



SAN DIEGO REGIONAL  
WATER QUALITY  
CONTROL BOARD

# California Regional Water Quality Control Board

2009 OCT -1 P 1:17 San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
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[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

## APPLICATION FOR CLEAN WATER ACT §401 WATER QUALITY CERTIFICATION

All applicants **must** provide a complete and detailed response to all sections of the application or the application will be deemed incomplete. Responses should not refer reader to an attachment. Any responses by reference must indicate the specific document(s) and page number(s) (include copies of the entire document). Indicate by Not Applicable (NA) all sections that do not apply, **along** with an explanation of why the project is exempt from the section.

1. APPLICANT/AGENT INFORMATION	
Applicant's Name:  Gregory Canyon, Ltd. LLC Attn.: Jerry Riessen	Authorized Agent's Name and Title:  URS Corporation: Contact is Bill Magdych
Applicant's Address:  1550-G Tiburon Blvd., Suite 614 Tiburon, CA 94920	Agent's Address:  URS Corporation 1615 Murray Canyon Road, Suite 1000 San Diego, CA 92108
Applicant's Phone:  415-391-2833	Agent's Phone:  619-294-9400
Applicant's Fax:  415-788-2030	Agent's Fax:  619-293-7920
Applicant's Email:  j.riessen@comcast.net	Agent's Email:  Bill_magdych@urscorp.com

STATEMENT OF AUTHORIZATION	
I hereby authorize <u>URS Corporation (contact is Bill Magdych)</u> to act in my behalf as my agent in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.	
Applicant's Signature  	Date  9-28-09
(This <b>must</b> be signed by the applicant, not the authorized agent.)	

*Revised Application*

**2. PROJECT/ACTIVITY INFORMATION**

**PROJECT NAME OR TITLE**

Gregory Canyon Bridge

**LOCATION OF PROJECT (See instructions.)**

Street Address: 9708 Pala Road

County San Diego City Pala (unincorporated County)

Assessor's Parcel Number(s) 110-150-25

Hydrologic Unit, Area, and Subarea: 903.21 San Luis Rey (HU) Monserate (HA) Pala (HSA)

**DIRECTIONS TO PROJECT SITE (See instructions.)**

Take SR76 east from the intersection with I-15 for approximately 3.5 miles (past and east of Couser Canyon Rd. and Wild Rd). Project site is located on the south side of the road, at the San Luis Rey River

Provide latitude and longitude for the proposed project.

Coordinates are provided in WGS84 datum.

Latitude: 33° 20.754' N Longitude: 117° 6.906' W (Center Reading)

Latitude: 33° 20.854' N Longitude: 117° 7.050' W (NW Corner)

Latitude: 33° 20.854' N Longitude: 117° 6.799' W (NE Corner)

Latitude: 33° 20.666' N Longitude: 117° 6.788' W (SE Corner)

Latitude: 33° 20.666' N Longitude: 117° 7.052' W (SW Corner)

Vicinity and location maps have been provided

**OWNERSHIP**

Does the applicant own the project site? Yes: X No:

If the project site is not owned by the applicant, provide the name(s), address(es), and phone number(s) for the property owner(s) as well as evidence that the applicant has the necessary approvals to construct the project at this location.

Does the applicant plan on selling all or a portion of the site after receiving the necessary approvals?

Yes \_\_\_\_ No: X

Does the applicant plan on selling all or a portion of the site prior to starting construction?

Yes: \_\_\_\_ No: X

If yes, provide the name(s), address(es), and phone number(s) of the future land owner(s).

NA: The applicant does not plan on selling the site.

Does the applicant plan on transferring the certification after receiving the necessary approvals and/or prior to starting construction?

Yes \_\_\_\_ No X

If yes, provide the name(s), address(es), and phone number(s) of the future transferee(s).

NA: There are no future transferees.

**AFFECTED WATER BODY(IES) (See instructions.)**

List all affected water body(ies).

San Luis Rey River

List water velocities and shear for the 2, 5, 10, 50, and 100 storm water elevations for each water body.

Storm Event	Channel Velocity (ft/s)	Channel Shear (lb/sq ft)
2-yr	2.04	0.24
5-yr	2.69	0.38
10-yr	3.35	0.51
50-yr	5.19	0.95
100-yr	6.24	1.28

Hydraulic parameters are based upon existing conditions topography (without proposed bridge).

Discharge, Q (in cubic feet per second [cfs]) for 10, 50, 100-year is from the FEMA Flood Insurance Study (FIS) for San Diego County (2006).

Discharge, Q for 2 and 5 year storms was extrapolated using log-log plot of the FEMA FIS discharges.

Are any of the water body(ies) considered isolated per SWANCC or Rapanos? Yes \_\_\_\_ No X

**NEED FOR PROJECT (See instructions.)**

To replace existing bridge and allow County-approved access from SR76 across the San Luis Rey River, including to the Gregory Canyon Landfill for vehicles and equipment associated with construction and operation of the Landfill.

**DESCRIPTION OF ACTIVITY** (See instructions.)

Construct a bridge crossing of the San Luis Rey River to handle ingress to and egress from the Gregory Canyon Landfill. See attached reports and engineering drawings. This bridge crossing will replace an existing low-flow crossing that is located downstream, but which would not be able to support the required equipment. The existing crossing will be abandoned upon project completion. Culverts and cover will be removed which will result in the opening of a gap approximately 25 feet by 25 feet in the crossing. This gap will improve hydrogeomorphological performance of the river by improving downstream water flow at the location of the existing low flow crossing.

Pending issuance of required permits, construction of the bridge is currently anticipated to occur starting November 2009 with completion in December 2010.

This 401 certification relates solely to the construction of the landfill access road bridge in waters of the U.S. Impacts to waters of the state from the larger Gregory Canyon Landfill development will be addressed in Waste Discharge Requirements.

Has any portion of the work been initiated? Yes                      No X

If yes, describe the initiated work and explain why it was initiated prior to obtaining a permit; indicate whether any enforcement action has been taken against the project.

**AVOIDANCE OF IMPACTS** (See instructions.)

The bridge is designed to span the river and safely require minimal (3) support piers within Waters of the U.S. with 0.002 acre of permanent impacts. The area required for temporary construction and construction access has been minimized to an area of up to 0.490 additional acres within and upstream of the bridge footprint, and this area will be revegetated after construction is completed. Also, because the restoration plan for the disturbed/developed upland area adjacent to the San Luis Rey River will create 2.3 acres of riparian habitat as part of the bridge project, the riparian and wetland habitats will be increased onsite and impacts will be self-mitigated.

Plant pallets to be used for revegetation efforts are listed below:

### Plant Palette for Southern Willow Scrub Creation Area

Scientific Name	Common Name	Number Per Acre
<i>Baccharis salicifolia</i>	Mulefat	150 cuttings
<i>Populus fremontii</i>	Fremont's Cottonwood	40 one-gallon containers
<i>Salix exigua</i>	Narrow-leaved Willow	100 cuttings
<i>Salix gooddingii</i>	Black Willow	150 cuttings
<i>Salix laevigata</i>	Red Willow	150 cuttings
<i>Salix lasiolepis</i>	Arroyo Willow	150 cuttings
<i>Salix lucida ssp. lasiandra</i>	Lance-leaved Willow	75 cuttings
<b>Total</b>		<b>815 plants per acre</b>
Scientific Name	Common Name	Lbs. Per Acre
<i>Ambrosia psilostachya</i>	Western Ragweed	2
<i>Amsinckia menziesii var. intermedia</i>	Common Fiddleneck	1
<i>Artemisia douglasiana</i>	Mugwort	2
<i>Eriogonum fasciculatum</i>	California buckwheat	6
<i>Lasthenia californica</i>	Goldfields	1
<i>Mimulus aurantiacus</i>	Red-bush Monkeyflower	1
<i>Plantago erecta</i>	Dot-seed Plantain	4
<i>Sisyrinchium bellum</i>	Blue-eyed Grass	3
<b>Totals</b>		<b>20</b>
Optional Alternate Species		
<i>Baccharis pilularis</i>	Coyotebrush	
<i>Baccharis sarothroides</i>	Broom Baccharis	
<i>Croton californica</i>	California Croton	
<i>Dichelostemma capitatum</i>	Wild Hyacinth	
<i>Encelia californica</i>	California Sunflower	
<i>Phacelia distans</i>	Distant Phacelia	
<i>Scrophularia californica</i>	California Bee Plant	

**MINIMIZATION OF IMPACTS** (See instructions.)

Same as avoidance of impacts.

**PROTECTION OF WATER QUALITY – CONSTRUCTION** (See instructions.)

Best Management Practices will be employed to the fullest extent as described in the Gregory Canyon Landfill EIR, the Joint Technical Document that has been submitted to and deemed complete by the RWQCB staff, and again in the BA for the Gregory Canyon Bridge project. A construction storm water pollution prevention plan and a storm water management plan have been developed and provided with this application.

Project construction will also be subject to applicable requirements of the San Diego County Watershed Protection, Storm Water Management and Discharge Control Ordinance and Storm water Standards Manual. Applicable requirements will be imposed in connection with receiving County permits, including a bridge permit.

Anticipated BMP's may include temporary storage of material excavated for construction of the bridge pillars either outside of waters of the U.S. (and surrounded by BMPs, such as a gravel bag barrier or silt fence) or on a geotextile material for facilitate removal if within waters of the U.S. Construction activities in surface water will be conducted outside of periods of high water flow in the San Luis Rey River. Cofferdams will not be used on this project.

The bridge project will not adversely affect Water Quality Objectives or Beneficial Uses in the San Luis Rey River. Beneficial Uses listed for the Upper San Luis Rey River Hydrologic Unit 903.21 include agricultural supply, cold freshwater habitat, industrial service supply, municipal and domestic supply, water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat. Cold freshwater habitat is not present at or near the project site or downstream of the project site. The bridge project will have a minor effect on riparian vegetation habitat during construction; however, this effect will be beneficial because temporarily disturbed sites will be restored and 2.3 acres of additional riparian habitat will be created. Other effects on listed species and their habitat will be mitigated pursuant to the requirements of the Final EIR and Section 7 Consultation with the U.S. Fish and Wildlife Service. No other effects on other Beneficial Uses are expected. Therefore, the bridge project will not result in degradation of Beneficial Uses or Water Quality Objectives for the San Luis Rey River.

**PROTECTION OF WATER QUALITY – POST-CONSTRUCTION** (See instructions.)

Best Management Practices will be employed to the fullest extent as described in the Gregory Canyon Landfill EIR, the Joint Technical Document that has been submitted to and deemed complete by the RWQCB staff, and again in the BA for the Gregory Canyon Bridge project. A construction storm water pollution prevention plan and a storm water management plan have been developed and provided with this application.

Post-construction BMP's, if any, related to the bridge pillars will be provided pursuant to applicable San Diego County Urban Storm Water Mitigation Plan requirements in connection with receiving County permits, including a bridge permit. At this time, no post-construction BMP's related to the bridge pillars are anticipated.

The bridge project will not adversely affect Water Quality Objectives or Beneficial Uses in the San Luis Rey River. Beneficial Uses listed for the Upper San Luis Rey River Hydrologic Unit 903.21 include agricultural supply, cold freshwater habitat, industrial service supply, municipal and domestic supply, water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat. Cold freshwater habitat is not present at or near the project site or downstream of the project

site. The bridge project will have a minor effect on riparian vegetation habitat during construction; however, this effect will be beneficial because temporarily disturbed sites will be restored and 2.3 acres of additional riparian habitat will be created. Other effects on listed species and their habitat will be mitigated pursuant to the requirements of the Final EIR and Section 7 Consultation with the U.S. Fish and Wildlife Service. No other effects on other Beneficial Uses are expected. Therefore, the bridge project will not result in degradation of Beneficial Uses or Water Quality Objectives for the San Luis Rey River.

**PROTECTION OF WATER QUALITY – IMPAIRED WATER BODY(IES).** (See instructions.)

Are any of the water body(ies) within the project area, including impacted and preserved water body(ies), list as impaired on the Clean Water Act Section 303(d) list?

Yes \_\_\_ No X

Are any of the water body(ies) within the project area a tributary to a Clean Water Act Section 303(d) water body(ies)?

Yes X No

Are any of the water body(ies) within the project area the subject of an adopted Total Maximum Daily Load (TMDL)?

Yes \_\_\_ No X

If yes, provide a detailed description of the actions that will be taken to ensure that the project does not contribute additional pollutants to the water body(ies). Include a discussion of the pollutants causing the impairment, potential sources of pollutants, and construction and post-construction BMPs.

The lower San Luis Rey River is on the 2002 Clean Water Act 303(d) list for: chloride from urban runoff/storm sewers, unknown nonpoint source, unknown point source; and total dissolved solids from industrial point sources, agricultural-storm runoff, urban runoff/storm sewers, surface mining, flow regulation/modification, natural sources, golf course activities and unknown nonpoint and point sources. The project site is located in the upper San Luis Rey River (Hydrologic Unit 903.21), which is not listed as impaired on the Section 303(d) list. The proposed bridge project will not alter conditions associated with chlorides and total dissolved solids in the upper or lower San Luis Rey River. The greater landfill project is considered under a separate permit application for waste discharge requirements that will also ensure that the upper and lower San Luis Rey River is not impaired by the overall project.

**STATE OR FEDERALLY THREATENED OR ENDANGERED SPECIES IMPACTED BY THIS PROJECT**  
(See instructions.)

Are any state or federally threatened or endangered species potentially impacted by this project?

Yes X No \_\_\_

If yes, provide a list of the potentially impacted species (with common name).

least Bell's vireo (*Vireo bellii pusillus*)

southwestern willow flycatcher (*Empidonax traillii extimus*)

arroyo southwestern toad (*Bufo californicus*)

coastal California gnatcatcher (*Polioptila californica californica*) Do not occur onsite but were evaluated

quino checkerspot butterfly (*Euphydryas editha quino*) Do not occur onsite but were evaluated



Ellen Howard (Biologist) URS Corp (initial delineation).  
 Shanti A. Santulli (Biologist) URS Corp (revised delineation).  
 Sundeep Amin (Biologist) URS Corp (revised delineation).  
 Surveys for the initial delineation were conducted on April 6, 2004 and April 8, 2004. The revised delineation was performed in August 2009.

**3. OTHER LICENSES/PERMITS/AGREEMENTS**

**OTHER APPROVALS** (See instructions.)

Agency	Contact (Include phone number, email)	License/Permit/Agreement	File Number	Date Applied	Status
California Department of Fish and Game	858-636-3160	Streambed Alteration and 2081 Agreements	Not available	September 26, 2005	Pending
U.S. Army Corps of Engineers	Robert Smith 858-674-6784	Section 404 Permit	982007000-RRS	September 28, 2005	Pending
U.S. Fish and Wildlife Service	760-431-9440	Section 7 Consultation with the Corps	Not available	November 09, 2005	Pending
County Public Works	858-694-2212	Bridge Permit	Not available	Not yet applied for	Not yet applied for

Does the project require a Federal Energy Regulatory Commission (FERC) license or amendment to a FERC license? Yes \_\_\_\_\_ No X

**4. COMPENSATORY MITIGATION**

Is compensatory mitigation proposed? Yes X No

(See instructions for definitions.)

Water body Type/Plant Community Type	Establishment (Acres, Linear Feet)	Restoration (Acres, Linear Feet)	Enhancement (Acres, Linear Feet)	Preservation (Acres, Linear Feet)
Riparian/Wetland	2.3 (acres) 950 (linear feet)	Up to 0.490 (acres) 340 linear feet		

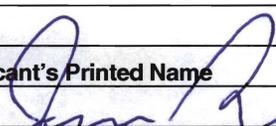
How many acres or linear feet of mitigation area are considered waters of the U.S.?

All mitigation will be waters of the U.S.

What is the range of depths to groundwater across the proposed mitigation area?

The groundwater is generally expected to be within 12 inches of the ground surface on a seasonal basis.

Is the mitigation site owned by the applicant?	Yes <input checked="" type="checkbox"/>	No
<p>If no, provide the name(s), address(es), and phone number(s) of the land owner and evidence (e.g., agreements, contracts, etc.) that the applicant has the necessary approvals to implement mitigation at this location. If the land is to be purchased, provide the expected date that the purchase will be complete.</p> <p>Provide the location of the Compensatory Mitigation.</p> <p>The mitigation site is depicted in Figures 2 and 3 of the Biological Assessment For the Gregory Canyon San Luis Rey River Bridge Replacement report which has been provided in the application package. This location is at the edge of the northern bridge abutment, adjacent to the existing ordinary high water mark of the San Luis Rey River and extending downstream on the north side of the river.</p> <p>Street Address: NA</p>		
County: San Diego	City: Pala	
Assessor's Parcel Number(s): 110-150-25		
Hydrologic Unit, Area, and Subarea: 903.21 San Luis Rey (HU) Monserate (HA) Pala (HSA)		
Latitude: 33° 20.791' N	Longitude 117° 6.946' W	(Center Reading)
Latitude: 33° 20.712' N	Longitude: 117° 7.047' W	
Latitude: 33° 20.719' N	Longitude: 117° 7.038' W	
Latitude: 33° 20.740' N	Longitude: 117° 7.030' W	
Latitude: 33° 20.760' N	Longitude: 117° 7.003' W	
Latitude: 33° 20.824' N	Longitude: 117° 6.916' W	
Latitude: 33° 20.223' N	Longitude: 117° 9.915' W	
Latitude: 33° 20.803' N	Longitude: 117° 6.925' W	
Latitude: 33° 20.774' N	Longitude: 117° 6.949' W	
Latitude: 33° 20.744' N	Longitude: 117° 6.967' W	
Latitude: 33° 20.742' N	Longitude: 117° 6.985' W	
Latitude: 33° 20.728' N	Longitude: 117° 6.999' W	
Latitude: 33° 20.712' N	Longitude: 117° 7.047' N	
<b>MITIGATION BANK/IN-LIEU FEE PROGRAM</b> (If proposed, See instructions.)		
Mitigation n Bank/In-Lieu Fee Name:		
Name of Mitigation Bank/In-Lieu Fee Operator: _____		
Office Address of Operator/Phone Number: _____		
Mitigation Bank/In-Lieu Fee Location: Latitude:____ Longitude: _____		
County: _____ City: _____		
Mitigation Bank/In-Lieu Fee Water Body type(s): _____		
Mitigation Area (acres or linear feet) and cost (dollar): _____		
<b>5. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)</b>		
Document Type/Title: Gregory Canyon Landfill Final EIR _____		
Lead Agency and Contact Information (name, address, phone number):		
Name and Address: County of San Diego Department of Environmental		

Document Type/Title: <u>Gregory Canyon Landfill Final EIR</u>	
Lead Agency and Contact Information (name, address, phone number): Name and Address: <u>County of San Diego Department of Environmental Health – LEA Office, 9325 Hazard Way, San Diego, CA 92123</u>	
Phone Number: <u>858-694-2629</u>	
State Clearinghouse Number: <u>1995061007</u>	
Has the document been certified/approved and/or has a Notice of Exemption been filed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
(If yes, include a copy of the certification. If no, provide the expected approval date and document type.)	
Is this project considered an "emergency" pursuant to CEQA? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
*Note: Section 401 certification will not be granted without a certified CEQA document.	
<b>6. ADDITIONAL INFORMATION</b>	
<b>PAST/FUTURE IMPACTS AND CUMULATIVE IMPACTS</b> (See instructions.)	
There are no applicable projects in this area that would result in effects on the river that would be related to the bridge. Cumulative effects of the greater landfill project were addressed in the CEQA document.	
<b>7. APPLICATION FEE</b>	
<b>FILING FEE</b>	
A fee deposit of \$640.00 is required to be submitted with this application. Additional fees, based on the extent of impacts, may be due. A fee schedule and calculator can be found at: <a href="http://www.waterboards.ca.gov/water_issues/programs/cwa401/">http://www.waterboards.ca.gov/water_issues/programs/cwa401/</a>	
Is check payable to the "State Water Resources Control Board" attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Check No. _____ Amount: _____ Previously submitted	
<b>8. SIGNATURE</b>	
I hereby certify under penalty of perjury that the information provided in this application and in any attachments are true and accurate to the best of my knowledge. I further certify that I possess the necessary authority to undertake work described in this application.	
	
Applicant's Printed Name	<u>Jerry A. Riessen</u>
Title	<u>President</u>
Applicant's Signature (This must be signed by the applicant, not the authorized agent.)	Date <u>9-28-07</u>

Attach the appropriate fee and any additional documents and submit this application to:

California Regional Water Quality Control Board, San Diego Attn:  
401 Water Quality Certification  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

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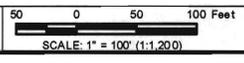


LEGEND	
	Wetland Delineation
	Bridge Footprint Boundary
	Bridge Access/Work Area Boundary

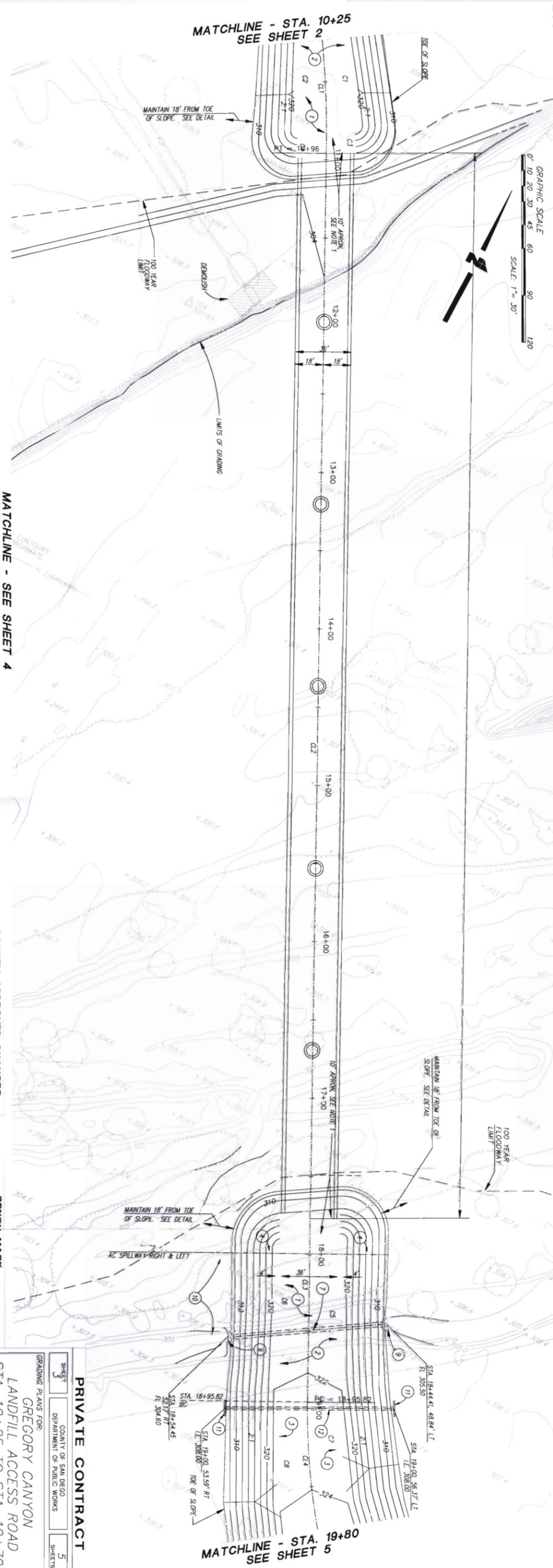
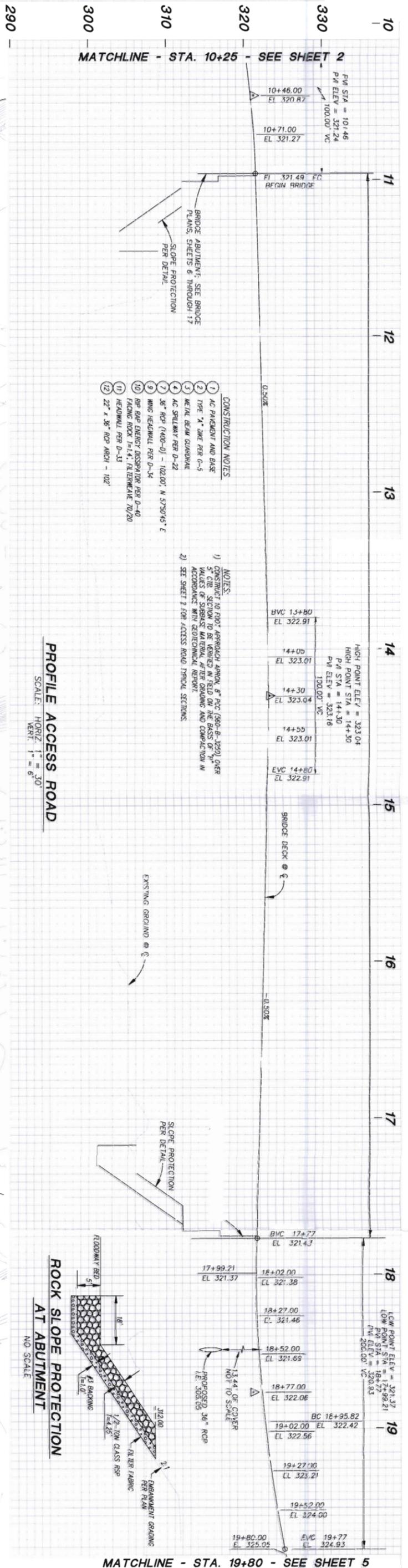


SOURCES: LENS KA (2009 Aerial Photograph),  
Nolte & Assoc. (bridge grading 2005);  
URS (wetland delineation August 2009).

### GREGORY CANYON BRIDGE AND WETLAND DELINEATION



CHECKED BY CM	DATE: 9-30-09	FIG. NO:
PM: BM	PROJ. NO: 27654025.00010	1



MATCHLINE - SEE SHEET 4

MATCHLINE - STA. 10+25  
SEE SHEET 2

MATCHLINE - STA. 19+80  
SEE SHEET 5

**NOTE**

BEYOND ENGINEERING  
1500 AVENUE OF SCIENCES, SUITE 100, SAN DIEGO, CA 92161  
619-594-9300 FAX 619-594-9301

DESIGNED BY	JRH
DRAWN BY	JAR
DATE	
JOB NO.	SD0030

COUNTY APPROVED CHANGES	
No.	Description

DESCRIPTION	2.14" CADI BR DISK ON 2" IRON PIPE
LOCATION	ROUTE 76 AT RM 19.5
COUNTY OF SAN DIEGO	6293498 889
DATE	NGD 28 (FEET)

**PRIVATE CONTRACT**  
COUNTY OF SAN DIEGO  
DEPARTMENT OF PUBLIC WORKS  
SHEETS 5

GRADING PLANS FOR:  
**GREGORY CANYON  
LANDFILL ACCESS ROAD  
STA. 10+25 TO STA. 19+70**

DESIGNED BY: DOUGLAS W. HUBBELL  
SUBSIDIARY ENGINEER  
FOR COUNTY ENGINEER

APPROVED BY: [Signature]  
COUNTY ENGINEER

DATE: L-13244