
San Diego Regional Water Quality Control Board

March 5, 2018

In reply refer to:

R9-2018-0030:789098:dbradford

Mr. Rick Wood
Standard Pacific Homes
255 Rincon, Ste 200
Corona, CA 92879

Certified Mail – Return Receipt Requested

Article Number: 7011 0470 0002 8952 9643

Subject: Notice of Violation No. R9-2018-0030 and Investigative Order No. R9-2018-0045 Related to Alleged Violations of Clean Water Act Section 401 Water Quality Certification No. R9-2012-0075 for the Atherton Tr 32627 Project

Mr. Wood:

Enclosed is Notice of Violation (NOV) No. R9-2018-0030 issued for violations of Clean Water Act Section 401 Water Quality Certification No. R9-2012-0075 (Certification) and State Water Resources Control Board (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)*. You are directed to submit technical information addressing the subject violations, pursuant to the requirements of section 13267 of the California Water Code (Water Code) as set forth below.

Notice of Violation No. R9-2018-0030

The State of California largely relies on Section 401 of the federal Clean Water Act (CWA) (33 U.S.C. § 1341) to regulate discharges of dredged or fill material to waters of the United States and/or State. Section 401 requires an applicant to obtain “water quality certification” from California that the project will comply with State water quality standards before certain federal licenses or permits may be issued. The permits subject to section 401 include permits for the discharge of dredged or fill materials (CWA section 404 permits) issued by the U.S. Army Corps of Engineers (Corps).

The Atherton Tr 32627 Project (Project) is required to be constructed in compliance with the conditions of the Certification. Discharges of dredged or fill materials from the Project are also regulated under the General WDRs, cited above which require compliance with all conditions of the Certification to ensure water quality standards are met.

As described in the NOV, the violations may potentially subject you to further enforcement by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) or State Water Resources Control Board, including but not limited to the following actions listed below:

Other Potential Enforcement Action Options	Applicable Water Code Section(s)
Technical or Investigative Order	Sections 13267 and 13383
Time Schedule Order	Sections 13300 and 13308
Cease and Desist Order	Sections 13301-13303
Cleanup and Abatement Order	Section 13304
Administrative Civil Liability	Section 13385
Referral to the Attorney General	-
Referral to the District Attorney	-

The San Diego Water Board reserves the right to take any enforcement action authorized by law. In making the determination of whether and how to proceed with further enforcement action, the San Diego Water Board will consider the severity and effect of the violation, the level of cooperation, the time it takes to correct the identified violations, and the sufficiency of the corrections.

Investigative Order No. R9-2018-0045

Under the authority of Water Code section 13267, the San Diego Water Board hereby directs you to submit the following technical information by 5:00 pm on April 6, 2018.

1. 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.
2. A feasibility report evaluating alternatives, including the cost and effectiveness of each alternative, to obtain compliance with the terms and conditions of Water Quality Certification No. R9-2012-0075; and Order No. 2003-0017-DWQ including but not limited to Conditions III.G, II.E, IV.A, and IV.F of the Certification and Directive 1 of the General WDRs. The feasibility report shall include:
 - a. An evaluation addressing removal of the existing culvert with reinstallation at the proper grade.
 - b. A recommended alternative to address the noncompliance issues identified in the NOV in all respects;
 - c. Documentation demonstrating that the recommended alternative will be in compliance with California Environmental Quality Act as required for any construction, operation, maintenance, or other actions associated with the activity;

- d. A detailed description of all activities planned to implement the recommended alternative and a schedule for their completion; and
- e. A monitoring and reporting program to monitor, evaluate and report on the success and effectiveness of the recommended alternative in addressing the noncompliance issues.

All information provided in response to this Investigative Order must include the following signed certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The technical report, alternatives analysis and monitoring and reporting program required under this Investigative Order are needed because downstream erosion and deposition pose an ongoing threat to the success of the compensatory mitigation site and downstream receiving waters. Information is needed to: (1) identify the Least Environmentally Damaging Project Alternative (LEDPA), and (2) ensure compliance with the terms and conditions of Water Quality Certification No. R9-2012-0075 and Order No. 2003-0017-DWQ including but not limited to Conditions III.G, II.E, IV.A, and IV.F of the Certification and Directive 1 of the General WDRs. With the required information, the San Diego Water Board also expects to be able to evaluate the need for, scope, and appropriateness of any proposed amendments to the Certification, to reduce the threat to the on-site compensatory mitigation project and downstream receiving waters. While the costs of this investigation, which is anticipated to include a moderately complex and resource-intensive analysis, cannot be known with any certainty, the burden of incurred costs are expected to be reasonable and also bears a reasonable relationship to the benefits to water quality to be gained from addressing the noncompliance issues outlined in the NOV.

All reports, plans, and documents required under this Investigative Order must be prepared under the direction of appropriately qualified professionals. A statement of qualifications and license numbers, if applicable, of the responsible lead professional and all professionals making significant and/or substantive contributions must be included in the report submitted. The lead professional performing the engineering and geologic evaluations and judgements must sign and affix their professional geologist or civil engineer registration stamp to all plans, technical reports, or documents submitted to the San Diego Water Board.

Please submit all responses and information to this NOV in electronic format via e-mail to SanDiego@waterboards.ca.gov. Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to the San Diego Water Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108. Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: R9-2018-0030:789098:dbradford

For questions pertaining to the subject matter, please contact Darren Bradford at (619) 521-3356 or darren.bradford@waterboards.ca.gov.

Respectfully,



David Barker P.E.
Supervising WRC Engineer
San Diego Regional Water Quality Control Board

DB:EB:dlb

Enclosures:

Notice of Violation No. R9-2018-0030
Exhibit A: County Inspection Report
Exhibit B: Site Photos

CC (by email with enclosures):

Barry Jones
Helix Environmental Planning
BarryJ@helixepi.com

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U.S. Army Corps of Engineers
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David.Barker@waterboards.ca.gov

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U.S. EPA, OWOW, Region 9
R9-WTR8-Mailbox@epa.gov

State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
Stateboard401@waterboards.ca.gov

Tech Staff Info & Use	
Notice of Violation No.	R9-2018-0030
401 Certification No.	R9-2012-0075
WDID	9000002541
Reg. Measure ID	388473
Place ID	789098
Party ID	538008
Violation ID	038803
Investigative Order No.	R9-2018-0045

San Diego Regional Water Quality Control Board

March 5, 2018

**NOTICE OF VIOLATION
No. R9-2018-0030**

Mr. Rick Wood
Standard Pacific Homes
255 Rincon, Ste 200
Corona, CA 92879

Atherton Tr 32627 Project
Stream crossing at Monte Verde Drive,
Riverside County, California

**Violations of Clean Water Act Section
401 Water Quality Certification No. R9-
2012-0075 and State Water Resources
Control Board Order No. 2003-0017-
DWQ**

Standard Pacific Homes (Discharger) is in violation of Clean Water Act Section 401 Water Quality Certification No. R9-2012-0075 (Certification) and 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)* for the Atherton Tr 32627 Project (Project). These violations are a result of the Dischargers failure to comply with the conditions contained within the Certification as issued and the General WDRs.

Such violation subjects Standard Pacific Homes to possible enforcement action by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) or the State Water Resources Control Board (State Water Board), including revocation of the Certification, administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation; referral to the State Attorney General for injunctive relief or monetary penalties; and, referral to the District Attorney for criminal prosecution.

A. Background

Atherton Tr 32627 Project

On June 8, 2014, the San Diego Water Board issued Certification No. R9-2012-0075 to the Standard Pacific Homes for the construction of 118 single-family residences on 65.4 acres with minimum lot sizes of 8,000 square feet, roadways, two water quality detention basins, a 1.9 acre pad for a park, 13,030 square feet of linear park, and 5 natural open space lots. The Project is located within unincorporated Riverside County, California on the south side of Monte Verde Drive, north and south of Anza Road, and west of El Chimisal Road. The Project center reading is located at latitude 33.46281 and longitude -117.06934. The Certification authorizes unavoidable impacts to an unnamed tributary to Temecula Creek, a water of the U.S. and/or State, located in the Paula Hydrologic Subarea (HSA 902.51) of the Santa Margarita Hydrologic Unit (HU 902.00).¹ Under the terms and conditions of the Certification, Standard Pacific Homes was required to provide compensatory mitigation to offset the environmental losses resulting from the unavoidable impacts. The Discharger provided the mitigation on-site and through the purchase of credits from the Barry Jones Mitigation Bank (Gertrudis HSA 902.42) at a total minimum compensation ratio of 3:1 (area mitigated:area impacted).

As part of the Project, the Discharger installed a concrete culvert under Monte Verde Drive improperly based on out of date and incorrect topographic data. This improper culvert installation has caused downstream erosion and sediment deposition within an unnamed tributary to Temecula Creek in violation of Clean Water Act Section 401 Water Quality Certification No. R9-2012-0075. In addition, as detailed in Exhibit A the County of Riverside inspected the Project site on January 10, 2018 and January 22, 2018 and noted deficiencies in the Project's construction storm water Best Management Practices. The Discharger has requested an amendment of the Certification to add additional outfalls and place rip-rap downstream of the culvert to compensate for the improperly installed culvert. By memorandum, dated November 30, 2017, Hunsaker & Associates described *"two changes to Tract 32627 from what was submitted with the original 401 Certification submittal are needed to address changes in the Storm Drain Lines B and C outfall and the rip rap placement above and below Monte Verde Road."* The memorandum further states that the *"topography of the channel used for the design of the Monte Verde crossing was off at the downstream end by approximately 6 feet, with the actual channel occurring 6 feet below the design grade. As a result, riprap is needed to be extended beyond what was originally shown on the 2013 plans."* By email on January 10, 2018, Barry Jones of Helix Environmental Inc., stated that, *"the Atherton site received in excess of 4 inches of rain in a 24 hour period yesterday and the area downstream of Monte Verde had the bmps that were in place compromised."* By email dated January 12, 2018, Barry Jones stated that, *"gravel bags and plastic were displaced and the channel bottom was cut to approximately 3-4 feet below the concrete"*

¹ See Water Quality Control Plan for the San Diego Basin (Basin Plan) at Pages 1-5 through 1-7. The Basin Plan can be accessed at https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/ (as of February 14, 2018).

sill of the box culvert. Existing material that was under the plastic and sand bags was carried downstream”.

B. Summary of Violations of Clean Water Act (CWA) Section 401 Water Quality Certification R9-2012-0075

1. Failure to Comply with CWA Section 401 Water Quality Certification Conditions III.G, IV.A and IV.F.

- a. **Condition III.G of the Certification states:** “Discharges of concentrated flow during construction or after Project completion must not cause downstream erosion or damage to properties or stream habitat.”
- b. **Condition IV.A of the Certification states:** “The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to onsite or off-site erosion or damage to properties or stream habitats.”
- c. **Condition IV.F of the Certification states:** “Bridges, culverts, dip crossings, or other stream crossing structures shall be designed and installed in a manner that will not cause scouring of the stream bed and/or erosion of the banks in the vicinity of the Project.

Observation: A storm event that occurred on January 9, 2018, resulted in channel bottom erosion to approximately 3-4 feet below the concrete sill of the newly installed box culvert. Eroded bank and channel sediments were carried downstream (see attached photos, Exhibit B). On-site compensatory mitigation for the Atherton Tr 32627 Project and the Terracina Project is located downstream of the Monte Verde Drive culvert. Downstream erosion and deposition pose an ongoing threat to the success of the compensatory mitigation site and downstream receiving waters.

2. Failure to Comply with CWA Section 401 Water Quality Certification Condition II.E

Condition II.E of the Certification states: “Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 U.S.C §1313.). “

- a. Waste Discharge Prohibition No.1 of the Water Quality Control Plan for the San Diego Basin (Basin Plan) specifies the following condition where the discharge of waste is not permitted²:

“The discharge of waste into waters of the State in a manner causing, or threatening to cause, a condition of pollution, contamination or nuisance as defined in CWC Section 13050, is prohibited.”

Observation: The discharge of fill to streams has the potential to result in alteration or elimination of designated beneficial uses for the receiving water body. The unnamed drainage impacted by the Project is a tributary to Temecula Creek. The Basin Plan identifies present and anticipated beneficial Uses for Temecula Creek and its tributaries that must be protected including municipal (MUN), agricultural supply (AGR), industrial water supply (IND and PROC), groundwater recharge (GWR), water contact and non- contact recreation (REC-1 and REC2), warm freshwater habitat (WARM) and wildlife habitat (WILD)³. Alteration of hydrologic characteristics results in diminished quality of in-stream and riparian habitat for flora and fauna in the “unnamed drainage”, including the on-site compensatory mitigation area located downstream of the Monte Verde Drive culvert on the Terracina Project site.

- b. Waste Discharge Prohibition No. 14 of the Basin Plan states the following condition where the discharge of waste is not allowed⁴:

“The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom depositions, turbidity or discoloration in waters of the State or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.”

Observation: A discharge of waste including earthen materials has occurred to waters of the United States and/or State which has resulted in a discharge of 3-4 feet of sediment to downstream receiving waters. Additionally, the elevated culvert and steep channel grade threaten further sediment and debris delivery to waters of the United States and/or State, including the downstream mitigation area, through erosion or catastrophic slope failure.

² See Basin Plan at Page 4-18.

³ See Basin Plan Table 2-2 at Page 2-25. The beneficial uses are defined in the Basin Plan at Pages 2-3 through 2-8.

⁴ See Basin Plan at Page 4-19.

C. Summary of Violations of Order No. 2003-0017-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs).

1. Failure to Comply with Order No. 2003-0017-DWQ, Directive 1

- a. **Directive 1 states:** "Dischargers shall implement all the terms and conditions of the applicable CWA section 401 Certification issued for the discharge. This provision shall apply irrespective of whether the federal license or permit for which the Certification was obtained is subsequently deemed invalid because the water body subject to the discharge has been deemed outside of federal jurisdiction."

Observation: Based on the preceding observations documented in this NOV the Dischargers are not implementing applicable conditions of the Certification including Conditions III.G, II.E, IV.A, and IV.E. The failure to implement these conditions constitutes a violation of Directive 1 of the General WDRs.

Questions pertaining to this Notice of Violation should be directed to Darren Bradford at (619) 521-3356 or darren.bradford@waterboards.ca.gov. Written correspondence pertaining to this NOV should be sent to sandiego@waterboards.ca.gov. In the subject line of any response, please include R9-2018-0030:789098:dbradford



David Barker, P.E.
Supervising Water Resources Control Engineer
San Diego Water Board

DB:EB:cmc:dlb

Attachment:

- Exhibit A: County Inspection Report
- Exhibit B: Site Photos

Tech Staff Info & Use	
Notice of Violation No.	R9-2018-0030
401 Certification No.	R9-2012-0075
WDID	9000002541
Reg. Measure ID	388473
Place ID	789098
Party ID	538008
Violation ID	038803
Investigative Order No.	R9-2018-0045



**County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
4080 Lemon Street, 8th Floor, Riverside, CA 92501**

Construction Site ID:	2269	Construction Site:	Atherton
Site Address:	45645 Anza Road Temecula, Ca 92592	Owner:	LS Terracina
Inspection Date:	01/10/18	Inspector:	Jeremy Wagner
Site is Active:	Yes	Tracking Controls Acceptable:	Yes
Site is Permitted:	Yes	Waste Management:	Yes
SWPPP is On-Site:	Yes	Outfall Velocity Controls:	Yes
Records Acceptable:	Yes	Maintenance Acceptable:	No
Erosion Control Acceptable:	No	Non-Stormwater Controls:	No
Stabilization Controls Acceptable:	No	Local Controls Acceptable:	No
Structural Controls Acceptable:	No	Return Inspection Needed:	Yes
Conversation:	BMP140016, BGR10014		
Enforcement:	Correction issued		
Date Resolved:			
Corrective Actions:	Written notice		
Next Inspection:	01/25/18		
Comment:	Rain event inspection. Rain gauge on site measured 3 inches of rain at the time of the inspection.		

Inspection Area	TG01
Weather	Rainy
Site Priority Level	High
Revised Priority Level	N/A
Inspection Frequency	Bi-Weekly
Is there a receiving water pollution threat?	No
Is the Priority Level increased due to impaired receiving water?	No
Are Erosion Control BMPs installed, maintained, and effective?	No



**County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
4080 Lemon Street, 8th Floor, Riverside, CA 92501**

Correction(s)/Comment(s)

There were areas of the site where gully erosion was observed resulting in sediment discharges into the existing stream that runs through the site. Repair the erosion to the site and implement effective run-off control/erosion control BMPs to prevent further erosion and discharge of soils into the stream. Implement additional BMPs and amend the SWPPP as needed.

The gravel bag check dams installed on the interior roadways require maintenance. De-silt the check dams and implement additional gravel bag check dams on the roadways.

Site run-off was conveyed to the larger basin located near the construction office. The basin was reaching capacity due to the large volume of run-off. There was no stabilized spill-way or outfall for the basin. Implement an effective overflow spill way and discharge location for the basin to prevent overtopping/erosion and subsequent sediment discharges from the site. Consult with the QSD and add additional erosion control BMPs and amend the SWPPP as needed.

Are Sediment Control BMPs installed, maintained, and effective?

No

Correction(s)/Comment(s)

Silt fence installed along the perimeter of the stream bed has been undermined in several locations. Repair and re-install the perimeter sediment control BMPs. Turbid run-off was observed discharging from the site at Monte Verde Road and Altree Court. Site run-off was not conveyed into the basin from this area due to construction that was not completed. Implement additional sediment control BMPs to prevent sediment discharges from the site in excess of the NAL for turbidity for risk level 2 dischargers.

Implement and maintain effective sediment control BMPs.

Are Wind Erosion Control BMPs installed, maintained and effective?

Yes

Correction(s)/Comment(s)

No threat of wind erosion due to rain event.

Are Track-Out Control BMPs installed, maintained and effective?

Yes

Correction(s)/Comment(s)

There was no construction activity due to rain event. There was no off-site tracking of sediment.



County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
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Are Non-Storm Water and Waste Management Material BMPs installed, maintained, and effective?	Yes
Correction(s)/Comment(s)	Waste bins were covered during rain event. Portable sanitation facilities are contained.
NON-STORM WATER DISCHARGES	Answer Yes or No Below
A) Is the site free from evidence of non-storm water discharges?	No
B) Is the site free from the potential to create a non-storm water discharge?	No
C) Is there an effective combination of BMPs installed?	No
NEW CONSTRUCTION GENERAL PERMIT REQUIREMENTS	Answer Yes or No Below
A) Is an updated SWPPP on site?	Yes
B) Have the Project Registration Documents (PRDs) been filed with the State?	Yes
C) Has a QSP/QSD been designated and identified in the SWPPP?	Yes
D) Has the Risk Analysis Level been established?	Yes
Risk Level (answer 1, 2, 3 or N/A)	2
1) If Risk Level 2 or 3: Is site in compliance with Sampling & Analysis requirements?	Yes
2) If Risk Level 2 or 3: Is the Rain Even Action Plan (REAP) on site?	Yes
E) Are Inspection reports (check lists) maintained for this project?	Yes
F1) If the site is NOT active, is it 100% stabilized?	N/A
G) Has a Notice of Termination (NOT) been filed?	No
Compliance Status	Non-Compliance
Enforcement Action	Written



**County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
4080 Lemon Street, 8th Floor, Riverside, CA 92501**

You can find BMPs at www.casqa.org (BMP Handbooks - Industrial & Commercial) Final Comments:

Inspection Report Provided

E-mail

** This inspection is based solely upon the observations made by the inspector at the time of the inspection.

Information provided in inspection notes are field notes and are subject to change upon quality review. Any questions or comments please E-mail us at NPDES@RCTLMA.ORG

QC conducted by: (enter Initials & date)

Signature: _____

Title: Stormwater Inspector

Date: _____

Files _____

Photos _____



County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
4080 Lemon Street, 8th Floor, Riverside, CA 92501

Construction Site ID:	2269	Construction Site:	Atherton
Site Address:	45645 Anza Road Temecula, Ca 92592	Owner:	LS Terracina
Inspection Date:	01/22/18	Inspector:	Jeremy Wagner
Site is Active:	<input checked="" type="checkbox"/> Yes	Tracking Controls Acceptable:	<input type="checkbox"/> No
Site is Permitted:	<input checked="" type="checkbox"/> Yes	Waste Management:	<input type="checkbox"/> No
SWPPP is On-Site:	<input checked="" type="checkbox"/> Yes	Outfall Velocity Controls:	<input type="checkbox"/> No
Records Acceptable:	<input checked="" type="checkbox"/> Yes	Maintenance Acceptable:	<input type="checkbox"/> No
Erosion Control Acceptable:	<input type="checkbox"/> No	Non-Stormwater Controls:	<input type="checkbox"/> No
Stabilization Controls Acceptable:	<input type="checkbox"/> No	Local Controls Acceptable:	<input type="checkbox"/> No
Structural Controls Acceptable:	<input type="checkbox"/> No	Return Inspection Needed:	<input checked="" type="checkbox"/> Yes
Conversation:	BMP14016		
Enforcement:	Correction issued		
Date Resolved:			
Corrective Actions:	Notice of Violation		
Next Inspection:	02/06/18		
Comment:			

Inspection Area	IG01
Weather	Sunny
Site Priority Level	High
Revised Priority Level	N/A
Inspection Frequency	Bi-Weekly
Is there a receiving water pollution threat?	No
Is the Priority Level increased due to impaired receiving water?	No
Are Erosion Control BMPs installed, maintained, and effective?	No



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Environmental Compliance Division
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Correction(s)/Comment(s)

The manufactured slopes and completed building pads have been sprayed with hydroseed. Grasses are visible on some of the building pad areas. Slopes have also been further stabilized by the placement of straw blankets. Straw wattles have been installed across slope faces to comply with sheet flow lengths for risk level 2 sites. Outfalls of spillways and concrete v-gutters on the site are stabilized. There continues to be erosion on the interior roadway areas of the site. Continue to repair the erosion to the site and stabilize the soil of the repaired areas. The slope areas around the headwalls and end walls of the culverts also require maintenance and repair. Implement and maintain effective erosion control BMPs on completed slope areas of the culvert head walls and end walls per the approved SWPPP.

Are Sediment Control BMPs installed, maintained, and effective?

No



**County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
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Correction(s)/Comment(s)

Maintenance continues to be required on the perimeter sediment control BMPs along the stream bed area. Remove deteriorated BMP material from the stream bad (silt fence/straw wattle). There area several locations where the silt fence is not properly trenched into the soil to prevent undercutting from run-off flows. There are still areas where the silt fence was undermined during the previous rain event that have not been repaired. Ensure that silt fence is properly installed and trenched into the soil. Support stakes need to be placed on the down grade side of the fence material to provide for effective sediment control.

Maintenance has been conducted on the basin. Plastic material has been placed to temporarily stabilize the emergency spill way of the basin. However, the plastic material is not trenched into the soil to prevent undermining from potential overflow releases from the basin. Properly stabilize the overflow to the basin to prevent erosion and subsequent sediment discharges. A riser pipe wrapped with filter fabric has also been installed in the basin. Ammend the SWPPP and pollution control drawing to show the new discharge location/sampling point. Re-stabilize the slopes to the basin.

There are several sediment traps that have been installed on the roadways within the site. The sediment traps were de-silted and the spillways are stabilized. Sediment traps were not selected in the SWPPP. This BMP has been added and the SWPPP needs to be amended to show the additional BMPs implemented. Consult with the QSD/QSP regarding additional implementation of BMPs.

Are Wind Erosion Control BMPs installed, maintained and effective?

Yes

Correction(s)/Comment(s)

Water is applied to the site to control wind erosion. There was on threat of wind erosion at the time of the inspection due to recent rains.

Are Track-Out Control BMPs installed, maintained and effective?

No

Correction(s)/Comment(s)

Conduct maintenance on the track-out control BMPs. There was sediment tracked onto the paved roadway surfaces of El Chimesal Road. Properly collect and remove the sediment from the streets by sweeping/vacuuming. Add additional aggregate material at the site entrances. Implement and maintain effective track-out control BMPs.



County of Riverside
Environmental Compliance Division
NPDES Construction Inspection Form
4080 Lemon Street, 8th Floor, Riverside, CA 92501

Are Non-Storm Water and Waste Management Material BMPs installed, maintained, and effective?

No

Correction(s)/Cqmmment(s)

There are several inactive soil stockpiles on the site that are not covered and contained. Risk level 2 dischargers are required to cover and contain stockpiles of erodible material that are not actively being used. Implement and maintain effective soil stockpile management BMPs.

There is a concrete washout located between the construction trailer and the existing stream bed. Relocate the concrete washout away from the stream bed. Berm and contain the washout. Implement effective concrete washout BMPs.

NON-STORM WATER DISCHARGES

Answer Yes or No Below

A) Is the site free from evidence of non-storm water discharges?

No

B) Is the site free from the potential to create a non-storm water discharge?

No

C) Is there an effective combination of BMPs installed?

No

NEW CONSTRUCTION GENERAL PERMIT REQUIREMENTS

Answer Yes or No Below

A) Is an updated SWPPP on site?

Yes

B) Have the Project Registration Documents (PRDs) been filed with the State?

Yes

C) Has a QSP/QSD been designated and identified in the SWPPP?

Yes

D) Has the Risk Analysis Level been established?

Yes

Risk Level (answer 1, 2, 3 or N/A)

2

1) If Risk Level 2 or 3: Is site in compliance with Sampling & Analysis requirements?

Yes

2) If Risk Level 2 or 3: Is the Rain Even Action Plan (REAP) on site?

Yes

E) Are Inspection reports (check lists) maintained for this project?

No



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F1) If the site is NOT active, is it 100% stabilized? N/A

G) Has a Notice of Termination (NOT) been filed? No

Compliance Status Non-Compliance

Enforcement Action Notice of Violation

You can find BMPs at www.casqa.org (BMP Handbooks - Industrial & Commercial) Final Comments:

Construction site monitoring data was reviewed at the time of the inspection. An extended storm event inspection is required every 24 hour period of an extended rain event. There was no documentation of sampling results at the site at the time of the inspection. An NAL exceedance occurred which was evident due to the erosion of soils around the stream bed. An NAL exceedance report is required to be electronically submitted to the State Water Board no later than 10 days after the conclusion of the storm event. Prepare and submit the NAL Exceedance Report. As part of the report, include a description of the current BMPs associated with the effluent sample that exceeded the NAL and the proposed corrective actions taken.

Ammend the SWPPP and update the pollution control drawings for the site.

Inspection Report Provided

E-mail

** This inspection is based soley upon the observations made by the inspector at the time of the inspection.

Information provided in inspection notes are field notes and are subject to change upon quality review. Any questions or comments please E-mail us at NPDES@RCTLMA.ORG

QC conducted by: (enter Initials & date)

Signature: _____

Title: Stormwater Inspector _____

Date: _____

Files _____

Photos _____

Facility: Atherton Tr32627 Project, Riverside County, CA; APN(s)# 917-260-041, 044, 045, 047, 048, 054, 055,065, 066, 067, 068

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM**

**EXHIBIT B
SITE PHOTOS**

FACILITY: Atherton Tr 32627 Project, North side of Monte Verde Drive, Riverside County, CA
PHOTOS PROVIDED BY BARRY JONES OF HELIX ENVIRONMENTAL INC, JANUARY 12, 2018

1: Downstream side of Monte Verde Drive culvert prior to the January 9, 2018 rain event. During construction, the existing ground at the outlet of the culvert at Monte Verde Road was discovered to be approximately 6 feet lower than indicated on the original topography map.



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2: Culvert after rain event. Best Management Practices (BMPs) have been compromised.



3: Approximately 3-4 feet of sediment eroded and washed downstream of culvert.

