#### CALIFORNIA WATER QUALITY CONTROL BOARD SAN DIEGO REGION

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## TENTATIVE ORDER NO. R9-2015-0054

#### WASTE DISCHARGE REQUIREMENTS FOR MONTECITO RANCH LLC

#### MONTECITO RANCH PROJECT SAN DIEGO COUNTY

The following Discharger is subject to waste discharge requirements as set forth in this Order:

#### Table 1.Discharger Information

Discharger	Montecito Ranch LLC
Name of Project	Montecito Ranch
Project Address	Intersection of Montecito Way and Sonora Way, Ramona, CA
CIWQS Party Number	801014

Discharges by Montecito Ranch from the discharge points identified below are subject to the waste discharge requirements set forth in this Order:

#### Table 2: Discharge Location

Discharge	Discharge	Discharge Point	Discharge Point	Receiving Water
Point	Description	Latitude	Longitude	
Refer to Attachment A for a map of all discharge locations	Clean Fill	33.8802778	-117.2400000	Unnamed tributary to Santa Ysabel Creek

#### Table 3. Administrative Information

This Order was adopted by the California Regional Water Quality Control Board, San Diego Region on:	June 22, 2016
This Order shall become effective on:	June 22, 2016

I, David W. Gibson, Executive Officer, do hereby certify that this order is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Diego Region, on June 22, 2016.

Tentative David W. Gibson Executive Officer

## TABLE OF CONTENTS

I.	PROJECT INFORMATION	4
II.	FINDINGS	4
III.	DISCHARGE PROHIBTIONS	9
IV.	CONSTRUCTION BEST MANAGEMENT PRACTICES	9
۷.	<b>POST- CONSTRUCTION BEST MANAGEMENT PRACTICES</b>	
VI.	<b>PROJECT IMPACTS AND COMPENSATORY MITIGATION</b>	13
VII.	RECEVING WATER LIMITATIONS	14
VIII.	REPORTING REQUIREMENTS	15
IX.	PROVISIONS	
Х.	NOTIFICATIONS	21

ATTACHMENT A:	PROJECT SITE MAPS
<b>ATTACHMENT B:</b>	INFORMATION SHEET
<b>ATTACHMENT C:</b>	MITIGATION PURCHASE AGREEMENT
ATTACHMENT D:	NON-FEDERAL WATERS OF THE UNITED STATES
ATTACHMENT E:	TREATMENT CONTROL BEST MANAGEMENT PRACTICE
	PLAN
ATTACHMENT F:	MITIGATION AND MONITORING REPORTING PROGRAM

## I. PROJECT INFORMATION

The following Project is subject to waste discharge requirements set forth in this Order:

Table 4. Project information				
Discharger	Montecito Ranch LLC			
Name of Project	Montecito Ranch			
Project Address	Intersection of Montecito Way and Sonora Way, Ramona, CA			
Project Contact, Title, and Phone	Bruce Tabb, (619) 696-7355			
Mailing Address	402 Broadway, Suite 1320, San Diego, CA 92101			
Type of Project	Housing Development			
CIWQS Place Number	801014			
WDID Number	900002667			

## Table 4. Project Information

## II. FINDINGS

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board) finds:

- A. **Report of Waste Discharge.** Montecito LLC submitted a Report of Waste Discharge (ROWD) to construct the Montecito Ranch (Project), located in San Diego County on April 28, 2014. Additional information to complete the ROWD application was received on June 16, 2014, May 5, 2015, June 19, 2015, and January 16, 2016. The ROWD was deemed complete on March 10, 2016. The Discharger proposes to discharge fill material to waters of the State associated with construction activity at the Project site.
- B. Project Location. The proposed Project is a housing development on a 935acre site, including 417 single family homes, public facilities, and infrastructure improvements. The Project is located northeast of the intersection of Montecito Way and Sonora Way in the City of Ramona, San Diego County, California. The Project is located within the San Pasqual US Geological Survey 7.5-minute quadrangle maps. Attachment A of this Order provides the location of the Project and mitigation sites.
- C. **Receiving Waters.** The Project site contains a total of 0.70 acres and 22,963 lineal feet of surface waters of the State. The receiving waters in the vicinity of the Project are Santa Ysabel Creek. The Project area lies within the Santa Maria Hydrologic Area (HA), Ramona Hydrologic Subarea (HSA) (905.41) and the Santa Ysabel HA, Boden HSA (905.51). Land use in the largely undeveloped Project area is rangeland or agricultural.
- D. **Overall Project Purpose.** The purpose of the Project is to construct 417 single family homes. The Project includes public facilities, infrastructure improvements (water, sewer, street improvements, public park, multiuse recreational trails and

dedicated open space. The Project is divided into two phases. Phase I will include 244 single family residences within five neighborhoods and Phase II will include 173 residences in three neighborhoods. Grading and construction could be occurring in both units at the same time. The Project will fully develop and dedicate an 8.3 acre local park and an 11.9 acre historical site surrounding the existing historic Montecito Ranch House. (See Project Site Maps, Attachment A).

The Montecito Ranch Project site is 935 acres with 347 acres disturbed for grading, remedial grading, and construction. In addition to the paved road and associated bridges and interchanges, the construction area includes access roads, materials storage areas, areas for utility relocations, and post-construction of Best Management Practices (BMPs) for storm water treatment. The Project adds approximately 188 acres of impervious surfaces. More details about the Project and Project impacts are described in the Information Sheet in Attachments B of this Order.

- E. **Project Impacts.** This Order authorizes the discharge of fill material with a total of 0.027 acre (1,160 linear feet) of permanent impacts to waters of the State attributed to the Project and no temporary impacts to waters of the State in the Santa Maria HA and the Santa Ysabel HA.
- F. Project Mitigation. The Discharger reports that compensatory mitigation to offset permitted Project impacts will be achieved through the purchase of mitigation bank credits from the San Luis Rey Wetland Mitigation Bank in advance of Project construction. The Project is designed to avoid permanent impacts to six of the eight drainages within the property boundaries. Impacts to Drainages A, B, C, E, G and H are avoided and these drainages will be in the Project's proposed Open Space. Permanent impacts occur in drainage D and F. See Jurisdictional Impacts Figure in Attachment A of this Order.
- G. **Regulatory Authority and Reason for Action.** By letter dated March 26, 2014, the U.S. Army Corps of Engineers (USACE) determined that the proposed Project activities will not result in the discharge of dredge or fill material to waters of the United States and therefore the Project is not subject to USACE jurisdiction under Section 404 of the Clean Water Act (CWA) and a Section 404 permit is not required for the Project.

However, surface waters affected by the Project are waters of the State, as defined by section 13050 (e) of the Water Code, means any surface or groundwater, including saline waters, within the boundaries of the State, including, but not limited to: wetlands and ephemeral, intermittent, and perennial stream channels, in all flow conditions, and which may be effluent dominated and seasonally dry. Waste discharges to these waters are subject to State regulation under division 7 of the Water Code (commencing with section 13000). This Order is issued pursuant to Water Code section 13263, and establishes waste discharge requirements for the discharge of fill material, including structural

material and/or earthen wastes from Project construction activities, to waters of the State. The waste discharge requirements of this Order are necessary to adequately address potential and anticipated impacts to waters of the State, and to ensure compliance with applicable water quality control plans and polices.

- H. **Statement of Basis.** The San Diego Water Board developed the requirements in this Order based on information submitted as part of the ROWD and other available information. The Information Sheet in Attachment B of this Order contains background information and the supporting rationale for the requirements of this Order and is hereby incorporated into this Order and constitutes part of the findings for this Order.
- I. Water Quality Control Plan. The San Diego Water Board adopted the Water Quality Control Plan for the San Diego Basin (hereinafter Basin Plan) on September 8, 1994 that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for Santa Ysabel Creek and other receiving waters addressed through the Plan.<sup>1</sup> Subsequent revisions to the Basin Plan have also been adopted by the San Diego Water Board and approved by the State Water Resources Control Board (State Water Board). Beneficial uses applicable to the unnamed tributaries of Santa Ysabel Creek specified in the Basin Plan are as follows:

Discharge Points Receiving Water Name		Beneficial Use(s) (check these)				
	Unnamed tributaries to Santa Ysabel Creek	Municipal and Domestic Supply; Industrial Service Supply; Agricultural Supply; Industrial Process Supply, Contact Water Recreation; Non-Contact Water Recreation; Warm Freshwater Habitat; Cold Freshwater Habitat; and Wildlife Habitat.				

#### Table 5. Basin Plan Beneficial Uses of Santa Ysabel Creek

This Order specifies waste discharge requirements that are necessary to adequately address effects on, and threats to, applicable water quality standards resulting from discharges attributed to the Project. Through compliance with the waste discharge requirements of this Order, the Project will cause or contribute to an exceedance of State water quality standards.

J. Anti-Degradation Policy. The State Water Resources Control Board established California's anti-degradation policy in State Water Board Resolution No. 68-16 (Policy) which requires that existing quality of waters be maintained unless degradation is justified based on specific findings. Minimal water quality degradation may be allowed under the Policy only if any change in water quality is consistent with the maximum benefit to the people of the State; and the degradation will not unreasonably affect present and anticipated beneficial uses; the degradation will not result in violation of any applicable Water Quality Control Plan. Discharges must meet requirements that will result in the best practicable

<sup>&</sup>lt;sup>1</sup> The Basin Plan is accessible on-line at:

http://www.waterboards.ca.gov/sandiego/water issues/programs/basin plan/index.shtml

treatment or control to avoid pollution or a condition of nuisance. Consistent with the Policy, any degradation provides the maximum benefit to the people of the State. Construction of the housing development not only promotes jobs and provides a necessary accommodation to growth in San Diego County, but will set aside 558.3 acres for parks and public open space. Moreover, this Order contains waste discharge requirements to ensure present and future beneficial uses are maintained or enhanced through mitigation and monitoring requirements for impacts to waters of the State. The waste discharge requirements employ best practicable treatment and control of any discharges to ensure and verify that the highest level of water quality is maintained consistent with the maximum benefit to the people of the State.

- K. **No Net Loss Policy.** In 1993, the Governor of California issued the California Wetlands Conservation Policy (Executive Order W-59-93). Commonly referred to as the "No Net Loss Policy" for wetlands, the Executive Order requires state agencies to "ensure no overall net loss [of wetlands] and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship and respect for private property." This Order meets the objectives of Executive Order W-59-93 through avoidance and establishment of compensatory mitigation requirements which 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.
- L. **California Environmental Quality Act.** The County of San Diego is the lead agency (Lead Agency) under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)). The Lead Agency certified a Final Environmental Impact Report (EIR) for the Montecito Specific Plan Project, and filed a Notice of Determination (SCH # 2002021132) on August 10, 2010, under CEQA Guidelines Title 14, California Code of Regulations. The Lead Agency determined the Project, without mitigation, will have a significant effect on the environment. Therefore, the Final EIR incorporates mitigation measures that mitigate the Project's effects on the environment to less than significant. For those impacts the Lead Agency determined to be unavoidable impacts, the Lead Agency adopted a Statement of Overriding Considerations finding that the benefits of the project outweighed the impacts.

The San Diego Water Board is a responsible agency under CEQA for the purposes of issuing this Order. As a Responsible Agency, the San Diego Water Board is "responsible for considering only the effects of those activities involved in a project which it is required by law to carry out or approve." Pub. Resources Code, § 21002.1(d). The San Diego Water Board has reviewed and considered impacts to water quality in the Lead Agency's Final EIR and Statement of Overriding Considerations. None of the significant unavoidable environmental impacts triggering the lead agency's adoption of the Statement of Overriding Considerations are within the areas of responsibility of the San Diego Water

Board. The San Diego Water Board concludes that impacts to water quality are less than significant with mitigation.

The Lead Agency 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 Final EIR are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment F to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the EIR, as it pertains to resources within the San Diego Water Board's purview.

This Order requires implementation WDRs and mitigation measures, including the purchase of compensatory mitigation credits. The Order also requires the Discharger to comply with a monitoring and reporting program that will ensure that the mitigation measures are implemented and the requirements of this Order are met. The San Diego Water Board finds that compliance with the Lead Agency's MMRP and the conditions in this Order will reduce effects to water quality to less than significant because implementation of BMPs, compensatory mitigation, and monitoring requirements will ensure that the Project is in compliance with applicable water quality objectives. The San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

- M. Executive Officer Delegation of Authority. The San Diego Water Board by prior resolution has delegated all matters that may legally be delegated to its Executive Officer to act on its behalf pursuant to Water Code section 13223. Therefore, the Executive Officer is authorized to act on the San Diego Water Board's behalf on any matter within this Order unless such delegation is unlawful under Water Code section 13223 or this Order explicitly states otherwise.
- N. **Public Notice.** The San Diego Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Information Sheet provided in Attachment B of this Order.
- O. **Public Hearing.** The San Diego Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Information Sheet provided in Attachment B of this Order.

**IT IS HEREBY ORDERED** that, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, the Discharger shall comply with the requirements in this Order.

#### **III. DISCHARGE PROHIBTIONS**

- A. **Project Conformance with Application**. The discharge of waste, in a manner or location other than as described in the Report of Waste Discharge or findings of this Order, and for which valid waste discharge requirements are not in force is prohibited.
- B. **Waste Management**. Unless authorized by this Order, the discharge of sand, silt, clay, or other earthen materials from any activity in quantities which cause deleterious bottom deposits, turbidity, or discoloration in waters of the State or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.
- C. **Waste Management**. The treatment, storage, or disposal of waste in a manner that creates a pollution, contamination or nuisance, as defined by Water Code section 13050, is prohibited.
- D. **Waste Management**. The dumping, deposition, or discharge of waste directly into waters of the State, or adjacent to such waters in any manner which may permit it's being transported into the waters, is prohibited unless authorized by the San Diego Water Board.
- E. **Basin Plan Prohibitions**. The Discharger must comply with all applicable Discharge Prohibitions contained in Chapter 4 of the Basin Plan which are incorporated by this reference into this Order as if fully set forth herein.

#### **IV. CONSTRUCTION BEST MANAGEMENT PRACTICES**

- A. **Approvals to Commence Construction.** The Discharger 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 until construction is completed, the Discharger must educate all personnel on the requirements in this Order, including pollution prevention measures, spill response, and BMPs implementation and maintenance.
- C. **Spill Containment Materials**. The Discharger 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.
- F. **Downstream Erosion**. Discharges of concentrated flow during construction or after completion of the Project must not cause downstream erosion or damage to properties or stream habitat.
- G. **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.
- H. **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 the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
- I. Surface Water Diversion. All surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving waters. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- J. **Cofferdams or Water Barriers.** Cofferdams and water barrier construction shall be adequate to prevent seepage into or from the work area. Cofferdams or water barriers shall not be made of earth or other substances subject to erosion or that contain pollutants. When dewatering is necessary to create a temporary dry construction area, the water shall be pumped through a sediment-settling device before it is returned to the water body. The enclosure and the supportive material shall be removed when the work is completed, and removal shall proceed from downstream to upstream.

- K. Re-vegetation and Stabilization. All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. The Discharger is responsible for implementing and maintaining BMPs to prevent erosion of rough graded areas. Hydroseed areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <a href="http://www.cal-ipc.org/ip/inventory/">http://www.cal-ipc.org/ip/inventory/</a>. Follow-up seed applications must be made as needed to cover bare spots and to maintain adequate soil protection.
- L. **Hazardous Materials.** Except as authorized by this Order, substances hazardous to aquatic life including, but not limited to, petroleum products, raw cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- M. Vegetation Removal. Removal of vegetation must occur by hand, mechanically, or using United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to prevent impacts to beneficial uses of waters of the State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, *Statewide General National Pollutant Discharge Elimination System Permit For The Discharge Of Aquatic Pesticides For Aquatic Weed Control In Waters Of The United States General Permit No. CAG990005*, and any subsequent revisions or reissuance thereto.
- N. Limits of Disturbance. The Applicant shall clearly define the limits of Project disturbance to waters of the 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. **Beneficial Use Protection**. The Discharger must take all necessary measures to protect the beneficial uses of waters of Santa Ysabel Creek and its unnamed tributaries. This Order requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to waters of the State 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 Reporting Requirement VIII.B of this Order. Associated Project activities may not resume without approval from the San Diego Water Board.

## V. 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 and/or stenciled with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design**. Post-construction BMPs must provide for storm water treatment and hydromodification management that comply with the Model BMP Design Manual San Diego Region dated February 2016. The Model BMP Design Manual San Diego Region can be accessed on-line at:

http://www.projectcleanwater.org/index.php?option=com\_content&view=article

- D. Post-Construction BMP Design. Bridges, culverts, dip crossings, or other stream crossing structures shall be designed and installed so they will not cause scouring of the stream bed and erosion of the banks. Storm drain lines/culverts and other stream crossing structures shall be designed and maintained to accommodate at least a 100-year, 24-hour storm event, including associated bedload and debris with a similar average velocity as upstream and downstream sections. Bottoms of temporary culverts shall be placed at stream channel grade and bottoms of permanent culverts shall be open bottom or embedded and backfilled below the grade of the stream greater than or equal to a depth of 1 foot.
- E. Post-Construction BMP Implementation. The Project adds approximately 188 acres of impervious surface. The Discharger must install and implement the post construction BMPs for the Project described in the *Major Stormwater Management Plan (SWMP) for Montecito Ranch TM 5250 RPL7*, and dated April 24, 2013. Post-construction BMPs must be installed and functional within 30 days of Project completion.
- F. Post-Construction BMP Maintenance. All post-construction structural treatment BMPs, including, but not limited to, vegetated swales and media filters, must be regularly inspected and maintained in perpetuity per manufacturers' specifications for proprietary structural devices, and at frequencies no less than those recommended by the California Storm Water Quality Association (CASQA)<sup>2</sup> guidance, or equivalent if approved by the Executive Officer, for nonproprietary measures. At a minimum, the Discharger must comply with the following:
  - 1. Final maintenance plans for the vegetated swales must be developed and implemented based on CASQA guidance (or equivalently effective practices).
  - 2. Flow-based treatment BMPs (e.g., media filters and vegetated swales) must be inspected at a minimum monthly from October through April and at least

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

twice from May through September each year.

- 3. Retention basins must be maintained as necessary to prevent nuisance conditions, including those associated with odors, trash, and disease vectors. Such maintenance shall not compromise the ability of the basins to perform water quality treatment required by this Order.
- 4. Records must be kept regarding inspections and maintenance in order to assess the performance of the systems and determine whether adaptations are necessary to protect receiving waters.

## VI. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the State to the maximum extent practicable.
- B. **Project Impacts and Compensatory Mitigation**. Unavoidable Project impacts to Santa Ysabel Creek and its unnamed tributaries must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable permanent Project impacts to waters of the 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 Impac	ts					

Fermanent impacts						
Streambed	0.027	1,160	0.06 <sup>1</sup>	2.2:1	NA <sup>2</sup>	NA

1. Project mitigation River 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. Compensatory Mitigation for Permanent Impacts. The Discharger shall provide compensatory mitigation for impacts to waters of the State attributable to the Project in accordance with the Report of Waste Discharge dated April 28, 2014 and incorporated herein by reference. Any deviations from, or revisions to the Report of Waste Discharge must be pre-approved by the San Diego Water Board. The terms and conditions of this Order shall supersede conflicting provisions within the Report of Waste Discharge.
- D. **Compensatory Mitigation Credit Purchase**. Prior to the start of Project construction, the Discharger must provide documentation to the San Diego Water Board verifying the purchase of at least 0.06 acres of mitigation bank credit applicable to the establishment and/or re-establishment of wetlands from the San

Luis Rey Wetland Mitigation Bank located in the Mission hydrologic subarea (HSA 903.11) in the City of Oceanside, San Diego County, California. The documentation shall also include the transfer agreement between the Discharger and the bank sponsor demonstrating acceptance and understanding of the obligation to comply with compensatory mitigation and long term management requirements of this Order in perpetuity.

The use of an alternate 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 use of the alternate mitigation bank is obtained, the Discharger 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.
- E. **Compensatory Mitigation Responsibility**. The Discharger shall retain responsibility for providing the compensatory mitigation with long term management required under this Order in perpetuity until the San Diego Water Board has received documentation of credit purchase and the transfer agreement between the Discharger and the seller of credits.
- F. **Temporary Project Impacts**. The Discharger must restore areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration must include grading of disturbed areas to pre-Project contours and revegetation with native species. The Discharger must implement all necessary BMPs to control erosion and runoff from areas associated with this Project. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <u>http://www.cal-ipc.org/ip/inventory/.</u> Follow-up applications shall be made, as needed, to cover bare spots and to maintain adequate soil protection.

## VII. RECEVING WATER LIMITATIONS

A. The receiving water limitations set forth below for Santa Ysabel Creek and its unnamed tributaries are based on applicable water quality standards contained in the Basin Plan and applicable federal regulations and are a required part of this Order. Project activities shall not cause or contribute to violation of these receiving water limitations.

- 1. Water Quality Objectives. Water Quality Objectives applicable to Santa Ysabel Creek and its unnamed tributaries are established in Chapter 3 of the San Diego Water Board's Water Quality Control Plan for the San Diego Basin (Basin Plan) and shall not be exceeded.
- Priority Pollutant Criteria. Priority pollutant criteria applicable to the Santa Ysabel Creek and its unnamed tributaries are promulgated by the USEPA through the a) National Toxics Rule (NTR) (40 CFR 131.36 promulgated on December 22, 1992 and amended on May 4, 1995) and b) California Toxics Rule (CTR) (40 CFR 131.38, (65 Fed. Register 31682-31719), adding Section 131.38 to Title 40 of the Code of Federal Regulations, on May 18, 2000), shall not be exceeded.

## VIII. REPORTING REQUIREMENTS

- A. **Discharge Commencement Notification**. The Discharger must notify the San Diego Water Board in writing at least 5 days prior to the start of initial Project construction ground disturbance activities.
- B. **Project Completion Report.** Within 30 days of Project completion, the Discharger must submit a Project Completion Report to the San Diego Water Board containing the following information:
  - 1. The dates for initiation of Project construction and completion of Project construction;
  - 2. An evaluation, interpretation and tabulation of Project activities detailing the completion of construction and compliance with all requirements of this Order and all applicable mitigation measures contained in the Project's certified Final Environmental Impact Report;
  - 3. As-built Project drawings no bigger than 11" x 17"; and
  - 4. Photos of the completed Project including post-construction BMPs.
- C. **Noncompliance Reports.** The Discharger must report to the San Diego Water Board any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the incident 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The San Diego Water Board may waive the above-required written report under this provision on

- a case by case basis if an oral report has been received within 24 hours.
- D. Hazardous Substance Discharge. Except for a discharge which is in compliance with this Order, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of San Diego 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 Discharger is in violation of a Basin Plan prohibition.
- E. **Oil or Petroleum Product Discharge.** Except for a discharge which is in compliance with this Order, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- F. **Signatory Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
  - 1. For a corporation, by a responsible corporate officer of at least the level of vice president; or
  - 2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
  - 3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.

- G. **Duly Authorized Representative.** Applications, reports, or information submitted to the San Diego Water Board may be signed by a duly authorized representative of that person described in Reporting Requirement F above if:
  - 1. The authorization is made in writing by a person described above;
  - 2. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity; and
  - 3. The written authorization is submitted to the San Diego Water Board.

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.

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

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

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: R9-2015-0054:801014: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) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: R9-2015-0054: 801014:amonji

## IX. PROVISIONS

- A. **Duty to Comply.** The Discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a report of waste discharge in application for new or revised waste discharge requirements.
- B. **Duty to Comply.** The Discharger must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the San Diego Water Board) to support this Order and all subsequent submittals required under this Order and as described herein. The conditions within this Order shall supersede conflicting provisions within such plans, specifications, technical reports and other submittals required under this Order.
- C. **Anticipated Noncompliance**. The Discharger 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 the terms and requirements of this Order.
- D. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order.
- E. **Duty to Mitigate.** The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
- F. **Property Rights.** This Order does not convey any property rights of any sort or any exclusive privileges. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.
- G. **Inspection and Entry.** The Discharger 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 by law, to:
  - 1. Enter upon the Applicant's premises, where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;

- 2. Access and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- 3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this Order; and
- 4. Sample or monitor, at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at any location.
- H. **Retention of Records.** The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during the course of any unresolved enforcement action or litigation regarding this discharge or when requested by the San Diego Water Board.
- I. Duty to Provide Information. The Discharger 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 Order. The Discharger shall also furnish to the San Diego Water Board, upon request, copies of records required to be kept by this Order.
- J. **Duty to Provide Updated Information.** When the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the San Diego Water Board, it shall promptly submit such facts or information.
- K. **Reopener Provision.** This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
  - 1. Violation of any terms or conditions of this Order.
  - 2. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts.
  - 3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- L. **Reopener Provision.** The filing of a request by the Discharger for the modification, revocation, reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of

this Order.

- M. **Reopener Provision.** The San Diego Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Discharger, if the San Diego Water Board determines that the Project fails to comply with any of the terms or requirements of this Order or if the results of the Project have unintended impacts to water quality.
- N. **Transfers of Responsibility.** This Order 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 Discharger must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, at a minimum, a statement that the Discharger has provided the purchaser with a copy of this Order and that the purchaser understands and accepts the Order 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 Compensatory Mitigation Responsibility**. Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Order 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 13350. 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 Discharger 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 Discharger 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 Discharger must provide such notification to the San Diego Water Board within 10 days of the transfer of BMP maintenance responsibility.
- O. **Hydroelectric Facility.** This Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license,

unless the pertinent WDR application was filed pursuant to Cal. Code Regs., title 23, section 3855, subdivision (b), and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

- P. **Payment of Fees.** This Order is conditioned upon total payment of any fee required under California Code of Regulations, Title 23 section 3833, and owed by the Discharger.
- Q. **Order Availability.** A copy of this Order, the application, and supporting documentation must be available at the Project site during construction for review by site personnel and agencies. A copy of this Order must also be provided to the contractor and all subcontractors working at the Project site.
- R. **Enforcement Authority.** In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law.
- S. **Investigation of Violations.** In response to a suspected violation of any condition of this Order, the San Diego Water Board may, pursuant to Water Code section 13267, require the Discharger to investigate, monitor, and report information on the violation. The only restriction is that the burden, including costs of preparing the reports, must bear a reasonable relationship to the need for and the benefits to be obtained from the reports.

## X. NOTIFICATIONS

- A. These waste discharge requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to CWA section 402.
- B. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
- C. This Order becomes effective on the date of adoption by the San Diego Water Board.
- D. 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 Water Code Section 13320 and the California Code of Regulations, title 23, sections 2050-2056 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after adoption of this order. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

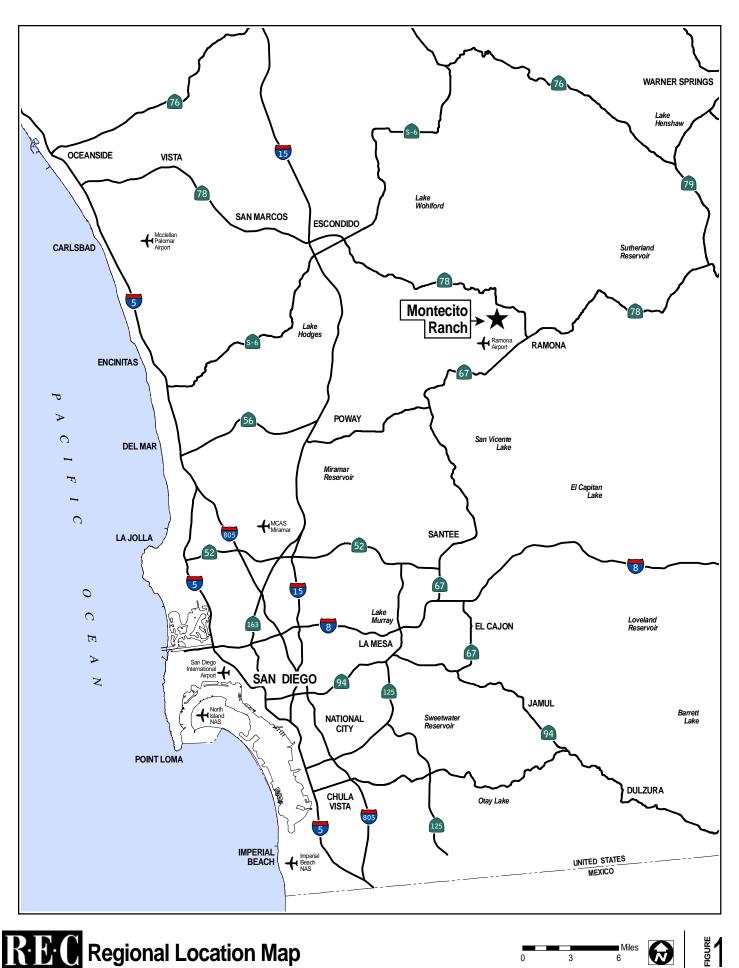
<u>http://www.waterboards.ca.gov/public notices/petitions/water quality</u> or will be provided upon request

## ATTACHMENT A

## **PROJECT SITE MAPS**

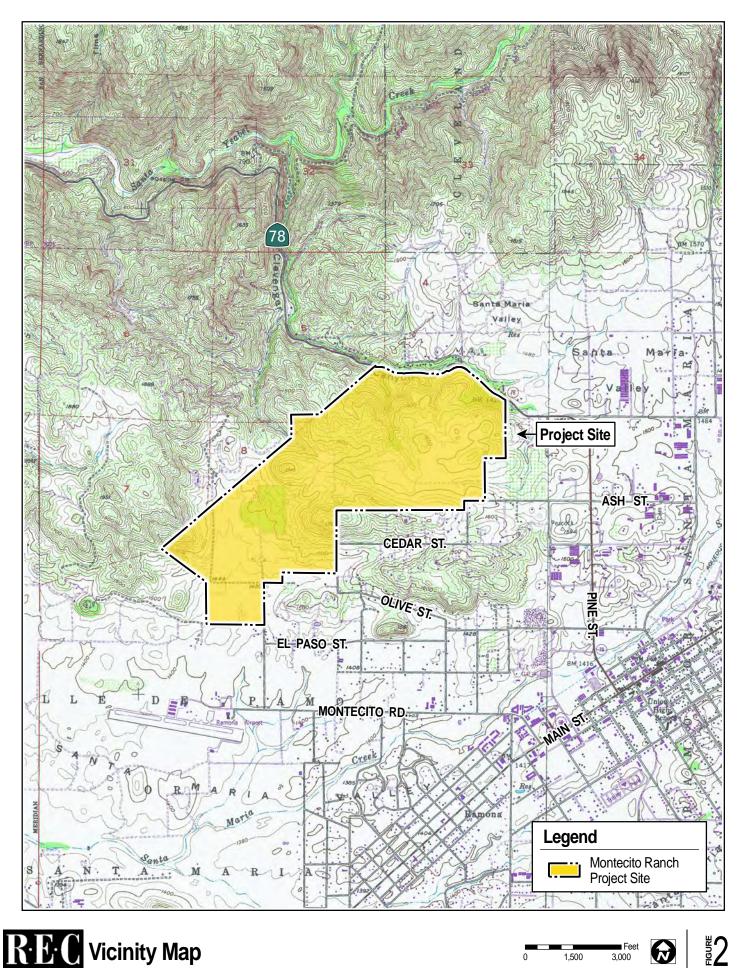
- 1. REC Consultants, Figure 1, Regional Location Map, August 2013
- 2. REC Consultants, Figure 2, Vicinity Map, August 2013
- 3. REC Consultants, Figure 5, Jurisdictional Impacts Map, August 2013

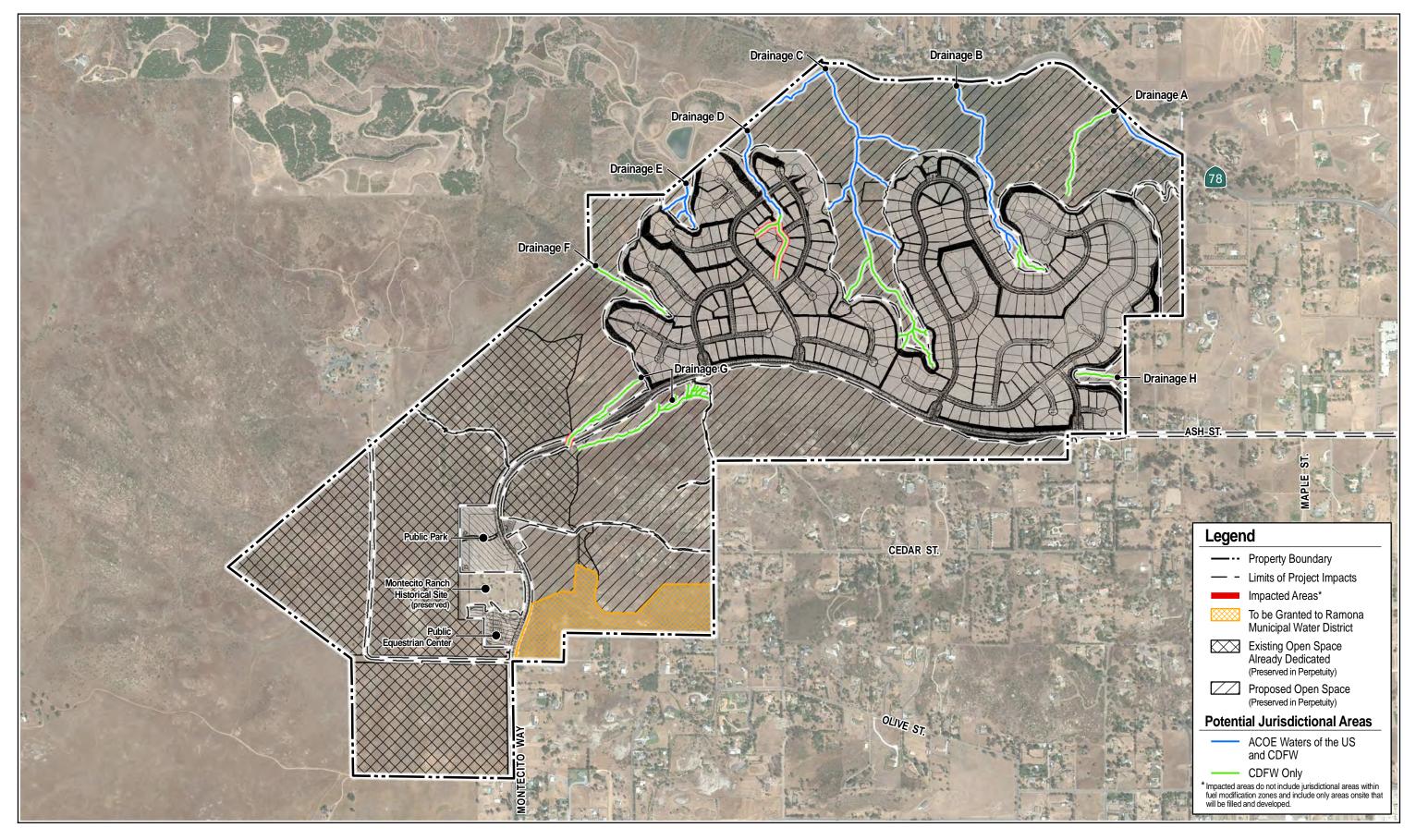
June 22, 2016 Supporting Document No. 1 Item No. 10



Consultants, Inc. MONTECITO RANCH

Source: SANGIS Data, 2011. August 2013







June 22, 2016 Supporting Document No. 1 Item No. 10

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#### ATTACHMENT B INFORMATION SHEET

## Table of Contents

1.0	Applicant2
2.0	Project Description2
3.0	Regulatory Background3
4.0	California Environmental Quality Act4
5.0	Water Quality Standards and Prohibitions5
6.0	Basis for Waste Discharge Requirements9
7.0	Compensatory Mitigation Measures9
8.0	Runoff Management Plan (RMP)10
9.0	Public Participation11
10.0	Written Comments and Responses12
11.0	Public Hearing12
12.0	Information and Copying13
13.0	Register of Interested Persons13
14.0	Additional Information13
15.0	Petition for State Water Board Review13
16.0	Documents Used in Preparation of the Information Sheet and Order14

June 22, 2016 Supporting Document No. 1 Item No. 10

Attachment B

Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

#### 1.0 Applicant

Montecito Ranch LLC (Hereinafter Discharger) 402 Broadway, Suite 1320 San Diego, CA 92101

Contact: Bruce Tabb 402 Broadway, Suite 1320 San Diego, CA 92101 (619) 326-6026 btabb@envdev.com

#### 2.0 Project Description

The proposed Project is a housing development on a 935-acre site, including 417 single family homes, public facilities, and infrastructure improvements. The Project is located northeast of the intersection of Montecito Way and Sonora Way in the City of Ramona, San Diego County, California.

The footprint for the Montecito Ranch Project includes areas for grading, remedial grading, and construction disturbance areas. In addition to the paved road and associated bridges and interchanges, the construction area includes access roads, materials storage areas, areas for utility relocations, and areas for the construction of Best Management Practices (BMPs). The Project adds approximately 188 acres of impervious surface.

The Project will discharge waste (fill material) to a total of 0.027 acre of waters of the State (1,160 linear feet) resulting in permanent impacts to jurisdictional waters in the Santa Maria Valley Hydrologic Area (HA), Ramona Hydrologic Subarea (HSA) (905.41) and the Santa Ysabel HA, Boden HSA (905.51) as summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition only.

By letter dated March 26, 2014, the United States Army Corps of Engineers (USACE) determined that the Project activities will not occur within waters of the United States and therefore the Project is not subject to USACE jurisdiction under Section 404 of the Clean Water Act (CWA) and a Section 404 permit is not required for the Project. The 0.027 acre of wetland and non-wetland waters was determined by the USACE to be outside of federal jurisdiction. These waters remain non-federal waters of the State, and discharges to these waters are thereby regulated pursuant to California Water Code Section 13260, *et. seq.* 

	Permane	nt Impact	Temporary Impact		
Jurisdiction Type	Area (acres)	Length (LF)	Area (acres)	Length (LF)	
Surface Waters of the State (non-wetland; ephemeral)	0.027	1,160	0	0	
Total	0.027	1,160	0	0	

#### Table 1: Jurisdictional Impact Summary

#### 3.0 Regulatory Background

Section 13260(a) of the California Water Code (Water Code) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, which could affect the quality of the waters of the State, file a Report of Waste Discharge (ROWD). The discharge of dredged or fill material constitutes a discharge of waste that could affect the quality of waters of the State. Water Code section 13263(a) requires that Waste Discharge Requirements (WDRs) be prescribed as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. Such WDRs must implement any relevant water quality control plans, taking into consideration beneficial uses to be protected, the water quality objectives reasonably required for those purposes, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.

Construction activities associated with the proposed discharges of fill threaten beneficial uses on-site and downstream. The Discharger will file a Notice of Intent to the State Water Resources Control Board (State Board) for coverage under State Board Order No. 2009-0009-DWQ, *National Pollutant Discharge Elimination System (NPDES) General Permit, For Storm Water Discharges Of Associated With Construction And Land Disturbance Activities* (Order No. 2009-0009-DWQ). The San Diego Water Board may conduct inspections to verify compliance with Order No. 2009-0009-DWQ, including, but not limited to, implementation of a storm water pollution prevention plan.

Since all federal waters can also be considered waters of the State, the State of California largely relies on Section 401 of the federal Clean Water Act (CWA) (33 U.S.C. § 1341) to regulate discharges of dredged or fill material to waters of the State. That section requires an applicant to obtain "water quality certification" from California that the project will comply with State water quality standards before certain federal licenses or permits may be issued. Each water quality certification includes a condition of coverage with State Water Resources Control Board's General Order No. 2003-0017-DWQ, *Statewide General Waste* 

Attachment B

Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

## Discharge Requirements for Dredge and Fill Discharges that have Received State Water Quality Certification.

In light of recent U.S. Supreme Court rulings, isolated waters, or waters lacking a significant nexus to a traditionally navigable waterbody, are no longer considered waters of the U.S. (i.e. federal waters), and therefore no longer require certification pursuant to Section 401 of the CWA. In order to comply with the State's "No Net Loss" Policy for wetlands (Executive Order W-59-93), discharges of waste to these nonfederal, State wetlands are being regulated pursuant to California Water Code Section 13260.

On March 26, 2014, the USACE determined the Project property contained no waters of the U.S. On April 18, 2014, the Discharger submitted a ROWD, along with required fees in accordance with the State Water Board's Dredge and Fill Fee Calculator, for discharges of fill associated with the Project to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). Pursuant to fee schedules currently set in CCR Title 23, annual fees are required. By letter dated March 10, 2016, the San Diego Water Board informed the Discharger that the ROWD application was complete.

Tentative Order No. R9-2015-0054 serves as individual waste discharge requirements for discharges of fill to non-federal waters of the State.

#### 4.0 California Environmental Quality Act

Before the San Diego Water Board can issue WDRs, the project must have a final, valid environmental document meeting the criteria of the California Environmental Quality Act (CEQA). The CEQA document must fully disclose the potential significant adverse impacts of the project and identify measures to avoid, minimize, rectify, reduce or compensate for the impacts identified, including a monitoring and reporting program to ensure compliance with the proposed mitigation measures.

The County of San Diego (County) is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)). The County certified a Final Environmental Impact Report (EIR) for the Montecito Ranch Specific Plan Project, and filed a Notice of Determination (SCH # 2002021132) on August 10, 2010, under CEQA Guidelines Title 14, California Code of Regulations. The Discharger determined the Project, without mitigation, will have a significant effect on the environment. Therefore, the Final EIR incorporates mitigation measures that mitigate many of the Project's effects on the environment to less than significant. For those impacts the Discharger determined to be unavoidable impacts, the Discharger adopted a Statement of Overriding Considerations finding that the benefits of the project outweighed the impacts.

Attachment B

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 Final EIR are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment F to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the Final EIR, as it pertains to resources within the San Diego Water Board's purview.

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).

## 5.0 Water Quality Standards and Prohibitions

Section 303 of the federal Clean Water Act (33 U.S.C. §1313) defines the term water quality standards as the uses of the surface waters, the water quality criteria which are applied to protect those uses, and an antidegradation policy.<sup>1</sup> A water quality standard defines the water quality goals for a water body by designating the use or uses to be made of the water body, by setting criteria to protect the uses, and by protecting water quality through non-degradation provisions. Under the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Chapter 2 §13050), these concepts are defined separately as beneficial uses and water quality objectives. Beneficial uses and water quality objectives are required to be established for all waters of the State, both surface and ground waters.

The Project will affect waters of the State in the Santa Maria Valley HA, Ramona HSA (905.41) and the Santa Ysabel HA, Boden HSA (905.51).

The Water Quality Control Plan for the San Diego Basin (9) (Basin Plan), adopted on September 8, 1994 as amended, designates existing and potential beneficial uses for surface and ground waters within the San Diego Region. Beneficial uses within the project area are summarized in Table 2 below.

<sup>&</sup>lt;sup>1</sup> Pursuant to the federal Clean Water Act, water quality standards are composed of three parts: (1) designated uses, e.g., protection of fish and wildlife, recreation and drinking water supply (40 CFR section 131.10); (2) numeric or narrative water quality criteria to protect those uses (40 CFR section 131.11); and (3) an antidegradation policy (40 CFR section 131.12).

## Table 2. Beneficial Uses of the Project Site Surface and Ground Waters

Beneficial Use	Description
Municipal and	Uses of water for community, military, or individual water supply systems,
Domestic Supply (MUN)	including, but not limited to, drinking water supply.
Agricultural Supply	Uses of water for farming, horticulture, or ranching, including, but not limited to,
(AGR)	irrigation, stock watering, or support of vegetation for range grazing.
Industrial Service	Uses of water for industrial activities that do not depend primarily on water
Supply (IND)	quality, including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.
Industrial Process	Includes uses of water for industrial activities that depend primarily on water
Supply (PROC)	quality.
Contact Water	Uses of water for recreational activities involving body contact with water where
Recreation (REC1)	ingestion of water is reasonably possible. These uses include, but are not
	limited to, swimming, wading, water-skiing, skin and scuba diving, surfing,
	whitewater activities, fishing, and uses of natural hot springs.
Non-contact Water	Uses of water for recreational activities involving proximity to water, but not
Recreation (REC2)	normally involving contact with water where water ingestion is reasonably
	possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study,
	hunting, sightseeing, or aesthetic enjoyment in conjunction with the above
	activities.
Warm Freshwater	Uses of water that support warm water ecosystems including, but not limited to,
Habitat (WARM)	preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
Cold Freshwater	Uses of water that support cold water ecosystems, including, but not limited to,
Habitat (COLD)	preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
Wildlife Habitat (WILD)	Uses of waters that support wildlife habitats, including, but not limited to, the
	preservation and enhancement of vegetation and prey species used by wildlife,
	such as waterfowl.

The Basin Plan establishes Water Quality Objectives for surface waters within the Santa Maria Valley HA and the Santa Ysabel HA as shown in Table 3 below.

## Table 3. Water Quality Objectives for Surface Waters in the Santa Maria Valley and the Santa Ysabel Hydrologic Area

Constituent	Concentration <sup>a</sup>
Total Dissolved Solids	500
Chloride	250
Sulfate	250
Percent Sodium	60
Nitrogen and Phosphorus	b
Iron	0.3
Manganese	0.05
Methylene Blue-Activated Substances	0.5
Boron	0.75
Turbidity (NTU)	5
Color Units	15
Fluoride	1

a. All units are mg/L unless otherwise noted.

The Basin Plan establishes water quality objectives for ground waters within the Santa Maria Valley HA and the Santa Ysabel HA as shown in Table 4 below.

b. Concentrations of nitrogen and phosphorus, by themselves or in combination with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total Phosphorus (P) concentrations shall not exceed 0.05 mg/l in any stream at the point where it enters any standing body of water, or 0.025 mg/l in any standing body of water. A desired goal in order to prevent plant nuisances in streams and other flowing waters appears to be 0.1 mg/l total P. These values are not to be exceeded more than 10% of the time unless studies of the specific body in question clearly show that water quality objective changes are permissible and changes are approved by the San Diego Water. Analogous threshold values have not been set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data are lacking, a ratio of N:P =10:1 shall be used.

Attachment B

Constituent	Concentration <sup>a</sup>		
Total Dissolved Solids	1000		
Chloride	400		
Sulfate	500		
Percent Sodium	60		
Nitrate	10		
Iron	0.3		
Manganese	0.05		
Methylene Blue-Activated	0.5		
Substances	0.5		
Boron	0.75		
Turbidity (NTU)	5		
Color Units	15		
Fluoride	1		

# Table 4. Water Quality Objectives for Ground Waters in theSanta Maria Valley and the Santa Ysabel Hydrologic Area

a. All units are mg/L unless otherwise noted.

The Basin Plan establishes the following Waste Discharge Prohibitions pursuant to California Water Code §13243 applicable to the Discharge:

- Prohibition No. 1. The discharge of waste to waters of the state in a manner causing, or threatening to cause a condition of pollution, contamination, or nuisance as defined in California Water Code §13050, is prohibited.
- Prohibition No. 2. The discharge of waste to land, except as authorized by waste discharge requirements or the terms described in California Water Code §13264 is prohibited.
- Prohibition No. 3. The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredged or fill material permit (subject to the exemption described in California Water Code §13376) is prohibited.
- Prohibition No. 7. The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner which may permit it's being transported into the waters, is prohibited unless authorized by the San Diego Water Board.
- Prohibition No. 14. The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom deposits, turbidity or

discoloration in waters of the state or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.

#### 6.0 Basis for Waste Discharge Requirements

This Order establishes requirements for the discharge of wastes pursuant to Division 7 of the California Water Code and Article 4, Title 23 of the California Water Code, and establishes mitigation and monitoring provisions based on best professional judgment. The waste discharge requirements, reporting requirements, and standard provisions in Order No. R9-2015-0054 are established in accordance with Division 7 of the California Water Code. The discharge of fill material as regulated by this Order will not reduce water quality below applicable standards.

#### 7.0 Compensatory Mitigation Measures

Compensatory mitigation for permanent impacts to wetland and non-wetland waters will be achieved through the purchase of 0.06 establishment or reestablishment mitigation bank credits from the San Luis Rey Wetland Mitigation Bank (Bank), in advance of Project construction to achieve a minimum compensation ratio of 2.2:1 (area mitigated:area impacted). The Bank is located on 55.84 acres in the Mission HSA (903.11) in the City of Oceanside, San Diego County, California. Attachment C shows the location of the mitigation bank. 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 held by Wildlife Heritage Foundation. Wildlands, 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.

Mitigation activities at San Luis Rey Wetland Mitigation Bank are expected to be successful based on the location, soil type, expected hydrology, and the use of plant species that occur on-site and are known to perform well in habitat restoration programs.

For the reasons above, it is anticipated that the proposed mitigation will adequately compensate for impacts to waters of the State associated with the discharge of fill material from the Project. Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

Table 5, *Impact and Compensatory Mitigation Summary*, provides a summary of the jurisdictional impacts and conceptual mitigation approach.

Jurisdiction Type	Permanent Impact		Mitigation Proposed (Re- Establishment Credits)	Water Board Mitigation Ratio
	Area (acres)	Length (LF)		
waters of the state (non-wetland; ephemeral)	0.027	1,160	Re- Establishment: 0.06     acre wetland credits	2.2:1 (ac) <sup>1</sup>
Total			0.06-acre Re- Establishment	

#### Table 5. Impact and Compensatory Mitigation Summary

<sup>1</sup>Compensatory mitigation is being provided at the San Luis Rey Mitigation Bank therefore; compensatory mitigation for linear feet is not being calculated.

## 8.0 Runoff Management Plan (RMP)

The post-construction Best Management Practices (BMPs) for the Project are detailed in *Major Stormwater Management Plan (SWMP)* prepared by REC Consultants for the Discharger, dated March 2014. All runoff from Montecito Ranch will be conveyed to treatment BMPs via storm drain systems equipped with:

- Curb-cuts to landscaping,
- Pitch pavement towards landscaping, and
- Detention basins with vegetated linings.

All runoff from roofs, hardscapes, driveways, streets, parking lots, park areas and equestrian sites will be routed to bioretention basins that will remove pollutants and provide attenuation of flows up to the 10-yr peak flow. The majority of low flow stormwater runoff streets will be routed into Bio-Clean Round R-GISB Media Filters. Offsite drainage will be collected in brow ditches and piped directly to a storm drain system that will by-pass the proposed bioretention basins.

In addition to bioretention basins, the Project will incorporate the following Source Control BMPs:

- The on-site storm drain system will be clearly marked to prevent dumping.
- Landscaping will encourage infiltration while discouraging fertilizers and pesticides

- Industrial processing and loading will be done in a covered or indoor area to prevent runoff from activities.
- Sprinkler water, condensate, rooftop equipment spillage, and washwater will be prevented from entering the storm drain system.

There are 8 major drainage management areas within the residential portion of the Project, all of which would drain to 28 separate BMP bioretention basins. The location of all residential development BMPs are identified in Attachment E, Exhibit 1. Four bio-clean round R-GISB media filters and one additional bioretention basin would be located along Montecito Ranch Road, as shown in Attachment E, Exhibit 2. Two additional bioretention basins would also be located in an area of the Project site designated for use as a historic park, as shown in Exhibit 2. The BMP exhibits in Attachment E show the preliminary onsite drainage network locations.

Under the terms and conditions of this Order, the Project is conditioned to mitigate (infiltrate, filter, and/or treat), prior to discharging to receiving waters, the volume of runoff produced by all storms up to and including the 24-hour, 85th percentile storm event for volume-based BMPs and/or the 1 hour, 85th percentile multiplied by a factor of two for flow-based BMPs, as determined from the local historical rainfall record. The Project must also conform to the Standard Storm Water Mitigation and Hydromodification Plans for the County of San Diego, December 29, 2009.

# 9.0 Public Participation

The San Diego Water Board has considered the issuance of waste discharge requirements in this Order for the Project. As a step in the adoption process of this Order the San Diego Water Board developed a Tentative Order and encouraged public participation in the Board's proceedings to consider adoption of the Tentative Order in accordance with the requirements of Water Code section 13167.5.

The public was notified by a San Diego Water Board internet website posting on July 17, 2015 that a report of waste discharge application for WDRs for the Project was submitted.

As a step in the WDR adoption process, the San Diego Water Board developed Tentative Order No. R9-2015-0054, a draft version of the Order. The San Diego Water Board has taken the following steps to encourage public participation in the San Diego Water Board's proceedings to consider adoption of the Tentative Order.

Attachment B

Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

# Notice of Public Hearing and Public Comment Period

By electronic e-mail and public notice dated April 28, 2016 the San Diego Water Board notified the Discharger and interested agencies and persons of its intent to consider adoption of the Tentative Order in a public hearing during a regularly scheduled Board Meeting on June 22, 2016. The San Diego Water Board also provided notice that the Tentative Order was posted on the Board website and provided a period of 30 days for public review and comment. Notification was also provided through the San Diego Water Board website and the San Diego Water Board Meeting agenda publication.

The public also had access to the Board meeting agenda, including all supporting documents and any changes in meeting dates and locations through the San Diego Water Board's website at: <u>http://www.waterboards.ca.gov/sandiego/</u>

# 10.0 Written Comments and Responses

Interested persons were invited to submit comments concerning the Tentative Order as provided in the public notice. Written comments or e-mailed comments were required to be received in the San Diego Water Board office at 2375 Northside Drive, Suite 100, San Diego, CA 92108. To be fully responded to by staff and considered by the San Diego Water Board, the written or e-mailed comments were due at the San Diego Water Board office by **5:00 p.m. on May 31, 2016.** The San Diego Water Board provided written responses to all timely received public comments on the Tentative Order and posted the response to comments document on the Board's website in advance of the public hearing date.

# 11.0 Public Hearing

The San Diego Water Board held a public hearing on the Tentative Order during its regular Board meeting as follows:

Date: June 22, 2016 Time: 9:00 a.m. Location: San Diego Water Board Regional Board Meeting Room 2375 Northside Drive, Suite 100 San Diego, CA 92108

At the public hearing, the San Diego Water Board heard and considered all comments and testimony, pertinent to the discharge and the Tentative Order. For accuracy of the record, important testimony was requested in writing.

Attachment B

Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

# 12.0 Information and Copying

Records pertinent to the San Diego Water Board's proceedings to adopt this Order including but not limited to the Report of Waste Discharge (ROWD), public notices, draft and finalized versions of the Tentative Order, public comments received, Board responses to comments received and other supporting documents are maintained by the San Diego Water Board. These records are available for public access between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday at the San Diego Water Board office.

The San Diego Water Board website contains on-line information and instructions on how to request access and obtain copies of these records at: <u>http://www.waterboards.ca.gov/sandiego/about\_us/contact\_us/records.shtml.</u>

Before making a request to view public records in the San Diego Water Board office you may wish to determine if the information is already available on the San Diego Water Board's website at: <u>http://www.waterboards.ca.gov/sandiego/</u>

# 13.0 Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding this Order should contact the San Diego Water Board, reference this Order or Project, and provide a name, address, phone number, and email address.

San Diego Regional Water Quality Control Board 2375 Northside Drive, Suite 100 San Diego, CA 92108-2700 Phone (619) 516-1990 Fax (619) 516-1994 E-mail <u>rb9\_questions@waterboards.ca.gov</u>.

# 14.0 Additional Information

Requests for additional information or questions regarding this Order should be directed to Alan Monji of the San Diego Water Board staff at 619-521-3968 or to the San Diego Water Board via e-mail at rb9\_questions@waterboards.ca.gov.

# 15.0 Petition for State Water Board Review

Any aggrieved person may petition the State Water Board to review the decision of the San Diego Water Board regarding the final WDRs of this Order in accordance with Water Code section 13320 and the California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the adoption date of this Order, except that if the thirtieth day following the adoption date of this Order falls on a Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

Saturday, Sunday, or State holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Board website at:

http://www.waterboards.ca.gov/public notices/petitions/water quality/index.shtml or will be provided upon request.

# 16.0 Documents Used in Preparation of the Information Sheet and Order

The following documents were used in the preparation of this Information Sheet and this Order:

- a. Application/401 Water Quality Certification submitted on November 19, 2013 with 7 attachments.
- b. Application/Report of Waste Discharge submitted on April 28, 2015.
- c. Montecito Ranch Grading Plans submitted on May 11, 2015.
- d. Final Montecito Ranch Environmental Impact Report on May 11, 2015.
- e. Draft Agreement for Sale of Mitigation Credits from the San Luis Rey Mitigation Bank on June 8, 2015.
- f. Letter from the USACE to Mr. Bruce Tabb. Subject: Determination regarding requirement for Department of the Army Permit, March 26, 2014.
- g. Storm Water Pollution Prevention Plan Outline: June 19, 2015

Tech Staff Info & Use		
File No. R9-2015-0054		
WDID	9000002718	
Reg. Measure ID	396089	
Place ID	801014	
Party ID	546309	
-		

Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

# ATTACHMENT C

# MITIGATION PROOF OF AVAILABLE CREDITS

- 1. Wildlands, Agreement for Sale of Mitigation Bank Credits, San Luis Rey Mitigation Bank, June 8, 2015.
- 2. Wildlands, Exhibit B-1a, Service Area:Regional Context

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

#### RWQCB WQC No. R6-2013-0179

This Agreement is made and entered into this <u>Jk</u> day of <u>June</u>, 2015 by and between WILDLANDS SLR HOLDINGS I, LLC ("Bank Sponsor") and MONTECITO RANCH, LLC ("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 State thereon, and seeks to compensate for the such impacts by purchasing compensatory credits from Bank Sponsor; and

E. Project Proponent has been authorized by the Regional Water Quality Control Board ("RWQCB") under Water Quality Certification ("WQC") number R6-2013-0179 to purchase from the Bank Sponsor 0.06 acre of wetland waters of the United States/State (reestablished river) credits; and

F. Project Proponent desires to purchase from Bank Sponsor and Bank Sponsor desires to sell to Project Proponent 0.06 acre of wetland waters of the United States/State (re-established river) credits.

#### NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. <u>Purchase and Sale</u>. Bank Sponsor hereby agrees to sell to Project Proponent and Project Proponent hereby agrees to purchase from Bank Sponsor 0.06 acre of wetland waters of the United States/State (re-established river) credits (the "Credits") for the purchase price of \$34,500.00 ("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. <u>No Interest in Real Property</u>. 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 nonpossessory interest in real property, nor the granting of any interest of the foregoing.

3. <u>Limitation on Obligations</u>. 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. <u>Assignment of Agreement</u>. Except as otherwise provided in this Section 4, Project Proponent shall not assign this Agreement, voluntarily or by operation of law, without the prior written consent of Bank Sponsor, which may be given or withheld in Bank Sponsor's sole and absolute discretion.

a. <u>Assignment to Successor Project Developer</u>. Subject to the provisions of this Section 4, Project Proponent shall have the right to assign this Agreement to any successor in and to the Project (the "Successor Project Developer"). In order for such assignment to be valid, (i) any such assignment shall be in writing, (ii) the Successor Project Developer shall have agreed in such written assignment to assume all of the obligations of Project Proponent hereunder, (iii) any such assignment shall be an assignment of all of Project Proponent's rights and obligations under this Agreement, (iv) a copy of the written assignment shall be delivered to Bank Sponsor promptly following its execution, and (v) the written assignment shall contain the name, address, telephone number, facsimile number and contact person for the Successor Project Developer. Any attempted assignment in violation of the foregoing provision shall be void. Absent a written agreement between the parties hereto to the contrary, no assignment of any of the rights or obligations under this Agreement shall result in a novation or in any other manner release Project Proponent from its obligations under this Agreement.

5. <u>Transfer of Credits</u>. Except as otherwise provided in this Section 5, the Credits sold and transferred to Project Proponent hereunder shall be nontransferable and non-assignable, and shall not be used as compensatory mitigation for any project or purpose other than the Project. Project Proponent acknowledges that, except as provided herein, Bank Sponsor is not willing to sell Credits which could be resold in competition with Bank Sponsor's remaining Credits. In the event that Project Proponent elects at any time after the closing to not proceed with its development of the Project such that it no longer needs all or any portion of the Credits (the "Excess Credits"), Project Proponent shall have the following rights:

a. <u>Assignment to Successor Project Developer</u>. Project Proponent shall have the right to transfer and assign the Excess Credits to any Successor Project Developer, provided that Project Proponent gives Bank Sponsor at least ten (10) days' prior written notice of such transfer and assignment. The assignment and transfer restrictions set forth in this Section 5 shall apply to any subsequent transfer by the Successor Project Developer.

b. <u>Bank Sponsor's Repurchase Option</u>. If Project Proponent desires to sell, transfer or assign the Excess Credits other than pursuant to a transfer to a Successor Project Developer, then Bank Sponsor shall have the exclusive and preemptory right to repurchase the Excess Credits in accordance with the following terms:

i. Project Proponent shall give Bank Sponsor written notice ("Excess Credits Notice") of amount of Excess Credits, and the purchase price therefore, which the Parties agree shall be the same price per Credit paid by Project Proponent to Bank Sponsor for each Excess Credit.

ii. Bank Sponsor shall have thirty (30) days after the date on which it receives the Excess Credits Notice in which to exercise its right to repurchase all or any portion of the Excess Credits by giving Project Proponent written notice ("Exercise Notice") that Bank Sponsor has elected to exercise its right to repurchase all or a portion of the Excess Credits for the same per Credit price paid by Project Proponent to Bank Sponsor for each Excess Credit. In the event that Bank Sponsor delivers an Exercise Notice to Project Proponent, Bank Sponsor shall pay the repurchase amount in full, in cash or its equivalent, within sixty (60) days after the date of the Exercise Notice.

Remarketing of Excess Credits. If Project Proponent desires to sell, C. transfer or assign the Excess Credits other than pursuant to a transfer to a Successor Project Developer, and provided that Bank Sponsor has not exercised its right to repurchase such Excess Credits pursuant to Section 5.b above, then, upon Project Proponent's written request, Bank Sponsor shall use its commercially reasonable efforts to actively re-market the Excess Credits for the same per Credit price paid by Project Proponent to Bank Sponsor for the Excess Credits or such other price that is mutually agreed upon by Project Proponent and Bank Sponsor. Bank Sponsor makes no representation or warranty concerning whether it will be successful in procuring a buyer to purchase the Excess Credits. Project Proponent may simultaneously remarket the Credits on its own behalf and Project Proponent may procure a third-party buyer through its own remarketing efforts. In the event that either Bank Sponsor or Project Proponent is successful in procuring a buyer to purchase the Excess Credits, the terms and conditions of the agreement for the purchase and sale of the Excess Credits shall be agreed upon by Bank Sponsor, Project Proponent and the third-party buyer, each in their sole and absolute discretion. In the event that the total purchase price paid by the third-party buyer for the Excess Credits exceeds the total purchase price paid by Project Proponent to Bank Sponsor for such Excess Credits, then the excess amount shall be equally shared by such Bank Sponsor and Project Proponent. Bank Sponsor shall also be entitled to a remarketing fee in an amount equal to ten percent (10%) of the purchase price paid by the third-party buyer for the Excess Credits, and such amount shall be disbursed to Bank Sponsor directly from the purchase price paid by the third-party buyer.

d. <u>Survival</u>. The provisions of this Section 5 shall survive the closing.

6. <u>Delivery of Purchase Price</u>. 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.

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

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## **BANK SPONSOR**

WILDLANDS SLR HOLDINGS I, LLC

MAMI By: Name: Wildlands, Manager Its:

Mark Heintz, Manager

# **PROJECT PROPONENT**

MONTECITO RANCH, LLC

38 lice By: Name: Its:

## Exhibit "A"

# DESCRIPTION OF PROJECT TO BE MITIGATED

The Montecito Ranch Project will develop a rural residential community and associated infrastructure on a 935-acre project site located within the unincorporated County of San Diego community of Ramona. The projects consists of 417 single-family residential facilities in addition to public facilities, infrastructures, trails, parks and open space. The project site address is 1080 Montecito Way, Ramona, California 92065.

\*\*\*\*

#### Exhibit "B"

# **BILL OF SALE**

# Contract # SLR-15-\_\_\_ RWQCB WQC No. R6-2013-0179

In consideration of \$34,500.00 receipt of which is hereby acknowledged, WILDLANDS SLR HOLDINGS I, LLC ("Bank Sponsor") does hereby bargain, sell and transfer to MONTECITO RANCH, LLC ("Project Proponent"), 0.06 acre of wetland waters of the United States/State (re-established river) credits, for the Montecito Ranch Project, in the San Luis Rey Mitigation Bank in San Diego County, California, developed and approved under the authority of the United States Army Corps of Engineers and California Department of Fish and Wildlife.

Bank Sponsor represents and warrants that it has good title to the Credits, has good right to sell the same, and that they are free and clear of all claims, liens, or encumbrances.

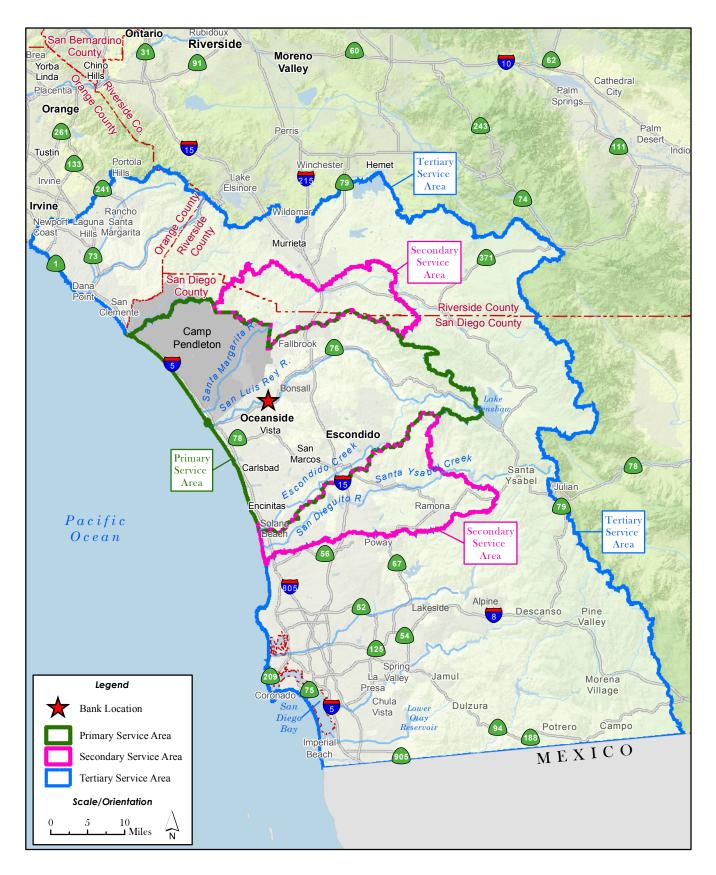
Bank Sponsor covenants and agrees with the Project Proponent to warrant and defend the sale of the Credits hereinbefore described against all and every person and persons whomsoever lawfully claiming or to claim the same.

DATED: \_\_\_\_\_\_

WILDLANDS SLR HOLDINGS I, LLC

By: \_\_\_\_\_ Name: Its:

> M:marketing\Agreement\saleSLR\_MONTECITO.doc Revised: 06/02/2015



# WILDLANDS

San Luis Rey Mitigation Bank Bank Enabling Instrument

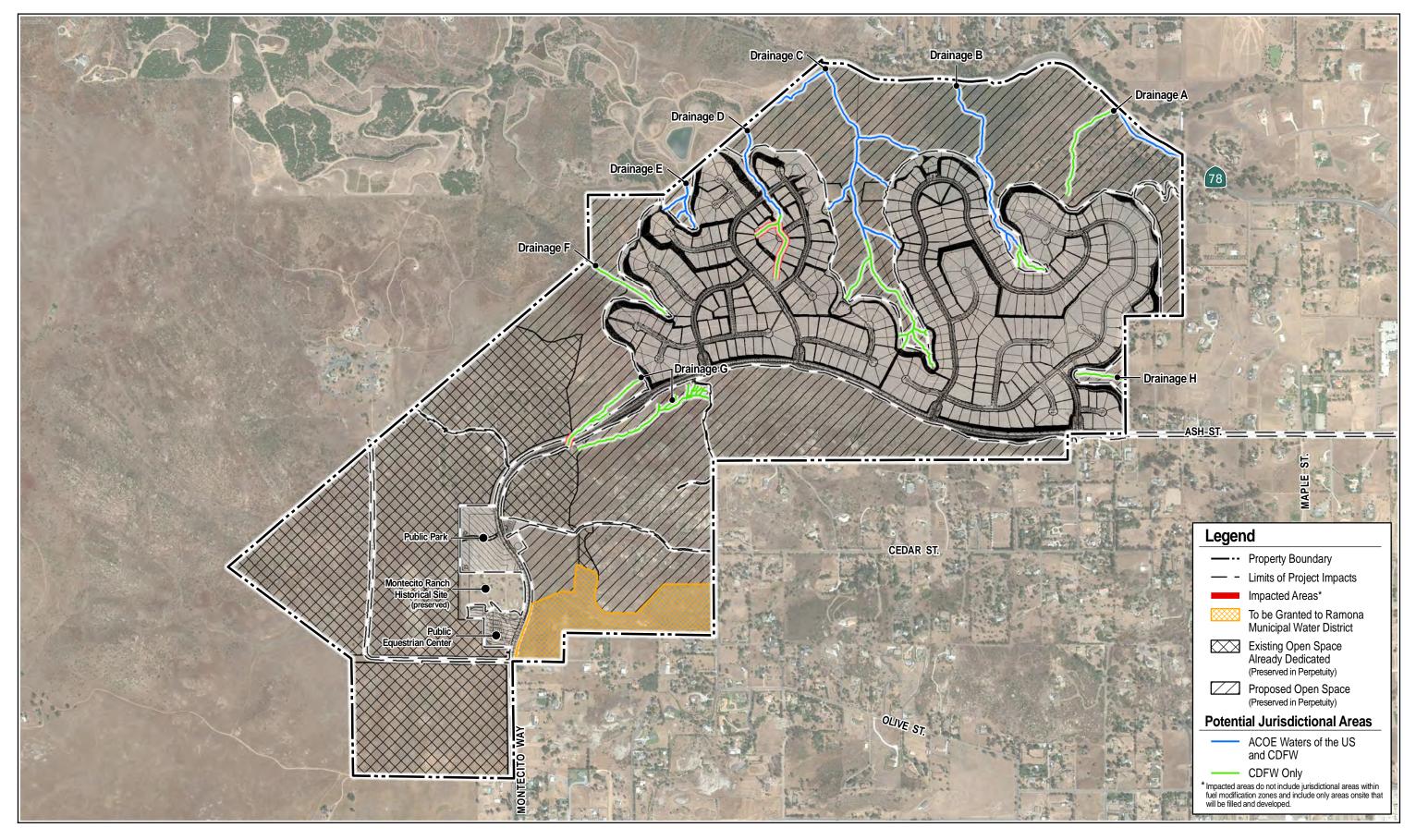


Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

# ATTACHMENT D

# NON-FEDERAL WATERS OF THE STATE

1. REC Consultants, Figure 5, Jurisdictional Impacts, August 2013





June 22, 2016 Supporting Document No. 1 Item No. 10

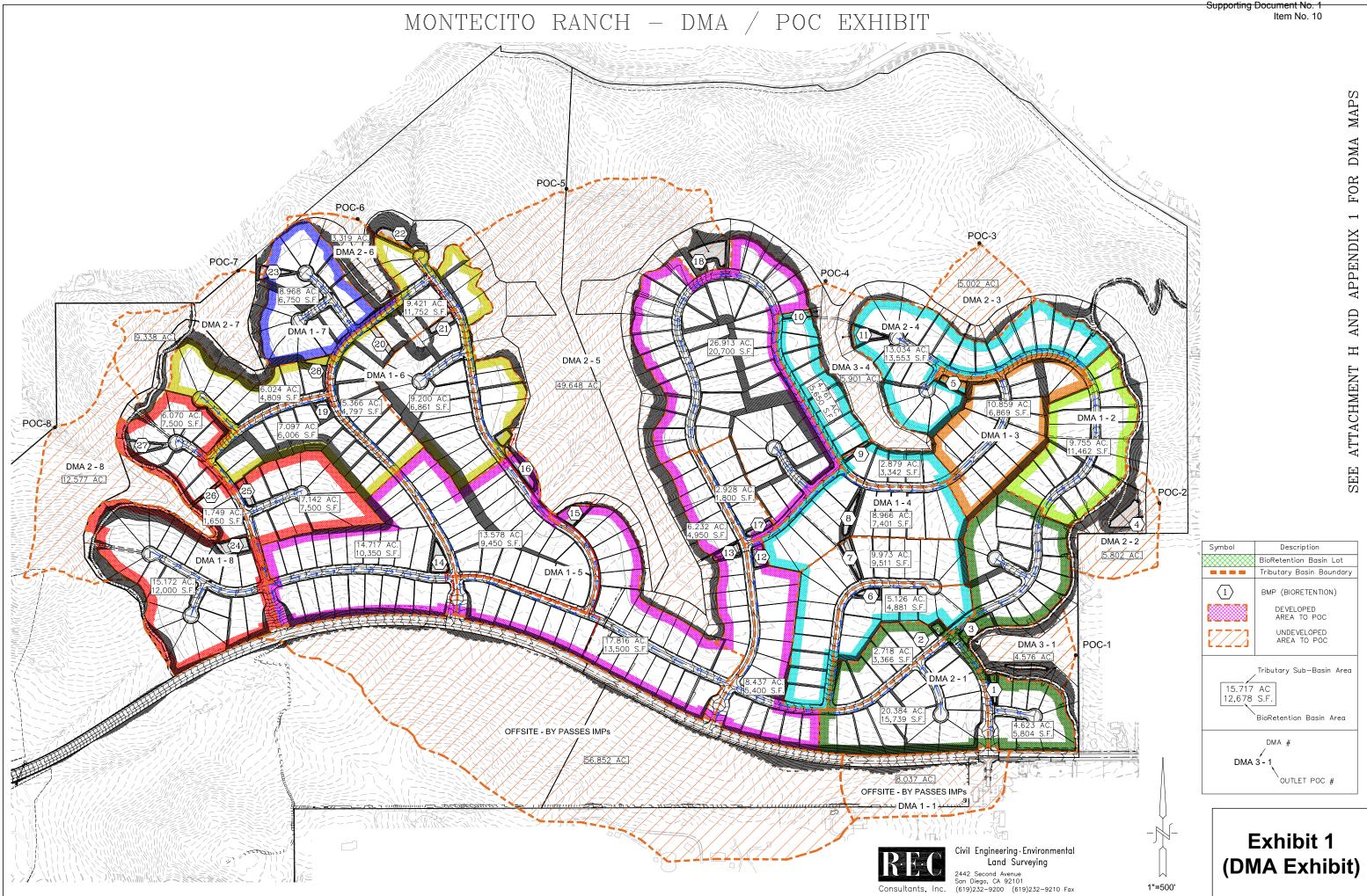
0 500 1,000 E5

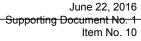
Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

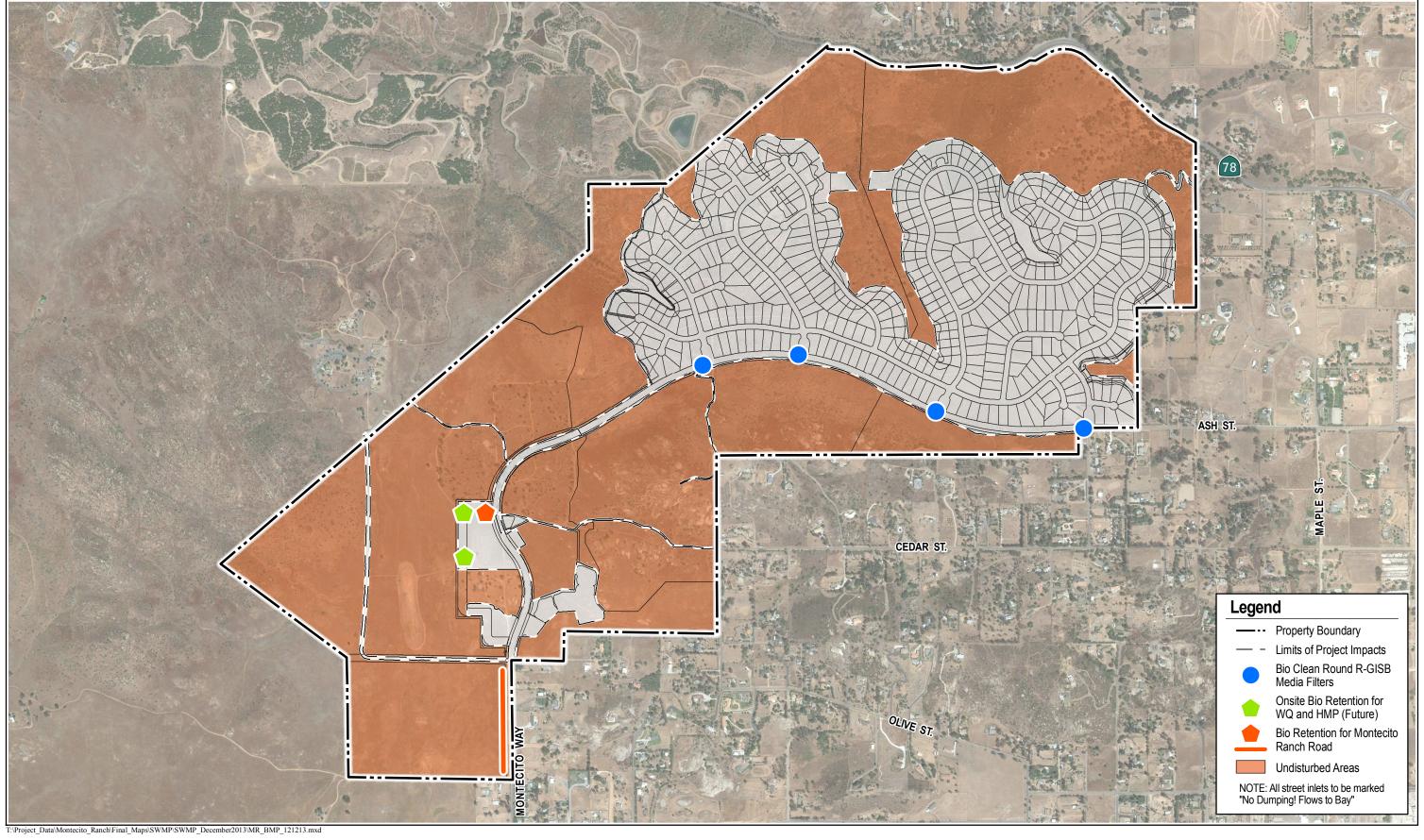
# ATTACHMENT E

# TREATMENT CONTROL BEST MANAGEMENT PRACTICE PLANS

- 1. REC Consultants, Inc., Exhibit 1, DMA Exhibit, December 2013
- 2. REC Consultants, Inc., Exhibit 2, BMP Exhibit, December 2013
- REC Consultants, Inc., Montecito Ranch Grading Plans Phase I, Sheets 1-3
- 4. REC Consultants, Inc., Montecito Ranch Grading Plans Phase II, Sheets 1-4









June 22, 2016 Supporting Document No. 1 Item No. 10



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# **GENERAL NOTES**:

1.	APPROVAL OF THIS GRADING PLAN DOES NOT CONSTITUTE APPROVAL OF VERTICAL OR HORIZONTAL ALIGNMENT OF ANY PRIVATE ROAD SHOWN HEREON FOR COUNTY ROAD PURPOSES.
2.	FINAL APPROVAL OF THESE GRADING PLANS SUBJECT TO FINAL APPROVAL OF THE ASSOCIATED IMPROVEMENT PLANS WHERE APPLICABLE. FINAL CURB GRADE ELEVATIONS MAY REQUIRE CHANGES IN THESE PLANS.
3.	IMPORT MATERIAL SHALL BE OBTAINED FROM A LEGAL SITE.
4.	A CONSTRUCTION, EXCAVATION OR ENCROACHMENT PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS WILL BE REQUIRED FOR ANY WORK IN THE COUNTY RIGHT-OF-WAY.
5.	ALL SLOPES OVER THREE FEET IN HEIGHT WILL BE PLANTED IN ACCORDANCE WITH SAN DIEGO COUNTY SPECIFICATIONS.
6.	THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK. NOTICE OF PROPOSED WORK SHALL BE GIVEN TO THE FOLLOWING AGENCIES: GAS & ELECTRIC (S.D.G.&E.): TELEPHONE NO. 1-800-411-7343 TELEPHONE (AT&T): TELEPHONE NO. 1-800-288-2020 
7.	A SOILS REPORT MAY BE REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
8.	APPROVAL OF THESE PLANS BY THE DIRECTOR OF PUBLIC WORKS DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL THE PROPERTY OWNER'S PERMISSION HAS BEEN OBTAINED AND VALID GRADING PERMIT HAS BEEN ISSUED.

9. THE DIRECTOR OF PUBLIC WORKS APPROVAL OF THESE PLANS DOES NOT CONSTITUTE COUNTY BUILDING OFFICIAL APPROVAL OF ANY FOUNDATION FOR STRUCTURES TO BE PLACED ON THE ITEMS COVERED BY THESE PLANS. NO WAIVER OF THE GRADING ORDINANCE REQUIREMENTS CONCERNING MINIMUM COVER EXPANSIVE SOIL IS MADE OR IMPLIED (SECTIONS 87.403 & 87.410). ANY SUCH WAIVER MUST BE OBTAINED FROM THE DIRECTOR OF PLANNING AND LAND USE.

10. ALL OPERATIONS CONDUCTED ON THE PREMISES, INCLUDING THE WARMING UP, REPAIR, ARRIVAL, DEPARTURE OR RUNNING OF TRUCKS, EARTHMOVING EQUIPMENT, CONSTRUCTION EQUIPMENT AND ANY OTHER ASSOCIATED GRADING EQUIPMENT SHALL BE LIMITED TO THE PERIOD BETWEEN 7:00 AM AND 6:00 PM EACH DAY, MONDAY THRU SATURDAY, AND NO EARTHMOVING OR GRADING OPERATIONS SHALL BE CONDUCTED ON THE PREMISES ON SUNDAYS OR HOLIDAYS.

- 11. ALL MAJOR SLOPES SHALL BE ROUNDED INTO EXISTING TERRAIN TO PRODUCE A CONTOURED TRANSITION FROM CUT OR FILL FACES TO NATURAL GROUND AND ABUTTING CUT OR FILL SURFACES.
- 12. NOTWITHSTANDING THE MINIMUM STANDARDS SET FORTH IN THE GRADING ORDINANCE AND NOTWITHSTANDING THE APPROVAL OF THESE GRADING PLANS, THE PERMITTEE IS RESPONSIBLE FOR THE PREVENTION OF DAMAGE TO ADJACENT PROPERTY. NO PERSON SHALL EXCAVATE ON LAND SO CLOSE TO THE PROPERTY LINE AS TO ENDANGER ANY PROTECTING SUCH PROPERTY FROM SETTLING, CRACKING, EROSION SILTING, SCOUR OR OTHER DAMAGE WHICH MIGHT RESULT FROM THE GRADING DESCRIBED ON THIS PLAN. THE COUNTY WILL HOLD THE PERMITTEE RESPONSIBLE FOR CORRECTION OF NON-DEDICTED IMPROVEMENTS WHICH DAMAGE ADJACENT PROPERTY.

13. SLOPE RATIOS:

CUT - 1.5:1 FOR MINOR SLOPES UNDER 15' HIGH OR IN ROCK, 2:1 FOR MAJOR SLOPES FILL – 2:1 EXCAVATION: 1,050,000 C.Y.

FILL: 1,050,000 C.Y. WASTE/IMPORT: 0 C.Y.

(NOTE: A SEPARATE VALID PERMIT MUST EXIST FOR EITHER WASTE OR IMPORT AREAS)

14. SPECIAL CONDITION: IF ANY ARCHEOLOGICAL RESOURCES ARE DISCOVERED ON THE SITE OF THIS GRADING OPERATIONS, SUCH OPERATIONS WILL CEASE IMMEDIATELY, AND THE PERMITTEE WILL NOTIFY THE DIRECTOR OF PUBLIC WORKS OF THE DISCOVERY. GRADING OPERATIONS WILL NOT RECOMMENCE UNTIL THE PERMITTEE HAS RECEIVED WRITTEN AUTHORITY FROM THE DIRECTOR OF PUBLIC WORKS TO DO SO.

- 15. ALL GRADING DETAILS WILL BE IN ACCORDANCE WITH SAN DIEGO COUNTY STANDARD DRAWINGS DS-8, DS-10, DS-11, AND D-75.
- 16. THE CONSTRUCTION OF ONE PCC STANDARD RESIDENTIAL DRIVEWAY PER LOT, LOCATION TO BE DETERMINED IN THE FIELD BY ENGINEER OF WORK. PCC SURFACING OF DRIVEWAY TO EXTEND FROM CURB TO PROPERTY LINE. USE STANDARD DRAWINGS G-14A, G-14B, G-14C, G-15, AND G-16.

17. FINISHED GRADING SHALL BE CERTIFIED BY A REGISTERED CIVIL ENGINEER AND INSPECTED BY THE COUNTY ENGINEER FOR DRAINAGE CLEARANCE. (APPROVAL OF ROUGH GRADING DOES NOT CERTIFY FINISH BECAUSE OF POTENTIAL SURFACE DRAINAGE PROBLEMS THAT MAY BE CREATED BY LANDSCAPING ACCOMPLISHED AFTER ROUGH GRADING CERTIFICATION.

# **OWNER'S & PERMITTEE'S CERTIFICATE:**

IT IS AGREED THAT FIELD CONDITIONS MAY REQUIRE CHANGES TO THESE PLANS.

IT IS FURTHER AGREED THAT THE OWNER(DEVELOPER) SHALL HAVE A REGISTERED CIVIL ENGINEER MAKE SUCH CHANGES, ALTERATIONS OR ADDITIONS TO THESE PLANS WHICH THE DIRECTOR OF PUBLIC WORK'S DETERMINES ARE NECESSARY AND DESIRABLE FOR THE PROPER COMPLETION OF THE IMPROVEMENTS.

I HEREBY AGREE TO COMMENCE WORK ON ANY IMPROVEMENTS SHOWN ON THESE PLANS WITHIN 60 DAYS AFTER THE ISSUANCE OF THE CONSTRUCTION PERMIT AND TO PURSUE SUCH WORK ACTIVITY ON EVERY NORMAL WORKING DAY UNTIL COMPLETED, IRRESPECTIVE AND INDEPENDENT OF ANY OTHER WORK ASSOCIATED WITH THIS PROJECT OR UNDER MY CONTROL.

DATE

MONTECITO RANCH, LLC A CALIFORNIA LIMITED LIABILITY COMPANY 402 WEST BROADWAY, SUITE 1320 SAN DIEGO, CA 92101-3542 TELEPHONE (619) 696-7355

BY:

BRUCE TABB

# OWNER'S / PERMITTEE'S

NAME:	MONTECITO RANCH, LLC A LIMITED LIABILITY COMPANY					
ADDRESS:	402 WEST BROADWAY, SUITE 1320					
	SAN DIEGO, CA 92101-3542					
TELEPHONE	TELEPHONE NO. (619) 696-7355					
SHORT LEGAL DESCRIPTION: PROPERTY BETWEEN ASH ST. & MONTECITO WAY ONE MILE						
ONE MILE NORTHWEST OF THE RAMONA TOWN CENTER						

A.P.N. NO: (SEE TABLE TO THE RIGHT OF THIS SHEET) SITE ADDRESS: 1080 MONTECITO WAY, RAMONA, CA 92065

# SOIL ENGINEER'S CERTIFICATE:

THESE GRADING PLANS HAVE BEEN REVIEWED I BE IN COMPLIANCE WITH THE RECOMMENDATION DATED, 2014. THE SOILS REPORT THIS PLAN AND ALL GRADING WORK SHALL BE SPECS AND RECOMMENDATIONS OF SAID REPOF (COMPANY NAME) (STREET ADDRESS) (CITY/STATE) (PHONE NUMBER)
(NAME) (RCE No. EXP) D.
(NAME) (CEG No. EXP) D.
I, CERTIFY THAT THE "PRIVATE ROAD" IMPROVEMENT AS SHOWN ON THIS PLAN SATIS THE REQUIREMENTS AS STATED IN THE FINAL NOTICE OF APPROVAL FOR TM AN THE STANDARD FOR PRIVATE ROADS.
BY: DATE: NAME
RCE. NO EXPIRES
INSPECTION BY: ENGINEER OF W COUNTY
SECURITY REQUIRED: YES NO
THE COUNTY IS NOT LIABLE FOR THE DESIGN I ANY WAY, REVIEWED FOR CLARITY ONLY.

DATE: \_\_\_\_\_ FOR: COUNTY ENGINEER

# **GRADING & GEOTECHNICAL SPECIFICATIONS:**

- GEOLOGIST. ALL GRADING MUST BE PERFORMED IN ACCORDANCE WITH APPLICABLE ORDINANCE AND THE INVESTIGATION ENTITLED: GEOTECHNICAL ENGINEERING INVESTIGATION REPORT FOR MONTECITO RANCH, RAMONA, CA PREPARED BY: PREPARED BY: \_\_\_\_\_
- COMPETENCE FOR APPROVAL UPON COMPLETION OF WORK.
- PROJECT.

XXXXXXX X. XXXX RCE XXXX (COMPANY NAME) STREET ADDRESS) (CITY/SATE)

# **ASSESSOR'S PARCEL NO.'S**

MONTECITO RANCH SPECIFIC PLAN AREA

279-072-29 THROUGH 279-072-34, 279
279-072-01 THROUGH 279-072-18, 279-
279–093–10, 279–093–37
280-010-03, 280-010-09
280-030-04 THROUGH 280-030-06, 280
280-030-24, 280-030-25
280-031-01 THROUGH 280-031-07

200-031-01		200-031-07
281-521-01	THROUGH	281-521-03

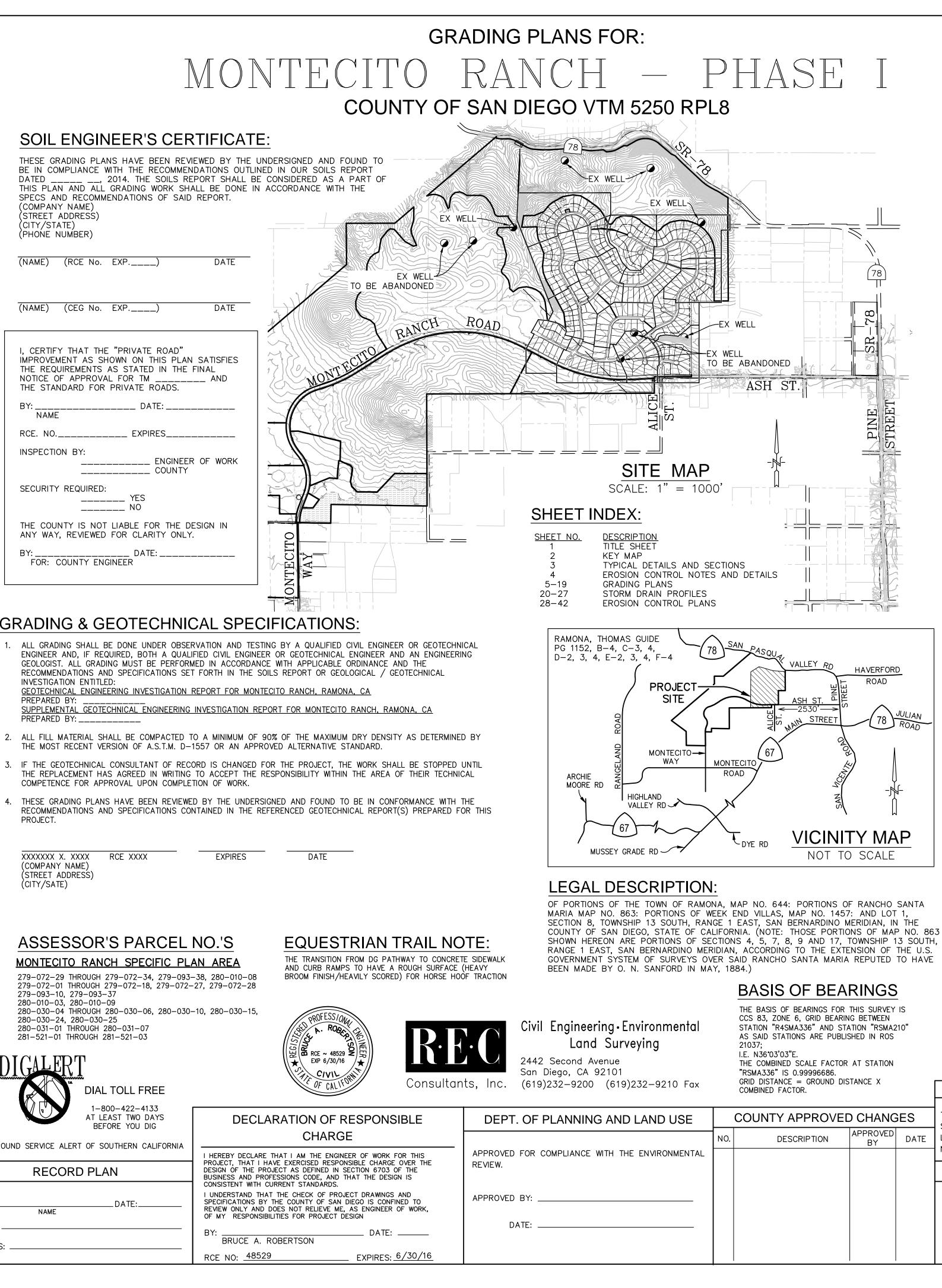
# DIAL TOLL FREE

1-800-4	22-4	4133	
AT LEAST	TWO	DAYS	
BEFORE	YOU	DIG	

UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

	RECORD PLAN		
BY:	NAME	DATE:	
R.C.E			
EXPIRES:			

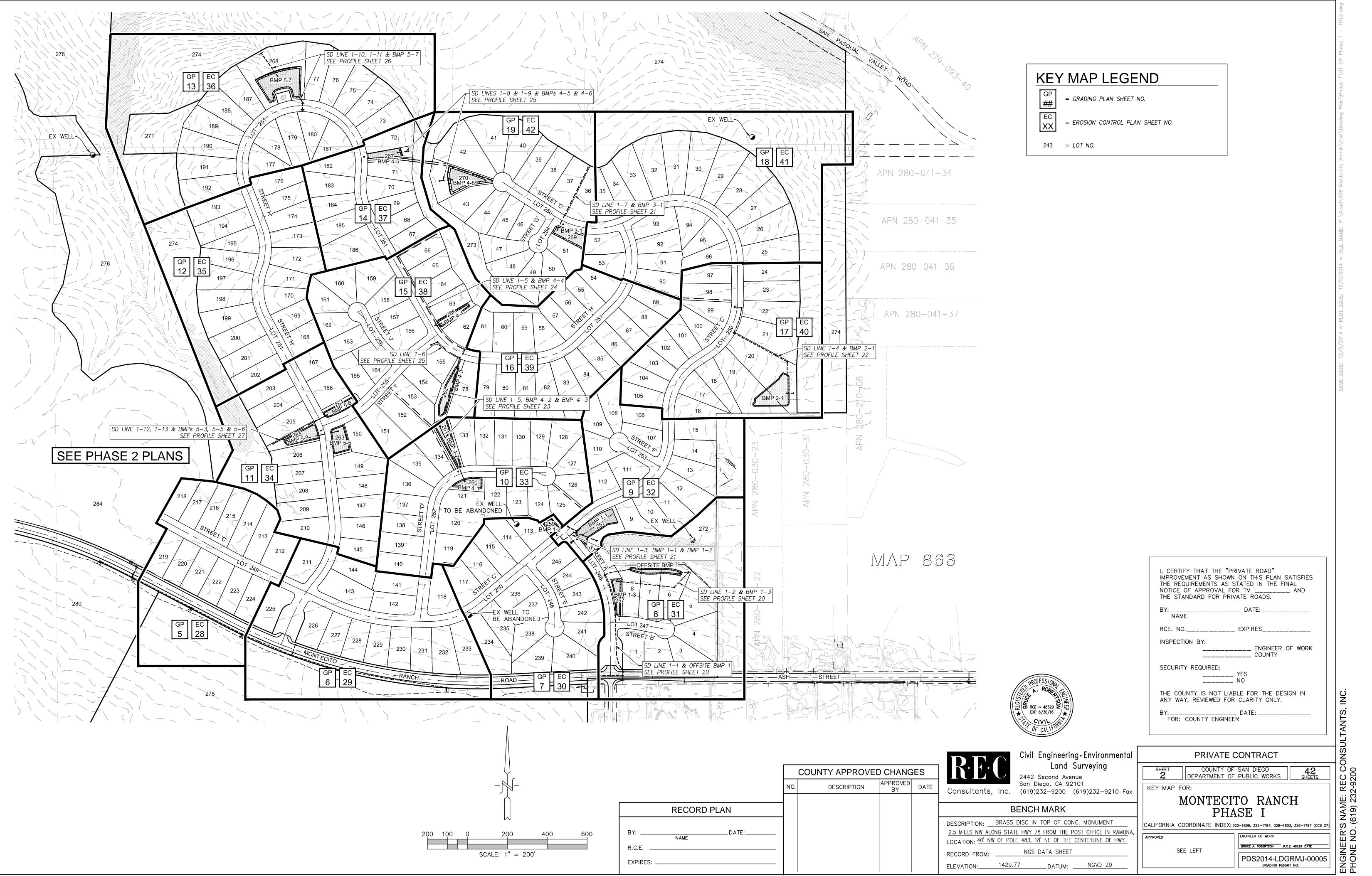
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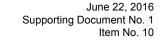


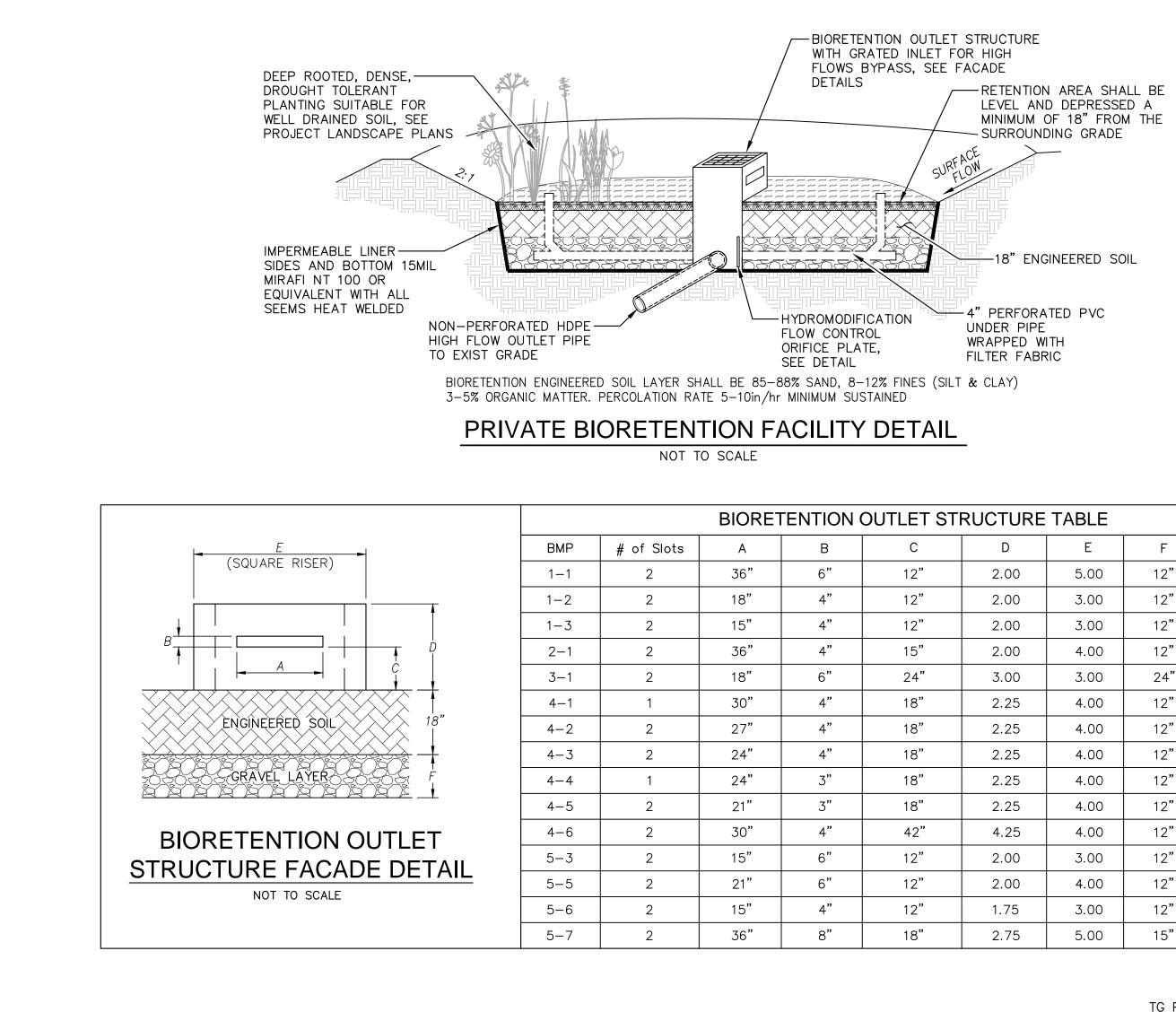


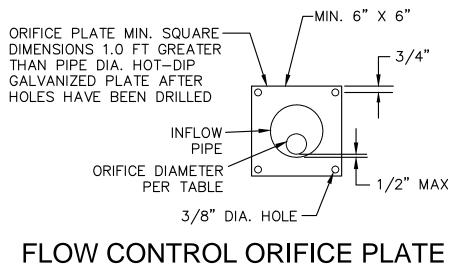
# 

DESCRIPTION			
	STANDARD DRAWING	<u>SYMBC</u>	<u></u>
PROPOSED LOT LINE.			
PROPOSED EASEMENT LINE		. — — — —	
ACCESS RIGHTS RELINQUISHMENT		/ / / / /	<u>       </u>
PROPOSED TRAIL (AND EASEMENT; OUTSIDE OF PUBLIC RIGHT-OF-WAY).			
BIOLOGICAL RESOURCES			
PROPOSED FUEL MANAGEMENT ZONE			
PROPOSED CUT / FILL BANK (2:1).		. <u>V V</u>	VV
PROPOSED CUT/FILL LINE W/ DAYLIGH	LINE	. FILL CUT	_
FINISH SPOT ELEVATION.			
	· · · · · · · · · · · · · · · · · · ·		-
	WHEN NOTED).         . <t< td=""><td></td><td></td></t<>		
	I		
	ET		
PROPOSED PRIVATE STORM DRAIN CURB .INI	ET		
PROPOSED PRIVATE STORM DRAIN CURB .INI	ET		
PROPOSED PRIVATE STORM DRAIN BMP. INL	.T		
PROPOSED PRIVATE STORM DRAIN HEADWAL			
			,
			Ň
			$\Leftarrow$
SLOPE PROTECTION (CUT-OFF WALLS)		. —	
PROPOSED 8" SEWER MAIN		S	S
		$\bigcirc$	
PROPOSED FIRE HYDRANT		. •••	
** NOTE: ALL PVC AND HDPE PIPES WIT	IN ROCK CONDITIONS SHALL BE "BURRITO WRAPPED	" **	
*NOTE: WATER AND SEWER IMPROVEMENTS A	HAVE A D-LOAD OF 1,350, UNLESS OTHERWISE NO RE SHOWN FOR REFERENCE ONLY, REFER TO TRACT		ER
AND SEWER IMPROVEMENT PLANS	TIONS		
AC ASPHALTIC CONCRETE	FM FORCE MAIN PV		
AP ANGLE POINT BC BEGIN CURVE BVC BEGIN VERTICAL CURVE	FSFINISH SURFACEPVIGBGRADE BREAKPLHDPEHIGH DENSITY POLYETHYLENERCI	PROPERTY LINE	
BW BOTTOM OF WALL C-C CENTER OF CUL-DE-SAC	HPHIGH POINTRPIEINVERT ELEVATIONRT	RADIUS POINT RIGHT	
CDS CUL-DE-SAC CL CENTERLINE	LP LOW POINT SD LT LEFT ST	STREET	
DG DECOMPOSED GRANITE EC END CURVE EP EDGE OF PAVEMENT	MHMANHOLETCNTSNOT TO SCALETPPCCPOINT OF COMPOUND CURVETW	TOP OF PIPE	
EVC END VERTICAL CURVE FL FLOW LINE	PCR POINT OF CURB RETURN R/ PRC POINT OF REVERSE CURVE		
DESCRIPTION / TYPE SHE	ET MAINTENANCE CATEGORY		REVISIONS
PERMITS			
THAT IN THE OF A OF		OF SAN DIEGO	_    42
/E MAP #         5250 RPL8         SPA 01           PLAN #         SP 01-001         P 04-000	145, P 09-023 1 DEPARTMEN		S SHEETS
/E         MAP         #         5250         RPL8         SPA         01           PLAN         #         SP         01         001         P         04 <t< td=""><td>1     1       013     013       122     11       019     019</td><td></td><td></td></t<>	1     1       013     013       122     11       019     019		
VE MAP #         5250 RPL8         SPA 01           PLAN #         SP 01-001         P 04-1           APE PERMIT #         PDS2014-LP-14-020         ER 09-1	1       DEPARTMENT         013       013         022       019         019       MONTE	CITO RAN	

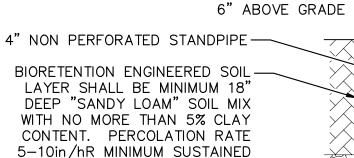








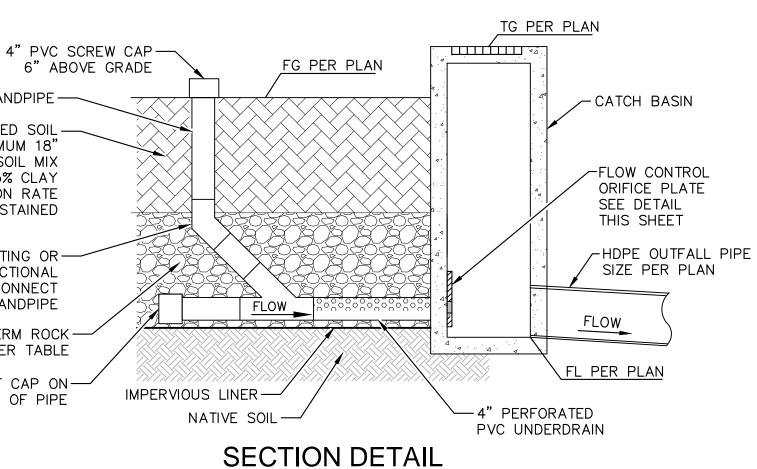
NOT TO SCALE



USE 45' WYE AND FITTING OR-EQUIVALENT DIRECTIONAL CLEANOUT TO CONNECT UNDERDRAIN TO STANDPIPE

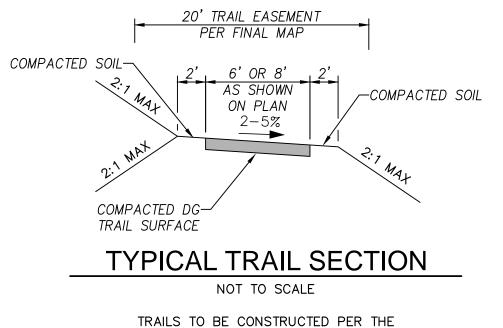
LAYER OF CLASS II PERM ROCK-DEPTH PER TABLE

> WATER TIGHT CAP ON-TERMINAL END OF PIPE





Civil Engineering. Environmental Land Surveying 2442 Second Avenue San Diego, CA 92101 Consultants, Inc. (619)232-9200 (619)232-9210 Fax



"COUNTY TRAILS PROGRAM - COMMUNITY TRAILS MASTER PLAN" SECTION 7 6" PVC UNDER DRAINS TO BE INSTALLED AS REQUIRED

TRUCTURE TABLE				
	D	E	F	Low Orifice
	2.00	5.00	12"	3.75"
	2.00	3.00	12"	1.75"
	2.00	3.00	12"	2.25"
	2.00	4.00	12"	3.75"
	3.00	3.00	24"	2.5"
	2.25	4.00	12"	2"
	2.25	4.00	12"	2.5"
	2.25	4.00	12"	2.25"
	2.25	4.00	12"	1.5"
	2.25	4.00	12"	2"
	4.25	4.00	12"	3.5"
	2.00	3.00	12"	2.25"
	2.00	4.00	12"	2.25"
	1.75	3.00	12"	1.5"
	2.75	5.00	15"	4.5"

		4" P PVC
Ν	DETAIL	_

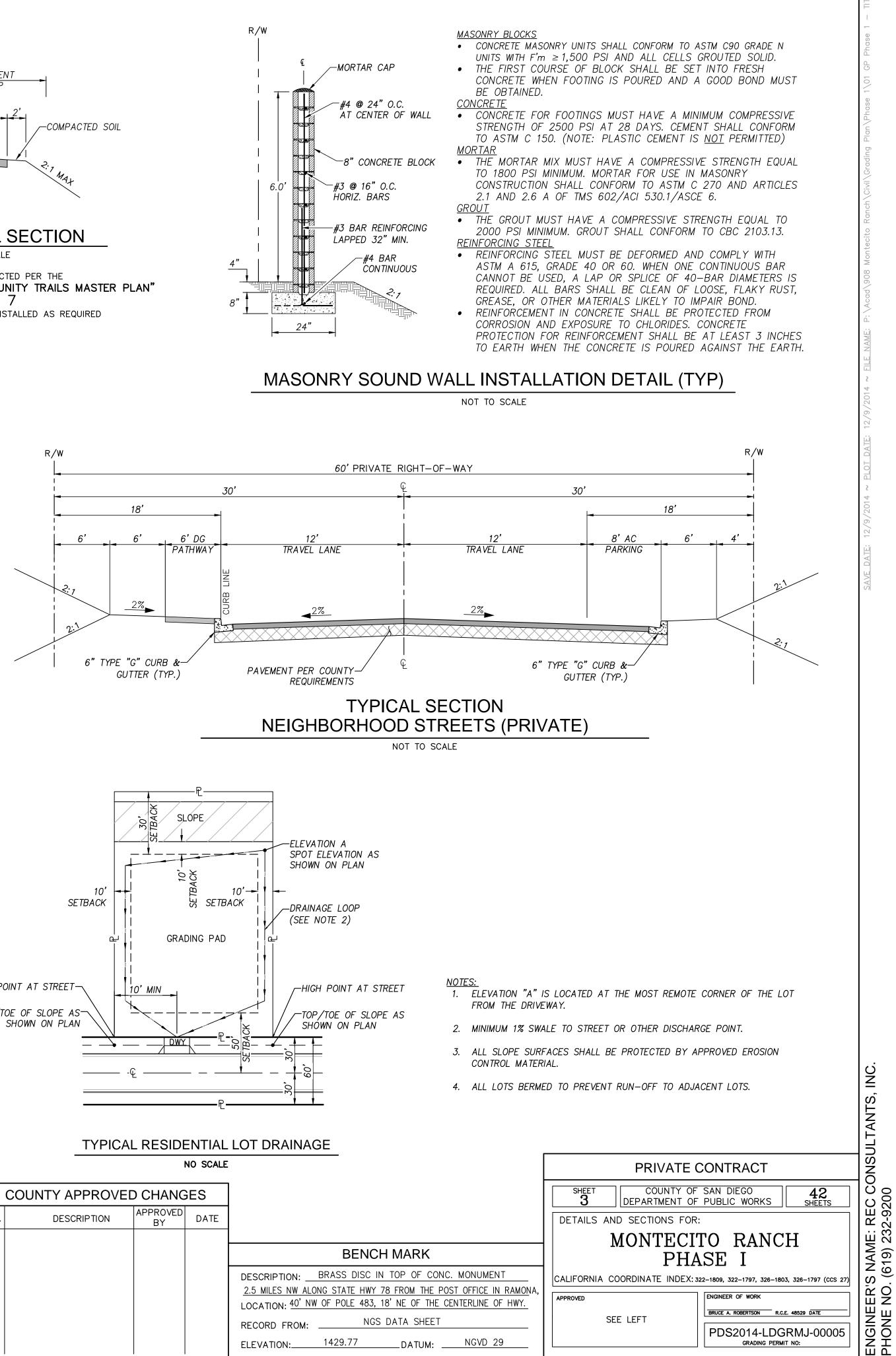
NOT TO SCALE

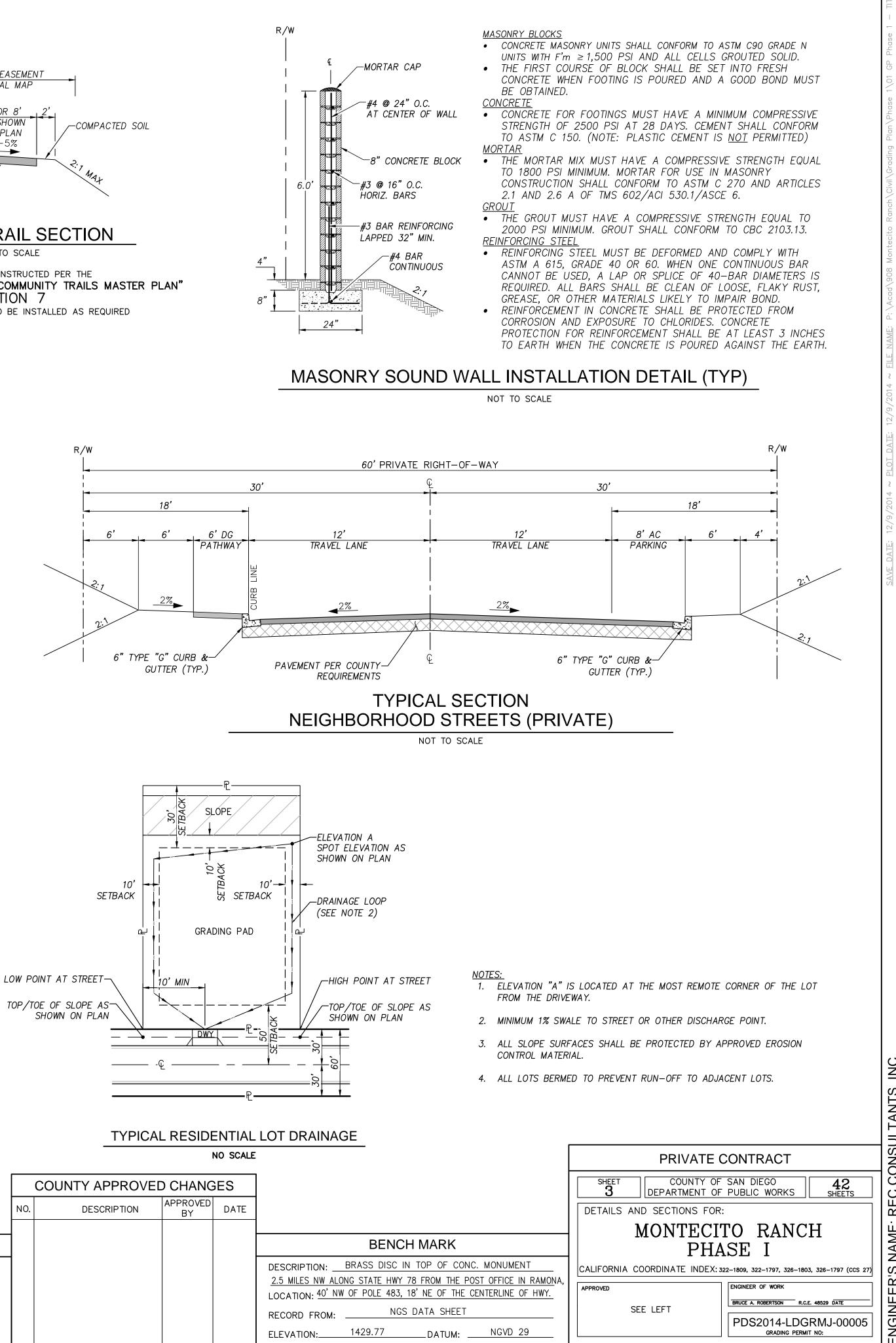
I, CERTIFY THAT THE "PRIVATE ROAD" IMPROVEMENT AS SHOWN ON THIS PLAN SATISFIES THE REQUIREMENTS AS STATED IN THE FINAL NOTICE OF APPROVAL FOR TM AND THE STANDARD FOR PRIVATE ROADS.		
BY: DATE: NAME		
RCE. NO EXPIRES		
INSPECTION BY: ENGINEER OF WORK COUNTY		
SECURITY REQUIRED: YES NO		
THE COUNTY IS NOT LIABLE FOR THE DESIGN IN ANY WAY, REVIEWED FOR CLARITY ONLY.		
BY: DATE: FOR: COUNTY ENGINEER		



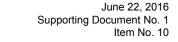
# **RECORD PLAN**

BY:		_DATE:
	NAME	
R.C.E		
EXPIRES:		





COUNTY APPROVED CHANGES			
NO.	DESCRIPTION	APPROVED BY	DATE



# **GENERAL NOTES**:

1.	APPROVAL OF THIS GRADING PLAN DOES NOT CONSTITUTE APPROVAL OF VERTICAL OR
	HORIZONTAL ALIGNMENT OF ANY PRIVATE ROAD SHOWN HEREON FOR COUNTY ROAD PURPOSES.

2.	FINAL APPROVAL OF THESE GRADING PLANS SUBJECT TO FINAL APPROVAL OF THE ASSOCIATED	
	IMPROVEMENT PLANS WHERE APPLICABLE. FINAL CURB GRADE ELEVATIONS MAY REQUIRE	
	CHANGES IN THESE PLANS.	

- 3. IMPORT MATERIAL SHALL BE OBTAINED FROM A LEGAL SITE.
- 4. A CONSTRUCTION, EXCAVATION OR ENCROACHMENT PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS WILL BE REQUIRED FOR ANY WORK IN THE COUNTY RIGHT-OF-WAY.
- 5. ALL SLOPES OVER THREE FEET IN HEIGHT WILL BE PLANTED IN ACCORDANCE WITH SAN DIEGO COUNTY SPECIFICATIONS.
- 3. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK. NOTICE OF PROPOSED WORK SHALL BE GIVEN TO THE FOLLOWING AGENCIES: GAS & ELECTRIC (S.D.G.&E.): TELEPHONE NO. 1-800-411-7343 TELEPHONE (AT&T): TELEPHONE NO. 1-800-288-2020 TELEPHONE NO. 1-877-832-7658 CATV (COX / ULTRONICS): SEWER (PRIVATE) WATER (R.M.W.D.) TELEPHONE NO. 1-760-728-1178
- 7. A SOILS REPORT MAY BE REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- 8. APPROVAL OF THESE PLANS BY THE DIRECTOR OF PUBLIC WORKS DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL THE PROPERTY OWNER'S PERMISSION HAS BEEN OBTAINED AND VALID GRADING PERMIT HAS BEEN ISSUED.
- 9. THE DIRECTOR OF PUBLIC WORKS APPROVAL OF THESE PLANS DOES NOT CONSTITUTE COUNTY BUILDING OFFICIAL APPROVAL OF ANY FOUNDATION FOR STRUCTURES TO BE PLACED ON THE ITEMS COVERED BY THESE PLANS. NO WAIVER OF THE GRADING ORDINANCE REQUIREMENTS CONCERNING MINIMUM COVER EXPANSIVE SOIL IS MADE OR IMPLIED (SECTIONS 87.403 & 87.410). ANY SUCH WAIVER MUST BE OBTAINED FROM THE DIRECTOR OF PLANNING AND LAND USE.
- 10. ALL OPERATIONS CONDUCTED ON THE PREMISES, INCLUDING THE WARMING UP, REPAIR, ARRIVAL DEPARTURE OR RUNNING OF TRUCKS, EARTHMOVING EQUIPMENT, CONSTRUCTION EQUIPMENT AND ANY OTHER ASSOCIATED GRADING EQUIPMENT SHALL BE LIMITED TO THE PERIOD BETWEEN 7:00 AM AND 6:00 PM EACH DAY, MONDAY THRU SATURDAY, AND NO EARTHMOVING OR GRADING OPERATIONS SHALL BE CONDUCTED ON THE PREMISES ON SUNDAYS OR HOLIDAYS.
- 11. ALL MAJOR SLOPES SHALL BE ROUNDED INTO EXISTING TERRAIN TO PRODUCE A CONTOURED TRANSITION FROM CUT OR FILL FACES TO NATURAL GROUND AND ABUTTING CUT OR FILL SURFACES.
- 12. NOTWITHSTANDING THE MINIMUM STANDARDS SET FORTH IN THE GRADING ORDINANCE AND NOTWITHSTANDING THE APPROVAL OF THESE GRADING PLANS, THE PERMITTEE IS RESPONSIBLE FOR THE PREVENTION OF DAMAGE TO ADJACENT PROPERTY. NO PERSON SHALL EXCAVATE ON LAND SO CLOSE TO THE PROPERTY LINE AS TO ENDANGER ANY PROTECTING SUCH PROPERTY FROM SETTLING, CRACKING, EROSION SILTING, SCOUR OR OTHER DAMAGE WHICH MIGHT RESULT FROM THE GRADING DESCRIBED ON THIS PLAN. THE COUNTY WILL HOLD THE PERMITTEE RESPONSIBLE FOR CORRECTION OF NON-DEDICTED IMPROVEMENTS WHICH DAMAGE ADJACENT PROPERTY.
- 13. SLOPE RATIOS:
  - CUT 1.5:1 FOR MINOR SLOPES UNDER 15' HIGH OR IN ROCK, 2:1 FOR MAJOR SLOPES FILL – 2:1 EXCAVATION: 1,050,000 C.Y.
  - 1,050,000 C.Y. FILL: WASTE/IMPORT: 0 C.Y.
- (NOTE: A SEPARATE VALID PERMIT MUST EXIST FOR EITHER WASTE OR IMPORT AREAS)
- 14. SPECIAL CONDITION: IF ANY ARCHEOLOGICAL RESOURCES ARE DISCOVERED ON THE SITE OF THIS GRADING OPERATIONS, SUCH OPERATIONS WILL CEASE IMMEDIATELY, AND THE PERMITTEE WILL NOTIFY THE DIRECTOR OF PUBLIC WORKS OF THE DISCOVERY. GRADING OPERATIONS WILL NOT RECOMMENCE UNTIL THE PERMITTEE HAS RECEIVED WRITTEN AUTHORITY FROM THE DIRECTOR OF PUBLIC WORKS TO DO SO.
- 15. ALL GRADING DETAILS WILL BE IN ACCORDANCE WITH SAN DIEGO COUNTY STANDARD DRAWINGS DS-8, DS-10, DS-11, AND D-75.
- 16. THE CONSTRUCTION OF ONE PCC STANDARD RESIDENTIAL DRIVEWAY PER LOT. LOCATION TO BE DETERMINED IN THE FIELD BY ENGINEER OF WORK. PCC SURFACING OF DRIVEWAY TO EXTEND FROM CURB TO PROPERTY LINE. USE STANDARD DRAWINGS G-14A, G-14B, G-14C, G-15, AND G-16.
- 17. FINISHED GRADING SHALL BE CERTIFIED BY A REGISTERED CIVIL ENGINEER AND INSPECTED BY THE COUNTY ENGINEER FOR DRAINAGE CLEARANCE. (APPROVAL OF ROUGH GRADING DOES NOT CERTIFY FINISH BECAUSE OF POTENTIAL SURFACE DRAINAGE PROBLEMS THAT MAY BE CREATED BY LANDSCAPING ACCOMPLISHED AFTER ROUGH GRADING CERTIFICATION.

# **OWNER'S & PERMITTEE'S CERTIFICATE:**

IT IS AGREED THAT FIELD CONDITIONS MAY REQUIRE CHANGES TO THESE PLANS.

IT IS FURTHER AGREED THAT THE OWNER(DEVELOPER) SHALL HAVE A REGISTERED CIVIL ENGINEER MAKE SUCH CHANGES, ALTERATIONS OR ADDITIONS TO THESE PLANS WHICH THE DIRECTOR OF PUBLIC WORK'S DETERMINES ARE NECESSARY AND DESIRABLE FOR THE PROPER COMPLETION OF THE IMPROVEMENTS.

I HEREBY AGREE TO COMMENCE WORK ON ANY IMPROVEMENTS SHOWN ON THESE PLANS WITHIN 60 DAYS AFTER THE ISSUANCE OF THE CONSTRUCTION PERMIT AND TO PURSUE SUCH WORK ACTIVITY ON EVERY NORMAL WORKING DAY UNTIL COMPLETED, IRRESPECTIVE AND INDEPENDENT OF ANY OTHER WORK ASSOCIATED WITH THIS PROJECT OR UNDER MY CONTROL.

DATE

MONTECITO RANCH, LLC A CALIFORNIA LIMITED LIABILITY COMPANY 402 WEST BROADWAY, SUITE 1320 SAN DIEGO, CA 92101-3542 TELEPHONE (619) 696-7355

BY:

BRUCE TABB

OWNER'S	PERMITTEE'

NAME:	MONTECITO RANCH, LLC A LIMITED LIABILITY COMPANY			
ADDRESS:	402 WEST BROADWAY, SUITE 1320			
	SAN DIEGO, CA 92101-3542			
TELEPHONE NO:				
SHORT LEGAL DESCRIPTION: PROPERTY BETWEEN ASH ST. & MONTECITO WAY ONE MILE				
	ONE MILE NORTHWEST OF THE RAMONA TOWN CENTER			

A.P.N. NO: (SEE TABLE TO THE RIGHT OF THIS SHEET)

SITE ADDRESS:

|--|

THESE GRADING PLANS HAVE BEEN REVIEWED BY '	
BE IN COMPLIANCE WITH THE RECOMMENDATIONS C	
DATED, 2014. THE SOILS REPORT SHA	LL
THIS PLAN AND ALL GRADING WORK SHALL BE DO	NE
SPECS AND RECOMMENDATIONS OF SAID REPORT.	
(COMPANY NAME)	
STREET ADDRESS)	
CITY/STATE)	
PHONE NUMBER)	

(NAME)	(RCE No.	EXP)	DAT	E
(NAME)	(CEG No.	EXP)	DAT	Ē
IMPRO THE R NOTICE	VEMENT AS EQUIREMEN E OF APPRO	TS AS STATE	THIS PLAN SATIS D IN THE FINAL AN	
BY:	ME	DA	NTE:	
RCE. N	NO	EXPI	RES	
INSPEC	CTION BY: 		ENGINEER OF V	VORI
SECUR	ITY REQUIR 	ED: YES NO		
		NOT LIABLE F VED FOR CLAI	OR THE DESIGN RITY ONLY.	IN

BY: DATE: FOR: COUNTY ENGINEER

# **GRADING & GEOTECHNICAL SPECIFICATIONS:**

- INVESTIGATION ENTITLED: GEOTECHNICAL ENGINEERING INVESTIGATION REPORT FOR MONTECITO RANCH, RAMONA, CA PREPARED BY: PREPARED BY: \_\_\_\_\_
- COMPETENCE FOR APPROVAL UPON COMPLETION OF WORK.
- PROJECT.

XXXXXXX X. XXXX RCE XXXX (COMPANY NAME) (STREET ADDRESS) (CITY/SATE)

# **ASSESSOR'S PARCEL NO.'S**

MONTECITO RANCH SPECIFIC PLAN AREA 279-072-29 THROUGH 279-072-34. 279-093-38. 280-010-08

2/9-0/2-29 IHROUGH 2/9-0/2-34,	279
279-072-01 THROUGH 279-072-18,	279-
279-093-10, 279-093-37	
280-010-03, 280-010-09	
280-030-04 THROUGH 280-030-06,	280
280-030-24, 280-030-25	
280-031-01 THROUGH 280-031-07	
281-521-01 THROUGH 281-521-03	

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	DIAL TOLL FREE
	1-800-422-4133 AT LEAST TWO DAYS BEFORE YOU DIG
RGROUND SERVICE ALERT	OF SOUTHERN CALIFORNIA
RECORD	PLAN
	DATE:

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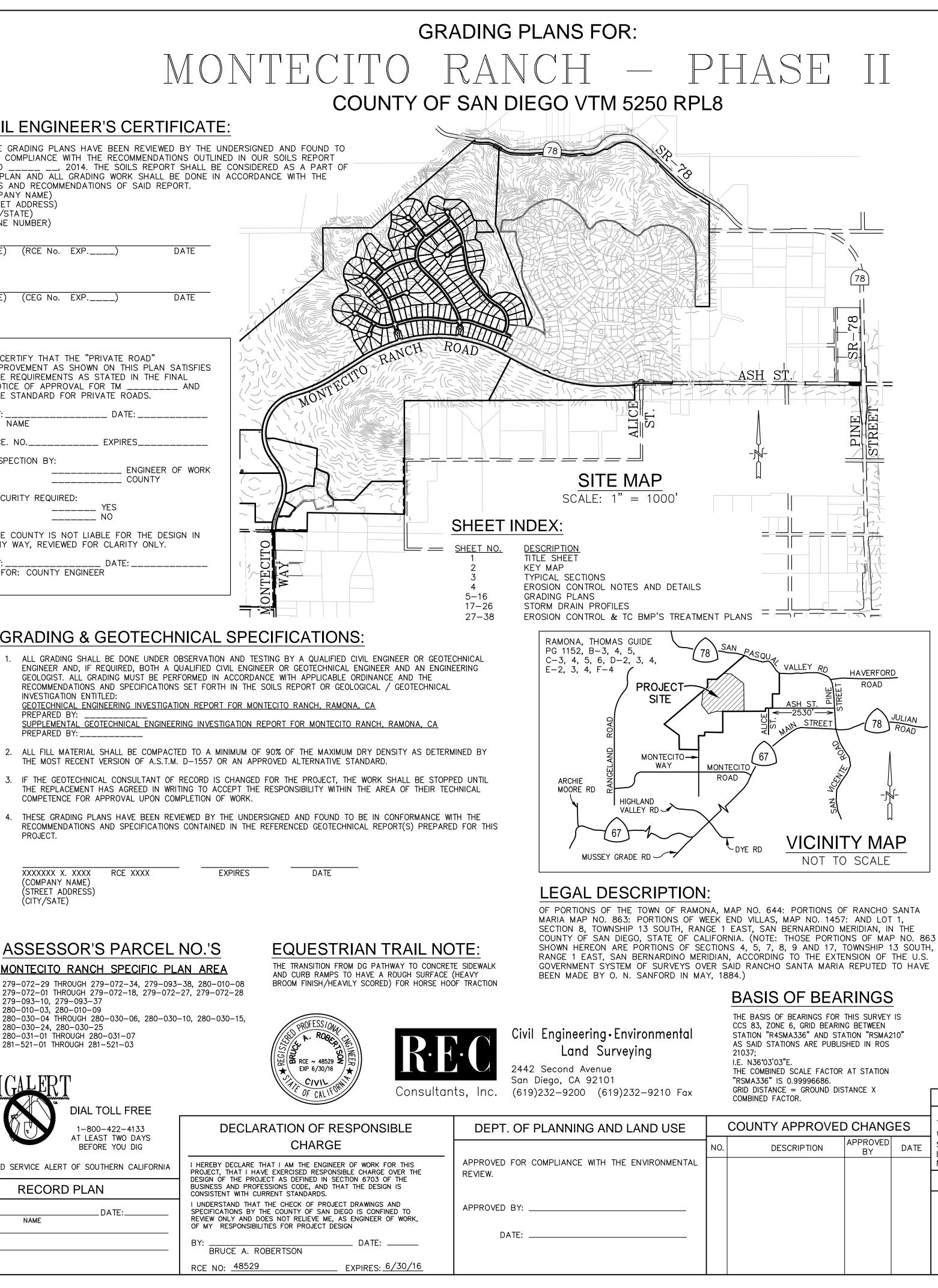
EXPIRES:

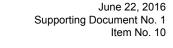
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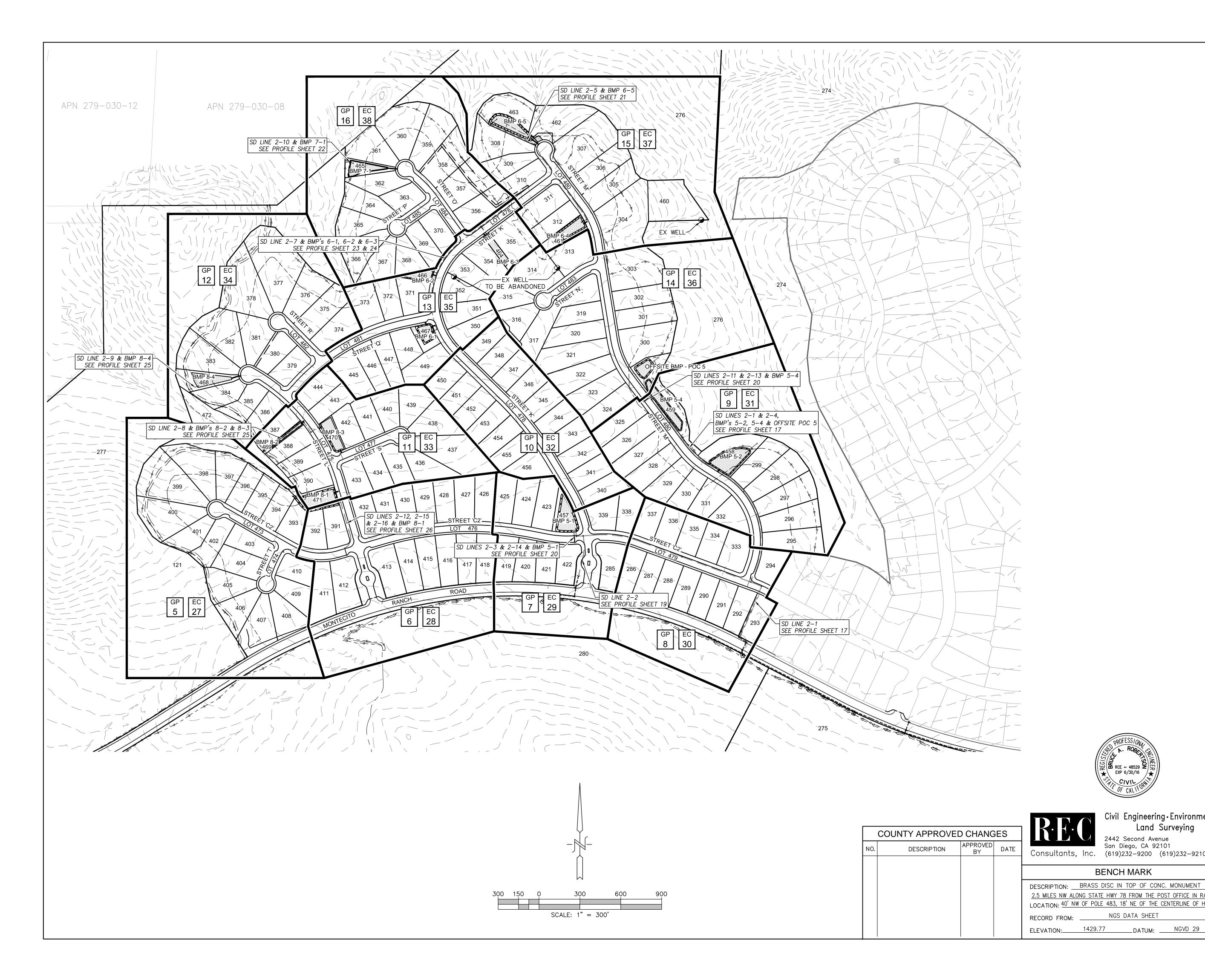
BY:

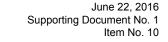
R.C.E.



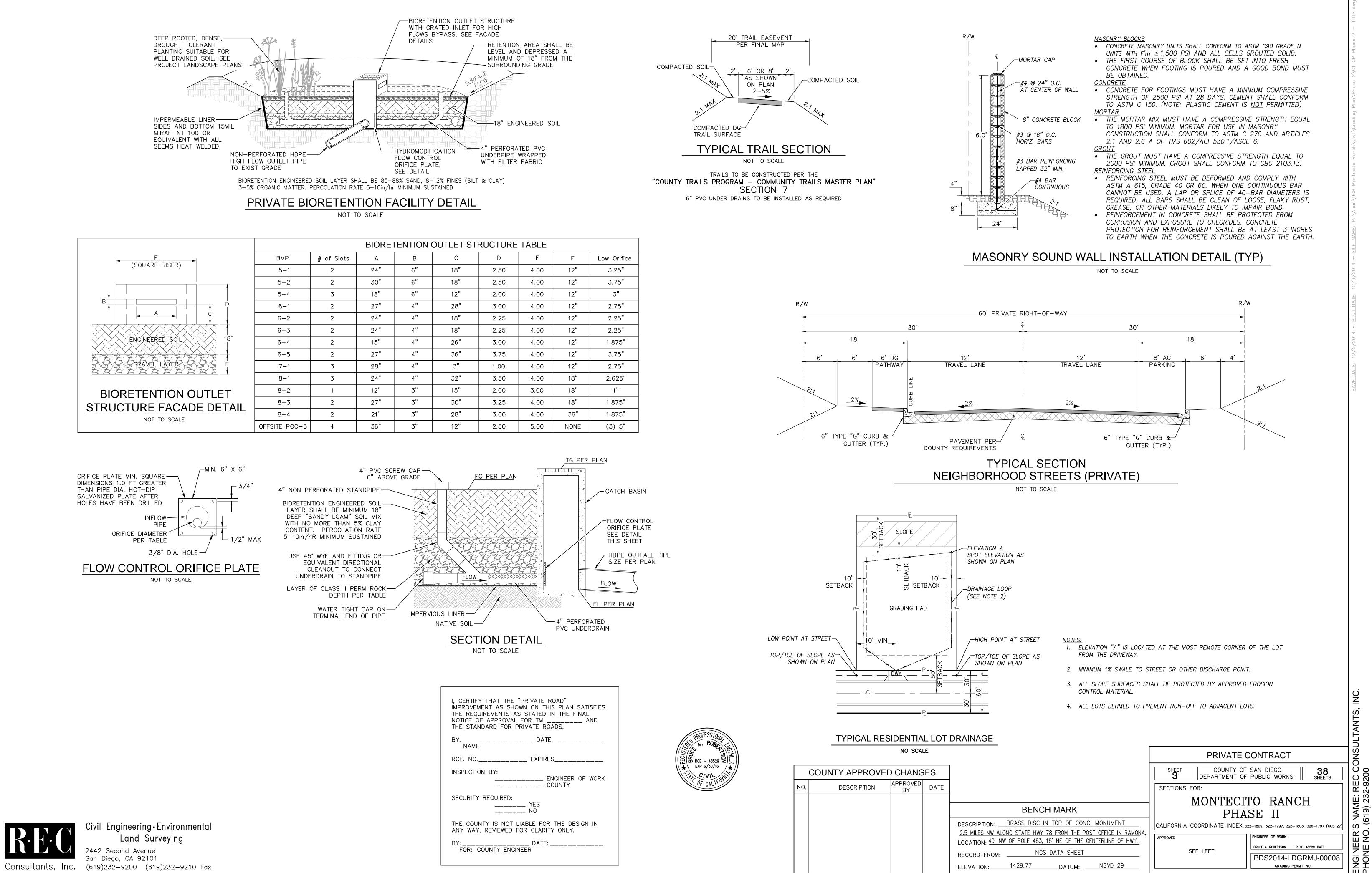


LEGEND				
DESCRIPTION SUBDIVISION BOUNDARY.		IDARD DRAWING	<u>SYMBOL</u>	=
PROPOSED LOT LINE.				
PROPOSED RIGHT-OF-WAY				
EXISTING RIGHT-OF-WAY				
PROPOSED EASEMENT LINE				
PROPOSED TRAIL (AND EASEMENT; O OF PUBLIC RIGHT-OF-WAY)	UTSIDE			
BIOLOGICAL RESOURCES				$\times$
PROPOSED FUEL MANAGEMENT ZONE.				
PROPOSED CUT / FILL BANK (2:	)		$\nabla \nabla / \nabla$	
PROPOSED CONTOUR			630 -	
EXISTING CONTOUR				
PROPOSED CUT/FILL LINE W/ DA	YLIGHT LINE		00.	
FINISH SPOT ELEVATION.			<u>90.5</u> 90.5	
EXISTING SPOT ELEVATION				
PROPOSED SOUND WALL (RETAINING PROPOSED PRIVATE STORM DRAIN PIE				
PROPOSED PRIVATE STORM DRAIN CL				
PROPOSED PRIVATE STORM DRAIN CA				
PROPOSED PRIVATE STORM DRAIN CU	RB.INLET	TYPE B, SDRSD D-2		
PROPOSED PRIVATE STORM DRAIN CU	RB .INLET	YPE B-1, SDRSD D-2		
PROPOSED PRIVATE STORM DRAIN CU				
PROPOSED PRIVATE STORM DRAIN BM				
PROPOSED PRIVATE STORM DRAIN HE				
PROPOSED RIPRAP ENERGY DISSIPATO				
PROPOSED PRIVATE STORM DRAIN CL			_ "	
PROPOSED BROW DITCH		SDRSD D-75	$\stackrel{^{^{}}}{\Leftarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\leftrightarrow} \stackrel{^{^{}}}{\rightarrow} \stackrel{^{^{}}}}{\rightarrow} \stackrel{^{^{}}}}}{\rightarrow} \stackrel{^{^{}}}}}{\rightarrow} \stackrel{^{^{}}}}}{\rightarrow} \stackrel{^{^{}}}}}{\rightarrow} \stackrel{^{^{}}}}}{\rightarrow} \stackrel{^{^{}}}}}{\rightarrow} \stackrel{^{^{}}}}}}$	=
PROPOSED 8" SEWER MAIN			S	S
PROPOSED SEWER MANHOLE				
PROPOSED 6" SEWER FORCE MAIN			FM	
PROPOSED 12" PVC WATER LINE				
PROPOSED RECLAIMED WATER LINE			——————————————————————————————————————	
		I ROCK CONDITIONS SHALL BE "BURRIT HAVE A D-LOAD OF 1,350, UNLESS OT		
	ENTS ARE SHOWN FOR	REFERENCE ONLY, REFER TO TRACT 52		२
LEGEND OF ABBRE				
AC ASPHALTIC CONCRETE AP ANGLE POINT	FM FORCE M FS FINISH S		POLYVINYL CHLORID	
BC BEGIN CURVE BVC BEGIN VERTICAL CURVE	GB GRADE E HDPE HIGH DEI	BREAK PL NSITY POLYETHYLENE RCP	POINT OF VERTICAL PROPERTY LINE REINFORCED CONCR	
BW BOTTOM OF WALL C-C CENTER OF CUL-DE-SAC	HP HIGH PO IE INVERT E	INT RP ELEVATION RT	RADIUS POINT RIGHT	
CDS CUL-DE-SAC CL CENTERLINE DG DECOMPOSED GRANITE	LP LOW POI LT LEFT MH MANHOLE	ST	STORM DRAIN STREET TOP OF CURB	
EC END CURVE EP EDGE OF PAVEMENT	NTS NOT TO		TOP OF PIPE	
EVC END VERTICAL CURVE FL FLOW LINE		F CURB RETURN R/W F REVERSE CURVE	RIGHT-OF-WAY	
DESCRIPTION / TYPE	STORMWATER	TREATMENT CONTROL MAINTENANCE CATEGORY	BMP's	REVISIONS
PERMITS				
OTHER (	PA 04-013 PA 01-001		DF SAN DIEGO	38
DISCHARGE # E	<u>04–045, P 09–02</u> R 09–013	3 1 DEPARTMENT (	OF PUBLIC WORKS	SHEETS
	04-022 TP 08-019		ITO RAN	വ
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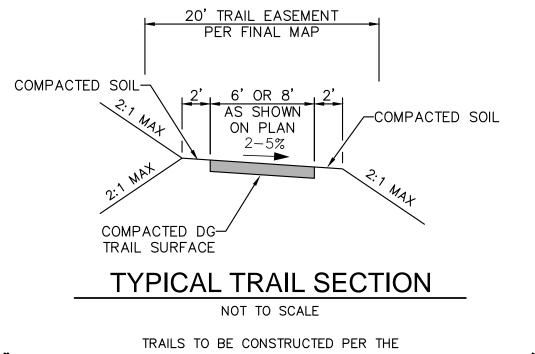








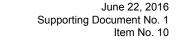




LET STRUCTURE TABLE				
С	D	E	F	Low Orifice
18"	2.50	4.00	12"	3.25 <b>"</b>
18"	2.50	4.00	12"	3.75 <b>"</b>
12"	2.00	4.00	12"	3"
28"	3.00	4.00	12"	2.75"
18"	2.25	4.00	12"	2.25"
18"	2.25	4.00	12"	2.25"
26"	3.00	4.00	12"	1.875"
36"	3.75	4.00	12"	3.75"
3"	1.00	4.00	12"	2.75"
32"	3.50	4.00	18"	2.625"
15"	2.00	3.00	18"	1"
30"	3.25	4.00	18"	1.875"
28"	3.00	4.00	36"	1.875"
12"	2.50	5.00	NONE	(3) 5"

I, CERTIFY THAT THE "PRIVATE ROAD" IMPROVEMENT AS SHOWN ON THIS PLAN SATISFIES THE REQUIREMENTS AS STATED IN THE FINAL NOTICE OF APPROVAL FOR TM AND THE STANDARD FOR PRIVATE ROADS.			
BY: DATE: NAME			
RCE. NO EXPIRES			
INSPECTION BY: ENGINEER OF WORK COUNTY			
SECURITY REQUIRED: YES NO			
THE COUNTY IS NOT LIABLE FOR THE DESIGN IN ANY WAY, REVIEWED FOR CLARITY ONLY.			
	1		

	COUNTY APPROVED CHANGES		
NO.	DESCRIPTION	APPROVED BY	DATE
		I	



# **EROSION CONTROL NOTES**

- ALL BUILDING PADS TO BE DIKED AND THE DIKES MAINTAINED TO PREVENT WATER FROM FLOWING FROM THE PAD UNTIL THE STREETS AND DRIVEWAYS ARE PAVED AND WATER CAN FLOW FROM THE PADS WITHOUT CAUSING EROSION, OR CONSTRUCT DRAINAGE FACILITIES TO THE SATISFACTION OF THE COUNTY DEPARTMENT OF PUBLIC WORKS THAT WILL ALLOW WATER TO DRAIN FROM THE PAD WITHOUT CAUSING EROSION.
- 2. TOPS OF ALL SLOPES TO BE DIKED OR TRENCHED TO PREVENT WATER FROM FLOWING OVER THE CREST OF SLOPES.
- MANUFACTURED SLOPES AND PADS SHALL BE ROUNDED VERTICALLY AND HORIZONTALLY AS APPROPRIATE TO BLEND WITH THE SURROUNDING TOPOGRAPHY.
- 4. AS SOON AS CUTS OR EMBANKMENTS ARE COMPLETED, BUT NOT LATER THAN OCTOBER 1 ALL CUT AND FILL SLOPES SHALL BE STABILIZED WITH A HYDROMULCH MIXTURE OR AN EQUAL TREATMENT APPROVED BY THE COUNTY DEPARTMENT OF PUBLIC WORKS BETWEEN OCTOBER 1 AND APRIL 15. APPROVED SLOPE PROTECTION MEASURES SHALL PROCEED IMMEDIATELY BEHIND THE EXPOSURE OF CUT SLOPES AND/OR THE CREATION OF EMBANKMENT SLOPES.
- 5. CATCH BASINS, DESILTING BASINS AND STORM DRAIN SYSTEM SHALL BE INSTALLED TO THE SATISFACTION OF THE COUNTY DEPARTMENT OF PUBLIC WORKS.
- 6. SAND BAG CHECK DAMS TO BE PLACED IN A MANNER APPROVED BY THE COUNTY DEPARTMENT OF PUBLIC WORKS IN UNPAVED STREETS WITH GRADIENTS IN EXCESS OF 2% AND ON OR IN OTHER GRADED OR EXCAVATED AREAS AS REQUIRED BY THE COUNTY DEPARTMENT OF PUBLIC WORKS.
- 7. THE DEVELOPER TO MAINTAIN THE PLANTING AND EROSION CONTROL MEASURES DESCRIBED ABOVE UNTIL RELIEVED OF THE SAME BY THE COUNTY DEPARTMENT OF PUBLIC WORKS. THE DEVELOPER TO REMOVE ALL SOIL INTERCEPTED BY THE SAND BAGS, CATCH BASINS AND DESILTING BASINS AND KEEP THESE FACILITIES CLEAN AND FREE OF SILT AND SAND AS DIRECTED BY THE COUNTY DEPARTMENT OF PUBLIC WORKS. THE DEVELOPER SHALL REPAIR ANY ERODED SLOPES AS DIRECTED BY THE COUNTY DEPARTMENT OF PUBLIC WORKS.

# SILTATION AND SEDIMENT CONTROL MEASURES NOTES:

- THE SEDIMENT BASINS SHALL BE PROVIDED AT THE LOWER END OF EVERY DRAINAGE AREA PRODUCING SEDIMENT RUNOFF. THE BASINS SHALL BE MAINTAINED AND CLEANED TO DESIGN CONTOURS AFTER EVERY RUNOFF PRODUCING STORM. THE BASINS SHOULD BE SEMI-PERMANENT STRUCTURES THAT WOULD REMAIN UNTIL SOIL STABILIZING VEGETATION HAS BECOME WELL ESTABLISHED ON ALL ERODIBLE SLOPES.
- 2. SEDIMENTATION BASINS MAY NOT BE REMOVED OR MADE INOPERATIVE WITHOUT PRIOR APPROVAL OF THE COUNTY ENGINEER.
- SEWER OR STORM DRAIN TRENCHES THAT ARE CUT THROUGH BASIN DIKES OR BASIN INLET DIKES SHALL BE PLUGGED WITH SANDBAGS FROM TOP OF PIPE TO TOP OF DIKE.
- 4. ALL UTILITY TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS WITH A DOUBLE ROW OF SANDBAGS WITH A TOP ELEVATION TWO SANDBAGS BELOW THE GRADED SURFACE OF THE STREET. SANDBAGS ARE TO BE PLACED WITH LAPPED COURSES. THE INTERVALS PRESCRIBED BETWEEN SANDBAG BLOCKING SHALL DEPEND ON THE SLOPE OF THE GROUND SURFACE BUT NOT TO EXCEED THE FOLLOWING:

GRADE OF THE STREET	INTERVAL
LESS THAN 2%	AS REQUIRED
2% TO 4%	100 FEET
4% TO 10%	50 FEET
OVER 10%	25 FEET

- AFTER SEWER UTILITY TRENCHES ARE BACKFILLED AND COMPACTED. THE SURFACES OVER SUCH TRENCHES SHALL BE MOUNDED SLIGHTLY TO PREVENT CHANNELING OF WATER IN THE TRENCH AREA. CARE SHOULD BE EXERCISED TO PROVIDE FOR CROSS FLOW AT FREQUENT INTERVALS WHERE TRENCHES ARE NOT ON THE CENTERLINE OF A CROWNED STREET
- 6. ALL BUILDING PADS SHOULD BE SLOPED TOWARDS THE DRIVEWAYS AND VELOCITY CHECK DAMS PROVIDED AT THE BASE OF ALL DRIVEWAYS DRAINING INTO THE STREET.

100 FEET

50 FEET

25 FEET

INTERVALS BETWEEN CHECK DAMS

7. PROVIDE VELOCITY CHECK DAMS IN ALL UNPAVED GRADED CHANNELS AT THE INTERVALS INDICATED BELOW:

GRADE OF CHANNEL
LESS THAN 3% 3% TO 6% OVER 6%

- PROVIDE VELOCITY CHECK DAMS IN ALL PAVED STREET AREAS ACCORDING TO RECOMMENDED CRITERIA INDICATED ON THE ENCLOSED GRAPH ENTITLED "SANDBAG BARRIER SPACING FOR EROSION CONTROL IN GRADED STREETS". VELOCITY CHECK DAMS MAY BE CONSTRUCTED OF SANDBAGS, TIMBAR, OR OTHER EROSION RESISTANT MATERIALS APPROVED BY THE COUNTY ENGINEER, AND SHALL EXTEND COMPLETELY ACROSS THE STREET OR CHANNEL AT RIGHT ANGLES TO THE CENTERLINE. VELOCITY CHECK DAMS MAY ALSO SERVE AS SEDIMENT TRAPS
- PROVIDE A SANDBAG SILT BASIN OR TRAP BY EVERY STORM DRAIN INLET TO PREVENT SEDIMENT FROM ENTERING DRAIN SYSTEM.
- 10. SANDBAGS AND FILL MATERIAL SHALL BE STOCKPILED AT INTERVALS, READY FOR USE WHEN REQUIRED.
- 11. ALL EROSION CONTROL DEVICES WITHIN THE DEVELOPMENT SHOULD BE MAINTAINED DURING AND AFTER EVERY RUNOFF PRODUCING STORM, IF POSSIBLE, MAINTENANCE CREWS WOULD BE REQUIRED TO HAVE ACCESS TO ALL AREAS.
- 12. PROVIDE ROCK RIPRAP ON CURVES AND STEEP DROPS IN ALL EROSION PRONE DRAINAGE CHANNELS DOWNSTREAM FROM THE DEVELOPMENT. THIS PROTECTION WOULD REDUCE EROSION CAUSED BY THE INCREASED FLOWS THAT MAY BE ANTICIPATED FROM DENUDED SLOPES, OR FROM IMPERVIOUS SURFACES.
- 13. ANY PROPOSED ALTERNATE CONTROL MEASURES MUST BE APPROVED IN ADVANCE BY ALL RESPONSIBLE AGENCIES: I.E., COUNTY ENGINEER, DEPARTMENT OF SANITATION AND FLOOD CONTROL, OFFICE OF ENVIRONMENTAL MANAGEMENT, ETC.



UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



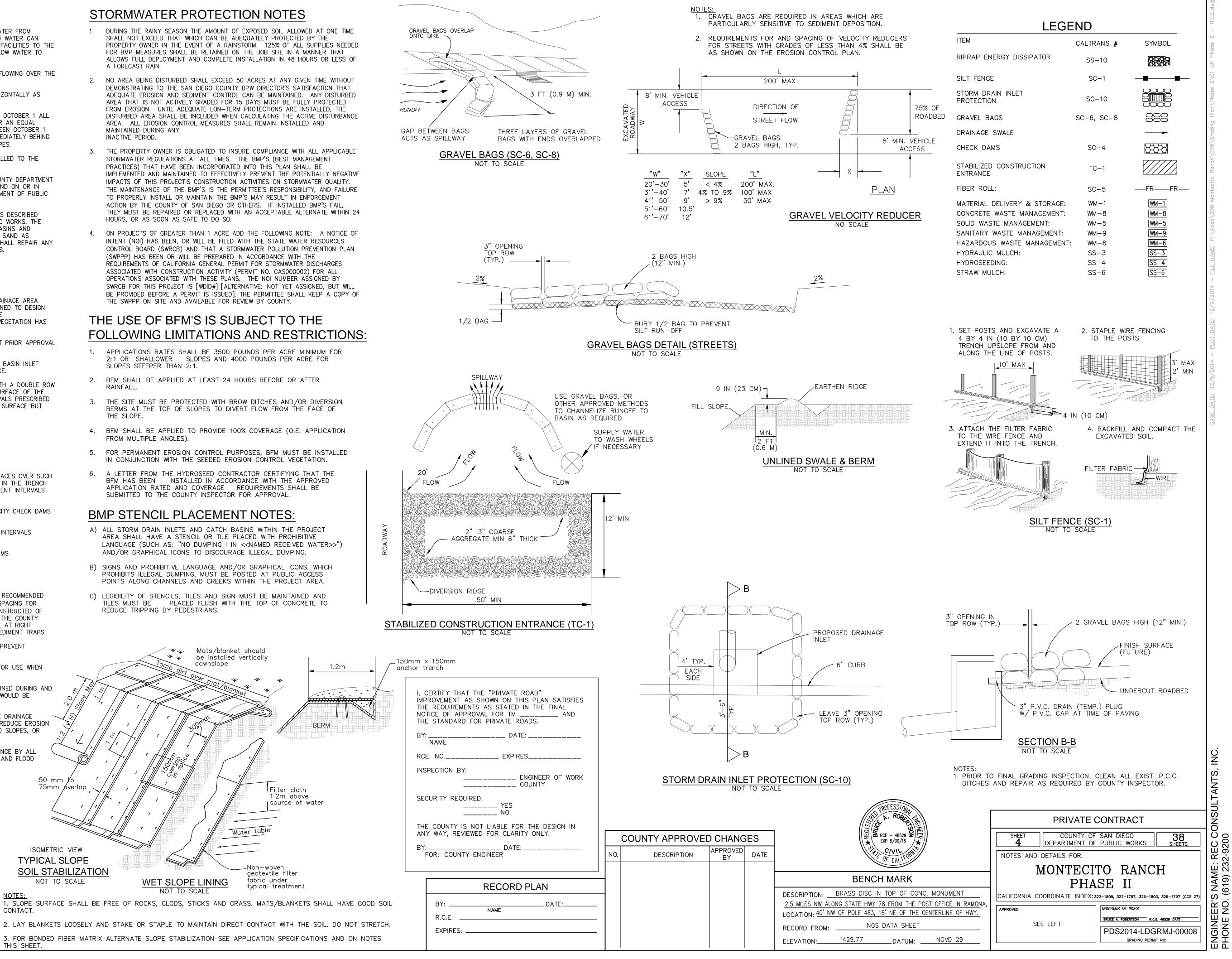
Civil Engineering. Environmental Land Surveying 2442 Second Avenue San Diego, CA 92101 Consultants. Inc. (619)232-9200 (619)232-9210 Fax

ISOMETRIC VIEW TYPICAL SLOPE SOIL STABILIZATION

- A FORECAST RAIN.
- MAINTAINED DURING ANY INACTIVE PERIOD.
- HOURS, OR AS SOON AS SAFE TO DO SO.

- SLOPES STEEPER THAN 2:1.
- RAINFALL.
- THE SLOPE.
- FROM MULTIPLE ANGLES).

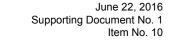
- REDUCE TRIPPING BY PEDESTRIANS.



NOT TO SCALE

CONTACT.

THIS SHEET.



Montecito Ranch LLC Montecito Ranch Project Tentative Order No. R9-2015-0054

# ATTACHMENT F

# **CEQA MITIGATION REQUIREMENTS**

1. Final Environmental Impact Report, Montecito Ranch, List of Mitigation Measures and Environmental Design Considerations, August 4, 2010

# LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

# Comprehensive Listing of Mitigation Measures Proposed for the Project

The Project Applicant will be responsible for the implementation of all described mitigation measures, as well as related measures included as part of the Project design or identified during permitting efforts.

# Transportation/Circulation

To address Project-related and cumulative traffic demands, the Project proposes (as part of Project design) to construct Montecito Ranch Road, which would connect Ash Street to Montecito Way. In addition, it was assumed that off-site roadway improvements would include establishing a uniform pavement width of 40 feet curb-to-curb within a 60-foot-wide right-of-way for Ash Street, Montecito Way, and Montecito Road as part of Project design. Where the Project provides roadway improvements that also benefit other future (cumulative) projects, a reimbursement agreement and/or credit toward the Project's fair share of other transportation improvements to mitigate cumulative impacts would be defined working with County staff and implemented through the County's adopted TIF program. Identified fair share contributions of the Proposed Project toward transportation improvements to mitigate cumulative impacts would be accomplished through payments into the TIF program or credit against TIF fees based on the cost of improvements constructed by the Project, beyond the Project's fair share of such improvements. Table 2.2-9 provides a summary of the mitigation and provides information about when Project mitigation would be required and who would be responsible.

Preliminary traffic signal warrant analyses were completed for each intersection that could potentially be signalized, including Pine Street/Ash Street, Pine Street/Olive Street, Montecito Way/Montecito Road, and SR 67/Archie Moore Road. These analyses are provided in Appendix M of the TIA (EIR Appendix B). Preliminary traffic warrants were met at all analyzed intersections, except for Montecito Way/Montecito Road. Signalizations would occur once the County and Caltrans determine that warrants are met.

In addition, the following measures are required to mitigate Project-related traffic impacts to below a level of significance:

# Mitigation for Significant Impact Nos. 2.1.3c, 2.1.4c and 2.1.4k

The following measure is required to mitigate the Project-related direct and cumulative impacts to the intersection of Pine Street/Main Street:

• The Project Applicant shall restripe the northern leg of the intersection of Pine Street/Main Street to provide a southbound to westbound right-turn/through lane or an eastbound left-turn lane onto Main Street prior to issuance of an occupancy permit on site and to the satisfaction of the Director of DPW. The Project Applicant also shall make a payment into the TIF program prior to the issuance of the first occupancy permit.

and/or repowered and use of low-VOC coatings, the project would mitigate emissions to the extent feasible.

## Land Use and Planning

#### Mitigation for Significant Impact 3.1.3a

Mitigation for Significant Impact Nos. 3.3.3c and 3.3.3d, which includes establishment of a noise protection easement on site at a distance of approximately 500 feet from the centerline of Montecito Ranch Road, as identified in Subchapter 3.3, Noise, would reduce potentially significant land use plan impacts to on-site residences related to conformance with Policy 1 of the RCP Noise Element to below a level of significance.

#### Mitigation for Significant Impact No. 3.1.3b

Mitigation for Significant Impact No. 3.3.3e in Subchapter 3.3, Noise, would reduce potentially significant land use plan impacts due to noise levels along Montecito Way to below a level of significance. This measure includes construction of noise walls or rubberized asphalt in front of the two houses that would be significantly affected by noise levels.

## Mitigation for Significant Impact No. 3.1.3c

Mitigation for Significant Impact No. 3.5.3a in Subchapter 3.5, Aesthetics, would reduce significant short-term community character impacts to the Montecito Way viewshed to below a level of significance. This measure includes planting the sides of the roadway with trees and shrubs similar to those currently present along the roadway.

#### Mitigation for Significant Impact No. 3.1.3d

Mitigation for Significant Impact No. 3.5.3a in Subchapter 3.5, Aesthetics, would reduce significant community character impacts due to noise levels along Montecito Way to below a level of significance. This measure includes planting of screening vegetation in front of the proposed walls along Montecito Way. Implementation of Mitigation for Significant Impact No. 3.1.3d also will help mitigate this impact.

#### **Biological Resources**

The Proposed Project would significantly impact sensitive habitats and animal species through direct loss and could cause significant indirect impacts as well. Open space easements would be placed on all biologically meaningful areas outside grading and fire clearing impact areas to protect the resources in perpetuity. The mitigation measures would be finalized through consultation with the resource agencies and the County as part of the permitting and regulatory processes.

The existing acreages, acres of impact, mitigation ratios, mitigation required for direct impacts, the quantity of habitat available on site for mitigation, and the remaining habitat acreage on-site

(if any) are listed in Tables 3.2-6 (under Wastewater Management Option 1) and 3.2-7 (under Wastewater Management Option 2) for on-site impacts and Tables 3.2-8 for off-site impacts.

Mitigation for Significant Impact No. 3.2.3a

• Direct impacts to 0.95 acre of on-site dense Engelmann oak woodland shall be mitigated at a 3:1 ratio through the preservation of 2.85 acres of dense Engelmann oak woodland within on-site dedicated open space. (Wastewater Management Options 1 and 2)

#### Mitigation for Significant Impact No. 3.2.3b

• Direct impacts to 0.38 acre of on-site open Engelmann oak woodland shall be mitigated at a 3:1 ratio through the preservation of 1.14 acres of open Engelmann oak woodland within on-site dedicated open space. (Wastewater Management Options 1 and 2)

Mitigation for Significant Impact No. 3.2.3c

• Direct impacts to 69.31 acres of on-site Diegan coastal sage scrub shall be mitigated at a 2:1 ratio through the preservation of 138.62 acres of Diegan coastal sage scrub within on-site dedicated open space. (Wastewater Management Options 1 and 2)

## Mitigation for Significant Impact No. 3.2.3d

• Direct impacts to 120.19 acres of on-site southern mixed chaparral shall be mitigated at a 0.5:1 ratio through the preservation of 60.10 acres of southern mixed chaparral within on-site dedicated open space. (Wastewater Management Options 1 and 2)

Mitigation for Significant Impact No. 3.2.3e

• Direct impacts to 12.26 acres of on-site chamise chaparral shall be mitigated at a 0.5:1 ratio through the preservation of 6.13 acres of chamise chaparral within on-site dedicated open space. (Wastewater Management Options 1 and 2)

# Mitigation for Significant Impact No. 3.2.3f and i

- Direct impacts to 26.91 acres of on-site non-native grassland shall be mitigated at a 1:1 ratio through the preservation of 6.63 acres of non-native grassland within on-site dedicated open space and the purchase of 20.23 acres of non-native grassland in an approved mitigation bank or area approved by the Director of DPLU. The 1:1 ratio accounts for a 0.5:1 mitigation ratio for impacts to non-native grassland habitat and an additional 0.5:1 mitigation ratio for impacts associated with the loss of raptor foraging lands in the Ramona Grasslands area. (Wastewater Management Option 1 only)
- Direct impacts to 27.67 acres of on-site non-native grassland shall be mitigated at a 1:1 ratio through the preservation of 5.87 acres of non-native grassland within on-site dedicated open space and the purchase of 21.80 acres of non-native grassland in an approved mitigation bank or area approved by the Director of DPLU. The 1:1 ratio accounts for a 0.5:1 mitigation ratio for impacts to non-native grassland habitat and an additional 0.5:1 mitigation ratio for impacts associated with the loss of raptor foraging lands in the Ramona Grasslands area. (Wastewater Management Option 2 only)

• If wetland impacts associated with off-site road and/or sewer improvements are mitigated for on the Project site, additional impacts to non-native grassland will occur and will require mitigation. Mitigation for impacted non-native grassland will be required at a 2:1 ratio because the proposed mitigation site is already allocated for mitigation from previous impacts to the property. This mitigation will be required to be achieved within a parcel approved by the Director of DPLU. Specifically, direct impacts to 0.24 acre of non-native grassland shall require the preservation of 0.48 acre of non-native grassland.

Sufficient land currently exists within the Project's vicinity to meet the required mitigation measures for impacts to non-native grasslands, as described above. Specifically, three privately owned, large parcels containing approximately 197 acres are located within the Ramona Grasslands. Smaller parcels also occur within the region.

## Mitigation for Significant Impact No. 3.2.3g

- Prior to grading, sufficient evidence must be provided to the County Director of DPLU that all state and federal wetland permits have been obtained or that permits are not required. (Wastewater Management Options 1 and 2)
- Direct impacts to 3,500 linear feet of on-site jurisdictional Waters of the U.S. shall be mitigated by the preservation of the remaining Waters of the U.S. on site (approximately 19,215 linear feet). (Wastewater Management Options 1 and 2)

## Mitigation for Significant Impact No. 3.2.3h

- Direct impacts to the coastal California gnatcatcher shall be mitigated by the preservation of 249.62 acres of suitable and occupied gnatcatcher habitat (Diegan coastal sage scrub) on site. (Wastewater Management Options 1 and 2)
- If Project grading, clearing, or construction activities are scheduled to begin during the breeding season for coastal California gnatcatcher (February 15 through August 30), surveys pursuant to USFWS protocol shall be conducted to determine the presence or absence of the species in coastal sage scrub habitat within 300 feet of proposed activities. If it is determined that the species is absent, activities may proceed without restrictions. If the coastal California gnatcatcher is present, no grading, clearing, or construction activities shall be allowed between February 15 and August 30 within 300 feet of the habitat for this species or until the nest is vacated, as determined by a qualified biologist.

#### Mitigation for Significant Impact Nos. 3.2.3j through n

- The following general mitigation measures shall be applied to the Proposed Project (under Wastewater Management Options 1 and 2) to protect the resources during construction:
  - The Project Applicant shall participate in an LMD as the funding mechanism for the long-term management of open space.
  - Biological monitoring of clearing and grading shall be conducted as follows:

- A biological monitor shall be hired by the Project Applicant prior to initiation of construction including staging, brushing, clearing, scraping, or any other ground-disturbance work.
- The biological monitor shall attend any pre-construction meetings and provide the foreman with a map of areas considered sensitive and shall monitor construction activities in areas adjacent to sensitive habitat.
- The biological monitor shall keep logs of construction activities and submit monthly monitoring reports to the County.
- Should work occur during bird breeding seasons (including coastal California gnatcatcher), noise monitoring shall be conducted by either an acoustical specialist or the biological monitor.
- If an impact occurs to a sensitive resource, the biological monitor shall have the ability to cease construction activity and shall notify the appropriate authority immediately. If construction is not ceased based on the monitor's direction, the monitor shall report the incident to the County inspector.
- The limits of the sensitive habitat shall be flagged or fenced by a qualified biologist prior to grading to prevent inadvertent impacts to the habitat.
- The population of approximately 75 individuals of delicate clarkia within the chamise chaparral habitat on the eastern side of the property, the population of approximately 2,340 individuals of southern tarplant, and, under Wastewater Management Option 1, the approximately 3 individuals of southern tarplant shall be flagged during construction to prevent encroachment.
- If Project grading, clearing, or construction activities are scheduled to begin during the breeding season for raptors (February 15 through July 15), surveys shall be conducted by a qualified biologist to determine the presence or absence of nesting raptors within 300 feet of proposed activities. If it is determined that nesting raptors are absent, activities may proceed without restrictions. If an active raptor nest is present, no grading, clearing, or construction activities shall be allowed between February 15 and July 15 within 300 feet of the active nest or until the nest is vacated, as determined by a qualified biologist.
- No trash, oil, parking, or other construction related activities shall be allowed outside the grading limits.
- Prior to issuance of an occupancy permit, a fence shall be installed to create a permanent barrier between residential yards and open space. The fence shall be a minimum of five feet in height and be of sufficient material to discourage trespassing into open space (Figure 3.2-10).
- The Project shall implement the required RMP (REC 2008c; Appendix E) for the Proposed Project (under Wastewater Management Options 1 and 2), including the following measures:
  - All open space for Units 1 and 2 shall be dedicated upon completion of Unit 1.

- Selected areas along on-site trails shall be fenced with lodgepole fencing at select locations to provide direction and prevent encroachment into the open space (Figure 3.2-10). The on-site trails shall be posted with "off-limits" signs that also explain why the area should be avoided (Figure 3.2-11).
- The Project Applicant shall participate in an LMD as the funding mechanism for the long-term management of open space.
- Exotic plant species shall be removed from high quality woodlands, wetlands, and grasslands on an as-needed basis to be assessed every five years.
- Sensitive plant population boundaries shall be mapped every three years.
- Trash shall be removed from open space annually.
- All habitats and sensitive plant and animal species shall be monitored annually. Biological surveys shall be conducted every five years for sensitive plant and animal species.

# Mitigation for Significant Impact Nos. 3.2.30 and 3.2.3s

• Direct impacts to 0.24 acre of off-site riparian woodland shall be mitigated at a 3:1 ratio through the creation of 0.24 acre (1:1 ratio) of riparian woodland and the preservation of 0.48 acre of riparian woodland, for a total of 0.72 acre. Mitigation shall occur within an approved mitigation bank or area approved by the Director of DPLU.

# Mitigation for Significant Impact No. 3.2.3p

• Direct impacts to 2.20 acres of off-site Diegan coastal sage scrub shall be mitigated at a 2:1 ratio through the preservation and/or purchase of 4.40 acres of Diegan coastal sage scrub within on-site dedicated open space and/or an approved mitigation bank or area approved by the Director of DPLU.

# Mitigation for Significant Impact No. 3.2.3q

• Direct impacts to 5.00 acres of off-site non-native grassland shall be mitigated at a 1:1 ratio through the purchase of 5.00 acres of non-native grassland in an approved mitigation bank or area approved by the Director of DPLU.

# Mitigation for Significant Impact No. 3.2.3r

• Direct impacts to 2.10 acres of off-site agriculture/pasture land shall be mitigated at a 1:1 ratio through the purchase of 2.10 acres of mitigation credit in an approved mitigation bank or area approved by the Director of DPLU that is equal to or "like functioning" to the impacted pasture.

#### Noise

The following measures are required to mitigate Project impacts from noise to below a level of significance:

# Water Quality, Erosion and Sedimentation - Construction

- General best management practice (BMP) categories for construction-related hazardous materials identified in the Project SWMP include vehicle and equipment maintenance, material delivery and storage, spill prevention and containment, solid and concrete waste management, No site-specific BMPs for construction activities are and paving/grinding operations. identified in the SWMP, with such detailed measures to be provided in a Project-specific Storm Water Pollution Prevention Plan (SWPPP) that would be prepared prior to Project construction (pursuant to applicable NPDES and County requirements, as outlined below). Specifically, Project construction (including preparation and implementation of the Project SWPPP) would be subject to appropriate regulatory requirements for the issue of construction-related hazardous materials, including applicable elements of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (General Permit, NPDES No. CAS000002, as amended), the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (Ordinance Nos. 9424 and 9426), and the associated County Stormwater Standards Manual. Conformance with the NPDES General Construction Permit is required for applicable sites exceeding one acre, and is issued by the SWRCB under an agreement with the U.S. Environmental Protection Agency (EPA) pursuant Specific conformance requirements include to Water Quality Order 99-08-DWQ. implementing a SWPPP and an associated monitoring program, as well as a Storm Water Sampling and Analysis Strategy (SWSAS) for applicable projects (i.e., those discharging directly into waters impaired due to sedimentation, or involving potential discharge of nonvisible contaminants that may exceed water quality objectives).
  - A Project-specific SWPPP would be prepared by the Project Applicant and incorporated into the proposed design prior to Project construction. The SWPPP would identify detailed measures to prevent and control the off-site discharge of contaminants in storm water runoff. Specific pollution control measures typically involve the use of BAT and/or BCT levels of treatment, with these requirements implemented through BMPs. While Project-specific measures vary somewhat with individual site conditions, detailed guidance for constructionrelated BMPs is provided in the NPDES construction permit text and referenced County standards, as well as additional standard industry sources including the Caltrans Storm Water Quality Handbooks (Caltrans 2003), EPA Nationwide BMP Menu (EPA 2003), Storm Water Best Management Practices Handbooks (California Stormwater Quality Association 2003), and Best Management Practices for Erosion and Sediment Control & Stormwater Retention/Detention (San Diego County Association of Resource Conservation Districts 1998). Based on these sources, preliminary assessment in the Project SWMP and specific elements of the Project site and proposed development, a summary of BMPs likely applicable to the use of construction-related hazardous materials for the Proposed Project is provided below. Implementation of the following measures (and/or other measures as determined appropriate in the Project SWPPP) as part of the Project design would avoid or reduce potential impacts from the use and storage of construction-related hazardous materials to below a level of significance.
    - Covered and/or enclosed storage facilities with impermeable liners and barriers (e.g., berms) would be used for all potential construction related pollutants other than sediment.

- Petroleum products including oils, fuels, diesel oil, kerosene, lubricants, solvents and asphalt paving would be stored in weather-resistant sheds where possible, with storage areas lined with a double layer of plastic sheeting and equipped with impervious perimeter barriers providing 110 percent containment capacity for stored materials. Stored petroleum products would be clearly labeled, with tanks kept off the ground surface and all storage facilities regularly monitored for leaks and repaired as necessary.
- All construction vehicle and equipment fueling and maintenance activities would be confined to designated areas with impermeable liners and containment structures, and would employ applicable measures to minimize spills such as automatic shut-off nozzles and vapor recovery equipment.
- Waste materials stored on site would be confined to a specified area of appropriate size that is lined with a buried, non-permeable geomembrane and bermed to prevent surface runon or runoff. Hazardous waste materials including paints, thinners, solvents, acrylic/polyurethane lacquers, primers, soil sterilants, metals and other hazardous compounds would be prohibited from on-site storage except when properly contained in an approved receptacle, labeled and stored in an authorized and covered site. Stored wastes would regularly be removed and disposed of in an approved off-site location.
- Spill response materials would be kept in a convenient on-site location to facilitate timely response and cleanup. Specific materials and methods would include clean dry rags for small spills; containment and use of dry absorbents for medium spills; and containment, use of dry absorbents, temporary plugging of drain inlets and agency notification for large spills. Regulatory agency telephone numbers and a summary guide of clean-up procedures (as identified in the SWPPP) would be posted in a conspicuous location at or near the job site trailer.
- Paving operations would be restricted during inclement weather and would include the use of sediment controls as described in Section 4.1.2, Geology/Soils and Minerals. Washouts of paving vehicles and equipment would be limited to designated and properly designed areas, and all paving wastes would be properly contained and disposed.
- Construction related trash and septic wastes would be contained in approved locations/facilities, with regular off-site disposal at approved locations.
- Chemical fertilizers, pesticides and herbicides used in temporary landscaping would be avoided if feasible and minimized in all cases, and would strictly adhere to manufacturer's specifications for use and storage.
- All BMPs would be regularly monitored and properly maintained to ensure proper working order, and non-visible pollutant monitoring/testing would be implemented as described in SWRCB Resolution 2001-046 (Order 99-8-DWQ) and the Project SWPPP. Specifically, such monitoring/testing would include scheduled monitoring to observe and document potential spills, collection and field/laboratory testing of water samples in appropriate locations, and preparation and submittal (to the County) of monitoring/testing reports.
- Technical and regulatory training would be provided to all appropriate construction employees to ensure understanding of proper hazardous material use and storage; spill risks and responses; and monitoring/maintenance efforts.

The Project Applicant (or construction contractor) would be required to conform to the NPDES General Groundwater Extraction Waste Discharges Permit (Dewatering Permit, NPDES CAG919002) prior to disposal of extracted groundwater. This permit is administered by the RWQCB through Order No. 2001-96, with conformance required for all dewatering activities that would either dispose of greater than 100,000 gpd of extracted groundwater, or dispose of groundwater that would exceed local Basin Plan water quality While specific measures to ensure conformance can vary with site-specific objectives. conditions, such efforts typically involve a number of standard BMPs to protect downstream water quality. The previously referenced standard industry BMP sources identify the following types of measures for disposal of extracted groundwater: use of sediment catchment devices (similar to those described in Section 4.1.2, Geology/Soils and Minerals, for erosion and sedimentation), testing of extracted groundwater for contaminants prior to discharge, and treatment of groundwater prior to discharge (if required) through measures such as filtering (e.g., with gravel and filter fabric media) or conveyance to a municipal wastewater treatment plant.

## Water Quality, Erosion and Sedimentation – Operation

- Potential long-term water quality impacts associated with use of the site as a residential community include the generation and off-site discharge of urban contaminants. Project design measures to reduce the long-term water quality impacts include: (1) use of volume-or flow-based structural BMPs to mitigate (i.e., infiltrate, filter or treat) runoff from a design storm event or intensity; and (2) reduction of post-development runoff containing pollutant loads which cause or contribute to an exceedance of receiving water quality objectives to the maximum extent practicable (MEP).
- A waste discharge permit would be obtained from RWQCB prior to operation of the WRF.
- Operation of the WRF and related facilities would conform with all applicable RWQCB, State Health Department and Sanitary Sewer Overflow Response Plan (SSORP) regulations, as well as the Project spill prevention/containment plan, to address the risks associated with accidental sewage spills and leaks.

#### **Drainage – Construction and Operation**

• Five permanent stormwater detention basins would be located in portions of drainage basins S100, N100 and N600/700 to equalize flows from these areas prior to off-site discharge. Pursuant to criteria identified in the Project Preliminary Drainage Study (Appendix I) and other applicable sources (e.g., the Project SWMP, Appendix J), the design, location and operation/maintenance of the noted basins would be such that post-development runoff rates from the site would be maintained at or below pre-development levels. As described in this chapter of the EIR, all proposed detention basins would be located outside of identified dedicated open space areas.