.
ENGINEER OF WORK
MICHAEL S. WHALE R.C.E. 49865 DATE
GRADING PLANS FOR
SUNSET POINTE
CITY OF SAN DIEGO, CALIFORNIA
DEVELOPMENT SERVICES DEPARTMENT
SHEET 6 OF 24 SHEETS
RICK ENGINEERING COMPANY
34436-6-D
PRELIMINARY
NOT FOR CONSTRUCTION



BENCH MARK
BRASS PLUG FOUND ON TOP OF CURB SOUTHWEST OF THE INTERSECTION OF SORRENTO VALLEY ROAD AND CHAMIO SANTA FE
ELEVATION 380.055 M.S.L.
ENGINEER OF WORK

MICHAEL S. WHILE R.C.E. 45865 DATE

FROM E CONTRACT

GRADING PLANS FOR:

SUNSET POINTE

WEST

CITY OF SAN DIEGO, CALIFORNIA
DEVELOPMENT SERVICES DEPARTMENT
SHEET 5 OF 29 SHEETS

WO NO. 427698
P.T.S. NO. 140370
I.V.R. 21756

FOR CITY ENGINEER _____ DATE

DESCRIPTION	BY	APPROVED	DATE	COMPLETED
ORIGINAL	ASI			
AS BUILTS				

DATE FURNISHED
CONTRACTOR _____ DATE COMPLETED
INSPECTOR _____

12-2-2021
CITY AT COMMENTS
2-22-2022
CLIENT COMMENTS

34436-5-D

RICK ENGINEERING COMPANY
9245 Pravies Road
Rancho Cordova, CA 95742
(916) 851-8700
Fax (916) 851-8783
www.rickengineering.com
San Diego Sacramento Orange Phoenix Tucson

PRELIMINARY
NOT FOR CONSTRUCTION

ATTACHMENT 5
MITIGATION MAP

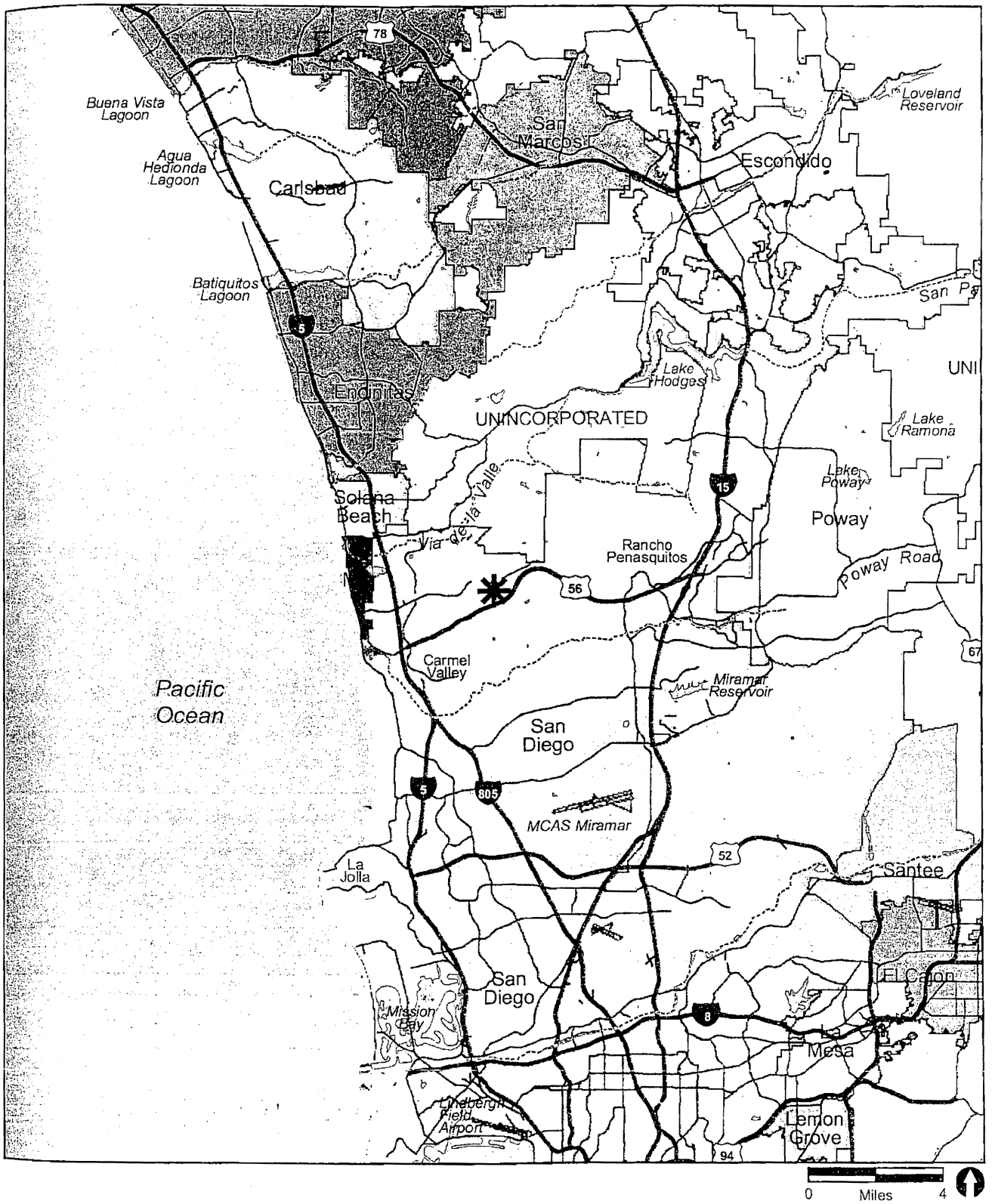


FIGURE 4

Regional Location of Pacific Highlands Ranch Offsite Mitigation

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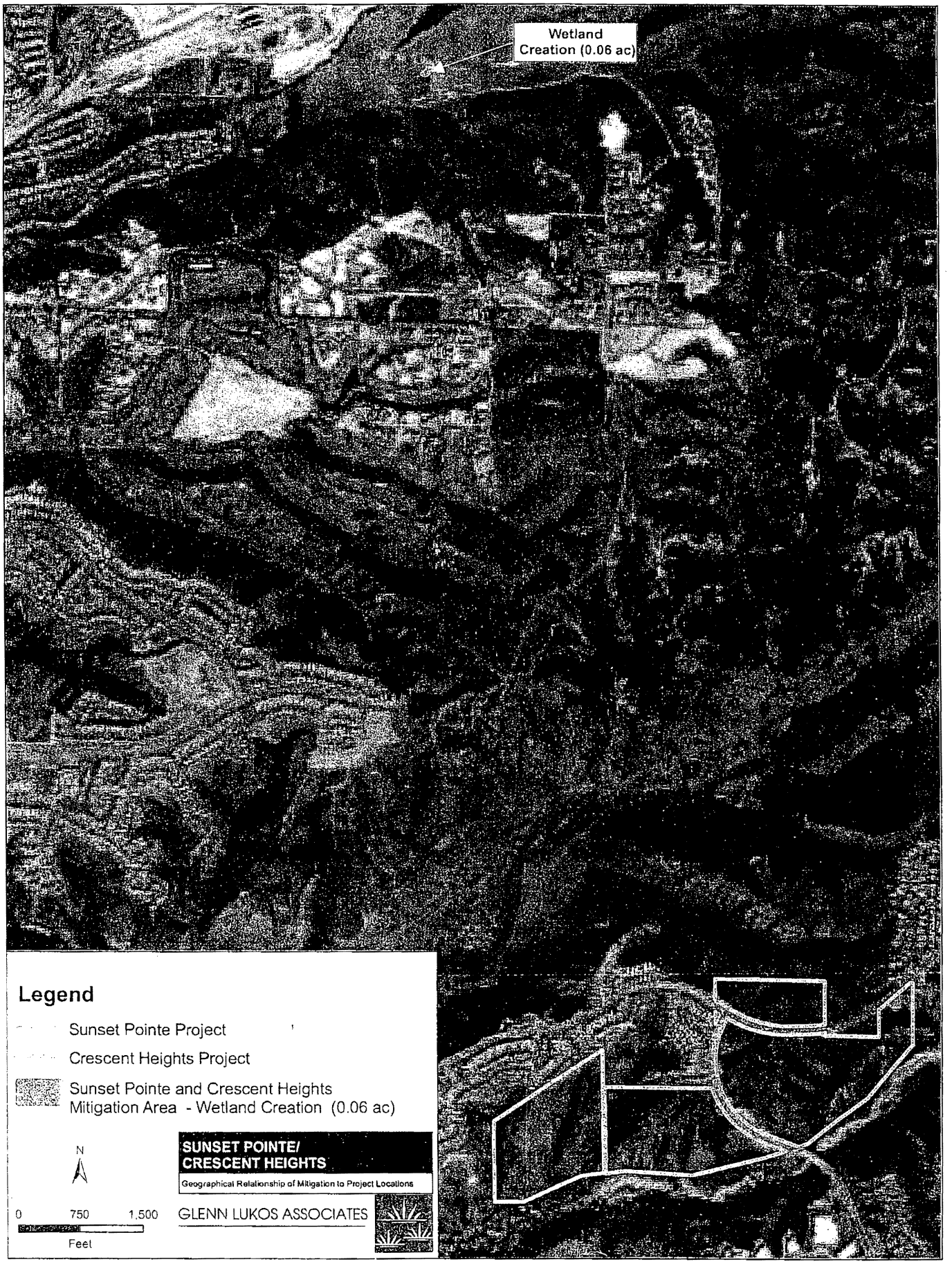

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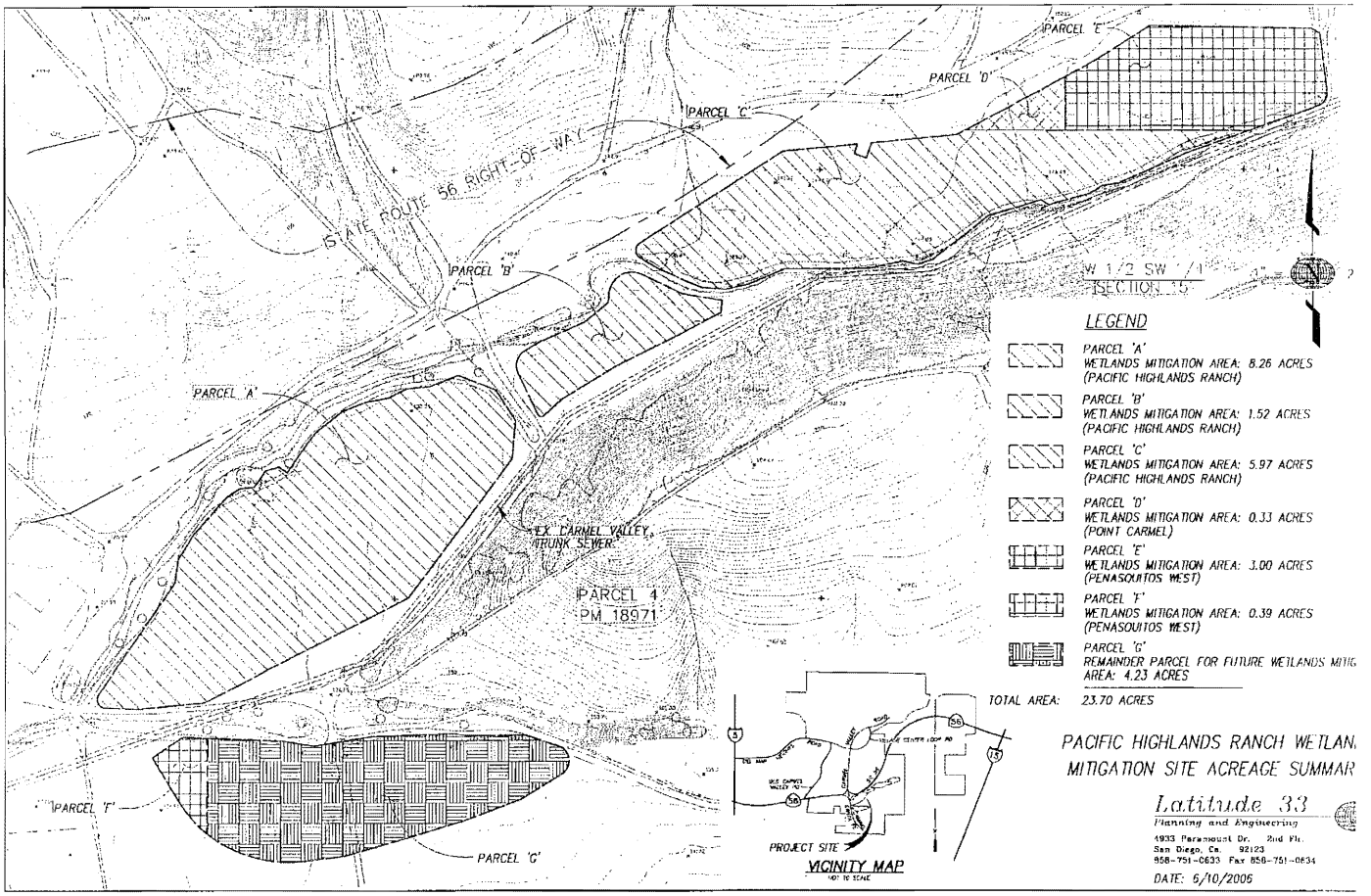
September 19, 2007


PARCEL 'E'
PARCEL 'D'
PARCEL 'C'
STATE ROUTE 56 RIGHT-OF-WAY
PARCEL 'B'
W 1/2 SW 1/4
SECTION 15
PARCEL 'A'
EX. CARMEL VALLEY TRUNK SEWER
PARCEL 4
PM 18971
PARCEL 'F'
PARCEL 'G'
PROJECT SITE
VICINITY MAP
NOT TO SCALE
LEGEND
PARCEL 'A'
WETLANDS MITIGATION AREA: 8.26 ACRES
(PACIFIC HIGHLANDS RANCH)
PARCEL 'B'
WETLANDS MITIGATION AREA: 1.52 ACRES
(PACIFIC HIGHLANDS RANCH)
PARCEL 'C'
WETLANDS MITIGATION AREA: 5.97 ACRES
(PACIFIC HIGHLANDS RANCH)
PARCEL 'D'
WETLANDS MITIGATION AREA: 0.33 ACRES
(POINT CARMEL)
PARCEL 'E'
WETLANDS MITIGATION AREA: 3.00 ACRES
(PENASQUITOS WEST)
PARCEL 'F'
WETLANDS MITIGATION AREA: 0.39 ACRES
(PENASQUITOS WEST)
PARCEL 'G'
REMAINDER PARCEL FOR FUTURE WETLANDS MITIG
AREA: 4.23 ACRES
TOTAL AREA: 23.70 ACRES
PACIFIC HIGHLANDS RANCH WETLAN
MITIGATION SITE ACREAGE SUMMAR
Latitude 33
Planning and Engineering
1933 Paramount Dr. 2nd Fl.
San Diego, Ca. 92123
858-751-0633 Fax 858-751-0634
DATE: 5/10/2006

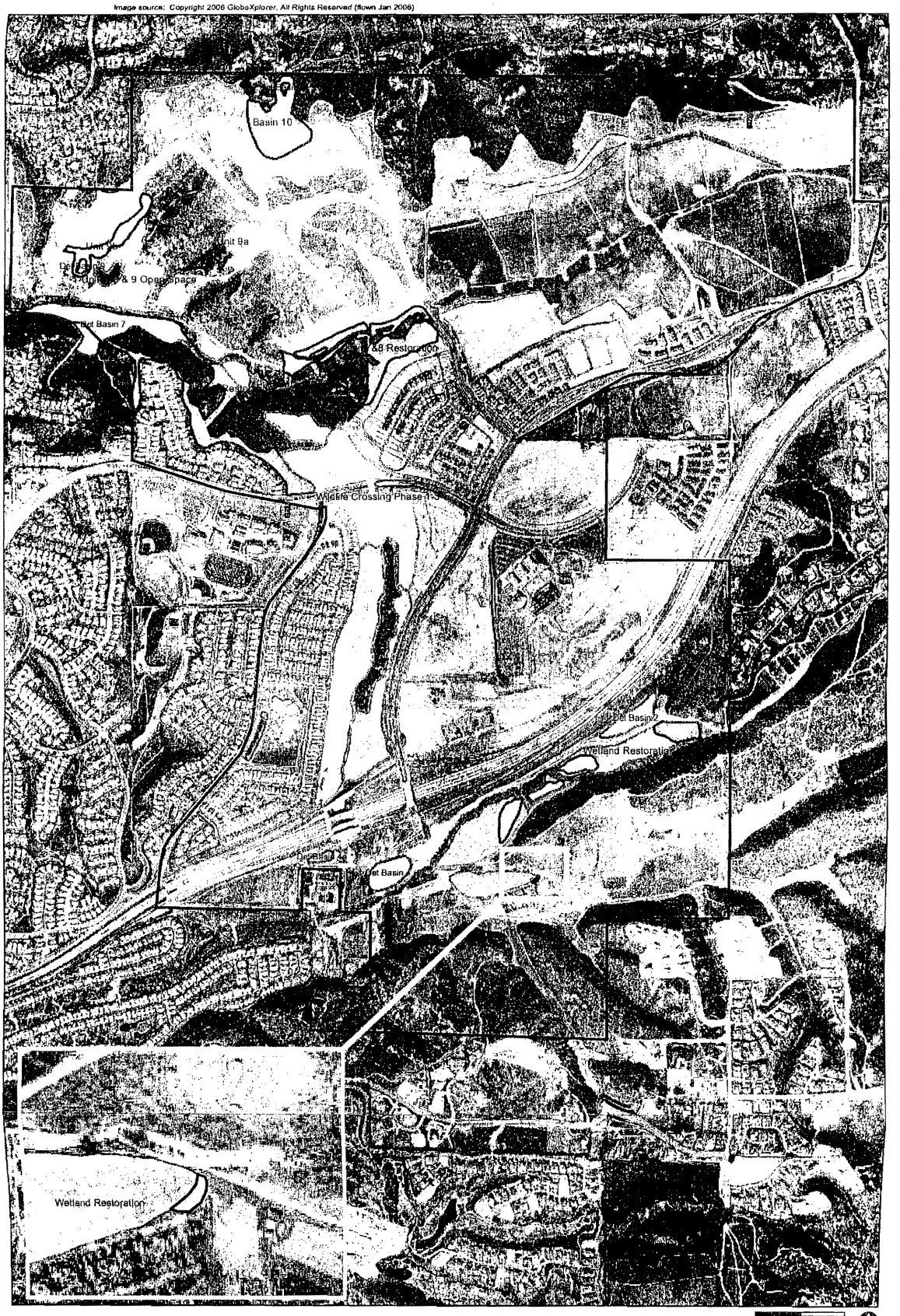


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FIGURE 6

Pacific Highlands Ranch Existing Restoration Areas and Mitigation Site

ATTACHMENT 6
STREAM PHOTO DOCUMENTATION PROCEDURES

Standard Operating Procedure (SOP) 4.2.1.4

Stream 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 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:

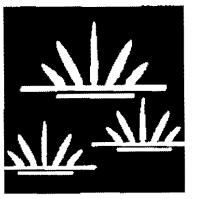
Time:

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

2012 MAY 25 A 9:40

GLENN LUKOS ASSOCIATES

Regulatory Services



May 23, 2012

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Mr. Alan Monji
Environmental Scientist
San Diego Regional Water Quality Control Board
9174 Sky Park Court
Suite 100
San Diego, California 92123

SUBJECT: Sunset Pointe Residential Development Project, Located in the City of San Diego; San Diego County, California: Request to Amend San Diego Regional Water Quality Control Board File Number 07C-012.

Dear Mr. Monji:

On July 23, 2008, the San Diego Regional Water Quality Control Board (Regional Board) issued Section 401 Water Quality Certification File Number 07C-012 to Pardee Homes (Pardee) associated with the Sunset Pointe Residential Development Project (Project) located in the City of San Diego, San Diego County, California. The certification authorized the permanent disturbance to 0.015 acre of Corps and Regional Board jurisdictional waters, none of which consist of jurisdictional wetlands, and the permanent disturbance to 345 linear feet of streambed. A copy of Regional Board File Number 07C-012 is attached as Appendix A.

Glenn Lukos Associates (GLA) and the U.S. Army Corps of Engineers (Corps) conducted a field verification of GLA's jurisdictional delineation for the Project site as part of processing Pardee's Clean Water Act (CWA) Section 404 Permit request. Whereas Corps staff agreed with GLA's mapped limits of jurisdiction, it appeared as if a 40 square-foot segment of Drainage Feature A contained a potential wetland area that has recently developed as a result of the heavy rains from the 2010 winter storm season. Corps staff requested that GLA re-review this 40 square-foot segment of Drainage Feature A to verify whether or not it would be considered a Corps jurisdictional wetland or would remain Corps non-wetland waters. GLA reviewed the area in question in April 2012 and determined that it meets the Corps' three-parameter test for a wetland (hydrophytic vegetation, wetland hydrology, and hydric soils).[1] A graphic depicting the 40 square-foot wetland area is included as Appendix B.

[1] This change in condition was a recent change resulting from the heavy rains that occurred during the 2010 winter storm season and was not indicative of the site condition when the previous jurisdictional delineation was originally conducted.

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Please call me at (949) 837-0404, Ext. 20 at the office or (714) 323-6221 on my cellular telephone should you have questions or comments regarding this request. Thank you for your assistance with this matter.

Sincerely,

GLENN LUKOS ASSOCIATES
Martin A. Rasnick
Sr. Regulatory Specialist

cc: Amy Glad
Allen Kashani
Hugh Hewitt

s: 0163-58c.ltr.doc