California Regional Water Quality Control Board, San Diego Region

December 14, 2012

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8961 6015

Ted Weeks
Moxie Pacific Palomar, LLC
13475 Danielson Street, #150
Poway, CA 92064

In reply refer to:
768486: amonji

Subject: Action on Request for Clean Water Act Section 401 Water Quality Certification No. 11C-055, the Executive Ridge Industrial Project

Mr. Weeks:

Enclosed find Clean Water Act Section 401 Water Quality Certification (Certification) for the **Executive Ridge Industrial** Project (Project) discharge to waters of the United States and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification*. A description and location of the Project can be found in the Project information sheet, location map, and site maps which are included as Attachments 1 through 4 of this Certification.

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 Moxie Pacific Palomar, LLC 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 (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to $10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

In the subject line of any response, please include the reference number 768486:amonji. For questions or comments, please contact Alan Monji by phone at (858) 637-7140, or by email at amonji@waterboards.ca.gov.

Respectfully,

David W. Gibson,
Executive Officer
Regional Water Quality Control Board

DG:js:db:kkd:atm

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. **11C-055** for the **Executive Ridge Industrial** Project, with **4** attachments

cc: Refer to Attachment 2 of Certification **11C-055** for Distribution List.

Tech Staff Info & Use	
File No.	11C-055
WDID	9 000002312
Reg. Measure ID	380256
Place ID	768486
Party ID	527852

California Regional Water Quality Control Board, San Diego Region

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

PROJECT: **Executive Ridge Industrial Project, Certification Number 11C-055, WDID: 9 000002312**

APPLICANT: **Ted Weeks**
Moxie Pacific Palomar, LLC
13475 Danielson Street, #150
Poway, CA 92064

CIWQS
Reg. Meas. ID: 380256
Place ID: 768486
Party ID: 527852

ACTION:

☐ Order for Low Impact Certification	☐ Order for Denial of Certification
☑ Order for Technically-conditioned Certification	☐ Waiver of Waste Discharge Requirements
☑ Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	☐ Enrollment in Isolated Waters Order No. 2004-004 DWQ

PROJECT DESCRIPTION:
The Executive Ridge Industrial Project (Project) is the division of the approximate 17-acre Executive Ridge Industrial site to develop an industrial office park consistent with the Vista Business Park Specific Plan. The Project is located north of San Marcos Boulevard, between Business Park Drive and Rancho Santa Fe Road in the City of Vista, CA. The Project will divide the property into five industrial and commercial lots of varying sizes, from 2.78 acres to 3.71 acres, and includes construction of a one street cul-de-sac for access off West San Marcos Boulevard. The graded pads will remain pervious and would be hydroseeded with a non-invasive, non-irrigated plant species. The graded slopes will be fully vegetated with native or drought resistant plants for erosion control.

The construction of the Project will permanently impact 0.03 acres of southern willow scrub habitat and 0.07 acres of non-wetland habitat for a total of 0.10 acres (1,354 linear feet) of jurisdictional wetland waters of the United States and/or State. Offsite mitigation to wetland waters of the United States and/or State will be complete at the La Mirada Canyon mitigation site in San Marcos. Mitigation will include the re-establishment of 0.09 acres of southern willow scrub habitat and 0.11 acres of non-wetland habitat for a minimum of 0.20 acres (1,500 linear feet) of waters of the United States and/or State.

The grading is proposed to begin in January 2012 and take approximately six months. The construction phase will follow in the fall and is expected to take 15 months to complete. The Projects is estimated to cut 168,000 cubic yards of material and require 168,000 cubic yards of fill.

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I. STANDARD CONDITIONS:

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

A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).

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

C. 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.

II. ADDITIONAL CONDITIONS: GENERAL

A. Water Quality Certification No. 11C-055 (Certification) is only valid if the Project begins no later than 5 (five) years from the date of issuance. If the Project has not begun within 5 years from the date of issuance, then this Certification shall expire 5 years from the date of issuance.

B. Moxie Pacific Palomar, LLC (Applicant) must comply with the requirements of State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material That Have Received State Water Quality Certification*. These General Waste Discharge Requirements are accessible at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf.

C. The Applicant 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 (San Diego Water Board), to support this 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 San Diego Water Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.

D. During construction, the Applicant must maintain a copy of this Certification at the project site. This Certification must be available at all times to site personnel and agencies.

E. Upon presentation of credentials, the Applicant must permit the San Diego Water Board or its authorized representative(s) to:

1. Enter onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.

2. Access and/or copy any records required to be kept under the terms and conditions of this Certification.

3. Inspect any treatment equipment, monitoring equipment, or monitoring method required by this Certification.

4. Sample any discharge or surface water covered by this Certification.

F. 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.

G. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may, pursuant to California Water Code (CWC) sections 13267 and 13383, require the holder of any permit or license subject to this Certification 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.

H. In response to any violation of the conditions of this Certification, or if the results of the Project have unintended impacts to water quality, the San Diego Water Board may modify the conditions of this Certification as appropriate to ensure compliance.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

A. Prior to the start of the project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices (BMPs) implementation and maintenance.

B. The Applicant must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.

C. The Applicant must enroll in and comply with the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, NPDES No. CAS000002, *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*.

D. 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 San Diego Water Board pursuant to CWC §13260.

E. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.

F. 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.

G. 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.

H. All areas that will be left in a rough graded state must be stabilized no later than one week after completion of grading. The Applicant is responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be 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: http://www.cal-ipc.org/ip/inventory/weedlist.php.

I. 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.

J. 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 United States and/or State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, the *Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable. Removal of vegetation must occur outside of the avian nesting season (March 15- August 31).

IV. ADDITIONAL CONDITIONS: POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

A. The Applicant shall not allow post-construction discharges to cause onsite or offsite downstream erosion, and/or damage to properties or damage to stream habitats from the project site.

B. All storm drain inlet structures within the Project boundaries must be stamped and/or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.

C. All post-construction BMPs, including those described in the *Water Quality Technical Report (WQTR) for Tentative Parcel Map Project No. PC3-182,* prepared by Excel Engineering and dated January 20, 2011 (and any subsequent version submitted to the San Diego Water Board), must be implemented, installed, and functional prior to construction completion and maintained in perpetuity.

D. Post-construction BMPs, as described in the WQTR (and any subsequent versions submitted to the San Diego Water Board), must treat 100 percent of the added impervious surface and all must be sized to comply with the following numeric sizing criteria:

1. Volume
   Volume-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

a. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record (0.6 inch approximate average for the San Diego County area); or

b. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event; or

2. Flow
Flow-based BMPs must be designed to mitigate (infiltrate, filter, or treat) either:

a. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or

b. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or

c. The maximum flow rate of runoff, as determined from the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

E. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas.

F. For all post-construction BMPs, including but not limited to, temporary desilting basins, bioswales, hydroseeding for each pad, and a 570-foot long sand media filter trench, as described in the WQTR (and any subsequent versions submitted to the San Diego Water Board) must comply with the current (as of the issuance date of the this Certification) requirements in *California Regional Water Quality Control Board, San Diego Region Order No. R9-2007-0001, NPDES No. CAS0108758, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County Of San Diego.* The Applicant must:

1. Regularly inspect and maintain all BMPs, per manufactures' specifications and industry standards, for the life of the Project;

2. No less than one time per year assess the performance of the systems on protection of the receiving waters and identify any necessary corrective measures;

3. Have all preventive and corrective maintenance performed;

4. Be inspected no less than one time per year, immediately prior to the commencement of the rainy season (October 1) and after every storm event exceeding 0.5 inches of precipitation.

G. The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Stormwater Quality Association guidance. Maintenance activities shall include, but are not limited to:

1. Semiannual inspection for the beginning and end of the wet season for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;

2. Removal of accumulated trash and debris in the basin as needed to ensure proper functioning of the BMP; and

3. Yearly inspection of accumulated sediment volume. Accumulated sediment should be removed and the basin re-graded when the accumulated sediment volume exceeds 10 percent of the basin volume.

H. Post-construction BMPs must be installed and functional prior to occupancy and/or planned use of development areas

V. ADDITIONAL CONDITIONS: COMPENSATORY MITIGATION

A. Mitigation for permanent discharges to 0.10 acres (1,394 linear feet) of waters of the United States and/or State, must be achieved as described in the *Conceptual Wetland Mitigation Plan, Executive Ridge Industrial Subdivision MNC/PC-3-182,* prepared by Merkel and Associates, dated November 16, 2012 (and any subsequent versions reviewed and accepted/approved by the San Diego Water Board) for the La Mirada Canyon mitigation site. The mitigation must include:

1. The re-establishment of a minimum of 0.09 acres (80 linear feet) of southern willow scrub. The re-establishment must occur through the removal of the existing berm in La Mirada Canyon and raising the adjacent sewer access road with the materials removed. This will widen the creek and provide for reduced flooding of the sewer access road and erosion of the roadway. The removal of the berm will allow for drainage entering the canyon from the north to flow through culverts under the roadway and dip sections over the road, into La Mirada Creek. By widening the creek in this segment of the canyon, less erosion of the existing creek floor will occur because the flowing water will have more channel bottom area to naturally meander and dissipate flow velocities. In addition, the increased channel bottom area will provide more area for the establishment of riparian vegetation.

2. The re-establishment of a minimum of 0.11 acres (1,420 linear feet) of non-wetland waters of the U.S. The re-establishment must occur through the removal of the existing berm in La Mirada Canyon and raising the adjacent sewer access road with the materials removed. This will widen the creek and provide for reduced flooding of the sewer access road and erosion of the roadway. The removal of the berm will allow for drainage entering the canyon from the north to flow through culverts under the roadway and dip sections over the road, into La Mirada Creek. By widening the creek in this segment of the canyon, less erosion of the existing creek floor will occur because the flowing water will have more channel bottom area to naturally meander and dissipate flow velocities. In addition, the increased channel bottom area will provide more area for the establishment of riparian vegetation.

B. The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the initial discharge of dredge or fill material into 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.

C. The Applicant must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with this project.

D. The Applicant must salvage leaf litter, coarse woody debris, and upper soil horizons from impacted jurisdictional water sites that are relatively free of invasive exotic species for use in on-site mitigation areas.

E. The Applicant must also salvage large cuttings from appropriate tree species if they exist at the impact site and use them as pole plantings at the mitigation site.

F. Mitigation shall be considered acceptable once it has met the pre-determined success criteria for that site, and shall be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified in the *Conceptual Wetland Mitigation Plan, Executive Ridge Industrial Subdivision MNC/PC-3-182,* prepared by Merkel and Associates, dated November 16, 2012 (and any subsequent versions reviewed and accepted/approved by the San Diego Water Board). Year five assessment criteria includes:

1. Target native vegetative cover totals 90 percent within the vegetated wetland mitigation areas.

2. Less than five percent relative cover of non-invasive non-native vegetation and no relative cover by non-native plants listed in the California Invasive Plant Inventory.

3. Mean canopy of *Salix* species exceed eight feet and mean canopy of mulefat exceeds five feet.

4. Natural recruitment of target species noted onsite.

5. Evidence of site being used by native wildlife.

6. Evidence of natural stream hydrology.

7. A minimum of 0.09 acres must exhibit positive indicators (vegetation, hydric soils, and surface hydrology) for wetland habitat.

G. Mitigation shall be considered acceptable once it has met the pre-determined success criteria for that site, and shall be maintained, in perpetuity, in a manner that consistently meets the final success criteria identified.

H. 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 five percent of the on-site or off-site mitigation areas.

I. The San Diego Water Board acceptance of the final mitigation plan must not be construed as approval of the mitigation site or plan for use by other current or future projects that are planning to use additional acreage at the site for mitigation.

J. Any maintenance activities that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities are limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species, and remedial measures deemed necessary for the success of the restoration program.

K. If at any time during the implementation and establishment of the mitigation area(s), and prior to verification of meeting success criteria, a catastrophic natural event (e.g., fire, flood) occurs and impacts the mitigation area, the Applicant is responsible for repair and replanting of the damaged area(s).

L. For the purpose of determining mitigation credit for the removal of exotic/invasive plant species, only the actual area occupied by exotic/invasive plant species must be quantified to comply with mitigation requirements.

M. **Within 60 days from the start of construction**, the Applicant must provide the San Diego Water Board a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. **Within one year of the start of construction**, the Applicant must submit proof of a

completed final preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the U.S. that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the sites. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation. Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation. The preservation mechanism requirement may be satisfied by comparable preservation of the broader canyon area by the City of Vista provided that the preservation requirements outlined above are incorporated into the preservation mechanism and the Executive Ridge mitigation site(s) are fully included within the area covered by the mechanism.

N. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the United States and/or State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the United States and/or State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the United States and/or State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the United States and/or State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the United States and/or State (e.g., conservation easement).

VI. MONITORING REQUIREMENTS:

Prior to mitigation construction initiation, the Applicant shall develop a monitoring plan that contains the following elements for the La Mirada mitigation site.

The California Rapid Assessment Method.
The Applicant must conduct a quantitative function-based assessment of the health of wetland and riparian habitats to establish baseline conditions, set success criteria, and assess mitigation site progress at the La Mirada Canyon site using the California Rapid

Assessment Method (CRAM)[1] at three assessment stations. The first assessment station is the reference station, which must be located upstream of the mitigation site in a reference area; the second assessment station must be located within the La Mirada Canyon mitigation site; and the third assessment station must be located immediately downstream of the mitigation site. The reference station upstream of the mitigation site must be located and assessed concurrently with the second and third assessment stations.

CRAM assessments must be conducted prior to the start of mitigation site construction and then one, three, and five years following construction completion and continuing until success criteria have been met. The results of the CRAM assessment must be submitted with **the respective Annual Progress Reports.**

VII. NOTIFICATION REQUIREMENTS:

A. The Applicant 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 Applicant becomes aware of the circumstances. . A written submission shall also be provided within five (5) days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a written description of the incident and its cause, the period of the noncompliance including exact dates and times, and if the 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.

B. This Certification is not transferable in its entirety or in part to any person except after notice to the San Diego Water Board in accordance with the following terms:

1. Transfer of Property Ownership: The Applicant must notify the San Diego Water Board of any change in ownership of the project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board **within 10 days of the transfer of ownership**.

2. Transfer of Mitigation Responsibility: Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in Section V and VII.F of this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to

[1] Information on CRAM is available at the California Rapid Assessment Method homepage at http://www.cramwetlands.org/

comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date**.

3. Transfer of Post-Construction BMP Maintenance Responsibility: The Applicant assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the Applicant must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Applicant must provide such notification to the San Diego Water Board within **10 days** of the transfer of BMP maintenance responsibility.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of this Certification in the event that a transferee fails to comply.

C. The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the actual commencement of dredge, fill, and discharge activities.

D. The Applicant must notify the San Diego Water Board in writing at least **5 days** prior to the actual commencement of mitigation installation, and completion of mitigation installation.

E. Prior to project construction, the Applicant must submit to the San Diego Water Board a letter accepting full responsibility for the inspection and maintenance of all BMPs installed on all roads that are required to be improved as part of the project, including, but not limited to, the street cul-de-sac that will be constructed for access off West San Marcos Boulevard. Alternatively, the Applicant may submit a letter documenting that the City of Vista accepts full responsibility for the inspection and maintenance of all BMPs installed on all roads that are required to be improved as part of the project, including, but not limited to, the street cul-de-sac that will be constructed for access off West San Marcos Boulevard.

VIII. REPORTING REQUIREMENTS:

A. The Applicant must submit annual progress reports describing status of compliance with all requirements of this Certification to the San Diego Water Board prior to **August 1** of each year following the issuance of this Certification until the project has reached

completion. The Applicant must submit a Final Project Annual Report to the San Diego Water Board **prior to August 1 following completion of the project.** The reports must include the following:

1. Date of construction initiation.

2. Projected date of construction completion.

3. Status of BMPs for the project.

4. Final Project Report: As-built drawings no bigger than 11"X17".

B. The San Diego Water Board may make revisions to the monitoring program at any time during the five year monitoring term, and may include a reduction or increase in the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.

C. The Applicant must submit final grading and landscaping Plans **within 60 days of issuance of this Water Quality Certification and prior to initiation of construction activities.**

D. The Applicant must submit a Final Habitat and Mitigation Monitoring Plan **prior to commencement of Project construction.**

E. Mitigation monitoring reports must be submitted annually until mitigation has been deemed successful. Annual monitoring reports must be submitted **prior to December 1 of each year**. Monitoring reports must include, but not be limited to, the following:

1. Names, qualifications, and affiliations of the persons contributing to the report;

2. Date of initiation of mitigation installation and date mitigation installation was completed;

3. Mitigation as-builts, including topography maps and planting locations;

4. Tables presenting the raw data collected in the field as well as analyses of the physical and biological data;

5. Topographic complexity characteristics at each mitigation site;

6. Upstream and downstream habitat and hydrologic connectivity;

7. Source of hydrology;

8. Width of native vegetation buffer around the entire mitigation site;

9. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;

10. Stream Photo documentation, including all areas of permanent and temporary impact, prior to and after project construction, and mitigation areas, including all areas of permanent and temporary impact, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced; and

11. A Survey report documenting boundaries of mitigation area, including Geographic Information System (GIS) shape files (polygons) of the impact and mitigation areas (Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points). GIS metadata must also be submitted.

F. The submittal of information under this Certification is required pursuant to CWC sections 13267 and 13283. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit required information pursuant to CWC section 13268 or 13385.

G. All reports and information submitted to the San Diego Water 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.

H. 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.

2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.

3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.

4. A duly authorized representative may sign applications, reports, or information if:

   a. The authorization is made in writing by a person described above.

b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.

c. The written authorization is submitted to the San Diego Water Board Executive Officer.

I. 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."

J. The Applicant must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification; Project No. 11C-055
9174 Sky Park Court, Suite 100
San Diego, California 92123

VIII. CEQA FINDINGS:

A. The City of Vista is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)),and filed a Notice of Determination on June 28, 2011 (SCH# 2010054002), for a Mitigated Negative Declaration under CEQA Guidelines Title 14, California Code of Regulations. The City of Vista has determined the project will not have a significant effect on the environment and mitigation measures were made a condition of the project.

B. The San Diego Water Board has reviewed the lead agency's Mitigated Negative Declaration and also finds that the project as proposed will not have a significant effect on the environment with conditioned mitigation measures and therefore determines that issuance of this Certification is consistent with the Mitigated Negative Declaration.

IX. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

A. On July 14, 2011, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.

X. SAN DIEGO WATER BOARD CONTACT PERSON:

Alan Monji
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
(858) 637-7140
amonji@waterboards.ca.gov

XI. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the Executive Ridge Industrial Project (Certification No. 11C-055) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges That Have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue 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 the description on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. 11C-055 issued on December 14, 2012.

David W. Gibson

12/14/12

DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

Date

Attachments:
1. Project Information
2. Distribution List
3. Location Map
4. Site and Mitigation Map

ATTACHMENT 1
PROJECT INFORMATION

Applicant:	Moxie Pacific Palomar Attention: Ted Weeks 13475 Danielson Street, #150, Poway CA 92064 Telephone: 858-759-1223 Email: tfwconstr@sbcglobal.net
Applicant Representatives:	Merkel and Associates Attention: Keith Merkel 5434 Ruffin Road Telephone: 858-560-5465 Email: kmerkel@merkelinc.com
Project Name:	Executive Ridge Industrial Project
Project Location:	Project is within the boundaries of the City of Vista, San Diego County, CA, north of San Marcos Boulevard and between Business Park Drive and Rancho Santa Fe Road. Latitude: 32.133124° N Longitude: -117.2271° W
Type of Project:	Grading of five lots for future industrial and commercial development.
Need for Project:	Development of industrial office park consistent with the Vista Business Park Specific Plan intent.
Project Description:	The Executive Ridge Industrial Project (Project) is the division of the approximate 17-acre Executive Ridge Industrial site to develop an industrial office park consistent with the Vista Business Park Specific Plan. The Project is located north of San Marcos Boulevard, between Business Park Drive and Rancho Santa Fe Road in the City of Vista, CA. The Project will divide the property into five industrial and commercial lots of varying sizes, from 2.78 acres to 3.71 acres, and includes construction of a one street cul-de-sac for access off West San Marcos Boulevard. The graded pads will remain pervious and would be hydroseeded with a non-invasive, non-irrigated plant species. The graded slopes will be fully vegetated with native or drought resistant plants for erosion control. The construction of the Project will permanently impact 0.03 acres of southern willow scrub habitat and 0.07 acres of non-

	wetland habitat for a total of 0.10 acres (1,354 linear feet) of jurisdictional wetland waters of the United States and/or State. Offsite mitigation to wetland waters of the United States and/or State will be complete at the La Mirada Canyon mitigation site in San Marcos. Mitigation will include the re-establishment of 0.09 acres of southern willow scrub habitat and 0.11 acres of non-wetland habitat for a minimum of 0.20 acres (1,500 linear feet) of waters of the United States and/or State. The grading is proposed to begin in January 2012 and take approximately six months. The construction phase will follow in the fall and is expected to take 15 months to complete. The Projects is estimated to cut 168,000 cubic yards of material and require 168,000 cubic yards of fill.
Federal Agency/Permit:	U.S. Army Corps of Engineers Nationwide 404 Permit, Richard Vansant
Other Required Regulatory Approvals:	California Department of Fish and Game Streambed Alteration Agreement, Marilyn Fluharty
California Environmental Quality Act (CEQA) Compliance:	Executive Ridge Industrial Subdivision, Mitigated Negative Declaration, June 28, 2011, SCH# 2010054002, City of Vista.
Receiving Water:	Agua Hedionda HA, 904.30
Affected Waters of the United States/State:	Permanent: Streambed; 0.10 acre, 1,354 linear feet
Dredge Volume:	None
Related Projects Implemented/to be Implemented by the Applicant(s):	NA
Compensatory Mitigation:	Offsite mitigation to wetland waters of the United States and/or State will be in the La Mirada Canyon mitigation site in

	San Marcos. Mitigation will include the re-establishment of 0.20 acres (1,500 linear feet) of waters of the United States and/or State.
Best Management Practices (BMPs):	During construction, the Applicant will apply the following temporary Best Management Practices (BMPs): • Silt fences, fiber rolls, gravel bags • Vegetative covering of slopes • Street sweeping and vacuuming • Storm drain inlet protection • Vehicle maintenance and storage areas • Stockpile management • Spill prevention and control • Concrete waste management • Stabilized construction entrance and exit
Public Notice:	On July 12, 2011, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.
Inspection:	NA
Fees:	Total Due:$0 Total Paid:$9,562.00 (check nos. 4685 and 4630)
CIWQS:	Regulatory Measure ID: 380256 Place ID: 768486 Party ID: 527852

ATTACHMENT 2

DISTRIBUTION LIST

Richard J Vansant
U.S. Army Corps of Engineers, Regulatory Branch
Richard.j.vansant@usace.army.mil

Marilyn Fluharty
California Department of Fish and Game
Mfluharty@dfg.ca.gov

U.S. Department of the Interior
Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

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

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

Keith Merkel
Merkel and Associates
KMerkel@merkelinc.com

ATTACHMENT 3

LOCATION MAPS

M&A #08-136-01

N
W E
S

1:24000

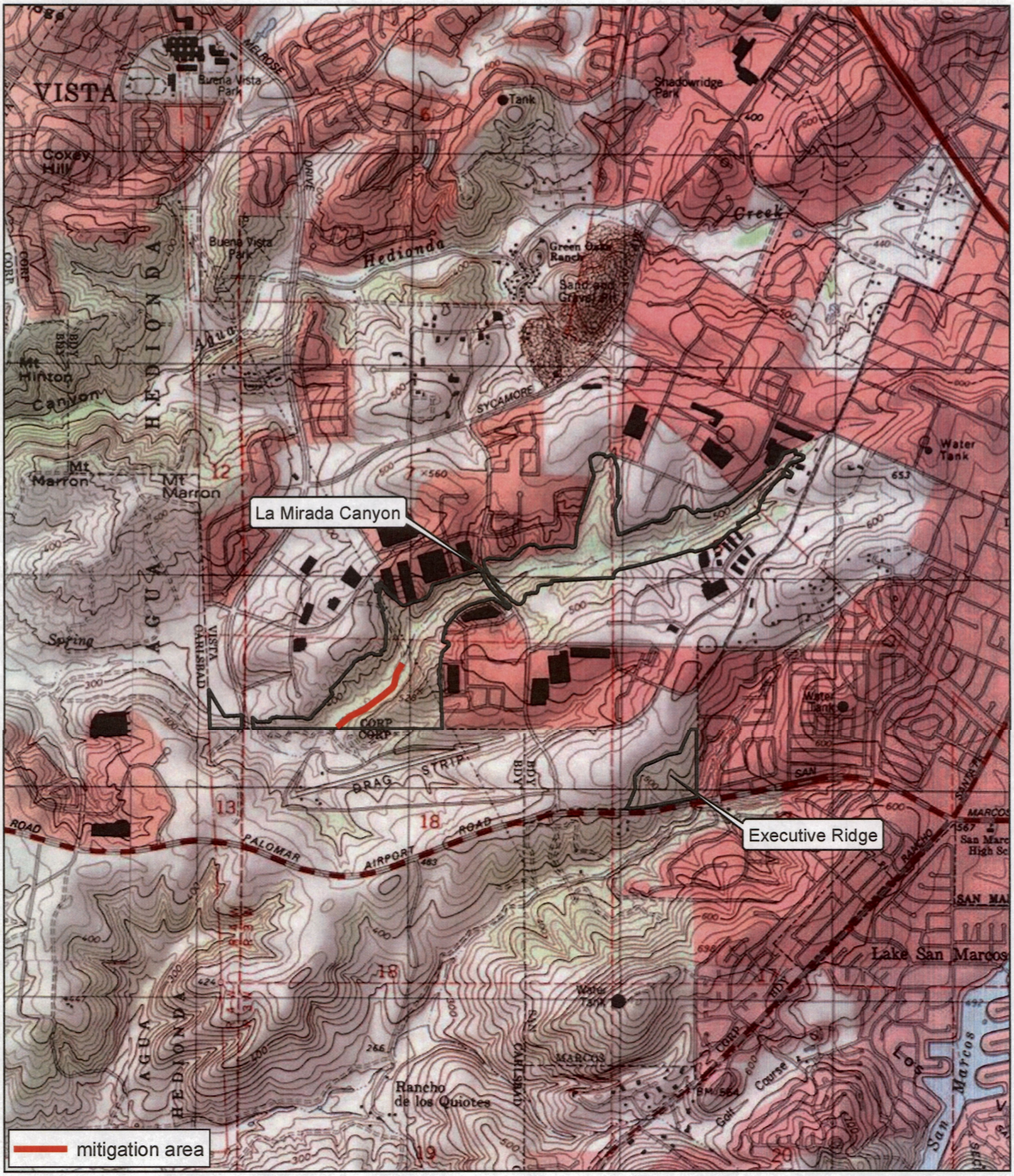
Project Vicinity Map

Upper La Mirada Canyon Mitigation Area and Executive Ridge Industrial

Source: 7.5' USGS San Marcos, CA Quadrangle

Figure 1

Merkel & Associates, Inc.



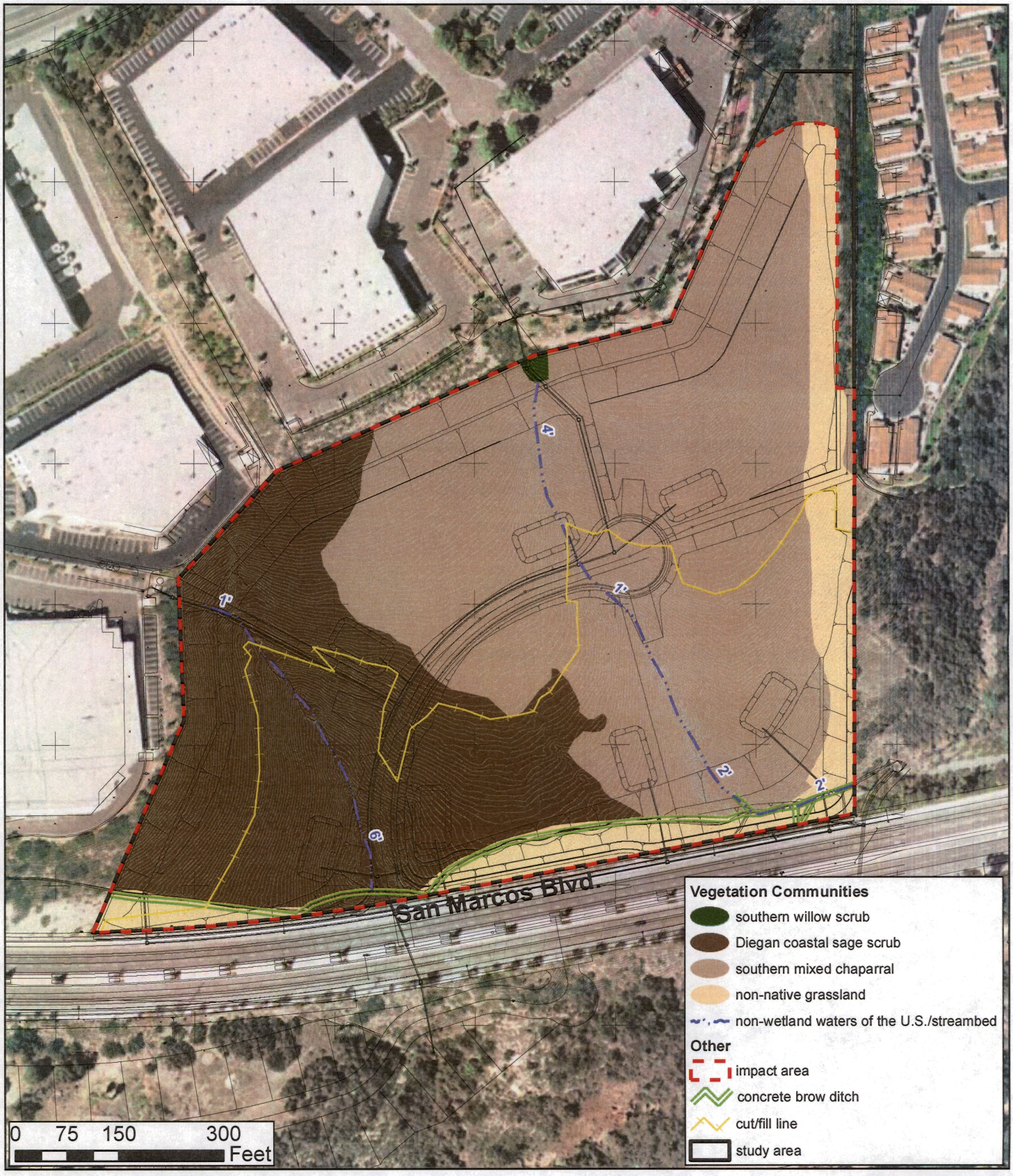
N
W E
S

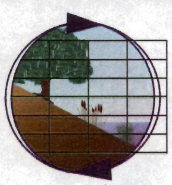
1:24000

Project Vicinity Map

La Mirada Canyon Mitigation Area and
Executive Ridge Industrial
Source: USGS 7.5' San Marcos, CA Quadrangle

Figure 1





N
W E
S

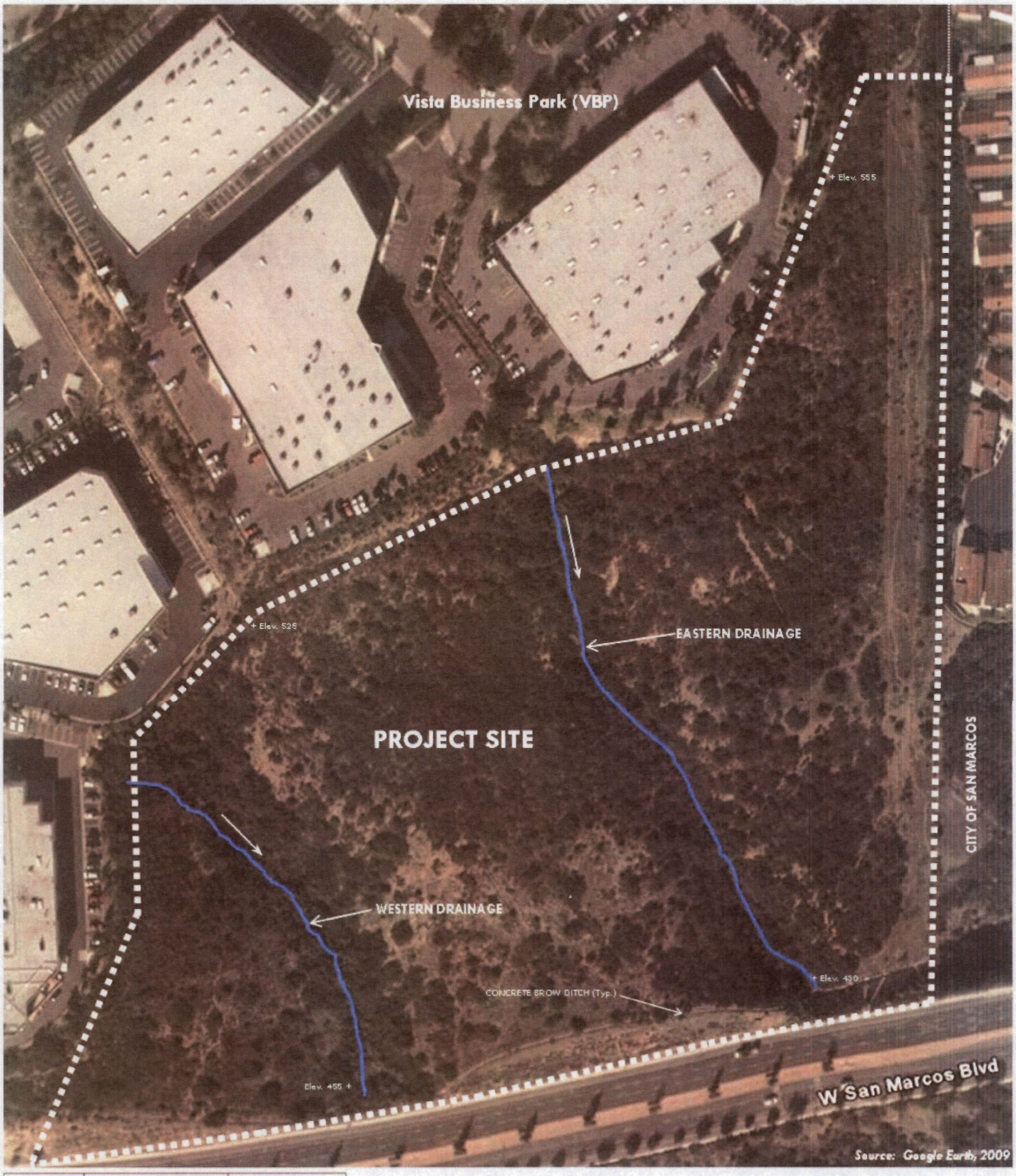
Wetland Delineation and Biological Impacts Map

Executive Ridge Industrial Project

Figure 3

Merkel & Associates, Inc.

EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION



PROJECT SITE BOUNDARY AND ELEVATIONS ARE APPROXIMATE

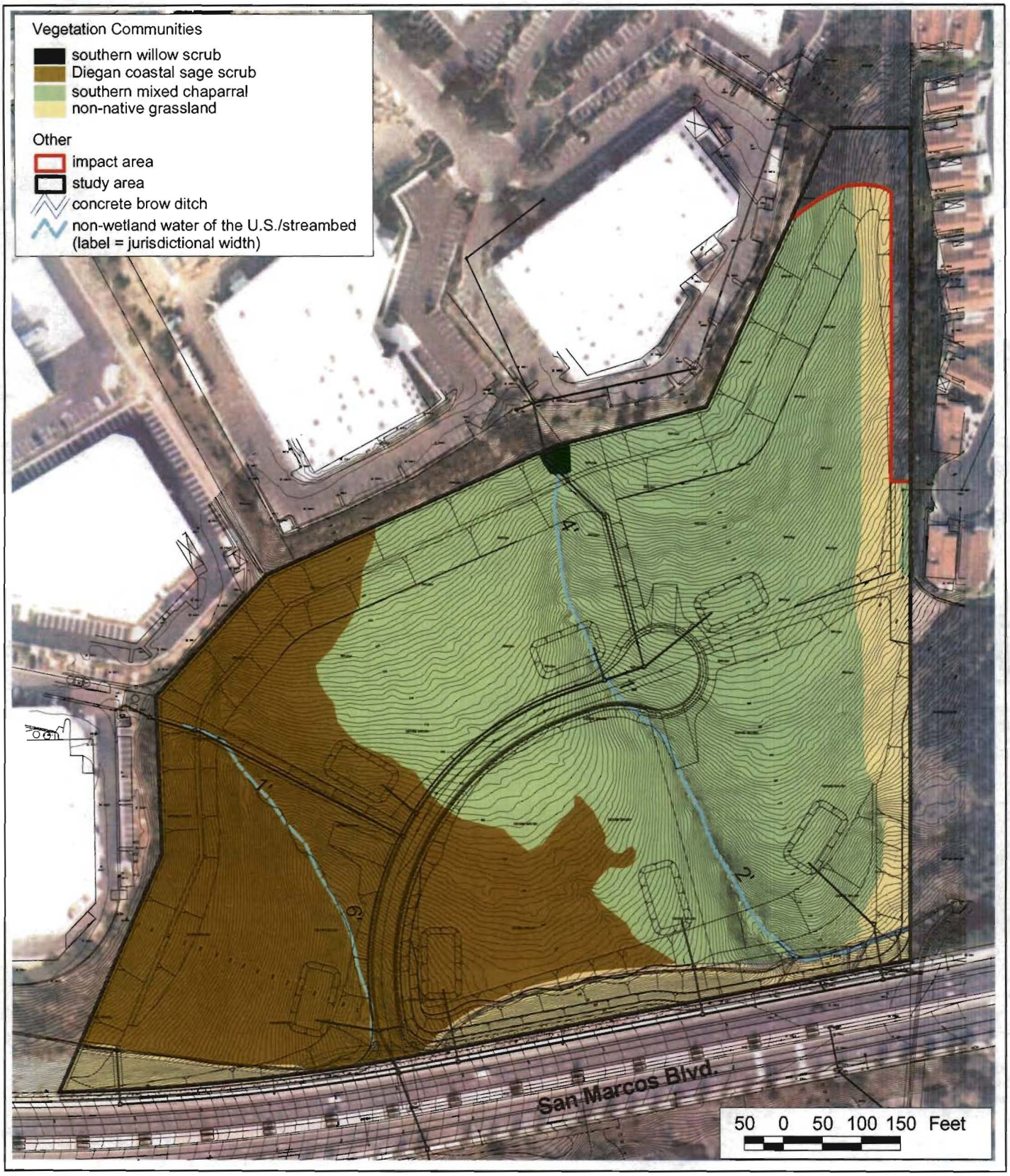
FLOW DIRECTION

No Scale

FIGURE 2
EXISTING SITE

ATTACHMENT 4

SITE PLANS and MITIGATION MAP

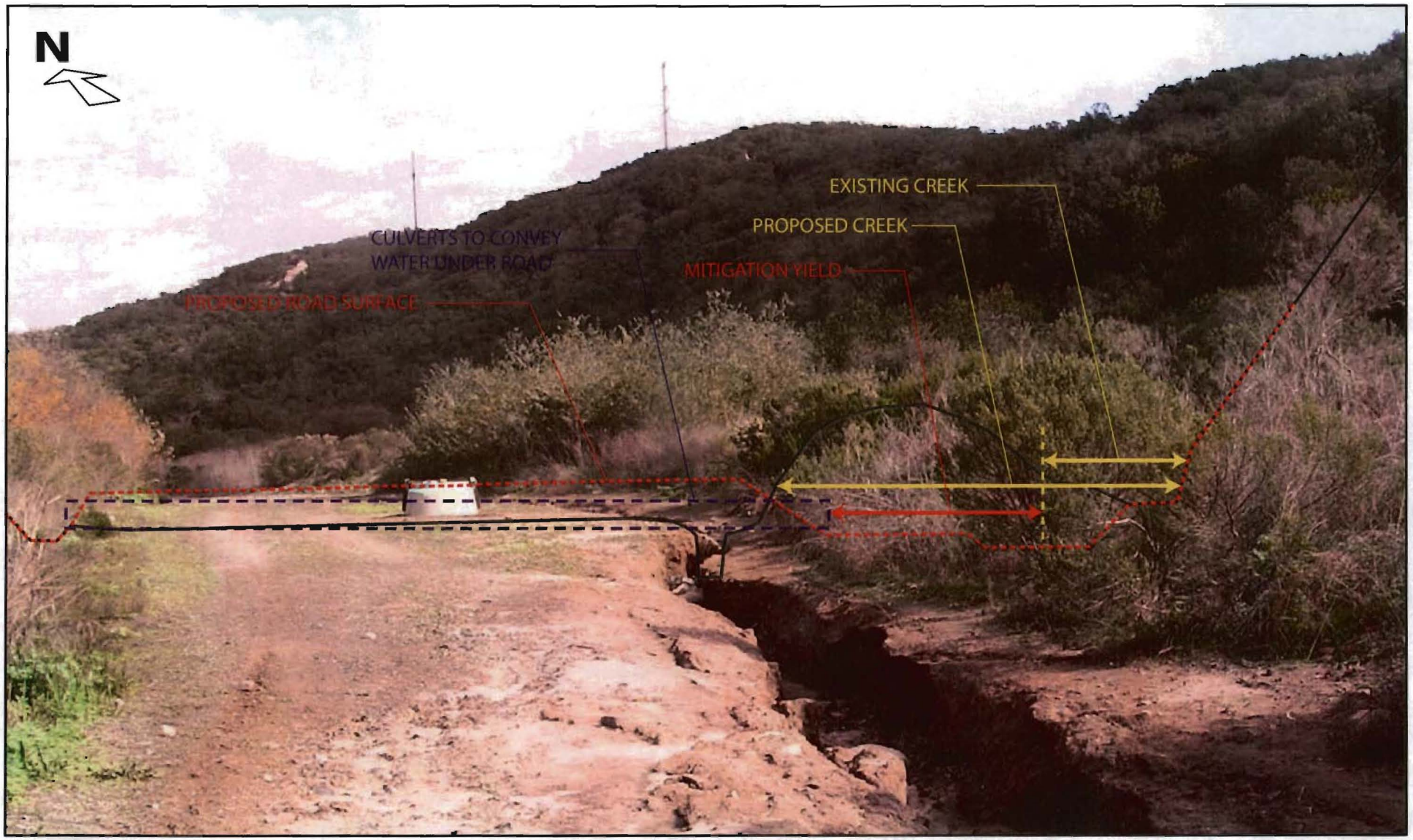


N
W E
S

Biological Impacts Map

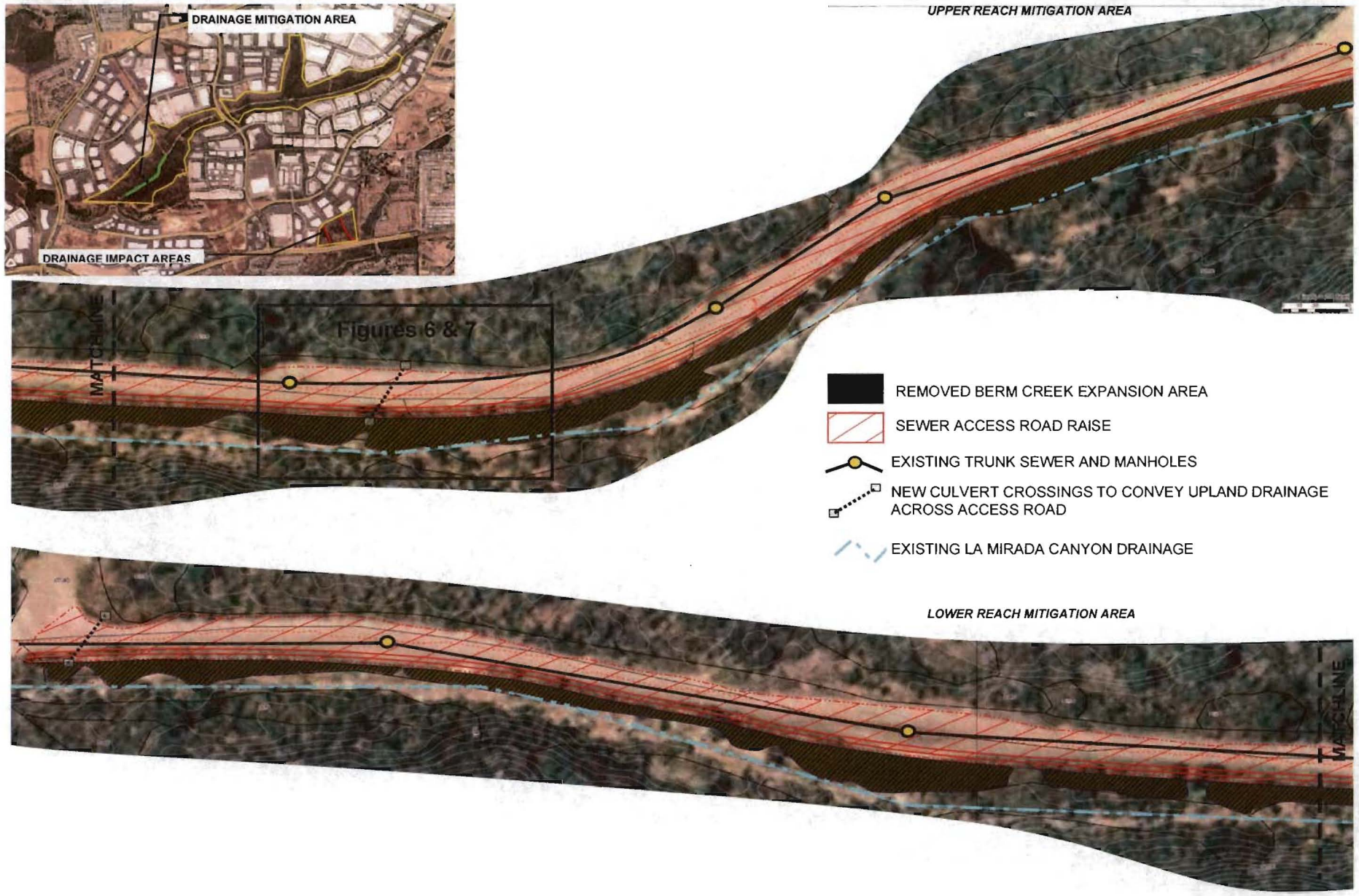
Executive Ridge Industrial Project

Figure 4



Conceptual Mitigation Site Section
Executive Ridge Industrial Subdivision
Conceptual Wetland Mitigation Monitoring Plan

Figure 4

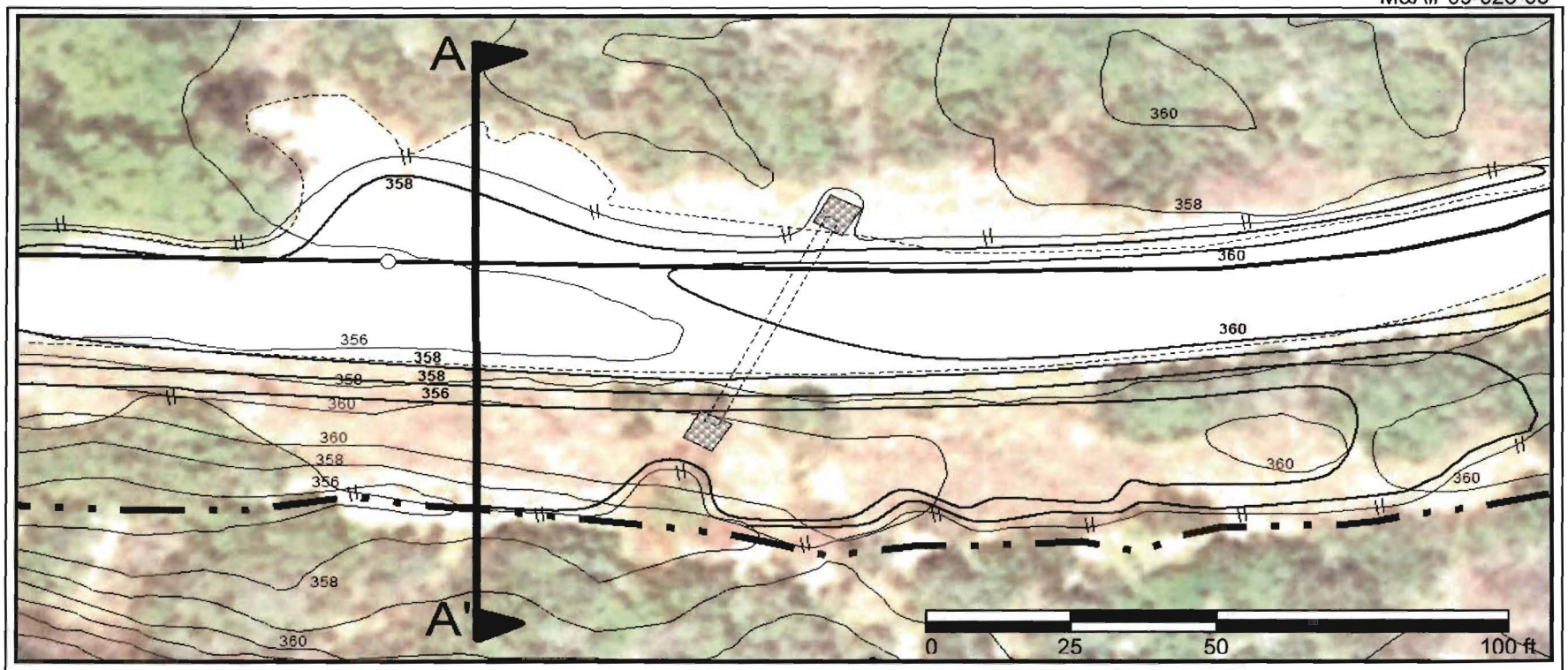


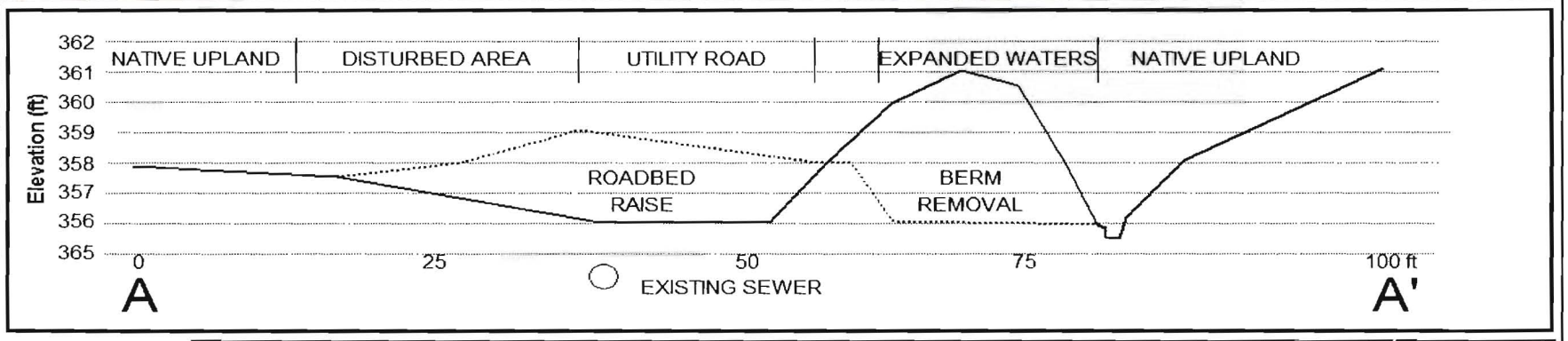
Proposed Wetland Mitigation Site
Executive Ridge Industrial Subdivision
Conceptual Wetland Mitigation Monitoring Plan

Figure 5

Merkel & Associates, Inc.

M&A# 09-028-03



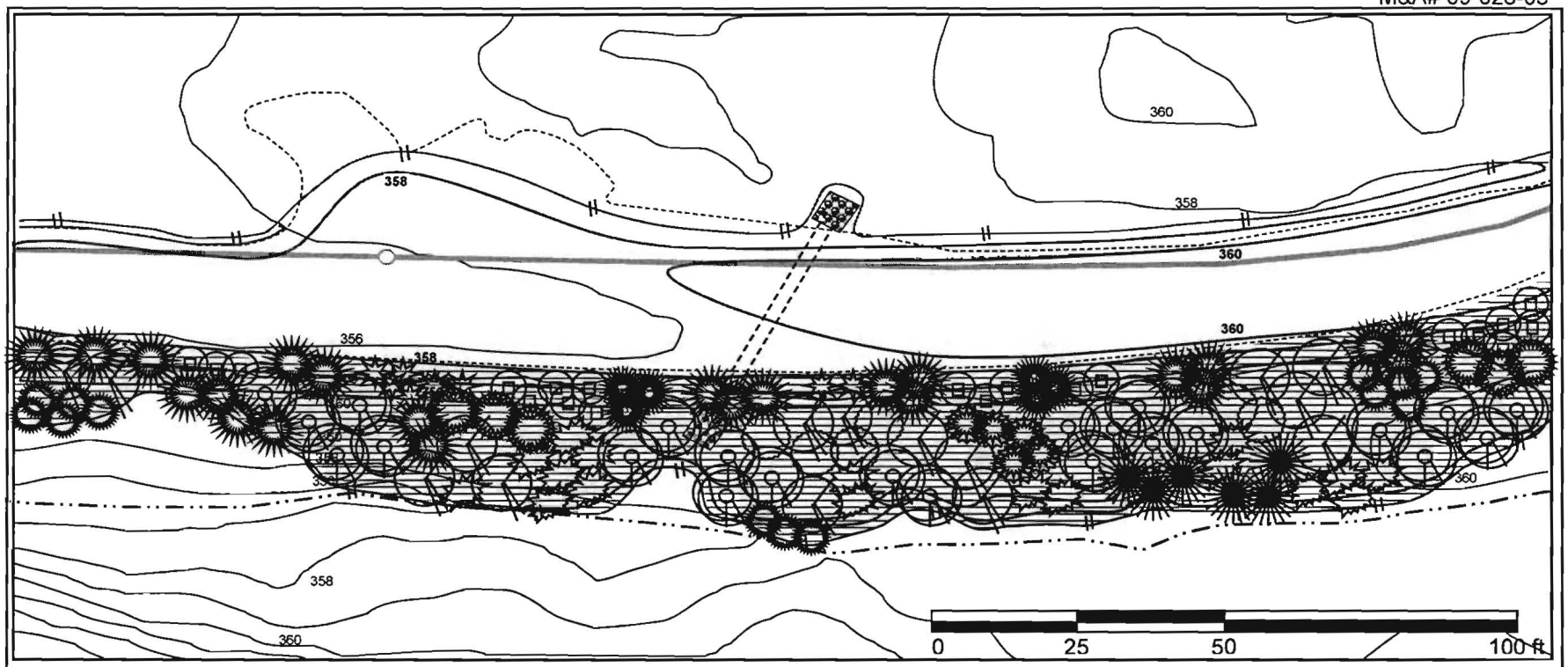


TYPICAL PLAN AND SECTION VIEW
EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION
CONCEPTUAL WETLANDS MITIGATION AND MONITORING PLAN

Figure 6

Merkel & Associates, Inc.

M&A# 09-028-03



Arroyo Willow (*Salix lasiolepis*)

Lance-leaf Willow (*Salix lucida lasiandra*)

Western Sycamore (*Platanus racemosa*)

Coast Live Oak (*Quercus agrifolia*)

Mule Fat (*Baccharis salicifolia*)

Blue Elderberrry (*Sambucus mexicanus*)

Giant Rye (Lemus condensatus)

San Diego Marsh Elder (*Iva hayesiana*)

Mugwort (*Artemisia douglasiana*)

Narrow-leaf Willow (*Salix exigua*)

Nuttall's Scrub Oak (*Quercus nutallianus*)

California Rose (Rosa californica)

Southwestern Spiny Rush (*Juncus acutus*)

Riparian Seed Mix

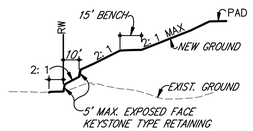
TYPICAL PLANTING PLAN SEGMENT LAYOUT
EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION
CONCEPTUAL WETLANDS MITIGATION AND MONITORING PLAN

Figure 7

Merkel & Associates, Inc.

SITE MAP FOR PC 03-182

SAN MARCOS BLVD., VISTA CA



SECTION A-A
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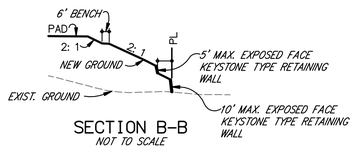

SECTION B-B
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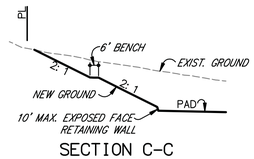
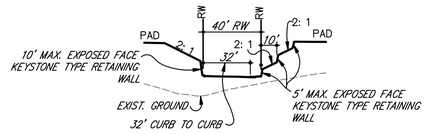
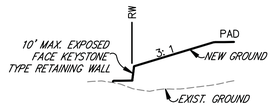


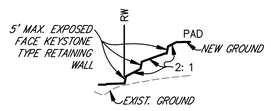
SECTION C-C
NOT TO SCALE



SECTION D-D
NOT TO SCALE



SECTION E-E
NOT TO SCALE



SECTION F-F
NOT TO SCALE

STREET "A" VERTICAL DATA				
STATION	ELEVATION	GRADE	DISTANCE	REMARKS
1+00.00	459.83	(-0.44)	75.00	=CL OF SAN MARCOS BLVD
1+75.00	459.50	2.00	50.00	
2+25.00	460.50	9.80	357.00	PI OF 100 LF VERTICAL CURVE
5+82.00	495.50	1.71	263.50	PI OF 200 LF VERTICAL CURVE
8+45.50	500.00			CENTER OF CUL DE SAC

CURB DATA				
NO	DELTA/BRG	RADIUS	LENGTH	REMARK
1	Δ= 91°41'27"	35.00'	56.01'	6" CURB
2	N10°33'48"W	--	25.84'	6" CURB
3	Δ= 81°54'32"	372.00'	531.80'	6" CURB
4	N71°20'43"E	--	25.56'	6" CURB
5	Δ= 39°20'45"	100.00'	68.67'	6" CURB
6	Δ= 258°41'30"	50.00'	225.75'	6" CURB & GUTTER
7	Δ= 39°20'45"	100.00'	68.67'	6" CURB & GUTTER
8	N71°20'43"E	--	25.56'	6" CURB & GUTTER
9	Δ= 81°54'32"	340.00'	486.06'	6" CURB & GUTTER
10	N10°33'48"W	--	15.00'	6" CURB & GUTTER
11	Δ= 90°14'32"	35.00'	55.13'	6" CURB & GUTTER
12	N79°11'40"E	--	274.97'	6" CURB & GUTTER
13	Δ= 19°56'54"	90.00'	31.33'	6" CURB & GUTTER
14	Δ= 19°56'54"	110.00'	38.30'	6" CURB & GUTTER
15	N79°11'40"E	--	274.84'	6" CURB & GUTTER

A PORTION PARCEL 1 OF PM 18002
APN 221-691-11
PEACH PROPERTIES LLC
N89°54'49"W 99.96'

221-653-34 SYMANSKI E
221-653-33 MERINAR FAMILY
221-653-32 JOEHNK M
221-653-31 RUSH C/M
221-653-30 LOOMER L/YC
221-653-29 NELSON M/D
221-653-28 PISCOPO J/M
221-653-27 HENSON DONNA
221-653-26 BADGETT RUTH
221-653-25 MONDRICK P/C

A PORTION PARCEL 1 OF PM 18002
APN 221-660-33
MOXIE PACIFIC PALOMAR LLC
N24°30'10"E 390.00'

PARCEL B OF PM 18002
APN 221-660-24
BUTLER CC/SE FAMILY PROPERTIES LLC

PARCEL H OF PM 18002
APN 221-660-32
BUTLER CC/SE FAMILY PROPERTIES LLC

PARCEL D OF PM 18002
APN 221-661-33
MOXIE PACIFIC PALOMAR LLC

A PORTION PARCEL C OF PM 18002
APN 221-661-42
BUTLER CC/SE FAMILY PROPERTIES LLC

A PORTION PARCEL C OF PM 18002
APN 221-661-43
PACIFI BELL WIRELESS
BUTLER CC/SE FAMILY PROPERTIES LLC

APN 221-021-45
MEADOWLARK CANYON LLC
PARCEL B OF PARCEL MAP 16808

APN 221-661-18 CITY OF SAN MARCOS

LOT 148 TR 11840
APN 221-653-48
LAS BRISAS PACIFICAS, INC

CITY OF VISTA
CITY OF SAN MARCOS

SAN MARCOS BLVD.

PARCEL 1 GROSS=NET AREA=2.780 AC
PARCEL 2 GROSS=NET AREA=2.969 AC
PARCEL 3 GROSS=NET AREA=3.746 AC
PARCEL 4 GROSS=NET AREA=3.707 AC
PARCEL 5 GROSS=NET AREA=3.037 AC
LOT "A" GROSS=NET AREA=0.927 AC

STREET "A"

N65°55'17"E 401.58'
N75°44'57"E 200.00'
N42°36'48"E 208.27'
N02°14'04"W 200.00'
N23°25'00"E 330.78'
N79°11'40"E 623.85'
N00°05'11"E 1056.49'

2:1 SLOPE
2:1 SLOPE MAX
KEYSTONE RETAINING WALL
10' MAX EXPOSED FACE KEYSTONE TYPE RETAINING WALLS
2 LAYERS 5' MAX EXPOSED FACE KEYSTONE TYPE RETAINING WALLS WITH 10' WIDE PLANTER IN BETWEEN
2 LAYERS 10' MAX EXPOSED FACE KEYSTONE TYPE RETAINING WALLS WITH 10' WIDE PLANTER IN BETWEEN

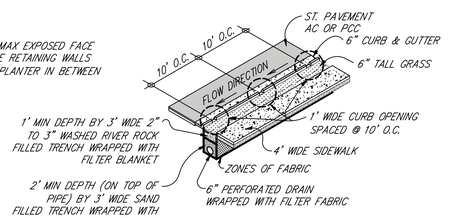
PROPOSED 10' PRIVATE STORM DRAIN EASEMENT
PROPOSED 10' PRIVATE SD EASEMENT
PROPOSED RIGHT TURN POCKET
TEMPORARY DESILTATION BASIN
NEW 24" RCP
NEW 24" RCP TEMPORARY DESILTATION BASIN
EXIST. 24" RCP
EXIST. 18" RCP
EXIST. 16" GAS
EXIST. 8" ACP (VMD)
EXIST. 27" STEEL WATERLINE (CMWD)
EXIST. 36" DIP WATERLINE (CMWD)
EXIST. POWERPOLE TO BE
EXIST. BROWDITCH
NEW 8" SEWERMAIN
NEW 12" WATERMAIN
NEW 8" SEWERMAIN TO CONNECT TO EXIST. VMD SEWERLINE STUB @ AVENIDA MICHELLE CUL DE SAC
BIO / SAND-FILTER COMBO SECTION (TYP)
60" HPDE DETENTION PIPE
75' NATURAL & UNALTERED BUFFER
75' BLDG SETBACK
CITIES JURISDICTIONAL BOUNDARY
LOT 148 TR 11840

SCALE: 1"=50'

0 50 100 150 200

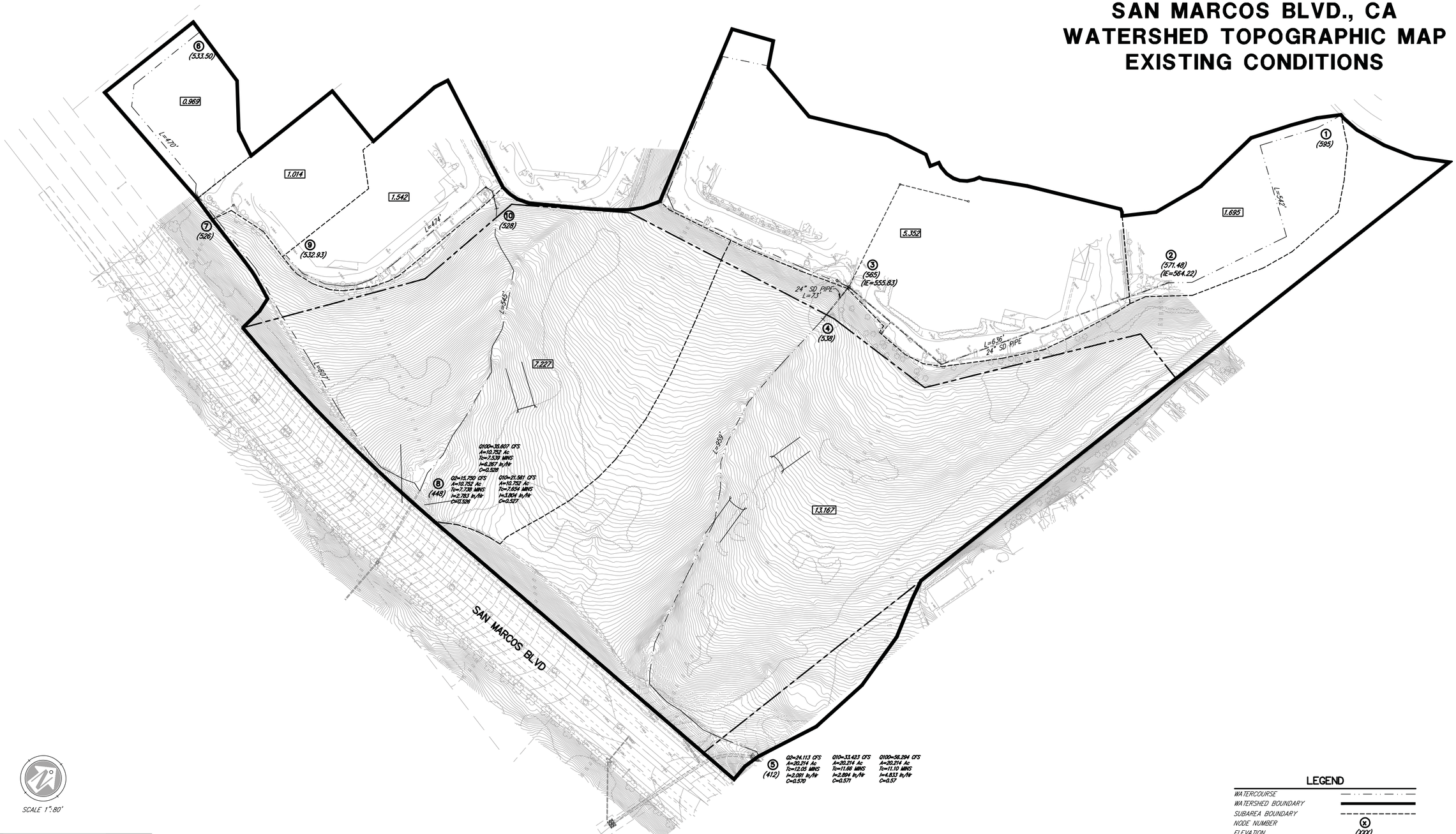
LEGEND

- PROPERTY LINE — PL
- RIGHT OF WAY — RW
- SUBDIVISION BOUNDARY
- EXIST. MAJOR CONTOUR — 460
- EXIST. MINOR CONTOUR
- PROP. MAJOR CONTOUR — 460
- PROP. MINOR CONTOUR
- 2:1 MANUFACTURED SLOPE
- RETAINING WALL
- DAYLIGHT LINE
- PROPOSED WATERMAIN — W W
- PROPOSED SEWERMAIN — S S
- EXIST. WATERMAIN — W W
- EXIST. SEWERMAIN — S S
- STORM DRAIN INLET/MANHOLE
- STORM DRAIN PIPES
- STREET LIGHTS
- 4' WIDE SIDEWALK
- 3' WIDE SAND-FILTER



BIO/ SAND-FILTER COMBO SECTION
NOT TO SCALE

TENTATIVE PARCEL MAP
PC 03-182
SAN MARCOS BLVD., CA
WATERSHED TOPOGRAPHIC MAP
EXISTING CONDITIONS



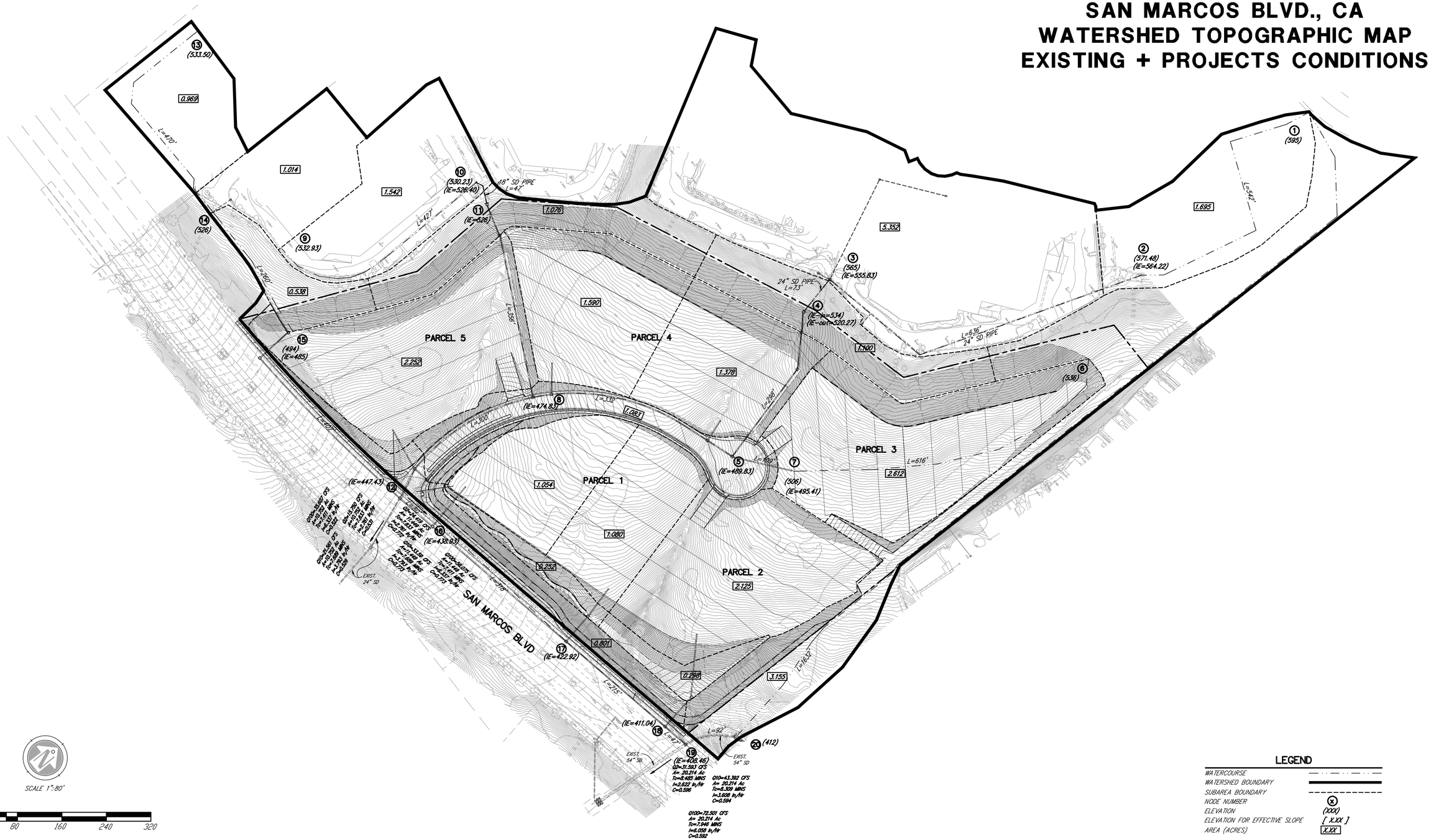
SCALE 1":80'

0 80 160 240 320

LEGEND

WATERCOURSE	— · — · — · —
WATERSHED BOUNDARY	▬▬▬
SUBAREA BOUNDARY	- - - - - -
NODE NUMBER	⊗
ELEVATION	(XXX)
ELEVATION FOR EFFECTIVE SLOPE	[X.XX]
AREA (ACRES)	X.XX
WATERCOURSE LENGTH	L=XXX

TENTATIVE PARCEL MAP
PC 03-182
SAN MARCOS BLVD., CA
WATERSHED TOPOGRAPHIC MAP
EXISTING + PROJECTS CONDITIONS



SCALE 1":80'

0 80 160 240 320

LEGEND

WATERCOURSE	— · — · — · —
WATERSHED BOUNDARY	▬▬▬
SUBAREA BOUNDARY	- - - - - -
NODE NUMBER	(X)
ELEVATION	(XXX)
ELEVATION FOR EFFECTIVE SLOPE	[X.XX]
AREA (ACRES)	X.XX
WATERCOURSE LENGTH	L=XXX

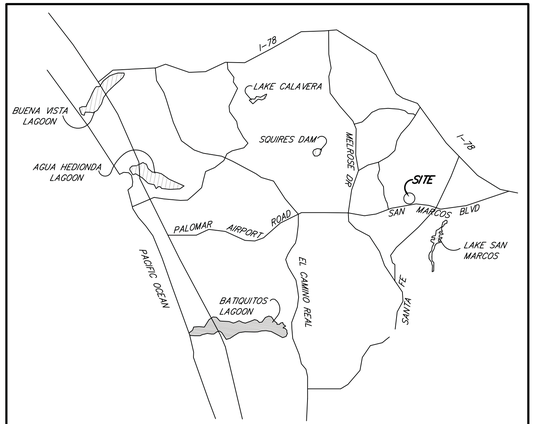
ATTACHMENT 5

DMA / BMP Map Exhibit

DMA / BMP MAP

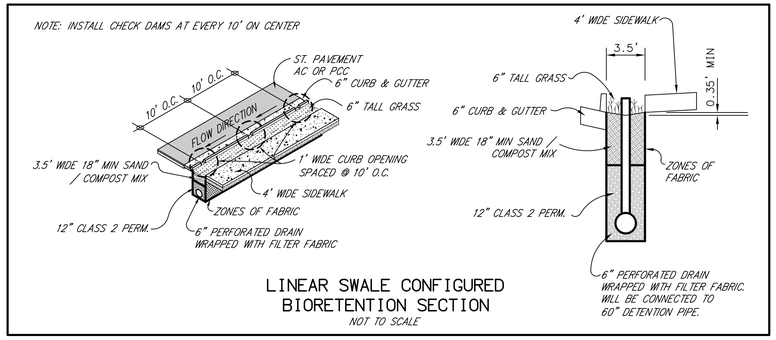
TENTATIVE PARCEL MAP PC 03-182

SAN MARCOS BLVD., CA



NEARBY WATERBODIES EXHIBIT

NOTE: THE WATERBODIES AFFECTED BY THIS PROJECT ARE THE SAN MARCOS CREEK, BATIQUITOS LAGOON & THE PACIFIC OCEAN SHORELINE



LINEAR SWALE CONFIGURED BIORETENTION SECTION

NOT TO SCALE

SCALE 1"=80'

0 80 160 240 320

WATER QUALITY TECHNICAL REPORT

A WQTR REPORT HAS BEEN PREPARED FOR THIS PROJECT BY EXCEL ENGINEERING & THIS DMA/BMP MAP IS MADE PART OF IT.. SAID REPORT IS TITLED "WQTR FOR TENTATIVE PARCEL MAP PC3-182 PROJECT NO. PC3-182" AND IS DATED JANUARY 20, 2011.

RESPONSIBLE PARTY INFORMATION

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BMP CONSTRUCTION NOTES

1. DESIGN & LANDSCAPED SLOPES USING CA BMPs SD-10 & SD-12 GUIDELINES.
2. INSTALL PCC BROWDITCH TO CONVEY RUNOFF SAFELY & PROTECT SLOPES. SEE CA BMP SD-10.
3. INSTALL TYPE F INLETS TO CONVEY RUNOFF FROM SELF TREATING DMAs TO STORM DRAIN SYSTEM .
4. INSTALL RIPRAP TO DISSIPATE RUNOFF ENERGY. SEE CA BMP SD-10.
5. INSTALL TEMPORARY SETTLING BASIN (TEMPORARY UNTIL PAD IS DEVELOPED). SEE CA BMP TC-22.
6. INSTALL LINEAR SWALE CONFIGURED BIORETENTION FACILITY. SEE CA BMP TC-32.
7. INSTALL FOSSIL FUEL FILTER DRAINAGE INSERT. SEE CA BMP MP-52.
8. INSTALL 5' ø DETENTION PIPE TO MEET ON SITE DETENTION REQUIREMENTS.
9. INSTALL STORM DRAIN INLET STENCILING & SIGNAG. SEE CA BMP SD-13.
10. IMPLEMENT GRADING BUFFER ZONE TO PRESERVE EXIST. VEGETATION. SEE CA BMP SD-10.

SELF TREATING DMAs

DMA No.	AREA (SF)
DMA 6	23,296.11
DMA 9	18,858.34
DMA 21	11,770.19
DMA 22	20,597.17
DMA 23	20,000.54
DMA 24	14,146.40
DMA 25	5,001.61
DMA 27	10,025.06

SELF RETAINING DMAs

DMA No.	AREA (SF)
DMA 3	13,476.86
DMA 4	12,325.71
DMA 5	78,009.61
DMA 7	12,158.56
DMA 8	55,783.62
DMA 10	15,055.79
DMA 11	43,956.69
DMA 12	15,503.82
DMA 13	25,113.69
DMA 14	85,657.58
DMA 15	7,698.59
DMA 16	77,112.71
DMA 17	1,687.85
DMA 18	44,142.08
DMA 19	45,361.23

DMAs DRAINING TO IMPs

DMA No.	AREA (SF)	IMP NAME
DMA 20	5,355.49	IMP 01
DMA 26	8,342.27	IMP 01
DMA 28	2,801.84	IMP 01
DMA 1	34,445.06	IMP 01
DMA 2	7,288.12	IMP 01

LID SITE DESIGN BMPs

1. OPTIMIZED THE SITE LAYOUT- THIS PROJECT IS PROPOSING TO DISTURBED 16.417 ACRES OF THE TOTAL PARCEL OF 17.167 ACRES. THIS REPRESENTS A 96% DISTURBANCE. HOWEVER, THE RESULTING IMPERVIOUS AREA IS ONLY 0.845 ACRES WHICH IS JUST 4.92% OF THE SITE. THIS IMPERVIOUS AREA IS MOSTLY JUST IN THE PROPOSED STREET. THE PROJECT THEN AS PROPOSED, THOUGH IT DISTURBED 96% OF THE PARCEL, HAS ONLY A MINIMAL IMPERVIOUS FOOTPRINT. NINETY FIVE PERCENT (95%) OF THE SITE AS PROPOSED IN THIS PROJECT IS PERVIOUS.

2. PERVIOUS SURFACE – AS MENTIONED PREVIOUSLY, THIS PROJECT HAS 95% PERVIOUS SURFACE. THE FUTURE COMMERCIAL/INDUSTRIAL DEVELOPMENT OF THE INDIVIDUAL PADS WILL AT THAT TIME IMPLEMENT LID SITE DESIGN STRATEGIES. THIS WILL INCLUDE USING SURFACES SUCH AS TURF, GRAVEL, PERVIOUS PAVEMENT AND OTHER DEVICES THAT ARE CONSIDERED TO BE "SELF-RETAINED" AND NO FURTHER MANAGEMENT OF RUNOFF IS NECESSARY.

3. DISPERSE RUNOFF – THE PROPOSED GRADED PADS DO NOT HAVE ANY IMPERVIOUS SURFACE AS PRESENTED IN THIS PROJECT. THERE IS NO NEED TO DISPERSE RUNOFF FROM THE PADS. THE PRIVATE STREET PROPOSED IN THIS PROJECT IS DISPERSING RUNOFF TO THE LINEAR SWALE CONFIGURED BIORETENTION FACILITY THAT IS LOCATED AT THE BACK OF THE CONCRETE CUB & GUTTER.

SOURCE COCNTROL BMPs

POTENTIAL SOURCES OF RUNOFF POLLUTANTS	PERMANENT SOURCE CONTROL BMPs	OPERATIONAL SOURCE CONTROL BMPs
1. ON-SITE STORM DRAIN INLETS	MARK INLETS WITH THE WORDS "NO DUMPING!" OR EQUIVALENT.	• MAINTAIN PERIODICALLY REPAINT OR REPLACE INLET MARKINGS • INCLUDE THE FOLLOWING IN LEASE AGREEMENTS: "TENANT SHALL NOT ALLOW ANYONE TO DISCHARGE ANYTHING TO STORM DRAINS". • MAINTAIN LANDSCAPING USING MINIMUM OR NO PESTICIDES. • APPLY BUILDING & GROUNDS MAINTENANCE AS SPECIFIED ON SC-41 CA BMP HANDBOOKS. • IPM INFORMATION WILL BE PROVIDED FOR THE NEW OWNERS, LESSEES AND OPERATORS.
2. LANDSCAPE/OUTDOOR PESTICIDE USE	THE FINAL LANDSCAPE PLANS WILL ACCOMPLISH ALL OF THE FOLLOWING: • DESIGN LANDSCAPING TO MINIMIZE IRRIGATION AND RUNOFF, TO PROMOTE SURFACE INFILTRATION WHERE APPROPRIATE, AND MINIMIZE THE USE OF FERTILIZERS AND PESTICIDES THAT CAN CONTRIBUTE TO STORM WATER POLLUTION. • STORM WATER TREATMENT FACILITIES • CONSIDER USING PEST-RESISTANT PLANTS, ESPECIALLY ADJACENT TO HARDSCAPE. SELECT PLANTS APPROPRIATE TO THE SITE SOILS, SLOPES, CLIMATE, SUN, WIND, RAIN, LAND USE, AIR MOVEMENT, ECOLOGICAL CONSISTENCY, AND PLANT INTERACTIONS.	• MAINTAIN LANDSCAPING USING MINIMUM OR NO PESTICIDES. • APPLY BUILDING & GROUNDS MAINTENANCE AS SPECIFIED ON SC-41 CA BMP HANDBOOKS. • IPM INFORMATION WILL BE PROVIDED FOR THE NEW OWNERS, LESSEES AND OPERATORS.
3. EFFICIENT IRRIGATION	• DESIGN IRRIGATION SYSTEMS TO EACH LANDSCAPE AREA'S SPECIFIC WATER REQUIREMENTS • INCLUDE DESIGN FEATURING FLOW REDUCERS OR SHUTOFF VALVES TRIGGERED BY A PRESSURE DROP TO CONTROL WATER LOSS IN THE EVENT OF BROKEN SPRINKLER HEADS OR LINES • IMPLEMENT LANDSCAPE PLANS CONSISTENT WITH COUNTY OR CITY WATER CONSERVATION RESOLUTIONS, WHICH MAY INCLUDE PROVISION OF WATER SENSORS, PROGRAMMABLE IRRIGATION TIMES, ETC. • DESIGN TIMING AND APPLICATION METHODS OF IRRIGATION WATER TO MINIMIZE THE RUNOFF OF EXCESS IRRIGATION WATER INTO THE STORM WATER DRAINAGE SYSTEM	• EMPLOY RAIN-TRIGGERED SHUTOFF DEVICES TO PREVENT IRRIGATION AFTER PRECIPITATION • GROUP PLANTS WITH SIMILAR WATER REQUIREMENTS IN ORDER TO REDUCE EXCESS IRRIGATION RUNOFF AND PROMOTE SURFACE FILTRATION. CHOOSE PLANTS WITH LOW IRRIGATION REQUIREMENTS (FOR EXAMPLE NATIVE OR DROUGHT TOLERANT SPECIES). CONSIDER DESIGN FEATURES SUCH AS: • INSTALLING APPROPRIATE PLANT MATERIALS FOR THE LOCATION, IN ACCORDANCE WITH AMOUNT OF SUNLIGHT AND CLIMATE, AND USE NATIVE PLANT MATERIALS WHERE POSSIBLE AND/OR AS RECOMMENDED BY THE LANDSCAPE ARCHITECT • LEAVING A VEGETATIVE BARRIER ALONG THE PROPERTY BOUNDARY AND INTERIOR WATERCOURSES, TO ACT AS A POLLUTANT FILTER, WHERE APPROPRIATE AND FEASIBLE

TREATMENT CONTROL BMPs

1. IMP 01 – A LINEAR SWALE CONFIGURED BIORETENTION FACILITY THAT IS LOCATED AT THE BACK OF THE CONCRETE CUB & GUTTER. THE SURFACE CONFIGURATION OF THIS IMP IS 3.5' WIDE X 500' LENGTH. THIS IS A TOTAL SURFACE AREA OF 1,750 SF.

2. SETTLING BASINS – THE PROPOSED HYDRO SEEDED GRADED PADS HAVE NO OR VERY MINIMAL IMPERVOUS SURFACE. THIS INCLUDES THE LANDSCAPE SLOPES THAT ARE CONVEYED TO THE PAD BY BROW DITCHES. THE RUNOFFS FROM THESE AREAS DO NOT NEED TO BE TREATED. HOWEVER, THIS PROJECT IS INSTALLING SETTLING BASINS AT EACH PAD. THESE SETTLING BASINS ARE SIZED ACCORDING TO THE OUTLINE SHOWN ON PAGE 69 OF THE CITY'S MARCH 2010 SUSMP UNDER THE HEADING EXTENDED ("-DRY-") DETENTION BASINS & TC 22 OF THE CALIFORNIA STORMWATER BEST MANAGEMENT PRACTICE HANDBOOK. MINIMUM VOLUME IS SHOWN IN THIS PLAN.

LEGEND

- LANDSCAPED AREAS ON THE SLOPES
- HYDROSEEDED AREAS WITH NON-IRRIGATED MIX
- IMPERVIOUS AREAS
- LINEAR SWALE CONFIGURED BIORETENTION
- 5' ø DETENTION PIPE

RELATIVE EFFECTIVENESS OF TREATMENT FACILITIES

POLLUTANTS OF CONCERN	LINEAR SWALE CONFIGURED BIORETENTION FACILITY	SETTLING BASINS
COURSE SEDIMENT & TRASH	HIGH	HIGH
POLLUTANTS THAT TEND TO ASSOCIATE WITH FINE PARTICLES DURING TREATMENT	HIGH	HIGH
POLLUTANTS THAT TEND TO BE DISSOLVED FOLLOWING TREATMENT	HIGH	HIGH