

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

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

**PROJECT: Water Tank Ravine Burn Dump Restoration Project
Certification Number R9-2014-0003
WDID: 9000002684**

Reg. Meas. ID: 394484 Place ID: 802444 Party ID: 278717 Person ID: 529013
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**APPLICANT: City of Laguna Beach
505 Forest Avenue
Laguna Beach, CA 92651**

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

PROJECT DESCRIPTION

An application dated December 30, 2013 was submitted by City of Laguna Beach (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) for the proposed Water Tank Ravine Burn Dump Restoration Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on June 3, 2014. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2014-00021-JPL).

The Project is located within the City of Laguna Beach, Orange County, California at the southern terminus of Phillips Road. The Project center reading is located at latitude 33.5787 and longitude -117.75862. The Applicant has paid all required fees for this Certification in the amount of \$6,030.00. On January 2, 2014, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Applicant proposes to remediate and restore a burn dump site, pursuant to California Code of Regulations title 27, section 21090(f), by removing potentially toxic refuse deposited in a ravine and portions of the hillside and within a stream bed that traverse the site. The

restoration will remove the refuse and previously permitted shotcrete channel, constructed under Water Quality Certification No. 11C-096, from the site and rehabilitate the streambed and surrounding affected habitat. Based on site investigations, approximately 6,205 cubic yards (CY) of wastes will be removed from the site, approximately 5,970 CY from the primary waste site, approximately 140 CY from the secondary waste site, and approximately 95 CY from the ravine waste area. Wastes will be transported to off-site waste disposal facilities in accordance with applicable federal, State, and local regulation. The remediation work within the ephemeral drainage is approximately 1,000 feet up-gradient of Laguna Canyon Channel. Once removal of the waste is complete, the streambed and surrounding disturbed areas will be restored to approximate pre-burn dump site conditions.

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

Project construction will permanently impact 0.06 acre (402 linear feet) of streambed waters of the United States and/or State. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.06 acre of jurisdictional waters will be achieved through the restoration of 0.06 acres (402 linear feet) of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant on-site in the Laguna Beach hydrologic sub-area (HSA 901.12) at a minimum compensation ratio of 1:1 (area mitigated:area impacted).

Detailed written specifications and work descriptions for the compensatory mitigation project including, but not limited to, the geographic boundaries of the project, timing, sequence, monitoring, maintenance, ecological success performance standards and provisions for management and protection of the mitigation areas are described in the *Water Tank Ravine Burn Site Final Habitat Restoration and Monitoring Plan (Mitigation Plan)*, dated December 2013. San Diego Water Board acceptance of the Mitigation Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Mitigation Plan is incorporated in this Certification by reference as if set forth herein. The Mitigation Plan provides for implementation of compensatory mitigation which offsets adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Mitigation Plan will reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. The Project will result in improvements

to the beneficial uses of waters of the United States and/or State by removing burn waste and restoring a more natural environment within the stream channel. The mitigation site will be self-sustaining at the end of the vegetation establishment period. Compensatory mitigation required under this Certification shall be considered as achieved once it has met the ecological success performance standards contained in section VI of the Mitigation Plan to the satisfaction of the San Diego Water Board. Based on all of these considerations, the Mitigation Plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

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

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

I. STANDARD CONDITIONS

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

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

II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. R9-2014-0003 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 U.S.C. §1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.
- D. **Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality certification are incorporated by reference into this Certification as if fully stated herein.

Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.

- E. Project Conformance with Water Quality Control Plans or Policies.** Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 U.S.C §1313.)
- F. Project Modification.** The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification.
- G. Certification Distribution Posting.** During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.
- H. Inspection and Entry.** The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and
 4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.
- I. Enforcement Notification.** In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For

purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.

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

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

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

- H. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- I. **Process Water.** Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or State or placed in locations that may be subjected to storm water runoff flows. Pollutants discharged to areas within a stream diversion must be removed at the end of each work day or sooner if rain is predicted.
- J. **Surface Water Diversion.** All surface waters, including ponded waters, must be diverted away from areas of active grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of the receiving water quality objectives. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- K. **Re-vegetation and Stabilization.** All areas that have 14 or more days of inactivity must be stabilized within 14 days of the last activity. The Applicant shall implement and maintain BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be re-vegetated with native species appropriate for the area. The re-vegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be accessed at <http://www.cal-ipc.org/paf/>.
- L. **Hazardous Materials.** Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- M. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or through application of United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to minimize adverse effects to beneficial uses of waters of the United States and/or State. Discharges related to the application of aquatic pesticides within waters of the United States must be done in compliance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, the *Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable.

- N. Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. On-site Qualified Biologist.** The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- P. Beneficial Use Protection.** The Applicant must take all necessary measures to protect the beneficial uses of waters of the tributary to Laguna Canyon Channel. This Certification requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to surface waters (including rivers or streams) occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification. Associated Project activities may not resume without approval from the San Diego Water Board.

IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to onsite or off-site erosion or damage to properties or stream habitats.

V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.
- B. Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to the tributary to Laguna Canyon Channel within the San Juan Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
Permanent Impacts						
Streambed	0.06	402	0.06 Re- establishment ¹	1:1	402 Re- establishment ¹	1:1

1. Re-establishment of on-site streambed to approximate pre-burn dump site conditions.

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

D. Performance Standards. Compensatory mitigation required under this Certification shall be considered as achieved once it has met the ecological success performance standards contained in section VI of the Mitigation Plan to the satisfaction of the San Diego Water Board.

E. Compensatory Mitigation Site Design. The compensatory mitigation site(s) shall be designed, to the maximum extent practicable, to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features (e.g., pumps) and appropriate siting to ensure that natural hydrology and landscape context support long-term sustainability in conformance with the following conditions:

1. Most of the channels through the mitigation sites shall be characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
2. As viewed along cross-sections, the channel and buffer area(s) shall have a variety of slopes, or elevations, that are characterized by different moisture gradients. Each sub-slope shall contain physical patch types or features that contribute to irregularity in height, edges, or surface and to complex topography overall; and
3. The mitigation sites shall have a well-developed plant community characterized by a high degree of horizontal and vertical interspersions among plant zones and layers.

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

- G. Mitigation Management and Maintenance.** The compensatory mitigation site(s), must be managed and maintained in conformance with the Mitigation Plan and the final ecological success performance standards identified in the Mitigation Plan. The mitigation area must be monitored and maintained for a minimum of five years.

Maintenance activities that may threaten water quality or beneficial uses within the mitigation area must be consistent with the following requirements:

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

- H. Timing of Mitigation Site Construction.** The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the start of Project construction. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10% of the cumulative compensatory mitigation for each month of delay.

VI. MONITORING AND REPORTING REQUIREMENTS

- A. Representative Monitoring.** Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. Monitoring Reports.** Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.

- C. Monitoring and Reporting Revisions.** The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. Records of Monitoring Information.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
 2. The individual(s) who performed the sampling or measurements;
 3. The date(s) analyses were performed;
 4. The individual(s) who performed the analyses;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.
- E. California Rapid Assessment Method.** California Rapid Assessment Method (CRAM) ¹ monitoring must be performed to assess the current and potential ecological conditions (ecological integrity) of the impact site and proposed compensatory mitigation site(s). These conditions reflect the overall level of ecological function of an aquatic resource. Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implement California Rapid Assessment Method (CRAM) monitoring. The Applicant must conduct a quantitative function-based assessment of the health of streambed habitat to establish pre-project baseline conditions, set CRAM success criteria, and assess the mitigation site(s) progress towards meeting the success criteria. CRAM monitoring must be conducted prior to the start of Project construction authorized under this Certification and annually following construction completion for a period of 5 years. The annual CRAM monitoring results shall be submitted with the Annual Compensatory Mitigation Monitoring Report. An evaluation, interpretation, and tabulation of all CRAM assessment data shall be submitted with the Annual Compensatory Mitigation Monitoring Report.
- F. Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. The report must include the following information:
1. The names, qualifications, and affiliations of the persons contributing to the report;
 2. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management

¹ The most recent versions of the California Rapid Assessment Method (CRAM) for Wetlands and additional information regarding CRAM can be accessed at <http://www.cramwetlands.org/>

practices project features for erosion and storm water quality treatment;

3. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
4. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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

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

H. Annual Compensatory Mitigation Monitoring Report. The Applicant must submit compensatory mitigation monitoring reports, annually, by **March 1** of each year containing sufficient information to demonstrate how the compensatory mitigation project is progressing towards accomplishing its objectives and meeting its performance standards. Mitigation monitoring reports must be submitted annually for a period of not less than five years, sufficient to demonstrate that the compensatory mitigation project has accomplished its objectives and met ecological success performance standards contained in the Mitigation Plan. Following Project implementation the San Diego Water Board may reduce or waive compensatory mitigation monitoring requirements upon a determination that performance standards have been achieved. Conversely the San Diego Water Board may extend the monitoring period beyond five years upon a determination that the performance standards have not been met or the compensatory mitigation project is not on track to meet them.

The monitoring reports must include, but not be limited to, the following information:

6. Names, qualifications, and affiliations of the persons contributing to the report;
 7. An evaluation, interpretation, and tabulation of the parameters being monitored, including the results of the Mitigation Plan monitoring program, and all quantitative and qualitative data collected in the field;
 8. A description of the following mitigation site(s) characteristics:
 - a. Detritus cover;
 - b. General topographic complexity;
 - c. General upstream and downstream habitat and hydrologic connectivity; and
 - d. Source of hydrology
 9. Monitoring data interpretations and conclusions as to how the compensatory mitigation project(s) is progressing towards meeting performance standards and whether the performance standards have been met;
 5. Qualitative and quantitative comparisons of current mitigation conditions with pre-construction conditions and previous mitigation monitoring results;
 6. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after mitigation site construction. Photo documentation must be conducted in accordance with guidelines posted at http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced;
 7. A qualitative comparison to adjacent preserved streambed areas;
 8. The results of the California Rapid Assessment Method (CRAM) monitoring required under section VI.E of this Certification.
 9. As-built drawings of the compensatory mitigation project site(s), no bigger than 11"X17"; and
 10. A survey report documenting boundaries of the compensatory mitigation site(s).
- I. **Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.
- J. **Electronic and Paper Media Documents.** The Applicant must submit all reports and information required under this Certification in both hardcopy (paper) 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. All paper and electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2014-0003;PIN 802444.

K. Document Signatory Requirements. All applications, reports, or information submitted to the San Diego Water Board must be signed as follows:

1. For a corporation, by a responsible corporate officer of at least the level of vice president.
2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
3. For a municipality, or a State, federal, or other public agency, by either a principal executive officer or ranking elected official.
4. A duly authorized representative may sign applications, reports, or information if:
 - a. The authorization is made in writing by a person described above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c. The written authorization is submitted to the San Diego Water Board Executive Officer.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

L. Document Certification Requirements. All applications, reports, or information submitted to the San Diego Water Board must be certified as follows:

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

- M. Document Submittal Address.** 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 No. R9-2014-0003:PIN 802444
2375 Northside Drive, Suite 100
San Diego, California 92108

VII. NOTIFICATION REQUIREMENTS

- A. Twenty Four Hour Non-Compliance Reporting.** The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- B. Hazardous Substance Discharge.** Except for a discharge which is in compliance with this Certification, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of Orange, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. Oil or Petroleum Product Discharge.** Except for a discharge which is in compliance with this Certification, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code

title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.

- D. **Anticipated Noncompliance.** The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- E. **Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
1. **Transfer of Property Ownership:** The Applicant must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board **within 10 days of the transfer of ownership.**
 2. **Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**
 3. **Transfer of Post-Construction BMP Maintenance Responsibility:** The Applicant assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the Applicant must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Applicant must provide such notification to the San Diego Water Board **within 10 days of the transfer of BMP maintenance responsibility.**

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

- F. **Discharge Commencement.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior** to the start of Project construction.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of Laguna Beach is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated May 22, 2014 for the Final Environmental Impact Report (FEIR) titled *Laguna Canyon Water Tank Burn Site Remediation and Restoration Project* (State Clearing House Number 2013091032). The Lead Agency has determined the Project will have a significant effect on the environment and mitigation measures were made a condition of the Project.
- B. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's FEIR and finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- C. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.
- D. The Lead Agency has adopted a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the FEIR are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 5 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FEIR, as it pertains to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMRP requirements as specified in section VI of this Certification.
- E. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

IX. SAN DIEGO WATER BOARD CONTACT PERSON


Darren Bradford, Environmental Scientist
California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, California 92108
Telephone: (619) 521-3356
Email: darren.bradford@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

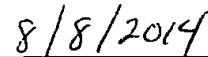
I hereby certify that the proposed discharge from the **Water Tank Ravine Burn Dump Restoration Project** (Certification No. R9-2014-0003) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited to, and all proposed mitigation being completed in strict compliance with, the applicants' Project description and/or the description in this Certification, and (b) compliance with all applicable requirements of the Basin Plan.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. R9-2014-0003 issued on August 8, 2014.



for _____
DAVID W. GIBSON
Executive Officer
San Diego Water Board



Date

ATTACHMENT 1

DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

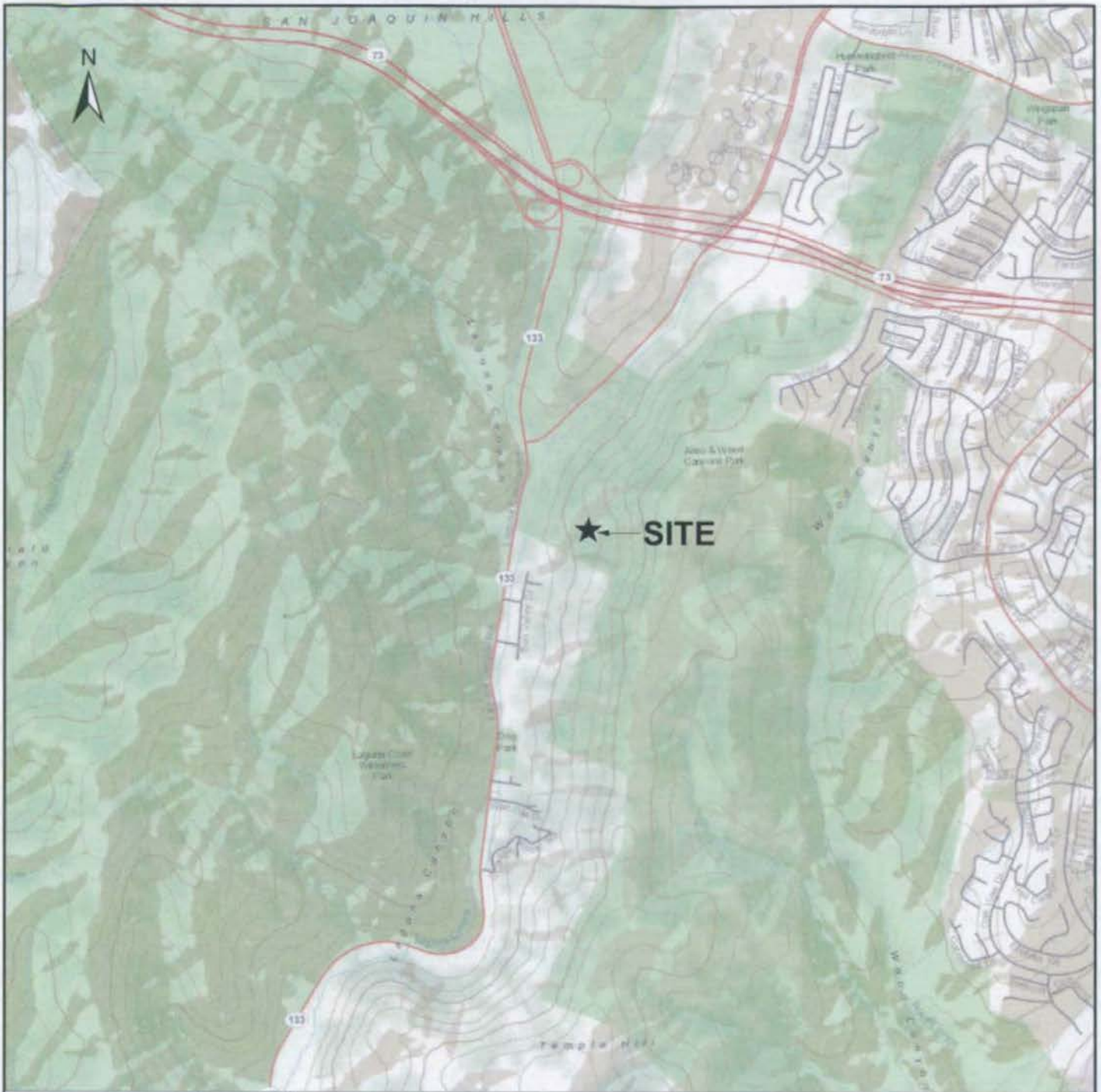
City of Laguna Beach
Water Tank Ravine Burn Dump Restoration Project
Certification No. R9-2014-0003

**ATTACHMENT 2
PROJECT LOCATION MAPS**

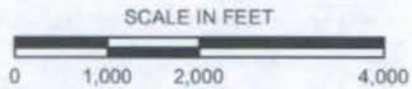
Historical Topographic Map



<p>N ↑</p>	<p>TARGET QUAD NAME: CORONA MAP YEAR: 1902</p>	<p>SITE NAME: Dewitt Parcel ADDRESS: 20300 Laguna Canyon Road Laguna Beach, CA 92651 LAT/LONG: 33.5794 / -117.759</p>	<p>CLIENT: Pacific Edge Engineering Inc. CONTACT: Craig Stolz INQUIRY#: 3018290.4 RESEARCH DATE: 03/21/2011</p>
	<p>SERIES: 30 SCALE: 1:125000</p>		



SOURCE: ESRI WORLD TOPO, 2012 - SOURCES: USGS, FAO, NPS, EPA, ESRI, DELORME, TANA, OTHER SUPPLIERS.



NOTE: DIRECTIONS, DIMENSIONS AND LOCATIONS ARE APPROXIMATE

Ninyo & Moore

SITE LOCATION

FIGURE

PROJECT NO.

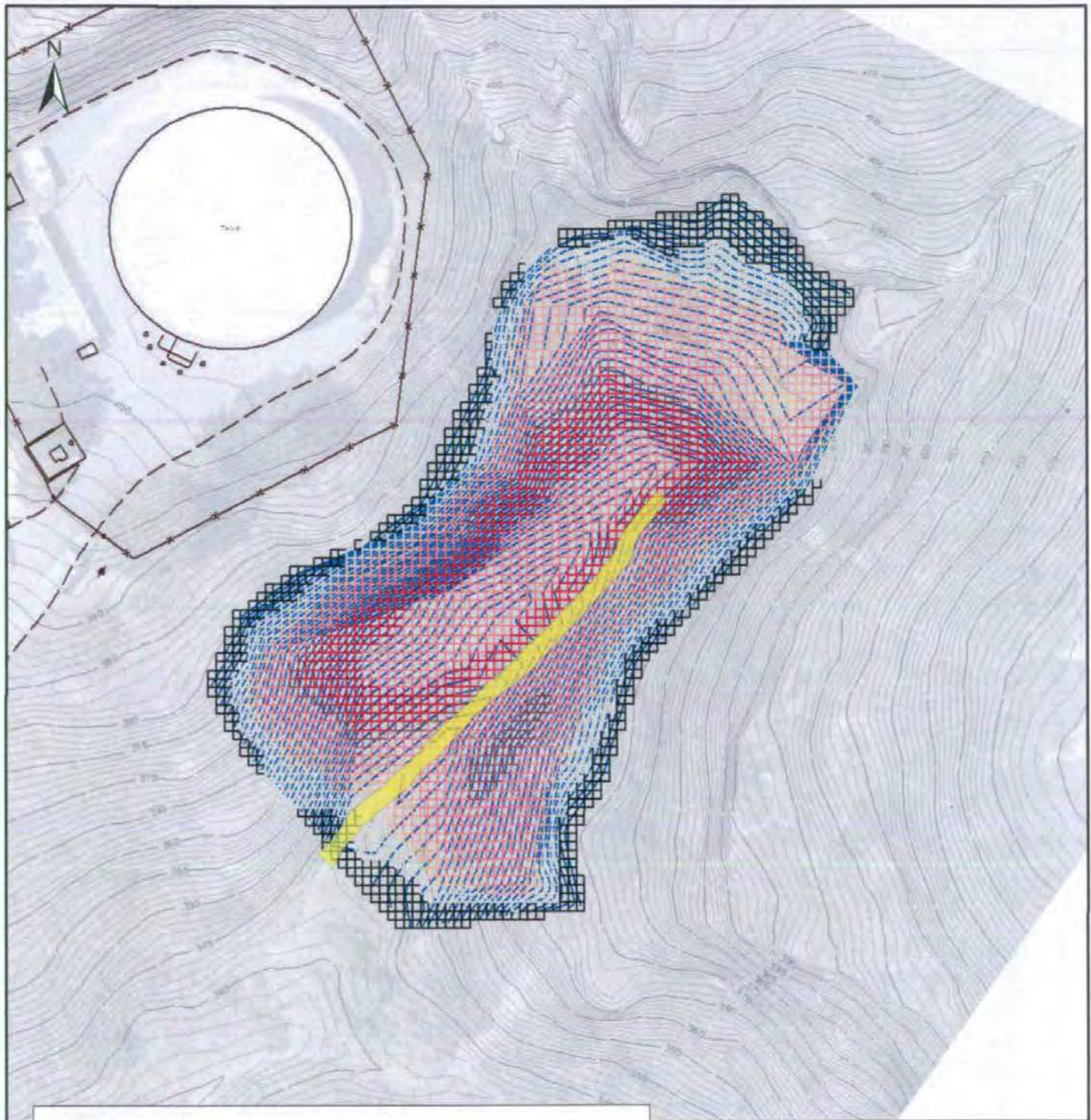
DATE

WATER TANK RAVINE BURN DUMP
LAGUNA BEACH, CALIFORNIA



208713002

1/13

1



LEGEND

-  BURNED WASTE EXTENT (PACIFIC EDGE ENGINEERING, INC., 2011)
-  INTERIM STABILIZATION PROJECT (ISP) / SHOTCRETE CHANNEL

SOURCE: KDM MERIDIAN, DATED 05/25/11.

SCALE IN FEET



NOTE: DIRECTIONS, DIMENSIONS AND LOCATIONS ARE APPROXIMATE.

Ninyo & Moore

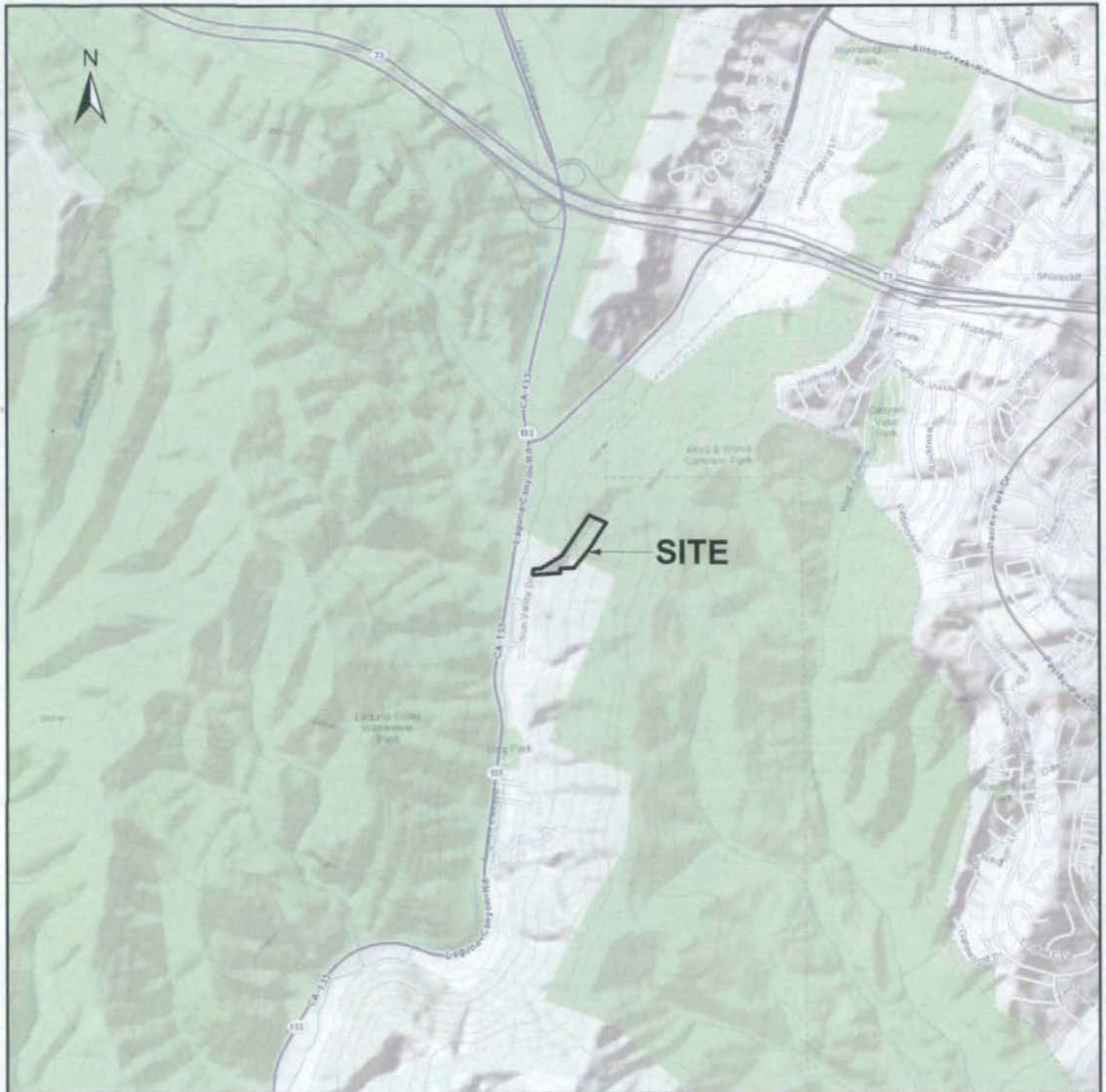
SITE PLAN

FIGURE

PROJECT NO.	DATE
208713002	1/13

WATER TANK RAVINE BURN DUMP
LAGUNA BEACH, CALIFORNIA

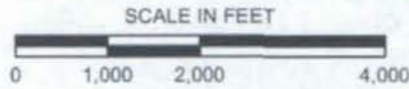
2



SOURCES: ESRI, DELORME, NAVTEQ, TOMTOM, INTERMAP, INCREMENT P CORP., GEBCO, USGS, FAO, NPS, NRCAN, GEOBASE, IGN, KADASTER NL, ORDNANCE SURVEY, ESRI JAPAN, METI, ESRI CHINA (HONG KONG), SWISSTOPO, AND THE GIS USER COMMUNITY



MAP INDEX



NOTE: DIRECTIONS, DIMENSIONS AND LOCATIONS ARE APPROXIMATE

Ninyo & Moore

SITE LOCATION

FIGURE

PROJECT NO.

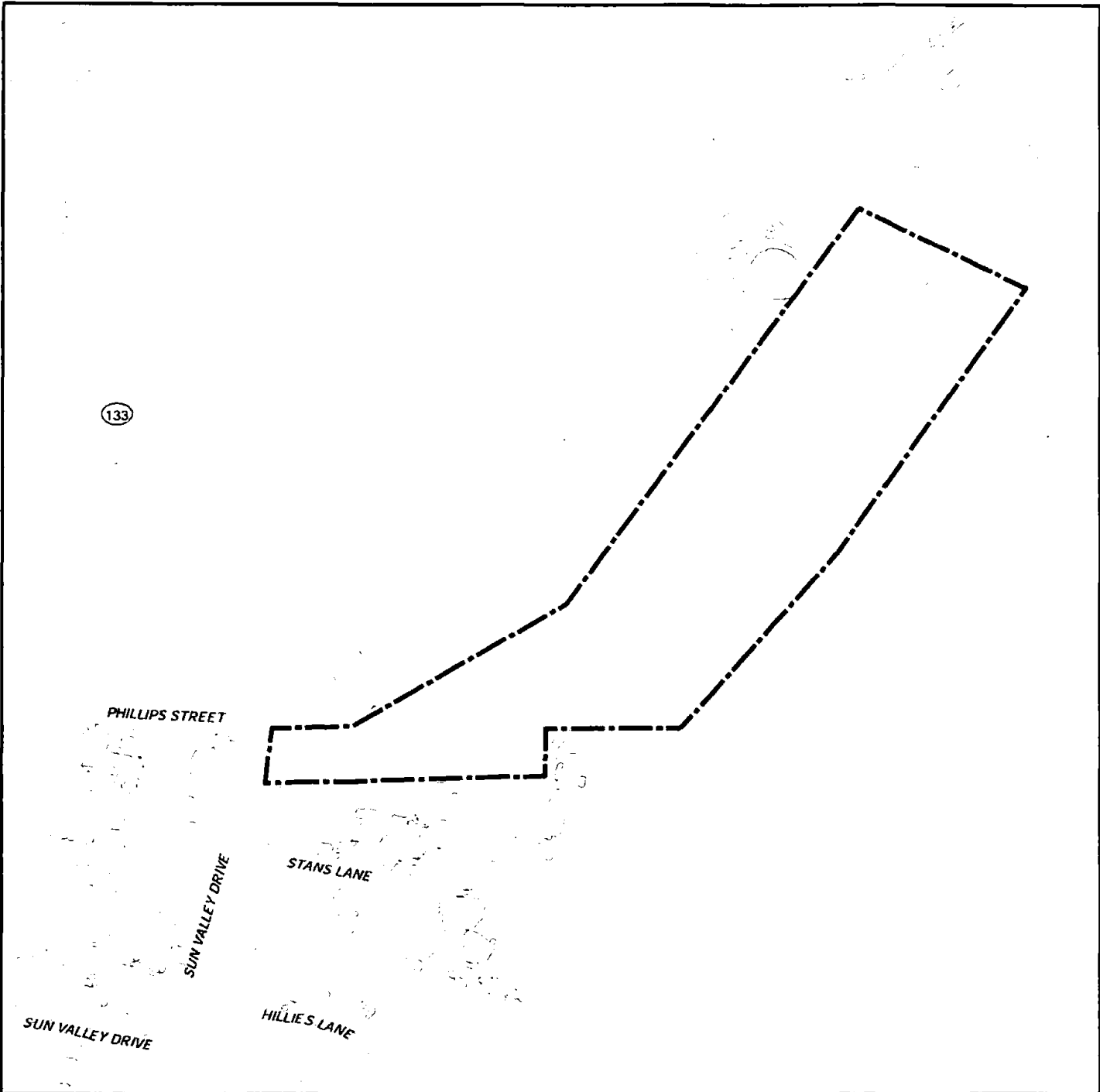
DATE

WATER TANK RAVINE BURN SITE
LAGUNA BEACH, CALIFORNIA

208713001

10/13

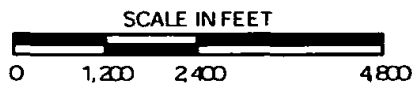
1



SOURCE: AERIAL IMAGERY - GOOGLE EARTH, 2012

LEGEND

 SITE BOUNDARY



NOTE: DIRECTIONS, DIMENSIONS AND LOCATIONS ARE APPROXIMATE

Ninyo & Moore

SITE AND VICINITY

FIGURE

PROJECT NO.

DATE

WATER TANK RAVINE BURN SITE
LAGUNA BEACH, CALIFORNIA

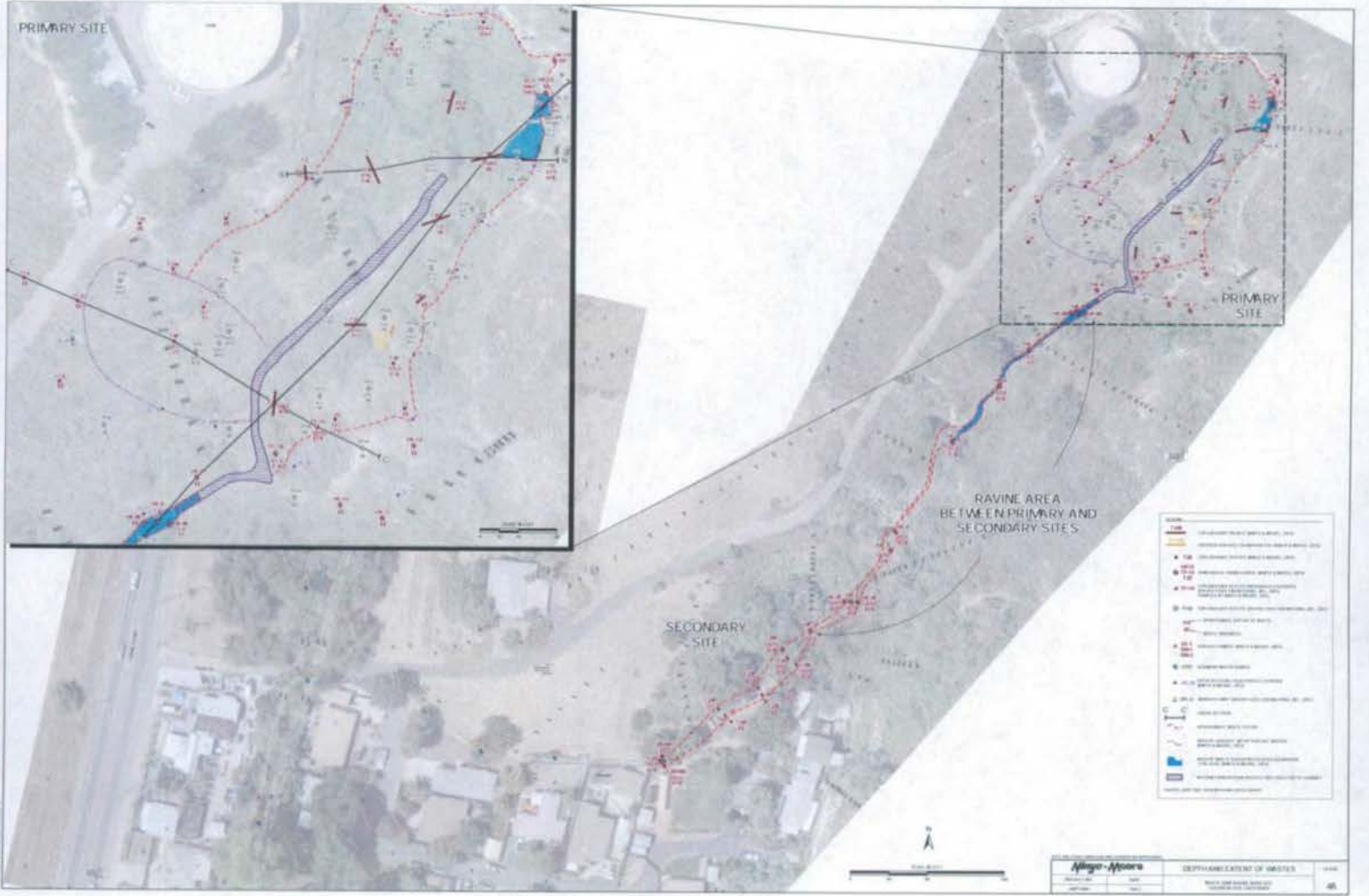
2

208713001

10/13

City of Laguna Beach
Water Tank Ravine Burn Dump Restoration Project
Certification No. R9-2014-0003

**ATTACHMENT 3
PROJECT SITE PLANS**



PRIMARY SITE

PRIMARY SITE

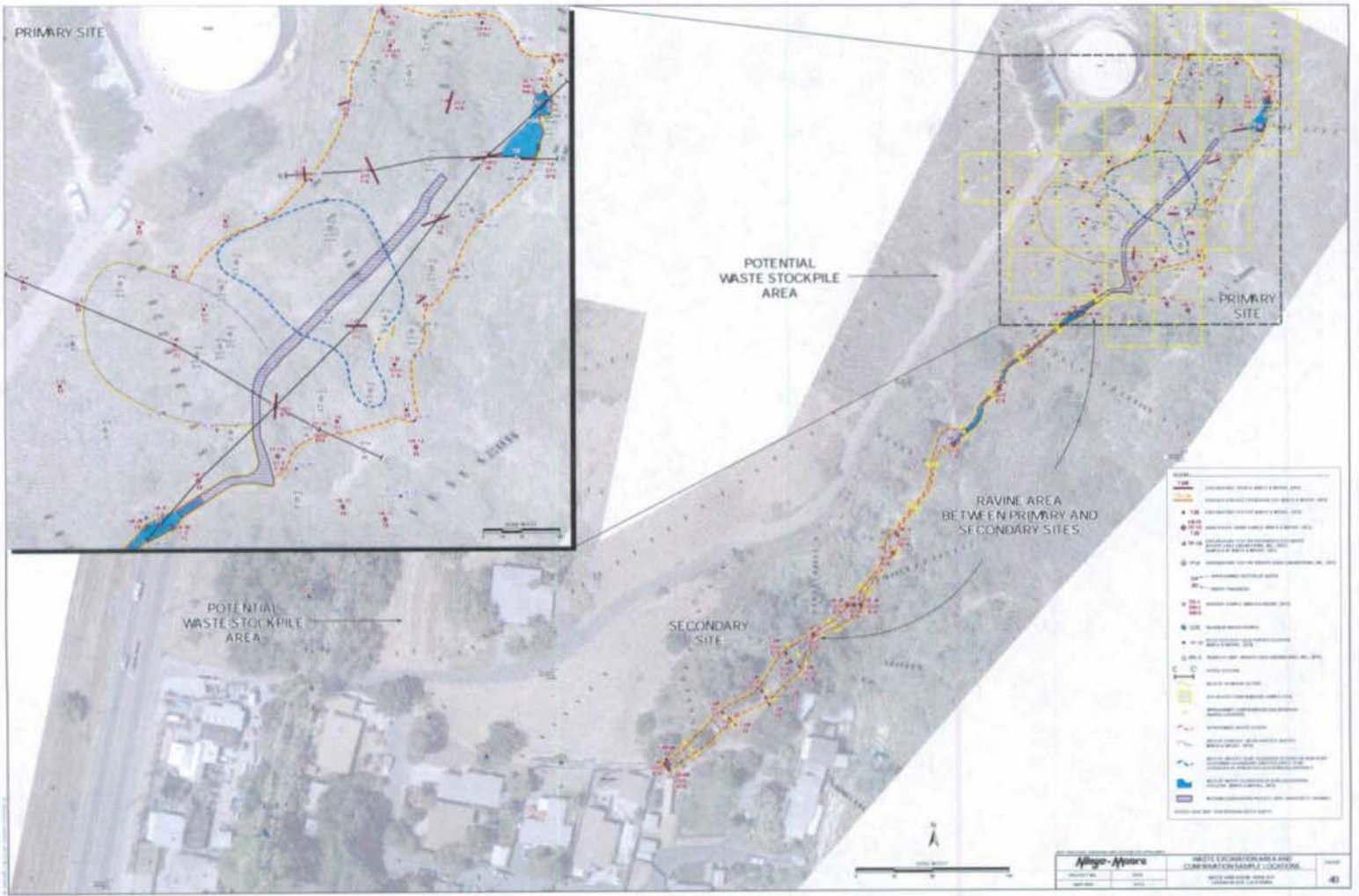
SECONDARY SITE

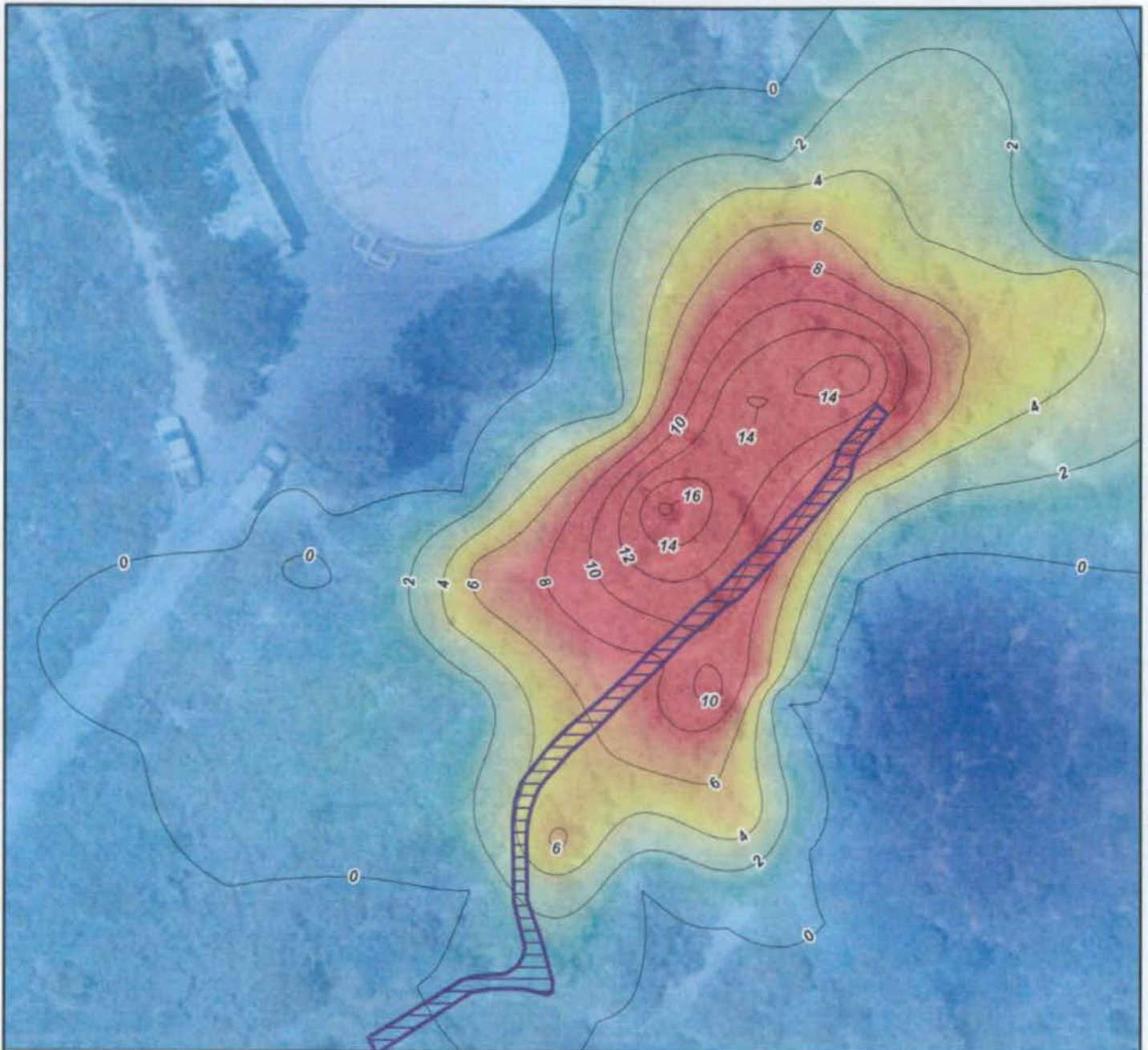
RAVINE AREA BETWEEN PRIMARY AND SECONDARY SITES

Symbol	Description
[Red dashed line with arrows]	Flow Path
[Blue line]	Water Body / Pipeline
[Red dots]	Structure Locations
[Black lines]	Property Boundaries
[Grey shaded area]	Existing Infrastructure
[Green shaded area]	Proposed Infrastructure
[Yellow shaded area]	Other Infrastructure
[Red 'X' marks]	Structure Foundations
[Red 'T' marks]	Structure Foundations
[Red 'L' marks]	Structure Foundations
[Red 'C' marks]	Structure Foundations
[Red 'S' marks]	Structure Foundations
[Red 'M' marks]	Structure Foundations
[Red 'D' marks]	Structure Foundations
[Red 'N' marks]	Structure Foundations
[Red 'H' marks]	Structure Foundations
[Red 'K' marks]	Structure Foundations
[Red 'J' marks]	Structure Foundations
[Red 'I' marks]	Structure Foundations
[Red 'O' marks]	Structure Foundations
[Red 'P' marks]	Structure Foundations
[Red 'Q' marks]	Structure Foundations
[Red 'R' marks]	Structure Foundations
[Red 'S' marks]	Structure Foundations
[Red 'T' marks]	Structure Foundations
[Red 'U' marks]	Structure Foundations
[Red 'V' marks]	Structure Foundations
[Red 'W' marks]	Structure Foundations
[Red 'X' marks]	Structure Foundations
[Red 'Y' marks]	Structure Foundations
[Red 'Z' marks]	Structure Foundations




Alinga-Myers	DEPARTMENT OF WATER	11/14
Project No.	Project Name	Project Location
Scale	Date	Author
Revision	Checked	Approved





SOURCE: BASE MAP - KDMMERIDIAN, DATED 05/25/11.

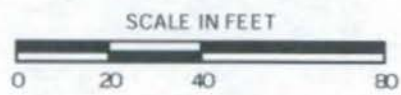
LEGEND

 INTERIM STABILIZATION PROJECT (ISP) / SHOTCRETE CHANNEL

 WASTE THICKNESS CONTOUR

WASTE THICKNESS (FEET)

 16+
0



NOTE: DIRECTIONS, DIMENSIONS AND LOCATIONS ARE APPROXIMATE.

Ninyo & Moore

PRIMARY SITE - WASTE THICKNESS

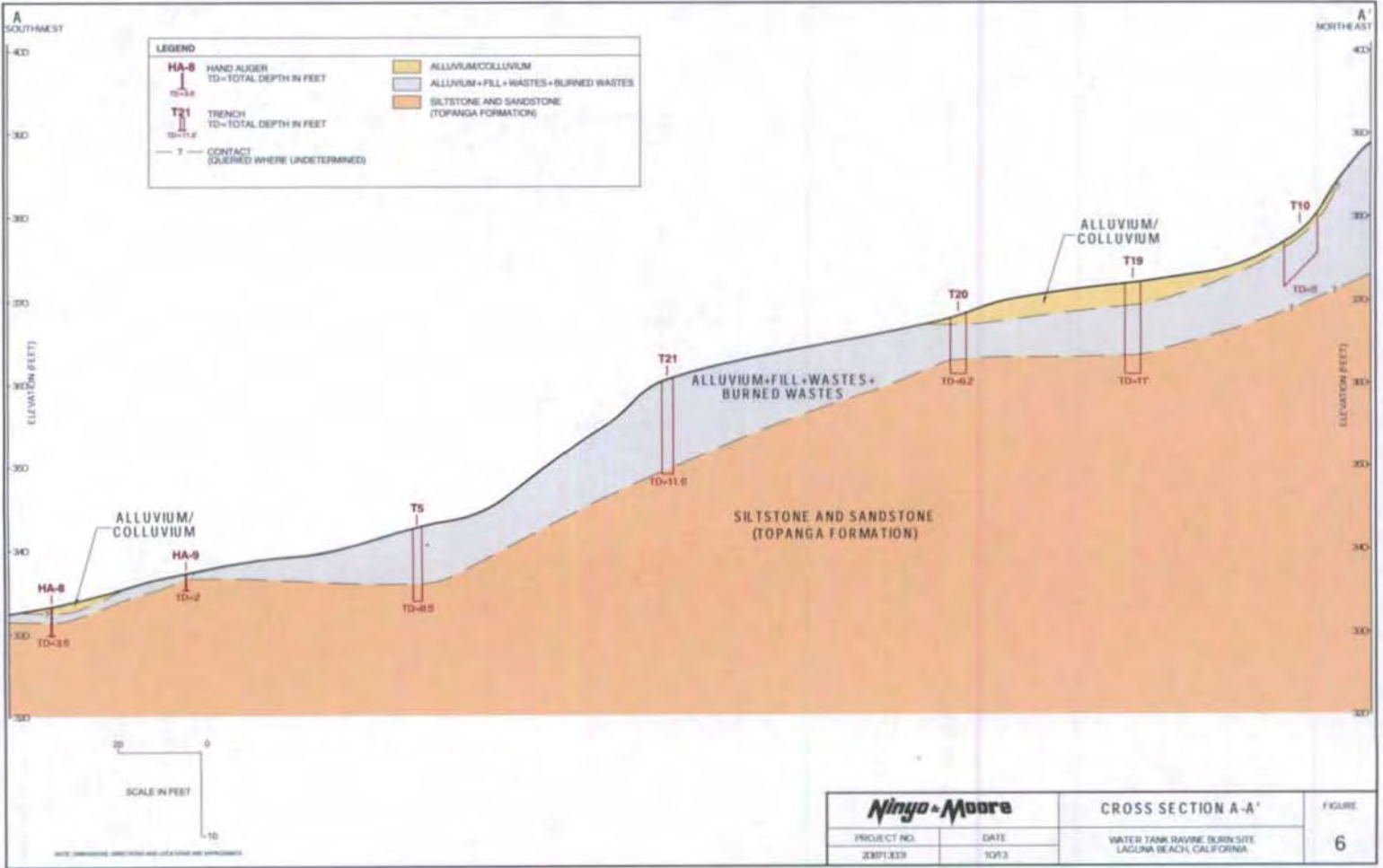
FIGURE

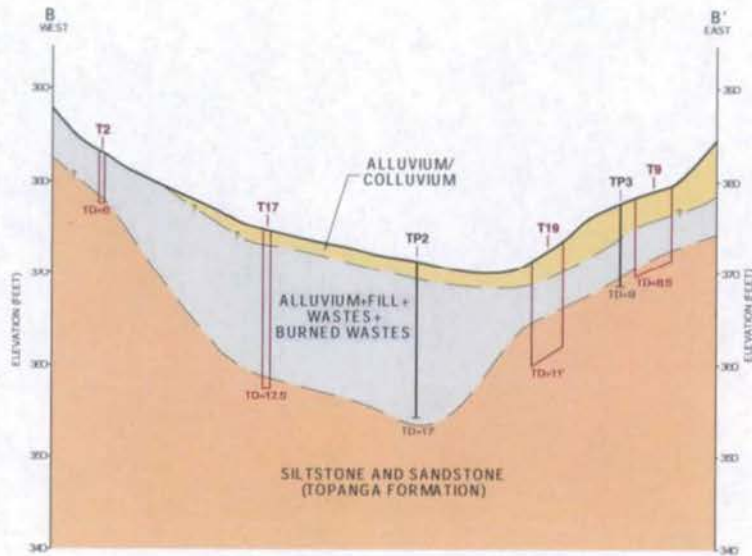
PROJECT NO.	DATE
208713001	10/13

WATER TANK RAVINE BURN SITE
LAGUNA BEACH, CALIFORNIA

5

E:\208713001\WT.mxd 10/26/2013 5:50:21 PM JDL

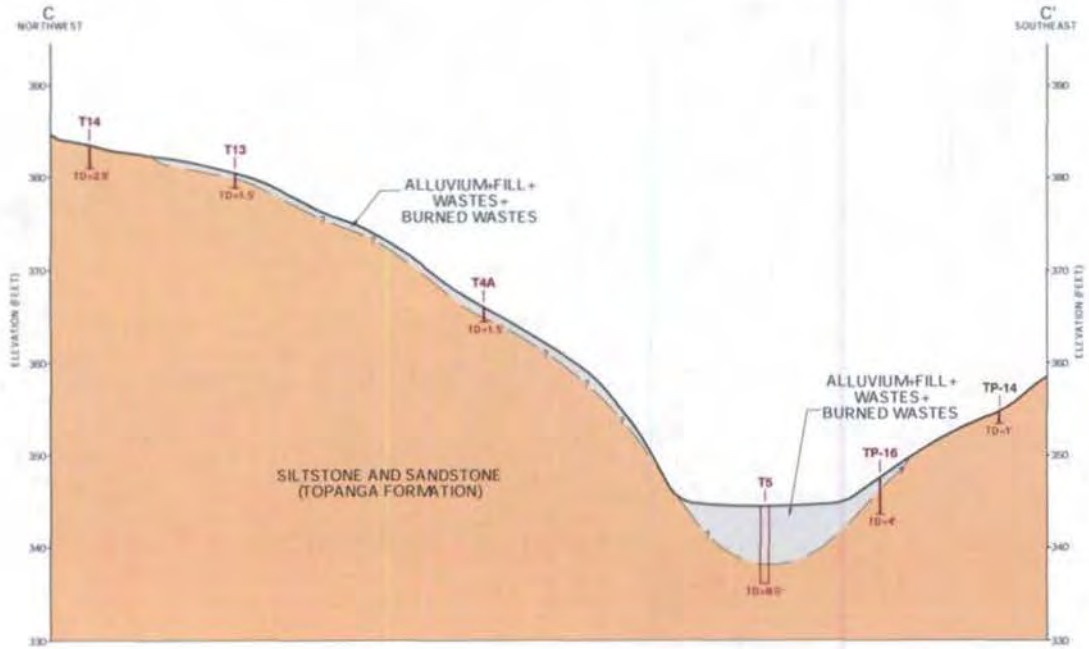




LEGEND	
T19 ↓ TD=11'	TRENCH TD=TOTAL DEPTH IN FEET
TP3 ↓ TD=9'	TEST PIT (PACIFIC EDGE ENGINEERS, INC. 2011) TD=TOTAL DEPTH IN FEET
---	CONTACT (DOTTED WHERE UNDETERMINED)
	ALLUVIUM/COLLUVIUM
	ALLUVIUM+FILL+WASTES+BURNED WASTES
	SILTSTONE AND SANDSTONE (TOPANGA FORMATION)



Ningo-Moore		CROSS SECTION B-B'	FIGURE 7
PROJECT NO. 20071003	DATE 10/13		
		WATER TANK RAVINE BURN SITE LAGUNA BEACH, CALIFORNIA	



LEGEND	
T14	TRENCH TD=TOTAL DEPTH IN FEET
TP-16	TEST PIT (PACIFIC EDGE ENGINEERS, INC. 2011) SAMPLED BY NAYO & MOORE, 2013 TD=TOTAL DEPTH IN FEET
TP-14	TEST PIT (PACIFIC EDGE ENGINEERS, INC. 2011) TD=TOTAL DEPTH IN FEET
	CONTACT (DOTTED WHERE UNDETERMINED)
	ALLUVIUM+FILL+WASTES+BURNED WASTES
	SILTSTONE AND SANDSTONE (TOPANGA FORMATION)

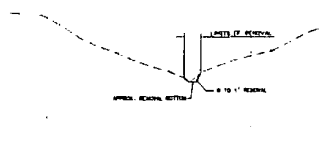


		CROSS SECTION C-C' WATER TANK RAVINE BURN SITE LAGUNA BEACH, CALIFORNIA	FIGURE
			8
PROJECT NO.	DATE		
200713001	10/13		

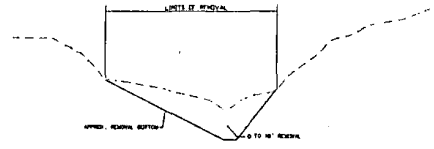
8/20/13 10:11 AM
 DATE, DESCRIPTION, LOCATION AND APPROVED AND APPROVED BY

City of Laguna Beach
Water Tank Ravine Burn Dump Restoration Project
Certification No. R9-2014-0003

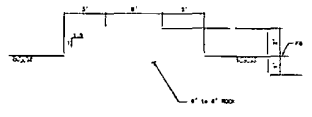
**ATTACHMENT 4
MITIGATION FIGURES**



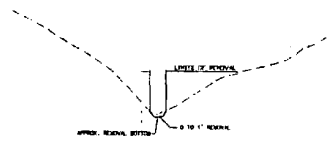
SECTION 1
SCALE: 1"=20'



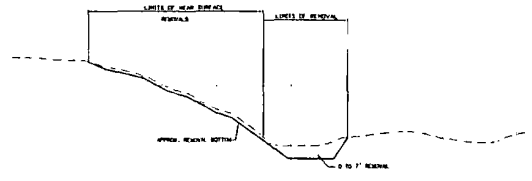
SECTION 5
SCALE: 1"=20'



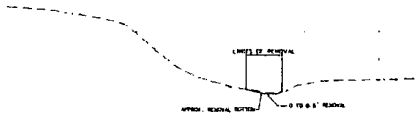
NATURAL ROCK STRUCTURE
NOT TO SCALE



SECTION 2
SCALE: 1"=20'



SECTION 4
SCALE: 1"=20'



SECTION 3
SCALE: 1"=20'

SEE EROSION AND SEDIMENT CONTROL PLAN FOR TEMPORARY EROSION CONTROL DEVICES

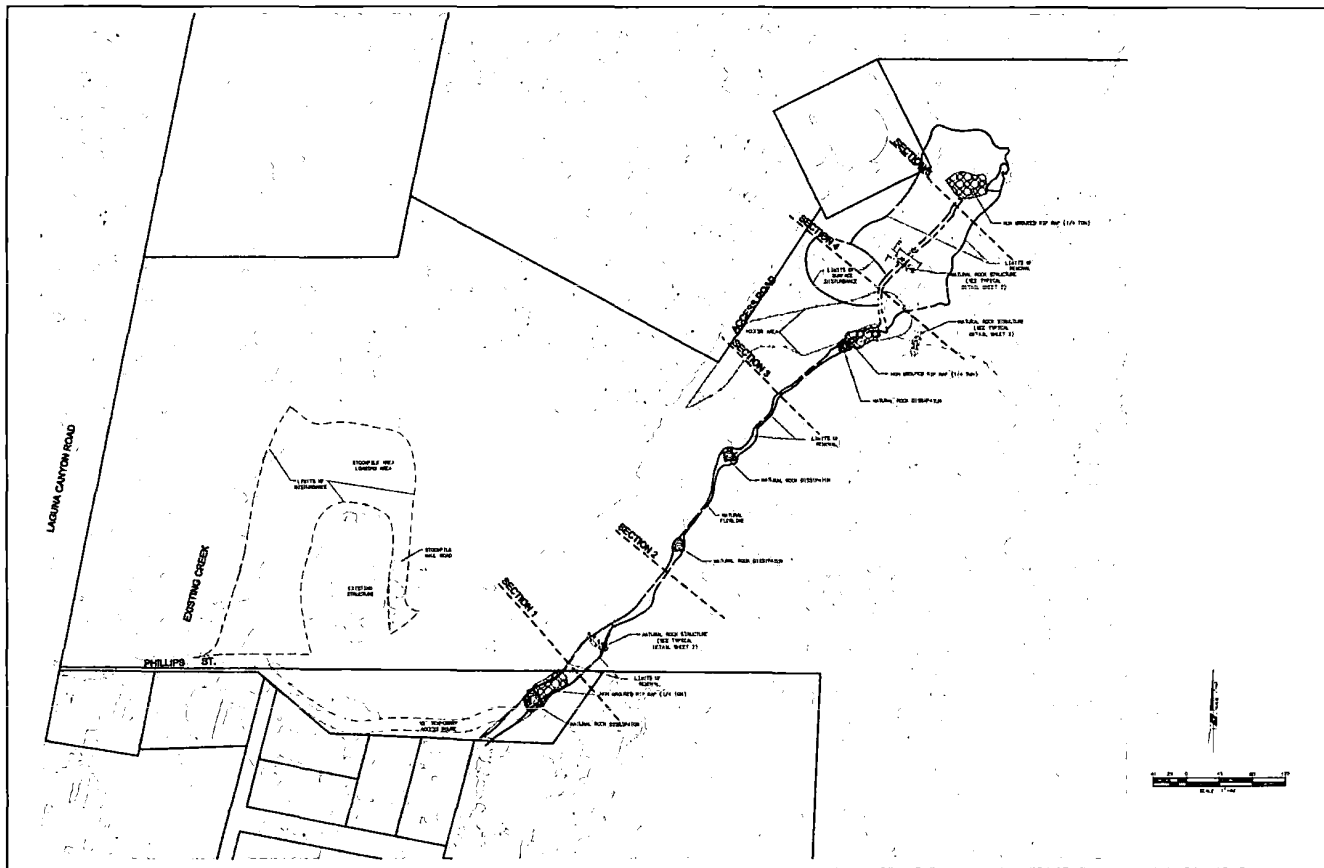
SPECIAL NOTE:
LOW TREES AND SENSITIVE HABITAT TO BE IDENTIFIED WITHIN THE PROJECT SITE AND PROTECTED IN PLACE DURING CONSTRUCTION.

PREPARED BY RBF REGISTERED PROFESSIONAL ENGINEER CIVIL ENGINEERING	PROJECT NO. 15-00000-01 SHEET NO. 2 OF 2

PHILIPS CANYON BURN SITE
**CONCEPTUAL GRADING AND
 DRAINAGE X-SECTION AND DETAILS**
CITY OF LAGUNA BEACH
 COMMUNITY DEVELOPMENT DEPARTMENT

PLOT DATE: 2.20.14
Figure 1.1
 SHEET 2 OF 2

4-10-11-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000



SEE EROSION AND SEDIMENT CONTROL PLAN FOR TEMPORARY EROSION CONTROL DEVICES
 SEE SHEET 2 OF 2 FOR CROSS SECTIONS AND DETAILS

SPECIAL NOTE:
 OWNERS AND DESIGNER HEREBY TO BE
 ADVISED AND ADVISED THAT THE PROJECT SITE HAS
 PROTECTED IN PLACE DURING CONSTRUCTION.

	PHILLIPS CANYON BLVD CONCEPTUAL GRADING AND DRAINAGE EXHIBIT	Figure 1.1
	CITY OF LAGUNA BEACH COMMUNITY DEVELOPMENT DEPARTMENT	SHEET 11 OF 21

DATE: 11/15/2023
 TIME: 10:00 AM
 DRAWN BY: J. CARROLL
 CHECKED BY: J. CARROLL
 PROJECT NO.: 2023-0001

City of Laguna Beach
Water Tank Ravine Burn Dump Restoration Project
Certification No. R9-2014-0003

ATTACHMENT 5
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

**Mitigation Monitoring and Reporting Program
Laguna Beach Water Tank Burn Site Remediation and Restoration Project
Laguna Beach, CA**

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
Air Quality				
SC 4.1-1	Adherence to SCAQMD Rule 402, which prohibits air contaminants or other materials that cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause injury or damage to business or property to be emitted within the SoCAB.	Monitoring	During Pre-Remediation and Remediation	Air Quality Emissions Evaluator Public Works Director Construction Manager
SC 4.1-2	Adherence to SCAQMD Rule 403, which sets requirements for dust control associated with grading and construction activities.	Monitoring	During Pre-remediation and Remediation	Air Quality Emissions Evaluator Public Works Director Construction Manager
SC 4.1-3	Adherence to SCAQMD Rules 431.1 and 431.2, which require the use of low sulfur fuel for stationary construction equipment.	Monitoring	During Pre-remediation and Remediation	Air Quality Emissions Evaluator Public Works Director Construction Manager City Engineer
MM 4.1-1	The stockpile area, including dirt roads associated with the stockpile, shall be watered no less than three times per day when in use. This will reduce the PM _{2.5} emissions to 1.1 and 0.7 pounds/day, respectively, which are below LST thresholds of 25 pounds/day for PM ₁₀ and 8 pounds/day for PM _{2.5} .	Monitoring	During Remediation	Project Contractor Construction Manager Public Works Director
Biological Resources				
SC 4.2-1	No vegetation removal shall occur between February 15 and August 31 unless a qualified biologist surveys the Project's impact area prior to disturbance to confirm the absence of active nests. If an active nest is discovered, vegetation removal within a particular buffer surrounding the nest shall be prohibited until nesting is complete; the buffer distance shall be determined by the biologist (in consultation with either the CDFW or USFWS, if applicable) and in consideration of species sensitivity and existing nest site conditions. Limits of avoidance, which can be up to 300 feet for nesting raptors, shall be demarcated with flagging or fencing. The Biologist shall record the results of the recommended protective measures described above and shall submit a memo summarizing any nest avoidance measures to the City to document compliance with applicable State and federal laws pertaining to the protection of native birds, including nesting raptors.	Monitoring and Recordation	During Pre-remediation and/or Remediation	Project Biologist Construction Manager Community Development Director
MM 4.2-1a	Immediately following completion of the Remediation phase, the City of Laguna Beach shall restore/revegetate 0.20 acre of coastal sage scrub habitat in place. An additional equal amount (0.20	Monitoring	Following Completion and Approval of Remediation	Project Biologist Community Development Director

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	fencing or other clearly visible, appropriate markers. No construction access, parking, or storage of equipment shall be permitted within the marked areas.			
MM 4.2-2	<p>Should construction activities occur within the least Bell's vireo breeding season, (March 15 through September 15) preconstruction surveys for least Bell's vireo will be conducted within the stretch of Laguna Creek immediately adjacent to the APE, including all areas of suitable habitat within 500 feet of the Project site. If least Bell's vireo are detected in the adjacent habitat USFWS and CDFW will be notified and avoidance measures developed in consultation with the agencies will be implemented to ensure that potential impacts to the species would be less than significant. Avoidance shall include but not be limited to:</p> <ol style="list-style-type: none"> 1. Establishment of an appropriate buffer from active nests, to be determined by the Project biologist. 2. Application of noise attenuating structures, such as plywood walls, hay bales, etc. 3. Weekly monitoring by a qualified biologist. 	Survey	Prior to Initiation of Site Remediation	<p>Project Biologist Community Development Director USFWS CDFW</p>
MM 4.2-3a	<p>Impacts on Corps and CDFW jurisdiction from hazardous waste removal will be mitigated in place through the restoration of appropriate habitats that include restoration of 0.20 acre of native scrub and woodland and approximately 0.30 acre of enhancement through removal of non-native species in or adjacent to the ephemeral drainage as illustrated on Exhibit 4.2-7 in the EIR. The City shall be required to plan, implement, monitor, and maintain a Habitat Mitigation and Monitoring Program (HMMP) for the Project (refer to Appendix G in the EIR). Prior to issuance of the first permit which would allow for site disturbance (e.g., grading permit), a detailed HMMP shall be prepared by a qualified biologist for approval by the Corps, CDFW and RWQCB. The HMMP shall include the following items:</p> <ol style="list-style-type: none"> 1. Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the City, habitat restoration specialists, and maintenance personnel that would supervise and implement the plan shall be specified. 2. Site selection. The mitigation areas shall be determined in coordination with the resource agencies. The mitigation areas shall be located on the parcel on which the APE is located which was purchased as, and is permanently dedicated to use as open space. 3. Site preparation and planting implementation. Site preparation shall include (a) protection of existing native species; (b) trash and weed removal; (c) native species salvage and reuse (i.e., salvage of pads and translocation of large cactus 	Plan Check and Monitoring	Prior Issuance of the First Permit	<p>Project Biologist Community Development Director USACOE CDFW</p>

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<p>clumps); (d) soil treatments (i.e., imprinting, decompacting); (e) temporary irrigation installation; (f) erosion-control measures (i.e., rice or willow wattles); (g) seed mix application; and (h) container species.</p> <p>4. Schedule. A schedule shall be developed that includes planting to occur in late fall and early winter (i.e., between October 1 and January 30).</p> <p>5. Maintenance plan/guidelines. The maintenance plan shall include (a) weed control; (b) herbivory control; (c) trash removal; (d) irrigation system maintenance; (e) maintenance training; and (f) replacement planting. The maintenance plan shall also include biological monitoring during maintenance activities if they occur during the avian breeding season (March 15 - August 31).</p> <p>6. Monitoring plan. The monitoring plan shall include (a) qualitative monitoring (i.e., photographs and general observations); (b) quantitative monitoring (i.e., randomly placed transects, wildlife monitoring); (c) performance criteria; (d) monthly reports for the first year and reports every other month thereafter; and (e) annual reports for five years, which shall be submitted to the resource agencies. The site shall be monitored and maintained for five years to ensure successful habitat establishment within the restored and created areas.</p> <p>7. Long-term preservation. Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.</p>			
MM 4.2-3b	<p>The City shall be fully responsible for the implementation of the HMMP until the restoration areas have met the success criteria outlined in the program. The Corps and CDFW shall have final authority over mitigation area sign-off. The following measures will be implemented during construction to ensure that potential construction impacts to avoided Corps and CDFW jurisdiction are avoided or minimized.</p> <p>1. Prior to the commencement of clearing operations or other activities involving significant soil disturbance, all areas of Corps and CDFW jurisdiction to be avoided shall be identified with temporary fencing or other markers that are clearly visible to construction personnel.</p> <p>2. A USFWS-approved Biological Monitor shall be on site during any clearing of riparian vegetation. The City will advise the USFWS at least 7 calendar days—but preferably 14 calendar days—prior to the clearing of riparian vegetation. The Biological Monitor shall flush avian or other mobile species from habitat areas immediately prior to brush-clearing and earth-moving activities. It shall be the responsibility of the</p>	Monitoring	During Site Remediation	<p>Project Biologist Community Development Director USFWS CDFW USACOE</p>

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<p>monitoring biologist to ensure that identified bird species are not directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities to continue on a timely basis.</p> <p>3. Following the completion of initial clearing activities, all areas of Corps and CDFW jurisdiction to be avoided by construction equipment and personnel shall be marked with temporary fencing or other clearly visible, appropriate markers. No construction access, parking, or storage of equipment shall be permitted within the marked areas.</p>			
Cultural Resources				
SC CR-1	Prior to the approval of the Project Plans and Specifications, the City of Laguna Beach shall confirm that the plans and specifications stipulate that if evidence of subsurface archaeological resources are found during construction, excavation and other construction activity in that area shall cease and the contractor shall contact the Construction Manager, who will then contact a City of Laguna Beach certified archaeologist to determine the extent of the find and take proper actions.	Plan Check	Prior to Approval of Plans and Specifications	Contractor Construction Manager Community Development Director
SC CR-2	If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The City of Laguna Beach Community Development Department shall consult with the MLD regarding treatment and disposition of the human remains and items associated with Native American burials.	Monitoring	During Site Remediation	Contractor Construction Manager Community Development Director
Geology and Soils				
SC 4.3-1	The project shall comply with all applicable City of Laguna Beach Building Code requirements as well as those prescribed in the California Building Code (CBC). In addition, the project shall also comply with the applicable grading guidelines included in Appendix F of the Geotechnical Evaluation (Appendix I in the EIR) prepared for the proposed project.	Plan Check	Prior to Initiation of Site Remediation	Community Development Director Building Official
Hazards and Hazardous Materials				
PDF 4.5-1	City's contractor will contact Underground Service Alert at least two business days in advance of any work to identify the location	Monitoring	Prior to Initiation of Site Remediation	Contractor Construction Manager

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	of utilities that may be found within the Project Area. Areas to be excavated will be clearly marked with white paint or surveyors flagging as required by USA. Utility owners of record will be expected to clearly mark the position of their utilities on the ground surface throughout the designated area. The contractor will be responsible for protecting existing utilities, should they be present.			Public Works Director
PDF 4.5-2	Security fencing shall be installed around those portions of the perimeter of the Project Area that members of the public could use as access. A gate will be installed across Phillips Road just east of the bridge across Laguna Creek and the gate will be locked at all times during the period of time that Pre-remediation or Remediation activities are being conducted but construction activity has concluded for the day.	Monitoring	Prior to Initiation of Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-3	The City's contractor will ensure that the public is not able to access the Project Area during the period that Pre-remediation or Remediation activities are being conducted, including temporary closure of the West Ridge Trail access to Stairstep Trail.	Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-4	Existing fencing and other obstacles to access of work areas will be removed.	Monitoring	Prior to Initiation of Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-5C	All organic material/vegetation in those portions of the Project Area that will be disturbed will be removed and recycled.	Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-6	All access roads, area of disturbance boundaries and work areas will be surveyed and staked prior to any grading. The 25' setback from Laguna Creek will be demarcated by caution tape on stakes and that demarcation will be maintained until the Pre-remediation and Remediation are completed.	Survey	Prior to Initiation of Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-7	All erosion and dust control measures identified in the SWPPP that are applicable to Pre-remediation activities will be installed and/or undertaken. All material and equipment required by the SWPPP and Rule 1150 Permit will be brought on site and securely stored.	Plan Check/Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-8	Grading access routes, work areas and stockpile areas including: (a) access to, and creation of a work area adjacent to the southwest edge of, the Primary Site; (b) an access route from the Primary Site work area to a point uphill from the home on the north side of Phillips Road, continuing around the home on the uphill side and then proceeding westerly to the flat area below the home and finally intersecting Phillips Road uphill from the bridge; and (c) a waste material stockpile and loading facility on the north side of the home along Phillips Road; (d) grading an access route from Phillips Road to the Secondary Site; (e) installing vehicle tire and undercarriage inspection and waste removal facilities at those points where trucks or other equipment travel on or across Phillips Road. The location of all	Monitoring	During Site Remediation	Air Quality Emissions Evaluator Construction Manager Contractor Public Works Director

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	roads, stockpile areas and work areas are shown on Exhibit 3-5 (Construction Site Plan) in the EIR. Dust control measures identified in the SWPPP and the Rule 1150 Permit will be implemented, applied and maintained.			
PDF 4.5-9	Removal and, if feasible, recycling of the existing shotcrete channel.	Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
PDF 4.5-10	During Pre-remediation and Remediation, the following measures will be implemented during construction to ensure that potential construction impacts to riparian habitat and the CAGN are avoided or minimized: (a) prior to the commencement of clearing operations or other activities involving significant soil disturbance, all areas of native habitat to be avoided shall be identified with temporary fencing or other markers that are clearly visible to construction personnel; (b) A USFWS-approved Biological Monitor shall be on site during any clearing of CSS. The City will advise the USFWS at least 7 calendar days—but preferably 14 calendar days—prior to the clearing of CSS. The Biological Monitor shall flush avian or other mobile species from habitat areas immediately prior to brush-clearing and earth-moving activities. The monitoring biologist is responsible to ensure that identified bird species are not directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities to continue on a timely basis; (c) following the completion of Pre-remediation all areas of native habitat to be avoided by construction equipment and personnel shall be marked with temporary fencing or other visible, appropriate markers. No construction access, parking, or storage of equipment shall be permitted within the marked areas.	Monitoring	During Pre-Remediation and Site Remediation	Project Biologist Construction Manager Contractor Community Development Director USFWS
PDF 4.5-11	Preconstruction surveys for least Bell's vireo will be conducted within the stretch of Laguna Creek immediately adjacent to the APE, including all areas of suitable habitat within 500 feet of the Project Area. If least Bell's vireo is detected in the adjacent habitat USFWS and CDFW will be notified and avoidance measures developed in consultation with the agencies will be implemented to ensure that potential impacts to the species would be less than significant. Avoidance shall include but not be limited to: (a) establishment of an appropriate buffer from active nests, to be determined by the Project biologist; (b) application of noise attenuating structures, such as plywood walls, hay bales, etc.; and (c) weekly monitoring by a qualified biologist.	Monitoring	Prior to Initiation of Site Remediation	Project Biologist Contractor Community Development Director USFWS CDFW
PDF 4.5-12	Excavation of the contaminated materials from the Primary Site and Secondary Site will be conducted using the equipment and personnel listed in Appendix U (List of Personnel and Equipment) in the EIR. The waste removed from the Primary Site will be transported to the stockpile and loading facility using "Super-10" dump trucks via the access route depicted on Exhibit 3-5 in the	Monitoring	During Site Remediation	Contractor Construction Manager Project HazMat Coordinator Public Works Director

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	EIR. The waste removed from the Secondary Site will be transported to the stockpile using a loader or smaller dump truck. The waste will be removed from the Ravine by hand, transported in secure containers to Phillips Road and then placed in a larger secure container for transportation to the appropriate stockpile location.			
PDF 4.5-13	The waste will be sampled and tested in general accordance with the procedures specified in the RAP with sampling and testing designed to ensure that all waste is removed. The surface area of the exposed workforce will be minimized and limited to approximately 2,500 square feet (SF) based on the 50-foot by 50-foot sampling grid of the excavation face. Waste removal will generally be completed in one area prior to moving to another removal area, so as to minimize the area of exposed wastes.	Testing	During Site Remediation	Contractor Construction Manager Project HazMat Coordinator Public Works Director
PDF 4.5-14	The contractor will implement and comply with measures and conditions designed to minimize dust that are described in the RAP, CHSP, SWPPP and the Rule 1150 Permit. For example, the contractor will comply with: (a) procedures to minimize waste disturbance (see Section 17.10 of the RAP and Section 5 of the Waste Management Plan (WMP)); (b) the waste transfer procedures described in Section 17.10 of the RAP; and (c) the waste transfer protection procedures identified in Section 17.9 of the RAP. The stockpile area and the stockpiles will be managed by the Contractor in accordance with project specifications, the RAP, the SHSP and the final Project Storm Water Pollution Prevention Plan (SWPPP). Hazardous waste stockpiles will be removed from the site in less than 60 days from the date of starting the stockpile. Stockpiles of hazardous wastes will be maintained in accordance with the following: (a) placement onto 44-mil or thicker high density polyethylene (HDPE) or linear low density polyethylene (LLDPE) liner; and (b) underlying material will be graded in a manner to control and contain storm water runoff; (c) moistened to minimize dust emissions during stockpiling, as necessary; (d) anchored in anchor trenches outside of the limits of the stockpile footprint; (e) securely covered with an 8-mil or thicker HDPE or LLDPE liner to minimize vapor emissions and prevent runoff from rain; and (f) configured in such a manner that surface water runoff from the stockpile does not carry stockpiled materials beyond the stockpile perimeter berm. Stockpiles will be physically labeled in such a way as the type of wastes can be easily seen.	Monitoring	During Site Remediation	Contractor Construction Manager Air Quality Emissions Evaluator HazMat Coordinator Public Works Director
PDF 4.5-15	In addition to the provisions of Subsections 2.3.4.2 and 2.3.4.3, the contractor will comply with and/or implement all dust and erosion control measures specified in the SWPPP, Rule 1150 Permit and the RAP including frequent misting. All RCRA hazardous waste will be transported and stockpiled separately from the California Hazardous Waste. All waste characterized as	Monitoring	During Site Remediation	Contractor Construction Manager Air Quality Emissions Evaluator Public Works Director

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	RCRA hazardous waste will be transported and stockpiled separately from the California hazardous waste.			
PDF 4.5-16	Air quality monitoring shall be conducted at all times during the removal, loading or unloading, transporting and/or stockpiling was during Remediation. The air quality monitoring will be conducted as specified in the CHSP and/or the Rule 1150 Permit whichever is most protective of public health.	Monitoring	During Site Remediation	Air Quality Emissions Evaluator Construction Manager Public Works Director
PDF 4.5-17	Once sufficient material is accumulated within the stockpile, long-haul end dumps will be directly loaded and will transport the California hazardous material to a disposal facility in South Yuma, Arizona (City has obtained pre-approval letters from this facility – See report from Ninyo & Moore dated November 27, 2013 and attachments (refer to Appendix N in EIR). RCRA hazardous material will be transported to a Class 1 landfill in Beatty, Nevada after any required additional testing is completed (See Appendix N to the EIR).	Monitoring	During Site Remediation	Contractor Construction Manager Project HazMat Coordinator City Engineer
PDF 4.5-18	All hazardous material will be handled, loaded and transported in strict compliance with all applicable Federal and State laws. The City contractor will be experienced in burn site remediation work and the entity retained to transport the waste shall have experience in transporting hazardous waste from California sites to appropriate disposal facilities.	Monitoring	During Site Remediation	Project HazMat Coordinator Construction Manager Public Works Director
PDF 4.5-19	Subsequent to removal of all waste, the erosion and dust control measures specified in the approved SWPPP and Rule 1150 Permit will be fully implemented. Intra-slope remedial grading will be conducted where feasible to minimize over-steepened slopes and maximize slope stability. The access routes will be re-graded and all gravel and non-native material will be removed. All security fencing and any construction material, supplies or equipment not involved in the Restoration phase will be removed.	Monitoring	Upon Removal of All Waste During Site Remediation	Contractor Construction Manager Air Quality Emissions Evaluator Public Works Director
SC 4.5-1	All activities undertaken to implement the proposed project shall comply with all applicable Federal, State, and local regulations pertaining to the transport, storage, use and/or disposal of hazardous materials on the site. Specifically, the clean closure shall comply with the requirements set forth in Section 21810, Title 27, California Code of Regulations.	Monitoring	During Site Remediation	Contractor Construction Manager Project HazMat Coordinator Public Works Director
SC 4.5-2	Prior to issuance of the grading permit, the remediation plan (i.e., Clean Closure Plan) shall be submitted to the Orange County Local Enforcement Agency and CalRecycle for review and approval of all aspects pertaining to waste excavation/removal and disposal.	Plan Check	Prior to Issuance of Grading Permit	Public Works Director Local Enforcement Agency CalRecycle
MM 4.5-1	No vehicles, including construction worker vehicles, heavy trucks and/or equipment, shall be parked in areas covered with grass. Parking areas shall be established for all vehicles in an area that is cleared of all grass.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager Community Development Director
MM 4.5-2	A water truck shall be present on-site for fire control should flammable material ignite during the final closure construction.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
				Community Development Director
MM 4.5-3	Smoking by construction workers and others at the Burn Site shall be permitted only in the Contractor's Yard area.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager Community Development Director
MM 4.5-4	Phillips Road shall be properly maintained and free of equipment at all times during the construction phase to ensure access by emergency vehicles and equipment.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager
Hydrology and Water Quality				
SC 4.6-1	The City of Laguna Beach shall obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The City must file a notice of intent (NOI) with the SWRCB. The City will prepare (draft attached as Appendix Q in the EIR) and obtain approval of a Stormwater Pollution Prevention Plan (SWPPP). At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion, dust control and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; BMPs, and an inspection and monitoring program. Implementation of the SWPPP shall begin with the commencement of construction and continue through the completion of the Project. After construction is completed, the City will submit a notice of termination to the Regional Board.	Plan Check	Prior to Issuance of Grading Permit	Water Quality Director Consulting Engineer
SC 4.6-2	The Project contractor shall comply with provisions of the SWPPP, the Rule 1150 Permit and the RAP that relate to erosion, dust control and sedimentation. The Project contractor will, at a minimum incorporate into the work all applicable BMPs for the construction industry, including BMP's for dust, erosion and water quality.	Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
SC 4.6-3	All erosion and sedimentation control measures implemented during construction activities as well as construction site and materials management shall be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the Regional Board.	Plan Check	Prior to Issuance of Grading Permit	Contractor Construction Manager Public Works Director
SC 4.6-4	All erosion and sedimentation control measures shall be monitored regularly by the City. If measures are insufficient to control sedimentation and erosion then the City shall develop and immediately implement additional and more effective measures immediately.	Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
Noise				
SC 4.7-1	The Project shall comply with the Laguna Beach Noise Ordinance.	Monitoring	During Site Remediation	Contractor Construction Manager Code Enforcement

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
MM 4.7-1	All construction activities should be limited to the hours between 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction shall be prohibited during all other time periods and all day on Sundays, and legal holidays.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager Code Enforcement
MM 4.7-2	The contractor shall be required to certify that all equipment to be used will have residential grade mufflers or better on their equipment. This measure will eliminate any unnecessary construction equipment noise generation due to the use of sub-standard equipment.	Certification	Prior to Issuance of Grading Permit	Contractor Construction Manager Public Works Director
Traffic and Circulation				
MM 4.8-1a	<p>Prior to initiation of the Remediation, a Traffic Control and Construction Management Plan shall be prepared and approved by the City of Laguna Beach. The Traffic Control and Construction Management Plan shall be implemented during the site preparation and remediation phases of the Project. The Traffic Control and Construction Management Plan shall specify:</p> <ul style="list-style-type: none"> • Traffic control for any street closure, detour or other disruption to vehicular traffic conditions. • To prevent obstruction of through traffic lanes adjacent to the site, a flag person will be retained to maintain safety adjacent to the existing roadways. • Routes that construction vehicles/haul trucks will utilize for the delivery of construction materials and removal of export soils from the site, traffic control and detours and proposed construction phasing plan for the project. • Parking areas for construction-related equipment and personal vehicles of construction workers and consultants. • Loading and unloading of all construction materials/equipment and/or haul trucks shall take place on-site or within the staging area. Loading and unloading will be managed by the contractor. To the maximum extent feasible, haul trucks and other construction vehicles will be sequenced to the Project Area by radios and will be sequenced to arrive at the site at a frequency similar to the discharge rate by the contractor so that no more than one long-haul truck is on-site at one time and that long-haul trucks will not queue in the median on SR-133. Once the delivery and/or loading of the haul trucks is complete, the trucks will exit the project area via the haul route identified above. All trucks will be required to shut off their engines during the loading/off-loading process. 	Plan Check	Prior to Initiation of Site Remediation	City Traffic Consultant

PDF/SC/MM No.	Standard Condition/Mitigation Measure	Method of Verification	Timing of Implementation	Responsibility
	<ul style="list-style-type: none"> Hours during which transport activities can occur and methods to minimize construction-related impacts to adjacent streets. Traffic control will be coordinated with the Police Department and Public Works Department. <p>The Traffic Control and Construction Management Plan will comply with the standards established in the current California Manual on Uniform Traffic Control Devices (MUTCD) as well as City of Laguna Beach requirements</p>			
MM 4.8-1b	The applicant shall be required to keep all haul routes identified in the Traffic Control and Construction Management Plan clean and free of debris, including but not limited to gravel and dirt as a result of its operations. The applicant shall comply with the SWPPP and related applicable plans (e.g., CHSP, etc.) to ensure that affected roadways are properly maintained.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager City Traffic Consultant
MM 4.8-1c	Hauling or transport of soil export loads will be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday, unless otherwise approved by the City Engineer.	Monitoring	During Site Remediation	Contractor Construction Manager
MM 4.8-1d	Haul trucks entering or exiting public streets shall at all times yield to public traffic.	Monitoring	During Site Remediation	Contractor Construction Manager
MM 4.8-1e	If hauling operations cause any damage to existing pavement, street, curb and/or gutter along the haul route, the applicant shall be fully responsible for repairs, which shall be completed to the satisfaction of the City Engineer.	Monitoring	During Site Remediation	Contractor Construction Manager Public Works Director
MM 4.8-1f	All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.	Monitoring	During Site Remediation and Restoration	Contractor Construction Manager