

ERRATA SHEET

I declare under penalty of perjury that I have read the foregoing 55 pages of my testimony, taken on Dec 28, 2015 (date) at San Diego (city), CA (state), and that the same is a true record of the testimony given by me at the time and place herein above set forth, with the following exceptions:

<u>Page</u>	<u>Line</u>	<u>Should read:</u>	<u>Reason for Change:**</u> (See below before completion)
<u>12</u>	<u>13</u>	<u>QSP</u>	
<u>15</u>	<u>7</u>	<u>2012 Remove</u>	<u>Incorrect date</u>
<u>28</u>	<u>20</u>	<u>This response seems out of place</u>	<u>Disregard</u>
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Date: 1/19/2016


 Signature of Witness
Leon Firsh
 Name Typed or Printed

** THE "REASON FOR CHANGE" COLUMN SHOULD ONLY BE COMPLETED FOR FEDERAL DISTRICT OR BANKRUPTCY COURT MATTERS (FRCP RULE 30(e)). THIS COLUMN SHOULD NOT BE COMPLETED FOR STATE COURT ACTIONS.

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January 7, 2016

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**Re: ACL Complaint No. R9-2015-0110 re San Altos – Lemon Grove, LLC
Deposition Transcript for Leon Firsht**

Of Counsel

RICHARD G. OPPER
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Dear Mr. Firsht:

Enclosed with this letter is the original deposition transcript for your deposition taken on December 28, 2015. Can you please: a) review the transcript; b) make corrections (to the extent that you have any) on the correction page; c) sign the verification / correction page; and d) return the original transcript and signed verification / correction page to our office using the enclosed stamped envelope.

Given that we must provide all evidence in response to the above-reference ACL Complaint issued by the Regional Water Quality Control Board, San Diego Region, by February 3, we ask that you please review, make changes, sign, and return the transcript by January 20, 2016.

Thank you for your assistance.

Sincerely,

OPPER & VARCO LLP



Linda C. Beresford

Encl: Deposition Transcript Leon Firsht

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

IN THE MATTER OF:)
)
Administrative Civil Liability)
Complaint No. R9-2015-0110)
Against San Altos-Lemon Grove, LLC)
_____)

DEPOSITION OF LEON PETER FIRSHT, witness
herein, noticed by Oppen & Varco, taken at
225 Broadway, Suite 1900, San Diego,
California, on Monday, December 28, 2015, at
1:10 p.m., before Marc Volz, CSR 2863, RPR, CRR

Hutchings Number 599121



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11 Also Present: Frank Melbourn

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I N D E X

WITNESS: LEON PETER FIRSHT

EXAMINATION BY: PAGE
Ms. Beresford 6

E X H I B I T S

SAN ALTOS- DESCRIPTION IDENTIFIED MARKED
LEMON GROVE, LLC

EXHIBIT 1 San Altos-Lemon Grove, 7 55
LLC's Notice of Deposition
of Leon Firsht and Request
for Production of
Documents

EXHIBIT 2 Leon P. Firsht - 9 55
Education/
Qualifications/Experience

EXHIBIT 3 City of Lemon Grove 16 55
Administrative Citation

EXHIBIT 4 NPDES Stormwater Program- 19 55
Construction Stormwater
Compliance Inspection Form

EXHIBIT 5 City of Lemon Grove 22 55
Administrative Citation

EXHIBIT 6 California Regional Water 25 55
Quality Control Board -
San Diego Region Watershed
Protection Program -
Facility Inspection Report

EXHIBIT 7 City of Lemon Grove - 29 55
Engineering Services
Department, letter to Tim
Anderson from Leon P.
Firsht dated December 16,
2014

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E X H I B I T S

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SAN ALTOS- LEMON GROVE, LLC			
EXHIBIT 8	City of Lemon Grove Administrative Citation	31	55
EXHIBIT 9	D-Max Engineering, Inc. memo to Firsht, Tamimi from Quenzer, December 31, 2014	35	55
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EXHIBIT 11	BCA Development, Inc. letter to Leon Firsht from Ben C. Anderson, dated January 20, 2015	39	55
EXHIBIT 12	City of Lemon Grove letter to Ben Anderson from Leon P. Firsht, dated January 22, 2015	39	55
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1 LEON PETER FIRSHT,
2 witness herein, having been sworn, testifies as follows:

3 -EXAMINATION-

4 BY MS. BERESFORD:

5 Q. Good afternoon, Mr. Firsht. My name is Linda
6 Beresford. I'm one of the attorneys for San Altos-Lemon
7 Grove, LLC in this matter. Can you please state your
8 name and spell it for the record.

9 A. Full name, Leon Peter Firsht. Last name is
10 spelled F-i-r-s-h-t.

11 Q. How do you pronounce that?

12 A. Just like first, second, third.

13 Q. Firsht. Okay. Have you had your deposition
14 taken before?

15 A. No.

16 Q. So this is the first time.

17 A. Uh-huh.

18 Q. So we have a few ground rules that I'd like to
19 go over to try to hopefully make the process go a little
20 bit more smoothly. You're here today appearing under
21 oath. We have a court reporter taking down everything
22 that we say. So if you can, please try to answer every
23 question with a verbal response: Yes, no, complete
24 sentences, as opposed to shaking your head or shrugging
25 or saying things like you uh-hmm, those kinds of things.

1 Do you understand what I'm trying to ask you?

2 A. Yes.

3 Q. Great. Thank you. In order to have an
4 accurate transcript it's important to try to only have
5 one person speaking at a time. So I would ask, if
6 possible please let me finish my question, if you can,
7 hear the whole question, and then you will answer. And
8 I will do my best to not speak over you so that it is
9 clear on the transcript who is speaking. Is that fair?

10 A. Yes.

11 Q. Please feel free to take a break at any time or
12 confer with your attorney if you have a question. My
13 only request is that if I've asked you a question that
14 you answer the question before you need to take a break.
15 Can we agree on that?

16 A. Yes.

17 Q. I apologize but I have to ask: Have you taken
18 any medication today or is there any other reason today
19 why you can't give your best testimony?

20 A. No.

21 MS. BERESFORD: Let's mark this as Exhibit 1,
22 please.

23 Q. Have you seen this document before?

24 A. Yes.

25 Q. Can you please tell me what it is.

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1 A. It is a subpoena request for a deposition, and
2 it includes several requests within it of documents to
3 be provided by myself or I guess Lemon Grove and
4 additional items.

5 Q. I'll represent to you that Mr. Lough produced
6 a CD of documents last week. The documents that you had
7 to produce in response to this, did those go to
8 Mr. Lough?

9 A. I do not have any documents. I no longer work
10 at the city of Lemon Grove so I didn't produce any of
11 them.

12 Q. Do you have any documents that you thought
13 might be responsive but that you didn't bring today?

14 A. I have none in my possession.

15 Q. Let's talk about your education a little bit.
16 Where did you graduate from high school?

17 A. Patrick Henry in San Diego.

18 Q. Did you go to college after that?

19 A. Yes, I did.

20 Q. Where did you go to college?

21 A. I started at Grossmont College. I took a few
22 classes also at Mesa where I finaled my bachelor's in
23 civil engineering at San Diego State.

24 Q. What year did you get that degree?

25 A. December 1995.

1 Q. Do you have any advanced degrees?

2 A. No.

3 Q. Are you a professional engineer?

4 A. Yes.

5 Q. What year did you get your PE?

6 A. I can give you the number I can't tell you --
7 oh, July 2002. I did write it down.

8 Q. Is that for a specific category of engineering?

9 A. No, that's the general.

10 Q. What was your first job after you graduated
11 from San Diego State?

12 A. I worked at Project Design Consultants, San
13 Diego, California.

14 Q. What was the time frame for that?

15 A. January 1996 to July 2000.

16 Q. I see you brought some documents today. Can I
17 see what those are.

18 A. Yes. I have multiple copies. It's all the
19 same.

20 Q. It's one page of a document called "Education,
21 Qualifications, Experience."

22 A. Yes.

23 MS. BERESFORD: We'll mark this as Exhibit 2.

24 Q. In order to save time I'm not going to ask you
25 about all of this employment. Can you just review it

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1 and confirm for me on the record that these positions
2 and the time frames that you worked there were accurate?

3 A. Yes, they are accurate.

4 Q. So right now you are with the city of La Mesa,
5 correct?

6 A. Correct.

7 Q. The matter that we are here on today involves
8 allegations of violations of the General Construction
9 Stormwater Permit. So I want to talk to you a little
10 bit about your experience or training for stormwater
11 matters. Have you had any training on the General
12 Construction Stormwater Permit?

13 A. In-house training, no external.

14 Q. What was the in-house training that you had?

15 A. Would be training provided by our management
16 analyst Malik Tamimi.

17 Q. How many trainings did Mr. Tamimi put on?

18 A. I'd say maybe two that I can recall.

19 Q. About how long were they?

20 A. Probably about half an hour.

21 Q. Did you circulate any material as part of that
22 training?

23 A. I believe he did. There was a sign-in sheet.

24 Q. There was a sign-in sheet. Did they give you
25 any handouts?

1 A. I think so but I don't recall.

2 Q. Did those have any guest speakers?

3 A. No.

4 Q. So Mr. Tamimi did the presentations himself?

5 A. Yes.

6 Q. Do you remember generally what they covered?

7 A. Probably what a priority project is, frequency
8 of inspections. Talked in general about city
9 requirements for industrial commercial inspections.
10 That's all I recall at the moment.

11 Q. Did he ever discuss whether there was a
12 difference -- let me start over. Did he ever review the
13 Jurisdictional Urban Runoff Management Plan?

14 A. Yes.

15 Q. That's often referred to as the JURMP.

16 A. Yes.

17 Q. Did he ever discuss the relationship between
18 violations of the JURMP and whether those were
19 violations of the Construction General Permit?

20 A. Yes.

21 Q. What did he say about that?

22 A. That the city had its own program within the
23 municipal code which was separate from the Regional
24 Board's construction inspection program.

25 Q. Do you have an idea, was it your impression

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1 whether or not a violation of the JURMP was also a
2 violation of the General Construction Stormwater Permit?

3 A. Possibly. We didn't necessarily look at it
4 from the aspect that it would be a violation. We were
5 only concerned with what the city's municipal code
6 stated.

7 Q. Other than the two trainings that was given by
8 Mr. Tamimi do you have any additional stormwater
9 training or certification?

10 A. No.

11 Q. Are you familiar with what a Qualified
12 Stormwater Professional is?

13 A. ^Q MSP?

14 Q. Yes.

15 A. Yes, I've heard the term.

16 Q. Are you one?

17 A. I am not.

18 Q. Have you heard the term of a Qualified SWPPP
19 Developer or a QSD?

20 A. Yes.

21 Q. Are you one?

22 A. No.

23 Q. Have you ever inspected construction sites for
24 stormwater violations?

25 A. I have attended the inspection. I may have my

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1 name on a few documents. I don't recall. So in the
2 absence of normal staff or regular staff or a consultant
3 inspector I may have done an inspection and signed one
4 of the inspections.

5 Q. Did you do that for the Valencia Hills,
6 San Altos site?

7 A. Possibly, yes.

8 Q. Do you know if you did it for any other
9 construction sites?

10 A. Possibly, yes.

11 Q. Do you know what those sites might have been?

12 A. Citronica One or Citronica Two. It could have
13 been both. I'm trying to think of what other projects
14 we had in construction at the same time. And another
15 project, and I don't recall the name, located off of
16 San Miguel avenue.

17 Q. Is that in Lemon Grove?

18 A. Yes.

19 Q. Do you remember the first time you ever
20 inspected a site for alleged stormwater violations?

21 A. I do not.

22 Q. Did you ever do such inspections when you were
23 with the Eastern Municipal Water District?

24 A. No.

25 Q. So your only inspections were when you were

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1 with the city of Lemon Grove.

2 A. Yes.

3 Q. In discussing this matter I am going to refer
4 to the Valencia Hills, San Altos project, located on --
5 is it located on San Altos? Located on San Altos in
6 Lemon Grove. I'm going to refer to that as the site.
7 Does that make sense to you?

8 A. Yes.

9 Q. With respect to stormwater issues and possible
10 issues relating to discharge of stormwater from the
11 site, when did the site first come to your attention?

12 A. In terms of stormwater or just the site in
13 general?

14 Q. More in terms of stormwater.

15 A. I'm going to estimate, probably June 2014.

16 Q. Do you recall what happened then to bring the
17 site to your attention?

18 A. From what I recall I think my concern was that
19 the developer elected to clear and grub the entire site
20 in one phase versus phasing the project.

21 Q. What was your position at the time?

22 A. I was the city engineer.

23 Q. When that issue came to your attention did you
24 do anything about it?

25 A. No.

1 Q. When was the next time something happened with
2 the site that came to your attention?

3 A. Of significant concern would be -- and I don't
4 know the date that it occurred -- was when the
5 developer's contractor hit the city of San Diego water
6 main. And I don't know. That may have been August
7 2012 -- or 2014.

8 Q. So there was a water main break in August 2014?

9 A. About that time, correct.

10 Q. Do you know if that incident was reported to
11 the Regional Board?

12 A. It was.

13 Q. Do you know who reported it?

14 A. Malik Tamimi did.

15 Q. Do you know why he did that?

16 A. It's a requirement.

17 Q. Of what?

18 A. Of the Regional Board that the city report any
19 discharges from the site.

20 Q. You say it's a requirement. What is it a
21 requirement of?

22 A. I believe it would be of our JURMP.

23 Q. Do you recall, when was the first time you
24 visited the site? Let me rephrase. Have you ever been
25 to the site?

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1 A. Yes, I have.

2 Q. When was the first time you ever went there?

3 A. I'm going to estimate maybe April, May of 2014.

4 Q. Did you ever visit the site for the purposes of
5 and inspecting it for stormwater issues?

6 A. Either inspecting or attending on behalf of an
7 inspection, probably maybe July, August 2014.

8 Q. Was that associated with the water main break?

9 A. Yes. I visited maybe the day after the water
10 main break. I don't know if it was the day of. And I
11 may have attended prior to that just as a second person,
12 but not doing the inspection, just to go to the site.

13 MS. BERESFORD: If we could please mark this as
14 Exhibit 3. We'll mark it as Exhibit 3 to the deposition
15 even though it says 6, number 6 at the top.

16 Q. Will you please review that document.

17 A. I've reviewed it.

18 Q. Do you recognize that document?

19 A. Yes, I do.

20 Q. What is it?

21 A. It is an administrative citation to the
22 Valencia developer.

23 Q. Who issued it?

24 A. I issued it.

25 Q. What was the date of that?

1 A. December 11th 2014.

2 Q. Did you visit the site on December 11th?

3 A. Yes, I did.

4 Q. Did you meet with anybody there?

5 A. I don't know if I met with anybody but I went
6 to the site with another person.

7 Q. Who was that person?

8 A. Gary Harper.

9 Q. The second to the last page of Exhibit 3 has
10 handwritten notes. Are those your notes?

11 A. Yes, they are.

12 Q. About what time did you go to the site?

13 A. Per the meeting minute phone record it states
14 5 p.m.

15 Q. Do you know why you went to the site?

16 A. I went to the site apparently because the
17 recommendations issued on 12-9-2014 needed to be
18 verified whether they were completed or not.

19 Q. Do you know who Tad Nakatani is?

20 A. Yes, I do.

21 Q. Who is he?

22 A. He is an employee of D-Max, who's a consultant
23 to the city of Lemon Grove.

24 Q. As a consultant what do they do?

25 A. In this instance Mr. Nakatani was a site

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1 inspector on behalf of the city.

2 Q. Inspecting for what purpose?

3 A. Stormwater.

4 Q. Do you know why D-Max was hired?

5 A. Yes.

6 Q. Why was that?

7 A. D-Max was hired to supplement the city's
8 inspection program.

9 Q. Whose decision was it to hire them?

10 A. My decision.

11 Q. If you would take a look at that. I'm not
12 going to mark it as an exhibit. Do you know what that
13 document is?

14 A. It's a copy of their inspection form.

15 Q. Of whose?

16 A. Of D-Max. It's on the City of Lemon Grove
17 letterhead, but it was filled out by Tad of D-Max.

18 Q. What's the date of it?

19 A. December 11, 2014.

20 Q. The time?

21 A. 9 a.m.

22 Q. So, based on this document does it appear that
23 Mr. Nakatani inspected the site at 9 a.m. on December
24 11?

25 A. I would presume so.

1 Q. Were you aware that he had done an inspection
2 that morning?

3 A. Most likely.

4 Q. So, if you would briefly take a look at that.
5 Is that Mr. Nakatani's inspection from December 9?

6 A. Yes.

7 Q. So does it look like he went out on the 11th to
8 follow up on his December 9 inspection?

9 A. Yes.

10 Q. Do you know why you decided to go out with
11 Mr. Nakatani and inspect the site that morning?

12 A. Because ultimately he as a consultant he
13 reports to myself.

14 Q. You felt that you had to double-check his work?

15 A. I felt like I needed to go see the site for
16 myself.

17 Q. Sorry, I'll have you review this again.

18 MS. BERESFORD: Actually, I'll make that Exhibit 4
19 for the deposition, please.

20 Q. For the record, could you state what that is.

21 A. It's titled "NPDES Stormwater Program,
22 Construction Stormwater Compliance Inspection Form."

23 Q. Filled out by...

24 A. Tad Nakatani, December 11, 2014, 9 a.m.

25 Q. This form, it says Construction Stormwater

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1 Compliance Inspection Form. What is he looking for
2 compliance with? What is his guideline?

3 A. Compliance with the municipal code and JURMP.

4 Q. Not compliance with the General Construction
5 Stormwater Permit?

6 A. No.

7 Q. Do you see on the second page of Exhibit 4
8 under Violations, Mr. Nakatani noted -- he checked the
9 box of No Violations; is that correct?

10 A. Uh-huh, yes.

11 Q. Then I'd like to go back to Exhibit 3. If
12 Mr. Nakatani had issued no violations, why did you feel
13 that you should issue a warning?

14 A. Well, he issued or checked no violations.
15 D-Max Engineering is not in a position to issue
16 administrative citations. In my mind he had recommended
17 corrective action that still had not been completed from
18 the prior inspection, so therefore I issued the
19 citation.

20 Q. Your Exhibit 3, the December 11 administrative
21 citation says "See attached inspection reports." Do you
22 know which reports those are?

23 A. I do not at the moment. Other than the
24 inspection report that I provided I'm unaware of what
25 the other attachment might have been other than his

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1 12-11 or 12-9 inspection report.

2 Q. Did you ever talk to anyone at the Water Board
3 about this specific citation?

4 A. I may have spoken to Wayne Chiu.

5 Q. When would that have been?

6 A. Somewhere in the month of December 2014.

7 Q. I note on Exhibit 3 you gave them until
8 December 15, 5 p.m. to do the corrections. Is there any
9 specific reason for that date or time?

10 A. I'd probably have to think back and check with
11 Mr. Tamimi. We probably looked at the extent of the
12 BMPs that we were requesting to see if that was an
13 appropriate amount of time to provide them to install
14 them.

15 Q. Did it have any relationship to the inspection
16 that the Regional Board was doing on December 15?

17 A. I don't know. What date did they do the
18 inspection?

19 Q. December 15.

20 A. This is 5 p.m., so I'm presuming their
21 inspection was earlier in the day.

22 Q. Yes.

23 A. So no.

24 Q. Did you have any other field notes from this
25 day?

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1 A. No. Whatever is on that sheet of paper is it.

2 MS. BERESFORD: I would like to mark that as
3 Exhibit 5, please. It will be Exhibit 5 to the
4 deposition, although at the top it says Exhibit
5 Number 7.

6 Q. Do you recognize that document?

7 A. Yes, I do.

8 Q. Can you tell me what it is?

9 A. It's an administrative citation for \$100 on
10 December 15th 2014.

11 Q. Who issued it?

12 A. I did.

13 Q. What was the reason -- before we get there, did
14 you visit the site on December 12?

15 A. I don't recall.

16 Q. You will see that attached to the citation is a
17 memo, dated December 12, 2014, from D-Max Engineering.
18 Have you seen that memo before?

19 A. Yes, I have.

20 Q. Was this memo the basis for you issuing a
21 citation?

22 A. Yes, it was.

23 Q. Was there any other basis for you issuing this
24 citation?

25 A. No.

1 Q. On the first page on the citation itself
2 there's yellow highlighting. Did you do that
3 highlighting?

4 A. I do not recall.

5 Q. Under "Violation Information," Section C, it
6 says "Discharge of non stormwater prohibited. See
7 attached memo." Do you see that?

8 A. Yes.

9 Q. What was the discharge of the non stormwater?

10 A. The discharge would have been from material on
11 the site.

12 Q. Does the memo say that they saw stormwater with
13 sediment in it go into the storm drain?

14 A. Can you repeat the question, please.

15 Q. Does the memo say that they saw stormwater with
16 sediment in it going into the storm drain?

17 A. Not from what I can interpret. Not that I see.

18 Q. What did you consider the non-stormwater
19 referenced in your citation?

20 A. The fact that the turbidity exceeded the
21 maximum limit in a discharge less site.

22 Q. Did you direct them to test for turbidity?

23 A. Most likely, yes.

24 Q. Why?

25 A. Because we knew we had rain coming at some

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1 point on the site and we wanted to confirm that their
2 BMPs were adequate.

3 Q. Do you know if turbidity data can be used to
4 establish a violation of the General Construction
5 Stormwater Permit?

6 MR. BOYERS: Objection. Calls for a legal
7 conclusion.

8 THE WITNESS: I don't know.

9 MS. BERESFORD:

10 Q. How do you think turbidity data can be used?

11 MR. BOYERS: Same objection. Calls for
12 speculation.

13 MS. BERESFORD: I'll rephrase.

14 Q. What's the point of getting turbidity data?

15 A. To determine if you're within -- above or below
16 a certain number.

17 Q. Does this data say what the number was going
18 into the storm drain?

19 A. No. It indicates what left the site at various
20 locations. There is one labeled Adkins -- Akins_Inlet.
21 And it appears to have been taken after the gravel bags
22 just prior to the inlet. On page 3.

23 Q. Did you ever discuss this citation with anyone
24 from the Water Board?

25 A. Probably, yes.

1 Q. Do you know who?

2 A. Wayne Chiu.

3 Q. Do you know when that might have been?

4 A. Probably December again. December 2014. Could
5 have been January 2014.

6 Q. Do you know what you discussed with him about
7 it?

8 A. I believe the discussion was either by phone or
9 by email -- I think it was by phone -- just letting him
10 know that we had issued a citation, a warning and -- I
11 don't know if I contacted him each and every time we
12 issued, or if I contacted him after I issued a few of
13 them. I'm not sure.

14 Q. Do you know if you sent him the memo from
15 D-Max?

16 A. I believe it would be yes. I believe he
17 received -- I don't have the documents in front of me,
18 but I presume there is a larger packet that includes all
19 the citations.

20 MS. BERESFORD: Let's mark this -- I believe we're
21 on Exhibit 6.

22 Q. Exhibit 6 to the deposition, it's Exhibit
23 Number 8 at the top. Have you seen this document
24 before?

25 A. I believe so.

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1 Q. Can you identify it, please.

2 A. It appears to be a Facility Inspection Report,
3 prepared by the California Regional Water Quality
4 Control Board for the inspection date time of December
5 15, 2014, 10 a.m.

6 Q. Did you attend this inspection?

7 A. Yes, I did.

8 Q. Did anyone else from the city attend the
9 inspection?

10 A. Gary Harper.

11 Q. Was there a reason why Mr. Nakatani did not
12 attend the inspection?

13 A. I do not recall.

14 Q. Did you generate any field notes from this
15 inspection.

16 A. Whatever is in the documents submitted. I do
17 not recall.

18 Q. If you go to page 2 of this document, at the
19 top it says, "On December 2nd, the City of Lemon Grove
20 issued a Stop Work/Notice to Valencia." Do you know who
21 notified the Water Board of that Stop Work Notice?

22 A. No. Probably be either myself or Mr. Tamimi.

23 Q. Is that a normal thing that you would have
24 notified the Board? If you had issued a Stop Work
25 Notice for a construction site that you would have

1 notified the Board?

2 A. It would be a case by case judgment.

3 Q. What would be a reason that you would notify
4 the Board?

5 A. If they had a stop or they had prior
6 discharges.

7 Q. Was it city policy that on any Stop Work Notice
8 associated with stormwater issues that you would have
9 notified the Board?

10 A. Not necessarily.

11 Q. So who would have made that decision as to
12 whether or not to notify the Board?

13 A. Myself.

14 Q. Had you notified the Board of any other
15 construction sites?

16 A. No.

17 Q. On the third paragraph it says "On the morning
18 of December 12 the city contacted the Water Board and
19 asked for an inspection." The second sentence says
20 "According to the city's stormwater manager." Do you
21 know who that was?

22 A. That would probably be Malik Tamimi.

23 Q. Did you contact the Board requesting an
24 inspection?

25 A. I may have. Either Mr. Tamimi or myself.

1 Q. Why would you have done that for this
2 particular site?

3 A. Because the site now has two discharges.

4 Q. Was there a city policy for that or was that --

5 A. No.

6 Q. Did you ever talk with anybody about what the
7 basis for that notification would be?

8 A. I don't recall. I may have spoken to
9 Mr. Lough. I don't recall. I may have spoken to my
10 supervisor Carol Dick. I don't recall.

11 Q. On page 3 in the findings, paragraph 3 talks
12 about areas observed to be inactive, and paragraph 4
13 talks about areas that are active. Do you recall if
14 there was any specific discussion at the site about
15 which areas were active and which areas were inactive?

16 A. I would presume there was a discussion. I
17 don't recall which areas of the site were deemed active
18 or inactive.

19 Q. What does that mean to you?

20 A. The interaction was between Mr. Chiu and the
21 developer with the city just attending on its own. We
22 weren't required to be at the meeting.

23 Q. In terms of whether an area is active or
24 inactive, when it comes to stormwater management is
25 there a difference in your mind as to whether it matters

1 if a part of the site is inactive or active?

2 A. Yes.

3 Q. What is that difference?

4 A. Either the stockpile or area's actively being
5 worked on or it's not.

6 Q. What does that mean for stormwater controls?

7 A. Either BMPs are in place for the areas that are
8 not being used or they're not in place for active areas.

9 Q. Go ahead, I'm sorry.

10 A. Go ahead.

11 Q. How would you define an active site?

12 A. Based on the time that the area was last
13 touched or used.

14 Q. What is that time?

15 A. I believe in the city's municipal code it is
16 ten days.

17 MS. BERESFORD: I apologize. I'm a little crunched
18 in my space. We'll mark that as Exhibit 7, Exhibit 7 to
19 the deposition. Exhibit 9 is the number at the
20 top.

21 Q. Have you seen this document before?

22 A. Yes.

23 Q. What is it?

24 A. It is a letter from the City of Lemon Grove,
25 signed by myself, to Tim Anderson, BCA Development,

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1 regarding ongoing stormwater violations at the Valencia
2 project site.

3 Q. What is the date of the letter?

4 A. December 16, 2014.

5 Q. Did you write this letter?

6 A. I believe between Mr. Tamimi and I, we probably
7 drafted or co-drafted and finalized the letter.

8 Q. The second paragraph has a sentence that reads,
9 "Water quality monitoring is being conducted to assess
10 whether or not illegal discharges are occurring from
11 your site." Do you see that?

12 A. I'm sorry, which paragraph?

13 Q. The second paragraph.

14 A. Oh, second sentence. Yes.

15 Q. Did the city perform water quality monitoring
16 at the site?

17 A. The city itself did not but under its direction
18 it did.

19 Q. What does that mean, under its direction it
20 did?

21 A. No city staff actually went out and did the
22 sampling itself but through D-Max Engineering.

23 Q. Do you know how frequently D-Max did sampling?

24 A. I don't recall.

25 Q. We will come back to that. I'll mark this as

1 Exhibit 8. Do you recognize Exhibit 8?

2 A. Yes.

3 Q. What is that?

4 A. Administrative citation dated December 16,
5 2014.

6 Q. Who issued it?

7 A. I issued it.

8 Q. Did you visit the site on December 16?

9 A. I may have, I don't recall.

10 Q. Did you tell D-Max to go back to the site on
11 December 16?

12 A. Either myself or Mr. Tamimi did.

13 Q. Do you know why?

14 A. Probably as a follow up to our request of
15 December 15, 2014, 5 p.m.

16 Q. You had been out the day before with the Water
17 Board inspection?

18 A. Yes.

19 Q. Is that correct?

20 A. Yes.

21 Q. Was there a reason why you didn't look for that
22 when you were out on the 15th?

23 A. Because in my prior citation I gave them until
24 5 p.m.

25 Q. Do you know what the code sections are that are

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1 referenced in your administrative citation?

2 A. I can tell you what the number is, I don't
3 remember what the titles are.

4 Q. Do you know what they are related to?

5 A. Stormwater.

6 Q. But you don't have any other specific
7 recollection?

8 A. Unless I pull out the municipal code and
9 double-check. I presume items that are listed within
10 the inspection report are related to the violations that
11 were written on the cover.

12 Q. Is the citation based on Mr. Nakatani's
13 inspection of December 16?

14 A. Without reviewing what the specific violations
15 are here I couldn't confirm that but I would presume so.

16 Q. I would like you to look at the second page of
17 Mr. Nakatani's inspection. Under "Violation" you'll see
18 that it appears that the box of "No Violation" was
19 originally checked and then scratched out and then the
20 box with "Violation" was checked. Do you see that?

21 A. Uh-huh, yes.

22 Q. Do you know why that change was made?

23 A. I don't recall.

24 Q. Do you know if you talked to him about that?

25 A. I don't recall.

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1 Q. Let's go back to your letter of December 16,
2 Exhibit 7. In the third paragraph, I believe it's the
3 second sentence, it says "The city is putting you on
4 notice should inadequate BMPs and/or failure of BMPs
5 continue, the city will hire an erosion control company
6 at your cost to prevent illegal discharges from
7 occurring."

8 A. I'm sorry, which paragraph?

9 Q. The third paragraph.

10 A. Okay.

11 Q. Do you see that sentence? I'm sorry, do you
12 see that sentence?

13 A. Yes, I do.

14 Q. Did the city ever do that?

15 A. They did not.

16 Q. Why not?

17 A. We attempted to -- we actually made a few phone
18 calls. And trying to have somebody come out at this
19 time during the holidays became extremely challenging
20 and therefore we kept insisting the developer install
21 the BMPs.

22 Q. What about in January? Did they ever continue
23 in January to do that?

24 A. No. In January the developer -- I don't
25 remember the exact date in January -- the developer was

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1 providing exhibits through email to the city daily
2 showing their work progress which was positive.

3 Q. So you were satisfied at that point that you
4 didn't need to do that.

5 A. Correct.

6 Q. Your letter, the second-to-last paragraph in
7 your letter says, "A copy of this citation is also being
8 provided to the San Diego Regional Water Quality Control
9 Board. Do you see that?"

10 A. Yes.

11 Q. Why did you do that?

12 A. Because we had had a site visit with the Board
13 and I was keeping them up to date on the site. And it
14 may have been a request by Mr. Chiu, I don't recall.

15 Q. Had you provided similar correspondence for any
16 other sites to the Board?

17 A. No. We didn't have -- I don't think we had any
18 other sites that had a discharge or stop work.

19 Q. You said in January you didn't try to hire
20 another company to do stormwater control because you
21 were satisfied with their progress; is that correct?

22 A. They were making positive progress. They were
23 making an attempt to actually address the issues.

24 Q. Earlier in the letter we talked about the city
25 doing water quality monitoring. Did the city also stop

1 water quality monitoring in January?

2 A. I don't recall. But I would assume that water
3 quality monitoring was based on when we had rain events.
4 I don't know if we had additional rain events during
5 that time or not.

6 Q. I'm going to give you two memos here. One is
7 dated December 17 and one is dated December 31st.
8 They're from D-Max. Have you seen those before?

9 A. Yes.

10 Q. Did you infer anything from the sampling
11 results discussed in those memos?

12 A. Can you repeat your question.

13 Q. Did you infer anything from those memos? Once
14 they had taken those samples did you ever direct them to
15 do any further sampling?

16 A. I may have. I'm presuming it rained this day
17 and the day before, and the same for here. So come
18 January I don't know if we continued sampling or where
19 we were at. I don't recall.

20 MS. BERESFORD: I'll actually mark the December 31
21 memo -- we're on Exhibit 9?

22 Q. I'd like to direct you to the third paragraph
23 of this memo which says, "Some sediment had settled out
24 at the bottom of the pools of water, and care was taken
25 not to disturb the settled sediment when samples were

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1 taken." And I skip a sentence. And then it says, "To
2 approximate that effect, the settled sediment at the
3 Akins entrance/exit location was disturbed, and a sample
4 was taken a few minutes later." Are you familiar with
5 any sampling protocols?

6 A. No.

7 Q. Did you think anything of that sampling
8 protocol when you read that paragraph?

9 A. I thought it wasn't the same as the other
10 sampling protocol that they had done. Wasn't in a
11 similar manner.

12 Q. What was different about it?

13 A. That they stirred -- what's the sentence?
14 Yeah, that the settled sediment was disturbed.

15 Q. Did you think that resulted in a valid sample?

16 A. No.

17 Q. Have you seen this document before?

18 A. Yes.

19 Q. Can you say what that is?

20 A. It is a letter and attachment to Mr. Wayne
21 Chiu, Water Quality Control Board, from San Altos-Lemon
22 Grove, dated the -- no date. January 1, 2015.

23 Q. What is the purpose of that document?

24 MR. BOYERS: Objection. Speculation.

25 THE WITNESS: The first sentence of the letter

1 states "The letter will serve as a response to the
2 notice of violation issued by the Regional Board."

3 MS. BERESFORD:

4 Q. Do you know when you first saw that document?

5 A. Either on January 1st or after.

6 Q. Did you read it?

7 A. I probably skimmed through it.

8 Q. What did you think about it?

9 MR. BOYERS: Objection. Vague.

10 THE WITNESS: I don't recall. I think my initial
11 thought is this is between the developer and the
12 Regional Board and doesn't impact the city.

13 MS. BERESFORD:

14 Q. Do you know if that document contributed to
15 your decision to stop trying to find someone to
16 implement BMPs at their site?

17 A. I'd say no. Maybe one of the pages here. We
18 may have received separately from the Regional Board.

19 Q. Would you be surprised if I represented to you
20 that we can't find any other sampling data by D-Max?

21 A. It wouldn't surprise me. What other rain
22 events were there in January?

23 Q. Or February or March or any time.

24 A. I don't know.

25 Q. So that didn't contribute to your decision to

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1 not have D-Max do any other sampling.

2 A. No.

3 MS. BERESFORD: Let's make this Exhibit 10.

4 Q. Exhibit 10 has Exhibit Number 23 at the top.

5 Have you seen this document before?

6 A. Yes.

7 Q. What is it?

8 A. It is a memo from D-Max Engineering to myself
9 and Mr. Tamimi with the subject of "Summary of
10 inspections and sampling of Valencia Construction Site
11 between December 9, 2014 and January 14, 2015."

12 Q. What is the date of this memo?

13 A. January 16, 2015.

14 Q. Why did D-Max prepare this memo?

15 A. I believe the city requested D-Max prepare this
16 memo in order so the city could provide a summary of
17 action items to the Regional Board.

18 Q. Did the Regional Board ask you to do that?

19 A. I'd have to look back, but I believe we were
20 asked to provide documentation.

21 Q. Do you know who asked that of you?

22 A. Mr. Chiu.

23 Q. Had you ever done that for another site?

24 A. Never been asked before. No.

25 Q. Have you ever been asked since?

1 A. Nope. I no longer do stormwater.

2 Q. Are you happy about that?

3 A. (No audible response.)

4 Q. What did you think of this memo? I will
5 rephrase. After reviewing this memo were you satisfied
6 with the progress made at the Valencia construction
7 site?

8 A. Based on this document alone I couldn't say if
9 I was or wasn't.

10 Q. But there's no indication that you tried to get
11 anyone else on site to implement BMPs; is that correct?

12 A. Correct.

13 MS. BERESFORD: This will be Exhibit 11. This will
14 be Exhibit 12.

15 Q. Have you seen those letters before?

16 A. Yes, I have.

17 Q. Can you please describe what Exhibit 11 is?

18 A. It is a letter from BCA Development to myself,
19 dated January 20, 2015, regarding Valencia Stop Work/
20 Notice of Violations.

21 Q. What is Exhibit 12?

22 A. It's a letter signed by myself to the attention
23 of Ben Anderson, dated January 22nd 2015. "Subject:
24 Valencia - Stop Work Notice Removal."

25 Q. What does your January 22nd 2015 letter do with

1 **respect to the Stop Work Notice?**

2 A. Second paragraph, second sentence, "The Stop
3 Work Notice is hereby removed."

4 **Q. Can you read the first sentence of that**
5 **paragraph.**

6 A. "The city has received your letter dated
7 January 20, 2015 attached requesting release of the Stop
8 Work/Notice of Violation dated December 12, 2014."

9 **Q. Can you read the first sentence of the second**
10 **paragraph.**

11 A. "Based on a site visit and review of your
12 response to the items from the January 19th inspection
13 report, the city finds that the items have been
14 completed or require minor correction."

15 **Q. So at that point in time did the city feel that**
16 **any remaining stormwater issues were minor? Is that a**
17 **"yes"?**

18 A. Yes.

19 MS. BERESFORD: Unfortunately I'm going to make
20 this Exhibit 13.

21 **Q. I haven't even asked you any questions yet.**

22 A. I don't get to ask questions, do I?

23 **Q. You could if you wanted to.**

24 MR. LOUGH: No.

25 MS. BERESFORD: Sorry, Jim. Just trying to be

1 friendly.

2 THE WITNESS: Almost there.

3 MS. BERESFORD:

4 Q. Have you seen Exhibit 13 before?

5 A. Yes, I have.

6 Q. Can you please tell me what it is?

7 A. It is a compilation of documents prepared
8 either by the city and D-Max or the developer, submitted
9 to Mr. Chiu of the Regional Water Quality Control Board
10 on January 27th 2015.

11 Q. Does it have a cover letter?

12 A. It has a cover letter dated January 26, 2015.
13 "Subject: Summary of Valencia Construction Site
14 937C369143, Notice of Violation," signed by myself.

15 Q. The letter is addressed to whom?

16 A. Mr. Wayne Chiu, Regional Board.

17 Q. Why did you prepare this letter?

18 A. I prepared this letter at his request from what
19 I recall.

20 Q. Do you know why he requested it?

21 A. I presume he requested it for his use.

22 Q. I deserved that.

23 A. Sorry.

24 Q. Has the city ever been requested to submit this
25 type of information before?

1 A. No, we have not.

2 Q. Do you know why he requested it in this
3 instance?

4 MR. BOYERS: Objection. Speculation.

5 THE WITNESS: I can presume because he came out to
6 the site on December 15th. I don't recall the exact
7 date.

8 MS. BERESFORD:

9 Q. But he never discussed with you on the phone or
10 told you in an email any other reason why he would want
11 this type of information?

12 A. Mr. Chiu submitted -- actually sent an email.
13 It's not in here, but he sent an email to the developer
14 and the city stating what he was asking from each of us.

15 Q. Were you concerned that the city might be
16 issued a penalty if it didn't submit all of this
17 information?

18 A. Yes. The email is actually attached.

19 Q. Would it be fair to characterize that you
20 prepared this information to protect the city from
21 violations?

22 A. Yes. No, I'm sorry, I don't see the email, the
23 follow-up email after the meeting that Wayne sent but I
24 know there was an email.

25 Q. Do you recall generally what that email is

1 saying?

2 A. I think from what I recall is he asked
3 Mr. Anderson to provide a response by a certain date and
4 he asked that the city monitor the contractor through
5 specific documents.

6 Q. Was the city nervous about this project and
7 whether it was going to get its own violation?

8 MR. BOYERS: Objection. Speculation.

9 THE WITNESS: Let me clarify this. When you say
10 city, I'd say for myself the answer is yes, but I don't
11 know about others.

12 MS. BERESFORD:

13 Q. What was it in particular that was making you
14 nervous about getting a violation from the Regional
15 Board?

16 A. I guess maybe that I'd heard that the Regional
17 Board was difficult to deal with.

18 Q. Was that specific to stormwater issues or in
19 general?

20 A. Stormwater.

21 MS. BERESFORD: I will mark this as Exhibit 14.
22 And it actually says Exhibit 14 at the top. Before we
23 go on, it's 2:40. It's been about an hour and a half.
24 Do you need a short break?

25 THE WITNESS: No.

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1 MS. BERESFORD: Let's go off the record.

2 (Recess.)

3 MS. BERESFORD:

4 Q. Let's proceed with Exhibit 14. And we can come
5 back to whatever you want to discuss when Mr. Lough gets
6 back into the room. You're looking for Exhibit 14. Are
7 you ready?

8 A. Oh, yes. I thought we were waiting for Jim.

9 Q. Do you recognize Exhibit 14?

10 A. Yes, I do.

11 Q. Can you please state what it is?

12 A. It is an administrative citation to Tim
13 Anderson, signed by myself, dated March 19, 2015.

14 Q. You issued a citation for \$500; is that
15 correct?

16 A. Yes.

17 Q. Were you able to issue that citation on your
18 own authority or did you have to confer with anyone
19 about that?

20 A. At this point I did it on my own authority.

21 Q. Did you go to the site on March 18?

22 A. I do not recall.

23 Q. Was the citation based on reports by anyone
24 else?

25 A. It would be based on a site visit and photo by

1 Gary Harper.

2 Q. I'm sorry, can you say that again.

3 A. It would be based on a site visit and photos
4 that are attached taken by Gary Harper.

5 Q. And not by Mr. Nakatani?

6 A. Correct.

7 Q. Do you have a March 18 report from Mr. Harper?

8 A. I do not in front of me.

9 Q. I have a March 18 report by Mr. Nakatani, if
10 you would like to take a look at that. Does that
11 refresh your recollection?

12 A. Yes.

13 Q. So what do you think the citation was based on?

14 A. The citation was based on a discharge onto the
15 ground based on the photo attached and the inspection
16 report. But primarily the photo and Mr. Nakatani's
17 report and the one provided by Mr. Harper.

18 Q. If you look at the first page of Exhibit 14,
19 there's a box in red and it says "Concrete discharge to
20 ground."

21 A. Uh-huh.

22 Q. Did you put that red box on there?

23 A. I don't believe so.

24 Q. Do you know who did?

25 A. No.

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1 Q. Looking at Mr. Nakatani's March 18 report, the
2 second page of his report, he checks the box at the
3 bottom that says "No violations"; is that correct?

4 A. Correct.

5 Q. Six boxes down in the chart there's a box that
6 says, "Are wastes managed and stored properly?" And he
7 checked "Yes." And then the next box says, "Are
8 concrete washouts properly installed and maintained with
9 no evidence of discharges?" And he checks the box "Yes"
10 with a comment, but there was one violation of a
11 washout. Do you see that?

12 A. Yes.

13 Q. Based on that he did not see a violation. Do
14 you know why you still decided to issue a citation?

15 A. Because it is a violation.

16 Q. Of what?

17 A. The municipal code.

18 Q. Was there any evidence that concrete waste ever
19 went down the stormwater drains?

20 A. No.

21 Q. I think that previously you said that you had
22 discussed this site with Mr. Chiu of the Regional Board;
23 is that correct?

24 A. Yes.

25 Q. About how many times do you think you talked to

1 him about this site?

2 A. During the month of December, January maybe
3 five.

4 Q. What were the nature of those conversations?
5 What would you say the purpose of those conversations
6 were?

7 A. Bringing him up to speed on the project; the
8 discharges that had occurred; the citations that had
9 been issued, and the challenge in getting the developer
10 to bring the site into compliance.

11 Q. What was his response like?

12 A. I'm trying to recall. I think he mostly
13 listened.

14 Q. Did you exchange a lot of email with him?

15 A. Maybe half a dozen at the most.

16 Q. Were the nature of those emails similar?

17 A. Yes. Probably I would say for the most part
18 from what I recall is the emails were providing him an
19 update or attachments of citations.

20 Q. Do you know who Frank Melbourn is?

21 A. I do not.

22 MS. BERESFORD: Is that you? It's this gentleman
23 at the end of the table.

24 Q. I wanted to alert you before I asked questions
25 about him. Have you ever spoken to him about the site?

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1 A. I have not.

2 Q. Have you spoken to anyone else at the Regional
3 Board about the site?

4 A. No.

5 Q. Are you aware that the Regional Board issued an
6 administrative civil liability complaint against
7 Valencia Hills for the site?

8 A. Yes.

9 Q. Did anyone contact you to ask you questions
10 about your citation when they were preparing that
11 complaint?

12 A. No.

13 Q. Have you ever been involved with any other
14 construction site that was the subject of an
15 administrative civil liability complaint from the
16 Regional Board?

17 A. No.

18 Q. Are you aware the Board is seeking penalties of
19 more than \$800,000 for this site?

20 A. Yes.

21 Q. Are you aware of any other Water Board
22 enforcement actions seeking similar amounts of
23 penalties?

24 A. I believe the city of Encinitas may have been
25 issued a fine. I'm trying to think of who else I may

1 have heard of. The city of La Mesa.

2 Q. Oh, really?

3 A. In the past.

4 Q. When did you learn of the city of Encinitas
5 matter?

6 A. Maybe early 2014.

7 Q. Were you thinking a lot about that issue when
8 you were dealing with this site?

9 A. Yes.

10 Q. Can we take a 10-minute break and we can wrap
11 up and see if there are any other questions and wrap
12 this up.

13 (Recess.)

14 MS. BERESFORD: Do you think you're going to have
15 any questions?

16 MR. BOYERS: I don't know. He had a question he
17 wanted to ask though. Do you want to go back --

18 MS. BERESFORD: Do you want to go on the record on
19 that.

20 THE WITNESS: A clarification.

21 MS. BERESFORD: Do you want to go outside and talk
22 about it?

23 MR. LOUGH: Pardon?

24 MS. BERESFORD: Do you want to go outside and talk
25 about his question?

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1 MR. LOUGH: No.

2 THE WITNESS: It's just a clarification on one of
3 the exhibits.

4 MS. BERESFORD: Let's go back on the record. I
5 don't know if we were ever off.

6 Q. Please.

7 A. Exhibit -- I don't know if this is deposition
8 Exhibit 3, Exhibit 6. It appears in the package that is
9 an exhibit, I guess it's 13. The complete exhibit is
10 listed in here. I had mentioned earlier that this
11 exhibit appeared to be missing information and the
12 complete packet with Mr. Nakatani's attachments that are
13 referenced.

14 Q. Just to be clear for the record, the document
15 that I had marked as Exhibit 3 you're indicating appears
16 to be incomplete.

17 A. Yeah.

18 Q. And you believe the complete copy appears --

19 A. In Exhibit 13.

20 Q. In Exhibit 13. Can you clarify which page you
21 think was missing from Exhibit 3?

22 A. Exhibit 3 makes reference to "See attached
23 inspection reports." And after the last page, which is
24 a printout from the National Weather Service Forecast
25 Office, there should be -- go back to -- in Exhibit 13

1 there's an inspection form from Tad Nakatani, dated
2 December 11, 2014, 9 a.m., which is two pages. And then
3 there's a second inspection, again by Tad Nakatani,
4 December 9, 2014, 1 p.m., which is four pages.

5 Q. I see a page in here -- thank you for that
6 correction. If you go two pages before your December 11
7 citation there are meeting minutes from December 11.
8 Two pages before your December 11. Keep going. Go all
9 the way to your citation page and go two pages before.
10 There you go. Can you tell me what this is?

11 A. This is a meeting minute record by Gary Harper
12 indicating -- I'm trying to read the first word. Oh,
13 "walked." This is where he made contact with an outside
14 company to potentially provide BMP services.

15 MS. BERESFORD: I don't have any more questions
16 before our break. Did you have any other questions?

17 MR. LOUGH: Any clarifications of questions?

18 THE WITNESS: No questions.

19 MS. BERESFORD:

20 Q. Any other questions?

21 A. Yeah. You had asked a question earlier about
22 why the city prepared the packet and continued to
23 document, and I referred to an email that Mr. Chiu had
24 sent. That email is attached in Exhibit 13, dated
25 December 15, 2014, 2:13 p.m.

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1 Q. Okay. Thank you.

2 MR. LOUGH: Break?

3 MS. BERESFORD: Yes.

4 (Recess.)

5 MS. BERESFORD:

6 Q. Mr. Firsht, you are no longer employed with the
7 city of Lemon Grove; is that correct?

8 A. Correct.

9 Q. Where are you now?

10 A. City of La Mesa.

11 Q. When did you go to the city of La Mesa?

12 A. My start date was April 6, 2015.

13 Q. Why did you choose to go to -- I should
14 rephrase. Why did you go to the city of La Mesa?

15 A. New opportunity.

16 Q. Are you in charge of any stormwater inspections
17 or storm water compliance programs there?

18 A. No.

19 Q. I'm going to share a document with you. It's
20 not going to be an exhibit but -- I realize that this is
21 dated after you have left. Have you ever seen this
22 email before?

23 A. I have not.

24 Q. For the record, this is an email from
25 Mr. Nakatani to Mr. Gary Harper, dated September 16,

1 2015. It says "Hi Gary. Here are the draft inspection
2 forms for the three sites I went to yesterday. I have
3 not yet filled out the violation section shown below.
4 Would you like me to still fill out the inspection form
5 as correct work notice option or do you plan to go with
6 anything more for any of the sites?" Do you see that
7 email?

8 A. Yes.

9 Q. During the time that you were working with
10 Mr. Nakatani did he ever ask for your direction on
11 whether or not he should cite something as a violation?

12 A. I don't recall.

13 Q. Did you ever have a conversation with him about
14 whether or not he should mark something as a violation?

15 A. I believe, yes. Either Mr. Nakatani or
16 Mr. Tamimi.

17 Q. I'm sorry, can you say that again.

18 A. Could have been either with Mr. Nakatani or
19 Mr. Tamimi. Malik.

20 Q. Describe those conversations for me.

21 A. I would -- I'll have to think back, it's been
22 quite some time. But I believe we were in the dilemma
23 of D-Max as a consultant, they do not issue citations.
24 That is the city's responsibility, and therefore they
25 were unsure whether they should note the violations or

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1 have the city note the violations.

2 Q. Those would be violations of what?

3 A. The municipal code.

4 MS. BERESFORD: I don't have any other questions.

5 MR. BOYERS: Nor do I.

6 MS. BERESFORD: Thank you very much for your time.

7 MR. LOUGH: Good seeing you again, Leon.

8 MS. BERESFORD: Before we wrap up, for the
9 reporter, so we're going to deviate from the code
10 slightly. The original form of the transcript will
11 ultimately be held in possession of Opper & Varco. The
12 original will be mailed by the court reporter to
13 Mr. Firsht for review. He will then mail it to Opper &
14 Varco. We will take custody of the original and, of
15 course, share any changes, to the extent that you have
16 changes, with all other parties. Is that fair?

17 MR. BOYERS: That's fine.

18 THE WITNESS: What kind of turnaround are we
19 looking at?

20 MS. BERESFORD: Probably Thursday.

21 THE WITNESS: I'll send it back if I'm at home.
22 I'm assuming you'll put together an envelope with
23 prepostage.

24 MS. BERESFORD: We'll discuss that off the record.
25 I think the only thing that we need to have on the

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record is whether or not you are ordering a copy?

MR. BOYERS: We will order a copy as well.

MS. BERESFORD: Okay. I think that's it. Thank you very much. If the original is lost or destroyed does counsel stipulate that we can use a copy in the event of...

MR. BOYERS: Yes, that's fine.

MS. BERESFORD: Thank you very much.

(The proceedings concluded at 3:16 p.m.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at _____, California,
on _____.

LEON PETER FIRSHT

1 STATE OF CALIFORNIA) ss

2

3 I, Marc Volz, CSR 2863, do hereby declare:

4

5 That, prior to being examined, the witness named in
6 the foregoing deposition was by me duly sworn pursuant
7 to Section 2093(b) and 2094 of the Code of Civil
8 Procedure;

9

10 That said deposition was taken down by me in
11 shorthand at the time and place therein named and
12 thereafter reduced to text under my direction.

13

14 I further declare that I have no interest in the
15 event of the action.

16

17 I declare under penalty of perjury under the laws
18 of the State of California that the foregoing is true
19 and correct.

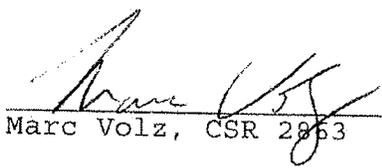
20

21 WITNESS my hand this 5th day of
22 January, 2016.

23

24

25



Marc Volz, CSR 2863



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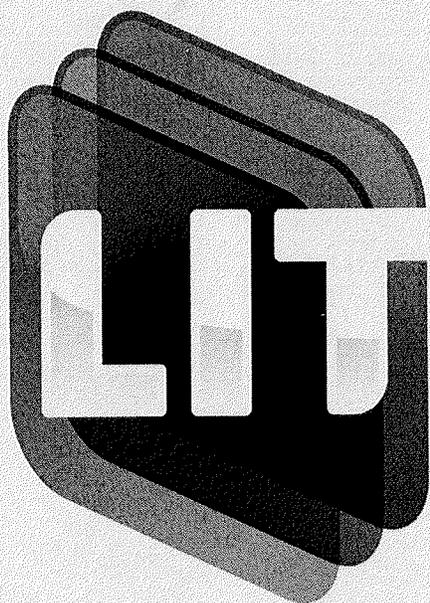
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Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00001



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OPPER & VARCO, LLP
S. WAYNE ROSENBAUM (Bar No. 182456)
LINDA C. BERESFORD (Bar No. 199145)
225 BROADWAY, SUITE 1900
SAN DIEGO, CALIFORNIA 92101
TELEPHONE: 619.231.5858
FACSIMILE: 619.231.5853

EXHIBIT 1
REPORTER M. Volz
WITNESS L. Firsh
DATE 12-28-15

ATTORNEYS FOR SAN ALTOS – LEMON GROVE, LLC

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

IN THE MATTER OF:) **SAN ALTOS – LEMON GROVE, LLC'S**
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT) **NOTICE OF DEPOSITION OF LEON**
No. R9-2015-0110) **FIRSH AND REQUEST FOR**
AGAINST SAN ALTOS – LEMON GROVE, LLC) **PRODUCTION OF DOCUMENTS**
) Date: December 28, 2015
) Time: 1:00 p.m.
) Place: Law Offices of Opper & Varco LLP
) 225 Broadway, Suite 1900
) San Diego, CA 92101

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 28, 2015 at 1:00 p.m., San Altos – Lemon Grove, LLC will take the deposition of Leon Firsh in accordance with the enclosed subpoena. This deposition will take place at the law firm of Opper & Varco, LLP, located at 225 Broadway, Suite 1900, San Diego, CA 92101, before a certified reporter or person authorized to administer oaths who is present at the specified time and place. Said deposition will continue from day to day, Saturdays, Sundays and holidays excepted, until completed.

YOU ARE FURTHER NOTIFIED that the deposition may also be recorded by videotape as authorized by the Code of civil Procedure section 2025.340 and Plaintiff reserves the right to use any videotaped portion of the deposition testimony at a hearing in this matter. The deposition may also be recorded through such means as to provide the instant display of the testimony as also authorized by Code of Civil Procedure section 2025.340.

1 YOU ARE FURTHER NOTIFIED that San Altos-Lemon Grove, LLC requests that Leon
2 Firsh produce the documents identified in Attachment A to this Notice of Deposition and
3 Request for Production of Documents.

4
5 Dated: December 10, 2015

OPPER & VARCO LLP

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9 _____
 Linda C. Beresford
 Attorney for San Altos – Lemon Grove, LLC

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EXHIBIT A

1 S. WAYNE ROSENBAUM (SBN 182456)
2 OPPER & VARCO, LLP
3 225 Broadway, Suite 1900
4 San Diego, California 92101
5 Telephone: 619.231.5858
6 Facsimile: 619.231.5853
7 Email: swr@envirolawyer.com

8 Attorney for San Altos – Lemon Grove, LLC

9 BEFORE THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
10 SAN DIEGO REGION

11 IN THE MATTER OF:
12 **Administrative Civil Liability Complaint**
13 **No. R9-2015-0110 Against San Altos – Lemon Grove,**
14 **LLC**

AFFIDAVIT IN SUPPORT OF SUBPOENA FOR
DOCUMENTS AND THINGS FROM LEON FIRSHT

15 1. I, S. Wayne Rosenbaum, declare that I am counsel for San Altos – Lemon Grove, LLC (“San
16 Altos”), a Designated Party in the above-entitled matter.

17 2. On December 4, 2015, the Advisory Team for the California Regional Water Quality Control
18 Board, San Diego Region (“Advisory Team”) issued the Final Hearing Procedures for ACLC R9-2015-0110. (“Final
19 Hearing Procedures”), which included a list of deadlines (the “Schedule”) prior to the currently scheduled hearing
20 date of February 10, 2016.

21 3. The Schedule requires San Altos submit “All evidence (other than witness testimony to be
22 presented orally at the hearing) that the Designated Party would like the San Diego Water Board to consider” by
23 January 4, 2016.

24 4. Good cause exists for the production of the document described below because such evidence is
25 probative of the veracity of the alleged violations of the Complaint.

26 5. As former Public Works Director and City Engineer for the City of Lemon Grove, Leon Firsht has,
27 or should have, the documents described below in his possession or control.

28 6. The exact documents to be produced include:

- a. All records and documents, including, but not limited to, inspection reports, notices of violation, administrative citations, stop work notices, correct work notices, field notes, photographs, audio

1 or video recordings, phone logs, and internal communications, including emails, related to inspections that
2 occurred at the San Altos -- Lemon Grove, LLC Valencia Hills Construction Site on the following dates:

- 3 December 1, 2014
- 4 December 2, 2014
- 5 December 3, 2014
- 6 December 4, 2014
- 7 December 5, 2014
- 8 December 6, 2014
- 9 December 7, 2014
- 10 December 8, 2014
- 11 December 9, 2014
- 12 December 11, 2014
- 13 December 12, 2014
- 14 December 15, 2014
- 15 December 16, 2014
- 16 December 17, 2014
- 17 December 31, 2014
- 18 January 6, 2015
- 19 January 7, 2015
- 20 January 8, 2015
- 21 January 9, 2015
- 22 January 10, 2015
- 23 January 11, 2015
- 24 January 12, 2015
- 25 January 13, 2015
- 26 March 1, 2015

- 1 March 18, 2015
- 2 March 19, 2015
- 3 March 20, 2015
- 4 March 21, 2015
- 5 March 22, 2015
- 6 March 23, 2015
- 7 March 24, 2015
- 8 March 25, 2015
- 9 March 26, 2015
- 10 March 27, 2015
- 11 March 28, 2015
- 12 March 29, 2015
- 13 March 30, 2015
- 14 March 31, 2015
- 15 April 1, 2015
- 16 May 8, 2015
- 17 May 9, 2015
- 18 May 10, 2015
- 19 May 11, 2015
- 20 May 12, 2015
- 21 May 13, 2015
- 22 May 14, 2015
- 23 May 15, 2015
- 24 September 15, 2015
- 25 October 5, 2015

1 b. Any additional records and documents, including, but not limited to, inspection reports,
2 notices of violation, administrative citations, stop work notices, correct work notices, field notes,
3 photographs, audio or video recordings, phone logs, and internal communications, including emails, related
4 to inspections that occurred at the San Altos – Lemon Grove, LLC Valencia Hills Construction Site,
5 regardless of whether or not the inspection led to the issuance of a formal report, notice, or citation from Mr.
6 Firsht and/or the City of Lemon Grove to San Altos – Lemon Grove, LLC from March 6, 2014 to October
7 19, 2015.

8 c. Any documents, contracts, work orders, requests for services, communications or records
9 thereof including but not limited to emails, or invoices related to inspections, testing, report writing, or
10 materials related to services rendered by D-Max Engineering, Inc. on behalf of the City of Lemon Grove
11 that involved or affected the San Altos – Lemon Grove, LLC Valencia Hills Project Site during the period
12 of March 6, 2014 through October 19, 2015.

13 d. A copy of Mr. Firsht's curriculum vitae listing his education, qualifications, and
14 experience.

15 7. Emails, writings, or photographs should be provided in both printed and digital formats. Audio or
16 video recordings may be provided in conventional formats accessible on personal computers without the assistance
17 of specialized software.

18
19 I declare under penalty of perjury that the foregoing is true and correct.

20
21 Dated this 10th of December, 2015.

22
23 
24 S. Wayne Rosenbaum
25 Attorney for San Altos – Lemon Grove, LLC
26
27

BEFORE THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
SUBPOENA FOR ADJUDICATIVE ACTION

Supporting Document No. 090

ATTORNEY OR PARTY WITHOUT ATTORNEY REQUESTING SUBPOENA (name, address, and telephone no.): S. Wayne Rosenbaum, Esq. Opper & Varco LLP 225 Broadway, Suite 1900, San Diego, CA 92101 Phone: (619) 231-5858 Fax: (619) 231-5853 E-Mail: swr@envirolawyer.com REPRESENTING: San Altos - Lemon Grove, LLC	FOR REGIONAL WATER BOARD USE ONLY
TITLE OF THE PROCEEDING: Administrative Civil Liability Complaint No. R9-2015-0110	
<input checked="" type="checkbox"/> SUBPOENA <input type="checkbox"/> RE HEARING <input checked="" type="checkbox"/> SUBPOENA DUCES TECUM <input checked="" type="checkbox"/> RE DEPOSITION	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name): LEON FIRSHT

1. **YOU ARE ORDERED TO APPEAR AS A WITNESS** in this proceeding as follows unless you make special agreement with the person named in item 3:

a. Date: December 28, 2015	Time: 1:00 PM PST
b. Address: 225 Broadway, Suite 1900, San Diego, CA 92101	

2. **AND YOU ARE:**

- a. Ordered to appear in person. (Wat. Code, § 1080; Gov. Code, § 11450.10; Cal. Code Regs., tit. 23, § 649.6.)
 b. Not required to appear in person if you produce the records described in the accompanying affidavit in compliance with Evidence Code sections 1560 and 1561. (Wat. Code, § 1080; Gov. Code, § 11450.10(b); Cal. Code Regs., tit. 23, § 649.6.)
 c. Ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.10; Cal. Code Regs., tit. 23, § 649.6.)

3. **IF YOU HAVE ANY QUESTIONS ABOUT WITNESS FEES OR THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:**

a. Name: S. Wayne Rosenbaum	b. Telephone number: (619) 231-5858
------------------------------------	--

(Gov. Code, § 11450.20(a); Code Civ. Proc., § 1985.2.)

4. **WITNESS FEES:** You are entitled to witness fees and mileage actually traveled, both ways, as provided by law. Request them from the person who serves this subpoena or from the person named in item 3. (Wat. Code, §§ 1081, 1083, 1084; Gov. Code, §§ 11450.40, 68070 et seq.; Code Civ. Proc., §§ 1986.5, 2065.)
5. If you object to the terms of this subpoena, you may file a motion for a protective order including a motion to quash. Motions must be made within a reasonable period after receipt of the subpoena, and shall be made with written notice to all parties, with proof of service upon all parties attached. In response to your motion, the hearing officer may make an order quashing the subpoena entirely, modifying it, or directing compliance with it, or may make any order needed to protect the parties or witnesses from unreasonable or oppressive demands, including unreasonable violations of the right to privacy. (Gov. Code, § 11450.30.) (Send motions to: San Diego Regional Water Quality Control Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108, Attn: David Gibson, with copies to all parties and to Catherine George Hagan, State Water Resources Control Board, Office of Chief Counsel, c/o San Diego Water Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108.)

DISOBEDIENCE OF THIS SUBPOENA MAY CAUSE YOU TO BE LIABLE FOR CONTEMPT AND OTHER PENALTIES PROVIDED BY LAW

(Wat. Code, §§ 1090-1097; 23 CCR §648.8; Gov. Code, §§ 11450.20(b), 11455.10-11455.30.)

Dated: December 10, 2015



 (signature)

Name: S. Wayne Rosenbaum

Title: Partner - Opper & Varco LLP
 Attorney for San Altos - Lemon Grove, LLC

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00002



LEON P. FIRSHT

724 Diamond Drive, Chula Vista, California 91911

EXHIBIT 2
REPORTER M. Volz
WITNESS L. Firsht
DATE 12-28-15

EDUCATION/QUALIFICATIONS/EXPERIENCE

Civil Engineering, Bachelor of Science Degree
San Diego State University, December 1995

Registered Civil Engineer, July 2002
California License No. 63395

City of La Mesa – La Mesa, California

Assistant Director of Public Works, oversee the Public Works Operations Division which is comprised of Admin, Building, Fleet, Parks, Streets and Wastewater sections.

April 2015 to current

City of Lemon Grove – Lemon Grove, California

City Engineer oversaw the Engineering Division including Capital Improvement Program, Land Development/ROW Permits and Inspection, Stormwater Program, and Traffic Engineering.

March 2011 to March 2015

City of Lemon Grove – Lemon Grove, California

Associate Civil Engineer, engineering contact for Developers/applicants, CIP Projects.

January 2009 to March 2011

Eastern Municipal Water District – Perris, California

Civil Engineer II, experience as primary contact for Developers/applicants, CIP Projects.

July 2006 to January 2009

City of San Diego, Water Department - San Diego, California

Assistant Civil Engineer with experience in long range planning.

July 2000 to July 2006

Project Design Consultants - San Diego, California

Design Engineer with experience in land development and surveying.

January 1996 to July 2000

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00003





Exhibit No. 6

March 9, 2016

Item 12

Supporting Document No. 090

CITY OF LEMON GROVE ADMINISTRATIVE CITATION

EXHIBIT 3
REPORTER m. lotz
WITNESS L. Firsht
DATE 12-28-15

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ is due no later than to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Site Representative

Mailing Address: 3194-C2 Airport Loop Drive / Project Manager

Business Name (if applicable): Corta Mesa, CA 92626
BGA Development

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
B.4B.060 18.08.560 Inadequate BMP's - see
18.08.170 attached inspection reports
18.08.180

cc: Phil Downey, Code Enforcement File

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendations 12/15/14
Maintain adequate surplus of BMP's 5:00 P.M.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Firsht Phone No. 619-825-3825 Signature [Signature] Date 12/11/14

Person Cited - Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person By Mail / Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 8 HEALTH AND SAFETY							
Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL							

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. Applicable Requirements. All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. Minimum Best Management Practices for All Dischargers. All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. Eroded Soils. Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.

2. Pollution Prevention. Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.

3. Prevention of Illegal Discharges. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.

4. Slopes. Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.

5. Storage of Materials and Wastes. All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.

6. Use of Materials. All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. Inspection, Maintenance, Repair and Upgrading of BMPs. BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. Stormwater Pollution Prevention Plan. An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

18.08.170 Erosion control required.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
<u>Title 18 CITYWIDE REGULATIONS</u> <u>Chapter 18.08 EXCAVATION AND GRADING</u> <u>Article II. Permits and Fees</u>							

18.08.170 Erosion control required.

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;
2. The name, address and signature of the civil engineer or person who prepared the plan;
3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;
4. The streets, easements, drains, and other improvements;
5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;
6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.
2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.
3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.
4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.
5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.
6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

18.08.170 Erosion control required.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment or silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

18.08.180 BMP maintenance.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article II. Permits and Fees							

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

18.08.560 Responsibility of permittee.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article V. Grading Operations							

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record



CITY OF LEMON GROVE

Engineering Department

3232 Main Street

Lemon Grove, CA 91945

619-825-3811

Date: 12/11/14 5:00 P.M.	Project: Valencia
<input type="checkbox"/> Meeting	<input type="checkbox"/> Phone
<input checked="" type="checkbox"/> Site Visit	
Attendees: Leon + Gary	
Notes: Site inspection to review recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).	
① No erosion control provided.	
② Insufficient/Improperly installed check dams.	
③ Repair + stabilization of gullies not completed.	
④ Not completed.	
⑤ Completed.	
⑥ Not visible.	
⑦ Mostly complete.	
⑧ N/A	

National Weather Service Forecast Office San Diego, CA



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- Outlooks
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- Current Conditions

- Observations
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- Satellite
- Precipitation
- Mapped Weather
- Other Hazards
- Forecasts
- Forecast Discussion
- Local Area
- Activity Planner
- Aviation Weather
- Fire Weather
- Marine Weather
- Severe Weather
- Hurricane Center
- User Defined Area
- Fastlinks
- Hydrology
- Rivers and Lakes
- Forecasts / Obs
- Climate
- Local
- National
- Drought
- More...

- Climate portal
- Weather Safety Preparedness
- Weather Radio
- SkyWarn™
- StormReady
- TsunamiReady
- Additional Info
- Items of Interest
- Other Useful Links
- Education Resources
- COOP Observer

Warnings and/or Advisories In Effect for this Point:
Flash Flood Watch
Wind Advisory

For warnings and/or advisories in effect for adjacent areas to this point, see <http://www.wrh.noaa.gov/sgx>

Change Table Font Size Increase Decrease

Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft) Lemon Grove CA

Forecast Created at: 6pm PST Dec 11, 2014
Custom Weather Forecast Table

	Thu Dec 11	Fri Dec 12	Sat Dec 13	Sun Dec 14	Mon Dec 15	Tue Dec 16
Weather	Chance Rain	Slight Chance Rain TStorms and Rain	Likely Rain Showers and TStorms	Chance Rain	Chance Rain	Likely Rain
Daily-Temp	High 67 Low 53	High 63 Low 58	High 63 Low 51	High 65 Low 48	High 64 Low 50	High 64 Low 52
Chance of Precip	0% 0% 5% 45%	100% 90% 65% 75%	30% 15% 5% 5%	5% 5% 5% 5%	5% 40% 40%	55% 55% 60% 60%
Precip	0.00" 0.00" 0.00" 0.01"	0.57" 0.29" 0.06" 0.12"	0.00" 0.00" 0.00" 0.00"	0.00" 0.00" 0.00" 0.00"		
12-hr Snow Total	0" 0" 0"	0" 0"	0"			
FRET	0.06"	0.06"	0.05"	0.06"	0.07"	0.07"
6-Hour Temp	4am 10am 4pm 10pm 53 62 65 60	4am 10am 4pm 10pm 58 61 60 54	4am 10am 4pm 10pm 52 59 59 52	4am 10am 4pm 10pm 49 59 61 54	4am 10am 4pm 10pm 51 59 61 55	4am 10am 4pm 10pm 53 60 61 55
Cloudiness	86% 49% 75% 100%	100% 91% 84% 75%	69% 51% 30% 37%	41% 30% 30% 41%	41% 41% 62% 62%	90% 90% 87% 87%
Dewpoint	52 53 54 53	52 54 52 50	49 48 46 46	43 44 44 48	44 43 45 49	47 51 49 51
Relative Humidity	94% 73% 67% 78%	79% 77% 73% 88%	89% 69% 61% 81%	80% 57% 52% 81%	79% 57% 54% 81%	82% 72% 63% 88%
Wind	S 2 7 8 10 S 8 10	SE 15 6 W 6 6	SE 15 6 W 2 5 3	E 3 1 5 5 N 3 1 5 5	E 6 7 7 7 S 7 7 7 7	SE 8 9 7 6 SE 8 9 7 6
Snow Level (ft)	9317 9161	7608 6313 5478 5212	5704		6701 5923 5850 5993 5805 5704 561	

Forecast Weather Table Interface

Select Weather Format

- Custom Weather Table
- XML
- Point Forecast Page
- Point Forecast Matrix
- Hourly Tabular Forecast
- Hourly Weather Graph

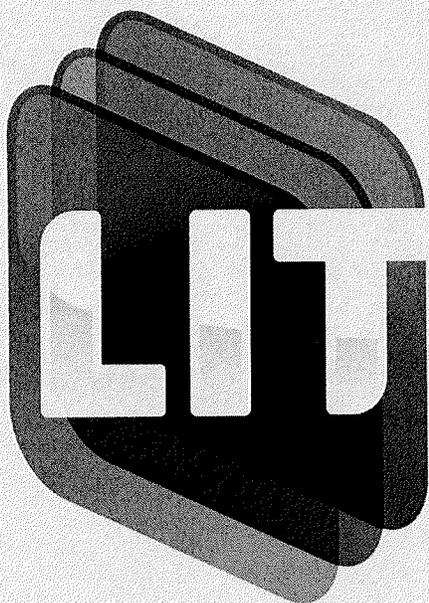
Interval in Hours: 1 3 6
Duration in Days: 1 2 3 4 5 6 7

Enter a Location or Click on Map Below

Search by address, city, state, latitude/longitude...



Firsht, Leon



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Job: 599121

Exhibit: 00004





EXHIBIT 4
 REPORTER M. Loiz
 WITNESS L. Firsh
 DATE 12-28-15

CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] / 12/11/14 9:00AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Grullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			see inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)?	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

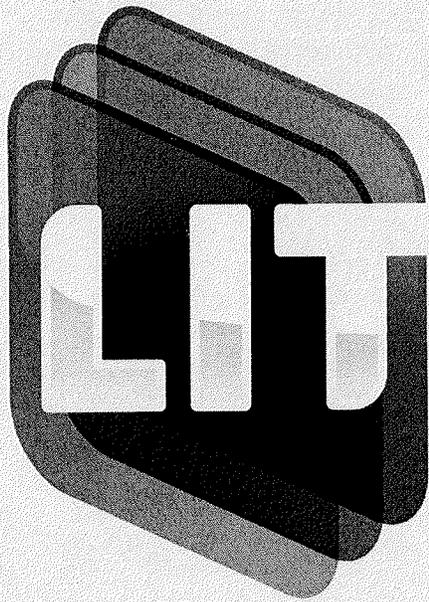
VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.

Firsht, Leon



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SERVICES

Job: 599121

Exhibit: 00005





Exhibit No. 7

March 9, 2016
Supporting Document No. 090
EXHIBIT 3
Item 12
REPORTER M. Lotz
WITNESS L. Firsh
DATE 12-28-15

CITY OF LEMON GROVE ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000
Payment of \$ 100 is due no later than 1/12/15 to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Audason (Last Name) Tim (First Name)
Circle One: Property Owner Tenant Business Owner Other Project Manager
Mailing Address: 3194-C2 Airport Loop Drive, Costa Mesa, CA 92626
Business Name (if applicable): BEA Development cc: Phil Downey, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/12/14 Time (Violation Observed): 8:60 AM
Location of Violation: San Atos / Akins (Street Address) (APN)
Violation(s) Observed (Code Section and Description):
B.48.040A. Discharge of non-stormwater prohibited.
See Attached Memo

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendations + Permit > ~~ASAP~~ ASAP
Maintain adequate copies of BMP's
* Continuous installation of BMP's until compliance is required.
daily * additional discharges subject to citation.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Firsh Phone No. 619-825-3825 Signature: [Signature] Date: 12/15/14
Person Cited - Signature Acknowledging Receipt: _____ (Date) _____
Citation Served (circle one): In Person By Mail/Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

8.48.040 Discharge of non-stormwater prohibited.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
<u>Title 8 HEALTH AND SAFETY</u>							
<u>Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL</u>							

8.48.040 Discharge of non-stormwater prohibited.

A. **Illegal Discharges.** The discharge of pollutants to non-stormwater, directly or indirectly into the stormwater conveyance system or receiving waters, is prohibited, except as exempted in Section 8.48.050 of this chapter. The discharge of pollutants to stormwater, directly or indirectly into the stormwater conveyance system or receiving

waters, is prohibited, unless the applicable requirements of this chapter have been met.

B. **Illegal Connection.** The establishment of illegal connections is prohibited. The use of illegal connections is prohibited, even if the connection was established pursuant to a valid city permit and was legal at the time it was constructed.

C. **Litter, Dumps, and Stockpiles.** Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illegal discharge is prohibited. (Ord. 369 § 1, 2008)

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences



Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer *JQ*

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valencia_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

Sampling at Valencia Construction Site
December 12, 2014
Page 2 of 4



Figure 1. Sampling Locations



Photo 1. Site Valencia_Akins

Sampling at Valencia Construction Site
December 12, 2014
Page 3 of 4



Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)

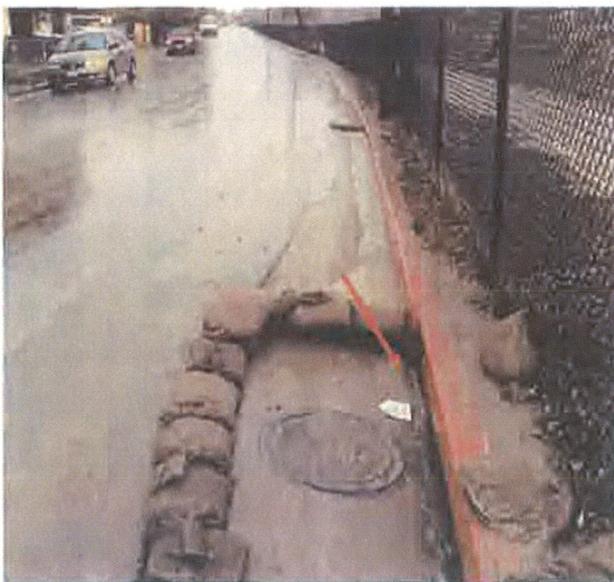


Photo 3. Site Akins_Inlet

Sampling at Valencia Construction Site
December 12, 2014
Page 4 of 4



Photo 4. First Sample (11:05) from Site Valencia_Akins

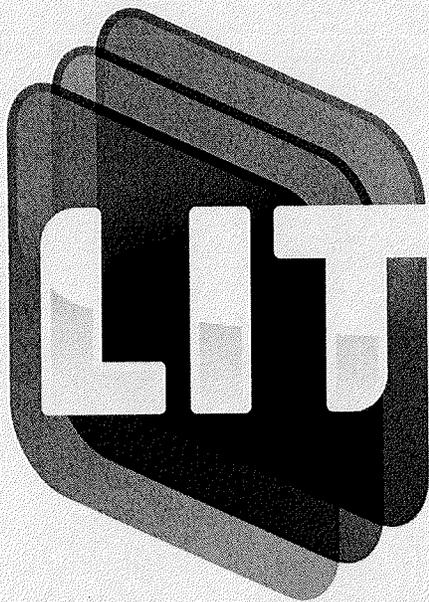


Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)



Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00006



Exhibit No. 8

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

FACILITY INSPECTION REPORT

EXHIBIT 6
REPORTER M. Lotz
WITNESS L. FirshT
DATE 12-28-15

FACILITY: Valencia
WDID/FILE NO.: 937C369143

INSPECTION DATE/TIME: 12/15/2014; 10:00 am

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME: Wayne Chiu AFFILIATION: San Diego Water Board
NAME: Ben Anderson AFFILIATION: BCA Development, Inc.
NAME: Tim Anderson AFFILIATION: BCA Development, Inc.
NAME: Donald Sturgeon AFFILIATION: Whitson CM
NAME: Leon FirshT AFFILIATION: City of Lemon Grove
NAME: Gary Harper AFFILIATION: City of Lemon Grove

San Altos Lemon Grove LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

BCA Development, Inc.
FACILITY OR DEVELOPER NAME (if different from owner)

5780 Fleet Avenue
Carlsbad, CA 92008
OWNER MAILING ADDRESS

1350 San Altos Place
Lemon Grove, CA 91945
FACILITY ADDRESS

Ben Anderson, 714-966-1544
OWNER CONTACT NAME AND PHONE #

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- MS4 URBAN RUNOFF REQUIREMENTS
CONSTRUCTION GENERAL PERMIT
CALTRANS GENERAL PERMIT
INDUSTRIAL GENERAL PERMIT
GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
SECTION 401 WATER QUALITY CERTIFICATION
CWC SECTION 13264

INSPECTION TYPE (Check One):

- "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
"B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

Facility: Valencia
Inspection Date: 12/15/2014

I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

- On December 2, 2014, the City of Lemon Grove (City) issued a Stop Work/Notice of Violation to the Valencia construction site (WDID 9 37C369143) for failing to implement construction storm water best management practices (BMPs) required by local ordinances. The City's inspection report issued with the Stop Work/Notice of Violation noted inadequate implementation of erosion controls, entrance/exit stabilization, and stockpile management and warned the project manager that a "discharge is imminent" without adequate BMPs. The site was required to stop work and implement BMPs to be prepared for a storm event that occurred on December 3 and 4, 2014.

The site failed to implement BMPs before the storm, resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's municipal separate storm sewer system (MS4). The City issued a second Stop Work/Notice of Violation on December 4, 2014 for the illegal discharges to the City's MS4. The City conducted a follow up inspection on December 9, 2014 and noted the same BMP deficiencies identified before the December 3 and 4, 2014 storm event, as well as additional deficiencies in perimeter sediment controls. The inspection report provided recommendations for locations that needed to be addressed and types of BMPs. The site again failed to implement BMPs before a subsequent storm event that occurred on December 11, 2014, again resulting in unauthorized discharges of sediment and sediment-laden storm water from the site to the City's MS4. On December 11, 2014, the City issued an Administrative Citation to the site requiring BMPs to be implemented by December 15, 2014 before monetary penalties would begin. The Stop Work/Notice of Violation issued on December 2 and 4, 2014 and the Administrative Citation issued on December 11, 2014 by the City are attached to the end of this inspection report.

On the morning of December 12, 2014, the City contacted the San Diego Water Board about the unauthorized discharges of sediment and sediment-laden storm water to their MS4 from the Valencia construction site. According to the City's storm water manager, the site owner was claiming the site was in compliance with the requirements of the Statewide Construction General Storm Water Permit, Order No. 2009-0009-DWQ (CGP) and therefore should be considered in compliance with the City's ordinances. The City's storm water manager requested an inspection from the San Diego Water Board to determine whether the construction site was in compliance with the requirements of the CGP.

Wayne Chiu of the San Diego Water Board performed an inspection of the Valencia construction site for compliance with the requirements CGP. According to the Storm Water Multiple Application & Report Tracking System (SMARTS), the site is a Risk Level 2 construction site, disturbing over 18 acres, and owned by San Alto Lemon Grove LLC. The developer of the site is BCA Development, Inc.

The San Diego Water Board inspector met with Mr. Ben Anderson, the contact for the owner and developer of the site, Mr. Tim Anderson, project manager for the developer,

Facility: Valencia
Inspection Date: 12/15/2014

and Mr. Donald Sturgeon, the Qualified Storm Water Pollution Prevention Plan (SWPPP) Practitioner (QSP) performing the weekly inspections. Also present to observe during the inspection were Mr. Leon Firsht and Mr. Gary Harper, City Engineer and Construction Storm Water Inspector for the City of Lemon Grove, respectively. The San Diego Water Board inspector did not review the SWPPP or other records during the inspection.

II. FINDINGS

1. Several **stockpiles observed without adequate containment** (See Photo 1). Evidence of erosion and sediment transport from the stockpile observed during the inspection. All construction sites are required to contain and securely protect stockpiled waste material from wind and rain at all times unless actively being used.
2. Construction **equipment and vehicles observed without** appropriate BMPs (e.g. **drip pans**) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters (See Photos 2 and 3). All construction sites are required to prevent oil, grease or fuel to leak in to the ground, storm drains, or surface waters, and to place all equipment and vehicles, which are to be fueled, maintained and stored in a designated area fitted with appropriate BMPs.
3. Several areas were **observed to be inactive**, or could be scheduled to be inactive, **without effective soil cover** to control potential erosion. Several completed building pads and several inactive slopes (See Photos 4 through 7) lacked any effective soil cover for erosion control. The lack of erosion controls in these areas contributed to **unauthorized sediment discharges from the site** (See Photos 9 through 11). All construction sites are required to provide effective soil cover for inactive areas (i.e. areas that have been disturbed and not scheduled to be re-disturbed for at least 14 days) and all finished slopes, open space, utility backfill, and completed lots.
4. **Active areas** were observed to **lack appropriate erosion control BMPs** (runoff control and soil stabilization) to prevent erosion during storm events (See Photo 8). The project manager and QSP could not describe any erosion control measures that were in place or were ready to be deployed before the December 3 and 4, 2014 and December 11, 2014 storm events. Risk Level 2 construction sites are required to implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.
5. Several slopes throughout the site were observed to **lack linear sediment controls** along the toe and grade breaks of exposed slopes (See Photos 4 through 7). Risk Level 2 construction sites are required to apply linear sediment controls along the toe of the slope, face of the slopes, and at the grade breaks of exposed

Facility: Valencia
Inspection Date: 12/15/2014

slopes to comply with sheet flow lengths given in Table 1 of Attachment D to the CGP.

6. Lack of effective perimeter sediment controls observed which resulted in unauthorized sediment discharges from the site (See Photos 9 through 14). All construction sites are required to establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from the site.
7. **Lack of effective run-on and runoff controls** observed within and around the site which contributed to sediment discharges from the site (See Photos 4 and 14). All construction sites are required to effectively manage run-on, all runoff within the site and all runoff that discharges off the site.

III. COMMENTS AND RECOMMENDATIONS

Comments

1. There is evidence that good site management "housekeeping" BMPs were not being adequately implemented (See Findings 1 and 2).
2. There is evidence that erosion controls were not adequately implemented for several inactive areas contributing to discharges of sediment from the site (See Finding 3).
3. There is evidence that erosion controls were not adequately implemented for several active areas prior to storm events contributing to discharges of sediment from the site (See Finding 4).
4. There is evidence that linear sediment controls were not adequately implemented for several exposed slopes contributing to slope erosion and discharges of sediment from the site (See Finding 5).
5. There is evidence that perimeter sediment controls, as well as run-on and runoff controls, were not adequately implemented which contributed to discharges of sediment from the site (See Findings 6 and 7).
6. There was evidence observed during the inspection that the site has not implemented BMPs to meet BCT Technology Based Effluent Limitations (TBELs) under Section V.A.2 of the CGP, as required for all construction sites, which resulted in the unauthorized discharges of sediment and sediment-laden water from the site observed or documented on December 4, 11, and 15, 2014 (See Compliance History discussion and Findings 1 through 7).

Facility: Valencia
Inspection Date: 12/15/2014

7. There is evidence that either the QSP was not adequately identifying and recommending implementation of good site management "housekeeping," erosion control, sediment control, and run-on/runoff control BMPs, or the owner/developer was not directing the implementation of the BMPs as recommended by the QSP.

Recommendations

1. Issue a Notice of Violation for discharges of sediment from the site and failure to implement Risk Level 2 requirements of CGP.
2. Refer the site to the Compliance Assurance Unit to determine whether or not issuing formal enforcement action may be appropriate.

IV. SIGNATURE SECTION

Wayne Chiu		12/15/2014
STAFF INSPECTOR	SIGNATURE	INSPECTION DATE
Eric Becker		
REVIEWED BY SUPERVISOR	SIGNATURE	DATE

SMARTS:

Tech Staff Info & Use	
WDID	937C369143
Place ID	SM-828060
Inspection ID	2024185
Violation ID	855345, 855346

Facility: Valencia
Inspection Date: 12/15/2014



Photo 1

Photo 1 shows soil **stockpile without adequate containment**. Evidence of erosion and sediment transport along that base of the stockpile. Most stockpiles observed during inspection lacked adequate containment.



Photo 2



Photo 3

Photos 2 and 3 show **construction equipment and vehicles without** appropriate BMPs (e.g. **drip pans**) to prevent oil, grease, or fuel to leak in to the ground, storm drains, or surface waters. Most vehicles observed during inspection lacked appropriate BMPs.

Facility: Valencia
Inspection Date: 12/15/2014



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

Photos 4 through 7 show completed building pads and adjacent slopes without any erosion controls and evidence of significant erosion and sediment transport. Photo 8 shows evidence of erosion and sediment transport in unpaved road sloping to locations shown in Photos 9 through 11. Sediment from completed lots and slopes in Photos 4 through 7 transported to road in Photo 8 lacking any erosion control measures during storm events, and inadequate runoff controls to reduce and prevent transport of sediment through site.

Facility: Valencia
Inspection Date: 12/15/2014



Photo 9



Photo 10



Photo 11



Photo 12

Photos 9 through 12 show inadequate implementation of perimeter sediment controls and run-on/runoff controls to prevent discharges of sediment from the site. Photo 9 shows evidence of erosion and sediment transport from road shown in Photo 8 to perimeter with inadequately installed perimeter sediment and runoff controls (i.e. fiber roll not properly trenched and staked). Photos 10 shows evidence of sediment transport from the site beneath the inadequately installed perimeter sediment and runoff controls. Photo 11 shows evidence of sediment transport from the site to MS4 channel protected by silt fence and gravel bags. Photo 12 shows **sediment that has been discharged into the MS4 channel** due to inadequate implementation of erosion, sediment, and runoff controls by the site.

Facility: Valencia
Inspection Date: 12/15/2014



Photo 13



Photo 14

Photos 13 and 14 show lack of effective perimeter sediment controls and run-on/runoff controls. Photo 13 shows evidence of erosion and sediment transport due to lack of perimeter run-on controls. Photo 14 shows evidence of sediment discharged from the site to the MS4 drainage system due to **erosion caused by run-on** that then ran off the site due to inadequate perimeter sediment controls and runoff controls.

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00007





Exhibit No. 9

CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Tim Anderson
Project Manager, BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

EXHIBIT 7
REPORTER M. Volk
WITNESS L. Firsh
DATE 12-28-15

Subject: Ongoing Stormwater Violations at Valencia Project Site

Dear Tim,

Under the direction of the City of Lemon Grove (City), D-MAX Engineering Inc. conducted a follow-up stormwater compliance inspection early this afternoon at the Valencia project site (site). As you are aware, the site remains under a Stop Work Notice and no work other than implementation of best management practices (BMPs) are allowed. Today's follow-up inspection findings state that the site is still not in compliance. The deficiencies include failure to effectively implement erosion prevention and sediment control BMPs.

The City reiterates that it will not accept any discharges of sediment laden runoff from the site into its storm drain system. Water quality monitoring is being conducted to assess whether or not illegal discharges are occurring from your site during this rain event and future rain events.

Although there are workers continuing to implement BMPs, the City through Municipal Code Section 18.08.170, has the right to contact an erosion control company to implement sufficient BMPs to eliminate sediment discharge from the site. As such, the City is putting you on notice should inadequate BMPs and/or failure of BMPs continue, the City will hire an erosion control company at your cost to prevent illegal discharges from occurring. Alternatively, you may also directly contact and hire an erosion control company to facilitate in bringing your construction site into compliance.

Attached you will find a third citation regarding the failure to install adequate BMPs. A copy of this citation is also being provided to the San Diego Regional Water Quality Control Board.

If you have any questions regarding this matter, please contact me at (619) 825-3825.

Sincerely,

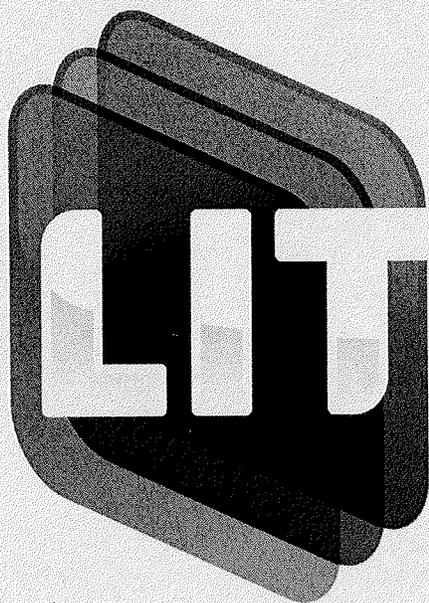

Leon P. Firsh
City Engineer

Copy: Phil Dowley, Bob Rodine, Ben Anderson
File

3232 Main Street Lemon Grove California 91945-1705



Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00008





CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/16/14 12:25

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			<input checked="" type="checkbox"/>		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	<input checked="" type="checkbox"/>			Numerous gullies still unprotected Some pads & slopes still unstabilized	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	<input checked="" type="checkbox"/>			Some plastic covers need to be repositioned/reinstalled	No
Site Drainage: Outlet Protection/Slope Drain		<input checked="" type="checkbox"/>			
Inlet/Outlet Protection		<input checked="" type="checkbox"/>			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	<input checked="" type="checkbox"/>			Additional perimeter & slope protection still needed for west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	<input checked="" type="checkbox"/>				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE ENTRANCE PERFECTLY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still significant sediment on AKINS	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams in complete	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
- Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE

PROOF OF SERVICE OF SUBPOENA

(Gov. Code, § 11440.20; Code Civ. Proc., §§ 1987, 1987.5, 1988, 1989, 2015.3, 2015.5.)

1. I served this subpoena subpoena duces tecum and supporting affidavit by:

personally delivering a copy to the person served as follows:

a. Person served (name):	b. Date of delivery:
c. Address where served:	d. Time of delivery:
e. Witness fees and mileage both ways (check one): (1) <input type="checkbox"/> were paid. Amount: \$ _____ (2) <input checked="" type="checkbox"/> were not paid. (3) <input type="checkbox"/> were tendered to the witness's public entity employer as required by Government Code § 68097.2. The amount tendered was \$ _____	f. Fees for service. Amount: \$ _____

- delivering true copies thereof by certified mail, return receipt requested, to the address as shown below.
- delivering true copies thereof enclosed in a sealed envelope to a messenger for immediate personal delivery to the address as shown below.
- delivering true copies thereof enclosed in a sealed envelope to a mail delivery service for overnight delivery to the address as shown below. [Specify name of mail service and tracking no.: _____.]
- Other method allowed by Gov. Code §11440.20. Specify: _____

Address where served: _____

2. I certify that I received this subpoena subpoena duces tecum for service on _____ Date

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on:
 Date _____ at (place) _____, California Signature _____

(For California sheriff, marshal, or constable use only)
 I certify that the foregoing is true and correct and that this certificate is executed on:
 Date _____ at (place) _____, California Signature _____

NOTE: THE ATTORNEY OR PARTY WITHOUT AN ATTORNEY REQUESTING THIS SUBPOENA MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEARING, AND FILE A COPY WITH THE REGIONAL WATER QUALITY CONTROL BOARD. THE COPY PROVIDED TO THE REGIONAL WATER QUALITY CONTROL BOARD MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES AND ADDRESSES OF PARTIES WHO WERE PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. 23, § 648.4(c).) (Send to: San Diego Regional Water Quality Control Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108: Attn David Gibson, with copies to all parties and to Catherine George Hagan, State Water Resources Control Board, Office of Chief Counsel, c/o San Diego Water Board, 2375 Northside Dr., Suite 100, San Diego, CA 92108.)

1 S. WAYNE ROSENBAUM (SBN 182456)
2 OPPER & VARCO, LLP
3 225 Broadway, Suite 1900
4 San Diego, California 92101
5 Telephone: 619.231.5858
6 Facsimile: 619.231.5853
7 Email: swr@envirolawyer.com

8 Attorney for San Altos – Lemon Grove, LLC

9 BEFORE THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
10
11 SAN DIEGO REGION

12 IN THE MATTER OF:
13
14 **Administrative Civil Liability Complaint**
15 **No. R9-2015-0110 Against San Altos – Lemon Grove,**
16 **LLC**

AFFIDAVIT IN SUPPORT OF SUBPOENA FOR
DOCUMENTS AND THINGS FROM LEON FIRSHT

17 1. I, S. Wayne Rosenbaum, declare that I am counsel for San Altos – Lemon Grove, LLC (“San
18 Altos”), a Designated Party in the above-entitled matter.

19 2. On December 4, 2015, the Advisory Team for the California Regional Water Quality Control
20 Board, San Diego Region (“Advisory Team”) issued the Final Hearing Procedures for ACLC R9-2015-0110.(“Final
21 Hearing Procedures”), which included a list of deadlines (the “Schedule”) prior to the currently scheduled hearing
22 date of February 10, 2016.

23 3. The Schedule requires San Altos submit “All evidence (other than witness testimony to be
24 presented orally at the hearing) that the Designated Party would like the San Diego Water Board to consider” by
25 January 4, 2016.

26 4. Good cause exists for the production of the document described below because such evidence is
27 probative of the veracity of the alleged violations of the Complaint.

28 5. As former Public Works Director and City Engineer for the City of Lemon Grove, Leon Firsht has,
or should have, the documents described below in his possession or control.

6. The exact documents to be produced include:
a. All records and documents, including, but not limited to, inspection reports, notices of
violation, administrative citations, stop work notices, correct work notices, field notes, photographs, audio

1 or video recordings, phone logs, and internal communications, including emails, related to inspections that
2 occurred at the San Altos -- Lemon Grove, LLC Valencia Hills Construction Site on the following dates:

3 December 1, 2014

4 December 2, 2014

5 December 3, 2014

6 December 4, 2014

7 December 5, 2014

8 December 6, 2014

9 December 7, 2014

10 December 8, 2014

11 December 9, 2014

12 December 11, 2014

13 December 12, 2014

14 December 15, 2014

15 December 16, 2014

16 December 17, 2014

17 December 31, 2014

18 January 6, 2015

19 January 7, 2015

20 January 8, 2015

21 January 9, 2015

22 January 10, 2015

23 January 11, 2015

24 January 12, 2015

25 January 13, 2015

26 March 1, 2015

1 March 18, 2015
2 March 19, 2015
3 March 20, 2015
4 March 21, 2015
5 March 22, 2015
6 March 23, 2015
7 March 24, 2015
8 March 25, 2015
9 March 26, 2015
10 March 27, 2015
11 March 28, 2015
12 March 29, 2015
13 March 30, 2015
14 March 31, 2015
15 April 1, 2015
16 May 8, 2015
17 May 9, 2015
18 May 10, 2015
19 May 11, 2015
20 May 12, 2015
21 May 13, 2015
22 May 14, 2015
23 May 15, 2015
24 September 15, 2015
25 October 5, 2015

1 b. Any additional records and documents, including, but not limited to, inspection reports,
2 notices of violation, administrative citations, stop work notices, correct work notices, field notes,
3 photographs, audio or video recordings, phone logs, and internal communications, including emails, related
4 to inspections that occurred at the San Altos – Lemon Grove, LLC Valencia Hills Construction Site,
5 regardless of whether or not the inspection led to the issuance of a formal report, notice, or citation from Mr.
6 Firsht and/or the City of Lemon Grove to San Altos – Lemon Grove, LLC from March 6, 2014 to October
7 19, 2015.

8 c. Any documents, contracts, work orders, requests for services, communications or records
9 thereof including but not limited to emails, or invoices related to inspections, testing, report writing, or
10 materials related to services rendered by D-Max Engineering, Inc. on behalf of the City of Lemon Grove
11 that involved or affected the San Altos – Lemon Grove, LLC Valencia Hills Project Site during the period
12 of March 6, 2014 through October 19, 2015.

13 d. A copy of Mr. Firsht's curriculum vitae listing his education, qualifications, and
14 experience.

15 7. Emails, writings, or photographs should be provided in both printed and digital formats. Audio or
16 video recordings may be provided in conventional formats accessible on personal computers without the assistance
17 of specialized software.

18
19 I declare under penalty of perjury that the foregoing is true and correct.

20
21 Dated this 10th of December, 2015.

22
23 
24 S. Wayne Rosenbaum
25 Attorney for San Altos – Lemon Grove, LLC

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00009



Exhibit No. 12



D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 31, 2014

To: Leon Firsht, Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer

Subject: December 31, 2014 Field Visit at Valencia Construction Site

EXHIBIT 9
REPORTER M. W/2
WITNESS L. Firsht
DATE 12-28-15

JR

D-MAX visited the Valencia construction site on the morning of December 31, 2014, following a storm earlier the previous night. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the time of the site visit.

Ponded water was observed at the Akins Avenue entrance/exit location and behind several sets of gravel bags installed along Akins Avenue. Samples were collected from the ponded water at the Akins Avenue entrance/exit (Photo 1) and from ponded water behind the first set of gravel bags downstream of the Akins Avenue exit/entrance (Photos 2 and 3). Turbidity was measure at 250 NTU in the first sample (Akins entrance/exit), and 235 NTU in the second sample (first set of gravel bags along Akins).

Some sediment had settled out at the bottom of the pools of water in both of the locations at which samples were collected, and care was taken not to disturb the settled sediment when samples were taken. Note that because water had been pooled and sediment had settled out over time, the **turbidity results as given above are likely lower than the turbidity of the discharge** that had occurred earlier when it was raining. To approximate that effect, the settled sediment at the Akins entrance/exit location was disturbed, and a sample was taken a few minutes later. The turbidity of that sample was 998 NTU.

Observations farther downstream along the curb indicated that in some places sediment had been conveyed around gravel bag installations. Photo 4 gives an example of this. Sediment accumulation was also noted along Akins Avenue, close to the storm drain inlet.



Figure 1. Map of Site and Immediate Vicinity



Photo 1. Pondered Water at Akims Avenue Entrance/Exit

Field Visit at Valencia Construction Site
December 17, 2014
Page 3 of 5



Photos 2 & 3. Ponded Water at First Set of Gravel Bags Downstream of Akins Avenue Entrance/Exit (Looking downstream and upstream, respectively)

Field Visit at Valencia Construction Site
December 17, 2014
Page 4 of 5



Photo 4. Evidence of Discharge Carrying Sediment around Gravel Bags along Akins Avenue

Field Visit at Valencia Construction Site
December 17, 2014
Page 5 of 5



Photo 5. Sediment Accumulation along Akins Avenue, Close to Inlet

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00010



Exhibit No. 23

D-MAX Engineering, Inc.

Consultants in Water & Environmental Sciences



Memo

EXHIBIT 10
REPORTER gm. Volz
WITNESS L. Firsh
DATE 12-28-15

Date: January 16, 2015

To: Leon Firsh, Malik Tamimi

Cc: John Quenzer

From: Tad Nakatani

Subject: Summary of Inspections and Sampling at Valencia Construction Site between December 9, 2014 and January 14, 2015

Per the City's request, D-MAX conducted multiple visits to the Valencia construction site to perform inspections and to collect storm water runoff samples. Table 1 summarizes the dates of all inspection and sampling visits.

Table 1. Inspection and Sampling Attempt Dates

Date	Activity
12/9/2014	Inspection
12/11/2014	Inspection
12/12/2014	Sampling
12/16/2014	Inspection
12/17/2014	Sampling
12/31/2014	Sampling
1/6/2015	Inspection
1/14/2015	Inspection

Summary of Inspections

Several significant BMP deficiencies were observed during the initial inspection on December 9, when the site was already under a Stop Work Notice from the City. Most significantly, there were several areas that lacked adequate erosion control BMPs, and there was also evidence of concentrated flows being directed to unstabilized areas, causing significant erosion. D-MAX documented these deficiencies and provided BMP recommendations as requested by the City. D-MAX re-inspected the site two days later on December 11 and observed that the majority of the deficiencies had not been corrected. On December 12, D-MAX visited the site during a rain event and collected samples of runoff from the site. Turbidity measurements were above 500 NTU for two samples taken near the southeast corner of the site and were above 400 NTU for a sample taken near the northeast corner of the site.

During the next inspection on December 16, some additional BMP deficiencies had been addressed, but the progress was still not sufficient. D-MAX returned to the site the following day to attempt to collect a sample, but the rain had already stopped, and no runoff sample was collected. D-MAX did observe sediment on the roadway outside of the southeast corner of the



site. A power-washing contractor was in the process of cleaning the road when D-MAX visited the site. D-MAX returned to the site on the morning of December 31 to attempt to collect another runoff sample, but once again the rain had stopped several hours before the site visit. D-MAX observed some sediment in the roadway again, but it appeared to be less than during the previous visit. D-MAX sampled water ponded at two locations just outside the southeast corner of the site. Turbidity was measured at 250 NTU and 235 NTU at these locations, but these measurements likely do not accurately reflect the turbidity of runoff since there had been time for sediment to settle out.

During the inspection on January 6, D-MAX observed that most of the major BMP deficiencies had been addressed, but a few still remained unresolved.

D-MAX performed its most recent inspection on January 14. D-MAX's assessment from this inspection is that the developer has made sufficient improvements to the site, and it is appropriate to lift the Stop Work Notice. There were some minor BMP deficiencies during the January 14 inspection, and the developer will still be required to address these promptly. However, the major deficiencies that led to the Stop Work Notice have been addressed, and the overall state of the site has been improved to the point where it no longer poses the severe risk of sediment discharges that it did in December.

Table 2 provides a summary of the different BMP deficiencies observed during inspections as well as the corrective actions that had been implemented as of January 14, 2015.



Table 2. Summary of BMP Deficiencies Observed and Corrective Actions Taken

BMP Deficiency	Corrective Action(s) Taken
Several lots lacked adequate erosion control BMPs.	Additional lots were hydroseeded. Some smaller areas were protected with plastic sheeting
Numerous slopes on the edges of lots were not sufficiently stabilized and protected from concentrated flows, and rills/gullies had formed.	Slopes were repaired where possible. BMPs were added upstream of slopes to prevent concentrated flows. Plastic sheeting was used in select areas to create protected spillways where concentrated flows could not be eliminated. Improved growth of hydroseed on slopes was also observed. All of the larger rills were addressed, but a few small rills still remained on January 14. The developer is required to address these areas still.
Sidewalls at the edges of lots also lacked erosion controls and several showed signs of erosion.	Sidewalls were protected with plastic sheeting.
Portions of the slope on the western edge of the site lacked full stabilization.	Additional fiber rolls were installed. Plastic sheeting was used to create protected spillways in areas where upstream contours were causing flows to concentrate.
Dirt roadways lacked sufficient stabilization and sediment controls.	Roads were compacted and large berms were built on them. A portion of the road that is inactive was hydroseeded.
Runoff from a significant portion of the site was being directed as concentrated flow to an unstabilized area in the site's southeast corner.	The developer built up an embankment to redirect flows away from this area and toward a settling area.
Some stockpiles lacked adequate cover	Covers were put on stockpiles.
The developer did not have sufficient quantities of BMP materials on site.	Additional gravel bags, fiber rolls, and silt fences were delivered to the site.
A significant amount of sediment was observed along the roadway at the southeast corner of the site.	Sweeping did not effectively remove all sediment, so a power-washing contractor was hired and removed the sediment from the road.
Gravel bag inlet protection BMPs were not always in place	Gravel bags were put in place to protect on-site and downstream off-site inlets.
Filter fabric used as part of inlet protection became potentially clogged by hydroseeding materials	Filter fabric was replaced.
Stockpiles were placed close to a drain inlet. The inlet is elevated above the ground height in that area, decreasing the risk of discharge, but stockpiles still need to be relocated away from the drain.	This deficiency was first observed on January 6. On January 14, the stockpiles had been covered, but they had not been moved sufficiently far enough away from the drain inlet. The developer is still required to address this item.
Sediment control BMPs were lacking or damaged in places.	A significant amount of additional silt fences and gravel bags were added to the site perimeter and the perimeters of lots.



Photo 1. Lot lacking erosion control BMPs



Photo 2. Hydroseed added to a lot



Photo 3. Evidence of erosion at edge of a lot



Photo 4. Rills filled in, area re-hydroseeded, silt fence added to perimeter of lot.



Photo 5. Sidewall without adequate erosion control



Photo 6 Sidewall protected with plastic sheeting.

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00011





EXHIBIT 11
REPORTER M. Volz
WITNESS L. FirshT
DATE 12-28-15

Via Email
lfirshT@lemongrove.ca.gov

January 20, 2015

Leon FirshT, City Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RECEIVED
JAN 21 2015
CITY OF LEMON GROVE

RE: Valencia – Stop Work / Notice of Violation

Dear Leon:

On behalf of San Altos-Lemon Grove, LLC, we are requesting the City of Lemon Grove (City) formally release the Stop Work / Notice of Violation dated 12/2/14.

We are preparing a check in the amount of \$300 pertaining to Citations No. 2 & 3 and will deliver to City.

Thank you for your assistance in this matter.

Sincerely,

BCA Development, Inc.

Ben C. Anderson
President

CC: Carol Dick, Development Services Director
File

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00012





CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

January 22, 2015

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia – Stop Work Notice Removal

Dear Ben,

The city has received your letter dated January 20, 2015 (attached) requesting release of the Stop Work / Notice of Violation dated 12/2/14.

Based on a site visit and review of your response to the items from the January 19th inspection report, the city finds that the items have been completed or require minor correction. With this, the Stop Work Notice is hereby removed.

While the Stop Work Notice has been removed this does not relieve you of the continued requirement to keep the site in compliance. The city or its consultant will continue to inspect the site and expect any deficiencies to be corrected within the stated time. Deficiencies not corrected within the stated time will result in an Administrative Citation.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

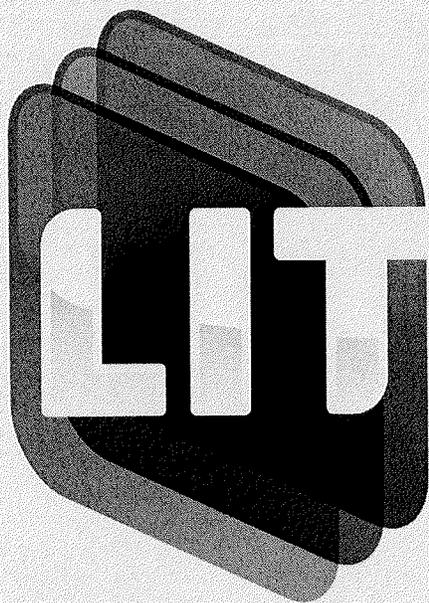
Leon P. Firsh
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File

EXHIBIT 12
REPORTER M. Volz
WITNESS L. Firsh
DATE 12-28-15



Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00013





3232 Main Street
 Lemon Grove, California 91945
 (619) 825-3810

LETTER OF TRANSMITTAL

NAME OF COMPANY	California Regional Water Quality Control Board
ATTN:	Wayne Chiu, Water Resources Control Engineer
PHONE #	

DATE	1/27/15
REF:	WDID 937C369143
FAX #	

SPECIAL INSTRUCTIONS:

OVERNITE SERVICE _____ REGULAR MAIL _____ HAND DELIVERED X
 FAX _____ COURIER _____

- Reports Under separate cover via _____ the following items:
- Shop Drawings Mylars Plans/Forms Samples Specifications
- Copy of Letter Change Order Miscellaneous Fees Returning your billing

No.	Date	Sheets	Description
1	1/27/15	-	DVD with documents related to Valencia/San Altos LLC project site
2	-		
3	-		

THESE ARE TRANSMITTED AS CHECKED BELOW:

- For Your Approval For Your Use As requested For review and comment
- For Review Returned for Corrections Blueprints for Use Return Corrected Prints

REMARKS

Wayne,
 Provided is a DVD containing documents related to the Valencia project located in Lemon Grove.

If you have any questions please contact me.

Leon

STATEMENT OF CONFIDENTIALITY: The information in this transmittal letter is legally privileged and confidential information and is intended only for the use of the addressee listed on this cover sheet. If you have received this transmittal in error, please immediately notify us by telephone at the number indicated below to arrange return of the document. Thank you.

COPY	FILE	FROM	Leon Firsh, City Engineer, City of Lemon Grove
------	------	------	---

If enclosures are not as noted, kindly notify us at once

ENGINEERING	SANITATION	LIGHTING
3232 Main St. Lemon Grove, CA.91945 Tel: (619) 825-3810 Fax: (619) 825-3818	3232 Main St. Lemon Grove, CA 91945 Tel: (619) 825-3810 Fax: (619) 825-3818	3232 Main Street Lemon Grove, CA 91945 Tel: (619) 825-3810 Fax: (619) 825-3818

EXHIBIT 13
 REPORTER M. Volz
 WITNESS L. Firsh
 DATE 12-28-15



CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

January 26, 2015

Mr. Wayne Chiu, PE
Water Resource Control Engineer
California Regional Water Quality Control Board
San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108

Subject: Summary of Valencia Construction Site (937C369143) Notice of Violation

Dear Wayne,

As you are aware, Regional Water Quality Control Board (Regional Board) was notified on December 2, 2014 of a Notice of Violation/Stop Work Notice issued by the city to San Altos LLC (Valencia) for failure to comply with the city's minimum Best Management Practices (BMPs). Furthermore, the Regional Board was also notified that this site was also permitted under its own State of California General Construction Permit with a WDID 937C369143.

The city welcomed the opportunity to work with the Regional Board with the same goal of bringing the Valencia site into compliance with stormwater BMPs requirements. This correspondence is intended to provide the Regional Board with a summary of actions the city has taken since the issuance of the NOV/Stop Work Notice on December 2, 2014 and the removal of the NOV/Stop Work Notice on January 22, 2015.

The table below provides a summary of actions and events:

Date	Description
12/2/14	City Issues NOV/Stop Work Notice to San Altos LLC
12/8/14	City Hires DMAX Engineering to Conduct Inspections and Sampling
12/9/14	DMAX Conducts Inspection/Confirms BMP Deficiencies
12/11/14	DMAX Conducts Follow-Up Inspection with Rain Forecasted the Next Day
12/11/14	City Issues 1st Administrative Citation Warning
12/12/14	DMAX Conducts Sampling/Illegal Discharge Observed
12/12/14	City Issues 2nd Administrative Citation Fine \$100
12/15/14	Regional Board Conducts Joint Inspection/Observes Violations
12/16/14	DMAX Conducts Inspection/BMP Deficiencies Observed



Date	Description
12/16/14	City Issues 3rd Administrative Citation \$200/Letter Warning City Will Hire Erosion Control Company at Developers Cost
12/17/14	DMAX Attempts to Conduct Sampling, No Runoff Available to Collect
12/17/14	City Staff Onsite to Monitor BMP Installation
12/23/14	City Staff Onsite to Monitor BMP Installation
12/24/14	City Staff Onsite to Monitor BMP Installation
12/29/14	City Staff Onsite to Monitor BMP Installation
12/31/14	DMAX Attempts to Conduct Sampling, No Runoff Available to Collect Only Poned/Some Sediment Discharge Observed
1/6/15	DMAX Conducts Inspection With Most Major BMP Deficiencies Addressed
1/14/15	DMAX Conducts Inspection With Minor BMP Deficiencies Outstanding
1/16/15	DMAX Prepares Memo Summarizing Inspections and Sampling, Indicates Removal of Stop Work Is Appropriate for 1/14/15 Inspection
1/19/15	DMAX Conducts Inspection With Minor BMP Deficiencies Outstanding
1/21/15	Valencia Requests Stop Work Be Removed
1/22/15	Valencia Provides Response Addressing Inspection Deficiencies from 1/19/15
1/22/15	City Removes Stop Work Notice

In addition, supporting documentation has been provided for the Regional Board review and use. The following documents are provided on a DVD:

- Copy of Transmittal Letter
- Copy of this Letter
- Copies of Inpections/Pictures/Enforcement Actions/Administrative Citations issued by the City
- Memorandums, Inspection forms, Sampling Results, Pictures from City's Stormwater Consultant
- Copies of San Altos LLC Daily Reports and Related Forms/Letters

Once again the City of Lemon Grove appreciates the opportunity to work with the Regional Board to bring the Valencia site into compliance. Should you have any questions regarding the information and documentation provided please do not hesitate to contact me directly at (619) 825-3825.

Sincerely,



Leon P. Firsh
City Engineer

Attachments: DVD

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/15/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW (8)	
CLEANING AKINS	(1)
COVERING RILLS - MISC	
TVD CONSTRUCTION CREW (3)	
COVERING STOCKPILES - TANGELOS	(2)
PROJECT SITE TOUR WITH CITY AND CRWCB	
QSP - ACTION MEETING	
SCHEDULE PACIFIC HYDROSEED FOR 12/16	
SCHEDULE - 1, 500 SANDBAGS / 500 SANDBAGS DELIVERED	(3)
SCHEDULE AND DELIVERED - 24 FIBRE ROLLS	(3)
SCHEDULE AND DELIVERED - 10 ROLLS SILT FENCE	(3)
PURSUE POWER WASH & VACUMN - AKINS	
RESCHEDULE PACIFIC HYDROSEED - DUE TO RAIN 12/18 PER QSP	
NOTIFY AND FOLLOW UP EQUIPMENT DRAIN PANS	(4)
ORDER ROCK - CONSTRUCTION TRAILER LOT	(5)
REMOVE DRAIN IN STREET BERM - TANGELOS	(6)

ONGOING ACTION SUMMARY

IDENTIFY AND SCHEDULE POWER WASH & VACUMN - AKINS	
CONTINUE REPAIR OR COVER RILLS	
ADDRESS RUN ON WATER - AKINS & 69TH ST.	(7)
CONTINUE - REPAIR/ EXPAND SILT FENCES	
CONTINUE - REPAIR / EXPAND SANDBAGGING	
CONTINUE - REPAIR / EXPAND CHEVRONS	
MAINTENANCE - EROSION CONTROL BERMS	
CONTINUE - REMOVE SEDIMENT BMPS	
REPAIR - DAMAGED / INCORRECT FIBRE ROLLS	

COMPLETED ACTION SUMMARY

INSTALL EQUIPMENT DRAIN PROTECTION	(4)
REMOVE DRAIN IN STREET BERM - TANGELOS	(5)
COVERING STOCKPILES - TANGELOS	(2)

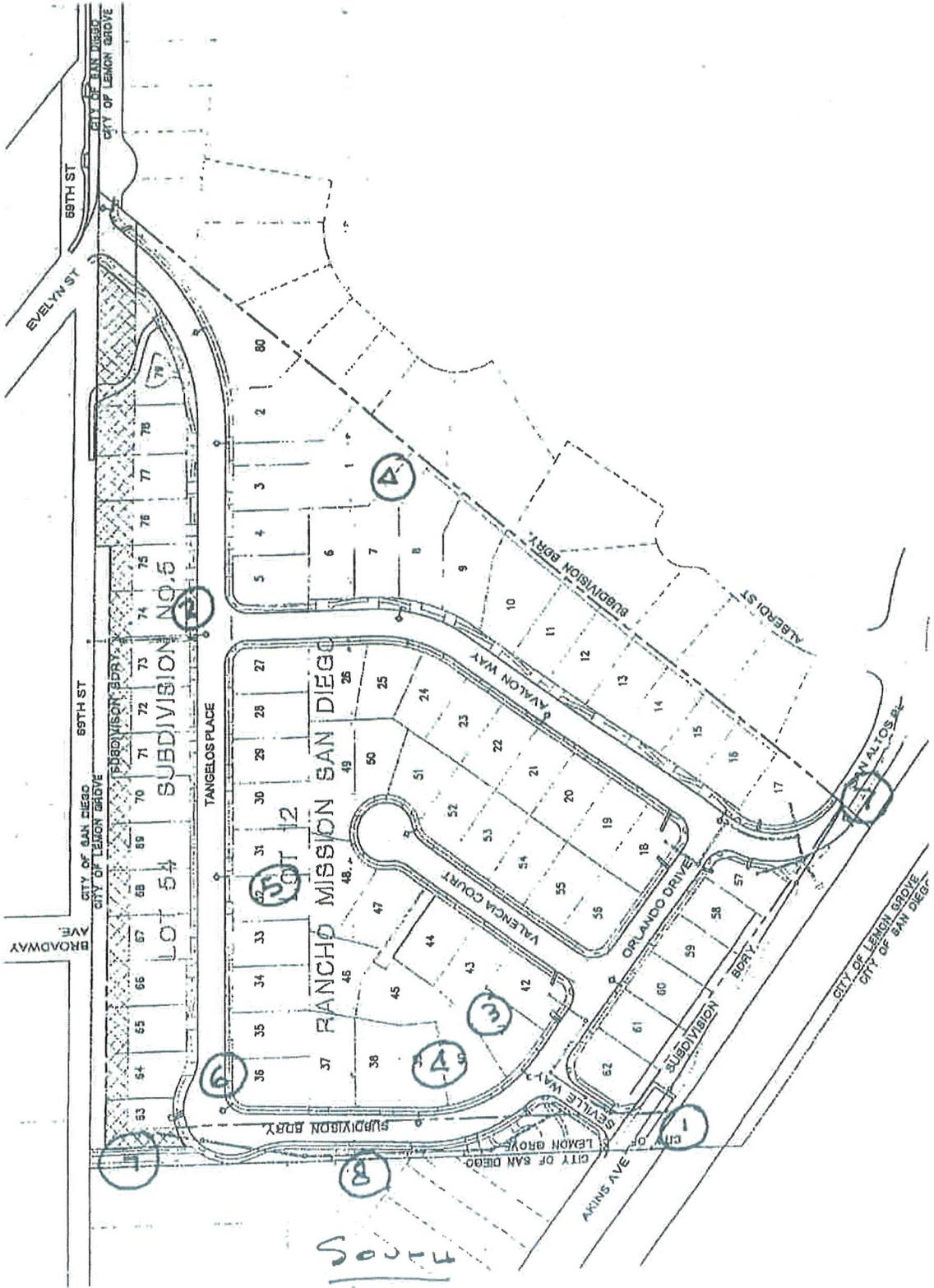
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

MAINTENANCE - NEIGHBOR DRIVEWAY / ACCESS	(8)
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12/15



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/16/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (5) - CALWEST	
NORTHEAST PERIMETER - INSTALL ADDITIONAL SANDBAGS	(1)
NORTHEAST PERIMETER - INSTALL ADDITIONAL SILT FENCE	(1)
SAN ALTOS ENTRANCE - MAINTANCE SANDBAGS (RUN ON WATER)	(1)
SOUTHEAST PERIMETER - REPAIRED / ADDED SILT FENCE	(2)
69TH St. ENTRANCE - REINSTALLED SILT FENCE (RUN ON WATER)	(3)
WEST SLOPE - INSTALLED FIBRE ROLLS OF LOT SLOPES	(4)
MACHINE OPERATOR - INSTALLED BERMS & CHEVRONS -AVALON	(5)
MACHINE OPERATOR - MOVED SANDAGS TO DESIGNATED LOCATIONS	
MACHINE OPERATOR - INSTALLED BERMS AND (1) CHEVRON ON TANGELOS	(6)

CONSTRUCTION CREW / EQUIPMENT (5) - TVD	
INSTALLED FIBRE ROLLS - VALENCIA CT. & AVALON	(7)
INSTALLED SANDBAGS AT 69TH St. ENTRANCE (RUN ON WATER)	(3)
REPAIR MISC RILLS FOR HYDROSEED	
COVERING ADDITIONAL STOCKPILES	

CONFIRM POWER WASH & VACUMN AKINS - 12/17 (PACIFIC SWEEPING)

ONGOING ACTION SUMMARY

CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
CONTINUE - REPAIR / EXPAND SANDBAGGING
CONTINUE - REPAIR / EXPAND CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE - REMOVE SEDIMENT BMPS
CONTINUE REPAIR / INCORRECT FIBRE ROLLS

COMPLETED ACTION SUMMARY

SAN ALTOS ENTRANCE - MAINTANCE SANDBAGS (RUN ON WATER)	(1)
69TH St. ENTRANCE - REINSTALLED SILT FENCE (RUN ON WATER)	(3)
NORTHEAST PERIMETER - INSTALL ADDITIONAL SANDBAGS	(1)
NORTHEAST PERIMETER - INSTALL ADDITIONAL SILT FENCE	(1)

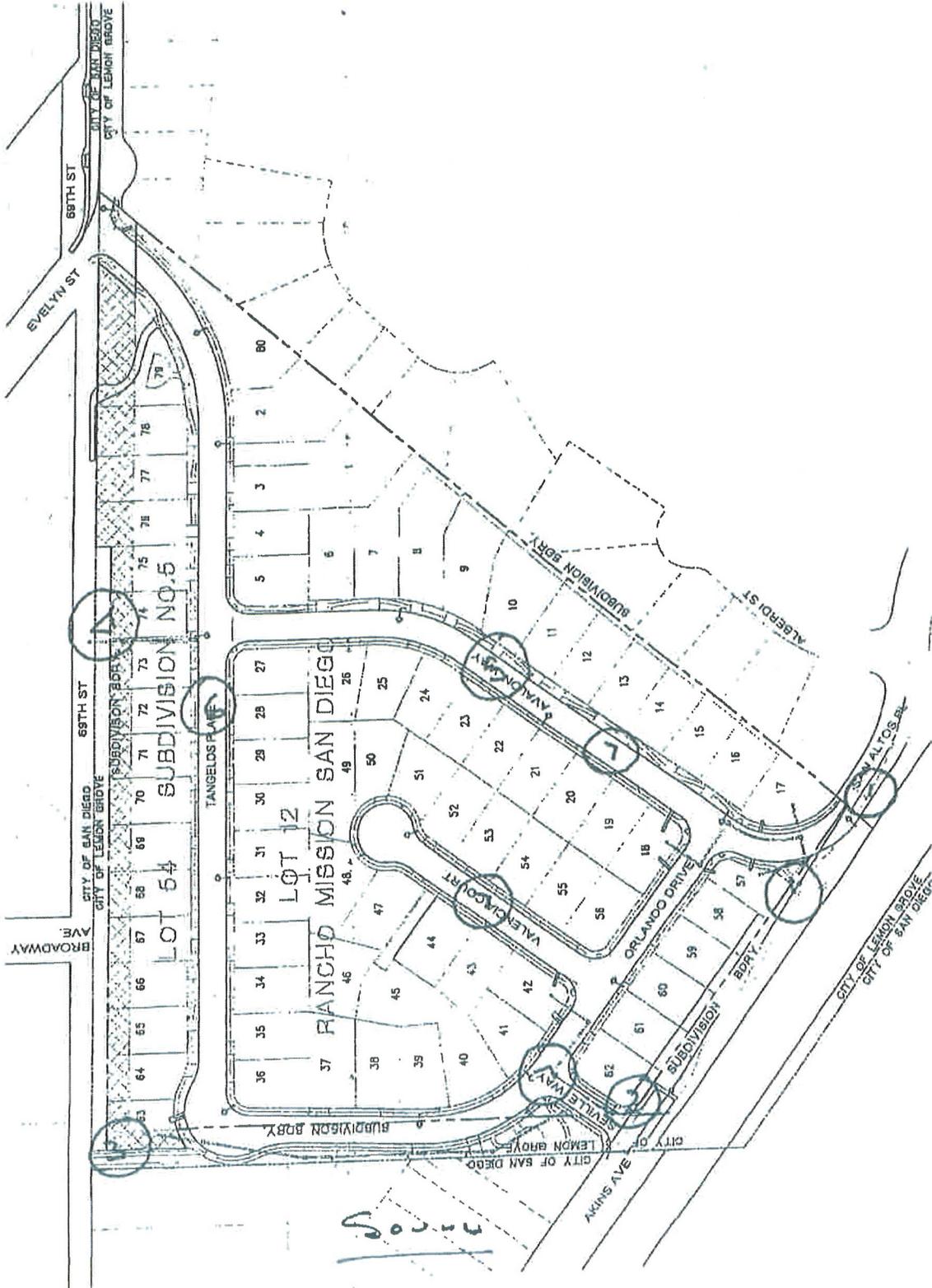
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

MAINTENANCE - NEIGHBOR DRIVEWAY / ACCESS	(8)
CONFIRM WORK SATURDAY W/ CITY - YES	
INQUIRE WORK SUNDAY W/ CITY	

12/16-



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/17/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (4) - CALWEST	
MISC - REPAIR / ADDITIONAL INSTALL SILT FENCE	(1)
CALWEST PREPARING ADDITIONAL 1,500 SANDBAGS FOR DELIVERY COVER RILLS	
CONSTRUCTION CREW / EQUIPMENT (4) - TVD	
WEST SLOPE - REPAIRING & ADDING STRAW WADDLE	(2)
SOUTHEAST PERIMETER - ADDED GAVEL BAGS	(3)
MAINTENANCE / ADDED ROCK - WIGGIN DRIVEWAY	(4)
AKINS ENTRANCE - ADDED 1" ROCK FOR STABILIZATION	(3)
REPAIRING MISC RILLS	
INSTALL MISC SILT FENCE	
POWER WASH & VACUMN - AKINS (PACIFIC SWEEPING)	(5)

ONGOING ACTION SUMMARY

CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
CONTINUE - REPAIR / EXPAND SANDBAGGING
CONTINUE - REPAIR / EXPAND CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE - REMOVE SEDIMENT BMPS
CONTINUE REPAIR / INCORRECT FIBRE ROLLS

COMPLETED ACTION SUMMARY

POWER WASH & VACUMN - AKINS (PACIFIC SWEEPING)	(5)
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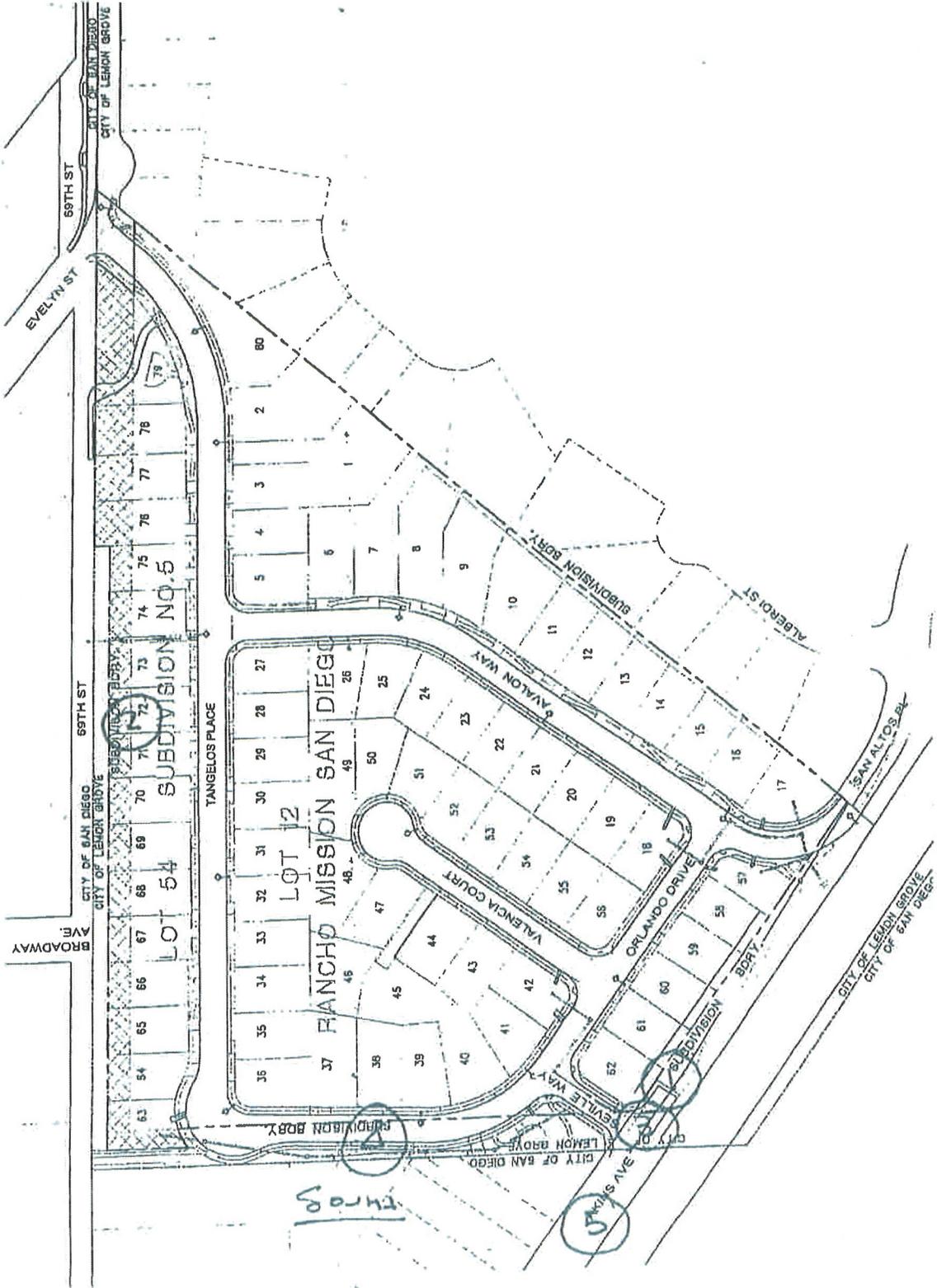
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

MAINTENANCE - NEIGHBOR DRIVEWAY / ACCESS	(4)
CONFIRM WORK SATURDAY W/ CITY - YES	
INQUIRE WORK SUNDAY W/ CITY	

12/17-



VALENCIA

BMP DAILY REPORTS

PREPARED BY TIM ANDERSON & BEN ANDERSON

12/18/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE

MANAGEMENT - ONSITE (2)

BMP ACTIVITIES - ONGOING

SECURITY - ONGOING

BROADWAY - WIGGIN ACCESS WORK (NEW) (1)

BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (7) - CALWEST

BACKHOE OPERATOR (1)

DELIVERED 1,00 SANBAGS / 2, 000 MORE ORDERED

DELIVERED 24 STRAW WADDLE

DELIVERED 20 MORE SILT FENCE

REPAIR WEST SLOPE WITH VISQUEEN AND SANDBAGS (2)

MOVE BMP'S FOR BLADE WORK FRIDAY (3)

INSTALL SANDBAGS ON AKIN ENTRANCE (4)

REPLACE AKINS INLET SANDBAGS (5)

CONSTRUCTION CREW / EQUIPMENT (4) - TVD

INSTALL SILT FENCE - LOTS 43, 45 & 46 (6)

REPAIR CHECK DAMS AT WALL No. 6 (7)

COVER TWO ADDITIONAL STOCKPILES AND FIBRE ROLL

INSTALL ADDITIONAL ROCK ON BROADWAY (1)

CLEARED TANGELOS FOR HYDROSEED EQUIPMENT - 12/19 (3)

PLACED SANDBAGS

ONGOING ACTION SUMMARY

INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY (8)

CONTINUE REPAIR OR COVER RILLS

CONTINUE - REPAIR/ EXPAND SILT FENCES

CONTINUE - REMOVE SEDIMENT BMPS

COMPLETED ACTION SUMMARY

BROADWAY - WIGGIN ACCESS WORK (NEW) (1)

REPAIR WEST SLOPE WITH VISQUEEN AND SANDBAGS (2)

REPAIR CHECK DAMS AT WALL No. 6 (7)

COVER TWO ADDITIONAL STOCKPILES AND FIBRE ROLL

INSTALL ADDITIONAL ROCK ON BROADWAY (1)

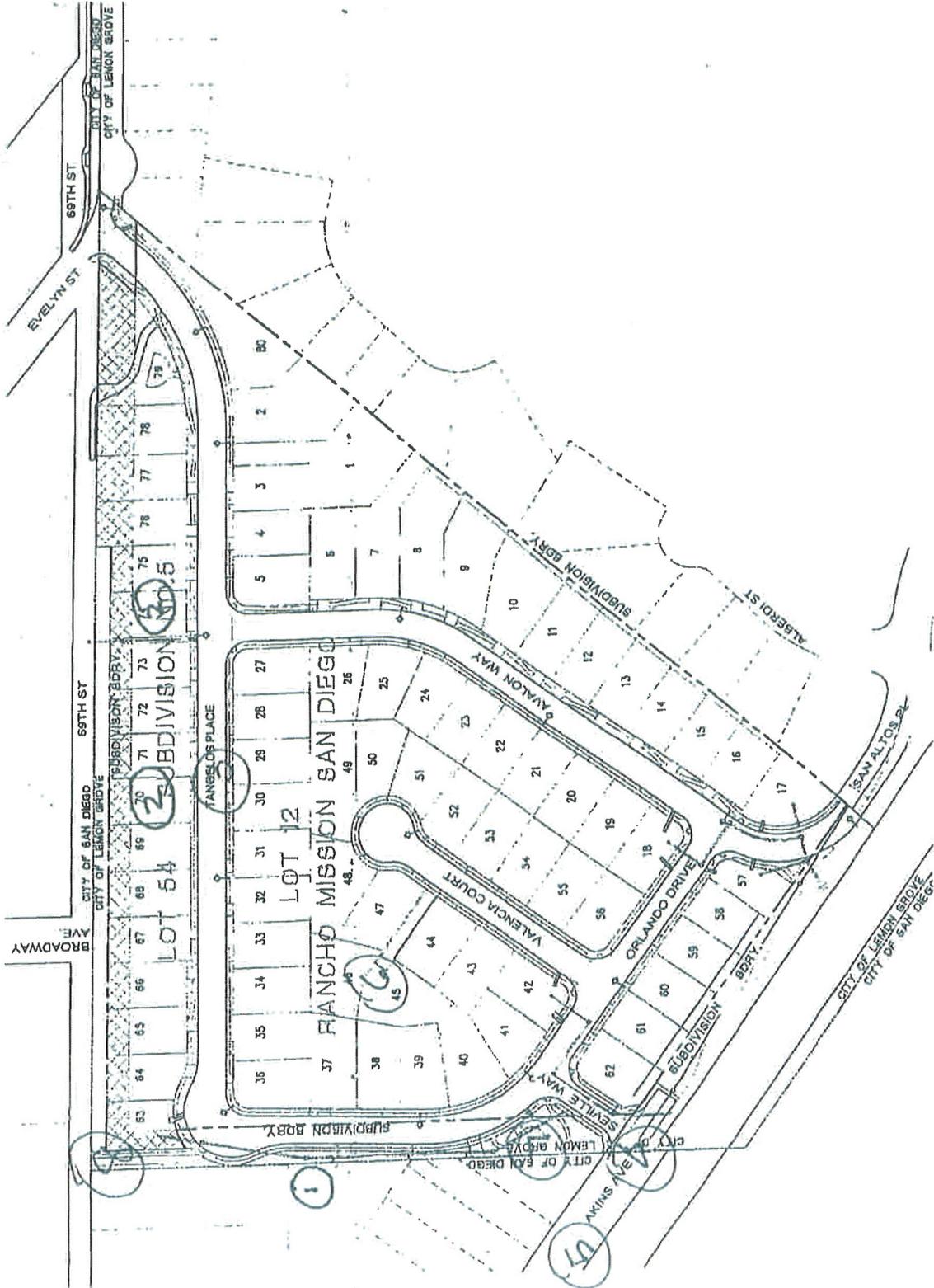
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS

DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

12/18 —



**VALENCIA
BMP SCHEDULE
12/19/2014**

<u>DATE</u>	<u>ITEM</u>	<u>NOTES</u>
12/15	MEETING CITY / CRWQCB BMP WORK	10:00 - 11:30 AM SEE DAILY REPORT
12/16	BMP WORK	SEE DAILY REPORT
12/17	BMP WORK	SEE DAILY REPORT
12/18	BMP WORK	SEE DAILY REPORT
12/19	BMP WORK	SEE DAILY REPORT
12/20	BMP WORK	SATURDAY - SCHEDULED
12/21	BMP WORK	SUNDAY - SCHEDULED
12/22	BMP WORK	TARGET - CITY WALK ADDITIONAL HYDROSEED EROSION CONTROL
12/23	BMP WORK	EROSION CONTROL LOT DETAIL
12/24	BMP WORK	EROSION CONTROL LOT DETAIL

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/19/2014

<u>CONSTRUCTION ACTIVITY</u>	<u>AREA</u>
NONE - CITY STOP NOTICE	
MANAGEMENT - ONSITE (2)	
BMP ACTIVITIES - ONGOING	
SECURITY - ONGOING	
BROADWAY - WIGGIN ACCESS WORK	(1)
BROADWAY ESCORT - ONGOING	

DAILY ACTION SUMMARY

CONSTRUCTION CREW / EQUIPMENT (5) - CALWEST	
BACKHOE OPERATOR (1)	
REPAIRED / ADDED STRAW WADDLE - MISC	(3)
REPAIRED / ADDED SILT FENCE - MISC	(4)
ORDERED ADDITIONAL SILT FENCE	
ORDERED ADDITIONAL STRAW WADDLE	
ORDERED ADDITIONAL VISQUEEN	

CONSTRUCTION CREW / EQUIPMENT (7) - TVD	
BACKHOE OPERATOR (1)	
REPAIRED / ADDED STRAW WADDLE - MISC	(3)
REPAIRED / ADDED SILT FENCE - MISC	(4)

HYDROSEED - STARTED	(2)
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ONGOING ACTION SUMMARY

INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY	(5)
CONTINUE REPAIR OR COVER RILLS	
CONTINUE - REPAIR/ EXPAND SILT FENCES	
HYDROSEED - CONTINUE MONDAY	

COMPLETED ACTION SUMMARY

HYDROSEED - MANY AREAS	(2)
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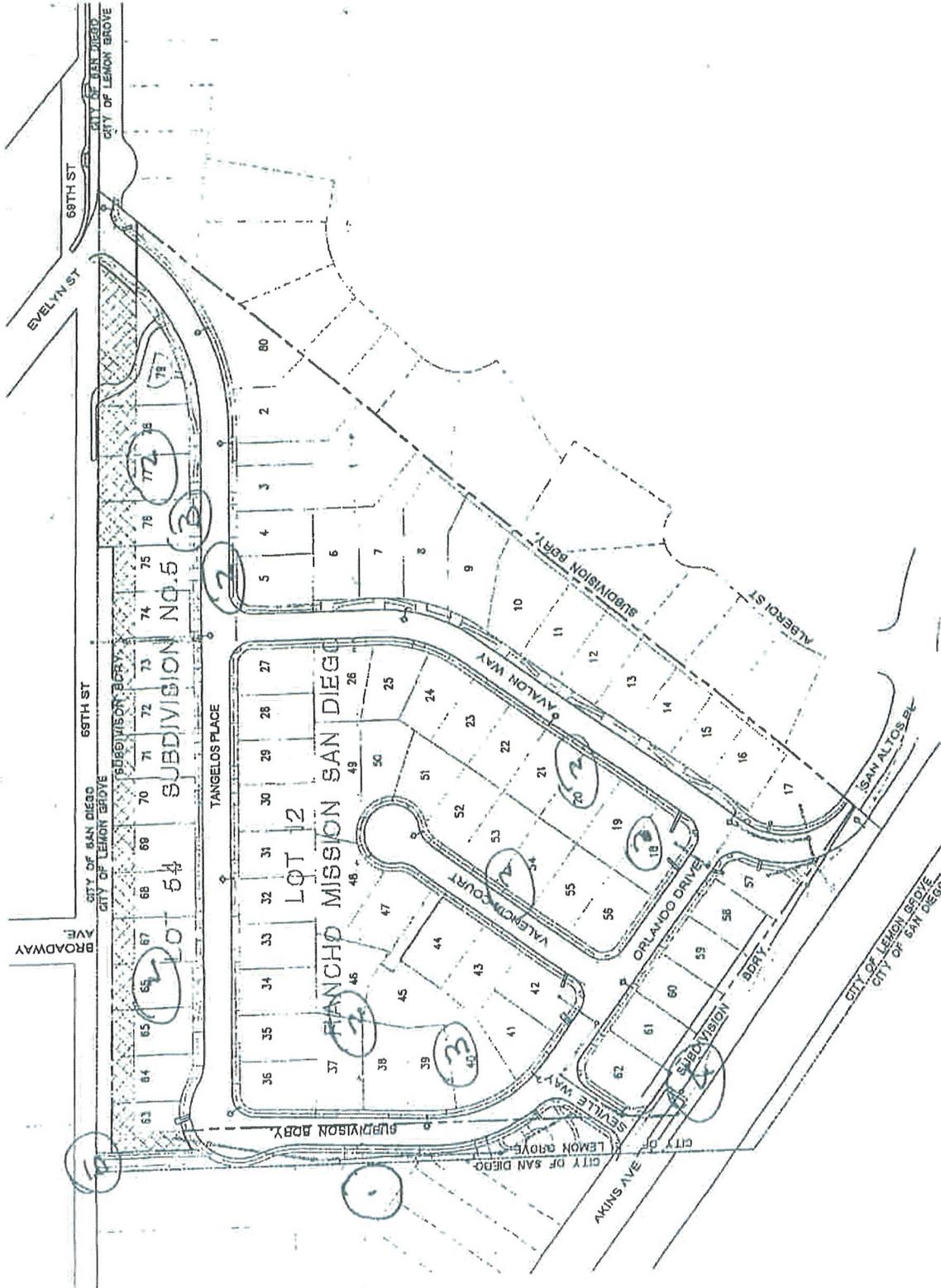
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

WORKING - SATURDAY / SUNDAY

12/19 -



VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/20/2014

CONSTRUCTION ACTIVITY

AREA

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (1)
BMP ACTIVITIES - ONGOING
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

CONSTRUCTION CREW / EQUIPMENT (2) - CALWEST
BLADE OPERATOR (1)
CONTINUE IMPROVE EROSION CONTROL - STREETS (1)

CONSTRUCTION CREW / EQUIPMENT (9) - TVD
BACKHOE OPERATOR (1)
LOADER OPERATOR (1)
REPAIRED RILLS - MISC
REPAIRED / ADDED SANDBAGS - MISC
REPAIRED SILT FENCE - MISC

ONGOING ACTION SUMMARY

ORDERED ADDITIONAL SILT FENCE - CW
ORDERED ADDITIONAL STRAW WADDLE - CW
ORDERED ADDITIONAL VISQUEEN - CW
INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY (2)
CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
HYDROSEED - CONTINUE MONDAY

COMPLETED ACTION SUMMARY

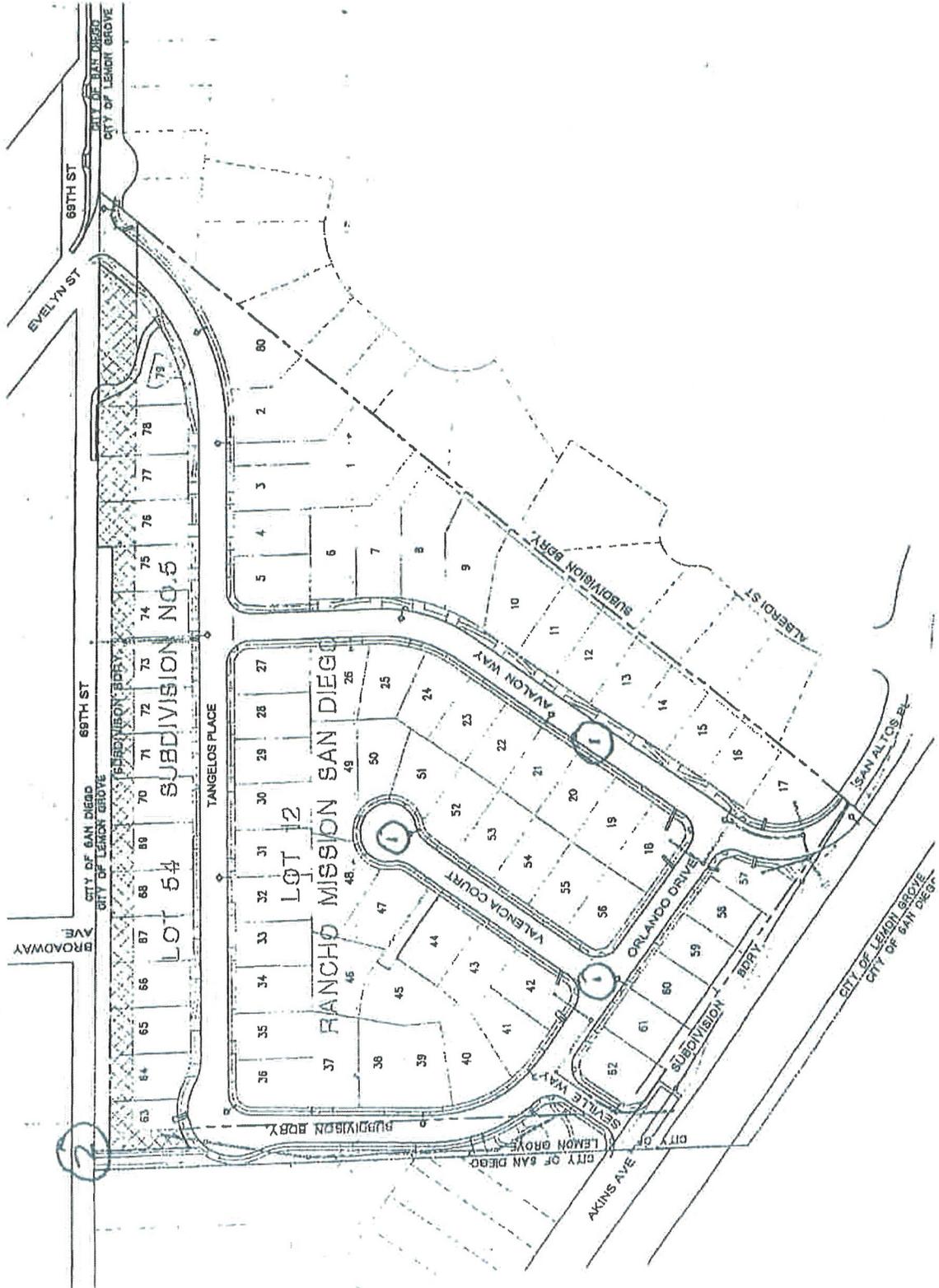
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

WORKING - SATURDAY / SUNDAY

12/20 -



VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/21/2014

CONSTRUCTION ACTIVITY **AREA**
NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (1)
BMP ACTIVITIES - ONGOING
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY
CONSTRUCTION CREW / EQUIPMENT (9) - TVD
BACKHOE OPERATOR (1)
LOADER OPERATOR (1)
CLEANED CONSTRUCTION ENTRANCE - AKINS (1)
REPAIRED / INSTALLED STRAW WADDLE LOT 18 (2)
REPAIRED RILLS - MISC (3)
REPAIRED / ADDED GRAVELBAGS - 1,200 (4)
REPAIRED SILT FENCE - LOTS 58-62, 56 (3)
CLEANED BROW DITCH
MISC TRASH - BMP'S

DELIVERY 1,500LF SILT FENCE
DELIVERY 1,200 GRAVELBAGS - CW

ONGOING ACTION SUMMARY
ORDERED ADDITIONAL SILT FENCE - CW
ORDERED ADDITIONAL STRAW WADDLE - CW
ORDERED ADDITIONAL VISQUEEN - CW
INSTALL CONSTRUCTION ENTRANCE - 69TH St. & BROADWAY
CONTINUE REPAIR OR COVER RILLS
CONTINUE - REPAIR/ EXPAND SILT FENCES
HYDROSEED - CONTINUE MONDAY

COMPLETED ACTION SUMMARY
LOTS 58-62
CLEANED CONSTRUCTION ENTRANCE - AKINS (1)
REPAIRED RILLS (3)
INSTALLED 500LF SILT FENCE (3)
INSTALLED GRAVEL BAGS (3)
CLEAN BROW DITCH (3)
STAGE GRAVEL BAGS - ORLANDO / AVALON (4)

REPAIRED / INSTALLED STRAW WADDLE LOT 18 (2)

INSTALLED GRAVEL BAGS LOTS 56-49 (5)

PROJECT RECOMMENDATION SUMMARY
FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/22/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2) BEN / KIRK
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (3) - CALWEST	
ADDITIONAL INSTALL SILT FENCE	(1)
CALWEST DELIVERY ADDITIONAL 200LF STRAW WADDLE	(2)
CONSTRUCTION CREW / EQUIPMENT (18) - TVD	
INSTALL SILT FENCE LOTS 7-16 & 27	(1)
REPAIR RILLS LOTS 7-16 & 27	(4)
INSTALL 100 LF STRAW WADDLE LOT 17	(5)
INSTALL GRAVEL BAGS LOTS 12-16, 19-22, 43.44 & 47.	(3)
HYDROSEED MISC SITE - RILLS & SLOPES	(6)

ONGOING ACTION SUMMARY

CONTINUE REPAIR RILLS
CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS
MAINTENANCE - EROSION CONTROL BERMS
CONTINUE EXPAND STRAW WADDLE

COMPLETED ACTION SUMMARY

INSTALL SILT FENCE LOTS 7-16 & 27	(1)
REPAIR RILLS LOTS 7-16 & 27	(4)
INSTALL 100 LF STRAW WADDLE LOT 17	(5)
INSTALL GRAVELBAGS LOTS 12-16, 19-22, 43.44 & 47.	(3)
HYDROSEED MISC SITE - RILLS & SLOPES	(6)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/23/2014

CONSTRUCTION ACTIVITY

NONE - CITY STOP NOTICE
MANAGEMENT - ONSITE (2)
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (3) - CALWEST
PREPARATION ADDITIONAL 2,000 GRAVEL BAGS
DELIVERY 1,000 LF SILT FENCE
DELIVERY 20 TONS 3/4" GRAVEL

OFFSITE

CONSTRUCTION CREW / EQUIPMENT (15) - TVD
CLEAN/ MAINTENANCE AKINS ENTRANCE
CLEAN / MAINTENANCE AKINS INLETS / BMP'S
INSTALLATION SILT FENCE / GRAVEL BAGS
INSTALLATION SILT FENCE / GRAVEL BAGS
INSTALLATION ROCK NEIGHBORHOOD ACCESS ENTRY
MOVE BMP'S - SAN ALTOS ENTRY FOR STREET CONST.

(1)
(2)
(3)
(4)
(5)
(6)

ONGOING ACTION SUMMARY

CONTINUE - REPAIR OF RILLS
CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS
CONTINUE - STAGE CHEVRONS
MAINTENANCE - EROSION CONTROL BERMS

COMPLETED ACTION SUMMARY

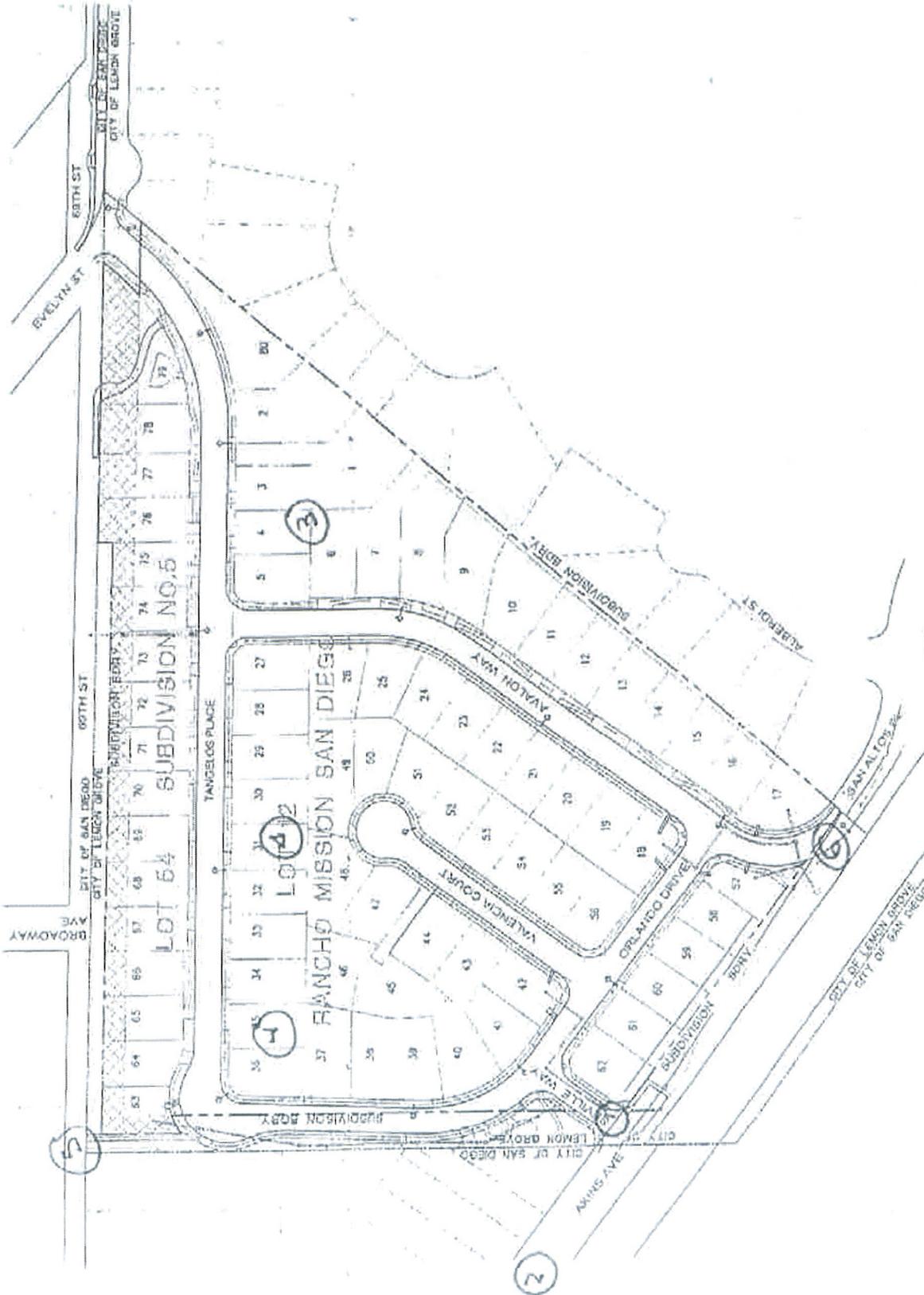
PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

WORKING HALF DAY 12/24.
CLOSED 12/25.
CLOSED 12/26.
WORKING SATURDAY 12/27.

12/23-



VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/24/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2)
NONE - CITY STOP NOTICE
DRY UTILITIES - PHASE 2
STREET IMPROVEMENTS - PHASE 1
HELIX WATER DISTRICT - POT HOLE INSPECTION
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (1) - CALWEST
PREPARATION ADDITIONAL 2,000 GRAVEL BAGS

OFFSITE

CONSTRUCTION CREW / EQUIPMENT (19) - TVD
INSTALLATION SILT FENCE / GRAVEL BAGS
PUMP BASIN FOR DRYING
MOVE STORM PIPE FOR BASIN PUMPING
GRADING FOR BASIN PUMPING

(1)
(2)
(3)
(4)

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS

COMPLETED ACTION SUMMARY

PUMP BASIN FOR DRYING
MOVE STORM PIPE FOR BASIN PUMPING
GRADING FOR BASIN PUMPING

(2)
(3)
(4)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY BEN ANDERSON
12/27/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) BEN ANDERSON - DUANE BETTY
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (17) - TVD	
INSTALLATION SILT FENCE / GRAVEL BAGS	(1)
PUMP BASIN FOR DRYING	(2)
MISC QSP ITEMS - ADDRESS	
CONSTRUCTION TRAILER - ADD ROCK	(3)
MOVE ROCK - 69th St. ENTRANCE	(4)
ADDED 2,100 GRAVEL BAGS	

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES	(5)
CONTINUE - EXPAND GRAVEL BAGS	

COMPLETED ACTION SUMMARY

PUMP BASIN FOR DRYING	(2)
MISC QSP ITEMS - ADDRESS	
CONSTRUCTION TRAILER - ADD ROCK	(3)
MOVE ROCK - 69th St. ENTRANCE	(4)
CONTINUE - EXPAND SILT FENCES	(5)
ADDED 2,100 GRAVEL BAGS	

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/29/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - DUANE BETTY
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT (18) - TVD	
INSTALLATION SILT FENCE / GRAVEL BAGS	(1)
MISC QSP ITEMS - ADDRESS	
BASIN REPAIR	(2)
STAGE GRAVEL BAGS	(3)
STAGE STRAW WADDLE	(3)
MAKE GRAVEL BAGS	

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES
CONTINUE - EXPAND GRAVEL BAGS

COMPLETED ACTION SUMMARY

MISC QSP ITEMS - ADDRESS	
CONTINUE - EXPAND SILT FENCES	(1)

PROJECT RECOMMENDATION SUMMARY

FOLLOW UP CASQA DESIGN REQUIREMENTS
DEVELOP / IMPLEMENT CONTRACTOR PARKING PLAN

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/30/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW - TVD 4	
CONSTRUCTION CREW - CALWEST 3	
PREPARE REAP	
INSTALL DIRT BERMS	(1)
INSTALL STRAW WADDLE	(2)
INSTALL GRAVEL BAGS	(3)

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCE

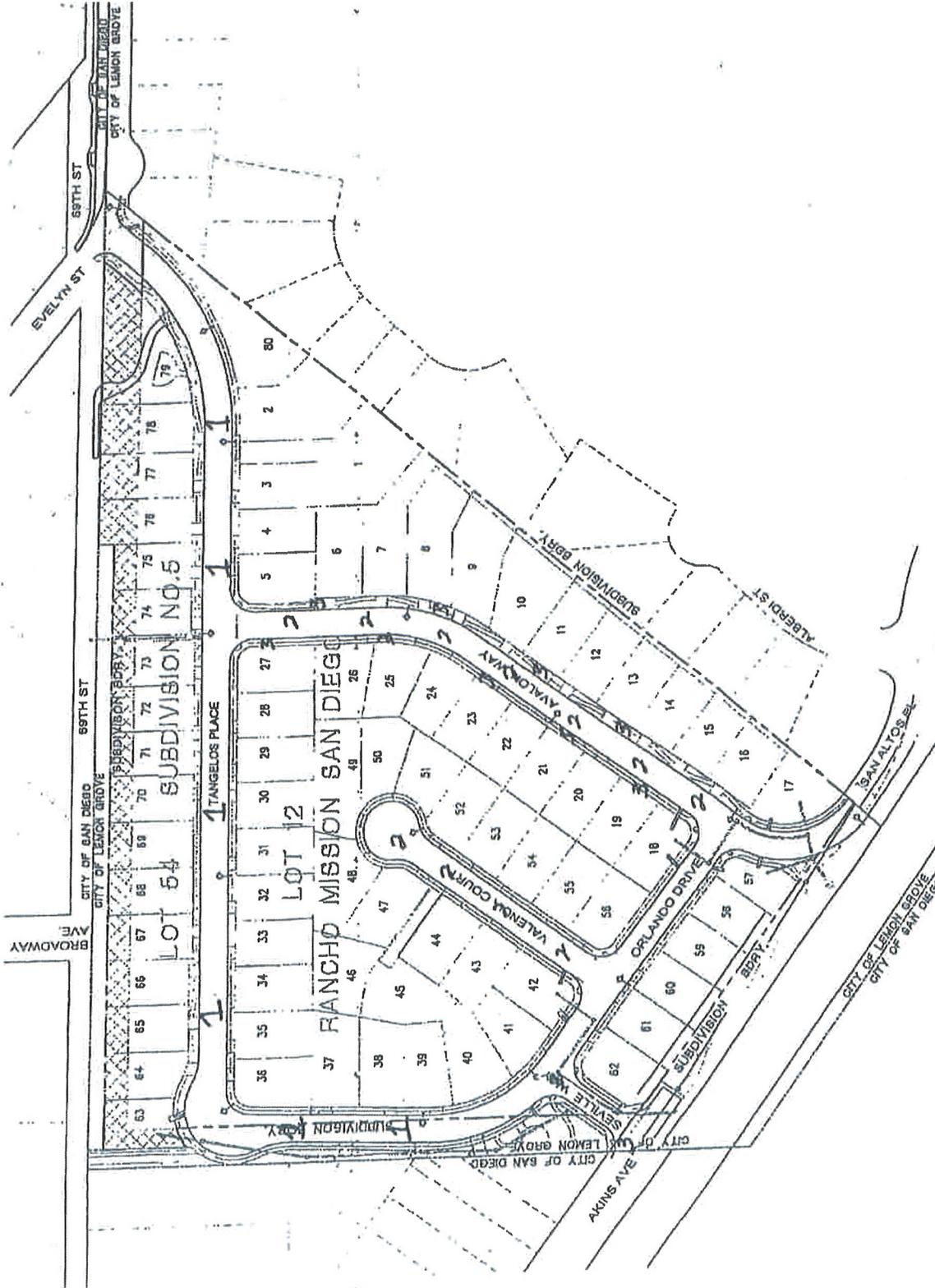
COMPLETED ACTION SUMMARY

PREPARE REAP

PROJECT RECOMMENDATION SUMMARY

OTHER

12/30



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
12/31/2014

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON & KIRK BALKE
NONE - CITY STOP NOTICE
BMP ACTIVITIES (RAINDAY)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW - NONE
INSTALL VISQUEEN ON STOCKPILES (1)
MISC QSP ITEMS - ADDRESS

ONGOING ACTION SUMMARY

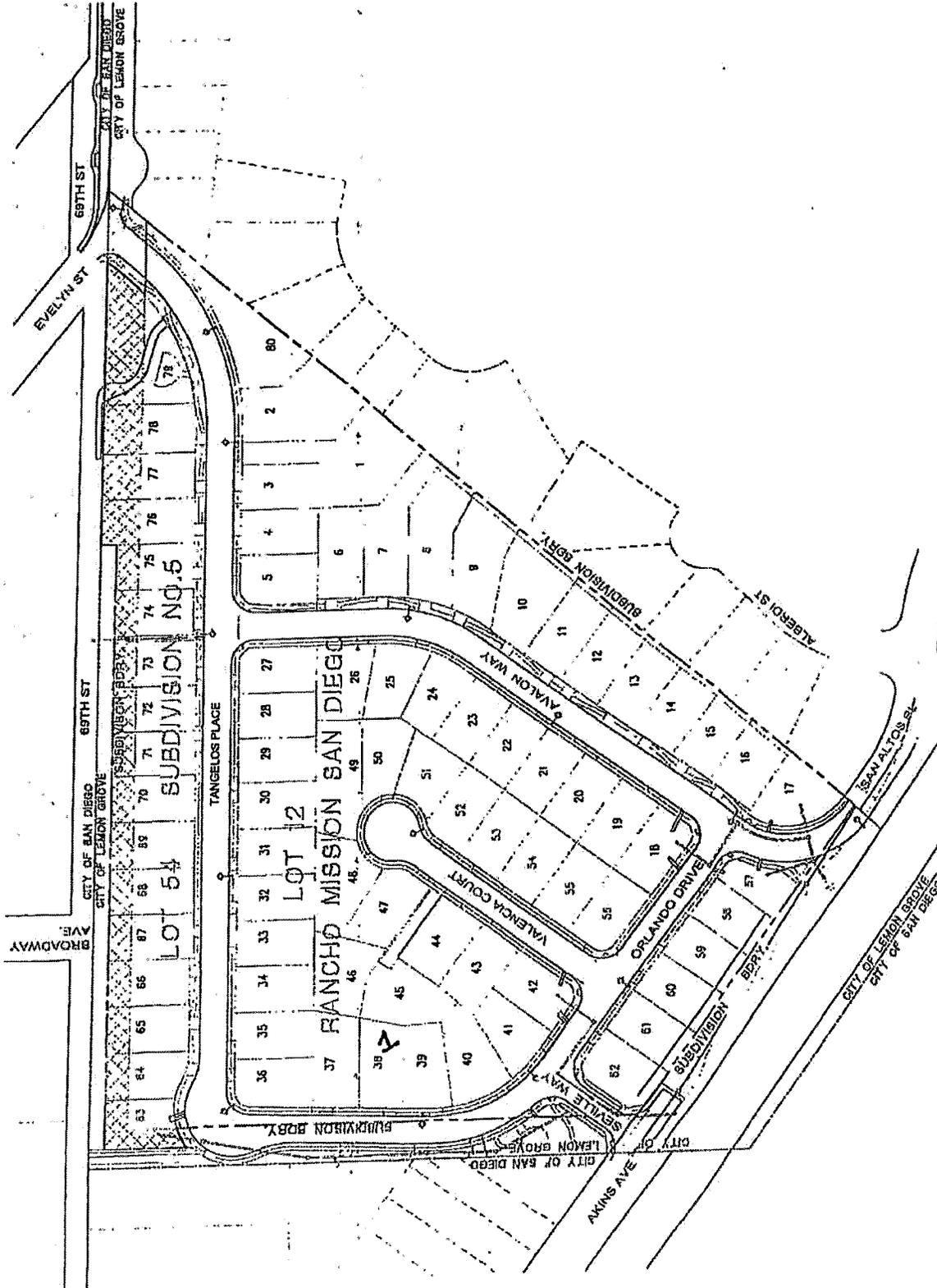
COMPLETED ACTION SUMMARY

INSTALL VISQUEEN ON STOCKPILES (1)

PROJECT RECOMMENDATION SUMMARY

OTHER

12/31



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/1/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE - NONE
NONE - CITY STOP NOTICE
BMP ACTIVITIES - MAINTENANCE
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

CONSTRUCTION CREW - TVD 1
BERM MAINTENANCE

AREA

(1)

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/2/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - DUANE BETTY
NONE - CITY STOP NOTICE
BMP ACTIVITIES (7:00AM - 3:30PM)
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT - TVD-5	
CONSTRUCTION CREW / EQUIPMENT - CALWEST-3	
SILT FENCE LOTS 50-55	(1)
MAINTENANCE BMP'S	(2)

ONGOING ACTION SUMMARY

CONTINUE - EXPAND SILT FENCES

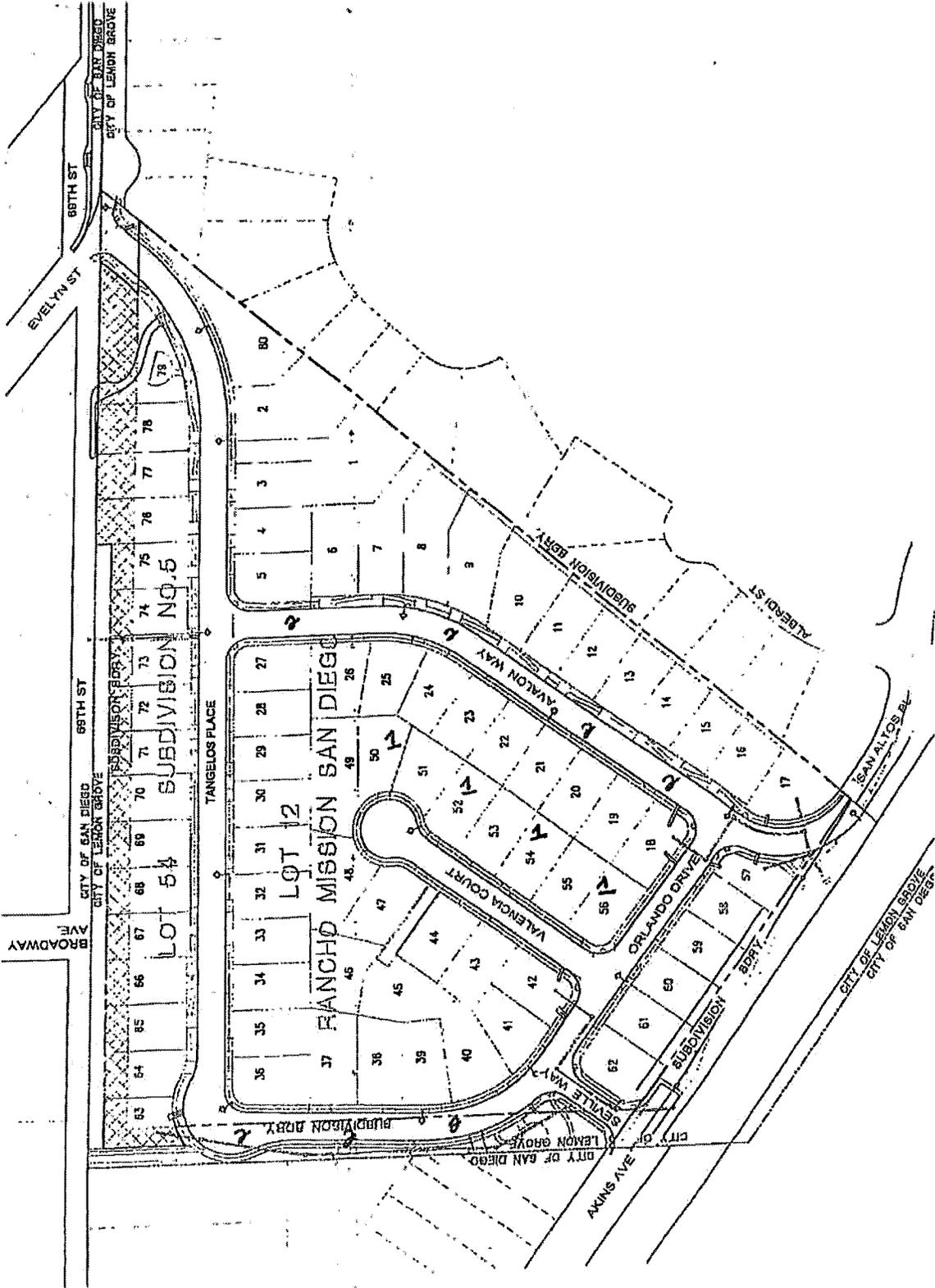
COMPLETED ACTION SUMMARY

SILT FENCE LOTS 50-55	(1)
MAINTENANCE BMP'S	(2)

PROJECT RECOMMENDATION SUMMARY

OTHER

1/2



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/5/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - KIRK BALKE
NONE - CITY STOP NOTICE
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

AKINS - STREET SWEEP

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

AKINS - STREET SWEEP

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/6/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (2) TIM ANDERSON - BEN ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CITY OF LEMON GROVE MEETING

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

CITY OF LEMON GROVE MEETING

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/7/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

TC1 - MAINTENANCE
AKINS - SWEEP ENTRANCE

AREA
(1)

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

TC1 - MAINTENANCE
AKINS - SWEEP ENTRANCE

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/8/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - PREPARE CITY BMP LIST
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/9/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - PREPARE CITY BMP LIST
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT - TVD 4	
CONSTRUCTION CREW / EQUIPMENT - CALWEST 4	
STABLIZE AKINS ENTRY - VISQUEEN/SILT FENCE	(1)
REPLACE FILTER BASIN NO. 4	(2)
REPAIR GULLIES	(3)
ADDED GRAVEL BAGS - SPILLWAY	(4)
ADDED ROCK - TC1	(5)

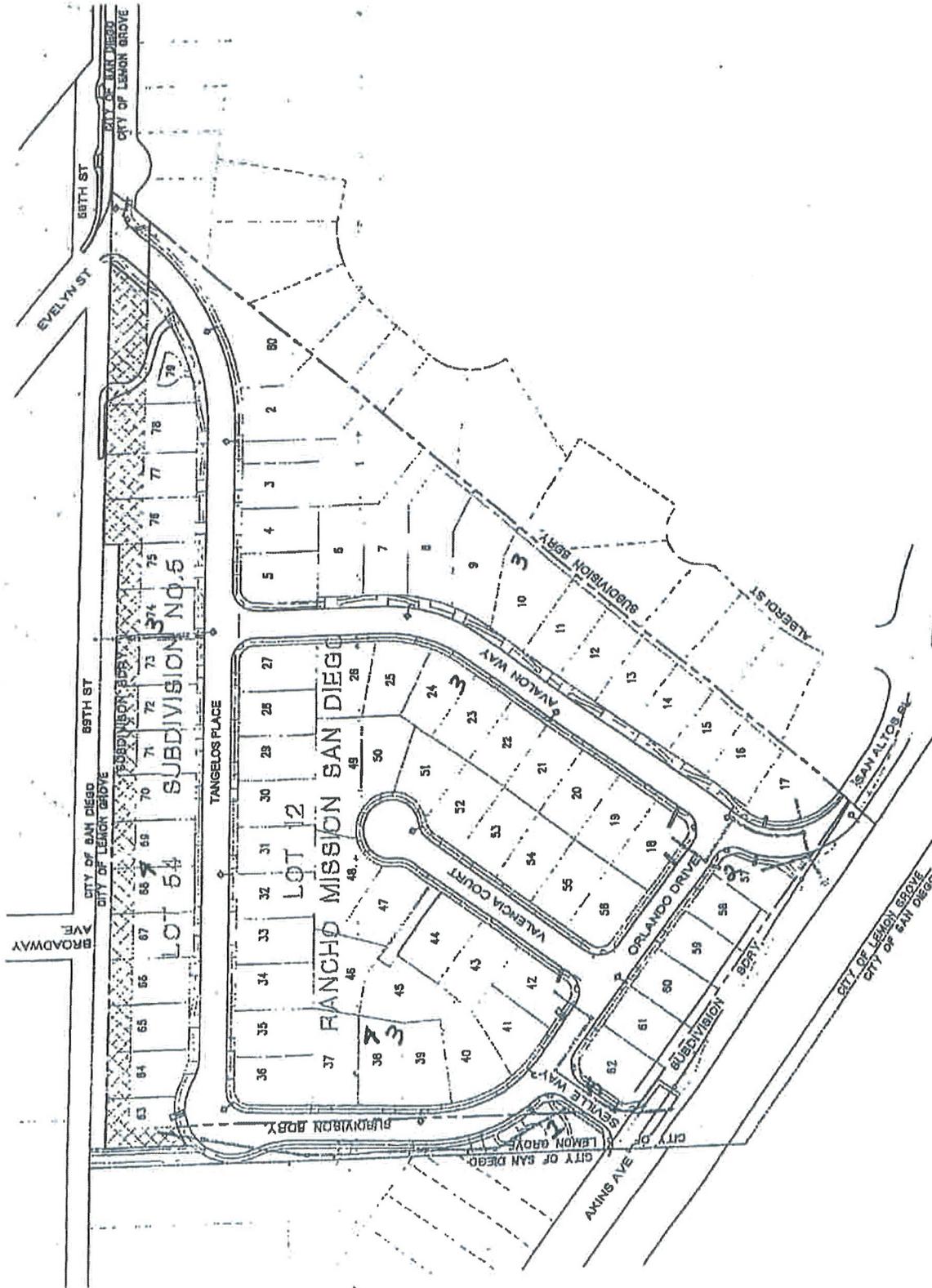
ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

STABLIZE AKINS ENTRY - VISQUEEN/SILT FENCE	(1)
REPLACE FILTER BASIN NO. 4	(2)
REPAIR GULLIES	(3)
ADDED GRAVEL BAGS - SPILLWAY	(4)
ADDED ROCK - TC1	(5)

PROJECT RECOMMENDATION SUMMARY

OTHER



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/10/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - SATURDAY
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

CONSTRUCTION CREW / EQUIPMENT - TVD 4	
CONSTRUCTION CREW / EQUIPMENT - CALWEST 4	
STOCKPILES BASIN NO. 5 - VISQUEEN	(1)
BACKCUTS - VISQUEEN	(2)
SILT FENCE - LOT 31 & 32	(3)
SILT FENCE - LOT 2 & 3	(4)
STOCKPILES MISC - VISQUEEN	(5)
SILT FENCE CREEK - MAINTENANCE	(6)
PREPARE REAP	

ONGOING ACTION SUMMARY

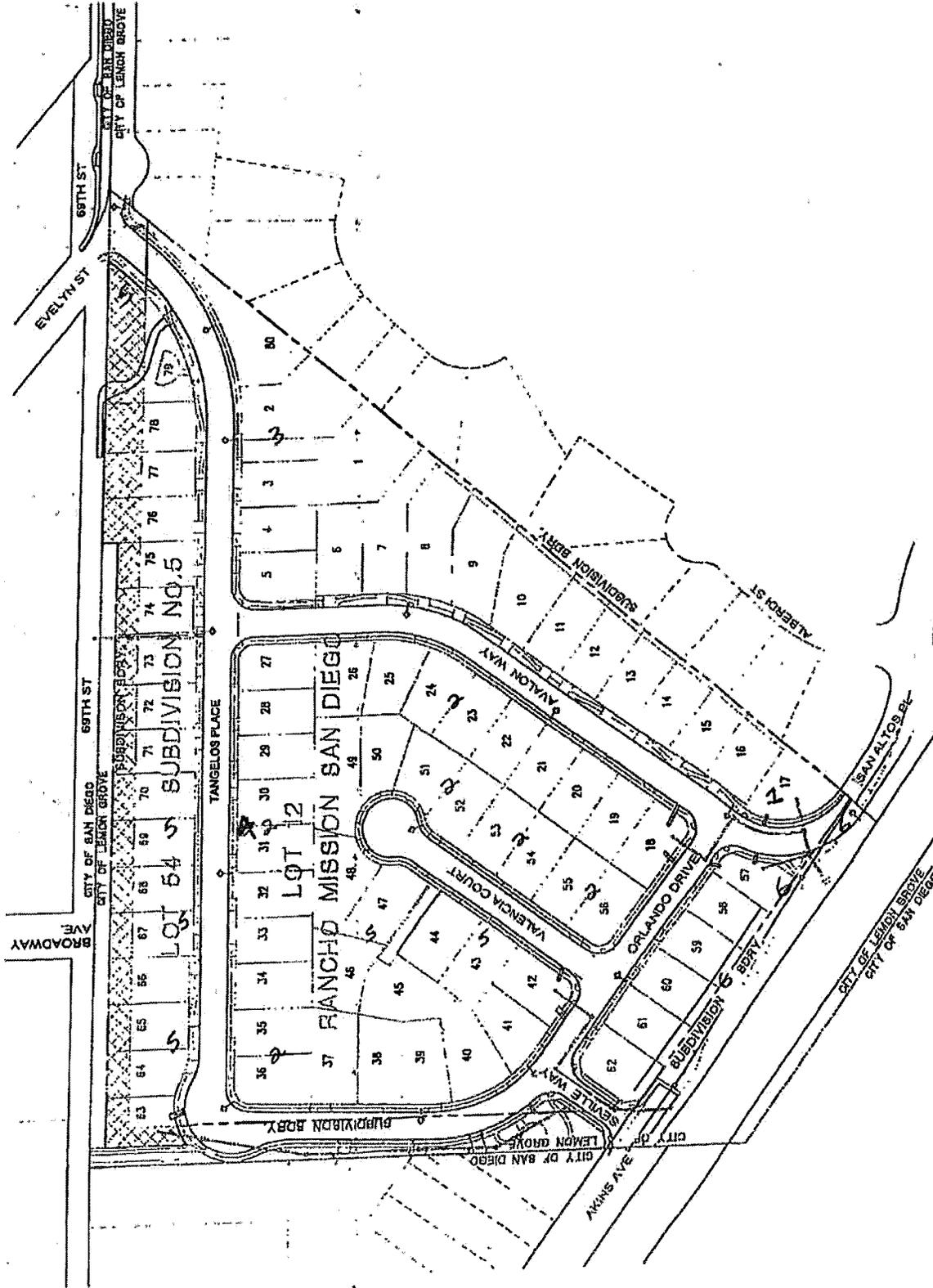
COMPLETED ACTION SUMMARY

STOCKPILES BASIN NO. 5 - VISQUEEN	(1)
BACKCUTS - VISQUEEN	(2)
SILT FENCE - LOT 31 & 32	(3)
SILT FENCE - LOT 2 & 3	(4)
STOCKPILES MISC - VISQUEEN	(5)
SILT FENCE CREEK - MAINTENANCE	(6)
PREPARE REAP	

PROJECT RECOMMENDATION SUMMARY

OTHER

1/10



VALENCIA
BMP DAILY REPORTS
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/12/2015

CONSTRUCTION ACTIVITY

MANAGEMENT - ONSITE (1) TIM ANDERSON
NONE - CITY STOP NOTICE
BMP ACTIVITIES - NONE
SECURITY - ONGOING
BROADWAY ESCORT - ONGOING

DAILY ACTION SUMMARY

AREA

ONGOING ACTION SUMMARY

COMPLETED ACTION SUMMARY

PROJECT RECOMMENDATION SUMMARY

OTHER

VALENCIA
BMP INSTALLED AND 125%
PREPARED BY TIM ANDERSON & BEN ANDERSON
1/12/2015

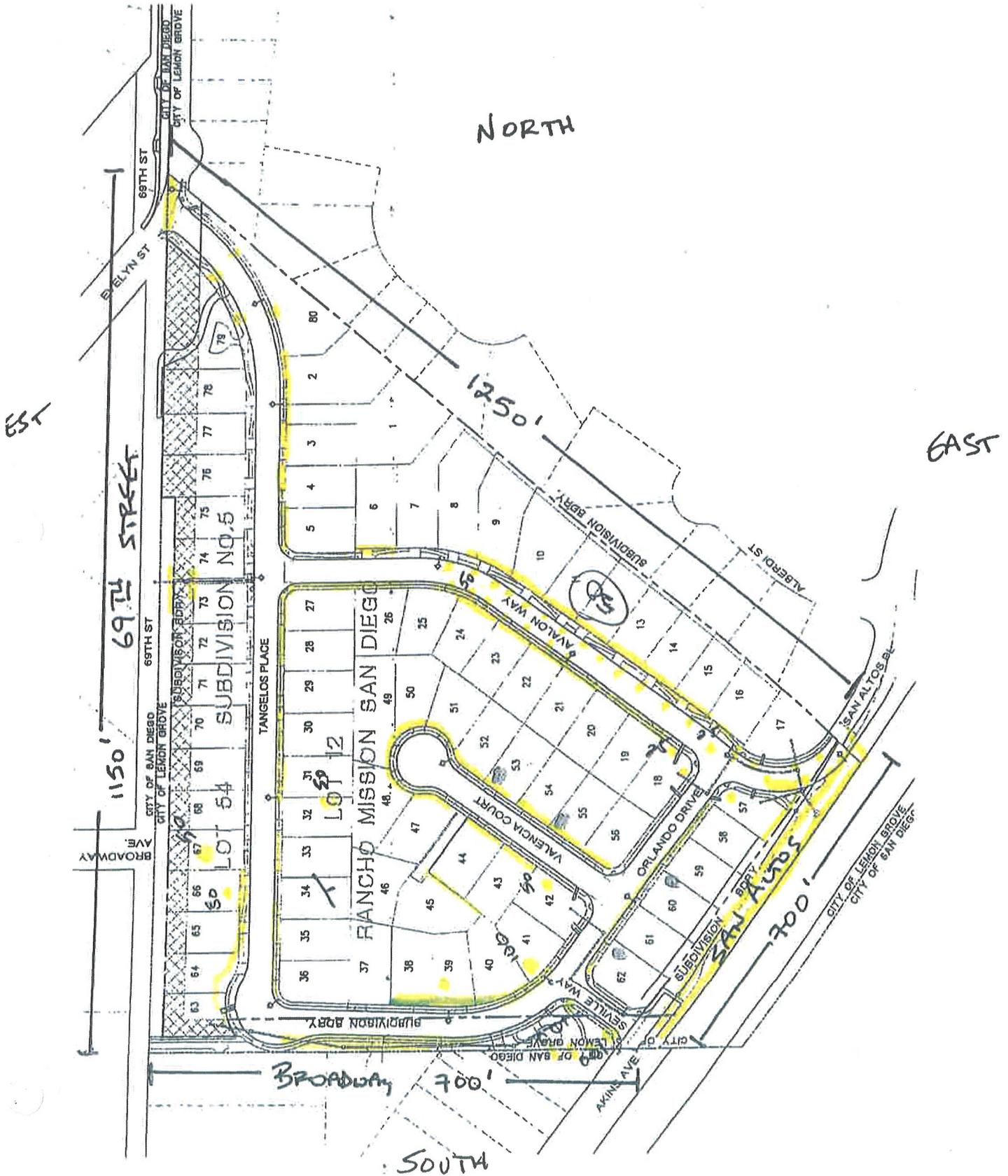
GARY H.

BMPS INSTALLED & 125%

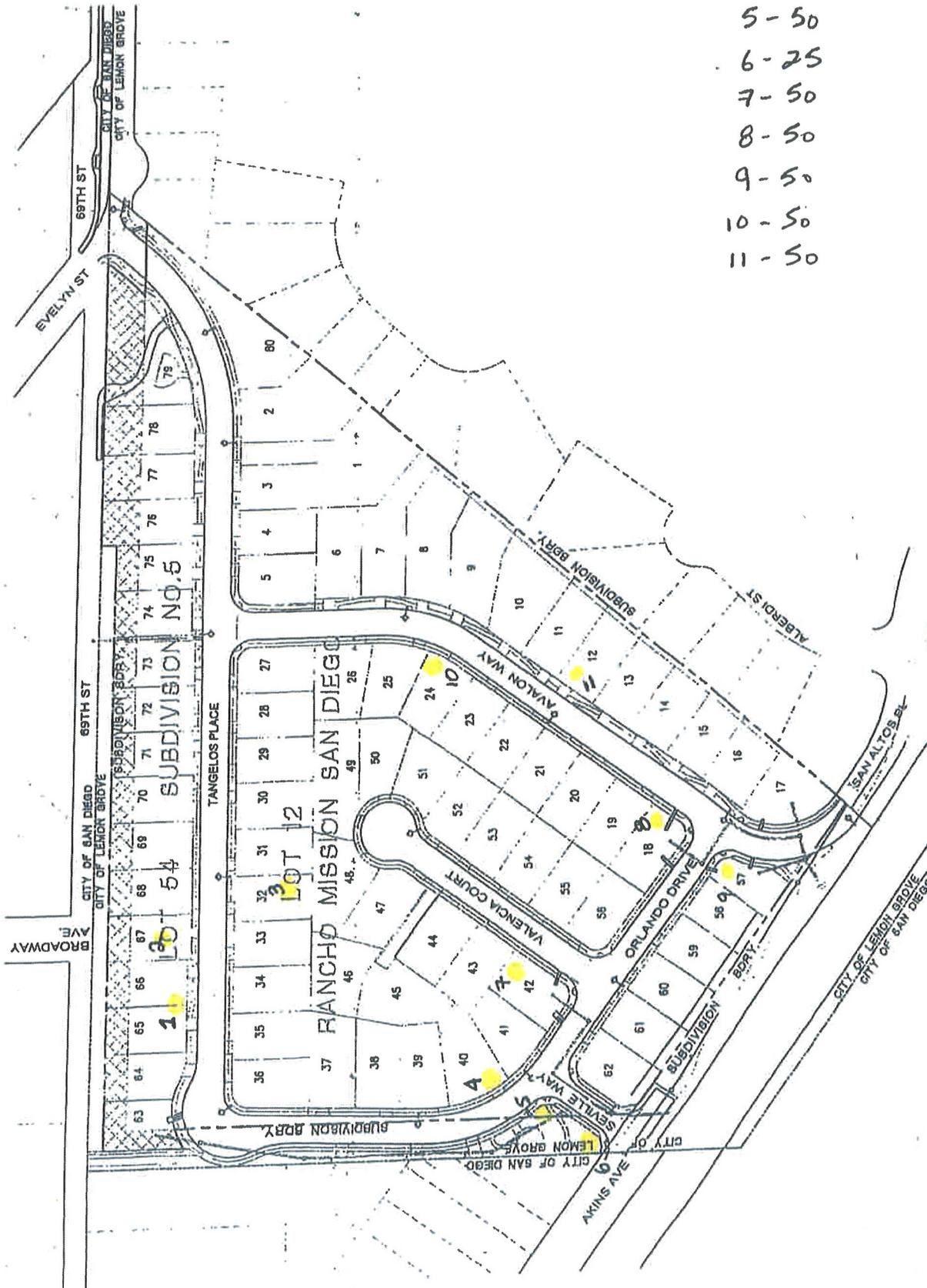
SANDBAGS HIGHLIGHTED IN YELLOW
SANDBAGS 125% STOCKPILES HIGHLIGHTED IN YELLOW DOTS #1-11
SILT FENCE HIGHLIGHTED IN PURPLE
SILT FENCE 125% HIGHLIGHTED IN PURPLE DOTS 10 ORANGE/13 BLACK
STRAW WADDLE HIGHLIGHTED IN GREEN
STRAW WADDLE 125% HIGHLIGHTED IN GREEN DOTS #1-9
VISQUEEN 4 BOXES 20' X 100'

EXHIBIT "A"
EXHIBIT "B"
EXHIBIT "C"
EXHIBIT "D"
EXHIBIT "E"
EXHIBIT "F"
EXHIBIT "G"

SANDBAGS — A



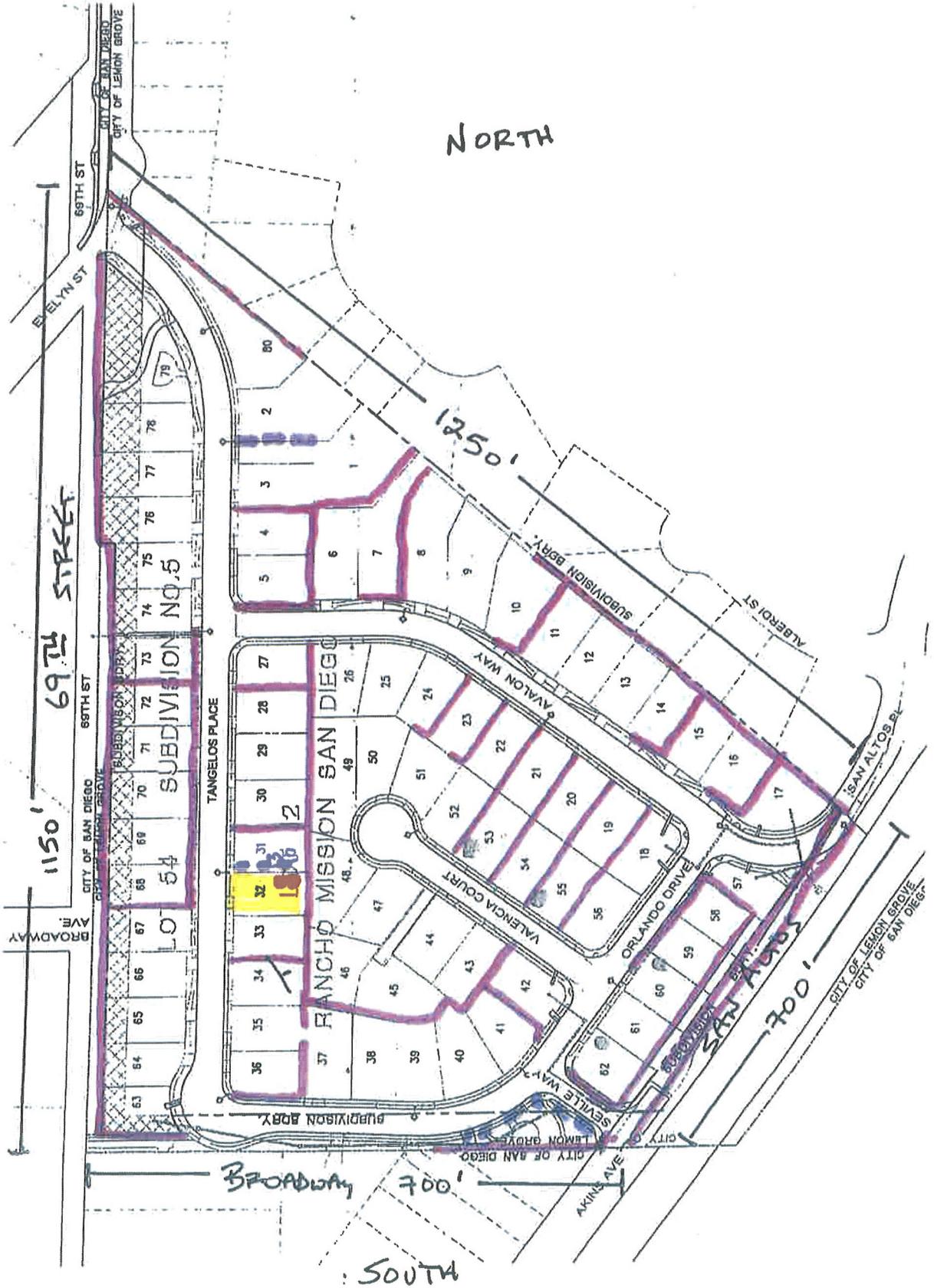
- 1-50
- 2-50
- 3-50
- 4-50
- 5-50
- 6-25
- 7-50
- 8-50
- 9-50
- 10-50
- 11-50



1000 1010 1020

EST

EAST



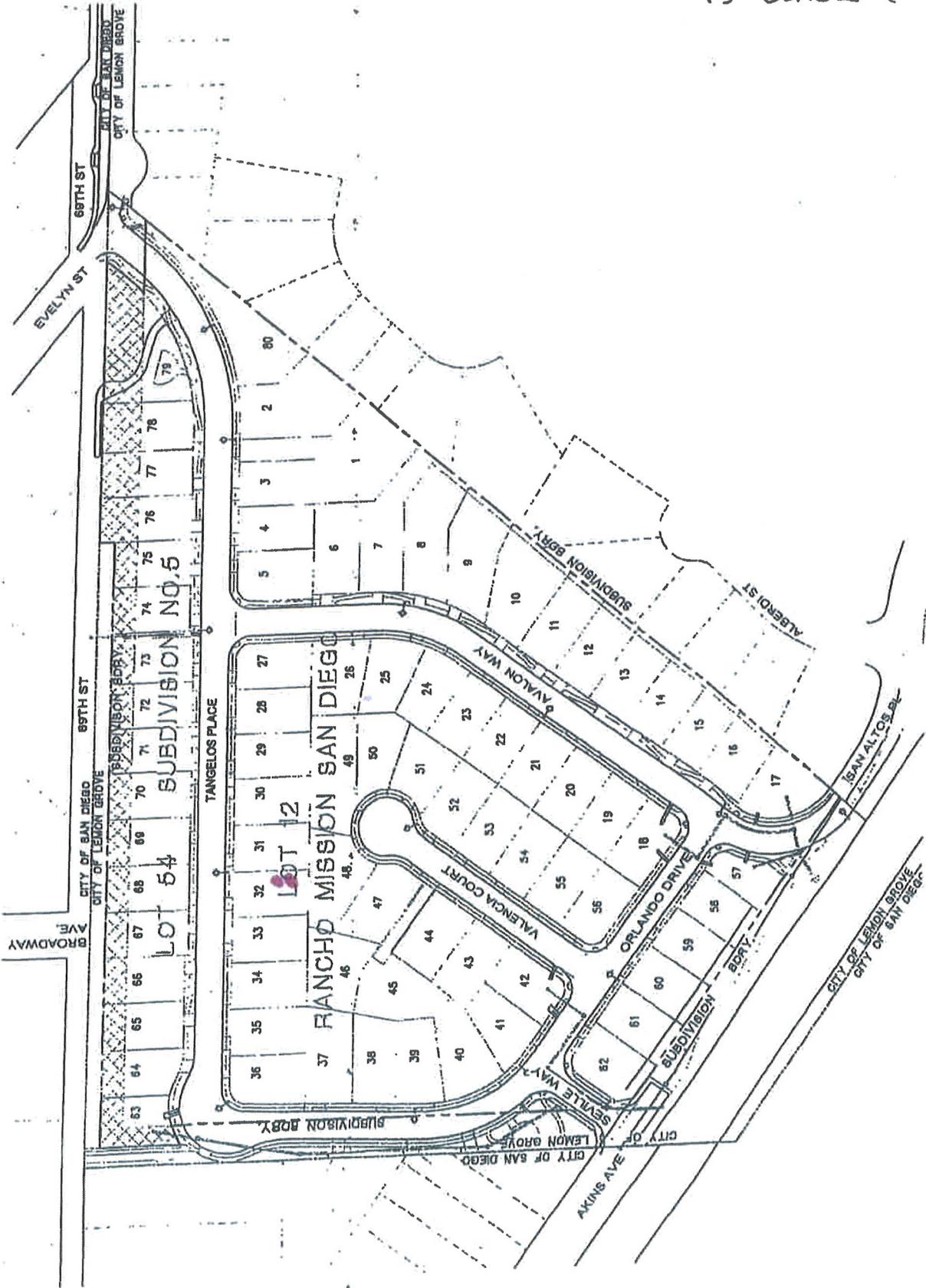
1150' 69TH STREET

BROADWAY 700' SOUTH

1250'

700'

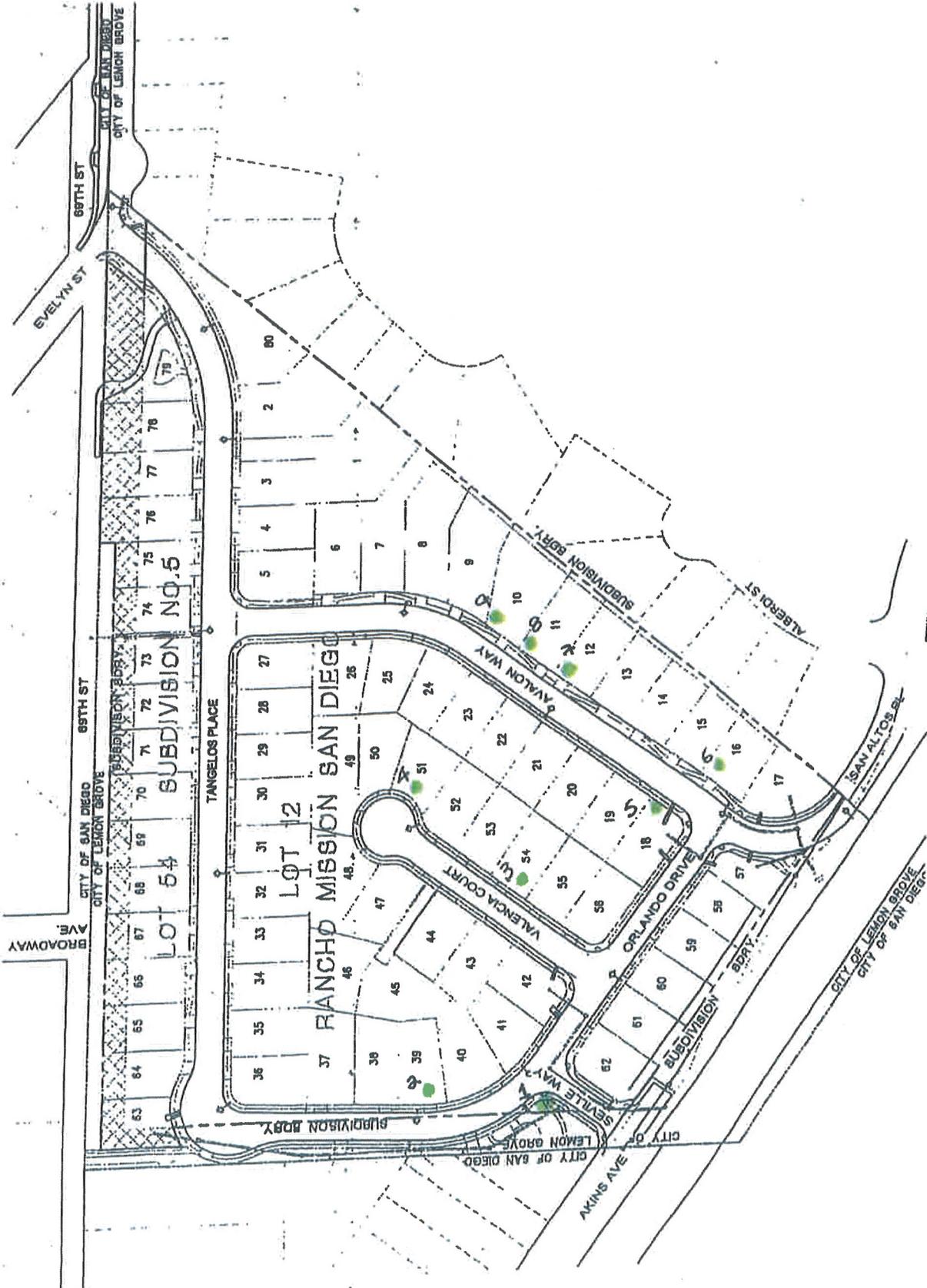
10 ORANGE (100')
13 BLACK (100')



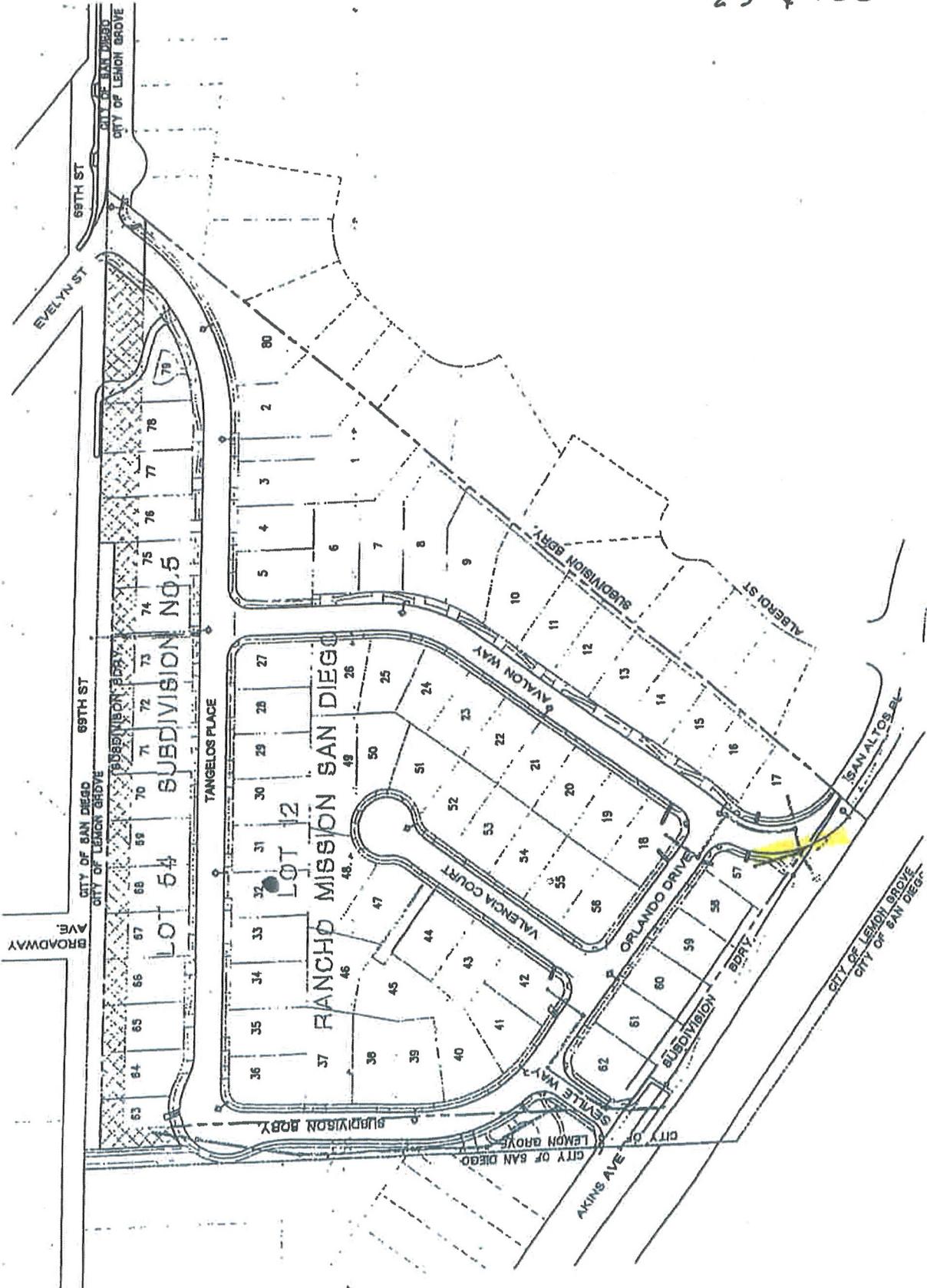
TIDEK FOLLS — L



11002 NW 10 3 10



A BOXES
25' x 100'



BMP WALK 1/19 RESPONSE

#1 REMOVE STOCKPILES THAT ARE NEAR THE DRAIN.

THESE MATERIALS ARE SUPPOSE TO BE IN THE BASIN AND ARE COVERED WITH VISQUEEN AND FIBER ROLLS. ALSO THE DRAIN IS COVERED WITH FILTER FABRIC AND BASIN SANDBAGGED OFF AND NOT IN USE FROM STREETS. MEETING WITH LEON AND BEN ON BASIN REPAIR.

#2 REPAIR MINOR RILLS

LOTS TAD HAD POINTED OUT TO ME ARE NOW IN AN ACTIVE ZONE AND RILLS ARE NOT THERE FROM TRACTOR WORK TO MAKE DRIVEWAYS READY FOR FRAMERS.



#3 SIDEWALL GAPS

TAD HAD POINTED OUT TWO AREA THAT HAD BEEN VISQUEEN AND HAD TWO GAPS THEY HAVE BEEN REPAIRED



#4 STABILIZE AREA IF INACTIVE OR RAIN

THIS IS AN ACTIVE AREA AND WE BUILD BERMS TO HOLD RAIN INSIDE
WORK AREA TILL GRADING OCCURS.



#5 CLEAN UP WASHOUT MATERIAL

CHANGED CONCRETE CLEANOUT AND REMOVING MATERIAL SOON,
THIS AREA HAS BEEN CLEANED AND COVERED.

#6 IMPLEMENT EROSION CONTROL IN SMALL AREA WHERE HYDROSEED

HAS NOT GROWN
REPAIRED WITH VISQUEEN



#7 AKINS CHEVRONS

GRAVEL BAGS HAVE BEEN IN PLACE ON CURBS AND ARE DEPLOYED

EVERY RAIN EVENT.



#8 REPAIR SILT FENCE AT CREEK



Via Email
lfirsht@lemongrove.ca.gov

January 20, 2015

Leon Firsht, City Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RECEIVED
JAN 21 2015
CITY OF LEMON GROVE

RE: Valencia – Stop Work / Notice of Violation

Dear Leon:

On behalf of San Altos-Lemon Grove, LLC, we are requesting the City of Lemon Grove (City) formally release the Stop Work / Notice of Violation dated 12/2/14.

We are preparing a check in the amount of \$300 pertaining to Citations No. 2 & 3 and will deliver to City.

Thank you for your assistance in this matter.

Sincerely,

BCA Development, Inc.



Ben C. Anderson
President

CC: Carol Dick, Development Services Director
File



NOTICE

DATE: 12/2/14
PROJECT: VALENCIA
PROJECT #: GR-1692
ADDRESS: SAN AITOS PL

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
 Other _____

***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

ISSUED TO: TIM ANDERSON (via Email)
DATE/TIME: 12/2/14 3pm
BY: GARY HARPER
TITLE: ENG. INSPECTOR
PHONE: (619) 454-1272

IF YOU HAVE FURTHER QUESTIONS, PLEASE CALL THE CITY OF LEMON GROVE'S DEVELOPMENT SERVICES DEPARTMENT AT (619) 825-3805.

* Having deficiencies in your erosion control is a violation of the City of Lemon Grove's Grading Ordinance. A violation of the City's Grading Ordinance is a misdemeanor. Each separate day or portion thereof on which a violation exists or is allowed to exist shall constitute a separate offense punishable by the provisions of the Ordinance.



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
 CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: Harper / [Signature] / 12/2/14 / 1pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) Weekly

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GC-1692

Project Name & Type: VALENCIA, SUBDIVISION

Project Location & Address: SAN AITOS PL

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN AITOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C 36 9143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: M 54

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Is construction site phased/scheduled to address erosion control on a timely basis?	X			Contractor Hydroseeding AS NEEDED, BUT DID NOT SEED AS PLANNED	N
Preservation of existing vegetation?	X				Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch					
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			NOT ENOUGH PLASTIC COVERS FOR STOCKPILES	N/A
Site Drainage: Outlet Protection/Slope Drain	X				Y
Inlet/Outlet Protection	Y				Y
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				Y

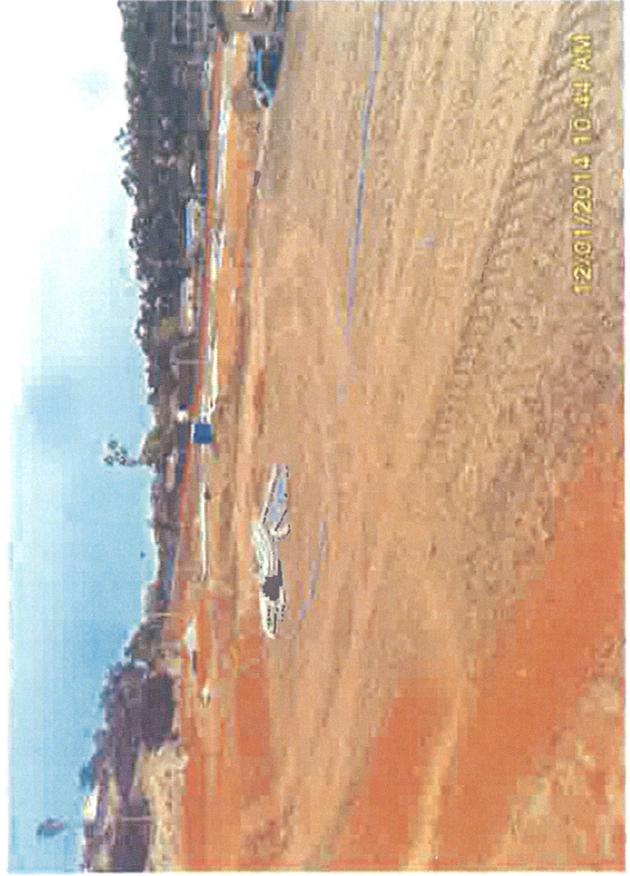
BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y				Y
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	Y			ENTRANCE NEEDS TO BE CLEARED. ALSO NEED STREET SWEEP	NO
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	Y			SOME ARE COVERED SOME ARE NOT	NO
Are heavy equipment and vehicles parked in designated areas with permeable surface?	Y				Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.	Y				Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	Y				Y
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		TC-1 IS DOWNSTREAM OF UPPER SITE; NEEDS TO BE CLEARED	NO
Other					
Are there any other potential storm water pollution issues/concerns?	Y			RAIN EVENT TODAY, TC-1 SHOULD BE PROTECTED	NO
Was there any employee or subcontractor training on stormwater BMPs?		N			

VIOLATIONS

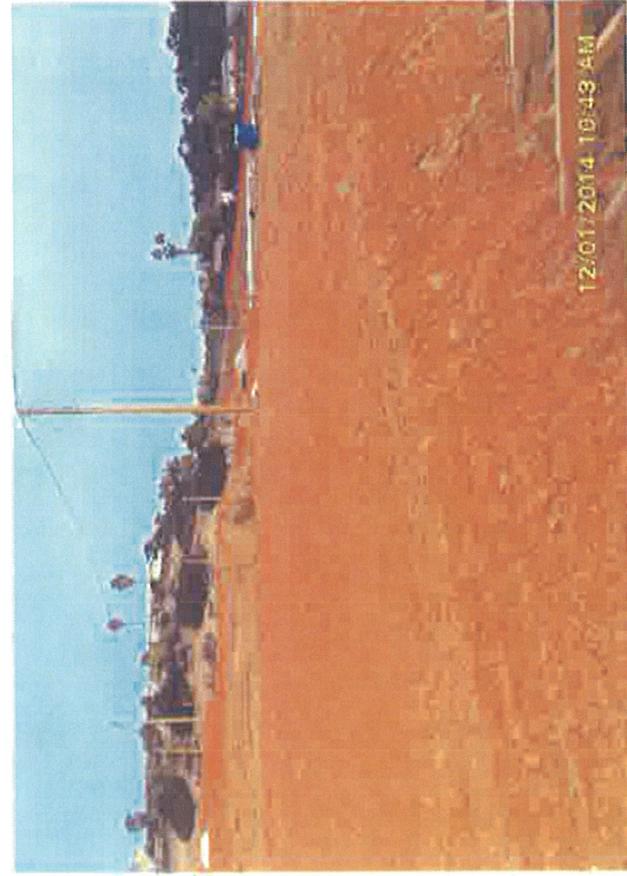
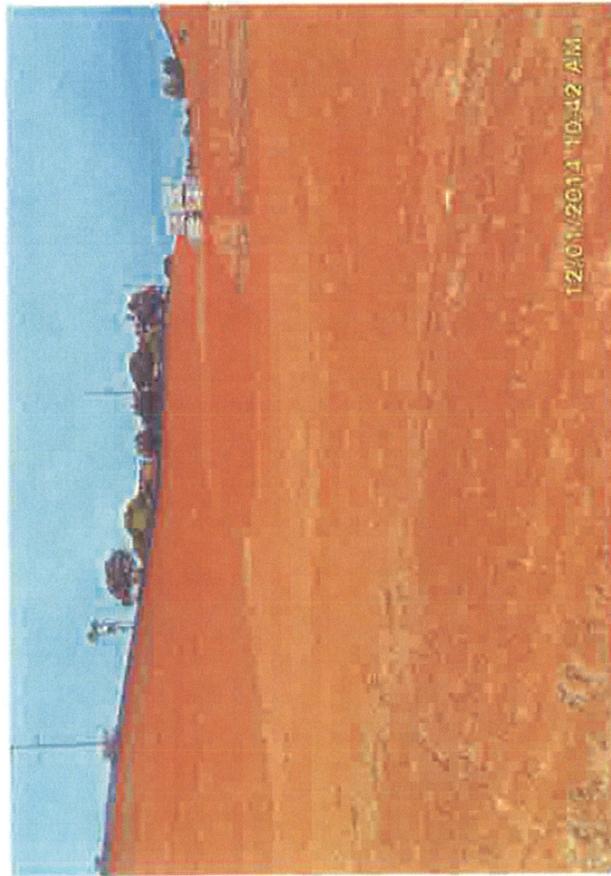
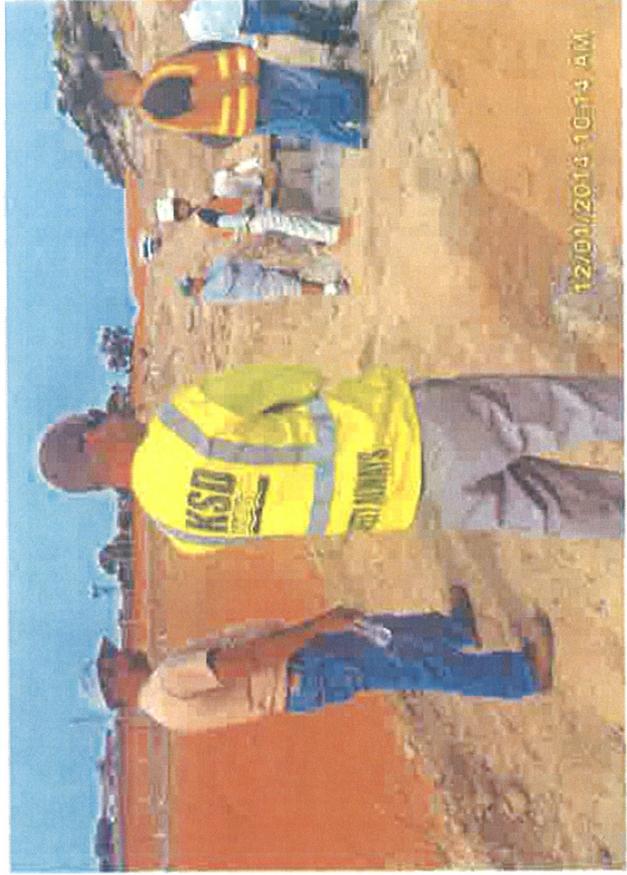
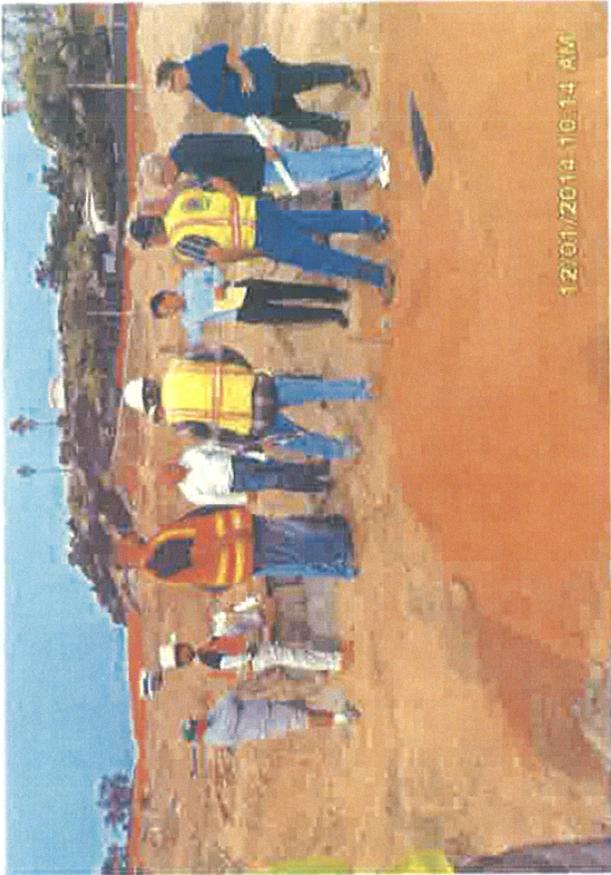
- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: 12/2/14

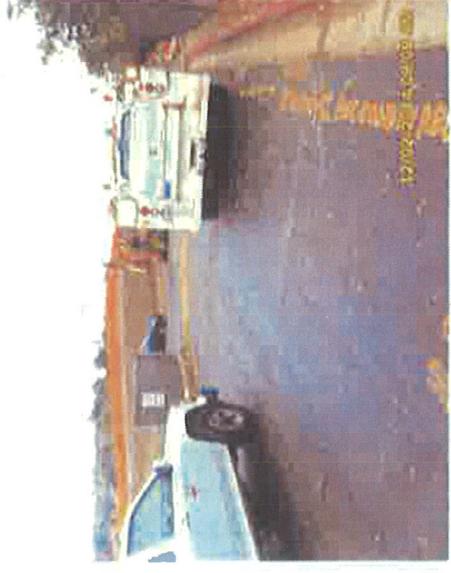
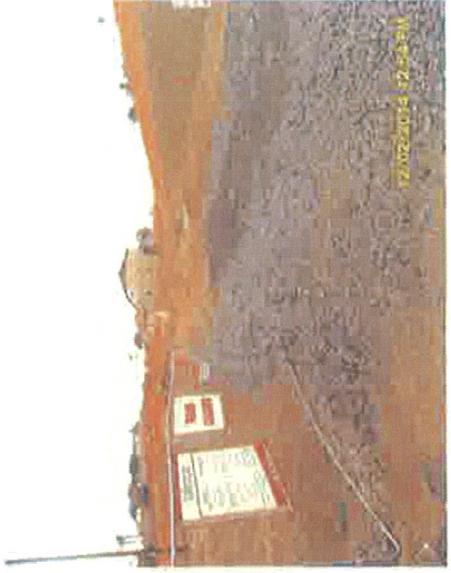
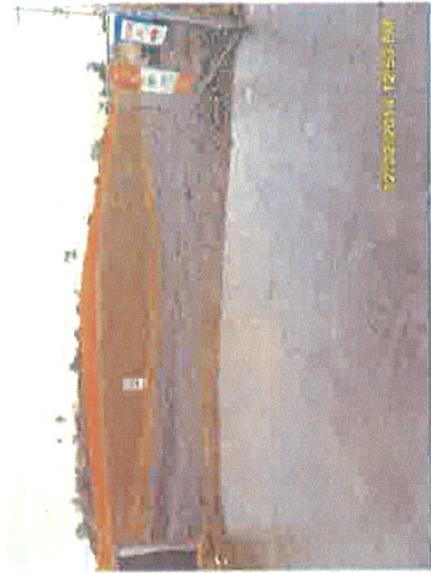
RECOMMENDED CORRECTIVE ACTION

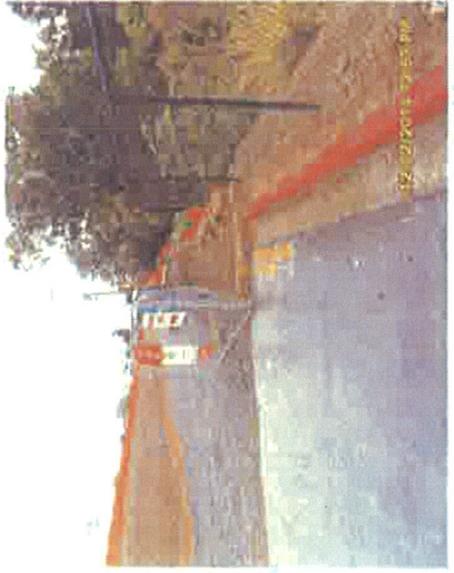
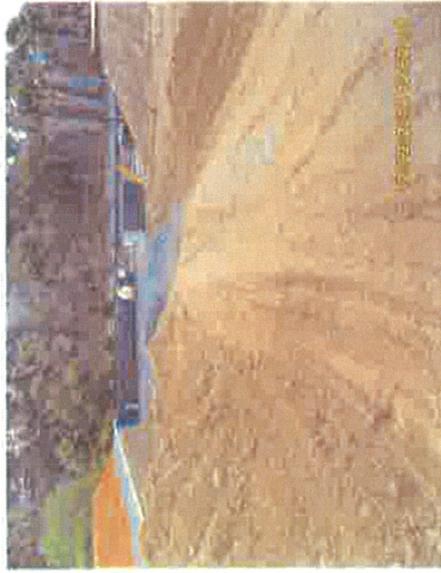
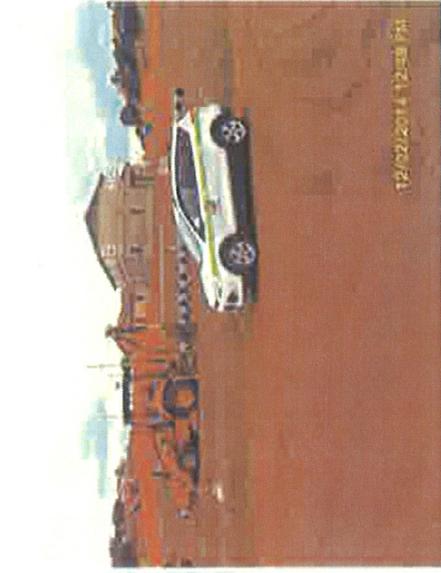
SEE STOP WORK NOTICE - DISCHARGE IS IMMEDIATE IF NOAA FORECAST CORRECT: 100% HEAVY RAIN THIS AFTERNOON.
I CALL TO TIM ANASTON THIS MORNING AT 9AM.
LEFT V. MAIL THAT SITUATION NEEDED ATTENTION ASAP - NO RETURN CALL

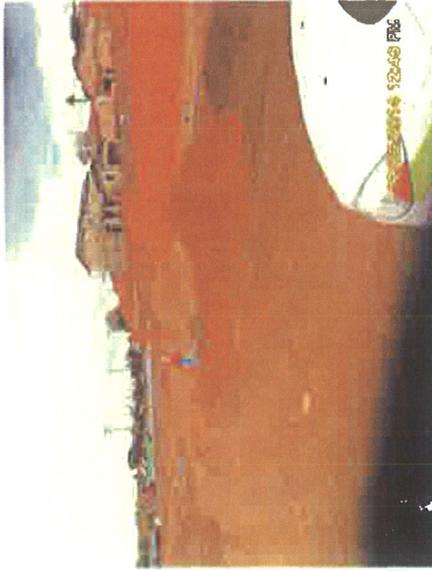
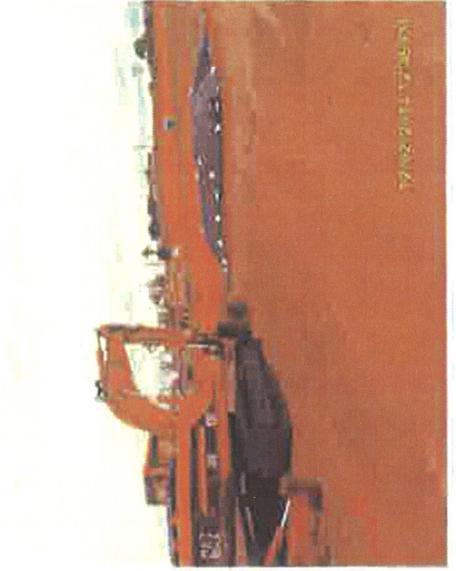
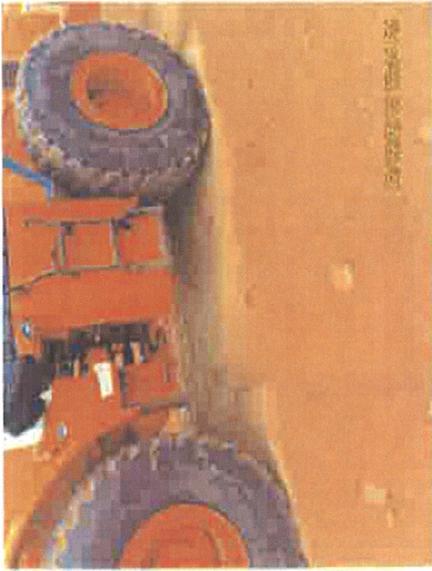
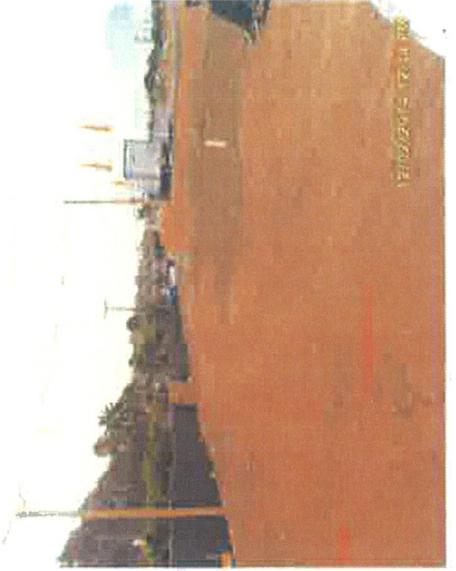
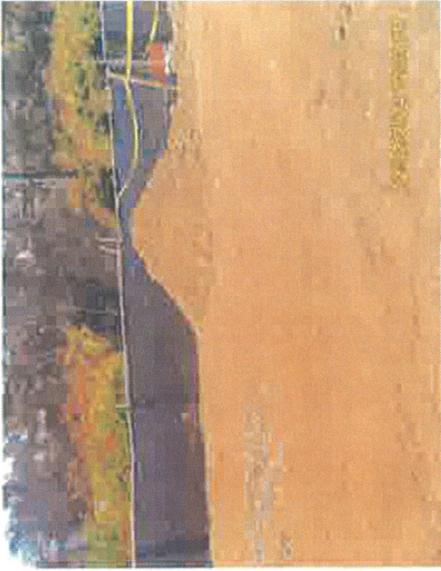


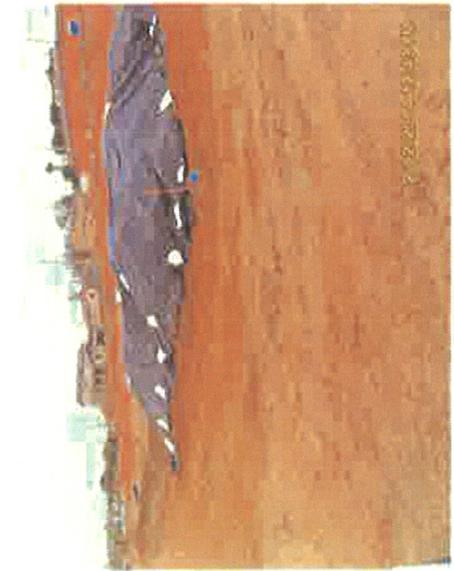
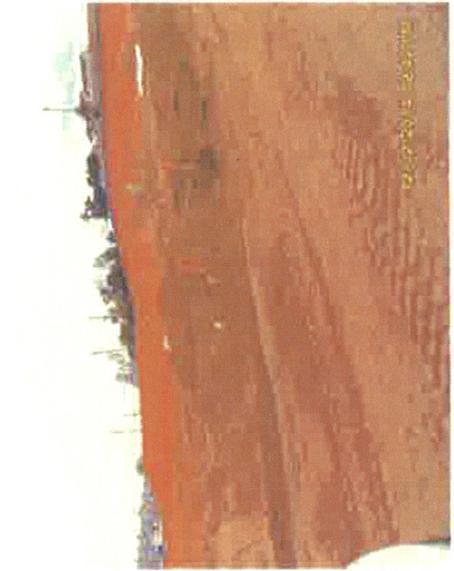
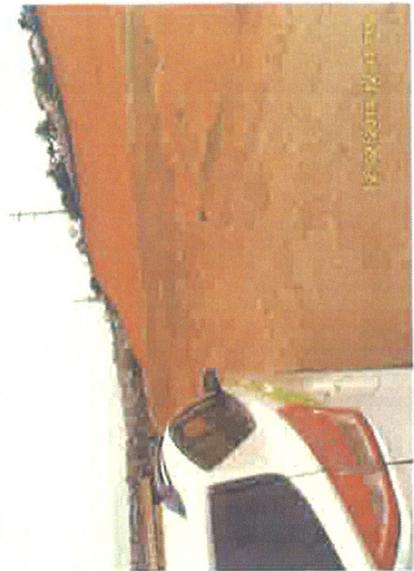
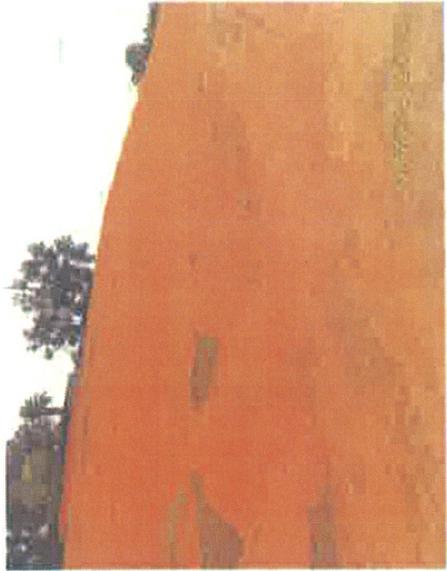


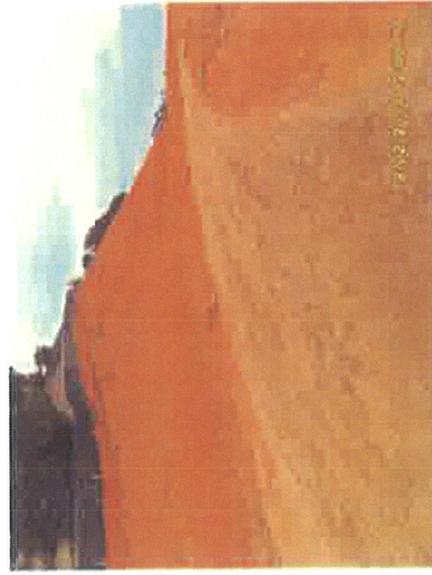
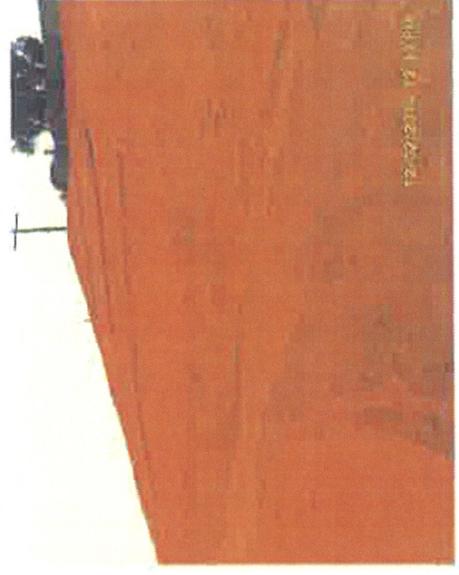
















NOTICE

DATE: 12/4/2014
PROJECT: VALENCIA
PROJECT #: GIR-1692
ADDRESS: SAN ANTONIO PL

STOP WORK/NOTICE OF VIOLATION

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 Other: _____

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 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other: _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
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 Other: Illegal Discharge

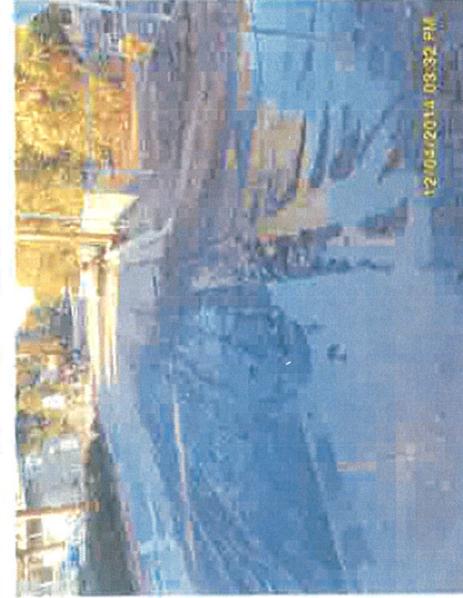
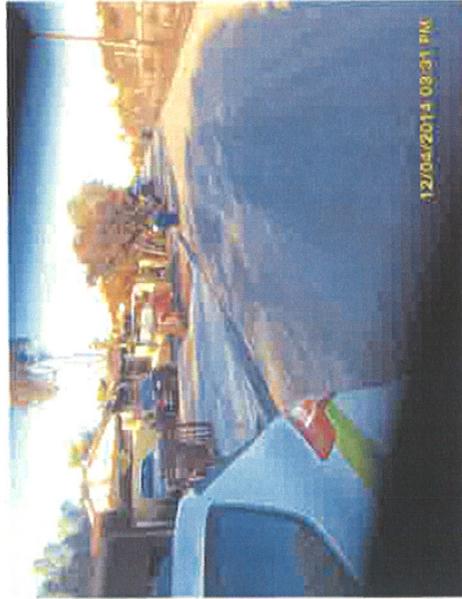
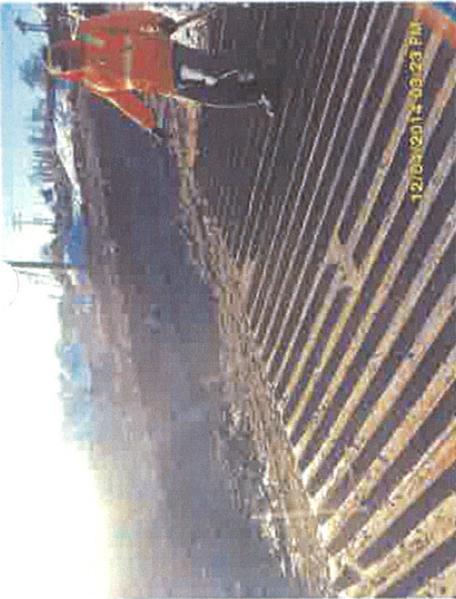
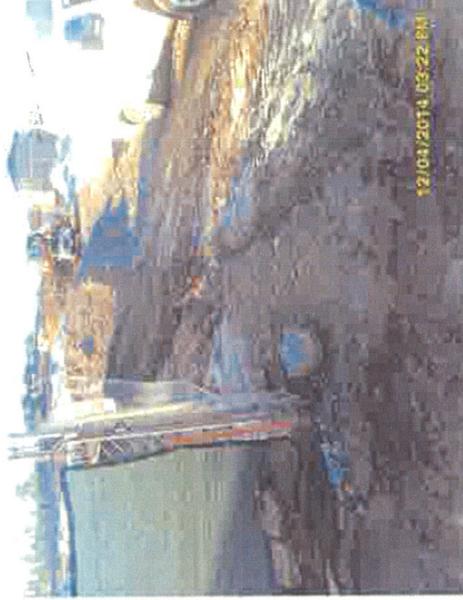
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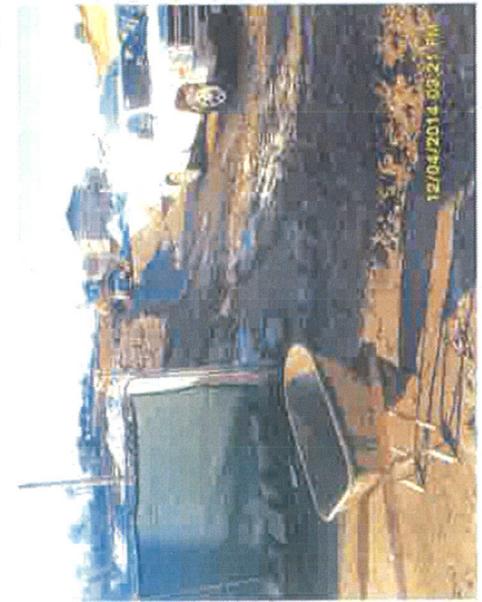
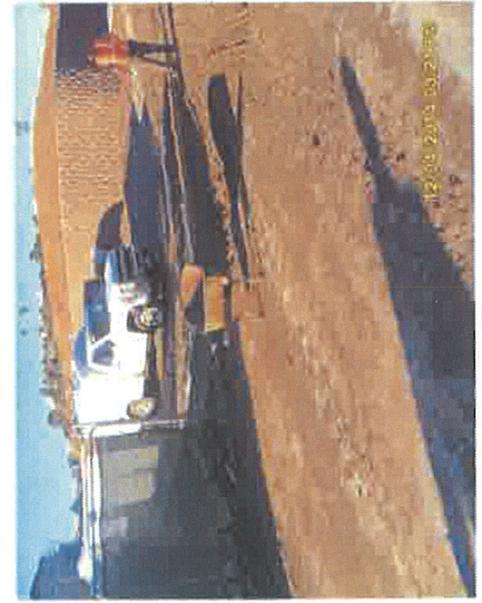
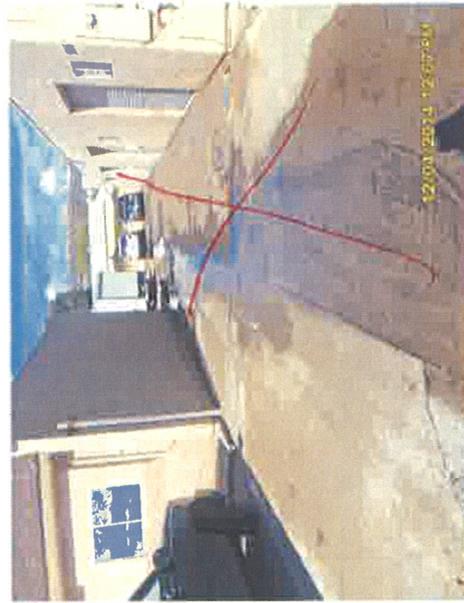
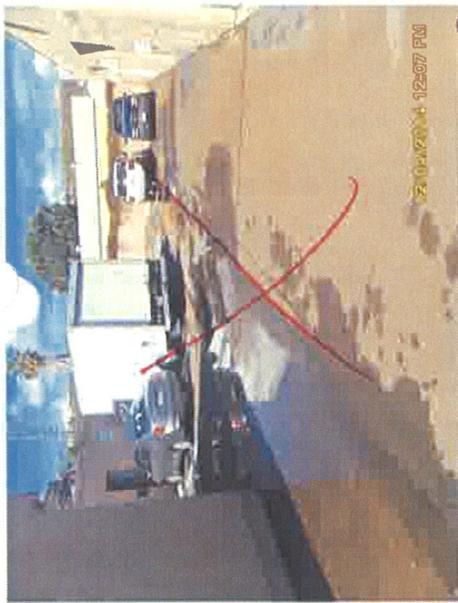
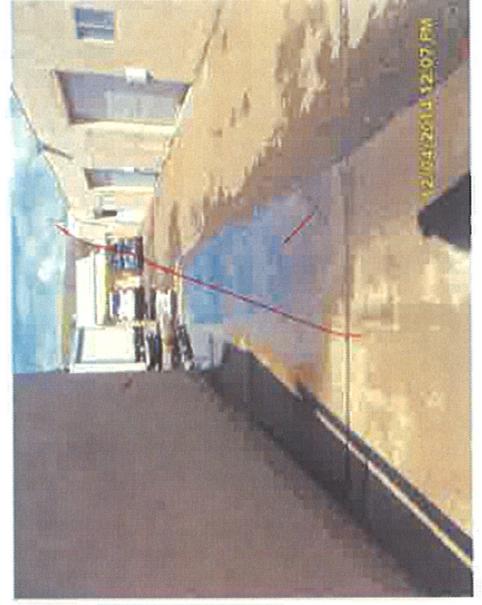
- CC: City Engineer
 Engineering
 Management Analyst
 Code Compliance
 Building
 RWQCB

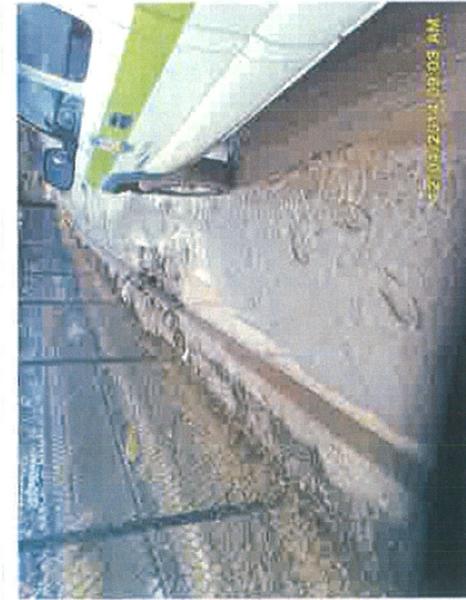
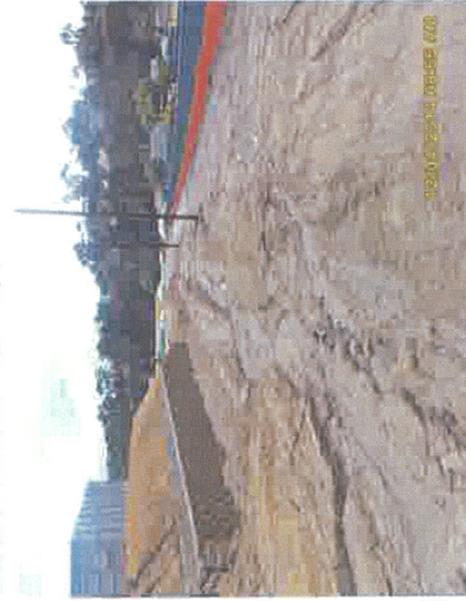
ISSUED TO: Tim Anderson (Email)
DATE/TIME: 12/4/2014 10AM
BY: GARY HAYES
TITLE: ENGR. INSPECTOR
PHONE: (619) 454 1272

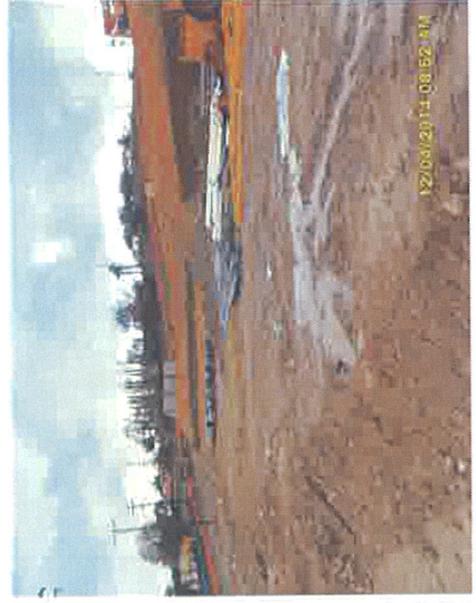
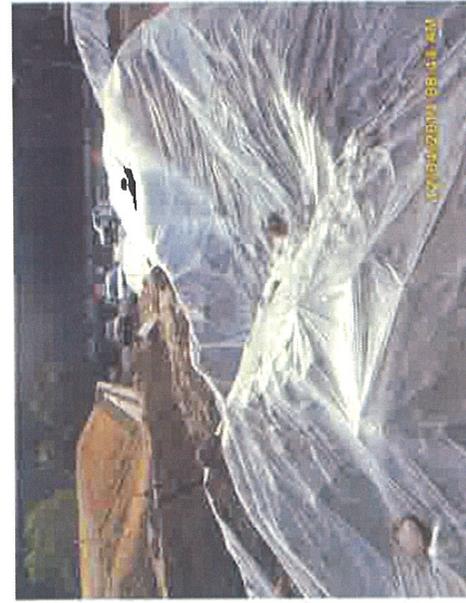
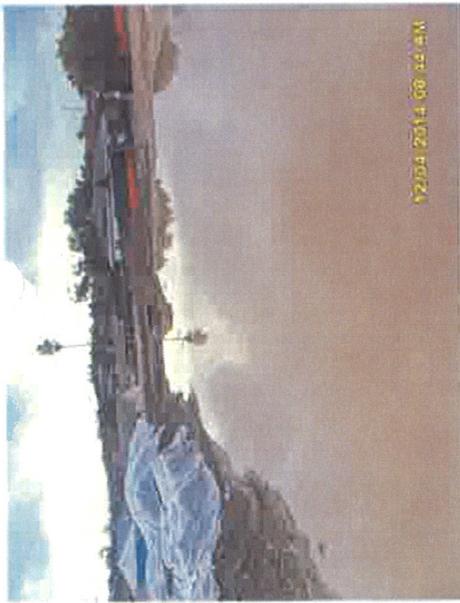
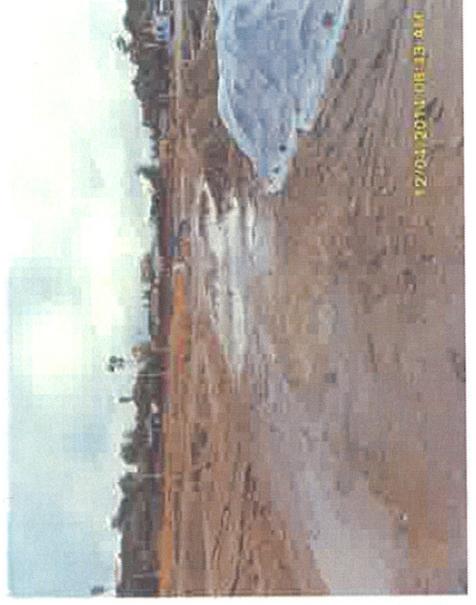
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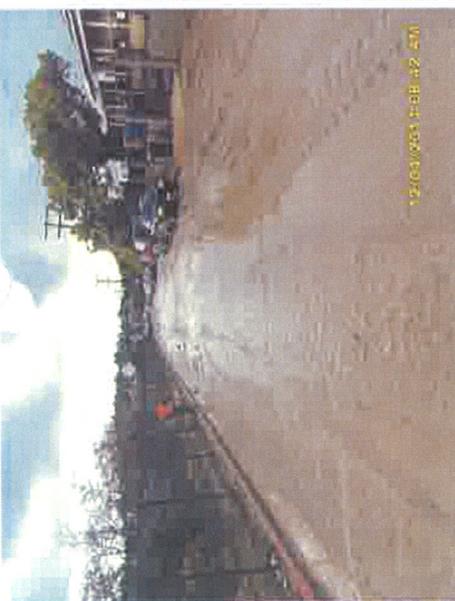
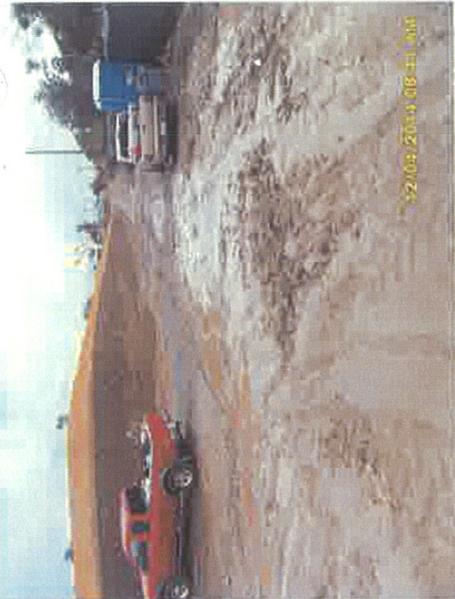
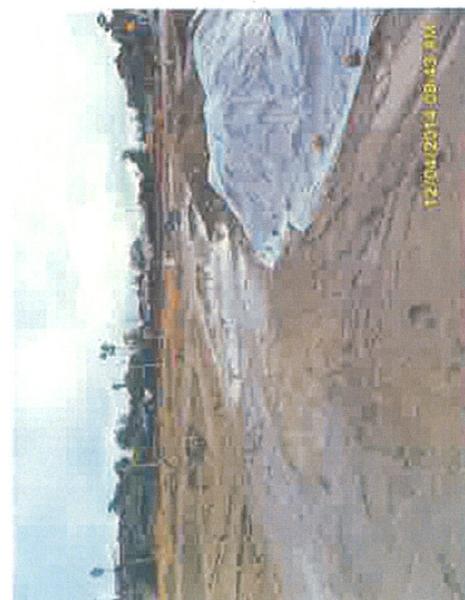
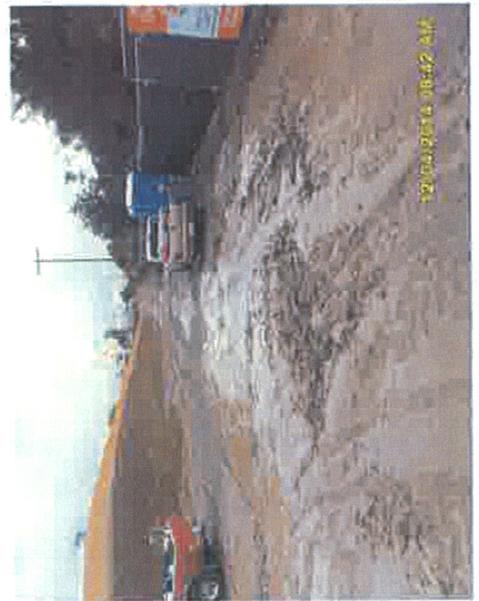
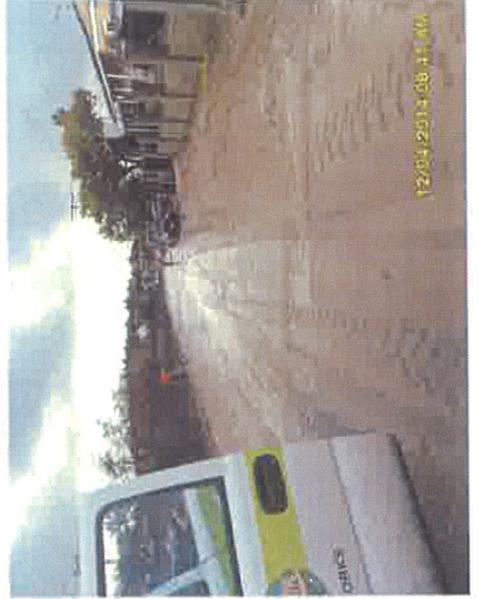
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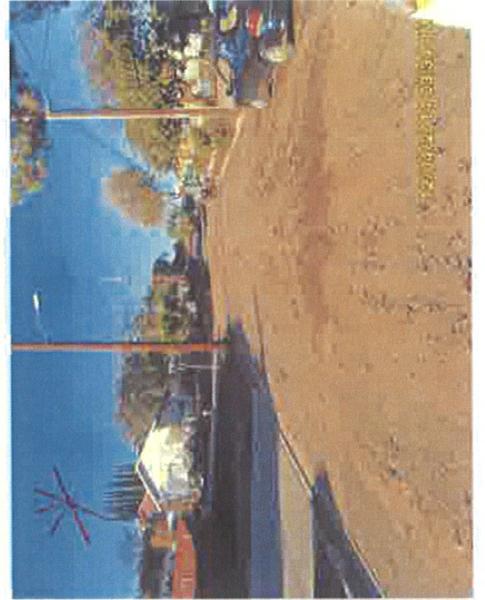
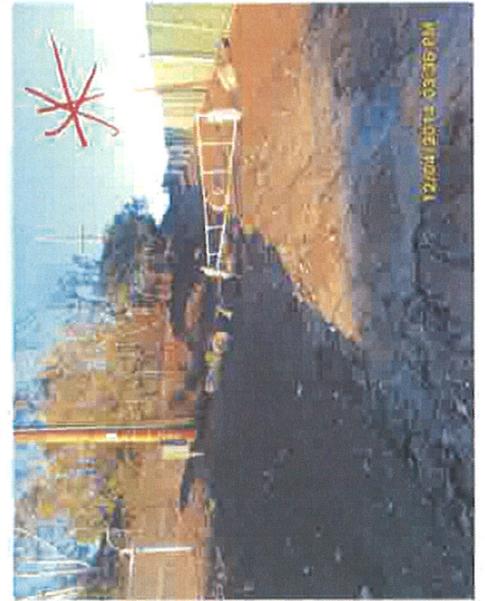
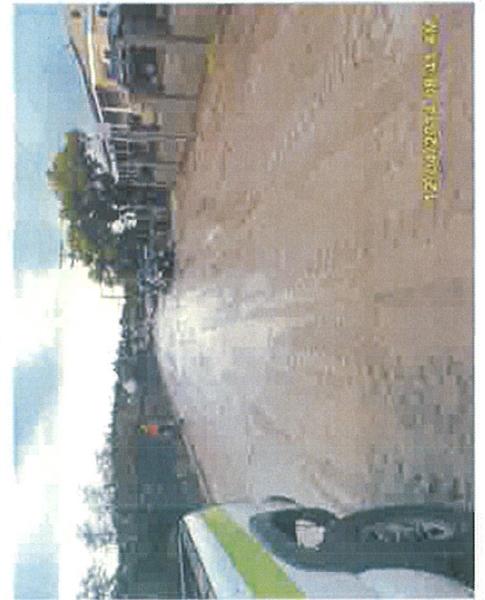
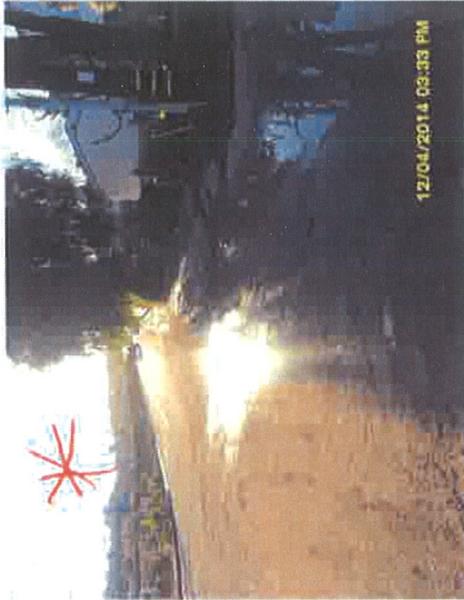
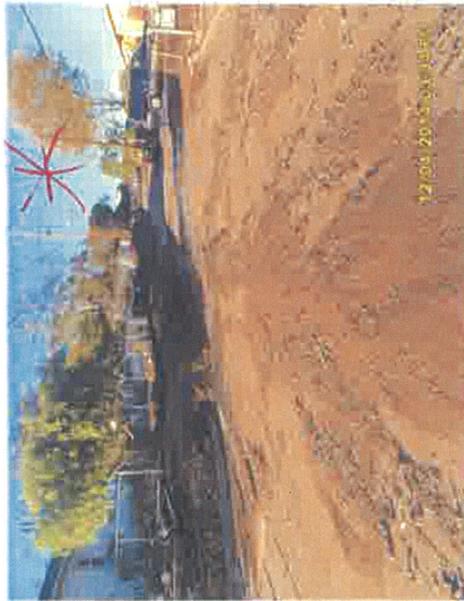
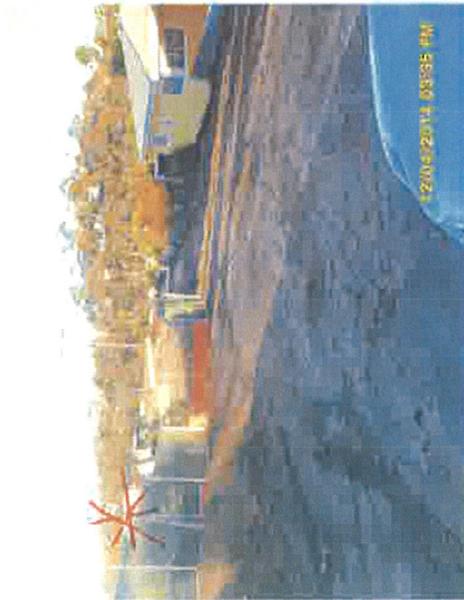
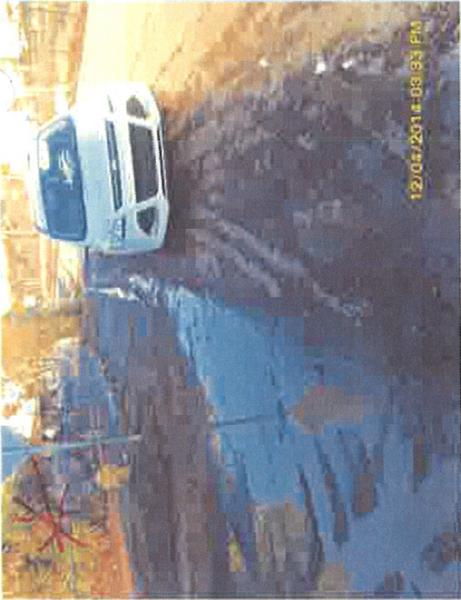
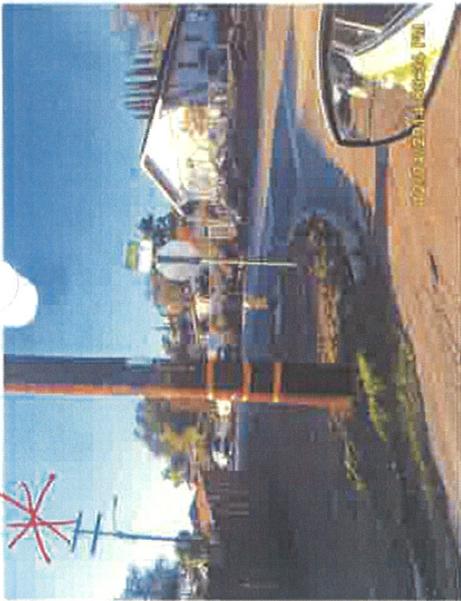
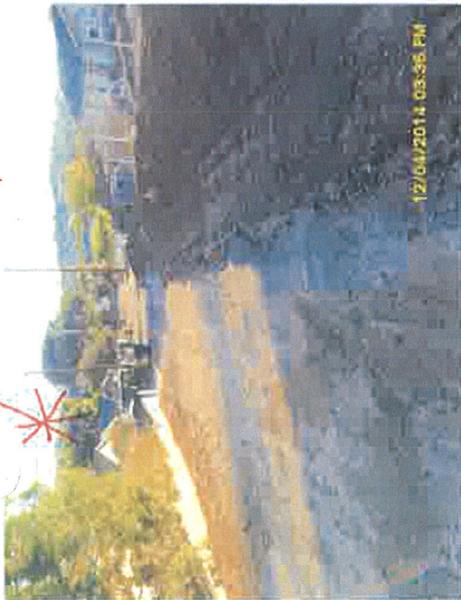








* = CITY OF SAN DIEGO / 7TH ST RUNOFF. NOT VARNICIA





CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
 CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: Harpes / [Signature] / 12/8/14 10:00 am

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) Weekly (pre storm)

Construction Project Priority: High Medium Low Friday = 9.5%

GENERAL INFORMATION

Grading or Building Permit #: ~~GP-1889~~ GP-1692

Project Name & Type: Valencia, Homes

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEV (949) 275.673

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: MSH

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?	Y			<u>on d/w slopes</u>	Y
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	Y			<u>HYDRO SEED TODAY</u>	N
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	Y				
Site Drainage: Outlet Protection/Slope Drain					
Inlet/Outlet Protection					
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	Y				N
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	Y			<u>inlet to be cleaned</u>	N

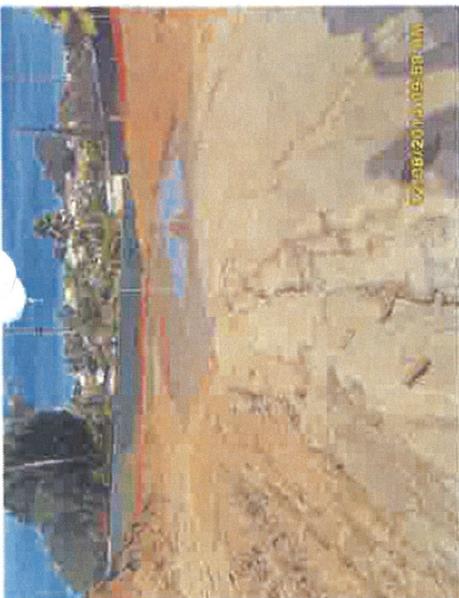
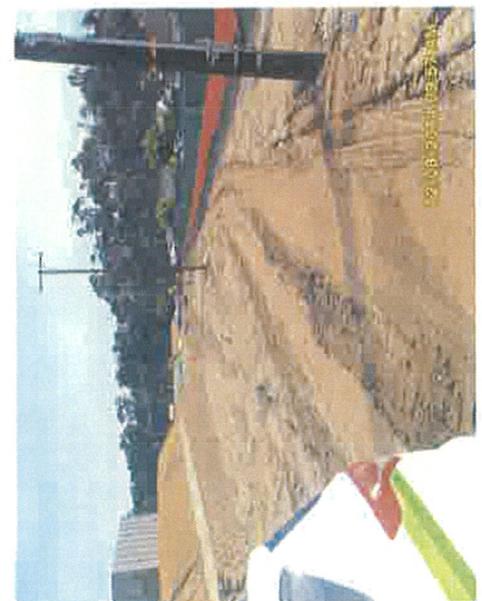
BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping				ENTRANCE BEING REBUILT, ST. SWEEP THIS WEEK	
<i>Valecia</i> Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	Y				Y
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?		N		NEED TO COVER STOCK PILES	N
Are heavy equipment and vehicles parked in designated areas with permeable surface?		N		VEHICLES IN USE	Y
Are appropriate spill response and containment measures kept on the site?	Y				Y
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	Y				Y
Are concrete washouts properly installed, maintained with no evidence of discharges.		N		NO CONC WORK	Y
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	Y				Y
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?					
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		N		STILL CLEANING -	NO
Other					
Are there any other potential storm water pollution issues/concerns?		N			
Was there any employee or subcontractor training on stormwater BMPs?		N			

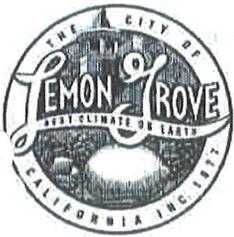
VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: 12/4/14

RECOMMENDED CORRECTIVE ACTION

NOT WRITTEN LAST WEEK, CONTRACTOR WORKING ON ITEMS.





NOTICE

DATE: 12/9/14
 PROJECT: VALENCIA
 PROJECT #: GR-1692
 ADDRESS: SAN ALTO PLACE

STOP WORK/NOTICE OF VIOLATION

Stop all other work until erosion control/NPDES deficiencies noted below are corrected. Issuance of this Stop Work Notice will notify the Regional Water Quality Control Board regarding your BMP deficiencies. This may subject you to fines of up to \$10,000/day.

CORRECT WORK

Correct noted deficiencies within the specified time frame to avoid a Stop Work Notice:

- 24 Hours 72 Hours 5 Days Prior to October 1st, And/Or Before Rain Event

THIS PROJECT IS IN CONFLICT WITH THE FOLLOWING:

- City of Lemon Grove Grading Ordinance* City of Lemon Grove JURMP
 Other: _____

THE AREAS OF CONFLICT ARE:

- Erosion control is not on site Erosion control is not per the approved plan
 Erosion control is inadequate Failure to maintain erosion/sediment control device
 Other _____

THE FOLLOWING DEFICIENCIES ARE NOTED:

- Stabilized construction entrance Runoff from the site Desilting basin
 Perimeter protection at toe of slope Waste/materials storage
 Concrete washout inadequate, not maintained No secondary containment
 Cover stockpiles No storm drain inlet/outlet protection Trash/debris not managed
 Cover on sloped and/or flat areas that are inactive for more than 10 days
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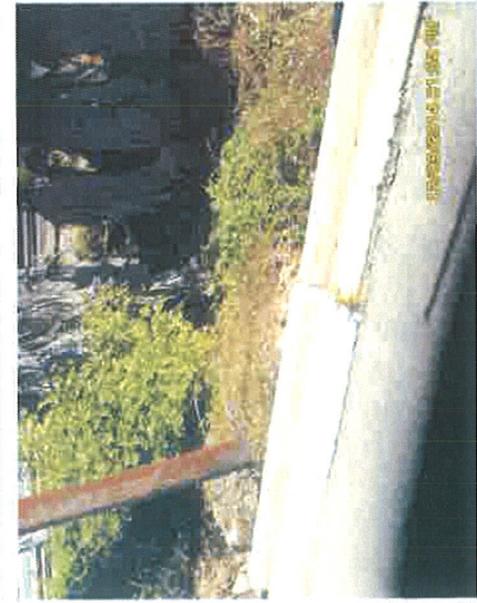
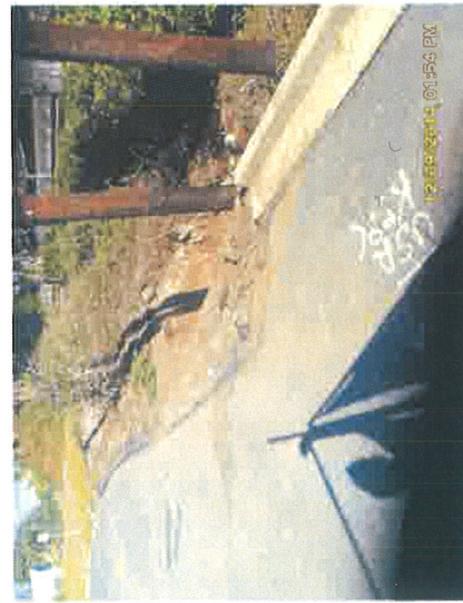
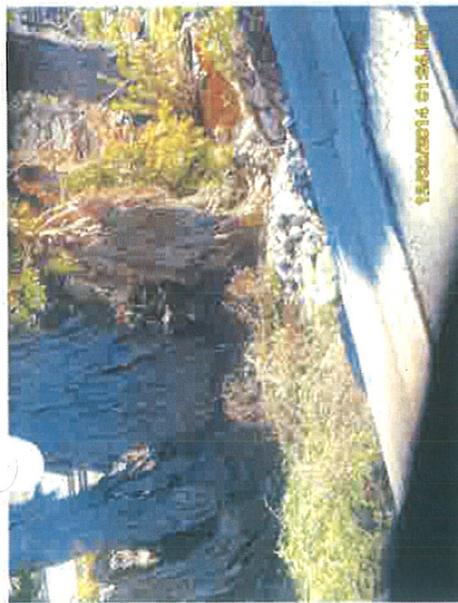
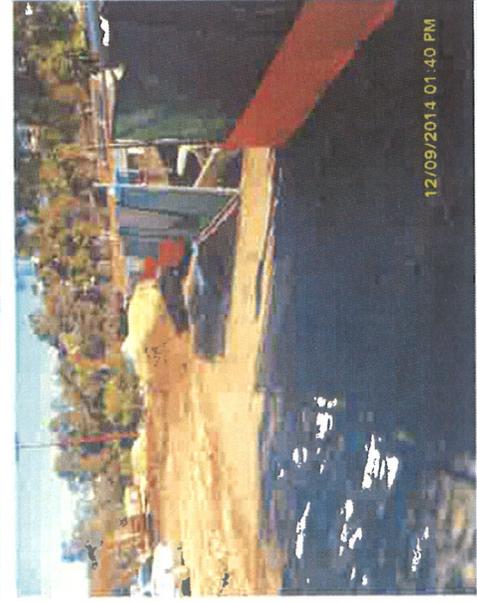
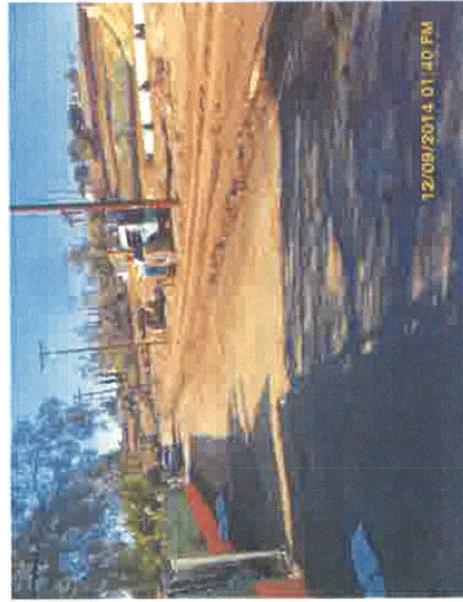
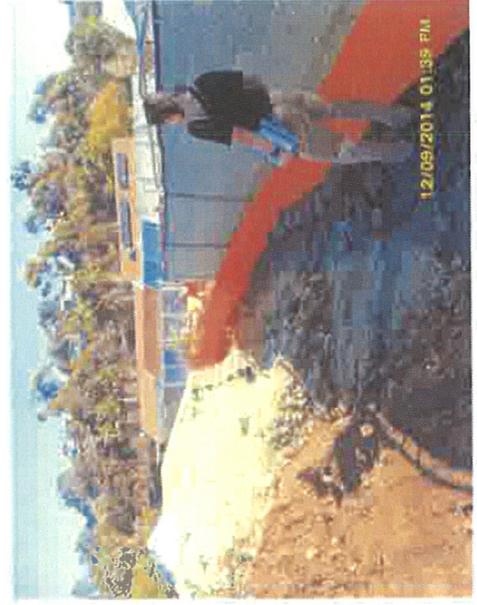
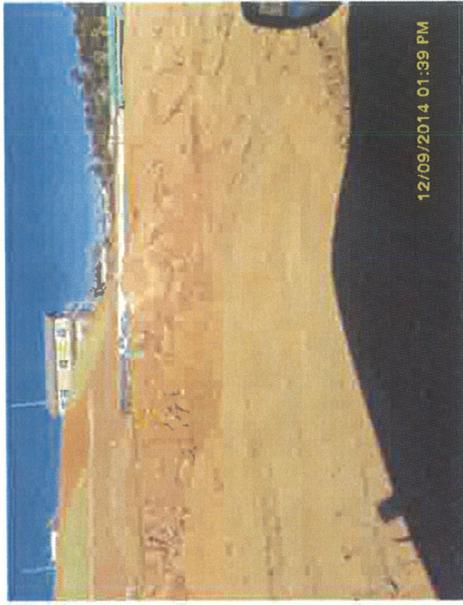
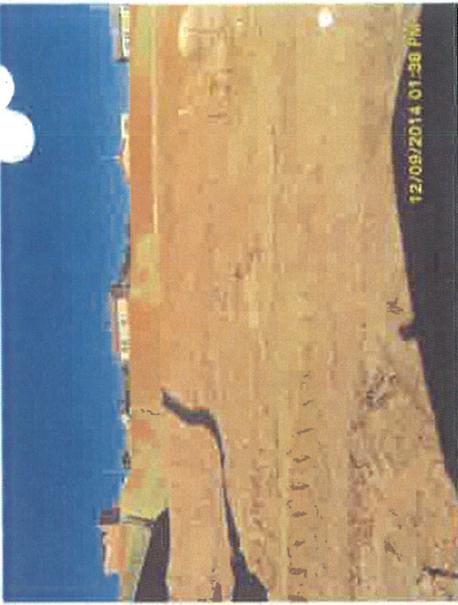
***STOP/ CORRECT WORK ADEQUATELY ADDRESSED (DATE/SIGNATURE) _____

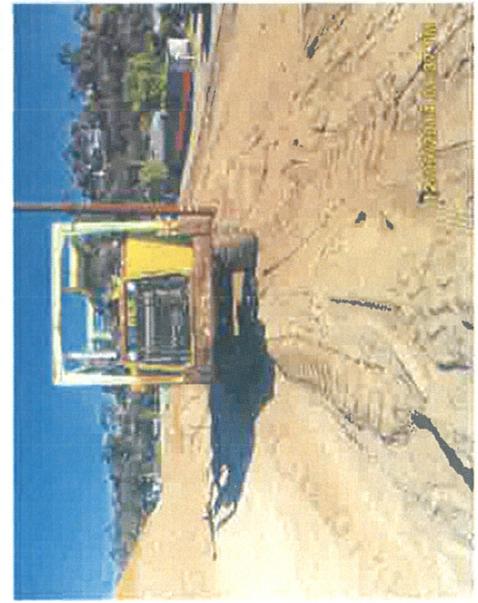
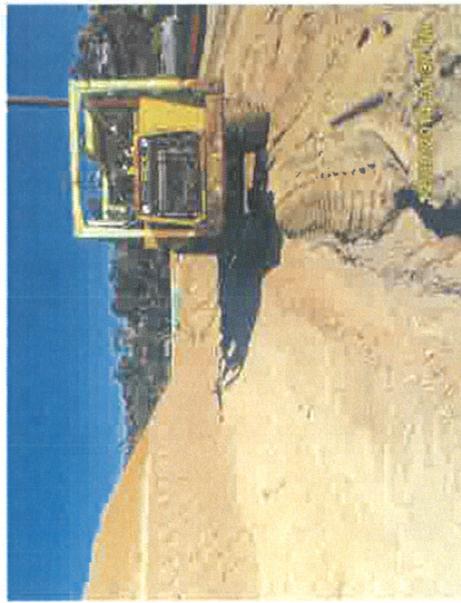
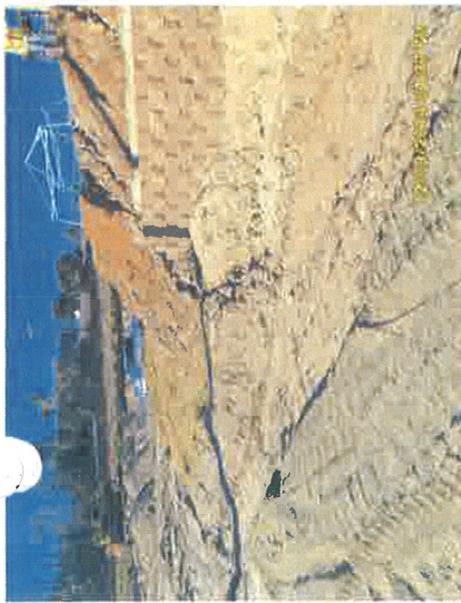
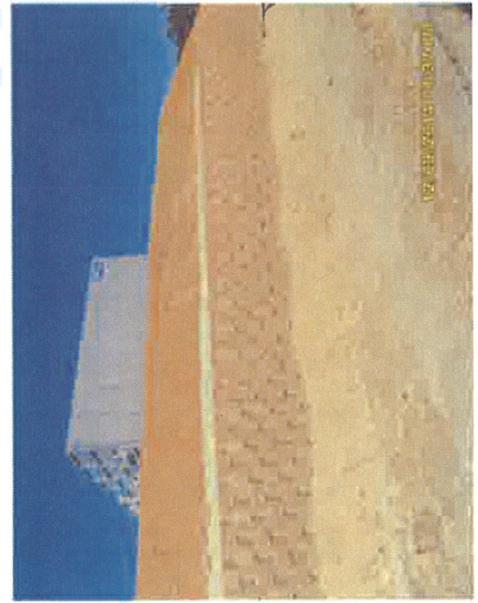
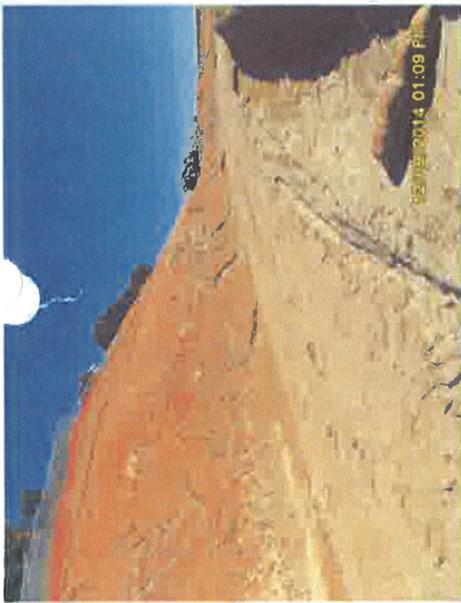
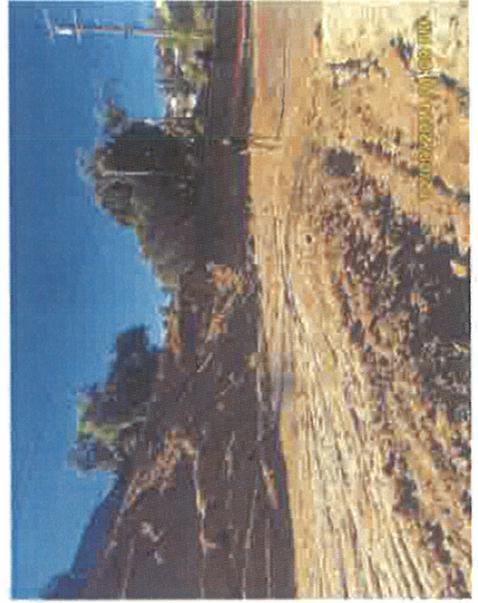
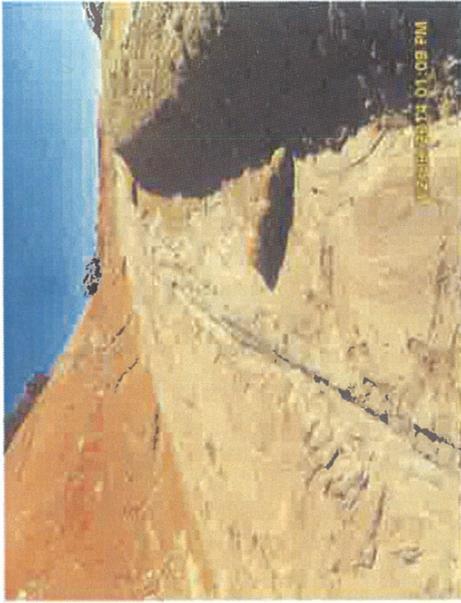
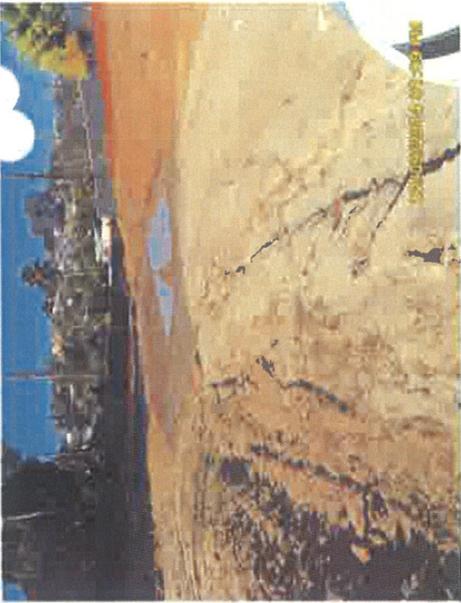
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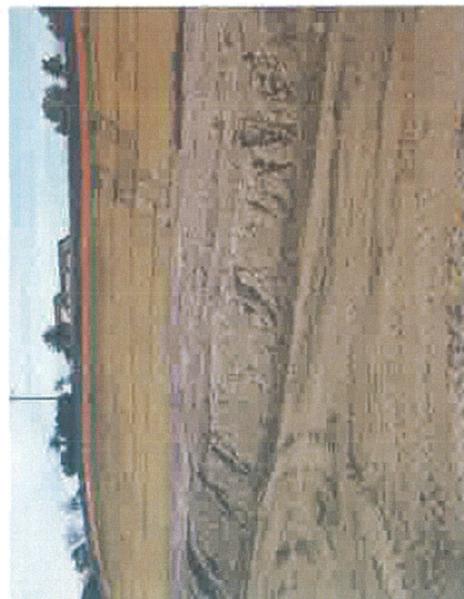
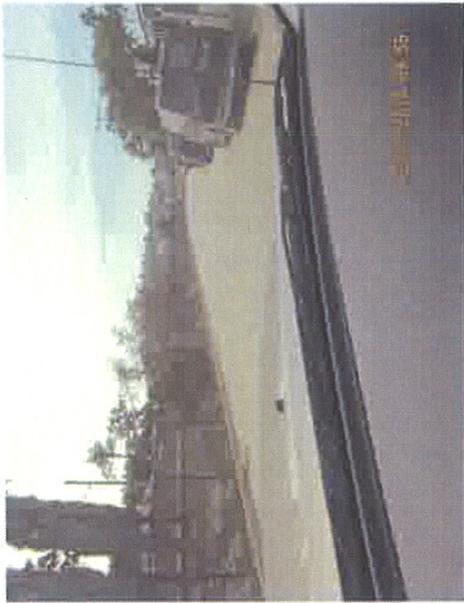
ISSUED TO: TIM ANDERSON VIA EMAIL
 DATE/TIME: 12/9/14 6:30 PM
 BY: GARY HARPER
 TITLE: ENG. INSPECTOR
 PHONE: (619) 454-1272

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CITY OF LEMON GROVE ADMINISTRATIVE CITATION

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ — is due no later than — to the City of Lemon Grove.
The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Site Representative

Mailing Address: 3194-C2 Airport Loop Drive 1 Project Manager

Business Name (if applicable): Costa Mesa, CA 92626
BCT Development

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 12/11/14 Time (Violation Observed): 4:00-5:00 P.M.

Location of Violation: 1350 San Altos, LG / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description):
B.4B.060 18.08.560 Inadequate BMP's - see
18.08.170 attached inspection reports
18.08.180

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendation's 12/15/14
Maintain adequate surplus of BMP's 5:00 P.M.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name: Leon Finst Phone No. 619-825-3825 Signature [Signature] Date 12/11/14

Person Cited - Signature Acknowledging Receipt _____ (Date)

Citation Served (circle one): In Person By Mail / Email Posted on Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 8 HEALTH AND SAFETY							
Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL							

8.48.060 Best management practice requirements and general requirements applicable to all dischargers.

A. Applicable Requirements. All dischargers in the city must comply with the generally applicable prohibitions and requirements in Sections 8.48.010 through 8.48.060 of this chapter, and must also comply with any other parts of this chapter (including relevant parts of the Manual) that are applicable to the type of facility or activity owned or operated by that discharger.

B. Minimum Best Management Practices for All Dischargers. All dischargers in the city must install, implement and maintain at least the following minimum BMPs:

1. Eroded Soils. Prior to the rainy season, dischargers must remove or secure any significant accumulations of eroded soils from slopes previously disturbed by clearing or grading, if those eroded soils could otherwise enter the stormwater conveyance system or receiving waters during the rainy season.
2. Pollution Prevention. Dischargers employing ten or more persons on a full-time basis shall implement those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.
3. Prevention of Illegal Discharges. Illicit connections must be eliminated (even if the connection was established pursuant to a valid permit and was legal at the time it was constructed), and illegal discharge practices eliminated.
4. Slopes. Completed slopes that are more than five feet in height, more than two hundred fifty square feet in total area, and steeper than 3:1 (run-to-rise) that have been disturbed at any time by clearing, grading, or landscaping, shall be protected from erosion prior to the first rainy season following completion of the slope, and continuously thereafter.
5. Storage of Materials and Wastes. All materials and wastes with the potential to pollute urban runoff shall be stored in a manner that either prevents contact with rainfall and stormwater, or contains contaminated runoff for treatment and disposal.
6. Use of Materials. All materials with the potential to pollute urban runoff (including, but not limited to, cleaning and maintenance products used outdoors, fertilizers, pesticides and herbicides, etc.) shall be used in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

C. Inspection, Maintenance, Repair and Upgrading of BMPs. BMPs at manned facilities must be inspected by the discharger before and following predicted rain events. BMPs at unmanned facilities must be inspected by the discharger at least once during the rainy season and at least once between each rainy season. These BMPs must be maintained so that they continue to function as designed. BMPs that fail must be repaired as soon as it is safe to do so. If the failure of a BMP indicates that the BMPs in use are inappropriate or inadequate to the circumstances, the BMPs must be modified or upgraded to prevent any further failure in the same or similar circumstances.

D. Stormwater Pollution Prevention Plan. An authorized enforcement official may require a commercial, industrial or land disturbance activity discharger to prepare and submit an SWPPP for approval by that official if: (1) the discharger does not come into compliance with this chapter after one or more warnings (or other enforcement action) that BMPs are inadequate or are not being adequately maintained; or (2) the facility or activity at issue is a significant source of contaminants to receiving waters despite compliance with this

chapter. Any discharger required to submit and to obtain approval of an SWPPP shall install, implement, and maintain the BMPs specified in the approved SWPPP.

The SWPPP shall identify the BMPs that will be used by the discharger to prevent or control pollution of stormwater to the MEP. If the facility is an industrial facility, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general industrial stormwater permit. If the activity at issue is a construction or land disturbance activity, the SWPPP submitted to the city shall at a minimum meet the requirements of the state NPDES general construction stormwater permit. If a facility required to submit an SWPPP to the city discharges non-stormwater to groundwater, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

Whenever submission of an SWPPP is required pursuant to this chapter, an authorized enforcement official may take existing city BMPs into account when determining whether the practices proposed in the SWPPP are BMPs that will prevent or control pollution to the required level of MEP.

E. Notification of Spills, Releases and Illegal Discharges. Spills, releases, and illegal discharges of pollutants to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported to the Directors within twenty-four hours after discovery of the spill, release or discharge. If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or illegal discharge.

F. Sampling, Testing, Monitoring and Reporting. Commercial, industrial or land disturbance activity dischargers shall perform the sampling, testing, monitoring and reporting required by this chapter. In addition, an authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the city if: (1) the authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP, or to determine whether the facility is a significant source of contaminants to receiving waters; or (2) the authorized enforcement official determines that testing or monitoring is needed to assess the impacts of an illegal discharge on health, safety or the environment; or (3) an illegal discharge has not been eliminated after written notice by an authorized enforcement official; or (4) repeated violations have been documented by written notices from authorized enforcement officials; or (5) the RWQCB requires the city to provide any information related to the discharger's activities.

Testing and monitoring ordered pursuant to this subsection may include the following:

1. Visual monitoring of dry weather flows, wet weather erosion, and/or BMPs;
2. Visual monitoring of premises for spills or discharges;
3. Laboratory analyses of stormwater or non-stormwater discharges for pollutants;
4. Background or baseline monitoring or analysis; and
5. Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger (or by a group of dischargers including the discharger).

The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine when required sampling, testing or monitoring may be discontinued.

G. Mitigation. All illegal discharges must be mitigated within a reasonable period of time to correct or compensate for all damage to the environment caused by the illegal discharge. The authorized enforcement official shall determine whether mitigation measures proposed or completed by the discharger meet this standard. The authorized enforcement official shall require the discharger to submit a mitigation plan and schedule by a specified date prior to taking action, and to submit a summary of completed mitigation by a specified date. Notwithstanding the granting of any period of time to the discharger to correct the damage, the

discharger shall remain liable for some or all of any fines or penalties imposed pursuant to this chapter, or by the RWQCB. (Ord. 369 § 1, 2008)

18.08.170 Erosion control required.

Lemon Grove Municipal Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 18 CITYWIDE REGULATIONS](#)[Chapter 18.08 EXCAVATION AND GRADING](#)[Article II. Permits and Fees](#)**18.08.170 Erosion control required.**

A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the city engineer as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest national pollutant discharge elimination system permit, Chapters 8.48 and this chapter to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:

1. Name, address, and a twenty-four hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;
2. The name, address and signature of the civil engineer or person who prepared the plan;
3. All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;
4. The streets, easements, drains, and other improvements;
5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;
6. Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.

B. Erosion control system standards shall be as follows:

1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the city engineer.
2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the city engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.
3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the soils engineer, including the type of field-testing performed, location and results of testing shall be submitted to the city engineer for approval upon completion of the desilting basins.
4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.
5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.
6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.

18.08.170 Erosion control required.

7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the developer does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the city engineer may order city crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the full amount drawn from the deposit is restored by the developer.

8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.

C. No grading work shall be allowed between October 1st and the following April 30th on any site when the city engineer determines that erosion, mudflow or sediment of silt discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the city determines that it is necessary for the city to cause erosion control measures to be installed or cleanup to be done, the developer shall pay all of the city's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges. (Ord. 371 § 1, 2008)

18.08.180 BMP maintenance.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article II. Permits and Fees							

18.08.180 BMP maintenance.

All BMPs for erosion prevention and sediment control shall be functional at all time. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected to assure the functionality. BMP maintenance shall be conducted throughout the life of the project. (Ord. 371 § 1, 2008)

18.08.560 Responsibility of permittee.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 18 CITYWIDE REGULATIONS							
Chapter 18.08 EXCAVATION AND GRADING							
Article V. Grading Operations							

18.08.560 Responsibility of permittee.

It shall be the responsibility of the permittee to know the conditions and/or restrictions placed on the grading permit and as outlined in applicable sections of this chapter, and as continued on the approved report (s) and to insure that all contractors, subcontractors, employees, agents and consultants are also knowledgeable of the same, and insure that they carry out the proposed work in accordance with the approved plans and specifications and with the requirements of the permit and this chapter. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the permit and grading plans bearing the approval of the city engineer. (Ord. 371 § 1, 2008)

Meeting Minutes/Phone Record



CITY OF LEMON GROVE

Engineering Department

3232 Main Street

Lemon Grove, CA 91945

619-825-3811

Date: 12/11/14 5:00 P.M.	Project: Valencia
<input type="checkbox"/> Meeting <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Site Visit	
Attendees: Leon + Gary	
Notes: Site inspection to review recommended "Construction BMP Recommendations" from 12/9/14 inspection (attached).	
① No erosion control provided.	
② Insufficient/Improperly installed check dams.	
③ Repair + stabilization of gullies not completed.	
④ Not completed.	
⑤ Completed.	
⑥ Not visible.	
⑦ Mostly complete.	
⑧ N/A	

National Weather Service Forecast Office San Diego, CA



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- Other Hazards
- Forecasts

- Forecast Discussion
- Local Area
- Activity Planner
- Aviation Weather
- Fire Weather
- Marine Weather
- Severe Weather
- Hurricane Center
- User Defined Area
- Fastlinks
- Hydrology
- Rivers and Lakes
- Forecasts / Obs

- Climate
- Local
- National
- Drought
- More....
- Climate portal
- Weather Safety
- Preparedness
- Weather Radio
- SkyWarn™
- StormReady
- TsunamiReady
- Additional Info
- Items of Interest
- Other Useful Links
- Education Resources
- COOP Observer

Warnings and/or Advisories In Effect for this Point:

Flash Flood Watch

Wind Advisory

For warnings and/or advisories in effect for adjacent areas to this point, see <http://www.wrh.noaa.gov/sgx>

Change Table Font Size Increase Decrease

Forecast For Lat/Lon: 32.7370/-117.0200 (Elev. 492 ft) Lemon Grove CA

Forecast Created at: 6pm PST Dec 11, 2014
Custom Weather Forecast Table

Weather	Thu Dec 11		Fri Dec 12		Sat Dec 13		Sun Dec 14		Mon Dec 15		Tue Dec 16	
	High 67 Low 53	Chance Rain	Slight Chance TStorms and Rain	Rain Showers and TStorms	Likely Rain Showers and TStorms	Chance Rain Showers	High 63 Low 51	High 65 Low 48	High 64 Low 50	Chance Rain	High 64 Low 52	Likely Rain
Daily-Temp	0% 0% 5% 45%	100% 0.57"	90% 0.29"	90% 0.06"	15% 5% 5%	5% 5% 5%	5% 5% 5%	5% 40% 40%	55% 60% 60%	40		
Chance of Precip	0.00" 0.00" 0.00" 0.01"	0"	0"	0"	0"	0"	0"	0"	0"	0"	0"	0"
12-hr Snow Total	0"	0"	0"	0"	0"	0"	0"	0"	0"	0"	0"	0"
FRET	0.06"	0.06"	0.06"	0.06"	0.05"	0.06"	0.06"	0.07"	0.07"	0.07"	0.07"	0.07"
6-Hour	4am 10am 4pm 10pm	4am 10pm	4am 10pm	4am 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm	4am 10am 4pm 10pm
Temp	53 62 65 60	58 61 60 54	52 59 59 52	52 59 59 52	49 59 61 54	51 59 61 55	53 60 61 55	53 60 61 55	53 60 61 55	53 60 61 55	53 60 61 55	53 60 61 55
Cloudiness	86% 49% 75% 100%	100%	91%	84%	75%	69%	51% 30% 37%	31% 21% 30% 30%	41% 41% 62% 62%	44 43 45 49	47 51 49 51	47 51 49 51
Dewpoint	52 53 54 53	52	54	52	50	49	48 46 46	43 44 44 48	44 43 45 49	47 51 49 51	47 51 49 51	47 51 49 51
Relative Humidity	94% 73% 67% 78%	79%	77%	73%	88%	89%	69% 61% 81%	80% 57% 52% 81%	79% 57% 54% 81%	82% 72% 63% 88%	89	89
Wind	S S S S 2 7 8 10	SE 15	W 6	SW 6	W 6	E 6	W NW E 2 2 5 3	E N W E 3 1 5 5	E S SW SE 6 7 7 7	SE SE 8 9	S S S 7 6 1	S S S 7 6 1
Snow Level (ft)	9317 9161	7608	6313	5478	5212	5704			6701 5923	5850 5993 5805 5704	561	561

Forecast Weather Table Interface

Enter a Location or Click on Map Below

- Select Weather Format
- Custom Weather Table
 - XML
 - Point Forecast Page
 - Point Forecast Matrix
 - Hourly Tabular Forecast
 - Hourly Weather Graph

Interval in Hours: 1 3 6
Duration in Days: 1 2 3 4 5 6 7

Search by address; city, state; latitude/longitude...



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] / 12/11/14 9:00AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Grulies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			see inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)?	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Regrading stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.



CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] 12/9/14 1:00pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 9370369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeded pads. Some pads not seeded; northern road eroding	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lacks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Several are unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

- Add erosion controls to all ^{disturbed} areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

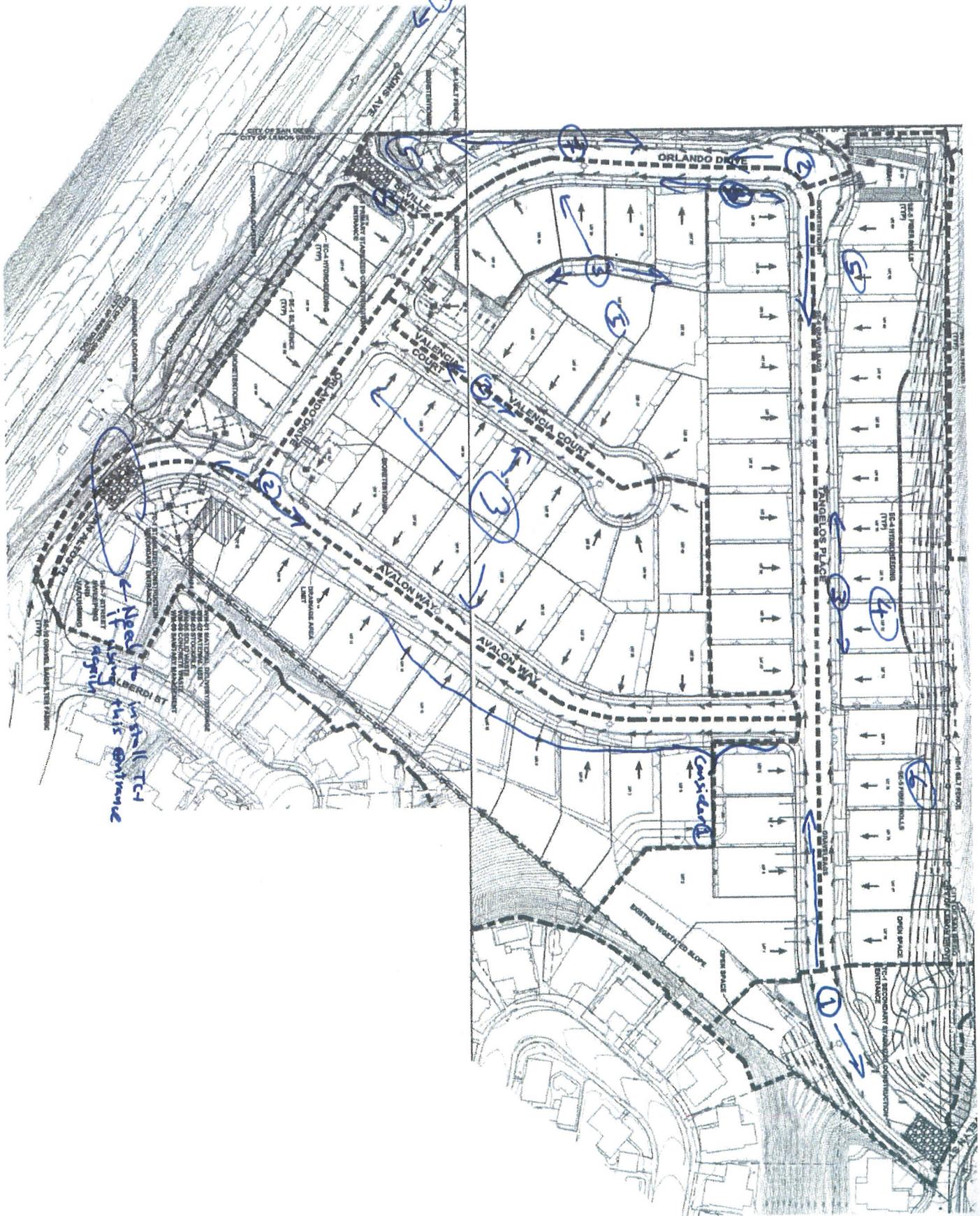
Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 12/9/14

Recommendations:

- ① • Add erosion control to road segment (eg northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.
- ② • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls
- ③ • Repair ^{stabilize} gullies in slopes on edges of pads. May consider using erosion control blankets*
- ④ • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control
- ⑤ • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered
- ⑥ • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site
- ⑦ • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion
- ⑧ • Sweep road to remove sediment



8.48.040 Discharge of non-stormwater prohibited.

Lemon Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
<u>Title 8 HEALTH AND SAFETY</u>							
<u>Chapter 8.48 STORMWATER MANAGEMENT AND DISCHARGE CONTROL</u>							

8.48.040 Discharge of non-stormwater prohibited.

A. **Illegal Discharges.** The discharge of pollutants to non-stormwater, directly or indirectly into the stormwater conveyance system or receiving waters, is prohibited, except as exempted in Section 8.48.050 of this chapter. The discharge of pollutants to stormwater, directly or indirectly into the stormwater conveyance system or receiving

waters, is prohibited, unless the applicable requirements of this chapter have been met.

B. **Illegal Connection.** The establishment of illegal connections is prohibited. The use of illegal connections is prohibited, even if the connection was established pursuant to a valid city permit and was legal at the time it was constructed.

C. **Litter, Dumps, and Stockpiles.** Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illegal discharge is prohibited. (Ord. 369 § 1, 2008)

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences



Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer *JQ*

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valencia_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

Sampling at Valencia Construction Site
December 12, 2014
Page 2 of 4



Figure 1. Sampling Locations



Photo 1. Site Valencia_Akins

Sampling at Valencia Construction Site
December 12, 2014
Page 3 of 4



Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)

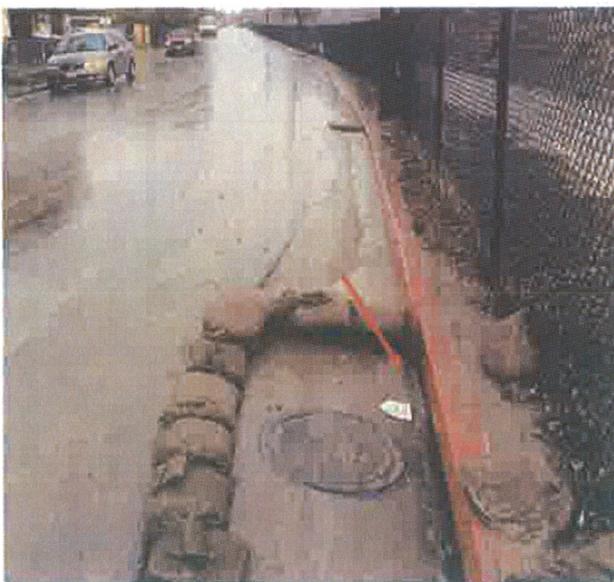


Photo 3. Site Akins_Inlet

Sampling at Valencia Construction Site
December 12, 2014
Page 4 of 4



Photo 4. First Sample (11:05) from Site Valencia_Akins



Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)



Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)



CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Tim Anderson
Project Manager, BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Ongoing Stormwater Violations at Valencia Project Site

Dear Tim,

Under the direction of the City of Lemon Grove (City), D-MAX Engineering Inc. conducted a follow-up stormwater compliance inspection early this afternoon at the Valencia project site (site). As you are aware, the site remains under a Stop Work Notice and no work other than implementation of best management practices (BMPs) are allowed. Today's follow-up inspection findings state that the site is still not in compliance. The deficiencies include failure to effectively implement erosion prevention and sediment control BMPs.

The City reiterates that it will not accept any discharges of sediment laden runoff from the site into its storm drain system. Water quality monitoring is being conducted to assess whether or not illegal discharges are occurring from your site during this rain event and future rain events.

Although there are workers continuing to implement BMPs, the City through Municipal Code Section 18.08.170, has the right to contact an erosion control company to implement sufficient BMPs to eliminate sediment discharge from the site. As such, the City is putting you on notice should inadequate BMPs and/or failure of BMPs continue, the City will hire an erosion control company at your cost to prevent illegal discharges from occurring. Alternatively, you may also directly contact and hire an erosion control company to facilitate in bringing your construction site into compliance.

Attached you will find a third citation regarding the failure to install adequate BMPs. A copy of this citation is also being provided to the San Diego Regional Water Quality Control Board.

If you have any questions regarding this matter, please contact me at (619) 825-3825.

Sincerely,


Leon P. Firsh
City Engineer

Copy: Phil Dowley, Bob Rodine, Ben Anderson
File

3232 Main Street Lemon Grove California 91945-1705





CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/16/14 12:25

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			<input checked="" type="checkbox"/>		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	<input checked="" type="checkbox"/>			Numerous gullies still unprotected Some pads & slopes still unstabilized	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	<input checked="" type="checkbox"/>			Some plastic covers need to be repositioned/reinstalled	No
Site Drainage: Outlet Protection/Slope Drain		<input checked="" type="checkbox"/>			
Inlet/Outlet Protection		<input checked="" type="checkbox"/>			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	<input checked="" type="checkbox"/>			Additional perimeter & slope protection still needed for on west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	<input checked="" type="checkbox"/>				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE ENTRANCE PERMATELY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still significant sediment on AKINS	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams in complete	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- ~~TV~~ No violations; however, recommended corrective actions required
- ~~TV~~ Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE



- ① ROADWAY STABILIZATION / CHECK DAMS NEEDED
- ② STABILIZATION EROSION CONTROLS NEEDED
- ③ ADD FREE ROLL ON SLOPE
- ④ Stabilize area of concentrated flow toward basin
- ⑤ Repair/stabilize gullies (Numerous locations - Not individually shown on map)

12/16/2014

①



CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia Project Site – Meeting with CRWQCB, Follow up Requirements

Dear Ben,

As a follow up to yesterday's site meeting with Wayne Chiu, Water Resource Control Engineer, California Regional Water Quality Control Board, you were asked by email (attached) to provide several items by December 19th. It was also expected that the City's inspector will continue to document how long those deficiencies continue, when they are corrected, and any other unauthorized discharges that may occur due to those continued deficiencies.

Due to this, the City is requiring you to provide a map similar to the one attached with a narrative of each day's activities that work towards bringing the site into compliance. The map and narrative shall clearly identify the installed BMPs, location of installation, an estimate (%) of BMPs installed to meet compliance, date and name of preparer. The map and narrative shall be submitted to the city on the same day as the work completed and shall be submitted by email to Gary Harper and myself. Should you fail to provide the documentation on the same day, a citation will be issued. You have requested to work on Saturday in the past and the City expects BMPs will continue each day including the weekends.

The City Inspector will use the documentation provided to conduct a follow up inspection the following morning to confirm the document's accuracy. While the City will continue to perform follow up inspections, it is your responsibility to inform the City when you have reached compliance. Your first submittal is due tomorrow by midnight. For yesterday and today please submit no later than Thursday by midnight.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. P. Firsht".

Leon P. Firsht
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File

3232 Main Street | Lemon Grove | California 91945-1705

619.825.3810 | FAX: 619.825.3818 | www.ci.lemon-grove.ca.us



Leon Firsh

From: Chiu, Wayne@Waterboards <Wayne.Chiu@waterboards.ca.gov>
Sent: Monday, December 15, 2014 2:13 PM
To: Ben Anderson
Cc: Donald Sturgeon; Tim Anderson; Tamara Oneal; Malik Tamimi; Leon Firsh; Gary Harper; Becker, Eric@Waterboards; Melbourn, Frank@Waterboards; Clemente, Chiara@Waterboards
Subject: RE: WDID 937C369143 (Valencia): Unauthorized Storm Water Discharge (SM-828060)

Ben,

Thank you for taking the time to meet with me to walk through your site. As I mentioned at the end of the inspection, we will be issuing an inspection report and Notice of Violation (NOV) for the BMP deficiencies and unauthorized discharges of sediment from the site during the inspection. My goal is to have the inspection report and NOV to you by the end of the week. However, given the number of cases I am working on, and my scheduled time off, I may not be able to issue the inspection report and NOV until after the holidays.

Hopefully you and your QSP understand what is necessary to correct the deficiencies identified and can get those taken care of as soon as possible. In the meantime, please send me the following by **Friday, December 19**:

1. Copies of all the weekly BMP inspection reports, REAPs, pre- and post-storm inspection reports from November 1 to today's inspection.
2. Photos of the BMPs you have had implemented before the storm event that is anticipated to begin tonight or tomorrow, and photos of those BMPs after the storm event.
3. Photos of any additional BMPs you have implemented after this week's storm event.
4. A schedule for when you expect to have all the deficiencies identified during the inspection addressed.

I expect the City's inspector will continue to document how long those deficiencies continue, when they are corrected, and any other unauthorized discharges that may occur due to those continued deficiencies.

Please let me know if you have any questions.

Thank you,

Wayne Chiu, PE

Water Resource Control Engineer

Storm Water Management Unit

California Regional Water Quality Control Board

San Diego Region

2375 Northside Drive, Suite 100

San Diego, CA 92108

Direct Line: (619) 521-3354

Main Line: (619) 516-1990

From: Chiu, Wayne@Waterboards

Sent: Friday, December 12, 2014 11:38 AM

To: 'Ben Anderson'

Cc: 'Donald Sturgeon'; 'Tim Anderson'; Tamara Oneal (toneal@lemongrove.ca.gov); Malik Tamimi (mtamimi@lemongrove.ca.gov); Leon Firsh (lfirsh@lemongrove.ca.gov); Gary Harper (gharper@lemongrove.ca.gov); Becker, Eric@Waterboards; Melbourn, Frank@Waterboards

Subject: WDID 937C369143 (Valencia): Unauthorized Storm Water Discharge (SM-828060)

Mr. Anderson,

We were notified by the City of Lemon Grove of sediment and sediment-laden storm water discharges from your construction site due to inadequate implementation of construction storm water BMPs. These discharges from the site may be unauthorized discharges under the requirements of Order No. 2009-00090-DWQ, the Statewide Construction General Storm Water Permit (CGP).

Please have a representative meet me at the site at **10:00am on Monday, December 15** for an inspection to determine whether or not the requirements of the CGP were being adequately implemented to prevent the discharges of sediment and sediment-laden storm water from your site. Findings from the inspection will be used to determine whether corrective actions are necessary to bring the site into compliance and/or enforcement actions by the San Diego Water Board are warranted.

Please let me know if you have any questions.

Thank you,

Wayne Chiu, PE

Water Resource Control Engineer

Storm Water Management Unit

California Regional Water Quality Control Board

San Diego Region

2375 Northside Drive, Suite 100

San Diego, CA 92108

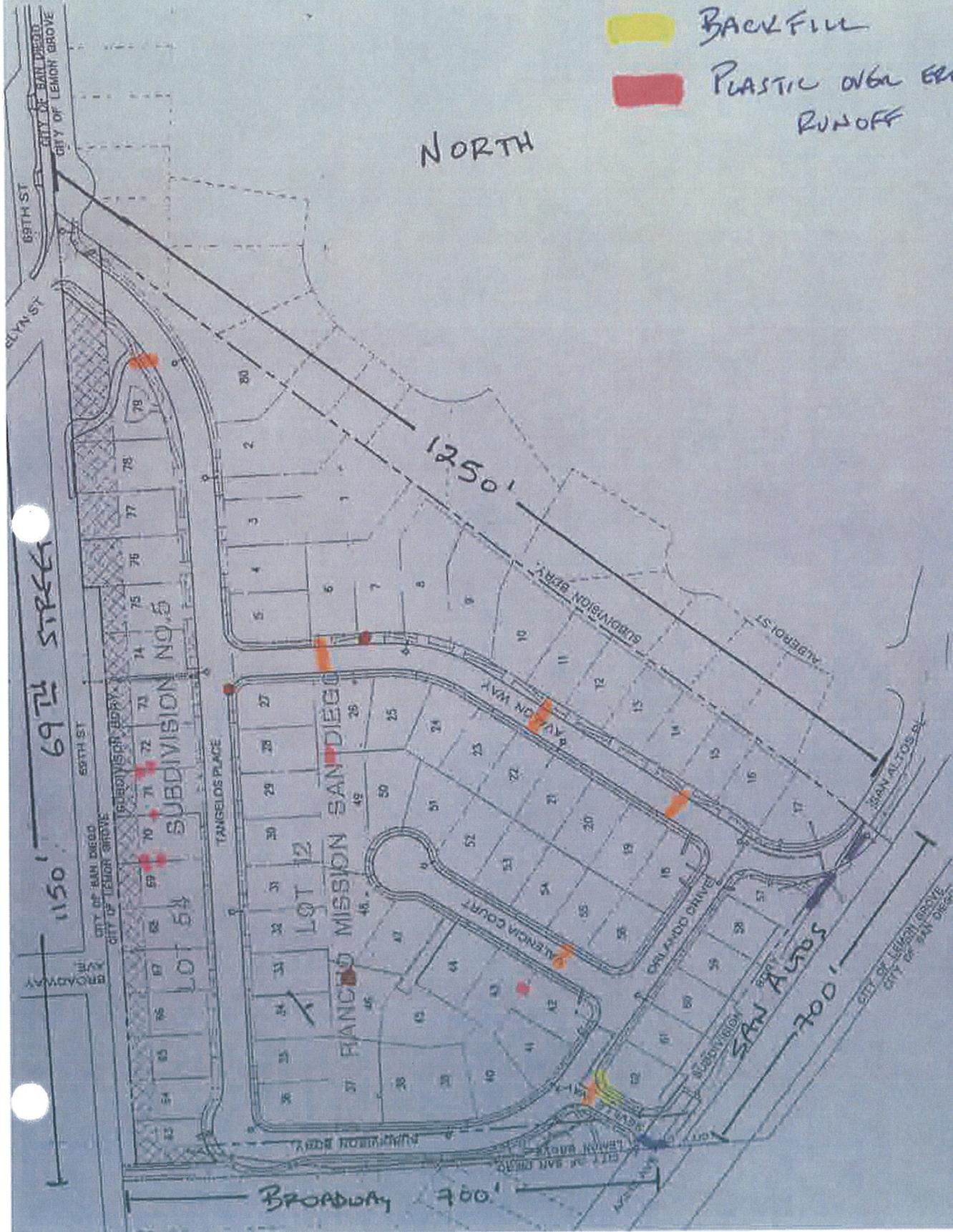
Direct Line: (619) 521-3354

Main Line: (619) 516-1990

- CHECK DAMS
- SAND BAGS
- COVER STOCKPILES
- BACKFILL
- PLASTIC OVER EROSION RUNOFF

NORTH

EAST

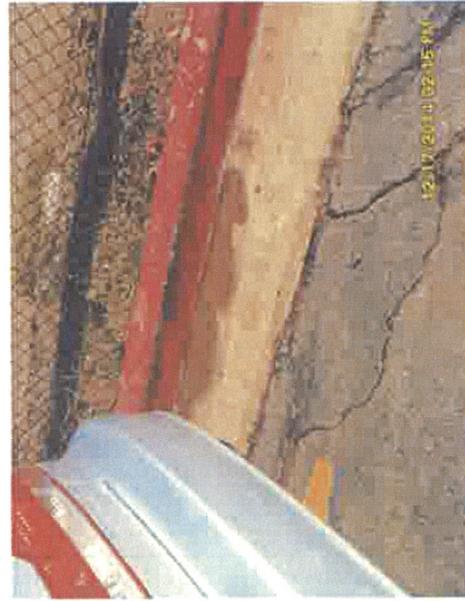
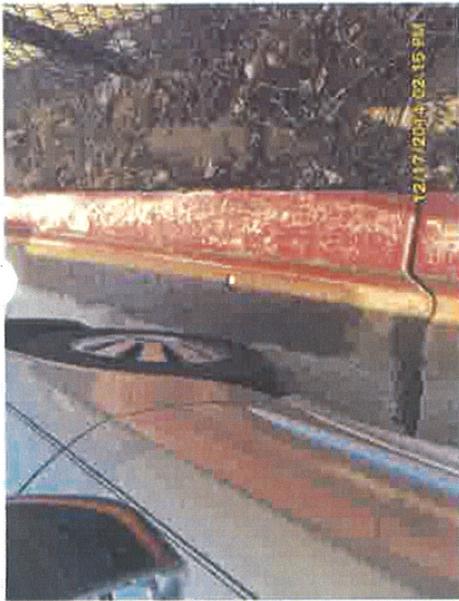
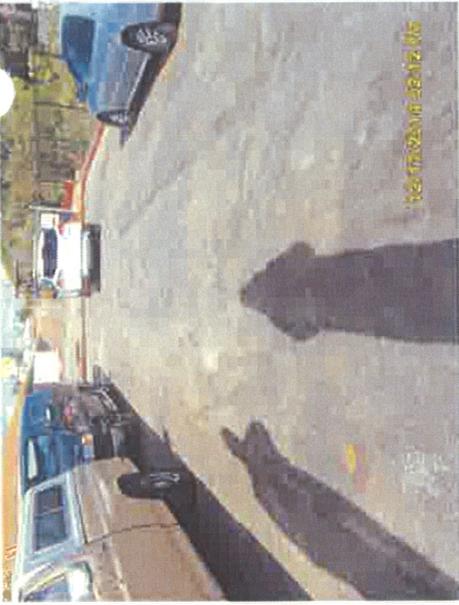


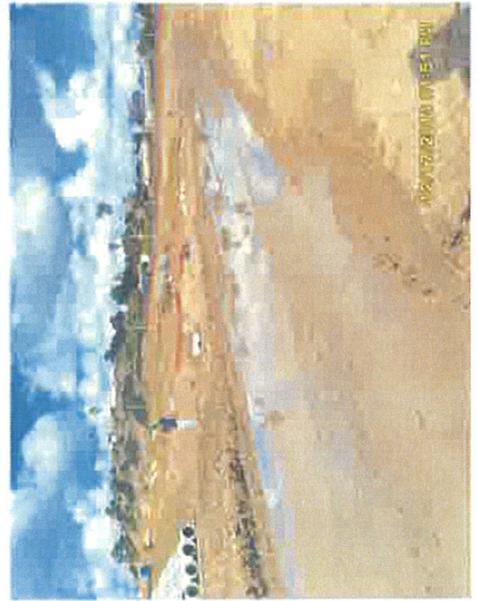
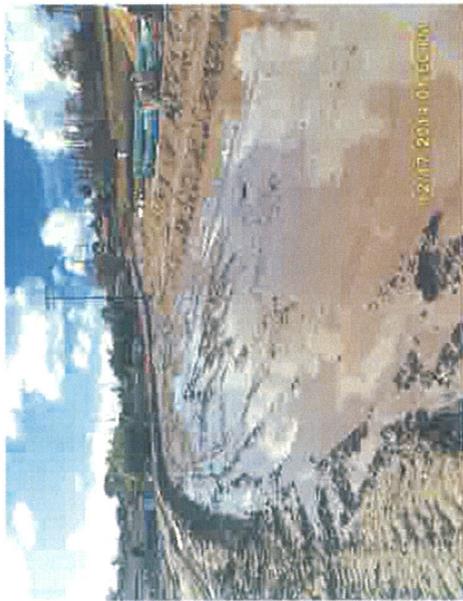
INSPECTOR'S REPORT



CITY OF LEMON GROVE
Engineering Department
 3232 Main Street
 Lemon Grove, CA 91945
 619-825-3810

Project: Valencia		Date: 12/17/14	Hours: 2
Developer: Anderson		Project No.: GR-1691	
Location: San Altos		Inspector: Harper	Contract Day:
		Weather: Early AM rainstorm	
MANPOWER AND EQUIPMENT			
Grading Contractor:	Underground Contractor:	Other Contractors:	
BCA Development, TVD		Downstream Services	
Equipment: various	Equipment:	Equipment: Vactor, pressure washer	
Remarks:		Developer's Supervisor Onsite: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
<p>Onsite early AM to check for discharge and implementation of BMP's. Rainwater at Akins entrance looked fairly clear and contractor was deploying BMP's. Inspected again at 2pm as Downstream Services was completing street cleaning. Tim asked for inspection: found that there was still silt at checkdams, under parked cars and a few other areas. Suggested that "no parks" be deployed so cars be moved to be able to clean those areas also. Tim said he would get the cars moved to clean, clean silt from checkdam areas and other areas.</p>			
Areas of Concern:		Correction Notice Issued: <input type="checkbox"/> Y <input type="checkbox"/> N	
Filed By: Harper	Date: 12/17/14	Approved by:	Date:





Site visit 12/23
by Leon

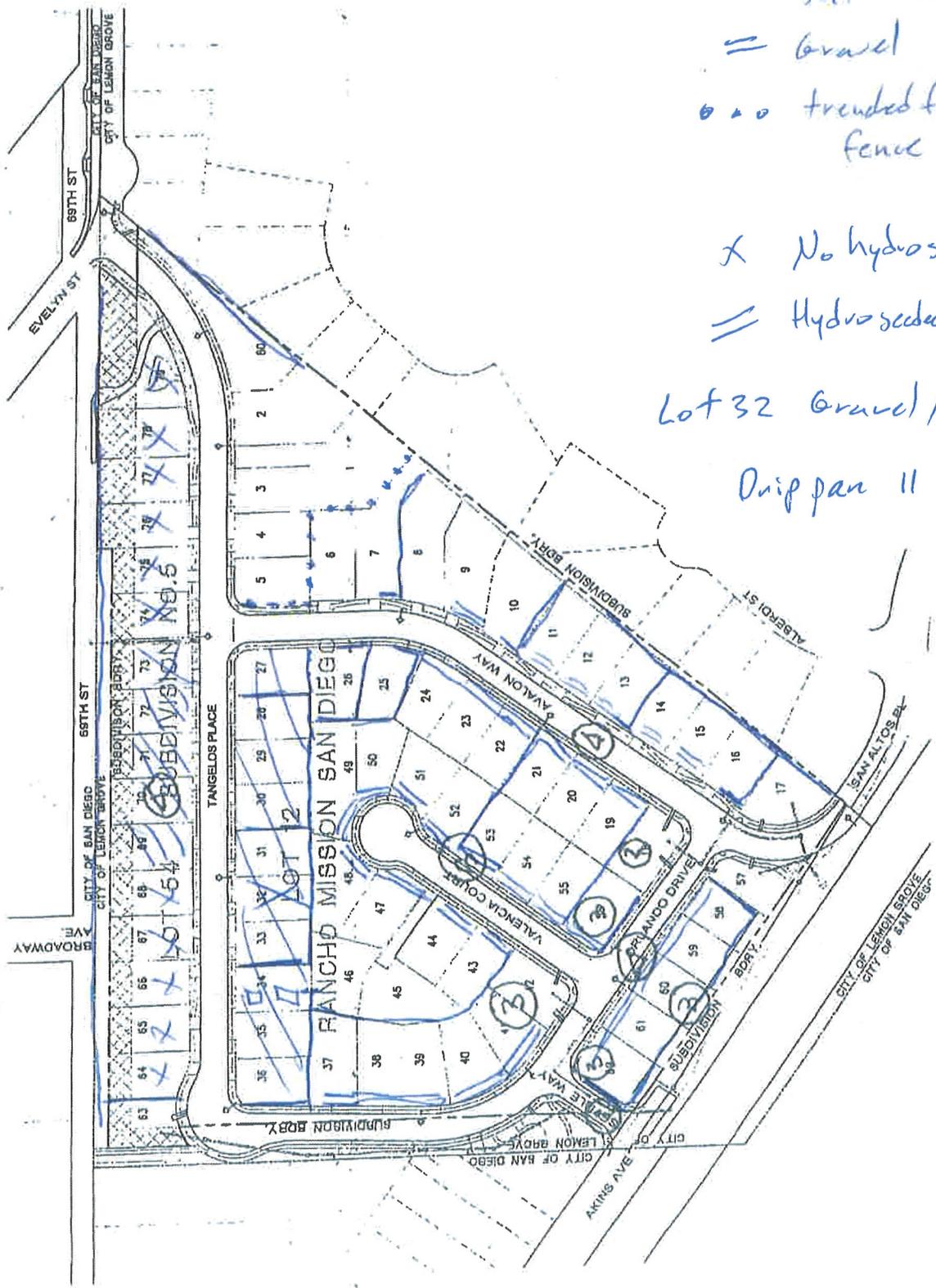
12/23 -
23

— Silt fence
= Gravel
o o o trended for silt fence

x No hydroseed
= Hydroseeded

Lot 32 Gravel/Trailer

Onip pan 11

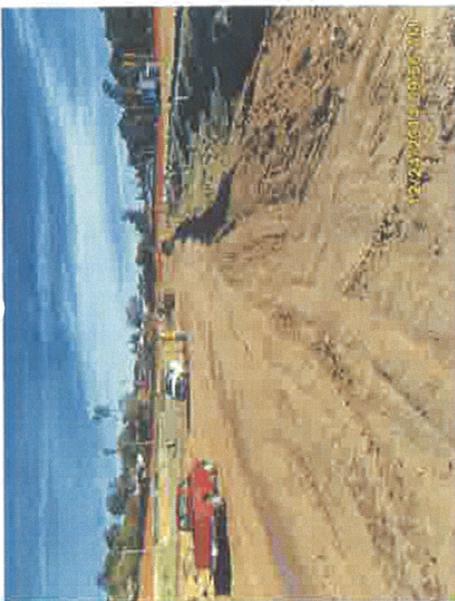
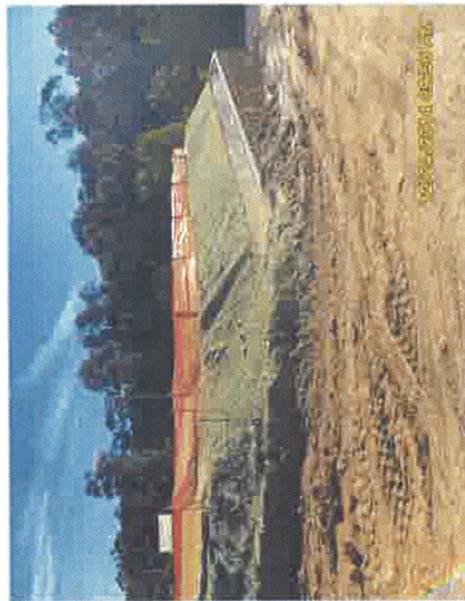
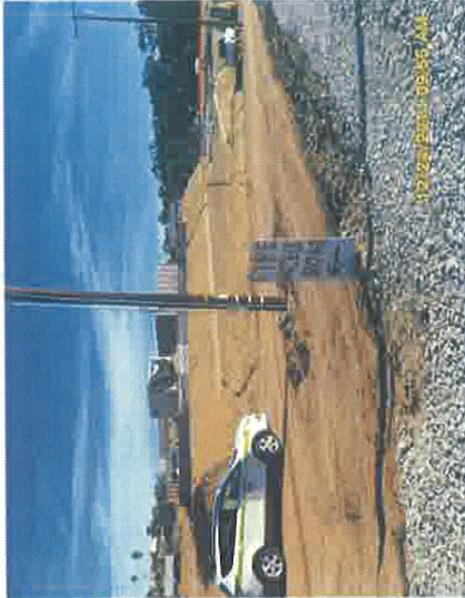
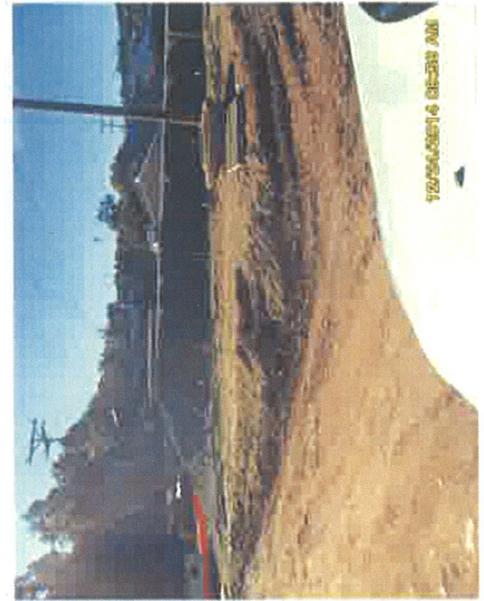
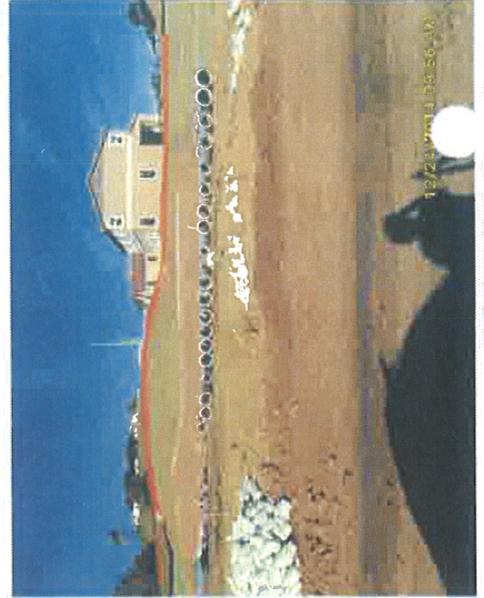


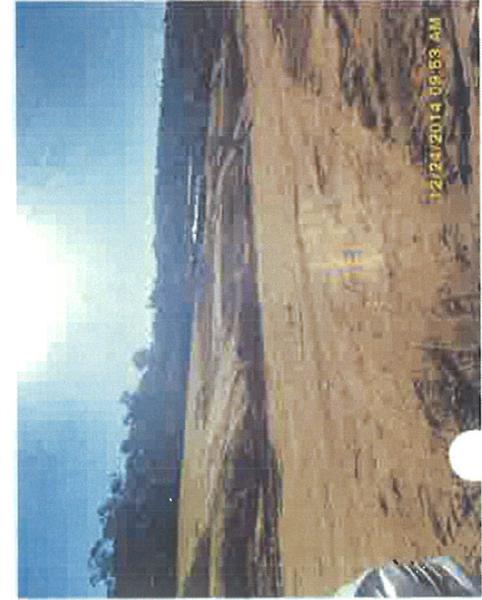
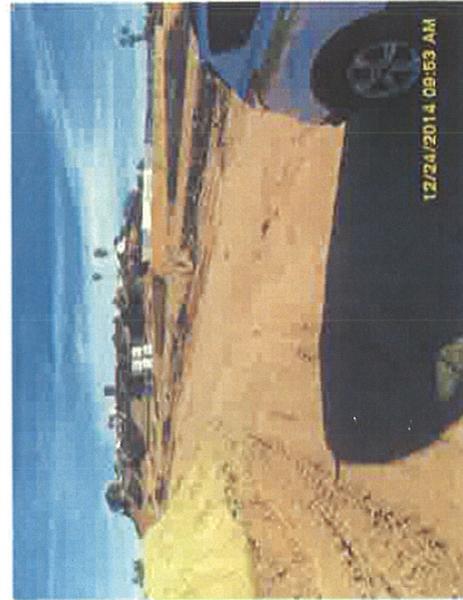
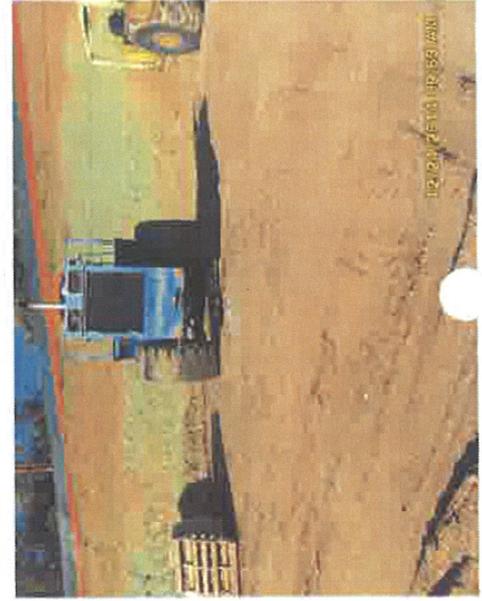
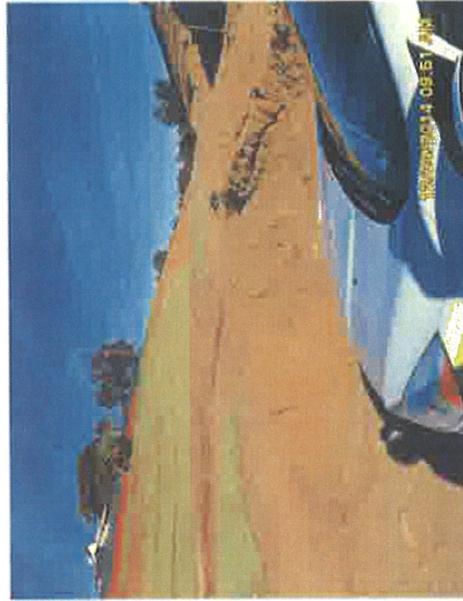
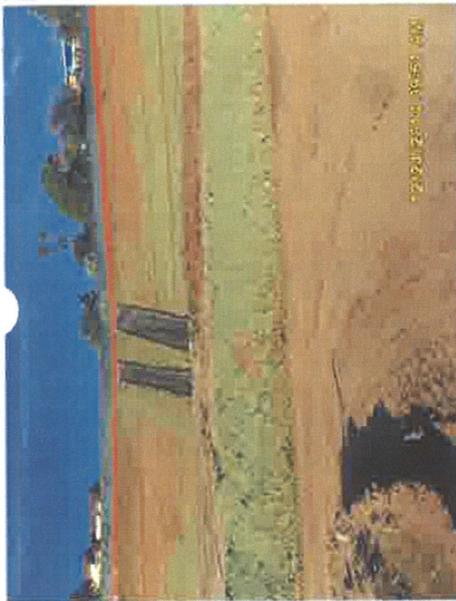
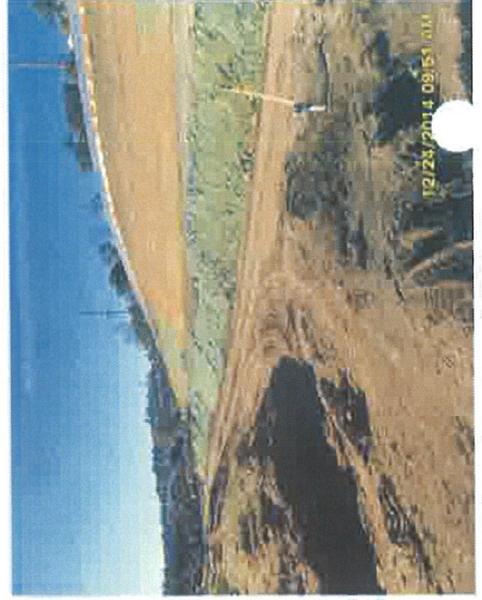
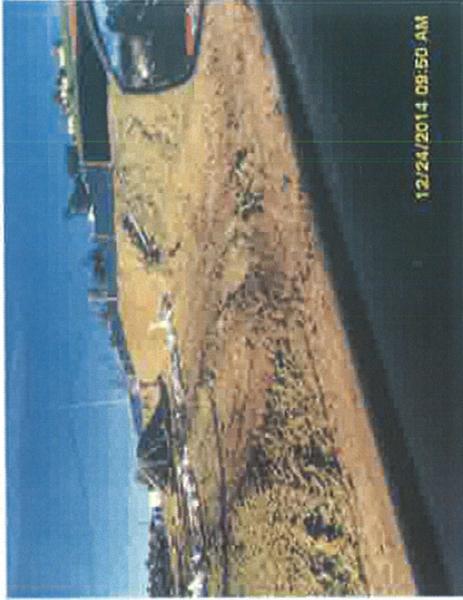
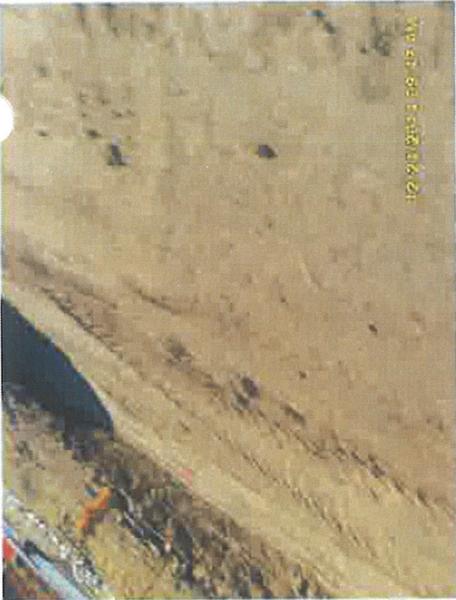
INSPECTOR'S REPORT

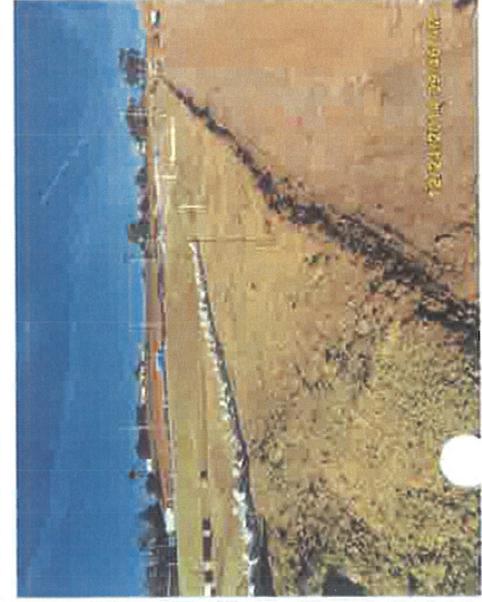
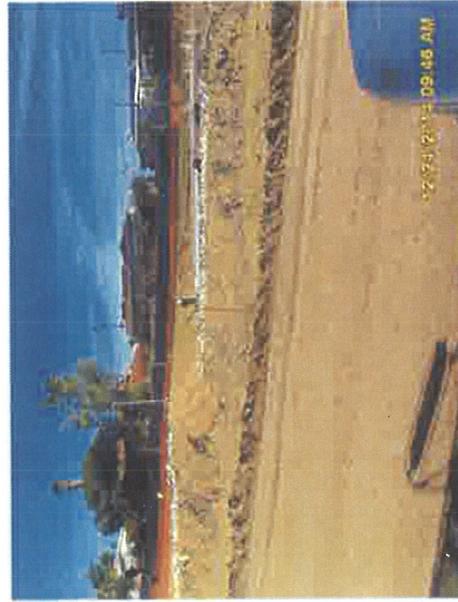
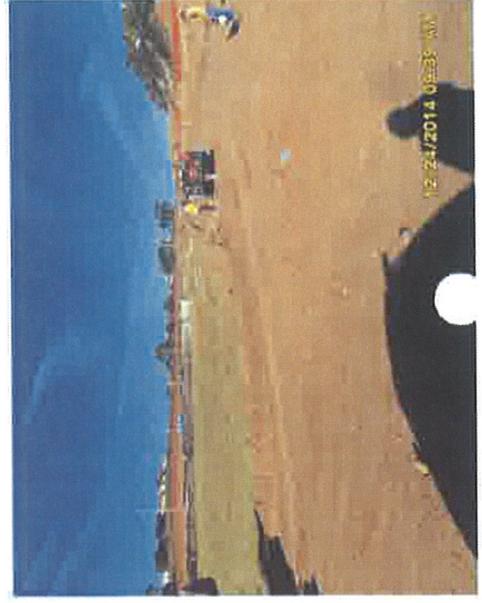
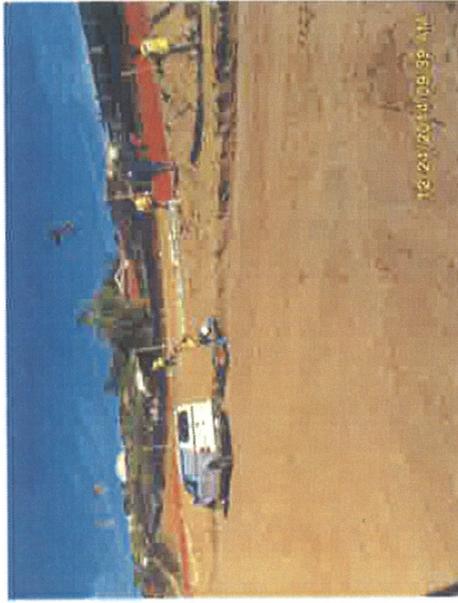
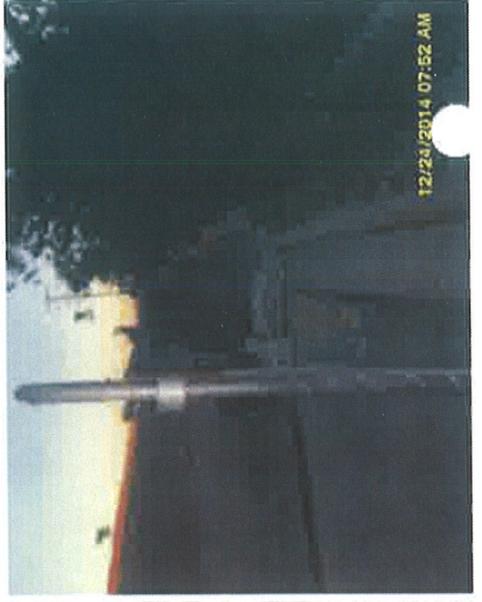


CITY OF LEMON GROVE
Engineering Department
 3232 Main Street
 Lemon Grove, CA 91945
 619-825-3810

Project: Valencia		Date: 12/24/14	Hours: 3
Developer: Anderson		Project No.: GR-1691	
Location: San Altos		Inspector: Harper	Contract Day:
		Weather: Clear/warm	
MANPOWER AND EQUIPMENT			
Grading Contractor:	Underground Contractor:	Other Contractors:	
Koloa Pacific	Koloa Pacific	TVD, BCA Development, Surveyors, Cal West	
Equipment: various	Equipment: Various	Equipment: Various	
Remarks:		Developer's Supervisor Onsite: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
<p>TVD placing silt fence on lots 1 through 5. William advised that by end of day, they should have silt fence at lots 67 through 73. Crew also filling rills at north area of site and performing housekeeping. Koloa continues to grade roads and Cal West cleaning bio basin #18 by dewatering to lot 56, which was fortified with extra gravel bags.</p> <p>Dwayne on site for BCA, William onsite for TVD with appx 10 workers from Labor Ready.</p>			
Areas of Concern:		Correction Notice Issued: <input type="checkbox"/> Y <input type="checkbox"/> N	
Filed By: Harper	Date: 12/24/14	Approved by:	Date:









Site Visit 12/29

12/29

by Leon

29

Items in — are new.

— Silt fence

= Gravel

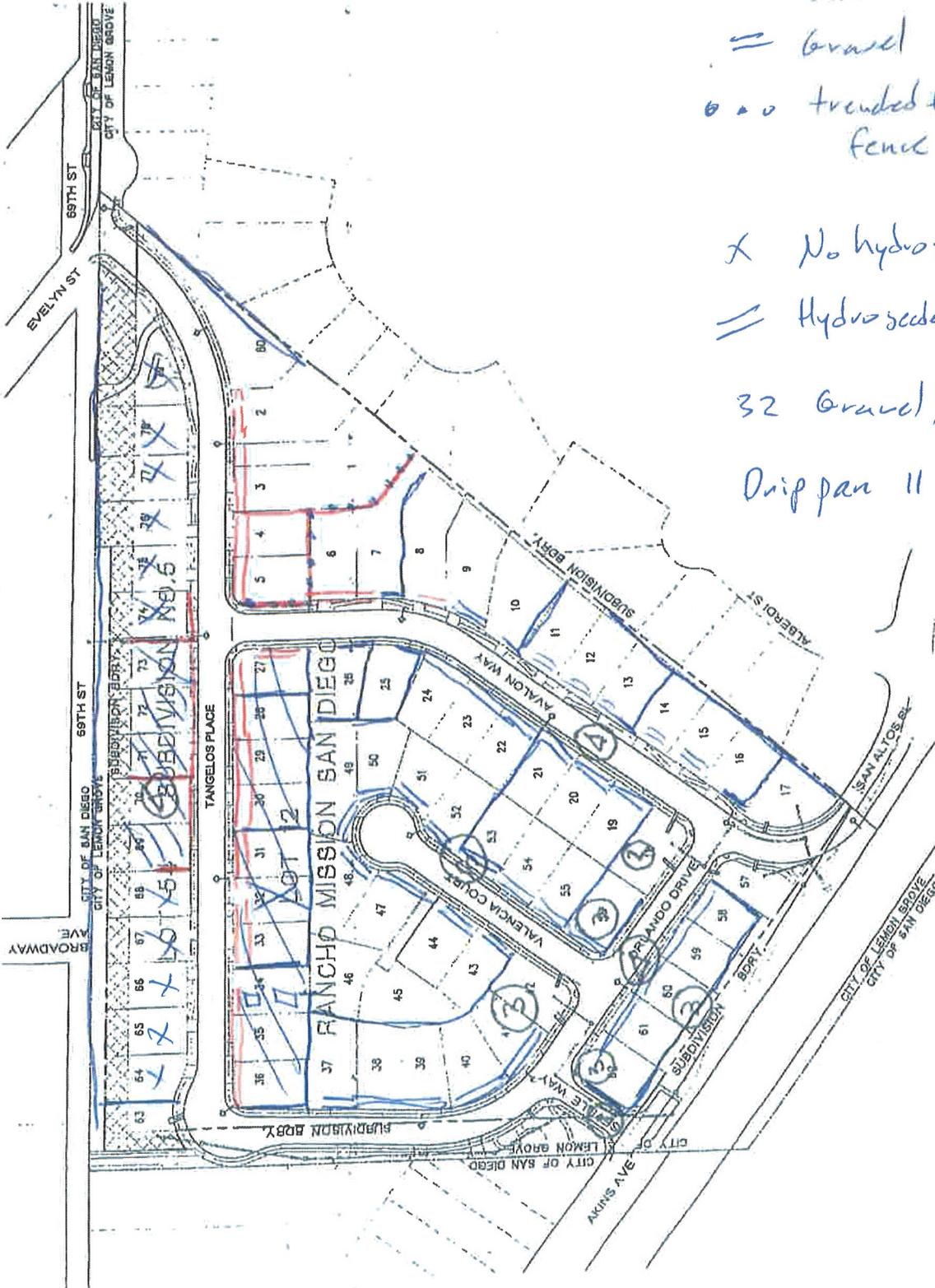
o = o trenched for silt fence

x No hydroseed

= Hydroseeded

32 Gravel/Trailer

Drain pan 11





CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

January 22, 2015

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia – Stop Work Notice Removal

Dear Ben,

The city has received your letter dated January 20, 2015 (attached) requesting release of the Stop Work / Notice of Violation dated 12/2/14.

Based on a site visit and review of your response to the items from the January 19th inspection report, the city finds that the items have been completed or require minor correction. With this, the Stop Work Notice is hereby removed.

While the Stop Work Notice has been removed this does not relieve you of the continued requirement to keep the site in compliance. The city or its consultant will continue to inspect the site and expect any deficiencies to be corrected within the stated time. Deficiencies not corrected within the stated time will result in an Administrative Citation.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsh
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File





Via Email
lfirsht@lemongrove.ca.gov

January 20, 2015

Leon Firsht, City Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RECEIVED
JAN 21 2015
CITY OF LEMON GROVE

RE: Valencia – Stop Work / Notice of Violation

Dear Leon:

On behalf of San Altos-Lemon Grove, LLC, we are requesting the City of Lemon Grove (City) formally release the Stop Work / Notice of Violation dated 12/2/14.

We are preparing a check in the amount of \$300 pertaining to Citations No. 2 & 3 and will deliver to City.

Thank you for your assistance in this matter.

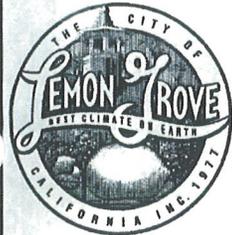
Sincerely,

BCA Development, Inc.

A handwritten signature in black ink, appearing to read "Ben C. Anderson", with a stylized flourish at the end.

Ben C. Anderson
President

CC: Carol Dick, Development Services Director
File



CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] 12/9/14 1:00pm

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: Gr-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 9370369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Gullies through edges of hydroseeding pads. Some pads not seeded; northern road eroding	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching		X			
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on western slope	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier		X			

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance lacks stabilization	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Several are unprotected stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Large amount of sediment on roadway SE of site	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadways within project are unstabilized and show signs of erosion	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

- Add erosion controls to all ^{disturbed} areas inactive for 10 days, including roadways not currently in use.
- Cover & protect stockpiles
- Repair/protect gullies that have formed on slopes
- Redirect flow near southeast corner so it does not flow toward damaged wall
- Sweep road outside of construction entrance
- Install check dams of stabilization on roadways prior to rain

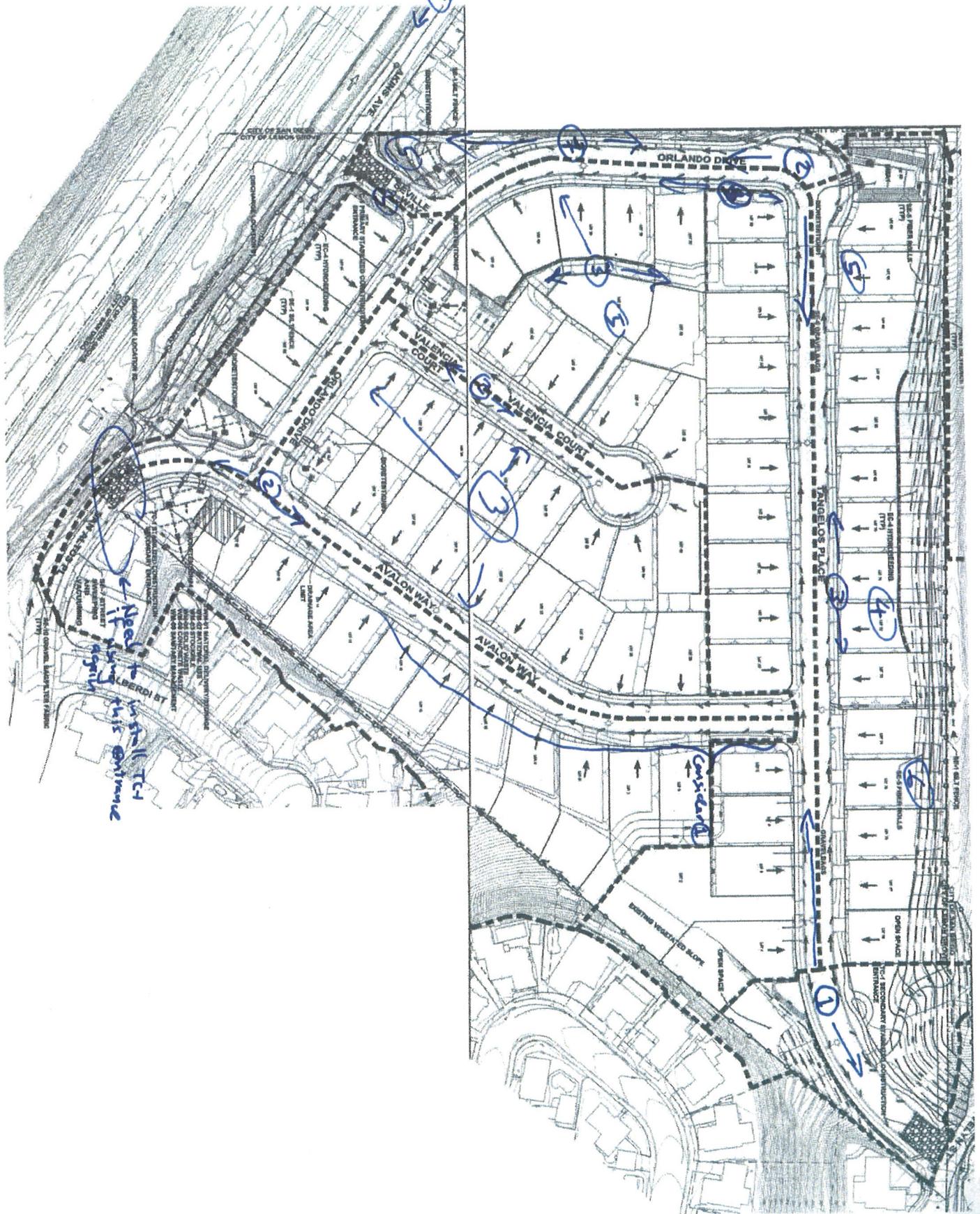
Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 12/9/14

Recommendations:

- ① • Add erosion control to road segment (eg northern corner) that are not in use. Can be hydroseeded or stabilized with gravel.
- ② • For roads that are in use, add check dams prior to rain. Ensure proper installation to prevent rills from forming underneath BMP if using fiber rolls
- ③ • Repair ^{stabilize} gullies in slopes on edges of pads. May consider using erosion control blankets*
- ④ • A couple pads on western side do not appear hydroseeded. Add hydroseed or other erosion control
- ⑤ • Cover & protect stockpiles. Some stockpiles near entrance are only partially covered. Others to the west are completely uncovered
- ⑥ • Ensure that enough BMP materials are kept on site. Not enough fiber rolls were on site
- ⑦ • Redirect flow along the southern side of site. It currently is causing erosion along the road and directs flow to a damaged wall. Direct away from wall and break up flow with check dams to prevent erosion
- ⑧ • Sweep pad to remove sediment





CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI / [Signature] / 12/11/14 9:00AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Grullies & unstabilized pads still not addressed	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			some plastic sheets added but not yet sufficient	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection	X			see inlet protection comment below	No
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls not placed on slopes yet	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Per discussion w/contractor, they still need to add gravel bag inlet protection	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			NE entrance still not stabilized but not currently in use	No
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			still need to protect all stockpiles	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		still need to clean sediment on Akins	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization still needed	No
Was there any employee or subcontractor training on stormwater BMPs?			X		

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

FLOW ALONG SOUTHERN EDGE OF SITE HAS BEEN REDIRECTED AWAY FROM THE CORNER. ALL OTHER CORRECTIVE ACTIONS FROM THE 12/9/14 INSPECTION HAVE NOT YET BEEN ADDRESSED. REFER TO THAT INSPECTION FOR FULL DESCRIPTION OF CORRECTIVE ACTIONS.

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences



Memo

Date: December 12, 2014

To: Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer

Subject: December 12, 2014 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Samples were taken at the Akins Avenue and San Altos Place entrance/exit locations to the site (sites Valencia_Akins and Valencia_SanAltos, respectively). A sample of runoff from a residential portion of Lemon Grove flow south/southwest toward the San Altos entrance exit was also taken to assess background conditions (site Background_SanAltos). Because gravel bags were noted along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet). Figure 1 and photos 1 through 3 show the sampling locations.

Each sample was collected and analyzed for turbidity using a calibrated field meter. Most of the site runoff appears to be discharging via the Akins Avenue discharge point (Valencia_Akins). Note that two different samples were taken from site Valencia_Akins, about an hour apart, to see if runoff characteristics would vary over time. Only a minimal difference in turbidity was observed between the two samples. The sample taken at the inlet along Akins Avenue (Akins_Inlet) had somewhat lower turbidity, likely due to the use of gravel bags along the curb between the site and the inlet, but the turbidity levels were still not substantially lower. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 through 6.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)
Valencia_Akins	12/12/2014	11:05	505
Background_SanAltos	12/12/2014	11:26	18.73
Valencia_SanAltos	12/12/2014	11:27	427
Valencia_Akins	12/12/2014	11:55	513
Akins_Inlet	12/12/2014	11:58	477

Sampling at Valencia Construction Site
December 12, 2014
Page 2 of 4



Figure 1. Sampling Locations



Photo 1. Site Valencia_Akins

Sampling at Valencia Construction Site
December 12, 2014
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Photo 2. Sites Valencia_SanAltos (red arrow) and Background_SanAltos (yellow arrow)



Photo 3. Site Akins_Inlet

Sampling at Valencia Construction Site
December 12, 2014
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Photo 4. First Sample (11:05) from Site Valencia_Akins



Photo 5. Samples from Sites Background_SanAltos (left) and Valencia_SanAltos (right)



Photo 6. Second Sample from Site Valencia_Akins (11:58, left) and Sample from Site Akins_Inlet (right)



CITY OF LEMON GROVE

3232 Main Street, Lemon Grove, CA 91945

**NPDES STORMWATER PROGRAM
CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM**

Inspector Name /Signature/Date/Time: TAD NAKATANI 12/16/14 12:25

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1697

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: _____

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Numerous gullies still unprotected Some pads & slopes still unstabilized	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Some plastic covers need to be repositioned/reinstalled	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional perimeter & slope protection still needed for west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X				Yes

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X			THE ENTRANCE PERMANENTLY WILL NOT BE USED FOR VEHICLES. GATE LOCKED & GRAVEL BAGS PLACED	Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X			No discharge during inspection but high turbidity during previous storm	Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?		X		Still significant sediment on AKINS	No
Other					
Are there any other potential storm water pollution issues/concerns?	X			Roadway stabilization/check dams in complete	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- ^{TN} No violations; however, recommended corrective actions required
- ^{TN} Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
- Stop Work Notice Issued on: ONGOING STOP WORK/ADMIN. CITATION

RECOMMENDED CORRECTIVE ACTION

- COMPLETE ROADWAY STABILIZATION & CHECK DAMS. STABILIZE AREA WHERE CONCENTRATED FLOW FROM ROAD IS DIRECTED TO BASIN
- ADD EROSION CONTROLS TO STABILIZE REMAINING PADS, SLOPES AT EDGES OF PADS AND AREA NEAR ENTRANCE ON AKINS
- ADD FIBER ROLLS ON SLOPES ON WESTERN EDGE
- REPAIR & STABILIZE GULLIES THROUGHOUT SITE



① ROADWAY STABILIZATION / CHECK DAMS NEEDED

② STABILIZATION EROSION CONTROLS NEEDED

③ ADD FREE ROLL ON SLOPE

④ Stabilize area of concentrated flow toward basin

⑤ Repair/stabilize gullies (Numerous locations - Not individually shown on map)

12/16/2014

①

D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences



Memo

Date: December 17, 2014

To: Malik Tamimi

Cc: Tad Nakatani; John Quenzer

From: Brian Nemerow

BN

Subject: December 17, 2014 Field Visit at Valencia Construction Site

Per the City's request, D-MAX visited the Valencia construction site on the morning of December 17, 2014, following a storm earlier in the morning. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the Akins or San Altos entrance/exit locations at the time of the site visit.

Evidence of sediment discharge was observed at the Akins entrance/exit location (Photos 1 and 2) and along the curb farther downstream (Photo 3). A crew from Downstream Services was power washing the curb along Akins to remove accumulated sediment (Photos 4, 5, and 6). This indicates that there likely had been a noticeable sediment discharge earlier in the day. Based on talking with the crew, our understanding is that they were working on behalf of the Valencia project, and they also planned to use a vactor truck to remove accumulated sediment from the downstream storm drain on Akins. The crew was taking measures to prevent discharge of water from power washing, including using a vactor truck to reclaim the water, but a small amount of water was observed discharging to the inlet along Akins. The water was seeping through gravel bags around the inlet and discharge to the storm drain. A sample of the power washing discharge water was collected, and turbidity was measured at 52 NTU.



Figure 1. Observation Locations

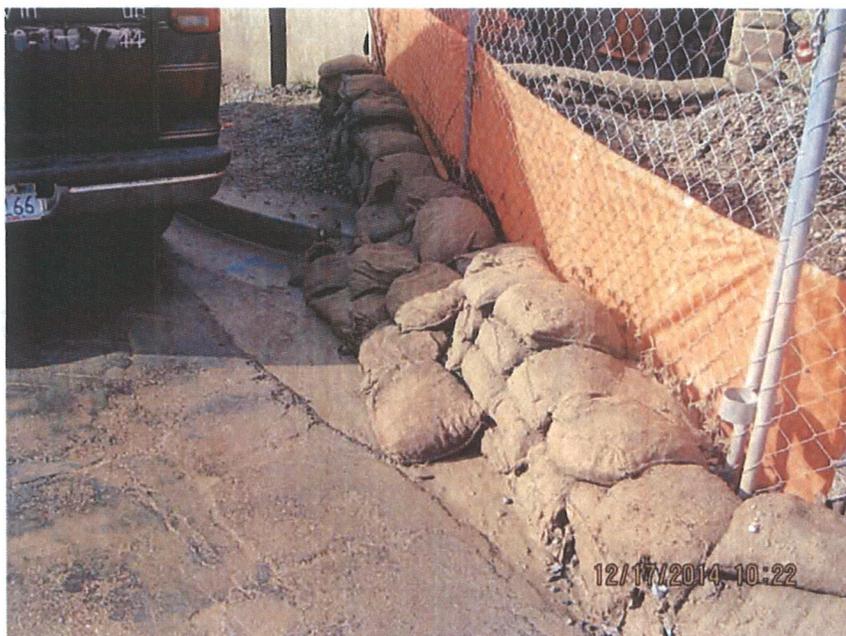


Photo 1. Evidence of sediment discharge at Akins entrance/exit



Photo 2. Evidence of sediment discharge at Akins entrance/exit

Field Visit at Valencia Construction Site
December 17, 2014
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Photo 3. Sediment accumulation along Akins curb gutter, downstream of Akins entrance/exit



Photo 4. Power washing activity performed by Downstream Services



Field Visit at Valencia Construction Site
December 17, 2014
Page 4 of 4



Photo 5. Power washing activity performed by Downstream Services



Photo 6. Power washing activity performed by Downstream Services



D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: December 31, 2014

To: Leon Firsht, Malik Tamimi

Cc: Tad Nakatani

From: John Quenzer

JQ

Subject: December 31, 2014 Field Visit at Valencia Construction Site

D-MAX visited the Valencia construction site on the morning of December 31, 2014, following a storm earlier the previous night. Rain had ended a few hours prior to the site visit, and no runoff was observed flowing out from the construction site at the time of the site visit.

Ponded water was observed at the Akins Avenue entrance/exit location and behind several sets of gravel bags installed along Akins Avenue. Samples were collected from the ponded water at the Akins Avenue entrance/exit (Photo 1) and from ponded water behind the first set of gravel bags downstream of the Akins Avenue exit/entrance (Photos 2 and 3). Turbidity was measured at 250 NTU in the first sample (Akins entrance/exit), and 235 NTU in the second sample (first set of gravel bags along Akins).

Some sediment had settled out at the bottom of the pools of water in both of the locations at which samples were collected, and care was taken not to disturb the settled sediment when samples were taken. Note that because water had been pooled and sediment had settled out over time, the turbidity results as given above are likely lower than the turbidity of the discharge that had occurred earlier when it was raining. To approximate that effect, the settled sediment at the Akins entrance/exit location was disturbed, and a sample was taken a few minutes later. The turbidity of that sample was 998 NTU.

Observations farther downstream along the curb indicated that in some places sediment had been conveyed around gravel bag installations. Photo 4 gives an example of this. Sediment accumulation was also noted along Akins Avenue, close to the storm drain inlet.



Figure 1. Map of Site and Immediate Vicinity

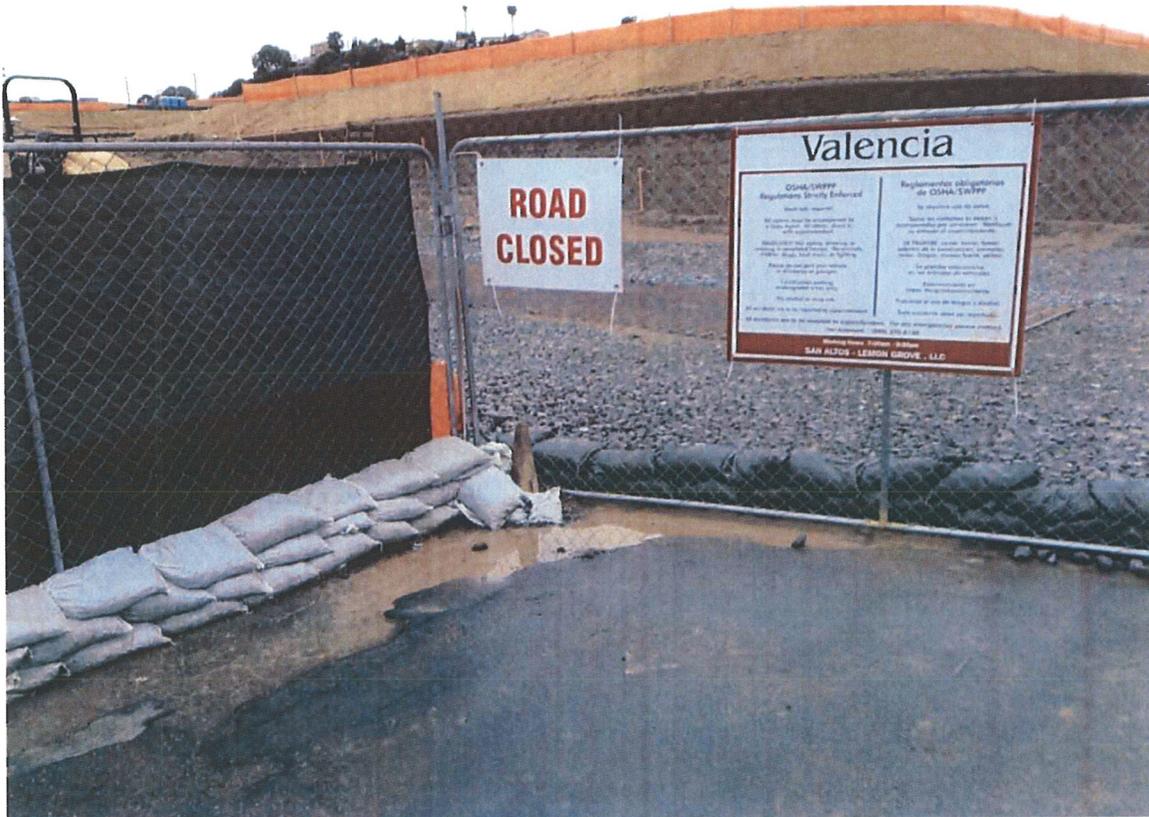


Photo 1. Ponded Water at Akins Avenue Entrance/Exit

Field Visit at Valencia Construction Site
December 17, 2014
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Photos 2 & 3. Ponded Water at First Set of Gravel Bags Downstream of Akins Avenue Entrance/Exit (Looking downstream and upstream, respectively)

Field Visit at Valencia Construction Site
December 17, 2014
Page 4 of 5



Photo 4. Evidence of Discharge Carrying Sediment around Gravel Bags along Akins Avenue

Field Visit at Valencia Construction Site
December 17, 2014
Page 5 of 5



Photo 5. Sediment Accumulation along Akins Avenue, Close to Inlet



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI 1/6/15 10:30AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Area near Akins entrance not fully stabilized. Several gullies unproteced	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Additional gravel bags needed at base of plastic spillway on south side. Sidewalls lack plastic covering	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Additional fiber rolls needed on slope on west side	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Fabric on drain in basin clogged with hydroseed. Bags along Akins have been removed & not replaced yet	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X				Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X			Uncovered stockpiles reported as active	Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?	X			Stockpiles are too close to drain in NE Basin. Need to be moved or removed	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not Discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: Ongoing stop work Admin. citation

RECOMMENDED CORRECTIVE ACTION

See next page for recommendations

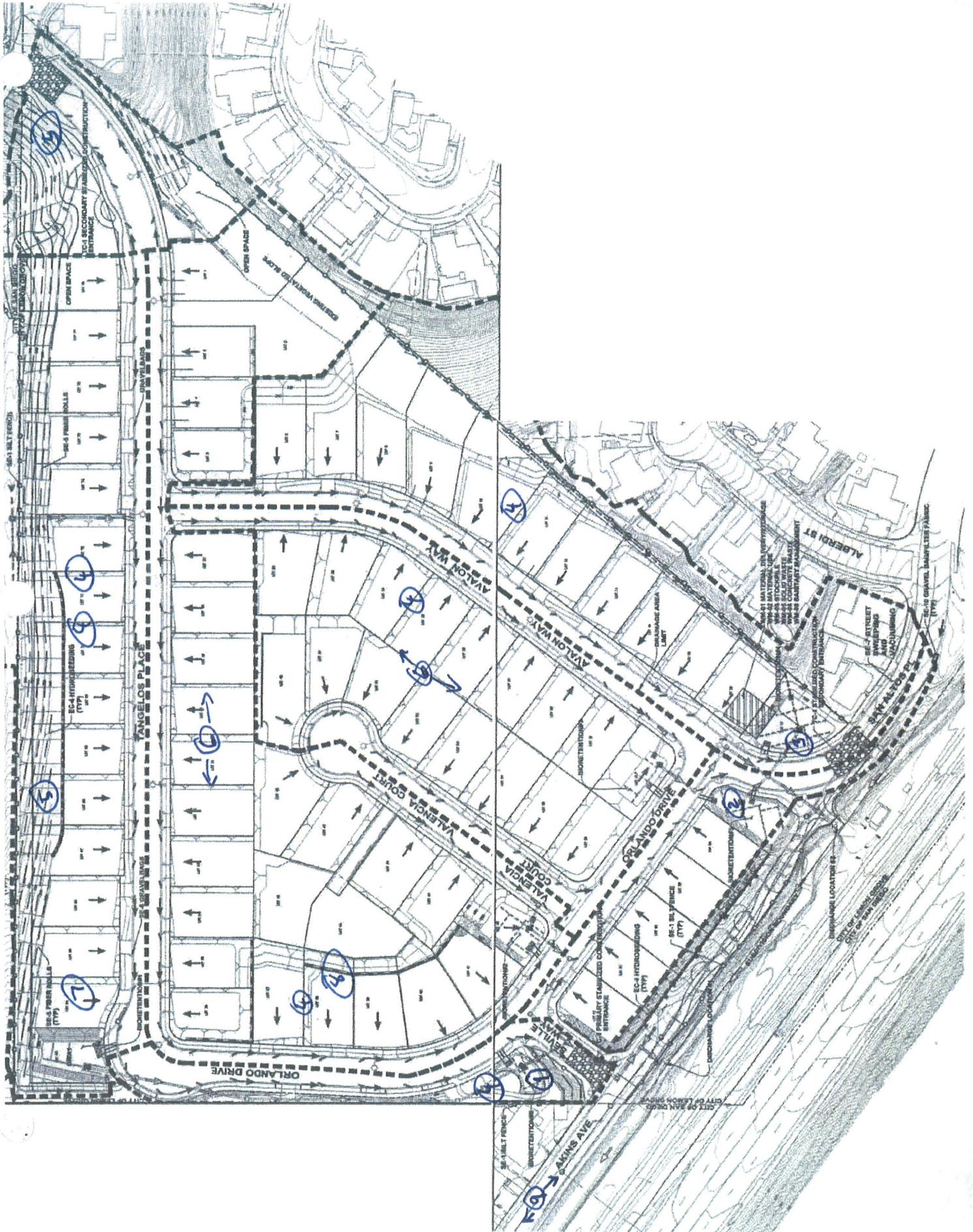
Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 1/6/15

Recommendations: (see map on next page for locations)

- ① FULLY STABILIZE AREA. UTILIZE OTHER EROSION CONTROL BMPs (E.G. VISQUEPE OR EROSION CONTROL BLANKETS) IF HYDROSEED GROWTH IS NOT SUFFICIENT
- ② CLEAN OR REPLACE FILTER FABRIC
- ③ MOVE OR REMOVE STOCKPILES THAT ARE ADJACENT TO DRAIN
- ④ REPAIR GULLIES AND PREVENT CONCENTRATED FLOW TO AREA
- ⑤ REPAIR & STABILIZE SLOPE
- ⑥ USE EROSION CONTROLS TO STABILIZE EXPOSED SIDEWALLS. CONSIDER METHODS OTHER THAN HYDROSEED SINCE THERE IS EVIDENCE OF FAILURE
- ⑦ STABILIZE AREA IF INACTIVE OR RAIN IN FORECAST
- ⑧ ADD GRAVEL BAGS AT BOTTOM OF SPILLWAY
- ⑨ REPLACE GRAVEL BAGS ALONG AKINS





CITY OF LEMON GROVE
3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAD NAKATANI TN 1/14/15 7:15AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain) _____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			X		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Some areas near Akins where hydro-seeding has not grown. Some remaining gullies are on edges of lots & corner	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Most sidewalks have been covered but a couple in the northern part of site lack protection	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Broken silt fence near San Altos	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier					

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X				Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?		X		wood/scrap pile should be removed or protected	No
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.	X				Yes
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?	X			stockpiles are located too close to drain in NE Basin. Remove or relocate them outside of basin	No
Was there any employee or subcontractor training on stormwater BMPs?			X	not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: ongoing stop work/Admin. citation

RECOMMENDED CORRECTIVE ACTION

see next page for recommendations

Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 1/14/15

Recommendations:

- ① STABILIZE REMAINING SMALL AREAS THAT LACK FULL HYDROSEED OR VISQUENE COVER
- ② INSTALL EROSION CONTROLS ON REMAINING SIDEWALLS
- ③ REMOVE THE STOCKPILES THAT ARE NEAR THE DRAIN OR RELOCATE THEM OUTSIDE OF THE BASIN
- ④ REPAIR BROKEN SILT FENCE
- ⑤ STABILIZE AREA IF INACTIVE OR RAIN IN FORECAST
- ⑥ REMOVE OR PROTECT WOOD/SCRAP PILE
- ⑦ REPAIR MINOR RILLS AND PROTECT AGAINST CONCENTRATED FLOWS IN THE AREA



D-MAX Engineering, Inc.
Consultants in Water & Environmental Sciences

Memo

Date: January 16, 2015

To: Leon Firsht, Malik Tamimi

Cc: John Quenzer

From: Tad Nakatani

Subject: Summary of Inspections and Sampling at Valencia Construction Site between December 9, 2014 and January 14, 2015

Per the City's request, D-MAX conducted multiple visits to the Valencia construction site to perform inspections and to collect storm water runoff samples. Table 1 summarizes the dates of all inspection and sampling visits.

Table 1. Inspection and Sampling Attempt Dates

Date	Activity
12/9/2014	Inspection
12/11/2014	Inspection
12/12/2014	Sampling
12/16/2014	Inspection
12/17/2014	Sampling
12/31/2014	Sampling
1/6/2015	Inspection
1/14/2015	Inspection

Summary of Inspections

Several significant BMP deficiencies were observed during the initial inspection on December 9, when the site was already under a Stop Work Notice from the City. Most significantly, there were several areas that lacked adequate erosion control BMPs, and there was also evidence of concentrated flows being directed to unstabilized areas, causing significant erosion. D-MAX documented these deficiencies and provided BMP recommendations as requested by the City. D-MAX re-inspected the site two days later on December 11 and observed that the majority of the deficiencies had not been corrected. On December 12, D-MAX visited the site during a rain event and collected samples of runoff from the site. Turbidity measurements were above 500 NTU for two samples taken near the southeast corner of the site and were above 400 NTU for a sample taken near the northeast corner of the site.

During the next inspection on December 16, some additional BMP deficiencies had been addressed, but the progress was still not sufficient. D-MAX returned to the site the following day to attempt to collect a sample, but the rain had already stopped, and no runoff sample was collected. D-MAX did observe sediment on the roadway outside of the southeast corner of the



site. A power-washing contractor was in the process of cleaning the road when D-MAX visited the site. D-MAX returned to the site on the morning of December 31 to attempt to collect another runoff sample, but once again the rain had stopped several hours before the site visit. D-MAX observed some sediment in the roadway again, but it appeared to be less than during the previous visit. D-MAX sampled water ponded at two locations just outside the southeast corner of the site. Turbidity was measured at 250 NTU and 235 NTU at these locations, but these measurements likely do not accurately reflect the turbidity of runoff since there had been time for sediment to settle out.

During the inspection on January 6, D-MAX observed that most of the major BMP deficiencies had been addressed, but a few still remained unresolved.

D-MAX performed its most recent inspection on January 14. D-MAX's assessment from this inspection is that the developer has made sufficient improvements to the site, and it is appropriate to lift the Stop Work Notice. There were some minor BMP deficiencies during the January 14 inspection, and the developer will still be required to address these promptly. However, the major deficiencies that led to the Stop Work Notice have been addressed, and the overall state of the site has been improved to the point where it no longer poses the severe risk of sediment discharges that it did in December.

Table 2 provides a summary of the different BMP deficiencies observed during inspections as well as the corrective actions that had been implemented as of January 14, 2015.



Table 2. Summary of BMP Deficiencies Observed and Corrective Actions Taken

BMP Deficiency	Corrective Action(s) Taken
Several lots lacked adequate erosion control BMPs.	Additional lots were hydroseeded. Some smaller areas were protected with plastic sheeting
Numerous slopes on the edges of lots were not sufficiently stabilized and protected from concentrated flows, and rills/gullies had formed.	Slopes were repaired where possible. BMPs were added upstream of slopes to prevent concentrated flows. Plastic sheeting was used in select areas to create protected spillways where concentrated flows could not be eliminated. Improved growth of hydroseed on slopes was also observed. All of the larger rills were addressed, but a few small rills still remained on January 14. The developer is required to address these areas still.
Sidewalls at the edges of lots also lacked erosion controls and several showed signs of erosion.	Sidewalls were protected with plastic sheeting.
Portions of the slope on the western edge of the site lacked full stabilization.	Additional fiber rolls were installed. Plastic sheeting was used to create protected spillways in areas where upstream contours were causing flows to concentrate.
Dirt roadways lacked sufficient stabilization and sediment controls.	Roads were compacted and large berms were built on them. A portion of the road that is inactive was hydroseeded.
Runoff from a significant portion of the site was being directed as concentrated flow to an unstabilized area in the site's southeast corner.	The developer built up an embankment to redirect flows away from this area and toward a settling area.
Some stockpiles lacked adequate cover	Covers were put on stockpiles.
The developer did not have sufficient quantities of BMP materials on site.	Additional gravel bags, fiber rolls, and silt fences were delivered to the site.
A significant amount of sediment was observed along the roadway at the southeast corner of the site.	Sweeping did not effectively remove all sediment, so a power-washing contractor was hired and removed the sediment from the road.
Gravel bag inlet protection BMPs were not always in place	Gravel bags were put in place to protect on-site and downstream off-site inlets.
Filter fabric used as part of inlet protection became potentially clogged by hydroseeding materials	Filter fabric was replaced.
Stockpiles were placed close to a drain inlet. The inlet is elevated above the ground height in that area, decreasing the risk of discharge, but stockpiles still need to be relocated away from the drain.	This deficiency was first observed on January 6. On January 14, the stockpiles had been covered, but they had not been moved sufficiently far enough away from the drain inlet. The developer is still required to address this item.
Sediment control BMPs were lacking or damaged in places.	A significant amount of additional silt fences and gravel bags were added to the site perimeter and the perimeters of lots.



Photo 1. Lot lacking erosion control BMPs



Photo 2. Hydroseed added to a lot



Photo 3. Evidence of erosion at edge of a lot



Photo 4. Rills filled in, area re-hydroseeded, silt fence added to perimeter of lot.



Photo 5. Sidewall without adequate erosion control



Photo 6 Sidewall protected with plastic sheeting.



CITY OF LEMON GROVE
 3232 Main Street, Lemon Grove, CA 91945

NPDES STORMWATER PROGRAM CONSTRUCTION STORMWATER COMPLIANCE INSPECTION FORM

Inspector Name /Signature/Date/Time: TAP NAKATANI TAP 1/19/15 7:30 AM

Inspection: Permit-Required Inspection Follow-up Inspection Other (Explain)_____

Construction Project Priority: High Medium Low

GENERAL INFORMATION

Grading or Building Permit #: GR-1692

Project Name & Type: VALENCIA SUBDIVISION

Project Location & Address: SAN ALTOS PLACE

Contractor's Name & Telephone #: ANDERSON DEVELOPMENT (949) 275-6739

Property Owner & Telephone #: SAN ALTOS LLC

Is this Project Greater than an Acre? Yes No N/A

If yes: Provide Record of Waste Discharge Identification Number (WDID#): 937C369143

Does this Project have an NOI/SWPPP Available? Yes No N/A

Is Weather Triggered Action Plan Completed? Yes No N/A

Is Advanced Treatment Implemented Appropriately? Yes No N/A

Is More than 17 Acres of Cleared or Graded Areas Left Exposed at Any Given Time? Yes No N/A

Is 125% of Materials to Install Standby BMPs Available? Yes No N/A

Are Routine Self-Inspections Being Conducted by Developer/Owner? Yes No N/A

Project Site is in What Sub-Watershed: Chollas Creek 908.22 Sweetwater River 909.12

Nearest Conveyances or Water Bodies: ENCANTO CHANNEL TO CHOLLAS CREEK

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Soil Stabilization and Erosion Prevention					
Preservation of existing vegetation?			←		
Physical Stabilization: Hydraulic Mulch, Hydroseeding, Soil Binders, Straw Mulch	X			Minor areas where hydroseed has not grown near Akins. Rills on edges of some lots & near SW corner	No
Geotextiles, Plastic Covers, Erosion Prevention Blankets, Wood Mulching	X			Sidewalls have been covered but there are a couple gaps in coverage	No
Site Drainage: Outlet Protection/Slope Drain		X			
Inlet/Outlet Protection		X			
Sediment Control/Containment					
Perimeter Protection: Silt Fencing, Gravel Bags, Fiber Rolls	X			Broken silt fence near San Altos	No
Storm Drain inlet protection: Sediment Trap, De-silting Basin, Gravel Bag Barrier	X			Gravel bag check dams along Akins are not in place	No

BMP	Yes	No	N/A	Description/Explanation	Effective Yes/No
Tracking Controls: Stabilized Entrance/Exit Road Stabilization, Tire Wash, Street Sweeping	X				Yes
Materials and Equipment Management					
Are materials and wastes stored in a manner that minimizes or eliminates the potential to discharge these materials to the storm drain system, is secondary containment used?	X				Yes
Are material stockpiles protected: covered, contained and located away from non-storm water discharges?	X				Yes
Are heavy equipment and vehicles parked in designated areas with permeable surface?	X				Yes
Are appropriate spill response and containment measures kept on the site?	X				Yes
Are wastes managed and stored properly (Solid, liquid, sanitary, concrete, hazardous)	X				Yes
Are concrete washouts properly installed, maintained with no evidence of discharges.		X		Evidence of some concrete washout materials having escaped tarped area	No
Is timely service and removal provided to prevent waste containers and sanitary facilities from overflowing?	X				Yes
Non-Storm Water Management					
Is the site free of evidence of illegal connections and/or illicit discharges?	X				Yes
Discharge Locations					
Are the discharge locations free of significant erosion or sediment transport?	X				Yes
Other					
Are there any other potential storm water pollution issues/concerns?	X			Stockpiles located too close to drain in NE basin.	No
Was there any employee or subcontractor training on stormwater BMPs?			X	Not discussed	

VIOLATIONS

- No violations noted at time of inspection/investigation
- No violations; however, recommended corrective actions required
 - Inspection Form as Correct Work Notice Correct Work Notice Issued on: _____
- Violation: Illegal Discharge/Illegal Connection/Improper BMPs Implementation
 - Stop Work Notice Issued on: _____

RECOMMENDED CORRECTIVE ACTION

See next page for recommendations

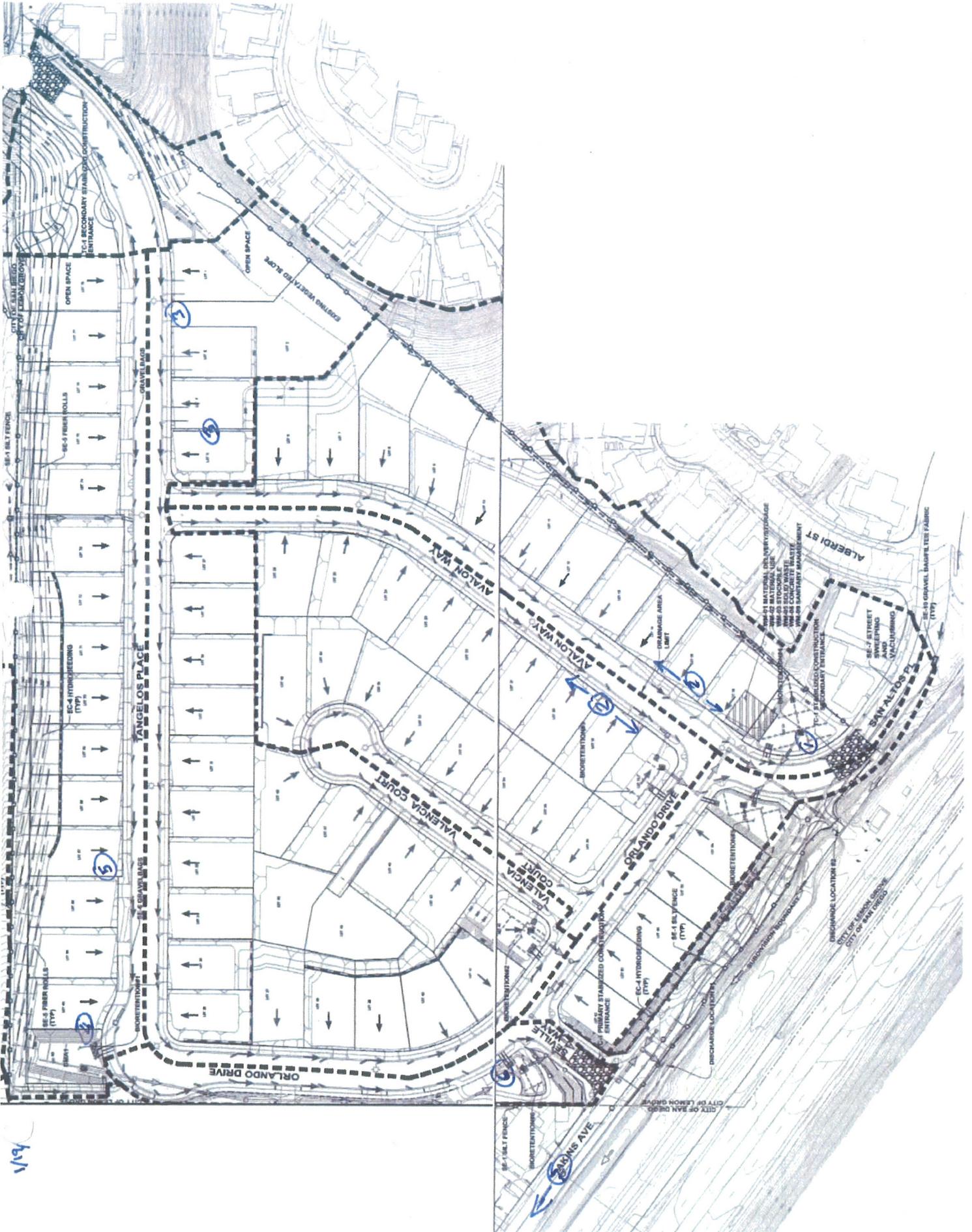
Construction BMP Recommendations

Site: VALENCIA SUBDIVISION

Date: 1/19/15

Recommendations:

- ① REMOVE THE STOCKPILES THAT ARE NEAR THE DRAIN OR RELOCATE THEM OUTSIDE THE BASIN
- ② REPAIR MINOR RILLS AND PROTECT AGAINST CONCENTRATED FLOWS IN THE AREA
- ③ ADEQUATELY PROTECT SIDEWALLS WHERE THERE ARE CURRENTLY GAPS IN COVERAGE
- ④ STABILIZE AREA IF INACTIVE OR RAIN IN FORECAST
- ⑤ CLEAN UP CONCRETE WASHOUT MATERIAL
- ⑥ IMPLEMENT EROSION CONTROL IN SMALL AREAS WHERE HYDROSEED HAS NOT GROWN IN
- ⑦ ENSURE THAT GRAVEL BAG CHECK DAMS ARE IN PLACE PRIOR TO RAIN



1/9/16

Firsht, Leon



Litigation
SERVICES

Job: 599121

Exhibit: 00014





Exhibit No. 14

CITY OF LEMON GROVE ADMINISTRATIVE CITATION

March 9, 2016 Item 12 EXHIBIT 14 Supporting Document No. 090 REPORTER gm. Volz WITNESS L. Firshf DATE 12-28-15

A) TYPE OF VIOLATION

Circle One: Warning 1st Citation \$100 2nd Citation \$200 3rd Citation \$500 4th Citation \$1,000

Payment of \$ 500 is due no later than 4/19/15 to the City of Lemon Grove. The City accepts cash, check or credit card.

If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per month). Payment of fine does not excuse or discharge the failure to correct violation identified below.

B) RESPONSIBLE PARTY INFORMATION

Person Cited: Anderson (Last Name) Tim (First Name)

Circle One: Property Owner Tenant Business Owner Other Project Manager

Mailing Address: 3194-C2 Airport Loop Road, Costa Mesa, CA 92626

Business Name (if applicable): BCA Development CC: Phil Dowley, Code Enforcement File

C) VIOLATION(S) INFORMATION

Date (Violation Observed): 3/18/15 Time (Violation Observed): 7:30 AM

Location of Violation: 1350 San Altos Place / Valencia (Street Address) (APN)

Violation(s) Observed (Code Section and Description): 8.48.060, 18.08.170, 18.08.180, 18.08.560

Concrete discharge to ground.

Follow up inspection re: 3/18/15 See attached report dated 3/5/15 (Tad Nakatani)

D) CORRECTION(S) REQUIRED (with date to complete corrections)

Install BMP's per Recommendations and Permit

Correct by 3/23/15 5PM.

E) SERVICING CITATION INFORMATION

Enforcing Officer Name Leon Firshf Phone No. 619-825-3825 Signature Date 3/19/15

Person Cited - Signature Acknowledging Receipt (Date)

Citation Served (circle one): In Person By Mail / Email n Property

This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.

WHITE ORIGINAL

PINK COPY

CITATION CARD-OWNER



