

INFORMATION HANDOUT

WATER QUALITY

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD 401 CERTIFICATION
SAN DIEGO, REGION 9**

**BOARD ORDER NO. 2003-017-DWQ
401 WATER QUALITY CERTIFICATION NO. 11C-024
NPDES PERMIT NO. CAS000002**

PERMITS

CALIFORNIA COASTAL COMMISSION - COASTAL DEVELOPMENT PERMIT

**PERMIT APPLICATION NO 6-11-033
DATED 7/15/11**

STATE OF CALIFORNIA DEPARTMENT OF FISH AND GAME 1602 PERMIT

**NOTIFICATION NO. 1600-2011-0099-R5
DATED 5/10/11**

**UNITED STATES ARMY CORPS OF ENGINEERS
NATIONWIDE 404 PERMIT**

**PERMIT NO. SPL-2011-00529-SCH
DATED 7/19/11**

AGREEMENTS

**UNITED STATES FISH AND WILDLIFE SERVICE FORMAL SECTION-7
CONSULTATION**

DATED 3/23/11

MATERIALS INFORMATION

PARDEE MITIGATION SITE: HYDROGEOLOGIC SITE ASSESSMENT

DATED 10/27/10

WATER SOURCE INFORMATION



California Regional Water Quality Control Board San Diego Region



Over 50 Years Serving San Diego, Orange, and Riverside Counties

Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Linda S. Adams
Acting Secretary for
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(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

June 8, 2011

Certified Mail – Return Receipt Requested
Article Number: 7010 1060 0000 4952 7624

Arturo Jacobo, Project Manager
California Department of Transportation
4050 Taylor Street
Mail Station D1
San Diego, CA 92110

In reply refer to:
764728 : mporter

Dear Mr. Jacobo:

**SUBJECT: CLEAN WATER ACT SECTION 401 WATER
QUALITY CERTIFICATION NO. 11C-024
DEER CANYON MITIGATION SITE TEMPORARY STREAM CROSSING**

Enclosed is the Clean Water Act Section 401 Water Quality Certification for discharges to Waters of the U.S. and acknowledgment of enrollment under State Water Resources Control Board Order No. 2003-017-DWQ for the Deer Canyon Mitigation Site Temporary Stream Crossing project (Project). A description of the project and project location can be found in the project information sheet, location map, and site maps which are included as Attachments 1 through 4.

Any petition for reconsideration of this Certification must be filed with the State Water Resources Control Board within 30 days of certification action (23 CCR § 3867). If no petition is received, it will be assumed that you have accepted and will comply with all the conditions of this Certification.

Failure to comply with all conditions of this Certification may subject you to enforcement actions by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including 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; and, referral to the District Attorney for criminal prosecution.

California Environmental Protection Agency

In the subject line of any response, please include the requested **"In reply refer to:"** information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mike Porter at (858) 467-2726 or mporter@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON
Executive Officer

Enclosures:

Clean Water Act Section 401 Water Quality Certification No. 11C-024 for Deer Canyon Mitigation Site Temporary Stream Crossing project, with four attachments.

E-copies: Refer to Attachment 2 of Certification 11C-024 for the Distribution List.

Tech Staff Info & Use	
File No.	11C-024
WDID	9000002250
Reg. Measure ID	378241
Place ID	764728
Party ID	7222
Person ID	526363



California Regional Water Quality Control Board

San Diego Region



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[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

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

PROJECT: Deer Canyon Mitigation Site Temporary Stream Crossings
Certification Number 11C-024

APPLICANT: Mr. Arturo Jacobo
Project Manager
California Department of Transportation
4050 Taylor Street
Mail Station D1
San Diego, CA 92110

CIWQS
Reg. Meas: 378241
Place: 764728
Party: 7222
WDID: 9 000002250

ACTION:

<input checked="" type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input type="checkbox"/> Order for Technically-conditioned Certification	<input type="checkbox"/> Waiver of Waste Discharge Requirements
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017 DWQ	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004 DWQ

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



PROJECT DESCRIPTION:

The proposed project is the construction of the Deer Canyon Mitigation site. The Deer Canyon Mitigation site will provide compensatory mitigation for the proposed impacts from I-5/Genessee Avenue Interchange, the I-805 Managed Lanes, Carroll Canyon Road Extension, and Sorrento to Miramar Phase I (railroad double tracking) projects. (These projects have not been permitted nor built.) The Deer Canyon Mitigation site will provide for the establishment of approximately 12.3-acres of wetlands and 11.3-acres of riparia. The Deer Canyon Mitigation site also provides approximately 15.1-acres of upland habitat mitigation. The portion of the Deer Canyon Mitigation site that requires Clean Water Act section 401 and 404 permits will be for two temporary crossings in Deer Canyon Creek. The temporary crossings will be constructed with two culverts and 80-yds (0.01-acre) of fill. The crossings will cause 0.01-acre and 30-linear feet of temporary, combined impacts. The crossings are needed to allow vehicles and equipment access to both sides of the creek to allow the construction of the mitigation site that will flank the creek. After construction, the temporary crossings will be removed and the stream will be restored.

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I. STANDARD CONDITIONS:

The following three standard conditions apply to all Certification actions, except as noted under Condition 3 for denials (Action 3).

- 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 California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
- B. This Certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. The validity of any non-denial Certification action (Actions 1 and 2) must be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

II. ADDITIONAL CONDITIONS: GENERAL

- A. Water Quality Certification No. 11C-024 (Certification) is only valid if the project begins no later than 5 (five) years from the date of issuance. If the project has not begun within 5 years from the date of issuance, then this Certification expires.
- B. The California Department of Transportation must comply with the requirements of State Water Resources Control Board 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*. These General Waste Discharge Requirements are accessible at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/go_wdr401regulated_projects.pdf.
- C. The California Department of Transportation must comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-06-DWQ, NPDES No. CAS000003, the *NPDES Permit for Statewide Storm Water Permit and Waste Discharge Requirements (WDRs) for the State of California, Department of Transportation (Caltrans), July 1999*.

- D. The California Department of Transportation must, at all times, fully comply with the engineering plans, specifications and technical reports submitted to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), to support this Certification and all subsequent submittals required as part of this Certification and as described in Attachment 1. The conditions within this Certification must supersede conflicting provisions within such plans submitted prior to the Certification action. Any modifications thereto, would require notification to the San Diego Water Board and reevaluation for individual Waste Discharge Requirements and/or Certification amendment.
- E. During construction, the California Department of Transportation must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.
- F. The California Department of Transportation must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
1. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 2. Access to copy any records required to be kept under the terms and conditions of this Certification.
 3. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
 4. Sampling of any discharge or surface water covered by this Order.
- G. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation must 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.
- H. In response to a suspected violation of any condition of this Certification, the San Diego Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the San Diego Water Board deems appropriate, provided that the burden, including costs, of the reports must

bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

- I. In response to any violation of the conditions of this Certification, the San Diego Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.

III. ADDITIONAL CONDITIONS: CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. Prior to the start of the project, and annually thereafter, the California Department of Transportation must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and Best Management Practices (BMPs) implementation and maintenance.
- B. The California Department of Transportation 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.
- C. The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to CWC § 13260.
- D. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
- E. 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 the State or placed in locations that may be subjected to storm flows. Pollutants discharged to areas within a stream diversion area must be removed at the end of each work day or sooner if rain is predicted.
- F. All surface waters, including ponded waters, must be diverted away from areas undergoing 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 water quality objectives of the receiving waters. 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.

- G. All areas that will be left in a rough graded state must be stabilized no later than one week after completion of grading. The California Department of Transportation and subsequent owners, are responsible for implementing and maintaining BMPs to prevent erosion of the rough graded areas to prevent flow from this area from causing negative impacts to beneficial uses. After completion of grading, all areas must be revegetated with native species appropriate for the area. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be found online at <http://www.cal-ipc.org/ip/inventory/weedlist.php>.
- H. Substances hazardous to aquatic life including, but not limited to, petroleum products, raw 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.
- I. Removal of vegetation must occur by hand, mechanically, or using EPA approved herbicides deployed using applicable BMPs to prevent impacts to Beneficial Uses of waters of the State. Use of aquatic pesticides must be done in accordance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, and any subsequent reissuance as applicable. Removal of vegetation must occur outside of the avian nesting season (March 15 - August 31).

IV. NOTIFICATION REQUIREMENTS:

- A. The California Department of Transportation must notify the San Diego Water Board within **24 hours** of any unauthorized discharge, including hazardous or toxic materials, to waters of the United States and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best management practices (BMPs) or other measures that will be implemented to prevent future discharges.
- B. This Certification is not transferable in its entirety or in part to any person except after notice to the Executive Officer of the San Diego Water Board in accordance with the following terms.
 - 1. Transfer of Property Ownership: the California Department of Transportation 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 California Department of Transportation 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 Executive Officer of 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 Section D of 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). Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the California Department of Transportation will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the California Department of Transportation of this Certification in the event that a transferee fails to comply.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the California Department of Transportation will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the California Department of Transportation of this Certification in the event that a transferee fails to comply.

- C. The California Department of Transportation must notify the San Diego Water Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities.

V. REPORTING REQUIREMENTS:

- A. Within **30 days** of project completion, the California Department of Transportation shall submit a final (as-built) report that contains the following:
 - 1. Date of mitigation construction completion.
 - 2. Dates of removal of the two culverts and when the streambed was restored to pre-project conditions.
 - 3. Final topography and planting palettes on figures no larger than 11"X17."
 - 4. Geographic Information System polygons that show the mitigation areas and the culverts' impacts.
- B. All information requested in this Certification is pursuant to California Water Code (CWC) section 13267. Civil liability may be administratively imposed by the San Diego Water Board for failure to furnish requested information pursuant to CWC section 13268
- C. All reports and information submitted to the San Diego Water Board must be submitted in both hardcopy and electronic format. The preferred electronic format for each report submission is one file in PDF format that is also Optical Character Recognition (OCR) capable.
- D. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
 - 1. For a corporation, by a responsible corporate officer of at least the level of vice president.
 - 2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - 3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
 - 4. A duly authorized representative may sign applications, reports, or information if:
 - a. The authorization is made in writing by a person described above.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.

- c. The written authorization is submitted to the San Diego Water Board Executive Officer.
- E. All applications, reports, or information submitted to the San Diego Water Board must be signed and 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."

- F. The California Department of Transportation must submit reports required under this Certification, or other information required by the San Diego Water Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
Attn: 401 Certification No. 11C-024
9174 Sky Park Court, Suite 100
San Diego, California 92123

VI. CEQA FINDINGS:

- A. The State of California Department of Transportation is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq.) and filed a Categorical Exemption on May 18, 2011, for the Deer Canyon Mitigation Plan. The State of California Department of Transportation has determined the project will not have a significant effect on the environment and mitigation measures were made a condition of the project.
- B. The San Diego Water Board has reviewed the lead agency's Categorical Exemption and also finds that the project as proposed will not have a significant effect on the environment and therefore determines that issuance of this Certification is consistent with the Categorical Exemption.

VII. PUBLIC NOTIFICATION OF PROJECT APPLICATION:

- A. On March 23, 2011, receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public. No public comments were received.

VIII. SAN DIEGO WATER BOARD CONTACT PERSON:

Mike Porter
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
858-467-2726 and mporter@waterboards.ca.gov

IX. WATER QUALITY CERTIFICATION:

I hereby certify that the proposed discharge from the **Deer Canyon Mitigation Site Temporary Stream Crossings** (Certification No. 11C-024) 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 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 and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin Region (9) (Basin Plan).



DAVID W. GIBSON
Executive Officer
Regional Water Quality Control Board

6/8/2011
Date

- Attachments:
1. Project Information
 2. Distribution List
 3. Location Map(s)
 4. Site Map(s)

**ATTACHMENT 1
PROJECT INFORMATION**

Applicant: California Department of Transportation

Applicant Representative: Arturo Jacobo, Project Manager
California Department of Transportation
District 11
4050 Taylor Street
Mail Station D1
San Diego, CA 92110
Telephone: 619-688-6816
Facsimile: 619-688-6866
Email: arturo_jacobo@dot.ca.gov

Project Name: Deer Canyon Mitigation Site Temporary Stream Crossings

Project Location: Deer Canyon, Carmel Valley, approximately 1000-feet south of SR-56, City of San Diego, central-coastal San Diego County.

Latitude: 32.9505° N Longitude: -117.1870°W

Type of Project: Mitigation site construction.

Need for Project: Provides compensatory mitigation for the future I-805 Managed Lanes, Carroll Canyon Road Extension, and Sorrento to Miramar Phase I (railroad double tracking) projects.

Project Description: The proposed project is the construction of the Deer Canyon Mitigation site. The Deer Canyon Mitigation site will provide compensatory mitigation for the proposed impacts from I-5/Genessee Avenue Interchange, the I-805 Managed Lanes, Carroll Canyon Road Extension, and Sorrento to Miramar Phase I (railroad double tracking) projects. (These projects have not been permitted nor built.) The Deer Canyon Mitigation site will provide for the establishment of approximately 12.3-acres of wetlands and 11.3-acres of riparia. The Deer Canyon Mitigation site also provides

approximately 15.1-acres of upland habitat mitigation. The portion of the Deer Canyon Mitigation site that requires Clean Water Act section 401 and 404 permits will be for two temporary crossings in Deer Canyon Creek. The temporary crossings will be constructed with two culverts and 80-yds (0.01-acre) of fill. The crossings will cause 0.01-acre and 30-linear feet of temporary, combined impacts. The crossings are needed to allow vehicles and equipment access to both sides of the creek to allow the construction of the mitigation site that will flank the creek. After construction, the temporary crossings will be removed and the stream will be restored.

Federal
Agency/Permit:

U.S. Army Corps of Engineers §404, NWP 33 -
Ms. Stephanie Hall

Other Required
Regulatory Approvals:

California Department of Fish and Game Streambed
Alteration Agreement - Mr. Tim Dillingham

California Coastal Commission, Coastal Development Permit -
Mr. Gabriel Buhr.

California
Environmental Quality
Act (CEQA)
Compliance:

Categorical Exemption for the Deer Canyon Mitigation Plan,
State of California Department of Transportation, May 18,
2011.

Receiving Water:

Deer Canyon Creek (a tributary to Carmel Valley Creek),
Penasquitos hydrologic unit, Miramar Reservoir hydrologic
area (906.10).

Affected Waters of the
United States and
State:

Temporary:
Streambed 0.01-acre, 30-linear feet

Dredge Volume:

None

Related Projects
Implemented/to be
Implemented by the
Applicant(s):

None disclosed other than the transportation projects for
which this mitigation will be constructed.

Compensatory
Mitigation:

Restoration of the temporary impacts to the streambed.

Best Management
Practices (BMPs):

Proposed Construction BMPs are described in Deer Canyon
Mitigation Site Temporary Stream Crossings application,
dated March 21, 2011. Proposed BMPs include:

Fiber rolls.
Stabilized construction entrances/exits.
Hydroseeding.
Mulch.
Bonded fiber matrix.

Public Notice:

March 23, 2011.

Fees:

Total Due: \$688.00
Total Paid: \$688.00 Check No. 082-929813

CIWQS:

Regulatory Measure: 378241
Place: 764728
Party: 7222

ATTACHMENT 2
DISTRIBUTION LIST

Ms. Stephanie Hall
U.S. Army Corps of Engineers, Regulatory Branch
Los Angeles District
915 Wilshire Blvd.
Suite 1101
Los Angeles, CA 90017
Stephanie.J.Hall@spl01.usace.army.mil

Ms. Joanna Gibson
California Department of Fish and Game
Inland Deserts Region
3602 Inland Empire Blvd
Ontario, CA 91764
tdillingham@dfg.ca.gov

U.S. EPA, OWOW, Region 9
75 Hawthorne Street
San Francisco, CA 94105
R9-WTR8-Mailbox@epa.gov

State Water Resources Control Board, Division of Water Quality
401 Water Quality Certification and Wetlands Unit
P.O. Box 100
Sacramento, CA 95812-0100
Stateboard401@waterboards.ca.gov

Certification No. 11C-024

ATTACHMENT 3
LOCATION MAP(S)



Legend

- Deer Canyon Mitigation Site
- I-5/Genesee Interchange Project
- I-805 North Managed Lanes Project
- Carroll Canyon Road Extension
- LOSSAN S2HP1

Figure 1. Project Location



ATTACHMENT 4

SITE FIGURE(S)

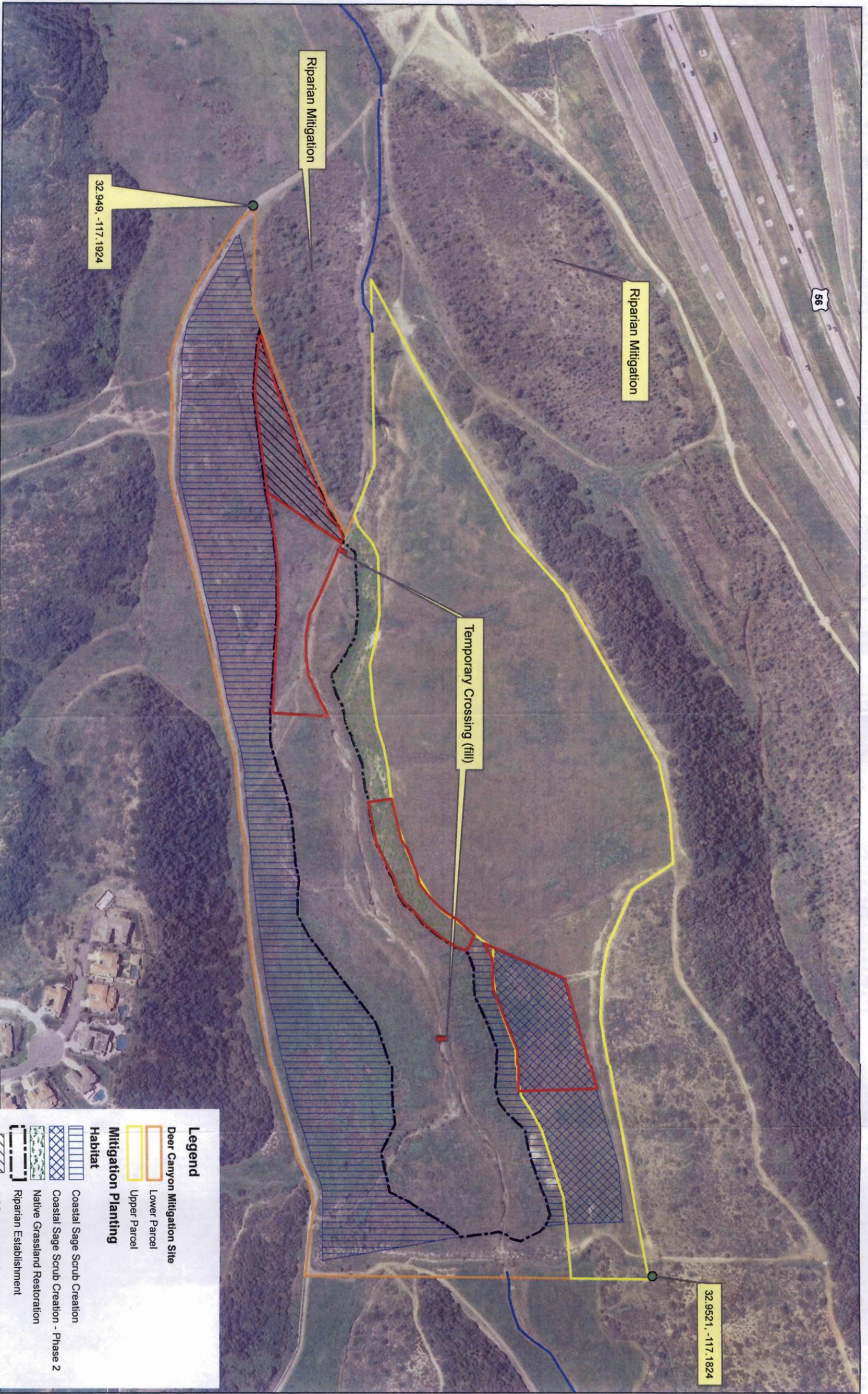
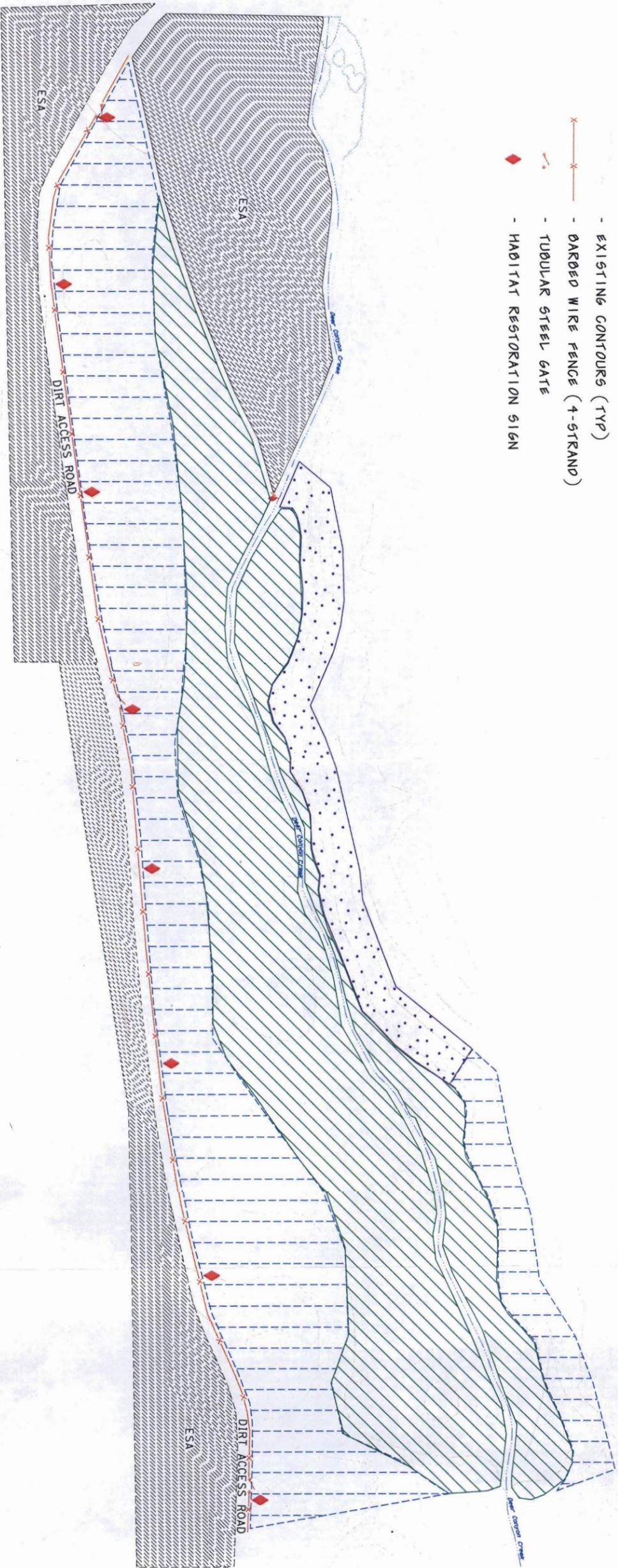


Figure 6. Deer Canyon Mitigation Site

Legend	
Deer Canyon Mitigation Site	
	Lower Parcel
	Upper Parcel
Mitigation Planting	
	Coastal Sage Scrub Creation
	Coastal Sage Scrub Creation - Phase 2
	Native Grassland Restoration
	Riparian Establishment
	0.96 acre marsh
	LOSSAN Mitigation Areas

LEGEND

- WESTLAND PLANTING AREA (12.28 ACRES)
- COASTAL SAGE SCRUB PLANTING AREA (12.14 ACRES)
- NATIVE GRASSLAND SEEDING AREA (2.18 ACRES)
- ENVIRONMENTALLY SENSITIVE AREA (ESA)
NO WORK OR EQUIPMENT STORAGE TO OCCUR IN THIS AREA
- EXISTING CONTOURS (TYP)
- BARBED WIRE FENCE (4-STRAND)
- TUBULAR STEEL GATE
- HABITAT RESTORATION SIGN



DEER CANYON MITIGATION

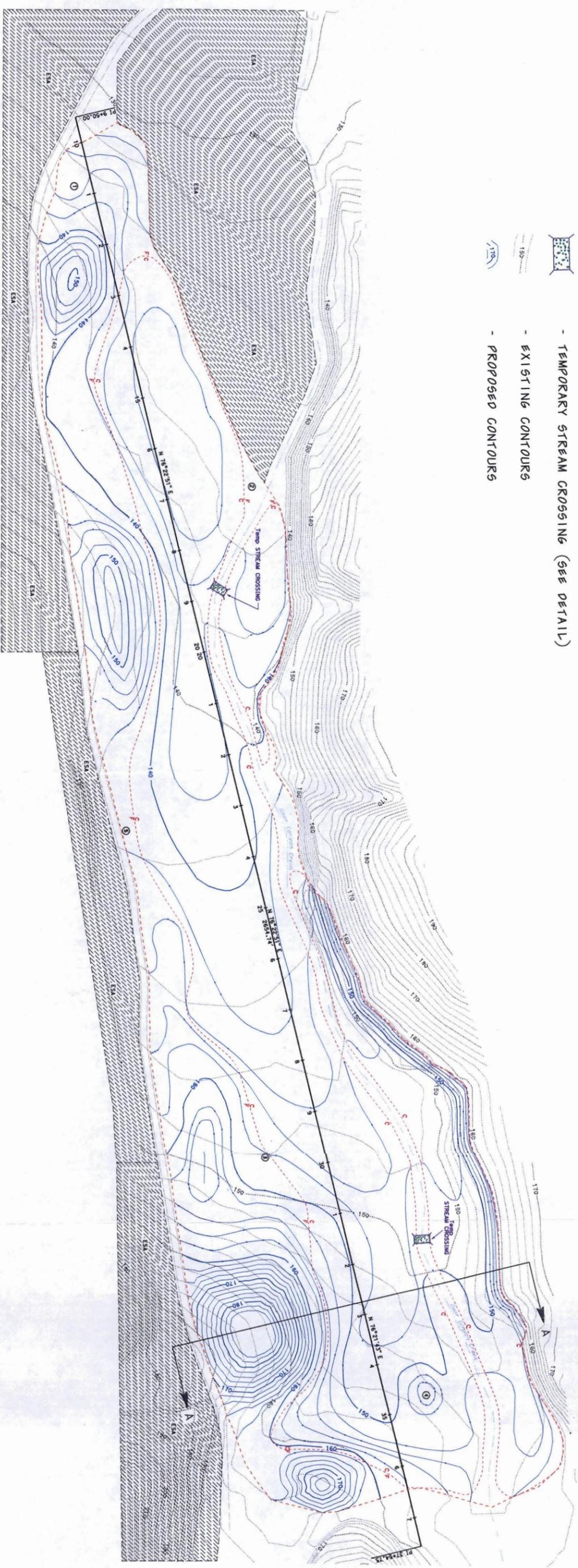
CONCEPTUAL PLANTING PLAN

1100020036

FIGURE 7

LEGEND

- ⊗ - MONITORING WELL
- ▨ - ENVIRONMENTALLY SENSITIVE AREA
- ▨ - TEMPORARY STREAM CROSSING (SEE DETAIL)
- ▨ - EXISTING CONTOURS
- ▨ - PROPOSED CONTOURS



DEER CANYON MITIGATION

CONCEPTUAL GRADING PLAN

FIGURE 8

1100020036

CALIFORNIA COASTAL COMMISSION

San Diego Coast Area Office
 7575 Metropolitan Drive, Suite 103
 San Diego, CA 92108-4421
 (619) 767-2370
www.coastal.ca.gov



Page: 1

Date: July 15, 2011

Permit Application No.: 6-11-033

COASTAL DEVELOPMENT PERMIT

On July 14, 2011, the California Coastal Commission granted to:

California Department of Transportation (Caltrans)

this permit subject to the attached Standard and Special Conditions, for development consisting of

The proposed project involves the creation, restoration and preservation of coastal habitats, including riparian, coastal sage scrub and both native and non-native grasslands at the 49.2 acre Deer Canyon Mitigation Site. Grading, temporary irrigation installation, fencing, signage and two temporary stream crossings are also components of the proposed plan

more specifically described in the application filed in the Commission offices.

The development is within the coastal zone

south of State Route 56 and southeast of Carmel Valley Road, San Diego, San Diego County.

Issued on behalf of the California Coastal Commission by

PETER M. DOUGLAS
 Executive Director

(Signature)
 By: **Gabriel Buhr**
 Coastal Program Analyst

ACKNOWLEDGMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part that: "A Public entity is not liable for injury caused by the issuance. . . of any permit. . ." applies to the issuance of this permit.

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

7/15/11
 Date

(Signature)
 Signature of Permittee

COASTAL DEVELOPMENT PERMIT

Date: July 15, 2011

Permit Application No.: 6-11-033

Page 2 of 4

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

The permit is subject to the following conditions:

1. **Final Plans.** The permittee shall undertake development in accordance with the approved final Deer Canyon Mitigation Plan (dated May 25, 2011), with one additional requirement, described below. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required. The additional requirement that is to be included in the referenced final plans is:

- Final performance monitoring shall take place at least 3 years after the permittee has ceased all irrigation and has completed all remediation or other maintenance activities other than weeding on the site.

2. **Mitigation Acreage Accounting.** In order to provide updated and accurate mitigation acreage amounts utilized as a part of the Deer Canyon Mitigation plans, the permittee shall provide written notification to the Executive Director describing final mitigation acreage amounts to be utilized on-site associated with the impacts from each individual transportation project. This information shall be provided when final permits with required mitigation amounts are issued by the relevant state and federal agencies.

COASTAL DEVELOPMENT PERMIT

Date: July 15, 2011

Permit Application No.: 6-11-033

Page 3 of 4

3. Construction Methods. The permittee shall comply with the following construction-related requirements:

- Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity;
- No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain
- All trash and debris shall be disposed in the proper trash or recycling receptacle at the end of every construction day.
- Construction debris and sediment shall be properly contained and secured on site with BMPs, to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day;
- The discharge of any hazardous materials into any receiving waters shall be prohibited;
- A pre-construction meeting shall be held for all personnel to review procedural and BMP/GHP guidelines;
- All BMPs shall be maintained in a functional condition throughout the duration of the project.
- Debris shall be disposed at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

4. Timing of Construction. To avoid potential impacts to coastal California gnatcatcher, southwestern willow flycatcher and least Bell's vireo nesting season, removal of existing vegetation and grading activities will not be permitted between the dates of March 15th and September 15th of any year unless approved in writing through coordination with the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service.

The permittee shall undertake development in accordance with the approved final construction timing plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. Other Permits. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director copies of all other required state or federal discretionary permits for the development authorized by CDP #6-11-033. The applicant shall inform the Executive Director of any changes to the project required by other state or federal agencies. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this permit, unless the Executive Director determines that no amendment is legally required.

CALIFORNIA DEPARTMENT OF FISH AND GAME
SOUTH COAST REGION (REGION 5)
4949 VIEWRIDGE AVENUE
SAN DIEGO, CA 92123



STREAMBED ALTERATION AGREEMENT
NOTIFICATION No. 1600-2011-0099-R5
DEER CANYON CREEK

ARTURO JACOBO
DEER CANYON MITIGATION SITE

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Game (DFG) and the California Department of Transportation (Permittee) as represented by Arturo Jacobo.

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, Permittee notified DFG on March 21, 2011 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, DFG has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project is located at Deer Canyon Creek, in the County of San Diego, State of California; Latitude 32° 58' 1.24", Longitude -117° 11' 13.87"; Township 14S, Range 3W, Section 14, U.S. Geological Survey (USGS) map Del Mar; Assessors Parcel Numbers 305-031-32, 305-040-39, and 308-010-03.

PROJECT DESCRIPTION

The project is limited to development of two stream crossings totaling 0.01 acre and 30 linear feet, utilizing 40 cubic yards of temporary fill at each location within Deer Canyon Creek. The activity provides access for the creation of the Deer Canyon Mitigation site, a mitigation site for multiple construction projects which includes upland, riparian and wetland restoration, required as part of the following Caltrans Projects: I-5/Genesee

Interchange, I-805 North Managed Lanes, Carroll Canyon Road Extension; and the LOSSAN Rail Project: Sorrento to Miramar Phase 1. The creation of the site, other than the stream crossings, will not impact the existing creek.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: **Amphibians:** Pacific tree frog (*Pseudacris regilla*), **Birds:** least Bell's vireo (*Vireo bellii pusillus*), yellow warbler (*Dendroica petechia*), and yellow breasted chat (*Icteria virens*), bush tit (*Psaltriparus minimus*), black phoebe (*Sayornis nigricans*), lesser goldfinch (*Carduelis psaltria*); **Mammals:** desert cottontail (*Sylvilagus audubonii*), coyote (*Canis latrans*), bobcat (*Lynx rufus*), mountain lion (*Felis concolor*), mule deer (*Odocoileus hemionus*), **Riparian vegetation** which provides habitat for those species: arroyo willow (*S. lasiolepis*), mulefat (*Baccharis salicifolia*); and all other aquatic and wildlife resources, including the vegetation which provides habitat for such species in the area.

The adverse effects the project could have on the fish or wildlife resources identified above include: short-term release of contaminants, direct take of terrestrial species, diversion of water flow from, or around, activity site, loss or decline of riparian habitat.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1 Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to DFG personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify DFG if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, DFG shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that DFG personnel may enter the project site at any time to verify compliance with the Agreement.

- 1.5 Pre-Construction Notification. Permittee agrees to notify DFG, in writing, at least five (5) days prior to initiation of construction (project) activities and at least five (5) days prior to completion of construction (project) activities. Notification shall be sent to the DFG's South Coast Office at the address above, ATTN: Streambed Alteration Program – SAA # 1600-2011-0099-R5.

2 Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

- 2.1 Low Flow Channel. If a stream's low flow channel, bed or banks/lake bed or banks have been altered, these shall be returned as nearly as possible to their original configuration and width, without creating future erosion problems.
- 2.2 Staging/storage Areas. Staging/storage areas for equipment and materials shall be located outside of the stream. All access will be from the existing maintenance road. All modifications to the basin will be completed within the basin itself.
- 2.3 Debris. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, oil or petroleum products or other materials from any construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area.
- 2.4 Structures. Any temporary crossing(s), dam or other artificial obstruction constructed shall only be built from materials such as clean gravel which will cause little or no siltation, and shall be approved by DFG prior to construction. Upon completion of the project and after all flowing water in the area is clear of turbidity, the gravel along with the trapped sediment shall be removed from the stream.
- 2.5 Structures. Temporary crossings will be located as shown in the Compensatory Wetland/Upland Mitigation Plan for Deer Canyon (March 2011). The temporary crossings will not exceed 30 feet by 15 feet.
- 2.6 Litter and Pollution. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance.
- 2.7 Structures. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.

- 2.8 Equipment. No equipment maintenance shall be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter these areas under any flow.
- 2.9 Habitat Protection. If breeding activities and/or an active bird nest is located within 100 feet of active construction within Deer Creek, and concurrence has been received from the Department, the following systematic methods for safeguarding relevant avian species protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13) and Fish and Game Codes Sections 3503, 3503.5 and 3513 will be implemented by the Permittee. The Permittee does not propose any direct "take" of any birds, or their nests as part of the project, where "take" is defined per California Fish and Game Code Section 86. This implementation plan applies to avian species found within or immediately adjacent (approximately 100 feet) to the active project construction area that are not listed as endangered, threatened, candidate, or proposed under the Federal or the California Endangered Species Acts (ESA). The Applicant will minimize the effect of project construction on non-listed passerines and raptors by locating, monitoring (if necessary), and avoiding direct take of nests or birds by implementing the following systematic methods:
- 2.9.1 A qualified biologist will conduct surveys three days prior to physical ground disturbance for nests (unfinished, empty, and occupied) and nesting structures where construction activities are proposed;
- 2.9.2 The Permittee's construction contractor will remove unfinished, empty, or unoccupied nests where construction activities are proposed, as directed and monitored by a qualified biologist, and approved by the Department;
- 2.9.3 Nests that do not have the potential to be directly affected by construction activity will be avoided if they are insulated from construction-related disturbance (i.e., site-specific orientation away from noise and traffic); and
- 2.9.4 If nests appear insulated from project-related construction activities, or the biologist and Department observe individual birds that appear adapted to the presence of road traffic, construction machinery, and other common project activities, then the nest will remain in place without perturbation.
- 2.10 Habitat Protection. The perimeter of the work site shall be adequately flagged to prevent damage to adjacent riparian habitat.
- 2.11 Habitat Protection. The work area shall be secured from trespass when (as determined by DFG) fish or wildlife resources are vulnerable to damage from unsupervised public access.

- 2.12 Habitat Protection (Herbicide Use). Any application of herbicide shall be done by or under the direction of a licensed or certified applicator in accordance with all applicable, federal, state, and local laws.
- 2.13 Conditions for Species of Special Concern. No direct or indirect impacts shall occur to any ESA-listed threatened or endangered species, including least Bell's vireo. If any threatened or endangered species could be impacted by the work proposed, the Permittee shall obtain the required state and federal threatened and endangered species permits.

3 Compensatory Measures

Due to the small and temporary nature of the impacts associated with this project, no compensatory mitigation is proposed. However, the Permittee shall mitigate at a minimum 5:1 ratio for impacts beyond those authorized in this Agreement. In the event that additional mitigation is required, the type of mitigation shall be determined by the DFG and may include creation, restoration, enhancement and /or preservation.

4 Reporting Measures

Permittee shall meet each reporting requirement described below.

- 4.1 Final construction report. Permittee shall provide a final construction report to DFG no later than two weeks after the project is fully completed. The construction report at a minimum shall contain a description of the work completed, photographs of the site, and any incidence of non compliance.

CONTACT INFORMATION

Any communication that Permittee or DFG submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or DFG specifies by written notice to the other.

To Permittee:

Arturo Jacobo
Caltrans District 11
4050 Taylor Street, M.S. 242
San Diego, CA 92110
(619) 688-6866
Arturo.Jacobo@dot.ca.gov

Cc: Kim T. Smith

To DFG:

Department of Fish and Game
South Coast Region (R5)
4949 Viewridge Avenue
San Diego, Ca 92123
Attn: Lake and Streambed Alteration Program – Tim Dillingham
Notification #1600-2011-0099-R5
(858) 467-4250
Fax (858) 467-4299
tdilling@dfg.ca.gov

LIABILITY

Permittee shall be solely liable for any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute DFG's endorsement of, or require Permittee to proceed with the project. The decision to proceed with the project is Permittee's alone.

SUSPENSION AND REVOCATION

DFG may suspend or revoke in its entirety the Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before DFG suspends or revokes the Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before DFG suspends or revokes the Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused DFG to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes DFG from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects DFG's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 et seq. (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

DFG may amend the Agreement at any time during its term if DFG determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by DFG and Permittee. To request an amendment, Permittee shall submit to DFG a completed DFG "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in DFG's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter DFG approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to DFG a completed DFG "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in DFG's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to DFG a completed DFG "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in DFG's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). DFG shall process the extension request in accordance with FGC 1605(b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (Fish & G. Code, § 1605, subd. (f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of DFG's signature, which shall be: 1) after Permittee's signature; 2) after DFG complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall expire on April 30, 2016, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

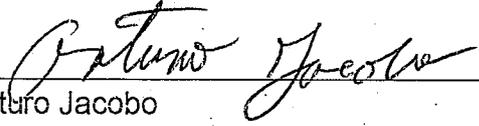
AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify DFG in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

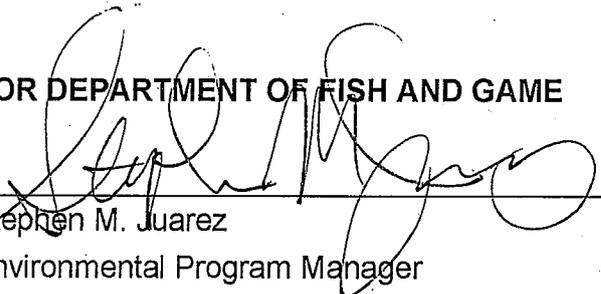
**FOR CALIFORNIA DEPARTMENT OF
TRANSPORTATION (CALTRANS)**



Arturo Jacobo
Project Manager

5-4-11
Date

FOR DEPARTMENT OF FISH AND GAME



Stephen M. Juarez
Environmental Program Manager

10 May 2011
Date

Prepared by: Tim Dillingham
Staff Environmental Scientist



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

July 19, 2011

REPLY TO
ATTENTION OF:

Office of the Chief
Regulatory Division

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT AUTHORIZATION

Arturo Jacobo, Project Manager
California Department of Transportation, District 11
Attention: Michelle Trudell
4050 Taylor Street, MS-242
San Diego, California 92110

Dear Mr. Jacobo:

This correspondence is in reply to your application (File No. SPL-2011-00529-SCH) dated March 21, 2011, for a Department of the Army Permit to discharge 0.01 acre (60 linear feet) of fill into waters of the U.S., in association with the construction of two temporary creek crossings within the Deer Canyon Mitigation Site. The proposed work would take place in Deer Canyon Creek, within the City of San Diego, San Diego County, California.

Based on the information you have provided, the Corps of Engineers has determined that your proposed activity complies with the enclosed terms and conditions of Nationwide Permit No. NWP 33 Temporary Construction, Access, and Dewatering., as described in enclosure 1.

Specifically, you have requested authorization to place 0.01 acre (60 linear feet) of fill and temporary pipes in two locations along Deer Canyon Creek to construct two temporary creek crossings. Approximately 40-cubic yards of engineering fabric, coarse aggregate, earthen fill, and large aggregate will be placed over temporary culverts in both locations. The temporary crossings will be located at 32.9497° N, -117.1893° W and 32.9505° N, -117.1850° W (see enclosed figures).

Furthermore, you must comply with the following non-discretionary Special Conditions:

1. The permittee shall abide by the terms and conditions of your 401 Water Quality Certification, dated June 8, 2011.
2. The permittee shall abide by the terms and conditions of your California Coastal Development Permit, dated July 15, 2011.

3. The permittee shall ensure that all vehicle maintenance, staging, storage, and dispensing of fuel occurs in designated upland areas. The permittee shall ensure that these designated upland areas are located in such a manner to prevent any runoff from entering waters of the U.S.

4. The permittee shall employ all best management practices (BMPs) to ensure that no debris, soil, silt, sand, rubbish, cement or concrete washings thereof, oil or petroleum can be washed by rainfall or runoff into waterways. When project operations are completed, any and all excess construction material, debris, and or other associated excess project materials shall be removed and if not recycled or reused, disposed of at an appropriate off-site location outside of any jurisdictional area.

5. A copy of the permit shall be on the job site at all times during construction. The permittee shall provide a copy of this permit to all contractors, subcontractors, and forepersons. The permittee shall require that all contractors and forepersons read this authorization in its entirety and acknowledge they understand its contents and their responsibility to ensure compliance with all general and special conditions contained herein.

6. At the conclusion of the project, all temporary fill shall be removed and the area shall be restored to pre-construction conditions. The Permittee shall hydroseed the disturbed portions of the earthen stream banks with native non-invasive vegetation of facultative upland (FACU) or wetter species, as appropriate. The Permittee shall submit the proposed planting palette for review and approval by the Corps, prior to initiation of construction. The Permittee shall ensure the hydroseeded areas are maintained and monitored for a period of two years after completing the seeding activities, such that less than 10 percent of the areas disturbed by the project are vegetated by non-natives and invasive plant species. Monitoring reports shall be submitted by the Permittee to the Corps, by May 15th annually, one and two years following hydroseeding, documenting the recovery of the restored areas.

7. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memo indicating the date authorized impacts to waters of the U.S. ceased.

Endangered Species Act:

8. This Corps permit does not authorize you to take any threatened or endangered species, in particular the federally endangered least Bell's vireo (*Vireo bellii pusillus* "vireo") or adversely modify its designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply). With the implementation of the required avoidance and minimization measures enclosed to the U.S. Fish and Wildlife Service (FWS) BO (FWS-SDG-08B0205-11F0246), dated March, 23, 2011, for the Interstate-5/ Genesee Avenue Interchange Reconstruction Project, the Corps Regulatory Division has determined and the FWS has concurred that your activity is not likely to adversely affect the above species. Your authorization under this Corps permit is conditional upon your compliance with all of the

required avoidance and minimization measures, which are incorporated by reference in this permit. Failure to comply with the required avoidance and minimization measures would constitute non-compliance with your Corps permit. The FWS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA.

Cultural Resources:

9. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Regulatory Division staff and Archeology Staff within 24 hours (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861). The Permittee shall immediately suspend all work within 100 feet of any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

A nationwide permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.

Thank you for participating in our regulatory program. If you have any questions, please contact Sophia Huynh of my staff at (213)452-3357 or via e-mail at Sophia.C.Huynh@usace.army.mil.

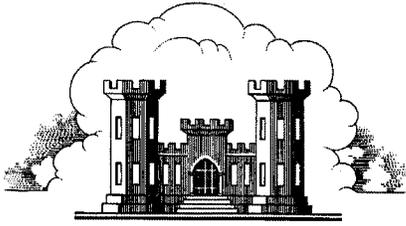
Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at: <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Mark D. Cohen
Deputy Chief, Regulatory Division

Enclosures



LOS ANGELES DISTRICT
U.S. ARMY CORPS OF ENGINEERS

CERTIFICATION OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT

Permit Number: *SPL-2011-00529-SCH*

Name of Permittee: *California Department of Transportation District 11, Arturo Jacobo*

Date of Issuance: *July 19, 2011*

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

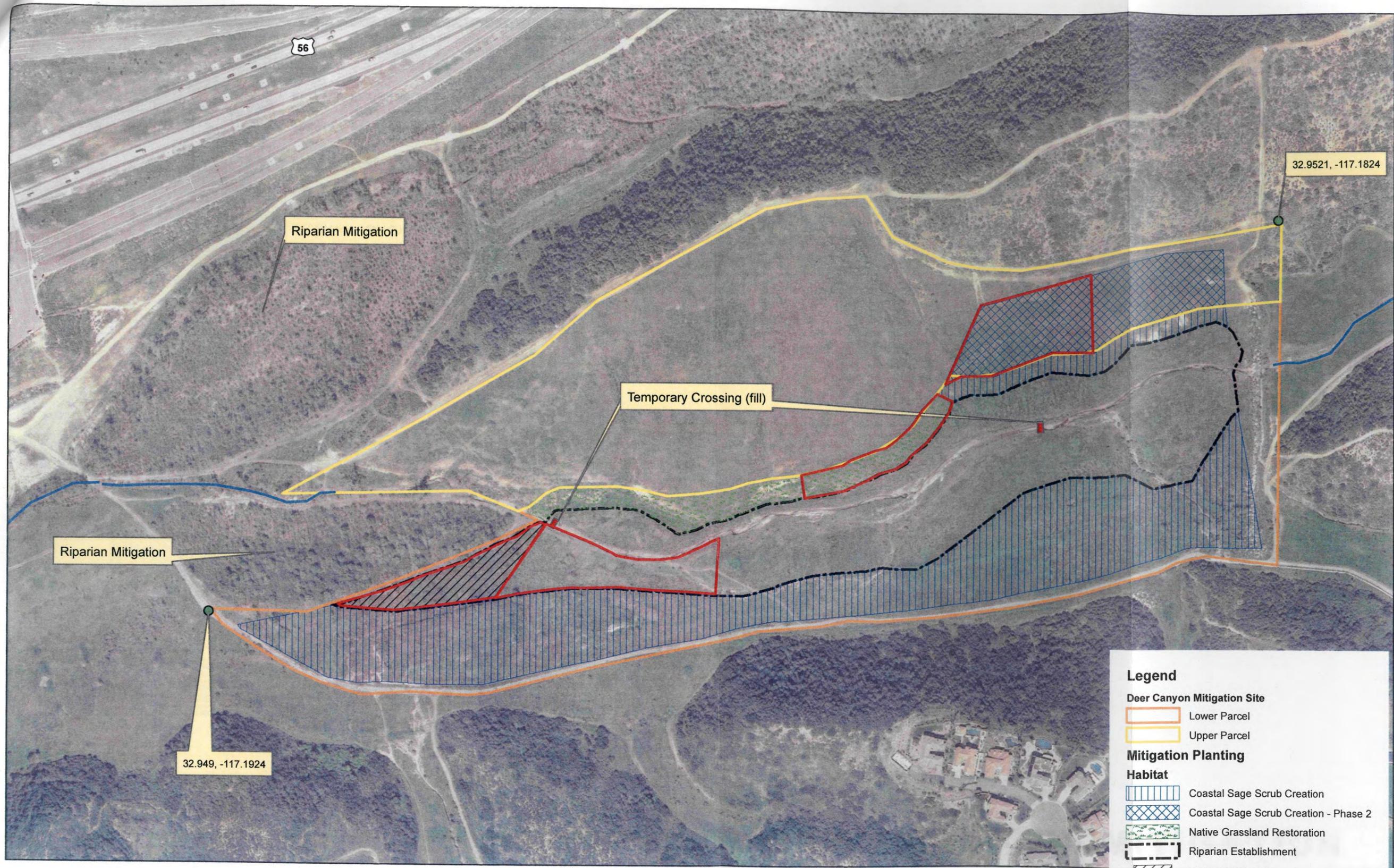
U.S Army Corps of Engineers
Regulatory Division
ATTN: CESPL-RG-SPL-2011-00529-SCH
P.O. Box 532711
Los Angeles, California 90053-2325

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this nationwide permit you may be subject to permit suspension, modification, or revocation procedures as contained in 33 CFR section 330.5 or enforcement procedures such as those contained in 33 CFR sections 326.4 and 326.5.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit condition(s).

Signature of Permittee

Date



- Legend**
- Deer Canyon Mitigation Site**
- Lower Parcel
 - Upper Parcel
- Mitigation Planting**
- Habitat**
- Coastal Sage Scrub Creation
 - Coastal Sage Scrub Creation - Phase 2
 - Native Grassland Restoration
 - Riparian Establishment
 - 0.96 acre marsh
 - LOSSAN Mitigation Areas

510 255 0 510 Feet
 1 inch = 251 feet

Figure 6. Deer Canyon Mitigation Site



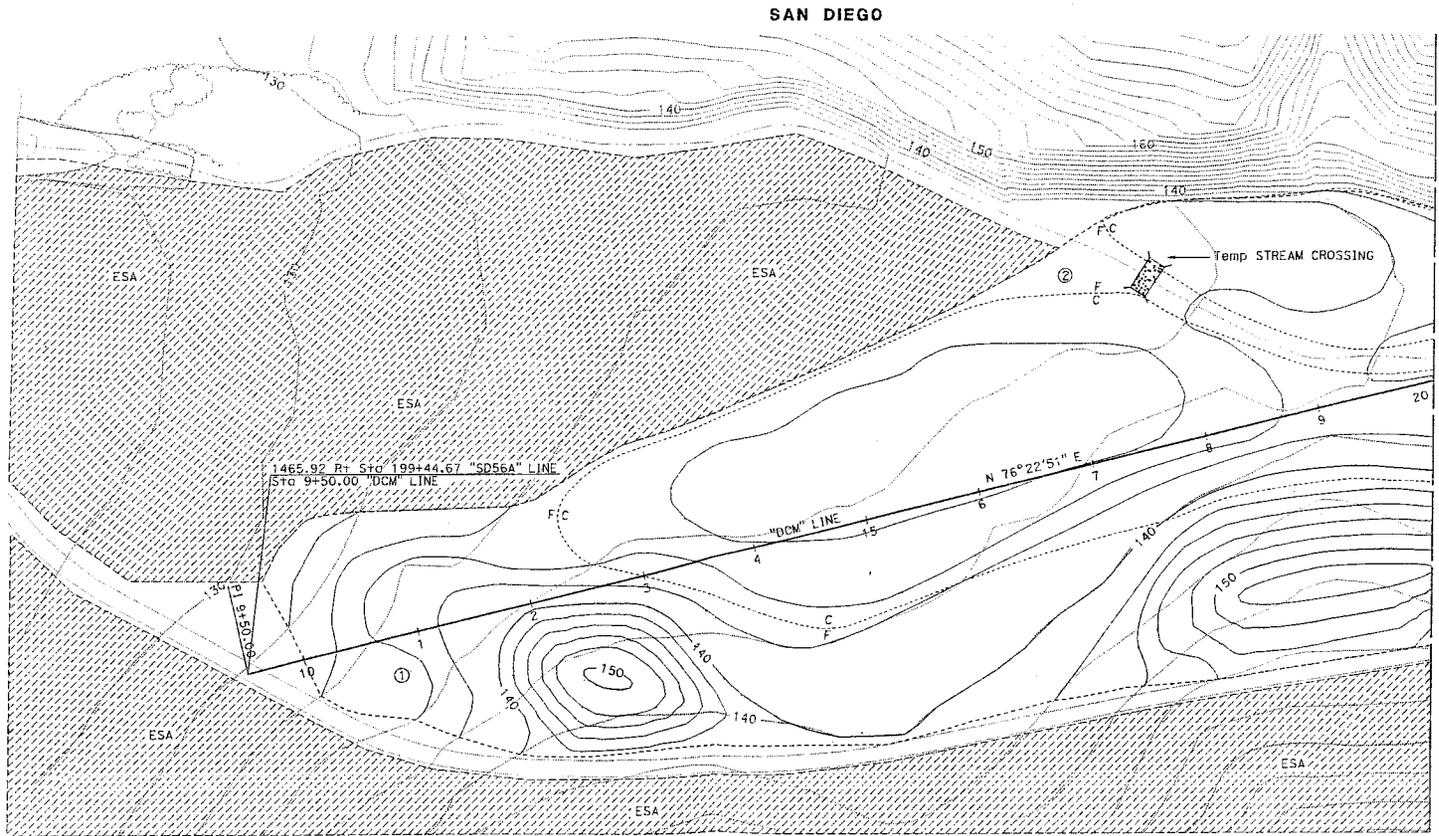
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
et-Cultura ENVIRONMENTAL
 SENIOR ENVIRONMENTAL PLANNER
 BRUCE APRIL
 CALCULATED-DESIGNED BY
 CHECKED BY
 RICH MALLEN
 MIKE CONNELLY
 REVISOR BY
 DATE REVISOR

LEGEND

- ⊗ MONITORING WELL
- ▨ ENVIRONMENTALLY SENSITIVE AREA
- ▭ TEMPORARY STREAM CROSSING (SEE DETAIL)

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL SHEETS
11	SD	56	3.5	

LICENSED LANDSCAPE ARCHITECT
 PLANS APPROVAL DATE
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



THIS PLAN ACCURATE FOR CONTOUR GRADING WORK ONLY

CONTOUR GRADING

SCALE: 1"=50' **G-1**

DATE PLOTTED => 19-JAN-2011
 TIME PLOTTED => 14:52

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	56	3.5		

LICENSED LANDSCAPE ARCHITECT

PLANS APPROVAL DATE

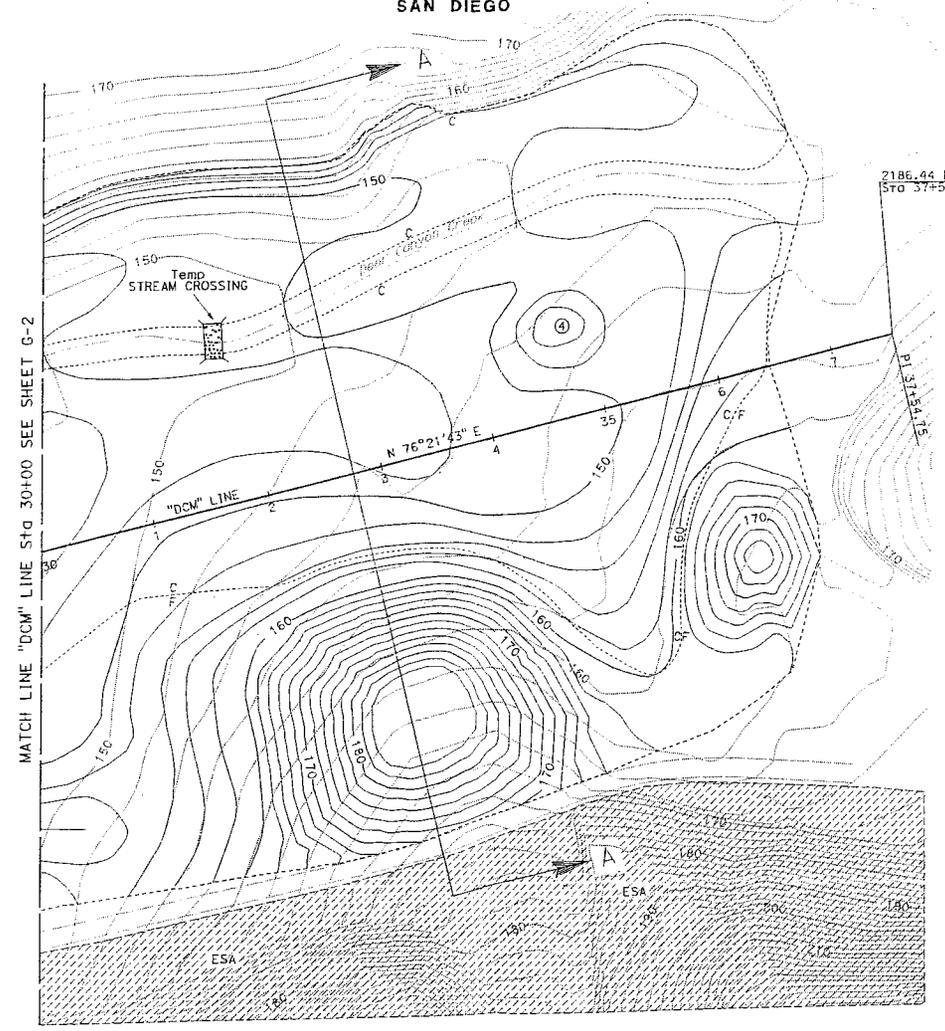
3-11-12

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NOTE:
SEE SHEET G-1 FOR LEGEND.

SAN DIEGO



THIS PLAN ACCURATE FOR CONTOUR GRADING WORK ONLY

CONTOUR GRADING

SCALE: 1"=50'

G-3

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION - ENVIRONMENTAL

SENIOR ENVIRONMENTAL PLANNER
BRUCE APFEL

CALCULATED, DESIGNED BY
RICH MALLEN

CHECKED BY
MIKE COMBELL

REVISED BY
DATE REVISED

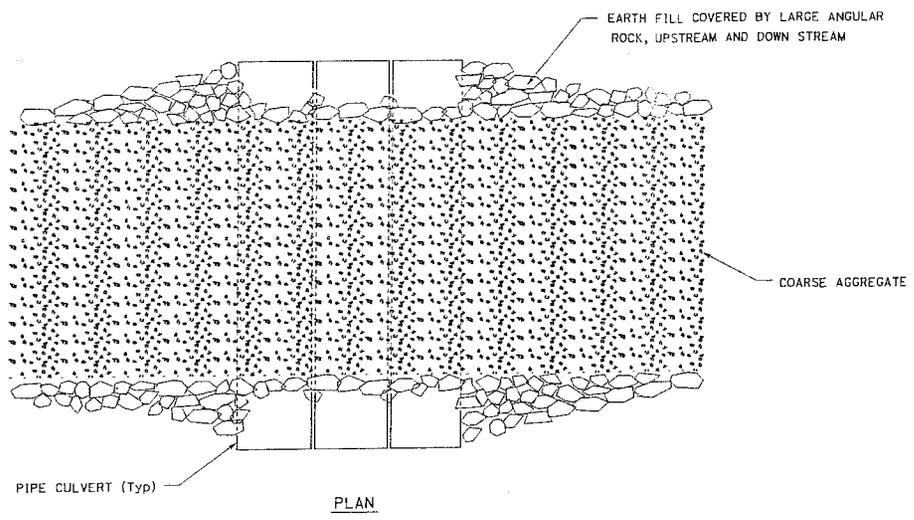
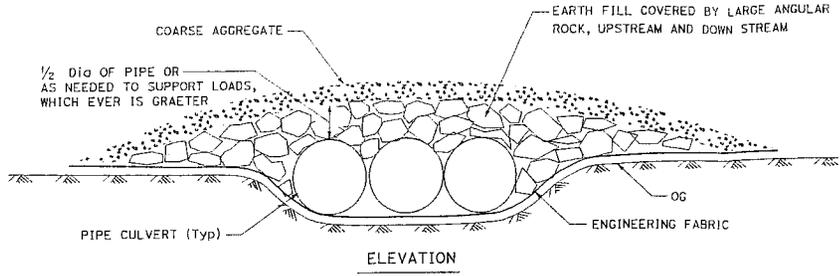
DATE PLOTTED: 12-22-10 TIME PLOTTED: 07:15:53

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	56	3.5		

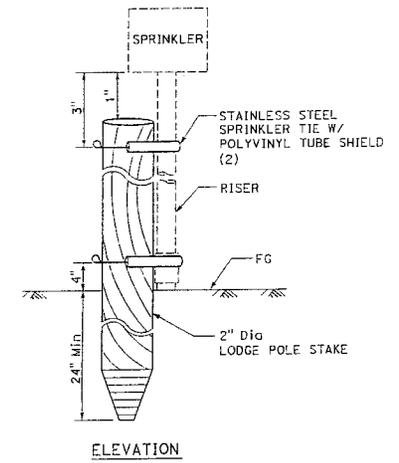
LICENSED LANDSCAPE ARCHITECT

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



TEMPORARY STREAM CROSSING



RISER SUPPORT

LANDSCAPE DETAILS
NO SCALE **LD-4**

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION - ENVIRONMENTAL

Stevens

SENIOR ENVIRONMENTAL PLANNER
BRUCE APRIL

REVISIONS

REVISOR: RICH MALLEN
DATE: MIKE CONNELLY

CHECKED BY: CALCULATED/DESIGNED BY

BORDER LAST REVISED 7/2/2010

USERNAME => s114752
DGN FILE => 11000200361r004.dgn

RELATIVE BORDER SCALE
15 IN INCHES

UNIT 2730

PROJECT NUMBER & PHASE

11000200361

LAST REVISION: DATE PLOTTED => 19-JUN-2011
09-23-10 TIME PLOTTED => 13:08

Enclosure 1: NATIONWIDE PERMIT NUMBER(S) NWP 33 Temporary Construction, Access, and Dewatering. TERMS AND CONDITIONS

1. Nationwide Permit(s) NWP 33 Temporary Construction, Access, and Dewatering. Terms:

Your activity is authorized under Nationwide Permit Number(s) NWP 33 Temporary Construction, Access, and Dewatering, subject to the following terms:

33. Temporary Construction, Access, and Dewatering. Temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps of Engineers or the U.S. Coast Guard. This NWP also authorizes temporary structures, work, and discharges, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if the district engineer determines that it will not cause more than minimal adverse effects on aquatic resources. Following completion of construction, temporary fill must be entirely removed to upland areas, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate. This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use. Structures left in place after construction is completed require a section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.) Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 27). The pre-construction notification must include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions. (Sections 10 and 404)

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as appropriate, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP.

2. Nationwide Permit General Conditions:

The following general conditions must be followed in order for any authorization by an NWP to be valid:

1. *Navigation.*
 - (a) No activity may cause more than a minimal adverse effect on navigation.
 - (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.
 - (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. *Aquatic Life Movements.* No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
3. *Spawning Areas.* Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
4. *Migratory Bird Breeding Areas.* Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. *Shellfish Beds.* No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP's 4 and 48.
6. *Suitable Material.* No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
7. *Water Supply Intakes.* No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.
8. *Adverse Effects From Impoundments.* If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
9. *Management of Water Flows.* To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).
10. *Fills Within 100-Year Floodplains.* The activity must comply with applicable FEMA-approved state or local floodplain management requirements.
11. *Equipment.* Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
12. *Soil Erosion and Sediment Controls.* Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
13. *Removal of Temporary Fills.* Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.
14. *Proper Maintenance.* Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety.
15. *Wild and Scenic Rivers.* No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).
16. *Tribal Rights.* No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
17. *Endangered Species.*
 - (a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.
 - (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.
 - (c) Non-federal permittees shall notify the district engineer if any listed species or designated critical habitat might be affected

or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWP. (e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. FWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide Web pages at <http://www.fws.gov/> and <http://www.noaa.gov/fisheries.html> respectively.

18. *Historic Properties.*

(a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the preconstruction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete preconstruction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the

applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

19. *Designated Critical Resource Waters.* Critical resource waters include: NOAA-designated marine sanctuaries, National Estuarine Research Reserves, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the district engineer after notice and opportunity for public comment. The district engineer may also designate additional critical resource waters after notice and opportunity for comment.
 - (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, and 50 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.
 - (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 27, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.
20. *Mitigation.* The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:
 - (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).
 - (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.
 - (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10 acre and require preconstruction notification, unless the district engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. For wetland losses of 1/10 acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.
 - (d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream restoration, to ensure that the activity results in minimal adverse effects on the aquatic environment.
 - (e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2 acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2 acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.
 - (f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.
 - (g) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases, the mitigation provisions will specify the party responsible for accomplishing and/or complying with

the mitigation plan.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

21. *Water Quality.* Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.
22. *Coastal Zone Management.* In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.
23. *Regional and Case-By-Case Conditions.* The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.
24. *Use of Multiple Nationwide Permits.* The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.
25. *Transfer of Nationwide Permit Verifications.* If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

26. *Compliance Certification.* Each permittee who received an NWP verification from the Corps must submit a signed certification regarding the completed work and any required mitigation. The certification form must be forwarded by the Corps with the NWP verification letter and will include:
 - (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general or specific conditions;
 - (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
 - (c) The signature of the permittee certifying the completion of the work and mitigation.
27. *Pre-Construction Notification.*
 - (a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, as a general rule, will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process

will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity:

- (1) Until notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or
- (2) If 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 17 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 18 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) is completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee cannot begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided result in a quicker decision.);
- (4) The PCN must include a delineation of special aquatic sites and other waters of the United States on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters of the United States, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, where appropriate;
- (5) If the proposed activity will result in the loss of greater than 1/10 acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan;
- (6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and
- (7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) *Form of Pre-Construction Notification:* The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) *Agency Coordination:*

- (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.
- (2) For all NWP 48 activities requiring pre-construction notification and for other NWP activities requiring

preconstruction notification to the district engineer that result in the loss of greater than 1/2-acre of waters of the United States, the district engineer will immediately provide (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy of the PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each preconstruction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

- (3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.
- (4) Applicants are encouraged to provide the Corps multiple copies of pre-construction notifications to expedite agency coordination.
- (5) For NWP 48 activities that require reporting, the district engineer will provide a copy of each report within 10 calendar days of receipt to the appropriate regional office of the NMFS.

(e) *District Engineer's Decision:* In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If the proposed activity requires a PCN and will result in a loss of greater than 1/10 acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any conditions the district engineer deems necessary. The district engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either:

- (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit;
- (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or
- (3) that the project is authorized under the NWP with specific modifications or conditions.

Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan.

28. *Single and Complete Project.* The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

3. Regional Conditions for the Los Angeles District:

In accordance with General Condition Number 23, "Regional and Case-by-Case Conditions," the following Regional Conditions, as added by the Division Engineer, must be met in order for an authorization by any Nationwide to be valid:

1. For coastal watersheds from the southern reach of the Santa Monica Mountains in Los Angeles County to the San Luis Obispo County/Monterey County boundary, all road crossings must employ a bridge crossing design that ensures passage and/or spawning of steelhead (*Oncorhynchus mykiss*) is not hindered in any way. In these areas, bridge designs that span the stream or river, including designs for pier- or pile-supported spans, or designs based on use of a bottomless arch culvert simulating the natural stream bed (i.e., substrate and streamflow conditions in the culvert are similar to undisturbed stream bed channel conditions) shall be employed unless it can be demonstrated the stream or river does not support resources conducive to the recovery of federally listed anadromous salmonids, including migration of adults and smolts, or rearing and spawning. This proposal also excludes approach embankments into the channel unless they are determined to have no detectable effect on steelhead.
2. For the State of Arizona and the Mojave and Sonoran (Colorado) desert regions of California in Los Angeles District (generally north and east of the San Gabriel, San Bernardino, San Jacinto, and Santa Rosa mountain ranges, and south of Little Lake, Inyo County), no nationwide permit, except Nationwide Permits 1 (Aids to Navigation), 2 (Structures in Artificial Canals), 3 (Maintenance), 4 (Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities), 5 (Scientific Measurement Devices), 6 (Survey Activities), 9 (Structures in Fleeting and Anchorage Areas), 10 (Mooring Buoys), 11 (Temporary Recreational Structures), 20 (Oil Spill Cleanup), 22 (Removal of Vessels), 27 (Stream and Wetland Restoration Activities), 30 (Moist Soil Management for Wildlife), 31 (Maintenance of Existing Flood Control Projects), 32 (Completed Enforcement Actions), 35 (Maintenance Dredging of Existing Basins), 37 (Emergency Watershed Protection and Rehabilitation), 38 (Cleanup of Hazardous and Toxic Waste) and 47 (Pipeline Safety Program Designated Time Sensitive Inspections and Repairs), or other nationwide or regional general permits that specifically authorize maintenance of previously authorized structures or fill, can be used to authorize the discharge of dredged or fill material into a jurisdictional special aquatic site as defined at 40 CFR Part 230.40-45 (sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, and riffle-and-pool complexes).
3. For all projects proposed for authorization by nationwide or regional general permits where prior notification to the district engineer is required, applicants must provide color photographs or color photocopies of the project area taken from representative points documented on a site map. Pre-project photographs and the site map would be provided with the permit application. Photographs should represent conditions typical or indicative of the resources before impacts.
4. Notification pursuant to general condition 27 shall be required for projects in all special aquatic sites as defined at 40 CFR Part 230.40-45 (sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, and riffle-and-pool complexes), and in all perennial waterbodies in the State of Arizona and the Mojave and Sonoran (Colorado) desert regions of California in Los Angeles District (generally north and east of the San Gabriel, San Bernardino, San Jacinto, and Santa Rosa mountain ranges, and south of Little Lake, Inyo County), excluding the Colorado River from Davis Dam downstream to the north end of Topock and downstream of Imperial Dam (Federal Register dated March 12, 2007 (72 FR 11092) - regional conditions requiring notification do not apply to Nationwide Permit 47).
5. Notification pursuant to general condition 27 shall be required for projects in all areas designated as Essential Fish Habitat by the Pacific Fishery Management Council (i.e., all tidally influenced areas - Federal Register dated March 12, 2007 (72 FR 11092), regional conditions requiring notification do not apply to Nationwide Permit 47).
6. Notification pursuant to general condition 27 shall be required for projects in all watersheds in the Santa Monica Mountains in Los Angeles and Ventura counties bounded by Calleguas Creek on the west, by Highway 101 on the north and east, and by Sunset Boulevard and Pacific Ocean on the south (Federal Register dated March 12, 2007 (72 FR 11092) - regional conditions requiring notification do not apply to Nationwide Permit 47).
7. Individual permits shall be required for all discharges of fill material in jurisdictional vernal pools.
8. Individual permits shall be required in Murrieta Creek and Temecula Creek watersheds in Riverside County for new permanent fills in perennial and intermittent watercourses otherwise authorized under NWP 29, 39, 42 and 43, and in ephemeral watercourses for these NWPs for projects that impact greater than 0.1 acre of waters of the United States. In

addition, when NWP 14 is used in conjunction with residential, commercial, or industrial developments the 0.1 acre limit would also apply.

9. Individual permits shall be required in San Luis Obispo Creek and Santa Rosa Creek in San Luis Obispo County for bank stabilization projects, and in Gaviota Creek, Mission Creek and Carpinteria Creek in Santa Barbara County for bank stabilization projects and grade control structures.
10. Notification pursuant to general condition 27 shall be required for projects in the Santa Clara River watershed in Los Angeles and Ventura counties, including but not limited to Aliso Canyon, Agua Dulce Canyon, Sand Canyon, Bouquet Canyon, Mint Canyon, South Fork of the Santa Clara River, San Francisquito Canyon, Castaic Creek, Piru Creek, Sespe Creek and the mainstem of the Santa Clara River (Federal Register dated March 12, 2007 (72 FR 11092) - regional conditions requiring notification do not apply to Nationwide Permit 47).

4. Further information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - (a) This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - (b) This permit does not grant any property rights or exclusive privileges.
 - (c) This permit does not authorize any injury to the property or rights of others.
 - (d) This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - (a) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - (b) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - (c) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - (d) Design or construction deficiencies associated with the permitted work.
 - (e) Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - (a) You fail to comply with the terms and conditions of this permit.
 - (b) The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - (c) Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 330.5 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. This letter of verification is valid for a period not to exceed two years unless the nationwide permit is modified, reissued,

revoked, or expires before that time.

7. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition H below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
8. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011



In Reply Refer To:
FWS-SDG-08B0205-11F0246

MAR 23 2011

Ms. Kim Smith, Chief
California Department of Transportation - District 11
Environmental Resource Studies
4050 Taylor Street
San Diego, California 92110

Attention: Susan Scatolini, Associate Environmental Planner

Subject: Formal Section 7 Consultation for the Interstate 5/Genesee Avenue Interchange
Reconstruction Project, San Diego County, California

Dear Ms. Smith:

This document transmits our biological opinion based on our review of the proposed Interstate 5 (I-5)/Genesee Avenue Interchange Reconstruction Project and its potential effects on the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*, "gnatcatcher"), in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The California Department of Transportation (Caltrans) has assumed the Federal Highway Administration's (FHWA) responsibilities under the Act for this consultation in accordance with Sections 6004 and 6005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 2005, as described in the National Environmental Policy Act (NEPA) Delegation Pilot Program Memorandum of Understanding between FHWA and Caltrans (effective July 1, 2007) and codified in Renewed 23 U.S.C. 326 and 23 U.S.C. 327. We initiated consultation to address the effects of the proposed project on the gnatcatcher on November 5, 2010, the date we received your request.

The federally endangered least Bell's vireo (*Vireo bellii pusillus*, "vireo") is known to occur in habitat adjacent to the Pardee (Deer Canyon) property, where restoration will occur to offset the impacts of the I-5/Genesee Avenue Interchange Project. Conservation measures (enclosed) have been incorporated into the Deer Canyon restoration project to avoid and minimize impacts to the vireo. Based on Caltrans' commitment to implement these measures, we concur with your determination that the proposed project is not likely to adversely affect the vireo. Therefore, the vireo is not addressed further in this formal consultation.



This biological opinion is based on information provided in 1) *Interstate 5/Genesee Avenue Interchange Reconstruction Biological Assessment* (Caltrans 2009); 2) *Interstate 5/Genesee Avenue Interchange Reconstruction Project Initial Study with Proposed Mitigated Negative Declaration / Environmental Assessment* (Caltrans 2010); and 3) other information available in our files. The complete project file addressing this consultation is maintained at the Carlsbad Fish and Wildlife Office (CFWO).

The project purpose is to accommodate increased traffic flows and meet vertical clearance requirements for the I-5/Genesee Avenue interchange overcrossing. For this, the project will replace the existing I-5/Genesee Avenue 4-lane overcrossing with a 6-lane overcrossing that is wider, longer, and higher than the existing structure and will include a sidewalk on the north side of the bridge. An earthen buttress will also be incorporated into the project grading limits north of Genesee Avenue and west of I-5 to stabilize an ancient landslide underneath the southbound Genesee Avenue off-ramp. The project includes auxiliary lanes in both directions on I-5 between the Genesee Avenue ramps and the adjacent ramps for La Jolla Village Drive and Sorrento Valley Road. One standard lane and high-occupancy vehicle (HOV) bypass lane with a ramp meter will be added at the Sorrento Valley Road southbound on-ramp. One additional lane will be added to the Sorrento Valley Road northbound off-ramp. The construction of the auxiliary lanes between Genesee Avenue and La Jolla Village Drive will require replacement of the Voigt Drive overcrossing. The Voigt Drive overcrossing will be lowered, lengthened, and widened and will include bike lanes and sidewalks. The changes to the overcrossing configuration at Voigt Drive will conflict with the existing alignment of Gilman Drive. Therefore, the project includes realignment of Gilman Drive and modifications to its intersection with Voigt Drive.

The Multiple Species Conservation Program (MSCP) establishes a comprehensive habitat conservation planning program that provides for a streamlined process to minimize and mitigate habitat loss and the incidental take of covered species in association with specific activities covered by the program. The MSCP encompasses a 900-square mile (mi) [2,331-square kilometer (km)] area in southwestern San Diego County and includes the City of San Diego (City), 10 additional city jurisdictions, and unincorporated portions of the County of San Diego. On July 18, 1997, our agency, the U.S. Fish and Wildlife Service (Service), issued a section 10(a)(1)(B) permit ("incidental take permit") to the City for their Subarea Plan under the broader MSCP. The proposed project is located within the City's Subarea Plan boundary.

The City's Subarea plan established a Multi-Habitat Planning Area (MHPA) to be conserved to provide the necessary habitat to support the future viability of San Diego's unique biodiversity. The City's Subarea Plan allows limited impacts to the MHPA for essential public projects, including circulation element roads such as Genesee Avenue. Consistent with the requirements of the City's Subarea Plan, the project has been designed to minimize impacts to the MHPA. The project will result in permanent impacts to 1.1 hectares (ha) [2.8 acres (ac)] of the MHPA and temporary impacts to 0.2 ha (0.6 ac) of the MHPA. To offset impacts to the MHPA, the project will restore, preserve and manage 9.07 ha (22.41 ac) of land within the City's MHPA on

the Deer Canyon property. This includes 5.4 ha (13.4 ac) of Diegan coastal sage scrub, 1.42 ha (3.51 ac) southern willow scrub, and 2.25 ha (5.5 ac) non-native grassland. The City has agreed to own and manage the Deer Canyon property with an endowment that will be paid by Caltrans in accordance with the requirements of the *TransNet Memorandum of Agreement among the San Diego Association of Governments ("SANDAG"), the California Department of Fish and Game ("CDFG"), the California Department of Transportation ("Caltrans"), and the United States Fish & Wildlife Service ("USFWS")* (collectively "the signatories") regarding the mitigation for transportation projects under the TransNet Extension Ordinance Environmental Mitigation Program (TransNet MOA). The TransNet MOA specifies that funds will be allocated for acquisition, restoration and enhancement, and monitoring and management of conservation lands.

There is suitable habitat for gnatcatchers within the project impact area. During protocol surveys in 2007, seven pairs, two of which had fledglings, and three individual gnatcatchers were observed within and adjacent to the Biological Study Area for the project. The project will impact habitat occupied by one pair of gnatcatchers and potentially used by a second pair of gnatcatchers. The project will result in permanent impacts to 1.5 ha (3.7 ac) Diegan Coastal Sage Scrub (DCSS), 0.4 ha (1.0 ac) Disturbed DCSS, and 0.3 ha (0.7 ac) Coyote Brush Scrub. The project will result in temporary impacts to 0.3 ha (0.8 ac) DCSS, 0.1 ha (0.3 ac) Disturbed DCSS 0.1 ha (0.3 ac), and 0.1 ha (0.2 ac) Coyote Brush Scrub.

The gnatcatcher is a covered species under the City's Subarea Plan, and the City's incidental take permit authorizes take of gnatcatcher for projects consistent with their Subarea Plan. The Service concurs with your agency's determination that the proposed project may affect gnatcatcher. We have also determined that the project, including the proposed conservation measures (enclosed), is consistent for impacts to gnatcatcher with the City's Subarea Plan and its associated implementation agreement and permit.

The status of the gnatcatcher and the effects of implementing the City's Subarea Plan under the MSCP were previously addressed in our biological opinion for the City's Subarea Plan dated June 6, 1997. In this biological opinion, we concluded that the level of anticipated take in the City's Subarea Plan area boundary was not likely to result in jeopardy to the gnatcatcher. Given that the proposed action is consistent with the City's Subarea Plan, we do not anticipate any adverse effects to the gnatcatcher that were not previously evaluated in the biological opinion for City's Subarea Plan will occur. No incidental take of gnatcatcher beyond that anticipated in the biological opinion for the HCP will occur. Therefore, it is our conclusion that implementation of the proposed project will not result in jeopardy to the gnatcatcher.

By this consultation, we are extending to Caltrans the take coverage for gnatcatcher (incorporated herein by reference) already provided to the City through their incidental take permit for their Subarea Plan. Extension of take coverage to Caltrans under the City's Subarea Plan is limited to the proposed project as described in this biological opinion and as provided in

Ms. Kim Smith (FWS-SDG-08B0205-11F0246)

4

the incidental take statement of our biological opinion for the City's Subarea Plan dated June 6, 1997. Thus, Caltrans' consultation obligations under the Act for gnatcatcher have been met.

This concludes formal consultation on the proposed action. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: 1) the amount or extent of incidental take is exceeded; 2) new information reveals effects of the proposed action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; 3) the agency action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not considered in this opinion; or 4) a new species is listed or critical habitat is designated that may be affected by the proposed action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

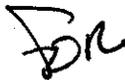
We appreciate your coordination on this project. Should you have any questions regarding this biological opinion, please contact Sally Brown of my staff at (760) 431-9440, extension 278.

Sincerely,



Jim A. Bartel

Field Supervisor



ENCLOSURE

Conservation measures to avoid and minimize potential adverse effects to the coastal California gnatcatcher (*Polioptila californica californica*) and least Bell's vireo (*Vireo bellii pusillus*, "vireo") from the I-5 Genesee Interchange Reconstruction Project and Deer Canyon Restoration/Enhancement Project

Caltrans has committed to implement the following conservation measures to avoid and minimize potential adverse effects to the gnatcatcher and vireo and to support a determination by the U.S. Fish and Wildlife Service (Service) that the project: 1) is consistent with the City of San Diego's Subarea Plan and its associated implementation agreement and Endangered Species Act (Act) section 10(a)(1)(B) permit for gnatcatcher and 2) is not likely to adversely affect the vireo.

1. Permanent and temporary impacts to gnatcatcher habitat totaling 2.7 ha (6.7 ac) will be offset through restoration and preservation of 5.4 ha (13.4 ac) of Diegan coastal sage scrub at the Pardee (Deer Canyon) property. Temporary impacts will be offset the same as permanent impacts because revegetation of these areas is anticipated to be temporary, as documented in Conservation Measure 3 below.
2. Caltrans will submit a final restoration/enhancement plan for the Deer Canyon property to the Service's Carlsbad Fish and Wildlife Office (CFWO) for approval prior to initiating project impacts. The final plan will be based on the *Compensatory Wetland/Upland Mitigation Plan for Deer Canyon* (Caltrans, January 18, 2011). In addition to the measures proposed in the draft plan, the final plan will include the following information and conditions:
 - a. All final specifications and topographic-based grading, planting and irrigation plans (with 1-foot contours for wetlands and 10-foot contours for uplands). All wetland mitigation areas will be graded to the same elevation as adjacent existing U.S. Army Corps of Engineers jurisdictional areas, and will be left in a rough grade state with micro topographic relief (including channels for wetlands) that mimics natural topography. All upland habitat creation/restoration/enhancement sites will be prepared for planting by decompacting the top soil in a way that mimics natural upland habitat top soil to the maximum extent practicable while maintaining slope stability. Planting and irrigation will not be installed until the CFWO has approved of upland habitat restoration/creation site grading. All planting will be installed in a way that mimics natural plant distribution, and not in rows;
 - b. Planting palettes (plant species, size and number/acre) and seed mix (plant species and pounds/acre). The plant palette proposed in the draft plans will include native species specifically associated with the habitat type(s). Unless otherwise approved by the CFWO, only locally native species (no cultivars) obtained from San Diego County will be used;

- c. Container plant survival will be a minimum of 80 percent of the initial plantings for the first 5 years. If survival is less than 80 percent, the reason for poor plant survival will be evaluated in coordination with the CFWO. At the first and second anniversary of plant installation, all dead plants will be replaced unless their function has been replaced by natural recruitment;
- d. A final implementation schedule that indicates when all habitat impacts, as well as creation/restoration/enhancement grading, planting and irrigation will begin and end. Habitat creation/restoration/enhancement grading, planting and irrigation will be completed during the concurrent or next planting season (i.e., late fall to early spring, or later in irrigated areas) after finishing grading within the creation/restoration/enhancement area. Any temporal loss of habitat caused by delays in creation/restoration/enhancement will be offset through habitat preservation/creation/restoration/enhancement as determined in coordination with the CFWO, unless the delays were caused by unforeseeable circumstances or were beyond the reasonable control of the project proponent;
- e. Five years of success criteria for wetland and upland restoration/enhancement areas including: separate percent cover criteria for herbaceous understory, shrub midstory, and tree overstory for wetland creation; a total of 75-100 percent absolute cover for wetland and 40-65 percent absolute cover for upland; evidence of natural recruitment of multiple species for all habitat types; 0 percent coverage for Cal-IPC List A and B species, and no more than 10 percent coverage for other exotic/weed species;
- f. A minimum 5 years of maintenance and monitoring of restoration/enhancement areas, unless success criteria are met earlier and all artificial water has been off for at least two years. Monitoring will include protocol surveys for coastal gnatcatcher and vireo;
- g. A qualitative and quantitative vegetation monitoring plan with a map of proposed sampling locations. Photo points will be used for qualitative monitoring and stratified-random sampling will be used for all quantitative;
- h. Contingency measures in the event of restoration/enhancement failure;
- i. Annual mitigation maintenance and monitoring reports will be submitted to the CFWO after the maintenance and monitoring period and no later than January 1 of each year;
- j. If maintenance of a wetland restoration/enhancement area potentially occupied by vireos is necessary between March 15 and September 15, a biologist¹ will survey for vireos within the creation/restoration/enhancement area, access paths to it, and other areas susceptible to disturbances by creation/restoration/enhancement site maintenance. Surveys will consist of three visits separated by 2 weeks starting April 10 of each

¹ The biologist for this measure should be experienced in vireo biology and ecology.

maintenance/monitoring year. Restoration work will be allowed to continue on the site during the survey period. However, if vireos are found during any of the visits, the project proponent will notify and coordinate with the CFWO to identify measures to avoid and/or minimize effects to the vireo (e.g., nests and an appropriate buffer will be flagged by the biologist and avoided by the maintenance work);

- k. If maintenance of a coastal sage scrub creation/restoration/enhancement area is necessary between February 15 and August 31, a biologist² will survey for gnatcatchers within the creation/restoration/enhancement area, access paths to it, and other areas susceptible to disturbances by site maintenance. Surveys will consist of three visits separated by 2 weeks starting March 1 of each maintenance/monitoring year. Work will be allowed to continue on the site during the survey period. However, if gnatcatchers are found during any of the visits, the project proponent will notify and coordinate with the CFWO to identify measures to avoid and/or minimize effects to the gnatcatcher (e.g., nests and an appropriate buffer will be flagged by the biologist and avoided by the maintenance work);
3. Both permanent impact areas that are not paved (i.e., cut and fill slopes) and temporary impact areas will be temporarily revegetated with native species after construction. Diegan Coastal Sage Scrub (DCSS) and coyote brush scrub areas will be restored by hydroseeding with a DCSS plant palette. Non-native grassland will be restored by hydroseeding with a native grassland and forb palette. This revegetation will be considered temporary for at least 10 years after project construction until future widening of I-5 is completed, at which time the final I-5 fill slopes and temporary impact areas will be permanently revegetated with native species. Revegetation with native species as described above will be completed by Caltrans with the understanding that no further off site measures will be required to offset impacts within these areas resulting from future I-5 widening. However, after each future construction project, the I-5 fill slope and temporary impact areas will be revegetated with native species.
 4. Bioswales will be planted with appropriate species as determined by the storm water pollution prevention professional. Slopes adjacent to developed urban areas will be vegetated with native and drought tolerant non-invasive species selected by a biologist² and landscape architect. Interchanges located in urban areas will be landscaped with native or ornamental non-invasive species.
 5. Caltrans will prepare a restoration plan for the temporary impact areas and cut and fill slopes northwest of the I-5 Genesee Interchange. The plan will be submitted to the CFWO for review and approval at least 60 days prior to initiating project impacts. This plan will include the following conditions and information:

² The biologist for this measure should be experienced in gnatcatcher biology and ecology.

- a. A detailed description of restoration methods, slope stabilization, and erosion control, criteria for restoration to be considered successful, and monitoring protocol(s). Following the completion of construction activities, the restoration plan will be implemented for a minimum of 5 years, unless success criteria are met earlier and all artificial water has been off for at least 2 years;
 - b. Revegetated areas will have temporary irrigation and will be planted with native container plants and seeds selected by a biologist². The revegetated areas will also be maintained to control invasive weeds until success criteria have been met.
 - c. Special care will be taken during transport, use, and disposal of soils containing invasive weed seeds to ensure that invasive weeds are not spread into new areas by the project. All heavy equipment will be washed and cleaned of debris prior to entering a new area to minimize the spread of invasive weeds;
 - d. Duff from areas with coastal sage scrub and chaparral will be saved to aid in revegetating slopes with native species;
 - e. Rare plants will be salvaged where practicable for use in revegetation efforts;
 - f. Landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to preserve areas, and water runoff from landscaped areas should be directed away from adjacent native habitats and contained and/or treated within the development footprint;
 - g. A list of species to be included in the landscaping; and
 - h. Any planting stock to be brought onto the project site for landscape or habitat creation/restoration/enhancement will be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to, Argentine ants (*Iridomyrmex humil*), fire ants (*Solenopsis invicta*) and other insect pests. Any planting stock found to be infested with such pests will not be allowed on the project site or within 91.4 meters (m) [300 feet (ft)] of natural habitats unless documentation is provided to the CFWO that these pests already occur in natural areas around the project site. The stock will be quarantined, treated, or disposed of according to best management principles in a manner that precludes invasions into natural habitats;
6. Existing vegetation on the Deer Canyon property will be cleared between September 16 and March 14 to avoid the vireo nesting season;
 7. If grading of the Deer Canyon property cannot be completed prior to the breeding season of the vireo, monitoring for the vireo and noise levels within the habitat adjacent to the Pardee

site will be completed. If noise levels are above 60 dBA, a plywood wall will be constructed between the vireo habitat and grading activities to reduce the noise to below 60 dBA within the habitat;

8. A perpetual biological conservation easement or other conservation mechanism acceptable to the Service will be recorded over the areas preserved, restored, and/or enhanced by the project at the Deer Canyon Property. The conservation mechanism will specify that no easements or activities (e.g., fuel modification zones, public trails, drainage facilities, walls, maintenance access roads) that will result in soil disturbance and/or vegetation removal will be allowed within the biological conservation easement areas. Caltrans anticipates that they will not be able to place the conservation easement or other conservation mechanism for the Deer Canyon property prior to initiating project impacts; however, annual reports will be provided on its status until the conservation mechanism has been placed.
9. Caltrans will prepare a perpetual long-term management, maintenance and monitoring plan (e.g., HMP) for the Deer Canyon property. The HMP will include, but not be limited to, the following: method of protecting the resources in perpetuity (e.g., conservation easement), monitoring schedule, measures to prevent human and exotic species encroachment, funding mechanism, and contingency measures should problems occur. The City of San Diego has agreed to own and manage the Deer Canyon property with a management endowment that will be paid by Caltrans, in accordance with the requirements of the TransNet MOA. Caltrans will establish a non-wasting endowment in an amount approved by the Service based on a Property Analysis Record (PAR; Center for Natural Lands Management ©1998) or similar cost estimation method to secure the ongoing funding for the perpetual long-term management, maintenance and monitoring of the biological conservation easement area by an entity approved by the Service. Caltrans will submit a draft HMP including a description of perpetual management, maintenance and monitoring actions and the PAR or other cost estimation results for the non-wasting endowment to the Service for approval. Caltrans will submit the final HMP to the Service and transfer the funds for the non-wasting endowments to the appropriate management entities. Caltrans anticipates that they will not be able to prepare the HMP and transfer the funds for the non-wasting endowment prior to initiating project impacts; however, annual reports will be provided on their status until the final HMP has been provided and the endowment funds have been transferred.
10. The clearing and grubbing of native habitats for the I-5/Genesee Interchange Reconstruction Project will occur from September 1 to February 14 to avoid the gnatcatcher breeding season [or sooner than September 1 if a biologist³ approved by the CFWO ("Project Biologist") demonstrates to the satisfaction of the CFWO that all nesting is complete]. Caltrans will submit the biologist's name, address, telephone number, and

³ The designated project biologist for this measure should be experienced in gnatcatcher biology and ecology.

work schedule on the project to the CFWO at least 5 working days prior to initiating project impacts.

11. The Project Biologist will be on site during: a) initial clearing and grubbing; and b) weekly during project construction within 152.4 m (500 ft) of offsite gnatcatcher habitat to ensure compliance with all conservation measures. The Project Biologist will be familiar with the habitats, plants, and wildlife in the project area to ensure that issues relating to biological resources are appropriately and lawfully managed. The biologist will perform the following duties:
 - a. Perform a minimum of three focused surveys, on separate days, to determine the presence of gnatcatchers in the project impact footprint. Surveys will begin a maximum of 30 days prior to performing vegetation clearing/grubbing and one survey will be conducted the day immediately prior to the initiation of remaining work. If any gnatcatchers are found within the project impact footprint, the Project Biologist will direct construction personnel to begin vegetation clearing/grubbing in an area away from the gnatcatchers. In addition, the Project Biologist will walk ahead of clearing/grubbing equipment to flush birds towards areas of coastal sage scrub to be avoided. It will be the responsibility of the Project Biologist to ensure that gnatcatchers will not be injured or killed by vegetation clearing/grubbing. The Project Biologist will also record the number and location of gnatcatchers disturbed by vegetation clearing/grubbing. Caltrans will notify the CFWO at least 7 days prior to vegetation clearing/grubbing to allow the CFWO to coordinate with the Project Biologist on bird flushing activities;
 - b. Oversee installation of and inspect the construction fencing and erosion control measures within or up-slope of adjacent native habitat areas a minimum of once per week to ensure that any breaks in the fence or erosion control measures are repaired immediately;
 - c. Periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust;
 - d. Train all contractors and construction personnel on the biological resources associated with the projects and ensure that training is implemented by construction personnel. At a minimum, training will include: 1) the purpose for resource protection; 2) a description of the sensitive resources and their habitats; 3) the conservation measures that should be implemented during project construction to conserve the sensitive resources, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); 4) environmentally responsible construction practices; 5) the protocol to resolve conflicts that may arise at any time during the construction process; and 6) the general provisions

of the Act, the need to adhere to the provisions of the Act, and the penalties associated with violating the Act;

- e. Halt work, if necessary, and confer with the CFWO to ensure the proper implementation of species and habitat protection measures. The Project Biologist will report any violation to the CFWO within 24 hours of its occurrence;
 - f. Submit monthly email reports (including photographs of impact areas) to Caltrans and the CFWO during clearing of gnatcatcher habitat and project construction. The monthly reports will document that authorized impacts were not exceeded and general compliance with all conditions. The reports will also outline the location of construction activities, the type of construction that occurred, and equipment used. These reports will specify numbers, locations, and sex of gnatcatchers (if observed), observed gnatcatcher behavior (especially in relation to construction activities), and remedial measures employed to avoid and minimize impacts to gnatcatchers. Raw field notes should be available upon request by the CFWO; and
 - g. Submit a final report to the CFWO within 120 days of project completion that includes: photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conservation measures was achieved. As-built construction drawings with an overlay of habitat that was impacted and avoided will be provided as well once they have been completed.
12. All lighting, including night lighting for project construction, installed in the vicinity of the Multiple Habitat Planning Area (MHPA), native vegetation communities, and other open space will be directed away or shielded to prevent light overspill. Streetlights will be low-intensity and shielded to minimize illumination of the adjacent MHPA. Night lighting of construction areas will be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats;
13. Caltrans will temporarily fence (with orange plastic snow fence) the limits of project impacts (including construction staging areas and access routes) to prevent additional habitat impacts. Fencing will be installed in a manner that does not impact habitats to be avoided and such that it is clearly visible to personnel on foot and operating heavy equipment and will be maintained throughout the construction period to preclude human entry into the MHPA. Fencing will be installed in a manner that does not impact avoided habitats. No construction activities, materials, or equipment will be permitted outside the fenced project footprint. Caltrans will submit to the CFWO for approval, at least 5 days prior to initiating project impacts (except for impacts resulting from clearing to install temporary fencing), the final plans for initial clearing and grubbing of habitat and project construction. These final plans will include photographs that show the fenced limits of impact and all areas to be impacted or avoided. If work occurs beyond the fenced or

demarcated limits of impact, all work will cease until the problem has been remedied to the satisfaction of the CFWO. Any impacts that occur beyond the approved fenced area will be offset in consultation with the CFWO. Temporary construction fencing will be removed upon project completion.

14. Drainage from the construction area and new and proposed developed areas in and adjacent to the preserve will not drain directly into the MHPA. Topography of the site is such that MHPA lands directly adjacent to the project are at a higher elevation. The project will use vegetated bioswales to treat road runoff prior to discharge into receiving waterbodies. The use of structural and non-structural Best Management Practices and the restriction of grading and paving activity during significant rain events will reduce potential impacts associated with construction. The project design will comply with the Standard Urban Stormwater Management Plan and Municipal Stormwater Permit criteria of the State Water Resources Control Board and the Clean Water Act section 401 Water Quality Certification issued by the Regional Water Quality Control Board for the Project. Erosion and sediment control devices used for the proposed project, including fiber rolls and bonded fiber matrix, will be made from biodegradable materials such as jute, with no plastic mesh, to avoid creating a wildlife entanglement hazard.
15. Uses in or adjacent to the MHPA should be designed to minimize noise impacts. Gnatcatchers that occupy habitats adjacent to the existing I-5 freeway are subjected to existing noise and vibration and continue to occupy the habitat. Ambient noise levels range from 61.1 dB(A) L_{eq} and 66.4 dB(A) L_{eq} . Once construction is complete, project operations are anticipated to result in a minimal increase in existing noise levels of 2 dB(A) or less. To minimize construction noise impacts to nesting gnatcatchers, all pile driving for the project that will occur near habitats that support gnatcatchers will be conducted between September 1 and February 14 to avoid the gnatcatcher breeding season (or sooner than September 1 if the Project Biologist demonstrates to the satisfaction of the CFWO that all nesting is complete).
16. Caltrans will ensure that the following conditions will be implemented during project construction.
 - a. Contractors and construction personnel will strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint;
 - b. The project site will be kept as clean of debris as possible. All food-related trash items will be enclosed in sealed containers and regularly removed from the site;
 - c. Pets of project personnel will not be allowed on the project site;
 - d. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities will occur within the fenced project impacts limits. The changing of oil,

refueling, and other actions that could result in a release of a hazardous substance will be restricted to designated areas that are a minimum of 30.5 m (100 ft) from any drainages. Such designated areas will be surrounded with berms, sandbags, or other barriers to further prevent the accidental spill of fuel, oil, or chemicals. Any accidental spills will be immediately contained, cleaned up, and properly disposed;

- e. Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures; and
- f. Cut and fill will be balanced within the project or the construction contractor will identify the source or disposal location. All spoils and material disposal will be disposed of properly.

Memorandum

To: Michael Connelly
Office of Environmental Stewardship
District 11

Date: October 27, 2010
File: 11-SD-56-M 2.5
I.D.# 11 0002 0036

From: DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
Geotechnical Services
Office of Geotechnical Design – South 2

Subject: Pardee Mitigation Site: Hydrogeologic Site Assessment.

Introduction

Pursuant to your request, a Hydrogeologic Site Assessment has been completed for the Pardee Mitigation Site. For this assessment, the investigation consisted of a site reconnaissance, review of the pertinent archived documents, exploratory drilling, installation of piezometers, piezometers monitoring, hydrogeologic analysis, and the writing of this memorandum. This memorandum is intended to convey hydrogeologic data relevant to the subject site for the purpose of environmental planning.

Site Location

The Pardee Mitigation Site is located in San Diego, California. It is situated in Deer Canyon that is located southeast of the State Route 56 and Carmel Valley Road Overcrossing. The project location is shown in Figure 1.

Subsurface Exploration

During the subsurface exploration program of the site five borings were drilled utilizing auger (dry) drilling method. The boring locations were determined by your office, and they are presented in Figure 2. Borings A-10-001, A-10-003, B-10-004, and B-10-005 were drilled to the depth of 31.0 feet below existing ground level. Boring A-10-002 was drilled to the depth of 21.0 feet below existing ground level. Caltrans Office of Surveys surveyed all the borings and provided elevation data and boring coordinates. Elevations of each boring can be found in the Boring Records that are attached to this memorandum. Upon the completion of drilling, all borings were developed into piezometers. These piezometers have been monitored on a monthly basis.

Site Geology

The Pardee Mitigation Site is situated within the Peninsular Ranges Geomorphic Province of California. It is located within relatively flat-laying succession of marine and non-marine sedimentary strata with wave-cut terraces, incised arroyos, and alluvial valleys.

Based on the review of published geologic literature and maps, and our subsurface investigation program of 2010, the project area is generally underlain by stream valley alluvium deposited during the Holocene epoch. The alluvium is underlain by sedimentary Torrey Sandstone Formation deposited during the Eocene epoch of the Tertiary period. Sedimentary Scripps Formation deposited during the Eocene epoch underlies Torrey Sandstone Formation (Kennedy, 1975). A Geologic Map of the area that includes the Pardee Mitigation Site is presented in Figure 3.

Subsurface Soil Conditions

The exploratory borings revealed that a thin mantle of topsoil covers the entire project site. The topsoil was found to consist of silty sand with a trace of organics. However, in boring A-10-005, the topsoil was found to consist of lean clay with a trace of organics. This mantle is underlain by alluvium found to consist of sands, silty sands, clayey sands, and clays. Locally, gravelly and cobbly layers/lenses were found to exist within this lithologic unit. The relative density of the alluvial sands, based on SPT sampling (N-blow counts), was found to range from very loose to medium dense. The relative consistency of alluvial clays, based on pocket penetrometer field-testing, was found to range from very soft to very stiff. The Torrey Sandstone Formation was found to underlie the alluvial soils. The interface elevation between alluvium and Torrey Sandstone Formation may be found in the Boring Records. The Torrey Sandstone Formation was found to consist of poorly graded sands. The relative density of this formation, based on SPT sampling (N-blow counts) was found to be very dense.

Groundwater

Groundwater was encountered in all borings drilled for this project. In addition, groundwater was found to exist in all piezometers during the piezometers reading program. The piezometer readings are presented in Table 1. The ground surface elevation of each boring/piezometer is presented in Table 2 and in the attached Boring Records.

Table 1, Groundwater Elevations (in feet)

Piezometer A-10-001	Piezometer A-10-002	Piezometer A-10-003	Piezometer A-10-004	Piezometer A-10-005	Date of Sounding
125.16	128.20	138.80	143.75	133.09	7/21/2010
125.06	128.10	138.66	143.71	133.08	7/26/2010
124.53	127.52	138.08	143.09	132.43	8/23/2010
124.12	127.16	137.44	143.18	131.94	9/13/2010

Table 2, Borings/Piezometers Surface Elevation (in feet)

Piezometer A-10-001	Piezometer A-10-002	Piezometer A-10-003	Piezometer A-10-004	Piezometer A-10-005
136.91	136.08	149.11	155.17	142.86

Subsurface Hydrogeologic Conditions

Groundwater exists under the entire Pardee Mitigation Site. An unconfined aquifer underlies the western section of the project site. This aquifer stretches approximately from the western limits of this site to about 200 feet east of the location of Boring A-10-005. The approximate extent of this aquifer is depicted in Figure 4. Aquifers that have a water table are called unconfined. The elevation of water table may rise and fall with recharge or discharge of the aquifer.

Within an unconfined aquifer a layer of capillary fringe exist immediately above the groundwater table. Capillarity results from two forces: the mutual attraction between water molecules and the molecular attraction between water and different solid materials. As a consequence of these forces, water will raise above the water table inside the small pores in granular soils. For this unconfined aquifer the approximate height of the capillary rise was estimated to range from 1.3 feet to 2.0 feet (Heath, USGS.)

The hydraulic gradient is the inclination of the slope of the water table measured relative to two (or more) piezometers along the flow path. It is defined as the change in head per distance along the flow path between two points where head is measured. The gradient is a dimensionless quantity. The head is the elevation of the water table at the measuring point (piezometer). The hydraulic gradient of the unconfined aquifer was calculated to be 0.067.

Mr. Michael Connelly
Pardee Mitigation Site: Hydrogeologic Site Assessment
10/27/2010

A contour map of the groundwater elevations at contour intervals of one foot was developed (Figure 4). The contours marking the height of the groundwater table are called equipotentials. An equal head exists at every point of an equipotential line. Perpendicular to the contours are streamlines, which identify the direction of ground water movement. The direction of groundwater flow of the unconfined aquifer at the project site was calculated to be N73W (North/seventy three degrees/West).

The subsurface soil conditions encountered in Borings A-10-003 and A-10-004, piezometers soundings, and hydrogeologic analysis suggest that a confined aquifer likely exists under the remaining, eastern, section of the project site. Aquifers overlain by a confining, impermeable layer are called confined aquifers. In both aforementioned borings, water was found to occur within thin sandy bands encompassed by clays.

Groundwater under the Pardee Mitigation Site is being recharged by rain, surface runoff, irrigation water, and subsurface flow. The discharge or depletion occurs mainly through the evaporation, evapotranspiration by plants, and subsurface flow.

Conclusions

The Pardee Mitigation Site is located on the alluvial plane within the Deer Canyon topographic feature.

At the project site soils consist of a relatively thin (about one half-foot thick) layer of topsoil composed of silty sand or lean clay with trace of organics. This topsoil layer is underlain by alluvial soils consisting primarily of sands, often with gravels, and clays. The alluvium, in turn, is underlain by the Torrey Sandstone Formation consisting of very dense sands.

Groundwater exists under the entire Pardee Mitigation Site. In addition, soundings of the piezometers suggest that groundwater under the project site remains year round.

Due to the granular nature of alluvial soils, an unconfined aquifer exists under the western section of the Pardee Mitigation Site. Due to clayey nature of alluvial soils, a confined aquifer likely exists under the eastern section of this mitigation site.

Our office will continue monitoring all piezometers installed for this project, and any groundwater-related data that differs from the conclusions of this memorandum will be reported to your office.

Mr. Michael Connelly
Pardee Mitigation Site: Hydrogeologic Site Assessment
10/27/2010

If you have additional questions or require clarification, please contact Jeff Tesar at (office) 858-467-2716 or (mobile) 858-945-0458.



Jeff Tesar, C.E.G.
Engineering Geologist
Office of Geotechnical Design – South-2



References

1. Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway and SW $\frac{1}{4}$ Escondido 7 $\frac{1}{2}$ minute quadrangles. CDMG, Bulietyn 200, by Michael P Kennedy, 1975.
2. Basic Groundwater Hydrology. USGS Paper 2220, by Ralph C. Heath.

Attachments

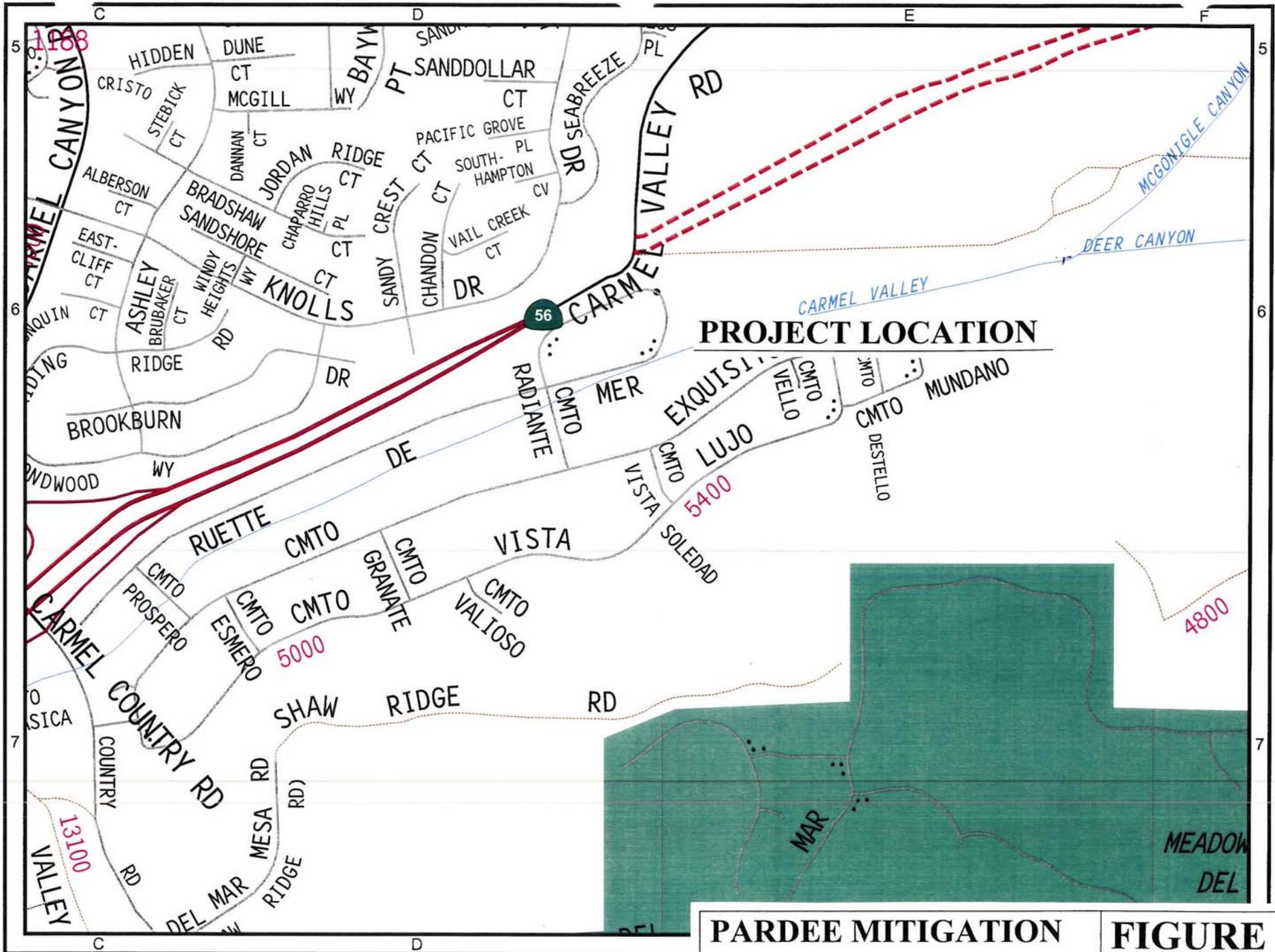
1. Figure 1, Project Location
2. Figure 2, Boring Locations
3. Geologic Map
4. Hydrogeologic Map

Boring Records

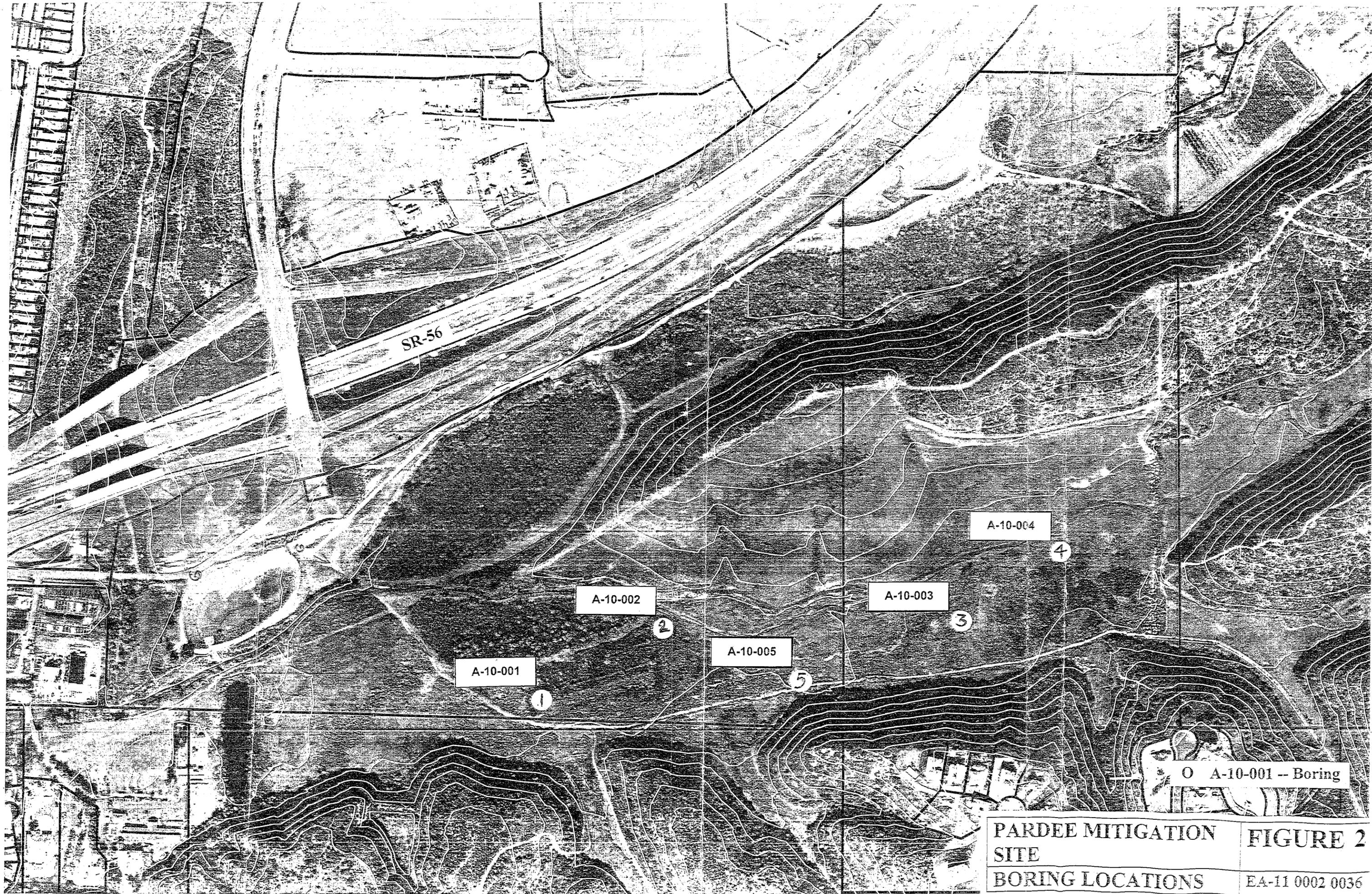
cc: Abbas Abghari
Brian Hinman
Lauren Kemp
Mark William
Art Padilla
Arturo Jacobo



ATTACHEMENTS



PARDEE MITIGATION SITE	FIGURE 1
PROJECT LOCATION	EA-11 0002 0036



PARDEE MITIGATION SITE BORING LOCATIONS	FIGURE 2 EA-11 0002 0036
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<p>PARDEE MITIGATION SITE</p>	<p>FIGURE 3</p>
<p>GEOLOGIC MAP</p>	<p>EA-11 0002 0036</p>

GEOLOGY OF THE DEL MAR QUADRANGLE SAN DIEGO COUNTY, CALIFORNIA

by Michael P. Kennedy

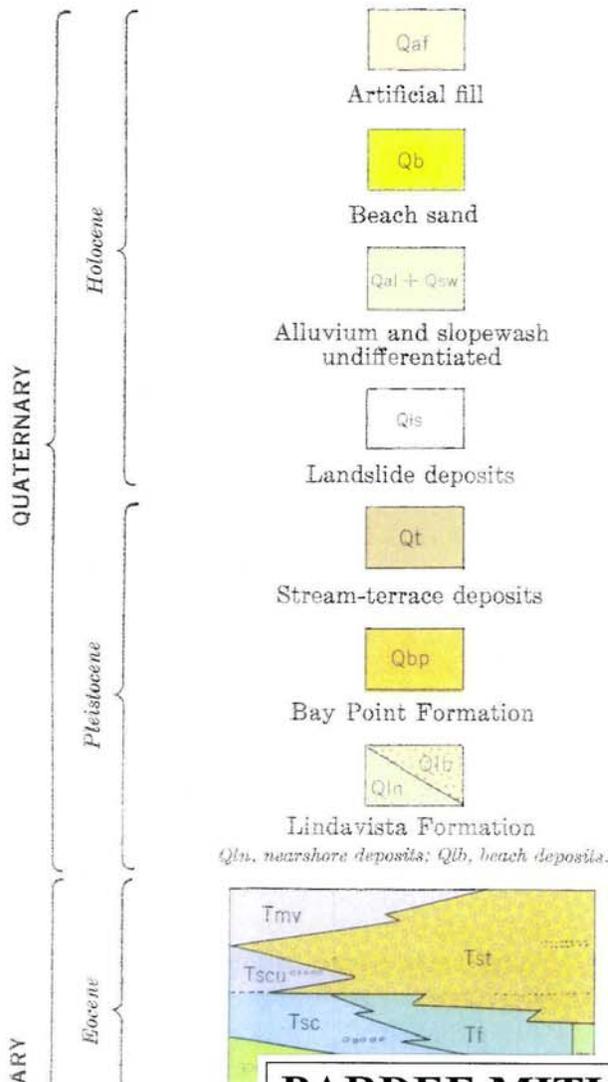
SCALE 1:24 000



CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 10-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL
 DEPTH CURVES AND SOUNDINGS IN FEET—DATUM IS MEAN LOWER LOW WATER
 SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
 THE MEAN RANGE OF TIDE IS APPROXIMATELY 4 FEET

1975

EXPLANATION

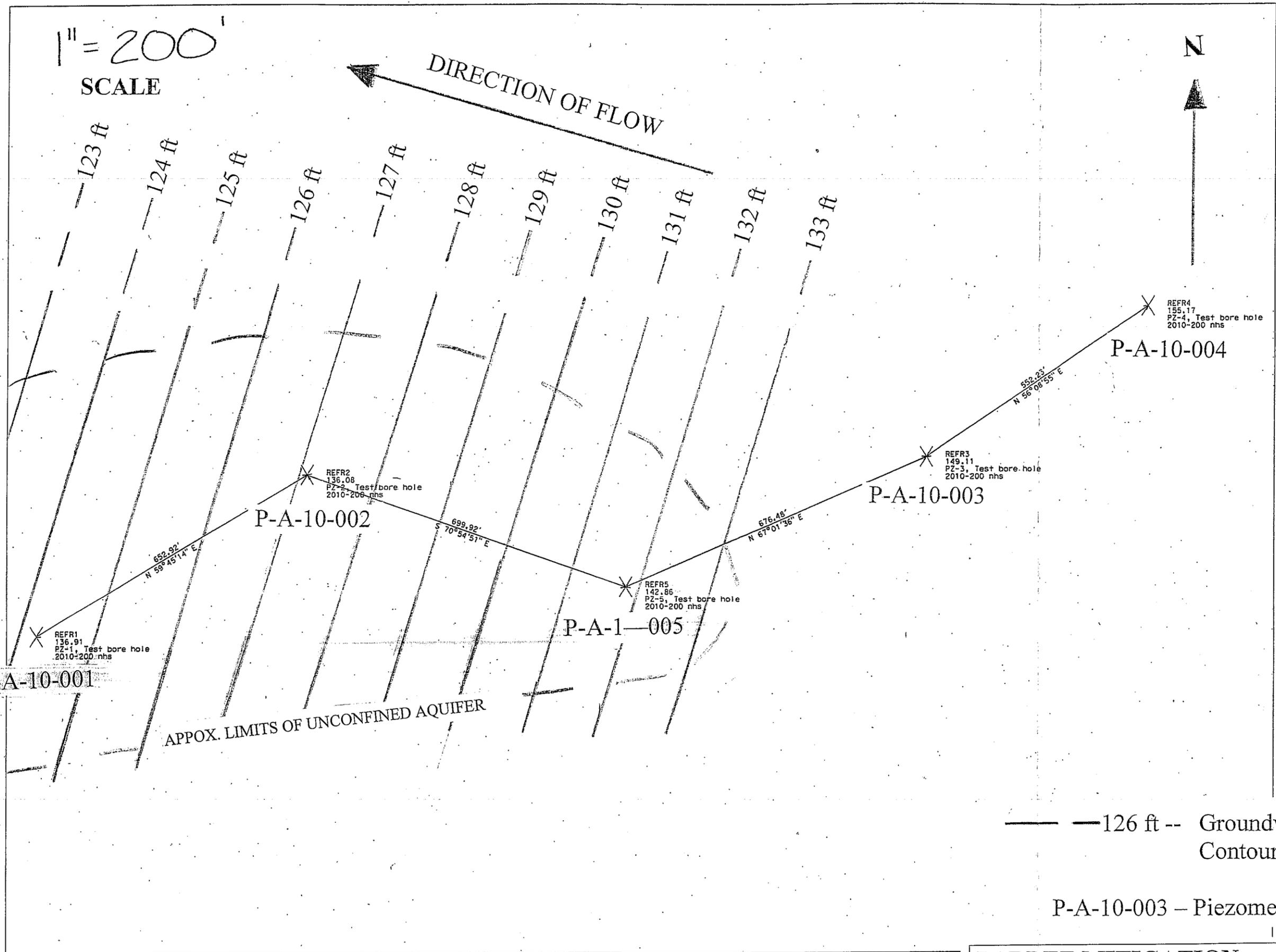


**PARDEE MITIGATION
SITE**

FIGURE 3

GEOLOGIC MAP

EA 11 0002 0036



2010-200 boring inverses.DGN 9/9/2010 11:16:35 AM

PARDEE MITIGATION
SITE

FIGURE 4

HYDROGEOLOGIC MAP

EA-11-0002 0036

LOGGED BY J. Tesar	BEGIN DATE 07/20/10	COMPLETION DATE 07/20/10	BOREHOLE LOCATION (Lat/Long - GPS) N 1926232.0347 E 6272901.7235	HOLE ID: A-10-001
DRILLING CONTRACTOR CALTRANS	BOREHOLE LOCATION (Station, Offset, and Line) Not Applicable		SURFACE ELEVATION 136.91ft	
DRILLING METHOD Hollow Stem Auger	DRILL RIG Mobile 47		BOREHOLE DAIMETER 6 "	
SAMPLER TYPE(S) AND SIZE(S) [ID] SPT	SPT HAMMER TYPE Manual		HAMMER EFFICIENCY (ER, Not Provided	
BOREHOLE BACKFILL AND COMPLETION Cuttings	GROUNDWATER READINGS	DURING DRILLING AFTER DRILLING (ft) 130.9 ft 124.12 ft (9/13/2010)		TOTAL DEPTH OF BORING 31.0 ft

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
136.91															
136.41	1	0.5	Silty SAND (SM); brown; dry; fine SAND; with rootlets and trace of organics; (TOPSOIL). medium dense; moist; (ALLUVIUM).												
	2														
	3														
	4														
	5			X	1	17 12 9	21								
	6														
	7														
	8														
27.91	9	9.0	Poorly-graded SAND (SP) moderately bedded with Clayey SAND (SC) and Sandy lean CLAY (CL); SAND (SP); loose; brown; moist; fine SAND; Clayey SAND (SC); loose; brown; moist; fine SAND; Sandy lean CLAY (CL); soft; brown; moist; plastic; PP=0.2 tsf.	X	2	7 5 4	9								
	10														
	11														
	12														
124.12	12.8		GWS at elev 124.12 ft 9/13/2010												
	13														
	14														
	15		very loose; wet.	X	4	1 2 2	4								
	16														
	17														
	18														
	19														
	20														

(continued)



DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
GEOTECHNICAL SERVICES
OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE

DISTRICT/COUNTY: 11 SD
ROUTE: 56
PROJECT OR BRIDGE NAME: Pardee Mitigation Site
BRIDGE NUMBER: ECG
PREPARED BY: ECG
DATE: 07/28/10
HOLE ID: A-10-001
POSTMILE(KP) EA: 11-00020036
SHEET: 2
BORING RECORD Form Template.xls - A-10-001-SR56

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
	21			X	4	1 2 1	3								
111.41	25	25.5'	loose.	X	5	3 3 4	7								
105.91	31	31.0	medium dense.	X	6	4 5 6	11								
	31		Boring completed at the depth of 31 ft (elev. 105.91 ft). Boring backfilled with cuttings. Top 3' plugged with bentonite chips. Installed Piezometer PZ -A-10-001 (2" diameter), to the depth of 30.0 ft. (bottom 20' is slotted, top 10' is solid). Ground water was encountered at the depth of 16 ft. After 24 hrs water stabilized at the depth of 11.9 ft ,at elev. 124.98 ft.												



DEPARTMENT OF TRANSPORTATION
 DIVISION OF ENGINEERING SERVICES
 GEOTECHNICAL SERVICES
 OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE
 DISTRICT COUNTY ROUTE POSTMILE(KP) EA
 11 SD 56 0.000 11-00020036
 PROJECT OR BRIDGE NAME
 Pardee Mitigation Site
 BRIDGE NUMBER PREPARED BY DATE SHEET
 07/28/10 ECG 2 of 2

LOGGED BY J. Tesar	BEGIN DATE 07/29/10	COMPLETION DATE 07/20/10	BOREHOLE LOCATION (Lat/Long - GPS) N 1926418.6024 E 6273807.1667	HOLE ID: A-10-002
DRILLING CONTRACTOR CALTRANS	BOREHOLE LOCATION (Station, Offset, and Line) Not Applicable		SURFACE ELEVATION 136.08 ft	
DRILLING METHOD Hollow Stem Auger	DRILL RIG Mobile 47		BOREHOLE DAIMETER 6"	
SAMPLER TYPE(S) AND SIZE(S) (ID) SPT	SPT HAMMER TYPE Manual		HAMMER EFFICIENCY (ER) Not Provided	
BOREHOLE BACKFILL AND COMPLETION S	GROUNDWATER READINGS	DURING DRILLING 128.10 ft	AFTER DRILLING (DATE) 127.16 ft (9/13/10)	TOTAL DEPTH OF BORING 21.0 ft

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
136.08			Silty SAND (SM); brown; dry; fine SAND; with rootlets and trace of organics; (TOPSOIL).												
135.58		0.5'													
	1														
	2														
	3														
	4														
	5		Poorly-graded SAND with Gravel (SP); medium dense; brown; slightly moist; (ALLUVIUM).	X	1	17 18 16	34								Blow counts affected by the presence of gravels and cobbles.
	6														
	7														
	8														
127.16	9		▼ GWS at elev 127.16 ft. 9/13/2010												
	10	10.0		X	2	18 19 20	39								
126.08			Silty CLAY (CL); very stiff; light brown; moist; low plasticity; PP = 2.5 tsf.												
	11														
	12														
	13														
	14														
	15			X	3	10 16 13	29								
	16														
	17														
	18														
	19														
	20														

(continued)



DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
GEOTECHNICAL SERVICES
OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE

DISTRICT COUNTY ROUTE POSTMILE(KP) EA
11 SD 56 11-00020036
PROJECT OR BRIDGE NAME
Pardee Mitigation Site
BRIDGE NUMBER PREPARED BY DATE SHEET
ECG 07/28/10

HOLE ID:

A-10-002

LOGGED BY J. Tesar	BEGIN DATE 07/20/10	COMPLETION DATE 07/20/10	BOREHOLE LOCATION (Lat/Long - GPS) N 1926725.9538 E 6274741.2429	HOLE ID: A-10-003
DRILLING CONTRACTOR CALTRANS	BOREHOLE LOCATION (Station, Offset, and Line) Not Applicable		SURFACE ELEVATION 149.11 ft	
DRILLING METHOD Hollow Stem Auger	DRILL RIG Mobile 47		BOREHOLE DAIAMETER 6"	
SAMPLER TYPE(S) AND SIZE(S) [ID] SPT	SPT HAMMER TYPE Manual		HAMMER EFFICIENCY (ER) Not Provided	
BOREHOLE BACKFILL AND COMPLETION Cuttings	GROUNDWATER READINGS	DURING DRILLING 138.10 ft	AFTER DRILLING (DATE) 137.44 ft (9/13/2010)	TOTAL DEPTH OF BORING 31.0 ft

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS	
149.11																
148.61	1	0.5	Silty SAND (SM); brown; dry; fine SAND; with rootlets and trace of organics; (TOPSOIL). medium dense; moist; locally slightly clayey; (ALLUVIUM).													
	2															
	3															
	4															
	5				X	1	4 5 5	10								
	6															
142.11	7	7.0	Lean CLAY (CL); soft; brown; moist; plastic; PP = 0.3 tsf; locally thin sandy interbeds present; (ALLUVIUM).													
	8															
	9															
	10				X	2	4 5 5	10								
137.44	11.67		▼ GWS at elev 137.44 ft 9/13/2010													
	11															
	12															
	13															
	14															
134.11	15	15.0	Sandy lean CLAY (CL); very soft ; brown; moist; plastic; PP = 0.2 tsf; locally interbedded with Clayey SAND; (ALLUVIUM).													
	16															
	17															
	18															
	19															
	20				X	3	1 3 5	8								

(continued)



DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
GEOTECHNICAL SERVICES
OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE

DISTRICT COUNTY
11 SD
PROJECT OR BRIDGE NAME
Pardee Mitigation Site
BRIDGE NUMBER
PREPARED BY
ECG

HOLE ID: **A-10-003**

ROUTE POSTMILE(KP) EA
56 11-00020036

DATE
07/28/10

SHEET
1 of 2

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
	21			X	4	4	7								
124.11	25	25.0	Poorly-graded SAND (SP); very dense; brown; moist; medium SAND; locally silty; locally red colored bands present.	X	5	50/5'	>50								
118.11	31	31.0	Boring completed at the depth of 31 ft. (elev. 118.11 ft). Boring was backfilled with cuttings; top 3' was capped with bentonite chips. Installed piezometer PZ -A-10-003, (2" diameter), to the depth of 30 ft (bottom 20' is slotted, top 10' solid). Groundwater was encountered at the depth of 11'. After 24 hrs water stabilized at the depth of 10.2 ft/ at elev. 138.90 ft.	X	6	24 41 45	>50								



DEPARTMENT OF TRANSPORTATION
 DIVISION OF ENGINEERING SERVICES
 GEOTECHNICAL SERVICES
 OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE

HOLE ID: A-10-003
 DISTRICT COUNTY ROUTE POSTMILE(KP) EA
 11 SD 56 0 11-00020036
 PROJECT OR BRIDGE NAME
 Pardee Mitigation Site
 BRIDGE NUMBER PREPARED BY DATE SHEET
 ECG 07/28/10 2 of 2

LOGGED BY J. Tesar	BEGIN DATE 07/21/10	COMPLETION DATE 07/21/10	BOREHOLE LOCATION (Lat/Long - GPS) N 1926857.5218 E 6275245.5009	HOLE ID: A-10-004
DRILLING CONTRACTOR CALTRANS	BOREHOLE LOCATION (Station, Offset, and Line) Not applicable		SURFACE ELEVATION 155.17 ft	
DRILLING METHOD Hollow Stem Auger	DRILL RIG Mobile 47		BOREHOLE DAIMETER 6"	
SAMPLER TYPE(S) AND SIZE(S) [ID] SPT	SPT HAMMER TYPE Manual		HAMMER EFFICIENCY (ER) Not Provided	
BOREHOLE BACKFILL AND COMPLETION Cuttings	GROUNDWATER READINGS	DURING DRILLING 136.2 ft	AFTER DRILLING (DATE) 142.18 ft (9/13/10)	TOTAL DEPTH OF BORING 31.0 ft

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
155.17															
154.67	1	0.5	Silty SAND with Gravel (SM); brown; dry; fine SAND; with rootlets and trace of organics; (TOPSOIL).												
	2														
	3														
	4														
	5		Poorly-graded GRAVEL with SAND (GP); medium dense; gray and brown; moist; (ALLUVIUM).	X	1	17 14 15	29								
	6														
	7														
147.67	8	7.5													
	9														
	10		Sandy lean CLAY (CL); medium soft; brown; moist; plastic to non-plastic; PP = 0.5 tsf; locally thin sandy interbeds present; (ALLUVIUM).	X	2	6 6 8	14								
	11														
	12														
	13		▼ GWS at elev 142.18 ft 9/13/2010												
142.18	14														
	15			X	3	3 7 7	14								
	16														
	17														
	18														
	19														
	20														

(continued)

 DEPARTMENT OF TRANSPORTATION DIVISION OF ENGINEERING SERVICES GEOTECHNICAL SERVICES OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2	REPORT TITLE	HOLE ID:	A-10-004	
	DISTRICT COUNTY	ROUTE	POSTMILE(KP) EA	
	11 SD	56	11-00020036	
	PROJECT OR BRIDGE NAME	PREPARED BY	DATE	SHEET
	Pardee Mitigation Site	ECG	07/28/10	1 of 2

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
134.67	21	20.5	wet.	X	4	5 5 8	13								
131.17	24	24.0	Poorly-graded SAND (SP); very dense; gray and brown; moist; medium to coarse SAND; locally red colored interbeds present; interbeds containing some gravel.	X	5	50/5	>50								
124.17	31	31.0	Boring completed at the depth of 31 ft. (elev 124.2 ft). Boring was backfilled with cuttings; top 3' was capped with bentonite chips. Installed piezometer PZ-A-10-004, (2" diameter), to the depth of 30 ft (bottom 20' is slotted, top 10' solid). Groundwater was encountered at the depth of 19'. After 24 hrs water stabilized at the depth of 11.5 ft/ at elev. 143.7 ft.	X	6	41 40 50	>50								



DEPARTMENT OF TRANSPORTATION
 DIVISION OF ENGINEERING SERVICES
 GEOTECHNICAL SERVICES
 OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE
 HOLE ID: A-10-004
 DISTRICT COUNTY ROUTE POSTMILE(KP) EA
 11 SD 56 11-00020036
 PROJECT OR BRIDGE NAME
 Pardee Mitigation Site
 BRIDGE NUMBER PREPARED BY DATE SHEET
 07/28/10 2 of 2

LOGGED BY J. Tesar	BEGIN DATE 07/21/10	COMPLETION DATE 07/21/10	BOREHOLE LOCATION (Lat/Long - GPS) N 1926384.8880 E 6274532.7180	HOLE ID: A-10-005
DRILLING CONTRACTOR CALTRANS	BOREHOLE LOCATION (Station, Offset, and Line) Not Applicable			SURFACE ELEVATION 142.86 ft
DRILLING METHOD Hollow Stem Auger	DRILL RIG Mobile 47			BOREHOLE DIAMETER 6"
SAMPLER TYPE(S) AND SIZE(S) [ID] SPT	SPT HAMMER TYPE Manual			HAMMER EFFICIENCY (ER _i) Not Provided
BOREHOLE BACKFILL AND COMPLETION Cuttings	GROUNDWATER READINGS	DURING DRILLING 132.90 ft	AFTER DRILLING (DATE) 131.94 ft (9/13/2010)	TOTAL DEPTH OF BORING 31.0 ft

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	ROD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (tsf)	Drilling Method	Casing Depth	REMARKS
142.86 #REF! 142.35	1	0.5	Lean CLAY (CL) ; brown; moist; plastic; with rootlets and trace of organics; (TOPSOIL). medium soft; PP= 0.3 tsf; (ALLUVIUM).												
	2														
	3														
	4														
	5			X	1	11 11 12	23								
	6														
	7														
134.86	8	8.0													
	9														
131.94	10		▼ GWS at elev 131.94 9/13/2010 Poorly-graded SAND (SP) ; loose; brown; moist; medium SAND ; clayey interbeds; (ALLUVIUM).	X	2	3 4 5	9								
	11														
	12														
	13														
128.86	14	14.0													
	15		Sandy lean CLAY (CL) ; medium soft; brown; moist; plastic; PP = 0.9 tsf; (ALLUVIUM).	X	3	7 7 11	18								
	16														
	17														
	18														
	19														
	20														

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DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
GEOTECHNICAL SERVICES
OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE

DISTRICT COUNTY ROUTE POSTMILE(KP) EA
11 SD 56 11-00020036
PROJECT OR BRIDGE NAME
Pardee Millgallon Site
BRIDGE NUMBER PREPARED BY DATE SHEET
ECG 07/28/10 1 of 2

HOLE ID: **A-10-005**

ELEVATION (ft)	DEPTH (ft)	Depth (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQD (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (ksf)	Drilling Method	Casing Depth	REMARKS
	21			X	4	4 6 5	11								
119.86	23	23.0													
	25		Poorly-graded SAND (SP); medium dense; brown; wet; medium SAND; (ALLUVIUM).	X	5	6 11 14	25								
115.86	27	27.0													
	30		Poorly-graded SAND with GRAVEL (SP); very dense; brown; wet; coarse SAND.	X	6	41 50	>50								
112.36	30.5			X											
	31		Boring completed at the depth of 30.5 ft (elev. 112.36 ft).												
	32		Boring was backfilled with cuttings; top 3' was capped with bentonite chips.												
	33		Installed piezometer PZ-A-10-005, (2" diameter), to the depth of 30 ft (bottom 20' is slotted, top 10' solid).												
	34		Groundwater was encountered at the depth of 10'. After 24 hrs water stabilized at the depth of 9.4 ft/ at elev. 133.46 ft.												
	35														
	36														
	37														
	38														
	39														
	40														



DEPARTMENT OF TRANSPORTATION
 DIVISION OF ENGINEERING SERVICES
 GEOTECHNICAL SERVICES
 OFFICE OF GEOTECHNICAL DESIGN-SOUTH 2

REPORT TITLE

DISTRICT COUNTY ROUTE POSTMILE(KP) EA
 11 SD 56 0.21 11-00020036
 PROJECT OR BRIDGE NAME
 Pardee Mitigation Site
 BRIDGE NUMBER PREPARED BY DATE
 ECG 07/28/10

HOLE ID: A-10-005

EA 11-00020036

SHEET 2 of 2



THE CITY OF SAN DIEGO

June 1, 2011

Michael Connelly
Mitigation Specialist
Caltrans District 11 Environmental
4050 Taylor Street, MS 242
San Diego, CA 92110

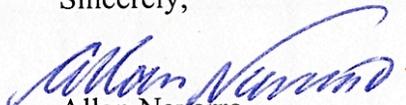
Dear Mr. Connelly:

Subject: Will Serve Letter for a Caltrans habitat restoration and grading project in the Carmel Valley Canyon area of San Diego.

This letter is to confirm that the above subject restoration project is within the City of San Diego water service area. There are no water facilities within the project's limits, the nearest existing water facilities are approximately 0.4 miles north of the site at the intersection of Carmel Valley Road and Edgewood Bend Court (16-inch PVC water main). This water main is in operation and will provide adequate potable water service for the anticipated total of 775,000 gallons of water needed for dust control and embankment operations for the three month period beginning January 2012. All water connections and services are governed by City ordinance and regulations concerning connections, construction, capacity charges, permit fees and matters pertaining thereto.

If you have any questions please call me at (858) 292-6459.

Sincerely,


Allan Navarro
Project Manager



Public Utilities Department

9192 Topaz Way • San Diego, CA 92123
Tel (858) 292-6300 Fax (858) 292-6310

