

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

2375 Northside Drive, Suite.100, San Diego, CA 92108
Phone (619) 516-1990 • Fax (619) 516-1994
<http://www.waterboards.ca.gov/sandiego/>

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

**PROJECT: Dana Point Harbor Sport Fishing Docks Pile
Sleeving Project
Certification Number R9-2014-0089
WDID: 9000002698**

Reg. Meas. ID: 397448
Place ID: 807899
Party ID: 354224
Person ID: 546266

**APPLICANT: Orange County Dana Point Harbor
24650 Dana Point Harbor Drive
Dana Point, CA 92629**

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 July 23, 2014 was submitted by the Orange County Dana Point Harbor (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) for the proposed Dana Point Harbor Sport Fishing Docks Pile Sleeving Project (Project). The Applicant has also applied for a Clean Water Act Section 404 permit from the United States Army Corps of Engineers for the Project (Nationwide Permit No. 3, Maintenance).

The Project is located within the City of Dana Point, Orange County, California at 34675 Golden Lantern Street. The Project center reading is located at latitude 33.459767 and longitude -117.692067. The Applicant has paid all required fees for this Certification in the amount of \$1,097.00. On July 24, 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 the installation of 14-inch outer diameter steel guide pile sleeves over the 20 existing 10-inch outer diameter round steel guide piles of Docks 1 and 2 at the Dana Point Harbor Sport Fishing Docks. The existing guide piles have substantial corrosion and pitting of the steel wall surface. The deterioration of the exterior steel of the concrete filled guide piles has been determined to have caused a loss in capacity that requires repair. The

existing steel exteriors will not be removed. Excess marine growth and corrosion will be cleaned from the outer surface of the existing guide piles prior to placing the sleeves. The dock will be modified by trimming timber to widen the internal pile guide and timber support structures to accept the new pile guide. The internal pile guides will be replaced with new larger pile guides to fit the new larger diameter piles. The 14-inch diameter pile sleeves will be installed with a crane mounted barge. New 14-inch diameter steel guide piles will be driven in place with a hammer, a vibratory hammer, or jetting of the pile sleeves to fit around the existing dock piles. Each pile will be backfilled with high strength grout material to ensure the existing and new pile act together when subjected to loading. An approximately 100 foot by 60 foot area in the launch ramp parking area will be used for equipment staging.

The Applicant will use a silt curtain to restrict any potential increases in turbidity outside of the immediate work area. The Applicant will visually monitor the area outside the silt curtain for signs of turbidity. If turbidity is observed outside the silt curtain, the Applicant will stop, slow, or modify the work effort to reduce turbidity levels and repair or correct the dislocation of gaps in the silt curtain before re-commencing work. The Applicant will maintain a spill response kit in order to respond to any accidental discharge of fuel or other petroleum product into the marine environment. The Project impacts are small and will be offset by benthic species re-colonization in disturbed areas following completion of the Project. Project construction is expected to take six to eight weeks.

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Attachments:

1. Definitions
2. Project Figures and Plans
3. 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. R9-2014-0089 (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 *Water Quality Control Plan, Ocean Waters of California* (Ocean Plan), 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 (State Water 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 Dana Point Harbor;
 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 Board to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Applicant shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Silt Curtain Deployment.** The Applicant shall deploy and maintain a continuous length of silt curtain to trap sediment that may become suspended outside of the immediate Project work area. The bottom of the silt curtains must be weighted with ballast weights or rods affixed to the base of the fabric to resist the natural buoyancy of the silt curtain fabric and lessen its tendency to move in response to currents. Where feasible and applicable, the floating silt curtains must be anchored and deployed from the surface of the water to just above the substrate. The silt curtain must be monitored for damage, dislocation or gaps and must be immediately repaired where it is no longer continuous or where it has loosened. The silt curtain must restrict any resulting surface visible turbidity plume to the Project work area and must control and contain the migration of re-suspended sediments at the water surface and at depth. If turbidity is observed outside the silt curtain, the Applicant will stop, slow, or modify the work effort to reduce turbidity levels and repair or correct the dislocation of gaps in the silt curtain before re-commencing work.
- C. **Sound Impacts.** The Applicant shall monitor sound pressure levels during steel guide pile sleeve installation to ensure the sound level threshold of 190 decibels (dB) for marine life injury is not exceeded. If sound pressure levels exceed 190 dB, the Applicant shall implement the following additional Best Management Practices (BMPs) in order to ensure marine life injury does not occur:
1. The steel guide pile sleeve shall be surrounded by an air bubble curtain system or air-filled coffer dam.
 2. A smaller hammer or a hydraulic hammer shall be used to reduce sound pressure.
 3. The steel guide pile sleeve installation shall be conducted during periods of reduced currents to minimize the exposure of marine life to underwater sound.
- D. The Applicant shall maintain a spill response kit in order to respond to any accidental discharge of fuel or other petroleum product into the marine environment.

IV. PROJECT IMPACTS AND COMPENSATORY MITIGATION

- A. **Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to Dana Point Harbor within the San Juan Watershed must not exceed 0.0002 acre (6.67 linear feet).
- B. **Eelgrass Impacts and Mitigation.** The Applicant shall conduct pre-construction survey(s) for *Caulerpa taxifolia* and eelgrass not more than one year prior to the start of in-water activities. The pre-construction survey(s) shall be completed by a qualified biologist in accordance with the Southern California Eelgrass Mitigation Policy (SEMP)

and provided to the San Diego Water Board prior to the start of in-water activities. The eelgrass survey must be conducted during an appropriate index period, as determined by a qualified biologist (i.e., a period representing maximum eelgrass coverage), and must include both aerial and density characterization of the beds. If eelgrass is found on the Project site during the pre-construction survey, a post-construction survey must be performed by a qualified biologist within 30 days following project completion to quantify any unanticipated losses to eelgrass habitat. Impacts must then be determined from a comparison of pre- and post-construction survey results. Any Impacts to eelgrass must be mitigated through conformance with the SCEMP, which defines the mitigation ratio and other requirements to achieve mitigation for significant eelgrass impacts. If required following the post-construction survey, the SCEMP defined mitigation must be developed; approved by the San Diego Water Board, U.S. Army Corps of Engineers and National Marine Fisheries Service; and implemented to offset losses to eelgrass. Surveys conducted during eelgrass dormancy will not be accepted.

V. MONITORING AND REPORTING REQUIREMENTS

- A. **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; and
 3. As-built drawings of the Project, no bigger than 11"X17".
- B. **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.
- C. **Electronic Document Submittal.** The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. R9-2014-0089:PIN 807899
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents

submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2014-0089:PIN 807899.

D. 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.

E. 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."

VI. 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. **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.
- C. **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.**

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.

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

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The County of Orange 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 January 31, 2006, for the Final Environmental Impact Report (FEIR) titled *FEIR 591 Dana Point Harbor Revitalization Program* (State Clearing House Number 2003101142). 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 3 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).

VIII. SAN DIEGO WATER BOARD CONTACT PERSON

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

IX. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Dana Point Harbor Sport Fishing Docks Pile Sleeving Project** (Certification No. R9-2014-0089) 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.

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.

Orange County Dana Point Harbor
Dana Point Harbor Sport Fishing Docks Pile Sleeving Project
Certification No. R9-2014-0089

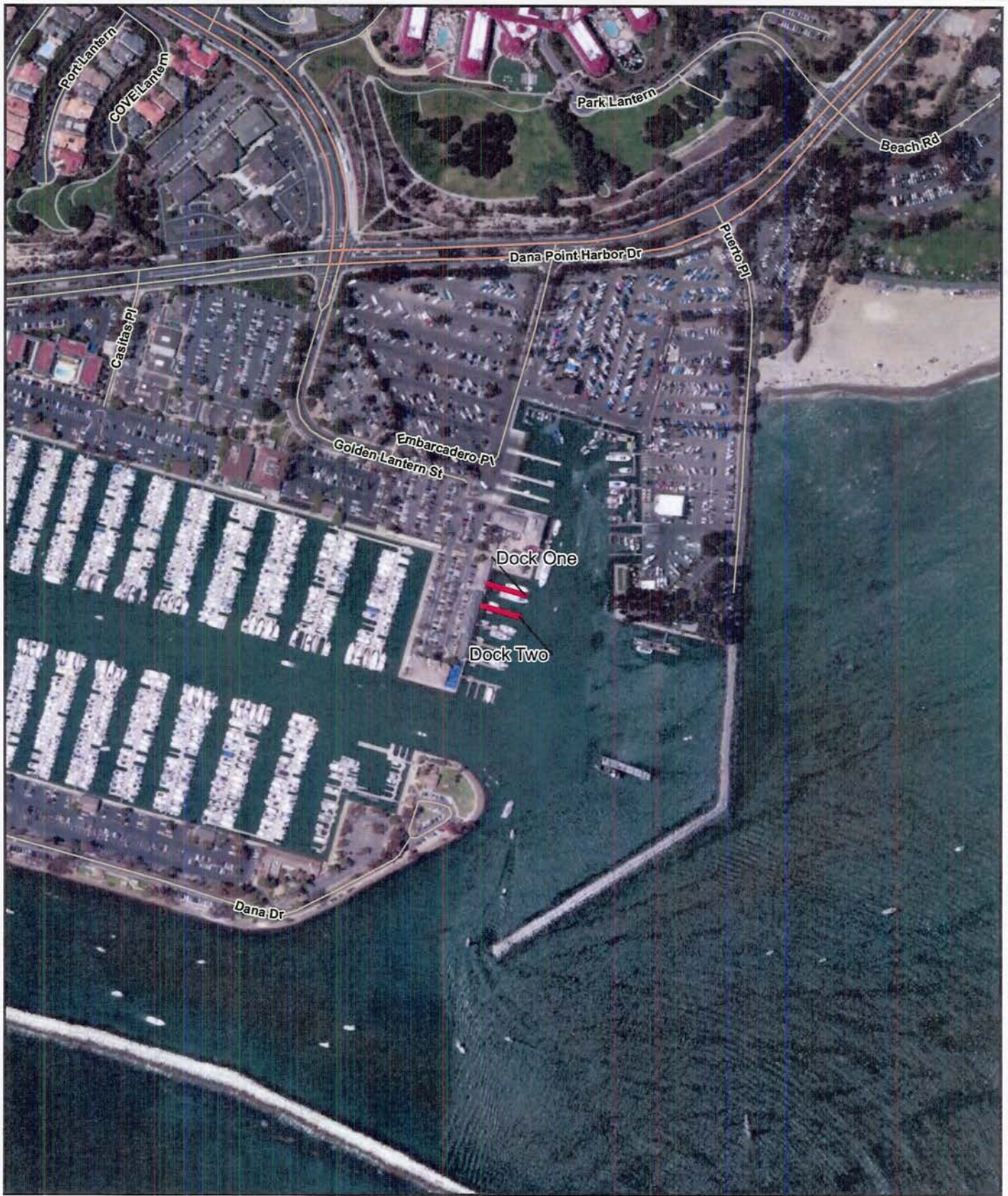
**ATTACHMENT 2
PROJECT FIGURES AND PLANS**

Project Vicinity Map - Figure 1

Project Location Map - Figure 2

Guide Pile and a Pile Guide on Dock 1 – Figure 3

Guide Pile, Dock, & Parking Lot Upgrades – T-1, T-2, L-1, L-2, & L-3



Legend

— Dock Location

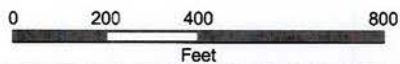


Figure 2
Project Location Map

Figure 3: Guide Pile and a Pile Guide on Dock 1



DANA POINT SPORT FISHING DOCKS-GUIDE PILE UPGRADES

DANA POINT, CA

SHEET LIST

T-1	TITLE SHEET
T-2	NOTES AND SPECIFICATIONS
L-1	DOCK & PILE IMPROVEMENT DETAILS
L-2	ADA PATH OF TRAVEL PLAN AND SECTIONS
L-3	ADA PARKING WALKWAY

CONTACT INFORMATION

CLIENT:
VINTAGE MARINA PARTNERS
 P.O. BOX 249-EMBARCADERO PLACE
 DANA POINT, CA 92629
 (949) 496-6177 - VOICE
 (949) 496-6177 - FAX
 ATTN: BEN STETSON

ENGINEER:
TIM BAILEY, P.E.
BLUEWATER DESIGN GROUP
 2500 VIA CABRILLO MARINA, SUITE 200
 SAN PEDRO, CA 90731
 (310) 548-3132 - VOICE
 (310) 548-1924 - FAX

PROJECT DESCRIPTION

CONCEPTUAL PLANS FOR THE INSTALLATION OF NEW STEEL GUIDE PILES AND INTERNAL PILE GUIDES ON EXISTING FLOATING DOCKS FOR THE DANA POINT SPORT FISHING DOCKS.

PROJECT DATA

APPROX. SITE ADDRESS: 34075 GOLDEN LANTERN ST.
 DANA POINT, CA 92629

DISCHARGE ELIMINATION SYSTEM (NPDES) NOTES

NO SPECIAL INSPECTIONS ARE REQUIRED FOR THIS PROJECT.

STRUCTURAL OBSERVATIONS REQUIRED

PER CBC 2010
 ENGINEER OF RECORD SHALL BE RETAINED TO OBSERVE PILE DRIVING OPERATIONS (REFER TO ATTACHED OBSERVATIONS REFERENCE SHEET)



PROJECT ADDRESS: 34075 Golden Lantern St., Dana Point, CA 92629
 Description: DISCHARGE ELIMINATION SYSTEM (NPDES) NOTES
 Date: 08/20/13
 Designer: Bluewater Design Group

DESIGNER	Bluewater Design Group
PROJECT NO.	13-001
DATE	08/20/13
SCALE	AS NOTED
PROJECT LOCATION	Dana Point - Aviston

GRAPHIC SCALE: 1" = 100'

VICINITY MAP



LOCATION MAP



GOVERNING DESIGN CODES

GENERAL BUILDING AND LOADING REQUIREMENT DESIGN STANDARDS:
 CBC (CALIFORNIA BUILDING CODE) 2010 EDITION
 IBC (INTERNATIONAL BUILDING CODES FOR BUILDINGS AND OTHER STRUCTURES) 2006 EDITION
 STRUCTURAL STEEL DESIGN
 AISC (AMERICAN INSTITUTE OF STEEL CONSTRUCTION) 13TH EDITION
 ANS/AWS D1.1 (AMERICAN WELDING SOCIETY-CODE BOOK) LATEST EDITION
 STRUCTURAL CONCRETE DESIGN:
 ACI 318 (AMERICAN CONCRETE INSTITUTE) 2008 EDITION
 STRUCTURAL TIMBER DESIGN:
 NDS (NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION) 2005 EDITION

SPECIAL INSPECTIONS REQUIRED

NO SPECIAL INSPECTIONS ARE REQUIRED FOR THIS PROJECT.

STRUCTURAL OBSERVATIONS REQUIRED

PER CBC 2010
 ENGINEER OF RECORD SHALL BE RETAINED TO OBSERVE PILE DRIVING OPERATIONS (REFER TO ATTACHED OBSERVATIONS REFERENCE SHEET)

PROJECT ADDRESS: 34075 Golden Lantern St., Dana Point, CA 92629
 Description: DISCHARGE ELIMINATION SYSTEM (NPDES) NOTES
 Date: 08/20/13
 Designer: Bluewater Design Group

DESIGNER	Bluewater Design Group
PROJECT NO.	13-001
DATE	08/20/13
SCALE	AS NOTED
PROJECT LOCATION	Dana Point - Aviston

GRAPHIC SCALE: 1" = 100'

TITLE SHEET

2500 Via Cabrillo Marina, Suite 200
 San Pedro, CA 90731
 Tel: 310 548 3132
 Fax: 310 548 1924

DATE: 08/15/13
 SHEET NO: 2297-D
 TOTAL SHEETS: T-1
 DRAWN BY: JH
 CHECKED BY: TB

STATUS: []

1 x

GENERAL CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL STATE, COUNTY AND CITY LAWS AND ORDINANCES RELATING TO SAFETY AND CHARACTER OF WORK, EQUIPMENT AND LABOR PRACTICES. THE PRESENTATION OF THESE DRAWINGS TO THE OWNER SHALL BE IN ACCORDANCE WITH THE PRESENTATION OF THESE DRAWINGS TO THE CITY OF DANA POINT.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTY ADJACENT TO THE WORK THROUGHOUT THE PERIOD OF CONSTRUCTION.
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1. PILES SHALL BE DRIVEN WITH AN INCLINATION OF NOT MORE THAN 1/8 INCH PER FOOT FROM THE VERTICAL. THE PILE SHALL BE INSTALLED SUCH THAT THE FINAL POSITION IS WITHIN THE PILE GUIDE. THE PILE SHALL BE INSTALLED SUCH THAT THE FINAL POSITION IS WITHIN THE PILE GUIDE.
2. WHERE OBSTRUCTIONS ARE ENCOUNTERED THAT RESULT IN A SIGNIFICANT UNEXPECTED INCREASE IN THE PILE DRIVING RATE, THE CONTRACTOR SHALL STOP DRIVING AND NOTIFY THE ENGINEER OF THE SITUATION. THE CONTRACTOR SHALL STOP DRIVING AND NOTIFY THE ENGINEER OF THE SITUATION.
3. CONTRACTORS SHALL TAKE ANY NECESSARY PRECAUTIONS TO PROTECT EXISTING MARINE AND ADJACENT TO THE PROTECTED TOPE ELEVATIONS. ENGINEER AND OWNER SHALL MAKE THE FINAL DECISION AS TO WHETHER TO PROCEED WITH PILE DRIVING OPERATIONS TO DETERMINE PILE INCLINATION.
4. THE CONTRACTOR SHALL VERIFY MODULUS ELEVATIONS WITH THOSE SHOWN ON THE DRAWINGS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES. THE CONTRACTOR SHALL VERIFY MODULUS ELEVATIONS WITH THOSE SHOWN ON THE DRAWINGS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.

DESIGN CRITERIA FOR STEEL GUIDE PILES AND FLOTTING DOCKS

1. ALL STRUCTURES SHALL BE DESIGNED IN ACCORDANCE WITH THE FOLLOWING DESIGN CODES: CALIFORNIA BUILDING CODE, 2010.
2. LAYOUT AND DESIGN SOLUTIONS FOR MARINA BERTHING FACILITIES, BY CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS, STATE OF CALIFORNIA, MAY 2008.
3. STEEL GUIDE PILE INSTALLATION CONSISTS OF FURNISHING TRANSPORTATION, LABOR, AT DANA POINT HARBOR SPORT FISHING DOCKS, COMPLETE AND READY TO USE INCLUDING DOCK CONNECTION HARDWARE AND DOCK ACCESSORIES. INCLUDING BRACKETING, WELDS, RAILS, AND PROVISIONS FOR ROUTING UTILITY CONDUITS AS NECESSARY.
4. FINAL CALCULATIONS SHOWING THAT THE FLOTTING DOCK SYSTEM AND GUIDE PILES, USING THE CRITERIA SPECIFIED IN THIS SECTION AS A MINIMUM STANDARD, ARE DESIGNED TO WITHSTAND THE REQUIRED LOADS, EITHER SEPARATELY OR IN COMBINATION, WITHOUT DAMAGE TO THE COMPONENTS DESCRIBED IN THIS SECTION.
5. THE LAYOUT AND PRINCIPAL DIMENSIONS OF THE STEEL GUIDE PILE SYSTEM ARE INDICATED ON THE DRAWINGS. THE CONTRACTOR SHALL PROVIDE A SYSTEM WHICH CONFORMS TO THE LAYOUT AND DIMENSIONS INDICATED ON DRAWINGS AND CONFORMS TO THE PROVISIONS OF THIS SECTION. THE SYSTEM SHALL BE DESIGNED FOR A 30 YEAR LIFE EXPECTANCY.
6. MINIMUM ENVIRONMENTAL LOADS SHALL CONSIST OF:
 6.1. WIND PRESSURE
 6.2. ASCE 7-05 WIND OVERSEA
 6.3. WAVES
 6.4. SEAS
 6.5. CURRENTS
 6.6.2. EXPOSURE CATEGORY: D
7. LATERAL WAVE LOAD (SWL) SHALL BE APPLIED TO THE EXPOSED KESSEL PROFILE, OR A PORTION THEREOF, AND SHALL BE APPLIED AS SET OUT:
 7.1. 100% LATERAL LOAD APPLIED TO VESSELS IN THE UNSHIELDED BERTH
 7.2. 20% LATERAL LOAD APPLIED TO VESSELS IN THE SHIELDED BERTH
8. LATERAL WAVE LOAD (SWL)
 7.1. WAVE HEIGHT OF 1 FEET
 7.2. WAVE PERIOD OF 6.2 SECONDS
 7.3. WAVE LENGTH OF 6.2 FEET
 7.4. WAVE DIRECTION (PROPAGATION) PARALLEL TO LONGITUDINAL AXIS OF THE DOCK
9. LATERAL CURRENT LOAD (CL)
 8.1. CURRENT VELOCITY: 2 KNOTS
 8.2. WAVE PERIOD OF 6.2 SECONDS
 9.1. IMPACT LOAD (I) DUE TO IMPACT OF 4 VESSELS
 9.2. VESSEL JOES MUST BE EQUAL TO PRODUCT OF VESSEL LENGTH SQUARED BY 12 DOCK OR FINGER FACE
10. IMPACT LOAD SHALL BE APPLIED TO DOCK AT MIDPOINT BETWEEN TWO PILES.
11. COMBINED LOADING CASES FOR DESIGN:
 11.1. CASE 1 - WIND + WAVE LOAD + CURRENT LOAD + WAVE LOAD
 11.2. CASE 2 - IMPACT LOAD
 11.3. CASE 3 - WIND + WAVE LOAD + CURRENT LOAD + WAVE LOAD
 11.4. CASE 4 - WIND + WAVE LOAD + CURRENT LOAD + WAVE LOAD + WAVE LOAD
 11.5. CASE 5 - WIND + WAVE LOAD + CURRENT LOAD + WAVE LOAD + WAVE LOAD + WAVE LOAD
12. THE FLOTTING DOCK SYSTEM SHALL BE DESIGNED TO BE RESTRAINED BY THE GUIDE PILES AS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE PERFORMANCE OF WORK AT NO ADDITIONAL COST TO THE OWNER.
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MATERIAL SPECIFICATION

1. STEEL PILES
 1.1. PILES SHALL BE OF SECTIONS AND SIZES INDICATED ON THE PLAN. ENDS OF PILES AS SHOWN ON THE PLAN SHALL BE CUTTED TO THE REQUIRED LENGTH. THE PILES SHALL BE CUTTED TO THE REQUIRED LENGTH. THE PILES SHALL BE CUTTED TO THE REQUIRED LENGTH.
2. GUIDE PILE ROLLER SHALL CONSIST OF A MOUNTING BRACKET FABRICATED FROM 1/4 INCH THICK STEEL PLATE, TO WHICH IS ATTACHED A ROLLER MADE OF ULTRA HIGH MOLECULAR WEIGHT POLYETHYLENE (UHMWPE). THE ROLLER SHALL BE ATTACHED TO THE GUIDE PILE ROLLER. THE ROLLER SHALL BE ATTACHED TO THE GUIDE PILE ROLLER.
3. PILE CAPS SHALL BE PROVIDED FOR EACH GUIDE PILE SUBSEQUENT TO INSTALLATION, AND SHALL BE MADE OF CONCRETE OR STEEL. THE PILE CAPS SHALL BE MADE OF CONCRETE OR STEEL. THE PILE CAPS SHALL BE MADE OF CONCRETE OR STEEL.
4. MISCELLANEOUS METAL: ALL MISCELLANEOUS STEEL ITEMS SHALL CONFORM TO ASTM A36, FABRICATED IN ACCORDANCE WITH AISC AND NOT-DIP GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A1027 AND BE NOT-DIP GALVANIZED IN ACCORDANCE WITH AISC UNLESS OTHERWISE NOTED. FLAT WASHERS SHALL CONFORM WITH AISC B722, AND BE NOT-DIP GALVANIZED IN ACCORDANCE WITH ASTM A1027.
5. MISCELLANEOUS TIMBER ITEMS SHALL CONFORM TO DOUGLASS FIR NO. 1 OR BETTER, S5S MINIMUM, AND IN CONFORMANCE WITH NHPA GRADING STANDARDS.
6. ALL LUMBER SHALL BE PRESSURES TREATED PER APWA STANDARD C-2 (A2). MINIMUM RETENTION 0.6 #/CU FT. ALL FIELD CUTS AND BORED HOLES TO RECEIVE A BRUSH OF COAT OF PRESERVATIVE. ALL DECK LUMBER SHALL BE OF PRESSION END TRIMMED (PET) LUMBER.
7. ALL PILING SHALL BE OF MARINE GRADE OR BE TESTED AND BE PROTECTED BY AN ANODIC PROTECTION SYSTEM. ALL FIELD CUTS AND BORED HOLES TO RECEIVE A BRUSH OF COAT OF PRESERVATIVE. ALL DECK LUMBER SHALL BE OF PRESSION END TRIMMED (PET) LUMBER.
8. SPRUCE JOISTS SHALL BE ALTERNATED AND WILL NOT BE ALLOWED WITHIN 4 FEET OF A HULL. SPRUCE JOISTS OCCUR HERE TO TYPICAL BRACKET JOINT DETAIL 8 ON SHEET C-1.3.
9. ALL BORED CONNECTIONS SHALL USE FLAT WASHERS INSTALLED AT BOLT HEADS AND NUTS BEARING ON TIMBER.

SUBMITTALS

1. PRIOR TO THE FABRICATION OF THE DOCK AND PILE SYSTEM COMPONENTS, CONTRACTOR SHALL SUBMIT 5 SETS OF SHOP DRAWINGS STAMPED BY A CALIFORNIA REGISTERED CIVIL ENGINEER FOR APPROVAL BY THE ENGINEER AND COUNTY OF ORANGE BUILDING DEPARTMENT.
2. PRIOR TO THE FABRICATION OF DOCK SYSTEM COMPONENTS, SUBMIT CERTIFIED TEST REPORTS AS APPLICABLE FOR EACH DOCK SYSTEM:
 2.1. CERTIFICATES
 2.2. FACTORIES
 2.3. STRUCTURAL STEEL
 2.4. STEEL STRUCTURE SPECIFICATIONS AND DRAWING
 2.5. STEEL COATING SPECIFICATIONS

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BLUE WATER
 ENGINEERING, INC.
 17455 S. STATE ST., SUITE 100, DANA POINT, CA 92629
 (949) 446-1111
 www.bluewatereng.com
 For Marine and Recreational Structures

CLIENT
 VINTAGE MARINA PARTNERS
 P.O. BOX 249-EMBARCADERO PL.
 DANA POINT, CA 92629

PROJECT
 FISHERMAN WHARF
 DANA POINT, CA

DATE AS NOTED	04-15-13
DATE	2297-D
DATE	T-2
DATE	- of -

GENERAL NOTES AND SPECIFICATIONS

2500 Via Cabrillo Marina, Suite 200
 San Pedro, CA 90731
 TEL: 310 544 1322
 FAX: 310 544 1324

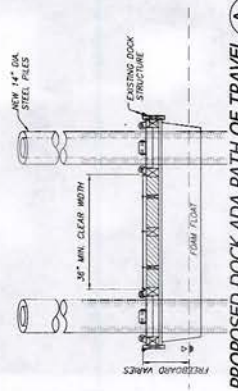
OWNER	JTB
DESIGNER	JTB
DATE	
SCALE	

STATUS

1



PHOTO OF EXISTING ADA PARKING STALL
SCALE NTS

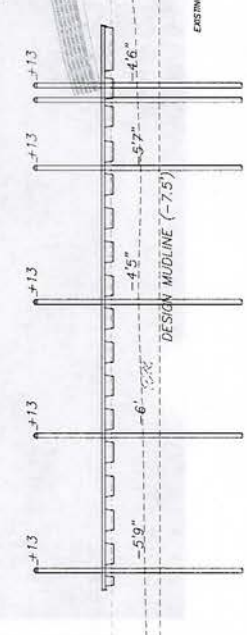


PROPOSED DOCK ADA PATH OF TRAVEL A
SCALE 1"=4'

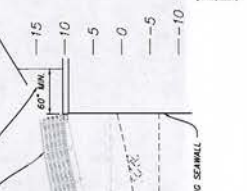
- ADA NOTES
1. SHOW THE ADA PATH OF TRAVEL FROM THE EXISTING ADA PARKING STALLS TO THE FLOATING DOCK STRUCTURE THAT IS REFERENCED IN THESE APPROXIMATE PLANS. ALL ROUTES OF TRAVEL ARE TO BE GREATER THAN 5% IN SLOPE, WITH THE EXCEPTION OF THE ADA GANGWAYS.
 2. ALL EXISTING MAXIMUM GROSS SLOPES ALONG THE ADA PATH OF TRAVEL DO NOT EXCEED 2% IN SLOPE.



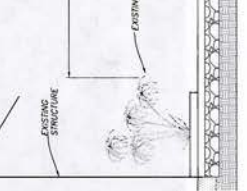
LANDSIDE TO WATERSIDE TRANSITION ADA PATH OF TRAVEL B
SCALE 1"=4'



PROPOSED DOCK ADA PATH OF TRAVEL C
SCALE 1"=4'



ADA STANDARD PARKING STALL DIAGRAM D
SCALE 1"=4'



STATUS

PROJECT	FISHERMAN WHARF
CLIENT	VINTAGE MARINA PARTNERS P.O. BOX 249-EMBARCADERO PL. DANA POINT, CA 92629

BLUE WATER
Intelli Group
Planning and Engineering Services
For Marina and Yachtclub Owners

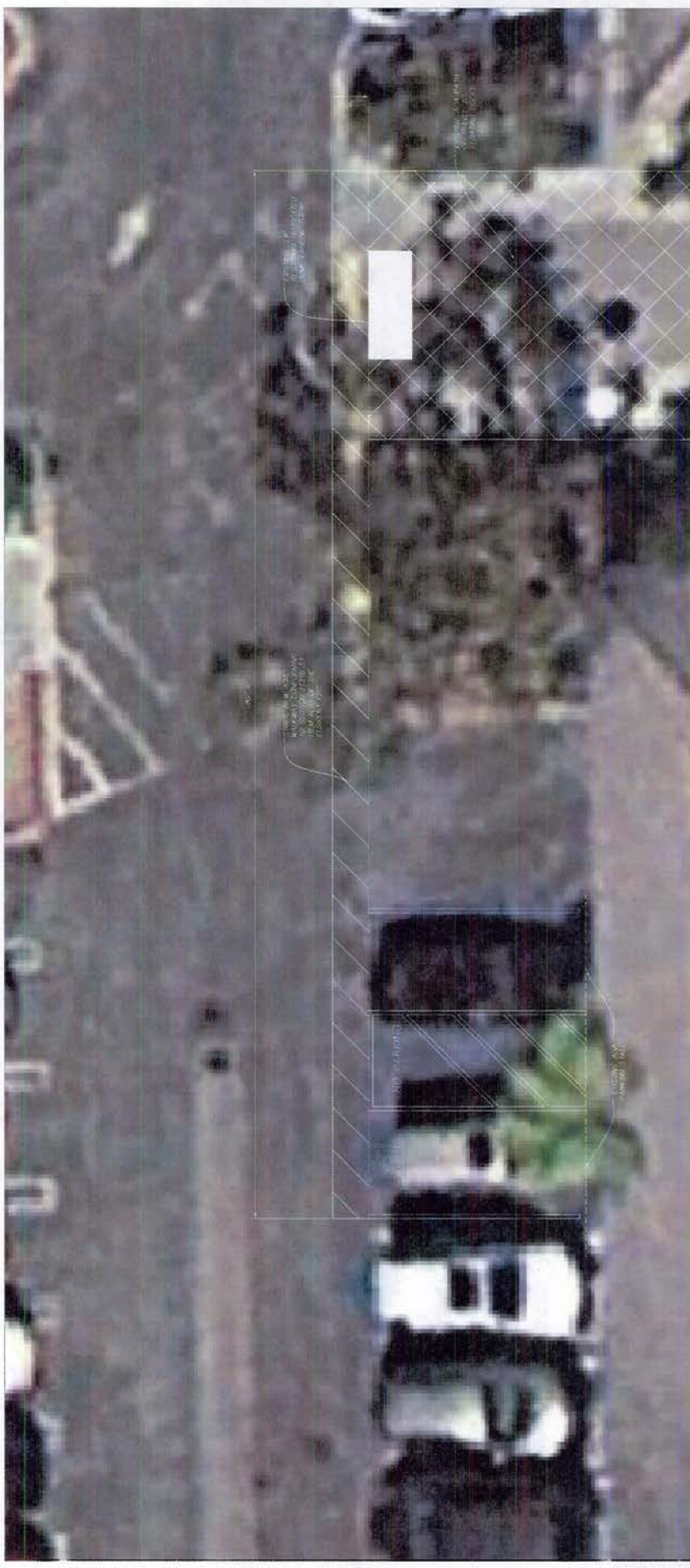
REGISTERED PROFESSIONAL ENGINEER
CALIFORNIA LICENSE NO. C-20019
EXPIRES 06/30/21

2500 Via Chabilla Marina, Suite 200
San Pedro, CA 90731
Tel: 310-548-3332
Fax: 310-548-3264

DATE: 04-15-13
DRAWN BY: 2297-D
CHECKED BY: L-2
SCALE: - of -

GRAPHIC SCALE
0 10 20 30 40 50 60 70 80 90 100
1"=40'

DRAWN BY: J. B. ...
 CHECKED BY: ...
 DATE: ...
 PROJECT: ...
 SHEET: ...



E ADA PARKING WALKWAY STRIPING
 SCALE 1"=4'

PROJECT FISHERMAN WHARF DANA POINT, CA	CLIENT VINTAGE MARINA PARTNERS P.O. BOX 249-EMBARCADERO PL. DANA POINT, CA 92629			2500 Via Cabrillo Marina, Suite 200 San Juan Capistrano, CA 92675 Phone: 949 261 1324 Fax: 949 261 1324 www: www.bilwater.com Email: info@bilwater.com	DATE: 04-15-13
					AS NOTED: 2297-D
STATUS:	SHEET: L-3	TOTAL SHEETS: 4	OF: 4	OF: 4	OF: 4

Orange County Dana Point Harbor
Dana Point Harbor Sport Fishing Docks Pile Sleeving Project
Certification No. R9-2014-0089

ATTACHMENT 3
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

Exhibit B

Condition	Responsible Party	Time of Verification
<p>SCA 4.4-2 – Prior to the issuance of any grading permits, the County of Orange - Dana Point Harbor Department shall, in a manner meeting the approval of the Manager, RDMD/Subdivision and Grading:</p> <ol style="list-style-type: none"> 1) Design provisions for surface drainage; and 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) Dedicate the associated easements to the County of Orange, if determined necessary. 	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits</p>
<p>SCA 4.4-3 – Prior to the issuance of any building permits, the County of Orange Dana Point Harbor Department shall participate in the applicable Master Plan of Drainage in a manner meeting the approval of the Manager, RDMD/Subdivision and Grading, including construction of the necessary facilities.</p>	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Building Permits</p>
<p>SCA 4.4-4 – The County of Orange Dana Point Harbor Department shall obtain coverage under the NPDES Statewide Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence of receipt of permit approval must be presented to the Manager, RDMD/Subdivision and Grading prior to the issuance of a Grading Permit.</p>	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits</p>
<p>SCA 4.4-5 – Prior to the issuance of any grading or building permits, the County of Orange Dana Point Harbor Department shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, RDMD/Building Permit Services. Projects subject to this</p>	<p>Manager, RDMD/Building Permit Services County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>

Exhibit B

Condition	Responsible Party	Time of Verification
<p>requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the Project site and be available for County review on request.</p>	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits</p>
<p>SCA 4.4-6 – Prior to the issuance of any grading permits, County of Orange Dana Point Harbor Department shall submit a Runoff Management Plan (RMP) to the Manager, RDMD/Subdivision and Grading for review and approval.</p>	<p>Manager, RDMD/Building Permit Services County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>SCA 4.4-7 – Prior to the issuance of any grading or building permits, the County of Orange Dana Point Harbor Department shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, RDMD/Building Permit Services, to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the County will ensure that all BMP's will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the Project site and be available for County review on request.</p>	<p>Manager, RDMD/Inspection Services County of Orange - Dana Point Harbor Department</p>	<p>Coastal Development Permits, Grading and Building Permits</p>

Exhibit B

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<p>WQMP shall identify, at a minimum, the routine structural and non-structural measures specified in the current Drainage Area Management Plan (DAMP). The WQMP may include one or more of the following:</p> <ul style="list-style-type: none"> ▪ Discuss regional water quality and/or watershed programs (if available for the Project); ▪ Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas; ▪ Include the applicable Routine Source Control BMPs as defined in the DAMP; ▪ Demonstrate how surface runoff and subsurface drainage shall be managed and directed to the nearest acceptable drainage facility (as applicable), via sump pumps if necessary. <p>SCA 4.4-9 – Prior to the issuance of any grading or building permit (whichever comes first) and Coastal Development Permit, the County of Orange Dana Point Harbor Department shall include in the WQMP the following additional Priority Project information in a manner meeting the approval of the Manager, Inspection Services Division:</p> <ul style="list-style-type: none"> ▪ Include post-construction Structural Treatment Control BMP(s) as defined in the DAMP; ▪ Include a conceptual Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for the post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the 	<p>Manager, RDMD/Inspection Services County of Orange - Dana Point Harbor Department</p>	<p>Coastal Development Permits, Grading and Building Permits</p>

Exhibit B

Condition	Responsible Party	Time of Verification
<p>proposed mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s).</p> <p>SCA 4.4-10 – Prior to the issuance of certificates of use and occupancy, the County of Orange Dana Point Harbor Department shall demonstrate compliance with the WQMP in a manner meeting the satisfaction of the Manager, RDMD/Inspection Services, including:</p> <ul style="list-style-type: none"> ▪ Demonstrate that all structural Best Management Practices (BMPs) described in the Project's WQMP have been implemented, constructed and installed in conformance with approved plans and specifications; ▪ Demonstrate that the County of Orange Dana Point Harbor Department has complied with all non-structural BMPs described in the Project's WQMP; ▪ Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; and ▪ Demonstrate that copies of the Project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants; 	<p>Manager, RDMD/Inspection Services</p> <p>County of Orange - Dana Point Harbor Department</p>	<p>Certificates of Use and Occupancy</p>
<p>SCA 4.4-11 – Prior to the approval of a grading permit, the County of Orange Dana Point Harbor Department shall submit an Elevation Certificate to the Manager, RDMD/Current Planning Services, identifying the base flood elevation and certifying that the planned elevation of the lowest floor, including basements, is at least one (1) foot above the Base Flood Elevation (BFE). To eliminate FEMA requirements for flood insurance, the lowest elevation of any part of the structure, not only the lowest floor, must be above the BFE.</p>	<p>Manager, RDMD/Current Planning Services</p> <p>County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits</p>

Exhibit B

Measure	Responsible Party	Time of Verification
<p>MM 4.3-2 – Further sampling and testing during the design phase is recommended to confirm the preliminary geotechnical findings. If results from further testing indicate the possibility for soil erosion, expansive/collapsible soils or subsidence, Mitigation Measures shall be included to reduce impacts to a less than significant level.</p>	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits</p>
<p>MM 4.3-3 – The County of Orange Dana Point Harbor Department shall submit erosion control plans for Project grading and site preparation for review and approval by the Manager, RDMD/Subdivision and Grading. The Dana Point Harbor Department shall exercise special care during the construction phase of the Project to prevent off-site siltation. The Dana Point Harbor Department shall provide erosion control measures as approved by the County of Orange, RDMD, RDMD/Subdivision and Grading. The erosion control measures shall be shown and specified on the grading plan and shall be construction to the satisfaction of the County of Orange, RDMD prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures, and other methods as may be required by the County of Orange, RDMD. The Dana Point Harbor Department shall maintain the erosion control devices shall remain in place until the County of Orange, RDMD approves of the removal of said facilities.</p>	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits</p>
<p>MM 4.3-4 – Site safety requirements shall address specifications of the Occupational Safety and Health Administration (OSHA). Applicable specifications prepared by OSHA related to earth resources consist of Section 29 CFR Part 1926, which are focused on worker safety in excavations.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>

Exhibit B

Measure	Responsible Party	Time of Verification
<p>lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways;</p> <ul style="list-style-type: none"> ▪ The General Contractor shall provide ridesharing and transit incentives for the construction crew, such as free bus passes and preferred carpool parking; ▪ The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and ▪ The General Contractor shall state in construction grading plans that work crews will shut off equipment when not in use. 		
<p>MM 4.6-6 – In order to reduce operational energy usage and reduce energy production air emissions, the Project is required to comply with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservation standards.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Building Permits</p>
<p>MM 4.6-7 – Prior to project plan approval, plans shall be submitted to the satisfaction of the Chief Engineer, DPHD, or his designee, in consultation with the Manager, RDMD/Environmental Planning, indicating the use of Traffic Management Plan (TMP) such as preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule, and bike racks shall be incorporated into the design of the Harbor. A TMP plan shall be prepared and reviewed for implementation prior to issuance of Building Permits.</p>	<p>DPHD, Chief Engineer Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Coastal Development Permit and Building Permits</p>
<p>MM 4.6-9 – Should asbestos be determined to be present within the existing structures of the Commercial Core, the Project shall comply with SCAQMD Rule 1403, Asbestos Emissions From Demolition/ Renovation Activities, during the demolition process.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading Permits and Building Permits</p>

Exhibit B

Measure	Responsible Party	Time of Verification
<p>MM 4.7-1 – If Project construction activities within Planning Areas 3 and 5 are anticipated during the breeding season of the California gnatcatcher (March 1 to August 15), surveys of the area within 500 feet of the site by a qualified biologist shall be required prior to start of Project construction activities. If nesting gnatcatchers are identified, Project construction activities must cease for the remainder of the breeding season unless a qualified acoustician can demonstrate that, with or without noise attenuation measures, Project activity noise levels would not exceed 60 decibels (dB) (hourly average) within gnatcatcher-occupied portions of the surveyed area. The qualified biologist shall monitor active nest sites. If the biologist notes that the nest fails, or the young fledge from the nest, then the noise restriction near the nest is no longer required.</p> <p>MM 4.7-2 – The following measures shall be utilized to protect the nesting habitat of the black-crowned night herons and snowy egrets:</p> <ul style="list-style-type: none"> ▪ If construction activities are performed during the breeding season (February 1 through August 15), a preconstruction survey within 500 feet of the site for nests shall be performed by a qualified biologist to document the presence/absence of all these species; ▪ If nesting black-crowned night herons or snowy egrets are identified, Project construction activities within 500 feet of the nest site must cease for the remainder of the breeding season unless a qualified acoustician can demonstrate that with or without noise attenuation measures, construction noise levels would not exceed 60 dBA within 500 feet of the occupied nests. The qualified biologist shall monitor active nest sites on a weekly basis. If the biologist notes that all young have fledged from the nest, then the noise restriction near the nest is no longer required. 	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.7-2 – The following measures shall be utilized to protect the nesting habitat of the black-crowned night herons and snowy egrets:</p> <ul style="list-style-type: none"> ▪ If construction activities are performed during the breeding season (February 1 through August 15), a preconstruction survey within 500 feet of the site for nests shall be performed by a qualified biologist to document the presence/absence of all these species; ▪ If nesting black-crowned night herons or snowy egrets are identified, Project construction activities within 500 feet of the nest site must cease for the remainder of the breeding season unless a qualified acoustician can demonstrate that with or without noise attenuation measures, construction noise levels would not exceed 60 dBA within 500 feet of the occupied nests. The qualified biologist shall monitor active nest sites on a weekly basis. If the biologist notes that all young have fledged from the nest, then the noise restriction near the nest is no longer required. 	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits (for work being completed during the breeding season February 1 through August 15)</p>

Exhibit B

Measure	Responsible Party	Time of Verification
<p>MM 4.7-3 – The following measures shall be utilized to protect nesting habitat of the raptors (red tailed hawk, Cooper’s hawk, osprey, etc):</p> <ul style="list-style-type: none"> ▪ If work is scheduled to be performed during the breeding season of any raptor (February 1 through August 15), a preconstruction survey within 500 feet of the site for raptor nests shall be performed by a qualified biologist to document the presence/absence of all nesting raptors; and ▪ if active raptor nests are found, a buffer of 500 feet in diameter should be established around the nest and no construction activity shall occur within that buffer until the young have fledged. 	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits (for work being completed during the breeding season February 1 through August 15)</p>
<p>MM 4.7-4 – In order to minimize indirect impacts on biological resources that may be related to noise and construction activity, the County of Orange Dana Point Harbor Department shall implement the following Best Management Practices (BMPs) prior to or during construction activities.</p> <ul style="list-style-type: none"> ▪ Limit construction and all Project activities to a well-defined area; and ▪ Construction limits shall be fenced or flagged adjacent to preserved trees and/or sensitive habitats to avoid direct impacts. 	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.7-5 – Future waterside improvements to the east and west breakwaters (Planning Areas 8, 11, and 12) shall be reconstructed within the seaward footprint of the existing structures except as necessary to provide for public safety or public access. Construction activities taking place below the mean higher high water (MHHW) mark shall prepare a focused marine biological survey to determine if sensitive species are present.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Coastal Development Permits</p>

Exhibit B

Measure	Responsible Party	Time of Verification
<p>MM 4.7-6 – The County of Orange Dana Point Harbor Department shall require that standard BMPs be utilized in order to ensure impacts to water quality or the marine environment are minimized. Standard BMPs include:</p> <ul style="list-style-type: none"> ▪ Erosion to be controlled by landscaping (leave existing vegetation in place where possible), paving and drainage structures; ▪ Berms (sand bags) around all construction sites to catch run-off; ▪ Roads of gravel to minimize dirt being tracked into and out of the Project site. ▪ During wet weather, harbor basin inlets shall be protected by placing a wire mesh and gravel filter to intercept debris and soil runoff; and ▪ Appropriate housekeeping activities to minimize the potential for pollutants from material storage or construction activities. 	<p>Manager, RDMD/Subdivision and Grading County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-1 – Prior to authorization of demolition permits, a qualified hazardous materials consultant with Phase II and Phase III assessment experience shall review groundwater documents regarding former subsurface releases on the Project site at 24501 Dana Drive and 24705 Dana Drive.</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-2 – The interior of individual on-site structures within the Project area shall be visually inspected prior to demolition or renovation, with particular attention to all industrial uses. If hazardous materials are encountered at any on-site structure, the materials shall be tested and properly disposed of in accordance with State and Federal regulatory requirements. Any stained soils or surfaces underneath the removed materials shall be sampled and tested for contaminants. Based on the results of the analytical testing, the appropriate level of remediation shall be undertaken.</p>	<p>Manager, RDMD/Environmental Planning Manager, RDMD/Building Permits County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>

Exhibit B

Measure	Responsible Party	Time of Verification
<p>MM 4.8-3 – Hydraulic fluids associated with any hydraulic lifts on-site shall be tested to determine the presence or absence of PCBs. Additional samples shall be collected around the pistons to determine whether a subsurface release of hydraulic fluids has occurred. If found, appropriate remedial measures should be implemented to the satisfaction of the County.</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-4 – Any transformers to be relocated during site construction/demolition should be conducted under the purview of the local utility purveyor to identify property handling procedures regarding potential PCBs.</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-5 – Any underground storage tanks to be removed/relocated during site construction/demolition should be conducted under the purview of the local regulatory agency to identify property handling procedures. Also, due to the urbanized nature of the Project site, the presence of septic tanks is considered unlikely. However, Building Department Records should be reviewed to indicate any documented septic tanks and/or chemical storage tanks. If present, the tanks should be removed and properly disposed of at an approved landfill facility. Once the tank is removed, a visual inspection of the areas beneath and around the removed tank should be performed. Any stained soils observed underneath the septic tank should be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required.</p>	<p>Manager, RDMD/Environmental Planning Manager, RDMD/Building Permits County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-6 – Prior to demolition activities, Building Department Records shall be reviewed to verify the presence of septic tanks and/or chemical storage tanks on-site. If present, the tanks shall be removed and properly disposed of at an approved landfill facility. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining. In the event stained soils are observed, soils shall be tested to identify appropriate remedial activities.</p>	<p>Manager, RDMD/Environmental Planning Manager, RDMD/Building Permits County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>

Exhibit B

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<p>MM 4.8-7 – Prior to the issuance of building permits for any tank or pipeline, the uses of said tank or pipeline shall be identified and the applicant shall submit a Chemical Management Plan in addition to a WQMP with all appropriate measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) in a manner meeting the satisfaction of the Manager, Building Permit Services, in consultation with the Resources and Development Management Department, the Orange County Fire Authority, the Orange County Health Care Agency and wastewater agencies, as appropriate, to ensure implementation of each agency's respective requirements. A copy of the approved "Chemical Management Plans" shall be furnished to the Manager, RDMD/Inspection Services, prior to the issuance of any Certificates of Use and Occupancy.</p>	<p>Manager, RDMD/Environmental Planning Manager, RDMD/Building Permits County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-8 – All stained concrete/asphalt should be removed and disposed of to an appropriate permitted facility. Once removed, exposed soils should be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils should be tested to identify appropriate remedial activities (if necessary).</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-9 – If unknown wastes or suspect materials are discovered during construction that the contractor believes may be or contain hazardous waste or materials, the contractor shall:</p> <ul style="list-style-type: none"> ▪ Immediately stop work in the vicinity of the suspected contaminant, and remove workers and the public from the area; ▪ Notify the Project Engineer of the implementing agency; ▪ Secure the area as directed by the Project Engineer; and ▪ Notify the implementing agency's hazardous 	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>

Exhibit B

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<p>waste/materials coordinator.</p> <p>MM 4.8-10 – The County of Orange Dana Point Harbor Department or its designee shall store, manifest, transport, and dispose of all on-site generated waste that meets hazardous waste criteria in accordance with California Code of Regulations Title 22 and in a manner to the satisfaction of the Manager, HCA/Hazardous Materials Program. The County shall keep storage, transportation, and disposal records on site and open for inspection to any government agency upon request.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Ongoing Operations</p>
<p>MM 4.8-11 – During the design phase of the BMPs, the following methods shall be investigated to reduce odors and vectors: installing bypass litterbags with a fine mesh system and weights sewn on to prevent any gaps, drilling weep holes and a flap gate in the pipe upstream, or other currently proven technology.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Coastal Development Permit, Grading and Building Permits</p>
<p>MM 4.8-12 – The National Emissions Standards for Hazardous Air Pollutants (NESHAP) mandates that building owners conduct an asbestos survey to determine the presence of asbestos containing materials (ACMs) prior to the commencement of any remedial work, including demolition. Prior to demolition work, it is recommended that areas be sampled as part of an asbestos survey. Any demolition of the existing buildings must comply with State law, which requires a contractor, where there is asbestos-related work involving 100 square feet or more of ACMs, to be certified and that certain procedures regarding the removal of asbestos to be followed.</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-13 – Prior to demolition activities, an asbestos survey shall be required to determine the presence or absence of asbestos. The results of the survey shall be submitted to the Manager, RDMD/Environmental Planning.</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-14 – Asbestos removal shall be performed by a State-certified asbestos containment contractor in accordance with SCAQMD Rule 1403 and monitored by the County of Orange RDMD. Rule 1403 regulations require the</p>	<p>Manager, RDMD/Environmental Planning County of Orange - Dana Point</p>	<p>Grading and Building Permits</p>

Exhibit B

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<p>following measures:</p> <ul style="list-style-type: none"> ▪ A survey of the facility shall be conducted prior to issuance of a permit by SCAQMD; ▪ SCAQMD shall be notified prior to construction activity; ▪ ACMs shall be removed in accordance with prescribed procedures; ▪ ACMs shall be placed in leaktight containers or wrapping; and ▪ ACMs shall be properly disposed of. <p>MM 4.8-15 – If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste should be evaluated independently from the building material to determine its proper management. According to the Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). It is recommended that the landfill operator be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials.</p>	<p>Harbor Department</p> <p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-16 – Lead-based paint removal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-17 – Contractors performing lead-based paint removal shall provide evidence of certified training for lead-related construction work.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>

Exhibit B

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<p>MM 4.8-18 – All finishing products used on site shall meet applicable SCAQMD regulations for solvent content, as required by SCAQMD Rules 1102 and 1171.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.8-19 – All uses of solvents shall be conducted in adherence to California OSHA regulations for exposure of workers during construction activities as required by CCR Title 8.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.9-1 – Residences within 1,000 feet of a construction area shall be notified of the construction schedule in writing, prior to construction. The contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and written into the construction notification schedule sent to nearby residences.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>
<p>MM 4.9-2 – For projects within 1,000 feet of sensitive receptors, impact equipment (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrical powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.</p>	<p>County of Orange - Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>