



California Regional Water Quality Control Board San Diego Region

Linda S. Adams
Secretary for
Environmental
Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



Arnold
Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

November 19, 2008

In reply refer to: WP:08C-057: cloflen

Jamie Aguilar
Santa Margarita Water District
P.O. Box 7005
Mission Viejo, CA 92690-7005

WDID	9 000001818
CIWQS:	
Place	724899
Reg. Measure	350900
Party	358427
Cert. Mail	7008 1140 0004 9971 8726

Dear Jamie Aguilar:

SUBJECT: Action on Request for Clean Water Act Section 401 Water Quality Certification for the **San Juan Creek Emergency Pipeline Repair/Protection Project** Water Quality Certification No. **08C-057**

Enclosed find Clean Water Act Section 401 Water Quality Certification for the **San Juan Creek Emergency Pipeline Repair/Protection** (Project). A description of the project and project location can be found in the project information sheet, project location map, and project site maps, which are included as Attachments 1 through 4.

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

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

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions regarding this notification, please contact Chad Loflen directly at 858-467-2727 or by email via cloflen@waterboards.ca.gov.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



Jamie Aguilar
Santa Margarita Water District
401 Certification 08C-057

- 2 -

November 19, 2008

Respectfully,



JOHN H. ROBERTUS
Executive Officer

Enclosure:

- Clean Water Act Section 401 Water Quality Certification No. 08C-057 for San Juan Creek Emergency Pipeline Repair/Protection, with 5 attachments

cc: Refer to Attachment 2 of Certification 08C-057 for Distribution List.

California Environmental Protection Agency



Linda S. Adams
Acting Secretary for
Environmental
Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

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

PROJECT: San Juan Creek Emergency Pipeline Repair/Protection
(401 Project No. 08C-057)
(WDID #9 000001818)

In reply refer to: WP:08C-057: cloflen

APPLICANT: Jamie Aguilar
Santa Margarita Water District
P.O. Box 7005
Mission Viejo, CA 92690-7005

CIWQS
Reg. Meas. ID: 350900
Place ID: 724899

ACTION:

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

STANDARD CONDITIONS:

The following three standard conditions apply to all certification actions, except as noted under Condition 3 for denials (Action 3).

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. The validity of any non-denial certification action (Actions 1 and 2) must be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

ADDITIONAL CONDITIONS:

In addition to the three standard conditions, the Santa Margarita Water District must satisfy the following:

A. GENERAL CONDITIONS:

1. The Santa Margarita Water District must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (Regional Board), to support this 401 Water Quality Certification and all subsequent submittals required as part of this certification and as described in Attachment 1. The conditions within this certification must supersede conflicting provisions within such plans submitted prior to the certification action. Any modifications thereto, would require notification to the Regional Board and reevaluation for individual Waste Discharge Requirements and/or certification amendment.
2. During construction, the Santa Margarita Water District must maintain a copy of this certification at the project site so as to be available at all times to site personnel and agencies.
3. The Santa Margarita Water District must permit the Regional Board or its authorized representative at all times, upon presentation of credentials:
 - a. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - b. Access to copy any records required to be kept under the terms and conditions of this certification.
 - c. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this certification.
 - d. Sampling of any discharge or surface water covered by this Order.
4. The Santa Margarita Water District must notify the Regional Board within 24 hours of any unauthorized discharge, including hazardous or toxic materials, to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional

best management practice (BMPs) or other measures that will be implemented to prevent future discharges.

5. The Santa Margarita Water District must, at all times, maintain appropriate types and sufficient quantities of materials onsite 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 U.S. and/or State.
6. This Certification is not transferable to any person except after notice to the Executive Officer of the Regional Board. The Santa Margarita Water District must notify the Regional Board of any change in ownership of the project area. Notification must include, but not be limited to, a statement that the property owner has provided the purchaser or transferee with a copy of the Section 401 Water Quality Certification and that the purchaser or transferee understands the permit requirements and must implement them. If the property is sold the seller and purchaser must sign and date the notification. If the permit is transferred, the permit holder and transferee must sign and date the notification. The notification for transfer of mitigation responsibility shall comply with Condition C.7 of this Certification. Notification must be provided within **10 days** of the sale of the property.
7. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.
8. In response to a suspected violation of any condition of this certification, the Regional Board may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Board deems appropriate, provided that the burden, including costs, of the reports must bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
9. In response to any violation of the conditions of this certification, the Regional Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
10. The Santa Margarita Water District and successor owner must submit annual progress reports to the Regional Board on or before **August 1** of each year following the issuance of this certification until the project has reached completion. Annual Project Reports must contain a status update for the project including, but not limited to, date of initial discharge of dredge or fill

material into on-site waters, status of construction, estimated completion date, and a report on the required annual training for pollution prevention measures, spill response, and BMP implementation and maintenance.

11. Eastern Municipal Water District must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification*. These General Waste Discharge Requirement are accessible at: http://www.waterboards.ca.gov/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.

B. PROJECT CONDITIONS:

1. Prior to the start of the project, and annually thereafter, the Santa Margarita Water District must educate all personnel on the requirements in this certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
2. The Santa Margarita Water District must notify the Regional Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities.
3. The Santa Margarita Water District must comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-08-DWQ, and any subsequent reissuance, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
4. The Santa Margarita Water District must comply with the requirements of Regional Board Order No. R9-2008-0002, the NPDES Permit for discharges from groundwater extraction waste to surface waters within the San Diego Region.
5. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the Regional Board pursuant to CWC § 13260.
6. Substrate used to backfill the pipeline trench areas must be native substrate taken from the repair trench. This native substrate must be stockpiled outside of the streambed area.
7. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damages to properties or stream habitat.
8. 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.

9. Activities will not be initiated, or resumed, in areas of ponded or flowing water. 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 water. 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.
10. 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.
11. Construction activities shall be restricted during the breeding season for coastal California gnatcatcher, southwestern willow flycatcher, least Bell's vireo and migratory bird species protected under the Migratory Bird Treaty Act (e.g. raptors). If construction must occur during the breeding season, a qualified wildlife biologist must conduct a one-time biological survey of the site no more than 72 hours in advance of commencement of construction. If nesting birds are located within the project site, avoidance measures as described in the *Habitat Mitigation and Monitoring Plan for the San Juan Creek Pipeline Emergency Repair/Protection Project* shall be taken.
12. The Santa Margarita Water District must conduct photo documentation of the project site, including all areas of permanent and temporary impact, prior to and after project construction. Photo-documentation must be conducted in accordance with the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment 5. In addition, photo documentation must include GPS coordinates for each of the photo points referenced. The Santa Margarita Water District must submit this information in a photo documentation report to the Regional Board within the final **Annual Project Report (Condition A.10)** following the completion of the project. The report must include a compact disc that contains digital files of all the photos (.jpeg or similar).

13. The Santa Margarita Water District must submit GIS shape files of the impact area within the first **Annual Project Report (Condition A.10)** after project impacts have occurred. All impact area shape files must be polygons.

C. COMPENSATORY MITIGATION FOR LOSS OF WATERS OF THE U.S./STATE:

1. No permanent discharges of fill are authorized by this Certification. Mitigation for temporary discharges to 0.021 acres (30.48 linear feet), must be achieved by restoration of temporary impacts as described in the *Habitat Mitigation and Monitoring Plan for the San Juan Creek Pipeline Emergency Repair/Protection Project*.
2. The Santa Margarita Water District must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States/State. Restoration must include grading of disturbed areas to pre-project contours, removal of invasive species, and revegetation with native species. The Santa Margarita Water District must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
3. The Santa Margarita Water District must notify the Regional Board in writing at least **5 days** prior to the actual commencement of mitigation installation.
4. The construction of proposed mitigation must be completed no later than **6 months** following the initial discharge of dredge or fill material into on-site waters. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of **10 percent of the cumulative compensatory mitigation** for each month of delay.
5. Throughout the mitigation monitoring program mitigation areas must be maintained free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the onsite or offsite mitigation areas.
6. If sheet piles and/or concrete from the pipeline repair/protection activities are exposed in the future, the sheet piles and/or concrete will be considered permanent discharges to San Juan Creek and will require the creation of habitat at a minimum 1:1 ratio as mitigation for said permanent impacts. If this situation arises, an updated *Habitat Mitigation and Monitoring Plan for the San Juan Creek Pipeline Emergency Repair/Protection Project* with additional compensatory mitigation must be submitted to the Regional Board within **30 days** of exposure.

7. **Responsible Party Updates:** The Santa Margarita Water District must provide the name and contact information of any third party accepting responsibility for implementing the mitigation requirements of this Certification. The notification must be submitted to the Regional Board within **30 days** of the transfer of responsibility. The notification must include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of the Certification.
8. Mitigation monitoring reports must be submitted annually for at least 2 years until mitigation has been deemed successful with concurrence by the Regional Board. Annual monitoring reports must be submitted prior to **December 1** of each year. Monitoring reports must include, but not be limited to, the following:
 - a. Names, qualifications, and affiliations of the persons contributing to the report;
 - b. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data, including at a minimum;
 - c. Topographic complexity characteristics at the mitigation site;
 - d. Upstream and downstream habitat and hydrologic connectivity;
 - e. Source of hydrology;
 - f. Width of native vegetation buffer around the entire mitigation site;
 - g. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
 - h. Photodocumentation from established reference points;

D. REPORTING:

1. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the Regional Board for failure to furnish requested information pursuant to CWC section 13268.
2. All reports and information submitted to the Regional Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
3. All applications, reports, or information submitted to the Regional Board must be signed and certified as follows:
 - a. For a corporation, by a responsible corporate officer of at least the level of vice president.

- b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
4. A duly authorized representative of a person designated in Items 4.a. through 4.c. above may sign documents if:
- a. The authorization is made in writing by a person described in Items 4.a. through 4.c. above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the Regional Board Executive Officer.
5. All applications, reports, or information submitted to the Regional 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."

6. The Santa Margarita Water District must submit reports required under this certification, or other information required by the Regional Board, to:

Executive Officer
 California Regional Water Quality Control Board
 San Diego Region
 Attn: 401 Certification; Project No. 08C-043
 9174 Sky Park Court, Suite 100
 San Diego, California 92123

7. Required Reports: The following list summarizes the reports, excluding spill notifications and emergency situations, required per the conditions of this Certification to be submitted to the Regional Board.

Report Topic	Certification Condition	Due Date(s)
Project Annual Report	A.10	Annually on or before August 01 until project is complete.
Notifications	B.2	10 days prior to initiation of project construction.
Stream Photo Documentation	B.12	To be included within the Project Annual Report.

GIS Shape Files	B.13	To be included within the Project Annual Report.
Notifications	C.3	At least 5 days prior to mitigation construction.
Annual Mitigation Monitoring Report	C.8	Annually prior to December 01 for a minimum of 2 years.

PUBLIC NOTIFICATION OF PROJECT APPLICATION:

On October 29, 2008 receipt of the project application was posted on the Regional Board web site to serve as appropriate notification to the public.


REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Chad L. Loflen
 California Regional Water Quality Control Board, San Diego Region
 9174 Sky Park Court, Suite 100
 San Diego, CA 92123
 858-467-2727
 cloflen@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the Eastern Transmission Main Relocation (Project No. 08C-043) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under California Regional Water Quality Control Board, San Diego Region, Waiver of Waste Discharge Requirements (Waiver Policy) No. 17. Please note that this waiver is conditional and, should new information come to our attention that indicates a water quality problem, the Regional Board may issue waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).



 JOHN H. ROBERTUS
 Executive Officer
 Regional Water Quality Control Board

19 Nov 2008

 Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map
 4. Site Map
 5. Stream Photo documentation Procedure

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: Jamie Aguilar
Santa Margarita Water District
P.O. Box 7005
Mission Viejo, CA 92690-7005
949-459-6582
Fax: 949-459-6463
jaimea@smwd.com

Applicant
Representatives: Ryan Henry
Dudek
111 Pacifica, Suite 230
Irvine, CA 92618
949-450-7991
Fax: 949-450-2626
rhenry@dudek.com

Project Name: San Juan Creek Emergency Pipeline Repair/Protection

Project Location: The project would be located within the County of Orange, near the interchange of Ortega Highway and Cristianitos Road, east of the Nursury Road bridge crossing over San Juan Creek. The site is within the San Juan Creek Watershed and is within San Juan Creek.

Latitude/Longitude: 34.45567 N - 117.57634W

Type of Project: Repair and protection of a water main crossing San Juan Creek.

Project Description: The proposed project is the repair and protection of a 48 inch domestic water pipeline that crosses San Juan Creek. The pipeline was partially uncovered during 2005 flooding.

The Project would install sheet piles and jet grout an estimated 5 feet subsurface of San Juan Creek to protect the water pipeline where it crosses San Juan Creek east of the Nursery Road Bridge.

Construction to repair and protect the water pipeline would result in temporary impacts to San Juan Creek due to the excavation of material to reach the pipeline. Other temporary impacts will result from vehicles accessing the construction site.

Construction will take an estimated 4 weeks. Immediately upon completion, the channel will be restored to pre-project conditions. Areas of temporary impact will be hydroseeded with a native seed mix.

Federal Agency/Permit: LOP 199916236-3-YJC

Other Required Regulatory Approvals:	California Department of Fish and Game Notice of Exemption 200883000629
California Environmental Quality Act (CEQA) Compliance:	The County of Orange issued a Notice of Exemption on June 16, 2008
Receiving Water:	San Juan Creek – HSA 901.26 Middle San Juan
Affected Waters of the United States:	Temporary: Streambed: 17.42 linear feet Wetland: 13.06 linear feet Permanent: None authorized by this Certification.
Dredge Volume:	n/a
Related Projects Implemented/to be Implemented by the Applicant(s):	Previous emergency repairs and reinforcement occurred after the 2005 floods on two ruptured sewer lines and a recycled water line. The current project is to repair and protect the remaining water transmission line within the site.
Compensatory Mitigation:	Temporary fill areas will be restored to pre-project conditions. The temporary fill areas will also be enhanced by the removal of invasive species and replanting of natives within the impact area. Replanting will be done by hydro-seeding with a herbaceous riparian/mule fat scrub native seed mix.
Best Management Practices (BMPs):	<p>Equipment shall be cleaned and repaired (other than emergency repairs) at least 500 feet from waters of the United States. All contaminated water, sludge, spill residue or hazardous compounds from said activities shall be disposed of at a lawfully authorized designation.</p> <p>All construction vehicles, drilling equipment and construction equipment shall be stored in a designated staging area outside of San Juan Creek. Construction mats shall be placed along access routes to the construction site. Temporarily stockpiled material shall be stored on construction mats prior to being moved outside of San Juan creek. Appropriate erosion control BMPs shall be used for all stockpiled materials.</p> <p>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.</p>

Construction activities will not be initiated or resumed in areas of ponded or flowing water. All surface waters shall be diverted away from areas undergoing construction. If surface water diversions are necessary, a Surface Water Diversion Plan shall be developed and submitted to the Regional Board. Upon project completion any diversion shall be immediately removed.

The Santa Margarita Water District shall implement construction BMPs including, but not limited to, soil stabilization, stream bank stabilization, silt fencing and fiber rolls to stabilize any temporarily impacted areas during construction. Prior to and during mitigation implementation, appropriate erosion control BMPs shall be implemented to prevent impacts to Beneficial Uses of waters of the State.

A qualified project Biologist shall prescribe and monitor pre-construction staking and fencing of sensitive resources, jurisdictional waters and any applicable arroyo toad habitat.

Public Notice:

On October 29, 2008 receipt of the project application was posted on the San Diego Regional Water Quality Control Board (Regional Board) web site to serve as appropriate notification to the public.

Fees:

Total Due: \$652.40
Total Paid: \$652.40 (check No. 312553 & 313652)
Remaining Due: \$0

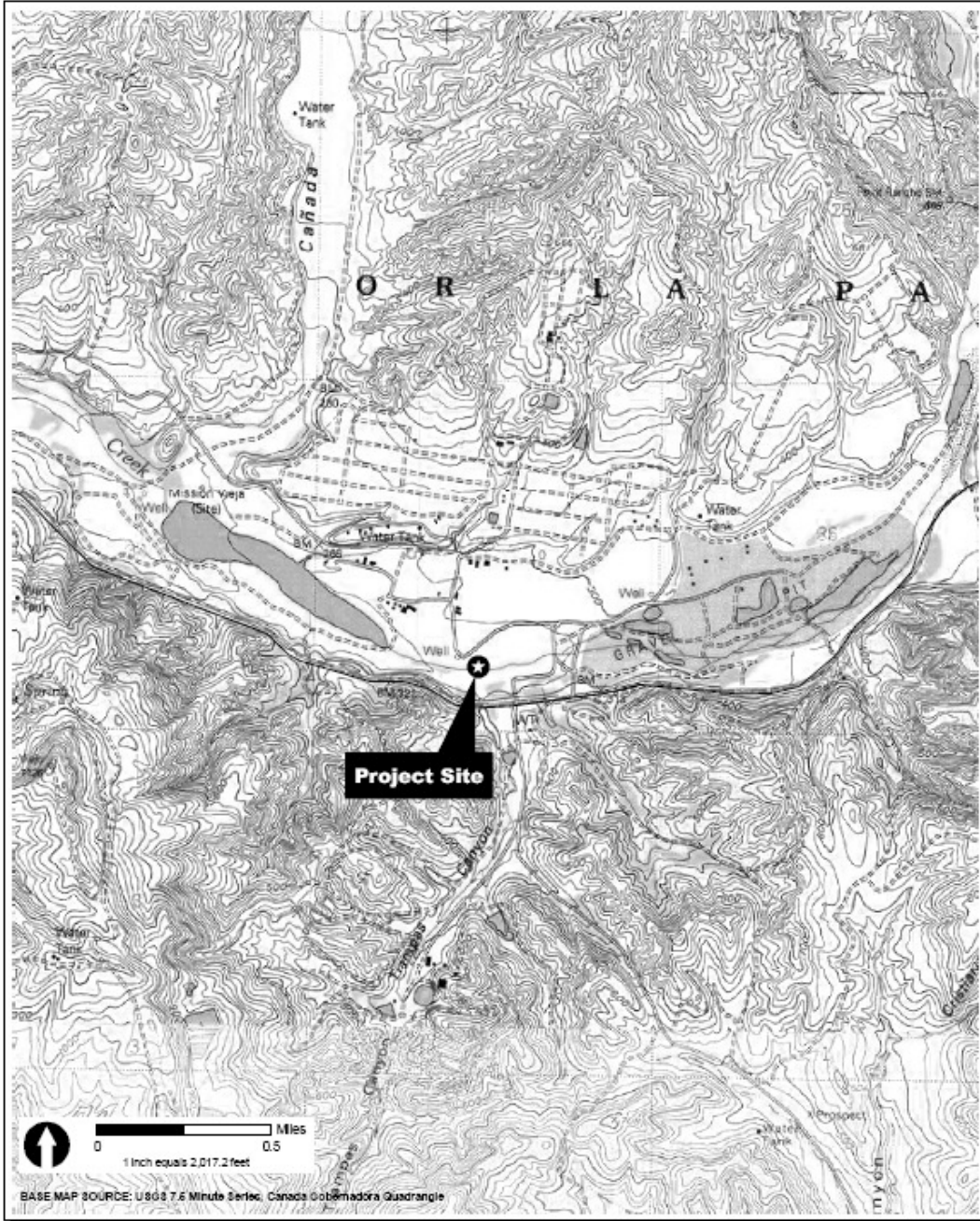
**ATTACHMENT 2
E-MAIL DISTRIBUTION LIST**

Ryan Henry
Dudek
111 Pacifica, Suite 230
Irvine, CA 92618
rhenry@dudek.com

Forrest Vanderbilt
U.S. Army Corps of Engineers, Regulatory Branch
Los Angeles Office
P.O. Box 532711
Los Angeles, CA 90053-2325
Forrest.B.Vanderbilt@usace.army.mil

Tamara Spear
California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – South
4949 Viewridge Avenue
San Diego, CA 92123
tspear@dfg.ca.gov

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



San Juan Creek Pipeline Emergency Repair / Protection Project
Habitat Mitigation & Monitoring Plan
Vicinity Map

FIGURE
2

ATTACHMENT 4 SITE MAP

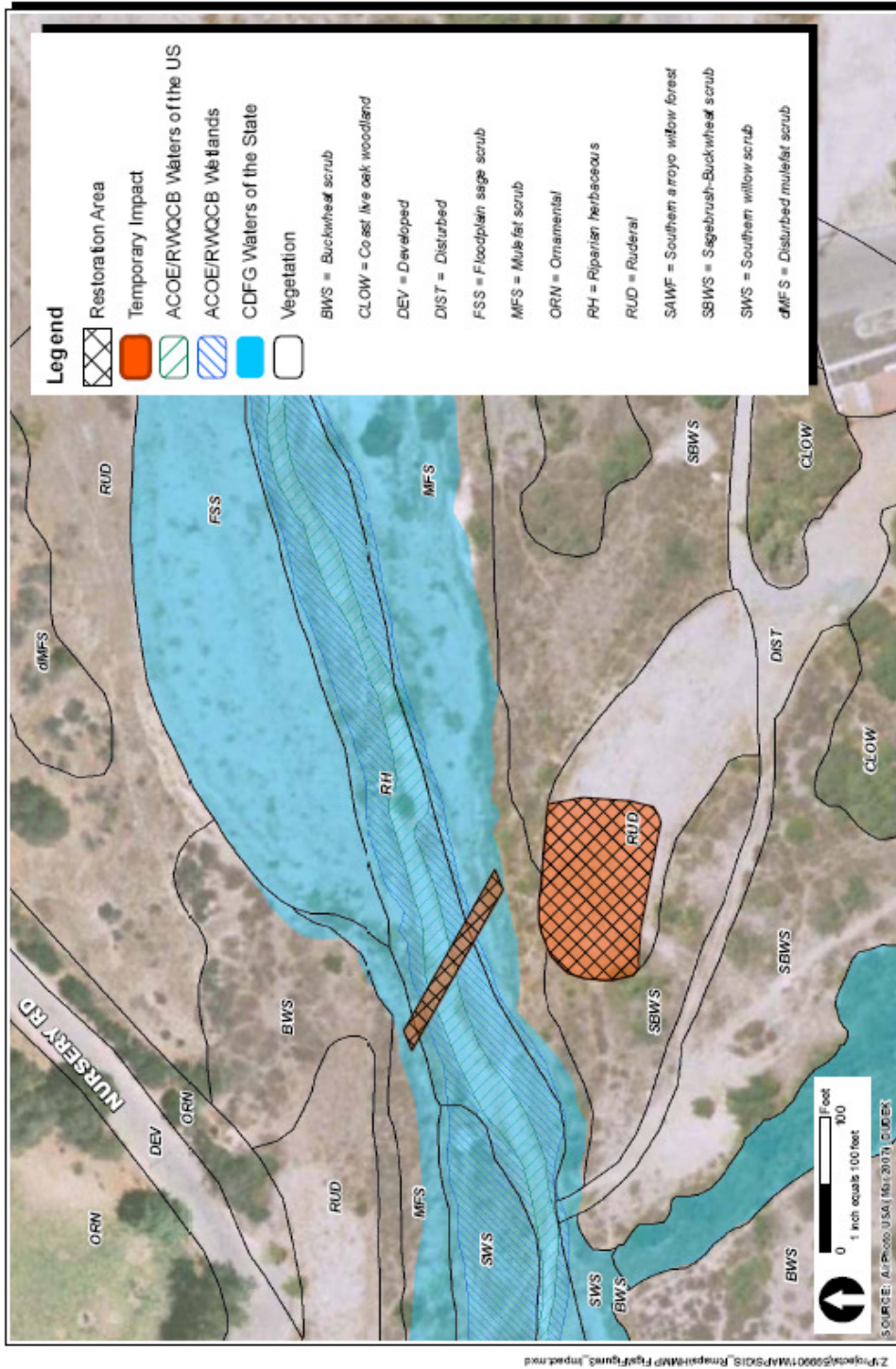


FIGURE
3

San Juan Creek Pipeline Emergency Repair / Protection Project - Habitat Mitigation & Monitoring Plan
Project Impacts

**ATTACHMENT 5
STREAM PHOTO DOCUMENTATION PROCEDURES**

Standard Operating Procedure (SOP)

Stream Photo Documentation Procedure

(CARCD 2001, Written by TAC Visual Assessments work group)

Introduction:

Photographs provide a qualitative, and potentially semi-quantitative, record of conditions in a watershed or on a water body. Photographs can be used to document general conditions on a reach of a stream during a stream walk, pollution events or other impacts, assess resource conditions over time, or can be used to document temporal progress for restoration efforts or other projects designed to benefit water quality. Photographic technology is available to anyone and it does not require a large degree of training or expensive equipment. Photos can be used in reports, presentations, or uploaded onto a computer website or GIS program. This approach is useful in providing a visual portrait of water resources to those who may never have the opportunity to actually visit a monitoring site.

Equipment:

Use the same camera to the extent possible for each photo throughout the duration of the project. Either 35 mm color or digital color cameras are recommended, accompanied by a telephoto lens. If you must change cameras during the program, replace the original camera with a similar one comparable in terms of media (digital vs. 35 mm) and other characteristics. A complete equipment list is suggested as follows:

Required:

- Camera and backup camera
- Folder with copies of previous photos (do not carry original photos in the field)
- Topographic and/or road map
- Aerial photos if available
- Compass
- Timepiece
- Extra film or digital disk capacity (whichever is applicable)
- Extra batteries for camera (if applicable)
- Photo-log data sheets or, alternatively, a bound notebook dedicated to the project
- Yellow photo sign form and black marker, or, alternatively, a small black board and chalk

Optional:

- GPS unit
- Stadia rod (for scale on landscape shots)
- Ruler (for scale on close up views of streams and vegetation)
- Steel fence posts for dedicating fixed photo points in the absence of available fixed landmarks

How to Access Aerial Photographs:

Aerial Photos can be obtained from the following federal agencies:

USGS Earth Science Information Center
507 National Center
12201 Sunrise Valley Drive
Reston, VA 22092

800-USA-MAPS

USDA Consolidated Farm Service Agencies
Aerial Photography Field Office
222 West 2300 South
P.O. Box 30010
Salt Lake City, UT 84103-0010
801-524-5856

Cartographic and Architectural Branch
National Archives and Records Administration
8601 Adelphi Road
College park, MD 20740-6001
301-713-7040

Roles and Duties of Team:

The team should be comprised of a minimum of two people, and preferably three people for restoration or other water quality improvement projects, as follows:

1. Primary Photographer
2. Subject, target for centering the photo and providing scale
3. Person responsible for determining geographic position and holding the photo sign forms or blackboard.

One of these people is also responsible for taking field notes to describe and record photos and photo points.

Safety Concerns:

Persons involved in photo monitoring should **ALWAYS** put safety first. For safety reasons, always have at least two 2 volunteers for the survey. Make sure that the area(s) you are surveying either are accessible to the public or that you have obtained permission from the landowner prior to the survey.

Some safety concerns that may be encountered during the survey include, but are not limited to:

- Inclement weather
- Flood conditions, fast flowing water, or very cold water
- Poisonous plants (e.g.: poison oak)
- Dangerous insects and animals (e.g.: bees, rattlesnakes, range animals such as cattle, etc.)
- Harmful or hazardous trash (e.g.: broken glass, hypodermic needles, human feces)

We recommend that the volunteer coordinator or leader discuss the potential hazards with all volunteers prior to any fieldwork.

General Instructions:

From the inception of any photo documentation project until it is completed, always take each photo from the same position (photo point), and at the same bearing and vertical angle at that photo point. Photo point positions should be thoroughly documented, including photographs taken of the photo point. Refer to copies of previous photos when arriving at the photo point. Try to maintain a level (horizontal) camera view unless the terrain is sloped. (If the photo can not be horizontal due to the slope, then record the angle for that photo.) When photo points are first being selected, consider the type of project (meadow or stream restoration, vegetation

management for fire control, ambient or event monitoring as part of a stream walk, etc.) and refer to the guidance listed on *Suggestions for Photo Points by Type of Project*.

When taking photographs, try to include landscape features that are unlikely to change over several years (buildings, other structures, and landscape features such as peaks, rock outcrops, large trees, etc.) so that repeat photos will be easy to position. Lighting is, of course, a key ingredient so give consideration to the angle of light, cloud cover, background, shadows, and contrasts. Close view photographs taken from the north (i.e., facing south) will minimize shadows. Medium and long view photos are best shot with the sun at the photographer's back. Some artistic expression is encouraged as some photos may be used on websites and in slide shows (early morning and late evening shots may be useful for this purpose). Seasonal changes can be used to advantage as foliage, stream flow, cloud cover, and site access fluctuate. It is often important to include a ruler, stadia rod, person, farm animal, or automobile in photos to convey the scale of the image. Of particular concern is the angle from which the photo is taken. Oftentimes an overhead or elevated shot from a bridge, cliff, peak, tree, etc. will be instrumental in conveying the full dimensions of the project. Of most importance overall, however, is being aware of the goal(s) of the project and capturing images that clearly demonstrate progress towards achieving those goal(s). Again, reference to *Suggestions for Photo Points by Type of Project* may be helpful.

If possible, try to include a black board or yellow photo sign in the view, marked at a minimum with the location, subject, time and date of the photograph. A blank photo sign form is included in this document.

Recording Information:

Use a systematic method of recording information about each project, photo point, and photo. The following information should be entered on the photo-log forms (blank form included in this document) or in a dedicated notebook:

- Project or group name, and contract number (if applicable, e.g., for funded restoration projects)
- General location (stream, beach, city, etc.), and short narrative description of project's habitat type, goals, etc.
- Photographer and other team members
- Photo number
- Date
- Time (for each photograph)
- Photo point information, including:
 - Name or other unique identifier (abbreviated name and/or ID number)
 - Narrative description of location including proximity to and direction from notable landscape features like roads, fence lines, creeks, rock outcrops, large trees, buildings, previous photo points, etc. – sufficient for future photographers who have never visited the project to locate the photo point
 - Latitude, longitude, and altitude from map or GPS unit
- Magnetic compass bearing from the photo point to the subject
- Specific information about the subject of the photo
- Optional additional information: a true compass bearing (corrected for declination) from photo point to subject, time of sunrise and sunset (check newspaper or almanac), and cloud cover.

For ambient monitoring, the stream and shore walk form should be attached or referenced in the photo-log.

When monitoring the implementation of restoration, fuel reduction, or Best Management Practices (BMP) projects, include or attach to the photo-log a narrative description of observable progress in achieving the goals of the project. Provide supplementary information along with the photo, such as noticeable changes in habitat, wildlife, and water quality and quantity.

Archive all photos, along with the associated photo-log information, in a protected environment.

The Photo Point: Establishing Position of Photographer:

1. Have available a variety of methods for establishing position: maps, aerial photos, GPS, permanent markers and landmarks, etc. If the primary method fails (e.g., a GPS or lost marker post) then have an alternate method (map, aerial photo, copy of an original photograph of the photo-point, etc).
2. Select an existing structure or landmark (mailbox, telephone pole, benchmark, large rock, etc.), identify its latitude and longitude, and choose (and record for future use) the permanent position of the photographer relative to that landmark. Alternatively, choose the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the photographer.
3. For restoration, fuel reduction, and BMP projects, photograph the photo-points and carry copies of those photographs on subsequent field visits.

Determining the Compass Bearing:

1. Select and record the permanent magnetic bearing of the photo center view. You can also record the true compass bearing (corrected for declination) but do not substitute this for the magnetic bearing. Include a prominent landmark in a set position within the view. If possible, have an assistant stand at a fixed distance from both the photographer and the center of the view, holding a stadia rod if available, within the view of the camera; preferably position the stadia rod on one established, consistent side of the view for each photo (right or left side).
2. Alternatively, use the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the focal point (photo center).
3. When performing ambient or event photo monitoring, and when a compass is not available, then refer to a map and record the approximate bearing as north, south, east or west.

Suggestions for Photo Points by Type of Project:

Ambient or Event Monitoring, Including Photography Associated with Narrative Visual Assessments:

1. When first beginning an ambient monitoring program take representative long and/or medium view photos of stream reaches and segments of shoreline being monitored. Show the positions of these photos on a map, preferably on the stream/shore walk form. Subjects to be

photographed include a representative view of the stream or shore condition at the beginning and ending positions of the segment being monitored, storm drain outfalls, confluence of tributaries, structures (e.g., bridges, dams, pipelines, etc.).

2. If possible, take a close view photograph of the substrate (streambed), algae, or submerged aquatic vegetation.
3. Time series: Photographs of these subjects at the same photo points should be repeated annually during the same season or month if possible.
4. Event monitoring refers to any unusual or sporadic conditions encountered during a stream or shore walk, such as trash dumps, turbidity events, oil spills, etc. Photograph and record information on your photo-log and on your Stream and Shore Walk Visual Assessment form. Report pollution events to the Regional Board. Report trash dumps to local authorities.

All Restoration and Fuel Reduction Projects – Time Series:

Take photos immediately before and after construction, planting, or vegetation removal. Long term monitoring should allow for at least annual photography for a minimum of three years after the project, and thereafter at 5 years and ten years.

Meadow Restoration:

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long view showing an overlapping sequence of photos illustrating a long reach of stream and meadow (satellite photos, or hill close by, fly-over, etc.)
3. Long view up or down the longitudinal dimension of the creek showing riparian vegetation growth bounded on each side by grasses, sedges, or whatever that is lower in height
4. Long view of conversion of sage and other upland species back to meadow vegetation
5. Long view and medium view of streambed changes (straightened back to meandering, sediment back to gravel, etc.)
6. Medium and close views of structures, plantings, etc. intended to induce these changes

Stream Restoration/stabilization:

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long-view showing all or representative sections of the project (bluff, bridge, etc.)
3. Long view up or down the stream (from stream level) showing changes in the stream bank, vegetation, etc.
4. Long view and medium view of streambed changes (thalweg, gravel, meanders, etc.)
5. Medium and close views of structures, plantings, etc. intended to induce these changes.
6. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 3 and 4 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, *Stream Channel Reference Sites*:

An Illustrated Guide to Field Techniques, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

Vegetation Management for Fire Prevention (“fuel reduction”):

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long view showing all or representative sections of the project (bluff, bridge, etc.)
3. Long view (wide angle if possible) showing the project area or areas. Preferably these long views should be from an elevated vantage point.
4. Medium view photos showing examples of vegetation changes, and plantings if included in the project. It is recommended that a person (preferably holding a stadia rod) be included in the view for scale
5. To the extent possible include medium and long view photos that include adjacent stream channels.

Stream Sediment Load or Erosion Monitoring:

1. Long views from bridge or other elevated position.
2. Medium views of bars and banks, with a person (preferably holding a stadia rod) in view for scale.
3. Close views of streambed with ruler or other common object in the view for scale.
4. Time series: Photograph during the dry season (low flow) once per year or after a significant flood event when streambed is visible. The flood events may be episodic in the south and seasonal in the north.
5. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 1 and 2 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, *Stream Channel Reference Sites: An Illustrated Guide to Field Techniques*, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

PHOTO SIGN FORM: Print this form on yellow paper. Complete the following information for each photograph. Include in the photographic view so that it will be legible in the finished photo.

Location:

Subject Description:

Date:

Time: