

SUBSTANTIAL CONFORMANCE REVIEW CHECKLIST**MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM**

Purpose: This Substantial Conformance Review (SCR) Checklist is intended to be used by Development Services Department Staff as an aid in reviewing storm water system maintenance projects for consistency with the Site Development Permit (SDP) based on conformance with the Mitigation, Monitoring and Reporting Program (MMRP); the Maintenance Protocols contained in the Master Program; and the SDP Conditions.

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ACTIVITY INFORMATION

Master Program Map # (s): 36 & 37

City Equipment # (s): Map 36: # 88013181 and 88014046; Map 37: # 88016274

Creek Name: Mission Bay High School (MBHS) & Pacific Beach Drive/Olney Street (PBO) Channels

Watershed(s): Peñasquitos

Location: West of Interstate 5 in the Pacific Beach community, adjacent to Mission Bay High School and Pacific Beach Drive

DOCUMENTS INCLUDED IN CONSISTENCY DETERMINATION PACKAGE

Included	NA	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Maintenance Plan (IMP) and Methodology Table – Appendix A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Biological Assessment (IBA) – Appendix B
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Historical Assessment (IHA) – Appendix C
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Hydrologic and Hydraulic Assessment (IHHA) – Appendix D
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Water Quality Assessment (IWQA) – Appendix E
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Noise Assessment (INA) – Appendix F
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Pollution Control Plan (WPCP) – Appendix G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	El Cuervo Del Sur Conceptual Wetland Enhancement Habitat Mitigation and Monitoring Plan – Appendix H
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Los Peñasquitos Canyon Preserve Conceptual Wetland Enhancement Plan – Appendix I

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
Master Program PEIR Mitigation, Monitoring, and Reporting Program			
General Mitigation			
1	Have mitigation measures for impacts to biological resources, historical resources, land use, and paleontological resources, as appropriate, been included in entirety on the submitted maintenance documents and contract specifications, under the heading, “Environmental Mitigation Requirements”? (General Mitigation Measure 1)	Y	<p>Mitigation measures are included in the following SCR Appendices:</p> <ul style="list-style-type: none"> • Individual Maintenance Plan and Methodology Table - see Appendix A • Individual Biological Assessment - see Appendix B • Individual Water Quality Assessment (IWQA) –see Appendix E • Water Pollution Control Plan (WPCP) – see Appendix G <p>Mitigation related to historical and paleontological resources are not required. No activity-specific mitigation measures are required for land use.</p>
2	Is a Pre-maintenance Meeting required, including, as appropriate, the Mitigation Monitoring Coordinator (MMC), Storm Water Division (SWD) Project Manager, Biological Monitor, Historical Monitor, Paleontological Monitor, and Maintenance Contractor (MC), and other parties of interest? (General Mitigation Measure 2)	Y	<p>As required by Note #1 under Additional Maintenance Requirement of the IMPs: Pre-maintenance (Sheet 7 of the IMP), a pre-maintenance meeting will be scheduled in coordination with MMC prior to initiating project activities. A biological monitor, MC, City Storm Water Division representative, and a qualified water quality specialist will be required and included in the pre-maintenance meeting. Since anticipated maintenance, access, and staging areas would occur within the preexisting channels or street right-of-way, and would not lower the channels below their original depth, the likelihood to discover historical or paleontological resources is considered low. Consequently, a historical and paleontological monitor is not required.</p>

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General Mitigation (cont.)			
3	Is there documented evidence of compliance with other permitting authorities (e.g., copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the Assistant Deputy Director [ADD] Environmental Designee), as applicable? (General Mitigation Measure 3)	Y	For this project, the following permits and other approvals have been issued or are pending authorization: <ul style="list-style-type: none"> • City of San Diego Master Maintenance Program (MMP) • Master Maintenance Program Environmental Impact Report (PEIR) Project No. 42891/SCH No. 2004101032 • City of San Diego Site Development Permit No. 1134892 • California Coastal Commission Coastal Development Permit (CDP) No. A-6-NOC11-086 • Regional Water Quality Control Board (RWQCB) 401 Water Quality Certification (Pending) • Army Corps of Engineers (ACOE) 404 Nationwide Permit (Pending) • California Dept. of Fish and Wildlife (CDFW) 1600 Streambed Alteration Agreement (1602)
4	Is there documented evidence of compliance with Section 1602 of the State of California Fish & Game Code (e.g., copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee), as applicable? (General Mitigation Measure 4)	Pending	The Transportation & Storm Water Department (T&SWD) submitted a notification for Streambed Alteration Agreement to CDFW on July 9, 2014. Authorization is anticipated within 60 days from the application date.
Biological Resources			
5	Has a qualified biologist prepared an IBA for each area proposed to be maintained in accordance with the specifications included in the Master Program? (Mitigation Measure 4.3.1)	Y	The IBA (Appendix B) was prepared by HELIX biologists meeting the qualifications specified in the City of San Diego Guidelines for Conducting Biology Surveys (June 2012 revision), and covers each area proposed to be maintained in accordance with the specifications in the MMP.
6	Have the IMPs and IBAs for maintenance activities within a proposed annual maintenance program been approved by the City's Assistant Deputy Director (ADD) Environmental Designee and state and federal agencies with jurisdiction over maintenance activities? (Mitigation Measure 4.3.2)	TBD	<i>Note: Requires further City review of the IMP and IBA to satisfy this requirement prior to initiation of any proposed annual maintenance activity.</i>

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Biological Resources (cont.)			
7	Has an IBA been prepared by a qualified biologist for each proposed maintenance activity, including the required contents? (Mitigation Measure 4.3.3)	Y	See response to No. 5, above.
8	Has a mitigation account been established to provide sufficient funds to implement all biological mitigation associated with the proposed maintenance act? (Mitigation Measure 4.3.4)	N/A	The mitigation efforts associated with this project will be funded by the T&SWD's annual budget. A Departmental Internal Order (I/O) number/account has been set up to track mitigation costs to allocate appropriate funding to implement associated biological mitigation projects.
9	Has evidence been provided documenting approval of the proposed maintenance by permitting authorities? (Mitigation Measure 4.3.5)	Pending	T&SWD will provide final authorization to comply with permitting authorities prior to final approval. Note, T&SWD has already submitted applications/notification for the proposed maintenance project to the ACOE, RWQCB, and CDFW but approvals are pending. SCR information is being submitted to the CCC concurrent with DSD.
10	Does the IMP call for a pre-maintenance meeting, if identified in the associated IBA? (Mitigation Measure 4.3.6)	Y	See response to No. 2, above.
11	Does the IBA for each proposed maintenance activity identify appropriate wetland mitigation measures according to the ratios identified in Table 4.3-10? (Mitigation Measure 4.3.9)	Y	The proposed maintenance will impact 0.31 acre of wetland habitat, consisting entirely of freshwater marsh. The proposed mitigation of 1.24 acres of compensatory freshwater marsh habitat (4:1 ratio, comprised of 1:1 wetland creation and 3:1 wetland enhancement). Mitigation for wetland impacts is proposed within the El Cuervo Del Sur Conceptual Wetland Enhancement Habitat Mitigation and Monitoring Plan (see Appendix H); and the Los Peñasquitos Canyon Preserve Conceptual Wetland Enhancement Plan (see Appendix I).

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Biological Resources (cont.)			
12	Have wetland mitigation plans and enhancement and/or restoration plans been prepared and submitted to the DSD pursuant to the requirements described in Mitigation Measure 4.3.10? Are they consistent with Appendix H of the Biological Technical Report (BTR) contained in Appendix D.3 of the PEIR? (Mitigation Measure 4.3.10)	Y	Compensation for wetland impacts is proposed to occur at two established mitigation sites: El Cuervo Del Sur Conceptual Wetland Enhancement Habitat Mitigation and Monitoring Plan (See Appendix H); and the Los Peñasquitos Canyon Preserve Conceptual Wetland Enhancement Plan (See Appendix I). Both sites are located within the Los Peñasquitos Canyon Preserve. These wetland mitigation plans have been prepared consistent with the PEIR's BTR Conceptual Mitigation Plan (Appendix H) requirements.
13	Would upland impacts be compensated through payment into the City's Habitat Acquisition Fund, or through acquisition and/or preservation of land in accordance with the ratios and requirements identified in Table 4.3-11? (Mitigation Measure 4.3.11)	Y	As identified in Appendix B – IBA, approximately 0.30 acre of non-native grassland habitat would be impacted by the proposed maintenance. In accordance with the ratios in PEIR Table 4.3-11, 0.15 acre (0.5 to 1 ratio) of non-native grassland will be mitigated by payment into the City's Habitat Acquisition Fund.
14	If the maintenance activity would result in loss of habitat for the coastal California gnatcatcher, is mitigation planned (i.e., through the acquisition of suitable habitat or mitigation credits within the MHPA at a ratio of 1:1, to be accomplished within six months of the date of maintenance completion? (Mitigation Measure 4.3.12)	NA	No coastal California gnatcatcher (CAGN) habitat (i.e., Coastal Sage Scrub) is identified or mapped within the maintenance area. See Appendix B – IBA. Thus, maintenance would not impact habitat for this species and mitigation is not required.
15	If sensitive biological resources may be impacted, would the monitoring biologist be able to verify that the following actions have been taken: <ul style="list-style-type: none"> • Has fencing, flagging, signage, or other means to protect sensitive resources been implemented? • Are noise attenuation measures needed to protect sensitive wildlife in place and effective? • Have nesting raptors been identified and necessary maintenance setbacks have been established if maintenance is to occur between February 1 and August 1? (Mitigation Measure 4.3.13)	Y	In accordance with mitigation in the INA (Appendix E, Maintenance Impacts section) and Note 6 under Additional Maintenance Requirements on Sheet 7 of the IMP, noise attenuation measures would be required if vector trucks would operate within 430 feet of the nesting habitat during the breeding season of the light-footed clapper rail located to the southeast of the PBO channel. Pursuant to the mitigation included in the IBA (Appendix B, page 12), pre-maintenance surveys would be conducted if maintenance activities occur during the breeding season of raptors and other birds protected by the Migratory Bird Treaty Act. If active nests are found, setbacks identified in the IBA would be respected as long as the nests are active (see Appendix B, pages 16 and 17).

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Biological Resources (cont.)			
16	Have off-site mitigation areas been reviewed to determine if the mitigation would have a significant impact on biological resources located within the disturbance area of the mitigation? If so, have appropriate mitigation measures been proposed to reduce these impacts to below a level of significance? (Mitigation Measures 4.3.14)	Y	Impacts to biological resources within the disturbance area of the proposed mitigation site have been analyzed. Based on the analysis, no impacts to sensitive native plant or wildlife species will occur. To avoid impacts to avian species, work will not be conducted between March 15 and September 15 to avoid the breeding season. To avoid impacts to adjacent occurrences of willow monardella, a qualified biologist will flag all occurrences of this species prior to enhancement activities commencing.
17	Does the IBA discuss appropriate actions to offset impacts to listed or endemic sensitive plant species? (Mitigation Measure 4.3.15)	NA	No endemic sensitive plants species would be impacted by maintenance (See Appendix B – IBA).
18	Would maintenance activities meet setback requirements for sensitive species? (Mitigation Measure 4.3.16)	Y	If maintenance is planned during the raptor nesting season, pre-maintenance surveys would be conducted and maintenance setback buffers established around active nests in accordance (see Maintenance Impacts section of Appendix E -- INA, Notes 3 and 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and pages 12, 16, and 17 of Appendix B – IBA).
19	Would clearing, grubbing, or grading (inside and outside the MHPA) be restricted during the breeding season of the listed species? Have protocol surveys been conducted for other potentially occurring sensitive species? If observed, have adequate mitigation measures been identified in the IBA? (Mitigation Measure 4.3.17)	Y	<p>The federal/state listed endangered light-footed clapper rail has been observed 300 feet south of the western tip of the PBO maintenance area. No nesting habitat for the clapper rail occurs on the project site, and there is a low potential for this species to forage on site due to the narrow composition of the channels, adjacency to roads and other urban edge effects, as well as a lack of preferred habitat. As the clapper rail is not expected to nest on site, no protocol surveys are warranted.</p> <p>While clearing and grubbing equipment noise would not impact clapper rail habitat, operation of vector trucks with 430 feet during the breeding season could adversely impact this species. The IBA, INA and IMP require noise attenuation for vector truck operations within 430 feet of clapper rail habitat (see Maintenance Impacts section of Appendix E – INA, Note 6 under Additional Maintenance Requirements on Sheet 7 of the IMP, and page 12 of Appendix B – IBA).</p>

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Biological Resources (cont.)			
20	Has evidence been submitted to document that protocol surveys have been conducted for potentially occurring sensitive bird species? (Mitigation Measure 4.3.18)	NA	As indicated in the IBA, the federal/state listed endangered light-footed clapper rail has been observed 300 feet south of the western tip of the PBO maintenance area. No nesting habitat for the clapper rail occurs on the project site, and there is a low potential for this species to forage on site due to the narrow composition of the channels, adjacency to roads and other urban edge effects, as well as a lack of preferred habitat. As the clapper rail is not expected to nest on site, no protocol surveys are warranted.
21	Has the IBA included appropriate mitigation measures when the potential exists for a sensitive bird species to occur near a proposed maintenance area and no protocol surveys have been conducted? (Mitigation Measures 4.3.19, 20 and 21)	Y	<p>Adequate noise protection is provided to protect the light-footed clapper rail habitat to the southeast of the maintenance area (see Maintenance Impacts section of Appendix E – INA, Note 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and page 12 of Appendix B – IBA).</p> <p>The City will attempt to avoid maintenance during the breeding season of sensitive birds. However, if the season cannot be avoided due to the need to conduct maintenance activities in time to protect human life and safety, the IBA, INA and IMP require specific measures to protect sensitive wildlife from adverse impacts related to maintenance including setbacks from active nests and noise attenuation barriers (see Mitigation section of Appendix E – INA, Notes 3 and 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and pages 12, 16, and 17 of Appendix B – IBA).</p>
22	Would removal of any eucalyptus trees or other trees used by raptors for nesting be proposed within the maintenance area? If yes, would maintenance include appropriate setbacks and limitations? (Mitigation Measure 4.3.22)	NA	The project does not propose removal of any eucalyptus or other trees in the maintenance area that could be used by raptors.
23	Would maintenance activities occur at known localities for listed fish species? If yes, would maintenance include appropriate mitigation? (Mitigation Measure 4.3.23)	NA	There are no known listed fish species occurring within the project area.
24	Would maintenance activities occur within areas supporting listed and/or narrow endemic plants? If yes, would maintenance proceed as described in Mitigation Measure 4.3.24?	NA	Listed/narrow endemic plants are not present in segments proposed for maintenance.

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Biological Resources (cont.)			
25	If maintenance is proposed during the nesting season of avian species, including those species not covered by the MSCP, does the IBA require maintenance within or adjacent to avian nesting habitat occur outside of the avian breeding season (January 15 to August 31) unless postponing maintenance would result in a threat to human life or property? (Mitigation Measure 4.3.25)	Y	The City will attempt to avoid maintenance during the breeding season of sensitive birds. However, if the season cannot be avoided due to the need to conduct maintenance activities in time to protect human life and safety, the IBA, INA and IMP require specific measures to protect sensitive wildlife from adverse impacts related to maintenance including setbacks from active nests and noise attenuation barriers (see Mitigation section of Appendix E – INA, Notes 3 and 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and pages 12, 16, and 17 of Appendix B – IBA).
Historical Resources			
26	Has a qualified archaeologist determined the potential for significant historical resources to occur in the maintenance area and prepared an IHA? (Mitigation Measure 4.4.1)	Y	A qualified archaeologist (Affinis) has determined that the project occurs in an area of moderate cultural sensitivity, and has prepared an IHA (Appendix C) to document resource potential. As stated on pages 9 to 10 of the IHA, no mitigation measures and monitoring are necessary because: (1) several previous cultural resources monitoring activities in the MBHS and PBO channel area have not encountered any cultural materials; (2) the MBHS channel is concrete-lined, (3) previous mapping has indicated that the two channels were outside of nearby archaeological sites, (4) the potential for impacts to historical resources is considered to be low, and (5) the channels are located in an area that has been built up with fill soil, including dredge spoils from Mission Bay.
27	Has an Individual Historical Assessment (IHA) been prepared for the proposed maintenance? (Mitigation Measure 4.4.1)	Y	An IHA has been prepared in compliance with the City of San Diego Historical Resources Guidelines and MMP (see Appendix C).
28	If required, has a field survey of the maintenance activity APE been performed by a qualified archaeologist and a Native American monitor? (Mitigation Measure 4.4.1)	Y	An intensive field survey was completed by qualified archaeological consultants, which included archaeologists from Affinis and a Native American Monitor from Red Tail Monitoring and Research. The results of the survey are included in the IHA in Appendix C.
29	Has a record search been requested from the South Coastal Information Center (SCIC)? (Mitigation Measure 4.4.1)	Y	A full records search was conducted from the SCIC in September, 2013, for a nearby project that encompassed the areas of the MBHS and PBO channels. See Appendix C – IHA.

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Historical Resources (cont.)			
30	Has an archaeological testing program been performed based on the City's Historical Resources Guidelines? (Mitigation Measure 4.4.1)	NA	Since the proposed maintenance would be conducted within an existing concrete-lined channel and an existing earthen-lined channel that has been exposed to consistent flushing and erosion, the potential to encounter historical resources is considered low; therefore testing is not required.
31	Have significant historical resources been identified within the proposed maintenance activity APE? If yes, address criteria numbers 32 through 38. If no, proceed to criteria number 39 (Mitigation Measures 4.4.1 and 4.4.2)	NA	There are no known significant resources within the APE.
32	Has a Principal Investigator (PI) been selected and approved by the SWD and ADD Environmental Designee? (Mitigation Measure 4.4.2.1)	NA	NA
33	Have mitigation recommendations from the IHA been incorporated into the IMP to the satisfaction of the PI and the ADD Environmental Designee? (Mitigation Measure 4.4.2.2)	NA	NA
34	If impacts to significant historical resources cannot be avoided, has the PI prepared and implemented an Archaeological Research Design and Data Recovery Program (ARDDRP) for the affected resources, with input from a Native American consultant (approved by the ADD Environmental Designee)? (Mitigation Measure 4.4.2.3)	NA	NA
35	Has a pre-maintenance meeting been planned and/or conducted on site, including representatives from the PI, Native American consultant, SWD, MMC, Resident Engineer (RE), and MC? (Mitigation Measure 4.4.2.4)	NA	NA
36	If human remains have been discovered in the course of conducting the ARDDRP, would the procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) be implemented? (Mitigation Measure 4.4.2.5)	NA	NA
37	Will the PI and Archaeologist assume required responsibilities? (Mitigation Measures 4.4.2.6, 4.4.2.7, and 4.4.2.8)	NA	NA
38	If the IHA identifies a moderate to high potential for the occurrence of significant historical resources within the APE, would mitigation measures be implemented? (Mitigation Measure 4.4.3)	NA	NA

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Master Program PEIR Mitigation, Monitoring, and Reporting Program			
Land Use			
39	Has the ADD Environmental Designee verified that all MHPA boundaries and limits of work have been delineated on all maintenance documents? (Mitigation Measure 4.1.1)	Y	The MBHS and PBO channels does not include any areas designated as MHPA. However, an MHPA does occur immediately southwest of the PBO channel terminus. See Appendix B - IBA, Figure 5 for mapped MHPA locations in relation to maintenance areas. The MHPA boundary is shown on Appendix A - IMP, Sheet 2.
40	Has a qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) recovery permit) surveyed habitat areas inside and outside the MHPA suspected to serve as habitat for the coastal California gnatcatcher, least Bell's vireo and/or other listed species? (Mitigation Measure 4.1.2)	Y	As indicated in the IBA, the federal/state listed endangered light-footed clapper rail has been observed 300 feet south of the western tip of the PBO maintenance area. No nesting habitat for the clapper rail occurs on the project site, and there is a low potential for this species to forage on site due to the narrow composition of the channels, adjacency to roads and other urban edge effects, as well as a lack of preferred habitat. As the clapper rail is not expected to nest on site, no protocol surveys are warranted on-site. However, protocol surveys would be required if maintenance noise levels could exceed 60 dBA Leq. (See Maintenance Impacts section of Appendix E – INA, Note 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and page 12 of Appendix B – IBA). Based on the analysis performed for the IBA, no other listed species have the potential to occur within or near the maintenance area.
41	Has a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) performed a noise analysis for the proposed maintenance activity? (Mitigation Measure 4.1.3)	Y	The noise analysis was performed by Charles Terry, Senior Acoustical Consultant for HELIX Environmental Planning, Inc. Mr. Terry has over 30 years of experience evaluating noise. He has prepared and conducted noise planning and monitoring studies for clients with construction and facilities noise including submittals to various government agencies for human and endangered species noise impacts. He is also on the County of San Diego's certified list of acoustical studies.

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Land Use (cont.)			
42	Would the proposed maintenance have the potential to impact breeding activities of listed species? If yes, would maintenance activities be restricted to outside the breeding season? (Mitigation Measure 4.1.4)	Y	<p>The IBA concludes that maintenance activities could impact the light-footed clapper rail as well as raptors and other MBTA birds.</p> <p>The INA concludes that, with the exception of vector trucks, noise generated by maintenance equipment would not exceed 60 dBA L_{eq} within the clapper rail habitat. However, the use of vector trucks within 430 feet of the clapper rail habitat could expose the clapper rail habitat to noise levels in excess of 60 dBA L_{eq} and, pose a significant impact on this bird during the nesting season. As mandated by the IBA, IMP and IMP, noise barriers would be implemented if vector trucks operate within 430 feet of the clapper rail habitat during the breeding season (see Maintenance Impacts section of Appendix E – INA, Note 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and page 12 of Appendix B – IBA).</p> <p>Equipment noise could also impact nesting raptors or other birds protected by the MBTA should maintenance occur between January 15 and August 31. If maintenance is unavoidable during the breeding season, the IBA and IMP require pre-maintenance surveys and specific setbacks for active nests to protect nesting activities (see Notes 3 and 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and page 12, 16, and 17 of Appendix B – IBA).</p>
43	If maintenance cannot be avoided during an identified breeding season for a listed bird which is determined to be potentially significantly affected by maintenance, would the appropriate measures be taken? (Mitigation Measure 4.1.5)	Y	See response to No. 42, above.
44	Has a pre-maintenance meeting been planned and/or conducted, including the MC, Project Biologist, and City representative? (Mitigation Measure 4.1.6)	Y	A pre-maintenance meeting will be scheduled in coordination with MMC prior to initiating project activities. A biological monitor will be required and included in the pre-maintenance meeting. See response to No. 2 for more information.

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Land Use (cont.)			
45	Does the IMP include appropriate maintenance designs? (Mitigation Measure 4.1.7)	Y	Note 19 under Applicable PEIR Mitigation Measures on Sheet 7 of the IMP includes the design measures specified by Mitigation Measure 4.1.7. In addition, Note 2 of the Additional Maintenance Requirements section of the IMP on Sheet 7 contains provisions to preclude introduction of invasive plants. Notes 7 through 10 and 15 under MMP Protocol Requirements in the IMP on Sheet 7 will control trash and maintenance equipment servicing byproducts. In addition, the IMP limits maintenance access and staging to disturbed areas. No access will be allowed through the adjacent MHPA.
46	Has the ADD Environmental Designee verified that the MHPA boundaries and the requirements regarding coastal California gnatcatcher been included in the IMP and/or IBA? (Mitigation Measure 4.1.8)	NA	As indicated in response to comment 14, no habitat of the coastal California gnatcatcher will be impacted by the proposed maintenance.
Master Program Protocols			
Water Quality			
47	Does the IMP include measures to stabilize designated access roads (or other graded areas) with permeable protective surfacing (e.g., grasscrete), storm water diversion structures (e.g., brow ditches or berms), or crossing structures (e.g., culverts) to control erosion and prevent off-site sediment transport? (WQ-1)	NA	Access roads will not need to be stabilized as all roadways used will be paved. BMPs to control and prevent off-site sediment transport from other sources, as identified in Appendix G - Water Pollution Control Plan (WPCP) and Appendix A – IMP, Maintenance BMP section on Sheet 6 will be implemented.
48	Does the IMP include measures to prevent off-site sediment transport during maintenance through the use erosion and sediment controls within storm water facilities, along access routes and around stockpile/staging areas? Will temporary erosion or sediment control measures be removed upon completion of maintenance unless their removal would result in greater environmental impact than leaving them in place? (WQ-2)	Y	Erosion and sediment controls such as street sweeping/vacuuming and sandbag barriers will be implemented to prevent off-site sediment transport during maintenance. See Appendix A – IMP, Sheets 4 through 6 and Appendix G - WPCP for more information. Temporary erosion and sediment control measures will be removed upon completion (see IMP – Sheet 7, Notes 1 and 2 of Post Maintenance).
49	Does the IMP require storage of BMP materials on-site in a way that provides complete protection of exposed areas and prevent off-site sediment transport? (WQ-3)	Y	Note 7 under Maintenance BMPs on Sheet 6 of the IMP includes this requirement.
50	Does the IMP require training for personnel responsible for the proper installation, inspection, and maintenance of on-site BMPs. (WQ-4)	Y	Note 15 under Maintenance BMPs on Sheet 6 of the IMP includes this requirement.

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Master Program Protocols (cont.)			
Water Quality (cont.)			
51	Does the IMP require revegetation of spoil and staging areas within 30 days of completion of maintenance activities? Does it require monitoring and maintenance of revegetated areas for a period of not less than 25 months following planting? (WQ-5)	Y	Note 17 under Maintenance BMPs on Sheet 6 of the IMP includes this requirement.
52	Does the IMP require sampling and analysis; monitoring and reporting; and post-maintenance management programs per National Pollutant Discharge Elimination System (NPDES) and/or City requirements? (WQ-6)	NA	The project is not subject to NPDES requirements because the NPDES General Construction Permit excludes projects that consist of “routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility” activities (for more information, see Appendix G – WPCP, page 2). However, Note 13 under Maintenance BMPs on Sheet 6 of the IMP includes this requirement pursuant to City requirements.
53	Does the IMP prohibit storing hazardous materials used during maintenance within 50 feet from storm water facilities? Does it require hazardous materials to be managed and stored in accordance with applicable local, state and federal regulations? (WQ-7)	Y	Note 8 under Maintenance BMPs on Sheet 6 of the IMP includes this requirement.
54	Does the IMP prohibit storage of maintenance-related trash in areas within 50 feet from storm water facilities, and require removal of trash in receptacles at least weekly? (WQ-8)	Y	Note 15 under Master Maintenance Plan Protocols on Sheet 7 of the IMP contains this requirement.
55	Does the IMP require installation of any check dam or other comparable mechanism identified in the corresponding IHHA? Are these structures required to be removed when vegetation growth has reached a point where the structure is no longer required unless removal would result in greater environmental harm than leaving them in place? (WQ-9)	NA	The MBHS channel does not require a check dam as a concrete-lined channel can sustain high velocities. The PBO channel does not require a check dam – during a bank full storm event, it would not exceed the unlined channel velocities that would require an erosion control measure such as a check dam. See Appendix D – IHHA, page 14 for more information.
56	Does the IMP require inspection of earthen-bottom storm water facilities within 30 days of the first 2-year storm following maintenance? Are erosion control measures recommended by the field engineer incorporated into the IMP? (WQ-10)	Y	Note 16 under MMP Protocol Requirements on Sheet 7 of the IMP requires inspection of earthen-bottom storm water facilities within 30 days of the first 2-year storm following maintenance and implementation of appropriate remedial erosion control measures.

SUBSTANTIAL CONFORMANCE REVIEW CHECKLIST
MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM

No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
Master Program Protocols (cont.)			
Water Quality (cont.)			
57	Does the IMP incorporate mitigation measures identified in the IWQA and/or Table 4.8-8 of the PEIR?	Y	As discussed in the IWQA (Appendix E), the project does include BMPs that would reduce pollutants identified in Table 4.8-8 of the PEIR, including street sweeping. See Note 4 under Maintenance BMPs on Sheet 6 in Appendix A – IMP for more information. In addition, the City will continue to implement general water quality improvement activities, as required by the Coastal development Permit (CDP). As required by the CDP, the City will utilize a suite of pollution prevention, source control, and treatment BMPs to address sediment and other pollutant inputs.
Biological Resource Protection			
58	Does the IMP restrict vehicles to access designated in the Master Program? (BIO-1)	Y	See Note 1 under Master Maintenance Plan (MMP) Protocol Requirements included on Appendix A – IMP, Sheet 7.
59	Does the IMP require delineation and flagging of all sensitive biological resources to remain within or adjacent to the maintenance area? (BIO-2)	Y	See Note 2 under Master Maintenance Plan (MMP) Protocol Requirements included on Appendix A – IMP, Sheet 7.
60	Does the IMP require a pre-maintenance meeting when maintenance will occur within or adjacent to sensitive biological resources? (BIO-3)	Y	Note 1 under Maintenance Procedure: Pre-maintenance on Sheet 7 of the IMP requires a pre-maintenance meeting.
61	Are erosion control measures designed to avoid introduction of invasive plant species? (BIO-4)	Y	Notes 2 on Sheet 7 under Additional Maintenance Requirements and Note 4 under Maintenance Protocol Requirements included on sheet 7 of the IMP identify erosion control measures to be implemented during maintenance.
62	Does the IMP require conducting pre-maintenance protocol surveys if maintenance is proposed during the breeding season of a sensitive animal species? (BIO-5)	Y	See Note 5 under Maintenance Protocol Requirements included on Appendix A - IMP, Sheet 7 and pages 16 and 17 of the IBA.
63	If arundo will be removed during maintenance, does the IMP include appropriate removal methods to minimize downstream dispersal? (BIO-6)	NA	No arundo was mapped on site during the IBA. Thus, no removal will occur.

SUBSTANTIAL CONFORMANCE REVIEW CHECKLIST
MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM

No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
Master Program Protocols (cont.)			
Biological Resource Protection (cont.)			
64	Does the IMP prohibit the use of mechanized maintenance within 300 feet of a Cooper's hawk nest, 900 feet of a northern harrier's nest, or 500 feet of any other raptor's nest until any fledglings have left the nest? (BIO-7)	Y	See Maintenance Impacts section of Appendix E -- INA, Notes 3 and 5 under Additional Maintenance Requirements on Sheet 7 of the IMP, and pages 12, 16, and 17 of Appendix B – IBA.
65	Does the IMP include measures to minimize the potential for entrapping wildlife when implementing erosion control measures? (BIO-8).	Y	See Note 8 under Additional Maintenance BMP Requirements included on Appendix A – IMP, Sheet 7.
Historical Resource Protection			
66	Does the IMP call for flagging, capping, or fencing of all historical resource areas in the field prior to initiation of maintenance activities in the presence of a qualified historical resource specialist, as necessary)? (HIST-1)	NA	No flagging, capping or fencing of historical resources is required because the maintenance would be conducted where the potential to discover archaeological resources is low.
67	Does the IMP require a pre-maintenance meeting on-site when maintenance activities are determined in the IHA to potentially impact historic resources? (HIST-2)	NA	Significant archaeological impacts are not anticipated for maintenance within the MBHS and PBO channels; therefore a PI or Native American consultant would not be required at the pre-maintenance meeting. See No. 26 for more information.
Waste Management			
68	Does the IMP call for disposal of compostable green waste material at an approved composting facility, if available? (WM-1)	Y	Note 7 under Maintenance Protocol Requirements included on Sheet 7 of the IMP requires proper disposal of green waste.
69	Does the IMP call for screening of soil, sand, and silt to remove waste debris and, wherever possible, to be re-used as fill material, aggregate, or other raw material? (WM-2)	Y	Note 8 under Maintenance Protocol Requirements included on Sheet 7 of the IMP meets this requirement.
70	Does the IMP call for separation and transport of waste tires to an appropriate disposal facility, including the completion of a Comprehensive Trip Log (CTL) if more than nine tires are in a vehicle or waste bin at any one time? (WM-3)	Y	Note 9 under Maintenance Protocol Requirements included on Sheet 7 of the IMP meets this requirement.
71	Does the IMP require hazardous materials encountered during maintenance to be logged under a hazardous materials manifest and transported to an approved hazardous waste storage, recycling, treatment or disposal facility? (WM-4)	Y	Note 10 under Maintenance Protocol Requirements included on Sheet 7 of the IMP meets this requirement.