# 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: Laguna Canyon Creek Erosion Control and

**Restoration Project** 

Certification Number R9-2019-0017

WDID: 9000002695

APPLICANT: City of Laguna Beach

505 Forest Avenue

Laguna Beach, CA 92651

Reg. Meas. ID: 394964 Place ID: 803874 Party ID: 278717 Person ID: 545319

#### ACTION:

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

#### PROJECT DESCRIPTION

An application dated February 12, 2014, was submitted by the City of Laguna Beach (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 Laguna Canyon Creek Erosion Control and Restoration Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on December 13, 2018. 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-2012-00652-BLR).

The Project is located within the City of Laguna Beach, Orange County, California at 20612 Laguna Canyon Road. The Project center reading is located at latitude 33.57337 and longitude -117.76276. The Applicant has paid all required application fees for this Certification in the amount of \$4,286.00. On an annual basis, the Applicant shall also pay all active discharge fees and post discharge monitoring fees, as appropriate<sup>1</sup>. On February 14, 2014,

<sup>&</sup>lt;sup>1</sup> 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 first fiscal year following the fiscal year in which the regional board or State Board issued a Notice of Completion of Discharges (footnote continued on next page)

the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Applicant proposes to replace existing grouted and ungrouted riprap with open cell, plantable, articulated concrete block (Armorflex) on the channel side slopes and remove accumulated sediment from the channel bottom to increase channel capacity and reduce erosion. The construction of Armorflex on the channel side slopes is proposed to reduce erosion and increase channel capacity. The channel bottom is to remain earthen. Upstream of the existing box culvert crossing, the project will remove emergent vegetation, excavate approximately 375 cubic yards of sediment, and install Armorflex on the banks of Laguna Canyon Creek. The articulated concrete block at the west bank next to the existing parking area will incorporate a high-flow stream terrace and a concrete retaining wall. An existing pedestrian crossing will be demolished and replaced adjacent to the existing box culvert. The installed Armorflex will be hydro-seeded with emergent and low-growing native vegetation.

Downstream of the existing box culvert crossing, the project will remove vegetation, establish stream bank terraces, and install longitudinal peak stone toe protection along the east bank of Laguna Canyon Creek. The rock structure will incorporate three bend-way weirs extending into the streambed. Portions of the streambed downstream of the existing box culvert will be widened and recontoured along the west bank of the stream. The east and west stream banks downstream of the existing box culvert will be restored with native trees, shrubs, and understory vegetation.

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 0.04 acre (135 linear feet) of wetland waters of the United States and/or State and 0.01 acre (96 Linear feet) of streambed waters of the United States and/or State and temporarily impact 0.002 acre (107 linear feet) of wetland waters of the United States and/or State. Impacts to jurisdictional areas will result from the excavation of sediment located north of the concrete access bridge. In addition, bioengineered placement of longitudinal stone and bendway weirs will be located within the creek adjacent to the Pacific Marine Mammal Center to stabilize the slope and direct flows toward the thalweg of the creek. There will be no net loss of 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

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: <a href="http://www.waterboards.ca.gov/water">http://www.waterboards.ca.gov/water</a> issues/programs/cwa401/docs/dredgefillcalculator.xlsx

practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.05 acre of jurisdictional waters will be achieved through the re-establishment of 0.07 acre (107 linear feet) of on-site wetland waters of the United States and/or State and/or State and off-site enhancement of 0.15 acre 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. On-site re-establishment mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant on-site at 20612 Laguna Canyon Road, Laguna Beach, CA, located in the Laguna Beach hydrologic sub-area (HSA 901.12) at a minimum compensation ratio of 1.4:1 (area mitigated: area impacted), and off-site enhancement mitigation will be completed north of State Route (SR) 1 (Coast Highway), south of SR 73, and directly west of Laguna Canyon Road, in the western portion of the City of Laguna Beach, County of Orange, California, in the Laguna Beach hydrologic sub-area (HSA 901.12) at a minimum compensation ratio of 3:1 (area mitigated: area impacted). Specifically, the off-site mitigation area is located adjacent to Laguna Canyon Road, the Irvine Bowl Park at the Festival of Arts and the Laguna Beach Police Department Firing Range within Laguna Canyon.

Detailed written specifications and work descriptions for the compensatory mitigation project including, but not limited to, the geographic boundaries of the project, timing, sequence, monitoring, maintenance, ecological success performance standards and provisions for longterm management and protection of the mitigation areas are described in the Habitat Mitigation and Monitoring Plan Animal Shelter Creek Erosion Protection Project (Mitigation Plan), dated June 2018. San Diego Water Board acceptance of the Mitigation Plan applies only to the Project described in this Certification and must not be construed as approval for other current or future projects that are planning to use additional acreage at the site for mitigation. The Mitigation Plan is incorporated in this Certification by reference as if set forth herein. The Mitigation Plan provides for implementation of compensatory mitigation which offsets adverse water quality impacts attributed to the Project in a manner that protects and restores the abundance, types and conditions of aquatic resources and supports their beneficial uses. Implementation of the Mitigation Plan will reduce significant environmental impacts to resources within the San Diego Water Board's purview to a less than significant level. Based on all of these considerations, the Mitigation Plan will adequately compensate for the loss of beneficial uses and habitat within waters of the United States and/or State attributable to the Project.

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

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#### Attachments:

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

The San Diego Water Board has independently reviewed the record of the Project to analyze the extent and nature of proposed Project impacts to the water quality and beneficial uses of waters of the United States and/or State and associated compensatory mitigation required to offset impacts attributed to the Project. In accordance with this Certification, the Applicant may proceed with the Project under the following terms and conditions:

#### 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. R9-2019-0017 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section1344) 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:

Certification No. R9-2019-0017

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:
  - 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;
  - Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;

- Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and
- 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;
  - Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of the Laguna Creek or its tributaries;
  - 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
  - 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: <a href="http://www.waterboards.ca.gov/public notices/petitions/water quality">http://www.waterboards.ca.gov/public notices/petitions/water quality</a> 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 <a href="http://www.cal-ipc.org/ip/inventory/">http://www.cal-ipc.org/ip/inventory/</a>.
- 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 Laguna Creek and 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. R9-2015-0013 NPDES No. CAG919003, General Waste Discharge Requirements For Groundwater Extraction Discharges to Surface Waters within the San Diego Region 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.

#### V. PROJECT IMPACTS AND COMPENSATORY MITIGATION

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

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
Permanent Impacts						
Wetland Stream	0.04	135	0.07 Re- establishment <sup>1</sup>	1,4:1	107 Re- Establishment <sup>1</sup>	1:1
Channel	0.01	96	0.15 Enhancement <sup>2</sup>	3.0		
Temporary Impacts <sup>3</sup>						
Wetland	0.002	107	NA	NA	NA	NA

- Wetland re-establishment on-site at 20612 Laguna Canyon Road, Laguna Beach, CA. The Project will not result in a net loss of waters of the United States and/or State.
- Streambed enhancement generally located off-site north of State Route (SR) 1 (Coast Highway), south of SR
  73, and directly west of Laguna Canyon Road, in the western portion of the City of Laguna Beach.
  Specifically, the off-site mitigation area is located adjacent to Laguna Canyon Road, the Irvine Bowl Park at
  the Festival of Arts and the Laguna Beach Police Department Firing Range within Laguna Canyon.
- 3 All areas of temporary impacts must be restored to pre-project contours and re-vegetated with native species.
  - C. Compensatory Mitigation Plan Implementation. The Applicant must fully and completely implement the Mitigation Plan; any deviations from, or revisions to, the Mitigation Plan must be pre-approved by the San Diego Water Board.
  - D. Performance Standards. Compensatory mitigation required under this Certification shall be considered achieved once it has met the ecological success performance standards contained in the Mitigation Plan (Section 6.0, page 32) to the satisfaction of the San Diego Water Board.

- E. Compensatory Mitigation Site Design. The compensatory mitigation site(s) shall be designed to be self-sustaining once performance standards have been achieved. This includes minimization of active engineering features (e.g., pumps) and appropriate siting to ensure that natural hydrology and landscape context support long-term sustainability in conformance with the following conditions:
  - Most of the channels through the mitigation sites shall be characterized by equilibrium conditions, with no evidence of severe aggradation or degradation;
  - As viewed along cross-sections, the channel and buffer area(s) shall have a variety
    of slopes, or elevations, that are characterized by different moisture gradients. Each
    sub-slope shall contain physical patch types or features that contribute to irregularity
    in height, edges, or surface and to complex topography overall; and
  - The mitigation sites shall have a well-developed plant community characterized by a high degree of horizontal and vertical interspersion among plant zones and layers.
- F. Temporary Project Impact Areas. The Applicant must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge of pollutants to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.
- G. Long-Term Management and Maintenance. The compensatory mitigation site(s) must be managed, protected, and maintained, in perpetuity, in conformance with the long-term management plan and the final ecological success performance standards identified in the Mitigation Plan. The aquatic habitats, riparian areas, buffers and uplands that comprise the mitigation site(s) must be protected in perpetuity from landuse and maintenance activities that may threaten water quality or beneficial uses within the mitigation area(s) in a manner consistent with the following requirements:
  - Any maintenance activities on the mitigation site(s) that do not contribute to the success of the mitigation site(s) and enhancement of beneficial uses and ecological functions and services are prohibited;
  - Maintenance activities must be limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species, and remedial measures deemed necessary for the success of the compensatory mitigation project;
  - 3. The Mitigation site(s) must be maintained, in perpetuity, free of perennial exotic plant species including, but not limited to, pampas grass, giant reed, tamarisk, sweet fennel, tree tobacco, castor bean, and pepper tree. Annual exotic plant species must not occupy more than 5 percent of the mitigation site(s); and
  - 4. If at any time a catastrophic natural event (e.g., fire, flood) causes damage(s) to the mitigation site(s) or other deficiencies in the compensatory mitigation project, the

Applicant must take prompt and appropriate action to repair the damage(s) including replanting the affected area(s) and address any other deficiencies. The San Diego Water Board may require additional monitoring by the Applicant to assess how the compensatory mitigation site(s) or project is responding to a catastrophic natural event.

- H. Timing of Mitigation Site Construction. The construction of proposed mitigation must be concurrent with project grading and completed no later than 9 months following the start of Project construction. Delays in implementing mitigation must be compensated for by an increased mitigation implementation of 10% of the cumulative compensatory mitigation for each month of delay.
- Mitigation Site(s) Preservation Mechanism. Within 90 days from the issuance of this Certification, the Applicant must provide the San Diego Water Board with a draft preservation mechanism (e.g. deed restriction, conservation easement, etc.) that will protect all mitigation areas and their buffers in perpetuity. Within 5 years of the start of Project construction, the Applicant must submit proof of a completed final preservation mechanism that will protect all mitigation areas and their buffers in perpetuity. The conservation easement, deed restriction, or other legal limitation on the mitigation properties must be adequate to demonstrate that the sites will be maintained without future development or encroachment on the sites which could otherwise reduce the functions and values of the sites for the variety of beneficial uses of waters of the United States and/ or State that it supports. The legal limitation must prohibit, without exception, all residential, commercial, industrial, institutional, and transportation development, and any other infrastructure development that would not maintain or enhance the wetland and streambed functions and values of the sites. The preservation mechanism must clearly prohibit activities that would result in soil disturbance or vegetation removal, other than the removal of non-native vegetation, and fuel modification as described in the Fuel Modification Plan (HMMP, Section 5.2, page 31). Other infrastructure development to be prohibited includes, but is not limited to, additional utility lines, maintenance roads, and areas of maintained landscaping for recreation.

#### VI. MONITORING AND REPORTING REQUIREMENTS

- A. Representative Monitoring. Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.
- B. **Monitoring Reports**. Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.
- C. Monitoring and Reporting Revisions. The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.
- D. Records of Monitoring Information. Records of monitoring information shall include:
  - 1. The date, exact place, and time of sampling or measurements;

- 2. The individual(s) who performed the sampling or measurements;
- 3. The date(s) analyses were performed;
- 4. The individual(s) who performed the analyses;
- 5. The analytical techniques or methods used; and
- 6. The results of such analyses.
- E. California Rapid Assessment Method. California Rapid Assessment Method (CRAM)² monitoring must be performed to assess the current and potential ecological conditions (ecological integrity) of the impact site and proposed compensatory mitigation site(s). These conditions reflect the overall level of ecological function of an aquatic resource. Prior to initiating Project construction, the Applicant shall develop a monitoring plan to implement California Rapid Assessment Method (CRAM) monitoring. The Applicant must conduct a quantitative function-based assessment of the health of streambed habitat to establish pre-project baseline conditions, set CRAM success criteria, and assess the mitigation site(s) progress towards meeting the success criteria. CRAM monitoring must be conducted prior to the start of Project construction authorized under this Certification and annually following construction completion for a period of 5 years. The annual CRAM monitoring results shall be submitted with the Annual Project Progress Report. An evaluation, interpretation, and tabulation of all CRAM assessment data shall be submitted with the Final Project Completion Report.
- F. Benthic Macroinvertebrate Community Analysis. The Applicant shall conduct bioassessment monitoring, as described in this section, to assess the success of mitigation areas and the impact of construction activities, whenever applicable, using benthic macroinvertebrate community data. Bioassessment shall include: 1) the collection and reporting of benthic macroinvertebrate data; and 2) the collection and reporting of physical habitat data. Bioassessment using benthic macroinvertebrates shall be conducted in wadeable streams during the appropriate index period based on stream type:

Scenario	Typical sampling period		
Nonperennial stream in a typical year	March 1 through May 1		
Nonperennial stream in a dry year	February 15 through April 15		
Nonperennial stream in a wet year	April 15 through July 15		
Perennial stream in a typical year	May 15 through July 15		
Perennial stream in a dry year	April 15 through June 15		
Perennial or high-elevation stream in wet year*	June 15 through August 15		

<sup>\*</sup> where snow or meltwater is a concern

<sup>&</sup>lt;sup>2</sup> The most recent versions of the California Rapid Assessment Method (CRAM) for Wetlands and additional information regarding CRAM can be accessed at <a href="http://www.cramwetlands.org/">http://www.cramwetlands.org/</a>

Wadeable streams shall be defined as streams that can be safely waded in order to be sampled for benthic invertebrates during the appropriate index period and baseflow conditions. If there in uncertainty regarding the appropriate sampling period, please contact the San Diego Water Board.

- Field Methods. Bioassessment monitoring must be performed using the most recent SWAMP field methods specified in Standard Operating Procedures for the Collection of Field Data for Bioassessment of California Wadeable Streams: Benthic Macroinvertebrates, Algae, and Physical Habitat, SOP 004, May 2016 (SOP SB-2016-0001, Ode et al. 2016)<sup>3</sup> or any updates of these methods. The Applicants shall conduct, concurrently with all required benthic macroinvertebrate collections, the "Full" suite of physical habitat characterization measurements as specified in the SOP.
- 2. Laboratory Methods. Benthic macroinvertebrates shall be identified using the SWAMP laboratory methods specified in Standard Operating Procedures for Laboratory Processing and Identification of Benthic Macroinvertebrates in California (Laboratory SOP, Woodard et al. 2012)<sup>4</sup> or any updates of these methods. Standard Taxonomic Effort (STE) Level II or IIa of the Southwestern Association of Freshwater Invertebrate Taxonomists (SAFIT) is required. Quality control samples are required for 10% of the samples each year and Quality Assurance samples must be analyzed by the Aquatic Bioassessment Laboratory of the California Department of Fish and Wildlife.
- Data Analysis. Analysis of benthic macroinvertebrate data shall be conducted using scoring tools including but not limited to the *California Stream Condition* Index (CSCI, Mazor et. al., 2017, SWAMP-TM-2015-0004)<sup>5</sup>.
- 4. Data Storage. Benthic macroinvertebrate data and physical habitat data shall be submitted to the California Environmental Data Exchange Network (CEDEN). Benthic macroinvertebrate data and physical habitat data shall be submitted to the California Environmental Data Exchange Network (CEDEN)<sup>6</sup> within 1 year of sample collection.
- Monitoring Sites. All monitoring sites shall be approved by staff at the San Diego Water Board before sampling is initiated and must meet the following conditions:
  - a. Mitigation Sites. At a minimum, bioassessment monitoring for mitigation areas must be performed at three sites (assessment stations) in Laguna

<sup>&</sup>lt;sup>3</sup> The SOP can be found electronically at the following location: https://www.waterboards.ca.gov/water\_issues/programs/swamp/bioassessment/docs/combined\_sop\_2016.pdf

<sup>&</sup>lt;sup>4</sup> The Laboratory SOP can be found electronically at the following location: https://www.waterboards.ca.gov/water\_issues/programs/swamp/docs/bmi\_lab\_sop\_final.pdf

<sup>&</sup>lt;sup>5</sup> Instructions for calculating scores for the *California Stream Condition Index* can be found electronically at the following location: https://www.waterboards.ca.gov/water\_issues/programs/swamp/bioassessment/docs/csci\_scoring\_instruct.pdf

<sup>&</sup>lt;sup>6</sup> The California Environmental Data Exchange Network can be found electronically at the following location: http://www.ceden.org/

Creek before Project initiation, and then in years three and five following start of Project construction, during the established "index period" for the San Juan watershed. The first assessment station is the reference station, which must be located upstream of the mitigation site(s) in a reference area; the second assessment station must be located within the mitigation site(s); and the third assessment station must be located downstream of the mitigation site(s). The reference station upstream of the mitigation site(s) must be located and sampled concurrently with the second and third assessment stations. Reference stations shall be defined as stations that show minimally disturbed conditions.

- b. Monitoring Sites Before/After Construction. At a minimum, bioassessment monitoring for impacts during construction must be performed during the established index period for the San Juan watershed, at two sites (assessment stations) in Laguna Creek before Project initiation and then 6 months after construction has ended. The first assessment must be located upstream of the construction site, and the second assessment station must be located downstream the construction site.
- Monitoring Reports. An evaluation, interpretation and tabulation of the benthic macroinvertebrate community analysis must be submitted prior to March 1 with the respective Annual Project Monitoring Report.
- G. 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.
- H. 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 and GIS shape files of the Project mitigation sites within 30 days of mitigation installation. All impact and mitigation 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.
- I. Annual Project Progress Reports. The Applicant must submit annual Project progress reports describing status of BMP implementation, compensatory mitigation, and compliance with all requirements of this Certification to the San Diego Water Board prior to March 1 of each year following the issuance of this Certification, until the Project has reached completion. The Annual Project Progress Reports must contain compensatory mitigation monitoring information sufficient to demonstrate how the compensatory mitigation project is progressing towards accomplishing its objectives and meeting its performance standards. 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:

- Project Status and Compliance Reporting. The Annual Project Progress Report must include the following Project status and compliance information:
  - The names, qualifications, and affiliations of the persons contributing to the report;
  - 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;
  - 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.
- 2. Compensatory Mitigation Monitoring Reporting. Mitigation monitoring information must be submitted as part of the Annual Project Progress Report for a period of not less than five years, sufficient to demonstrate that the compensatory mitigation project has accomplished its objectives and met ecological success performance standards contained in the Mitigation Plan. Following Project implementation the San Diego Water Board may reduce or waive compensatory mitigation monitoring requirements upon a determination that performance standards have been achieved. Conversely the San Diego Water Board may extend the monitoring period beyond five years upon a determination that the performance standards have not been met or the compensatory mitigation project is not on track to meet them. The Annual Project Progress Report must include the following compensatory mitigation monitoring information:
  - a. Names, qualifications, and affiliations of the persons contributing to the report;
  - An evaluation, interpretation, and tabulation of the parameters being monitored, including the results of the Mitigation Plan monitoring program, and all quantitative and qualitative data collected in the field;
  - c. A description of the following mitigation site(s) characteristics:
    - i. Detritus cover;
    - ii. General topographic complexity;
    - iii. General upstream and downstream habitat and hydrologic connectivity; and
    - iv. Source of hydrology

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- Monitoring data interpretations and conclusions as to how the compensatory mitigation project(s) is progressing towards meeting performance standards and whether the performance standards have been met;
- e. A description of the progress toward implementing a plan to manage the compensatory mitigation project after performance standards have been achieved to ensure the long term sustainability of the resource in perpetuity, including a discussion of long term financing mechanisms, the party responsible for long term management, and a timetable for future steps;
- f. Qualitative and quantitative comparisons of current mitigation conditions with preconstruction conditions and previous mitigation monitoring results;
- g. Stream photo documentation, including all areas of permanent and temporary impact, prior to and after mitigation site construction. Photo documentation must be conducted in accordance with guidelines posted at <a href="http://www.waterboards.ca.gov/sandiego/water\_issues/programs/401\_certification/docs/401c/401PhotoDocRB9V713.pdf">http://www.waterboards.ca.gov/sandiego/water\_issues/programs/401\_certification/docs/401c/401PhotoDocRB9V713.pdf</a>. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photopoints referenced;
- h. A qualitative comparison to adjacent preserved streambed areas;
- The results of the California Rapid Assessment Method (CRAM) monitoring required under section VI.E of this Certification;
- The results of the Benthic Macroinvertebrate Community Analysis monitoring required under section VI.F of this Certification;
- k. As-built drawings of the compensatory mitigation project site(s), no bigger than 11"X17"; and
- I. A survey report documenting boundaries of the compensatory mitigation site(s).
- J. 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;
  - BMP installation and operational status for the Project;
  - As-built drawings of the Project, no bigger than 11"X17";
  - 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 <a href="http://www.waterboards.ca.gov/sandiego/water\_issues/programs/401\_certification/d\_ocs/StreamPhotoDocSOP.pdf">http://www.waterboards.ca.gov/sandiego/water\_issues/programs/401\_certification/d\_ocs/StreamPhotoDocSOP.pdf</a>. In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced; and

- An evaluation, interpretation, and tabulation of all California Rapid Assessment Method (CRAM) and benthic macroinvertebrate community assessment data collected throughout the term of Project construction in accordance with section VI.E and VI.F of this Certification.
- K. 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.
- L. Electronic Document Submittal. The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to <u>SanDiego@waterboards.ca.gov</u>. 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. R9-2019-0017:803874: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), converted to text searchable format using Optical Character Recognition (OCR), and not be password protected. 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. R9-2019-0017: 803874:dbradford.

- M. Document Signatory Requirements. All applications, reports, or information submitted to the San Diego Water Board must be signed as follows:
  - For a corporation, by a responsible corporate officer of at least the level of vice president.
  - 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.
  - The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
  - 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.

N. 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 as provided in Water Code section 13271(b), any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of Orange, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2.

- Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. Oil or Petroleum Product Discharge. Except as provided in Water Code section 13272(b), any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- D. Anticipated Noncompliance. The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.
- E. Transfers. This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:
  - 1. Transfer of Property Ownership: The Applicant must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board within 10 days of the transfer of ownership.
- 2. Transfer of Mitigation Responsibility: Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board within 10 days of the transfer date.

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

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of 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 Laguna Beach is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated January 28, 2019, for the Final Environmental Impact Report (IS/MND) titled Addendum to the Initial Study/Mitigated Negative Declaration Laguna Canyon Creek Erosion Control and Restoration Project (State Clearing House Number 2014121027). 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 IS/MND 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 IS/MND are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 5 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the IS/MND, 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: (619) 521-3356

Email: darren.bradford@waterboards.ca.gov

#### X. WATER QUALITY CERTIFICATION

I hereby certify that the proposed discharge from the Laguna Canyon Creek Erosion Control and Restoration Project (Certification No. R9-2019-0017) 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. R9-2019-0017 issued on January 31, 2019.

DAVID W. GIBSON Executive Officer

San Diego Water Board

SON Date

#### ATTACHMENT 1

#### DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

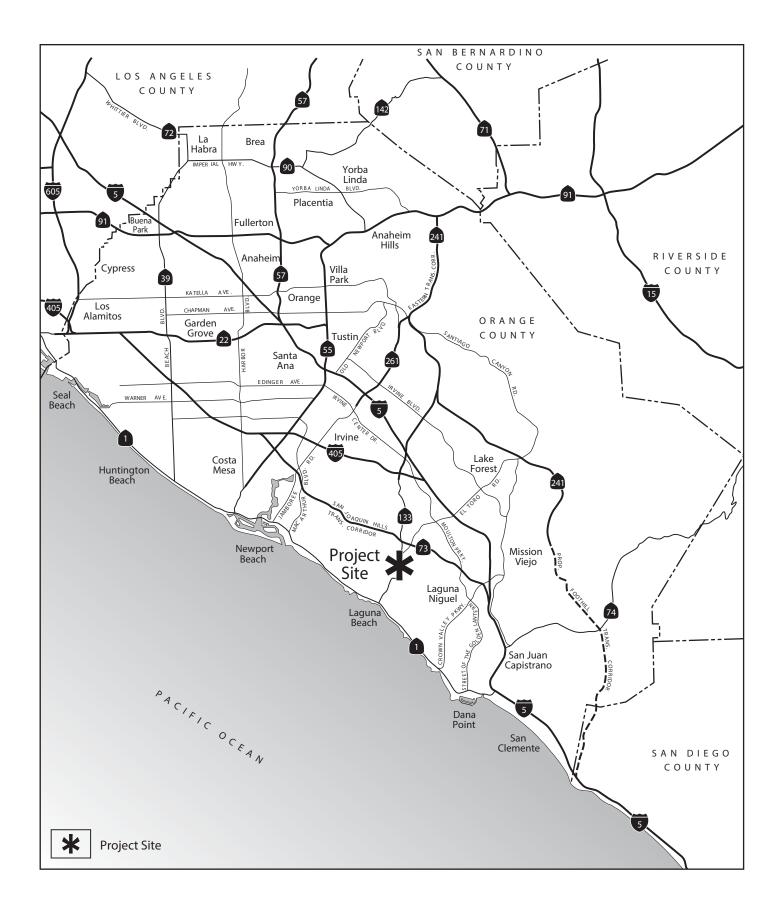
Water quality objectives and other appropriate requirements of state law – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate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

City of Laguna Beach Laguna Canyon Creek Erosion Control and Restoration Project Certification No. R9-2019-0017

#### **ATTACHMENT 2 PROJECT LOCATION MAPS**

Exhibit 1 – Regional Vicinity

Exhibit 2 – Site Vicinity
Exhibit 3 – Project Site

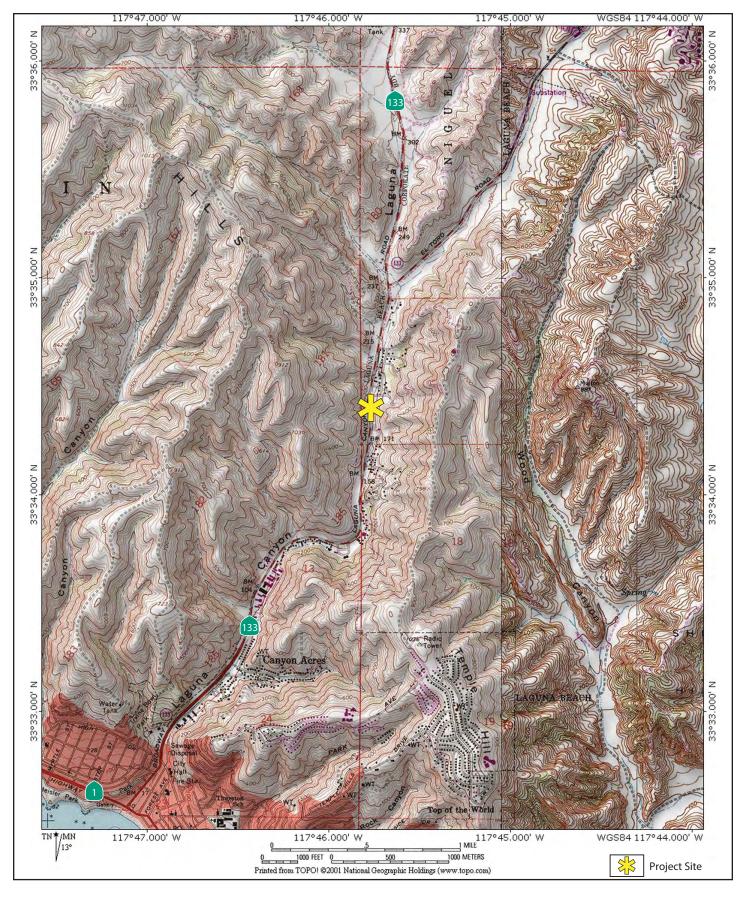


NOT TO SCALE





INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ANIMAL SHELTER CREEK EROSION PROTECTION PROJECT



NOT TO SCALE





INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ANIMAL SHELTER CREEK EROSION PROTECTION PROJECT

Site Vicinity



Source: Google Earth Pro Aerial.

NOT TO SCALE





INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ANIMAL SHELTER CREEK EROSION PROTECTION PROJECT

**Project Site** 

City of Laguna Beach Laguna Canyon Creek Erosion Control and Restoration Project Certification No. R9-2019-0017

# ATTACHMENT 3 PROJECT SITE PLANS

Sheet 1 of 11 – Title Sheet

Sheet 2 of 11 - Construction Notes

Sheet 3 of 11 - Survey Control and Staking Plan

Sheet 4 of 11 – Grading Plan

Sheet 5 of 11 - Cross Section and Details

Sheet 6 of 11 - Water Control Plan

Sheet 7a of 11 – 4-Foot Fence - Option 1-Construction Detail

Sheet 7b of 11 – 4-Foot Fence - Option 2-Construction Detail

Sheet 8 of 11 – Irrigation Plan

Sheet 9 of 11 – Irrigation Details

Sheet 10 of 11 – Planting Plan

Sheet 11 of 11 – Planting Details

TO REMOVE SEDIMENT AND OTHER POLLUTANTS.

- 3. ALL CONTRACTOR AND SUBCONTRACTOR PERSONNEL ARE TO BE MADE AWARE OF THE REQUIRED BEST MANAGEMENT PRACTICES AND GOOD HOUSEKEEPING MEASURES FOR THE PROJECT SITE AND ANY ASSOCIATED CONSTRUCTION STAGING AREAS.
- 4. AT THE END OF EACH DAY OF CONSTRUCTION ACTIVITY ALL CONSTRUCTION DEBRIS AND WASTE MATERIALS SHALL BE COLLECTED AND PROPERLY DISPOSED IN TRASH OR RECYCLE BINS.
- 5. CONSTRUCTION SITES SHALL BE MAINTAINED IN SUCH A CONDITION THAT AN ANTICIPATED STORM DOES NOT CARRY WASTES OR POLLUTANTS OFF THE SITE. DISCHARGES OF MATERIAL OTHER THAN STORM-WATER ARE ALLOWED ONLY WHEN NECESSARY FOR PERFORMANCE AND COMPLETION OF CONSTRUCTION PRACTICES AND WHERE THEY DO NOT CAUSE OR CONTRIBUTE TO VIOLATION OF ANY WATER QUALITY STANDARDS; CAUSE OR THREATEN TO CAUSE POLLUTION, CONTAMINATION OR NUISANCE; OR CONTAIN A HAZARDOUS SUBSTANCE IN A QUANTITY REPORTABLE UNDER FEDERAL REGULATIONS 40 CFR PARTS 117 AND 302.
- POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO: SEDIMENTS, CEMENT PRODUCTS, SOLID OR LIQUID CHEMICAL SPILLS; WASTES FROM PAINTS, STAINS, SEALANTS, GLUES, LIME, PESTICIDES, HERBICIDES, WOOD PRESERVATIVES, AND SOLVENTS, ASBESTOS FIBERS, PAINT FLAKES OR STUCCO FRAGMENTS; FUELS, OILS LUBRICANTS, AND HYDRAULIC, RADIATOR OR BATTERY FLUIDS, CONCRETE, DETERGENT OR FLOATABLE WASTES; WASTES FROM ANY ENGINE/EQUIPMENT STEAM CLEANING OR CHEMICAL DEGREASING: AND SUPER-CHLORINATED POTABLE WATER LINE FLUSHINGS.

#### STREET IMPROVEMENT NOTES

- ALL WORK SHALL CONFORM TO THE "STANDARD PLANS AND SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" (GREENBOOK). LATEST EDITION. INCLUDING SUPPLEMENTS. AND THE PROJECT PLANS. SPECIFICATIONS AND SPECIAL PROVISIONS.
- 2. THE CONTRACTOR SHALL IMPLEMENT ALL CITY, COUNTY, STATE AND FEDERAL JOB SITE SAFETY REQUIREMENTS AS THEY RELATE TO DUST CONTROL, EQUIPMENT MOVEMENT, NOISE, HOURS OF WORK AND CONSTRUCTION HAZARDOUS MATERIALS AND SHALL MINIMIZE ANY INCONVENIENCE TO THE PUBLIC.
- 3. THE CONTRACTOR SHALL NOT CONDUCT ANY NOISY OPERATIONS NOR PERFORM ANY NOISY WORK PERTAINING TO THE PROJECT BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 A.M. ON ANY DAY NOR ON SATURDAY, SUNDAY OR ANY HOLIDAY AT ANY TIME WITHOUT PRIOR APPROVAL, IN WRITING, OF THE ENGINEER
- 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF CLEANING AND HAULING ANY HAZARDOUS AND DETRIMENTAL MATERIAL, DISCOVERED DURING AND AFTER THE WORK, FROM THE SITE.
- 5. THESE NOTES SHALL TAKE PRECEDENCE OVER THE INFORMATION APPEARING ON THE PLANS.
- 6. A CONSTRUCTION WATER METER IS AVAILABLE FROM THE LAGUNA BEACH WATER DISTRICT, LOCATED AT 306 THIRD STREET, LAGUNA BEACH, CA 92652. THE CONTRACTOR IS RESPONSIBLE FOR THE COST OF THE WATER.
- 7. CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITY LINES OR STRUCTURES WHETHER SHOWN OR NOT SHOWN ON THIS PLAN, AND SHALL BE RESPONSIBLE FOR PROTECTING THEM FROM DAMAGE. THE CONTRACTOR SHALL CALL UNDERGROUND SERVICE ALERT (USA) A MINIMUM OF TWO WORKING DAYS BEFORE DIGGING. THE USA NUMBER SHALL BE PROVIDED TO THE CITY ENGINEER.
- 8. NO WORK MAY BEGIN WITHOUT AN APPROVED TRAFFIC CONTROL PLAN; ONCE BEGUN, THE CONTRACTOR SHALL ENDEAVOR TO COMPLETE WORK IN THE STREET AND/OR PUBLIC RIGHT OF WAY WITHOUT DELAY SO AS TO PROVIDE MINIMUM INCONVENIENCE TO ADJACENT PROPERTY OWNERS AND TO THE TRAVELING PUBLIC.
- 9. ANY CONTRACTOR WORKING WITHIN THE PUBLIC RIGHT OF WAY IS SUBJECT TO THE LICENSING AND INSURANCE REQUIREMENTS OF THE CITY.
- 10. THE CONTRACTOR SHALL TAKE ALL NECESSARY AND PROPER PRECAUTIONS TO PROTECT ADJACENT PROPERTIES FROM ANY AND ALL DAMAGE THAT MAY OCCUR FROM STORM WATER RUNOFF AND/OR ANY DEPOSIT OF WATER RUNOFF AND/OR DEBRIS RESULTING FROM ANY AND ALL WORK IN CONNECTION WITH CONSTRUCTION.
- 11. TREES, FOLIAGE, SIGNS, AND OTHER IMPROVEMENTS SHALL BE PROTECTED IN PLACE AND ANY DAMAGE TO EXISTING IMPROVEMENTS SHALL BE REPAIRED OR REPLACED IN KIND TO THE SATISFACTION OF THE ENGINEER.
- 12. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL SUBSTRUCTURES WITHIN THE ALIGNMENT OF THE PROPOSED IMPROVEMENTS, AND IN THE EVENT OF SUBSTRUCTURE DAMAGE, THE CONTRACTOR SHALL BEAR THE TOTAL COST OF REPAIR OR REPLACEMENT.
- 13. ALL EXCAVATED MATERIALS SHALL BECOME THE CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM THE JOB SITE UNLESS INSTRUCTED BY THE ENGINEER, IN WRITING, TO DO OTHERWISE.
- 14. NO TRENCHES, REGARDLESS OF DEPTH OR WIDTH MAY BE LEFT OPEN OVERNIGHT UNLESS PRIOR APPROVAL IS SECURED, IN WRITING, FROM THE ENGINEER.
- 15. TRENCHES DEEPER THAN 5'-0" WILL REQUIRE A CAL-OSHA PERMIT. A COPY OF THE PERMIT SHALL BE PROVIDED TO THE ENGINEER.
- 16. THE CONTRACTOR SHALL BE RESPONSIBLE DURING ALL PHASES OF THE WORK TO PROVIDE FOR PUBLIC SAFETY AND CONVENIENCE. THE CONTRACTOR SHALL ESTABLISH ADEQUATE ACCESS TO DRIVEWAYS AT THE END OF EACH WORKING DAY TO THE SATISFACTION OF THE ENGINEER.
- 17. THE CONTRACTOR SHALL PROVIDE A 72-HOUR NOTIFICATION TO THE AFFECTED PROPERTIES, THE POLICE DEPARTMENT, AND THE FIRE DEPARTMENT IN THE EVENT OF A CHANGE IN STREET CLOSURE TO TRAFFIC AND/OR PUBLIC SAFETY VEHICLES, PARKING RESTRICTIONS, AND ON EACH MONDAY MORNING DURING THE CONSTRUCTION PERIOD.
- 18. ALL PORTLAND CEMENT CONCRETE (PCC) AND ASPHALT CONCRETE (AC) SHALL BE REMOVED TO A NEAT CLEAN
- 19. ALL TRAFFIC CONTROL DEVICES, SIGNS, MARKINGS OR TEMPORARY STRIPING MARKERS SHALL BE IN PLACE PRIOR TO PAVING. STREET STRIPING SHALL BE COMPLETED PRIOR TO STREET OPENING
- 20. THE CONTRACTOR SHALL FURNISH AND OPERATE A SELF-LOADING MOTOR SWEEPER WITH SPRAY NOZZLES DAILY AS NECESSARY TO KEEP PAVED AREAS CLEAN WHEREVER CONSTRUCTION, INCLUDING RESTORATION, IS COMPLETE, OR AS REQUIRED BY THE ENGINEER.

# GRAPHIC SCALE ( IN FEET )

# CITY OF LAGUNA BEACH PUBLIC WORKS DEPARTMENT C.I.P. PROJECT NO. XXX LAGUNA CANYON CREEK EROSION CONTROL PROJECT



# UTILITY NOTE/PURVEYORS

CONTRACTORS SHALL NOTIFY ALL UTILITY AGENCIES CONCERNED A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION, INCLUDING BUT NOT LIMITED TO:

(714) 375-4237

(714) 634-3061

(949) 546-2819

(949) 494-1041

(949) 499-4555

<u>UNDERGROUND SERVICE ALERT (USA)</u> 1-800-227-2600

CITY OF LAGUNA BEACH WATER QUALITY

DAVID SHISSLER

ELECTRICAL

SOUTHERN CALIFORNIA EDISON AIMEE FOSTER (949) 587-5504

SAN DIEGO GAS AND ELECTRIC DOLPHUS DAVIS (949) 369-4721

TELEPHONE: VERIZON COMPANY

TIMOTHY BEAMAN

REFERENCES

ROBERT FLORES SOUTHERN CALIFORNIA GAS

BRAD MORRISON

COX CABLE COMPANY STEVE DEMORA

LAGUNA BEACH COUNTY WATER DISTRICT DAVE RUSK SOUTH COAST WATER DISTRICT

## DATUM STATEMENT

## <u>ELEVATIONS</u>

VERTICAL DATUM: NAVD88 BENCH MARK: OCS BM Q-582-70 ELEVATION: 178.735 (1995 OCS ADJUSTMENT) DESCRIPTION:

## **COORDINATES**

HORIZONTAL DATUM: NAD-83 (NSRS 2007) EPOCH: 2007.00 PROJECTION: CCS-83 ZONE: VI COMBINATION FACTOR: 0.99995032 CALCULATED AT #301,

NORTHING 2138183.11 EASTING 6100287.66, ELEVATION 310.66 CONVERGENCE ANGLE: -00°49'55" CALCULATED AT NORTHING 2138183.11, EASTING 6100287.66

1. COORDINATES, AND DISTANCES INVERSED FROM COORDINATES, ARE GRID. TO OBTAIN GROUND DISTANCES DIVIDE BY THE COMBINATION FACTOR. 2. THE GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRC) WERE USED FOR CGPS STATIONS TRAK AND SBCC.

STATION TRAK N: 2171991.673 E: 6088762.071 PUBLISHED CGPS STATION ACCURACY: 0.005' STATION SBCC N: 2147750.808 E: 6131652.603 PUBLISHED CGPS STATION ACCURACY: 0.003'

#### INDEX TO PLANS

- 1 TITLE SHEET
- 2 CONSTRUCTION NOTES
- 3 SURVEY AND STAKING PLAN
- 4 GRADING PLAN
- 5 CROSS SECTIONS AND DETAILS
- 6 WATER CONTROL PLAN
- 7a CONSTRUCTION DETAILS FENCE OPTION 1
- 7b CONSTRUCTION DETAILS FENCE OPTION 2
- 8 IRRIGATION PLAN
- 9 IRRIGATION DETAILS
- 10 PLANTING PLAN
- 11 PLANTING DETAILS

#### **ABBREVIATIONS:**

## SPECIAL INSPECTION

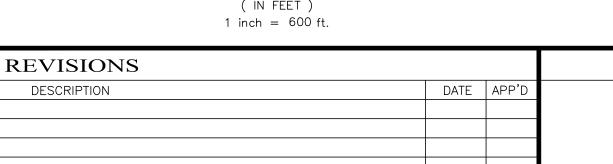
1. SPECIAL TESTS AND INSPECTIONS SPECIFIED IN CHAPTER 17 OF THE CALIFORNIA BUILDING CODE AND CALTRANS STANDARD SPECIFICATIONS AND PROJECT SPECIAL PROVISIONS ARE REQUIRED FOR THIS PROJECT. SPECIAL INSPECTORS, EMPLOYED BY THE OWNER SHALL CONTINUOUSLY OR PERIODICALLY, AS REQUIRED, OBSERVE THE WORK AND PERFORM DUTIES SPECIFIED DURING THE CONSTRUCTION OF THE FOLLOWING TYPES OF WORK:

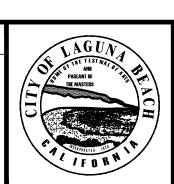
ITEM	INSPECTION REQUIRED?	CBC 2013 SECTION	CBC 2013 TABLE	
CONCRETE CONSTRUCTION	YES	1705.3	1705.3	SPECIAL INSPECTION SHALL ALSO CONFORM TO SECTION 51, "CONCRETE STRUCTURES" OF CALTRANS STANDARD SPECIFICATIONS, WHICHEVER IS MORE STRINGENT SHALL CONTROL
SOILS	YES	1705.6	1705.6	

VARIES

T LEAST TWO DAYS BEFORE YOU DIG UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

DATE | INITIALS |







CITY OF LAGUNA BEACH PUBLIC WORKS DEPARTMENT

CAPITAL IMPROVEMENT PROJECT NO. XXX LAGUNA CANYON CREEK EROSION CONTROL PROJECT TITLE SHEET

C.I.P. NO. XX

SHEET

CONSTRUCTION NOTES	<u>UNITS</u>	QTY.
1 PROTECT IN PLACE		
2 REMOVE EXISTING PEDESTRIAN BRIDGE.		
3 INSTALL ARMORFLEX ACB CHANNEL LINING AND SLOPE PROTECTION.		
4 CONSTRUCT RETAINING WALL, HEIGHT PER PROFILE.		
5 CONSTRUCT 10' CONCRETE TRANSITION STRUCTURE.		
6 CONSTRUCT 1/4 TON RIP RAP SLOPE PROTECTION.		
OCONSTRUCT BENDWAY WEIR, 1/4 TON ROCK, PER DETAIL ON SHEET 4.		
8 CONSTRUCT 5' WIDE PEDESTRIAN BRIDGE.		

DIAL TOLL FREE
1-800-227-2600
AT LEAST TWO DAYS
BEFORE YOU DIG

UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

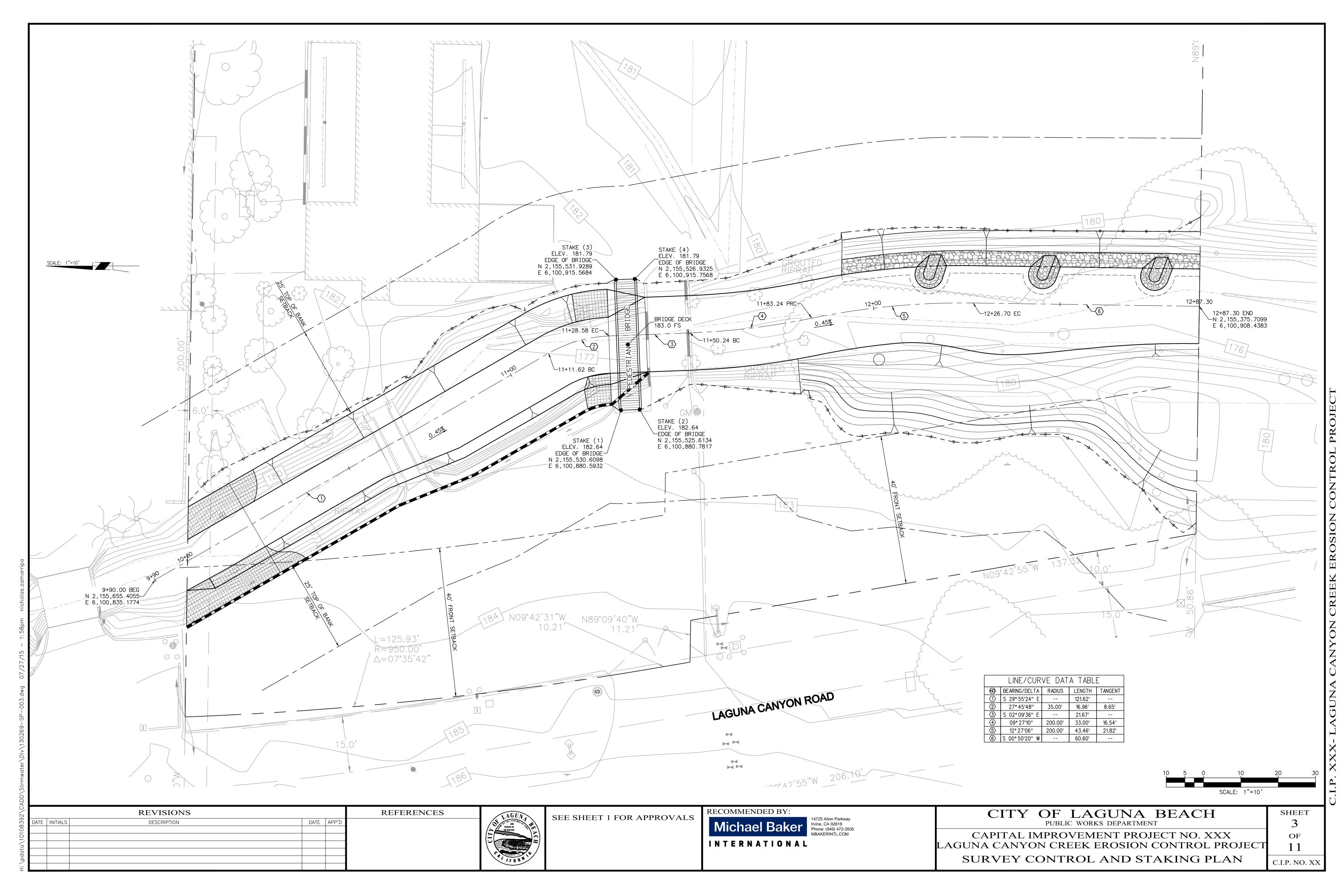


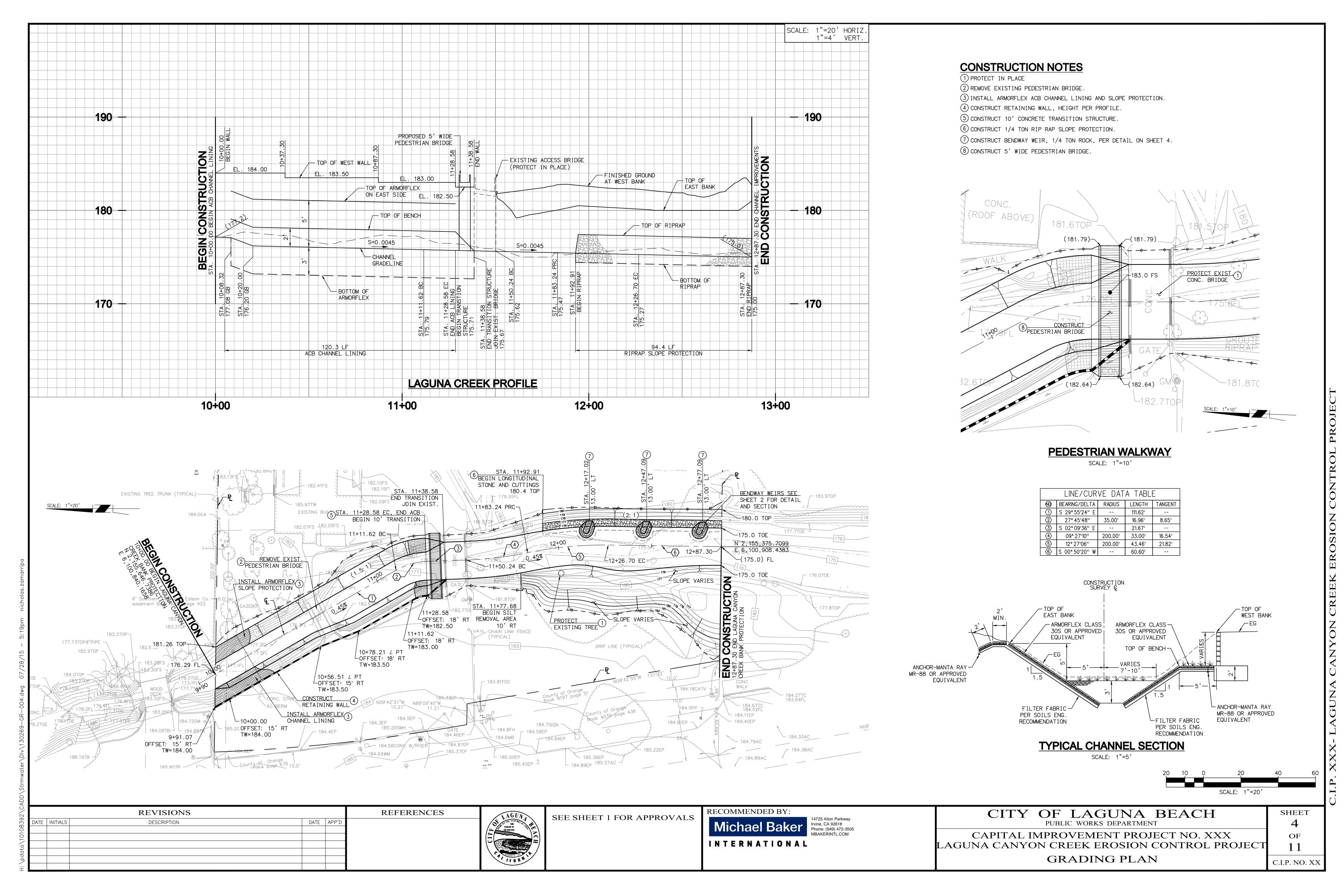
SEE SHEET 1 FOR APPROVALS

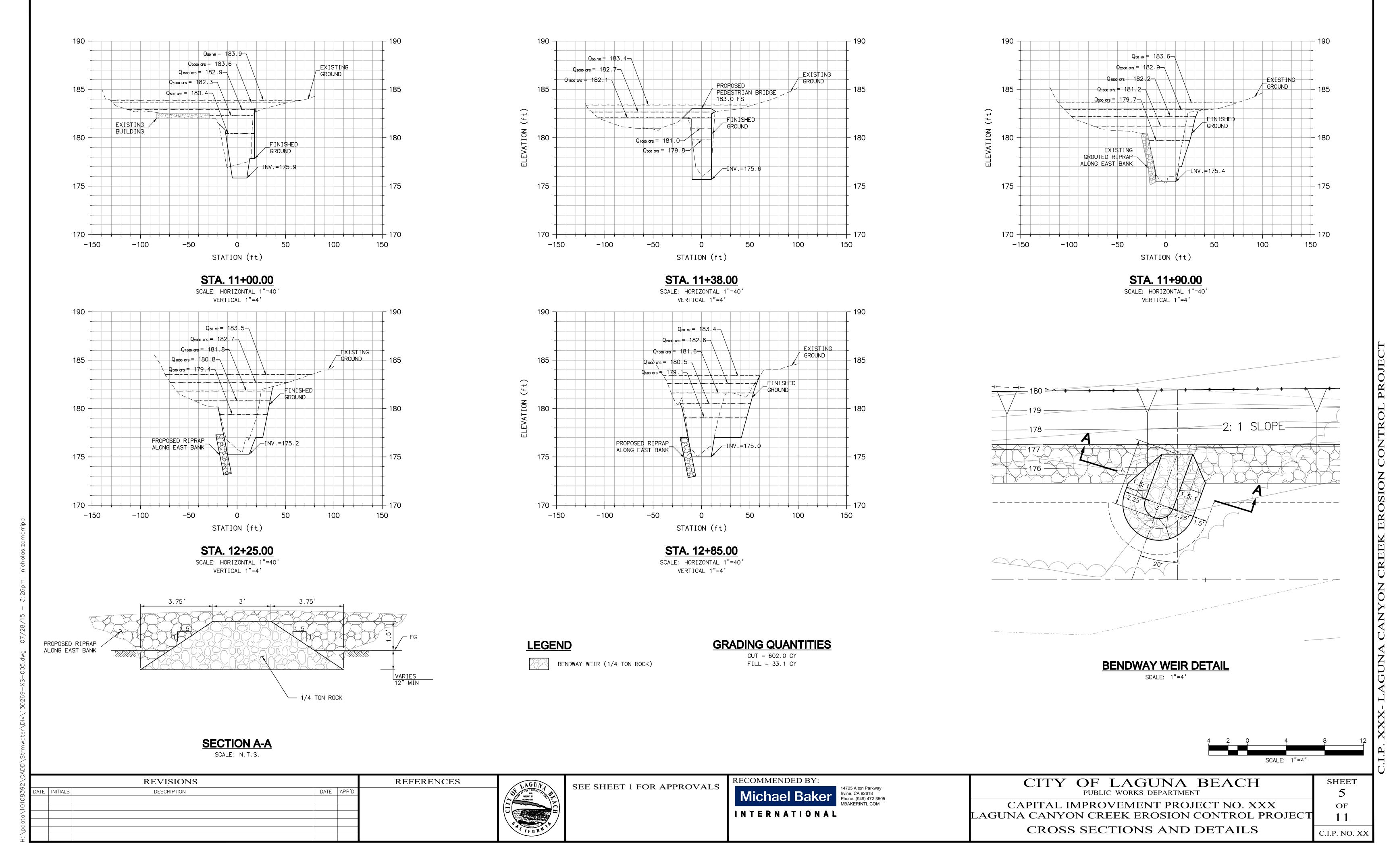


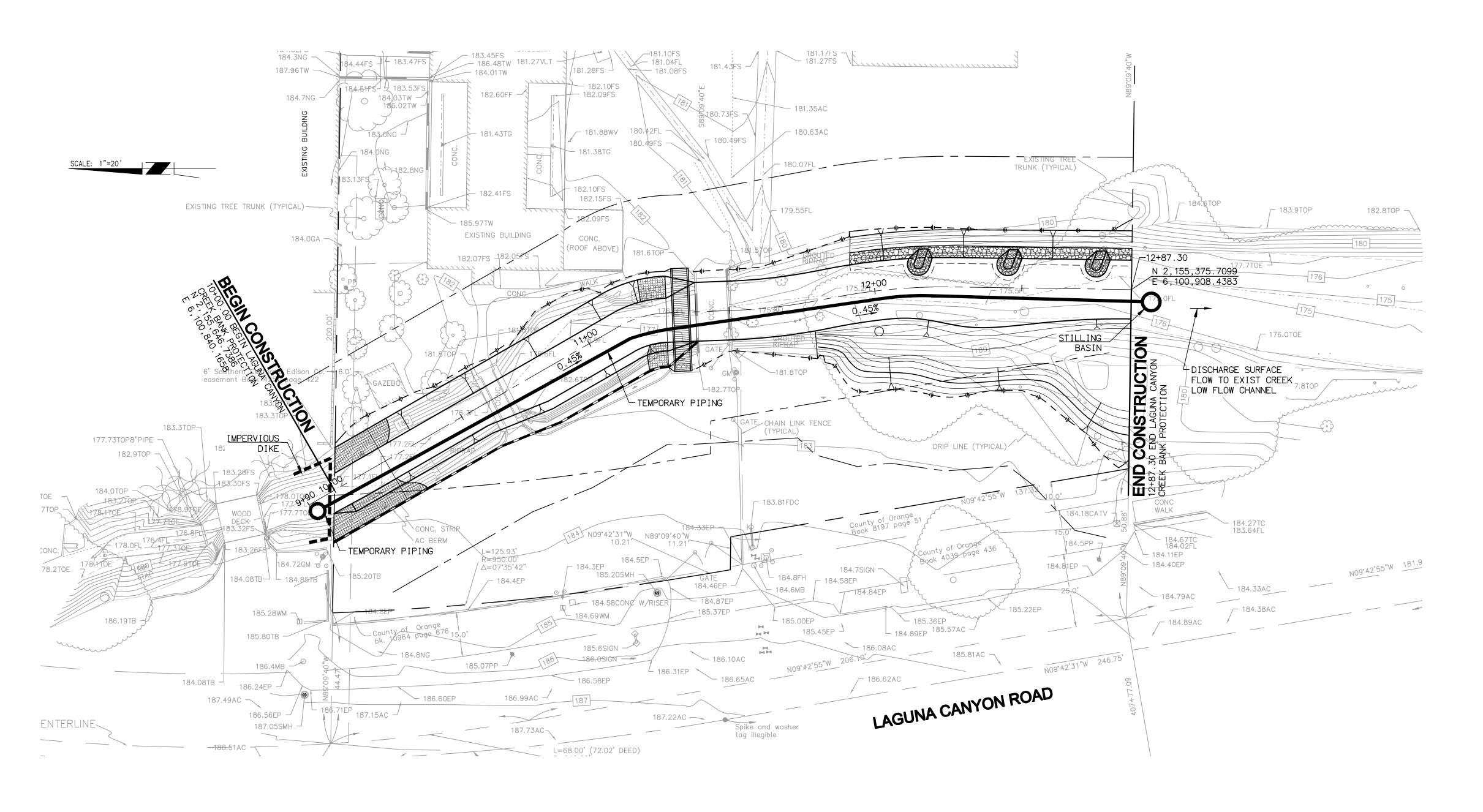
CITY OF LAGUNA BEACH PUBLIC WORKS DEPARTMENT
CAPITAL IMPROVEMENT PROJECT NO. XXX LAGUNA CANYON CREEK EROSION CONTROL PROJECT
CONSTRUCTION NOTES

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C.I.P. NO. XX



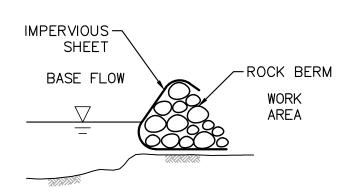






## <u>NOTES</u>

- 1. IMPERVIOUS DIKES SHALL BE USED IF NECESSARY TO ISOLATE WORK AREAS FROM STREAM FLOW.
- 2. CONTRACTOR SHALL NOT DISTURB AREAS OUTSIDE OF THE WORK LIMITS.
- 3. WATER CONTROL PLAN IS CONCEPTUAL ONLY. FINAL PLAN SHALL BE SUBMITTED BY CONTRACTOR AND MEET THE REQUIREMENT HEREON AND IN THE TECHNICAL SPECIFICATIONS.



**IMPERVIOUS DIKE** 

20 10 0 20 40 6 SCALE: 1"=20'

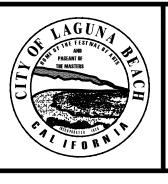
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CITY OF LAGUNA BEACH
PUBLIC WORKS DEPARTMENT

CAPITAL IMPROVEMENT PROJECT NO. XXX LAGUNA CANYON CREEK EROSION CONTROL PROJECT WATER CONTROL PLAN

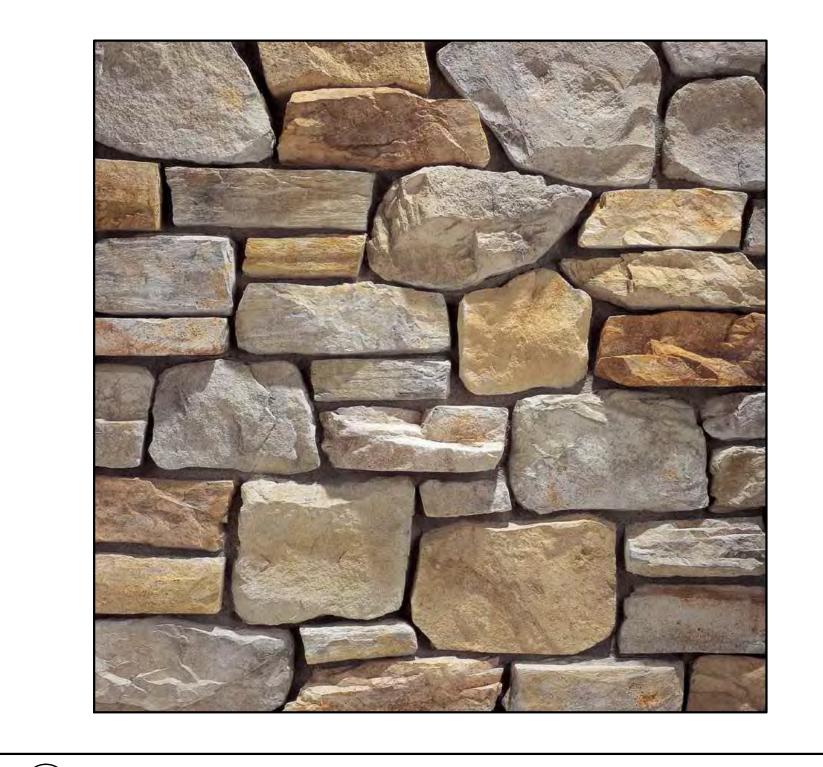
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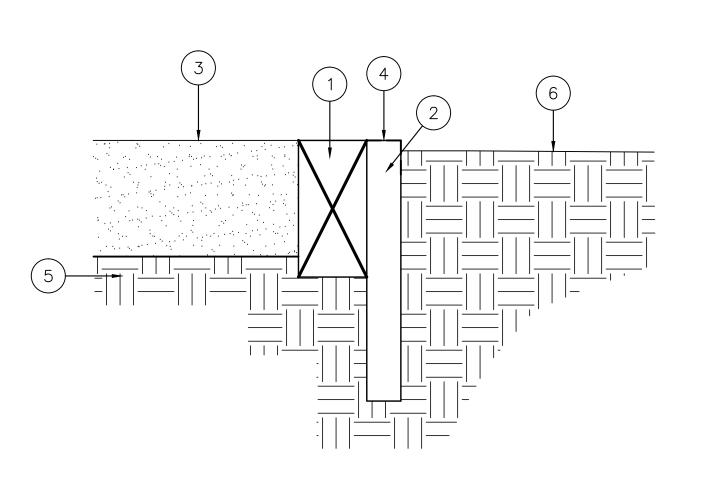
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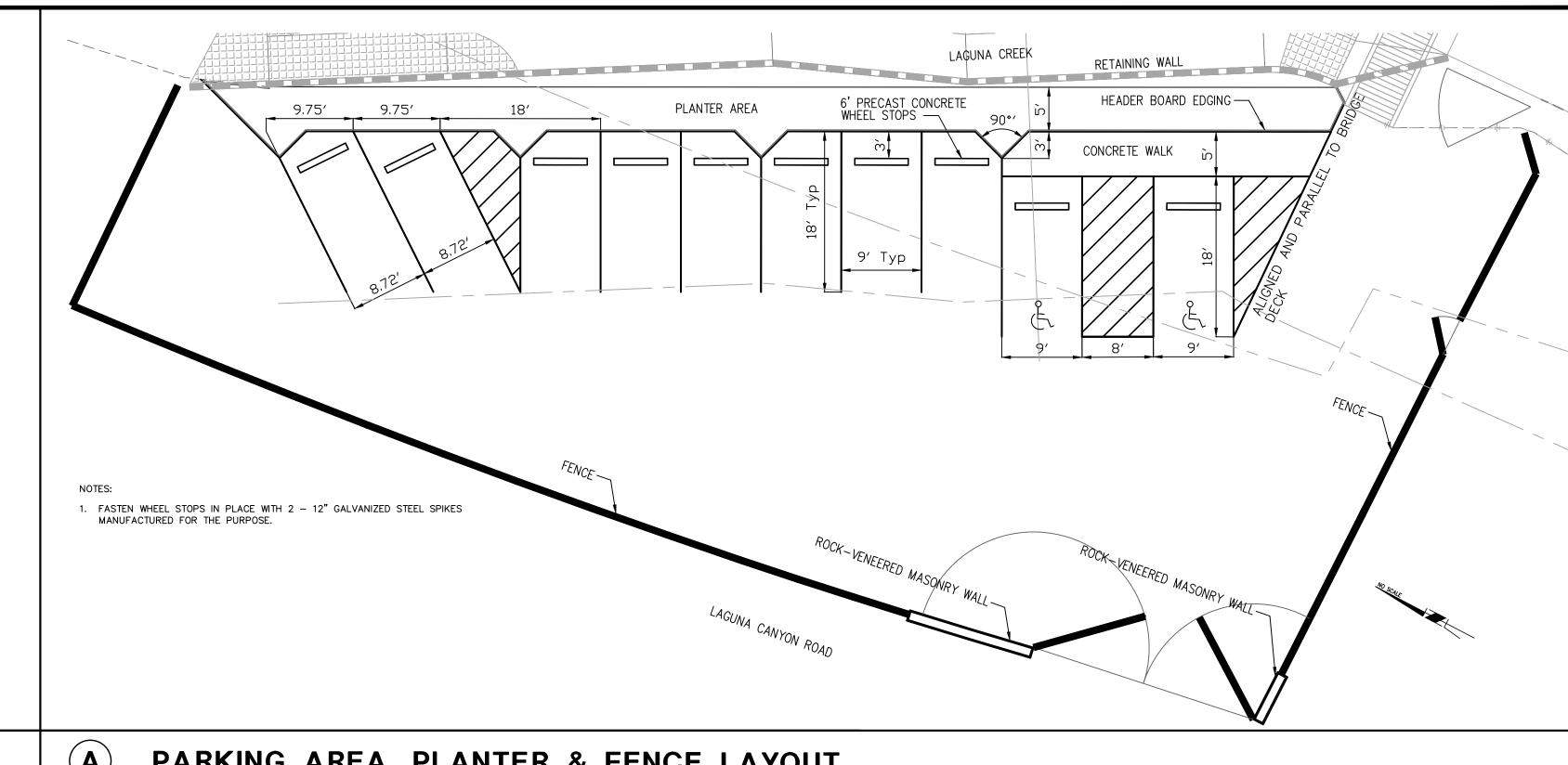
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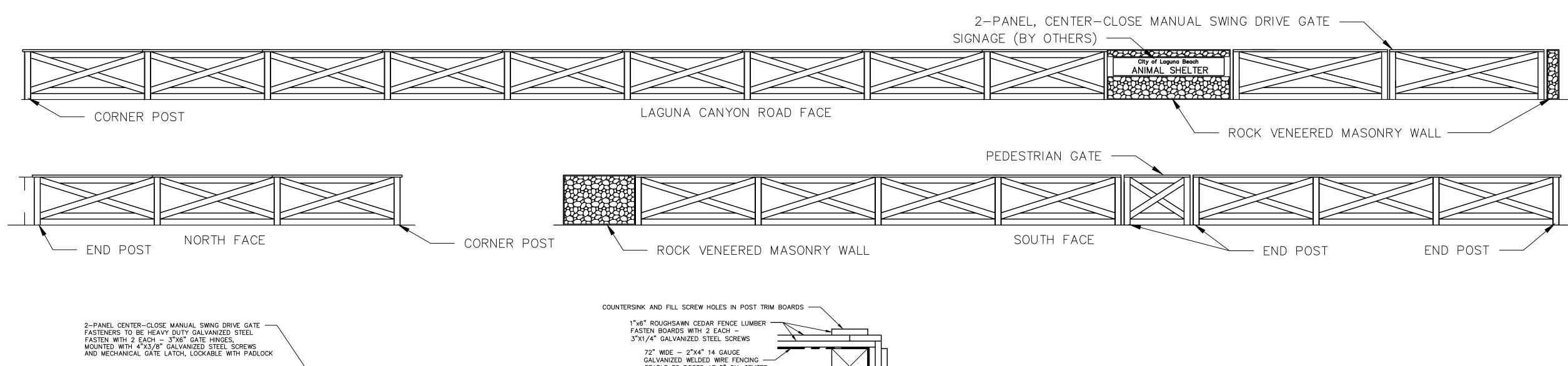
- 1. 2X8 REDWOOD OR PRESSURE TREATED DOUGLAS FIR HEADER.
- 2. 1X4X18 REDWOOD STAKE @ 4'-0" ON CENTER, 2-16d GALVANIZED NAILS PER STAKE.
- 3. FINISHED SURFACE.
- 4. TRIM FLUSH WITH TOP OF HEADER AFTER NAILING.
- 5. COMPACTED SUBGRADE.
- 6. FINISH GRADE.

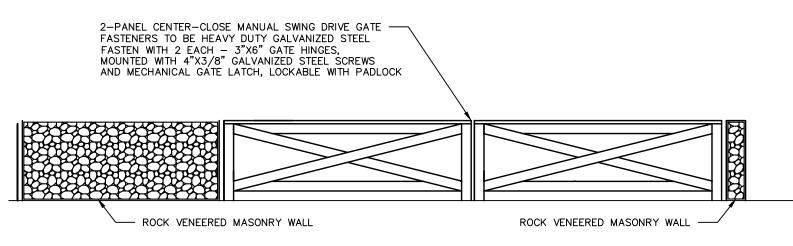


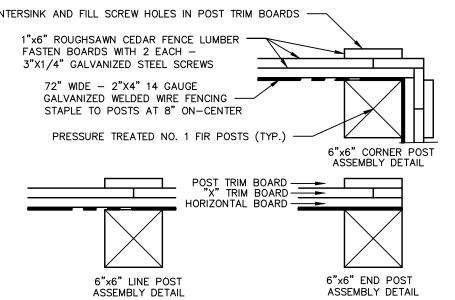
**ROCK VENEER** 

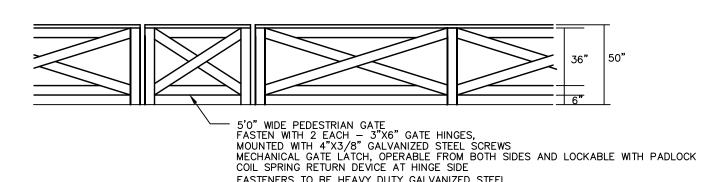
**HEADER BOARD** 

PARKING AREA, PLANTER & FENCE LAYOUT







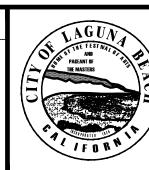


FASTENERS TO BE HEAVY DUTY GALVANIZED STEEL

**FENCE** 

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REFERENCES



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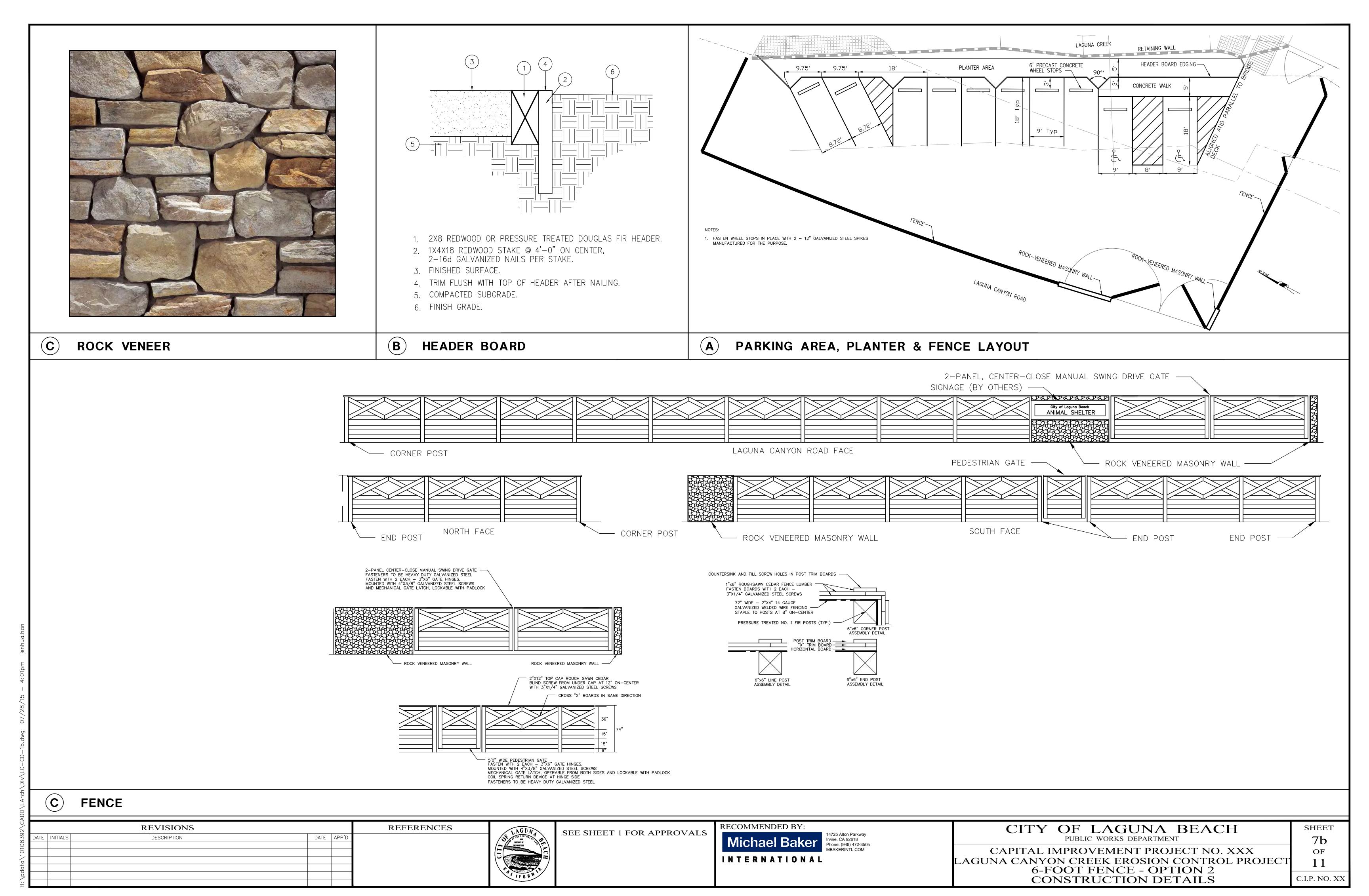
CITY OF LAGUNA BEACH
PUBLIC WORKS DEPARTMENT
CAPITAL IMPROVEMENT PROJECT NO XXX

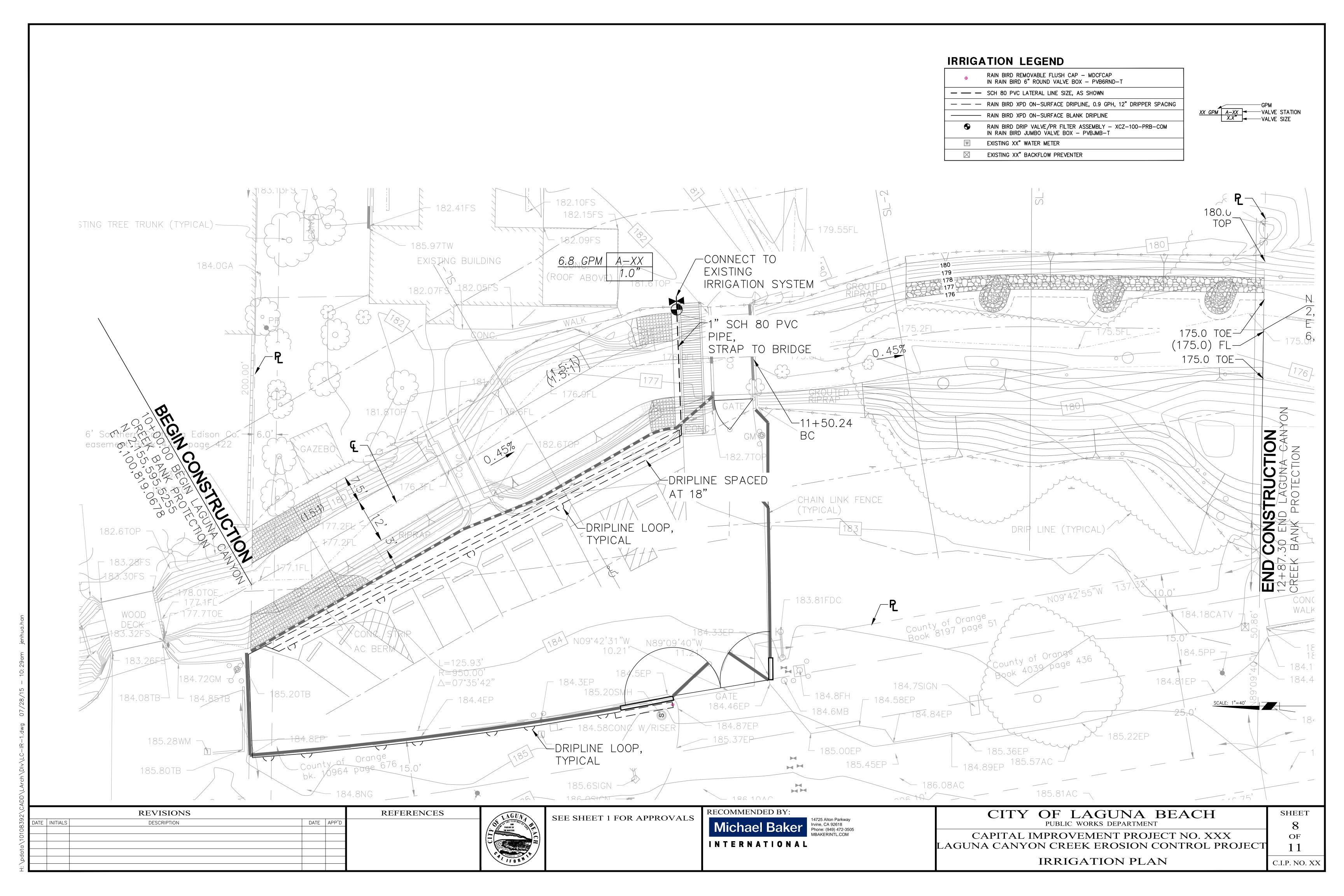
CAPITAL IMPROVEMENT PROJECT NO. XXX LAGUNA CANYON CREEK EROSION CONTROL PROJECT 4-FOOT FENCE - OPTION 1 CONSTRUCTION DETAILS

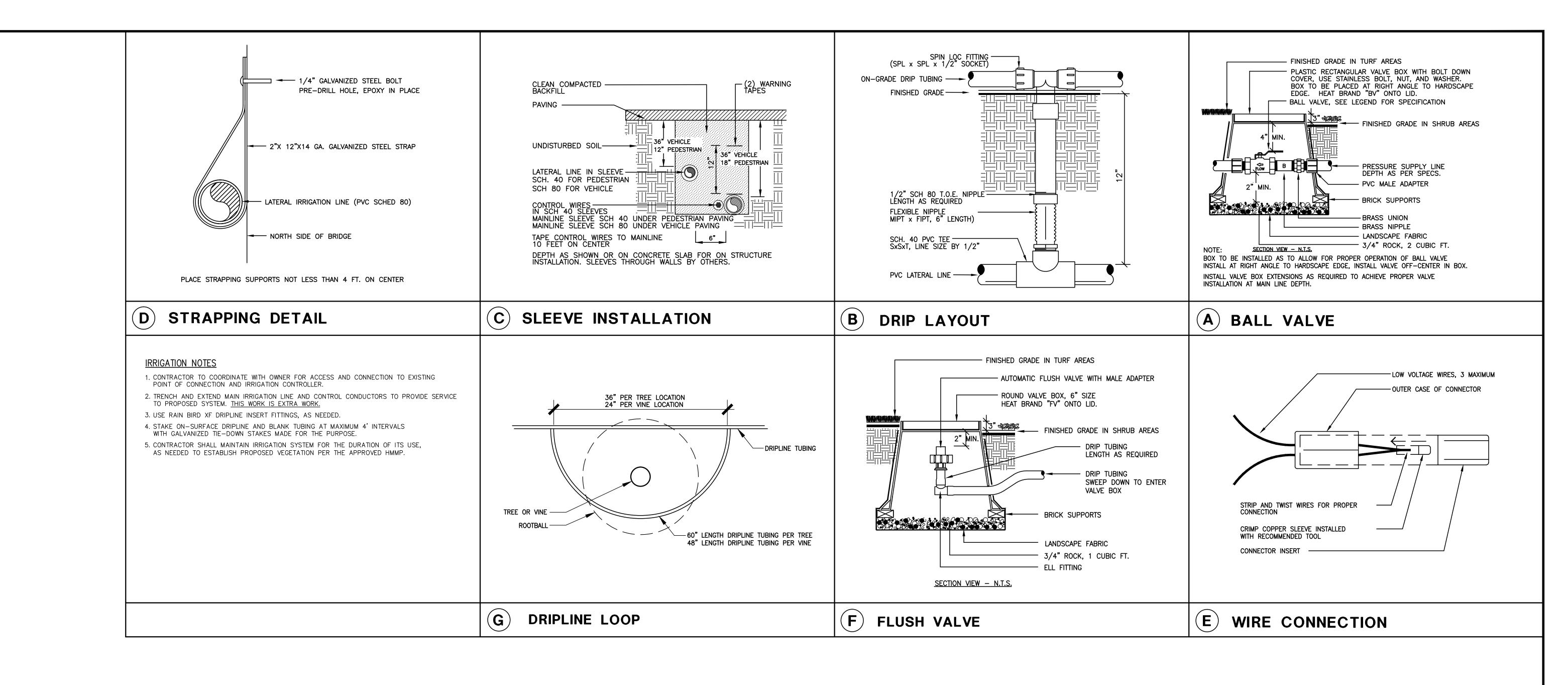
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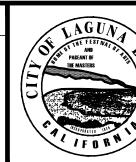
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REFERENCES

SEE SHEET 1 FOR APPROVALS



CITY OF LAGUNA BEACH PUBLIC WORKS DEPARTMENT CAPITAL IMPROVEMENT PROJECT NO. XXX LAGUNA CANYON CREEK EROSION CONTROL PROJECT

OF IRRIGATION DETAILS C.I.P. NO. XX

SHEET

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# PLANTING NOTES

- 1. WHERE AN IRRIGATION SYSTEM IS PROPOSED, DO NOT BEGIN PLANTING WORK UNTIL THE SYSTEM IS FULLY OPERATIONAL AND ACCEPTED BY THE OWNER.
- 2. CONTRACTOR SHALL INSTALL AND STAKE PLANT MATERIALS PER THE DETAILS ON THE LANDSCAPE PLANS.
- 3. FIVE GALLON CONTAINER PLANTS AND LARGER SHALL HAVE BEEN GROWN IN CONTAINERS FOR A MINIMUM OF SIX MONTHS AND A MAXIMUM OF TWO YEARS.

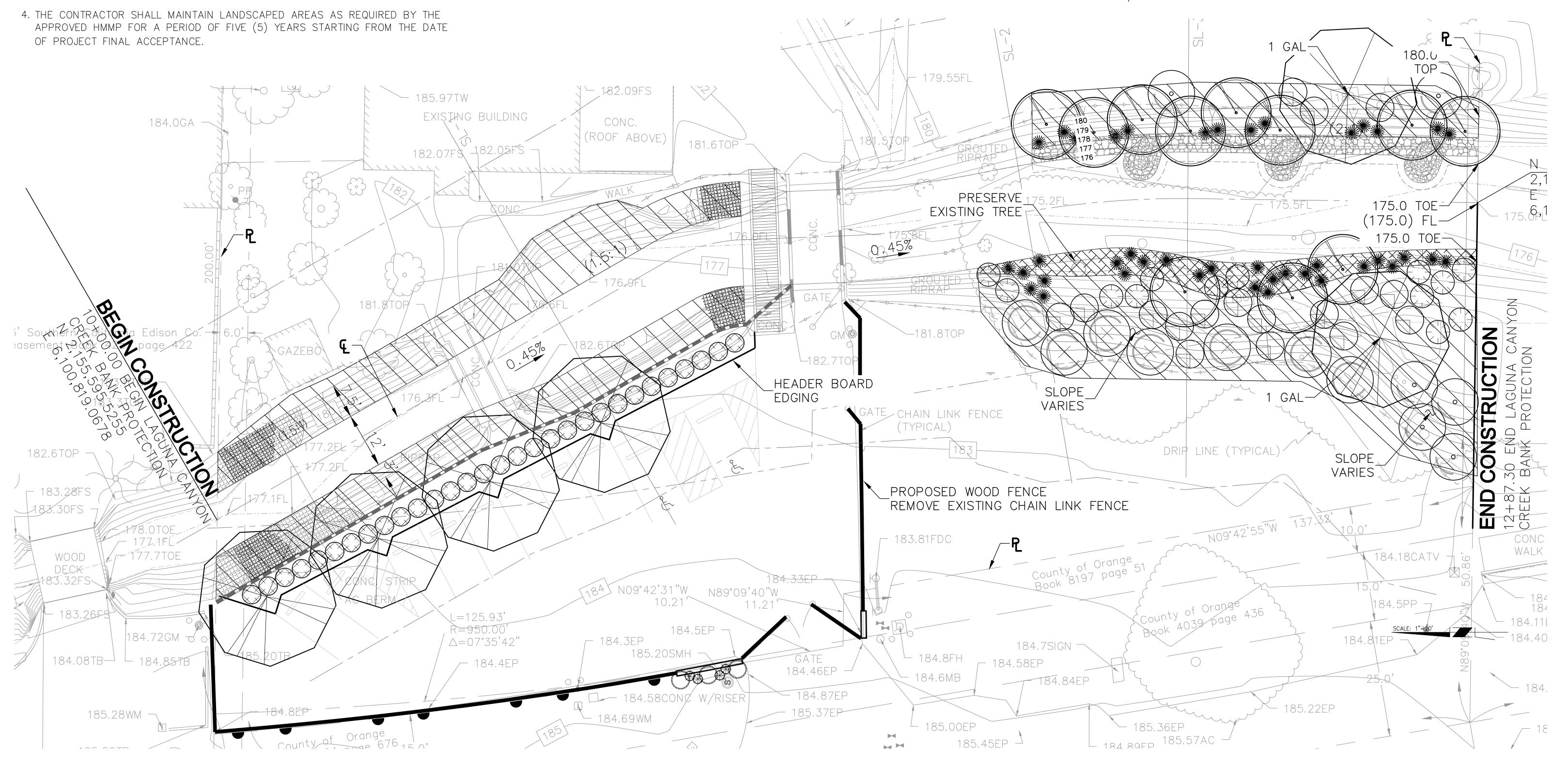
  ROOT BOUND PLANTS WILL NOT BE ACCEPTED FOR USE.

PLANT MATERIAL SHALL EXHIBIT HEALTHY GROWTH AND BE FREE OF DISEASE AND PESTS.

NOTE: PLANTING CONCEPT SHOWN FOR PARKING AND PARKWAY AREAS CONFORMS TO THE CITY OF LAGUNA BEACH'S LANDSCAPE AND SCENIC HIGHWAYS RESOURCE DOCUMENT FOR LANDSCAPE ZONE 1A.

THE INTENT IS TO PRESERVE AND ENHANCE THE EXISTING SEMI—RURAL CHARACTER BY PROVIDING THE FOLLOWING: INTRODUCTION OF TREES TO PARKING AREAS SCREENING OR RELOCATION OF SERVICE AREAS

USE OF NATIVE AND/OR RUSTIC PLANTINGS TO PROMOTE VISUAL CONTINUITY WITH SURROUNDING OPEN SPACE



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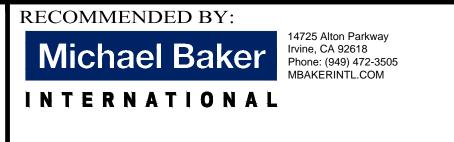
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CITY OF LAGUNA BEACH
PUBLIC WORKS DEPARTMENT

CAPITAL IMPROVEMENT PROJECT NO. XXX

LAGUNA CANYON CREEK EROSION CONTROL PROJECT

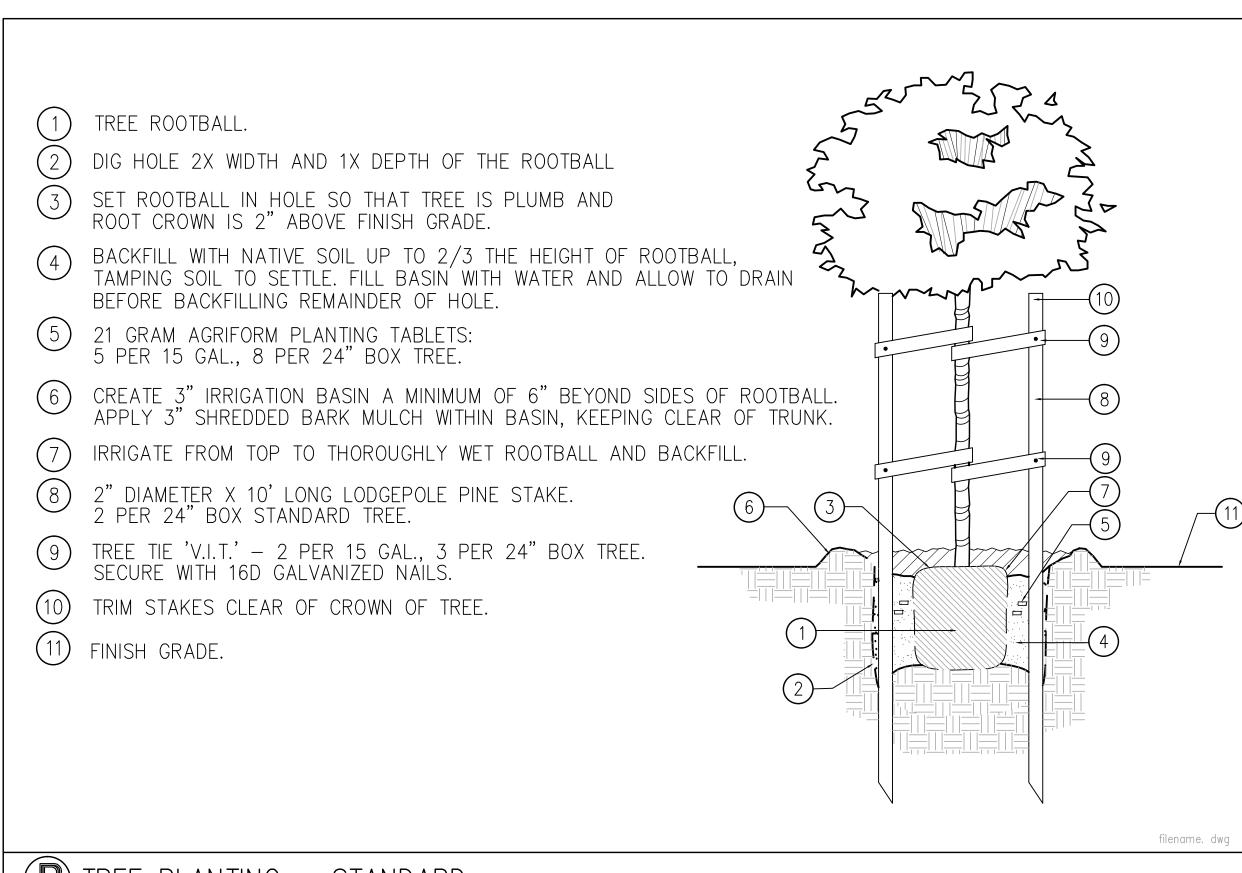
PLANTING PLAN

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11

C.I.P. NO. XX

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- 1. TREE OR SHRUB ROOTBALL
- 2. DIG HOLE 2X WIDTH AND 1X DEPTH OF THE ROOTBALL. FILL WITH WATER AND ALLOW TO DRAIN COMPLETELY.
- 3. BACKFILL NATIVE SOIL IN HOLE TO SEVERAL INCHES DEPTH; TAMP AND MOUND SLIGHTLY.
- 4. SET ROOTBALL IN HOLE SO THAT PLANT IS UPRIGHT AND ROOT CROWN IS 1" ABOVE FINISH GRADE.
- 5. BACKFILL NATIVE SOIL TO 2/3 THE HEIGHT OF ROOTBALL, TAMPING TO SETTLE. FILL HOLE WITH WATER AND ALLOW TO DRAIN BEFORE BACKFILLING REMAINDER OF HOLE.
- 6. FORM 3" HIGH BASIN A MINIMUM OF 6" WIDER THAN ROOTBALL.
- 7. IRRIGATE FROM TOP TO THOROUGHLY WET ROOTBALL AND BACKFILL.
- 8. FINISH GRADE.

(B) TREE PLANTING - STANDARD

NO SCALE

(A) SHRUB AND TREE PLANTING - 1 GAL

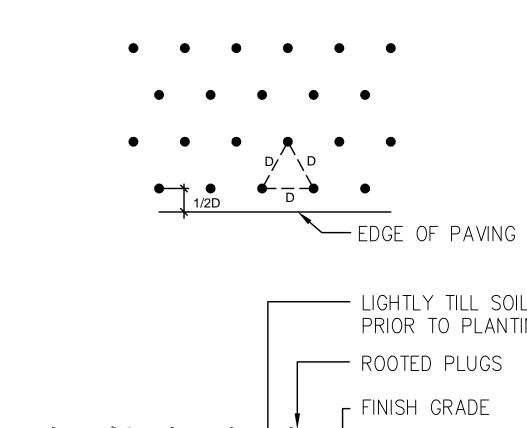
- LOCALLY OBTAINED CUTTING,

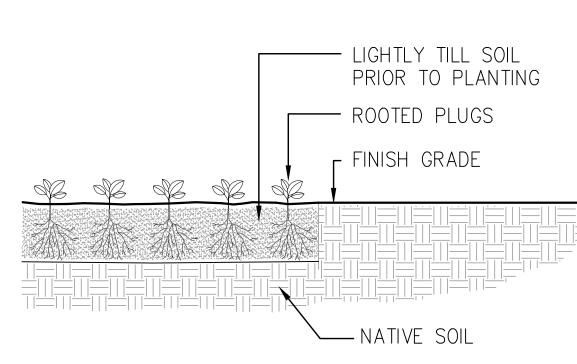
36 TO 42 INCHES LONG

3-4 LIVE BUDS EXPOSED

FINISHED GRADE

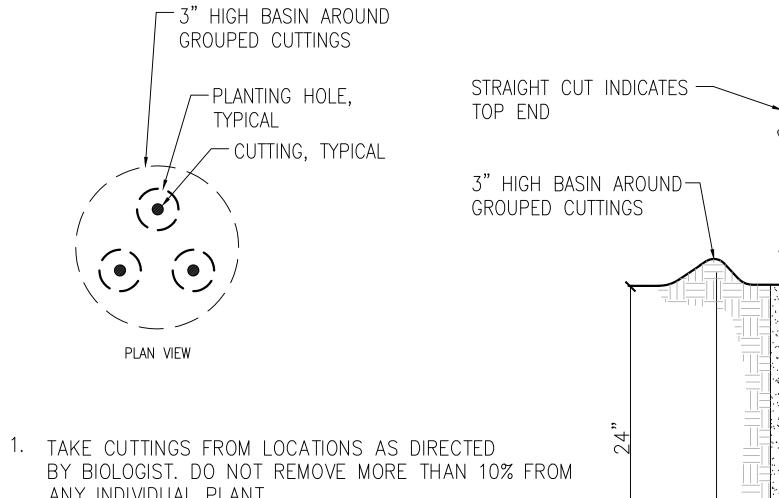
NO SCALE





- 1. LOCATE PLANTS SPACED EQUIDISTANT (D) FROM EACH OTHER. D = AS SHOWN ON PLANTING LEGEND.
- 2. DO NOT LOCATE WITHIN BASINS OR CLOSER THAN 24" FROM EXISTING PLANTS/TREES TO REMAIN.

filename. dwg (D) PLUGS NO SCALE



- ANY INDIVIDUAL PLANT.
- 2. INDICATE GROWING AND ROOT ENDS OF CUTTINGS BY ANGLED OR STRAIGHT CUTS.
- 3. STORE CUTTINGS IN A COOL, COVERED LOCATION UNTIL PLANTING TO PREVENT DRYING.
- 4. SOAK CUTTINGS IN CLEAN WATER FOR A MINIMUM OF 15 HOURS PRIOR TO PLANTING.

CUTTING

REFERENCES

BACKFILL WITH NATIVE SOIL. FLOOD WITH WATER TO SETTLE AND ELIMINATE AIR POCKETS 3-4" AUGERED OR HAND-DUG PLANTING HOLE, 3 PER LOCATION -SLANTED CUT INDICATES BOTTOM END

filename. dwg

NO SCALE

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	NOTES
	TREES				
	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	24" BOX	4	STANDARD, STAKED
	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	1 GAL	2	
	SALIX LASIOLEPIS	ARROYO WILLOW	CUTTING	11	3 PER LOCATION
	SHRUBS				
	ARTEMISIA DOUGLASIANA	CALIFORNIA MUGWORT	1 GAL	17	
	BACCHARIS SALICIFOLIA	MULEFAT	CUTTING	13	3 PER LOCATION
	BACCHARIS PILULARIS	COYOTE BRUSH	1 GAL	7	
$\hspace{1cm} \hspace{1cm} $	ERIOPHYLLUM CONFERTIFLORUM	GOLDEN YARROW	1 GAL	4	
**	JUNCUS MEXICANUS	MEXICAN RUSH	PLUG	41	
	PENSTEMON SPECTABILIS	SHOWY PENSTEMON	1 GAL	3	
	RHAMNUS CALIFORNICA 'EVE CASE'	COFFEEBERRY	1 GAL	30	
	RUBUS URSINUS	CALIFORNIA BLACKBERRY	CUTTING	6	3 PER LOCATION
	VINES				
	BOUGAINVILLEA 'SAN DIEGO RED'	BOUGAINVILLEA	1 GAL	7	
	GROUND COVERS				
	DISTICHLIS SPICATA	SALTGRASS	PLUG	1620	8" ON CENTER

## **HYDROSEED**

SYMBOL	BOTANICAL NAME	COMMON NAME	LBS PURE LIVE SEED (PLS) PER ACRE
	SEED		
	AMBROSIA PSILOSTACHYA	RAGWEED	2.5
	CAREX PRAEGRACILIS	CALIFORNIA FIELD SEDGE	1.0
	DISTICHLIS SPICATA	SALTGRASS	1.5
	FESTUCA MICROSTACHYS	SMALL FESCUE	3.0
	TRIFOLIUM OBTUSIFLORUM	CREEK CLOVER	1.0
		TOTAL PER ACRE	9.0

**REVISIONS** DESCRIPTION DATE APP'D

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SEE SHEET 1 FOR APPROVALS



CITY OF LAGUNA BEACH

PLANTING DETAILS

PUBLIC WORKS DEPARTMENT CAPITAL IMPROVEMENT PROJECT NO. XXX

LAGUNA CANYON CREEK EROSION CONTROL PROJECT

SHEET

OF

City of Laguna Beach Laguna Canyon Creek Erosion Control and Restoration Project Certification No. R9-2019-0017

# ATTACHMENT 5 CEQA MITIGATION MONITORING AND REPORTING PROGRAM



### 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

	Mitigation Measure	Method of Verification	Timing of Verification	Responsible Person	Sanctions
Air Quality	·				
AQ-1 Prio Buil Chie Gra spewith dus water as Reg requirech creatof shot senting to the chief and a a a a if d	r to issuance of any Demolition or ding Permit, the City Engineer and the ef Building Official shall confirm that the ding Plan, Building Plans, and cifications stipulate that, in compliance SCAQMD Rule 403, excessive fugitive temissions shall be controlled by regular ering or other dust prevention measures, specified in the SCAQMD's Rules and pulations. In addition, SCAQMD Rule 402 uires implementation of dust suppression aniques to prevent fugitive dust from ating a nuisance off-site. Implementation the following measures would reduce reterm fugitive dust impacts on nearby sitive receptors:  Il active portions of the construction site hall be watered every three hours during aily construction activities and when dust to observed migrating from the project site of prevent excessive amounts of dust;  ave or apply water every three hours uring daily construction activities or apply on-toxic soil stabilizers on all unpaved cocess roads, parking areas, and staging reas. More frequent watering shall occur dust is observed migrating from the site uring site disturbance;  ny on-site stockpiles of debris, dirt, or	C	Prior to issuance of Demolition or Building Permit	BO & DPW	
	ther dusty material shall be enclosed,				



Mitigation Measure	Method of Verification	Timing of Verification	Responsible Person	Sanctions
covered, or watered twice daily, or non- toxic soil binders shall be applied;				
<ul> <li>All grading and excavation operations shal be suspended when wind speeds exceed 25 miles per hour;</li> </ul>				
<ul> <li>Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area;</li> </ul>	•			
On-site vehicle speed shall be limited to 15 miles per hour;				
Visible dust beyond the project limits which emanates from the project shall be prevented to the maximum extent feasible;				
All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; and	,			
<ul> <li>Reroute construction trucks away from congested streets or sensitive receptor areas.</li> </ul>				
Biological Resources	•			
BIO-1 If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (generally extends from February 1 - August 31, but can vary from year to year based upon seasonal weather conditions), a pre-construction clearance survey for nesting birds, shall be conducted		Ground-disturbing activities or removal of any potential nesting habitat within the avian nesting season (February 1 - August 31)	DCD	4



Mitigation Measure	Method of Verification	Timing of Verification	Responsible Person	Sanctions
within ten (10) days prior to any ground disturbing activities to ensure that no nesting birds would be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests would occur.				
If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall be rerouted, and a no-work buffer shall be established around the nest, or delayed until the young have fledged. The size of the buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically no-work buffers range from 250 to 500 feet from the nest location.				
A biological monitor shall be present to delineate the boundaries of the buffer area, if an active nest is observed, and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Laguna Beach for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities				



	Mitigation Measure	Method of Verification	Timing of Verification	Responsible Person	Sanctions
	jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the Applicant from CDFW.				
Noise					
NOI-1	<ul> <li>Prior to issuance of a Demolition or Building Permit, the City of Laguna Beach Department of Community Development shall verify that the project complies with the following:</li> <li>Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.</li> <li>Construction contracts specify that a sign, legible at a distance of 50 feet shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City of Laguna Beach Community Development Department, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.</li> <li>The project shall include a specification, to the satisfaction of the City of Laguna Beach Community Development Department, that the contractor has designated an employee as a qualified</li> </ul>	C	Prior to issuance of Demolition or Building Permit	DCD	2



Mitigation Measure	Method of Verification	Timing of Verification	Responsible Person	Sanctions
"Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the compliant, as deemed acceptable by the Laguna Beach Community Development Department. All signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.  • Construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.).  • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.	Wethou of Verification	Tilling of Verification	Responsible Person	Sanctions
Construction equipment staging areas shall be located as far away from adjacent sensitive receptors as possible.				

City of Laguna Beach Laguna Canyon Creek Erosion Control and Restoration Project Certification No. R9-2019-0017

# ATTACHMENT 4 MITIGATION FIGURES

Exhibit 4 – On-Site and Off-Site Mitigation Areas

Exhibit 7 – Regional Board/CDFW Jurisdictional Map

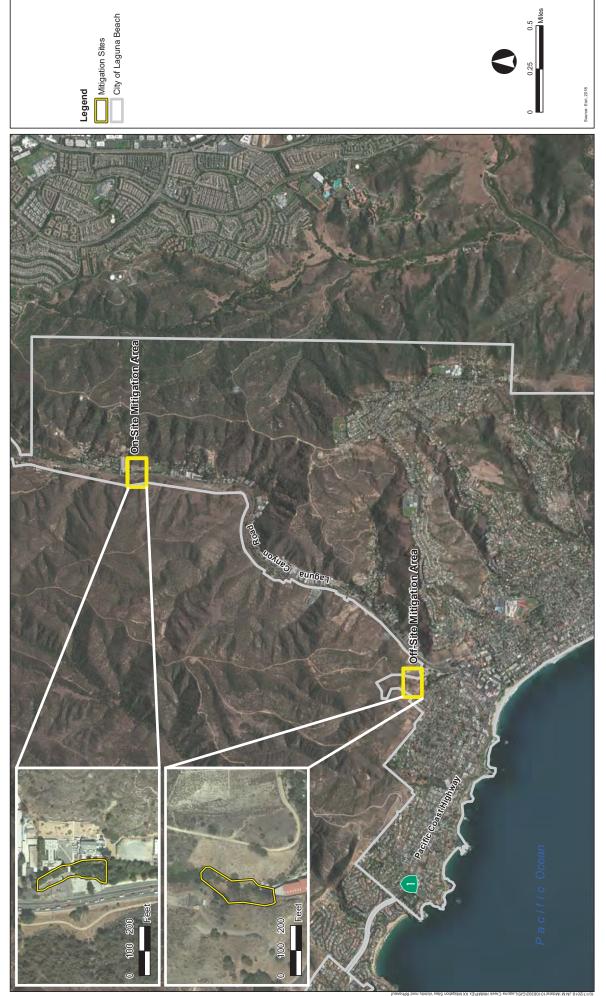
Exhibit 5 – On-Site Mitigation Area

Figure 1 – Off-Site City Owned Parcel

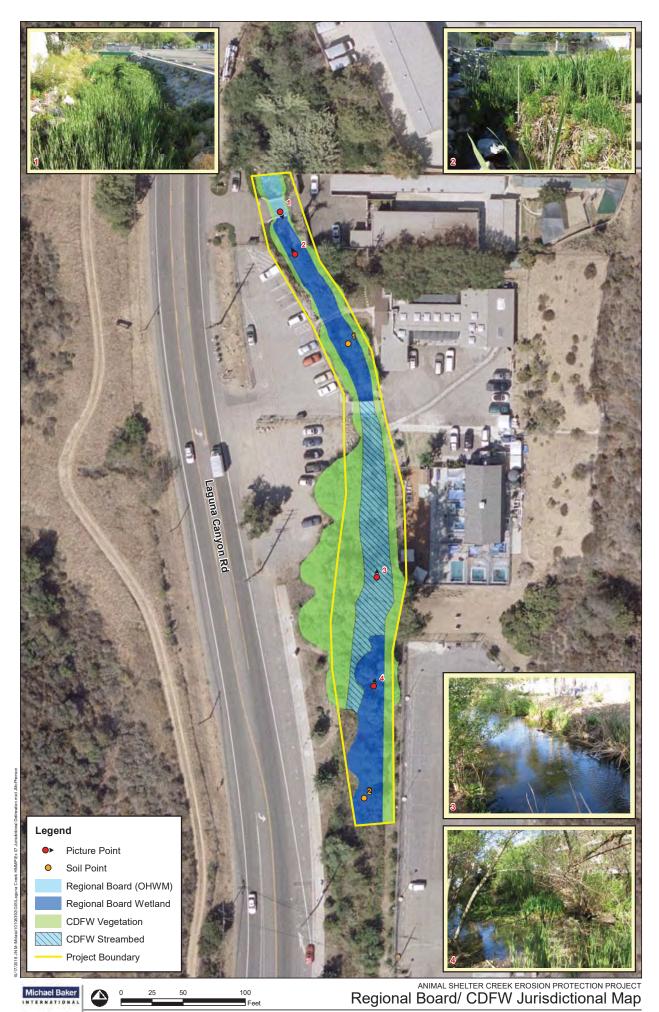
Figure 2 – Mitigation Parcel

Figure 3 – Mitigation Map

# ANIMAL SHELTER CREEK EROSION PROJECT On-Site and Off-Site Mitigation Areas Exhibit 4











100 Feet



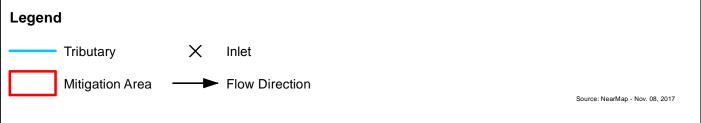


LAGUNA BEACH/ MAMMAL CENTER RESTORATION PROJECT









LAGUNA BEACH/ MAMMAL CENTER RESTORATION PROJECT









LAGUNA BEACH/ MAMMAL CENTER RESTORATION PROJECT

