

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Diego Regional Water Quality Control Board

September 14, 2016

Certified Mail – Return Receipt Requested

Article Number: 7011 0470 0002 8961 9863

Mr. John Vance
Shea Homes LP
9990 Mesa Rim Road
San Diego, CA 92121

**In reply/refer to:
R9-2015-0101:815853:amonji**

**Subject: Clean Water Act Section 401 Water Quality Certification No. R9-2015-0101
for the Hidden Valley Estates Project**

Mr. Vance:

Enclosed find Clean Water Act Section 401 Water Quality Certification No. R9-2015-0101 (Certification) issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) in response to the application submitted by Shea Homes LP for the Hidden Valley Estates Project (Project). A description of the Project and Project location can be found in the Certification and site maps which are included as attachments to the Certification.

Shea Homes LP is enrolled under State Water Resources Control Board Order No. 2003-017-DWQ as a condition of the Certification and is required to implement and comply with all terms and conditions of the Certification in order to ensure that water quality standards are met for the protection of wetlands and other aquatic resources. Failure to comply with this Certification may subject Shea Homes LP to enforcement actions by the San Diego Water Board including administrative enforcement orders requiring Shea Homes LP 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.

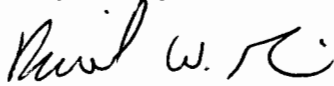
Please submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to the San Diego Water Board, 2375 Northside Drive, San Diego, CA 92108. Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2015-0101:815853: amonji.

HENRY ABARBANEL, PH.D., CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

2375 Northside Drive, Suite 100, San Diego, California 92108-2700 | www.waterboards.ca.gov/sandiego

For questions or comments regarding the Certification, please contact Alan Monji by telephone at (619) 521-3968 or by email at Alan.Monji@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. R9-2015-0101 for the Hidden Valley Estates Project

DWG:jgs:eb:atm

cc:

California Department of Fish and Wildlife
South Coast Region
Habitat Conservation Planning – South
Mr. Kevin Hupf
Kevin.Hupf@wildlife.ca.gov

U.S. EPA, OWOW, Region 9
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State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

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San Diego Water Board
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Tech Staff Information	
Certification No.	R9-2015-0101
Party ID	551675
Reg. Meas. ID	401489
Place ID	815853
Person ID	551674
WDID	9 000002861



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

2375 Northside Drive, Suite 100, San Diego, CA 92108
Phone (619) 516-1990 • Fax (619) 516-1994
<http://www.waterboards.ca.gov/sandiego/>

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

PROJECT: Hidden Valley Estates
Certification Number R9-2015-0101
WDID: 9000002861

Reg. Meas. ID: 401489
Place ID: 815853
Party ID: 551675
Person ID: 551674

APPLICANT: Shea Homes, LP
9990 Mesa Rim Road
San Diego, CA 92121

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"/> Enrollment in Isolated Waters Order No. 2004-004-DWQ
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017-DWQ	

PROJECT DESCRIPTION

An application dated June 11, 2015 was submitted by Shea Homes, LP (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (United States Code (USC) Title 33, section 1341) for the proposed Hidden Valley Estates Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on September 10, 2015. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2015-00409-WSZ).

The Project is located within the City of Escondido, San Diego County, California at 1185 Lehner Avenue. The Project center reading is located at latitude 33.161098 and longitude -117.074924. The Applicant has paid all required application fees for this Certification in the amount of \$11,232.00. On an annual basis, the Applicant shall also pay all active discharge fees and post discharge monitoring fees, as appropriate¹. On September 11, 2015, the San

¹ The Applicant shall pay an annual active discharge fee each fiscal year or portion of a fiscal year during which discharges occur until the regional water board or the State Water Resources Control Board (State Water Board) issues a Notice of Completion of Discharges Letter to the discharger. Dischargers shall pay an annual post-discharge monitoring fee each fiscal year or portion of a fiscal year commencing with the first fiscal year following the fiscal year in which the regional water board or State Water Board issued a Notice of Completion of Discharges Letter to the discharger, but continued water quality monitoring or compensatory mitigation monitoring is required. Dischargers shall pay the annual post-discharge monitoring fee each fiscal year until the regional water board or the State Water Board issues a Notice of Project Complete Letter to the

(footnote continued on next page)

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 develop the Project as a planned 179 lot subdivision. The total Project site area is 111.7 acres of which 102.8 acres will be developed. The remaining 8.9 acre parcel contains an active avocado orchard and a future 3.5 acre water tank facility for the City of Escondido (City). The City is planning to access its planned water tank from the future extension of Vista Verde Way which is located in the south east corner of the Project. The future development of the water tank facility will be a separate project by the City. The remainder of the 8.9 acres parcel will continue as an active avocado orchard.

The lots located south of Vista Avenue on which the southern ephemeral drainage feature is located are designed to avoid as much as the drainage as practicable and are elevated above and setback from this drainage feature. The Project will fence the private useable yard at the top of slope, and place the slope, basin area and drainage feature into a Home Owners Association (HOA) maintenance easement.

The Project will convert approximately 28.24 acres of pervious ground cover to impervious surfaces. Runoff leaving the developed Project area would be significantly greater in volume, velocity, peak flow rate, and duration than pre-development runoff from the same area without mitigation. Post-construction best management practices (BMPs) to manage and control the effects of these runoff increases will consist of bioretention treatment basins. These BMPs will be designed, constructed, and maintained to meet City of Escondido Low Impact Development (LID) Capture Volume and hydromodification treatment requirements.

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

Project construction will permanently impact 0.038 acre (832 linear feet) of streambed 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 0.038 acre of jurisdictional waters will be achieved through the purchase of mitigation bank credits from the

(footnote continued from previous page)

discharger. Additional information regarding fees can be found electronically at the following location:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/dredgefillcalculator.xlsx

San Luis Rey Mitigation Bank (Bank) in advance of Project construction to achieve a minimum compensation ratio of 2.1:1 (area mitigated:area impacted). The Bank is on 55.84 acres of land located in the San Luis Rey River flood plain in the lower San Luis hydrologic sub-area (HSA 903.1) in the City of Oceanside, San Diego County, California. Mitigation credit parcels, purchased from the Bank to satisfy compensatory mitigation requirements, are required to be protected, monitored and maintained in perpetuity by the Bank pursuant to a federal and State approved bank enabling instrument and a recorded conservation easement

Wildlands Inc., a habitat development and land management company, is the Bank Sponsor and is responsible for Bank design, entitlement, construction and long-term operations and management. Detailed written specifications and descriptions of the methods being used monitor the Bank through the initial 5-year success period including, but not limited to, the geographic boundaries of the Bank, timing, sequence, monitoring, maintenance, and ecological success performance standards are described in the *San Luis Rey Mitigation Bank Development Plan (Development Plan) dated November 2012 for the San Luis Rey Mitigation Bank*. The Development Plan was previously accepted by the San Diego Water Board under the terms and conditions of Water Quality Certification No. R9-2013-0050, issued by the San Diego Water Board for the development and maintenance of Bank on April 13, 2014. San Diego Water Board acceptance of the Bank Development Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Bank Development Plan is incorporated in this Certification by this reference as if set forth fully herein. The Bank Development Plan provides for implementation of compensatory mitigation at the Bank which will offset adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Bank Development Plan will also reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. Based on all of these considerations, the purchase of mitigation credits from the Bank will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

Additional Project details are provided in Attachments 1 through 5 of this Certification.

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Attachments:

- 1. Definitions**
- 2. Project Location Maps**
- 3. Project Site Plans**
- 4. Mitigation Figures**
- 5. CEQA Mitigation Monitoring and Reporting Program**

I. STANDARD CONDITIONS

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

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

II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. R9-2015-0101 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section 1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf

- D. **Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality

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

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

http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml

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

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

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

1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and
4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.

- I. **Enforcement Notification.** In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401 (d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
- J. **Certification Actions.** This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
1. Violation of any term or condition of this Certification;
 2. Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of Escondido Creek or its tributaries;
 3. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
 4. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 5. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
- The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.
- K. **Duty to Provide Information.** The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- L. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.
- M. **Petitions.** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:
http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Applicant shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Personnel Education.** Prior to the start of the Project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response measures, and BMP implementation and maintenance measures.
- C. **Spill Containment Materials.** The Applicant must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.
- D. **General Construction Storm Water Permit.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- E. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff. The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050. Upon Project completion, all Project generated debris, building materials, excess material, waste, and trash shall be removed from the Project site(s) for disposal at an authorized landfill or other disposal site in compliance with federal, state and local laws and regulations.
- F. **Waste Management.** Except for a discharge permitted under this Certification, the dumping, deposition, or discharge of trash, rubbish, unset cement or asphalt, concrete, grout, damaged concrete or asphalt, concrete or asphalt spoils, wash water, organic or earthen material, steel, sawdust or other construction debris waste from Project activities directly into waters of the United States and or State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited.
- G. **Downstream Erosion.** Discharges of concentrated flow during construction or after Project completion must not cause downstream erosion or damage to properties or stream habitat.

- H. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- I. **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.
- J. **Surface Water Diversion.** All surface waters, including ponded waters, must be diverted away from areas of active grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of the receiving water quality objectives. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- K. **Re-vegetation and Stabilization.** All areas that have 14 or more days of inactivity must be stabilized within 14 days of the last activity. The Applicant shall implement and maintain BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be re-vegetated with native species appropriate for the area. The re-vegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be accessed at <http://www.cal-ipc.org/ip/inventory/>.
- L. **Hazardous Materials.** Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- M. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or through application of 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 done 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.

- N. Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. On-site Qualified Biologist.** The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- P. Beneficial Use Protection.** The Applicant must take all necessary measures to protect the beneficial uses of waters of Escondido Creek. This Certification requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to surface waters (including rivers or streams) occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification. Associated Project activities may not resume without approval from the San Diego Water Board.
- Q. Groundwater Dewatering.** If groundwater dewatering is required for the Project, the Applicant shall enroll in and comply with the requirements of San Diego Water Board Order No. R9-2015-0013, NPDES No. CAG919003, *General Waste Discharge Requirements For Groundwater Extraction Discharges to Surface Waters within the San Diego Region* or its successor permit.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to 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 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 Standard Storm Water Mitigation and Hydromodification Plans for the County of San Diego. Post-construction BMPs for the Project are described in the *Water Quality Technical Report for Hidden Valley Tract No. 932, Escondido, CA (WQTR)*. The WQTR is incorporated by this reference as if set forth in full herein).
- D. Post-Construction BMP Implementation.** All post-construction BMPs must be constructed, functional, and implemented prior to completion of Project construction, occupancy, and/or planned use, and maintained in perpetuity. The post construction BMPs must include those described in the WQTR, dated May 5, 2015, prepared on

behalf of the Applicant by Masson & Associates; or any subsequent version of the WQTR approved by City of Escondido.

E. Post-Construction BMP Maintenance. The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Storm Water Quality Association (CASQA)² guidance. The Applicant shall:

1. No less than two times per year, assess the performance of the BMPs to ensure protection of the receiving waters and identify any necessary corrective measures;
2. Perform inspections of BMPs, at the beginning of the wet season no later than October 1 and the end of the wet season no later than April 1, for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;
3. Regularly perform preventative maintenance of BMPs, including removal of accumulated trash and debris, as needed to ensure proper functioning of the BMPs;
4. Identify and promptly repair damage to BMPs; and
5. Maintain a log documenting all BMP inspections and maintenance activities. The log shall be made available to the San Diego Water Board upon request.

V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

A. Project Impact Avoidance and Minimization. The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable. Applicant has minimized the Project impacts by redesigning and reducing the eight lots that originally impacted the southern drainage.

B. Project Impacts and Compensatory Mitigation. Unavoidable Project impacts to Escondido Creek and its unnamed tributaries within the Escondido Creek Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
Permanent Impacts						
Stream Channel	0.038	832	0.08 Re-Establishment ¹	2.1:1	NA ²	NA ²

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

1. Project mitigation re-establishment credits will be purchased from the San Luis Rey Mitigation Bank, Oceanside, CA.
2. Compensatory mitigation is being provided in a contiguous area at the Mitigation Bank (approximately 55.8 acres) therefore, compensatory mitigation for linear feet is not being calculated on a project by project basis.

C. Mitigation Credits. Prior to the start of construction, the Applicant must provide documentation to the San Diego Water Board verifying the purchase of at least 0.08 acres of establishment and/or re-establishment credits from the San Luis Rey Mitigation Bank. The use of an alternative mitigation bank to provide required compensatory mitigation must be approved by the San Diego Water Board before the credits are secured and is subject to the following conditions:

1. The Applicant must identify the USACE approved mitigation bank and submit documentation demonstrating that:
 - a. The permitted Project impacts are located within the service area of the mitigation bank; and
 - b. The mitigation bank has the appropriate number and resource type of credits available.
2. If the San Diego Water Board approval of the mitigation bank is obtained, the Applicant must provide documentation verifying that the appropriate number and resource type of credits have been secured from the mitigation bank prior to the start of construction.

D. Performance Standards. Compensatory mitigation required under this Certification shall be considered achieved once it has met the ecological success performance standards contained in the Bank Development Plan (Section G.2, Monitoring and Success Criteria) dated November 2012 to the satisfaction of the San Diego Water Board.

E. Compensatory Mitigation Site Design. The compensatory mitigation site(s) shall be designed to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features (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 approved Bank Enabling Instrument and the final ecological success performance standards identified in the Bank Development Plan. The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:

1. Any maintenance activities on the mitigation site(s) that do not contribute to the success of the mitigation site(s) and enhancement of beneficial uses and ecological functions and services are prohibited;
2. Maintenance activities must be limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species, and remedial measures deemed necessary for the success of the compensatory mitigation project;
3. The Mitigation site(s) must be maintained, in perpetuity, free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the mitigation site(s); and
4. If at any time a catastrophic natural event (e.g., fire, flood) causes damage(s) to the mitigation site(s) or other deficiencies in the compensatory mitigation project, the Applicant must take prompt and appropriate action to repair the damage(s) including replanting the affected area(s) and address any other deficiencies. The San Diego Water Board may require additional monitoring by the Applicant to assess how the compensatory mitigation site(s) or project is responding to a catastrophic natural event.

VI. MONITORING AND REPORTING REQUIREMENTS

- A. Representative Monitoring.** Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. Monitoring Reports.** Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.
- C. Monitoring and Reporting Revisions.** The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. Records of Monitoring Information.** Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
 2. The individual(s) who performed the sampling or measurements;
 3. The date(s) analyses were performed;
 4. The individual(s) who performed the analyses;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.
- E. **Discharge Commencement Notification.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.
- F. **Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. The Annual Project Progress Reports must contain information sufficient to demonstrate how the project is progressing towards accomplishing its objectives. Annual Project Progress Reports must be submitted even if Project construction has not begun. The monitoring period for each Annual Project Progress Report shall be January 1st through December 31st of each year. Annual Project Progress Reports must include, at a minimum, the following:
1. **Project Status and Compliance Reporting.** The Annual Project Progress Report must include the following Project status and compliance information:
 - a. The names, qualifications, and affiliations of the persons contributing to the report;
 - b. 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;
 - c. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
 - d. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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

1. Date of construction initiation;
2. Date of construction completion;
3. BMP installation and operational status for the Project;
4. As-built drawings of the Project, no bigger than 11"X17";
5. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/401c/401PhotoDocRB9V713.pdf. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced; and

H. Reporting Authority. The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.

I. Electronic Document Submittal. The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. R9-2015-0101:815853:amonji
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2015-0101:815853:amonji.

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."

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 as provided in Water Code section 13271(b), any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. Oil or Petroleum Product Discharge.** Except as provided in Water Code section 13272(b), 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. Commencement of Construction Notification.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior** to the start of initial Project construction ground disturbance
- F. 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 responsibility for compliance with this Certification in the event that a transferee fails to comply.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of Escondido is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated March 5, 2007 for the Final Mitigated Negative Declaration (MND) titled Mitigated Negative Declaration, Hidden Valley Ranch Residential Subdivision (State Clearing House No. 2006111136). The Lead Agency has determined the Project will not have a significant effect on the environment and mitigation measures were made a condition of the Project.
- B. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's MND and finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- C. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.

- D. The Lead Agency has adopted a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the FEIR are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 5 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the MND, as it pertains to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMRP requirements as specified in sections V and VI of this Certification.
- E. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

IX. SAN DIEGO WATER BOARD CONTACT PERSON

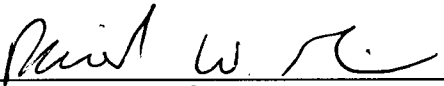
Alan Monji, Environmental Scientist
Telephone: 619-521-3968
Email: Alan.Monji@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Hidden Valley Estates Project** (Certification No. R9-2015-0101) 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. R9-2015-0101 issued on September 14, 2016.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

14 Sept. 2016
Date

ATTACHMENT 1

DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

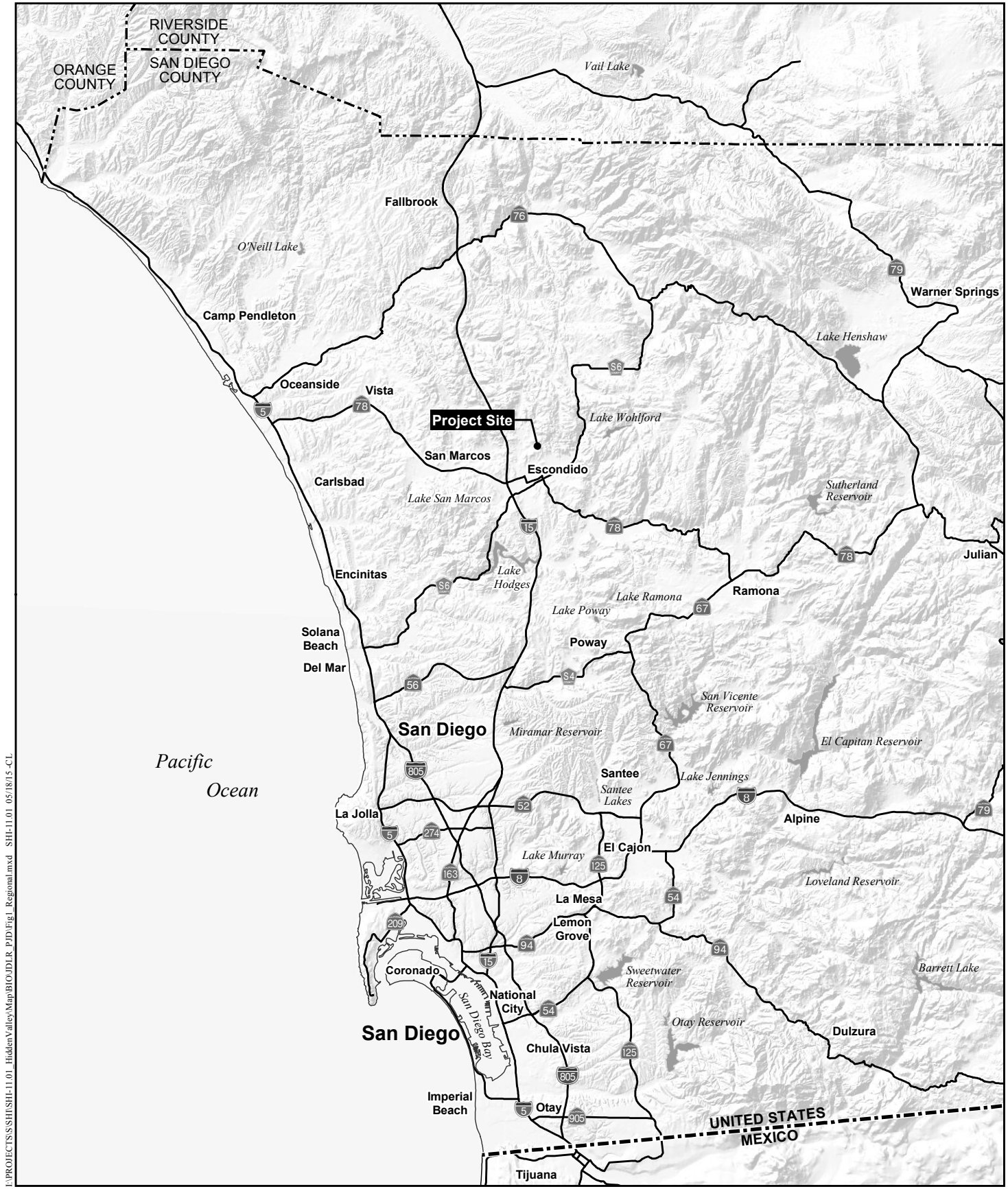
Waters of the State - means any surface water or groundwater, including saline waters, within the boundaries of the State. [Water Code section 13050, subd. (e)].



ATTACHMENT 2

LOCATION MAPS AND FIGURES

1. Helix Environmental Planning, Figure 1, Regional Map
2. Helix Environmental Planning, Figure 2, Project Vicinity Map

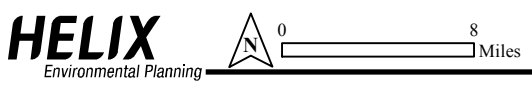


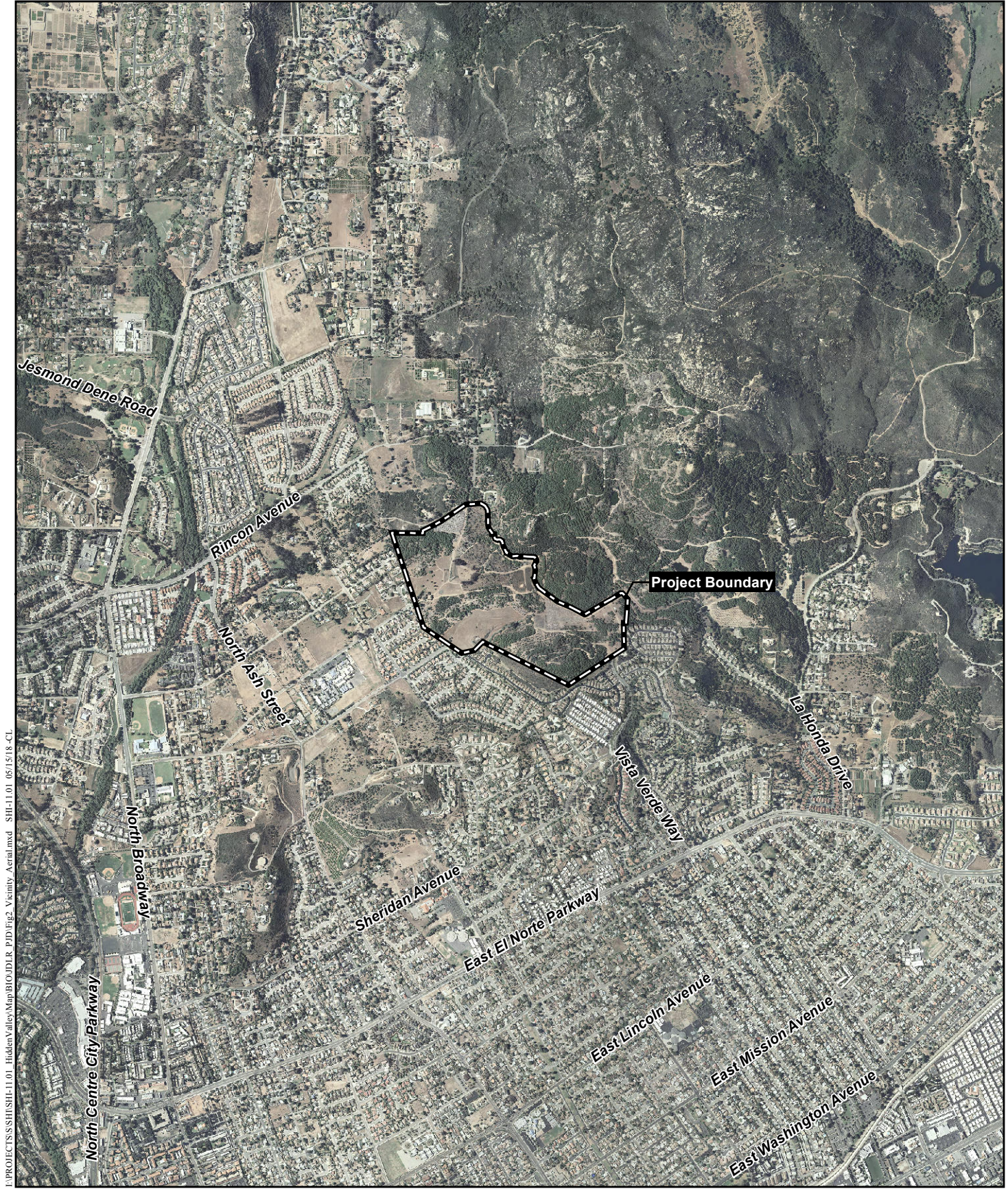
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Regional Location Map

HIDDEN VALLEY JDLR/PJD

Figure 1





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Project Vicinity Map (Aerial Photograph)

HIDDEN VALLEY PRELIMINARY JDLR/PJD

ATTACHMENT 3

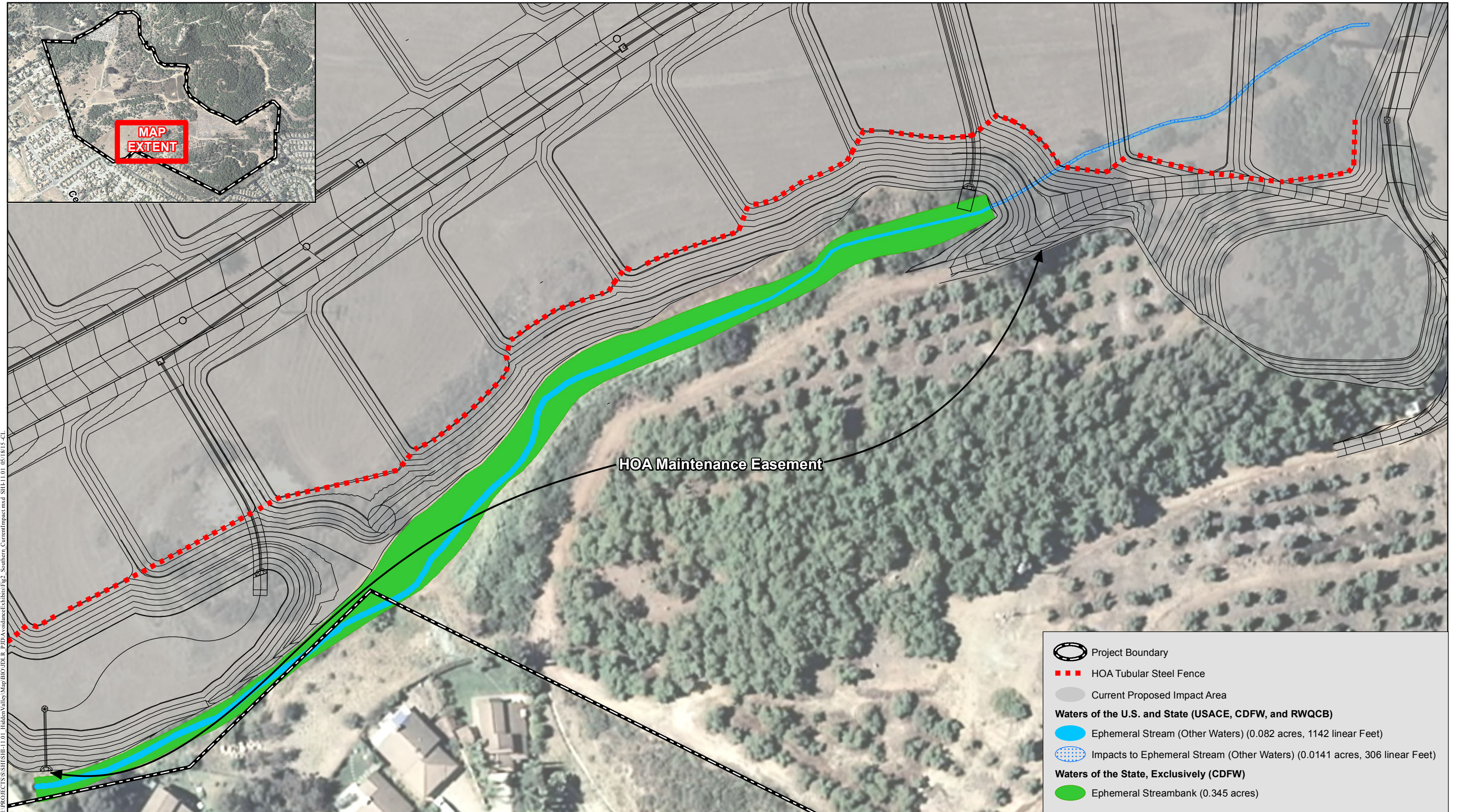
PROJECT FIGURES

1. Helix Environmental Planning, Figure 4, Jurisdictional Waters of the U.S.
2. Helix Environmental Planning, Figure 1, Final Design Avoidance Measures/Proposed Impacts to Southern Drainage
3. Helix Environmental Planning, Figure 1, Impacts to Northern Drainage
4. Masson Associates, Inc., Substantial Conformance Tentative Map. Tract No. 932, Sheets 1 - 4



Jurisdictional Waters of the U.S.

HIDDEN VALLEY JDLR/PJD



Final Design Avoidance Measures/Proposed Impacts to Southern Drainage

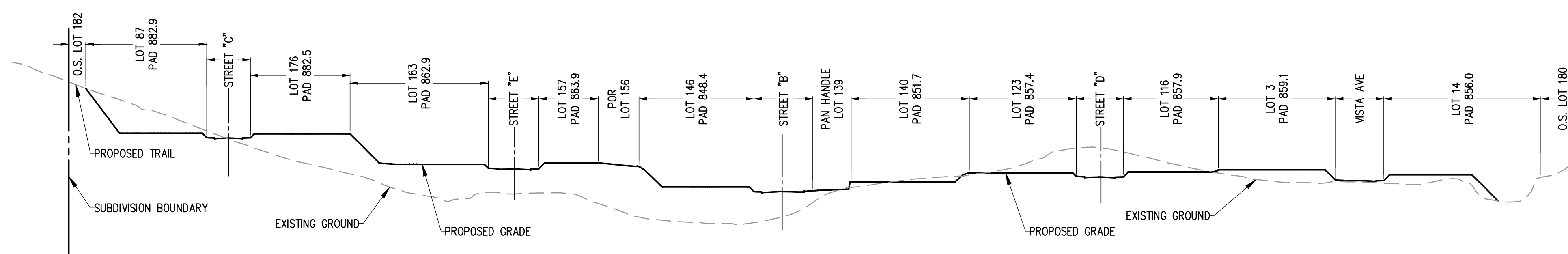
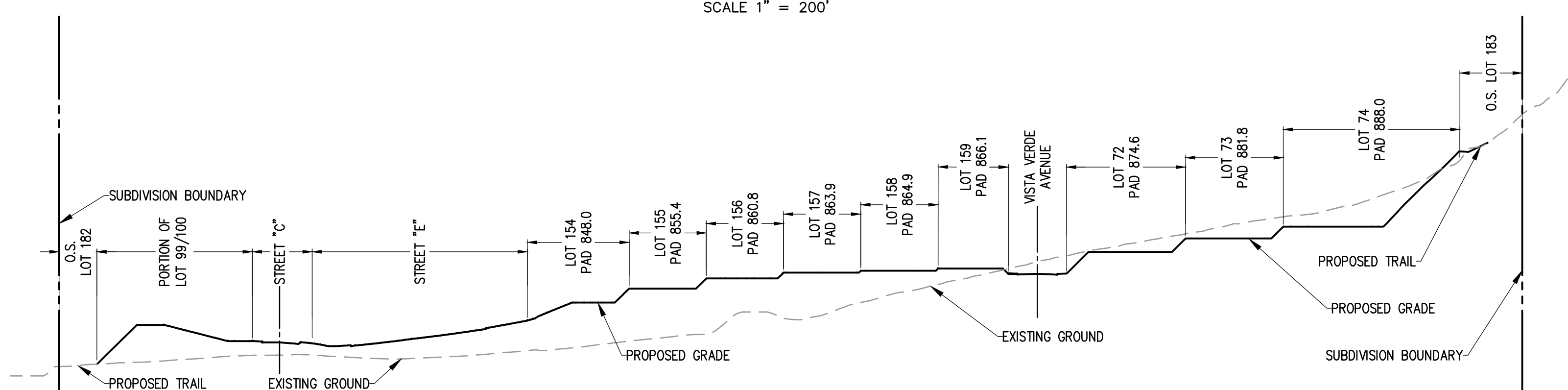
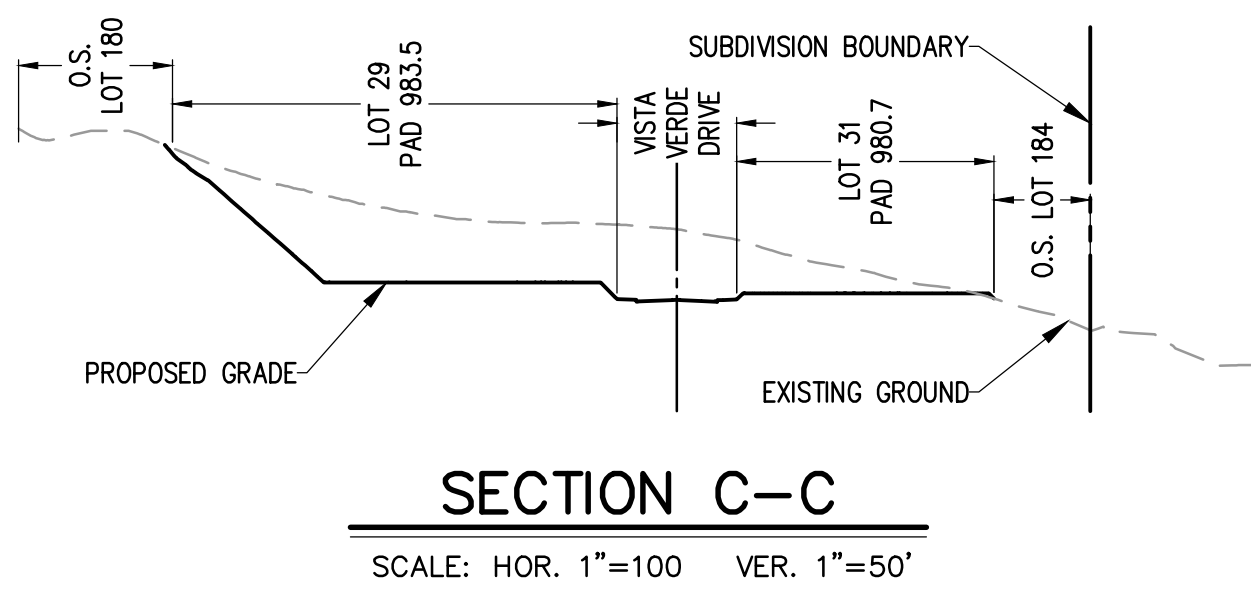
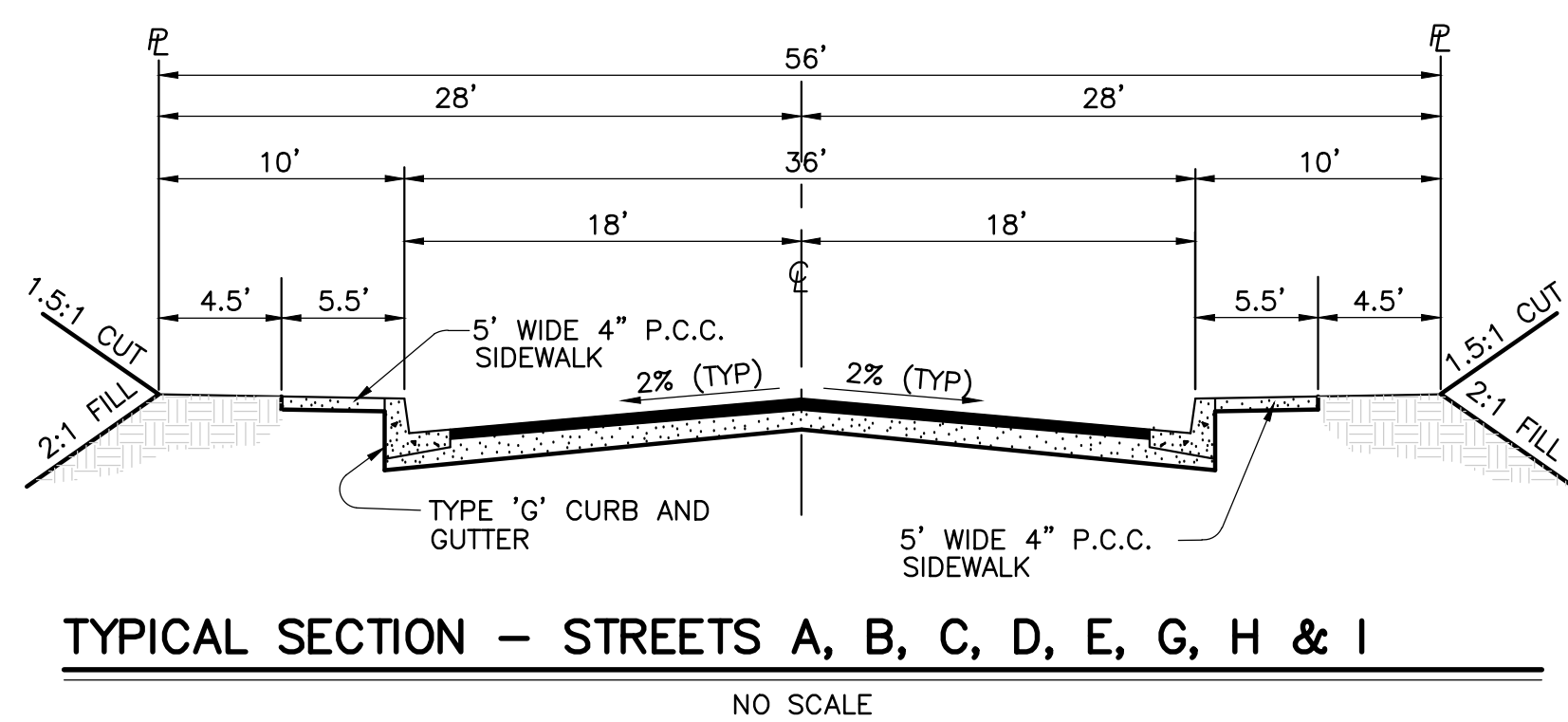
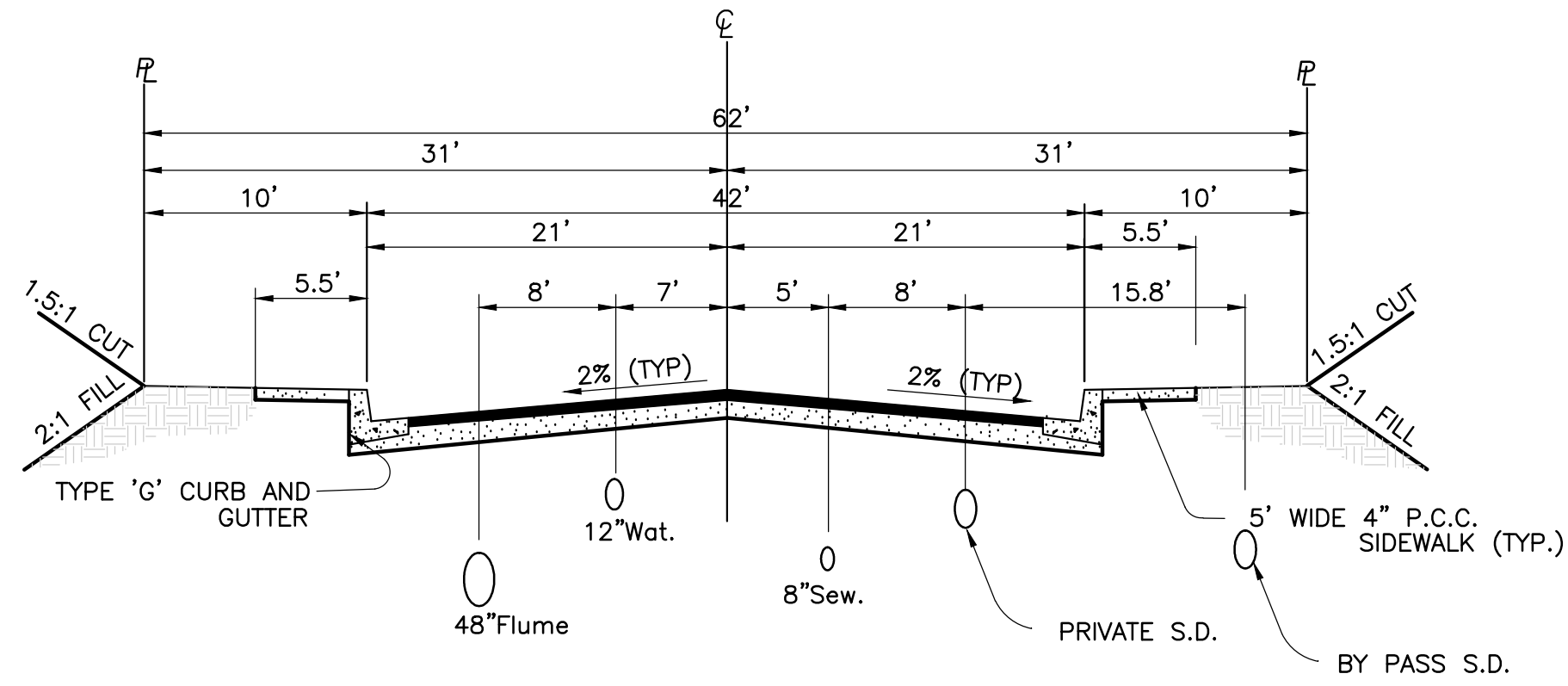
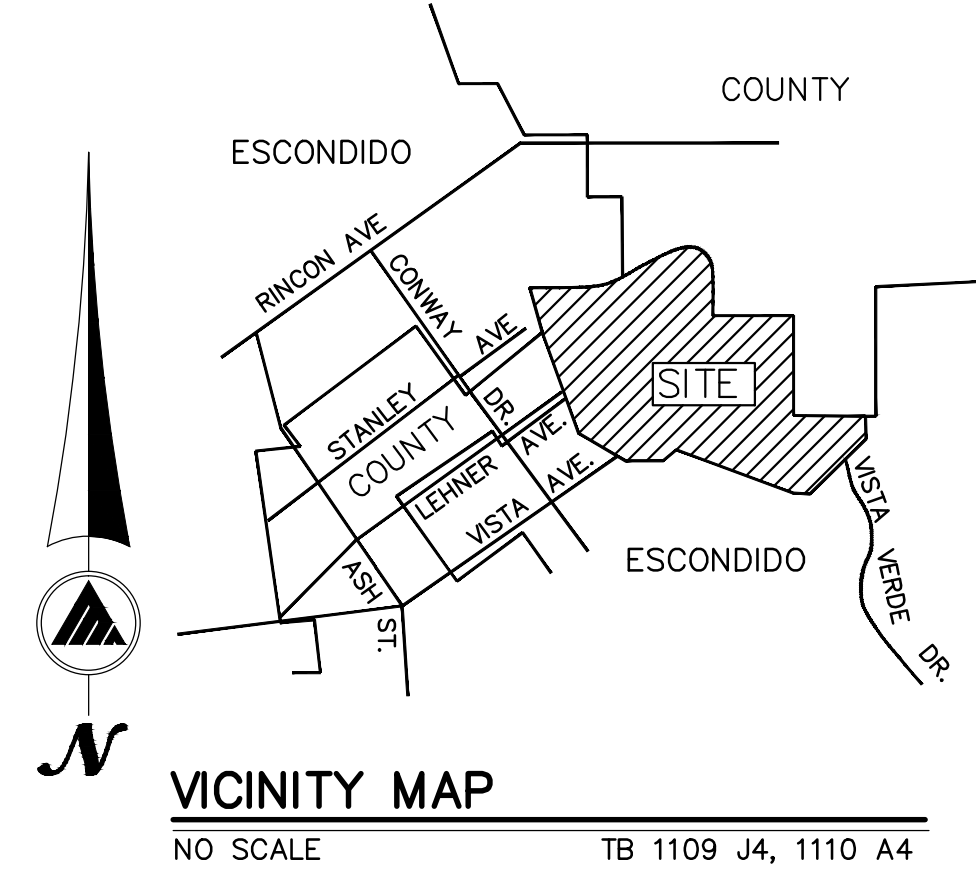


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Impacts to Northern Drainage

HIDDEN VALLEY JDLR/PJD

SUBSTANTIAL CONFORMANCE TENTATIVE MAP - TRACT NO. 932



EARTHWORK

RAW CUT VOLUME	571,551 C.Y.
RAW FILL VOLUME	571,551 C.Y.
IMPORT / EXPORT	0 C.Y.

* ESTIMATE ONLY.
MASSON & ASSOCIATES MAKES NO GUARANTEE THAT THESE QUANTITIES ARE ACCURATE AND COMPLETE. OWNER TO HAVE GRADING CONTRACTOR VERIFY PRIOR TO FINAL PRICING AND CONSTRUCTION.

NOTES:

- ASSESSOR'S PARCEL NO. 224-100-57, 58, and 83, 82
- GENERAL PLAN LAND USE DESIGNATION: 57, 58 is E2 & 83, 82 is E2/R2
- EXISTING ZONING: PD-R 1.6 SPECIAL DISTRICT: NORTH BROADWAY / TIER 2A
- MINIMUM LOT SIZE 10,000 S.F. MINIMUM
- MINIMUM AVERAGE LOT WIDTH 80' AND 100'
- TOTAL LOTS 179 RESIDENTIAL LOTS AND 5 OPENSOURCE LOTS
- SITE AREA 111.54 AC. REMAINDER PARCEL 37.75 AC.
- SITE ADDRESS 1185 LEHNER AVENUE, ESCONDIDO CA.
- CALIFORNIA COORDINATE INDEX 362-1743(x)27
- SOURCE OF TOPO VERTICAL MAPPING RESOURCES INC. 619.435.1200
- WATER SUPPLIED BY CITY OF ESCONDIDO
- SEWAGE SUPPLIED BY CITY OF ESCONDIDO
- GAS AND ELECTRIC SUPPLIED BY SDG&E
- FIRE PROTECTION CITY OF ESCONDIDO
- SCHOOL DISTRICTS E.U.S.D. AND E.U.H.S.D.
- STREET LIGHTING PER CITY ORDINANCES, TREE PLANTING PER LANDSCAPE PLAN.
- BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECORD DATA.
- ALL LOTS ARE ON A SANITARY SEWER SYSTEM. ALL UTILITIES TO BE UNDERGROUND.
- ALL IMPROVEMENTS TO BE TO THE CITY OF ESCONDIDO STANDARDS.
- ALL CUT AND FILL SLOPES ARE 2:1 UNLESS NOTED OTHERWISE.
- ACCESS TO OPEN SPACE LOT 160 WILL BE MAINTAINED AS A JOINTED ACCESS DRIVEWAY FOR LOT 21.
- OFFSITE PARKING NOTE:
- TYPICAL LOT GRADING PER CITY OF ESCONDIDO STANDARD M-2-E.

MULTIPLE FINAL MAPPING

THE SUBDIVIDER RESERVES THE RIGHT TO FILE MULTIPLE MAPS ON THIS TENTATIVE SUBDIVISION MAP IN ACCORDANCE WITH SECTION 66456.1 OF THE SUBDIVISION MAP ACT.

LEGAL DESCRIPTION

PARCEL 1, PARCEL 2, PARCEL 3, & PARCEL 4 OF PARCEL MAP NO. 17583 AND THE SE 1/4 OF THE NE 1/4 OF FRACTIONAL SECTION 3, T12S, R2W, S8B&M

OWNER/APPLICANT

SHEA HOMES, INC. 8999 MESA RIM ROAD SUITE #200 SAN DIEGO, CA 92121 PHONE: 858-526-6554	SHEA HOMES, INC. DIRECTOR of COMMUNITY DEVELOPMENT CONTACT JOHN B. VANCE PHONE: 858-526-6551
---	---

OWNER'S CERTIFICATE

I (WE) HEREBY CERTIFY THAT I (WE) AM (ARE) THE RECORD OWNER OF THE PROPERTY SHOWN ON THE TENTATIVE SUBDIVISION MAP AND THAT SAID MAP SHOWS ALL MY (OUR) CONTIGUOUS OWNERSHIP IN WHICH I (WE) HAVE ANY DEED OR TRUST INTEREST. I (WE) UNDERSTAND THAT MY (OUR) PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS-OF-WAY.

BY: _____ DATE: _____

ENGINEER

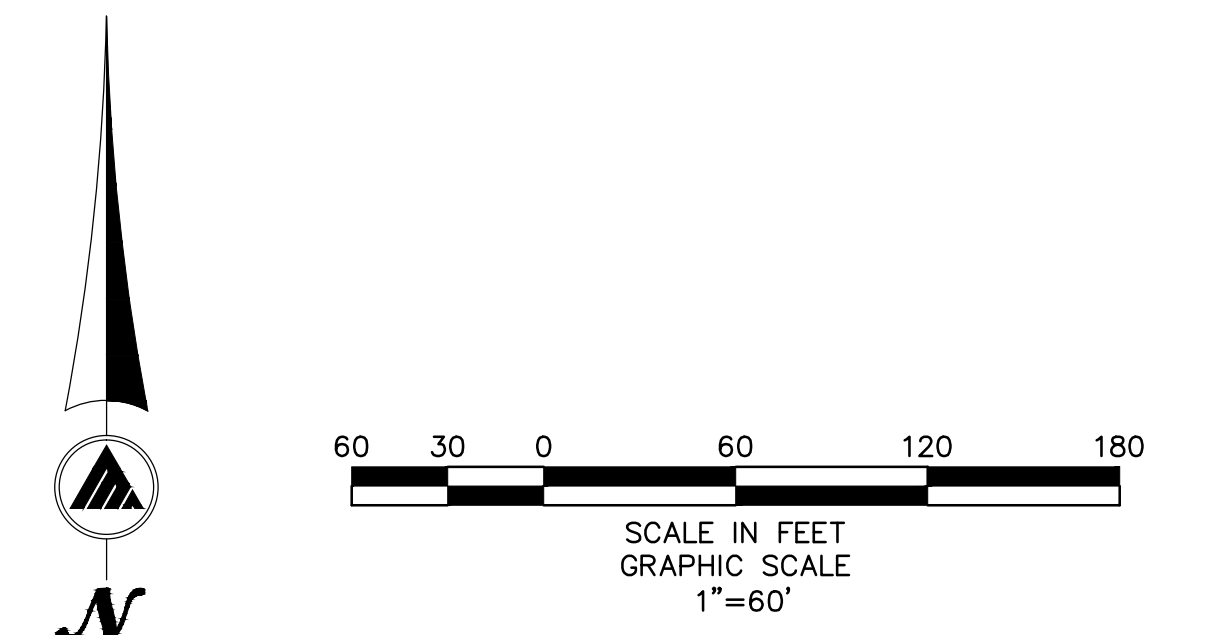
BY: _____ DATE: _____

MASSON & ASSOCIATES INC.
200 E. WASHINGTON AVE., STE 200
ESCONDIDO, CA. 92025
(760) 741-3570

LEGEND

SYMBOL	DESCRIPTION
175 910.0 PAD	LOT NUMBER
10137.2 S.F. ±	PAD ELEVATION
850	LOT AREA IN S.F.
880	MASONRY RETAINING WALL
880	CUT (1 1/2:1 MAX.) FILL (2:1 MAX.)
880	CONCRETE BROWDITCH
880	FINISH CONTOUR
880	PROPOSED TRAIL
18" SD	PRIVATE STORM DRAIN SYSTEM
S	SEWER GRAVITY MAIN
O	SEWER MANHOLES
8" W	WATER MAIN SIZE PER PLAN
8" W	FIRE HYDRANT
8" W	DAYLIGHT
8" W	LIMITS OF GRADING
36" SD	EXIST. WATERLINE
8" S	EXIST. STORM DRAIN SYSTEM
8" S	EXIST. SEWERLINE

SUBSTANTIAL CONFORMANCE TENTATIVE MAP - TRACT NO. 932



SUBSTANTIAL CONFORMANCE TENTATIVE MAP - TRACT NO. 932



50' EASEMENT FOR FLOODS, CANALS, PIPELINES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 13, 1925 IN BOOK 10777 PAGE 177 OF THE WETA REGISTRATION DISTRICT (ITEM #13)

ABOVE GROUND WETA FLUME STRUCTURE TO BE RELOCATED.

PROPOSED TRAIL

PARCEL 3 PM 17883

EXISTING DRAINAGE EASEMENT REC. AUG. 12, 1988 FILE NO. 88-399961

BASIN IMP-3 BOT=11,923 S.F. TOP=16,209 S.F.

EXISTING STORM DRAIN EASEMENT REC. AUG. 12, 1988 FILE NO. 88-415821

EX. PUBLIC STREET ESMT. REC. AUG. 22, 1988 FILE NO. 88-415819

CENTERLINE EXISTING 12" SDG&E ESMT. REC. 5-9-78 AS FILE NO. 78-167502

BASIN IMP-2A BOT=7,773 S.F. TOP=10,297 S.F.

EXISTING PUBLIC UTILITIES EASEMENT DEDICATED TO THE CITY OF ESCONDIDO

EXISTING 5' UTILITY ESMT REC. JULY 8, 1948 IN BOOK NO. 2867, PAGE 23

EXISTING 20' ACCESS ESMT. REC. FEB. 5, 1945 IN BOOK 1812, PAGE 241

EXIST. PUBLIC ROAD & UTILITIES ESMT. TO BE ABANDONED

BASIN IMP-1 BOT=24,070 S.F. TOP=27,757 S.F.

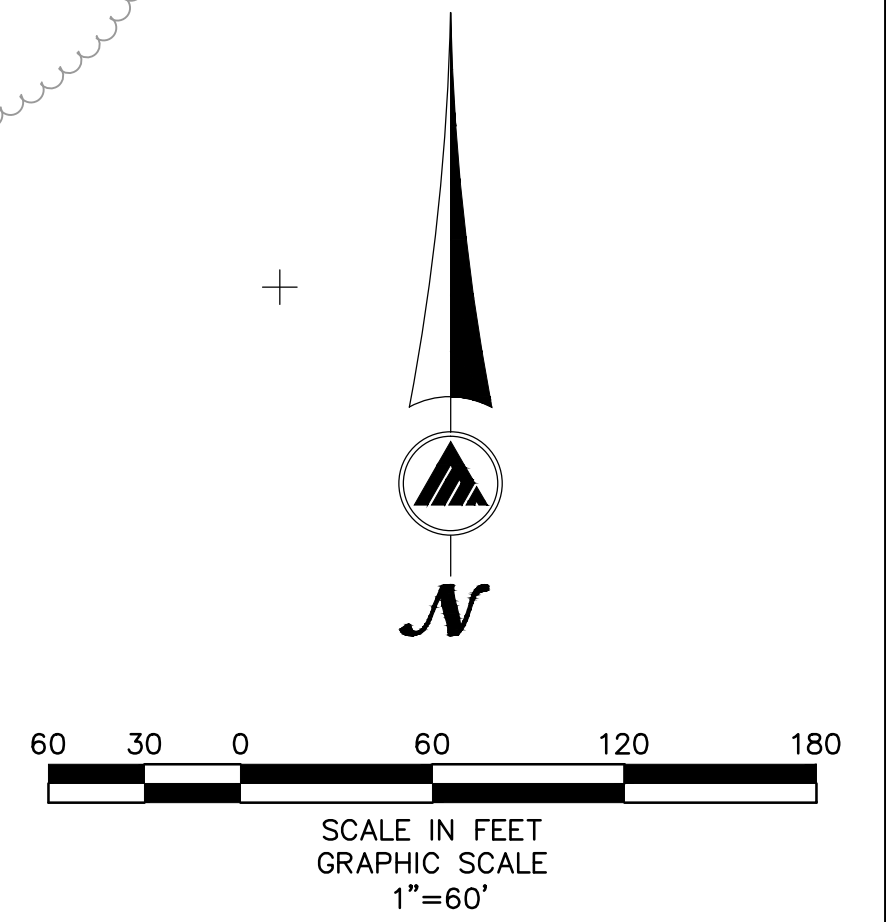
EXISTING 5' UTILITY ESMT REC. JULY 8, 1948 IN BOOK NO. 2867, PAGE 23



DATE: May 05, 15 4:07pm BY: Dmossion FILE: I:\14\14132\PARCEL\14132-TM-02.dwg

SUBSTANTIAL CONFORMANCE TENTATIVE MAP - TRACT NO. 932

APN 224-100-12



DATE: May 05, 15 4:07pm BY: Dmason FILE: I:\14\14132\PARCEL\14132-TM-02.dwg

ATTACHMENT 4

MITIGATION CREDIT INFORMATION

1. Wildlands, Agreement for Sale of Mitigation Credits San Luis Rey
Mitigation Bank



TRANSMITTAL

TO:	John Vance	FROM:	Julie Maddox
COMPANY:	Shea Homes Limited Partnership	VIA:	U.S. Mail
ADDRESS:	9900 Mesa Rim Road, Suite 200 San Diego, California 92121	PROJECT :	Hidden Valley Estates Corps SPL-2015-00409
RE:	Agreement for Sale of Mitigation Credits (San Luis Rey)	DATE:	November 9, 2015

URGENT FOR REVIEW FOR YOUR USE PLEASE REPLY ACTION REQUIRED

Enclosed for your records please find one fully executed Agreement for Sale of Mitigation Credits [at] San Luis Rey Mitigation Bank, including the original signed Bill of Sale (Exhibit "B") for the purchase of 0.08 wetland credits.

Notification of the transaction will also be sent to the U.S. Army Corps of Engineers and California Department of Fish and Wildlife for their records.

Thank you for your business; it has been a pleasure serving you. Please let me know if there are any questions, or if there is anything else you need.

Thank you,

Julie Maddox
WILDLANDS

Enclosure

**AGREEMENT FOR SALE OF MITIGATION CREDITS
SAN LUIS REY MITIGATION BANK**

**USACE File No. SPL-2015-00409
RWQCB File No. R9-2015-0101
CDFW SAA No. 1600-2015-0104-R5**

This Agreement is made and entered into this 19th day of October, 2015 by and between WILDLANDS SLR HOLDINGS I, LLC, a Delaware limited liability company (“Bank Sponsor”) and SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership (“Project Proponent”) as follows:

RECITALS

A. Bank Sponsor has developed the San Luis Rey Mitigation Bank (“Bank”) located in San Diego County, California; and

B. The Bank has been developed pursuant to a Bank Enabling Instrument entered into by and between Bank Sponsor, United States Army Corps of Engineers (“USACE”), and California Department of Fish and Wildlife (“CDFW”); and

C. Bank Sponsor has received the approval of the USACE and CDFW to operate the Bank as a mitigation bank with wetland waters of the United States/State credits, waters of the United States/State credits and buffer credits for sale as compensation for the loss of waters of the United States, waters of the State and/or State jurisdictional habitats; and

D. Project Proponent is seeking to implement the project described on Exhibit “A” attached hereto (“Project”), which would unavoidably and adversely impact waters of the United States/waters of the State thereon, and seeks to compensate for the such impacts by purchasing compensatory credits from Bank Sponsor; and

E. Project Proponent has applied for or will apply for a USACE Section 404 Permit (File No. SPL-2015-00409), a San Diego Regional Water Quality Control Board (“RWQCB”) Section 401 Water Quality Certification (File No. R9-2015-0101) and a CDFW Streambed Alteration Agreement (Notification No. 1600-2015-0104-R5). Project Proponent anticipates USACE, RWQCB and CDFW authorization to purchase compensatory credits from the Bank Sponsor and desires to purchase credits prior to authorization and in advance of construction to ensure the availability of compensatory mitigation for unavoidable impacts to waters of the United States/waters of the State; and

F. Project Proponent desires to purchase from Bank Sponsor and Bank Sponsor desires to sell to Project Proponent 0.08 acre of Re-established River: Wetland Waters of the United States/State credits.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Bank Sponsor hereby agrees to sell to Project Proponent and Project Proponent hereby agrees to purchase from Bank Sponsor 0.08 acre of Re-established River: Wetland Waters of the United States/State credits (“Credits”) for the purchase price of \$46,000.00 (“Purchase Price”). The Purchase Price for said Credits shall be paid by wire transfer of funds according to written instructions by Bank Sponsor to Project Proponent, or by check payable to “Wildlands SLR Holdings I, LLC.” Upon receipt of the Purchase Price, Bank Sponsor will deliver to Project Proponent an executed Bill of Sale in the form attached hereto as Exhibit “B.”

2. The sale and transfer herein is not intended as a sale or transfer to Project Proponent of a security, license, lease, easement, or possessory or non-possessory interest in real property, nor the granting of any interest of the foregoing.

3. Project Proponent shall have no obligation whatsoever by reason of the purchase of the Credits, to support, pay for, monitor, report on, sustain, continue in perpetuity, or otherwise be obligated or liable for the success or continued expense or maintenance in perpetuity of the Credits sold, or the Bank. As required by law, Bank Sponsor shall monitor and make reports to the appropriate agency or agencies on the status of any Credits sold to Project Proponent. Bank Sponsor shall be fully and completely responsible for satisfying any and all conditions placed on the Bank or the Credits, by all state or federal jurisdictional agencies.

4. The Credits sold and transferred to Project Proponent shall be nontransferable and non-assignable, and shall not be used as compensatory mitigation for any other Project or purpose, except as set forth herein.

5. Project Proponent must deliver the Purchase Price to Bank Sponsor within 30 days of the date of this Agreement. After the 30-day period this Agreement will be considered null and void and Bank Sponsor shall have no further obligations hereunder.

****Signatures on the following page****

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

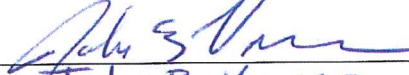
BANK SPONSOR

WILDLANDS SLR HOLDINGS I, LLC, a Delaware limited liability company

By: 
Name: _____
Its: **Wildlands, Manager**
Mark Heintz, Manager

PROJECT PROPONENT

SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership

By: 
Name: **John P. Vance**
Its: **Authorized Agent**

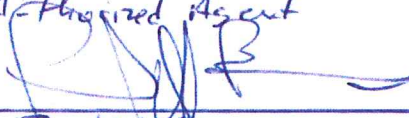
By: 
Name: **Paul L. Barnes**
Its: **Vice President**

Exhibit "A"

**DESCRIPTION OF PROJECT
TO BE
MITIGATED**

The Hidden Valley Estates Project site is located within the City of Escondido in San Diego County, California. Specifically, the site is located 1185 Lehner Avenue, between the termini of Vista Avenue and Orange Blossom Way.

The Project is a planned 179-lot subdivision with lots ranging between 10,000 to 38,000 square feet. The total Project site area is 111.68 acres of which 102.81 acres will be mass graded (developed).

ATTACHMENT 5

CEQA MITIGATION REQUIREMENTS



1. City of Escondido Mitigation Monitoring and Reporting Program for the Hidden Valley Residential Development, Attachment A, MMRP Table

ATTACHMENT "A"
MITIGATION MONITORING REPORT

PROJECT NAME: Hidden Valley Residential Subdivision
PROJECT DESCRIPTION: Tentative Map for 179-lot Residential Subdivision Development Agreement, Pre-zone, Planned Development, Grading Exemptions, and Annexation
PHONE NUMBER: (760) 839-4555
PROJECT LOCATION: 1185 Lehner Avenue, Escondido, CA
CONTACT PERSON: Sean Santa Cruz, Hallmark Communities

ENVIRONMENTAL CASE NO: ER 2005-34
ASSOCIATED CASE NO: TR 932
APPROVAL BODY/DATE: City Council (TBD)
PROJECT PLANNER: Diana Delgadillo, Associate Planner

No.	Mitigation Measure	Location in Document	Responsibility for Implementation	Signature/Date Completed	Phase of Implementation	Comments
1.	Prior to the application of sprayed pesticides on the groves, property owners adjacent to the agricultural site shall receive notice of the date, time, and chemical composition of the pesticide.	Agricultural	Applicant		At time of use	
2.	Conway Drive/Rincon Avenue: Install stop signs on both approaches of Conway Drive at Rincon Avenue, making the intersection All Way Stop Controlled;	Transportation/Traffic	Applicant		Prior to issuance of building permits, traffic right-of-way shall be acquired, improvement plans submitted and approved, and financing secured. Phasing of issuance of building permits and occupancy will be commensurate with level of improvement completion.	
3.	Ash Street/Lehner Avenue – Install stop signs on both approaches of Lehner Avenue at Ash Street, making the intersection, and provide a dedicated northbound right-turn lane	Transportation/Traffic	Applicant			
4.	Ash Street/Vista Avenue - Install a traffic signal and provide a dedicated westbound left-turn lane at the Ash Street/Vista Avenue intersection	Transportation/Traffic	Applicant			
5.	Ash Street/Sheridan Avenue – Signalize the Ash Street/Sheridan Avenue intersection	Transportation/Traffic	Applicant			
6.	El Norte Parkway/Vista Verde Drive – Signalize the El Norte Parkway/Vista Verde Drive intersection	Transportation/Traffic	Applicant			
7.	Broadway/Vista Avenue – Signalize the Broadway/Vista Avenue intersection	Transportation/Traffic	Applicant			
8.	Ash Street (Vista Avenue to Sheridan Avenue) – Improve Ash Street to City Local Collector standards from Vista Avenue to Sheridan Avenue	Transportation/Traffic	Applicant			Grading and construction equipment shall

9.	Install temporary signs on westbound Vista Avenue alerting driver to possible congestion during the 30 minutes directly before and after the school day and suggest alternate routes	Transportation/ Traffic	Applicant		not use the intersection of Ash Street and Lehner Avenue between the hours of 7:30 am to 8:30 am until improvements are complete.	
10.	Provide tubular delineators on Vista Avenue at the school pickup/drop-off area to prohibit eastbound to westbound U-turns. This, in conjunction with the school implementing a more stringent one-way traffic pattern, could alleviate some of the existing congestion	Transportation/ Traffic	Applicant			
11.	Provide pedestrian walkways at the following locations: <ul style="list-style-type: none"> - Ash Street from Sheridan Avenue to Vista Avenue - North side of Vista from Ash Street to rear access driveway to Rincon Middle School - South side of Lehner Avenue from Vista Avenue to Ash Street - East side of Conway from Rincon Avenue to project site. 	Transportation/ Traffic	Applicant			
12.	Direct impacts to approximately one acre and indirect impacts to 1.70 acres of Diegan Coastal Sage Scrub shall be mitigated at a 2:1 ratio by purchase of an appropriate amount of this habitat in a mitigation bank to the satisfaction of the City of Escondido and the Wildlife Agencies through a Section 4(d) (Habitat Loss Permit) of the Act can be utilized, via an application of the City of Escondido. Although the city of Escondido has utilized all of its "4(d) coastal sage allocation," mitigation may be achieved through the County of San Diego's remaining allocation.	Biological Resources	Applicant		Prior to issuance of grading permit	
13.	The impacts to non-native grasslands shall be mitigated by purchase of credits at the ratio of .5:1 in the Daley Ranch Mitigation bank (or similar approved by the City and the Wildlife agencies) for a 6.1 acres disturbed.	Biological Resources	Applicant		Prior to issuance of grading permit	
14.	The project would result in the loss of the Southern Willow Scrub on the site (approximately 0.07 acres) and shall be mitigated at a ratio of 2:1 at an appropriate mitigation bank to the satisfaction of the City and the Wildlife agencies.	Biological Resources	Applicant		Prior to issuance of grading permit	
15.	To avoid impacts to nesting birds and their nests, removal of vegetation shall not occur between January 15 and September 15, unless otherwise agreed to by the Wildlife	Biological Resources	Applicant		Prior to issuance of grading permit	

	<p>Agencies. Other work may occur during this time if a qualified biologist conducts a survey for nesting birds within three days prior to the work in the area, and ensures no nesting birds or their nests shall be affected by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 100 feet (300 feet for raptors), shall be delineated by temporary fencing, and shall be in effect as long as construction is occurring or until the nest is no longer active. The dates noted for the breeding season may be revised if approved by a survey by a qualified biologist.</p>					
16.	<p>Any removal of Engelmann oaks, chemise chaparral, and coast live oak trees shall be replaced at a 3:1 ratio with trees of the same caliper as those removed to the satisfaction of the City and Wildlife Agencies.</p>	Biological Resources	Applicant		Prior to issuance of grading permit	
17.	<p>The draft Habitat Loss Permit shall include a current color aerial photograph with an overlay of the outline of the project footprint. The aerial photograph should designate the existing vegetation, and include the locations of the 37.75-acre remainder parcel, the two grove lots on 22.31 acres, and the proposed water reservoir.</p>	Biological Resources	Applicant		Prior to issuance of grading permit	
18.	<p>The project applicant shall provide archaeological monitoring should any significant subsurface archaeological deposits that might be present on the parcel be unearthed during grading or construction. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library,</p>	Cultural Resources	Applicant		Prior to issuance of grading permit	

	and the Escondido Historical Society.					
19.	If petroleum hydrocarbon odors, discolored soil, oily sheen on ground water is observed during grading, soil samples shall be retained for laboratory analysis of hydrocarbon content in both the gasoline and diesel ranges	Hazardous Materials	Applicant		Prior to issuance of grading permit, during grading	