

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 modified 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 modified SDP Conditions.

Date: August 9, 2016

Name of Preparer: Catherine Rom

Phone Number: (619) 318-3616

Email: crothman@sandiego.gov

ACTIVITY INFORMATION

Master Program

Map #(s): 11&12

City Equipment #(s): Map 11 & 12: #s 88000247, 88000249, 88000250, 88000251

Creek Name: Soledad (Sorrento) Creek

Watershed(s): Los Peñasquitos Creek; Carol Canyon Hydrologic Unit (Basin Number 6.10)

Location: Directly east of Roselle Street, just below the intersection of the I-5 and I-805. The channel is intersected by Sorrento Valley Boulevard in San Diego, CA

DOCUMENTS INCLUDED IN CONSISTENCY DETERMINATION PACKAGE**Included NA Document**

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Individual Maintenance Plan (IMP) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Individual Biological Assessment (IBA) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Individual Historical Assessment (IHA) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Individual Hydrologic and Hydraulic Assessment (IHHA) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Individual Water Quality Assessment (IWQA) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Individual Noise Assessment (INA) |

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 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	See Attachment 5 – IBA and Attachment 7-Regulatory Permits, which includes the following: <ul style="list-style-type: none"> • Developmental Services Department (DSD) Notice of Exemption (NOE); Emergency Project (Section 21080(b)(4); 15269(b) &(c) • Regional Water Quality Control Board (RWQCB) Attachment D • Army Corps of Engineers (ACOE) Regional General Permit 63 Emergency; SPL-2016-00198-RAG • CDFW 1600 Streambed Alteration Agreement (1602) Operational Law (OpLaw) Letter (2013) and 1600 Streambed Alteration Agreement No. 1600-2006-0183-R5
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	Due to the emergency nature of the work, the pre-maintenance meeting was conducted on site on the first day of emergency maintenance (03/04/2016) for Area 1 and on the first day of emergency concrete repair activities (04/19/2016) for Areas 2 & 3. The pre-maintenance meeting included biologist, historical and Native American monitors, and field crews.

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)
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	<p>For this project, the following permits and other approvals have been issued:</p> <ul style="list-style-type: none"> • Modified Master Maintenance Program (MMP) • Master Maintenance Program Environmental Impact Report (PEIR) <p>See Also: Attachment 7 - Regulatory Permits, which includes the following:</p> <ul style="list-style-type: none"> • Developmental Services Department (DSD) Notice of Exemption (NOE); Emergency Project (Section 21080(b)(4); 15269(b) &(c)) • Regional Water Quality Control Board (RWQCB) Attachment D • Army Corps of Engineers (ACOE) Regional General Permit 63 Emergency; SPL-2016-00198-RAG • CDFW 1600 Streambed Alteration Agreement (1602) Operational Law (OpLaw) Letter (2013) and 1600 Streambed Alteration Agreement No. 1600-2006-0183-R5
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)	Y	<p>See Attachment 7 - Regulatory Permits, which includes (among other permits):</p> <ul style="list-style-type: none"> • CDFW 1600 Streambed Alteration Agreement (1602) Operational Law (OpLaw) Letter (2013) and 1600 Streambed Alteration Agreement No. 1600-2006-0183-R5 <p>Authorizations from CDFW were issued in 2006 and 2013 for routine maintenance of the Reach 2 and Reach 3 channels, respectively. The OpLaw letter is set to expire in 2018 and the 2006 SAA will expire in 2026, therefore this 2016 emergency maintenance and concrete repair, which occurred in the same geographical footprint as previously approved maintenance activities, were authorized by these CDFW agreements.</p>

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)
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	Scott Gressard is a qualified biologist, and he prepared Attachment 5 – IBA, which covers each of the 3 Areas that underwent emergency maintenance and repair.
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)	Y	See Attachment 5 – IBA and SCR Memo
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 Attachment 5 – IBA
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	See Attachment 5 – IBA. Ongoing mitigation efforts will be funded by Transportation & Storm Water Department.

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)
9	Has evidence been provided documenting approval of the proposed maintenance by permitting authorities? (Mitigation Measure 4.3.5)	Y	<p>See Attachment 7 - Regulatory Permits, which includes the following:</p> <ul style="list-style-type: none"> • Developmental Services Department (DSD) Notice of Exemption (NOE); Emergency Project (Section 21080(b)(4); 15269(b) &(c) • Regional Water Quality Control Board (RWQCB) Attachments D • Army Corps of Engineers (ACOE) Regional General Permit 63 Emergency; SPL-2016-00198-RAG • CDFW 1600 Streambed Alteration Agreement (1602) Operational Law (OpLaw) Letter (2013) and 1600 Streambed Alteration Agreement No. 1600-2006-0183-R5
10	Does the IMP call for a pre-maintenance meeting, if identified in the associated IBA? (Mitigation Measure 4.3.6)	Y	<p>See SCR Memo; Individual Maintenance Plan as well as the Master List of BMPs, Maintenance Protocols and Mitigation Measures, in the following sections:</p> <ul style="list-style-type: none"> • PEIR (WQ-4.8.3, page 3) • MMP (BIO-3, page 12) • PEIR (BIO-4.3.6, page 13) • MMP (HIST-2, page 28)

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)
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	<p>See Appendix 5 – IBA, Environmental Mitigation Requirements.</p> <p><i>Area 1:</i> The City issued permits for Reach 2 in 2000 and 2006 and the current impacts from the 2016 emergency maintenance are within the same footprint as the original approval. Vegetation conditions are similar those conditions identified in the previous approvals. Previous approvals required mitigation for impacts in this section through the completion of the El Cuervo Wetland Mitigation Project. Mitigation for impacts within Reach 3 was established by emergency maintenance that occurred within the channel in 2011 and by the January 2014 SCR approval for the initial maintenance under the MMP. The current impacts are within the same footprint as the original approval. Mitigation for impacts to Reach 3 is currently being implemented at the El Cuervo del Sur Wetlands Establishment Project and the Los Penasquitos Canyon Wetlands Enhancement Project.</p> <p><i>Area 2:</i> No mitigation is required for impacts within Reach 3 (concrete-lined channel).</p> <p><i>Area 3:</i> Impacts from placement of the diversion berm within the upstream earthen channel and installation of the new cut-off wall will be mitigated at a 1:1 ratio through restoration of the impact area and the remaining 2:1 ratio will occur either onsite through the removal and control of Arundo or offsite through the purchase of mitigation credits or mitigation project acreage allocation.</p>

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)
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)	N	See response to #11 above and Attachment 5 – IBA; Environmental Mitigation 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)	N	See Attachment 5 – IBA; Maintenance Impacts. No upland impacts occurred as part of this emergency maintenance and repair; therefore no biological mitigation is required or proposed.
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)	N/A	N/A. See Attachment 5 – IBA. No suitable coastal California gnatcatcher habitat was impacted as part of this emergency channel maintenance.

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)
15	<p>If sensitive biological resources may be impacted, would the monitoring biologist be able to verify that the following actions have been taken:</p> <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? <p>(Mitigation Measure 4.3.13)</p>	Y	<p>See Attachment 5 – IBA.</p> <p>The monitoring biologist documented that all impacts to sensitive resources by this emergency maintenance and repair were monitored and documented. The biologist also verified that no unplanned impacts to these resources occurred.</p> <p>Raptor nesting surveys were conducted prior to emergency maintenance in Area 1 on 03/04/2016 and prior to the emergency concrete-repair in Areas 2&3 on 04/09/2016. No nests were found within 500 feet of the maintenance or concrete repair areas nor were any encountered during the maintenance period.</p>
16	<p>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)</p>	Y	<p>See response to #11 above and Attachment 5 - IBA; Mitigation.</p> <p>Offsite mitigation is currently being implemented at the El Cuervo del Sur Wetlands Establishment Project and the Los Penasquitos Canyon Wetlands Enhancement Project according to the approved Plans.</p>
17	<p>Does the IBA discuss appropriate actions to offset impacts to listed or endemic sensitive plant species? (Mitigation Measure 4.3.15)</p>	N	<p>See Attachment 5 – IBA. The emergency channel maintenance area is in an urban setting and is composed of areas that are subject to frequent scour (natural flood channel) and therefore potential for listed or endemic plant species to occur was low in all three Areas.</p>

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)
18	Would maintenance activities meet setback requirements for sensitive species? (Mitigation Measure 4.3.16)	Y	See Attachment 5 – IBA. See response to #15 above. The maintenance activities met the setback requirements for sensitive species as no sensitive or avian species defined in Mitigation Measure 4.3.16 were detected onsite during pre-maintenance and pre-construction surveys for raptors (Areas 1, 2, and 3) or during focused protocol surveys for least Bell's vireo (Areas 2 and 3).
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	See Attachment 5 – IBA and response to #18 above. No sensitive or avian species defined in Mitigation Measure 4.3.16 were detected onsite during pre-maintenance and pre-construction surveys for avian species (Areas 1, 2, and 3) or during focused protocol surveys for least Bell's vireo (Areas 2 and 3). Therefore, no mitigation measures for these impacts were included in the IBA.
20	Has evidence been submitted to document that protocol surveys have been conducted for potentially occurring sensitive bird species? (Mitigation Measure 4.3.18)	Y	See response to #19 above; Focused surveys for least Bell's vireo were conducted prior to the emergency concrete repair activities in Areas 2&3 on 04/16, 04/17, and 04/18/2016 by a qualified biologist. No least Bell's vireo were detected.
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	See Attachment 5 – IBA and responses to #19 and #20 above. With respect to Mitigation Measure 4.3.19, 20, and 21, since work was conducted during the avian breeding season and since there was potential for sensitive species to occur adjacent to the emergency impact area, protocol surveys for least Bell's vireo were conducted. No vireo were detected.
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)	N	See Attachment 5 – IBA. No trees were removed within the maintenance area. Raptor nesting surveys were conducted prior to emergency maintenance in Area 1 on 03/04/2016 and prior to emergency concrete repair activities in Areas 2&3 on 04/19/2016. No nests were found within 500 feet of the maintenance or concrete repair areas.

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)
23	Would maintenance activities occur at known localities for listed fish species? If yes, would maintenance include appropriate mitigation? (Mitigation Measure 4.3.23)	N	See Attachment 5 – IBA. There are no known listed fish species occurring within the emergency channel maintenance area.
Biological Resources (cont.)			
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?	N	See Attachment 5 – IBA. Listed/narrow endemic plants were not found and are not expected to be found within the emergency maintenance footprint.
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)	N	See Attachment 5 – IBA and responses to #18, #19, and #20. Work in all three Areas was conducted as emergency maintenance due to threat to human life or property. Raptor nesting surveys were conducted prior to emergency maintenance in Area 1 on 03/04/2016 and prior to emergency concrete repair activities in Areas 2&3 on 04/19/2016. No nests were found within 500 feet of the maintenance or concrete repair areas. In addition, protocol surveys for least Bell's vireo were also conducted prior to concrete repair activities in Areas 2&3. No vireo were detected.

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)
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	<p>See SCR Memo; Historical Assessment section.</p> <p>Area 1: A historical records search led to a determination that the potential for impacts to significant historical resources was high in Reach 2 (earthen channel) and low in Reach 3 (concrete channel).</p> <p>Area 2: Replacement of the concrete channel required removal of the existing concrete, re-contouring and excavating the sediments underneath concrete, and pouring new concrete. As this activity would impact sediments in a high sensitivity area and could potentially impact historical resources. Archaeological and Native American monitors were present for maintenance activities.</p> <p>Area 3: A historical records search led to a determination that the potential for impacts to significant historical resources was moderate.</p>
27	Has an Individual Historical Assessment (IHA) been prepared for the proposed maintenance? (Mitigation Measure 4.4.1)	N	See SCR Memo; Historical Assessment section. An IHA was not prepared due to the emergency nature of the maintenance activities at this time, however archaeological and Native American monitors were present for maintenance activities in Areas 1, 2, and 3.

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)
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	See SCR Memo; Historical Assessment section and response to #26. A field survey for Reach 3 was performed by URS in 2013, as it was the only Reach planned for maintenance at that time. Due to the emergency nature of the project, a pre-maintenance survey of Reaches 2 or Area 3 was not performed. However archaeological and Native American monitors were present for maintenance activities in Areas 1, 2, and 3.
29	Has a record search been requested from the South Coastal Information Center (SCIC)? (Mitigation Measure 4.4.1)	Y	<p>See SCR Memo; Historical Assessment and response to #26.</p> <p>Area 1: A historical records search led to a determination that the potential for impacts to significant historical resources was high in Reach 2 (earthen channel) and low in Reach 3 (concrete channel).</p> <p>Area 2: Replacement of the concrete channel required removal of the existing concrete, re-contouring and excavating the sediments underneath concrete, and pouring new concrete. As this activity would impact sediments in a high sensitivity area and could potentially impact historical resources. Archaeological and Native American monitors were present for maintenance activities The sediment beneath the channel was exposed when replacing the concrete lining and historical monitoring occurred during that time.</p> <p>Area 3: A historical records search led to a determination that the potential for impacts to significant historical resources was high.</p>

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)
30	Has an archaeological testing program been performed based on the City's Historical Resources Guidelines? (Mitigation Measure 4.4.1)	N/A	See SCR Memo; Historical Assessment. The potential for significant impacts to historical resources was low, therefore no historical testing program was performed.
31	Have significant historical resources been identified within the proposed maintenance activity APE? If yes, address criteria numbers 36 through 42. If no, proceed to criteria number 43. (Mitigation Measures 4.4.1 and 4.4.2)	N	See SCR Memo; Historical Assessment. No significant historical resources were identified within the emergency channel maintenance APE.
32	Has a Principal Investigator (PI) been selected and approved by the SWD and ADD Environmental Designee? (Mitigation Measure 4.4.2.1)	Y	See SCR Memo; Historical Assessment. Brad Comeau is the selected and approved Principal Investigator (PI) for the project.
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)	Y	See SCR Memo; Historical Assessment. Although the potential for significant historical resources impacts was low, mitigation recommendations in the form of monitoring were implemented.
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)	N/A	N/A. See SCR Memo; Historical Assessment. Impacts to historical resources were not expected and did not occur during maintenance.

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)
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)	Y	A pre-maintenance meeting occurred on the first day of work within Area 1 (03/04/2016) and within Areas 2&3 (04/19/2016). All required parties (crew and biologist) had the opportunity to attend.
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)	Y	See SCR Memo; Historical Assessment. The potential for historical resource impacts were low and had human remains been found, the procedures described would have been implemented. However, no human remains were discovered during maintenance.
37	Will the PI and Archaeologist assume required responsibilities? (Mitigation Measures 4.4.2.6, 4.4.2.7, and 4.4.2.8)	Y	See SCR Memo; Historical Assessment. The PI, Brad Comeau has assumed all required responsibilities.
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)	Y	See SCR Memo; Historical Assessment. Although the potential for significant historical resource impacts was low, mitigation measures in the form of monitoring were implemented.
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 project site is not within or adjacent to the MHPA.

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)
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	See Attachment 5 – IBA and responses to #18, #19, #20, and #25. There are no MHPA boundaries within or adjacent to the emergency channel maintenance area. Nesting surveys for raptors were conducted prior to emergency maintenance in Area 1 (03/04/2016) and concrete repair activities in Areas 2&3 (04/19/16). No nests were found within 500 feet of the maintenance or concrete repair areas. Focused surveys for least Bell's vireo were also conducted prior to emergency concrete repair activities on 04/16, 04/17, and 04/18/2016 by a qualified biologist. No least Bell's vireo were detected.
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)	N/A	See SCR Memo; Noise Assessment.
42	Would the proposed maintenance have the potential to impact breeding activities of listed species? If yes, would maintenance activities be restricted to the breeding season? (Mitigation Measure 4.1.4)	Y	See Attachment 5 – IBA and responses to #18, #19, #20, #25, and #40.
Master Program PEIR Mitigation, Monitoring, and Reporting Program			
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)	N/A	See Attachment 5 – IBA and responses to #18, #19, #20, #25, and #40.

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)
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	See Attachment 5 – IBA and responses to #2 and #35. The pre-maintenance meeting was conducted on site on the first day of emergency maintenance (03/04/2016) for Area 1 and on the first day of emergency concrete repair activities (04/19/2016) for Areas 2 & 3. The pre-maintenance meeting included biologist, historical and Native American monitors, and field crews.
45	Does the IMP include appropriate maintenance designs? (Mitigation Measure 4.1.7)	Y	See SCR Memo; Individual Maintenance Plan section.
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)	Y	See Attachment 5 – IBA, Attachment 7 – Regulatory Permits, and response to #39 above.
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)	Y	See Attachment E – IBA and SCR Memo; Individual Maintenance Plan. Since this work was conducted as emergency channel maintenance, no Water Pollution Control Plan was drafted. However, erosion control measures (e.g. jute netting) was used as appropriate.

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)
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	See Attachment E – IBA and SCR Memo; Individual Maintenance Plan section and Water Quality section for measures implemented. No formal IMP was prepared due to the emergency nature of work. All work was conducted during dry conditions in the channel, so do erosion occurred as a result of the maintenance. Fiber rolls were installed around stockpiled material outside of channel width.
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	See SCR Memo; Individual Maintenance Plan.
50	Does the IMP require training for personnel responsible for the proper installation, inspection, and maintenance of on-site BMPs. (WQ-4)	Y	See SCR Memo; Individual Maintenance Plan. City field crews are trained on the proper installation and maintenance of BMPs used during maintenance activities.
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)	N	See Attachment E – IBA. No revegetation was required as part of this maintenance because all impacts and staging occurred on developed or disturbed lands.

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)
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)	N	Since all work was conducted when there was no flowing water in the channel, no storm water was discharged from the maintenance area and no such sampling/analysis was required.
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	See SCR Memo; Individual Maintenance Plan. Due to the emergency nature of the project, a formal IMP was not prepared. However, hazardous materials were not stored near storm water facilities during the emergency.
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	See SCR Memo; Individual Maintenance Plan. Due to the emergency nature of the project, a formal IMP was not prepared. However, maintenance related trash was not stored within 50 feet of the facility and was promptly removed from the site.
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)	N	See SCR Memo; Individual Maintenance Plan.

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)
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	See SCR Memo; Individual Maintenance Plan. Inspection will be conducted at the appropriate time.
57	Does the IMP incorporate mitigation measures identified in the IWQA and/or Table 4.8-8 of the PEIR?	Y	See SCR Memo; Individual Maintenance Plan & Water Quality Assessment
Master Program Protocols (cont.)			
Biological Resource Protection			
58	Does the IMP restrict vehicles to access designated in the Master Program? (BIO-1)	Y	See Attachment 5 – IBA, pages 17-23. All vehicles were restricted to access areas defined in the approved agency emergency permit applications.
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 Attachment 5 – IBA, pages 17-23. Sensitive biological resources adjacent to the channel were flagged and limits of work were delineated in all three Areas.
60	Does the IMP require a pre-maintenance meeting when maintenance will occur within or adjacent to sensitive biological resources? (BIO-3)	Y	See Attachment 5 – IBA and responses to #2, #35, and #44.
61	Are erosion control measures designed to avoid introduction of invasive plant species? (BIO-4)	Y	See Attachment 5 – IBA, pages 17-23 and SCR Memo; Individual Maintenance Plan.
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 Attachment 5 – IBA, pages 17-23 and responses #25, Raptor nesting surveys were conducted prior to each maintenance event on January 28, 2016 and February 12, 2016. No nests were found within 500 feet of the maintenance area nor were any encountered during the maintenance period.

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)
63	If arundo will be removed during maintenance, does the IMP include appropriate removal methods to minimize downstream dispersal? (BIO-6)	Y	See Attachment A – IBA, pages 17-23. Arundo was removed in Area 3 (0.003 ac) as part of this emergency maintenance. However, there was no flowing water during maintenance and all rhizomes were removed; therefore there was minimal chance of downstream dispersal.
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)	N	See Attachment A – IBA, pages 17-23. Raptor nesting surveys were conducted prior to emergency maintenance work in Area 1 (03/04/2016) and prior to emergency construction activities in Areas 2&3 (04/19/2016). No nests were found within 500 feet of the maintenance area nor were any encountered during the maintenance period. No habitat for northern harrier is present within 900 feet of the maintenance area.
65	Does the IMP include measures to minimize the potential for entrapping wildlife when implementing erosion control measures? (BIO-8).	Y	See SCR Memo; Individual Maintenance Plan.
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)	N	See SCR Memo; Historical Assessment. The field survey and historical records search indicated that potential for historical resource areas in and around the channel maintenance was low, therefore no flagging, capping, or fencing occurred or was required.
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)	Y	See SCR Memo; Historical Assessment. Due to the low likelihood of historical resources being present onsite, the historical assessment summary did not require a pre-maintenance meeting for this work.

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)
Waste Management			
68	Does the IMP call for disposal of compostable green waste material at an approved composting facility, if available? (WM-1)	Y	See SCR Memo; Individual Maintenance Plan. Due to the emergency nature of the work, there was not an opportunity for the disposal of compostable material to a composting facility during maintenance.
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)	N/A	Due to the emergency nature of the work, there was no opportunity for the re-use of material during maintenance or concrete repair in any of the three Areas.
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	See SCR Memo. No tires were encountered during maintenance.
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	See SCR Memo; Individual Maintenance Plan. Spill containment materials were available during emergency maintenance and concrete repair activities; however no hazardous materials were encountered during maintenance.