

California Regional Water Quality Control Board, San Diego Region

October 1, 2013

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8961 5896

Don Bunts
Chief Engineer
Santa Margarita Water District
26111 Antonio Parkway
Rancho Santa Margarita, CA 92688

In reply/refer to:
793279:dbradford

**Subject: Clean Water Act Section 401 Water Quality Certification No. R9-2013-0075
for the Gobernadora Multipurpose Basin Project**

Mr. Bunts:

Enclosed find Clean Water Act Section 401 Water Quality Certification No. R9-2013-0075 (Certification) and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the Gobernadora Multipurpose Basin Project (Project). A description of the Project and Project location can be found in the Certification, location map, and site maps which are included as attachments to the Certification.

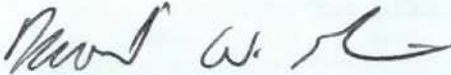
Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (California Code of Regulations, Title 23, section 3867). If no petition is received, it will be assumed that you have accepted and will comply with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

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

Please note, the San Diego Water Board has moved to a new location. Our new address is 2375 Northside Drive, Suite 100, San Diego, CA 92108. The new address is included in the Certification.

In the subject line of any response, please include reference number 793279:dbradford. For questions or comments, please contact Darren Bradford by telephone at (619) 521-3356 or by email at DBradford@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. R9-2013-0075 for the
Gobernadora Multipurpose Basin Project

DWG:jgs:db:kd:dlb

cc: Refer to Attachment 2 of Certification R9-2013-0075 for the Distribution List.

Technical Staff Information	
Certification No.	R9-2013-0075
Party ID	39980
File No.	R9-2013-0075
WDID	9000002583
Regulatory ID	389820
Place ID	793279
Person ID	539481



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

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

**PROJECT: Gobernadora Multipurpose Basin
Certification Number R9-2013-0075
WDID: 9000002583**

Reg. Meas. ID: 389820
Place ID: 793279
Party ID: 39980
Person ID: 539481

**APPLICANT: Santa Margarita Water District
26111 Antonio Parkway
Mission Viejo, CA 92675**

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

Santa Margarita Water District (hereinafter Applicant) submitted an application dated April 9, 2013, for Water Quality Certification pursuant to section 401 of the Clean Water Act for the proposed Gobernadora Multipurpose Basin Project (Project). The Applicant proposes to discharge fill material to waters of the United States and/or State associated with construction activity at the Project site.

The proposed project is located within Rancho Mission Viejo, east of Interstate 5 in Orange County, California. The Project is located immediately west of Cañada Gobernadora Creek and south of the community of Coto de Caza. The Project center is located at latitude 33.55013 and longitude - 117.58341. The Applicant has paid all required fees in the amount of \$7,080.00. On April 9, 2013, the California Regional Water Quality Control Board, San Diego Region (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.

The Applicant proposes to construct the Gobernadora Multipurpose (GM) Basin facility, which will capture and naturally treat urban runoff and storm water flows in order to: reduce downstream erosion and sedimentation; address excessive surface and groundwater; and improve water quality in Cañada Gobernadora Creek which flows downstream to Gobernadora Ecological Restoration Area (GERA). The GM Basin facility is a multi-purpose facility which includes both flood control and water reclamation/reuse functions. The GM Basin facility will be constructed off-line from Cañada Gobernadora Creek within an approximate 35 acre development area. Flows will be directed into the GM Basin facility by two inflatable rubber dams placed within Cañada Gobernadora Creek, which will be alternately inflated and deflated depending on flow and sediment conditions. Project design elements include: two detention basins; one vegetated water quality basin with five treatment cells; groundwater production wells; two inflatable dams; a pump collection system; and a flood control side weir.

The Project will add approximately 0.25 acres of additional impervious surface. The Project includes a water quality basin, a flood-control basin, and the associated infrastructure. Water quality treatment and elimination of downstream erosion are inherent in the design of the Project. Therefore, no additional post-construction BMPs are required.

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* (Basin Plan).

Project construction will permanently impact 0.68 acre (363 linear feet) of wetland and/or vegetated waters of the United States and/or State. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.68 acre of jurisdictional waters will be achieved through the establishment of 1.36 acres and enhancement and preservation of 2.18 acres of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges will be restored upon removal of the fill. Mitigation for discharges of fill to waters of the United States and/or State will be completed by the Applicant in the immediate vicinity of the Project Site within Cañada Gobernadora and Wagon Wheel Creeks, located within the Gobernadora hydrologic sub-area (HSA 901.24), at a minimum ratio of 2:1 establishment (area mitigated:area impacted) and 3.2:1 enhancement/preservation.

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 *Gobernadora Multipurpose Basin Final Habitat Mitigation and Monitoring Plan (Mitigation Plan)*, dated April 2013 and Revised August 2013. The Mitigation Plan is incorporated in this Certification by reference as if set forth herein. 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 associated with the discharge of fill material. Project impacts and mitigation are summarized in Section V of this Certification.

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Attachments:

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

I. STANDARD CONDITIONS

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

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

II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. R9-2013-0075 (Certification) shall expire: a) upon the expiration or retraction of the Clean Water Act section 404 permit issued by the U.S. Army Corps of Engineers for this Project, or b) if the project does not begin within 5 (five) years of the date of issuance of this Certification.
- B. **General Waste Discharge Requirements.** Santa Margarita Water District (Applicant) must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf.
- C. **Project Conformance with Engineering Plans and Specifications.** The Applicant must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the San Diego Water Board, to support this Certification and all subsequent submittals required as part of this Certification and as described herein. The conditions within this Certification must supersede conflicting provisions within such plans submitted as part of this Certification action. Any modifications thereto, shall require notification to the San Diego Water Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.

D. Project Conformance with Water Quality Control Plans or Policies.

Notwithstanding the specific conditions in this Certification, the Project shall be constructed and operated in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies for water quality control adopted or approved pursuant to the Porter Cologne Water Quality Act or section 303 of the Clean Water Act.

E. Certification Distribution and 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. The Applicant shall be responsible for work conducted by the contractor or subcontractors.

F. 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.
4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or California Water Code (Water Code), any substances or parameters at any location.

G. 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 (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.

H. 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.

- I. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **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 Best Management Practices (BMPs) implementation and maintenance.
- B. **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.
- C. **General Construction Storm Water Permit.** Prior to commencement of Project ground breaking or disturbance activities, 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.
- D. **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, in waters of the United States and/or State.
- E. **Waste Management.** The dumping, deposition, or discharge of trash, rubbish or other construction debris waste directly into waters of the United States and or State, or adjacent to such waters, in any manner which may permit it being transported into the waters, is prohibited.
- F. **Downstream Erosion.** Discharges of concentrated flow during or after construction completion must not cause downstream erosion or damage to properties or stream habitat.

- G. **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.
- H. **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 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.
- I. **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 is responsible for implementing and maintaining 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/weedlist.php>.
- J. **Hazardous Materials.** 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.
- K. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or using United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to minimize adverse effects to beneficial uses of waters of the United States and/or State. Discharges related to the application of aquatic pesticides within waters of the United States must be in compliance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, the *Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable.
- L. **Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State by using highly visible markers, such as flag markers, construction fencing, or silt barriers, prior to commencement of Project construction activities within those areas.

- M. **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.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause on-site 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 and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design.** The Project must be designed to comply with the most current Model Water Quality Management Plan (Model WQMP) for South Orange County and South Orange County Hydromodification Plan (HMP).

V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to the waters of the United States and/or State to the maximum extent practicable.
- B. **Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to Cañada Gobernadora Creek, Wagon Wheel Creek, and their unnamed tributaries within the Gobernadora Watershed must not exceed the type of impacts and amounts described in the table below. At a minimum, compensatory mitigation amounts required to offset unavoidable Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (area mitigated :area impacted)
Permanent Impacts					
Wetland	0.68	363	1.36 Establishment ¹ 2.18 Enhancement/ Preservation ²	1,588 Establishment 2,032 Enhancement/ Preservation	2:1 Establishment 3.2:1 Enhancement/ Preservation
Temporary Impacts³					
Wetland	0.87	1,103	0.87	1,103	1:1

1. Wetland/Riparian/Vegetated Streambed establishment immediately adjacent to the impact area.
2. Wetland/Riparian/Vegetated Streambed enhancement/preservation immediately adjacent to the impact area.
3. All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.

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. San Diego Water Board acceptance of the final 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. Compensatory mitigation for permanent discharges of fill to 0.68 acres of waters of the United States and/or State shall be achieved as follows:

Vegetated Waters: Mitigation for permanent discharges of fill into wetlands and/or other vegetated waters of the United States and/or State shall be achieved at a minimum 2:1 ratio by (1) establishment of no less than 1.36 acres of willow riparian forest within Cañada Gobernadora Creek and Wagon Wheel Creek, (2) enhancement and preservation of 2.18 acres of existing immature southern willow forest habitat in Cañada Gobernadora Creek and Wagon Wheel Creek; and (3) payment of \$700,000 to the Rancho Mission Viejo Adaptive Resources Management Plan. The funds allocated to the Rancho Mission Viejo Adaptive Resources Management Plan shall contribute to the preservation of Special Area Management Plan (SAMP) designated Aquatic Resource Conservation Areas (ARCAs); maintenance of acreage of riparian/wetland communities within the ARCAs; management of potential stressors of ARCA riparian/wetland community stressors such as fire, altered hydrology and invasive species; and monitoring of ARCAs to detect changes in the health of the preserved riparian/wetland communities and presence of covered and focal species in the preserved riparian/wetland community. The 1.36 acres of establishment and 2.18 acres of enhancement/preservation shall serve as compensatory mitigation exclusively for this Project.

- D. **Performance Standards Compliance.** Compensatory mitigation required under this Certification shall be considered achieved once it has accomplished its objectives and met the ecological success performance standards contained in the Mitigation Plan.
- E. **Compensatory Mitigation Site Design.** Compensatory mitigation site(s) shall be designed, to the maximum extent practicable, to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features (e.g., pumps) and appropriate siting to ensure that natural hydrology and landscape context support long-term sustainability in conformance with the following conditions:
1. Most of the channels through the mitigation sites shall be characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
 2. As viewed along cross-sections, the channel and buffer area(s) shall have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope shall contain physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall; and
 3. The mitigation sites shall have a well-developed plant community characterized by a high degree of horizontal and vertical interspersions among plant zones and layers.
- 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 final ecological success performance standards identified in the Mitigation Plan and the long-term adaptive management requirements identified in the provisions of the Special Area Management Plan (SAMP), Southern Sub-region Habitat Conservation Plan (HCP) and the Master Streambed Alteration Agreement. 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 to the mitigation site(s) or there are other deficiencies in the compensatory mitigation project, the Applicant must take prompt and appropriate action to repair the damage including replanting the affected area(s) and addressing 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 site is responding to a catastrophic natural event.
- B. Timing of Mitigation Site(s) Construction.** The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into waters of the United States and/ or State. 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.
- C. Mitigation Area Easement Recording.** The Applicant must record conservation easements for the mitigation areas pursuant to the Phased Dedication Program as set forth in the SAMP and the HCP Implementation Agreement. **Within 90 days** following recordation of the conservation easement, the Applicant must submit proof of the completed conservation easement protecting all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation property must be adequate to demonstrate that the site will be maintained without future development or encroachment on the site which could otherwise reduce the functions and values of the site for the variety of beneficial uses of waters of the State that it supports. 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.

D.

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:
- The date, exact place, and time of sampling or measurements;
 - The individual(s) who performed the sampling or measurements;
 - The date(s) analyses were performed;
 - The individual(s) who performed the analyses;
 - The analytical techniques or methods used; and
 - The results of such analyses.
- E. **California Rapid Assessment Method.** Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implement the California Rapid Assessment Method (CRAM) at the Project impact site(s) and compensatory mitigation site(s) prior to Project ground breaking or disturbance activities to establish pre-project baseline conditions. The Applicant must conduct a quantitative function-based assessment of the health of streambed habitat to establish baseline conditions and assess progress of the on-site mitigation areas. CRAM monitoring must be conducted prior to the commencement of construction authorized under this Certification and at years 3 and 5 following construction completion. The CRAM assessment results shall be reported with the applicable **Annual Project Progress Report**. An evaluation, interpretation, and tabulation of all CRAM assessment data shall be conducted and the findings submitted with the final Annual Project Progress Report.

F. Benthic Macroinvertebrate Community Analysis

Bioassessment monitoring must be performed using the professional level non-point source protocol of the California Stream Bioassessment procedure¹ which measures the receiving water benthic macroinvertebrate (BMI) community and its physical/habitat structure to assess overall effects of the Project on the biological integrity of receiving waters. At a minimum, bioassessment monitoring must be performed at three sites (assessment stations) in Cañada Gobernadora Creek (as flow permits) before Project initiation, and then in years 3 and 5 following commencement of Project construction activities, during the established "index period" for the Gobernadora watershed. The first assessment station is the reference station, which must be located upstream of the mitigation site in a reference area; the second assessment station must be located within the mitigation sites; the third assessment station must be located downstream of the mitigation site. The reference station upstream of the project discharge must be located and sampled concurrently with the second and third assessment stations. An evaluation, interpretation, and tabulation of the Benthic Macroinvertebrate Community Analysis data must be submitted prior to **March 1** with the respective Annual Project Progress Report.

G. 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 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;
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;

¹ Copies of the California Stream Bioassessment Procedure can be obtained at http://www.waterboards.ca.gov/water_issues/programs/swamp/docs/phab_sopr6.pdf. Additional Information on Stream bioassessment may be obtained at http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/bioassessment/index.shtml

5. The results of the California Rapid Assessment Method (CRAM) monitoring required under section VI.D of this Certification; and
6. The results of the Benthic Macroinvertebrate Community Analysis monitoring required under section VI.E of this Certification.

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

1. Date of construction initiation;
2. Date of construction completion;
3. Status of Post Construction BMP installation and operational status;
4. As-built drawings of the Project no bigger than 11"X17";
5. Photo documentation of implemented post-construction BMPs. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced; and
6. An evaluation, interpretation, and tabulation of all California Rapid Assessment Method (CRAM) assessment data collected throughout the term of the Project in accordance with section VI.D of this Certification.

G. **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. Mitigation monitoring reports must be submitted annually for a period sufficient to demonstrate that the compensatory mitigation project has accomplished its objectives and met performance standards, but not less than five years. 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. Monitoring data, interpretations, and conclusions regarding the following information:
 - a. Detritus cover;
 - b. General topographic complexity characteristics at each mitigation site;
 - c. General upstream and downstream habitat and hydrologic connectivity; and
 - d. Source of hydrology to the mitigation areas;
 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 site(s) 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. An evaluation of upstream and downstream habitat and hydrologic connectivity;
 8. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation sites, including all areas of permanent and temporary impact, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced;
 9. A qualitative comparison to adjacent preserved streambed areas;
 10. As-built drawings no bigger than 11"X17" of the compensatory mitigation site(s); and
 11. A survey report documenting boundaries of the compensatory mitigation site(s).
- H. **Reporting Authority.** The submittal of information 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 13383.

- I. **Electronic and Paper Media Documents.** The Applicant must submit all reports and information required under this Certification in both hardcopy (paper) 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. All paper and electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2013-0075:PIN 793279.
- J. **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.

- K. **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."

- L. **Document Submittal Address.** The Applicant must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. R9-2013-0075:PIN 793279
2375 Northside Drive, Suite 100
San Diego, California 92108

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 Order, 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, Environmental Health Division 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 Order, 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 actual commencement of Project ground breaking or disturbance, dredge, fill, or discharge activities.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The County of Orange is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and filed a Notice of Determination of their Environmental Impact Report (EIR) titled *The Ranch Plan (Planning Application PA010114*, on November 9, 2004 (SCH# 2003021141)) and filed a subsequent Notice of Determination of their Planning Area 2 Addendum to Final EIR No. 589 (*Planning Application PA 130001 through PA 13004 and PA 130006*, on March 27, 2013). The County of Orange has determined the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project.
- B. The San Diego Water Board has reviewed the lead agency's Notice of Determination and also finds that the Project as proposed will have a significant effect on the environment and has conditioned mitigation measures accordingly and therefore determines that issuance of this Certification is consistent with the Notice of Determination.
- C. The Applicant shall implement the Mitigation and Monitoring Measures described in the EIR.

IX. SAN DIEGO WATER BOARD CONTACT PERSON

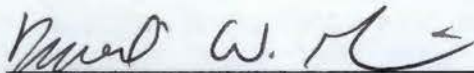
Darren Bradford, Environmental Scientist
California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, California 92108
Telephone: (619) 521-3356
Email: DBradford@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Gobernadora Multipurpose Basin Project** (Certification No. R9-2013-0075) 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. R9-2013-0075 issued on October 1, 2013.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

10/1/2013

Date

ATTACHMENT 1 DEFINITIONS

Activity - when used in reference to this Certification 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 United States and/or 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. CRAM also features a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

Compensatory Mitigation - 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 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.

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.

**ATTACHMENT 2
DISTRIBUTION LIST**

Mr. Jason Lambert
U.S. Army Corps of Engineers
Regulatory Branch
Jason.P.Lambert@usace.army.mil

Mr. Kevin Hupf
California Department of Fish and Wildlife
Kevin.Hupf@wildlife.ca.gov

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

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

Tony Bomkamp
Glenn Lukos Associates
tbomkamp@wetlandpermitting.com

Santa Margarita Water District
Gobernadora Multipurpose Basin
Certification No. R9-2013-0075

October 1, 2013

**ATTACHMENT 3
PROJECT LOCATION MAPS**

Source: ESRI World Street Map

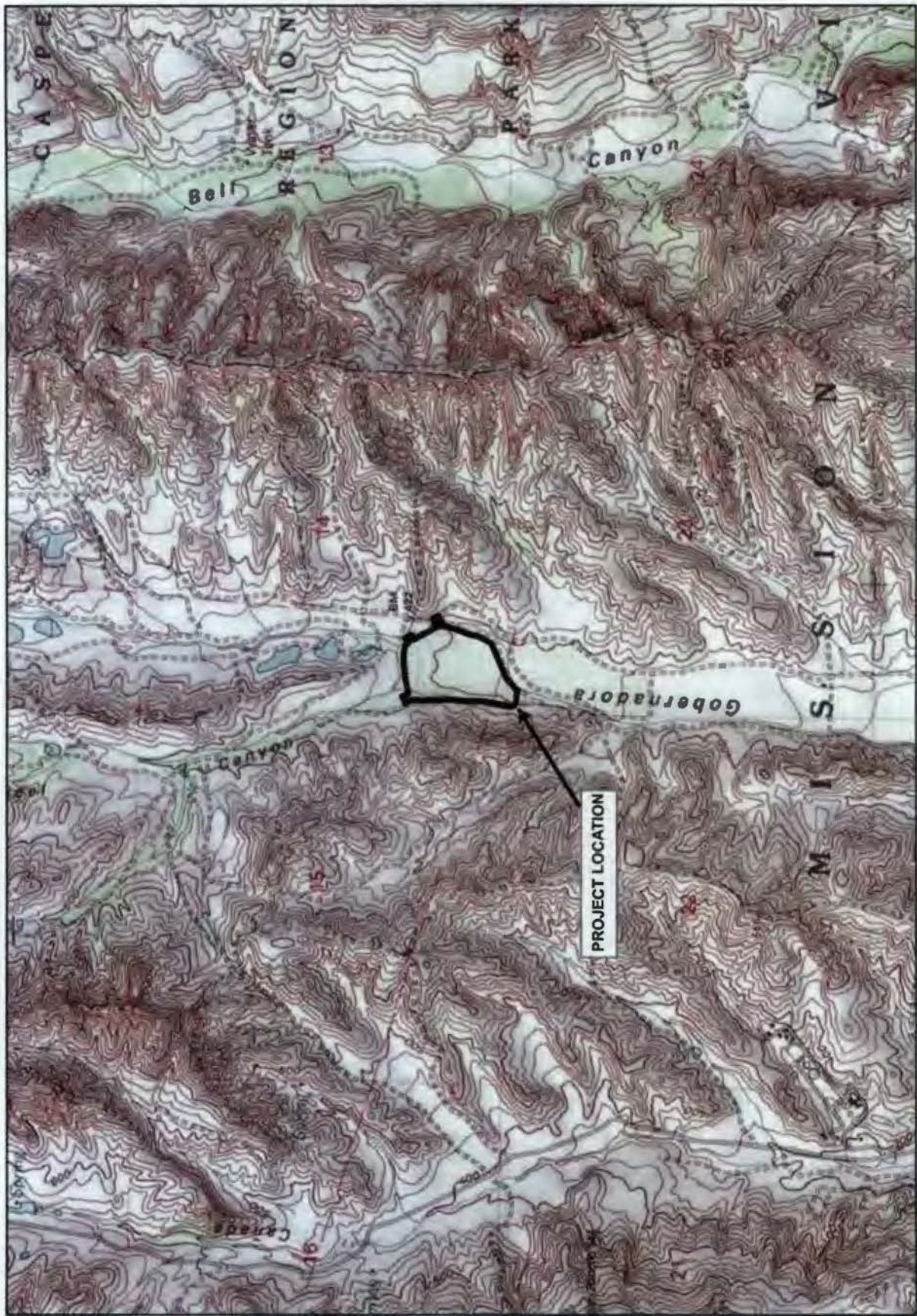


GOBERNADORA MULTIPURPOSE BASIN
Regional Map

GLENN LUKOS ASSOCIATES



Exhibit 1



Adapted from USGS Canada Gobernadora, CA quadrangle



GLENN LUKOS ASSOCIATES

Exhibit 2

GOBERNADORA MULTIPURPOSE BASIN
 Vicinity Map

Santa Margarita Water District
Gobernadora Multipurpose Basin
Certification No. R9-2013-0075

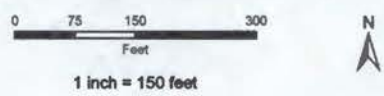
October 1, 2013

**ATTACHMENT 4
PROJECT SITE PLANS**



Legend

- Baain Plan
-  2013 Corps & RWQCB Wetland/CDFW Riparian
-  2004 Corps & RWQCB Wetland/CDFW Riparian



Aerial Photo: ESRI BaseMaps Bing Hybrid
 Reference Elevation Datum: State Plane 6 NAD'83
 Map Prepared by: K. Kartunen, GLA
 Date Prepared: August 19, 2013

GOBERNADORA MULTIPURPOSE BASIN
 Jurisdictional Delineation/Basin Plan Map


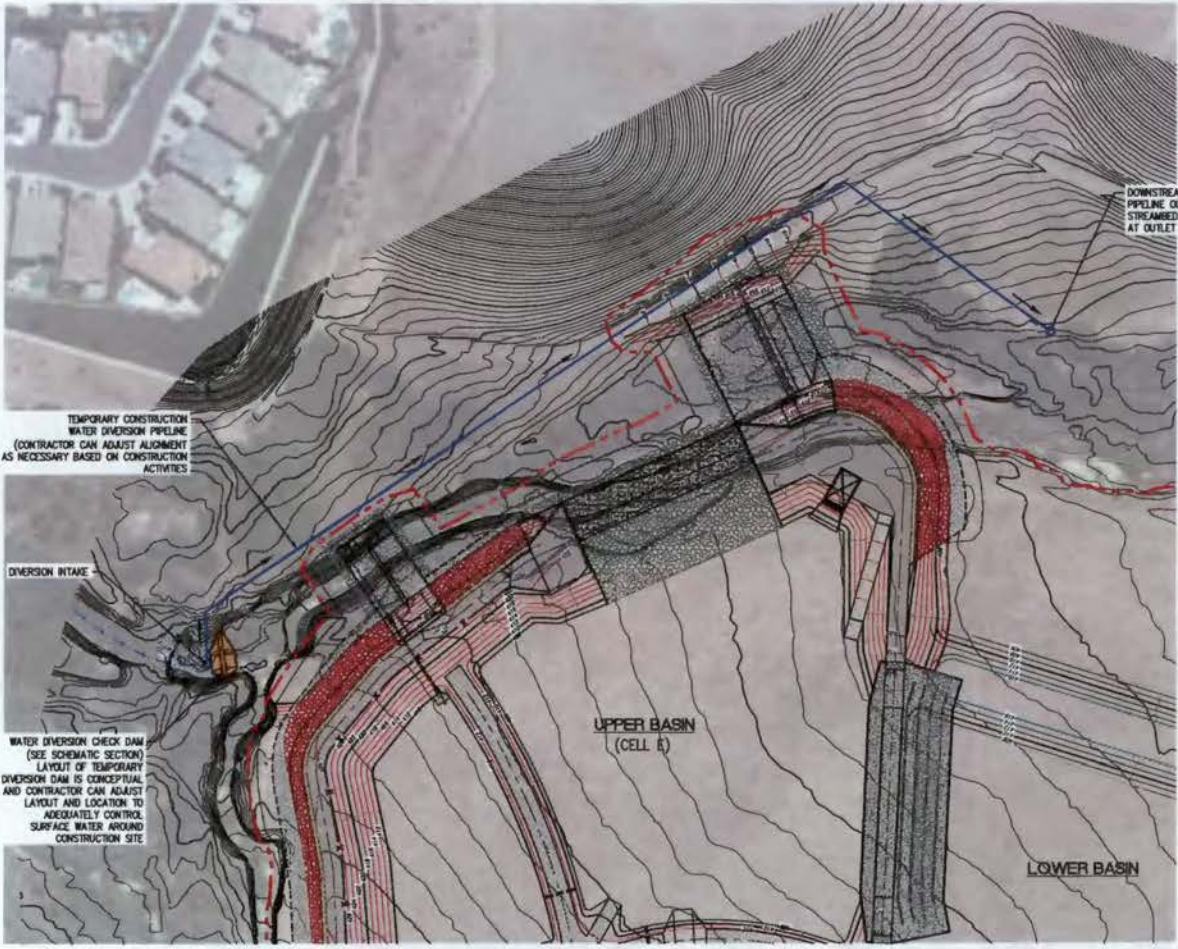
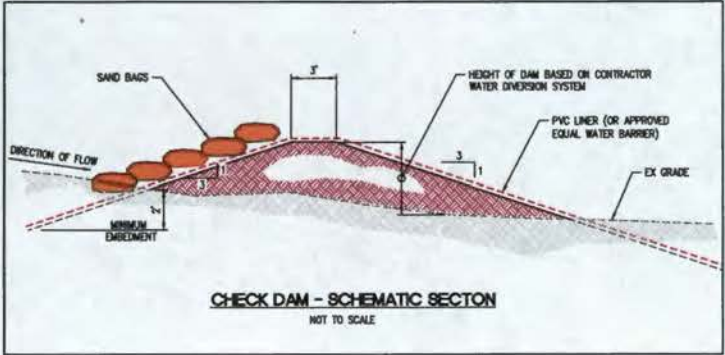
GLENN LUKOS ASSOCIATES 

Exhibit 3

NOTE: CREEK WATER CONTROL DIVERSION PLAN IS INTENDED AS A CONCEPTUAL GUIDANCE PLAN. CONTRACTOR IS TO PROVIDE THE FINAL PLAN AND DETAILS. PLAN IS INTENDED TO CONTROL NUISANCE AND MINOR STORM FLOWS. DIVERSION SYSTEM IS TO BE REMOVED FROM CREEK IF 24-HOUR FORECAST PREDICTS RAINFALL GREATER THAN 1/4-INCH OR ANTICIPATED FLOWS THAT MAY EXCEED DIVERSION CAPACITY.



PLAN



CHECK DAM - SCHEMATIC SECTION
NOT TO SCALE



PACE
Advanced Water Engineering
17200 Redwood Street, Suite 200 | Folsom Valley, CA 95758
P: (916) 453-7388 | www.pacewater.com

WATER DIVERSION CONTROL PLAN
GOBERNADORA BASIN
7-6-2013

11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM 11/15/13 10:00 AM

THESE DRAWINGS ARE THE PROPERTY OF P.A.C.E. AND SHALL NOT BE REPRODUCED IN ANY MANNER NOR BE USED FOR CONSTRUCTION UNLESS STAMPED "ISSUED FOR CONSTRUCTION".

Santa Margarita Water District
Gobernadora Multipurpose Basin
Certification No. R9-2013-0075

October 1, 2013

**ATTACHMENT 5
MITIGATION FIGURES**



Source: Esri, DigitalGlobe, GeoEye, IGN, USDA, USGS, AEX, GeoEye, AeroGRID, IGN, IGP, and the U.S. Dept. of Commerce

Aerial Photo: ESRI BaseMaps Bing Hybrid
 Reference Elevation Datum: State Plane 6 NAD 83
 Map Prepared by: K. Kartunen, GLA
 Date Prepared: August 16, 2013

Legend

- 2013 Corps & RWQCB Wetland/CDFW Riparian
- Permanent Impact to Jurisdiction (0.68 ac.)
- Temporary Impact to Jurisdiction (0.87 ac.)



GOBERNADORA MULTIPURPOSE BASIN

Jurisdictional Delineation/Basin Plan Map

GLENN LUKOS ASSOCIATES



Exhibit 3A



Legend

- 2004 Corps & RWQCB Wetland/CDFW Riparian
- 2013 Corps & RWQCB Wetland/CDFW Riparian
- Establishment - 1.36 ac.
- Re-Establishment- 0.87 ac.
- Preservation 2.18 ac.



Aerial Photo: ESRI BaseMaps Bing Hybrid
 Reference Elevation Datum: State Plane 6 NAD 83
 Map Prepared by: K. Kartunen, GLA
 Date Prepared: August 16, 2013

GOBERNADORA MULTIPURPOSE BASIN
 Mitigation Map

GLENN LUKOS ASSOCIATES



Exhibit 5