



San Diego Regional Water Quality Control Board

July 29, 2016

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8952 8332

Mr. Jeff Hitch
City of Murrieta
1 Town Square
Murrieta, CA 92562

In reply/refer to:
R9-2015-0074:814844:dbradford

Subject: Clean Water Act Section 401 Water Quality Certification No. R9-2015-0074 for the Whitewood (Meadowlark) Road Construction Project between Baxter Road and Keller Road

Mr. Hitch:

Enclosed find Clean Water Act Section 401 Water Quality Certification No. R9-2015-0074 (Certification) issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) in response to the application submitted by the City of Murrieta for the Whitewood (Meadowlark) Road Construction Project between Baxter Road and Keller Road Project (Project). A description of the Project and Project location can be found in the Certification and site maps which are included as attachments to the Certification.

The City of Murrieta is enrolled under State Water Resources Control Board Order No. 2003-017-DWQ as a condition of the Certification and is required to implement and comply with all terms and conditions of the Certification in order to ensure that water quality standards are met for the protection of wetlands and other aquatic resources. Failure to comply with this Certification may subject the City of Murrieta to enforcement actions by the San Diego Water Board including administrative enforcement orders requiring the City of Murrieta to cease and desist from violations or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

Please 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 the San Diego Water Board, 2375 Northside Drive, San Diego, CA 92108. Each electronic document must be submitted as a single file, in Portable Document Format (PDF), 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

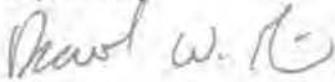
HENRY ABARBANEL, PH.D., CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

2375 Northside Drive, Suite 100, San Diego, California 92108-2700 | www.waterboards.ca.gov/sandiego

identification numbers in the header or subject line: Certification No. R9-2015-0074:814844:dbradford.

For questions or comments regarding the Certification, please contact Darren Bradford by telephone at (619) 521-3356 or by email at darren.bradford@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosure:

Clean Water Act Section 401 Water Quality Certification No. R9-2015-0074 for the Whitewood (Meadowlark) Road Construction Project between Baxter Road and Keller Road Project

DWG:jgs.eb:db

CC:

U.S. Army Corps of Engineers
Regulatory Branch
San Diego Field Office
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California Department of Fish and Game
South Coast Region
Habitat Conservation Planning – South
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State Water Resources Control Board,
Division of Water Quality
401 Water Quality Certification and
Wetlands Unit
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Mr. Eric Becker
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San Diego Water Board
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Tech Staff Information	
Certification No.	R9-2015-0074
Party ID	544510
Reg. Meas. ID	400707
Place ID	814844
Person ID	493371
WDID	9000002835

**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: Whitewood (Meadowlark) Road Construction Project
between Baxter Road and Keller Road
Certification Number R9-2015-0074
WDID: 9000002835**

Reg. Meas. ID: 400707 Place ID: 814844 Party ID: 544510 Person ID: 493371
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**APPLICANT: City of Murrieta
1 Town Center
Murrieta, CA 92562**

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"/> Enrollment in Isolated Waters Order No. 2004-004-DWQ
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017-DWQ	

PROJECT DESCRIPTION

An application dated April 24, 2015 was submitted by City of Murrieta (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (United States Code (USC) Title 33, section 1341) for the proposed Whitewood (Meadowlark) Road Construction Project between Baxter Road and Keller Road Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on June 6, 2016. 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-2015-00336-PJB).

The Project is located within the City of Murrieta, Riverside County, California at Whitewood (Meadowlark) Road between Baxter Road and Keller Road. The Project center reading is located at latitude 33.620 and longitude -117.163. The Applicant has paid all required application fees for this Certification in the amount of \$9,882.00. On an annual basis, the Applicant shall also pay all active discharge fees and post discharge monitoring fees, as appropriate¹. On June 7, 2016, the San Diego Water Board provided public notice of the

¹ The Applicant shall pay an annual active discharge fee each fiscal year or portion of a fiscal year during which discharges occur until the regional board or the State Board issues a Notice of Completion of Discharges Letter to the discharger. Dischargers shall pay an annual post-discharge monitoring fee each fiscal year or portion of a fiscal year commencing with the
(footnote continued on next page)

Whitewood (Meadowlark) Road Construction Project Between Baxter Road and Keller Road
Certification No. R9-2015-0074

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 construction of approximately one mile of Whitewood (Meadowlark) Road from Baxter Road (south) to Keller Road (north). Whitewood Road (Meadowlark Road), between Baxter Road and Keller Road, is currently in use to through traffic as a dirt road. The road will be paved and widened both to the east and west of the existing unimproved Meadowlark Lane. According to the City's Circulation Element, Whitewood (Meadowlark) Road is considered a four-lane "major" roadway to be constructed to its ultimate width of approximately 100-foot wide. The Project roadway will contain four lanes (two 12-foot vehicular travel lanes in each direction), a 14-foot wide raised and landscaped median, a seven-foot wide bike lane on each side, and a six-foot wide sidewalk on each side of the roadway. The Project also includes storm drains, storm water treatment facilities, wildlife under-crossings, street lights, curb cuts and wheel chair ramps, and signing and striping.

The Project will convert approximately 5.09 acres of pervious ground cover to impervious surfaces. Runoff leaving the developed Project area would be significantly greater in volume, velocity, peak flow rate, and duration than pre-development runoff from the same area without mitigation. Post-construction best management practices (BMPs) to manage and control the effects of these runoff increases will consist of minimizing urban runoff, minimizing the impervious footprint, conserving natural areas, minimizing directly connected impervious areas, and filtration trenches. These BMPs will be designed, constructed, and maintained to meet the City of Murrieta's Low Impact Development (LID) Capture Volume and hydromodification treatment requirements.

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 0.041 acre (223 linear feet) of wetland waters of the United States and/or State and 0.029 acre 509 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.

(footnote continued from previous page)

first fiscal year following the fiscal year in which the regional board or State Board issued a Notice of Completion of Discharges Letter to the discharger, but continued water quality monitoring or compensatory mitigation monitoring is required. Dischargers shall pay the annual post-discharge monitoring fee each fiscal year until the regional board or the State Board issues a Notice of Project Complete Letter to the discharger. Additional information regarding fees can be found electronically at the following location: http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/dredgefillcalculator.xlsx

Whitewood (Meadowlark) Road Construction Project Between Baxter Road and Keller Road
Certification No. R9-2015-0074

The Applicant reports that compensatory mitigation for the permanent loss of 0.07 acre (732 linear feet) of jurisdictional waters will be achieved through the re-establishment and preservation of 0.62 acres 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 within one year of impacts. Compensatory mitigation options within the watershed were deemed inadequate. Compensatory mitigation to offset the additional permanent impacts to 0.07 acre (732 linear feet) of waters of the United States and/or State will be achieved at a 8.86:1 ratio (area mitigated:area impacted) through the purchase of 0.30-acre of re-established river credits from the San Luis Rey Wetland Mitigation Bank and purchase of 0.32-acre of vernal pool wetland preservation at the Barry Jones Wetland Mitigation Bank. The higher out of watershed 8.86:1 total mitigation ratio to offset Project impacts is required to account for differences between the functions lost at the impact site and the functions expected to be produced at the mitigation bank as well as the distance between the impact site and the mitigation bank site. Temporary impacts will be restored in place to pre-project conditions.

Additional Project details are provided in Attachments 1 through 4 of this Certification.

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Attachments:

- 1. Definitions
- 2. Project Location Maps
- 3. Project Site Plans
- 4. 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. R9-2015-0074 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section 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/gowdr401regulated_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 USC section 1313). The Basin Plan is accessible at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml

- 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 Board 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 Warm Springs Creek 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 (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. **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/ip/inventory/>.
- 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 Warm Springs Creek or its tributaries. 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.
- Q. **Groundwater Dewatering.** If groundwater dewatering is required for the Project, the Applicant shall enroll in and comply with the requirements of San Diego Water Board Order No. R9-2008-0002 NPDES No. CAG919002, *General Waste Discharge Requirements For Groundwater Extraction Waste Discharges From Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters within the San Diego Region Except for San Diego Bay* or its successor permit.

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 on-site or off-site erosion or damage to properties or stream habitats.
- B. **Storm Drain Inlets.** All storm drain inlet structures within the Project boundaries must be stamped or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design.** The Project must be designed to comply with the requirements for priority development projects in section E.3 of the Regional MS4 Permit Order R9-2013-0001 (and amendments), National Pollutant Discharge Elimination Systems Permit and Waste Discharge Requirements for Discharges of Urban Runoff from the MS4s Draining the Watersheds within the San Diego Region (Regional MS4 Permit) as well as the most current BMP Design Manual for the County of Riverside. Post-construction BMPs are described in the *Project Specific Water Quality Management Plan for: Whitewood Road Improvements Phase 2: Whitewood Road between Triple "C" Road and Brians Way, in the city of Murrieta* (WQMP). Where

conflict exists between the referenced documents the most stringent requirements shall apply.

- D. **Post-Construction BMP Implementation.** All post-construction BMPs must be constructed, functional, and implemented prior to completion of Project construction, occupancy, and/or planned use, and maintained in perpetuity. The post construction BMPs must include those described in the WQMP, dated September 2013, prepared on behalf of the Applicant by Albert A. Webb Associates; or any subsequent version of the WQMP approved by the City of Murrieta.
- E. **Post-Construction BMP Maintenance.** The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Storm Water Quality Association (CASQA)² guidance. The Applicant shall:
1. No less than two times per year, assess the performance of the BMPs to ensure protection of the receiving waters and identify any necessary corrective measures;
 2. Perform inspections of BMPs, at the beginning of the wet season no later than October 1 and the end of the wet season no later than April 1, for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;
 3. Regularly perform preventative maintenance of BMPs, including removal of accumulated trash and debris, as needed to ensure proper functioning of the BMPs;
 4. Identify and promptly repair damage to BMPs; and
 5. Maintain a log documenting all BMP inspections and maintenance activities. The log shall be made available to the San Diego Water Board upon request.
- F. **Bridge, Crossing, and Culvert Design.** Bridges, culverts, dip crossings, or other stream crossing structures shall be designed and installed so they will not cause scouring of the stream bed and/or erosion of the banks in the vicinity of the Project. Storm drain lines/culverts and other stream crossing structures shall be designed and maintained to accommodate at least a 100-year, 24-hour storm event, including associated bedload and debris, with a similar average velocity as upstream and downstream sections. Bottoms of temporary culverts shall be placed at stream channel grade and bottoms of permanent culverts shall be open bottom or embedded and backfilled below the grade of the stream greater than or equal to a depth of 1 foot.
- 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.

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

B. Project Impacts and Compensatory Mitigation. Unavoidable Project impacts to Warms Springs Creek and its unnamed tributaries within the Santa Margarita 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						
Stream Channel	0.029	509	0.30 Re-establishment ¹	4.29:1	NA ²	NA ²
Wetland	0.041	223	0.32 Preservation ³	4.57:1		

1. Permanent impacts will be mitigated through the purchase of 0.30-acre of re-established river credits from the San Luis Rey Mitigation Bank. Mitigation purchased from the San Luis Rey Mitigation Bank is required to be protected and maintained in perpetuity by Wildlands according to the conditions of Water Quality Certification No. R9-2013-0050. The mitigation provided for Project impacts contributes to the net gain of wetlands per the State of California Net Gain Policy (Executive Order W-59-93.)
2. The amount of mitigation credits purchased is not reported in terms of linear feet of mitigation.
3. Vernal pool wetland preservation at the Barry Jones Mitigation Bank.

A. Mitigation Credit Purchase. The Applicant must provide the San Diego Water Board proof of mitigation credit purchase from the San Luis Rey Mitigation Bank and the Barry Jones Mitigation Bank prior to the start of construction.

B. 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.

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. **Discharge Commencement Notification.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.
- F. **Geographic Information System Data.** The Applicant must submit Geographic Information System (GIS) shape files of the Project impact sites within 30 days of the start of project construction. All impact site shape files must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.
- G. **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. Annual Project Progress Reports must be submitted even if Project construction has not begun. The monitoring period for each Annual Project Progress Report shall be January 1st through December 31st of each year. Annual Project Progress Reports must include, at a minimum, the following:
1. **Project Status and Compliance Reporting.** The Annual Project Progress Report must include the following Project status and compliance information:
 - a. The names, qualifications, and affiliations of the persons contributing to the report;
 - b. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best

management practices project features for erosion and storm water quality treatment;

- c. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and
 - d. 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.
- H. **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.
- 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 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. **R9-2015-0074:814844:dbradford**
2375 Northside Drive, Suite 100
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF), 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. **R9-2015-0074:**
814844:dbradford

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."

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 Riverside, 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 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 responsibility for compliance with this Certification in the event that a transferee fails to comply.

VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of Murrieta 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 July 18, 2013 for the Final Mitigated Negative Declaration (FMND) titled *Final Initial Study/Mitigated Negative Declaration for Whitewood (Meadowlark) Road between Baxter Road and Keller Road Project* (State Clearing House Number 2011071020). 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 FMND 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.

Whitewood (Meadowlark) Road Construction Project Between Baxter Road and Keller Road
Certification No. R9-2015-0074

- 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 FMND are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 4 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FMND, 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 sections V and 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

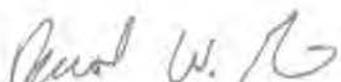
Darren Bradford, Environmental Scientist
Telephone: (760) 994-9109
Email: darren.bradford@waterboards.ca.gov

X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the **Whitewood (Meadowlark) Road Construction Project between Baxter Road and Keller Road Project** (Certification No. R9-2015-0074) 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. R9-2015-0074 issued on July 29, 2016.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

29 July 2016
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.

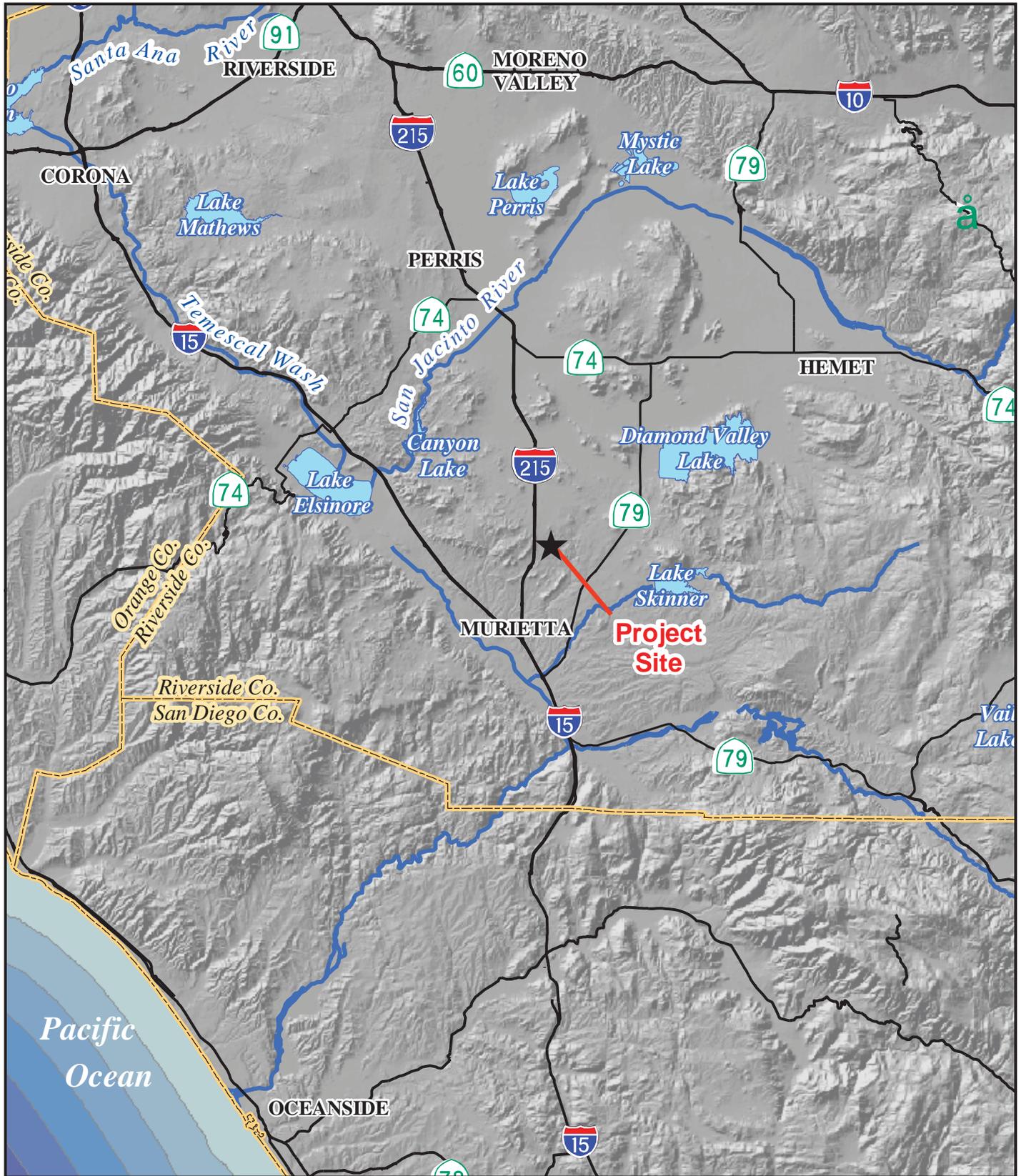
Uplands - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and 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.

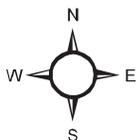
City of Murrieta
Whitewood (Meadowlark) Road Construction Project
Certification No. R9-2015-0074

ATTACHMENT 2
PROJECT LOCATION MAPS

Figure 4 – Waterbodies Map
Figure 3 – USGS Topographic Map
Figure 2 – Project Site Map



Sources: USGS 30 Meter DEM;
USGS Digital Line Graph



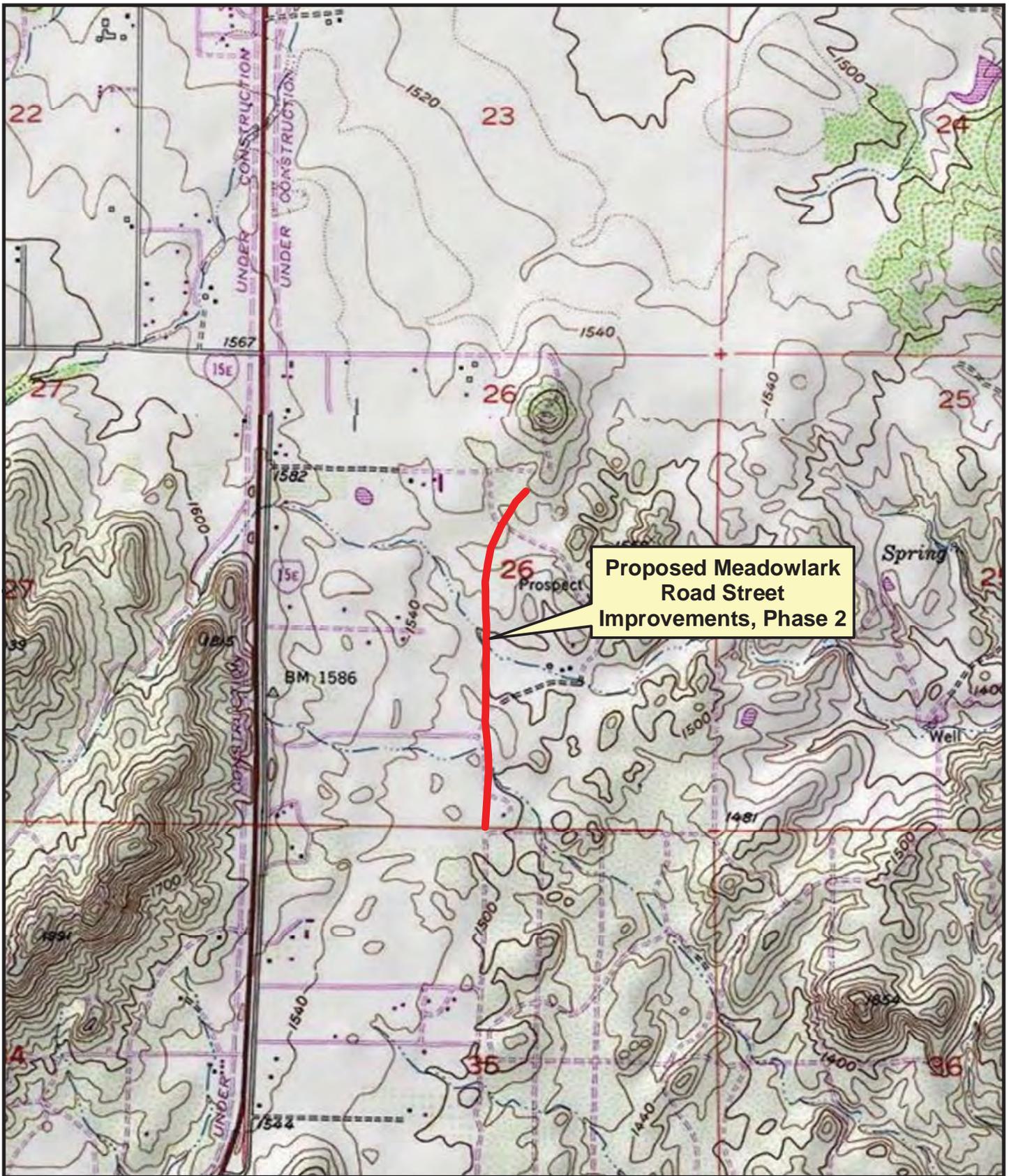
Legend

-  County Boundaries
-  Lakes
-  Major Streams

Figure 4

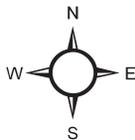
Waterbodies





USGS 7.5min Quad DRGs: Murrieta,
Romoland. T6S R3W Sec. 26

ALBERT A.
WEBB
ASSOCIATES



0 1,500 3,000 4,500
Feet

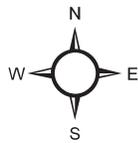
Figure 3

USGS Topographic Map



Image: Digital Globe, March 2008

ALBERT A.
WEBB
 ASSOCIATES



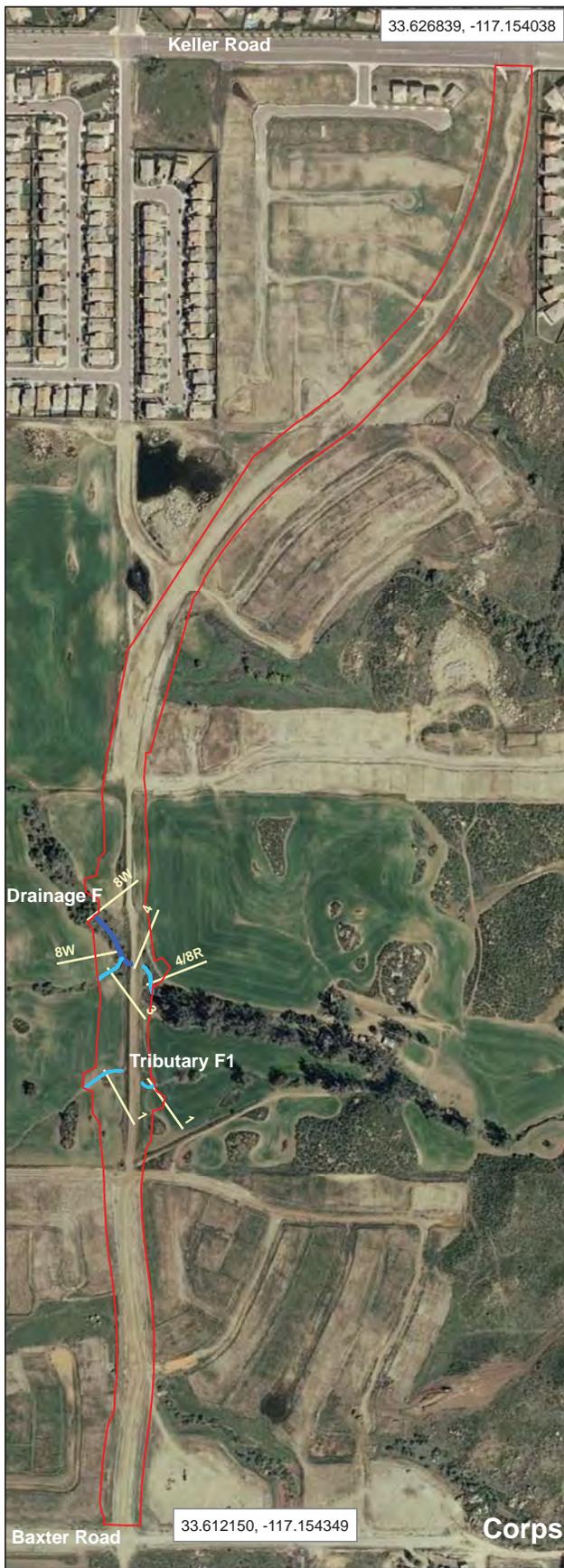
0 750 1,500 2,250
 Feet

Figure 2
Project Site

City of Murrieta
Whitewood (Meadowlark) Road Construction Project
Certification No. R9-2015-0074

**ATTACHMENT 3
PROJECT SITE PLANS**

Exhibit 3 – Jurisdictional Delineation Map
Sheet 1 – WQMP Plan
Sheet 2 – WQMP Details and Sections



Legend

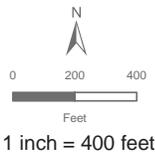
- Project Area
- Corps Jurisdiction**
- Non-Wetland Waters of the U.S.
- Wetland Waters of the U.S.

CDFG Jurisdiction

- Unvegetated
- Riparian

^{7W/40R} Width of Jurisdictional Feature in Feet*

*When W is present this indicates Corps Wetlands width in feet.
When R is present this indicates CDFG Riparian width in feet.



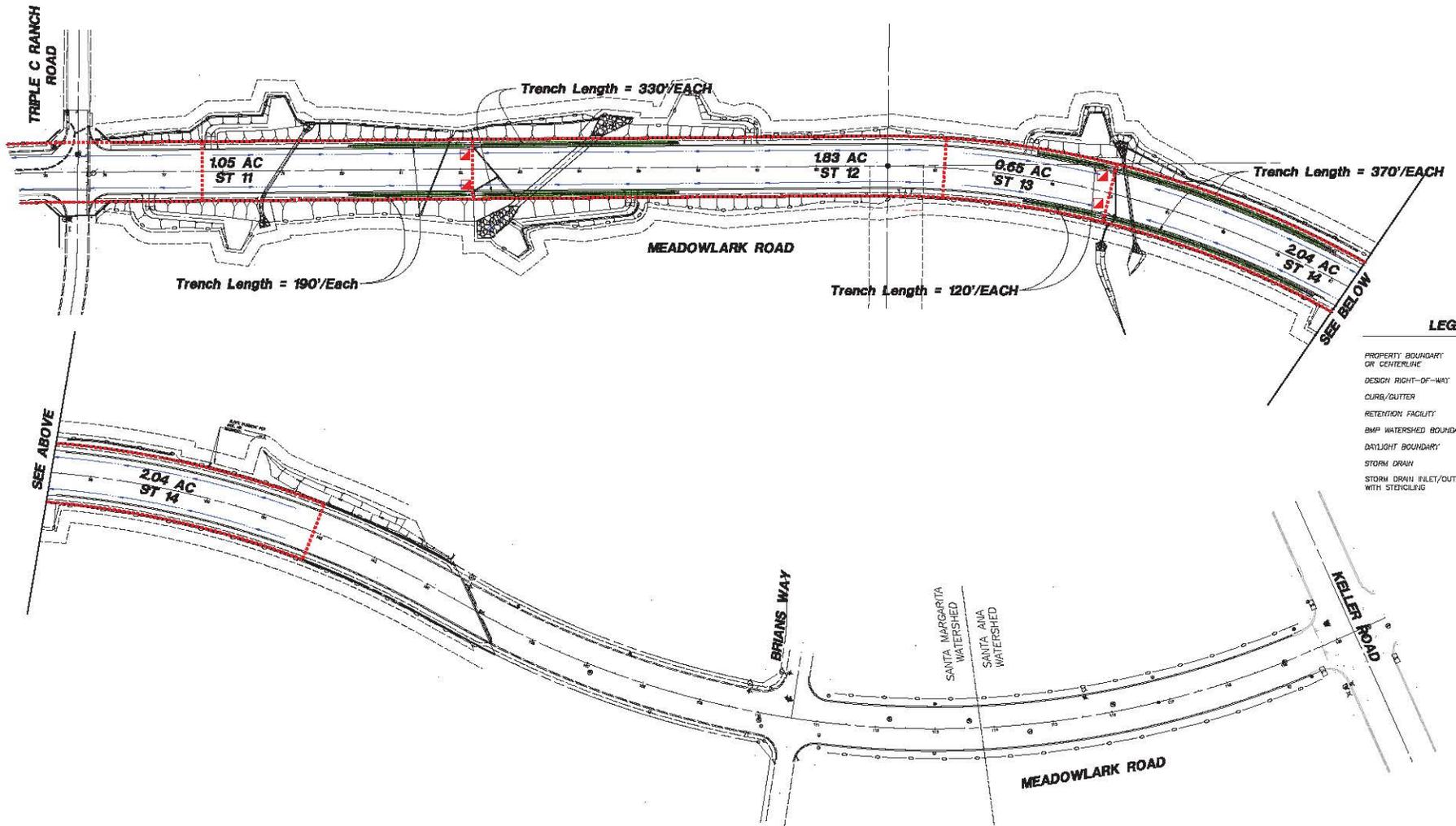
WHITEWOOD (MEADOWLARK) ROAD BETWEEN BAXTER ROAD AND KELLER ROAD PROJECT

Jurisdictional Delineation Map

GLENN LUKOS ASSOCIATES

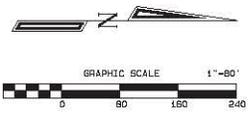


Exhibit 3



LEGEND

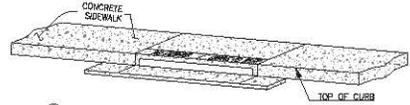
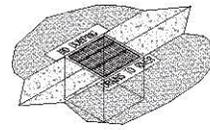
- PROPERTY BOUNDARY OR CENTERLINE
- DESIGN RIGHT-OF-WAY
- CURB/GUTTER
- RETENTION FACILITY
- BMP WATERSHED BOUNDARY
- DATLIGHT BOUNDARY
- STORM DRAIN
- STORM DRAIN INLET/OUTLET WITH STEPCILING



WEBB
 CIVIL ENGINEERS
 3788 McRAY ST.
 RIVERSIDE, CA 92506
 (951) 886-1070

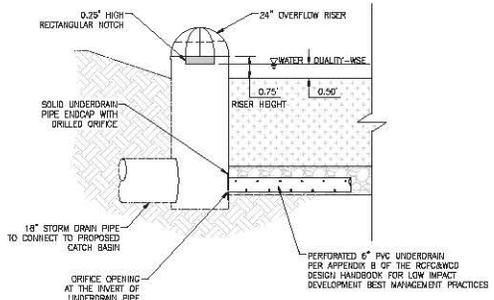
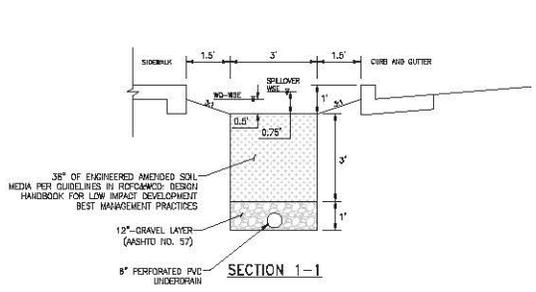
SHEET 1	CITY OF MURRIETA ENGINEERING DEPARTMENT	SHEET 2
MEADOWLARK ROAD PHASE 2 WCMP PLAN		

FACILITY RISER	NOTCH WIDTH	ORIFICE DIAMETER
STREET 11	2'	1"
STREET 12	2'	1-3/8"
STREET 13	0.5'	3/4"
STREET 14	2'	1-3/8"



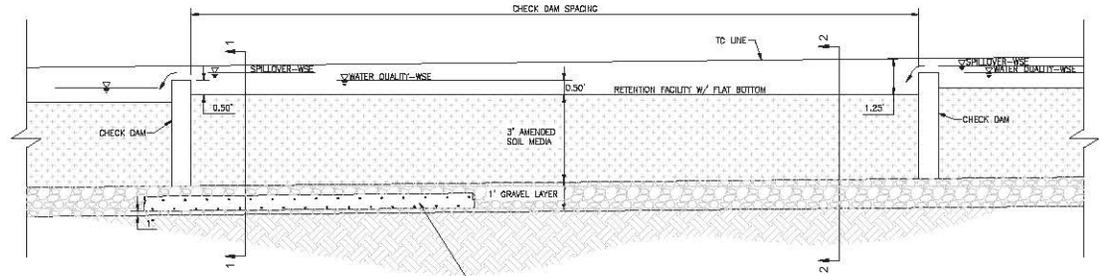
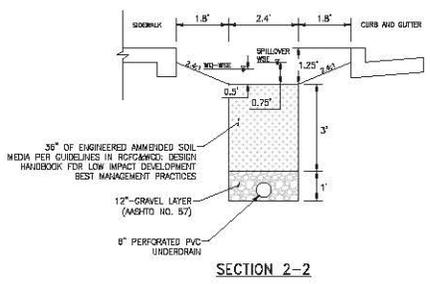
- ① STENCILS TO HAVE 2" LETTERS AS FOLLOWS:
NO DUMPING - DRAINS TO RIVER
- ② PLACE BOTH STENCILS CENTERED WITHIN THE CATCH BASIN
OPENINGS AND WITHIN THE TOP OF THE CURB.
- ③ SPRAY BOTH STENCILS WITH WHITE PAINT.
- ④ REMOVE STENCILS WHEN PAINT IS DRY.

CATCH BASIN STENCILING DETAIL
M/S



**RETENTION FACILITY
OUTLET DETAIL**

CHECK DAM SPACING	
STREET SLOPE	DAM SPACING
1%	25'
1.5%	20'
2%	15'
2.5%	10'



**RETENTION FACILITY
LONGITUDINAL SECTION**



ALBERT A. WEBB
ASSOCIATES
CIVIL ENGINEERS
3788 McGRAY ST.
RIVERSIDE CA 92506
(951) 686-1070

SHEET 2	CITY OF MURRIETA ENGINEERING DEPARTMENT	SHEETS 2
MEADOWLARK ROAD PHASE 2 WQMP DETAILS AND SECTIONS		

City of Murrieta
Whitewood (Meadowlark) Road Construction Project
Certification No. R9-2015-0074

ATTACHMENT 4
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

for

Whitewood (Meadowlark) Road Between Baxter Road and Keller Road Project

Prepared for:

City of Murrieta
Public Works Department
One Town Square
24601 Jefferson Avenue
Murrieta, CA 92562

Contact:

Jeffrey J. Hitch, P.E., Associate Civil Engineer
(951) 461-6076

Prepared by:

Albert A. Webb Associates
3788 McCray Street
Riverside, CA 92506

Contact:

Cheryl DeGano, Principal Environmental Analyst
Brad Perrine, Assistant Environmental Analyst
(951) 686-1070

June 2013

MITIGATION MONITORING & REPORTING PROGRAM

The Whitewood (Meadowlark) Road Between Baxter Road and Keller Road Project consists of the acquisition of right-of-way (ROW) and construction of Whitewood (Meadowlark) Road to its ultimate width pursuant to the City’s Circulation Element designation of a four-lane “Major” roadway. In addition to the roadway, the initial phase of the Project also includes grading and excavation, storm drains, storm water treatment facilities, wildlife undercrossings, street lights at intersections, curb cuts and wheel chair ramps at intersections, and signing and striping. Traffic signals and signal inter connect conduits will be installed at the intersections of Whitewood (Meadowlark) Road/Baxter Road and Whitewood (Meadowlark) Road/Keller Road. Parkway and median landscape improvements will include a completely automated irrigation system and planting materials will be selected from the City’s landscape palette to promote water efficiency and infiltration, will be constructed in subsequent phases.

Mitigation measures were incorporated into the Project to reduce environmental impacts, identified in the Project’s Initial Study, to below the level of significance. California Public Resources Code Section 21081.6 requires a Lead Agency to adopt a *reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment*. State CEQA Guidelines Section 15097 summarizes the criteria required for mitigation monitoring and/or reporting. This Mitigation Monitoring and Reporting Program (MMRP) has been compiled to verify implementation of adopted mitigation measures. The following table provides a summary format for the written report, including identification of the various mitigation measures, applicable implementation stage, identification of the designated monitor, and verification of implementation of each mitigation measure.

The following clarifies the meaning of each column in the following table:

- Impact Category:** Identifies potentially affected resource/environmental condition.
- Mitigation Measure:** Those measures that will be implemented to minimize possible significant environmental impacts.
- Implementation Timing:** The phase of the Project in which implementation and compliance will be monitored
- Designated Monitor:** Entity responsible for monitoring the implementation of the mitigation measure
- Method of Verification:** Identifies mechanism by which implementation will be verified
- Compliance Verification:** To be signed and dated by the City’s Project Manager upon receipt of written verification of each mitigation measure

Acronyms/Abbreviations Used in the MMRP

City	City of Murrieta
CDFG	California Department of Fish and Game
CNEL	Community Noise Equivalent Level
Corps	United States Army Corps of Engineers
dba	Decibels on the A-weighted scale
DBESP	Determination of Biologically Equivalent or Superior Preservation
MSHCP	Multiple Species Habitat Conservation Plan
USFWS	United States Fish and Wildlife Service

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
BIOLOGICAL RESOURCES	MM Bio 1: No more than 30 days prior to ground disturbance associated with clearing, grading, demolition, etc., a qualified biologist will conduct a pre-construction burrowing owl survey to satisfy Objective Number 6 of the MSHCP species-specific objectives for the burrowing owl. If burrowing owls are detected within the Project Alignment, the owls will be relocated from the site following accepted protocols. In order to avoid the disruption of breeding owls, active nests will be avoided, and relocations will be conducted outside of the nesting season, identified from February 1 through August 31.	No more than 30 days prior to ground disturbance associated with clearing, grading, demolition, etc.	City Public Works Department or designee	Complete burrowing owl survey report	
BIOLOGICAL RESOURCES	MM Bio 2: Following completion of Project construction, the City shall restore all temporary impacts to riparian habitats, which shall total approximately 0.04 acre. Temporary impacts to riparian habitat as a result of grading shall occur at four (4) separate locations distributed along the proposed Project Alignment. All areas of temporary impact shall be restored with the same vegetation that is impacted, and shall be subject to long-term monitoring to ensure success.	Following completion of Project construction	City Public Works Department or designee	Restored habitat	
BIOLOGICAL RESOURCES	MM Bio 3: The City shall offset permanent impacts to approximately 0.24 acre of riparian vegetation through the Creation of approximately 0.72 acres of riparian habitat at the Mapleton Channel Mitigation Site, located north of Mapleton Avenue and residential development, east of Antelope Road and residential development, south of Tulita Land and residential development, and west of Whitewood Riad/Menifee Road, approximately 0.50 miles north of the northern terminus of the Project Alignment at	Prior to the issuance of a grading permit	City Public Works Department or designee	Restored habitat Secured credit	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
	<p>Keller Road (see Figure 8 – Proposed Off-Site Mitigation). The mitigation area habitat shall include planting of riparian vegetation such as coast live oak, Fremont’s cottonwood, western sycamore, willow, and mule fat in a channel that shall provide riverine function to Warm Springs Creek to which Mapleton Channel is a tributary. Further, the types of habitat proposed shall provide suitable riparian vegetation for least Bell’s vireo (<i>Vireo bellii pusillus</i>), and as long as water is present, could be suitable for southwestern willow flycatcher (<i>Empidonax traillii extimus</i>).¹</p>				
BIOLOGICAL RESOURCES	<p>MM Bio 4: The City of Murrieta shall approve a Determination of Biologically Equivalent or Superior Preservation (DBESP) that evaluates Project impacts to riparian habitats and provides replacement habitat such that the habitat is biologically equivalent or superior to the riparian areas to be impacted by the Project. The DBESP shall be provided to the wildlife agencies (USFWS and CDFG) for a 60-day review and comment period.</p>	<p>Prior to the issuance of a grading permit</p>	<p>City Public Works Department or designee</p>	<p>Approval of DBESP</p>	<p><i>A copy of the wildlife agencies’ concurrence with the DBESP is included as Appendix B.4 to the IS/MND.</i></p>
BIOLOGICAL RESOURCES	<p>MM Bio 5: Prior to the issuance of a grading permit, the Project shall obtain the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include a Section 404 permit from the Corps, a Section 1602 Streambed Alteration Agreement from CDFG, and a Section 401 Water Quality Certification/Waste Discharge Requirement from the Regional Board.</p>	<p>Prior to the issuance of a grading permit</p>	<p>City Public Works Department or designee</p>	<p>Permits and Agreements issued by resource agencies</p>	

¹ A copy of **Figure 8 - Proposed Off-Site Mitigation** is attached at the end of the MMRP.

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
BIOLOGICAL RESOURCES	MM Bio 6: The removal of potential nesting vegetation shall be conducted outside of the nesting season (February 1 to August 31) to the extent that this is feasible. If vegetation must be removed during the nesting season, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Such surveys shall be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist shall establish buffers around the vegetation containing the active nest (500 feet for raptors and 200 feet for non raptors). The vegetation containing the active nest shall not be removed, and no grading shall occur within the established buffer, until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three (3) days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds.	Construction start to completion	Construction Manager	Construction schedule showing work completed outside of nesting season For work completed during nesting season, nesting bird survey report and monitoring reports	
CULTURAL RESOURCES	MM CR 1: There is a possibility that significant archaeological resources will be unearthed during development within the Project area. An archaeological mitigation monitoring program shall be implemented for activities conducted in association with development of the Project. Full time monitoring by a Riverside County Qualified Archaeologist shall continue until the Project archaeologist, in consultation with the Pechanga Tribe, determines that the overall sensitivity of the Project site has been reduced from moderate to low as a result of the mitigation monitoring program. Should it be	Construction start to completion	Riverside County Qualified Archaeologist Pechanga Tribal Monitor(s)	Monitoring report	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
	determined that there are no cultural resources within the impacted areas, or should the sensitivity be reduced to low during the monitoring, all monitoring shall cease.				
CULTURAL RESOURCES	<p>MM CR 2: Should any cultural resources be discovered, the archaeological and Tribal monitors are authorized to stop all grading traffic in the immediate area of the discovery, and evaluate the find(s). They shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources in accordance with Section 15064.5 of the <i>CEQA Guidelines</i>. If the resources are determined to be unique historic resources as defined under Section 15064.5 of the <i>CEQA Guidelines</i>, suggested mitigation measures shall be submitted by the archaeologist monitor and the Pechanga Tribe to the City.</p> <p>Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the City approves the measures to protect these resources. Any non-Native American archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow for future scientific study.</p>	Construction start to completion	Riverside County Qualified Archaeologist Pechanga Tribal Monitor(s)	Implementation of appropriate mitigation measures recommended by the archaeologist monitor and Pechanga Tribe	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
CULTURAL RESOURCES	<p>MM CR 3: A report documenting the monitoring activities shall be submitted to the City by the Project archaeologist within 60 days of completion of grading. This report shall document the type of cultural resource recovered and the disposition of such resources. The landowner agrees to relinquish ownership of all associated Native American resources, including all Luiseño sacred items, burial goods, and all Native American archaeological artifacts that are found in the Project area to the Pechanga Band of Luiseño Indians for proper treatment and disposition. Non-Native American resources shall be deposited into an approved authorized curation facility.</p> <p>In addition, all archaeological materials found within the right-of-way during project activity shall become the property of the City. The City will have an agreement with Pechanga that will make these materials the property of Pechanga as defined in the following mitigation measure, MM CR 4.</p>	Within 60 days of completion of grading	City Public Works Department or designee Pechanga Tribal Monitor(s)	Documentation of disposition of discovered resource	
CULTURAL RESOURCES	<p>MM CR 4: Prior to grading, the City is required to enter into a Treatment Agreement with the Pechanga Band of Luiseño Indians. This Agreement shall address the treatment and disposition of cultural resources and human remains that may be uncovered during construction as well as provisions for tribal monitors.</p>	Prior to grading	City of Murrieta and Pechanga Band of Luiseño Indians	Executed Treatment Agreement	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
CULTURAL RESOURCES	<p>MM CR 5: In the event a paleontological resource is accidentally encountered, construction within the area of the find shall be halted or diverted, and a qualified paleontologist shall be retained to evaluate the nature and significance of the find. If the resource is determined to be significant by the paleontologist, it shall be salvaged, recorded, and curated.</p>	Construction start to completion	City Public Works Department or designee Qualified paleontologist	Paleontological report and evidence of curation	
CULTURAL RESOURCES	<p>MM CR 6: Once the Project-related earthmoving excavation begins, and in the event of the accidental discovery of recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:</p> <p>If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.</p>	During earthmoving and excavation activities	Riverside County Qualified Archaeologist Pechanga Tribal Monitor(s)	Coroner’s report Report prepared by Native American Heritage Commission (if applicable)	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
NOISE	MM Noise 1: In locations where construction activities occur within one-quarter mile of any existing structure designed for human occupancy, construction activities shall be limited to between the hours of 7:00 a.m. and 8:00 p.m., Monday through Saturday. Construction during other periods, including Sundays and holidays, shall be limited to emergencies and activities determined to be in the interest of the general public. If nocturnal construction is planned or required to minimize traffic interference, and if any occupied structures exist within one-half mile, a requested exemption to the above time constraints shall be submitted to the City Engineer. The City Engineer shall confirm that such operations are not detrimental to the health, safety and welfare of the noise receptors prior to authorizing construction outside of the time constraints listed above.	Construction start to completion	Construction Manager City Engineer	Construction schedule Issuance of exemption by City Engineer	
NOISE	MM Noise 2: The City shall notify residences located within one-quarter mile of any areas that will require blasting, as to the timing and duration of any blasting activities associated with the Project. Notification shall take place a minimum of five working days prior to the anticipated blasting activities.	A minimum of five days prior to any blasting activities.	City Public Works Department or designee	Copy of notification	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
NOISE	MM Noise 3: The City shall respond to any noise complaints received for this project by measuring noise levels at the affected receptor site. If the monitored noise level exceeds 65 dBA CNEL exterior or 45 dBA CNEL interior at the receptor, the construction contractor shall implement adequate measures (which may include portable sound attenuation walls, use of quieter equipment, shift of construction schedule to avoid the presence of sensitive receptors, etc.) to reduce noise levels to the greatest extent feasible. Any monitoring shall be conducted by a qualified acoustical firm under contract with the construction contractor and responsible to the City.	Construction start to completion	City Public Works Department or designee Construction Manager Acoustical consultant	City record of complaint and report documenting noise monitoring Noise attenuation plan if monitored noise levels exceed 65 dBA CNEL exterior or 45 dBA CNEL	
TRANS/TRAFFIC	MM Trans 1: The construction contractor will time the construction activities to minimize obstruction of through traffic lanes adjacent to the site.	Construction start to completion	Construction Manager	Construction schedule	
TRANS/TRAFFIC	MM Trans 2: The construction contractor will provide adequate traffic control resources, as determined by the City, to ensure adequate access to all occupied properties on a daily basis, including emergency access. A construction traffic control plan shall be prepared and approved by the City prior to initiation of construction within the project Alignment. The plan can include the following components: protective devices and/or flag person(s) for traffic control to maintain safe traffic flow on local streets affected by construction at all times.	Prior to initiation of any construction	Construction Manager City Public Works Department or designee	Traffic management plan	

Impact Category	Mitigation Measure	Implementation Timing	Designated Monitor	Method of Verification	Compliance Verification
TRANS/TRAFFIC	MM Trans 3: All roadway construction effects shall be repaired and returned to operation in a condition comparable to that which existed prior to initiating construction. The City shall verify the acceptability of all temporary and permanent roadway repairs.	Construction completion	City Public Works Department or designee	Inspection report	



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Sources: Grading Plans for Mapleton Mitigation Area, Murrieta, CA; Eagle Aerial, April 2010.

Figure 8. Proposed Off Site Mitigation
Whitewood (Meadowlark) Road
Between Baxter Road and Keller Road Project

0 200 400 600 Feet

