

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

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

**PROJECT: Otay Water District Pump Station 870-2
Certification Number R9-2017-0040
WDID: 9 000003134**

Reg. Meas. ID: 411795 Place ID: 832718 Party ID: 515255 Person ID: 363005
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**APPLICANT: Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978-2004**

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 February 1, 2017 was submitted by Otay Water District (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 Otay Water District Pump Station 870-2 Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on March 3, 2017. 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 (USACE) for the Project (USACE File No. SPL-2017-00095-MY).

The Project is located within the unincorporated community of Otay Mesa, San Diego County, California at a location close to Alta Road, approximately 175 feet south of the Applicant's rolls reservoir site. The Project center reading is located at latitude 32.593548 and longitude - 116.926493. The Applicant has paid all required application fees for this Certification in the amount of \$720.00. On an annual basis, the Applicant must also pay all active discharge fees and post discharge monitoring fees, as appropriate¹. On March 6, 2017, the San Diego Water

¹ Additional information regarding fees can be found electronically on the State Water Resources Control Board web site at the following location: <http://www.waterboards.ca.gov/resources/fees/> 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 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 and operate a new pump station (Pump Station 870-2) and associated force main to address capacity issues by replacing the existing Low Head Pump Station (LHPS; 571-1 Pump Station) and High Head Pump Station (HHPS; 870-1 Pump Station). The proposed pump station site is located on the Applicant's property. The sections of the existing access road to the site that are paved would be repaved and the existing compacted dirt sections would be paved. The Project also includes construction of a small drainage culvert at a small ephemeral drainage (a tributary to the Otay River) that occurs within an approximate 50 square foot area along the access road. Construction activities are expected to begin in fall 2017 and be completed by late 2019.

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 0.027 acre (349 linear feet) of Wetland and Stream Channel 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 0.027 acre of jurisdictional waters will be achieved through the re-establishment and enhancement of 0.093 acres of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant located in the Proctor hydrologic sub-area (HSA 910.32) at a minimum compensation ratio of 3:1 (area mitigated:area impacted) and the Lower Sweetwater hydrologic sub-area (HSA 909.10) at a minimum compensation ratio of 4:1 (area mitigated:area impacted).

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 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

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 *Habitat Mitigation and Monitoring Plan for the 870-2 Pump Station Project* (Mitigation Plan), dated July 2017. San Diego Water Board acceptance of the Mitigation Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Mitigation Plan is incorporated in this Certification by reference as if set forth herein. The Mitigation Plan provides for implementation of compensatory mitigation which offsets adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Mitigation Plan will reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. Based on all of these considerations, the Mitigation Plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

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

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Attachments:

1. Definitions
2. Project Location Maps
3. Project Site Plans
4. Mitigation Figures
5. CEQA Mitigation 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. R9-2017-0040 (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 the unnamed stream 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 the unnamed stream. 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. CAG919002, *General Waste Discharge Requirements For Groundwater Extraction Waste Discharges From Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters within the San Diego Region Except for San Diego Bay 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.

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.
- B. **Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to the unnamed stream within the Otay 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	0.010	319	0.020 Enhancement ¹ 0.020 Re-establishment ²	2:1 Enhancement 2:1 Re-establishment	159 ⁴ Establishment	0.50:1
Wetland	0.017	30	0.053 Re-establishment ³	3:1	170 Re-establishment	5.67:1
Temporary Impacts						
Streambed	0	N/A	N/A	N/A	N/A	N/A
Wetland	0	N/A	N/A	N/A	N/A	N/A

1. Streambed enhancement at Mitigation Site 1 in the Otay HSU (910.32)
2. Streambed re-establishment at Mitigation Site 2 in the Lower Sweetwater HSU (909.10)
3. Wetland establishment at Mitigation Site 2 in the Lower Sweetwater HSU (909.10).
4. A linear feet compensation ratio of less than 1:1 is acceptable for this Project. The Project's mitigation proposal results in a total of 329 linear feet of mitigation; thereby a 0.94:1 ratio. Given the 1-2 foot wide impacted stream channels, the mitigation proposed is an average of 6 feet wide and provides heightened functions and services over those found in the impact site. In addition, the Applicant is planning to restore the entire riparian canopy (located outside of waters of the U.S.) and a 10 meter upland buffer to ensure the success of the mitigation sites. Total mitigation (waters of the U.S. and surrounding uplands) will provide a total of 0.693 acre of enhancement and restoration.

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

D. Performance Standards. Compensatory mitigation required under this Certification shall be considered achieved once it has met the ecological success performance standards contained in the Mitigation Plan (Chapter 7, page 7-1) 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 long-term management plan and the final ecological success performance standards identified in the Mitigation Plan. The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from land-use and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:

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

compensatory mitigation site(s) or project is responding to a catastrophic natural event.

- H. **Timing of Mitigation Site Construction.** The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the start of Project construction. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10% of the cumulative compensatory mitigation for each month of delay.
- I. **Mitigation Site(s) Preservation Mechanism.** **Within 90 days from the issuance of this Certification**, the Applicant must provide the San Diego Water Board with a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. **Within 5 years of the start of Project construction**, the Applicant must submit proof of a completed final preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the United States and/ or State that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the sites. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

VI. MONITORING AND REPORTING REQUIREMENTS

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

4. The individual(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of such analyses.

- E. California Rapid Assessment Method.** California Rapid Assessment Method (CRAM)² monitoring must be performed to assess the current and potential ecological conditions (ecological integrity) of the impact site and proposed compensatory mitigation site(s). These conditions reflect the overall level of ecological function of an aquatic resource. Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implement California Rapid Assessment Method (CRAM) monitoring. The Applicant must conduct a quantitative function-based assessment of the health of streambed habitat to establish pre-project baseline conditions, set CRAM success criteria, and assess the mitigation site(s) progress towards meeting the success criteria. CRAM monitoring must be conducted prior to the start of Project construction authorized under this Certification and annually following construction completion for a period of 5 years. The annual CRAM monitoring results shall be submitted with the Annual Project Progress Report. An evaluation, interpretation, and tabulation of all CRAM assessment data shall be submitted with the Final Project Completion Report.
- F. 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.
- G. Geographic Information System Data.** The Applicant must submit Geographic Information System (GIS) shape files of the Project impact sites within 30 days of the start of project construction and GIS shape files of the Project mitigation sites within 30 days of mitigation installation. All impact and mitigation site shape files must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.
- H. Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation, compensatory mitigation, 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 compensatory mitigation monitoring information sufficient to demonstrate how the compensatory mitigation project is progressing towards accomplishing its objectives and meeting its performance standards. 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:

² The most recent versions of the California Rapid Assessment Method (CRAM) for Wetlands and additional information regarding CRAM can be accessed at <http://www.cramwetlands.org>

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.

2. **Compensatory Mitigation Monitoring Reporting.** Mitigation monitoring information must be submitted as part of the Annual Project Progress Report for a period of not less than five years, sufficient to demonstrate that the compensatory mitigation project has accomplished its objectives and met ecological success performance standards contained in the Mitigation Plan. Following Project implementation the San Diego Water Board may reduce or waive compensatory mitigation monitoring requirements upon a determination that performance standards have been achieved. Conversely the San Diego Water Board may extend the monitoring period beyond five years upon a determination that the performance standards have not been met or the compensatory mitigation project is not on track to meet them. The Annual Project Progress Report must include the following compensatory mitigation monitoring information:
 - a. Names, qualifications, and affiliations of the persons contributing to the report;
 - b. 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;
 - c. A description of the following mitigation site(s) characteristics:
 - i. Detritus cover;
 - ii. General topographic complexity;
 - iii. General upstream and downstream habitat and hydrologic connectivity; and
 - iv. Source of hydrology

- d. 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;
 - e. A description of the progress toward implementing a plan to manage the compensatory mitigation project after performance standards have been achieved to ensure the long term sustainability of the resource in perpetuity, including a discussion of long term financing mechanisms, the party responsible for long term management, and a timetable for future steps;
 - f. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
 - g. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after mitigation site construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/401c/401PhotoDocRB9V713.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced;
 - h. A qualitative comparison to adjacent preserved streambed areas;
 - i. The results of the California Rapid Assessment Method (CRAM) monitoring required under section VI.E of this Certification;
 - j. As-built drawings of the compensatory mitigation project site(s), no bigger than 11"X17"; and
 - k. A survey report documenting boundaries of the compensatory mitigation site(s).
- I. 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/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 Project construction in accordance with section VI.E and VI.F of this Certification.
- J. **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.
- K. **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. R9-2017-0040:832718:MPorter
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. R9-2017-0040: 832718:MPorter.

- L. **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.

- M. **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. **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 Otay Water District 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 December 9, 2016 for the Initial Study/Mitigated Negative Declaration (MND) titled Initial Study/Mitigated Negative Declaration for the Otay Water District 870-2 Pump Station (State Clearing House Number 2016091019). The Lead Agency 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 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 6 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FEIR, 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

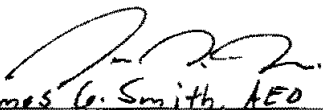
Mike Porter, Engineering Geologist
Telephone: (619) 521-3967
Email: mike.porter@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Otay Water District Pump Station 870-2** (Certification No. R9-2017-0040) 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. R9-2017-0040 issued on October 26, 2017.


James G. Smith, AEO
for DAVID W. GIBSON
Executive Officer
San Diego Water Board

26 Oct 2017
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.

Otay Water District
Pump station 870-2
Certification No. R9-2017-0040

**ATTACHMENT 2
PROJECT LOCATION MAPS**

Figure 1 – Regional Location Map Otay Water District Pump Station 870-2

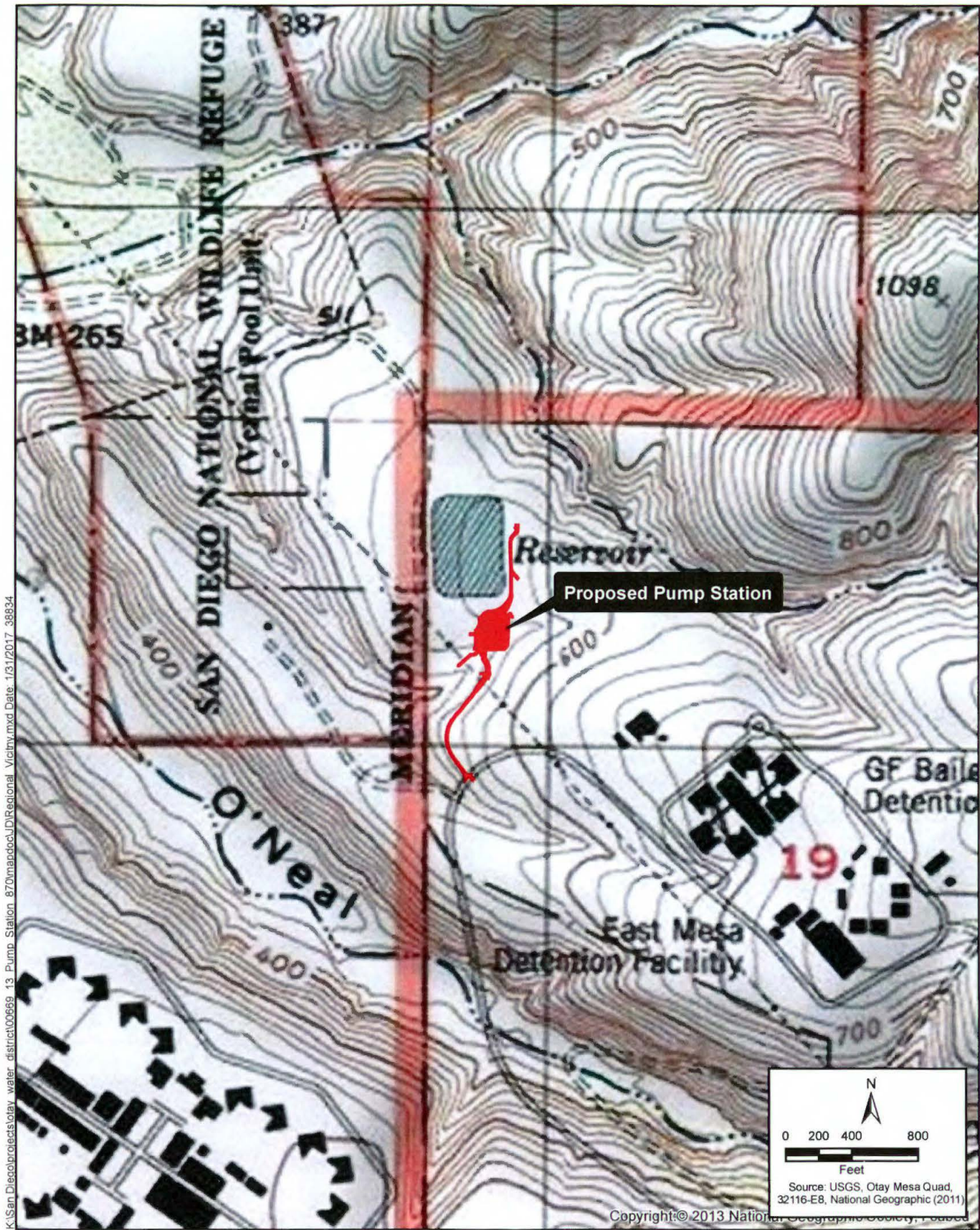
Figure 2 – Project Vicinity Map Otay Water District Pump Station 870-2



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Figure 1
Regional Location Map
Otay Water District Pump Station 870-2



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Figure 2
Regional Vicinity Map
Otay Water District Pump Station 870-2

Otay Water District
Pump station 870-2
Certification No. R9-2017-0040

**ATTACHMENT 3
PROJECT IMPACTS AND PLANS**

Figure 3 – Proposed Project Components Otay Water District
Pump Station 870-2

Figure 4 – Impacts to Jurisdictional Waters Otay Water District
Pump Station 870-2

Drawing 01C21 – Access Road Key Map, Keynotes and Legend

Drawing 01C23 – Access Road Grading & Utility Plan

Drawing 01C25 – Access Road Section Views

Drawing D-30 – Straight Headwall – Type A (Circular Pipe)

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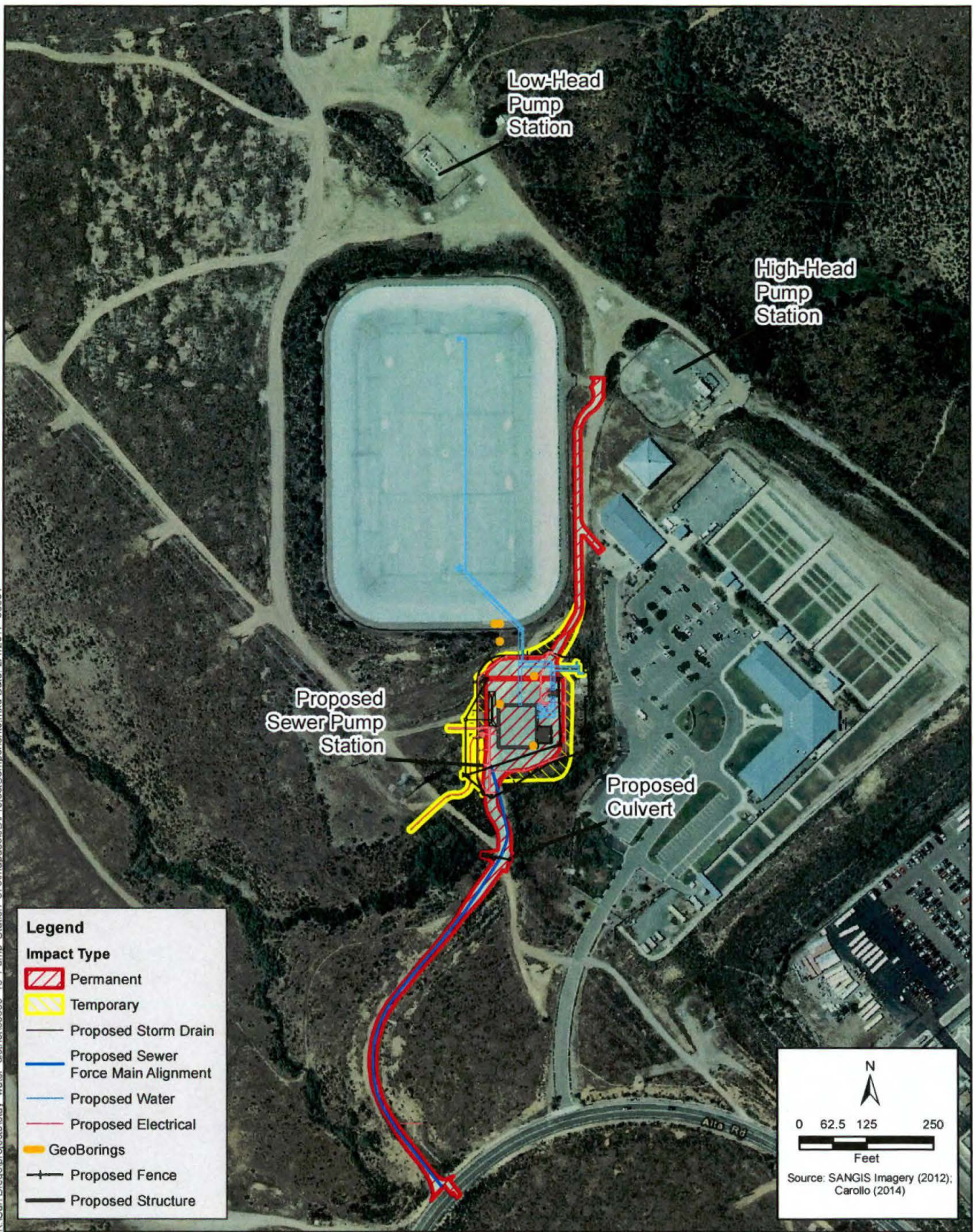


Figure 3
Proposed Project Components
Otay Water District Pump Station 870-2

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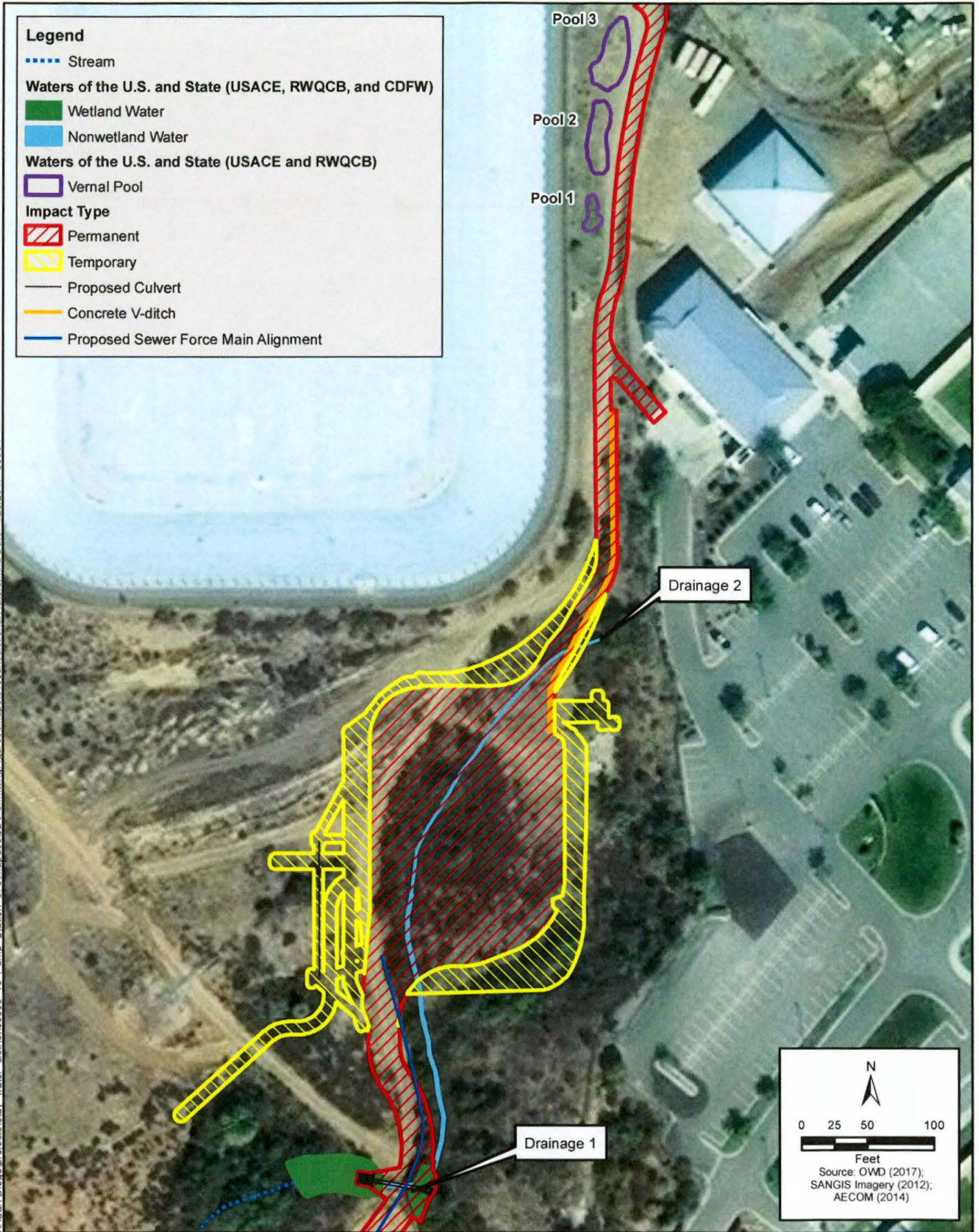


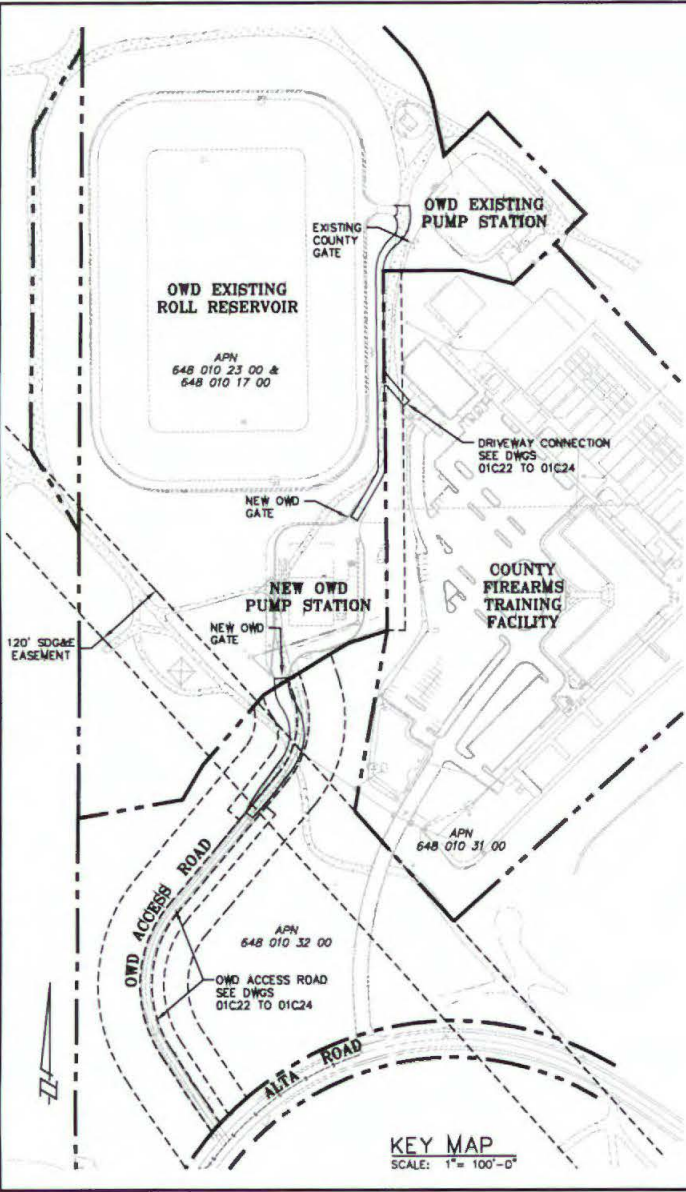
Figure 4
Impacts to Jurisdictional Waters
Otay Water District Pump Station 870-2

KEYNOTES FOR DRAWINGS 01C22 THROUGH 01C28

- 1 DEMOLISH AND REMOVE EXISTING REINFORCED CONCRETE STORM DRAIN HEADWALL (SIMILAR TO 7)
- 2 DEMOLISH AND REMOVE EXISTING CONCRETE BROW DITCH (APPROX 590 LF)
- 3 DEMOLISH AND REMOVE EX SPILLWAY AT TWO (2) LOCATIONS (APPROX 30 LF)
- 4 DEMOLISH AND REMOVE 250 LF OF EXISTING 15' BURIED AC PAVEMENT (APPROX STA -0+3.10, 15.5' L TO STA 2+46.84) AND WITHIN ALTA ROAD
- 5 FURNISH AND INSTALL 30" SD CLEANOUT, TYPE A-4 PER SAN DIEGO RSD D-9
- 6 FURNISH AND INSTALL 30" REINFORCED CONCRETE PIPE (2000D), ASTM C76
- 7 FURNISH AND INSTALL STRAIGHT HEADWALL PER SAN DIEGO RSD D-30
- 8 FURNISH AND INSTALL RIP-RAP ENERGY DISSIPATOR, 10'x10' AS DETAILED IN SAN DIEGO RSD D-40 (1/4 TON)
- 9 FURNISH AND INSTALL TYPE A BROW DITCH PER SAN DIEGO RSD D-76 (APPROX 670 LF)
- 10 MEET EXISTING BROW DITCH
- 11 FURNISH AND INSTALL CONCRETE SPILLWAY PER SAN DIEGO RSD D-22
- 12 OWO 1-1/4" HDPE SEWER (AWWA C906, SDR-11.0)
- 13 SEWER MANHOLE PER SAN DIEGO RSD SM-02/SM-07, 60"ø, RIM ELEV=550.0±, INVERT ELEV = 545.4±
- 14 PROPOSED SEWER LIFT STATION
- 15 SDGE 3" PE GAS (SEE SEPARATE SDGE DESIGN)
- 16 GAS POINT OF CONNECTION (SEE SEPARATE SDGE DESIGN)
- 17 ATT 4" SCH 80 PVC CONDUIT
- 18 SEE PUMP STATION PLANS FOR CONTINUATION
- 19 UTILITY BENCH
- 20 DRAINAGE DITCH, SEE SHEET 01C02A.
- 21 HEADWALL
- 22 FURNISH AND INSTALL 4 INCHES OF AC PAVING ATOP 10 INCHES OF BASE (95% COMPACTION) AND 12 INCHES OF SCARIFIED NATIVE MATERIAL (95% COMPACTION)
- 23 AC LIMITS SHALL EXTEND FROM PUMP STATION SOUTH ACCESS GATE TO STA 2+46.84. STA 0+00 TO STA 2+21.84, W=24'. STA 2+21.84 TO STA 2+46.84, WIDTH TRANSITION.
- 24 BEGIN ACCESS ROAD 24' TO 15' WIDTH TRANSITION (STA 2+21.84)
- 25 FURNISH AND INSTALL WOOD HEADER PER DWG 00G001, DETAIL C1.30, ALONG ALL EDGES OF AC PAVING UNLESS ADJACENT TO OTHER AC PAVING, BERM OR CONCRETE EDGES/CURBING
- 26 FURNISH AND INSTALL 2" OF AC OVERLAY ATOP EX 15' WIDE ACCESS ROAD.
- 27 MEET AND MATCH ELEVATION OF EXISTING PAVEMENT.
- 28 2'x3' HANDHOLE/PULLBOX FOR ATT 4" CONDUIT
- 29 ATT 4" 90° CONDUIT BEND (3' MIN RADIUS)
- 30 DEMOLISH EX UG ELEC 2" PVC CONDUIT AND CONDUCTORS
- 31 FURNISH AND INSTALL UG ELEC 2" CONDUIT AND CONDUCTORS
- 32 FURNISH AND INSTALL SEWER CLEANOUT PER SAN DIEGO RSD SC-01, TYPE A FOR BENDS 45° & GREATER, TYPE B FOR INLINE CLEANOUTS
- 33 4" PVC SEWER LATERAL
- 34 4" SEWER CUT-IN WYE CONNECTION PER WAS SS-04

LEGEND:

- CUT SLOPE
- FILL SLOPE
- PROPERTY LINE
- EASEMENT LINE
- DAYLIGHT LINE
- EXISTING CONTOUR
- FINISH CONTOUR
- CATCH BASIN
- SD CULVERT
- RIP RAP
- BROW DITCH (TYPE "A", D-75)



KEY MAP
SCALE: 1" = 100'-0"

DRAFT
90% SUBMITTAL



DRAWING REFERENCES:

REV	DATE	DESCRIPTION	BY	APP'D

DESIGN BY: JM SCALE: 1" = 100'

DRAWN BY: SD CHECKED BY: JM

PROJECT MANAGER: JEFFREY G. MARCHIONNI, PE

DATE: 10-26-2018

RECORD DRAWINGS: RICE NO. DATE

ENGINEER OF WORK: ROBERT J. KENNEDY, PE

OTAY WATER DISTRICT
2504 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CA 91770-2004
518 - 870-1555

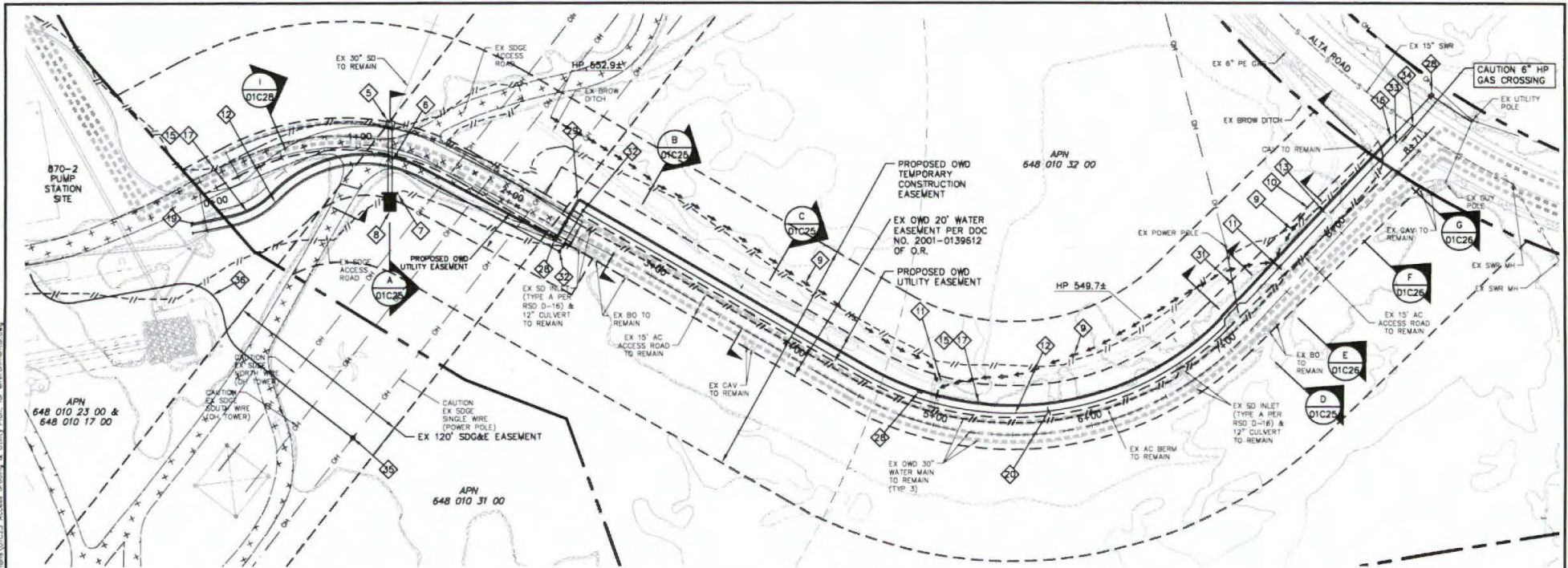
**870-2 PUMP STATION REPLACEMENT
ACCESS ROAD
KEY MAP, KEYNOTES
AND LEGEND**

CALIFORNIA COORDINATE INDEX: 179-6353

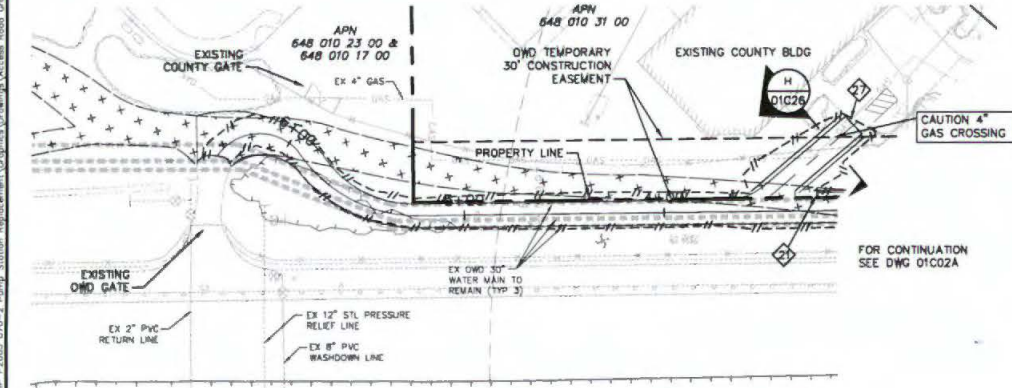
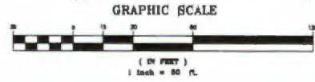
10-26-2018 DATE
RICE - 03836

SHEET 1 OF 14 SHEETS
DRAWING NO. 01C21

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SOUTH ACCESS ROAD PLAN VIEW
SCALE: 1" = 30'-0"



NORTH ACCESS ROAD PLAN VIEW
SCALE: 1" = 30'-0"

NOTE: SEE SHEET 01C21 FOR KEYNOTES



DRAWING REFERENCES:
OWD DWG 158-22 (SHEET C-50)

DRAFT
90% SUBMITTAL

REV	DATE	DESCRIPTION	BY	APP'D

DESIGN BY: JM SCALE: 1"=30'
 DRAWN BY: BS CHECKED BY: JM
 PROJECT MANAGER
 JEFFREY G. MARCHIORO, PE 10-28-2018
 RCE NO. DATE

RECORD DRAWING ENGINEER OF WORK RCE NO. DATE

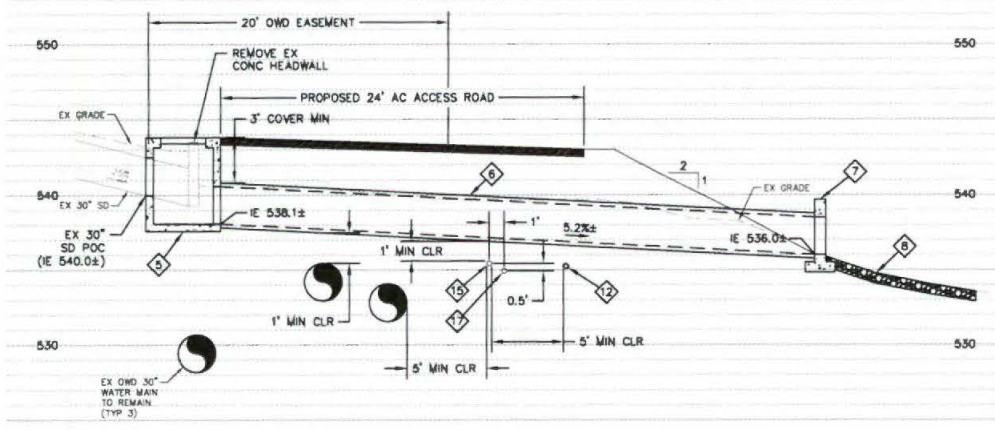
OTAY WATER DISTRICT
 2554 STREETWATER SPRINGS HILLSBLVD
 SPRING VALLEY, CA 91778-0004
 916 - 970-2222

**870-2 PUMP STATION REPLACEMENT
 ACCESS ROAD
 GRADING &
 UTILITY PLAN**
 CALIFORNIA COORDINATE INDEX: 179-6353

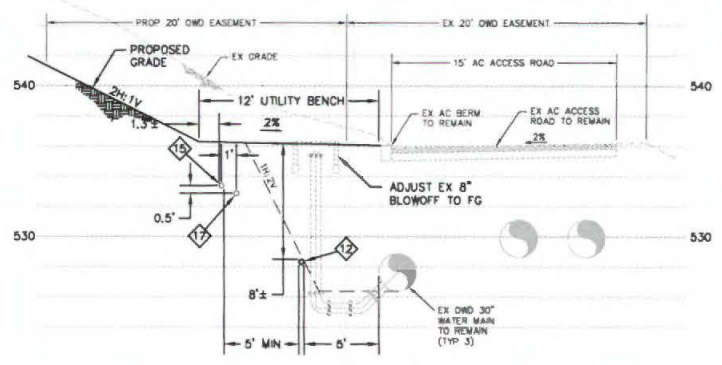
PROJECT NO.	10-28-2018
SHEET NO.	10
DRAWING NO.	01C23

ROBERT J. LIPNEY, PE
ENGINEERING MANAGER

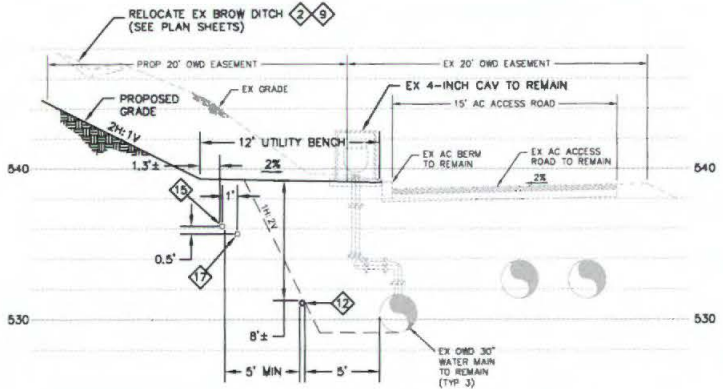
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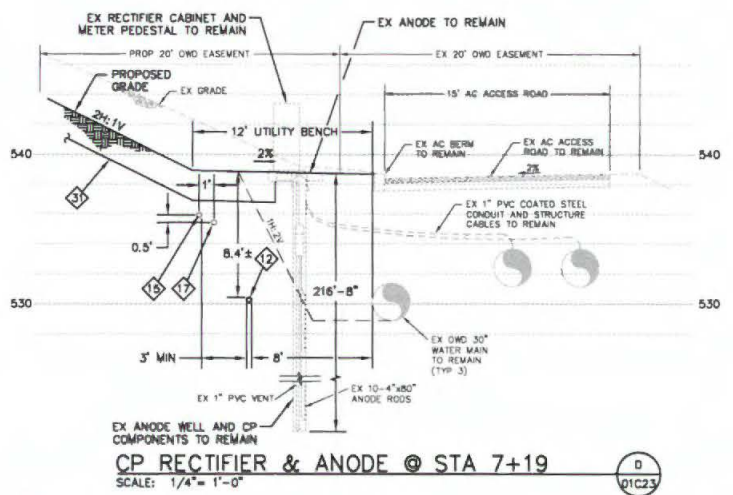
STORM DRAIN CROSSING
SCALE: 1/4" = 1'-0"



8-INCH BLOWOFF @ STA 2+74
SCALE: 1/4" = 1'-0"



4-INCH CAV @ STA 3+66
SCALE: 1/4" = 1'-0"



CP RECTIFIER & ANODE @ STA 7+19
SCALE: 1/4" = 1'-0"

NOTE: SEE SHEET 01C21 FOR KEYNOTES



DRAWING REFERENCES:

DRAFT
90% SUBMITTAL

REV	DATE	DESCRIPTION	BY	APPD

DESIGN BY: XX SCALE: 1" = XX'
 DRAWN BY: XX CHECKED BY: XX
 PROJECT MANAGER: JEFFREY G. MARCHIORO, PE
 RECORD DRAWINGS: ENGINEER OF WORK

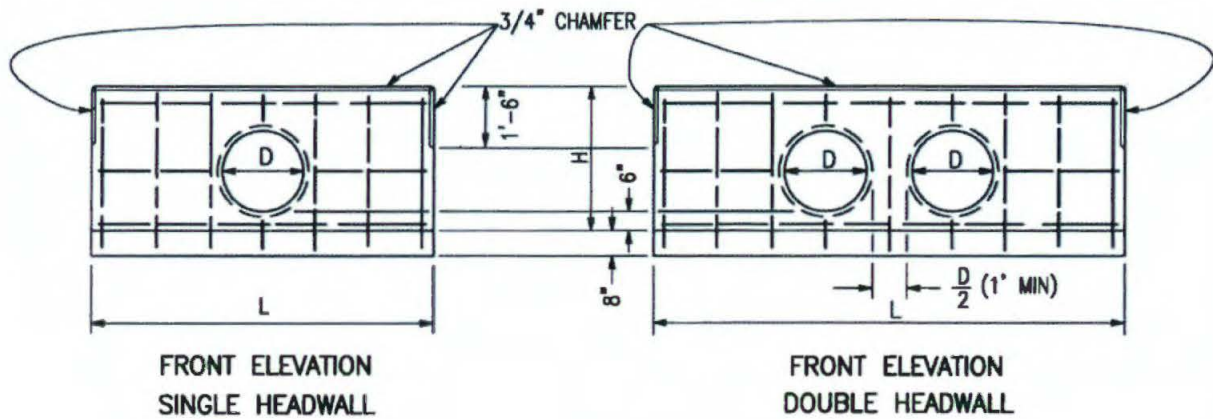
OTAY WATER DISTRICT
 2554 SWEETWATER SPRINGS HOLLOWAY
 SPRING VALLEY, CA 91778-2004
 919 - 970-2222

870-2 PUMP STATION REPLACEMENT
ACCESS ROAD SECTION VIEWS
 CALIFORNIA COORDINATE INDEX: 179-6353

10-28-2016
 DATE
 RJC CHSRS

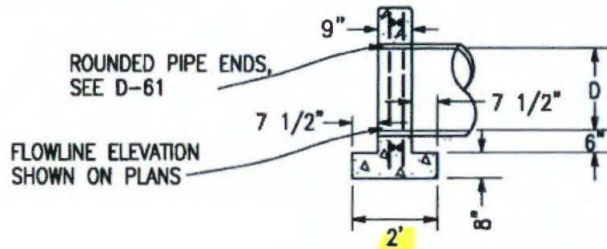
ROBERT J. KENNEDY, PE
 ENGINEERING MANAGER

01C23



FRONT ELEVATION
SINGLE HEADWALL

FRONT ELEVATION
DOUBLE HEADWALL



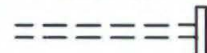
SECTION, SINGLE &
DOUBLE HEADWALLS

D	H	SINGLE		DOUBLE			
		L	STEEL (POUNDS)	CONCRETE (C.Y.)	L	STEEL (POUNDS)	CONCRETE (C.Y.)
12"	2'-8"	5'	35	0.60	8'	50	0.94
15"	2'-11"	6'	40	0.75	9'-6"	60	1.17
18"	3'-2"	7'	50	0.91	10'-6"	75	1.35
21"	3'-5"	7'-6"	60	1.02	11'-6"	90	1.52
24"	3'-8"	8'-6"	75	1.20	12'-6"	100	1.72
27"	3'-11"	9'-6"	85	1.39	14'	115	2.00
30"	4'-2"	10'	85	1.52	15'	126	2.21
33"	4'-5"	11'	100	1.73	16'	130	2.42
36"	4'-8"	12'	105	1.95	17'	145	2.65
39"	4'-11"	12'-6"	130	2.09	18'	170	2.88
42"	5'-2"	13'-6"	140	2.34	19'	185	3.13
45"	5'-5"	14'-6"	150	2.60	20'	195	3.38
48"	5'-8"	15'	160	2.75	21'	200	3.64
51"	5'-11"	16'	180	3.03	22'-6"	225	4.02
54"	6'-2"	17'	190	3.31	23'-6"	240	4.30

NOTES

1. CONCRETE SHALL BE 560-C-3250.
2. ALL REINFORCING SHALL BE #4 BARS. ALL VERTICAL AND HORIZONTAL TIE BARS @ 18" MAXIMUM SPACING.
3. EXPOSED CORNERS SHALL BE 3/4" CHAMFERED.

LEGEND ON PLANS



Revision	By	Approved	Date
ORIGINAL		Kercheval	12/75
Reformatted		T. Stanton	04/06
Edited		T. Stanton	02/09
Edited	S.S.	T. Regello	03/11
Edited	T.R.	T. Regello	10/15

SAN DIEGO REGIONAL STANDARD DRAWING

STRAIGHT HEADWALL - TYPE A
(CIRCULAR PIPE)

RECOMMENDED BY THE SAN DIEGO
REGIONAL STANDARDS COMMITTEE

M. Heaton 12/17/2015
Chairperson R.C.E. 19246 Date

DRAWING
NUMBER **D-30**

Otay Water District
Pump station 870-2
Certification No. R9-2017-0040

ATTACHMENT 4 MITIGATION LOCATION AND PLANS

Figure 1 – Regional Map, Otay Water District Draft Habitat Mitigation and Monitoring Plan

Figure 2 – Regional Vicinity Map, Otay Water District Habitat Mitigation and Monitoring Plan

Figure 3 – Watersheds, Otay Water District Habitat Mitigation and Monitoring Plan

Figure 4 – Mitigation Sites, Otay Water District Draft Habitat Mitigation and Monitoring Plan

Figure 5 – Mitigation Site 1, Otay Water District Draft Habitat Mitigation and Monitoring Plan

Figure 6 – Mitigation Site 2, Otay Water District Draft Habitat Mitigation and Monitoring Plan

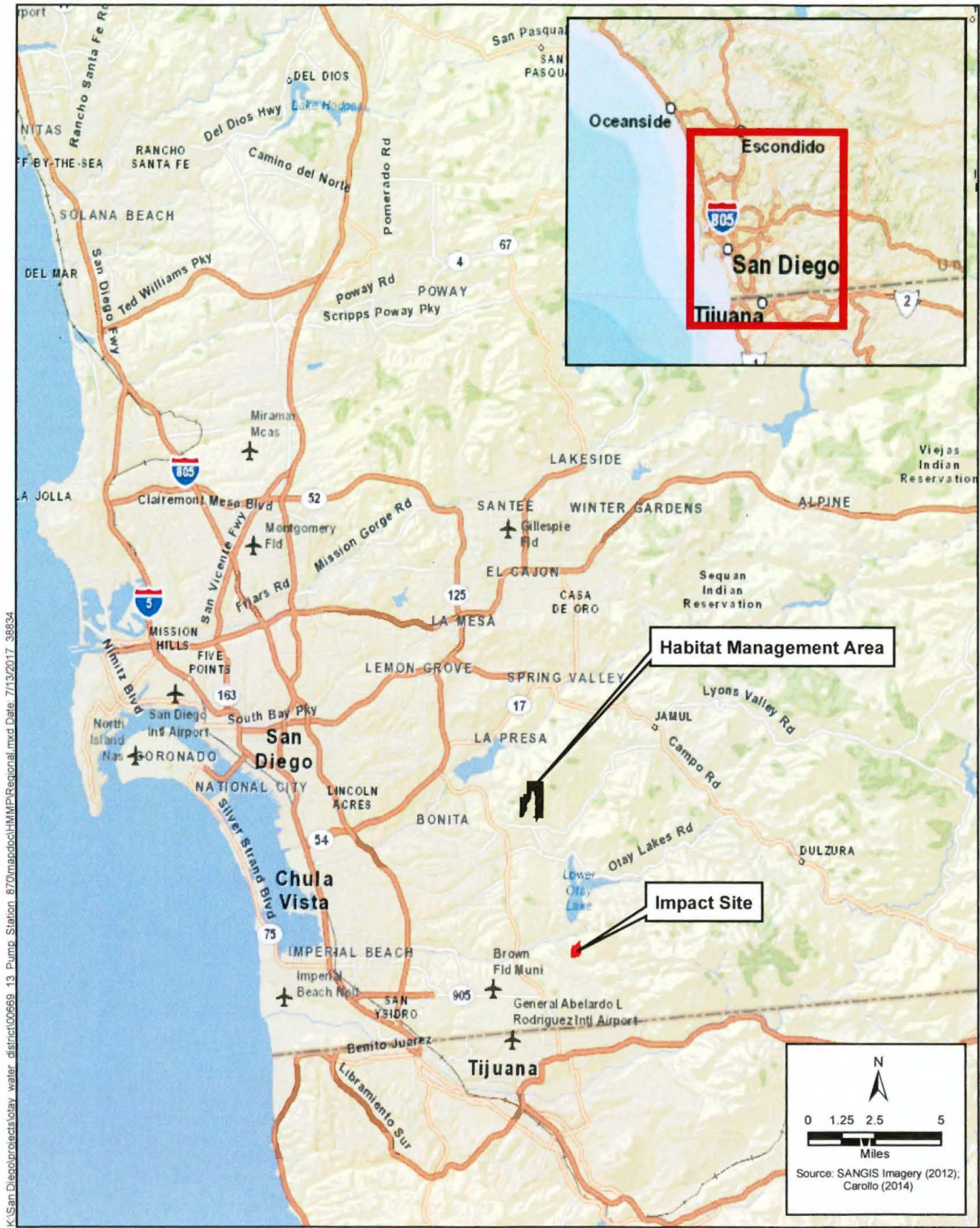
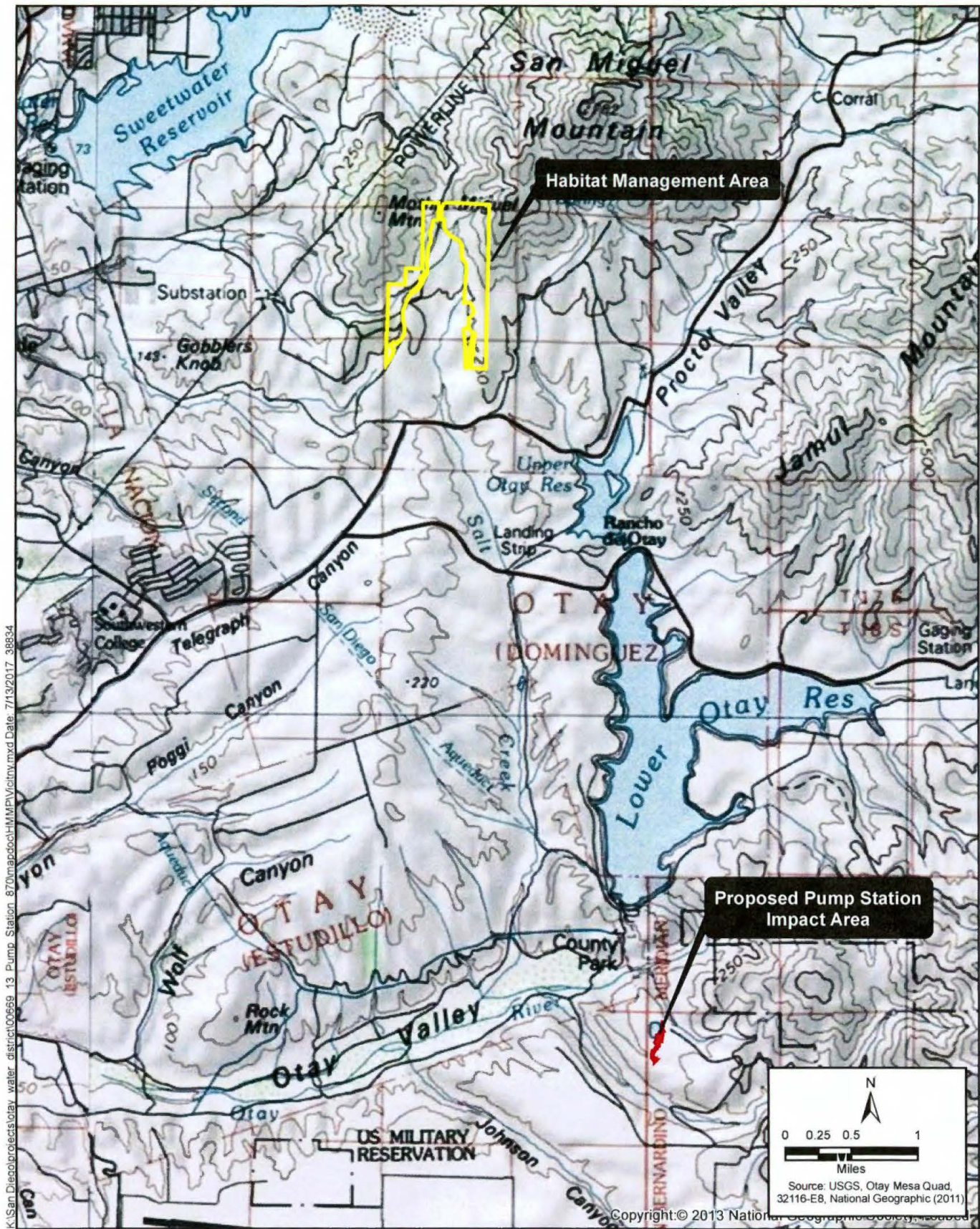


Figure 1
Regional Map
Otay Water District Draft Habitat Mitigation and Monitoring Plan



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Figure 2
Regional Vicinity Map
 Otay Water District Habitat Mitigation and Monitoring Plan

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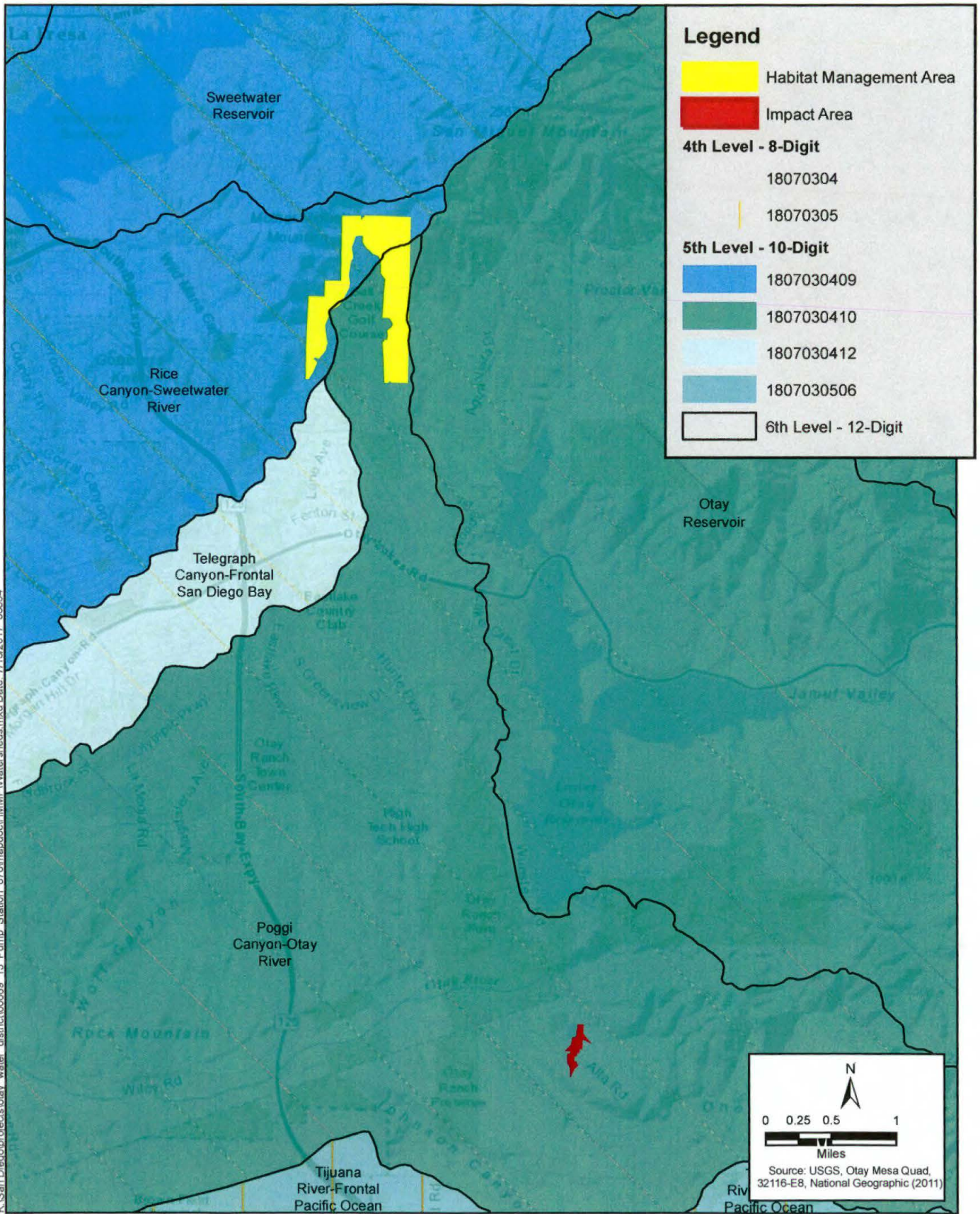


Figure 3
Watersheds
Otay Water District Habitat Mitigation and Monitoring Plan

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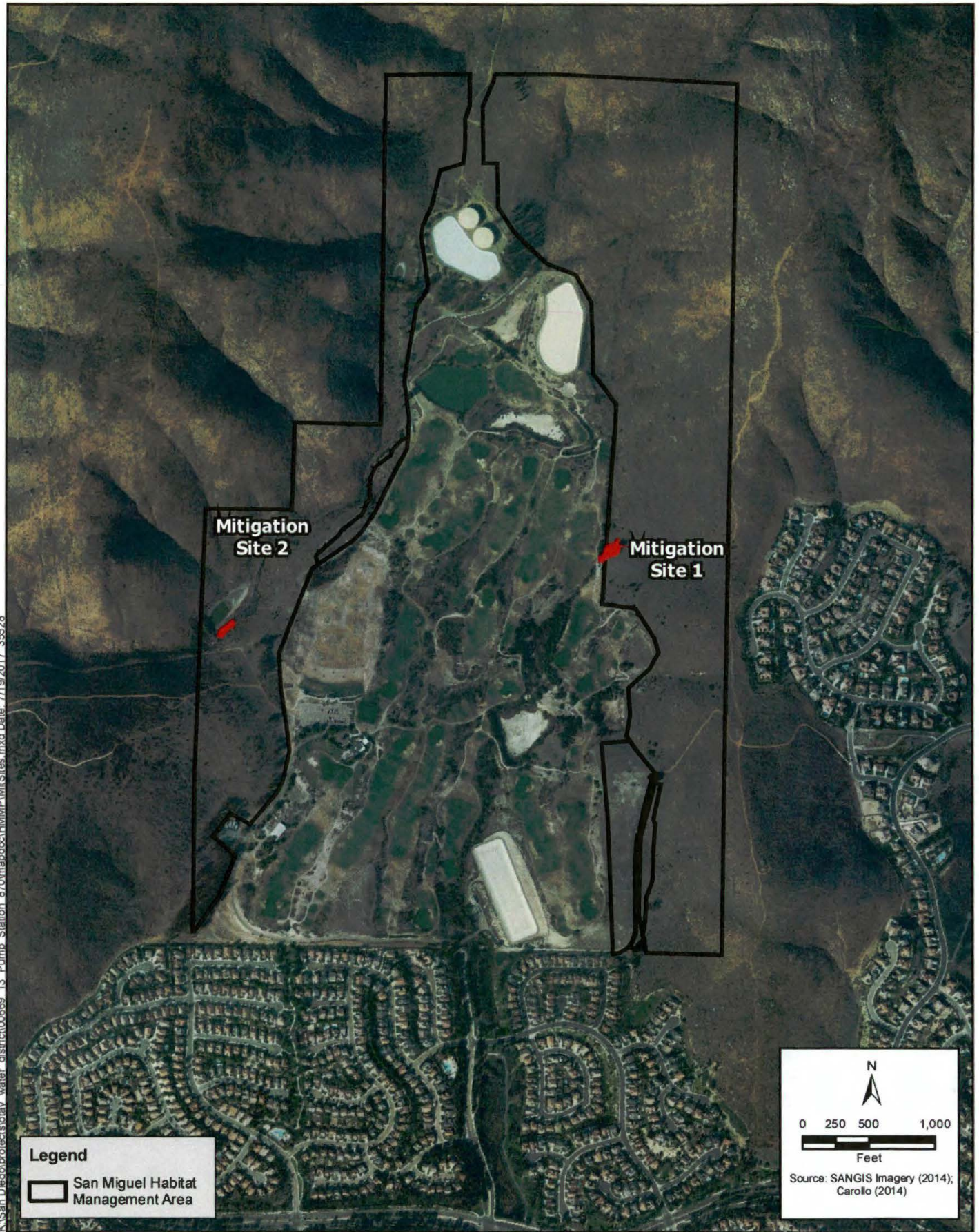


Figure 4
Mitigation Sites
Otay Water District Draft Habitat Mitigation and Monitoring Plan

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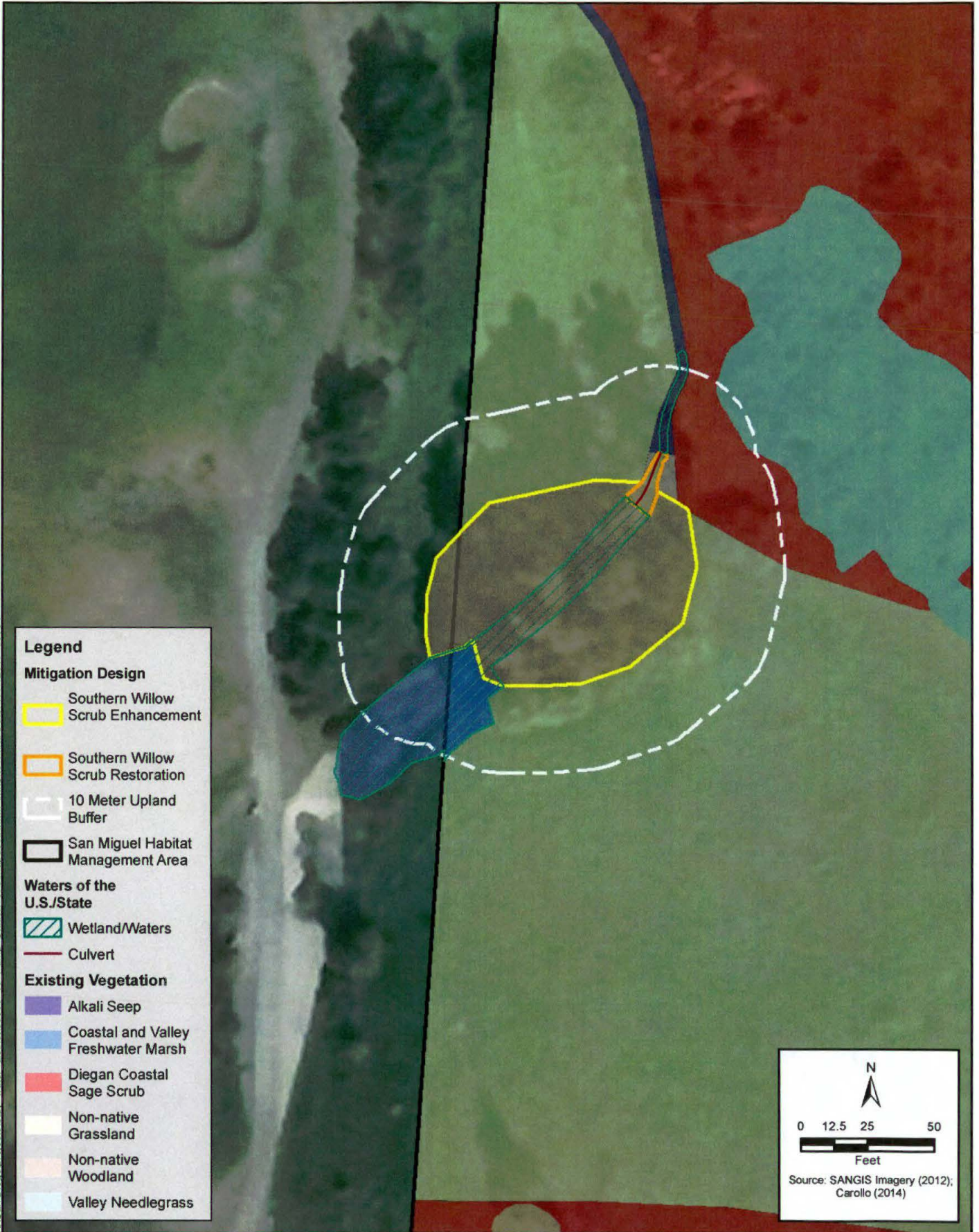


Figure 5
Mitigation Site 1
Otay Water District Draft Habitat Mitigation and Monitoring Plan

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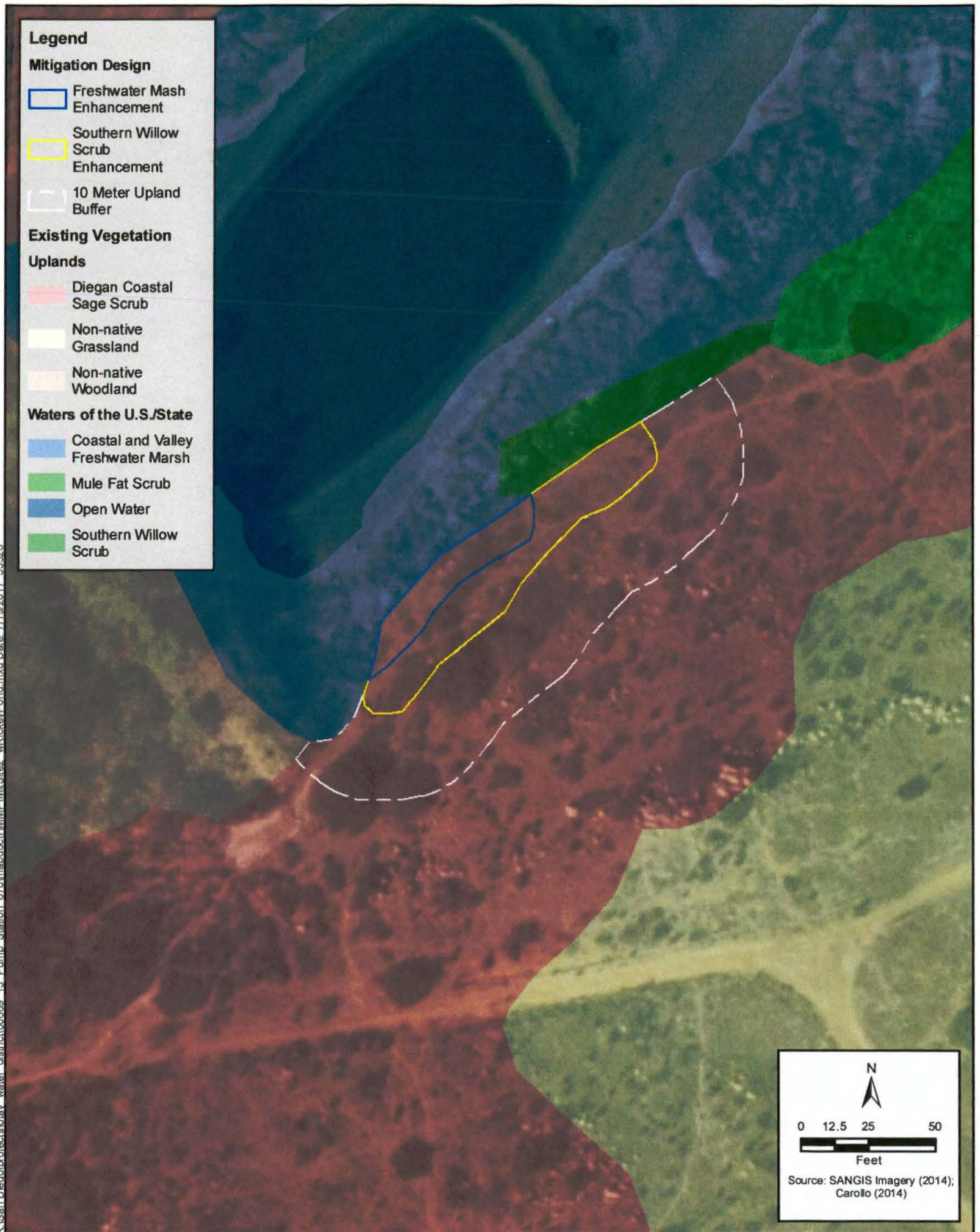


Figure 6
Mitigation Site 2
Otay Water District Draft Habitat Mitigation and Monitoring Plan

Otay Water District
Pump station 870-2
Certification No. R9-2017-0040

ATTACHMENT 5
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

**MITIGATION MONITORING AND REPORTING PROGRAM
FOR
THE OTAY WATER DISTRICT 870-2 PUMP STATION
FINAL ENVIRONMENTAL IMPACT REPORT
State Clearinghouse No. 2016091019**

Prepared for:

Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2096

Prepared by:

ICF
525 B Street, Suite 1700
San Diego, California 92101

November 2016

MITIGATION MONITORING AND REPORTING PROGRAM OTAY WATER DISTRICT 870-2 PUMP STATION

Mitigation measures have been identified in the Final Environmental Impact Report for the Otay Water District 870-2 Pump Station to reduce or avoid potential environmental impacts. To ensure compliance, the following mitigation monitoring and reporting program has been formulated. This program provides a checklist of mitigation measures and monitoring requirements, including the responsible party and when the mitigation will occur.

Table 1 summarizes the mitigation measures for the Otay Water District 870-2 Pump Station. Information contained within the checklist clearly identifies the mitigation measure, delineates the monitoring schedule, and defines the conditions required to verify compliance. The following list is an explanation of the five columns that constitute the checklist.

- Column 1 Mitigation Measure:** Each measure is numbered and provided with a brief description of mitigation to reduce an impact to a below a level of significance.
- Column 2 Monitor:** Identifies the public agency or private entity that is responsible for determining compliance with the mitigation measure and for informing the Otay Water District (OWD) about compliance.
- Column 3 Schedule:** The monitoring schedule depends upon the progression of the overall project. Therefore, specific dates are not used within the "Schedule" column. Instead, scheduling describes a logical succession of events (e.g., prior to construction, annual) and if necessary, delineates a follow-up program.
- Column 4 Verification of Compliance:** Verification by the responsible monitor that the mitigation measure has been completed.

The OWD, as the lead agency, will be ultimately responsible for ensuring the implementation of all mitigation and monitoring measures. These measures are provided within this MMRP to ensure inclusion within the appropriate future construction documents to confirm implementation.

Mitigation Measure	Implementer/Monitor	Schedule	Verification of Compliance (Date/Notes)
<p>preconstruction surveys will be required to locate active nests and establish buffer (i.e., no construction) zones. The CAGN survey will consist of a minimum of six surveys, spaced 7 days apart. If construction activities are to occur during the breeding season, the CAGN survey will consist of a minimum of nine surveys, spaced 7 days apart. For the LBV, surveys will be conducted per USFWS protocols between April 10 and July 31; the LBV survey will consist of a minimum of eight surveys, spaced 10 days apart. If active CAGN or LBV nests are located within the project site the nests will be avoided, and supplemental noise abatement measures may be required. Noise abatement may include the installation of temporary acoustic barriers to reduce noise levels to 60 dBA or below. If adequate noise reduction is not feasible, then construction will be avoided adjacent to any occupied nests during the breeding season. Directional lighting and mufflers to minimize construction noise will also be required to minimize indirect impacts. The qualified project biologist(s) should be responsible for coordinating with USFWS and CDFW to determine if construction activities could disturb an active nest and when nests are no longer active, and also monitor to ensure birds are not agitated by construction activities.</p> <p>If seasonal avoidance or appropriate buffers cannot be maintained for LBV, a 2081 Incidental Take Permit (ITP) or a 2080.1 consistency determination from CDFW may be required to authorize impacts caused by construction activities. If it is anticipated that work will need to occur during the breeding season within or adjacent to occupied least LBV habitat, the District will enter into early coordination with CDFW to determine if an ITP is advisable.</p> <p>MM BIO-3: San Miguel Habitat Management Area. Impacts on the 0.64 acre of sensitive vegetation communities, consisting of 0.01 acre of southern willow scrub, 0.5 acre of Diegan coastal sage scrub, and 0.13 acre of nonnative grassland, will be mitigated at a ratios of 3:1, 2:1, and 0.5:1, respectively, through the use of available credits at the District's San Miguel Habitat Management Area (HMA) or through the</p>	<p>OWD</p>	<p>During construction</p>	

Mitigation Measure	Implementer/Monitor	Schedule	Verification of Compliance (Date/Notes)
<p>creation of habitat within the HMA. Consultation with the USFWS and CDFW will be conducted for the listed species to ensure adequate compensatory mitigation. Furthermore, the limits of project construction will be clearly marked when construction activities would occur adjacent to sensitive habitat.</p> <p>MM BIO-4: Nesting Bird Surveys. Nesting bird surveys will be required for all project activities and will be conducted by a qualified biologist no more than three days prior to commencing project activities. The size of the nesting bird survey area will be determined by a qualified biologist at the time of the survey. If nests are found, the biologist will identify and flag a 300-foot no-work buffer for nesting passerine birds and a 500-foot no-work buffer for active raptor nests. These buffers will remain in place until the young have fledged or the nest is no longer active. The specific buffer width will be determined by the biologist at the time of discovery and will vary according to the avian species, site conditions, and the type of work activities to be conducted. Additionally, if construction ceases for greater than two weeks, another survey will be completed to avoid impacts to potential nesting birds that may have moved into the project vicinity.</p>	Biological monitor	During construction	
<p>To avoid impacts to cultural resources, the following measures shall be implemented.</p> <p>MM CUL-1: Cultural Resources Monitoring. Prior to grading, the District shall retain a qualified archaeologist to monitor all ground-disturbing activities in coordination with a Native American monitor. Prior to beginning any work that requires cultural resources monitoring:</p> <ol style="list-style-type: none"> i. A preconstruction meeting shall be held that includes the archaeologist, construction supervisor and/or grading contractor, and other appropriate personnel to go over the cultural resources monitoring program. ii. The archaeologist shall (at that meeting or subsequently) 	OWD/Qualified archaeologist	Pre- and during construction; Prior to grading	

Mitigation Measure	Implementer/Monitor	Schedule	Verification of Compliance (Date/Notes)
<p>submit to the District a copy of the site/grading plan that identifies areas to be monitored.</p> <p>iii. The archaeologist shall coordinate with the construction supervisor and District on the construction schedule to identify when and where monitoring is to begin, including the start date for monitoring.</p> <p>iv. The archaeologist shall be present during grading/excavation and shall document such activity on a standardized form. A record of monitoring activity shall be submitted to the District each month and at the end of monitoring.</p> <p>MM CUL-2: Data Recovery Plan. In the event archaeological resources are discovered during ground-disturbing activities, the on-site construction supervisor shall be notified and shall redirect work away from the location of the discovery to allow for preliminary evaluation of potentially significant archaeological resources. The construction supervisor shall be notified by the archaeologist when the discovered resources have been collected and removed from the site, at which time the construction supervisor shall direct work to continue in the location of the discovery.</p> <p>i. Prepare a research design, resource evaluation plan and, if necessary, an archaeological data recovery plan that will capture those categories of data for which the site is significant. The significance of the discovered resources shall be determined in consultation with the Native American representative, as appropriate. All archaeological work shall be conducted in the presence of a Native American monitor.</p> <p>ii. If, in the opinion of the qualified archaeologist and in light of the data available, the significance of the site is such that data recovery cannot capture the values that qualify the site for inclusion in the CRHR, then the District shall reconsider</p>	<p>OWD/ Qualified archaeologist</p>	<p>During construction</p>	

Mitigation Measure	Implementer/Monitor	Schedule	Verification of Compliance (Date/Notes)
<p>project plans in light of the high value of the resource, and implement more substantial project modifications that would allow the site to be preserved intact, such as redesign, placement of fill, or relocation or abandonment.</p> <p>iii. Perform appropriate technical analyses, prepare a report and file it with the SCIC, and provide for the permanent curation of recovered resources. Perform appropriate technical analyses, prepare a report and file it with the SCIC, and provide for the permanent curation of recovered resources at a facility meeting the standards of 36CFR79, as follows:</p> <ul style="list-style-type: none"> a. The archaeologist shall ensure that all significant cultural resources collected are cleaned, catalogued, and analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; that specialty studies are completed, as appropriate; and that a letter of acceptance from the curation institution has been submitted to the District. b. Curation of artifacts shall be completed in consultation with the Native American representative, as applicable. <p>MM CUL-3: Paleontological Surveys. A qualified vertebrate paleontologist shall be retained by the District to perform paleontological monitoring during initial ground disturbance. The location of construction activities likely to encounter subsurface sediments with high paleontological sensitivity shall be determined by the qualified paleontologist upon review of project excavation and grading plans. Very shallow surficial excavations, less than 5 feet in depth, within areas of previous disturbance shall be monitored on a part-time basis to ensure that underlying sensitive units are not adversely affected. Any areas consisting of artificial fill materials shall</p>	<p>OWD/Qualified paleontologist</p>	<p>During construction</p>	

Mitigation Measure	Implementer/Monitor	Schedule	Verification of Compliance (Date/Notes)
not require monitoring.			
<p>To avoid impacts associated with strong seismic groundshaking, the following measure shall be implemented.</p> <p>MM GEO-1: Geotechnical Study. Prior to the issuance of building or grading permits, the project proponent will conduct a full geotechnical study to evaluate soil conditions and geologic hazards on the project site. The geotechnical study will be signed by a California-registered professional engineer and must contain field exploration data (drilling and soil sampling); laboratory testing of soil samples; and an engineering analysis to determine soil properties related, but not limited to: ground-motion acceleration parameters, the amplification properties of the subsurface units at the specific site(s), the potential for hydrocompaction to affect the proposed facilities, and the potential for collapsible, subsiding, liquefiable or expansive soils to affect the proposed project. The project proponent will implement recommendations found in the geotechnical study and use conclusions to determine the appropriate engineering to minimize geotechnical hazard impacts.</p>	OWD/ California-registered professional engineer	Prior to the issuance of building or grading permits	