



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Santa Ana Regional Water Quality Control Board

November 3, 2015

Mr. Peter Pitassi
Temescal Valley Land, LLC
10621 Civic Center Drive
Rancho Cucamonga, CA 91730

TRANSFER OF RESPONSIBILITY CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION FOR THE SADDLEBACK ESTATES PROJECT (TRACT 30760), UNINCORPORATED RIVERSIDE COUNTY, CALIFORNIA (ACOE REFERENCE NO. 200500250-JPL) (SARWQCB FILE NO. 332004-51-APF)

Dear Mr. Pitassi:

This is to acknowledge that on October 29, 2015, this office received notification that Saddleback Development, LLC has relinquished its interest in the Saddleback Estates Residential Development project in unincorporated Riverside County, hereinafter referred to as the Project. Temescal Valley Land, LLC has accepted responsibility for implementing the On-Site and Off-Site Water Quality Standards Mitigation Measures and conditions of the December 20, 2006 Amended Clean Water Act Section 401 Water Quality Standards Certification (Certification) for the Project.

Effective November 3, 2015, the Project's December 20, 2006 Amended Certification is hereby transferred to Temescal Valley Land, LLC. Temescal Valley Land, LLC is responsible to fulfill all of the terms and conditions of the Certification.

Should there be any questions, please contact Jason Bill at (951) 782-3295 or Jason.Bill@waterboards.ca.gov, or Wanda Cross at (951) 782-4468 or wanda.cross@waterboards.ca.gov.

Sincerely,

Kurt V. Berchtold
Executive Officer

Enclosures : December 20, 2006 Amended Clean Water Act Certification
May 17, 2005 Clean Water Act Certification

cc: Helix Environmental Planning – Barry Jones – BarryJ@helixepi.com
U. S. Army Corps of Engineers, Los Angeles Office – James E. Mace
CA Department of Fish and Wildlife – Kim Freeburn-Marquez
State Water Resources Control Board, Office of Chief Counsel - David Rice
State Water Resources Control Board DWQ - Water Quality Certification Unit
U.S. EPA -Supervisor of the Wetlands Section – Jason A. Brush

WILLIAM RUH, CHAIR | KURT V. BERCHTOLD, EXECUTIVE OFFICER

3737 Main St., Suite 500, Riverside, CA 92501 | www.waterboards.ca.gov/santaana

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California Regional Water Quality Control Board Santa Ana Region



Linda S. Adams
Secretary for
Environmental Protection

3737 Main Street, Suite 300, Riverside, California 92501-3348
Phone (951) 782-4130 • FAX (951) 781-6288 • TDD (951) 782-3221
www.waterboards.ca.gov/santaana

Arnold Schwarzenegger
Governor

December 20, 2006

Erik Lunde
Saddleback Development, LLC
2751 West Coast Highway, Suite 210
Newport Beach, CA 92663

REQUEST FOR AMENDMENT OF CLEAN WATER ACT 401 WATER QUALITY STANDARDS CERTIFICATION FOR THE PROPOSED SADDLEBACK ESTATES, RIVERSIDE COUNTY: FILE NUMBER 332004-51-APF (ACOE REFERENCE NO. 200500250 – JPL)

Dear Mr. Lunde:

Thank you for your letters, dated March 15, 2006 and June 27, 2006, and accompanying materials regarding changes to storm water runoff treatment facilities originally proposed for the Saddleback Estates Residential Development Project Property (a.k.a. Tract 30760). As you are aware, those facilities were proposed as part of your application for a Clean Water Act Section 401 Water Quality Standards Certification (Certification) for the project that was issued on May 17, 2005.

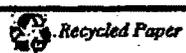
In your March 15, 2006 letter, you requested approval to substitute several of the storm water treatment facilities proposed for the project. Originally, several Austin Sand Filters were proposed in the Mitigation Plan. The basis of the request is that the proposed Austin Sand Filters are larger than originally anticipated and will not fit in the proposed designated areas. As a result, you have proposed to eliminate Austin Sand Filters from Areas 3 and 4 and construct grass swales in Area 3 adjacent to the De Palma Road sidewalk as well as Area 4 adjacent to the "L" Street easterly sidewalk. Based upon a review of your submittals, the proposed amendment is acceptable. Consequently, the May 17, 2005 Certification is hereby amended to read as follows:

Bullet 1 of Onsite Water Quality Standards Mitigation Proposed is deleted and replaced with the following:

- "Storm water discharges from the developed portions of the site will be treated in vegetated swales located along the future Mountain Road at the eastern-most portion of the project and along De Palma Road, and in a bio-filter located along De Palma Road near Horsethief Canyon Road."

Conditions 1., 4., and 6., are deleted and replaced with the following:

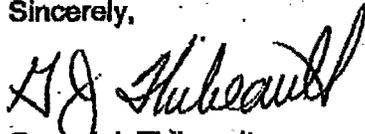
California Environmental Protection Agency



1. "The applicant shall construct the proposed grass swales and bio-filter to treat nuisance flow and 'first-flush' discharges from the developed portions of the project site. These facilities shall be sized and designed according to published and generally accepted engineering design criteria."
4. "Easements, or other appropriate legal instruments, shall be placed upon the grass swales, the bio-filter, and avoided waters of the U.S. for the purpose of assuring their respective water quality functions and beneficial uses throughout the life of the project."
6. "Saddleback Development, LLC; its successors and assignees, shall operate and maintain the proposed grass swales and bio-filter in a manner that assures their optimal performance."

Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,



Gerard J. Thibeault
Executive Officer

cc: U. S. EPA, Supervisor of the Wetlands Regulatory Office – Tim Vendlinski (WTR-8)
U. S. Army Corps of Engineers, Los Angeles Office – Jason Lambert
State Water Resources Control Board, OCC – Erik Spiess
State Water Resources Control Board, DWQ-Water Quality Certification Unit – Valerie Connor
California Department of Fish and Game, Ontario—Jeff Brandt

APF:401/ certifications/saddleback estates amendment-

California Environmental Protection Agency



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California Regional Water Quality Control Board

Santa Ana Region



Alan C. Lloyd, Ph.D.
Agency Secretary

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 - FAX (951) 781-6288
<http://www.waterboards.ca.gov/santaana>

Arnold Schwarzenegger
Governor

May 17, 2005

Erik Lunde
Saddleback Development, LLC
2751 West Coast Highway, Suite 210
Newport Beach, CA 92663

CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION FOR THE PROPOSED SADDLEBACK ESTATES, RIVERSIDE COUNTY (ACOE REFERENCE NO. 200500250 - JPL)

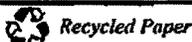
Dear Mr. Lunde:

On October 25, 2004, we received your application for water quality standards certification pursuant to the Clean Water Act Section 401 (application), submitted on your behalf by Glenn Lukos Associates (GLA) for the proposed Saddleback Estates residential development (a.k.a. Tract 30760) in an unincorporated area of Riverside County. On December 24, 2005, we received a partial response to a request from Regional Board staff for additional information. On April 29, 2005, we received final requested information regarding the potential recreational use of the avoided on-site waters of the U.S. and the management of impacts from that use.

This letter responds to your request for certification that the proposed project, described in your application and summarized below, will comply with State water quality standards outlined in the Water Quality Control Plan for the Santa Ana River Basin (1995):

- Project description: Subdivision of a 145 acre site to accommodate the construction of 285 single-family residential lots, nine open space lots, a 5.71 acre park site, a 0.34 acre detention basin, and associated infrastructure adjacent to Interstate 15. The project is located in Section 18, Township 5 South, Range 5 West, shown on the USGS *Alberhill, California* quadrangle (33 deg. 44 min. 18 sec. N/117 deg. 26 min. 18 sec. W).
- Receiving water: Four un-named ephemeral drainages tributary to Temescal Creek.
- Fill area: 0.15 acres of permanent impact (3,880 linear feet).
- Dredge volume: N/A
- Federal permit: U.S. Army Corps of Engineers Nationwide Permit No. 39

California Environmental Protection Agency



You have proposed to mitigate water quality impacts as described in your Certification application and subsequent submittals. The proposed mitigation is summarized below:

Onsite Water Quality Standards Mitigation Proposed:

- Storm water discharges from the developed portions of the site will be treated in one biofilter and three sand filters.
- Open space areas containing avoided waters of the U.S. will be fenced.
- Additional site-specific best management practices (BMPs) are specified in the site's Storm Water Pollution Prevention Plan (SWPPP).

Offsite Water Quality Standards Mitigation Proposed:

- The applicant will purchase 0.50 acres of mitigation credit from the Santa Ana River Mitigation Bank.

Should the proposed project impact state- or federally-listed endangered species or their habitat, implementation of measures identified in consultation with U.S. Fish and Wildlife Service and the California Department of Fish and Game will ensure those impacts are mitigated to an acceptable level. Appropriate Best Management Practices will be implemented to reduce construction-related impacts to Waters of the State. This project is over one acre. Therefore, coverage under the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity, Water Quality Order 99-08 DWQ, is required, as is development of a Storm Water Pollution Prevention Plan (SWPPP) to control discharges from the project site.

You have submitted an application for coverage under a nationwide permit from the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. You have applied for a Streambed Alteration Agreement with the California Department of Fish and Game. Pursuant to CEQA, the County of Riverside certified a final Negative Declaration on October 26, 2004.

This 401 Certification is contingent upon the execution of the following conditions:

1. The applicant shall construct the proposed bio-filter and sand filters to treat 'first-flush' and nuisance flow discharges from the developed portions of the project site. The bio-filter and sand filters shall be sized and designed according to published and generally accepted engineering design criteria.
2. Manufactured slopes shall be stabilized using durable best management practices, such as jute matting, prior to the completion of construction activities.
3. All post-construction structural storm water treatment facilities shall be constructed and operational prior to the occupation of any residence within their respective tributary areas.

4. Easements, or other appropriate legal instruments, shall be placed upon the bio-filter and avoided waters of the U.S. for the purpose of assuring their respective water quality functions and beneficial uses throughout the life of the project.
5. Trail crossings that affect the avoided waters of the U.S. shall be stabilized against erosion. Their trailheads, where visible from public rights-of-way, shall be hidden, using native vegetation or other appropriate methods, to prevent their continued unauthorized use after project completion.
6. Saddleback Development, LLC, its successors and assignees, shall operate and maintain the proposed filters in a manner that assures their optimal performance.
7. Landscaping within transportation rights-of-way and in common and community areas shall incorporate one or more of the following BMPs, or other equally effective or better BMPs, for the purpose of minimizing discharges of nuisance flow:
 - a. Precipitation sensors and automatic evapotranspiration-adjusted irrigation controllers.
 - b. Use of porous materials in walkways and other hardscaping.
 - c. Utilization of xeric plant assemblages.
 - d. Utilization of drip, sub-surface, or micro-irrigation systems.
8. By July 9, 2005, Saddleback Development, LLC its successors or assignees, shall develop a design and maintenance plan, for approval by Regional Board staff, for the proposed structural BMPs. The design and maintenance plan shall include a description of the management and qualitative and quantitative monitoring activities for the long-term operations and maintenance of the structural BMPs. The plan shall use plain language and shall be written for use by subsequent parties responsible for operation and maintenance of the structural BMPs.
9. Saddleback Development, LLC, its successors or assignees, shall fully implement the design and maintenance plan, as described above in Condition 8, upon approval.
10. Saddleback Development, LLC, shall purchase 0.50 acres of mitigation credit from the Santa Ana River Mitigation Bank. Proof of the mitigation purchase shall be provided to the Regional Board within 60 days of the commencement of grading activities.
11. Saddleback Development, LLC shall remove from the site any waste or fill material found to contain substances that may have a deleterious effect on water quality, such as trash, metals, petroleum products, manure, or pesticides, and dispose of unacceptable wastes in a manner acceptable to the Executive Officer.
12. A copy of this Certification and any subsequent amendments shall be maintained on-site as a denoted element of the project SWPPP.
13. This Certification is transferable only upon written notice to the Executive Officer. The notice shall include written acknowledgement of this Certification by the transferee's authorized representative.

Under California Water Code, Section 1058, and Pursuant to 23 CCR §3860, the following shall be included as conditions of all water quality standards certification actions:

- (a) Every certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to

Section §13330 of the Water Code and Article 6 (commencing with Section 3867) of this Chapter.

- (b) Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to Subsection §3855(b) of this Chapter and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- (c) Certification is conditioned upon total payment of any fee required under this Chapter and owed by the applicant.

Although we anticipate no further regulatory involvement, if the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, we may formulate Waste Discharge Requirements.

In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of Section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.

In response to a suspected violation of any condition of this certification, the Santa Ana Regional Water Quality Control Board (Regional Board) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Board deems appropriate. The burden, including costs, of the reports shall be reasonable in relation to the need for the reports and the benefits to be obtained from the reports.

In response to any violation of the conditions of this certification, the Regional Board may add to or modify the conditions of this certification as appropriate to ensure compliance. Pursuant to California Code of Regulations Section 3857, we will take no further action on your application. Please notify our office five (5) days before construction begins on this project.

This letter constitutes a Water Quality Standards Certification issued pursuant to Clean Water Act Section 401. I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ (Order No. 2003-0017-DWQ), "General Waste Discharge Requirements for Dredge and

Saddleback Development, LLC
Saddleback Estates (Tract 30760)

- 5 -

May 17, 2005

Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Standards Certification. Order No. 2003-0017-DWQ is available at www.waterboards.ca.gov/resdec/wqorders/2003/wqo/wqo2003-0017.pdf

Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,



Gerard J. Thibeault
Executive Officer

cc: U. S. EPA, Supervisor of the Wetlands Regulatory Office – Tim Vendlinski (WTR-8)
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