

## California Regional Water Quality Control Board, San Diego Region

August 9, 2012

**Certified Mail – Return Receipt Requested**

Article Number: 7011 0470 0002 8961 5759

Mr. Andrew Webster  
Rancho California Water District  
42135 Winchester Road  
Temecula, CA 92590

**In reply refer to:**  
**779687:dbradford**

**Subject: Clean Water Act Section 401 Water Quality Certification No. 12C-028;  
Recycled Water Storage Pond No. 5 Project**

Mr. Webster:

Enclosed find Clean Water Act Section 401 Water Quality Certification 12C-028 (Certification) for discharges to waters of the United States/State and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for **Recycled Water Storage Pond No. 5** project (Project). A description of the Project can be found in the project information sheet, location map, and site maps which are included as Attachments 1 through 5 to the Certification.

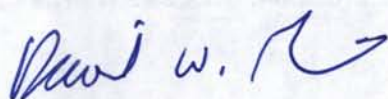
Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that you have accepted and will comply with all the conditions of this Certification.

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



In the subject line of any response, please include the reference number 779687:dbradford. For questions or comments, please contact Darren Bradford by phone at (858) 637-7137 or by email at dbradford@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

DG:js:kd:db

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 12C-028 for Recycled Water Storage Pond No. 5, with 5 attachments.

E-copies: Refer to Attachment 2 of Certification 12C-028 for Distribution List.

Tech Staff Info & Use	
File No.	12C-028
WDID	9000002445
Reg. Measure ID	384263
Place ID	779687
Party ID	274891
Person ID	88332



**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION  
9174 Sky Park Court, Suite 100  
San Diego, California 92123**

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

**PROJECT:** Recycled Water Storage Pond No. 5  
Water Quality Certification No. 12C-028

**APPLICANT:** Mr. Andrew Webster  
Rancho California Water District  
42135 Winchester Road  
Temecula, CA 92590

WDID	9000002445
Reg. Meas.	384263
Place	779687
Party	274891
Person	88332

**ACTION:**

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

**PROJECT DESCRIPTION:**

The Recycled Water Storage Pond No. 5 project (Project) includes the construction of an additional storage pond (capacity of approximately 335 acre-feet with a surface area of approximately 25 acres), two 24-inch diameter pipelines, paving the existing access road along Elm Street, lining the existing Pond No. 4, and constructing access ramps with turnarounds in Ponds No. 1, 2 and 3. The project also includes two box culverts to accommodate the access roads.

The purpose of the project is to store recycled water in order to meet peak summer demands for recycled water and, as a result, reduce Rancho California Water District's (RCWD) potable water needs. The project will include the excavation of earthen materials to construct the additional storage pond and the storage and disposal of approximately 1.5 million cubic yards of excavated earthen materials. Approximately 1.2 million cubic yards will be stored onsite in three separate areas and the remaining 300,000 cubic yards will be utilized as fill material at



the RCWD owned Santa Rosa Wastewater Reclamation Plant North Property located approximately 1.3 miles north of the Project site.

Project impacts to the unnamed ephemeral tributaries to Murrieta Creek and seasonal wetlands will be limited to:

Permanent Impacts -

Wetlands: 0.09-acre  
Streambed: 0.01-acre, 435-linear feet

Temporary Impacts -

Streambed: 0.04-acre, 220-linear feet

On-site mitigation for project impacts will include establishment of a minimum of 0.27 acres of wetland habitat within the existing wetted area to the northeast of pond no. 4 and establishment of a minimum of 0.03 acre (769 linear feet) of non-wetland waters of the United States and/or State along the base of the southwestern slope of proposed pond no. 5. The proposed mitigation is described in the *Recycled Water Storage Pond No. 5 Onsite Mitigation Approach* received June 22, 2012 (See Mitigation Site Map, Attachment 5). This provides a mitigation ratio of 3:1 (area mitigated: area impacted) for permanent impacts and a 1:1 mitigation ratio for temporary impacts.

**TABLE OF CONTENTS**

I. STANDARD CONDITIONS: .....4

II. ADDITIONAL CONDITIONS: GENERAL .....4

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES..... 5

IV. ADDITIONAL CONDITIONS: IMPACTS AND COMPENSATORY MITIGATION ..... 8

V. MONITORING REQUIREMENTS:.....9

VI. NOTIFICATION REQUIREMENTS:.....10

VII. REPORTING REQUIREMENTS:.....12

VIII. CEQA FINDINGS: .....14

IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION: .....14

X. SAN DIEGO WATER BOARD CONTACT PERSON:.....15

XI. WATER QUALITY CERTIFICATION:.....15



**I. STANDARD CONDITIONS:**

The following three standard conditions apply to all Certification actions, except as noted under Condition 3 for denials.

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

**II. ADDITIONAL CONDITIONS: GENERAL**

- A. This Clean Water Act Section 401 Water Quality Certification No. 12C-028 (Certification) is only valid if the project begins no later than five (5) years from the date of issuance. If the project has not begun within 5 years from the date of issuance, then this Certification expires.
- B. RCWD must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/gowdr401regulated\\_projects.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf).
- C. RCWD must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), to support this Certification and all subsequent submittals required as part of this Certification and as described herein. The conditions within this Certification must supersede conflicting provisions within such plans submitted as part of this Certification action.
- D. During construction, RCWD must maintain a copy of this Certification at the project site. This Certification must be available at all times to site personnel and agencies.



- E. Upon presentation of credentials, RCWD must permit the San Diego Water Board or its authorized representative(s) to:
1. Enter onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
  2. Access and/or copy any records required to be kept under the terms and conditions of this Certification.
  3. Inspect any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
  4. Sample any discharge or surface water covered by this Certification.
- F. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act (CWA), the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
- G. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the San Diego Water Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- H. In response to any violation of the conditions of this Certification, the San Diego Water Board may modify the conditions of this Certification as appropriate to ensure compliance.

### **III. ADDITIONAL CONDITIONS: BEST MANAGEMENT PRACTICES (BMPs)**

#### **CONSTRUCTION BMPs**

- A. Prior to the start of the project, and annually thereafter, RCWD must educate all personnel on the requirements in this Certification, including pollution prevention measures, spill response, and the implementation and maintenance of BMPs.
- B. Rancho California Water District 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.



- C. Rancho California Water District, and/or all legally responsible parties in the development area, must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*, and any subsequent revisions thereto.
- D. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to CWC § 13260.
- E. Discharges of concentrated flow during construction or after completion of the project must not cause downstream erosion or damage to properties or stream habitat.
- F. Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
- G. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving waters. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- H. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. RCWD is responsible for implementing and maintaining BMPs to prevent erosion of rough graded areas. Hydroseed areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/weedlist.php>. Follow-up seed applications shall be made as needed to cover bare spots and to maintain adequate soil protection.



- I. Except as authorized by this certification, substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each project activity involving hazardous materials.
- J. Removal of vegetation must occur by hand, mechanically, or using United States EPA approved herbicides deployed using applicable BMPs to prevent impacts to Beneficial Uses of waters of the State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, and any subsequent revisions thereto.

#### **POST-CONSTRUCTION BMPs**

- A. RCWD shall not allow post-construction discharges to cause onsite or offsite downstream erosion, and/or damage to properties or damage to stream habitats from the project site.
- B. RCWD must eliminate illicit discharges and prevent all nuisance flows from the development area from entering the receiving waters.
- C. All storm drain inlet structures within the project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.

#### **IV. UNAVOIDABLE IMPACTS AND COMPENSATORY MITIGATION**

- A. Total project impacts to seasonal wetlands and unnamed ephemeral tributaries to Murrieta Creek will be limited to:

##### Permanent Impacts -

Wetlands: 0.09-acre  
Streambed: 0.01-acre, 435-linear feet

##### Temporary Impacts -

Streambed: 0.04-acre, 220-linear feet

- B. Mitigation must include on-site establishment of a minimum of 0.27 acres of wetland habitat within the existing wetted area to the northeast of pond no. 4 and establishment of a minimum of 0.03 acre (769 linear feet) of non-wetland waters of the United States and/or State along the base of the southwestern slope of proposed pond no. 5. The proposed mitigation is described in the *Recycled Water Storage Pond No. 5 Onsite Mitigation Approach* received June 22, 2012. This provides a ratio of 3:1 (area mitigated:area impacted) for permanent impacts and a 1:1 ratio for temporary impacts.



- C. The construction of the proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10 percent of the cumulative compensatory mitigation for each month of delay.
- D. RCWD must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. RCWD must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
- E. RCWD must salvage leaf litter, coarse woody debris, and upper soil horizons from impacted jurisdictional water sites that are relatively free of invasive exotic species for use in on-site mitigation sites.
- F. RCWD must also salvage large cuttings from appropriate tree species, if they exist at the impact site, and use them as pole plantings at the mitigation sites.
- G. The mitigation sites must be designed, constructed, and maintained in perpetuity to meet the following conditions:
  - 1. Most of the channels through the mitigation sites are characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
  - 2. As viewed along cross-sections, the channel and buffer have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope contains physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall; and
  - 3. The mitigation sites have a well-developed plant community characterized by a high degree of horizontal and vertical interspersions among plant zones and layers.
- H. If at any time during the implementation and establishment of the mitigation sites, and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation areas, RCWD is responsible for repair and replanting of the damaged areas.
- I. Mitigation shall be considered acceptable once it has met the predetermined success criteria for that site, and must be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified.



- J. Mitigation sites 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 on-site or off-site mitigation sites.
- K. Any maintenance activities that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities are limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species and remedial measures deemed necessary for the success of the restoration program.
- L. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States and/or State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the United States and/or State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the United States and/or State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the United States and/or State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the United States and/or State (e.g., conservation easement).

## V. MONITORING REQUIREMENTS

### A. California Rapid Assessment Method

The California Rapid Assessment Method (CRAM) must be utilized at the impact and mitigation site(s) prior to impacts to establish pre-project baseline conditions. In addition, CRAM must be utilized at the mitigation site(s) following completion of the mitigation site construction at years 3 and 5. The results of the CRAM assessment must be submitted **each year with the Annual Monitoring Reports** and data must be uploaded into eCRAM (<http://www.cramwetlands.org>).



## VI. NOTIFICATION REQUIREMENTS:

- A. RCWD 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 discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- B. This Certification is not transferable in its entirety or in part to any person or organization except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.
1. **Transfer of Property Ownership:** RCWD 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 RCWD 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 Executive Officer of 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:** RCWD 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 RCWD 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. RCWD must provide such notification to the Executive Officer of 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 RCWD will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve RCWD of this Certification in the event that a transferee fails to comply.

C. **Prior to the start of construction**, RCWD must provide a Habitat Mitigation and Monitoring Plan (HMMP) for the compensatory mitigation to the San Diego Water Board for review and approval. At a minimum, the HMMP shall include the following information:

1. A description of the physical conditions of the creation and restoration site, including water resources and habitat types, and a map that identifies the location of the site;
2. A plan for the preparation of the habitat creation site, including the removal of nonnative plant species, non-wetland/riparian plant species, and grading;
3. A local California native plant palette;
4. A planting plan, including monitoring and maintenance measures and a timeline;
5. An irrigation plan;
6. Procedures to ensure that nonnative plants are not introduced or allowed to sustain within the restoration site and a nonnative plant removal plan; and
7. Success criteria with contingency measures.

D. **Prior to the start of construction**, RCWD 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 one year of the start of construction**, RCWD must submit proof of a completed 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 property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the United States 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 site. 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.



- E. RCWD must notify the San Diego Water Board in writing **at least 5 days prior to the actual commencement of dredge, fill, and discharge activities.**

## VII. REPORTING REQUIREMENTS:

- A. RCWD must submit annual progress reports describing the status of compliance with all requirements of this Certification to the San Diego Water Board prior to **January 1** of each year following the issuance of this Certification, until the project has reached completion. RCWD must submit a Final Project Annual Report to the San Diego Water Board prior to **January 1** following completion of the project. The reports must include the following:
1. Date of construction initiation.
  2. Date of construction completion.
  3. Status of BMPs for the project.
  4. Final Project Report: Photo documentation of implemented post-construction BMPs. Photo documentation must be conducted in accordance with guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/StreamPhotoDocSOP.pdf](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.
- B. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful. Annual monitoring reports must be submitted prior to **January 1** of each year. Monitoring reports must include, but not be limited to, the following:
1. Names, qualifications, and affiliations of the persons contributing to the report;
  2. Date of initiation of mitigation installation and date mitigation installation was completed.
  3. Mitigation as-builts, including topographical maps and planting locations.
  4. Tables presenting the raw data collected in the field, as well as analyses of the physical and biological data;
  5. Topographic complexity characteristics at each mitigation site;
  6. Upstream and downstream habitat and hydrologic connectivity;
  7. Source of hydrology;
  8. Width of native vegetation buffer around the entire mitigation site;



9. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results.
  10. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation sites, including all areas of permanent and temporary impact, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/StreamPhotoDocSOP.pdf](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.
- C. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to furnish requested information pursuant to CWC section 13268.
- D. All reports and information submitted to the San Diego Water Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
- E. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
1. For a corporation, by a responsible corporate officer of at least the level of vice president.
  2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
  3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
  4. A duly authorized representative may sign applications, reports, or information if:
    - a. The authorization is made in writing by a person described above.
    - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
    - c. The written authorization is submitted to the San Diego Water Board Executive Officer.



- F. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:

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

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

Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification; Project No. 12C-028  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

#### **VIII. CEQA FINDINGS:**

- A. RCWD is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed a Notice of Determination for the Environmental Impact Report titled *Recycled Water Storage Pond No. 5 (Project No. D1567)*, County of Riverside, State Clearing House No. 201200107, dated June 7, 2007.
- B. The San Diego Water Board has reviewed the lead agency's Environmental Impact Report and finds that the project as proposed will not have a significant effect on the environment if compensatory mitigation is accomplished as conditioned in this Certification.

#### **IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

- A. On April 6, 2012, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.



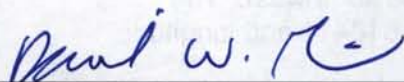
**X. SAN DIEGO WATER BOARD CONTACT PERSON:**

Darren Bradford, Environmental Scientist  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
Telephone: 858-637-7137  
Email: DBradford@waterboards.ca.gov

**XI. WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from the **Recycled Water Storage Pond No. 5 Project** (Certification Project No. 12C-028) 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 on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).



DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

8 August 2012

Date

- Attachments:
1. Project Information
  2. Distribution List
  3. Location Map(s)
  4. Project Site Map
  5. Mitigation Site Map



**ATTACHMENT 1  
PROJECT INFORMATION**

**Applicant:** Mr. Andrew Webster  
Rancho California Water District  
42135 Winchester Road  
Temecula, CA 92590  
Telephone: 951-296-6900  
Email: webstera@ranchowater.com

**Applicant Representatives:** RBF Consulting  
Attention: Lauren See  
14725 Alton Parkway  
Irvine, CA 92618  
Telephone: 949-330-4297  
Facsimile: 949-837-4122  
Email: Lsee@rbf.com

**Project Name:** Recycled Water Storage Pond No. 5 Project

**Project Location:** The project site is located in a portion of the Rancho Temecula Land Grant, lying within projected Sections 27, 28, 33 and 34, Township 7 South, Range 3 West, San Bernardino Base and Meridian as shown on the United States Geological Survey 7.5 minute Murrieta, California quadrangle. The site is bordered by unimproved Cherry Street to the southwest, to the northwest by Elm Street, to the northeast by unimproved Washington Avenue, and by open space to the southwest. The project is located approximately at latitude 33.518411 and longitude -117.187526.

**Type of Project:** Recycled Water Storage

**Project Description:** The Recycled Water Storage Pond No. 5 (Project) includes the construction of an additional storage pond (capacity of approximately 335 acre-feet with a surface area of approximately 25 acres), two 24-inch diameter pipelines, paving the existing access road along Elm Street, lining the existing Pond No. 4, and constructing access ramps with turnarounds in Ponds No. 1, 2 and 3. The Project also includes two box culverts to accommodate the access roads.



The purpose of the project is to store recycled water in order to meet peak summer demands for recycled water and, as a result, reduce Rancho California Water District's (RCWD) potable water needs. The project will include the excavation of earthen materials to construct the additional storage pond and the storage and disposal of approximately 1.5 million cubic yards of excavated earthen materials. Approximately 1.2 million cubic yards will be stored onsite in three separate areas and the remaining 300,000 cubic yards will be utilized as fill material at the RCWD owned Santa Rosa Wastewater Reclamation Plant North Property located approximately 1.3 miles north of the Project site.

Federal  
Agency/Permit:

U.S. Army Corps of Engineers §404, Nationwide Permit 43-  
Stormwater Management Facilities, Ms. Crystel Doyle.

Other Required  
Regulatory Approvals:

California Department of Fish and Game (CDFG) § 1602  
Streambed Alteration Agreement, Mr. Jeff Brandt.

California  
Environmental Quality  
Act (CEQA)  
Compliance:

Mitigated Negative Declaration, Recycled Water Storage  
Pond No. 5, County of Riverside, Planning Department, State  
Clearing House No. 2007021080, February 14, 2012.

Receiving Waters:

Seasonal wetlands and unnamed tributaries to Murrieta  
Creek. Santa Margarita hydrologic unit, Murrieta hydrologic  
area.

Impacted Wetlands of  
the United States  
and/or State:

Permanent Impacts -  
Wetlands: 0.09-acre  
Streambed: 0.01-acre, 435-linear feet  
  
Temporary Impacts -  
Streambed: 0.04-acre, 220-linear feet

Dredge Volume:

None



Related Projects  
Implemented/to be  
Implemented by the  
Applicant(s):

None

Compensatory  
Mitigation:

On-site mitigation for project impacts will include establishment of a minimum of 0.27 acres of wetland habitat within the existing wetted area to the northeast of pond no. 4 and establishment of a minimum of 0.03 acre (769 linear feet) of non-wetland waters of the United States and/or State along the base of the southwestern slope of proposed pond no. 5. The proposed mitigation is described in the *Recycled Water Storage Pond No. 5 Onsite Mitigation Approach* received June 22, 2012 (See Mitigation Site Map, Attachment 5). This provides a mitigation ratio of 3:1 (area mitigated: area impacted) for permanent impacts and a 1:1 mitigation ratio for temporary impacts.

Best Management  
Practices (BMPs):

BMPs will include, but not be limited to:

- Catch basin and inlet protection.
- Headwall outlet protection.
- Silt fencing
- Fiber rolls.
- Gravel bag berms.
- Erosion control stabilizing emulsion.
- Concrete washout area.
- Stabilized construction entrance/exit.
- Spill prevention and control.
- Street sweeping and vacuuming.

Public Notice:

On April 6, 2012, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.

Fees:

Total Due: \$0.00  
Paid: \$1,309.00 (Check No. 115836)

CIWQS:

Regulatory Measure ID: 384263  
Place ID: 779687  
Party ID: 274891  
Person ID: 88332  
WDID 9000002445



**ATTACHMENT 2  
DISTRIBUTION LIST**

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

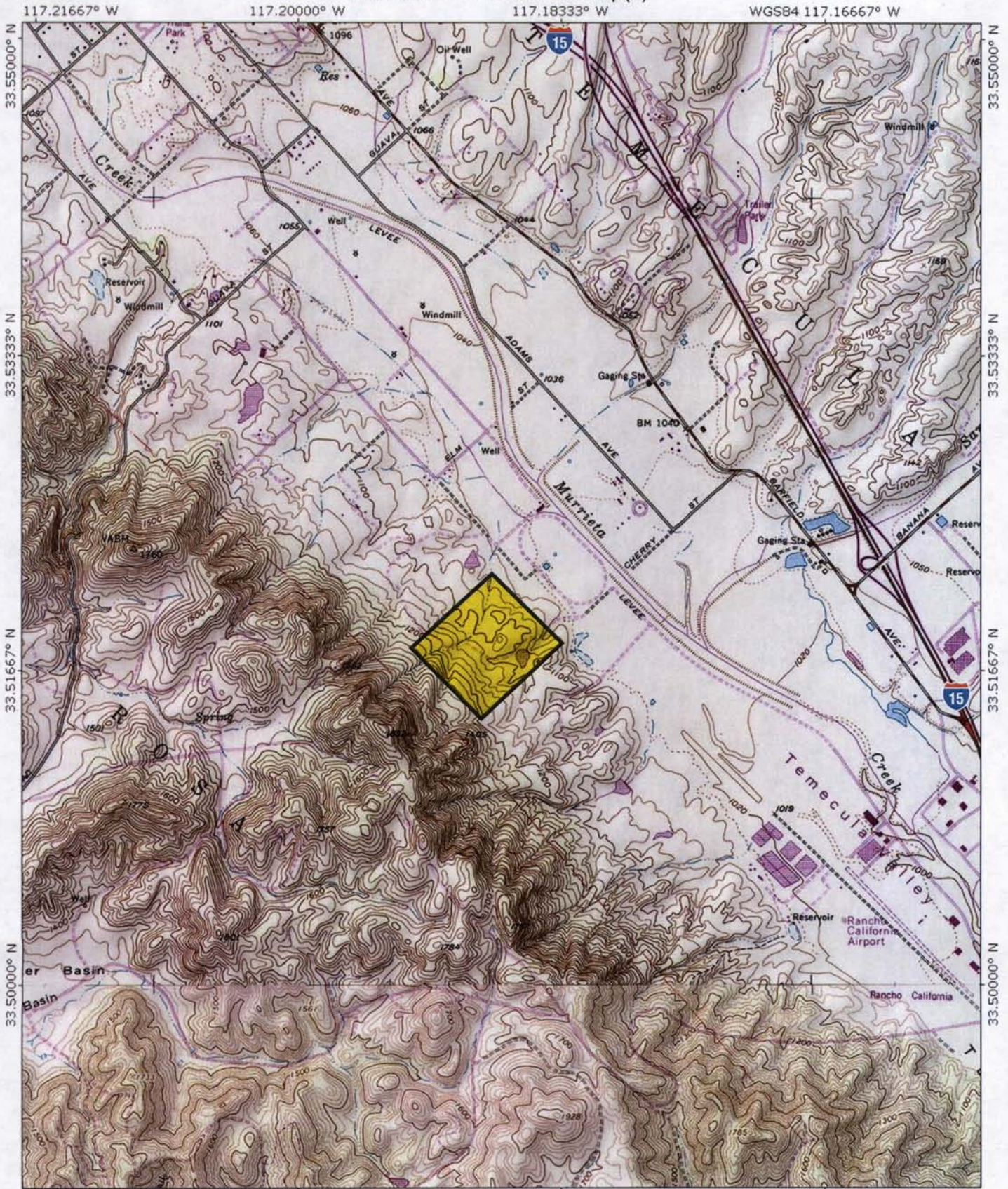
Lauren See  
RBF Consulting  
[Lsee@RBF.com](mailto:Lsee@RBF.com)








# Attachment 3: Location Map(s)



 Project Site

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RECYCLED WATER STORAGE POND NO. 5  
**Site Vicinity**

Exhibit 2



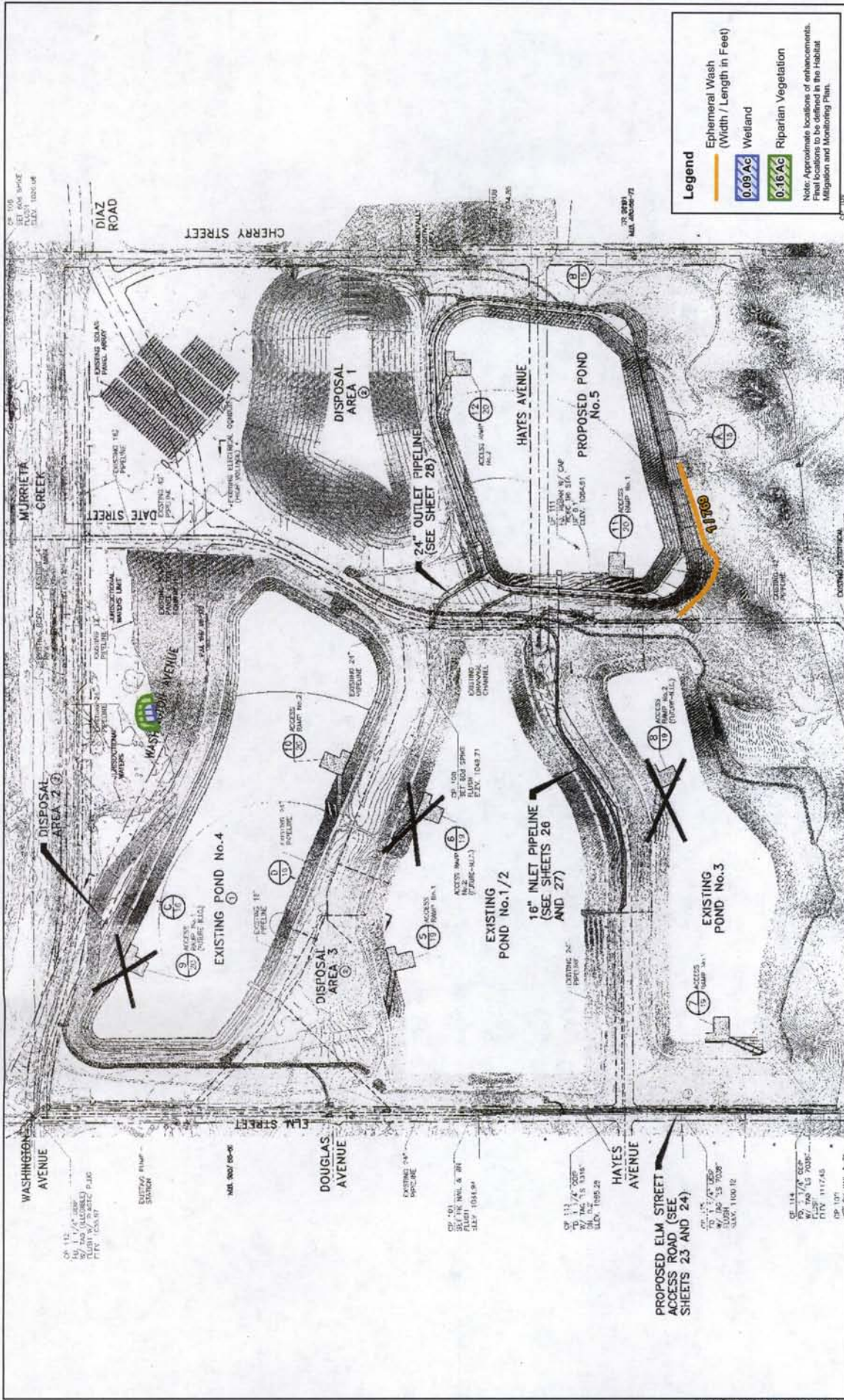
8/24/11 JN 65-100885-17743 MAS







Attachment 5: Mitigation Site Map



RECYCLED WATER STORAGE POND NO. 5

Proposed On-site Mitigation

Exhibit 1



Source: Riverside California Water District