

# **INFORMATION HANDOUT**

## **WATER QUALITY**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

BOARD ORDER NO. 99 - 06 - DWQ  
NPDES PERMIT NO. CAS000003

## **PERMITS**

CALIFORNIA DEPARTMENT OF FISH AND GAME

NOTIFICATION NO. 1600-2010-0123-R5

UNITED STATES ARMY CORPS OF ENGINEERS

NON-REPORTING NATIONWIDE 404 PERMIT

## **AGREEMENTS**

UNITED STATES FISH AND WILDLIFE SERVICE

BIOLOGICAL OPINION 04-26-2010

UNITED STATES MARINE CORPS – May 27, 2010

## **MATERIALS INFORMATION**

GEOTECHNICAL DESIGN REPORT for I-805 CULVERT REPLACEMENT

October 29, 2009

UNDERGROUND CLASSIFICATION – DIVISION OF OCCUPATIONAL SAFETY AND  
HEALTH MINING AND TUNNELING UNIT

**ROUTE: 11-SD-805-24.7**



# California Regional Water Quality Control Board San Diego Region



Linda S. Adams  
Secretary for  
Environmental Protection

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

Arnold Schwarzenegger  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

**Certified Mail – Return Receipt Requested**  
Article Number: 7009 1410 0002 2000 0194

July 21, 2010

California Department of Transportation, District 11  
Attention: Mr. Ed Hajj, Project Manager  
4050 Taylor Street, MS-333  
San Diego, CA 92110-2737

In reply refer to:  
752305: LPardy

**Subject: Action on Request for Clean Water Act section 401 Water Quality Certification for 10C-035 Interstate 805 at Post Mile 24.7 Culvert Replacement**

Dear Mr. Ed Hajj:

Enclosed is the Clean Water Act section 401 Water Quality Certification for the **Interstate 805 at Post Mile 24.7 Culvert Replacement Project (10C-035)**. A description of the project and project location can be found in the project information sheet and maps, included as Attachments 1 through 6. The stream photo documentation procedure is included as Attachment 7.

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 section 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, 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 \$5,000 per day per violation; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

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 Ms. Linda Pardy at (858) 627-3932 or lpardy@waterboards.ca.gov.

Respectfully,



DAVID W. GIBSON  
Executive Officer

Enclosures:

Clean Water Act section 401 Water Quality Certification No. 10C-035

cc: Refer to Attachment 2 of Certification No. 10C-035 for Distribution List.

Tech Staff Info & Use	
File No.	10C-035
WDID	9 000002069
Reg. Measure ID	374111
Place ID	752305
Party ID	7549
Person ID	93530



# California Regional Water Quality Control Board San Diego Region



Linda S. Adams  
Secretary for  
Environmental Protection

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

Arnold Schwarzenegger  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
(858) 467-2952 • Fax (858) 571-6972  
[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:** Interstate 805 at Post Mile 24.7 Culvert Replacement  
Project (10C-035), WDID: 9 000002069

**APPLICANT:** Mr. Ed Hajj  
California Department of Transportation,  
District 11  
4050 Taylor Street, MS-242  
San Diego, CA 92110-2737

CIWQS Reg. Meas. ID: 374111 Place ID: 752305 Party ID: 7549
--

**ACTION:**

<input type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input checked="" type="checkbox"/> Order for Technically-conditioned Certification	<input type="checkbox"/> 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

**PROJECT DESCRIPTION:**

The California Department of Transportation, District 11 (Caltrans) proposes to replace an existing 24-inch diameter by 440-foot long corrugated metal pipe (CMP) which conveys flows from an un-named tributary to Rose Canyon Creek under Interstate 805. The existing CMP has rusted through the bottom. The CMP is located under Interstate 805 near Post Mile 24.7, between Governor and Nobel Drive.

The CMP will be replaced by using hydraulic jacks to push a new 30-inch diameter by 440-foot long steel casing through the ground behind a rotating cutter head. A 24-inch by 440-foot long high density polyethylene (HDPE) pipe would then be inserted into the steel casing. The existing CMP would be abandoned after filling with cement slurry. A new headwall and end wall will be constructed at the inlet and outlet, respectively, of the new CMP culvert. Approximately 80 cubic yards of sediment partially blocking the CMP would be

**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*



removed and the existing rock slope protection (RSP) would be replaced after the HDPE pipe is in place.

Mitigation for permanent impacts to 0.008 acre of southern willow scrub, permanent impacts to 0.004 acre of unvegetated waters of the US, and temporary impacts to 0.03 acre of southern willow scrub (total 0.042 acres) will be achieved by the deduction of 0.06 acre of excess creation credits from the Caltrans Forester Creek Mitigation Site. Mitigation for temporary impact to 0.018 acre of unvegetated channel must be achieved at a 1:1 ratio by restoration of 0.018 acre of unvegetated channel on-site.

#### **STANDARD CONDITIONS:**

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

1. 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).
2. 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.
3. 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.

#### **ADDITIONAL CONDITIONS:**

In addition to the three standard conditions, Caltrans must satisfy the following:

##### **A. GENERAL CONDITIONS:**

1. Water Quality Certification No. 10C-035 (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.
2. Caltrans 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.

3. During construction, Caltrans must maintain a copy of this Certification at the project site so as to be available at all times to site personnel and agencies.
4. Caltrans must permit the San Diego Water Board or its authorized representative at all times, upon presentation of credentials:
  - a. Entry onto project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
  - b. Access to copy any records required to be kept under the terms and conditions of this Certification.
  - c. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this Certification.
  - d. Sampling of any discharge or surface water covered by this Order.
5. Caltrans must notify the San Diego Water Board within 24 hours of any unauthorized discharge, including hazardous or toxic materials, to waters of the U.S. 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.
6. Caltrans must, at all times, maintain appropriate types and sufficient quantities of materials onsite 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 U.S. and/or State.
7. 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.
8. 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.

9. 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.
10. Caltrans must submit annual progress reports describing status of compliance with all requirements of this Certification to the San Diego Water Board prior to **August 1** of each year following the issuance of this Certification until the project has reached completion.

**B. PROJECT CONDITIONS:**

1. Prior to the start of the project, and annually thereafter, Caltrans must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response, and BMP implementation and maintenance.
2. Caltrans must notify the San Diego Water Board in writing at least **5 days** prior to the actual commencement of dredge, fill, and discharge activities.
3. Caltrans 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.
4. 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 section 13260.
5. Discharges of concentrated flow during construction or after completion must not cause downstream erosion or damage to properties or stream habitat.
6. 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.
7. 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.

8. 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.
9. 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. Removal of vegetation must occur outside of the avian nesting season (March 15 - August 31).

#### C. COMPENSATORY MITIGATION FOR LOSS OF WATERS OF THE U.S./STATE

1. Mitigation for permanent impact to 0.008 acre (16 linear feet) of southern willow scrub, permanent impact to 0.004 acre (81 linear feet) of unvegetated Waters of the US, and temporary impact to 0.030 acre (45 linear feet) of southern willow scrub (total 0.042 acres) must be achieved by the deduction of 0.060 acres of excess wetland creation credits from the Caltrans' Forester Creek Mitigation Site in accordance with the Caltrans' *Final Habitat Mitigation and Monitoring Plan for Interstate 15 (I-15) Managed Lanes*, March 2004.
2. Mitigation for temporary impact to 0.018 acre of unvegetated channel must be achieved at a 1:1 ratio by restoration of 0.018 acre of unvegetated channel on-site.
3. Caltrans must restore all areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States/State. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species. Caltrans must implement all necessary BMPs to control erosion and runoff from areas associated with this project.
4. Caltrans must notify the San Diego Water Board in writing at least **5 days** prior to the actual commencement of mitigation installation, and completion of mitigation installation.
5. San Diego Water Board acceptance of the final mitigation plan applies only to the site and plan that mitigates for the *Interstate 805 at Post Mile 24.7*

*Culvert Replacement Project* and must not be construed as approval of the mitigation site or plan for use by other current or future projects that are planning to use the Caltrans Forester Creek Mitigation Site for mitigation.

6. Any maintenance activities that do not contribute to the success of the mitigation site and enhancement of beneficial uses and ecological functions and services are prohibited. Maintenance activities are limited to the removal of trash and debris, removal of exotic plant species, replacement of dead native plant species and remedial measures deemed necessary for the success of the restoration program.
7. For purposes of this Certification, establishment is defined as the creation of vegetated or unvegetated waters of the U.S./State where the resource has never previously existed (e.g. conversion of nonnative grassland to a freshwater marsh). Restoration is divided into two activities, re-establishment and rehabilitation. Re-establishment is defined as the return of natural/historic functions to a site where vegetated or unvegetated waters of the U.S./State previously existed (e.g., removal of fill material to restore a drainage). Rehabilitation is defined as the improvement of the general suite of functions of degraded vegetated or unvegetated waters of the U.S./State (e.g., removal of a heavy infestation or monoculture of exotic plant species from jurisdictional areas and replacing with native species). Enhancement is defined as the improvement to one or two functions of existing vegetated or unvegetated waters of the U.S./State (e.g., removal of small patches of exotic plant species from an area containing predominantly natural plant species). Preservation is defined as the acquisition and legal protection from future impacts in perpetuity of existing vegetated or unvegetated waters of the U.S./State (e.g., conservation easement).

#### **D. STREAM PHOTO DOCUMENTATION PROCEDURE**

1. Caltrans, and its successors, must conduct photo documentation of the project site, including all areas of permanent and temporary impact, prior to and after project construction. Photo documentation must be conducted in accordance with the State Water Resources Control Board Standard Operating Procedure 4.2.1.4: Stream Photo Documentation Procedure, included as Attachment Number (7), or equivalent. In addition, photo documentation must include Geographic Positioning System (GPS) coordinates for each of the photo points referenced. Caltrans must submit this information in a stream photo documentation report to the San Diego Water Board with the **Project Annual Reports** (see Condition A.10). The report must include a compact disc that contains digital files of all the photos (jpeg file type or similar).

**E. GEOGRAPHIC INFORMATION SYSTEM REPORTING**

1. Caltrans must submit Geographic Information System (GIS) shape files of the impact and mitigation areas within **first Annual Report (see Condition A.10)** of mitigation installation. All impact and mitigation areas shapefiles must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.

**F. REPORTING:**

1. 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.
2. 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.
3. Caltrans must submit a report to the San Diego Water Board within the **Final Project Annual Report (see Condition A.10)** of completion of the project. The report should include as-built drawings no bigger than 11" x 17" and photos of the completed project.
4. All applications, reports, or information submitted to the San Diego Water Board must be signed and certified as follows:
  - a. For a corporation, by a responsible corporate officer of at least the level of vice president.
  - b. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
  - c. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
5. A duly authorized representative of a person designated in Items 4.a. through 4.c. above may sign documents if:
  - a. The authorization is made in writing by a person described in Items 4.a. through 4.c. 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.

6. 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."*

7. Caltrans 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; Project No. 10C-035  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

8. Required Reports: The following list summarizes the reports required per the conditions of this Certification to be submitted to the San Diego Water Board.

Report Topic	Certification Condition	Due Date(s)
Annual Progress Reports	A.10	August 1, Annually
Notification of dredge/fill	B.2	5 days prior
Mitigation Installation Notification	C.4	5 days prior
Streambed Photo-Documentation	D.1	With project annual reports
GIS	E.1	Within first annual report
As-Built Drawings	F.3	Final project annual report

#### CEQA FINDINGS:

1. Caltrans is the lead agency under the California Environmental Quality Act (Public Resources Code section 21000, et seq., (CEQA)), and determined on May 6, 2010, that the Project is Categorically Exempt, Class 2 under CEQA Guidelines Title 14, California Code of Regulations, section 15300 et seq. (14 CCR 15300 et seq.)
2. The San Diego Water Board has reviewed the lead agency's CEQA determination and also finds that the project as proposed is Categorically Exempt and therefore determines that issuance of this Certification is

Categorically Exempt, Class 2 under CEQA Guidelines (14 CCR 15300 et seq.)

**PUBLIC NOTIFICATION OF PROJECT APPLICATION:**

On May 11, 2010 receipt of the project application was posted on the San Diego Water Board web site to serve as appropriate notification to the public.

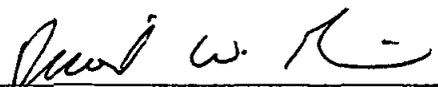
**REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

Linda Pardy  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
858 627-3932  
[LPardy@waterboards.ca.gov](mailto:LPardy@waterboards.ca.gov)

**WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from **Interstate 805 at Post Mile 24.7 Culvert Replacement Project** (Certification No. 10C-035) 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  
San Diego Water Board

7-21-10  
Date

- Attachments:
1. Project Information
  2. Distribution List
  3. Location Map
  4. Site Map(s)
    - a. Work Area
    - b. Jurisdictional Impacts
  5. BMP Map
  6. Forester Creek Mitigation Site Map
  7. Stream Photo Documentation

**ATTACHMENT 1  
PROJECT INFORMATION**

**Applicant:** Mr. Ed Hajj, Project Manager  
California Department of Transportation, District 11 (Caltrans)  
4050 Taylor Street, MS-333  
San Diego, CA 92110-2737  
Telephone: 619 220-5433  
Email: [Ed\\_Hajj@dot.ca.gov](mailto:Ed_Hajj@dot.ca.gov)

**Applicant  
Representatives:** Mr. Bruce April, Chief, Environmental Stewardship Branch  
California Department of Transportation, District 11 (Caltrans)  
4050 Taylor Street, MS-242  
San Diego, CA 92110-2737  
Telephone: 619 688-0107  
Facsimile: 619 688-6998  
Email: [Bruce\\_April@dot.ca.gov](mailto:Bruce_April@dot.ca.gov)

**Project Name:** Interstate 805 at Post Mile 24.7 Culvert Replacement  
(10C-035)

**Project Location:** The culvert replacement is located underneath  
Interstate 805 at Post Mile 24.7 (Station 1335+48), north of  
Governor Drive and south of Nobel Drive, at an un-named  
tributary to Rose Canyon Creek, in the City and County of  
San Diego. USGS 7.5 minute quadrangle is La Jolla,  
Township 15S, Range 3W. Center coordinates of site:  
Latitude: 32°51'38.784" N, Longitude: 117°11'12.055" W

**Type of Project:** Culvert Replacement

**Need for Project:** The bottom of the existing 24-inch diameter by 440-foot long  
corrugated metal pipe (CMP) has rusted through with sections  
of the bottom missing. If the CMP is not repaired, a sinkhole  
may develop under the main lanes of Interstate 805 with a  
potential for collapse of the freeway and injury and/or death of  
motorists.

**Project Description:** Caltrans proposes to replace a CMP at Interstate 805 Post  
Mile 24.7 between Governor Drive and Nobel Drive. The CMP  
lies under Interstate 805 and carries flow for an un-named  
tributary to Rose Canyon Creek. The CMP will be repaired by  
"pipe jacking," a trenchless technique for installing  
underground pipelines. Hydraulic jacks would be used to push  
a 30-inch by 440-foot long steel casing through the ground  
behind a rotating cutter head. A 24-inch by 440-foot long high

density polyethylene (HDPE) pipe would then be inserted into the steel casing. The existing CMP would be abandoned after filling with a slurry. A new headwall and endwall will be constructed at the inlet and outlet, respectively, of the new culvert pipe. Approximately 80 cubic yards of sediment partially blocking the CMP would be removed and the existing rock slope protection (RSP) would be replaced after the HDPE pipe is in place. The work is tentatively scheduled to begin September 1, 2010 and would be completed in approximately 90 days.

Replacement of the existing RSP and re-grading the existing channel would impact wetland (southern willow scrub) habitat at the un-named tributary on outlet side of the culvert. The un-named tributary flows into Rose Canyon Creek, which is located over 1,000 feet to the north of the project limits.

Federal  
Agency/Permit:

U.S. Army Corps of Engineers section 404, NWP-3 – pending.  
Contact: Stephanie J. Hall, phone: 213 452-3410

U.S. Fish and Wildlife Service, section 7 Informal consultation. A Biological Assessment was completed on March 24, 2010 and requested concurrence that the project may affect the coastal California gnatcatcher. With adherence to the conservation measures concurred upon by the USFWLS in their Biological Opinion, dated April 26, 2010, the USFWLS agreed with the finding found within the Biological Assessment. Contact: Sally Brown, phone: 760 431-9440

Other Required  
Regulatory Approvals:

California Department of Fish and Game, section 1602  
Streambed Alteration Agreement – pending.  
Contact: Darren Bradford, phone: 858 467-4223

California  
Environmental Quality  
Act (CEQA)  
Compliance:

On May 6, 2010 Caltrans, acting as lead agency, determined that the proposed project is categorically exempt from CEQA (Class 2).  
Contact: Debra A. Dominici, Environmental Branch Chief,  
Caltrans, District 11  
4050 Taylor Street, MS-242  
San Diego, CA 92110-2737

Receiving Water:

Rose Canyon Creek (HSA 906.40), Penasquitos Hydrologic Unit (HU 906), Miramar Hydrologic Area (HA 906.4)

Affected Waters of the United States: Permanent  
 ACOE Jurisdictional Wetland  
 = 0.008 acre southern willow scrub (16 linear feet)  
 ACOE/CDFG Other Waters of the U.S.  
 = 0.004 acre streambed - unvegetated channel  
 (81 linear feet)

Temporary  
 Southern willow scrub (ACOE Jurisdictional Wetland)  
 = 0.030 acre (45 linear feet)  
 Streambed - unvegetated channel (ACOE/CDFG Other Waters of the US)  
 = 0.018 acre streambed unvegetated channel  
 (150 linear feet)

Dredge Volume: None

Related Projects Implemented/to be Implemented by the Applicant(s): Forester Creek Mitigation Site provides offsite mitigation for this project.

Compensatory Mitigation: Forester Creek Mitigation Site (Offsite) (HSA 907.12)  
 = 0.060 acre offsite (Southern willow scrub)  
 [This is an existing site with excess mitigation available, nearing establishment]. Deductions from the ledger are documented in Attachment 6.

Onsite  
 = 0.018 acre onsite restoration to original condition  
 (Unvegetated channel)

Mitigation Location: The Caltrans Forester Creek Mitigation site is north of the intersection of Mission Gorge Road and Fanita Drive, and contains a portion of Forester Creek upstream of the San Diego River, and is bisected by the confluence of Fanita Creek with Forester Creek, and is in the City of Santee, County of San Diego. The Caltrans Forester Creek Mitigation site is within the San Diego Hydrologic Unit (HU 907), Lower San Diego Hydrologic Area (HA 907.1), Santee Hydrologic Sub Area (HSA 907.12).  
 Latitude: 32°50'22.319"N, Longitude: 117°0'4.167" W  
 Latitude: 32°50'22.369"N, Longitude: 117°0'8.053" W

Public Notice: On May 11, 2010, receipt of the project application was

posted on the San Diego Water Board website to serve as appropriate notification to the public.

Inspection: None

Fees: Total Due: \$2,387.00  
Total Paid: \$2,387.00 (Check No. 082-374358) on 4/27/10

CIWQS: Regulatory Measure ID: 37411  
Place ID: 752305  
Party ID: 7549

## ATTACHMENT 2 ELECTRONIC DISTRIBUTION LIST

Ms. Stephanie J. Hall  
U.S. Army Corps of Engineers, Regulatory Division  
915 Wilshire Blvd.  
Los Angeles, CA 90017-3401  
[Stephanie.J.Hall@usace.army.mil](mailto:Stephanie.J.Hall@usace.army.mil)

Mr. Darren Bradford  
California Department of Fish and Game, South Coast Region  
Habitat Conservation Planning – South  
4949 Viewridge Avenue  
San Diego, CA 92123  
[PBeare@dfg.ca.gov](mailto:PBeare@dfg.ca.gov)

Mr. Kurt Roblek  
U.S. Department of the Interior, Fish and Wildlife Service  
6010 Hidden Valley Road  
Carlsbad, CA 92011  
[Kurt\\_Roblek@fws.gov](mailto:Kurt_Roblek@fws.gov)

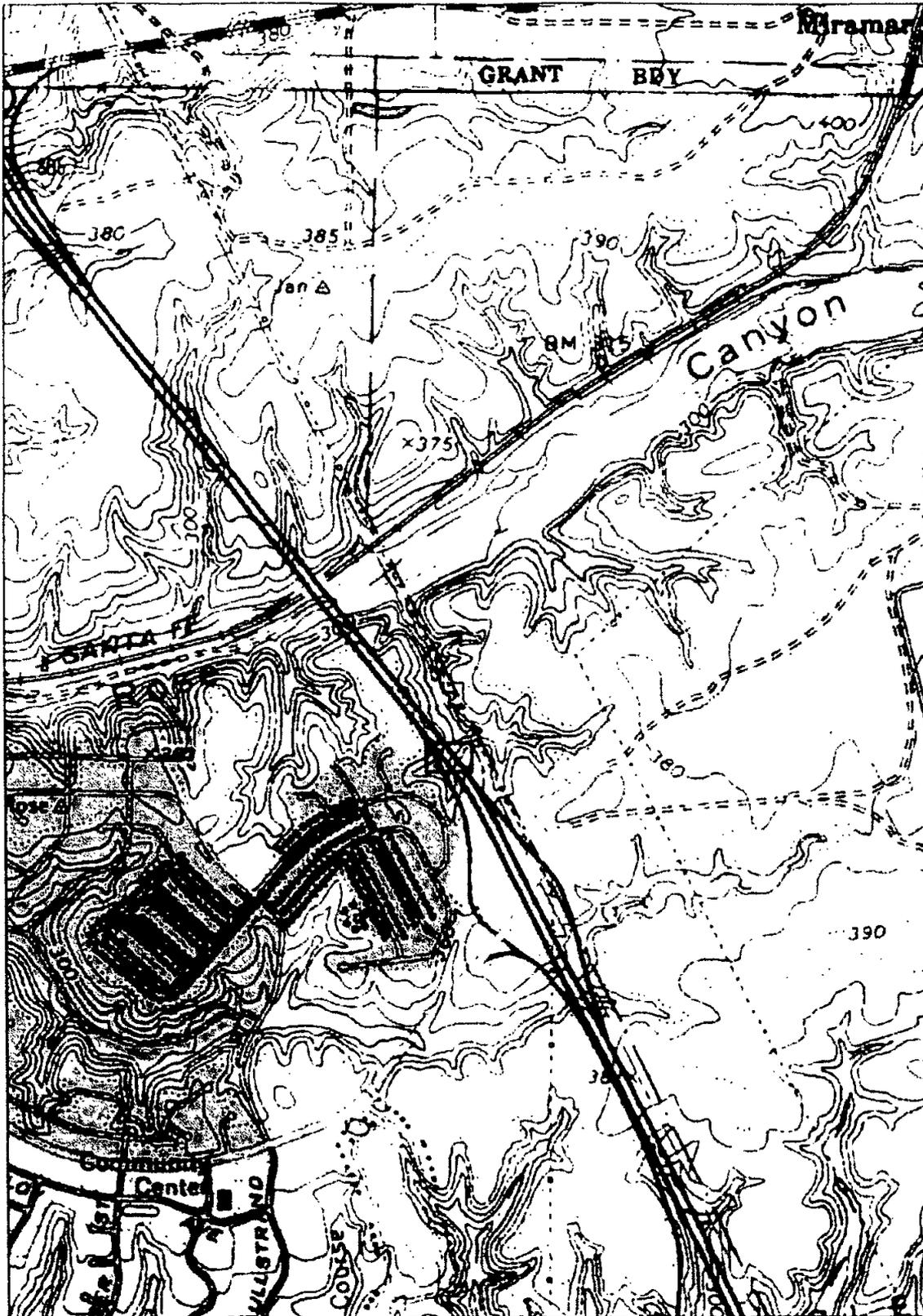
Mr. Eric Raffini  
U.S. Environmental Protection Agency, OWOW, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
[R9-WTR8-Mailbox@epa.gov](mailto:R9-WTR8-Mailbox@epa.gov)

Mr. Bill Orme  
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](mailto:Stateboard401@waterboards.ca.gov)

Mr. Bruce April  
Caltrans, District 11, Environmental Stewardship Branch  
4050 Taylor Street, MS-242  
San Diego, CA 92110-2737  
[Bruce\\_April@dot.ca.gov](mailto:Bruce_April@dot.ca.gov)

Ms. Gladys T. Baird  
Caltrans, District 11, Environmental Stewardship Branch  
4050 Taylor Street, MS-242  
San Diego, CA 92110-2737  
[Gladys\\_T\\_Baird@dot.ca.gov](mailto:Gladys_T_Baird@dot.ca.gov)

Ms. Kim T. Smith  
Caltrans, District 11, Environmental Resource Studies  
4050 Taylor Street, MS-242  
San Diego, CA 92110-2737  
[Kim\\_T\\_Smith@dot.ca.gov](mailto:Kim_T_Smith@dot.ca.gov)

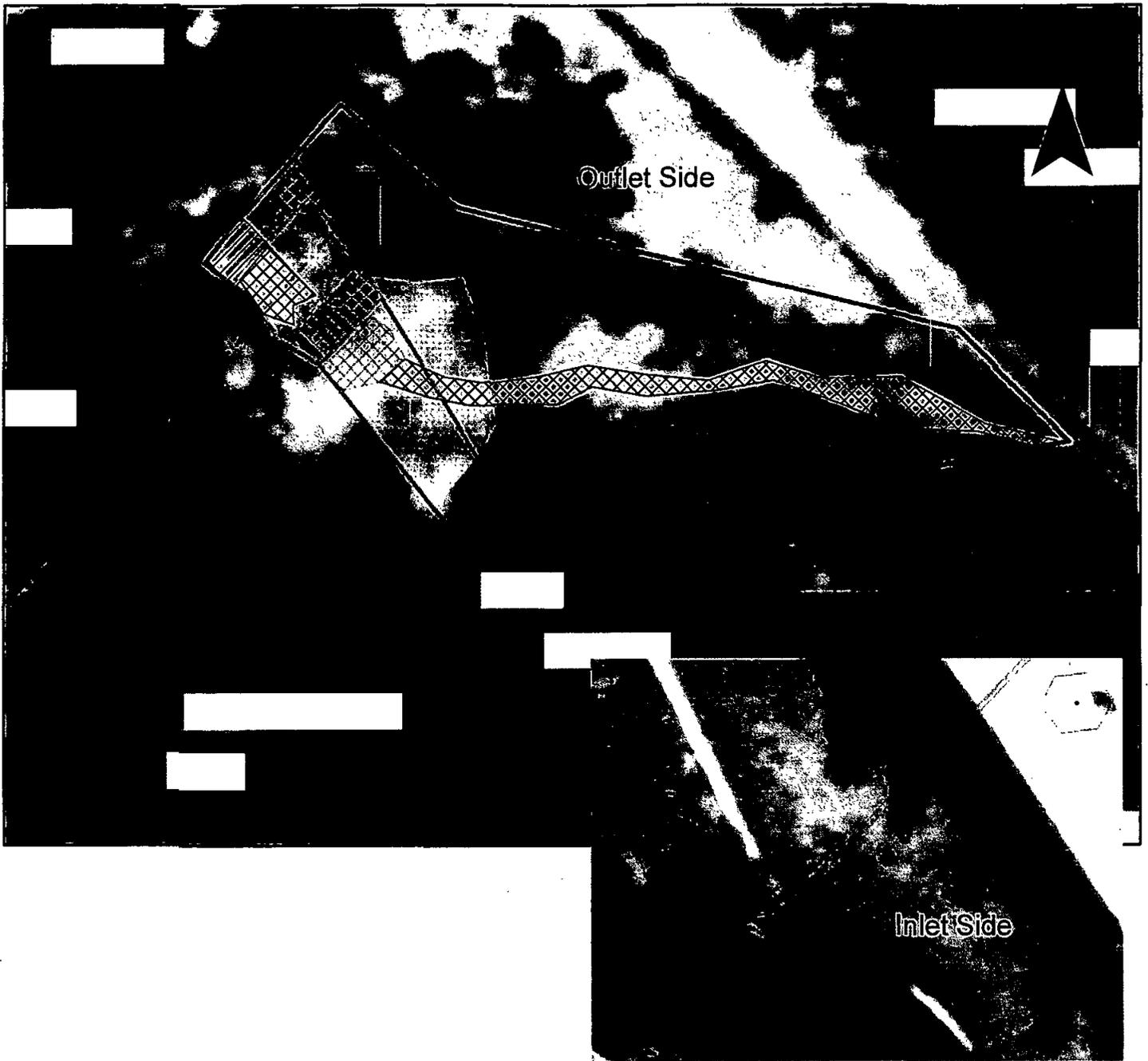


Source: USGS 7.5 Minute Series Quadrangle (La Jolla)

□ Project Location

FIGURE 3





### Permanent and Temporary Impacts to USACE/CDFG Jurisdictional Areas

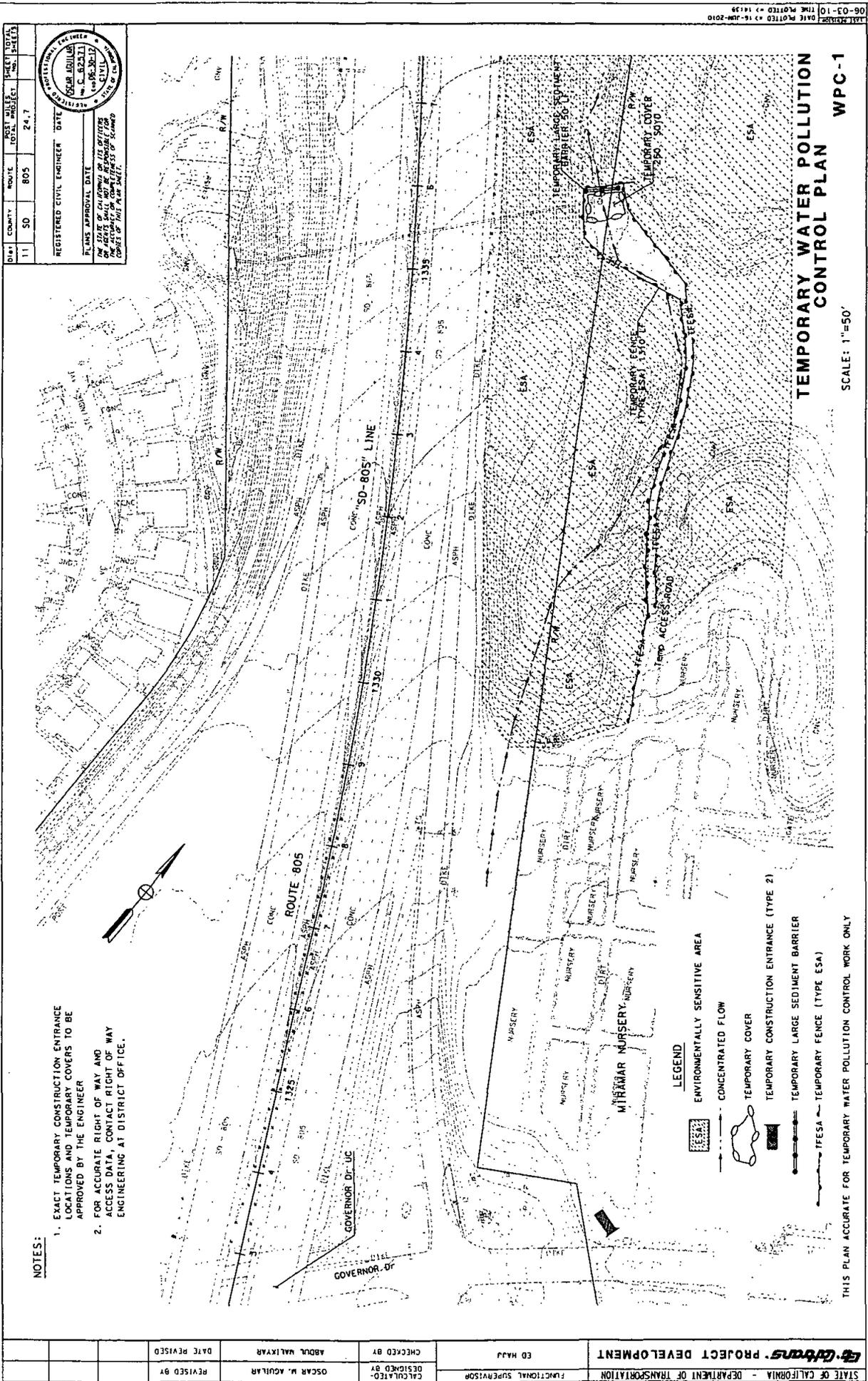
-  Permanent impact to USACE Wetland - 0.001 acre (8 linear feet)
-  Temporary Impact to USACE wetland - 0.004 acre (15 linear feet)
-  Permanent Impact to CDFG Wetland - 0.008 acre (16 linear feet)
-  Temporary Impact to CDFG Wetland - 0.03 acre (45 linear feet)
-  Permanent Impact to USACE/CDFG WUS - 0.004 acre (8 linear feet)
-  Temporary Impact to USACE/CDFG WUS - 0.018 acre (150 linear feet)

FIGURE 13

REVISION JAN 7

# Attachment 5. Best Management Practice (BMP) Map

10C-035



DIST.	COUNTY	ROUTE	POST MILE SUBJECT	SHEET NO.	TOTAL SHEETS
11	SD	805	24.7		

REGISTERED CIVIL ENGINEER DATE: 06-20-17  
 PLANS APPROVAL DATE: 06-20-17  
 OSCAR AGUILAR  
 C. 82231  
 CIVIL ENGINEER

- NOTES:**
1. EXACT TEMPORARY CONSTRUCTION ENTRANCE LOCATIONS AND TEMPORARY COVERS TO BE APPROVED BY THE ENGINEER
  2. FOR ACCURATE RIGHT OF WAY AND ACCESS DATA, CONTACT RIGHT OF WAY ENGINEERING AT DISTRICT OFFICE.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	ED HAJJ
DESIGNED BY	CHECKED BY	ABDUL WAKYAR
REVISOR BY	DATE REVISOR	

DATE PLOTTED: 16-JUN-2018 TIME PLOTTED: 16:13:39  
 USERNAME: 2172319 JOB FILE: 03889001.dwg  
 USER: 2172319  
 RELATIVE BORDER SCALE: 15 IN INCHES  
 BORDER LAST REVISED: 4/11/2008  
 CU: 11223  
 EA: 288901

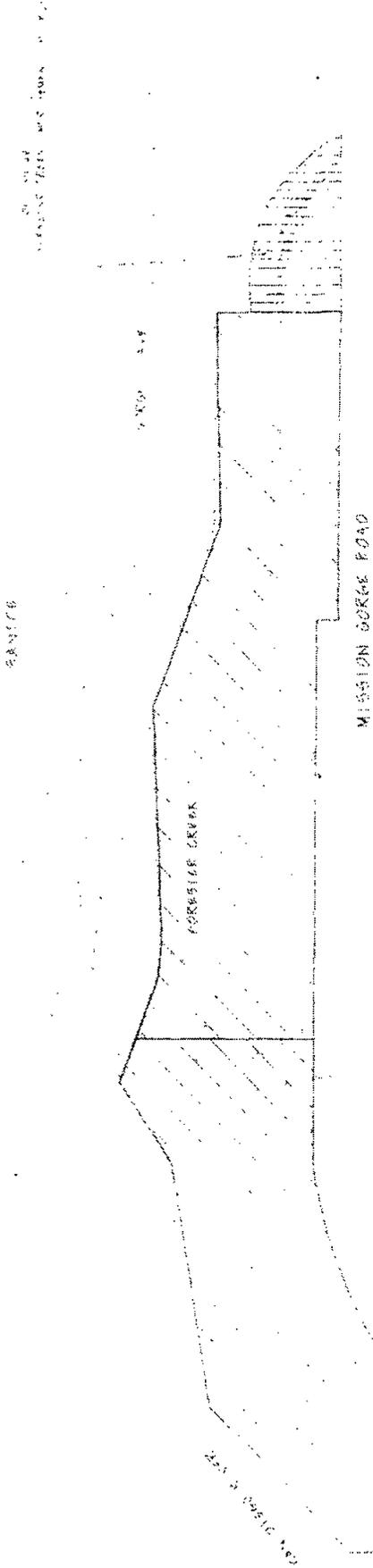
## TEMPORARY WATER POLLUTION CONTROL PLAN WPC-1

SCALE: 1"=50'

THIS PLAN ACCURATE FOR TEMPORARY WATER POLLUTION CONTROL WORK ONLY

# Attachment 6. Forester Creek Mitigation Site Map

10C-035



Project	Creation		Credits Available		Enhancement Credits	
	Used	Available	Used	Available	Used	Available
- SR-52 <sup>AD</sup> Unit 4	0.0052 acres	6.9 acres	1.71 acres	3.46 acres		
- I-15 Managed Lanes	4.6 acres	6.89 acres	0	1.75 acres		
- Culverts (EA 270800) 7/16/08	0.06 acres	2.29 acres	0	1.75 acres		
- Additional impacts (EA 270800)		2.23 acres	0	1.75 acres		
- 10C-035 Interstate 805 at Post Mile 24.7 Culvert Replacement	0.06 acres	2.17 acres	0	1.72 acres		

## FORESTER CREEK MITIGATION



## ATTACHMENT 7 STREAM PHOTO DOCUMENTATION PROCEDURES

### Standard Operating Procedure (SOP)

#### Stream Photo Documentation Procedure

(CARCD 2001, Written by TAC Visual Assessments work group)

#### Introduction:

Photographs provide a qualitative, and potentially semi-quantitative, record of conditions in a watershed or on a water body. Photographs can be used to document general conditions on a reach of a stream during a stream walk, pollution events or other impacts, assess resource conditions over time, or can be used to document temporal progress for restoration efforts or other projects designed to benefit water quality. Photographic technology is available to anyone and it does not require a large degree of training or expensive equipment. Photos can be used in reports, presentations, or uploaded onto a computer website or GIS program. This approach is useful in providing a visual portrait of water resources to those who may never have the opportunity to actually visit a monitoring site.

#### Equipment:

Use the same camera to the extent possible for each photo throughout the duration of the project. Either 35 mm color or digital color cameras are recommended, accompanied by a telephoto lens. If you must change cameras during the program, replace the original camera with a similar one comparable in terms of media (digital vs. 35 mm) and other characteristics. A complete equipment list is suggested as follows:

#### Required:

- Camera and backup camera
- Folder with copies of previous photos (do not carry original photos in the field)
- Topographic and/or road map
- Aerial photos if available
- Compass
- Timepiece
- Extra film or digital disk capacity (whichever is applicable)
- Extra batteries for camera (if applicable)
- Photo-log data sheets or, alternatively, a bound notebook dedicated to the project
- Yellow photo sign form and black marker, or, alternatively, a small black board and chalk

Optional:

- GPS unit
- Stadia rod (for scale on landscape shots)
- Ruler (for scale on close up views of streams and vegetation)
- Steel fence posts for dedicating fixed photo points in the absence of available fixed landmarks

**How to Access Aerial Photographs:**

Aerial Photos can be obtained from the following federal agencies:

USGS Earth Science Information Center  
 507 National Center  
 12201 Sunrise Valley Drive  
 Reston, VA 22092  
 800-USA-MAPS

USDA Consolidated Farm Service Agencies  
 Aerial Photography Field Office  
 222 West 2300 South  
 P.O. Box 30010  
 Salt Lake City, UT 84103-0010  
 801-524-5856

Cartographic and Architectural Branch  
 National Archives and Records Administration  
 8601 Adelphi Road  
 College park, MD 20740-6001  
 301-713-7040

**Roles and Duties of Team:**

The team should be comprised of a minimum of two people, and preferably three people for restoration or other water quality improvement projects, as follows:

1. Primary Photographer
2. Subject, target for centering the photo and providing scale
3. Person responsible for determining geographic position and holding the photo sign forms or blackboard.

One of these people is also responsible for taking field notes to describe and record photos and photo points.

### Safety Concerns:

Persons involved in photo monitoring should **ALWAYS** put safety first. For safety reasons, always have at least two 2 volunteers for the survey. Make sure that the area(s) you are surveying either are accessible to the public or that you have obtained permission from the landowner prior to the survey.

Some safety concerns that may be encountered during the survey include, but are not limited to:

- Inclement weather
- Flood conditions, fast flowing water, or very cold water
- Poisonous plants (e.g.: poison oak)
- Dangerous insects and animals (e.g.: bees, rattlesnakes, range animals such as cattle, etc.)
- Harmful or hazardous trash (e.g.: broken glass, hypodermic needles, human feces)

We recommend that the volunteer coordinator or leader discuss the potential hazards with all volunteers prior to any fieldwork.

### General Instructions:

From the inception of any photo documentation project until it is completed, always take each photo from the same position (photo point), and at the same bearing and vertical angle at that photo point. Photo point positions should be thoroughly documented, including photographs taken of the photo point. Refer to copies of previous photos when arriving at the photo point. Try to maintain a level (horizontal) camera view unless the terrain is sloped. (If the photo can not be horizontal due to the slope, then record the angle for that photo.) When photo points are first being selected, consider the type of project (meadow or stream restoration, vegetation management for fire control, ambient or event monitoring as part of a stream walk, etc.) and refer to the guidance listed on *Suggestions for Photo Points by Type of Project*.

When taking photographs, try to include landscape features that are unlikely to change over several years (buildings, other structures, and landscape features such as peaks, rock outcrops, large trees, etc.) so that repeat photos will be easy to position. Lighting is, of course, a key ingredient so give consideration to the angle of light, cloud cover, background, shadows, and contrasts. Close view photographs taken from the north (i.e., facing south) will minimize shadows. Medium and long view photos are best shot with the sun at the photographer's back. Some artistic expression is encouraged as some photos may be used on websites and in slide shows (early morning and late evening shots may be useful for this purpose). Seasonal changes can be used to advantage as foliage, stream flow, cloud cover, and site access fluctuate. It is often important to

include a ruler, stadia rod, person, farm animal, or automobile in photos to convey the scale of the image. Of particular concern is the angle from which the photo is taken. Oftentimes an overhead or elevated shot from a bridge, cliff, peak, tree, etc. will be instrumental in conveying the full dimensions of the project. Of most importance overall, however, is being aware of the goal(s) of the project and capturing images that clearly demonstrate progress towards achieving those goal(s). Again, reference to *Suggestions for Photo Points by Type of Project* may be helpful.

If possible, try to include a black board or yellow photo sign in the view, marked at a minimum with the location, subject, time and date of the photograph. A blank photo sign form is included in this document.

### **Recording Information:**

Use a systematic method of recording information about each project, photo point, and photo. The following information should be entered on the photo-log forms (blank form included in this document) or in a dedicated notebook:

- Project or group name, and contract number (if applicable, e.g., for funded restoration projects)
- General location (stream, beach, city, etc.), and short narrative description of project's habitat type, goals, etc.
- Photographer and other team members
- Photo number
- Date
- Time (for each photograph)
- Photo point information, including:
  - Name or other unique identifier (abbreviated name and/or ID number)
  - Narrative description of location including proximity to and direction from notable landscape features like roads, fence lines, creeks, rock outcrops, large trees, buildings, previous photo points, etc. – sufficient for future photographers who have never visited the project to locate the photo point
  - Latitude, longitude, and altitude from map or GPS unit
- Magnetic compass bearing from the photo point to the subject
- Specific information about the subject of the photo
- Optional additional information: a true compass bearing (corrected for declination) from photo point to subject, time of sunrise and sunset (check newspaper or almanac), and cloud cover.

For ambient monitoring, the stream and shore walk form should be attached or referenced in the photo-log.

When monitoring the implementation of restoration, fuel reduction, or Best Management Practices (BMP) projects, include or attach to the photo-log a narrative description of observable progress in achieving the goals of the project. Provide supplementary information along with the photo, such as noticeable changes in habitat, wildlife, and water quality and quantity.

Archive all photos, along with the associated photo-log information, in a protected environment.

### **The Photo Point: Establishing Position of Photographer:**

1. Have available a variety of methods for establishing position: maps, aerial photos, GPS, permanent markers and landmarks, etc. If the primary method fails (e.g., a GPS or lost marker post) then have an alternate method (map, aerial photo, copy of an original photograph of the photo-point, etc).
2. Select an existing structure or landmark (mailbox, telephone pole, benchmark, large rock, etc.), identify its latitude and longitude, and choose (and record for future use) the permanent position of the photographer relative to that landmark. Alternatively, choose the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the photographer.
3. For restoration, fuel reduction, and BMP projects, photograph the photo-points and carry copies of those photographs on subsequent field visits.

### **Determining the Compass Bearing:**

1. Select and record the permanent magnetic bearing of the photo center view. You can also record the true compass bearing (corrected for declination) but do not substitute this for the magnetic bearing. Include a prominent landmark in a set position within the view. If possible, have an assistant stand at a fixed distance from both the photographer and the center of the view, holding a stadia rod if available, within the view of the camera; preferably position the stadia rod on one established, consistent side of the view for each photo (right or left side).
2. Alternatively, use the procedure described in *Monitoring California's Annual Rangeland Vegetation* (UC/DANR Leaflet 21486, Dec. 1990). This procedure involves placing a permanently marked steel fence post to establish the position of the focal point (photo center).
3. When performing ambient or event photo monitoring, and when a compass is not available, then refer to a map and record the approximate bearing as north, south, east or west.

## **Suggestions for Photo Points by Type of Project:**

### **Ambient or Event Monitoring, Including Photography Associated with Narrative Visual Assessments:**

1. When first beginning an ambient monitoring program take representative long and/or medium view photos of stream reaches and segments of shoreline being monitored. Show the positions of these photos on a map, preferably on the stream/shore walk form. Subjects to be photographed include a representative view of the stream or shore condition at the beginning and ending positions of the segment being monitored, storm drain outfalls, confluence of tributaries, structures (e.g., bridges, dams, pipelines, etc.).
2. If possible, take a close view photograph of the substrate (streambed), algae, or submerged aquatic vegetation.
3. Time series: Photographs of these subjects at the same photo points should be repeated annually during the same season or month if possible.
4. Event monitoring refers to any unusual or sporadic conditions encountered during a stream or shore walk, such as trash dumps, turbidity events, oil spills, etc. Photograph and record information on your photo-log and on your Stream and Shore Walk Visual Assessment form. Report pollution events to the Regional Board. Report trash dumps to local authorities.

### **All Restoration and Fuel Reduction Projects – Time Series:**

Take photos immediately before and after construction, planting, or vegetation removal. Long term monitoring should allow for at least annual photography for a minimum of three years after the project, and thereafter at 5 years and ten years.

### **Meadow Restoration:**

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long view showing an overlapping sequence of photos illustrating a long reach of stream and meadow (satellite photos, or hill close by, fly-over, etc.)
3. Long view up or down the longitudinal dimension of the creek showing riparian vegetation growth bounded on each side by grasses, sedges, or whatever that is lower in height
4. Long view of conversion of sage and other upland species back to meadow vegetation

5. Long view and medium view of streambed changes (straightened back to meandering, sediment back to gravel, etc.)
6. Medium and close views of structures, plantings, etc. intended to induce these changes

**Stream Restoration/stabilization:**

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long-view showing all or representative sections of the project (bluff, bridge, etc.)
3. Long view up or down the stream (from stream level) showing changes in the stream bank, vegetation, etc.
4. Long view and medium view of streambed changes (thalweg, gravel, meanders, etc.)
5. Medium and close views of structures, plantings, etc. intended to induce these changes.
6. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 3 and 4 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, *Stream Channel Reference Sites: An Illustrated Guide to Field Techniques*, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.

**Vegetation Management for Fire Prevention ("fuel reduction"):**

1. Aerial view (satellite or airplane photography) if available.
2. In the absence of an aerial view, a landscape, long view showing all or representative sections of the project (bluff, bridge, etc.)
3. Long view (wide angle if possible) showing the project area or areas. Preferably these long views should be from an elevated vantage point.
4. Medium view photos showing examples of vegetation changes, and plantings if included in the project. It is recommended that a person (preferably holding a stadia rod) be included in the view for scale.
5. To the extent possible include medium and long view photos that include adjacent stream channels.

**Stream Sediment Load or Erosion Monitoring:**

1. Long views from bridge or other elevated position.
2. Medium views of bars and banks, with a person (preferably holding a stadia rod) in view for scale.
3. Close views of streambed with ruler or other common object in the view for scale.
4. Time series: Photograph during the dry season (low flow) once per year or after a significant flood event when streambed is visible. The flood events may be episodic in the south and seasonal in the north.
5. Optional: Use a tape set perpendicular across the stream channel at fixed points and include this tape in your photos described in 1 and 2 above. For specific procedures refer to Harrelson, Cheryl C., C.L. Rawlins, and John P. Potyondy, *Stream Channel Reference Sites: An Illustrated Guide to Field Techniques*, United States Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station, General Technical Report RM-245.



PHOTO SIGN FORM: Print this form on yellow paper. Complete the following information for each photograph. Include in the photographic view so that it will be legible in the finished photo.

Location:

Subject Description:

Date:

Time:



California Natural Resources Agency  
DEPARTMENT OF FISH AND GAME  
South Coast Region  
4949 Viewridge Avenue  
San Diego, California 92123  
(858) 467-4201  
[www.dfg.ca.gov](http://www.dfg.ca.gov)

ARNOLD SCHWARZENEGGER, Governor



July 12, 2010

Mr. Bruce April  
California Department of Transportation  
4050 Taylor Street, MS-242  
San Diego, California 92110-2737

Subject: Notification of Lake or Streambed Alteration No. 1600-2010-0123-R5  
I-805 Culvert Replacement impacting unnamed tributary to Rose Canyon  
Creek

Dear Mr. April:

As the Department of Fish and Game ("Department") explained in a previous letter to you dated June 23, 2010, the Department had until July 12, 2010, to submit a draft Lake or Streambed Alteration Agreement ("Agreement") to you or inform you that an Agreement is not required. The Department did not meet that date. As a result, by law, you may now complete the project described in your notification without an Agreement.

Please note that pursuant to Fish and Game Code section 1602(a)(4)(D), if you proceed with this project, it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that notification received by the Department in writing prior to July 12, 2010. This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify the Department before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of Fish and Game Code section 1602.

Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include, but are not limited to, the state and federal Endangered Species Acts and Fish and Game Code sections 5650 (water pollution) and 5901 (fish passage).

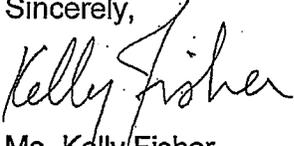
Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the

*Conserving California's Wildlife Since 1870*

Mr. Bruce April  
July 12, 2010  
Page 2 of 2

work site. If you have any questions regarding this matter, please contact me at (858) 467-4207 or [kfisher@dfg.ca.gov](mailto:kfisher@dfg.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Kelly Fisher". The signature is written in black ink and is positioned above the typed name.

Ms. Kelly Fisher  
Environmental Scientist

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 11

4050 TAYLOR STREET, M.S. 242

SAN DIEGO, CA 92110

PHONE (619) 688-0107

FAX (619) 688-6998

TTY (619) 688-3214

*Flex your power!  
Be energy efficient!*

May 3, 2010

EA 288900  
11-SD-805  
Post Mile 24.7California Department of Fish and Game  
Attn: Darren Bradford  
4949 Viewridge Ave  
San Diego, CA 92123

Dear Mr. Bradford:

The California Department of Transportation (Caltrans) is proposing to replace a damaged culvert. The following is a request for a Streambed Alteration Agreement to cover the work.

The project is located under Interstate 805 (I-805) at Post Mile 24.7, north of Governor Drive, in the City and County of San Diego (see Vicinity Map and Project Location Map). The un-named streambed is a tributary to Rose Canyon Creek. The bottom of the existing 24-inch diameter by 440-foot long corrugated metal pipe (CMP) has rusted through with sections of the bottom missing. If the CMP is not replaced, a sinkhole may develop under the main lanes of I-805 resulting in collapse of the freeway and injury and/or death of the driving public.

Pipe Jacking, a trenchless technique for installing underground pipelines, would be used to replace the existing culvert. Powerful hydraulic jacks would be used to push a 30-inch by 440-foot long steel casing through the ground behind a rotating cutter head. A 24-inch by 440-foot long High Density Polyethylene (HDPE) Pipe would then be inserted into the steel casing. The existing CMP would be abandoned after filling it with slurry. New headwalls at the inlet and outlet of the HDPE Pipe would be constructed. Approximately 80 cubic yards of sediment partially blocking the CMP would be removed and the existing Rock Slope Protection (RSP) would be replaced after the HDPE Pipe is in place. See the attached Layout Sheets and photos of the existing inlet and outlet. Access to the site would be across a nursery on U.S. Marine Corps Air Station Miramar. The work is tentatively scheduled to begin September 1, 2010 and would be completed in approximately 90 days at a cost of \$1,023,000.

Construction would temporarily impact upland habitats including 0.043 acre of disturbed coastal sage, 0.03 acre of coastal sage scrub-chaparral, and 0.05 acre of disturbed habitat. All upland habitats temporarily disturbed would be restored on-site at a 1:1 ratio. See the attached coastal sage scrub seed mix and map showing where the seed mix would be placed.

Replacement of the existing RSP and re-grading of the existing channel would minimally impact wetland habitat at the outlet side of the culvert. Permanent impacts would occur to 0.008 acre of southern willow scrub and would be mitigated off-site at a 3:1 ratio (0.024 acre) and 0.004 acre of unvegetated channel that would also be mitigated off-site at a 1:1 ratio (0.004 acre). Temporary impacts would occur to 0.030 acre of southern willow scrub that would also be

*"Caltrans improves mobility across California"*

Darren Bradford  
May 3, 2010  
Page 2

mitigated off-site at a 1:1 ratio (0.030 acre). A total of 0.060 acre of wetland creation credit would be deducted from Caltrans Forester Creek Mitigation Site to compensate for permanent and temporary impact to southern willow scrub and permanent impacts to unvegetated channel (see accounting of mitigation credit at Forester Creek). Please see pages 19-20 in the attached Biological Assessment for a description of Forester Creek. Also a copy of the 4<sup>th</sup> year monitoring report was sent to your office on April 20, 2010 to the attention of the "16001 Team."

Temporary impacts to 0.030 acre of southern willow scrub and 0.018 acre of unvegetated channel would be offset by onsite restoration at a 1:1 ratio and would consist of re-grading the channel after construction and seeding with a riparian seed mix. Please see the attached riparian seed mix and a map showing where the seed mix would be placed.

The Federally Threatened and State Species of Special Concern coastal California gnatcatcher (*Poliophtila californica californica*) was observed within the project limits on the east side of I-805. The U.S. Fish and Wildlife Service (FWS) was informally consulted in accordance with Section 7 of the federal Endangered Species Act (see Biological Assessment). The FWS responded with a finding "...the proposed project is not likely to adversely affect the gnatcatcher" (see attached letter dated April 26, 2010).

Caltrans is also applying for a Section 401 Clean Water Certification from the San Diego Regional Water Quality Control Board and Section 404 - NWP3 Maintenance from the U.S. Army Corps of Engineers. A copy of each permit would be forwarded to you when they are issued.

In addition to the documents listed above, please find attached a Categorical Exemption, Jurisdictional Delineation report, a Cultural/Paleontological Resources review, and a Hazardous Waste Review. A check in the amount of \$4,482.75 to process our request for a Streambed Alteration Agreement is also enclosed.

Should you have any questions, please contact Gladys T. Baird of my staff at (619) 688-0115 or <Gladys\_T\_Baird@dot.ca.gov>.

Sincerely,



BRUCE L. APRIL  
Chief, Environmental Stewardship

Attachments

cc: Ed Hajj, Luke Serna  
Stephanie J. Hall, U.S. Army Corp of Engineers  
San Diego Regional Water Quality Control Board

FOR DEPARTMENT USE ONLY				
Date Received	Amount Received	Amount Due	Date Complete	Notification No.
	\$	\$		



STATE OF CALIFORNIA  
DEPARTMENT OF FISH AND GAME  
**NOTIFICATION OF LAKE OR STREAMBED ALTERATION**



Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

**1. APPLICANT PROPOSING PROJECT**

Name	Ed Hajj			
Business/Agency	California Department of Transportation			
Street Address	4050 Taylor Street, MS-333			
City, State, Zip	San Diego, CA 92110-2737			
Telephone	(619) 220-5433	Fax		
Email	Ed_Hajj@dot.ca.gov			

**2. CONTACT PERSON** (Complete only if different from applicant)

Name	Bruce April			
Street Address	California Department of Transportation, 4050 Taylor Street, MS-242			
City, State, Zip	San Diego, CA 92110-2737			
Telephone	(619) 688-0107	Fax	(619) 688-6998	
Email	Bruce_April@dot.ca.gov			

**3. PROPERTY OWNER** (Complete only if different from applicant)

Name				
Street Address				
City, State, Zip				
Telephone		Fax		
Email				

**4. PROJECT NAME AND AGREEMENT TERM**

A. Project Name		Culvert Replacement		
B. Agreement Term Requested		<input checked="" type="checkbox"/> Regular (5 years or less) <input type="checkbox"/> Long-term (greater than 5 years)		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (year)	Ending (year)	Start Date (month/day)	End Date (month/day)	
2010	2011	09/01	02/14	90.00

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.

A.	<input checked="" type="checkbox"/> Standard (Most construction projects, excluding the categories listed below)
B.	<input type="checkbox"/> Gravel/Sand/Rock Extraction (Attachment A) <span style="float: right;">Mine I.D. Number: _____</span>
C.	<input type="checkbox"/> Timber Harvesting (Attachment B) <span style="float: right;">THP Number: _____</span>
D.	<input type="checkbox"/> Water Diversion/Extraction/Impoundment (Attachment C) <span style="float: right;">SWRCB Number: _____</span>
E.	<input type="checkbox"/> Routine Maintenance (Attachment D)
F.	<input type="checkbox"/> DFG Fisheries Restoration Grant Program (FRGP) <span style="float: right;">FRGP Contract Number: _____</span>
G.	<input type="checkbox"/> Master
H.	<input type="checkbox"/> Master Timber Harvesting

### 6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. **Note: The Department may not process this notification until the correct fee has been received.**

	A. Project	B. Project Cost	C. Project Fee
1	Culvert Replacement	\$1,023,000.00	\$4,482.75
2			
3			
4			
5			
		<b>D. Base Fee (if applicable)</b>	
		<b>E. TOTAL FEE ENCLOSED</b>	<b>\$4,482.75</b>

### 7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

Yes (Provide the information below)       No

Applicant: \_\_\_\_\_ Notification Number: \_\_\_\_\_ Date: \_\_\_\_\_

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

No       Yes (Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.)

Continued on additional page(s)

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 8. PROJECT LOCATION

<b>A. Address or description of project location.</b> <i>(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)</i>				
Under Interstate 805 at Post Mile 24.7, north of Governor Drive, in the City and County of San Diego.				
<input type="checkbox"/> Continued on additional page(s)				
<b>B. River, stream, or lake affected by the project.</b>		un-named stream		
<b>C. What water body is the river, stream, or lake tributary to?</b>		Rose Canyon Creek		
<b>D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?</b>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		
<b>E. County</b>				
<b>F. USGS 7.5 Minute Quad Map Name</b>		<b>G. Township</b>	<b>H. Range</b>	<b>I. Section</b>
La Jolla		15S	3W	
<input type="checkbox"/> Continued on additional page(s)				
<b>K. Meridian (check one)</b>		<input type="checkbox"/> Humboldt <input type="checkbox"/> Mt. Diablo <input checked="" type="checkbox"/> San Bernardino		
<b>L. Assessor's Parcel Number(s)</b>				
not applicable				
<input type="checkbox"/> Continued on additional page(s)				
<b>M. Coordinates (If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)</b>				
		Latitude:                      32°51'38.784"N	Longitude:                      117°11'12.055"W	
Latitude/Longitude		<input checked="" type="checkbox"/> Degrees/Minutes/Seconds <input type="checkbox"/> Decimal Degrees <input type="checkbox"/> Decimal Minutes		
UTM		Easting:	Northing:	<input type="checkbox"/> Zone 10 <input type="checkbox"/> Zone 11
Datum used for Latitude/Longitude or UTM		<input type="checkbox"/> NAD 27 <input checked="" type="checkbox"/> NAD 83 or WGS 84		

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank stabilization – rip-rap/retaining wall/gabion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat dock/pier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat ramp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bridge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Channel clearing/vegetation management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Culvert	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Debris basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diversion structure – weir or pump intake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filling of wetland, river, stream, or lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat enhancement – revegetation/mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Low water crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road/trail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment removal – pond, stream, or marina	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm drain outfall structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary stream crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility crossing : Horizontal Directional Drilling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jack/bore	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open trench	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other <i>(specify)</i> :	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**NOTIFICATION OF LAKE OR STREAMBED ALTERATION**

**10. PROJECT DESCRIPTION**

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site-specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The bottom of the existing 24-inch diameter by 440-foot long corrugated metal pipe (CMP) has rusted through with sections of the bottom missing. If the CMP is not repaired, a sinkhole may develop under the main lanes of Interstate 805 resulting in potential collapse of the freeway and injury and/or death of the driving public.

A 30-inch by 440-foot long steel casing would be hydraulically "jacked" under I-805. A 24-inch by 440-foot long High Density Polyethylene (HDPE) Pipe would be inserted into the steel casing. The existing CMP would be abandoned after filling it with a slurry. The headwalls at the inlet and outlet would be replaced. Approximately 80 cubic yards of sediment partially blocking the CMP and the streambed would be removed and existing Rock Slope Protection (RSP) would be replaced.

Construction would temporarily impact upland habitats including 0.043 acre of disturbed coastal sage, 0.03 acre of coastal sage scrub-chaparral, and 0.05 acre of disturbed habitat. All upland habitats temporarily disturbed would be revegetated on-site at a 1:1 ratio.

Wetland habitat at the outlet side of the culvert would be minimally impacted by replacement of existing rock slope protection and re-grading of the existing channel. Permanent impacts would occur to 0.008 acre of southern willow scrub which would be mitigated off-site at a 3:1 ratio (0.024 acre) and 0.004 acre of unvegetated channel which would be mitigated off-site at a 1:1 ratio (0.004 acre). Temporary impacts would also occur to 0.030 acre of southern willow scrub which would be mitigated through off-site creation at a 1:1 ratio (0.030 acre). A total of 0.060 acre of wetland creation credit would be deducted from Caltrans Forester Creek Mitigation Site to compensate for permanent/temporary impacts to southern willow scrub and permanent impacts to unvegetated channel.

Temporary impacts to 0.030 acre of southern willow scrub and 0.018 acre of unvegetated channel would be offset by on-site restoration consisting of regrading the channel after construction and seeding with a native species mix.

Continued on additional page(s)

B. Specify the equipment and machinery that will be used to complete the project.

hydraulic jack, generator, pickup and dump trucks, bobcat, concrete truck, pipe truck, auger/boring machine, pumps

Continued on additional page(s)

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).

Yes     No (Skip to box 11)

D. Will the proposed project require work in the wetted portion of the channel?

Yes (Enclose a plan to divert water around work site)  
 No

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

See 10. Project Description

Continued on additional page(s)

B. Will the project affect any vegetation?  Yes (Complete the tables below)  No

Vegetation Type	Temporary Impact	Permanent Impact
southern willow scrub	Linear feet: <u>15 feet</u> Total area: <u>0.008 acre</u>	Linear feet: <u>8 feet</u> Total area: <u>0.030 acre</u>
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

Continued on additional page(s)

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

Yes (List each species and/or describe the habitat below)  No  Unknown

Polioptila californica californica

Continued on additional page(s)

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

Project Biologist, Kim T. Smith

Continued on additional page(s)

E. Has a biological study been completed for the project site?

Yes (Enclose the biological study)  No

*Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.*

F. Has a hydrological study been completed for the project or project site?

Yes (Enclose the hydrological study)  No

*Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.*

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES

**A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.**

Use a temporary construction entrance.  
 Street sweeping.  
 Disturbed soil area would be covered with temporary cover before any predicted rain event.  
 Environmentally Sensitive Areas (ESA) shall be temporarily fenced and no personnel, equipment or debris would be allowed within the ESAs.  
 Temporarily impacted areas would be revegetated following completion of the construction.  
 Best Management Practices (BMPs) shall be used in the vicinity of the streambed.

Continued on additional page(s)

**B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.**

Construction would be completed outside avian breeding season.  
 No personnel, equipment or debris would be allowed within ESAs.  
 The Project Biologist would survey the project area before initial clearing and grubbing.  
 An employee education program would be developed.  
 During any nighttime construction, all project lighting would be directed away from sensitive habitat.

Continued on additional page(s)

**C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.**

Permanent impacts would occur to 0.008 acre of southern willow scrub which would be mitigated off-site at a 3:1 ratio (0.024 acre) and 0.004 acre of unvegetated channel which would be mitigated off-site at a 1:1 ratio (0.004 acre).  
 Temporary impacts would also occur to 0.030 acre of southern willow scrub which would be mitigated through off-site creation at a 1:1 ratio (0.030 acre). A total of 0.060 acre of wetland creation credit would be deducted from Caltrans Forester Creek Mitigation Site to compensate for permanent/temporary impacts to southern willow scrub and permanent impacts to unvegetated channel.

Temporary impacts to 0.030 acre of southern willow scrub and 0.018 acre of unvegetated channel would be offset by on-site restoration consisting of regrading the channel after construction and seeding with a native species mix.

Continued on additional page(s)

### 13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

- |    |   |   |  |
|----|---|---|--|
| A. | Section 401, Clean Water Certification  | <input checked="" type="checkbox"/> Applied | <input type="checkbox"/> Issued            |
| B. | Section 404 (NWP 3), Clean Water Act  | <input checked="" type="checkbox"/> Applied | <input type="checkbox"/> Issued            |
| C. | Section 7, Endangered Species Act   | <input checked="" type="checkbox"/> Applied | <input checked="" type="checkbox"/> Issued |
| D. | Unknown whether <input type="checkbox"/> local, <input type="checkbox"/> state, or <input type="checkbox"/> federal permit is needed for the project. (Check each box that applies) |   |  |

Continued on additional page(s)

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

- Yes (Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)  
 No (Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Notice of Exemption | <input type="checkbox"/> Mitigated Negative Declaration         | <input checked="" type="checkbox"/> NEPA document (type): <u>CE</u> |
| <input type="checkbox"/> Initial Study                  | <input type="checkbox"/> Environmental Impact Report            | <input checked="" type="checkbox"/> CESA document (type): <u>CE</u> |
| <input type="checkbox"/> Negative Declaration           | <input type="checkbox"/> Notice of Determination (Enclose)      | <input checked="" type="checkbox"/> ESA document (type): <u>BO</u>  |
| <input type="checkbox"/> THP/ NTMP                      | <input type="checkbox"/> Mitigation, Monitoring, Reporting Plan |   |

B. State Clearinghouse Number (if applicable)

C. Has a CEQA lead agency been determined?  Yes (Complete boxes D, E, and F)  No (Skip to box 14.G)

D. CEQA Lead Agency: California Department of Transportation, 4050 Taylor Street, MS-242

E. Contact Person: Debra Dominici F. Telephone Number: (619) 688-0187

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

Continued on additional page(s)

H. Has an environmental filing fee (Fish and Game Code section 7114) been paid?

- Yes (Enclose proof of payment)  No (Briefly explain below the reason a filing fee has not been paid)

This is a maintenance project which is categorically exempt.

*Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.*

### 15. SITE INSPECTION

Check one box only.

In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

I request the Department to first contact (insert name) \_\_\_\_\_ at (insert telephone number) \_\_\_\_\_ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

Yes (Please enclose the information via digital media with the completed notification form)

No

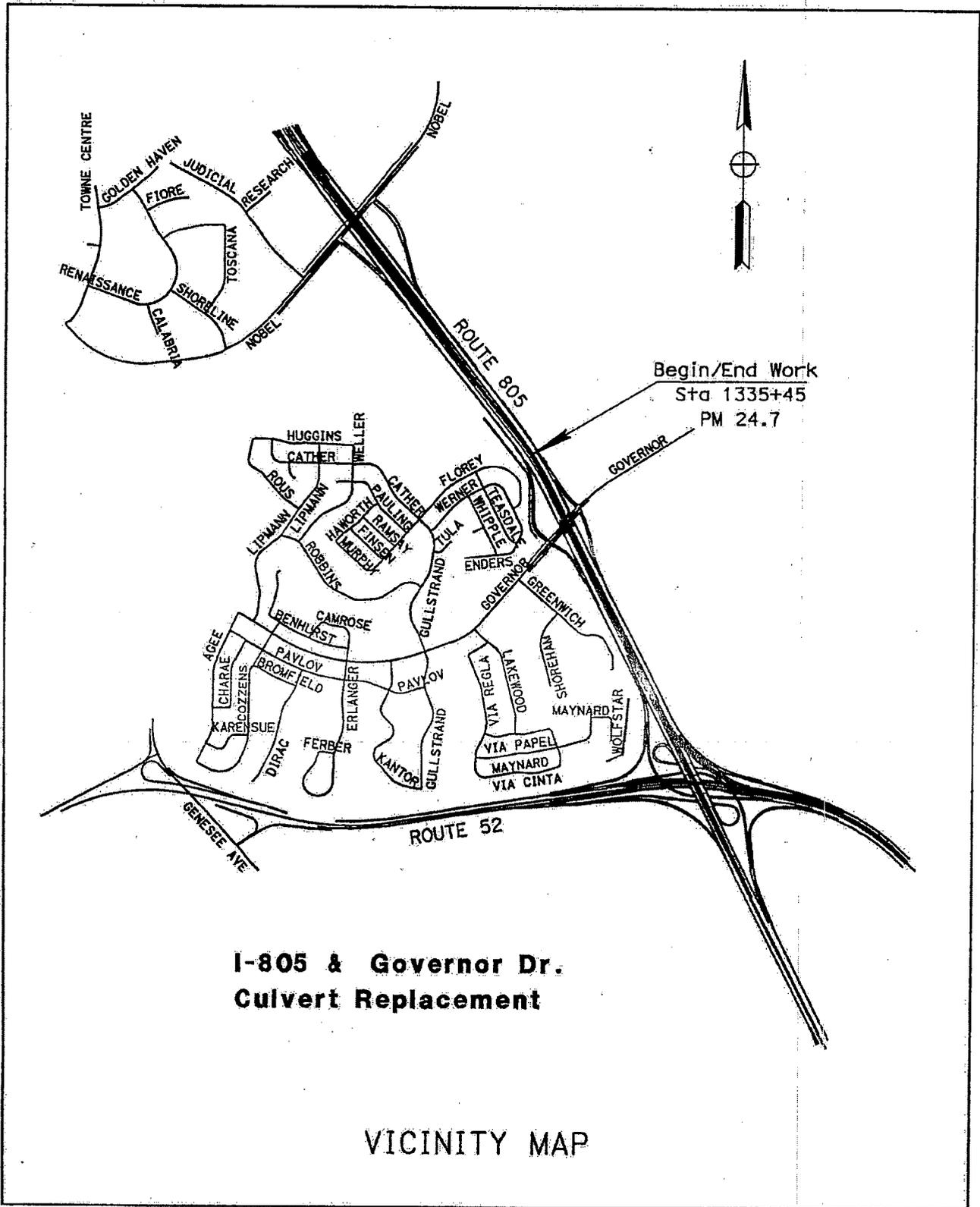
### 17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

  
Signature of Applicant or Applicant's Authorized Representative

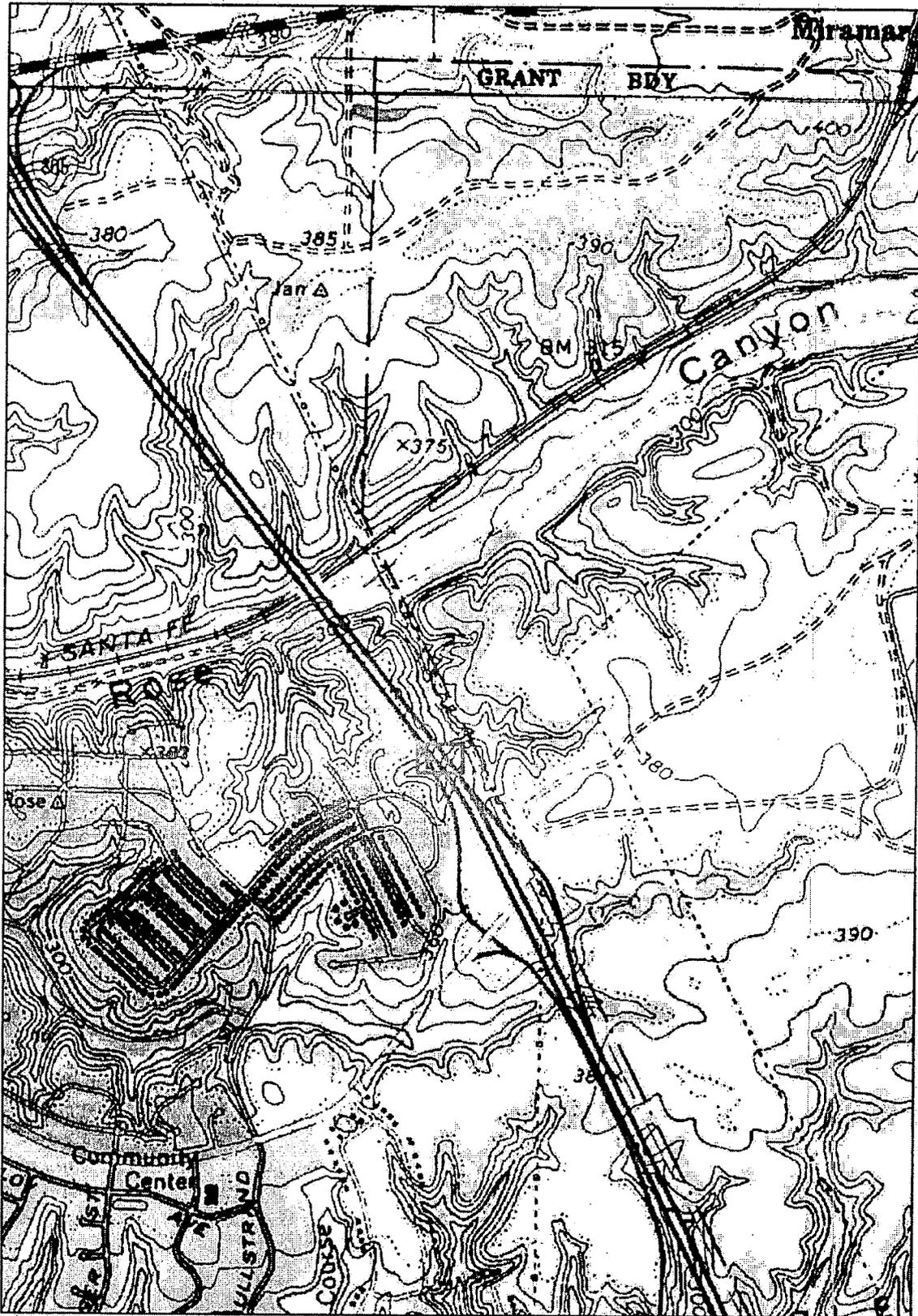
5/5/2010  
Date

ED HAJJ  
Print Name



**I-805 & Governor Dr.  
Culvert Replacement**

VICINITY MAP



Source: USGS 7.5 Minute Series Quadrangle (La Jolla)

 Project Location

**Seed (Type 1) – Riparian Mix**

Botanical Name Common Name	% min germination	kg pure live seed per hectare
<i>Ambrosia psilostachya</i> Western ragweed		
<i>Artemisia douglasiana</i> California mugwort		
<i>Baccharis salicifolia</i> mulefat		
<i>Oenothera elata hookerii</i> California evening primrose		
<i>Salix lasiolepis</i> Arroyo willow		

**Seed (Type 2) – Coastal Sage Scrub Mix**

Botanical Name Common Name	% min germination	kg pure live seed per hectare
<i>Artemisia californica</i> California sagebrush		
<i>Dichelostemma puchellum</i> blue dicks		
<i>Eriogonum fasciculatum</i> California buckwheat		
<i>Lotus scoparius</i> deerweed		
<i>Lupinus bicolor</i> miniature lupine		
<i>Salvia apiana</i> white Sage		
<i>Salvia mellifera</i> black sage		
<i>Stipa pulchra</i> purple needlegrass		



-  Riparian seeding - Type 1
-  Coastal Sage Scrub Mix - Type 2

**DEPARTMENT OF TRANSPORTATION**

4050 TAYLOR STREET  
SAN DIEGO, CA 92110  
PHONE (619) 688-6668  
FAX (619) 688-3122  
TTY 711



Flex your power!  
Be energy efficient!

April 13, 2010

11-SD-805  
PM 24.7  
EA 288901

Ms. Stephanie Hall  
Project Manager  
U.S. Army Corps of Engineers  
Los Angeles District Regulatory Branch  
P.O. Box 532711  
Los Angeles, CA 90053-2325

**Re: I-805 Pipe Replacement Project; Jurisdictional Delineation and Determination Package**

Dear Ms. Hall:

The California Department of Transportation (Caltrans) proposes to replace an existing 24-inch by 440-foot long concrete pipe underneath Interstate 805 (I-805), north of Governor Drive, in the city of San Diego, California (Figures 1-3). As part of this project, both permanent and temporary impacts will occur to an unnamed drainage. This letter provides a summary of the project, the results of a wetland delineation that was conducted within the project limits, and a Preliminary Jurisdictional Determination (JD) Form (Attachment A) in accordance with Regulatory Guidance Letter (RGL) 08-02. All figures referred to herein are included in Attachment B. The wetland delineation forms that were completed at the site are included as Attachment C. The information within this letter and attached documents are provided with a request for a preliminary jurisdictional determination for this unnamed drainage within the project area, and concurrence with the delineation of jurisdictional waters as described herein.

Project Location

The proposed project site is located in the city of San Diego, along I-805, north of Governor Drive [post mile (PM 24.7)] (Figures 1-3).

Project Description

The proposed project is to replace an existing 24-inch by 440-foot long pipe underneath I-805, north of Governor Drive. The new corrugated metal pipe (CMP) will be placed inside a 30-inch

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 2

steel casing that will be inserted or "jacked" around the existing pipe. The existing pipe is located 35 to 40 feet below grade. Currently, the bottom section of the existing 24-inch by 440-foot pipe has rusted through with bottom sections missing. If the pipe is not replaced, a sinkhole could develop under the main lanes of I-805 resulting in a collapse of the freeway.

The existing headwalls at the pipe inlet (west side of I-805) and pipe outlet (east side) will be replaced. On the east side of I-805, at the outlet, an area of approximately 700 square feet (ft<sup>2</sup>) will be impacted due to placement of rock slope protection and final grading. Within this 700 ft<sup>2</sup> area, approximately 300 ft<sup>2</sup> will consist of removal of sediment and replacement of existing rock slope protection (RSP); therefore, only 400 ft<sup>2</sup> will be newly impacted. The placement of RSP will help to dissipate the flow velocity downstream. In addition, approximately 6,100 ft<sup>2</sup> of area, east of I-805, will be temporarily impacted due to access and staging of equipment. An existing dirt road would be used to access the staging area on this side. This access road runs through the Miramar Wholesale Nursery, which leases the property from Marine Corps Air Station (MCAS) Miramar. Permission from MCAS Miramar and the nursery will be obtained prior to construction activities. On the west side, a 130 ft<sup>2</sup> staging area is proposed adjacent to the inlet. Access to the west side will occur from the roadway shoulder (Figure 4).

All work will be completed between September 1 and February 14, to avoid the coastal California gnatcatcher bird breeding season. Construction is anticipated to take 60 to 90 days maximum.

#### Wetland Delineation and Assessment

On June 24, 2009, a wetland delineation and assessment of other potential jurisdictional waters was conducted along the unnamed drainage by Caltrans biologists Kim Smith and Sue Scatolini. The wetland delineation was conducted pursuant to criteria outlined in and in accordance with the *Corps of Engineers Wetlands Delineation Manual* (Manual) (Environmental Laboratory 1987) and the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Environmental Laboratory 2006). Delineating wetlands and other jurisdictional waters of the U.S. in a riparian corridor typically requires the application of indicators of both wetlands and the ordinary high water mark (OHWM). The field methodology for evaluating jurisdictional wetlands requires that an area have indicators of hydrophytic vegetation, hydric soils, and wetland hydrology using the standard three-criteria test outlined in the 2006 Supplement for identification of jurisdictional waters of the U.S. in the form of wetlands. A positive wetland determination would be made for those observation points that exhibited positive wetland field indicators for each of all three of these parameters. The field methodology for evaluating the location of the OHWM requires evaluation of appropriate indicators, e.g., physical evidence (shelving, debris lines, etc.) established by normal fluctuations of water level. For rivers and streams, the OHWM is meant to mark the within-channel high flows, not the average annual flood elevation that generally extends beyond the channel. A positive nonwetland jurisdictional water of the U.S. determination would be made for areas that did not meet all three criteria but are within the lateral extent of OHWM.

The location of the wetland sample sites that were evaluated and photographs that were taken are depicted on Figure 5. The associated Wetland Determination Data Forms are included in Attachment C. Photographs taken within the project area are included in Figures 6 through 10. A summary of the findings at each sample site pertaining to the three wetland criteria is provided in Table 1. A discussion of the vegetation, hydrology, and soils at the site is provided below.

**Table 1. Summary of USACE Wetland Parameters and Site-Specific Jurisdictional Finding**

Sample Point	Plant Community	USACE Arid West Region - Wetland Criteria			USACE Wetland
		Hydrophytic Vegetation	Hydric Soils	Wetland Hydrology	
1	Southern willow scrub	+	-	-	No
2	Southern willow scrub	+	+	+	Yes

## Vegetation

### *Unnamed Drainage*

Southern Willow Scrub. This community consists of dense, broadleaf, winter-deciduous riparian thickets dominated by willows (*Salix* spp.) and mulefat (*Baccharis salicifolia*) with scattered emergent cottonwood (*Populus fremonti*) and western sycamore (*Platanus racemosa*). Formerly extensive in coastal southern California, southern willow scrub is now estimated as reduced by 95 to 97 percent (Faber *et al.* 1989) and 61 percent in San Diego County (Oberbauer 1991). The U.S. Army Corps of Engineers (USACE), California Department of Fish and Game (CDFG), and Regional Water Quality Control Board (RWQCB) regulate impacts to these wetland communities. Southern willow scrub was observed on the east side of I-805 at the outlet of the existing pipe and contains arroyo willow (*Salix lasiolepis*), coyote bush (*Baccharis pilularis*), and poison oak (*Toxicodendron diversilobum*) (Figure 11).

Unvegetated Channel. Unvegetated drainage channels are unvegetated or vegetated with upland vegetation beyond the ordinary high water mark (OHWM). These areas are generally considered "waters of the U.S./State" by the USACE and CDFG, which have jurisdiction under federal and state wetlands permitting laws. The lack of significant vegetative cover in such areas can be attributed to either natural processes, such as flooding; or, to human activities, such as stream channelization for flood control. Areas are designated as disturbed flood channels if the channel has been artificially cleared or disturbed, or if the channel is dominated by non-native trees and lacks any native riparian component. Within the project limits, unvegetated channel (waters of the U.S.) can be found on the west side of I-805 within a concrete-lined ditch that connects to the

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 4

inlet, and on the east side of I-805 in the unnamed drainage that drains the existing concrete metal pipe. This unnamed drainage eventually connects to Rose Canyon Creek, over 1,000 feet north of the project limits (Figure 11).

### *Adjacent Uplands*

Disturbed Diegan Coastal Sage Scrub. Diegan coastal sage scrub was once widespread in coastal southern California, and now it occurs in patches from Los Angeles into Baja California. This plant community is composed of a variety of low, soft aromatic shrubs dominated by drought-deciduous species such as California sagebrush (*Artemisia californica*), flat-top buckwheat (*Eriogonum fasciculatum* var. *fasciculatum*), white sage (*Salvia apiana*), and black sage (*Salvia mellifera*). Typically, there are also scattered evergreen shrubs including lemonadeberry (*Rhus integrifolia*), laurel sumac (*Malosma laurina*), and toyon (*Heteromeles arbutifolia*). The understory is diverse and includes a rich variety of annual forbs, and both annual and perennial grasses. Diegan coastal sage scrub habitat supports a variety of rare plant and animal species (e.g., coastal California gnatcatcher).

The disturbed form of this habitat within the project limits is comprised of the same dominant species listed above with nonnative annual grasses (*Avena* spp., *Bromus* spp.) and nonnative broadleaf species such as Russian thistle (*Salsola tragus*), acacia (*Acacia* spp.), mustard (*Brassica* spp.), and horseweed (*Conyza canadensis*). Disturbed Diegan coastal sage scrub generally has less overall cover than coastal sage scrub. In addition, they often show evidence of disturbance, such as dumping, past clearing or weed invasion. Additional openings in the habitat result from the weedy species in this community. This vegetation type is found on the slopes surrounding the outlet side of the existing pipe and within the proposed access and staging area (Figure 11).

Southern Mixed Chaparral. Southern mixed chaparral tends to occur on steeper, more mesic north-facing slopes than chamise chaparral. This vegetation community type is characterized by relatively high species diversity. Typical species include chamise (*Adenostoma fasciculatum*), Eastwood manzanita (*Arctostaphylos glandulosa* ssp. *glandulosa*), Nuttall's scrub oak (*Quercus dumosa*), holly-leaf cherry (*Prunus ilicifolia*), toyon, and winter currant (*Ribes indecorum*). The understory component is generally better-developed in this association than in chamise chaparral, and may include species such as mariposa lily (*Calochortus* spp.), soap plant (*Chlorogalum* spp.), and bedstraw (*Galium* spp.), among others. Some patches of southern mixed chaparral within the project limits have larger components of Nuttall's scrub oak or poison oak. Southern mixed chaparral occurs on the east side of I-805, to the north of the proposed work area, and adjacent to the inlet on the west side of I-805 (Figure 11).

Coastal Sage Scrub-Chaparral. Coastal sage scrub-chaparral is a mixture of the dominant species in coastal sage scrub and chaparral communities. Dominant plant species that occur in this community include chamise, coastal sagebrush, lilac (*Ceanothus* spp.), black sage, and poison

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 5

oak (Holland 1986). Coastal sage scrub- chaparral occurs to the south of the outlet, on the east side of I-805 (Figure 11).

Disturbed Habitat. These areas are any lands where agricultural practices, construction, or other land-clearing activities have significantly altered the native vegetation; species composition and site conditions are not characteristic of the disturbed phase of one of the plant associations within the project limits. Such habitat, which is dominated by non-native annuals and perennial broadleaf species, is typically found in vacant lots, roadsides, construction staging areas, and abandoned fields. Typical species found within this community in the project limits include mustards, non-native grasses (*Avena* spp., *Bromus* spp.), chrysanthemum (*Chrysanthemum coronarium*), star-thistle (*Centaurea* spp.), wild radish (*Raphanus sativus*), thistle (*Carduus pycnocephalus*), horseweed, and often degraded broadleaf ornamental plants such as ice plant (*Carpobrotus* spp.) and acacia. This habitat occurs on the east side of I-805, on the slope above the outlet and within the proposed access and staging area (Figure 11).

Ornamental. Ornamental habitat is dominated by nonnative ornamental species. Ornamental species commonly found in this habitat along I-805 include ice plant, acacia, oleander (*Nerium oleander*), eucalyptus (*Eucalyptus* spp.), and pepper trees (*Schinus* spp.). This community is found within Caltrans right of way, particularly within interchanges and narrow slopes of the freeway. Ornamental habitat is found on the west side of I-805 along the slope adjacent to the inlet of the pipe (Figure 11).

Developed. Developed areas are lands that have been permanently altered by human activities. These areas include roads, buildings, and other areas where the land has been altered to such a state that natural vegetation cannot become reestablished. Developed areas occur adjacent to the inlet on the west side of I-805 and include residential housing (Figure 11).

## Soils

The predominant soil type within the project area that underlies the creek and adjacent terrace is Terrace Escarpments. These and other soils occurring within the survey area are mapped on Figure 12, and all soils listed on the National List of Hydric Soils with positive hydric ratings (NRCS 2010) are highlighted in blue.

## Hydrology

The existing creekbed at this location flows from west to east through a pipe underneath I-805 and eventually connects to Rose Canyon Creek, over 1,000 feet north of the project limits. This unnamed tributary is an intermittent drainage. An intermittent drainage is a stream, creek, or wash that flows generally during the wet season in a continuous well-defined channel. During dry periods, an intermittent stream ceases to flow occasionally or seasonally and may appear dry as a result of limited available water supply, low water inputs, bed seepage, and

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 6

evapotranspiration. However, even during these dry periods there is water flowing through the substrate beneath the intermittent stream bottom. This is usually caused by the seasonal changes of the local soil water table or during periods of long-term drought. The flow events for intermittent drainage features are measured in seasonal duration (ranging from weeks to several months; usually within the wet season).

This drainage is considered intermittent due to the dry/wet observations made during the June 24, 2009 wetland delineation (see Figures 6 through 10). The low flow channel on the east side of I-805 was dry; however, the area immediately in front of the headwall contained ponded water. Hydrology indicators (water marks, sediment deposits, and drainage patterns) were present in the low flow channel of the creek. All three wetland criteria were observed only within the low flow channel, east of I-805. Outside of the low flow channel, hydrologic indicators and soils quickly changed to non-wetland, although southern willow scrub habitat remained. The channel downstream of the project site is unvegetated and was identified as waters of the U.S. by the OHWM.

The project limits are contained in the Los Peñasquitos Hydrologic Unit; Hydrologic Area – Miramar. The Los Peñasquitos Hydrologic Unit is comprised of the Los Peñasquitos Creek watershed, several coastal tributaries, and the Mission Bay watershed. These watersheds drain a highly urbanized region located almost entirely west of Interstate 15 in coastal San Diego County. Collectively and individually, they support a variety of water supply, economic, recreational, and habitat-related beneficial uses. The major receiving waters, Los Peñasquitos Lagoon and Mission Bay, are both fragile systems that support diverse native fauna and flora. Both water bodies are especially sensitive to the effects of pollutants due to restricted or intermittent tidal flushing. Rose Canyon Creek and its tributary drainages form the backbone of the hydrologic system in the project limits. Rose Canyon Creek flows east to west, under I-805 along the south side of the railroad tracks, over 1,000 feet north of the project area.

#### Project Effects to Jurisdictional Waters

Both USACE and CDFG jurisdictional wetlands will be impacted by this project. Impacts will occur at the outlet of the pipe where an existing headwall will be replaced, rock slope protection will be placed, and final grading will occur. Permanent impacts to 0.001 acre of USACE wetland and 0.004 acre of other waters of the U.S. will result from this project (Table 2 and Figure 13). In addition, 0.004 acre of USACE wetland and 0.018 acre of other waters of the U.S. will be temporarily impacted. Impacts to waters of the U.S. will occur at both the inlet and outlet of the existing pipe. Approximately 0.008 acre of CDFG wetland, consisting of southern willow scrub, will be permanently impacted and 0.03 acre of CDFG wetland will be temporarily impacted by construction access to the outlet (Table 2 below and Figure 13).

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 7

**Table 2. Permanent and Temporary Impacts to ACOE/CDFG Jurisdictional Areas**

Jurisdictional Area	Permanent Impacts (Acres)	Temporary Impacts (Acres)
ACOE Wetland	0.001	0.004
ACOE/CDFG other Waters of the US	0.004	0.018
CDFG Wetland	0.008	0.03

Wetland Determination

This unnamed drainage within the project site has been evaluated to be a relatively permanent, non-navigable water approximately 1,000 feet upstream of its confluence with Rose Canyon Creek. Based upon the overview of the hydrologic connectivity and the field analysis, this unnamed drainage presents a non-navigable tributary to a traditional navigable waterway (the Pacific Ocean).

RGP 08-02 provides an option for an applicant to decline to request and obtain an approved JD, and submit a preliminary JD form. This option is being pursued due to the assumed jurisdictional status of the low-flow creek channel as delineated for the project, the direct hydrologic connection of this unnamed tributary to Rose Canyon Creek, and the minor impacts to this unnamed drainage as a result of the proposed project.

This jurisdictional delineation and assessment is provided to the USACE with a request for a preliminary jurisdictional determination over the reach of this unnamed drainage within the project limits, and concurrence with the delineation of jurisdictional waters as provided herein. All figures and documentation included in this submittal are for the purpose of assisting the USACE in their review. Please do not hesitate to contact me with any additional request.

Sincerely,



Kim T. Smith  
Project Biologist

cc: Gladys Baird, Caltrans Environmental Stewardship

Attachment A, Preliminary Jurisdictional Determination (JD) Form  
Attachment B, Figures: Figure 1 – Project Locality  
Figure 2 – Project Vicinity

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 8

- Figure 3 – Project Vicinity – Topographic Map
- Figure 4 – Project Vicinity – Aerial Map
- Figure 5 – Jurisdictional Areas within the Project Study Area; Wetland Delineation Sample Sites and Photograph Locations
- Figure 6 – Representative Photographs 1 and 2
- Figure 7 – Representative Photographs 3 and 4
- Figure 8 – Representative Photographs 5 and 6
- Figure 9 – Representative Photographs 7 and 8
- Figure 10 – Representative Photograph 9
- Figure 11 – Vegetation Communities within the Project Study Area
- Figure 12 – Soils
- Figure 13 - Permanent and Temporary Impacts to USACE/CDFG Jurisdictional Areas

#### Attachment C, Wetland Delineation Forms

#### References

##### Environmental Laboratory

1987 *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. U.S. Army Engineer Waterways Experiment Station. Vicksburg, Mississippi.

2006 *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*. December.

##### Faber, P.A., E. Keller, A. Sands, and B.M. Massey

1989 The ecology of riparian habitats of the southern California coastal region: a community profile. U.S. Fish and Wildlife Service Biol. Rep. 85(7.27), 152pp.

##### Holland, R.

1986 Preliminary Descriptions of the Terrestrial Natural Communities of California. California Department of Fish and Game. Non-game Heritage Program. Sacramento, California.

##### NRCS

2010. Natural Resource Conservation Service. National List of Hydric Soils: <http://soils.usda.gov/use/hydric/>.

##### Oberbauer, T.

1996 Terrestrial Vegetation Communities in San Diego County Based on Holland's Descriptions. County of San Diego Department of Land Use and Planning.

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 9

1991 Comparison of Pre-European and 1988 vegetation coverage for San Diego County. In Abbot, P. and B. Elliot. Geol. Soc. North Amer., So. Calif. Reg., Sympos. Oct. 21-24, 1991, San Diego, California.

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 10

**ATTACHMENT A**

**PRELIMINARY JD FORM**

**PRELIMINARY JURISDICTIONAL DETERMINATION FORM**  
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD):** April 2010

**B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:** Kim Smith, Caltrans District Biologist, California Department of Transportation (Caltrans), District 11, Environmental Resource Studies, 4050 Taylor Street, San Diego, California 92110

**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Los Angeles District Regulatory Branch, P.O. Box 532711, Los Angeles, California 90053-2325

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**

(Use the attached table to document multiple waterbodies at different sites)

State: CA County/parish/borough: San Diego City: San Diego

Center coordinates of site (lat/long in degree decimal format): Lat. 32°51'38.784"N, Long. 117°11'12.055"W

Universal Transverse Mercator:

Name of nearest waterbody: unnamed tributary to Rose Canyon Creek. Rose Canyon Creek is over 1,000 feet north of the project site.

Identify (estimate) amount of waters in the review area:

Non-wetland waters: Permanent -- 0.004 acre/Temporary -- 0.018 acre Cowardin Class: Riverine, unconsolidated bottom, intermittently flooded

Stream Flow: Intermittent

Wetlands: Permanent - 0.001 acre/Temporary -- 0.004 acre Cowardin Class: Riverine, unconsolidated bottom, intermittently flooded

Name of any waterbodies on the site that have been identified as Section 10 waters: None

Tidal: none

Non-Tidal: none

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

Office (Desk) Determination. Date: April 2010

Field Determination. Date(s): June 10, 2009 and June 24, 2009

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

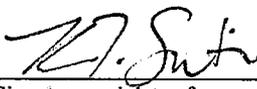
2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

**A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas:
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: USGS La Jolla 7.5' Minute Quadrangle (Scale 1:24,000), T 15S, R 3W.
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Figure 4.  
 or  Other (Name & Date): Ground photos taken by Kim Smith, Caltrans District Biologist -- June 10 and 24, 2009.
- Previous determination(s). File no. and date of response letter:
- Other information (please specify): Biological Assessment(BA), provided by Kim Smith, Caltrans District Biologist dated March 2010.

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

\_\_\_\_\_  
 Signature and date of  
 Regulatory Project Manager  
 (REQUIRED)

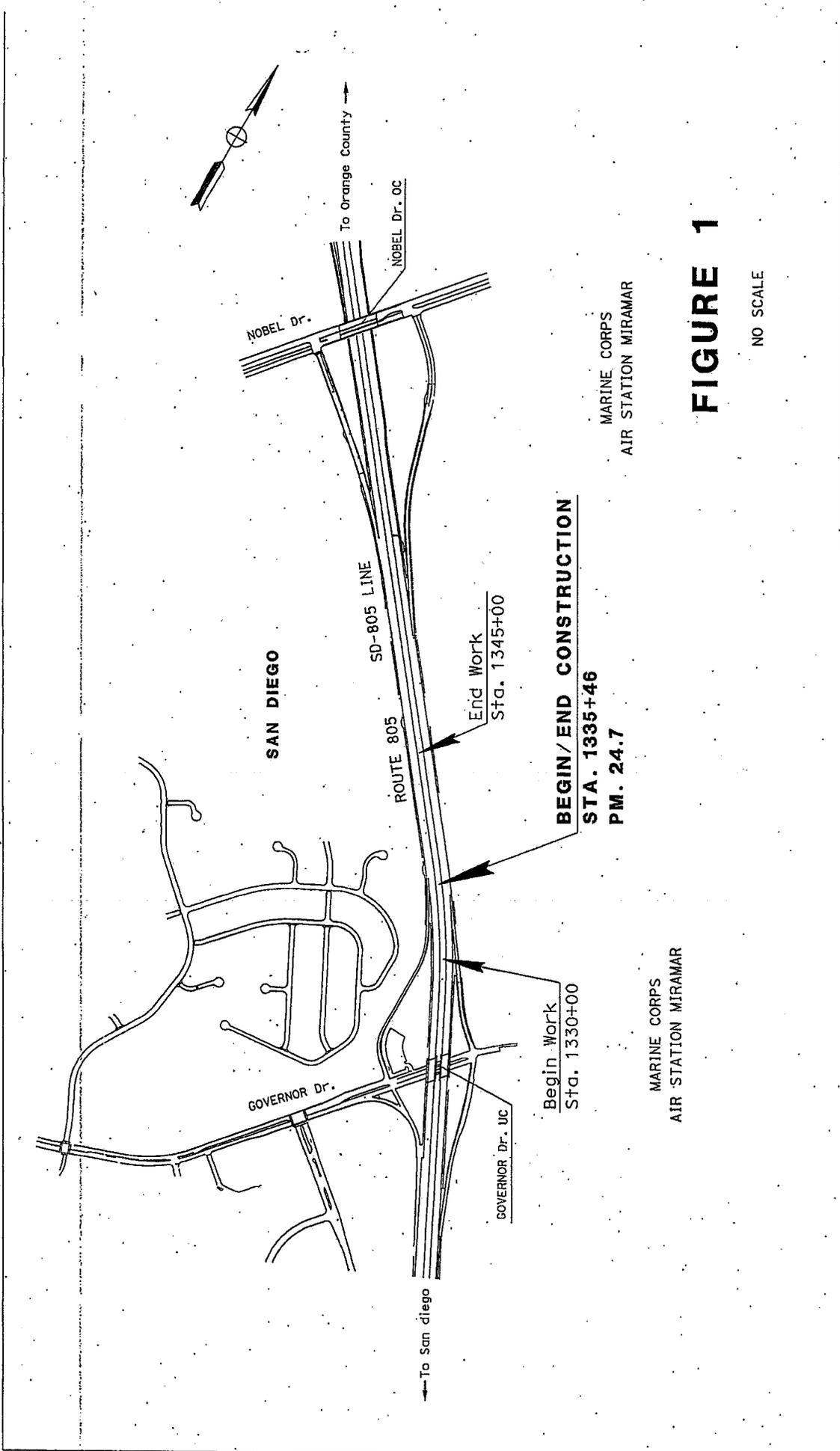
  
 \_\_\_\_\_  
 Signature and date of  
 person requesting preliminary JD  
 (REQUIRED, unless obtaining  
 the signature is impracticable)

Site number	Latitude	Longitude	Cowardin Class	Estimated amount of aquatic resource in review area	Class of aquatic resource
1	32°51'38.784"N	117°11'12.055"W	Riverine, unconsolidated bottom, intermittently flooded	Permanent impacts will occur to 0.001 acre of ACOE jurisdictional wetland (disturbed wetland) and a total of 0.004 acre of waters of the U.S. Temporary impacts will occur to 0.004 acre of ACOE jurisdictional wetland and a total of 0.018 acre of waters of the U.S.	Section 404 (non-Section 10 – non-tidal)

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 11

**ATTACHMENT B**

**FIGURES**



**FIGURE 1**

NO SCALE

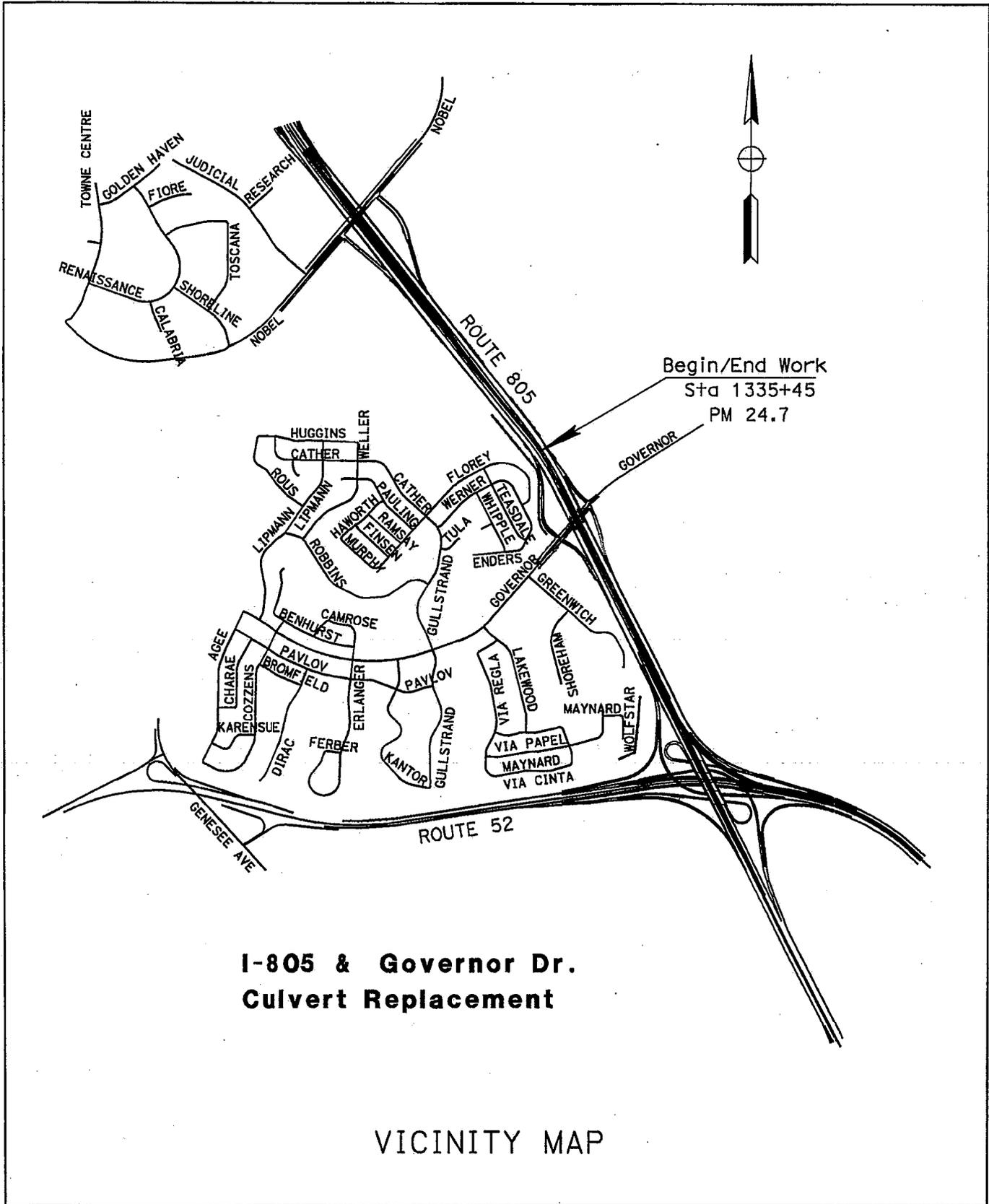
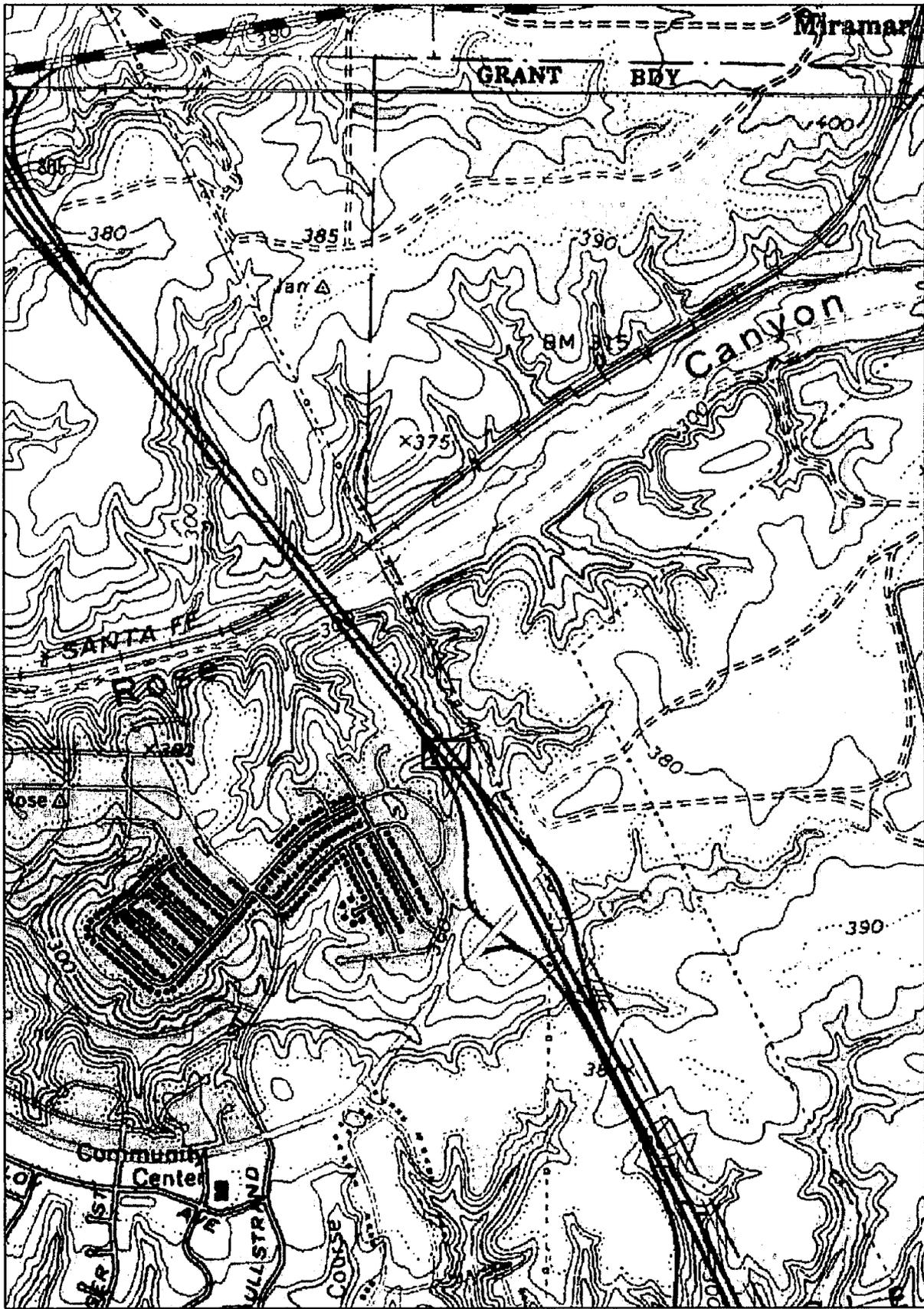


FIGURE 2



Source: USGS 7.5 Minute Series Quadrangle (La Jolla)

□ Project Location

FIGURE 3



-  Work Area
-  Caltrans Right Of Way
-  Area of Rock Slope Protection

FIGURE 4

I-805 Pipe Replacement Project  
EA 298500



**USACE/CDFG Jurisdictional Areas within the Project Study Area**

- USACE Wetland
- USACE/CDFG Waters of the U.S.
- CDFG Wetland
- Proposed Work Area
- Sample Point
- ↑ Photo Point and Direction

**FIGURE 5**



Photograph 1. East side of I-805, looking west at outlet of pipe (beneath the southern willow scrub).

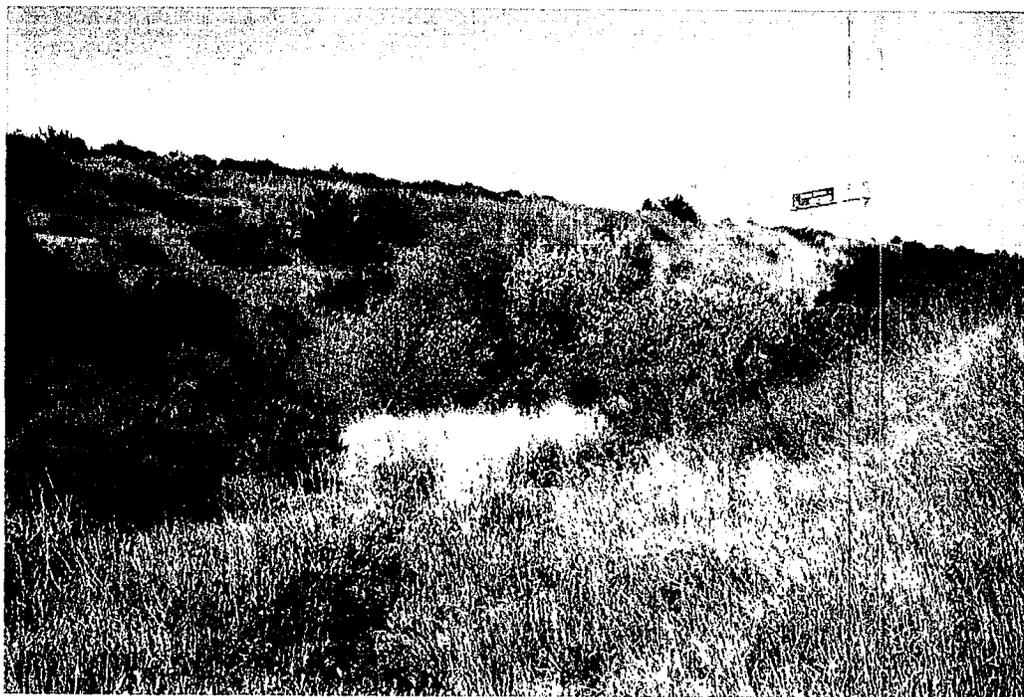


Photograph 2. East side of I-805, looking south at proposed access and storage area. Outlet on right side of photo.

**FIGURE 6**  
**Photographs 1 and 2**



Photograph 3. East side of I-805, looking south at access road.



Photograph 4. East side of I-805, looking west towards the outlet. Outlet of the pipe is at the base of the slope within the southern willow scrub habitat. Proposed access and staging area is within the disturbed habitat at the forefront of the photo.

**FIGURE 7**  
**Photographs 3 and 4**



Photograph 5. East side of I-805, looking west at the outlet of the pipe.

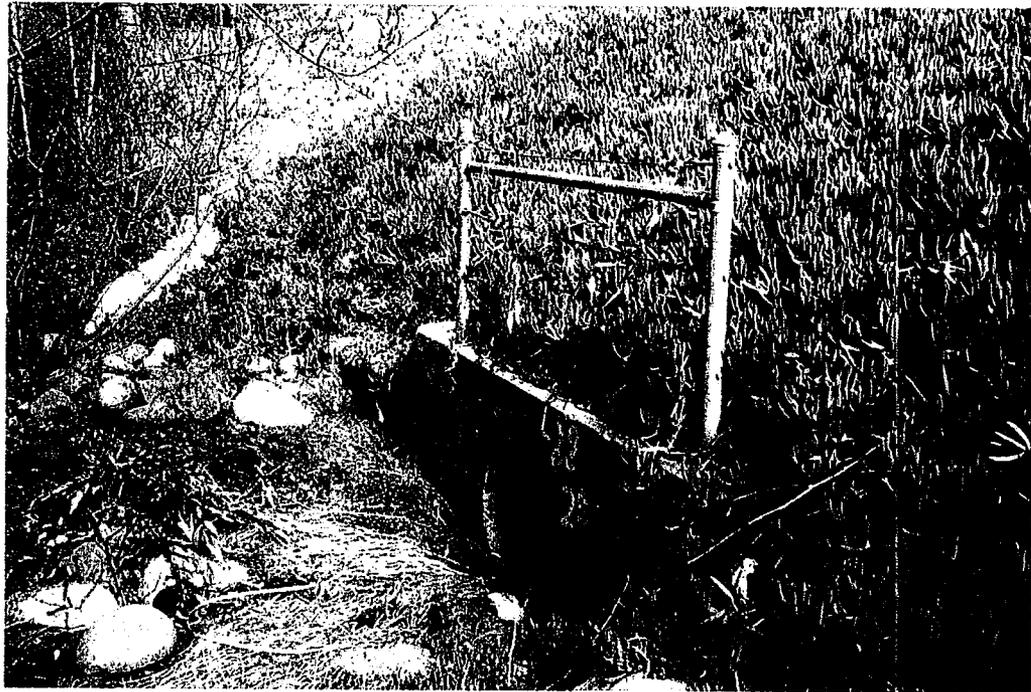


Photograph 6. East side of I-805, looking west from Wetland Delineation Sample Point 2, towards the outlet. Water is ponded at the base of the headwall of the pipe.

**FIGURE 8**  
**Photographs 5 and 6**

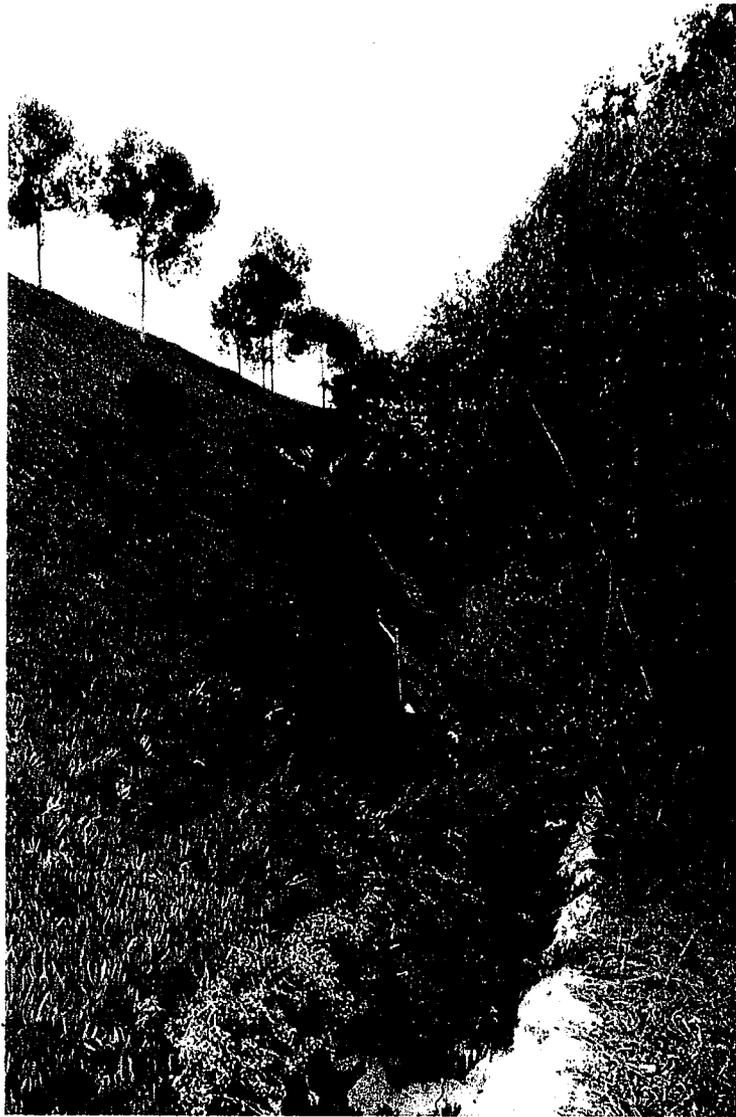


Photograph 7. East side of I-805. Wetland Delincation Sample Point 1.



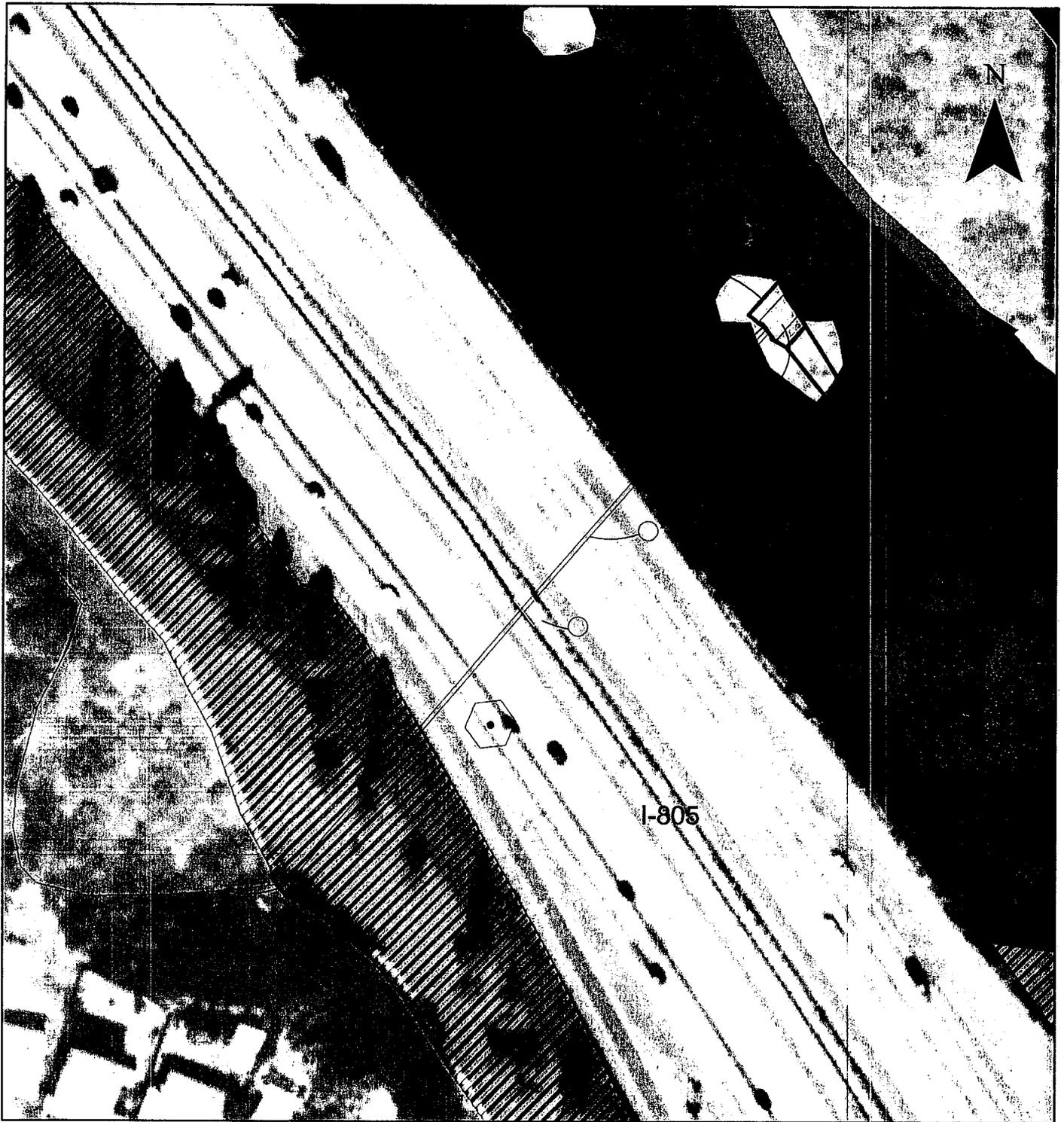
Photograph 8. West side of I-805, looking west at the inlet of the pipe.

**FIGURE 9**  
Photographs 7 and 8



Photograph 9. West side of I-805. Looking south at the inlet of the pipe

**FIGURE 10**  
**Photograph 9**



**Vegetation Communities within the Project Study Area**

- |  |  |  |
|--|--|--|
|  Diegan Coastal Sage Scrub    |  Waters of the U.S. |  Proposed Work Area |
|  Disturbed Coastal Sage Scrub |  Disturbed Habitat  |  |
|  Coastal Sage Scrub-Chaparral |  Ornamental         |  |
| Chaparral-Quercus dumosa   |  Bare Ground        |  |
| Southern Mixed Chaparral   | Developed  |  |
| Southern Willow Scrub  |  |  |

**FIGURE 11**



~ Unnamed drainage

## Soil Descriptions

### Hydric Soils

Cfb - Chesterton fine sandy loam, 2 to 5 % slopes

RdC - Redding gravelly loam, 2 to 9 % slopes

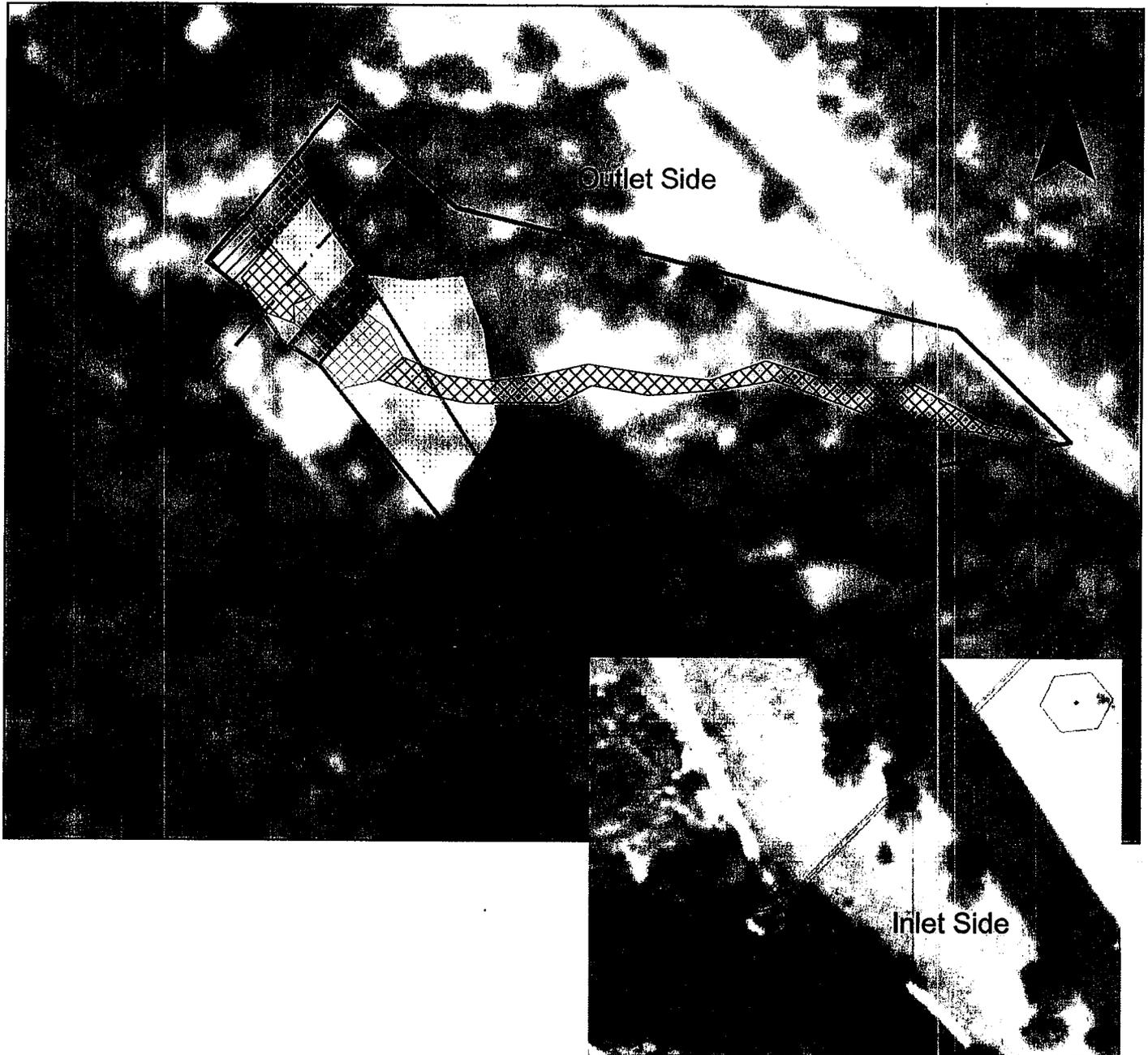
Rm - Riverwash

OhF - Olivenhain cobbly loam - 30 to 50 % slopes

RhC - Redding-Urban Land Complex, 2 to 9 % slopes

TeF - Terrace Escarpments

FIGURE 12



**Permanent and Temporary Impacts to USACE/CDFG Jurisdictional Areas**

-  Permanent impact to USACE Wetland - 0.001 acre
-  Temporary Impact to USACE wetland - 0.004 acre
-  Permanent Impact to CDFG Wetland - 0.008 acre
-  Temporary Impact to CDFG Wetland - 0.03 acre
-  Permanent Impact to USACE/CDFG WUS - 0.004 acre
-  Temporary Impact to USACE/CDFG WUS - 0.018 acre

**FIGURE 13**

Ms. Stephanie Hall  
U.S. Army Corps of Engineers  
April 08, 2010  
Page 12

**ATTACHMENT C**  
**WETLAND DELINEATION FORMS**

**WETLAND DETERMINATION DATA FORM – Arid West Region**

Project/Site: 805 North Managed Lanes, Governor City/County: San Diego / SD Sampling Date: June 24, 2009  
 Applicant/Owner: Caltrans State: CA Sampling Point: 1  
 Investigator(s): Sue. Scatolini and Kim Smith Section, Township, Range: Section NA, Township 15 South, Range 3 West  
 Landform (hillslope, terrace, etc.): drainage Local relief (concave, convex, none): Concave Slope (%): 0  
 Subregion (LRR): C (Cal-Med) Lat: 32.861397 Long: -117.185996 Datum: N.A.  
 Soil Map Unit Name: Terrace Escarpments NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Hydric Soil Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Remarks: Area toward edge of slight concave area with dense canopy of arroyo willow. It is not a 3 criteria wetland, but does qualify as CDFG wetland.	

**VEGETATION**

<u>Tree Stratum</u> (Use scientific names.)	<u>Absolute % Cover</u>	<u>Dominant Species?</u>	<u>Indicator Status</u>	<u>Dominance Test worksheet:</u>
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)  Total Number of Dominant Species Across All Strata: <u>2</u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50</u> (A/B)
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
Total Cover: _____				<u>Prevalence Index worksheet:</u> Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species <u>90</u> x 2 = <u>180</u> FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species <u>1</u> x 5 = <u>5</u> Column Totals: <u>91</u> (A) <u>185</u> (B)  Prevalence Index = B/A = <u>2.03</u>
<u>Sapling/Shrub Stratum</u>				
1. <u>Salix lasiolepis</u>	<u>90</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Baccharis pilularis</u>	<u>5</u>	<u>N</u>	<u>UPL</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	<u>Hydrophytic Vegetation Indicators:</u> <input checked="" type="checkbox"/> Dominance Test is >50% <input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup> _____ Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present.
Total Cover: <u>95</u>				
<u>Herb Stratum</u>				
1. <u>Carduus pycnocephalus</u>	<u>1</u>	<u>Y</u>	<u>UPL</u>	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
Total Cover: <u>1</u>				
<u>Woody Vine Stratum</u>				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
Total Cover: _____				
% Bare Ground in Herb Stratum _____ % Cover of Biotic Crust _____				
<u>Hydrophytic Vegetation Present?</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
Remarks:  Low area with dense arroyo willow near edge of willows.				

**SOIL**

Sampling Point: 1

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-1	10YR 2/2	95	10YR 4/4	5	RM	M	clay loam	deposition on the surface with leaves
1-15	10YR 5/4	100					sandy loam	consistant type to depth

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix. <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils <sup>3</sup> :
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 1 cm Muck (A9) (LRR C)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10) (LRR B)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> Reduced Vertic (F18)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Stratified Layers (A5) (LRR C)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> 1 cm Muck (A9) (LRR D)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Depressions (F8)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Vernal Pools (F9)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)		

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.

**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes \_\_\_\_\_ No X

**Remarks:**

This area does not exhibit hydric soils

**HYDROLOGY**

Wetland Hydrology Indicators:		Secondary Indicators (2 or more required)
Primary Indicators (any one indicator is sufficient)		
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Water Marks (B1) (Riverine)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Biotic Crust (B12)	<input checked="" type="checkbox"/> Sediment Deposits (B2) (Riverine)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Drift Deposits (B3) (Riverine)
<input type="checkbox"/> Water Marks (B1) (Nonriverine)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Sediment Deposits (B2) (Nonriverine)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Drift Deposits (B3) (Nonriverine)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)	<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> Shallow Aquitard (D3)
		<input type="checkbox"/> FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes \_\_\_\_\_ No X Depth (inches): \_\_\_\_\_

Water Table Present? Yes \_\_\_\_\_ No X Depth (inches): \_\_\_\_\_

Saturation Present? Yes \_\_\_\_\_ No X Depth (inches): \_\_\_\_\_  
(includes capillary fringe)

Wetland Hydrology Present? Yes \_\_\_\_\_ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**

The area is slightly concave to surrounding area, but does not show two secondary indicators.

**WETLAND DETERMINATION DATA FORM – Arid West Region**

Project/Site: 805 North Managed Lanes, Governor City/County: San Diego / SD Sampling Date: June 24, 2009  
 Applicant/Owner: Caltrans State: CA Sampling Point: 2  
 Investigator(s): Sue. Scatolini and Kim Smith Section, Township, Range: Section NA, Township 15 South, Range 3 West  
 Landform (hillslope, terrace, etc.): drainage Local relief (concave, convex, none): Concave Slope (%): 0  
 Subregion (LRR): C (Cal-Med) Lat: 32.86144127 Long: -117.186031774 Datum: N.A.  
 Soil Map Unit Name: Terrace Escarpments NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No \_\_\_\_\_ (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_, Soil X, or Hydrology X significantly disturbed? Are "Normal Circumstances" present? Yes \_\_\_\_\_ No X  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Remarks: Area is near the outlet of a culvert that has a paved apron that retains water, and flow out of drainage has caused deeper concave area near the outlet. Soils assumed, due to disturbed nature, thick roots, and poison oak that didn't allow soil pit to be dug.	

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)  Total Number of Dominant Species Across All Strata: <u>2</u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50</u> (A/B)
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
Total Cover: _____				<b>Prevalence Index worksheet:</b> Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species <u>100</u> x 2 = <u>200</u> FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species <u>5</u> x 5 = <u>25</u> Column Totals: <u>105</u> (A) <u>225</u> (B)  Prevalence Index = B/A = <u>2.143</u>
<b>Sapling/Shrub Stratum</b>				
1. <u>Salix lasiolepis</u>	<u>100</u>	<u>Y</u>	<u>FACW</u>	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
Total Cover: <u>100</u>				
<b>Herb Stratum</b>				<b>Hydrophytic Vegetation Indicators:</b> <input checked="" type="checkbox"/> Dominance Test is >50% <input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup> _____ Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
1. <u>Toxicodendron diversilobum</u>	<u>5</u>	<u>Y</u>	<u>UPL</u>	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
Total Cover: <u>5</u>				
<b>Woody Vine Stratum</b>				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present.
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
Total Cover: _____				
% Bare Ground in Herb Stratum <u>0</u> % Cover of Biotic Crust _____				<b>Hydrophytic Vegetation Present?</b> Yes <u>X</u> No _____
Remarks:				





**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**  
**Continuation Sheet**

**Air Quality Conformity**

The project will not cause or contribute to new localized CO, PM<sub>2.5</sub>, PM<sub>10</sub> or MSAT violations nor increase the frequency or severity of any existing exceedances. This project is determined to be exempt from all emissions analyses for the following reason: In Table 1 (EPA 40 CFR Part 93, Table 2), Projects Exempt from All Emissions Analyses, "Highway Safety Improvement Program implementation" is listed as a project that is exempt from all analyses.

**Section 106 (Cultural Resources)**

On April 6, 2009 it was found that the project APE is cleared within the Historic Property Survey Report for the I-805 Managed Lanes-North (EA 081630). No properties requiring evaluation are present within the project APE.

**Section 7 Informal Consultation**

A Biological Assessment was completed on March 24, 2010 and requested concurrence that the project may affect, but is not likely to adversely affect the coastal California gnatcatcher. With adherence to the conservation measures concurred upon by the United States Fish and Wildlife Service (USFWS) in their Biological Opinion, dated April 26, 2010, the USFWS agreed with the finding found within the Biological Assessment.



## DEPARTMENT OF THE ARMY

Los Angeles District, Corps of Engineers

P.O. Box 532711

Los Angeles, California 90053-2325

August 2, 2010

REPLY TO  
ATTENTION OF:

Office of the Chief  
Regulatory Division

### DEPARTMENT OF THE ARMY NATIONWIDE PERMIT AUTHORIZATION

Bruce April  
Chief, Environmental Stewardship  
California Department of Transportation - District 11  
4050 Taylor Street, MS-242  
San Diego, California 92110

Dear Mr. April:

This is in reply to your application (File No. SPL-2010-00577-SJH) dated May 10, 2010, for a Department of the Army Permit to discharge permanent fill into a total of 0.005-acre and temporary fill into a total of 0.022-acre of Waters of the United States (WOUS). This discharge of fill is associated with culvert maintenance activities in a tributary to Rose Canyon Creek at Interstate (I) 805, Post Mile 24.7, in the City and County of San Diego, 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. 3, Maintenance**, as described in enclosure 1.

Specifically, you are authorized to perform the following activities:

1. Discharge permanent fill into 0.001-acre (8 linear feet) of wetland and 0.004-acre (8 linear feet) of non-wetland channel;
2. Discharge temporary fill into 0.004-acre (15 linear feet) of wetland and 0.018-acre (150 linear feet) of non-wetland channel.
3. Using pipe-jacking (trenchless) technique, use hydraulic jacks to push a 30" x 440' steel casing through the ground behind a rotating cutter-head. Insert a 24" x 440' High Density Polyethylene Pipe (HDPE) into steel casing;
4. Fill existing Corrugated Metal Pipe (CMP) with slurry and abandon in-place;
5. Remove approximately 80 cubic yards of sediment partially blocking CMP;

6. Replace existing Rock Slope Protection (RSP) after HDPE is in place;
7. Re-construct two new headwalls, one at outlet and one at inlet of the HDPE.

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

**Special Conditions:**

1. The Permittee shall abide by the terms and conditions of the Order for Technically-conditioned 401 Certification (10C-035), dated July 21, 2010.
2. The Permittee shall mitigate on-site for construction-related temporary impacts to disturbed habitat, including: 0.043-acre of coastal sage, 0.03-acre of coastal sage scrub-chaparral, and 0.05-acre of disturbed habitat at a 1:1 ratio. On-site mitigation for temporary impacts shall consist of re-grading to pre-construction conditions and hydro-seeding with a coastal sage scrub seed mix.
3. The Permittee shall mitigate off-site, at the Caltrans 18-acre Forester Creek mitigation site. A total of 0.011 acre of wetland creation credits will be deducted from the mitigation site to off-set permanent and temporary impacts at the following ratios: permanent impacts to 0.001-acre of wetlands mitigated at 3:1 (0.003) and 0.004-acre of non-wetlands mitigated at 1:1 (0.004). Additionally, temporary impacts to 0.004-acre of wetlands will be mitigated at 1:1 (0.004).
4. Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a complete set of final detailed grading/construction plans showing all work and structures in waters of the U.S. All plan sheets shall be signed, dated, and submitted on paper no larger than 11 x 17 inches. No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps Regulatory Division approval of the final detailed grading/construction plans. The Permittee shall ensure that the project is built in accordance with the Corps-approved plans.
5. The Permittee shall clearly mark the limits of the workspace with flagging or similar means to ensure mechanized equipment does not enter preserved waters of the U.S. and riparian wetland/habitat areas. Adverse impacts to waters of the U.S. beyond the Corps-approved construction footprint are not authorized. Such impacts could result in permit suspension and revocation, administrative, civil or criminal penalties, and/or substantial, additional, compensatory mitigation requirements
6. Within 45 calendar days of completion of authorized work in WOUS, the Permittee shall submit to the Corps Regulatory Division a post-project implementation memo including the following:

- A) Date authorized impacts to WOUS ceased;
- D) Color photographs taken at the project site before, during, and after construction for those aspects directly associated with impacts to waters of the U.S.; and
- E) One copy of "as built" drawings for the entire project, including all mitigation sites (all sheets must be signed, dated, to-scale, and no larger than 11 x 17 inches).

**Endangered Species Act:**

1. This Corps permit does not authorize you to take any threatened or endangered species, in particular the California gnatcatcher (*Polioptila californica californica*) 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). Pursuant to the FWS correspondence dated April 26, 2010, including the required avoidance and minimization measures, 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.

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 Stephanie Hall of my staff at 213-452-3410 or via e-mail at Stephanie.J.Hall@usace.army.mil.

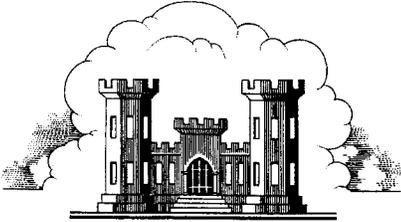
Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at: <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Cohen".

Mark D. Cohen  
Deputy Chief,  
Regulatory Division

Enclosure



LOS ANGELES DISTRICT  
U.S. ARMY CORPS OF ENGINEERS

CERTIFICATION OF COMPLIANCE WITH  
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT

Permit Number: *SPL-2010-00577-SJH*  
Name of Permittee: *Bruce April, CALTRANS - District 11*  
Date of Issuance: *August 2, 2010*

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-2010-00577-SJH  
Los Angeles District, Corps of Engineers  
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 330.5 or enforcement procedures such as those contained in 33 CFR 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

**Enclosure 1: NATIONWIDE PERMIT NUMBER(S) NWP 3 Maintenance. TERMS AND CONDITIONS**

**1. Nationwide Permit(s) NWP 3 Maintenance. Terms:**

Your activity is authorized under Nationwide Permit Number: 3 *Maintenance*, subject to the following terms:

3. Maintenance. (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays. (b) This NWP also authorizes the removal of accumulated sediments and debris in the vicinity of and within existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and the placement of new or additional riprap to protect the structure. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an upland area unless otherwise specifically approved by the district engineer under separate authorization. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the district engineer. (c) This NWP also authorizes temporary structures, fills, and work necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate. (d) This NWP does not authorize maintenance dredging for the primary purpose of navigation or beach restoration. This NWP does not authorize new stream channelization or stream relocation projects. Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 27). Where maintenance dredging is proposed, the pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Sections 10 and 404) Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.

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 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 NWPs. (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 the 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 NHPs 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 NHPs 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 NHPs 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 NHPs. For example, if an NHP 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 NWP.

(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 NWP 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's 29, 39, 42 and 43, and in ephemeral watercourses for these NWP's 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).
  - 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-10B0052-10I0611

APR 26 2010

Kim T. Smith  
Branch Chief  
Environmental Resource Studies  
Department of Transportation  
4050 Taylor Street  
San Diego, California 92110

Subject: Informal Section 7 Consultation for the I-805 Pipe Replacement Project, San Diego County, California

Dear Ms. Smith:

This is in response to your correspondence, dated March 24, 2010, requesting our concurrence with your determination that the proposed I-805 Pipe Replacement Project is not likely to adversely affect 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 project is receiving Federal funding through the Federal Highway Administration (FHWA), and Caltrans has assumed FHWA's responsibilities under the Act for this consultation in accordance with Section 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 23USC327(a)(2)(A).

The proposed project is located on Interstate 805 (I-805), north of Governor Drive, in the City of San Diego, California. The project as proposed will result in the replacement of an existing 24-inch (in) by 440-foot (ft) long corrugated metal pipe that is damaged with bottom sections missing. If this pipe is not replaced a sinkhole could develop under the main lanes of I-805 resulting in a collapse of the freeway. The new 24-in by 440-ft corrugated metal pipe will be placed inside a 30-in steel casing that will be inserted, or "jacked" around the existing pipe. This process involves the use of hydraulic jacks which push the pipe through the ground behind a rotating cutterhead, or shield. The hydraulic system is almost noiseless and the noise produced by the shield is attenuated once it is inside the ground. The equipment is powered by an electric generator which produces noise equivalent to a truck's engine. In addition, the existing headwalls on either side of the freeway will be replaced. At the pipe outlet east of I-805, an area of approximately 700 square feet (ft<sup>2</sup>) will be impacted due to final grading and placement of

TAKE PRIDE<sup>®</sup>  
IN AMERICA

ENC 2 234

rock slope protection. The project will be constructed between September 1, 2010 and February 14, 2011, and is anticipated to take 60 to 90 days.

The proposed project will result in temporary impacts to 0.043 acres (ac) of disturbed coastal sage scrub, 0.03 ac of coastal sage-chaparral, 0.05 ac of disturbed habitat, 0.03 ac of southern willow scrub and 0.018 ac of unvegetated channel. The project will result in permanent impacts to 0.008 ac of southern willow scrub and 0.004 ac of unvegetated channel. The gnatcatcher is known to occur in the vicinity of the proposed project. Protocol surveys conducted in 2009 found three gnatcatcher territories within the project study area east of I-805. One pair was found directly south of the project impact area, adjacent to the proposed access and staging area. The second pair, with two fledgelings, was observed approximately 150 ft southwest of the project impact area. The third territory, occupied by a single individual, was observed approximately 400 ft north of the project impact area.

The following conservation measures have been incorporated into the project design to avoid and minimize adverse effects to the gnatcatcher:

1. Permanent and temporary impacts to 0.008 ac and 0.03 ac southern willow scrub (both United States Army Corps of Engineers and California Department of Fish and Game jurisdictional wetland), respectively, and permanent impacts to 0.004 ac of unvegetated channel (waters of the U.S.), will be offset by debiting 0.06 ac of southern willow scrub that was created at the Forester Creek Mitigation Site, located south of Mission Gorge Road in the City of Santee, California.
2. Southern willow scrub within the temporarily impacted areas will be cut off at the surface where possible, allowing willows to resprout after completion of construction.
3. All work will be completed outside of the breeding season for the coastal California gnatcatcher (September 1 through February 14).
4. All native or sensitive habitats outside the permanent and temporary construction limits will be designated as Environmentally Sensitive Areas (ESAs) on project plans. ESAs will be temporarily fenced during construction with orange plastic snow fence. No personnel, equipment, or debris will be allowed within the ESAs.
5. Immediately prior to delineating ESAs or clearing coastal sage scrub habitat, the project biologist will survey the project area for coastal California gnatcatchers. If coastal California gnatcatchers are found within the project footprint, the biologist will direct construction personnel to begin initial clearing/grubbing in an area away from the gnatcatchers. In addition, the biologist will walk ahead of the clearing/grubbing equipment to flush birds towards areas of coastal sage scrub to be avoided. It will be the responsibility

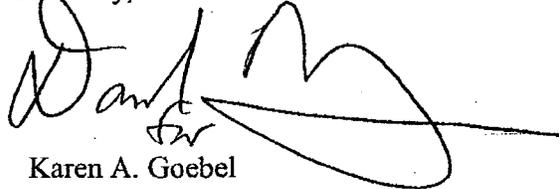
- of the project biologist to ensure that coastal California gnatcatchers will not be injured or killed by initial clearing/grubbing.
6. A qualified biologist will be available for both the pre-construction and construction phases to review grading plans, address protection of special status biological resources, and monitor ongoing work. The biologist will be familiar with the habitats, plants, and wildlife of the project area, and maintain communications with the resident engineer, to ensure that issues relating to biological resources are appropriately and lawfully managed.
  7. An employee education program will be developed. Each employee (including temporary, contractors, and subcontractors) will receive a training/awareness program prior to working on the proposed project. They will be advised of the potential impact to the listed species and the potential penalties for taking such species. At a minimum, the program will include the following topics: occurrence of the listed and sensitive species in the area (including photographs), their general ecology, sensitivity of the species to human activities, legal protection afforded these species, penalties for violations of Federal and State laws, reporting requirements, and project features designed to reduce the impacts to these species and promote continued successful occupation of the project area.
  8. Temporary impact areas will be revegetated with native riparian and coastal sage scrub species following the completion of the construction. The proposed seed palette will be reviewed and approved by the project biologist prior to application in the field. A 1-year plant establishment is proposed that will include exotic species removal and reapplication of seed, if necessary.
  9. Typical erosion control measures, Best Management Practices (BMP's), in the vicinity of streams and adjacent native habitats will be employed. All equipment maintenance, staging, and dispensing of fuel, oil, and coolant, or any other such activities will occur in designated offsite areas. These designated areas will be located in such a manner as to prevent any runoff from entering adjacent waters of the U.S., including wetlands.
  10. Fiber rolls used as BMP's during construction will be made from biodegradable materials such as jute, with no plastic mesh, to avoid creating a wildlife entanglement hazard.
  11. During any nighttime construction, all project lighting (e.g., staging areas, equipment storage sites, roadway) will be directed onto the roadway or construction site and away from sensitive habitat. Light glare shields may also be used to reduce the extent of illumination into adjoining areas.
  12. No invasive exotic plant species will be seeded or planted adjacent to or near sensitive vegetation communities or water's of the U.S. In compliance with Executive Order 13112, native impacted areas will be reseeded with plant species native to local habitat types, and will avoid the use of species in Lists A & B of the California Exotic Pest Plant Council's

list of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 to the extent practicable.

13. Dust generated by proposed construction will be controlled by BMP's.

Based on the site and species information described above and the Caltrans' commitment to implement the proposed conservation measures, we concur with your determination that the proposed project is not likely to adversely affect the gnatcatcher. Therefore, the interagency consultation requirements of section 7 of the Act have been satisfied. Although our concurrence ends informal consultation, obligations under section 7 of the Act shall be reconsidered if new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not previously considered or this action is subsequently modified in a manner that was not considered in this assessment. Thank you for your coordination on this project. If you have any questions regarding this letter, please contact Sally Brown of my staff at (760) 431-9440 x278.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen A. Goebel', with a long horizontal flourish extending to the right.

Karen A. Goebel  
Assistant Field Supervisor

cc:

Stephanie Hall, U.S. Army Corps of Engineers, Los Angeles District, California



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION MIRAMAR  
P.O. BOX 452001  
SAN DIEGO, CA 92145-2001

11011  
Ser 5RE/0047  
May 27, 2010

Ms. Lorna Timog  
Right of Way Agent  
Department of Transportation  
District 11  
4050 Taylor Street, MS-310  
San Diego, CA. 92110

Dear Ms. Timog:

Per our last correspondence of January 15, 2010 and our meeting of March 9, 2010, Marine Corps Air Station (MCAS) Miramar was unable to approve your project until the following mitigation requirements were received:

- 1) Revegetation Plan
- 2) U.S. Fish & Wildlife (USF&W) concurrence letter

MCAS Miramar is now in receipt of your Biological Assessment (BA) Report and USF&W concurrence letter from your Environmental Resource Studies Branch. The location of the construction and the access road both lie within the perimeter of the Miramar Wholesale Nursery. MCAS Miramar has reviewed the above correspondence and has no objections, providing the scope of work remains unchanged, and the instructions of our Categorical Exclusion (CATEX) are followed. You are required to coordinate your schedule and construction plans with the Miramar Wholesale Nursery to ensure your proposed project does not interfere with their operations. Your contact at the Nursery is: Ms. Suzie Weist, P.O. Box 22598, San Diego, Ca. 92122, and can be reached at (858) 552-0592.

Your proposed project as mitigated in the above referenced documents does not involve any extraordinary circumstances and therefore qualifies for a (CATEX) under National Environmental Policy Act (NEPA). Attached for your reference is a copy of the CATEX which lists specific instructions and environmental requirements that must be adhered to throughout the duration of your project and provided to your construction personnel. Should the scope of your project change, you must coordinate those changes with this office prior to any construction to ensure the CATEX remains valid.

11011  
Ser 5RE/0047  
May 27, 2010

Should you have any questions or require further information, please contact me directly at (858) 577-9220.

Sincerely,

A handwritten signature in black ink, appearing to read "A. D. Perez". The signature is fluid and cursive, with a large loop at the end of the last name.

A. D. PEREZ  
Head of Land Use and Real Estate Division  
By direction of the Commanding Officer

Enclosure 1: Categorical Exclusion of May 27, 2010



**UNITED STATES MARINE CORPS**

MARINE CORPS AIR STATION MIRAMAR  
P.O. BOX 42001  
SAN DIEGO CA 92145-2001

IN REPLY REFER TO:  
5090-3145  
27 MAY 2010

From: Environmental Management Officer  
To: Real Estate/Land Use Division Officer

Subj: CATEGORICAL EXCLUSION, DECISION MEMORANDUM FOR NEPA  
REQUEST FOR TEMPORARY ACCESS WITH DEPARTMENT OF  
TRANSPORTATION (CALTRANS) FOR CULVERT REPAIRS  
(805 AND NURSERY) (ATN 2009-0000108)

Ref: (a) MCO P5090.2A  
(b) REO ltr 11011 Ser 5RE/0013 of 17 Dec 09

Encl: (1) Project Map

1. In accordance with reference (a) and relevant laws and regulations, we have reviewed the proposed action in reference (b). It has been determined that a Categorical Exclusion (CATEX) is appropriate for purposes of the National Environmental Policy Act (NEPA), and subject to all avoidance measures and environmental requirements in paragraph 4. The project is excluded from further analysis.

2. The proposed project will allow Caltrans temporary access within Miramar Wholesale Nursery lease, as shown on enclosure (1), for culvert repairs. The repair work will include bituminous coating and concrete paving of the culvert invert and sealing of the culvert joints. Equipment to be used for this project includes: platform and dump trucks for materials and debris transportation, demolition tools, concrete trucks, a truck-mounted concrete pump, small generator and water pump, microtunnelling excavation equipment, pipe jacking equipment, and a temporary fence for stockpiling materials.

3. The project does not involve any of the extraordinary circumstances described in reference (a) and qualifies for CATEX Number (33):

***"Grants of license, easement, or similar arrangements for the use of existing rights-of-way or incidental easements complementing the use of existing rights-of-way for use by vehicles (not to include significant increases in vehicle loading); electrical, telephone, and other transmission and communication lines; water, wastewater, storm water, and irrigation pipelines, pumping stations, and facilities; and similar utility and transportation uses."***

4. The following is a list of environmental requirements that must be incorporated into the subject project in order to comply with applicable environmental regulations. All project activities must remain in the project map boundary as provided in Enclosure (1).

**ENCLOSURE (1)**

Subj: CATEGORICAL EXCLUSION, DECISION MEMORANDUM FOR NEPA REQUEST FOR TEMPORARY ACCESS WITH DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR CULVERT REPAIRS (805 AND NURSERY) (ATN 2009-0000108)

a. AIR QUALITY:

DUST CONTROL. Ensure mitigation measures are taken during construction and site preparation to control fugitive dust discharge as not to cause injury, detriment, nuisance or annoyance to the public. Reference: San Diego County Air Pollution Control District Rule 51.

CUTBACK AND EMULSIFIED ASPHALTS. The use of cutback and emulsified asphalts as paving materials for parking lots, driveways, and similar structures shall conform to San Diego County Air Pollution District Rule 67.7. Operators of equipment used in this process must obtain permit, if required, from local and/or state regulators.

<http://www.sdapcd.org/rules/rules/Req4word/R67-7.doc>

PERMIT REQUIREMENT. Any equipment or operation requiring an operating permit from the San Diego County Air Pollution Control District or from any regulatory body will be obtained by the owner/operator of that equipment/operation. Contractors, in consultation with Environmental Management Department, shall be responsible for obtaining and processing required permit for any permitted equipment or operation they install, repair or modify within MCAS Miramar. Acceptance by Environmental Management Department of a valid permit to operate the installed equipment or operation is a condition for final disposition of the contract by the contract agent for the government. Examples of such equipment and operations are, but not limited to, any non-mobile equipment utilizing an internal combustion engine greater than 50 bhp (diesel fueled electrical generators, lighting units, air compressors, etc.), rock crushing operation, and concrete batching operation.

b. SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC):

TEMPORARY SITES. Temporary construction/repair/modification/maintenance activities that involve the storage of oils in quantities equal or greater than 55-gal or more are required to implement SPCC requirements as presented in 40 CFR 112 and MCO P5090.2A, Chapter 7. This includes any container used for standby storage, seasonal storage, temporary storage, or not otherwise considered "permanently closed". Additionally, spill containment structures must be provided to prevent spills, leaks and unauthorized discharges. Contact S-7, Environmental Management Department, at 577-1623 with questions regarding SPCC.

c. STORM WATER:

Stormwater Pollution Prevention Best Management Practices must be implemented during project activities to minimize pollutant runoff to the storm water conveyance system. Reference: The California

Subj: CATEGORICAL EXCLUSION, DECISION MEMORANDUM FOR NEPA REQUEST FOR TEMPORARY ACCESS WITH DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR CULVERT REPAIRS (805 AND NURSERY) (ATN 2009-0000108)

Stormwater Quality Association, Storm Water Best Management Practices: <http://www.cabmphandbooks.com/documents/Industrial/IndustrialCommercial1.pdf>

d. NATURAL RESOURCES:

Informal consultation correspondence with the U.S. Fish and Wildlife Service of 26 April 2010 completed necessary Endangered Species Act compliance requirements and outlines special conservation measures for the project. Recommend that the real estate license include reference to the USFWS letter and require that CALTRANS execute the conservation and protection measures presented in the Biological Assessment and summarized in the USFWS letter.

5. This document must be provided to project personnel (e.g., ROICC, contractor, etc.) to facilitate implementation of the environmental measures during the course of the work.

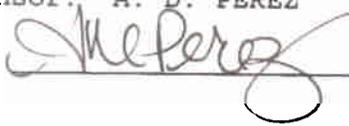
6. You must coordinate any project changes, in advance, (scope of work, project footprint or location, etc.) with our department to ensure that the categorical exclusion and environmental requirements remain valid.

7. Paragraph 12201.3d of reference (a) requires the action sponsor to acknowledge and agree to environmental requirements provided in this letter by signing the decision memorandum. Please sign the decision memorandum in the space provided and return the original to this office prior to initiation of the proposed action or 14 days from the date of this transmittal, whichever comes first.

8. Our point of contact is Ms. Myrna Alzaga, Director, Program Support Division, at 577-6115.

  
T. C. FRIES  
Environmental Management Officer

Action Sponsor: A. D. PEREZ

Signature: 

Date: 

# CalTrans Temporary Construction Area - Nursery



# Memorandum

To: Oscar M. Aguilar-Flores  
District 11 Design MS 340

Date: October 29, 2009

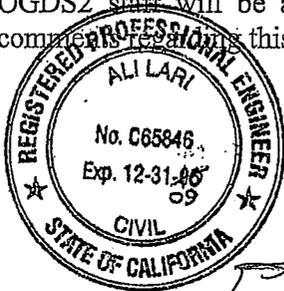
File: 11-SD-805-(PM) 24.6/24.7  
EA 11-288901

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

Subject: Geotechnical Design Report for I-805 Culvert Replacement

Per your request, the Office of Geotechnical Design-South 2 (OGDS2) has prepared this geotechnical design report for the proposed culvert replacement project. This report defines the geotechnical conditions as evaluated from field and laboratory test data and used in the development of the geotechnical design. It provides recommendations and specifications for project design and construction.

OGDS2 staff will be available for further assistance. Should you have any questions or comments on this report, please contact Ali Lari at (858) 467-6922.



A handwritten signature in black ink, appearing to read "Ali Lari", written over a horizontal line.

Ali Lari  
Transportation Engineer (Civil)  
Office of Geotechnical Design - South 2

cc: Attachments  
Abbas Abghari  
Brian Hinman *BH*  
File

## 1.0 INTRODUCTION

This report has been prepared by the Office of Geotechnical Design-South 2 (OGDS2) to address the geotechnical design considerations for the proposed culvert replacement project. The proposed project involves replacement of the existing corroded 24" CSP located at I-805 North of Governor drive, in the City of San Diego, San Diego County, California, hereafter referred to as the project. Pursuant to the preliminary plans and profiles a new culvert will be constructed adjacent to the existing culvert between elevations of 305 feet at the outlet and 330 feet at the inlet. It is anticipated that the new culvert will be installed by pipe jacking (see Standard Specification 66-3.10). The existing pipe will be abandoned by filling it with slurry.

The geotechnical investigation for the project included: site reconnaissance, research of archived resources, subsurface exploration, laboratory testing, and data analysis. Caltrans Drilling Services and OGDS2 staff performed the field exploration and soil sampling. A Caltrans Engineer supervised and monitored the field exploration and soil sampling operations.

The purpose of this report is to document subsurface geotechnical conditions, provide analyses of anticipated site conditions as they pertain to the project described herein, and to recommend design and construction criteria for the project. This report also establishes a geotechnical baseline to be used in assessing the existence and scope of changed site conditions.

This report is intended for use by; the project design engineer, construction personnel, bidders and contractors.

## 2.0 EXISTING FACILITIES

The I-805 is an eight-lane North-South freeway in San Diego County connecting the Mexican border to Interstate-5. The existing 24" CMP undercrosses the freeway as well as the existing berm located along the west shoulder of the freeway. The proposed project is shown in a site plan in Attachment 1.

## 3.0 PHYSICAL SETTING

The project lies within a semiarid region with mean annual temperature of 63 degrees. The mean yearly rainfall in the project area is 12 inches. Rainfall usually occurs between the months of November and March. The site may be considered frost-free, with fewer than five sub-freezing days per year.

Within the project area the I-805 traverses a few drainage courses, including Rose Canyon Creek.

The alignment is generally level. The native terrain is mesas dissected by valleys and arroyos.

Although the general drainage trend in the area is from east to west, the proposed culvert will collect runoff west of the freeway and discharge into the valley east of the freeway.

Beyond the right-of-way the project area is bounded on the east by the United States Marine Corps Air Station and on the west by residential properties.

#### **4.0 SITE INVESTIGATION**

The following subsections describe the investigation conducted for this report:

##### **4.1 Pertinent Reports and Archived Review**

The following documents were used in preparation of this report:

- 1- Geologic maps prepared by California Division of Mines and Geology
- 2- As built plans and profiles of the existing culvert
- 3- Topography map of the area
- 4- Preliminary project plans

##### **4.2 Exploration**

A total of two exploratory borings were conducted on 09/22/2009 and 09/23/2009 at Northbound east shoulder and Southbound west shoulder of the freeway close to the approximate location of the existing culvert. The approximate boring locations are shown on Attachment 1. The soil borings were advanced into the ground up to 75 feet below the freeway elevation ensuring exploration to a minimum of 15 feet into the original ground below the fill. Standard Penetration Tests (SPT) were performed at 5-foot intervals. Soil samples were visually classified in the field. Laboratory testing of soil or rock samples for corrosion potential was conducted. Descriptions of the subsurface soils encountered as well as stations and offsets of the boring locations are presented in the attached boring records

#### **5.0 GEOLOGY**

The project site is located within the coastal plain section of the Peninsular Ranges Geomorphic Province of Southern California. The coastal plain generally consists of subdued landforms underlain by sedimentary formations. Within the project area I-805 traverses compacted fill placed within an arroyo. In proximity to the culvert, the bottom and sides of the arroyo are irregular (see Attachment 2, as built culvert profile). The arroyo bottom is underlain by relatively young thin alluvial soils, which are underlain by Scripps formation. Scripps formation consists of pale yellowish-brown, medium-grained sandstone and occasional cobble-conglomerate interbeds. Scripps formation is known to contain zones of well-cemented sandstone. Moderately cemented sandstone was encountered in boring A-09-101.

#### **6.0 GEOTECHNICAL CONSIDERATIONS**

The following subsections describe geotechnical characteristics of the project site that may influence design:

##### **6.1 Groundwater**

The regional groundwater table is located at a significant depth below the proposed construction and consequently it is not anticipated to impact the project. No perched ground water was encountered during drilling.

## **6.2 Erosion**

Existing fill slopes inclined at 2:1 (horizontal : vertical) appear stable against erosion

## **6.3 Seismic Hazards**

The proposed project features will not be adversely impacted by seismic events.

## **6.4 Embankments**

No significant embankment will be placed as part of the project.

## **7.5 Potential Geologic Hazards**

No significant geologic hazards were identified within the project area.

## **7.6 Corrosion Potential**

The corrosion potential of the on-site materials were evaluated based on corrosivity tests performed on selected samples obtained from the borings. These tests included PH, minimum resistivity, sulfate and chloride determinations. A total of two minimum resistivity tests, two pH tests, two chloride content and two sulfate content determinations were made. The results of these tests are attached.

Laboratory test results indicate that the PH of the tested samples ranged from 7.36 to 7.44, minimum resistivity from 485 to 565, chloride content from 405 to 636 ppm and sulfate content from 213 to 219 ppm. The results of these tests indicate that the on-site subsurface materials are potentially corrosive.

## **8 HAZARDOUS WASTE POTENTIAL**

A hazardous waste site evaluation is beyond the scope of this report. No potentially hazardous waste was encountered during site reconnaissance and site subsurface investigation

## **9 RECOMMENDATIONS AND CONCLUSIONS**

In general, the fill is comprised of stiff to very stiff lean clay, medium dense silty sand to poorly graded sand with silt and gravel. Scattered cobbles are also present in the fill.

It is anticipated that the new culvert will be constructed on a parallel alignment and in proximity to the existing culvert. Therefore pipe jacking will occur primarily within compacted fill that is well suited for such construction methods. However, the new culvert alignment may encounter relatively hard Scripps formation that formed the sides and floor of the filled arroyo. The pipe jacking operation may encounter the contact between relatively soft and hard material at an oblique angle. The new alignment may also encounter zones of caving soil and cobbles within a finer grained matrix.

The following recommendations are presented for design and construction considerations:

- Project design should minimize the separation between new and old alignments. Consideration should be given to pipe jacking methods that place the new culvert on the same alignment as the existing culvert thereby avoiding potentially hard sedimentary

formation. The procedure may have the added advantage of intercepting the storm drain riser descending from freeway median.

- The contractor should anticipate the difficult drilling conditions described above and use means and methods appropriate for those conditions.
- The soil corrosion potential should be factored into design of the new culvert.

LOGGED BY All Lari	BEGIN DATE 09/22/09	COMPLETION DATE 09/22/09	BOREHOLE LOCATION (Lat/Long or North/East and Datum) 1335+70, 120 feet Right, "SD-805"	HOLE ID: A-09-101
DRILLING CONTRACTOR Caltrans Drilling Services	BOREHOLE LOCATION (Station, Offset, and Line)		SURFACE ELEVATION 365.0 ft	
DRILLING METHOD Auger	DRILL RIG CME 85		BOREHOLE DAIMETER 6"	
SAMPLER TYPE(S) AND SIZE(S) (ID). SPT (1.4")	SPT HAMMER TYPE Automatic		HAMMER EFFICIENCY (ER) 87 %	
BOREHOLE BACKFILL AND COMPLETION Hole cuttings and Enviroplug	GROUNDWATER READINGS	DURING DRILLING NA	AFTER DRILLING (DATE) NA	TOTAL DEPTH OF BORING 76.5 ft

ELEVATION (ft)	DEPTH (ft)	ELEVATION (ft)	DESCRIPTION	Sample Location	Sample Number	Blows Per 6 in	Blows Per 1.0 ft	Recovery (%)	RQP (%)	Moisture Content (%)	Dry Unit Weight (pcf)	Shear Strength (ksf)	Drilling Method	Casing Depth	REMARKS
365.0	1		Asphalt concrete over aggregate base												
	2														
	3														
361.0	4	4.0	Poorly graded SAND with SILT, GRAVEL and COBBLES (SP-SM), estimated dense, light brown, dry, little COBBLES, little SILT, little GRAVEL, fine to medium SAND and GRAVEL, (FILL)												
	5														
	6														
	7														
	8														
	9														
	10														
	11														
362.5	12	12.5	Lean CLAY (CL), estimated stiff, light brown, moist, low to medium plasticity												
	13														
	14														
	15														
	16														
	17														
	18														
	19														
	20														

(continued)



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

REPORT TITLE  
Geotechnical Report  
DISTRICT COUNTY  
11 SD  
PROJECT OR BRIDGE NAME  
I-805 Culvert Replacement  
BRIDGE NUMBER  
NA

ROUTE  
805  
POSTMILE(KP)  
24.7  
PREPARED BY  
All Lari  
DATE  
09/28/09

HOLE ID: A-09-101  
EA  
288801  
SHEET  
1 of 4

ELEVATION (ft)	DEPTH (ft)	ELEVATION (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
340.0	21	25.0													
	22														
	23														
	24														
	25					4									
	26					9									
	27					9	18								
	28														
	29														
335.0	30	30.0	Poorly graded SAND with SILT and GRAVEL, (SP_SM), medium dense, light brown at 31 feet turns to black, dry, little SILT, little GRAVEL, fine SAND, fine to coarse GRAVEL.												
	31					11									
	32					12									
	33					18	28								
	34														
330.0	35	35.0	SILTY SAND (SM), medium dense, light brown, dry, little SILT, fine SAND			3									
	36					6									
	37					9	15								
	38														
	39														
	40														

(continued)



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

REPORT TITLE  
 Geotechnical Report  
 DISTRICT COUNTY  
 11 SD  
 PROJECT OR BRIDGE NAME  
 I-805 Culvert Replacement  
 BRIDGE NUMBER  
 NA

ROUTE  
 805  
 PREPARED BY  
 Ali Larf

DATE  
 09/28/09

HOLE ID: A-09-101  
 POSTMILE(KP) EA  
 24.7 288801

SHEET  
 2 of 4

ELEVATION (ft)	DEPTH (ft)	ELEVATION (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
325.0		40.0	Lean CLAY (CL), stiff, dark gray, moist, low to medium plasticity			4									PP=2
	41					6	10								
	42														
	43														
	44														
320.0	45	45.0	.....very stiff, light brown			5									PP>4
	46					6									
	47					9	15								
	48														
	49														
315.0	50	50.0				5									
	51					7									
	52					9	18								
	53														
	54														
	55					7									
	56		SANDY lean CLAY with GRAVEL (CL), very stiff, black, moist, little SAND, little GRAVEL, fine to coarse SAND and GRAVEL, (ALLUVIUM)			10									
	57					20	30								
	58														
	59														
	60														

(continued)



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

REPORT TITLE  
 Geotechnical Report  
 DISTRICT COUNTY  
 11 SD  
 PROJECT OR BRIDGE NAME  
 I-805 Culvert Replacement  
 BRIDGE NUMBER  
 NA

ROUTE  
 805

POSTMILE(KP)  
 24.7

HOLE ID: A-09-101  
 EA  
 288901

PREPARED BY  
 Allert

DATE  
 09/28/09

SHEET  
 3 of 4

ELEVATION (ft)	DEPTH (ft)	ELEVATION (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	
303.0	61	62.0	SEDIMENTARY ROCK (CONGLOMERATE), light brown (poorly graded SAND with CLAY and GRAVEL (SP-SC), very dense, dry, fine to coarse SAND and GRAVEL, moderate cementation, (SCRIPPS FORMATION)			11										
	62					21	32									
	63															
	64															
	65						REF									
	66															
	67															
	68															
296.0	69	69.0	SEDIMENTARY ROCK (SANDSTONE), light brown, (poorly graded SAND (SP), very dense, moist, fine SAND, (SCRIPPS FORMATION)			10										
	70					50/3"	50/3"									
	71															
	72															
	73															
	74															
	75					18										
	76					40										
	76.5		Bottom of the borehole at 76.5 feet			50/5"	90/11"									
	77															
	78															
	79															
	80															



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

REPORT TITLE  
 Geotechnical Report  
 DISTRICT COUNTY  
 11 SD  
 PROJECT OR BRIDGE NAME  
 I-805 Culvert Replacement  
 BRIDGE NUMBER  
 NA

ROUTE  
 805

POSTMILE(KP)  
 24.7

HOLE ID: A-09-101  
 EA  
 268901

PREPARED BY  
 All Lari

DATE  
 09/28/09

SHEET  
 4 of 4

LOGGED BY All Lar	BEGIN DATE 09/23/09	COMPLETION DATE 09/23/09	BOREHOLE LOCATION (Lat/Long or North/East and Datum)	HOLE ID: A-09-102
DRILLING CONTRACTOR Caltrans Drilling Services	BOREHOLE LOCATION (Station, Offset, and Line) 1336+20, 130 feet Left, "SD-805"		SURFACE ELEVATION 363.0 ft	
DRILLING METHOD Auger	DRILL RIG CME 85		BOREHOLE DAIMETER 6"	
SAMPLER TYPE(S) AND SIZE(S) (ID) SPT (1.4")	SPT HAMMER TYPE Automatic		HAMMER EFFICIENCY (ER) 87 %	
BOREHOLE BACKFILL AND COMPLETION Hole cuttings and Enviroplug	GROUNDWATER READINGS	DURING DRILLING NA	AFTER DRILLING (DATE) NA	TOTAL DEPTH OF BORING 56.0 ft

ELEVATION (ft)	DEPTH (ft)	ELEVATION (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
363.0			Asphalt concrete over aggregate base												
	1		SILTY SAND (SM), estimated very dense, light brown, dry, fine grained. (FILL)												
	2														
	3														
359.0	4	4.0	Lean CLAY with SAND (CL), estimated very stiff, light brown, moist, little SAND, fine SAND, low to medium plasticity												
	5														
	6														
	7														
	8														
	9														
	10														
	11														
350.6	12	12.6	Poorly graded SAND with SILT, (SP-SM), light brown, estimated medium dense, moist, little SILT, fine SAND												
	13														
	14														
	15														
	16														
	17														
	18														
	19														
	20														

(continued)



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

REPORT TITLE  
Geotechnical Report  
DISTRICT COUNTY  
11 SD  
PROJECT OR BRIDGE NAME  
I-805 Culvert Replacement  
BRIDGE NUMBER  
NA

ROUTE  
805  
PREPARED BY  
All Lar  
DATE  
09/28/09

HOLE ID: A-09-102  
POSTMILE(KP) EA  
24.7 288901  
SHEET  
1 of 3

ELEVATION (ft)	DEPTH (ft)	ELEVATION (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					10									
	22					10	20								
	23														
	24														
338.0	25	25.0	.....loose			5									
	26					4									
	27					5	9								
	28														
	29														
333.0	30	30.0				12									
	31					44									Blow counts abnormally high due to COBBLES
	32					23	67								
	33														
	34														
328.0	35	35.0	.....medium dense			4									
	36					6									
	37					7	13								
	38														
	39														
	40														

(continued)



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

REPORT TITLE  
 Geotechnical Report  
 DISTRICT COUNTY  
 11 SD  
 PROJECT OR BRIDGE NAME  
 I-805 Culvert Replacement  
 BRIDGE NUMBER  
 NA

ROUTE  
 805

POSTMILE(KP)  
 24.7

HOLE ID: A-09-102  
 EA  
 288901

PREPARED BY  
 All Lari

DATE  
 09/28/09

SHEET  
 2 of 3

ELEVATION (ft)	DEPTH (ft)	ELEVATION (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 (psi)	Drilling Method	Casing Depth	REMARKS
322.5		40.5	SEDIMENTARY ROCK (SANDSTONE), light gray, [poorly graded SAND (SP), very dense, dry, fine SAND], (SCRIPPS FORMATION)												
41						20									
42						49	69								
43															
44															
45						10									
46						50/5.5"	50/6.5"								
47															
48															
49															
50					20										
51					50/4"	50/4"									
52															
53															
54															
55					20										
56					50/3.5"	50/3.5"									
			Bottom of the borehole at 56 feet												
57															
58															
59															
60															



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

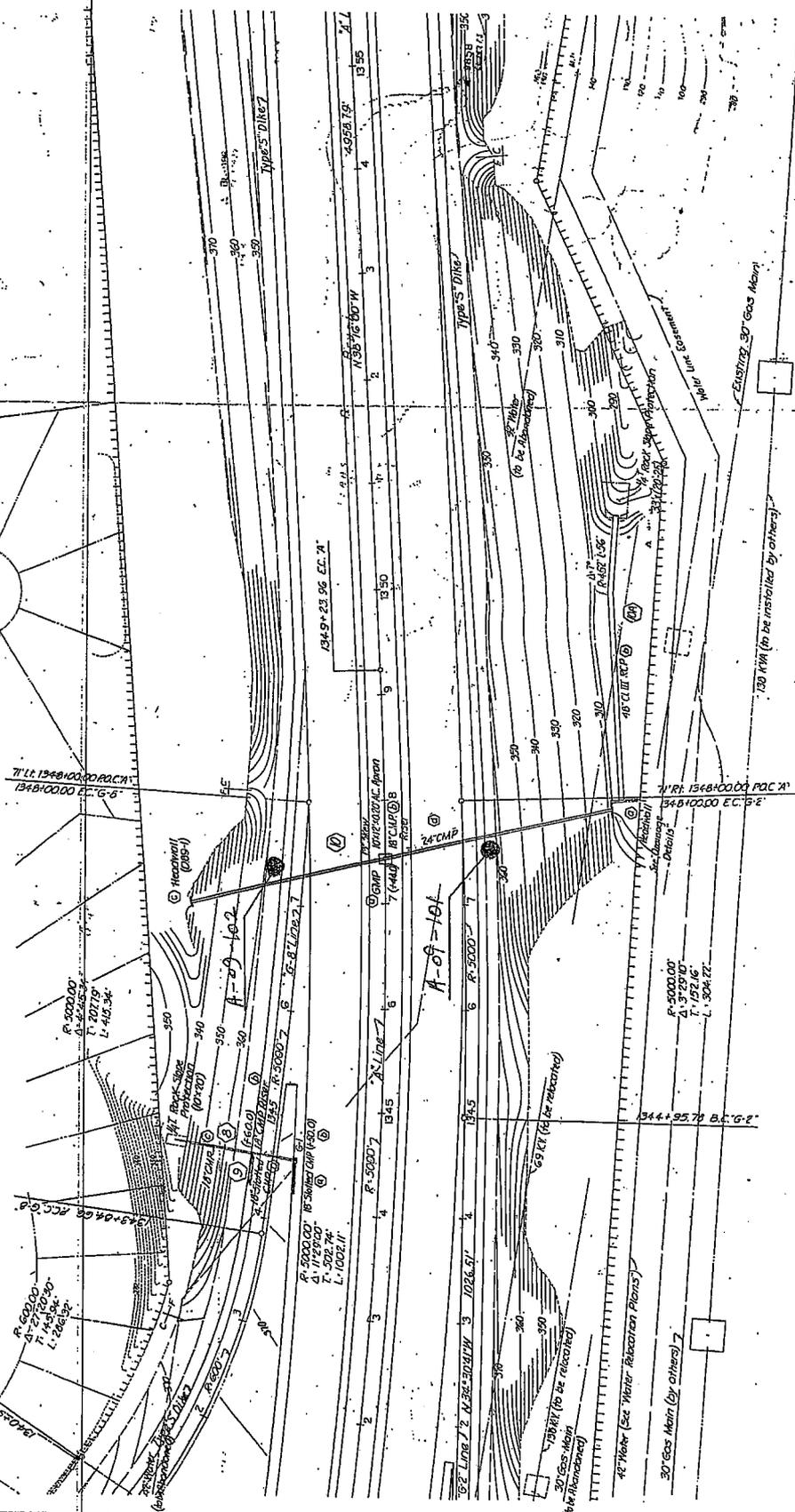
REPORT TITLE  
 Geotechnical Report  
 DISTRICT COUNTY  
 11 SD  
 PROJECT OR BRIDGE NAME  
 I-805 Culvert Replacement  
 BRIDGE NUMBER  
 NA

HOLE ID: A-09-102  
 ROUTE POSTMILE(KP) EA  
 805 24.7 288901  
 PREPARED BY DATE SHEET  
 All Lari 09/28/09 3 of 3

3 INCHES ON ORIGINAL PLAN

UNIVERSITY VILLAGE  
UNIT NO. 3

BOVET  
WAY



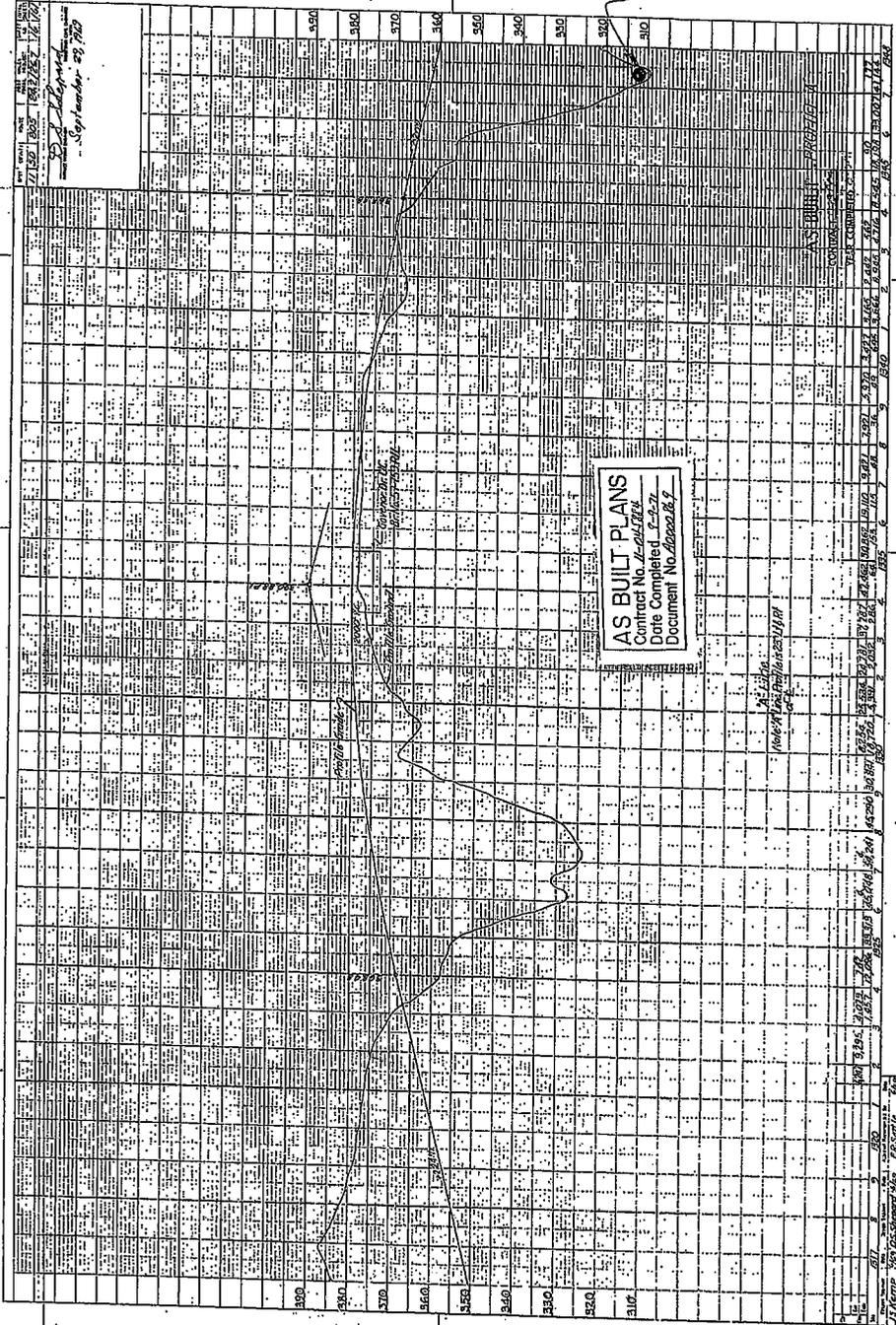
SITE PLAN

ATTACHMENT 7  
ALIGN  
ECON  
SHE

Project Engineer	Date	Checked Engineer	Date	Approved/Submitted By	Date

CULVERT

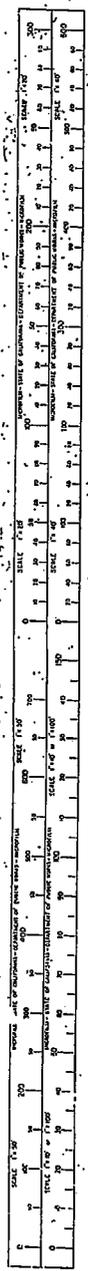
ATTACHMENT 2



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF OHIO.

DATE: 1-2-77

ENGINEER: [Signature]



DEPARTMENT OF INDUSTRIAL RELATIONS  
**DIVISION OF OCCUPATIONAL SAFETY  
AND HEALTH ADMINISTRATION**  
MINING AND TUNNELING UNIT  
6150 VAN NUYS BOULEVARD, SUITE 310  
VAN NUYS, CA 91401-3333  
(818) 901-5420 FAX (818) 901-5579



July 13, 2010

Caltrans District 11 - Hydraulics  
4050 Taylor St  
San Diego, CA 92110

Attention: Don Luong

Subject: Underground Classification Number: C001-073-10T  
Emergency Culvert Replacement I-805 / Contract No 11-288904

Dear Mr. Luong,

The information provided to this office regarding the above project has been reviewed. On the basis of this analysis, an Underground Classification of "Potentially Gassy" has been assigned to the tunnel(s) identified in your submittal. Please provide a true and accurate copy of the Classification(s) to the Drilling/Excavation/Construction Contractor and insure that copies of the Classification are posted at the job site.

Kindly insure that the Sub-Contractor notify this office to schedule the mandated Pre-job Safety Conference with the Division prior to commencing any activity associated with the project.

Also, be advised that, whenever an employee enters any bore or shaft being constructed under 30-inches in diameter, the Mining and Tunneling Unit then has immediate jurisdiction over that job. Please contact us prior to entering such spaces.

If you have any questions on these subjects, please contact this office at your earliest convenience.

Sincerely,

James Wittry  
Senior Engineer

c: file



State of California

Department of Industrial Relations

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
MINING AND TUNNELING UNIT

C001-073-11T

Van Nuys Office R5D2

# Underground Classification

Emergency Drainage Culvert Repair  
Caltrans, District 11 / Hwy 805 / Post Mile 24.7  
(NAME OF TUNNEL OR MINE AND COMPANY NAME)

of California Department of Transportation - District 11 Hydraulics  
4050 Taylor St, San Diego, CA 92110  
(MAILING ADDRESS)

at State Route 805, approximately 0.3 miles north of Governor Drive (at Post Mile 24.7)  
San Diego, California  
(LOCATION)

has been classified as \*\*\* POTENTIALLY GASSY \*\*\*  
(CLASSIFICATION)

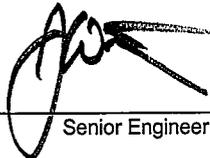
as required by the California Labor Code Section 7955.

The Division shall be notified if sufficient quantities of flammable gas or vapors have been encountered underground. Classifications are based on the California Labor Code Part 9, Tunnel Safety Orders and Mine Safety Orders.

A 36 inch diameter steel casing (to accommodate a 24 inch diameter drainage pipe), approximately 440 feet in length to be installed under State Route 805, north of Governor Drive (at approximate station 1335+46), City of San Diego.

July 13, 2010

Reference: 1) Caltrans Plans for contract No:11-288904 by Oscar Aguilar  
2) Geotechnical Design Report for I-805 Culvert Replacement by Ali Lari

  
Senior Engineer