

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

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

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**PROJECT: South Bay Substation  
Certification Number 11C-107  
WDID: 9 000002390**

Reg. Meas. ID: 382675 Place ID: 775144 Party ID: 39618 Person ID: 356656
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**APPLICANT: San Diego Gas & Electric  
8315 Century Park Court, CP21E  
San Diego, CA 92123**

**ACTION:**

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

**PROJECT DESCRIPTION**

An application dated December 20, 2011 was submitted by San Diego Gas & Electric Company (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) for the proposed South Bay Substation Relocation Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on April 11, 2014. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2011-00802-RRS).

The Project is located within the City of Chula Vista, San Diego County, California between Bay Boulevard and San Diego Bay, adjacent to 1128 Bay Boulevard. The Project center reading is located at latitude 32.607778 and longitude -117.093556. The Applicant has paid all required fees for this Certification in the amount of \$19,459.00. On January 3, 2012, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

As proposed by the Applicant, the Project consists of relocating the existing South Bay Substation and construction of an upgraded replacement substation at a new site referred to as the Bay Boulevard Substation. Associated Project activities include staging, access,

construction, infrastructure connection, mitigation measure implementation, demolition, and remediation.<sup>1</sup> The five main components of the Project are:

1. Construction of the Bay Boulevard Substation approximately 0.5 mile south of the existing South Bay Substation. The new substation and related fixtures, facilities, and equipment will cover approximately 9.7-acres of the 12.42-acre parcel that was formerly the liquefied natural gas facility site. This component includes the installation and construction of the following: an approximately 10-foot tall concrete masonry perimeter wall; a water quality retention basin on the western border of the site; a new access road at the southern end of the site connecting the site with Bay Boulevard and internal access roads; a 75-foot tall lattice steel communications tower with an 8-foot diameter microwave telecommunications disc; and a 32-foot by 50-foot Control House building;
2. Construction of a 230 kilovolt (kV) transmission line loop-in. This construction includes a loop-in of an approximately 1,000-foot-long underground interconnection and an approximately 300-foot-long overhead interconnection of the existing 230 kV transmission line and associated communication cables to the Bay Boulevard Substation;
3. Relocation of the 69 kV transmission line. This construction includes relocation of six overhead transmission lines and associated communication cables to the new Bay Boulevard Substation and requires the relocation of approximately 7,500 feet of overhead line and the construction of approximately 4,100 feet of underground line;
4. Extension of the 138 kV transmission line. Connection of three existing transmission lines via an approximately 3,800-foot-long underground duct bank and an approximately 200-foot-long overhead span from one new steel cable riser pole to an existing steel lattice structure, forming the Grant Hill-Telegraph Canyon 138 kV Transmission Line; and
5. Demolition of the South Bay Substation. This activity includes the decommissioning and demolition of the existing 7.22-acre South Bay Substation. Components of this activity include removal of the control house, steel support structures, electrical substation equipment, and foundations to a depth of approximately six feet below the existing grade; and the re-grading of the substation footprint to blend in with the surrounding topography.

The Applicant estimates that construction of the Bay Boulevard Substation will take approximately 18 months to complete. In preparation for construction, approximately 94,250 cubic yards of on-site soil will be excavated and re-compacted. Subsequent grading of the site will generate approximately 7,500 cubic yards of material for offsite disposal. To reach the desired elevation of 16-21 feet above mean sea level, the Applicant will import approximately 120,000 cubic yards of structural fill and 20,000 cubic yards of Class II base material.

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<sup>1</sup> Phase I Environmental Site Assessments (ESA) were performed at the South Bay Power Plant and the former liquid natural gas (LNG) site, and a Phase II ESA was performed at the LNG site. Results of these studies showed no evidence of contamination at either of the sites. However, dismantling of the South Bay Substation could uncover oil, lead-based paint, asbestos containing material, and PCBs, which could potentially trigger remediation activities. A Hazardous Substance Management and Emergency Response Plan (Plan) was prepared for the Project and contains the measures to be taken by SDG&E and its contractors to address the proper storage, handling, cleanup, and disposal of hazardous substances in accordance with federal, state, and local regulations during construction.

The Project will convert approximately 2.3 acres of pervious ground cover to impervious surfaces. Runoff leaving the developed Project area would be significantly greater in volume, velocity, peak flow rate, and duration than pre-development runoff from the same area without mitigation. Post-construction best management practices (BMPs) to manage and control the effects of these runoff increases will consist of a bioretention basin. Additionally, the substation pad will be surfaced with Class II base that will allow some infiltration of rain into the subsurface. These BMPs will be designed, constructed, and maintained to meet the City of Chula Vista Low Impact Development (LID) Capture Volume and hydromodification treatment requirements.

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

Project construction will permanently impact 2.414 acres (158.32 linear feet) of wetland and intermittent drainage waters of the United States and/or State. This impact area includes 0.002 acres (74.14 linear feet) of waters of the State only, which are deemed to be outside of federal jurisdiction and are subject to regulation under State Water Resources Control Board Water quality Order No. 2004-0004-DWQ, *General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction*. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 2.414 acres of jurisdictional waters will be achieved through the re-establishment of 10.2 acres of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant at the San Diego Bay National Wildlife Refuge D Street Fill Site located in the Lower Sweetwater Hydrologic Area (HA 909.10) at a minimum compensation ratio of 4.6:1 (area mitigated:area impacted).

Detailed written specifications and work descriptions for the compensatory mitigation project including, but not limited to, the geographic boundaries of the project, timing, sequence, monitoring, maintenance, ecological success performance standards and provisions for long-term management and protection of the mitigation areas are described in the *San Diego Gas & Electric Company South Bay Substation Relocation Project Revised Draft Habitat Mitigation and Monitoring Plan* (Mitigation Plan), dated October 2014. San Diego Water Board acceptance of the Mitigation Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Mitigation Plan is incorporated in this

Certification by reference as if set forth herein. The Mitigation Plan provides for implementation of compensatory mitigation which offsets adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Mitigation Plan will reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. Based on all of these considerations, the Mitigation Plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

Additional Project details are provided in Attachments 2 through 5 of this Certification.

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### Attachments:

- 1. Definitions**
- 2. Project Location Maps**
- 3. Project Site Plans**
- 4. Mitigation Figures**
- 5. CEQA Mitigation Measures**

## I. STANDARD CONDITIONS

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

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

## II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. 11C-107 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 U.S.C. §1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/go\\_wdr401regulated\\_projects.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf).

**D. General Waste Discharge Requirements for Waters of the State.** With the issuance of this Certification, the Applicant is hereby enrolled under and shall comply with State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ, *General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction* (Water Quality Order No. 2004-0004-DWQ). Water Quality Order No. 2004-0004-DWQ is accessible at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**E. Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality certification are incorporated by reference into this Certification as if fully stated herein. Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.

**F. Project Conformance with Water Quality Control Plans or Policies.** Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 U.S.C §1313). The Basin Plan is accessible at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/index.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml)

**G. Project Modification.** The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification.

**H. Certification Distribution Posting.** During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.

**I. Inspection and Entry.** The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:

1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
  2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
  3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and
  4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.
- J. **Enforcement Notification.** In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall 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.
- K. **Certification Actions.** This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
1. Violation of any term or condition of this Certification;
  2. Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of Telegraph Creek or its tributaries and San Diego Bay;
  3. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
  4. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
  5. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.

The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.

- L. **Duty to Provide Information.** The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- M. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.
- N. **Petitions.** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

### III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Applicant shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Personnel Education.** Prior to the start of the Project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response measures, and BMP implementation and maintenance measures.
- C. **Spill Containment Materials.** The Applicant must, at all times, maintain appropriate types and sufficient quantities of materials on-site 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 United States and/or State.
- D. **General Construction Storm Water Permit.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- E. **Dewatering.** Prior to discharging pollutants to surface waters associated with groundwater extraction that may occur as part of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of San Diego Water Board Order No. R9-2007-0034 the *General Waste Discharge Requirements for Discharges from Temporary Groundwater Extraction and Similar*



*Waste Discharges to San Diego Bay, tributaries thereto under tidal influence, and Storm Drains or Other Conveyance Systems Tributary Thereto and any reissuance.*

- F. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff. The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050. Upon Project completion, all Project generated debris, building materials, excess material, waste, and trash shall be removed from the Project site(s) for disposal at an authorized landfill or other disposal site in compliance with federal, state and local laws and regulations.
- G. **Waste Management.** Except for a discharge permitted under this Certification, the dumping, deposition, or discharge of trash, rubbish, unset cement or asphalt, concrete, grout, damaged concrete or asphalt, concrete or asphalt spoils, wash water, organic or earthen material, steel, sawdust or other construction debris waste from Project activities directly into waters of the United States and or State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited.
- H. **Runoff Erosion.** Discharges of concentrated flow during construction or after Project completion must not cause erosion or damage to adjacent properties or bay habitat.
- I. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- J. **Process Water.** 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 State or placed in locations that may be subjected to storm water runoff flows. Pollutants discharged to areas within a stream diversion must be removed at the end of each work day or sooner if rain is predicted.
- K. **Surface Water Diversion.** All surface waters, including ponded waters, must be diverted away from areas of active 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 the receiving water quality objectives. 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.

- L. **Re-vegetation and Stabilization.** All areas that have 14 or more days of inactivity must be stabilized within 14 days of the last activity. The Applicant shall implement and maintain BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be re-vegetated with native species appropriate for the area. The re-vegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be accessed at <http://www.cal-ipc.org/ip/inventory/>.
- M. **Hazardous Materials.** Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused 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.
- N. **Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. **On-site Qualified Biologist.** The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- P. **Beneficial Use Protection.** The Applicant must take all necessary measures to protect the beneficial uses of waters of Telegraph Creek and its tributaries and San Diego Bay. This Certification requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to surface waters (including rivers or streams) occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification. Associated Project activities may not resume without approval from the San Diego Water Board.

#### IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to onsite or off-site erosion or damage to properties or stream habitats.
- B. **Storm Drain Inlets.** All storm drain inlet structures within the Project boundaries must be stamped or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.

- C. **Post-Construction BMP Design.** The Project must be constructed to comply with the most current Standard Storm Water Mitigation and Hydromodification Plans for the City of Chula Vista. Post-construction BMPs are described in the *Water Quality Technical Report for the Bay Boulevard Substation (WQTR)*.
- D. **Post-Construction BMP Implementation.** All post-construction BMPs must be constructed, functional, and implemented prior to completion of Project construction, occupancy, and/or planned use, and maintained in perpetuity. The post-construction BMPs must include those described in the WQTR, dated May 1, 2014, prepared on behalf of the Applicant by Nolte Associates, Inc.; or any subsequent version of the WQTR approved by the City of Chula Vista.
- E. **Post-Construction BMP Maintenance.** The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Storm Water Quality Association (CASQA)<sup>2</sup> guidance. The Applicant shall:
1. No less than two times per year, assess the performance of the BMPs to ensure protection of the receiving waters and identify any necessary corrective measures;
  2. Perform inspections of BMPs, at the beginning of the wet season no later than October 1 and the end of the wet season no later than April 1, for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;
  3. Regularly perform preventative maintenance of BMPs, including removal of accumulated trash and debris, as needed to ensure proper functioning of the BMPs;
  4. Identify and promptly repair damage to BMPs; and
  5. Maintain a log documenting all BMP inspections and maintenance activities. The log shall be made available to the San Diego Water Board upon request.

## V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.

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<sup>2</sup> California Storm Water Quality Association (*California Storm Water BMP Handbook, New Development and Redevelopment 2003*), available on-line at: <http://www.cabmphandbooks.org/> [Accessed on January 15, 2012]

**B. Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to seven seasonal wetlands, one intermittent drainage, and three ephemeral drainages adjacent to San Diego Bay and within the Otay River Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
<b>Permanent Impacts</b>						
Streambed	0.008	158	11.03 Re-establishment <sup>1</sup>	4.6:1	N/A <sup>2</sup>	N/A <sup>2</sup>
Wetland	2.406	-				
<b>Temporary Impacts<sup>3</sup></b>						
Streambed <sup>4</sup>	0.011	248	0.011	1:1	248	1:1

1. Re-establishment of 0.62 acre subtidal (open water), 0.98 acre mudflat, 6.6 acres low salt marsh, 2.83 acres mid-high salt marsh habitats at San Diego Bay National Wildlife Refuge D Street Fill Site.
2. Compensatory mitigation is being provided as an out-of-kind wetland area at the San Diego Bay National Wildlife Refuge D Street Fill Site; therefore, compensatory mitigation for linear feet is not being calculated.
3. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.
4. Temporary streambed impacts include 0.009 acre (174.09 linear feet) of waters of the United States and/or State and 0.002 acre (74.14 linear feet) of waters of the State only.

**C. Compensatory Mitigation Plan Implementation.** The Applicant must fully and completely implement the Mitigation Plan; any deviations from, or revisions to, the Mitigation Plan must be pre-approved by the San Diego Water Board.

**D. Performance Standards.** Compensatory mitigation required under this Certification shall be considered as achieved once it has met the ecological success performance standards contained in the Mitigation Plan (Section 9, page 32) to the satisfaction of the San Diego Water Board.

**E. Compensatory Mitigation Site Design.** The compensatory mitigation site(s) shall be designed to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features and appropriate siting to ensure that natural hydrology and landscape context support long-term sustainability.

**F. Temporary Project Impact Areas.** The Applicant must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge of pollutants to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and re-vegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.

- G. Long Term Management and Maintenance.** The compensatory mitigation site(s), must be managed, protected, and maintained, in perpetuity, in conformance with the long term management plan and the final ecological success performance standards identified in the Mitigation Plan. The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:
1. Any maintenance activities on the mitigation site(s) that do not contribute to the success of the mitigation site(s) and enhancement of beneficial uses and ecological functions and services are prohibited;
  2. Maintenance activities must be limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species, and remedial measures deemed necessary for the success of the compensatory mitigation project;
  3. The Mitigation site(s) must be maintained, in perpetuity, free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the mitigation site(s); and
  4. If at any time a catastrophic natural event (e.g., fire, flood) causes damage(s) to the mitigation site(s) or other deficiencies in the compensatory mitigation project, the Applicant must take prompt and appropriate action to repair the damage(s) including replanting the affected area(s) and address any other deficiencies. The San Diego Water Board may require additional monitoring by the Applicant to assess how the compensatory mitigation site(s) or project is responding to a catastrophic natural event.
- H. Timing of Mitigation Site Construction.** The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the start of Project construction. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10% of the cumulative compensatory mitigation for each month of delay.
- I. Mitigation Site(s) Preservation Mechanism.** **Within 90 days from the start of the issuance of this Certification,** the Applicant must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. **Within 60 days of the start of Project construction,** the Applicant must submit proof of a completed final preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the United States and/ or State that it supports. 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 sites. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

## VI. MONITORING AND REPORTING REQUIREMENTS

- A. **Representative Monitoring.** Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. **Monitoring Reports.** Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.
- C. **Monitoring and Reporting Revisions.** The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. **Records of Monitoring Information.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) analyses were performed;
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and
  6. The results of such analyses.
- E. **California Rapid Assessment Method.** California Rapid Assessment Method (CRAM)<sup>3</sup> monitoring must be performed to assess the current and potential ecological conditions (ecological integrity) of the proposed compensatory mitigation site(s). These conditions reflect the overall level of ecological function of an aquatic resource. Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implement California Rapid Assessment Method (CRAM) monitoring. The Applicant must conduct a quantitative function-based assessment of the health of streambed habitat to establish pre-project baseline conditions, set CRAM success criteria, and assess the mitigation site(s) progress towards meeting the success criteria. CRAM

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<sup>3</sup> The most recent versions of the California Rapid Assessment Method (CRAM) for Wetlands and additional information regarding CRAM can be accessed at <http://www.cramwetlands.org/>

monitoring must be conducted during the peak growing season (i.e., between July and August) of years one, three, and five following construction completion and biennially thereafter until performance standards have been met. The biennial CRAM monitoring results shall be submitted with the Annual Compensatory Mitigation Monitoring Report. An evaluation, interpretation, and tabulation of all CRAM assessment data shall be submitted with the Final Annual Compensatory Mitigation Monitoring Report.

**F. Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. The monitoring period for each Annual Project Progress Report shall be January 1<sup>st</sup> through December 31<sup>st</sup> of each year. The report must include the following information:

1. The names, qualifications, and affiliations of the persons contributing to the report;
2. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices project features for erosion and storm water quality treatment;
3. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
4. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

**G. Final Project Completion Report.** The Applicant must submit a Final Project Completion Report to the San Diego Water Board **within 30 days of completion of the Project**. The final report must include the following information:

1. Date of construction initiation;
2. Date of construction completion;
3. BMP installation and operational status for the Project;
4. As-built drawings of the Project, no bigger than 11"X17"; and
5. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/StreamPhotoDocSOP.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf). In addition, photo documentation must include

Global Positioning System (GPS) coordinates for each of the photo points referenced.

**H. Annual Compensatory Mitigation Monitoring Report.** The Applicant must submit compensatory mitigation monitoring reports, annually, by **March 1** of each year containing sufficient information to demonstrate how the compensatory mitigation project is progressing towards accomplishing its objectives and meeting its performance standards. The monitoring period for each Annual Compensatory Mitigation Monitoring Report shall be January 1<sup>st</sup> through December 31<sup>st</sup> of each year. Mitigation monitoring reports must be submitted annually, for a period of not less than five years, sufficient to demonstrate that the compensatory mitigation project has accomplished its objectives and met ecological success performance standards contained in the Mitigation Plan. Following Project implementation the San Diego Water Board may reduce or waive compensatory mitigation monitoring requirements upon a determination that performance standards have been achieved. Conversely the San Diego Water Board may extend the monitoring period beyond five years upon a determination that the performance standards have not been met or the compensatory mitigation project is not on track to meet them.

The monitoring reports must include, but not be limited to, the following information:

1. Names, qualifications, and affiliations of the persons contributing to the report;
2. An evaluation, interpretation, and tabulation of the parameters being monitored, including the results of the Mitigation Plan monitoring program, and all quantitative and qualitative data collected in the field;
3. A description of the following mitigation site(s) characteristics:
  - a. Detritus cover;
  - b. General topographic complexity;
  - c. General upstream and downstream habitat and hydrologic connectivity; and
  - d. Source of hydrology
4. Monitoring data interpretations and conclusions as to how the compensatory mitigation project(s) is progressing towards meeting performance standards and whether the performance standards have been met;
5. A description of the progress toward implementing a plan to manage the compensatory mitigation project after performance standards have been achieved to ensure the long term sustainability of the resource in perpetuity, including a discussion of long term financing mechanisms, the party responsible for long term management, and a timetable for future steps;
6. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;



7. Photo documentation, including all areas of permanent and temporary impact, prior to and after mitigation site construction. Photo documentation must be conducted in accordance with guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/StreamPhotoDocSOP.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf). In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced;
  8. The results of the California Rapid Assessment Method (CRAM) monitoring required under section VI.E of this Certification;
  9. An evaluation, interpretation, and tabulation of all California Rapid Assessment Method (CRAM) assessment data collected throughout the term of Project construction in accordance with section VI.E of this Certification.
  10. As-built drawings of the compensatory mitigation project site(s), no bigger than 11"X17"; and
  11. A survey report documenting boundaries of the compensatory mitigation site(s).
- I. **Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.
- J. **Electronic Document Submittal.** The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov). Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification No. 11C-107:PIN 775144  
2375 Northside Drive, Suite 100  
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. 11C-107:PIN 775144.

**K. Document Signatory Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be signed as follows:

1. For a corporation, by a responsible corporate officer of at least the level of vice president.
2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
4. A duly authorized representative may sign applications, reports, or information if:
  - a. The authorization is made in writing by a person described above.
  - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
  - c. The written authorization is submitted to the San Diego Water Board Executive Officer.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

**L. Document Certification Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be 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."*

## **VII. NOTIFICATION REQUIREMENTS**

- A. Twenty Four Hour Non-Compliance Reporting.** The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken

or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

- B. Hazardous Substance Discharge.** Except for a discharge which is in compliance with this Certification, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. Oil or Petroleum Product Discharge.** Except for a discharge which is in compliance with this Certification, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- D. Anticipated Noncompliance.** The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- E. Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
- 1. Transfer of Property Ownership:** The Applicant must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the

seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board **within 10 days of the transfer of ownership.**

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

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

- F. **Discharge Commencement.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.

## VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The California Public Utilities Commission (CPUC) is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated October 21, 2013 for the Final Environmental Impact Report (FEIR) titled *South Bay Substation Relocation Project* (State Clearing House Number 2011071031). The CPUC has determined the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project to reduce environmental effects of the Project to a less than significant level. The Lead Agency has also adopted a statement of overriding considerations pursuant to CEQA Guidelines section 15093.

- B. The California Coastal Commission (CCC) has considered the Lead Agency's FEIR and issued a Staff Report for the Project, titled *Recommended Revised Findings on Coastal Development Permit* (Application No. E-11-010) on February 27, 2014. Pursuant to Public Resources Code section 21080.5, the Secretary for the California Natural Resources Agency has certified the CCC's Coastal Development Permit program as a certified regulatory program and the CCC's Staff Report complies with the CCC's regulations for CEQA compliance (California Code of Regulations, title 14, section 13096 subdivision (a)). The CCC approved a Coastal Development Permit for the Project on May 15, 2014.
- C. The CCC determined that the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project to reduce environmental effects of the Project to a less than significant level.
- D. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's FEIR and the CCC's Staff Report as an Addendum to the FEIR. The San Diego Water Board has determined that an Addendum to the FEIR is necessary pursuant to CEQA Guidelines section 15164 because there have been some changes to the Project but none of the conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR have occurred.
- E. The San Diego Water Board finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- F. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.
- G. The Lead Agency has adopted a mitigation monitoring, compliance, and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the FEIR are implemented. The mitigation measures from the Lead Agency's Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) is included and incorporated by reference in Attachment 5 to this Certification. The CCC has imposed Special Conditions in the Coastal Development Permit for the Project. The Special Conditions, as they pertain to resources within the San Diego Water Board's purview, are also included and incorporated by reference in Attachment 5 to this Certification. The Applicant shall implement the Lead Agency's MMCRP described in the FEIR and Special conditions described in the Coastal Development Permit, as they pertain to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMCRP requirements as specified in sections V and VI of this Certification.
- H. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

## IX. SAN DIEGO WATER BOARD CONTACT PERSON

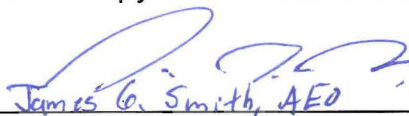
Lisa Honma, Environmental Scientist  
Telephone: 619-521-3367  
Email: [Lisa.Honma@waterboards.ca.gov](mailto:Lisa.Honma@waterboards.ca.gov)

## X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the South Bay Substation Relocation Project (Certification No. 11C-107) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual waste discharge requirements at that time.

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

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 11C-107 issued on December 19, 2014.

  
for DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

19 Dec 2014  
Date

# ATTACHMENT 1

## DEFINITIONS

**Activity** - when used in reference to a permit means any action, undertaking, or project including, but not limited to, construction, operation, maintenance, repair, modification, and restoration which may result in any discharge to waters of the state.

**Buffer** - means an upland, wetland, and/or riparian area that protects and/or enhances aquatic resource functions associated with wetlands, rivers, streams, lakes, marine, and estuarine systems from disturbances associated with adjacent land uses.

**California Rapid Assessment Method (CRAM)** - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

**Compensatory Mitigation Project** - means compensatory mitigation implemented by the Applicant as a requirement of this Certification (i.e., applicant -responsible mitigation), or by a mitigation bank or an in-lieu fee program.

**Discharge of dredged material** – means any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States and/or State.

**Discharge of fill material** – means the addition of fill material into waters of the United States and/or State.

**Dredged material** – means material that is excavated or dredged from waters of the United States and/or State.

**Ecological Success Performance Standards** – means observable or measurable physical (including hydrological), chemical, and/or biological attributes that are used to determine if a compensatory mitigation project meets its objectives.

**Enhancement** – means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

**Establishment** – means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Creation results in a gain in aquatic resource area.

**Fill material** – means any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body.

**Isolated wetland** – means a wetland with no surface water connection to other aquatic resources.

**Mitigation Bank** – means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing mitigation for impacts authorized by this Certification.

**Preservation** - means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

**Re-establishment** - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

**Rehabilitation** - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

**Restoration** - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

**Start of Project Construction** - For the purpose of this Certification, "start of Project construction" means to engage in a program of on-site construction, including site clearing, grading, dredging, landfilling, changing equipment, substituting equipment, or even moving the location of equipment specifically designed for a stationary source in preparation for the fabrication, erection or installation of the building components of the stationary source within waters of the United States and/or State.

**Uplands** - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and constructed stock ponds lack aboveground hydrological connection to other aquatic areas. In the watershed context, uplands comprise the landscape matrix in which aquatic areas form. They are the primary sources of sediment, surface runoff, and associated chemicals that are deposited in aquatic areas or transported through them.

**Water quality objectives and other appropriate requirements of state law** – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate requirement of state law.



San Diego Gas & Electric Company  
South Bay Substation Relocation Project  
Certification No. 11C-107

**ATTACHMENT 2**  
**PROJECT LOCATION MAPS**

Figure 1: Project Vicinity Map  
Figure 2: Project Overview Map

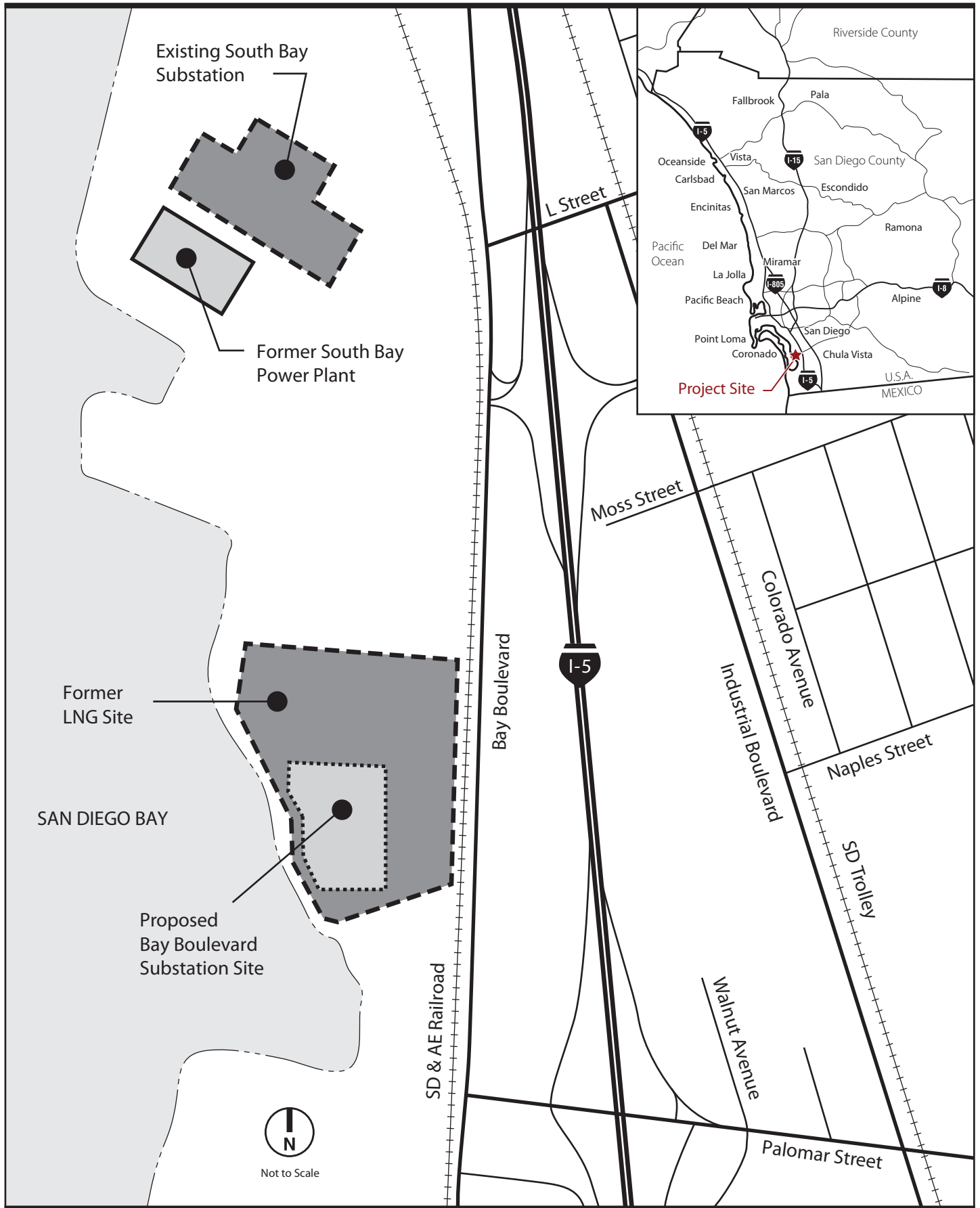


Figure 1: Project Vicinity Map

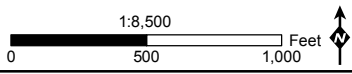
Transmission / Distribution Lines	
	230 kV Loop-In - Overhead
	230 kV Loop-In - Underground
	138 kV Extension - Overhead
	138 kV Extension - Underground
	69 kV Relocation - Overhead
	69 kV Relocation - Underground
	12 kV Distribution - Underground
	Existing Underground Duct Bank



**Figure 2: Project Overview Map**

**South Bay Substation Relocation Project**

	Substation Wall		Pole/Structure		New Access Routes and Driveways
	12.42-Acre Parcel Boundary		Underground Vault (Color Coded by Line)		Water Quality Retention Basin
	SDG&E Easement		Existing Access		



Z:\Projects\SDGE\_SouthBay\MXD\Permitting\USACE\fig2\_project\_overview\_map\_8\_11.mxd 3/13/2014

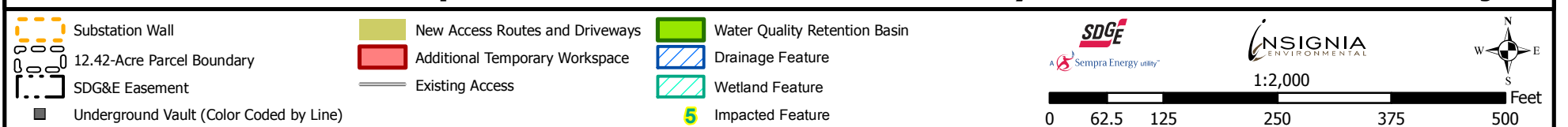
**ATTACHMENT 3  
PROJECT SITE PLANS**

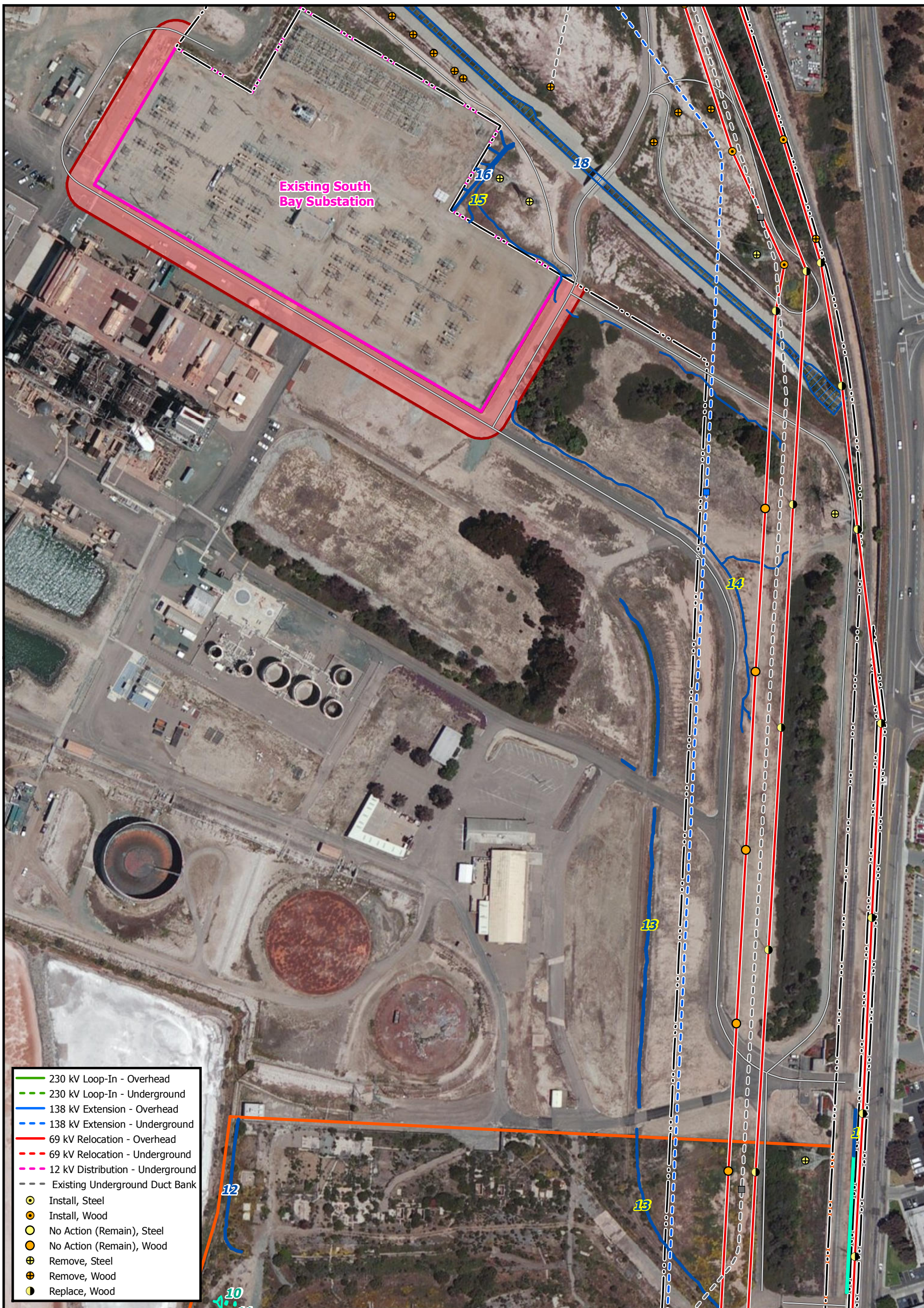
- Figure 3: Project Components and Jurisdictional Waters Map 1 or 3
- Figure 3: Project Components and Jurisdictional Waters Map 2 or 3
- Figure 3: Project Components and Jurisdictional Waters Map 3 or 3
- Figure 4: Bay Boulevard Substation Ultimate Arrangement
- Figure 5: Grading Plan



**Figure 3: Project Components and Jurisdictional Waters Map 1 of 3**

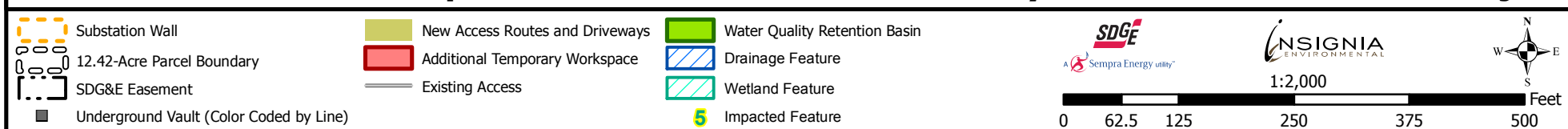
**South Bay Substation Relocation Project**

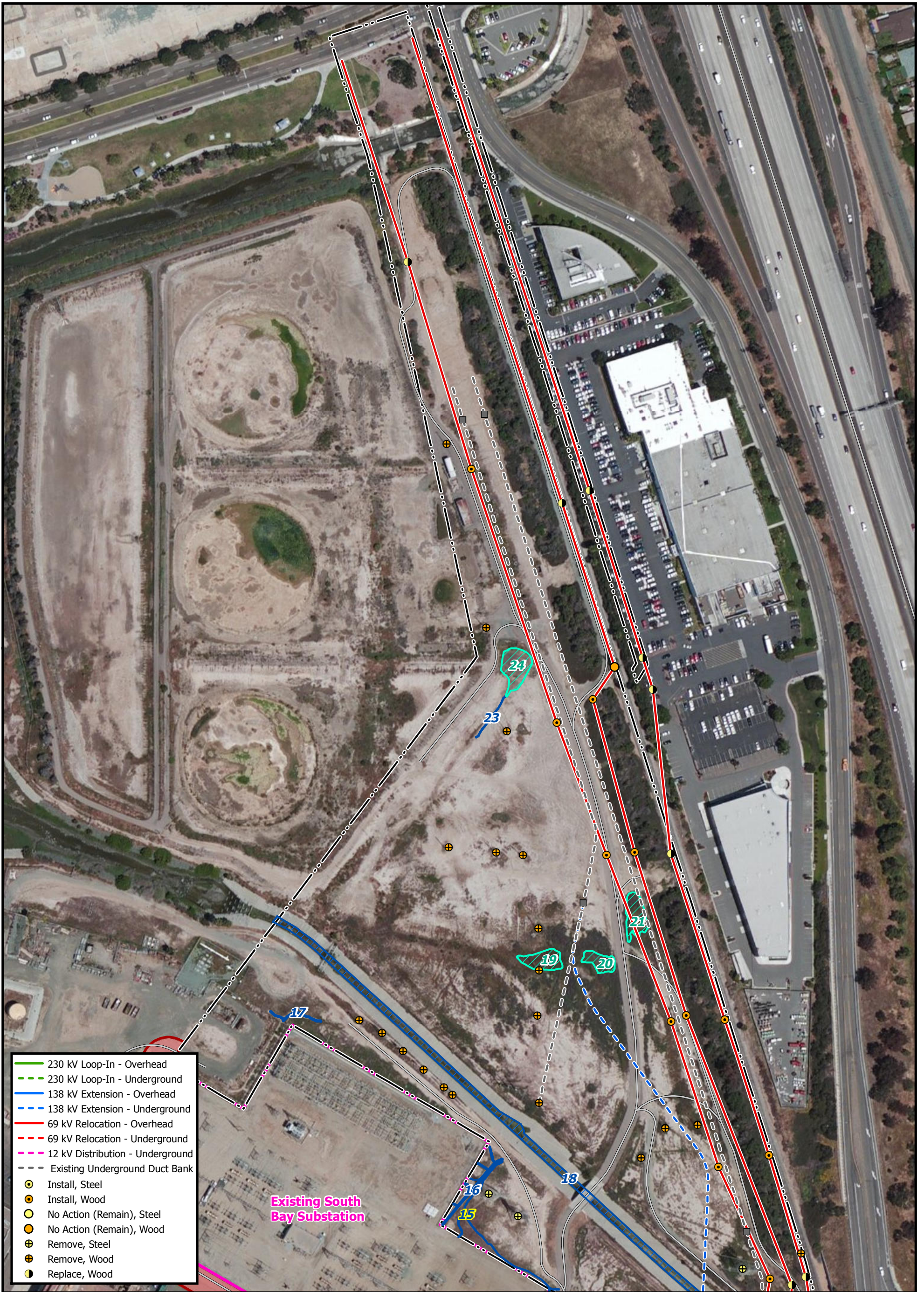




**Figure 3: Project Components and Jurisdictional Waters Map 2 of 3**

**South Bay Substation Relocation Project**





**Figure 3: Project Components and Jurisdictional Waters Map 3 of 3**

**South Bay Substation Relocation Project**

Substation Wall 12.42-Acre Parcel Boundary SDG&E Easement Underground Vault (Color Coded by Line)	New Access Routes and Driveways Additional Temporary Workspace Existing Access	Water Quality Retention Basin Drainage Feature Wetland Feature Impacted Feature	SDGE NSIGNIA ENVIRONMENTAL 1:2,000 Feet 0 62.5 125 250 375 500
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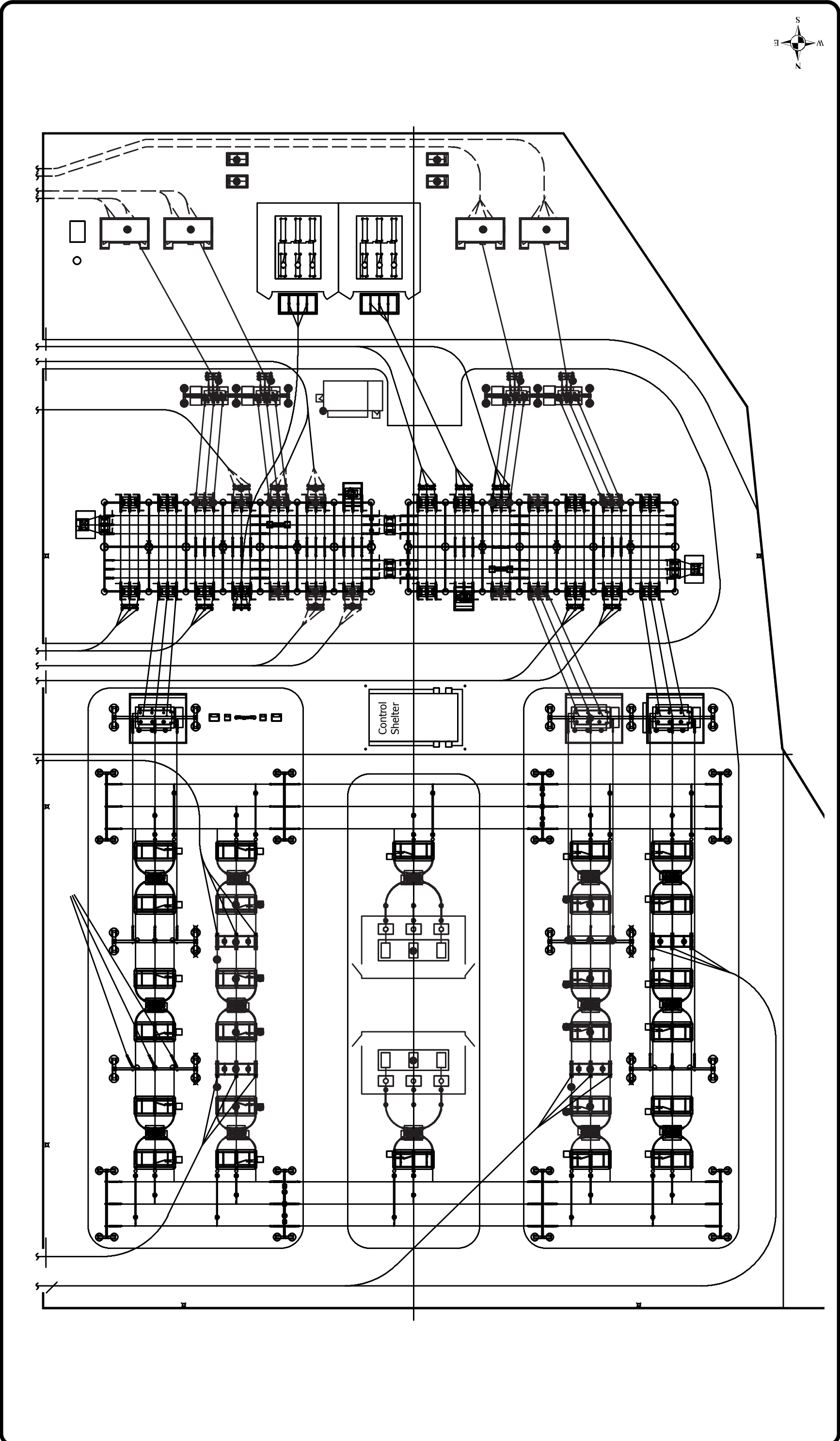


Figure 4: Bay Boulevard Substation Ultimate Arrangement



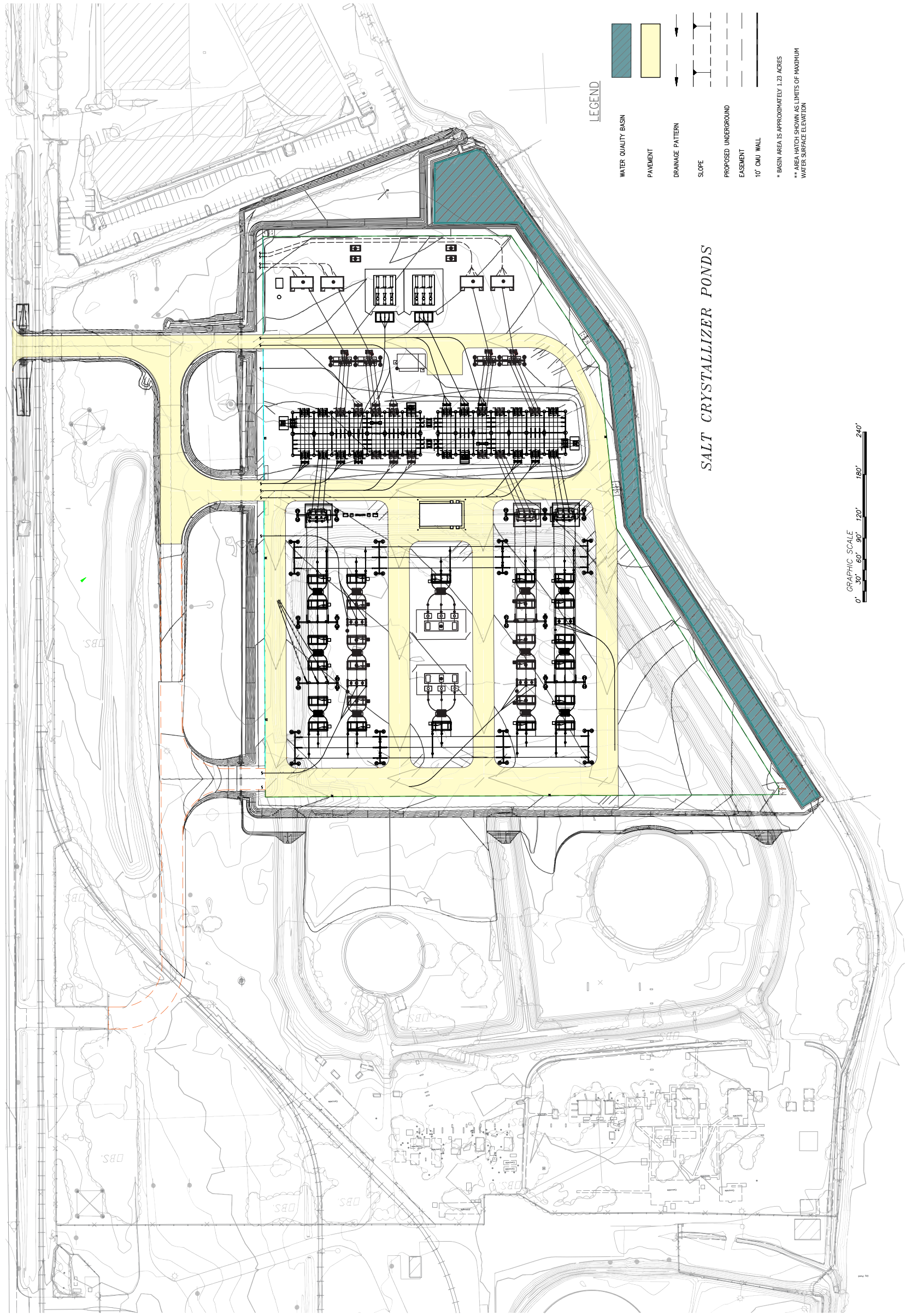


Figure 5: Grading Plan

**ATTACHMENT 4  
MITIGATION FIGURES**

- Figure 1: Project and Mitigation Project Vicinity Map
- Figure 2: Vicinity Map
- Figure 3: Mitigation Project and Relocated Soil Areas –  
D Street Fill Site
- Figure 4: Existing Habitat and Jurisdictional Areas –  
D Street Fill Site
- Figure 5: Typical Planting Zones – Generalized Section
- Figure 6: Proposed Grading Plan
- Figure 7: Proposed Grading for Fill



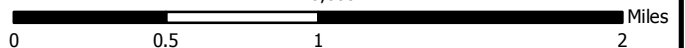
**Figure 1: Project and Mitigation Project Vicinity Map**

**South Bay Substation Relocation Project**

- Mitigation Project Site (12.44 acres)
- Proposed Bay Boulevard Substation Site
- Existing South Bay Substation
- San Diego Bay National Wildlife Refuge

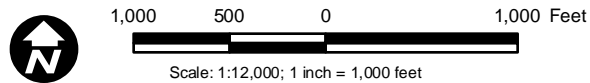


1:40,000





Source: Landiscor 2010; AECOM 2011



**Figure 2**  
**Vicinity Map**

**SDG&E Final Wetland Restoration Plan - D Street Fill Site**

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**Figure 3: Mitigation Project and Relocated Soil Areas – D Street Fill Site**

**South Bay Substation Relocation Project**

- |  |   |  |
|--|---|--|
| <ul style="list-style-type: none"> <li><span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Mitigation Project Area (12.44 acres)</li> <li><span style="border-bottom: 1px dashed orange; width: 15px; margin-right: 5px;"></span> Limit of Grading</li> <li><span style="border-bottom: 1px solid brown; width: 15px; margin-right: 5px;"></span> Proposed Contours</li> <li><b>Ownership</b></li> <li><span style="background-color: yellow; width: 15px; height: 10px; margin-right: 5px;"></span> Port District</li> <li><span style="background-color: lightgreen; width: 15px; height: 10px; margin-right: 5px;"></span> USFWS</li> </ul> | <ul style="list-style-type: none"> <li><b>Non-USACE/RWQCB- Jurisdictional Areas</b></li> <li><span style="background-color: lightgreen; width: 15px; height: 10px; margin-right: 5px;"></span> Upland (1.41 acres)</li> <li><b>USACE/RWQCB-Jurisdictional Areas</b></li> <li><span style="background-color: darkgreen; width: 15px; height: 10px; margin-right: 5px;"></span> Mid-High Salt Marsh (2.83 acres)</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: mediumseagreen; width: 15px; height: 10px; margin-right: 5px;"></span> Low Salt Marsh (6.60 acres)</li> <li><span style="background-color: yellow; width: 15px; height: 10px; margin-right: 5px;"></span> Mudflat (0.98 acres)</li> <li><span style="background-color: blue; width: 15px; height: 10px; margin-right: 5px;"></span> Open Water (0.62 acre)</li> <li><b>Total Wetlands = 11.03 acres</b></li> </ul> |
|--|---|--|





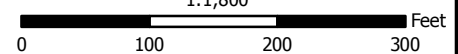
**Figure 4: Existing Habitat and Jurisdictional Areas - D Street Fill Site**

**South Bay Substation Relocation Project**

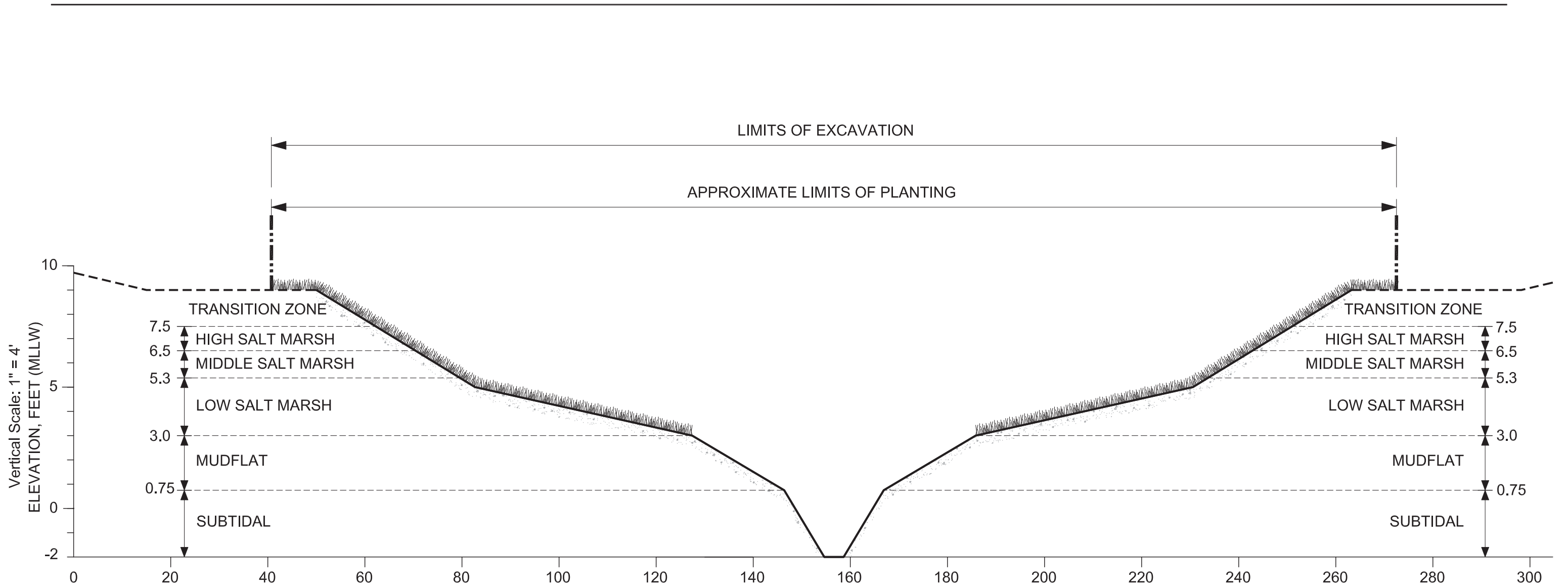
- |  |  |
|--|--|
| Mitigation Project Area (12.44 acres)                      | <b>Other Cover Type</b>                                      |
| Elevation Contour (Feet, MLLW)                             | Unvegetated Fill (4.97 acres)                                |
| <b>Potential USACE/RWQCB-Jurisdictional</b>                | Non-tidal Disturbed Southern Coastal Salt Marsh (1.92 acres) |
| Tidally Influenced Southern Coastal Salt Marsh (0.23 acre) | <i>Baccharis sarothroides</i> scrub (5.32 acres)             |



1:1,800

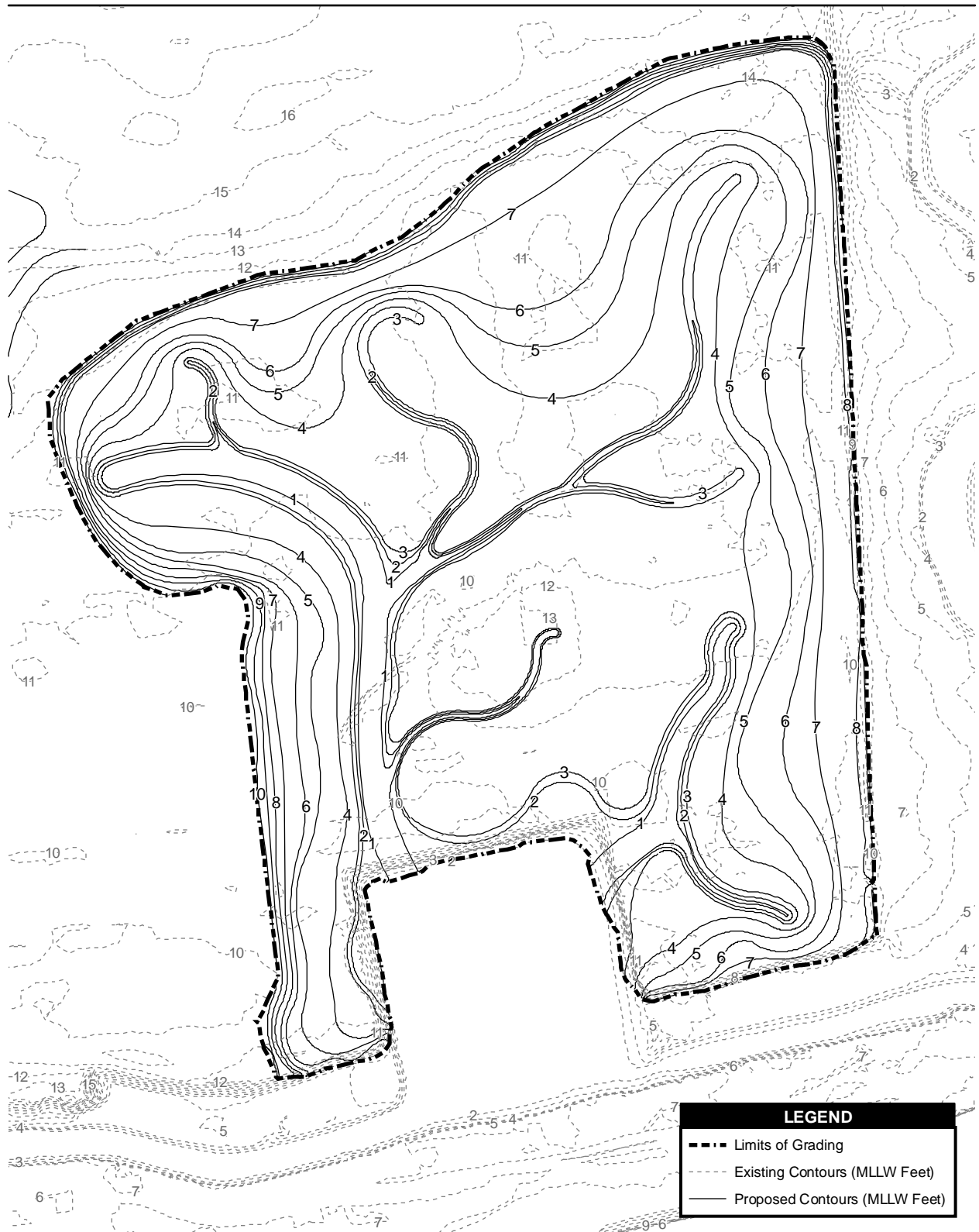





Source: AECOM, 2014



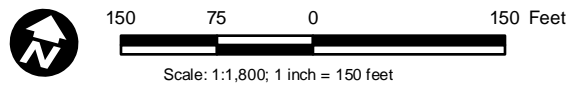
Generalized For Illustration: Not To Scale

**Figure 5**  
**TYPICAL PLANTING ZONES - GENERALIZED SECTION**



LEGEND	
	Limits of Grading
	Existing Contours (MLLW Feet)
	Proposed Contours (MLLW Feet)

Source: AECOM 2014

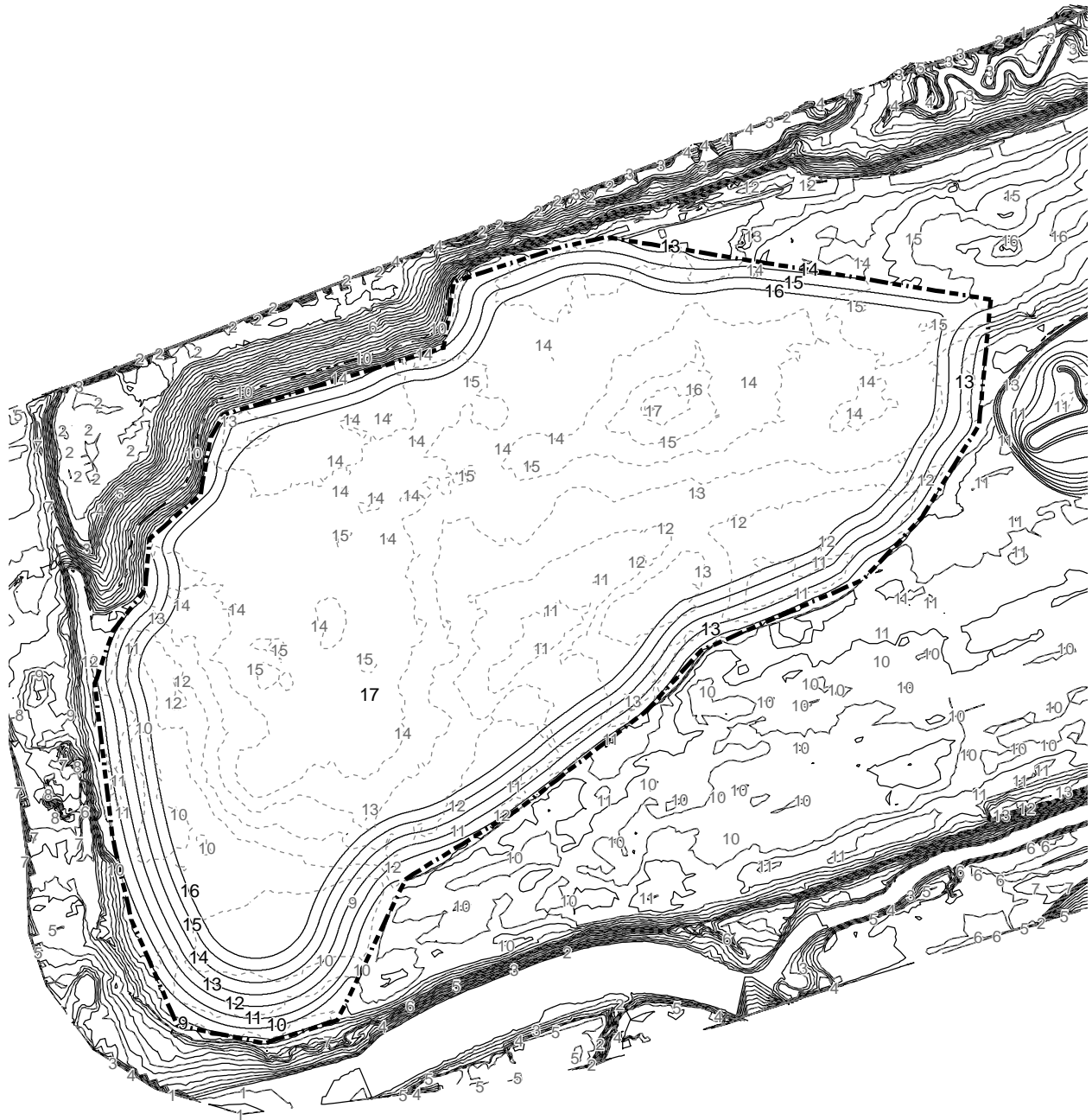


**Figure 6**  
**Proposed Grading Plan**

SDG&E Final Wetland Restoration Plan - D Street Fill Site

Path: P:\2011\60225513\06GIS\6.3\_Layout\Reports\FinalRestoPlan\PropGradingPlan.mxd, 6/30/2014, steinb





LEGEND	
	Existing Contours (MLLW Feet)
	Proposed Contours (MLLW Feet)
	Limits of Grading

Source: AECOM 2014



300 150 0 300 Feet

Scale: 1:3,600; 1 inch = 300 feet

**Figure 7**  
**Proposed Grading for Fill**

SDG&E Final Wetland Restoration Plan - D Street Fill Site

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## ATTACHMENT 5 CEQA MITIGATION MEASURES

### **A. Mitigation measures from the Mitigation Monitoring, Compliance, and Reporting Program for the Final Environmental Impact Report, as they pertain to resources within the San Diego Water Board's purview**

**Mitigation Measure BIO-1.** Provide Habitat Compensation or Restoration for Permanent Impacts to Native Vegetation Communities. Where impacts to disturbed coyote brush scrub and non-native grasslands cannot be avoided, SDG&E shall restore temporarily disturbed areas to preconstruction conditions following construction and deduct credits from the SDG&E Mitigation Credits for permanent impacts to sensitive communities, as stated in the SDG&E Natural Community Conservation Plan (NCCP). Where on-site restoration is planned for mitigation of temporary impacts to sensitive vegetation communities, the Applicant shall identify a habitat restoration specialist to be approved by the CPUC or that the resource agencies have indicated is acceptable to determine the most appropriate method of restoration. Restoration techniques can include hydroseeding, handseeding, imprinting, and soil and plant salvage, as discussed in Section 7.2.1 of the NCCP. Monitoring will include visual inspection of restored areas after 1 year. A second application may be made. If, after the second year, restoration is deemed unsuccessful, the USFWS and CDFG, in cooperation with SDG&E, shall determine whether the remaining loss shall be mitigated through a deduction from the SDG&E Mitigation Credits, or whether a third application would better achieve the intended purpose. The mitigation objective for impacted sensitive vegetation communities shall be restoration to preconstruction conditions as measured by species cover, species diversity, and exotic species cover. The cover of native species should increase, while the cover of nonnative or invasive species should decrease. Success criteria shall be established by comparison with reference sites. If, however, roots are not grubbed during temporary impacts, restoration/ hydroseeding may not be necessary. This applies to impacts greater than 500 square feet, and only where grubbing occurred. For all temporary impacts greater than 500 square feet, acreage not meeting success criteria shall be deducted from SDG&E's mitigation credits at a 1:1 ratio.

In addition, SDG&E shall mitigate for permanent impacts to disturbed coyote brush scrub at a ratio of 1.5:1 and non-native grasslands at a ratio of 1:1 for all permanent impacts that would result from construction activities. These habitats require mitigation because they are considered sensitive habitats by the resource agencies, are potential habitat for sensitive species, and provide foraging habitat for raptors. Evidence shall be provided to CPUC that 7.55 acres of coastal sage scrub and 9.46 acres of non-native grasslands have been deducted from NCCP credits.

**Mitigation Measure BIO-2.** Topsoil Salvaging. During construction, the upper 12 inches of topsoil (or less depending on existing depth of topsoil) shall be salvaged and replaced wherever open trenching occurs activities are required through open land with native vegetation (not including graded roads and road shoulders) for the installation of the underground banks.

**Mitigation Measure BIO-3.** Provide Habitat Compensation or Restoration for Permanent Impacts to Jurisdictional Resources. Permanent impacts to all jurisdictional resources shall be compensated through a combination habitat creation (i.e., establishment) and habitat restoration at a minimum of a 4:1 ratio with at least 1:1 creation of new jurisdictional areas or as required by the permitting agencies. The creation/restoration effort shall be implemented pursuant to a habitat restoration plan, which shall include success criteria and monitoring specifications and shall be approved by the permitting agencies prior to construction of the project. A habitat restoration specialist will be designated and approved by the permitting agencies and will determine the most appropriate method of restoration. Restoration techniques may include hydroseeding, hand-seeding, imprinting, and soil and plant salvage. All habitat creation and restoration used as mitigation on public lands shall be located in areas designated for resource protection and management. All habitat creation and restoration used as mitigation on private lands shall include long-term management and legal protection assurances. Appropriate permits from the wetland resource agencies including ACOE, CDFG, RWQCB, and CCC for the impacts to wetlands and jurisdictional waters shall be provided to the CPUC prior to construction. Buffers for wetland areas shall be included as required by the wetland resource agencies.

**Mitigation Measure BIO-4.** Prepare and implement a Noxious Weeds and Invasive Species Control Plan. A Noxious Weeds and Invasive Species Control Plan shall be prepared and reviewed by the California Department of Fish and Game and California Public Utilities Commission. The plan shall be submitted to the CPUC at least 30 days prior to ground disturbance activities. The plan shall be implemented during all phases of project construction. The plan shall include best management practices (BMPs) to avoid and minimize the direct or indirect effect of the establishment and spread of invasive plant species during construction that were not present prior to construction. Implementation of specific protective measures shall be required during construction, such as using weed-free imported soil/material and restricting vegetation removal. Development and implementation of weed management procedures shall be used to monitor and control the spread of weed populations that were not present along the construction access and transmission line rights-of-way. Noxious weed management shall be conducted annually for 2 years to limit the spread of localized invasive plant species. This shall include weed abatement efforts targeted at plants listed as invasive exotics by the California Exotic Plant Pest Council in its most recent "A" or "Red Alert" list. Pesticide/ herbicide use shall be limited to pre-emergent pesticides and shall only be applied in accordance with label and application permit directions and restrictions for terrestrial and aquatic applications.

**Mitigation Measure BIO-5.** Prepare and implement a Dust Control Plan. A Dust Control Plan shall be prepared and submitted to the California Public Utilities Commission. The project proponent shall (a) pave, apply water, as needed to control fugitive dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas if construction activity causes persistent visible emissions of fugitive dust beyond the work area; (b) pre-water sites as appropriate up to 48 hours in advance of clearing; (c) reduce the amount of disturbed area where feasible; (d) spray all dirt stock-pile areas daily as needed; (e) cover loads in haul

trucks or maintain at least 6 inches of free-board when traveling on public roads; (f) pre-moisten prior to transport and import and export of dirt, sand, or loose materials; (g) sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets or wash trucks and equipment before entering public streets; (h) plant vegetative ground cover in disturbed areas as soon as possible following construction or in accordance with the landscape plan, taking into account the appropriate planting season; and (i) apply chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands that are unused for 14 consecutive days); and (j) prepare and file with the CPUC a Dust Control Plan that describes how these measures would be implemented and monitored throughout construction.

**Mitigation Measure BIO-10.** To the maximum extent feasible, temporary work areas (cable pull sites, jack-and-bore operations, etc.) shall be sited in locations that do not contain any sensitive habitat. A qualified biologist shall review all proposed temporary work areas for presence of sensitive biological resources, and submit a letter signed by the qualified biologist to the CPUC 30 days prior to construction that identifies whether any sensitive resources are present. Erosion control measures shall be implemented both during the following construction in accordance with the storm water pollution prevention plan. All areas of temporary disturbance shall be returned to pre-construction conditions immediately following construction.

**Mitigation Measure HYDRO-1.** In accordance with the storm water pollution prevention plan (SWPPP) to be prepared under the State General Construction Permit, work crews shall use erosion control measures during grading activities. Implementation of the SWPPP shall help stabilize soil in graded areas and waterways and reduce erosion and sedimentation. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during construction activities. The SWPPP shall be submitted to the California Public Utilities Commission prior to construction activities.

**Mitigation Measure HYDRO-2a.** Prior to construction, SDG&E shall consult with the San Diego Regional Water Quality Control Board (RWQCB) to determine whether an individual discharge permit is required for dewatering at any of the project areas anticipated to encounter groundwater. A copy of the permit or a waiver from the RWQCB, if required, shall be provided to the California Public Utilities Commission prior to dewatering activities.

**Mitigation Measure HYDRO-2b.** SDG&E shall submit to California Public Utilities Commission prior to construction a typical dewatering drawing that shall be implemented during dewatering activities. The drawing shall include the location of pumps within secondary containment, fuel storage areas, anticipated discharge point, scour protection measures, intake hose screening, and monitoring procedures to ensure that hazardous materials spills are addressed in a timely manner and discharge hoses are frequently inspected for leaks.

**Mitigation Measure HYDRO-2c.** Creek and drainage crossings shall be conducted in a manner that does not result in a sediment-laden discharge or hazardous materials release to the water body. The following measures shall be implemented during jack-and-bore operations:

1. Site preparation shall begin no more than 10 days prior to initiating horizontal bores to reduce the time soils are exposed adjacent to creeks and drainages.
2. Trench and/or bore pit spoil shall be stored at an appropriate distance from the top of bank or wetland/riparian boundary for Telegraph Creek and the drainage along Bay Boulevard. As identified in the Stormwater Pollution Prevention Plan (SWPPP), the Qualified SWPPP Practitioner (QSP) shall have discretion over the trench and/or bore pit spoil storage locations. Spoil shall be stored behind a sediment barrier and covered with plastic or otherwise stabilized (i.e., tackifiers mulch, or detention).
3. Portable pumps and stationary equipment shall be located a sufficient distance away from water resources (i.e., wetland/riparian boundary, creeks, drainages). As identified in the SWPPP, the QSP shall have discretion over the placement of portable pumps and stationary equipment for the protection of water resources and shall determine whether pumps and equipment require secondary containment with adequate capacity to contain a spill (i.e., a pump with 10-gallon fuel or oil capacity should be placed in secondary containment capable of holding 15 gallons). A spill kit shall be maintained on site at all times.
4. Immediately following backfill of the bore pits, disturbed soils shall be seeded and stabilized to prevent erosion and temporary sediment barriers left in place until restoration is deemed successful.

**Mitigation Measure HAZ-1a.** Prior to construction, all SDG&E, contractor, and subcontractor project personnel would receive training regarding the appropriate work practices necessary to effectively implement hazardous materials procedures and protocols and to comply with the applicable environmental laws and regulations, including, without limitation, hazardous materials spill prevention and response measures. A sign-in sheet of contractor and subcontractor project personnel who have received training shall be provided to CPUC on a regular basis, depending on the level of construction activity.

**Mitigation Measure HAZ-1b.** The hazardous substance management and emergency response plan proposed by APM-HAZ-1 shall be reviewed by the California Public Utilities Commission (CPUC), California Department of Toxic Substances Control, and San Diego County Department of Environmental Health (DEH), Hazardous Materials Division. The plan shall meet the requirements identified in California Health and Safety Code Sections 25503.4, 25503.5, and 25504 and specifically addressed for the County of San Diego in the County of San Diego DEH, Hazardous Material Division Guidance on Hazardous Materials Business Plans.

**Mitigation Measure HAZ-1c.** During removal of hazardous materials, SDG&E shall have an experienced environmental professional with 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training on site. This professional shall monitor the work site for contamination (including the subsurface) and shall ensure the implementation of

mitigation measures needed to prevent exposure to the workers or the public. These measures shall include signage and dust control.

**Mitigation Measure HAZ-2.** As part of the final design, a site assessment shall be performed to augment and consolidate previous studies performed for the entire Proposed Project site to identify where hazardous materials or wastes may be encountered. The site assessment shall be submitted to California Public Utilities Commission and the Department of Toxic Substances Control at least 60 days prior to construction activities. In the event that grading, construction, or operation of proposed facilities will encounter hazardous waste, SDG&E shall ensure compliance with the State of California CCR Title 23 Health and Safety Regulations as managed by the Department of Toxic Substances Control and San Diego County DEH. Excavated soils impacted by hazardous waste or materials will be characterized and disposed of in accordance with CCR Title 14 and Title 22, the Department of Toxic Substances Control, and the San Diego County DEH.

**B. Special Conditions from Coastal Development Permit, as they pertain to resources within the San Diego Water Board's purview**

**Special Condition 2: Biological Monitoring.** AT LEAST 60 DAYS PRIOR TO CONSTRUCTION, SDG&E shall select a qualified biological monitor or monitors and submit the monitor(s) name and qualifications to the Executive Director of the Coastal Commission (Executive Director) for review and approval. The monitor (s) shall be responsible for the following:

- a. At least 14 days prior to any vegetation removal, the monitor(s) shall survey the site to identify any sensitive species and to recommend appropriate measures to ensure these species are protected. Results of all surveys and a list of recommended mitigation measures and/or monitoring protocols shall be submitted to the Executive Director prior to commencement of vegetation removal activities. SDG&E shall implement the monitor's recommendations unless the Executive Director finds that implementation of the monitor's recommendations is not necessary to protect sensitive species.
- b. Prior to construction, the monitor shall review all proposed temporary work areas to determine if sensitive biological resources are present. To the maximum extent feasible, temporary work areas (cable pull sites, jack and-bore operations, etc.) shall be sited in locations that do not contain any sensitive habitat. The monitor shall submit a report to the Executive Director at least 30 days prior to construction that identifies all temporary work areas and describes any sensitive species present.
- c. If construction activities, including but not limited to grading or site disturbance, are to occur between February 15 and September 15, a nesting bird survey shall be conducted to determine the presence of nests or nesting birds within 500 feet of the construction activities. The nesting bird surveys shall be completed no more than 72 hours prior to any construction activities. The survey shall focus on special-status species, including but not limited to, California horned lark, California least tern, western snowy plover, Caspian tern,

gull-billed tern, and other nesting birds that may be disturbed by human activity. All ground-disturbance activity within 500 feet of an active nest will be halted until that nesting effort is finished. The monitor shall review and verify compliance with these nesting boundaries and shall verify that the nesting effort has finished. Work may resume when no other active nests are found. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Executive Director.

If grading or site disturbance must occur within 500 feet of an active nest, SDG&E shall submit a noise report from a certified acoustician to the Executive Director to document the noise levels that would result from proposed construction activities at the active nests identified by the monitor. In the event the noise report indicates construction noise levels may exceed 60 dBA Leq(h) at nearby sensitive habitat areas and/or active nests, a temporary noise barrier shall be constructed to reduce noise levels to below 60 dBA Leq(h) to attenuate noise from construction equipment. If the installation of a temporary noise barrier is infeasible for specific construction activities, or if noise levels cannot be reduced below 60 dBA Leq(h), mufflers or other noise suppression devices that are more effective than the original manufacturer's specifications shall be used to help reduce noise levels. Noise-monitoring equipment shall be installed near active nests to monitor noise levels during construction in areas where noise walls are infeasible, and equipment shall be turned off when not required for active construction activities. If noise levels still exceed 60 dBA Leq(h) at the edge of nesting territories and/or a no-construction buffer cannot be maintained, construction shall be deferred in that area until the nestlings have fledged, unless otherwise approved by the CDFW.

- d. If a raptor nest is observed during pre-construction surveys, the monitor(s) shall determine if it is active. If the nest is deemed inactive, SDG&E, under the supervision of the monitor, shall remove and dismantle the nest promptly from existing structures that would be affected by project construction. Removal of nests shall occur outside of the raptor breeding season (January 1 to July 31). If the nest is determined to be active, it shall not be removed and the monitor shall observe the nest to ensure nesting activities and/or breeding activities are not disrupted. If the monitor determines that project activities are disturbing or disrupting nesting activities, the monitor shall make recommendations to reduce the noise and/or disturbance in the vicinity of the nest, which SDG&E shall implement.
- e. Burrowing owl surveys shall be conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012) to determine the presence or absence of the burrowing owl within the project site limits, plus 250 feet beyond. In addition, the burrowing owl shall be looked for opportunistically as part of other surveys and the monitoring required during project construction. If the burrowing owl is absent, then no mitigation is required. If the burrowing owl is present, no disturbance shall occur within 160 feet of occupied burrows from October 16 through March 31, or within 660 feet of occupied burrows from April 1 through October 15 (CDFW 2012). During construction, any pipe or similar construction material that is stored on site for one or more nights shall be inspected for burrowing owls by the monitor(s) before the material is moved, buried, or capped.

Passive relocation of owls shall be implemented prior to construction only at the direction of CDFW and only if the previously described occupied burrow disturbance absolutely cannot be avoided (e.g., due to physical or safety constraints). Relocation of owls shall only be implemented during the nonbreeding season (October 16 through March 31; CDFW 2012). Following passive relocation, the area of impact and the preserved foraging habitat with alternate burrows shall be surveyed daily for 1 week to confirm owl use of alternate burrows before excavating burrows in the impact zone. All passive relocation shall be conducted by a biologist approved by CDFW. If the alternate burrows are not used by the relocated owls, then the applicant shall work with CDFW to provide alternate mitigation for burrowing owls. If the alternate burrows are used, no other mitigation shall be required.

If it is not possible to preserve contiguous habitat on which to provide alternate burrows (e.g., on private land), and occupied owl burrows would be directly affected, then the owls shall be passively relocated without the creation of alternate burrows prior to construction (relocation should only be implemented during the nonbreeding season (September 1 through January 31)). The loss of occupied owl habitat shall be mitigated by acquiring and preserving other occupied habitat elsewhere as described in the Staff Report on Burrowing Owl Mitigation (CDFW 2012), or as otherwise determined in consultation with the CDFW and the Executive Director.

**Special Condition 8: Noxious Weeds and Invasive Species Control Plan.** PRIOR TO THE START OF CONSTRUCTION, SDG&E shall submit a Noxious Weeds and Invasive Species Control Plan to the Executive Director for review and approval. The plan shall be implemented during all phases of project construction and operation. The plan shall include best management practices (BMPs) to avoid and minimize the direct or indirect effect of the establishment and spread of invasive plant species during construction that were not present prior to construction. Implementation of specific protective measures shall be required during construction, such as cleaning vehicles prior to off-road use, using weed-free imported soil/material, restricting vegetation removal, and requiring topsoil storage. Development and implementation of weed management procedures shall be used to monitor and control the spread of weed populations that were not present along the construction access and transmission line rights-of-way. Vehicles used during construction shall be cleaned prior to operation off maintained roads. Existing vegetation shall be cleared only from areas scheduled for immediate construction work and only for the width needed for active construction activities. Noxious weed management shall be conducted annually for 2 years to prevent establishment and limit the spread of localized invasive plant species. This effort shall include weed abatement efforts targeted at plants listed as invasive exotics by the California Exotic Plant Pest Council in its most recent "A" or "Red Alert" list. Pesticide/herbicide use shall be limited to preemergent non-persistent pesticides and shall only be applied in accordance with label and application permit directions and restrictions for terrestrial and aquatic applications.

**Special Condition 10: Final Wetland Restoration Plan.** PRIOR TO THE START OF CONSTRUCTION, SDG&E shall submit a final restoration and monitoring plan for the D Street Fill Site to the Executive Director for review and approval. In addition to the components included in the draft restoration and monitoring plan, the final plan shall also include a grading



plan, a more specific planting plan, adaptive management techniques that SDG&E may apply if the restoration site does not meet the interim success criteria and a provision for restoration monitoring until the success criteria have been met for 3 years without remediation or maintenance other than weeding and debris removal.

**Special Condition 11: Mitigation of Temporary Wetland Impacts.** PRIOR TO THE START OF CONSTRUCTION, SDG&E shall document the existing condition of the wetland vegetation and substrate that will be temporarily affected by construction-related activities. WITHIN 90 DAYS OF PROJECT COMPLETION, SDG&E shall complete and submit to the Executive Director a post-construction survey to document actual impacts. If no impacts are documented, no mitigation will be necessary. Mitigation measures will be necessary if any impacts are detected by the 90-day post-construction survey, as follows:

- a. If the 90-day post-construction survey identifies that permanent wetland impacts (i.e., alterations to hydrology or wetland vegetation that cannot be corrected in place) have occurred, a supplemental wetland restoration plan to address mitigation of these impacts must be submitted to the Executive Director for approval within 90 days of completion of the post-construction survey. Mitigation shall be provided for any identified permanent wetland impacts at a ratio of not less than 4:1.
- b. If the 90-day post-construction survey identifies that temporary impacts remain, the area shall be revegetated with appropriate native plants at a 1:1 ratio. SDG&E shall submit a revegetation/restoration plan to the Executive Director for approval within 30 days of the 90-day post construction survey. This plan shall include, at a minimum, a clear statement of goals and objectives, restoration design, implementation and monitoring schedule and performance standards.
- c. The following goals, objectives, and performance standards shall apply for any necessary restoration:
  - i. Full restoration of all wetland impacts that are identified as temporary, but are still present beyond the 90 day self-recovery period. Restoration of temporarily affected areas shall include at a minimum, restoration to before-impact hydrology, removal of all non-native plant species, and replanting with native wetland species propagated from locally collected seeds or cuttings.
  - ii. Success criteria and final performance monitoring shall provide at least 90% coverage of areas disturbed by restoration activities within 1 year of completion of construction activities.
  - iii. Submittal, within 60 days of initial restoration work, of a post-restoration report demonstrating that the revegetated areas have been established in accordance with the approved design and implementation methods.

- iv. A survey taken 1 year after revegetation identifying the quantity and quality of the restored plants. If the survey demonstrates that revegetation has been unsuccessful, in part or in whole, SDG&E shall submit a supplemental wetland restoration plan to the Executive Director for approval within 90 days of the 1-1 year post-restoration survey. Mitigation shall be provided for any identified permanent wetland impacts at a ratio of not less than 4:1.

**Special Condition 15: Stormwater Pollution and Prevention Plan.** PRIOR TO THE START OF CONSTRUCTION, SDG&E shall submit a Stormwater Pollution and Prevention Plan (SWPPP) to the Executive Director for review and approval. This plan shall identify measures to help stabilize soil in graded areas and reduce erosion including, but not limited to, silt fences, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, stockpile and solid waste management, vehicle and equipment maintenance, desilting basins, berms and barriers, mulching, seeding or other measures. The SWPPP shall also include a hazardous substance management plan that identifies handling, storage, disposal and emergency response procedures related to hazardous waste.

**Special Condition 16: Hazardous Substance Management and Emergency Response Plan.** PRIOR TO THE START OF CONSTRUCTION, SDG&E shall submit a project-specific Hazardous Substance Management and Emergency Response Plan to the Executive Director for review and approval. This plan shall identify measures that will reduce or avoid potentially hazardous materials for the purpose of worker safety, protection from groundwater contamination and proper disposal of hazardous materials. This plan shall include a training program to ensure workers can effectively implement hazardous materials procedures and protocols to comply with the applicable environmental laws and regulations, including hazardous materials spill prevention and response measures. The plan shall also include monitoring of all hazardous materials removal activities by an experienced environmental professional, approved by the Executive Director, with 40-Hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training. This professional shall monitor the work site for contamination (including the subsurface) and shall ensure the implementation of mitigation measures needed to prevent exposure to the workers or the public. These measures shall include signage and dust control.

**Special Condition 17: Final Hazardous Material Site Assessment.** AT LEAST 60 DAYS PRIOR TO CONSTRUCTION, SDG&E shall submit to the Executive Director for review and approval a final site assessment identifying where hazardous materials or wastes may be encountered. This assessment shall augment and consolidate previous studies performed for the project site. In the event that grading, construction, or operation of proposed facilities will encounter hazardous waste, SDG&E shall ensure compliance with all applicable federal, state and local regulations.

**Special Condition 18: Dewatering Plan.** PRIOR TO THE START OF CONSTRUCTION, SDG&E shall submit a Dewatering Plan to the Executive Director for review and approval. This plan shall include a typical dewatering drawing that includes the location of pumps within secondary containment, fuel storage areas, anticipated discharge point, scour protection

measures and intake hose screening. The plan shall also include monitoring procedures to ensure that hazardous materials spills are addressed in a timely manner and discharge hoses are frequently inspected for leaks. SDG&E shall also consult with the Regional Quality Control Board (RWQCB) to determine whether an individual discharge permit is required for dewatering at any of the project areas anticipated to encounter groundwater. A copy of the permit or a waiver from the RWQCB, if required, shall be provided to the Executive Director prior to dewatering activities.

**Special Condition 19: Creek and Drainage Crossings.** Creek and drainage crossings shall be conducted in a manner that does not result in a sediment-laden discharge or hazardous materials release to the water body. The following measures shall be implemented during jack-and-bore operations:

- a. Site preparation shall begin no more than 10 days prior to initiating horizontal bores to reduce the time soils are exposed adjacent to creeks and drainages.
- b. Trench and/or bore pit spoil shall be stored at an appropriate distance from the top of bank or wetland/riparian boundary for Telegraph Creek and the drainage along Bay Boulevard. Trench and/or bore pit, spoil storage locations shall be identified in the SPPP. Spoil shall be stored behind a sediment barrier and covered with plastic or otherwise stabilized (i.e., tackifiers, mulch, or detention).
- c. Portable pumps and stationary equipment shall be located a sufficient distance away from water resources (i.e., wetland/riparian boundary, creeks, drainages). The SPPP shall identify locations for portable pumps and stationary equipment that maximize protection of water resources and identify which equipment requires secondary containment with adequate capacity to contain a spill (i.e., a pump with 10-gallon fuel or oil capacity should be placed in secondary containment capable of holding 15 gallons). A spill kit shall be maintained on site at all times.
- d. Immediately following backfill of the bore pits, disturbed soils shall be seeded and stabilized to prevent erosion and temporary sediment barriers left in place until restoration is deemed successful.

**Special Condition 20: Spill Prevention, Control, and Countermeasure Plan.** AT LEAST 60 DAYS PRIOR TO THE START OF OPERATIONS OF THE BAY BOULEVARD SUBSTATION, SDG&E shall submit a Spill Prevention, Control, and Countermeasure Plan to the Executive Director for review and approval. This plan shall include: discharge prevention measures; countermeasures for discharge discovery, response, and cleanup; and methods of disposal of recovered materials. In addition, the plan shall include a description of the worst-case spill and shall demonstrate that adequate equipment, personnel and protocols are in place to address the spill quickly and effectively.

**Special Condition 23: Wetland Impact Mitigation Fee.** PRIOR TO OPERATION OF THE SUBSTATION, SDG&E shall deposit five hundred thousand dollars (\$500,000) into an interest

bearing account, to be established and managed by the Friends of the San Diego Wildlife Refuges or other entity approved by the Executive Director. The entity receiving these funds shall enter into a Memorandum of Understanding with the Executive Director, on behalf of the Commission, specifying that the funds deposited in this account, and any accrued interest, shall only be used to support enhancement and restoration of wetlands in the South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge. All development funded by this account will require coastal development permit review and approval. If any portion of the funds has not been expended seven years after the account is established, the Executive Director may require such funds to be redirected to a different project or projects that support enhancement and restoration of wetlands in the San Diego Bay region.