



STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

REQUEST FOR PROPOSALS

FOR DESIGN AND CONSTRUCTION ON STATE HIGHWAY IN

SAN DIEGO ON I-805 FROM JUST NORTH OF SR-52 TO JUST
NORTH OF MIRA MESA BOULEVARD

CONTRACT NO. 11-2T2004

PROJECT ID 11000201914

11-SD-805-PM 23.2/26.7

Federal Aid Project

Addendum No. 5 Issued January 5, 2012

The Department issues this Addendum No. 5 to inform Proposers of the following changes and corrections to the RFP.

INSTRUCTIONS TO PROPOSERS

The Instructions to Proposers is modified as indicated by the deletions and additions set forth below.

Table 2-1 “Procurement Schedule” is modified as indicated below:

| Table 2-1 Procurement Schedule | |
|---|---------------------------------|
| Issuance of RFQ | May 10, 2011 |
| SOQ Due Date | July 13, 2011 |
| Prequalification Announcement | August 30, 2011 |
| Issuance of RFP by Department to Prequalified Proposers | October 4, 2011 |
| Data Room, Access Permitted | October 4, 2011 |
| Pre-Bid Conference | October 21, 2011 |
| One-on-One Meetings | October 25-28, 2011 |
| ATC One-on-One Meetings | November 16-17, 2011 |
| ATC Submittal Due Date | November 29, 2011 |
| Request for Clarifications Submittal Deadline | December 7 ¹⁴ , 2011 |
| ATC Response Date | December 23, 2011 |
| Price Proposal Due Date | January 20, 2012 |
| Public Opening Date | January 20, 2012 |
| Good Faith Efforts Documentation Due Date | January 27, 2012 |
| NTP1 | March 29, 2012 |

BOOK 2 PROJECT REQUIREMENTS

The Book 2, Project Requirements, is modified as indicated by the deletions and additions set forth below.

Section 4 Environmental Compliance

Section 4.4.1.6 “Waters and Wetlands” is modified as indicated below:

4.4.1.6 Waters and Wetlands

The Design Builder shall comply with all regulatory requirements related to Waters and Wetlands as stated in the Environmental Document and permits (401 Certification, 404, 1602 Streambed Alteration Agreement ~~and~~, Biological Opinion and Local Coastal Permit). Project work areas, including temporary and permanent impact areas, and wetland impact areas are shown in Exhibit 4-D.

Add Exhibit 4-B4a “September 12, 2011 San Diego Regional Water Quality Control Board Letter” attached.

Replace Exhibit 4-B5 “Design-Builder Responsibility for Permits” with the revised Exhibit 4-B5 attached.

Add Exhibit 4-B6 “Department of the Army Nationwide Permit Authorization” attached.

Replace Exhibit 4-C “I-805 Managed Lane North, Stage 1 Environmental Commitments Record” with the revised Exhibit 4-C attached.

Add Exhibit 4-D “Work Area and Wetland Impacts” attached.

Section 11 Roadways

Section 11.2.2 “References” is modified as indicated below:

11.2.2 References

Use the references listed below as supplementary guidelines for the design of the roadway and/or freeway system. These publications have no established order of precedence.

Roadway References

| <i>Agency</i> | <i>Title</i> |
|-------------------|--|
| Department | Plans Preparation Manual |
| Department | Drafting and Plans Manual and the Caltrans CADD Users Manual |
| Department | Final Environmental Document |
| NCHRP | Report 350-Recommended Procedures for the Safety Performance Evaluation of Highway Features |
| Department | Ready to List and Construction Contract Award Guide (RTL Guide) |
| <u>Department</u> | <u>Traffic Operations Policy Directive 11-02 - Updated Managed Lane Design</u> |

Section 11.3.1.2 “Traffic Barrier” is modified as indicated below:

11.3.1.2 Traffic Barrier

The Design Builder shall submit a detailed design justification and design calculations for all traffic barrier installations. This shall accompany any Released for Construction Documents involving Roadway grading or traffic barrier. All railings and barriers shall be constructed in conformance with the provisions in the *Caltrans Standard Specifications* and the *Caltrans Standard Plans*.

The Design Builder shall use galvanized steel posts for all plate beam guardrail installations unless otherwise approved by the Department. Any guardrail installations that have not been

crash tested using steel posts, such as Thrie-Beam Bullnoses, shall be constructed using wood posts in accordance with *NCHRP Report 350 – Recommended Procedures for the Safety Performance Evaluation of Highway Features*.

The Design Builder shall design and construct all guardrail terminals to avoid vaulting. Refer to the *Roadside Design Guide* and the *Standard Plans* for appropriate safety devices.

The Design Builder shall meet the requirements for the use of concrete traffic barrier set forth in the project Visual Quality requirements section in these technical provisions.

All metal components of 50 elements of the existing Thrie-Beam median barrier shall be salvaged and delivered to a Department storage facility within twenty miles of the Work location.

Section 11.3.1.4 “Retaining Walls and Sound Walls” is modified as indicated below:

11.3.1.4 Retaining Walls and Sound Walls

The Design Builder shall construct retaining walls in accordance with the Highway Design Manual. Sound walls shall be constructed according to the recommendations provided in the Environmental Document and as described in the Project.

The Design Builder shall construct, where practical and feasible, proposed sound walls prior to removal of existing sound walls or sound berms. If this is determined not practical or feasible, the proposed sound wall shall be constructed within 60 Working Days of the removal of the existing sound berm.

Section 11.5.2.2 “Design Calculations” is modified as indicated below:

11.5.2.2 Design Calculations

Design calculations shall include, but not limited to, the information described below:

- Horizontal sight distance (Intersections, all Roads, and mainline)
- Vertical sight distance: stopping, decision sight distance, and passing (if applicable) for all Roads
- HOV/managed lane geometric requirements (ingress/egress locations)
- Intersection geometrics (vehicle turning movements)
- Clear recovery zones
- Superelevation
- Traffic barrier, end treatments, and impact attenuators
- Retaining Wall
- Sound Wall
- Earthwork
- Structures

Section 16 Signing Pavement Marking, Signalization, and Lighting

Section 16.2.1.2 “Permanent Signing Standards” is modified as indicated below:

16.2.1.2 Permanent Signing Standards

| Priority | Agency | Title |
|----------|------------|---|
| 1 | Department | California Manual on Uniform Traffic Control Devices (CA MUTCD) |
| 2 | Department | Highway Design Manual |
| 3 | Department | Special Provisions and Non- Standard Special Provisions |
| 4 | Department | Standard Plans May 2006 |
| 5 | Department | Design-Build Modifications to the Standard Specifications |
| 6 | Department | Standard Specifications May 2006 |
| 7 | Department | California Sign Specifications |
| 8 | FHWA | Standard Highway Signs |
| 9 | Department | 2011 — <u>2003</u> HOV Guidelines for Planning, Design, and Operations |
| 10 | Various | Technical Memoranda and Preliminary Engineering Documents |
| 11 | AASHTO | A Policy on Geometric Design of Highways and Streets |
| 12 | AASHTO | Standard Specifications for Structural Support for Highway Signs, Luminaires, and Traffic Signals, 4 th Edition with 2002, 2003, and 2006 Interims |
| 13 | AASHTO | Roadside Design Guide |
| 14 | Department | Plans Preparation Manual |
| 15 | Department | CADD Users Manual |

Section 16.2.1.3 “Pavement Delineation Standards and Requirements” is modified as indicated below:

16.2.1.3 Pavement Delineation Standards and Requirements

| Priority | Agency | Title |
|----------|------------|---|
| 1 | Department | California Manual on Uniform Traffic Control Devices (CA MUTCD) |
| 2 | Department | Highway Design Manual |
| 3 | Department | Special Provisions and Non- Standard Special Provisions |
| 4 | Department | Standard Plans May 2006 |

| | | |
|-----------|-------------------|--|
| 5 | Department | Design-Build Modifications to the Standard Specifications |
| 6 | Department | Standard Specifications May 2006 |
| 7 | Department | California Sign Specifications |
| 8 | FHWA | Standard Highway Signs |
| 9 | Department | 2011 — <u>2003</u> HOV Guidelines for Planning, Design, and Operations |
| 10 | Various | Technical Memoranda and Preliminary Engineering Documents |
| 11 | AASHTO | A Policy on Geometric Design of Highways and Streets |
| 12 | AASHTO | Roadside Design Guide |
| 13 | Department | Plans Preparation Manual |
| 14 | Department | CADD Users Manual |
| <u>15</u> | <u>Department</u> | <u>Traffic Operations Policy Directive 11-02 - Updated Managed Lane Design</u> |

Section 16.3.2 “Pavement Marking” is modified as indicated below:

16.3.2 Pavement Marking

Temporary and permanent pavement delineation Work shall include designing, installing, modifying, or removing striping and pavement markings. The Design-Builder shall prepare pavement delineation plans that show HOV striping, edge striping, lane line striping, arrows, legends, pavement markings, roadway delineators and the removal of such, and marking removals consistent with the needs of the project. The Design-Builder shall prepare all necessary engineering studies and applicable design reports to justify all the project pavement delineation elements used in the project.

Design, furnish, and install all components of a pavement delineation system necessary to provide a complete and functional system that meets the following performance requirements:

- Comply with requirements defined in the CA MUTCD.
- [Comply with requirements defined in Traffic Operations Policy Directive 11-02 - Updated Managed Lane Design](#)
- Provide for the orderly and predictable movement of all traffic, including bicycles and pedestrians.
- Provide such guidance and warnings as are needed to ensure the safe and informed operation of individual elements of the traffic stream.

The Design-Builder shall design and install both temporary and permanent pavement delineation as required to complete the Work.

BOOK 3 APPLICABLE STANDARDS

The Book 3, Applicable Standards, is modified as indicated by the deletions and additions set forth below.

Section 1 Index of Standards, Manuals, Guidelines and References

Reference 525 is modified as indicated below:

| | | | | | |
|-----|--------------------------|---|---|---------------|--------------|
| 525 | Caltrans | Traffic Operations Policy Directive 11-02 - Updated Managed Lane Design California Amendment to AASHTO LRFD Bridge Design Specifications—4th Editions | March 23, 2011 November 2011 | WE | √ |
|-----|--------------------------|---|---|---------------|--------------|

Section 4 Design-Build Modifications to the Caltrans Standard Specifications May 2006 Edition

Section 5.-1.06 “Superintendence” is modified as indicated below:

5-1.06 Superintendence

~~Provisions regarding Superintendence are hereby deleted in their entirety. Provisions regarding responsibilities of Design Builder and requirements for competent management are set forth in Section 2 “Obligations of Design Builder” of the Contract Documents.~~

[Provisions regarding Superintendence are applicable to this project.](#)

Section 5.-1.09 “Removal of Rejected and Unauthorized Work” is modified as indicated below:

5-1.09 Removal of Rejected and Unauthorized Work

~~Provisions regarding Removal of Rejected and Unauthorized Work are hereby deleted in their entirety and are set forth in Section 5 “Control of Work” of the Contract Documents~~

[Provisions regarding Removal and Rejected and Unauthorized Work are applicable to this project.](#)

Section 7.-1.22 “Material Plants” is modified as indicated below:

7-1.22 Material Plants

Provisions regarding Material Plants are [applicable to this project.](#) ~~deleted in their entirety.~~

EXHIBIT 4-B4a

San Diego Regional Water Quality Control Board Letter
September 12, 2011

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, M.S. 120

SAN DIEGO, CA 92110

PHONE (619) 688-6668

FAX (619) 688-3122

TTY 711

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*Flex your power!
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September 12, 2011

Mr. David Gibson, Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Ste. 100
San Diego, CA 92123

Attention: Mike Porter

Dear Mr. Gibson:

Subject: 805 North HOV / BRT Project - Storm Water Compliance Strategy

A preliminary review of the project area has been completed and potential locations and types of treatment BMPs have been assessed for feasibility (based on such factors as climate, water volume, soil conditions, physical limitations, other environmental considerations, etc.). Preliminary locations of some of the treatment BMPs are shown on the Project Features Maps (Appendix B). When the proposed project proceeds to the design phase, the locations of these treatment BMPs would be further evaluated to determine feasibility in relation to right-of-way limitations, environmental constraints or hydraulic capacity. In addition, in areas where treatment BMPs cannot be incorporated due to above mentioned reasons, vegetation will be maximized and very effort will be made to ensure the successful establishment of landscaping and erosion control throughout the project limits. The project would also consider any future treatment BMPs that might be approved by Caltrans from the ongoing research and monitoring program.

The State Water Resources Control Board adopted Order No. 99-06-DWQ, NPDES No. CAS000003 NPDES Permit Statewide Storm Water Permit and Waste Discharge Requirements (WDRs) For the State of California, Department Of Transportation (Caltrans) properties, facilities and activities herein referred to as Permit. The permit requires the Department to implement a Storm Water Management Plan, SWMP; which purpose is to protect and achieve water quality standards at all times. The minimum requirement is to ensure that pollutants in discharges from storm drain systems owned or operated by Caltrans are reduced to the maximum extent practicable (MEP) and that pollutants in discharges from construction activities covered by the General Construction Permit are reduced by employing Best Available Technology /Best Conventional Technology (BAT/BCT) performance standards. The MEP analysis is the process of evaluating the selected BMPs based on legal and institutional constraints, technical feasibility, relative effectiveness, and cost/benefit ratio.

The Department continues to comply with CWA§402 by complying with the requirements of the statewide NPDES permit The permit and the approved SWMP consolidated the Department's storm water compliance activities under one permit and provided a framework for consistent and effective

"Caltrans improves mobility across California"

implementation of storm water management practices on a statewide basis. The project will be designed to comply with the current Statewide NPDES Permit or any reissuance thereafter.

The Statewide Storm Water Management Plan (SWMP) describes how the California Department of Transportation (Department) will comply with the provisions of the NPDES Permit (Order 99-06-DWQ), or any reissuance thereafter. The SWMP describes the program that the Department would implement to reduce the discharge of pollutants to the storm water drainage system that serve the highway and highway related properties, facilities and activities.

Best Management Practices (BMPs) will need to be considered to address potential water quality impacts during the planning and design, construction, and operational and maintenance phases. The SWMP divides the BMPs into separate categories from the planning and design phase to the operational and maintenance phase.

Caltrans is providing you with clarification of the Department’s Storm Water compliance approach for the I-805 North Design-Build project to treat to the Maximum Extent Practicable.

| EA | Co. | Rte | PM | Description Of Work |
|-----------|-----|-----|-----------|--|
| 11-081630 | SD | 805 | 23.3/27.7 | Freeway HOV / BRT and Direct Access Ramp |

I have attached the link to the Environmental Document which shows preliminary siting locations for treatment BMP locations on the Project Features Maps.

http://www.dot.ca.gov/dist11/Env_docs/I_805N_MND-FONSI.pdf

Below is a summary from most recent project development information which will be updated in the next draft Storm Water Data Report. The most current SWDR was prepared and signed for the Project Approval / Environmental Document phase of the project on January 20, 2010.

Please find below a summary of the SWDR based on the most current project development:

- *Existing impervious area is 111.7 acres. Proposed impervious area is 152 acres. The project will increase the impervious surface area by 40.3 acres.*
- *The proposed project is within the Miramar Reservoir (906.10) & Miramar (906.40) Hydrologic Areas which are within the Peñasquitos Hydrologic Unit. The proposed project drains directly into San Clemente Canyon, Rose Canyon, and Carroll Canyon. San Clemente Canyon and Rose Canyon merge together approximately 4 miles east of I-805 south of the I-5/SR-52 interchange and drain south to Mission Bay, which is approximately 2.5 miles south of their point of convergence. Carroll Canyon runs west under I-805 and joins Soledad Canyon, which runs north along I-805 until it merges with Peñasquitos Creek. Carroll Canyon is one of the three Creeks that feed into the Los Peñasquitos Lagoon in addition to Los Peñasquitos Creek and Carmel Valley Creek.*
- *The project is anticipated to have 31 bioswales, 3 detention/infiltration basins throughout the project limits, as well as porous pavement in the Park and Ride facilities. The Park and Ride lots will have 100% treatment from porous pavement, infiltration trench and / or biofiltration swales. The project is anticipated to treat 76.3 acres of impervious surface, which is equivalent to 50.2% of the total pavement (new and existing) and equivalent to 189.3 % of new pavement.*

- *Implementation of biofiltration swales, detention/infiltration basins and porous pavement are proposed as the treatment BMP strategy. This strategy was selected based on pollutants of concern in the receiving water bodies, hydraulic feasibility, existing site constraints (topography and R/W limitations), and the feasibility of each of the approved Treatment BMPs. Treatment BMPs have been evaluated individually for implementation on the proposed project in accordance with the guidelines provided in the PPDG.*

If you have any questions regarding this document, please contact me at (619) 688-3626.

Sincerely,

A handwritten signature in blue ink that reads "Constantine Kontaxis". The signature is written in a cursive style with a large initial 'C'.

CONSTANTINE KONTAXIS
Branch Chief
NPDES / Storm Water Compliance

c: Project Engineer
Resident Engineer

EXHIBIT 4-B5

Design-Builder Responsibility for Permits

Design Builders Responsibility for Permits

A. Biological Opinion Reference # FWS-SDG-09B0274-10F0485

Design Builder is responsible for the following: All sections of Conservation Measures # 5-7 & 9-15

B. Streambed Alteration Agreement Notification No 1600-2011-0179-R5

Design Builder is responsible for the following:

- 1) Administrative Measures # 1.1, 1.2, 1.4, 1.5, 1.6 (Caltrans is responsible for all agency contact, the design builder will have one point of contact designated for communicating with Caltrans), 1.7.
- 2) Avoidance and Minimization Measures # 2.1-2.7 & 2.9-2.15
- 3) Compensatory Mitigation Measures #3.4-3.6 (Design Builder is responsible for all on site temporary construction impacts) & 3.7
- 4) Reporting Measures # 4.3 (Design builder is responsible for gathering the data and information required section 2 a-e)

C. Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Discharge of Dredged and/or Fill Materials: Water Quality Certification No. 11 C-052

Design Builder is responsible for the following:

- 1) Additional Conditions: General letters B through I.
- 2) Additional Conditions: Construction Best Management Practices letters A through L.
- 3) Additional Conditions: Post-Construction Best Management Practices letters A, B, D-F, & H.
- 4) Additional Conditions: Impacts and Compensatory Mitigation letters H-J
- 5) Monitoring Requirements: A-B (Design Builder is responsible at Rose Creek).
- 6) Notification Requirements: A (Design Builder is responsible for notification to Caltrans of any unauthorized discharge).
- 7) Reporting Requirements: A, E, F (Design Builder is responsible for providing information to Caltrans for Construction).

**D. Department of the Army Nationwide Permit Authorization No.
SPL-2011-00652-SCH**

Design Builder is responsible for the following:

- 1) Special Conditions: Numbers 1, 4-6 (all submittals must be made to Caltrans with enough time to meet the required timeframe for submittal to the Corps Regulatory Division), 8, 9, 10, 11 (compliance with conditions in the Biological Opinion), 12 (the Design Builder must notify Caltrans staff immediately so that Caltrans can notify the Army Corps).

EXHIBIT 4-B6

Department of the Army Nationwide Permit Authorization



DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

December 21, 2011

REPLY TO
ATTENTION OF:

Office of the Chief
Regulatory Division

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT AUTHORIZATION

Ron Caraet, Program Manager
California Department of Transportation, District 11
Attention: Robert A. James
4050 Taylor Street, MS 242
San Diego, 92110

Dear Mr. Caraet:

This letter is in reply to your application (File No. SPL-2011-00652-SCH), dated June 28, 2011, for a Department of the Army Permit to discharge fill into waters of the U.S., in association with the Interstate 805 (I-805) North Managed Lanes project. The proposed project would permanently impact approximately 0.02 acre of non-wetland waters of the U.S. (WOUS), temporarily impact 0.15 acre of non-wetland WOUS, and temporarily impact 0.01 acre of wetland WOUS. The proposed work would take place along I-805, between State Route 52 (SR-52) to just north of Mira Mesa Boulevard, within the city of San Diego, San Diego County, California. (32.85335°N, -117.18155°W)

Based on the information you have provided, the Corps of Engineers has determined that your proposed activity complies with the enclosed terms and conditions of Nationwide Permit (NWP) No. 14 Linear Transportation Projects, as described in enclosure 1.

Specifically, you are authorized to perform the following activities:

1. At Unnamed Drainage 2: Permanently impact approximately 0.01 acre (94-foot long x 3-foot wide) of non-wetland waters of the U.S. (WOUS) to extend an existing culvert and temporarily impact 0.01 acres (161-foot long x 3-foot wide) of non-wetland WOUS. Temporary impacts are associated with equipment access, staging, temporary crossing, and/or water diversion.
2. At Unnamed Drainage 3: Permanently impact approximately 0.01 acre (248-foot long x 3-foot wide) of non-wetland WOUS to extend an existing culvert and temporarily impact 0.02 acres (226-foot long x 3-foot wide) of non-wetland WOUS. Temporary impacts are associated with equipment access, staging,

- temporary crossing, and/or water diversion.
3. At Unnamed Tributary to Rose Canyon Creek: Temporarily impact 0.03 acre (237-feet long x 5-feet wide) of non-wetland WOUS for equipment access, staging, temporary crossing, and/or water diversion.
 4. At Rose Canyon Creek: Temporarily impact 0.08 acre (440-feet long and of variable width) of non-wetland WOUS for equipment access, staging, and/or temporary crossing and/or water diversion.
 5. At Unnamed Drainage 4: Temporarily impact 0.01 acre (30-feet length x 14.5-feet wide) of wetland WOUS for equipment access, staging, temporary crossing, and/or water diversion.
 6. At Unnamed Drainage 5: Temporarily impact 0.006 acre (121-feet long x 2-feet wide) of non-wetland WOUS for equipment access, staging, temporary crossing, and/or water diversion.
 7. At Unnamed Drainage 7: Temporarily impact 0.001 acre (65-feet long x 0.75-feet wide) of non-wetland WOUS for equipment access, staging, temporary crossing, and/or water diversion.

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

1. The permittee shall abide by the terms and conditions of the project's section 401 Water Quality Certification, dated November 7, 2011.
2. The Permittee has proposed to mitigate for impacts to waters of the U. S. through implementation of the draft habitat mitigation plan: "Final Compensatory Wetland/Upland Mitigation Plan for Deer Canyon" (HMMP) dated May 2011, and prepared by Sue Scatolini, District Biologist. According to the draft habitat mitigation plan, the responsible party for implementation and performance of the mitigation activities is California Department of Transportation, District 11. The responsible party for long-term management of the mitigation area will be determined prior to initiation of work in waters of the U.S. The Permittee retains ultimate legal responsibility for meeting the requirements of the final HMMP, as well as in special condition 3 below.

Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps a final habitat mitigation plan prepared in accordance with the Corps' Los Angeles District Mitigation Guidelines and Monitoring Requirements, dated April 19, 2004 and the Mitigation Rule (33 C.F.R. Part 332; 73 FR 19670-19687 (April 10, 2008)). The final habitat mitigation plan shall address the 0.02 acre of permanent impact to waters of the U.S. (WOUS), 0.15 acre of temporary impacts to non-wetland WOUS, and 0.01 acre of temporary impacts to wetland WOUS through establishment of 0.18 acre of waters of the U.S. All maps and drawings shall be in compliance with the Final Map and Drawing Standards for the Los Angeles District Regulatory Division dated September 21, 2009

(http://www.spl.usace.army.mil/regulatory/pn/SPL-RG_map-drawing-standard_final_w-fig.pdf).

No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps approval of the final habitat mitigation plan. The Permittee shall complete site preparation and planting and initiate monitoring as described in the final approved habitat mitigation plan prior to or concurrently with discharging any fill material in waters of the U.S. Your responsibility to complete the required compensatory mitigation as set forth in this Special Condition will not be considered fulfilled until you have demonstrated compensatory mitigation project success and have received written verification of that success from the Corps Regulatory Division.

GIS DATA: The Corps has received GIS data (polygon only) depicting the boundaries of the compensatory mitigation site associated with this project. Within 60 days following completion of compensatory mitigation construction activities, if any deviations have occurred, you shall submit as-built GIS data (polygons only) accompanied by a narrative description listing and explaining each deviation.

3. Prior to initiating work in waters of the U.S., the Permittee shall record a Conservation Easement (CE), in a form approved by the Corps Regulatory Division, which shall run with the land, obligating the Permittee, its successors and assigns to protect and maintain the 0.18 acre(s) mitigation area (as shown in enclosed figure) as natural open space in perpetuity. The CE must include a 3rd party easement holder qualified to hold easements pursuant to California Civil Code section 815.3 and Government Code section 65965. The Permittee must provide monies in the form of an endowment (endowment amount to be determined by Property Analysis Record or similar methodology) for the purposes of fulfilling the 3rd party easement holder's responsibilities under the CE. The CE shall preclude establishment of fuel modification zones, paved public trails, drainage facilities, walls, maintenance access roads and/or future easements, except as provided in the Project Description (described herein). Further, to the extent practicable, any such facilities outside the CE shall be sited to minimize indirect impacts on the avoided, created, restored and enhanced wetland and non-wetland waters of the U.S. The Permittee shall receive written approval (by letter or e-mail) from the Corps Regulatory Division of this CE prior to it being executed and recorded. A recorded copy of the CE shall be furnished to the Corps Regulatory Division prior to initiation of work in waters of the U.S.

GIS DATA: Within 60 days following recordation, you shall provide to this office GIS data (polygons only) depicting the CE boundaries, as authorized by the Corps. All GIS data and associated metadata shall be provided on a digital medium (CD or DVD) or via file transfer protocol (FTP), preferably using the Environmental Systems Research Institute (ESRI) shapefile format. GIS data for CE sites shall conform to the data dictionary, as specified in the current Map and Drawing Standards for the Los Angeles District Regulatory Division, and shall include a text file of metadata, including datum, projection, and mapper contact information.

4. Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a complete set of final detailed grading/construction plans showing all work and structures in waters of the U.S. All plans shall be in compliance with the Final Map and Drawing Standards for the Los Angeles District Regulatory Division dated September 21, 2009 (http://www.spl.usace.army.mil/regulatory/pn/SPL-RG_map-drawing-standard_final_w-fig.pdf). All plan sheets shall be signed, dated, and submitted on paper no larger than 11x 17 inches. No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps Regulatory Division approval of the final detailed grading/construction plans. The Permittee shall ensure that the project is built in accordance with the Corps-approved plans.

5. The Permittee shall clearly mark the limits of the workspace with flagging or similar means to ensure mechanized equipment does not enter avoided or preserved waters of the U.S. and riparian wetland/habitat areas. Adverse impacts to waters of the U.S. beyond the Corps-approved construction footprint are not authorized. Such impacts could result in permit suspension and revocation, administrative, civil or criminal penalties, and/or substantial, additional, compensatory mitigation requirements.

6. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memo indicating the date authorized impacts to waters of the U.S. ceased.

7. Within 45 calendar days of complete installation of all mitigation, the Permittee shall submit to the Corps Regulatory Division two copies of a memo indicating the following:

A) Date(s) all habitat mitigation was installed and monitoring was initiated;

B) Schedule for future habitat mitigation monitoring, implementation and reporting pursuant to final, Corps-approved HMMP;

C) Summary of compliance status with each special condition of this permit (including any non-compliance that previously occurred or is currently occurring and corrective actions taken to achieve compliance);

D) Color photographs taken at the project site before and after construction for those aspects directly associated with impacts to waters of the U.S.; and

E) One copy of "as-built" drawings for the entire project, including all habitat mitigation sites (all sheets must be signed, dated, to-scale, and no larger than 11 x 17 inches).

8. The permittee shall employ all best management practices (BMPs) to ensure that no debris, soil, silt, sand, rubbish, cement or concrete washings thereof, oil or petroleum can be washed by rainfall or runoff into waterways. When project operations are completed,

any and all excess construction material, debris, and or other associated excess project materials shall be removed and if not recycled or reused, disposed of at an appropriate off-site location outside of any jurisdictional area. Similarly, the permittee shall ensure that all vehicle maintenance, staging, storage, and dispensing of fuel occurs in designated upland areas. The permittee shall ensure that these designated upland areas are located in such a manner to prevent any runoff from entering waters of the U.S.

9. At the conclusion of the project, all temporary fill shall be removed and the area shall be restored to pre-construction conditions (contours and vegetated condition) to the maximum extent practicable. The Permittee shall hydroseed the disturbed portions of the earthen stream banks with native, non-invasive vegetation of facultative upland (FACU) or wetter species, as appropriate. The Permittee shall submit the proposed planting palette for review and approval by the Corps Regulatory Division, prior to initiation of construction. The Permittee shall ensure the hydroseeded areas are maintained and monitored for a period of two years after completing the seeding activities, such that less than 10 percent of the areas disturbed by the project are vegetated by non-native and invasive plant species. Monitoring reports shall be submitted by the Permittee to the Corps Regulatory Division, by May 15th annually, one and two years following hydroseeding, documenting the recovery of the restored areas.

10. A copy of the permit shall be on the job site at all times during construction. The permittee shall provide a copy of this permit to all contractors, subcontractors, and forepersons. The permittee shall require that all contractors and forepersons read this authorization in its entirety and acknowledge they understand its contents and their responsibility to ensure compliance with all general and special conditions contained herein.

Endangered Species Act:

11. This Corps permit does not authorize you to take any threatened or endangered species, in particular the federally endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*), the federally endangered least Bell's vireo (*Vireo bellii pusillus*), federally threatened coastal California gnatcatcher (*Polioptila californica californica*), and designated critical habitat for the federally listed as threatened spreading navarretia (*Navarretia fossalis*). In order to legally take a federally listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply).

The enclosed FWS BO (FWS-SDG-09BO271-10F0485), dated December 16, 2010, for the federally endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*), federally threatened coastal California gnatcatcher (*Polioptila californica californica*), and designated critical habitat for the federally listed as threatened spreading navarretia (*Navarretia fossalis*) contains mandatory terms and conditions to implement the reasonable

and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take specified in the attached BO, terms and conditions of which are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take specified in the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps Regulatory Division permit. The FWS is the appropriate authority to determine compliance with the BO.

To avoid and minimize potential impacts to the federally threatened least Bell's vireo (*Vireo bellii pusillus*), the permittee shall comply with conservation measures identified in the FWS concurrence correspondence dated March 23, 2010. Your authorization under this Corps permit is conditional upon your compliance with all of the required conservation measures, which are incorporated by reference in this permit. Failure to comply with the required avoidance and minimization measures would constitute non-compliance with your Corps Regulatory Division permit. The FWS is the appropriate authority to determine compliance with the conservation measures and with the ESA.

To avoid and minimize potential impacts to the federally threatened least Bell's vireo (*Vireo bellii pusillus*), and pursuant to the language in FWS BO (FWS-SDG-09BO271-10F0485), the permittee shall comply with conservation measures identified in FWS's correspondence dated March 23, 2010. Your authorization under this Corps permit is conditional upon your compliance with all of the required conservation measures, which are incorporated by reference in this permit. Failure to comply with the required avoidance and minimization measures would constitute non-compliance with your Corps permit. The FWS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA.

Cultural Resources:

12. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Regulatory Division staff and Archeology Staff (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861) within 24 hours. The Permittee shall immediately suspend all work within 100 feet of any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide

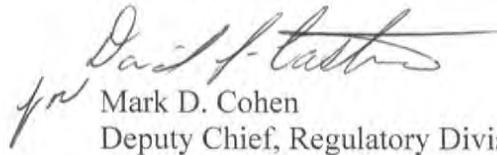
permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

A nationwide permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.

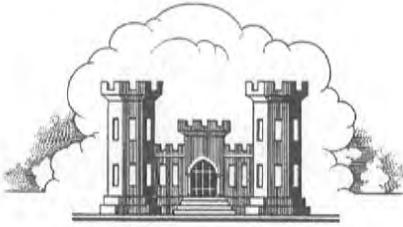
Thank you for participating in our regulatory program. If you have any questions, please contact Sophia Huynh of my staff at (213) 452-3357 or via e-mail at Sophia.C.Huynh@usace.army.mil.

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

Sincerely,


for Mark D. Cohen
Deputy Chief, Regulatory Division

Enclosure



LOS ANGELES DISTRICT
U.S. ARMY CORPS OF ENGINEERS

CERTIFICATION OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT

Permit Number: *SPL-2011-00652-SCH*

Name of Permittee: *California Department of Transportation, District 11, (POC: Robert James)*

Date of Issuance: *December 21, 2011*

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S Army Corps of Engineers
Regulatory Division
ATTN: CESPL-RG-SPL-2011-00652-SCH
P.O. Box 532711
Los Angeles, CA 90017-3401

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this nationwide permit you may be subject to permit suspension, modification, or revocation procedures as contained in 33 CFR section 330.5 or enforcement procedures such as those contained in 33 CFR sections 326.4 and 326.5.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit condition(s).

Signature of Permittee

Date



- Legend**
- Temporary impact
 - Permanent Impact
 - ACOE Wetland
 - other Waters of the U.S.
 - CDFG Wetland Only

Figure 3. I-805 North Managed Lanes Wetland Impacts

Enclosure 1: NATIONWIDE PERMIT NUMBER(S) NWP 14 Linear Transportation Projects. TERMS AND CONDITIONS

1. Nationwide Permit(s) NWP 14 Linear Transportation Projects. Terms:

Your activity is authorized under Nationwide Permit Number(s) NWP 14 Linear Transportation Projects. subject to the following terms:

14. Linear Transportation Projects. Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project. This NWP also authorizes temporary structures, fills, and work necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate. This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars. Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10 acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 27.) (Sections 10 and 404) Note: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as appropriate, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP.

2. Nationwide Permit General Conditions:

The following general conditions must be followed in order for any authorization by an NWP to be valid:

1. *Navigation.*
 - (a) No activity may cause more than a minimal adverse effect on navigation.
 - (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.
 - (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. *Aquatic Life Movements.* No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
3. *Spawning Areas.* Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. *Migratory Bird Breeding Areas.* Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
5. *Shellfish Beds.* No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48.
6. *Suitable Material.* No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
7. *Water Supply Intakes.* No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.
8. *Adverse Effects From Impoundments.* If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
9. *Management of Water Flows.* To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).
10. *Fills Within 100-Year Floodplains.* The activity must comply with applicable FEMA-approved state or local floodplain management requirements.
11. *Equipment.* Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
12. *Soil Erosion and Sediment Controls.* Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
13. *Removal of Temporary Fills.* Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.
14. *Proper Maintenance.* Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety.
15. *Wild and Scenic Rivers.* No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).
16. *Tribal Rights.* No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
17. *Endangered Species.*

(a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees

must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees shall notify the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NHPs. (e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. FWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide Web pages at <http://www.fws.gov/> and <http://www.noaa.gov/fisheries.html> respectively.

18. *Historic Properties.*

(a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the preconstruction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete preconstruction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect

created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

19. *Designated Critical Resource Waters.* Critical resource waters include: NOAA-designated marine sanctuaries, National Estuarine Research Reserves, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the district engineer after notice and opportunity for public comment. The district engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, and 50 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWP 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 27, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

20. *Mitigation.* The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10 acre and require preconstruction notification, unless the district engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. For wetland losses of 1/10 acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream restoration, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2 acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2 acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

21. *Water Quality.* Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.
22. *Coastal Zone Management.* In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.
23. *Regional and Case-By-Case Conditions.* The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.
24. *Use of Multiple Nationwide Permits.* The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.
25. *Transfer of Nationwide Permit Verifications.* If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

26. *Compliance Certification.* Each permittee who received an NWP verification from the Corps must submit a signed certification regarding the completed work and any required mitigation. The certification form must be forwarded by the Corps with the NWP verification letter and will include:
 - (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general or specific conditions;
 - (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
 - (c) The signature of the permittee certifying the completion of the work and mitigation.
27. *Pre-Construction Notification.*

(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is

complete within 30 calendar days of the date of receipt and, as a general rule, will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity:

- (1) Until notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or
- (2) If 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 17 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 18 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) is completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee cannot begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided result in a quicker decision.);
- (4) The PCN must include a delineation of special aquatic sites and other waters of the United States on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters of the United States, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, where appropriate;
- (5) If the proposed activity will result in the loss of greater than 1/10 acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan;
- (6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and
- (7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) *Form of Pre-Construction Notification:* The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) *Agency Coordination:*

- (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed

activity's compliance with the terms and conditions of the NWP and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

- (2) For all NWP 48 activities requiring pre-construction notification and for other NWP activities requiring preconstruction notification to the district engineer that result in the loss of greater than 1/2-acre of waters of the United States, the district engineer will immediately provide (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy of the PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each preconstruction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.
- (3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.
- (4) Applicants are encouraged to provide the Corps multiple copies of pre-construction notifications to expedite agency coordination.
- (5) For NWP 48 activities that require reporting, the district engineer will provide a copy of each report within 10 calendar days of receipt to the appropriate regional office of the NMFS.

(e) *District Engineer's Decision:* In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If the proposed activity requires a PCN and will result in a loss of greater than 1/10 acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any conditions the district engineer deems necessary. The district engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either:

- (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit;
- (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or
- (3) that the project is authorized under the NWP with specific modifications or conditions.

Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan.

28. *Single and Complete Project.* The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

3. Regional Conditions for the Los Angeles District:

In accordance with General Condition Number 23, "Regional and Case-by-Case Conditions," the following Regional Conditions, as added by the Division Engineer, must be met in order for an authorization by any Nationwide to be valid:

1. For coastal watersheds from the southern reach of the Santa Monica Mountains in Los Angeles County to the San Luis Obispo County/Monterey County boundary, all road crossings must employ a bridge crossing design that ensures passage and/or spawning of steelhead (*Oncorhynchus mykiss*) is not hindered in any way. In these areas, bridge designs that span the stream or river, including designs for pier- or pile-supported spans, or designs based on use of a bottomless arch culvert simulating the natural stream bed (i.e., substrate and streamflow conditions in the culvert are similar to undisturbed stream bed channel conditions) shall be employed unless it can be demonstrated the stream or river does not support resources conducive to the recovery of federally listed anadromous salmonids, including migration of adults and smolts, or rearing and spawning. This proposal also excludes approach embankments into the channel unless they are determined to have no detectable effect on steelhead.
2. For the State of Arizona and the Mojave and Sonoran (Colorado) desert regions of California in Los Angeles District (generally north and east of the San Gabriel, San Bernardino, San Jacinto, and Santa Rosa mountain ranges, and south of Little Lake, Inyo County), no nationwide permit, except Nationwide Permits 1 (Aids to Navigation), 2 (Structures in Artificial Canals), 3 (Maintenance), 4 (Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities), 5 (Scientific Measurement Devices), 6 (Survey Activities), 9 (Structures in Fleeting and Anchorage Areas), 10 (Mooring Buoys), 11 (Temporary Recreational Structures), 20 (Oil Spill Cleanup), 22 (Removal of Vessels), 27 (Stream and Wetland Restoration Activities), 30 (Moist Soil Management for Wildlife), 31 (Maintenance of Existing Flood Control Projects), 32 (Completed Enforcement Actions), 35 (Maintenance Dredging of Existing Basins), 37 (Emergency Watershed Protection and Rehabilitation), 38 (Cleanup of Hazardous and Toxic Waste) and 47 (Pipeline Safety Program Designated Time Sensitive Inspections and Repairs), or other nationwide or regional general permits that specifically authorize maintenance of previously authorized structures or fill, can be used to authorize the discharge of dredged or fill material into a jurisdictional special aquatic site as defined at 40 CFR Part 230.40-45 (sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, and riffle-and-pool complexes).
3. For all projects proposed for authorization by nationwide or regional general permits where prior notification to the district engineer is required, applicants must provide color photographs or color photocopies of the project area taken from representative points documented on a site map. Pre-project photographs and the site map would be provided with the permit application. Photographs should represent conditions typical or indicative of the resources before impacts.
4. Notification pursuant to general condition 27 shall be required for projects in all special aquatic sites as defined at 40 CFR Part 230.40-45 (sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, and riffle-and-pool complexes), and in all perennial waterbodies in the State of Arizona and the Mojave and Sonoran (Colorado) desert regions of California in Los Angeles District (generally north and east of the San Gabriel, San Bernardino, San Jacinto, and Santa Rosa mountain ranges, and south of Little Lake, Inyo County), excluding the Colorado River from Davis Dam downstream to the north end of Topock and downstream of Imperial Dam (Federal Register dated March 12, 2007 (72 FR 11092) - regional conditions requiring notification do not apply to Nationwide Permit 47).
5. Notification pursuant to general condition 27 shall be required for projects in all areas designated as Essential Fish Habitat by the Pacific Fishery Management Council (i.e., all tidally influenced areas - Federal Register dated March 12, 2007 (72 FR 11092), regional conditions requiring notification do not apply to Nationwide Permit 47).
6. Notification pursuant to general condition 27 shall be required for projects in all watersheds in the Santa Monica Mountains in Los Angeles and Ventura counties bounded by Calleguas Creek on the west, by Highway 101 on the north and east, and by Sunset Boulevard and Pacific Ocean on the south (Federal Register dated March 12, 2007 (72 FR 11092) - regional conditions requiring notification do not apply to Nationwide Permit 47).
7. Individual permits shall be required for all discharges of fill material in jurisdictional vernal pools.

8. Individual permits shall be required in Murrieta Creek and Temecula Creek watersheds in Riverside County for new permanent fills in perennial and intermittent watercourses otherwise authorized under NWP's 29, 39, 42 and 43, and in ephemeral watercourses for these NWP's for projects that impact greater than 0.1 acre of waters of the United States. In addition, when NWP 14 is used in conjunction with residential, commercial, or industrial developments the 0.1 acre limit would also apply.
9. Individual permits shall be required in San Luis Obispo Creek and Santa Rosa Creek in San Luis Obispo County for bank stabilization projects, and in Gaviota Creek, Mission Creek and Carpinteria Creek in Santa Barbara County for bank stabilization projects and grade control structures.
10. Notification pursuant to general condition 27 shall be required for projects in the Santa Clara River watershed in Los Angeles and Ventura counties, including but not limited to Aliso Canyon, Agua Dulce Canyon, Sand Canyon, Bouquet Canyon, Mint Canyon, South Fork of the Santa Clara River, San Francisquito Canyon, Castaic Creek, Piru Creek, Sespe Creek and the main-stem of the Santa Clara River (Federal Register dated March 12, 2007 (72 FR 11092) - regional conditions requiring notification do not apply to Nationwide Permit 47).

4. Further information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (x) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - (a) This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - (b) This permit does not grant any property rights or exclusive privileges.
 - (c) This permit does not authorize any injury to the property or rights of others.
 - (d) This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - (a) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - (b) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - (c) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - (d) Design or construction deficiencies associated with the permitted work.
 - (e) Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - (a) You fail to comply with the terms and conditions of this permit.
 - (b) The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - (c) Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 330.5 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you

for the cost.

6. This letter of verification is valid for a period not to exceed two years unless the nationwide permit is modified, reissued, revoked, or expires before that time.
7. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition H below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
8. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.

EXHIBIT 4-C

Environmental Commitment Record

| Task and Brief Description | Ref. | Design/Builder Responsible for Compliance? | Caltrans Construction Responsible Branch / Staff | Timing / Phase | NSSP, SSP, Std Spec, Permit | Action Taken to Comply/Remarks | Construction Task Completed | |
|---|----------------|--|--|------------------------------------|-----------------------------|--|-----------------------------|------|
| | | | | | | | Initial | Date |
| Design Kick-Off | | | | | | | | |
| Environmental PS&E Review | | | | | | | | |
| Preconstruction Meeting | | | | | | | | |
| Transfer Resident Engineer Book | | | | | | | | |
| Prejob Meeting | | | | | | | | |
| Environmental Compliance Review | | | | | | | | |
| PERMITS | | | | | | | | |
| Section 7 Threatened and Endangered Species | BO | Yes | R.E., Constr. Liaison, Biology, Stewardship | PS&E, Pre-Const, Const, Post-Const | | Comply with Biological Opinion Reference # FWS-SDG-09B0274-10F0485 | | |
| Section 404 Permit for filling or dredging waters of the United States. | 404 Permit | Yes | R.E., Constr. Liaison, Biology, NPDES, Stewardship | PS&E, Pre-Const, Const, Post-Const | | Comply with Department of the Army Nationwide Permit Authorization SPL-2011-00652-SCH | | |
| 1602 Agreement for Streambed Alteration | 1602 Agreement | Yes | R.E., Constr. Liaison, Biology, NPDES, Stewardship | PS&E, Pre-Const, Const, Post-Const | | Comply with Streambed Alteration Agreement Notification No 1600-2011-0179-R5 | | |
| Section 401 Water Quality Certification | 401 Permit | Yes | R.E., Constr. Liaison, Biology, NPDES, Stewardship | PS&E, Pre-Const, Const, Post-Const | | Comply with Clean Water Act Section 401 Water Quality Certification No. 11C-052 and all enclosures | | |
| Local Coastal Development Permit | LCDP Permit | Yes | R.E., Constr. Liaison, Biology, Stewardship | PS&E, Pre-Const, Const, Post-Const | | Comply with Local Coastal Development Permit # 631853 | | |
| AIR QUALITY | | | | | | | | |
| Minimize land disturbance. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Cover all trucks hauling dirt when traveling at speeds greater than 15 miles per hour. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Stabilize the surface of dirt piles if not removed within 2 days. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Limit vehicular paths on unpaved surfaces and stabilize any temporary roads. | | Yes | R.E., Constr. Liaison, Air | | | | | |

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|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| Minimize unnecessary vehicular and machinery activities. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| Remove unused material. | | Yes | R.E., Constr. Liaison, Air | | | | | |
| BIOLOGY | | | | | | | | |
| Staging and storage areas for equipment and materials must be located outside of waterways. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Prior to initiating construction in waters of the U.S., a complete set of final detailed grading/construction plans showing all work and structures in waters of the U.S. shall be submitted to the Corps Regulatory Division All plans shall be in compliance with the Final Map and Drawing Standards for the Los Angeles District Regulatory Division dated September 21, 2009 (http://www.spl.usace.army.mil/regulatory/pn/SPL-RG_map-drawing-standard_final_w-fig.pdf). All plan sheets shall be signed, dated, and submitted on paper no larger than 11x 17 inches. No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps Regulatory Division approval of the final detailed grading/construction plans. The Permittee shall ensure that the project is built in accordance with the Corps-approved plans. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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|---|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| No work is allowed in Waters of the U.S. until the Conservation Agreement is recorded. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Impacts beyond those authorized by the Streambed Alteration Agreement Notification No 1600-2011-0179-R5 shall be mitigated at a ratio of 5:1. In the event that additional mitigation is required the type of mitigation shall be determined by DFG and may include creation, restoration, enhancement, and/or preservation. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All herbicide use conditions for mixing, application and clean-up shall conform to all applicable federal, state, and local regulations. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, wildlife, or riparian habitat resulting from the project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Comply with all litter and pollution laws. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| At the conclusion of the project, all temporary fill shall be removed and the area shall be restored to pre-construction conditions (contours and vegetated condition) to the maximum extent practicable. Hydroseed the disturbed portions of the earthen stream banks with native, non-invasive vegetation of facultative upland (FACU) or wetter species, as appropriate. Submit the proposed planting palette for review and approval by the Corps Regulatory Division, prior to initiation of construction. The hydroseeded areas must be maintained and monitored for a period of two years after completing the seeding activities, such that less than 10 percent of the areas disturbed by the project are vegetated by non-native and invasive plant species. Monitoring reports shall be submitted to the Corps Regulatory Division, by May 15th annually, one and two years following hydroseeding, documenting the recovery of the restored areas. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| When operations require moving of equipment across a flowing stream. Operations shall be conducted without increasing stream turbidity. For repeated crossings, a bridge, culvert, or rock fill crossing shall be installed with prior approval from the Department of Fish and Game. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

| Task and Brief Description | Ref. | Design/Builder Responsible for Compliance? | Caltrans Construction Responsible Branch / Staff | Timing / Phase | NSSP, SSP, Std Spec, Permit | Action Taken to Comply/Remarks | Construction Task Completed | |
|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| In consultation with the designated Biologist the contractor shall demarcate the outer perimeter of the work area to prevent damage to adjacent habitat and to provide visual orientation to its limits. Marking shall be in place during all periods of operation. All persons employed or otherwise working on the project site shall be instructed about the restrictions that the marking represents. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Seeds from sensitive plant species removed during construction will be collected prior to brushing activities for use in revegetation efforts | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Clearly mark the limits of the workspace with flagging or similar means to ensure mechanized equipment does not enter avoided or preserved waters of the U.S. and riparian wetland/habitat areas. Adverse impacts to waters of the U.S. beyond the Corps-approved construction footprint are not authorized. Such impacts could result in permit suspension and revocation, administrative, civil or criminal penalties, and/or substantial, additional, compensatory mitigation requirements. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All native or sensitive habitats outside the permanent and temporary construction limits should be designated as Environmentally Sensitive Areas (ESA) on project maps. Environmentally Sensitive Areas should be temporarily fenced during construction with orange plastic snow fence. No personnel, equipment, or debris will be allowed within the Environmentally Sensitive Areas. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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|---|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| All native and non-native vegetation within the impact areas will be removed or trimmed outside of the breeding season (February 15 to September 15) to avoid impacts to nesting birds. Otherwise, a qualified biologist will thoroughly survey all vegetation prior to removal during the breeding season to ensure there are no nesting birds onsite. If nesting birds are identified onsite, vegetation removal will be delayed until the nest no longer supports eggs or chicks. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All pile driving near the creeks that support Federally and State listed bird species will be completed outside the bird breeding season (February 15 to September 15) to minimize construction noise impacts to sensitive riparian-nesting bird species. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Clearing and grubbing of native habitats will occur from September 16 to February 14 to avoid impacts to birds. Removal of vegetation within streams will occur outside of the bird nesting season. Vegetation maybe removed during this time if a qualified biologist conducts a survey for nesting birds within one week of the vegetation removal, and ensures no nesting birds shall be impacted by the project. If nesting birds are present no work shall occur until the young have fledged and will no longer be impacted by the project. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| An approved project biologist must be onsite during: initial clearing and grubbing, weekly during project construction within 500 feet of gnatcatcher habitat, vernal pool habitat, or navarretia critical habitat. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All debris from the expansion of bridges will be contained so that it does not fall into rivers and creeks. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| When work in a flowing stream is unavoidable, the entire stream flow shall be diverted around the work area by a barrier, temporary culvert, new channel, or other means approved by DFG. Location of the upstream and downstream diversion points shall be approved by DFG. Construction of the barrier and/or the new channel shall normally begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. Channel bank or barrier construction shall be adequate to prevent seepage into or from the work area. Channel banks or barriers shall not be made of earth or other substances subject to erosion unless first enclosed by sheet piling, rock rip-rap, or other protective material. The enclosure and supportive material shall be removed when the work is completed and removal shall normally proceed from downstream in an upstream direction. Written approvals from DFG shall be obtained prior to initiation of construction activities. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| An approved project biologist must be notified 30 days prior to clearing and grubbing to conduct surveys for gnatcatchers, one survey will be conducted the day immediately prior to the initiation of work. The project biologist will direct construction personnel to begin clearing and grubbing in areas away from gnatcatchers. Caltrans must notify fish and wildlife 7 days prior to clearing and grubbing | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| A project biologist must inspect ESA fencing and erosion control measures within or up-slope of native habitat areas once per week to ensure that any breaks in the fencing or erosion control measures are repaired immediately. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| The project biologist may halt work if necessary to ensure proper implementation of species and habitat protection measures. Any violations to species and habitat protection measures must be submitted to fish and wildlife within 24 hours of occurrence. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Wildlife fencing must be placed around bridges to direct wildlife to the crossings, fencing plans must be submitted to fish and wildlife 5 days prior to initiating project impacts. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Monthly email reports must be submitted to Caltrans and fish and wildlife during clearing of gnatcatcher habitat and project construction. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

| Task and Brief Description | Ref. | Design/Builder Responsible for Compliance? | Caltrans Construction Responsible Branch / Staff | Timing / Phase | NSSP, SSP, Std Spec, Permit | Action Taken to Comply/Remarks | Construction Task Completed | |
|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| A final report will be submitted with 120 days of project completion to fish and wildlife that documents that authorized impacts were not exceeded and that compliance with conservation measures included in the Biological Opinion were followed. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| A copy of all permits shall be on the job site at all times during construction. Copies of all permits must be provided to all contractors, subcontractors, and forepersons. All contractors and forepersons must read this authorization in its entirety and acknowledge they understand its contents and their responsibility to ensure compliance with all general and special conditions contained herein. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Any vegetation removed from streams shall not be stockpiled in the stream bed or on its bank. The sites selected on which to push this material out of the stream should be selected in compliance with the Streambed Alteration Agreement Notification No 1600-2011-0179-R5. Native vegetation will be trimmed back or cut above ground level to allow for it to grow back after the maintenance work is complete. Oak trees and sycamore trees will not be removed or trimmed back, except as previously cleared and mitigated for at Deer Canyon. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All construction personnel must be trained on the biological resources associated with the construction work. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

| Task and Brief Description | Ref. | Design/Builder Responsible for Compliance? | Caltrans Construction Responsible Branch / Staff | Timing / Phase | NSSP, SSP, Std Spec, Permit | Action Taken to Comply/Remarks | Construction Task Completed | |
|--|------|--|--|----------------|-----------------------------|--------------------------------|-----------------------------|------|
| | | | | | | | Initial | Date |
| Special care will be taken when transporting, use, and disposing of soils containing invasive weed seeds. All heavy equipment will be washed and cleaned of debris prior to entering a new area, to minimize spread of invasive weeds. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| A qualified biologist will be available for both the pre-construction and construction phases to review grading plans, address protection of special status biological resources, and monitor ongoing work. The biologist should be familiar with the habitats, plants, and wildlife of the Project area, and maintain communications with the resident engineer, to ensure that issues relating to biological resources are appropriately and lawfully managed. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All equipment shall be cleaned of soil containing seed and plant material prior to entry into the streambed to prevent the spread of invasive exotic plant species adjacent areas or other sites where equipment may have been previously used. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Detention basins will be placed in many of the loop ramps, and bioswales will be placed on many of the slopes to treat runoff from the freeway. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Appropriate best management practices (BMPs) will be used to control erosion and sedimentation. No sediment or debris will be allowed to enter the vernal pools, creeks, rivers, or other drainages. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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| Exclusion devices will be installed on bridge drain holes and ledges during the non-breeding season (September 1 through February 15) to prevent swallows, swifts, and any other birds or bats from nesting on or within bridges to be demolished or expanded. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Cut slopes will be revegetated with native upland habitats with similar composition to those within the Project study area. Fill slopes and areas adjacent to wetlands and drainages will be revegetated with appropriate native upland and wetland non-invasive species. The revegetated areas will have temporary irrigation and be planted with native container plants and seeds selected by the district biologist. There will be at least three years of plant establishment/maintenance on these slopes to control invasive weeds. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Bioswales and detention basins will be planted with appropriate native species as determined by the biologist and storm water pollution prevention professional. Slopes adjacent to developed urban areas will be vegetated with native and drought tolerant non-invasive species selected by the biologist and landscape architect. Interchanges located in urban areas will be landscaped with native or ornamental non-invasive species. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Duff (top soil) from areas with coastal sage scrub and chaparral will be saved to aid in revegetating slopes with native species. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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| Salvaging of rare plants and/or soil supporting San Diego fairy shrimp prior to grading is recommended where practicable. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| All temporary impact areas will be revegetated and restored to pre-existing conditions. Plants salvaged from construction areas will be placed on created slopes or in an offsite mitigation area. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Fueling of construction equipment should only occur at a designated area at a distance greater than 100 feet from drainages, and associated plant communities to preclude adverse water quality impacts. Fuel cans and fueling of tools will not occur within drainages. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Lighting used at night for construction will be shielded away from environmentally sensitive areas and wildlife corridors. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Landscaping should not use plants that require intensive irrigation, fertilizers or pesticides adjacent to preserved areas, and water runoff from landscaped areas should be directed away from native habitats and/or treated within the project footprint. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| A draft list of species to be used in the landscaping must be submitted to fish and wildlife for approval. A final list of species must be submitted to Fish and Wildlife within 30 days of receiving approval of the draft list of species. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| No plants listed on the California Invasive Plant Councils, Invasive Plant Inventory list are allowed to be used on the project in any areas. | | Yes | R.E., Constr. Liaison, Biology | | | | | |

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| Dust generated by construction will be controlled as necessary. | | Yes | R.E., Constr. Liaison, Biology | | | | | |
| Permanent impacts to sensitive upland vegetation will be mitigated by preservation offsite at Sage Hill Mitigation Site. As stated in the Biological Opinion | | No | R.E., Constr. Liaison, Biology | | | | | |
| Permanent and temporary impacts to wetland/riparian habitats will be mitigated offsite at Deer Canyon Mitigation Site (Pardee). As stated in the Biological Opinion | | No | R.E., Constr. Liaison, Biology | | | | | |
| Impacts to occupied California gnatcatcher coastal sage scrub and coastal sage scrub chaparral will be mitigated at a 1:1 ratio at the Sage Hill mitigation site. As stated in the Biological Opinion | | No | R.E., Constr. Liaison, Biology | | | | | |
| Permanent and temporary impacts to "rut" pools and species will be mitigated at a 30-acre site on Del Mar Mesa (Zamudio). As stated in the Biological Opinion | | No | R.E., Constr. Liaison, Biology | | | | | |
| WATER QUALITY/NPDES | | | | | | | | |
| Best Management Practices will be implemented to address potential water quality impacts during the planning and design, construction, and operational (maintenance) stages. | | Yes | R.E., Constr. Liaison, NPDES | | | | | |
| All areas that will be left in a rough graded state must be stabilized no later than two weeks after completion of grading. After completion of grading, all areas must be revegetated. The revegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Council Invasive Plant Inventory. | | Yes | R.E., Constr. Liaison, NPDES | | | | | |

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| Water containing mud, silt or other pollutants from grading, aggregate washing, equipment washing, or other activities must not be allowed to enter a lake or stream or to be placed in locations that may be subjected to high storm flows. | | Yes | R.E., Constr. Liaison, NPDES | | | | | |
| If groundwater dewatering with discharge to surface water is necessary for project construction, comply with San Diego Water Board Order No R9-2008-0002, General Waste Discharge Requirements for Discharges to Surface Waters Within the San Diego Region. | | Yes | R.E., Constr. Liaison, NPDES | | | | | |
| The treatment, storage, and disposal of wastewater during the life of the project must be done in accordance with waste discharge requirements established by the San Diego Water Board pursuant to CWC 13260. | | | R.E., Constr. Liaison, NPDES | | | | | |
| Comply with the State Wide Storm Water Management Plan. Short-term potential impacts to water quality during the construction phase are prevented/minimized with Construction Site BMPs while the long-term potential impacts during the facility operation and maintenance are prevented/minimized through the implementation of Design Pollution Prevention BMPs, Treatment BMPs and Maintenance BMPs. | | Yes | R.E., Constr. Liaison, NPDES | | | | | |
| PALEONTOLOGY | | | | | | | | |
| A Paleontological Mitigation Plan (PMP) must be developed. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |

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| A qualified paleontologist will be at the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| Grading plans will be provided to the paleontologist at least one week prior to the initiation of earth-moving activities. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| A paleontological monitor will be on-site on a full-time basis during the original cutting of previously undisturbed deposits of high or moderate paleontological resource potential, and on-site on a part-time basis during the original cutting of previously undisturbed deposits of low paleontological resource potential (sedimentary deposits of younger alluvium), to inspect exposures for contained fossils. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| As grading progresses, the qualified paleontologist and paleontological monitor will have the authority to reduce the scope of the monitoring program to an appropriate level if it is determined that the potential for impact to paleontological resources is lower than anticipated. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |

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| <p>When fossils are discovered, the paleontologist (or paleontological monitor) will recover them. In most cases, this fossil salvage can be completed in a short period of time. If necessary, the paleontologist (or paleontological monitor) will be allowed to briefly redirect, divert, or halt grading. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) will be allowed to redirect, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.</p> | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| <p>During the monitoring and recovery phases of the PMP, the qualified paleontologist and/or the paleontological monitor will also routinely collect stratigraphic data (e.g., lithology, vertical thickness, lateral extent of strata, nature of upper and lower contacts, and taphonomic character of exposed strata.) Collection of such data is critical for providing a stratigraphic context for any recovered fossils.</p> | | Yes | R.E., Constr. Liaison, Cultural | | | | | |

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| Fossil remains collected during monitoring and salvage will be cleaned (removal of extraneous enclosing sedimentary rock material), repaired (consolidation of fragile fossils and gluing together of broken pieces), sorted (separating fossils of the different species), and cataloged (scientific identification of species, assignment of inventory tracking numbers, and recording of these numbers in a computerized collection database) as part of the mitigation program. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| Prepared fossils, along with copies of all pertinent field notes, photos, and maps, will be deposited (as a donation) in an accredited scientific institution with permanent paleontological collections, such as the San Diego Natural History Museum. Donation of the fossils will be accompanied by financial support for preparation, curation, and initial specimen storage, if this work has not already been completed. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| A final summary report will be completed. It will outline the results of the mitigation program. This report will include discussion of the methods used, stratigraphic section(s) exposed and documented, fossils collected, and significance of recovered fossils. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| Hazardous Waste | | | | | | | | |
| Treated Wood Waste | | Yes | R.E., Constr. Liaison, Haz. Waste | | Std Spec 2006 | Comply with Standard Special Specification (SSP) 14-010 | | |
| Earth Material containing lead | | Yes | R.E., Constr. Liaison, Haz. Waste | | Std Spec 2006 | Comply with SSP 15-027 | | |
| Yellow paint stripe removal | | Yes | R.E., Constr. Liaison, Haz. Waste | | Std Spec 2006 | Comply with SSP14-001 | | |

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| Paint stripe removal other than yellow | | Yes | R.E., Constr. Liaison, Haz. Waste | | Std Spec 2006 | Comply with SSP 15-301 | | |
| Demolition, renovation, or removal of Asbestos Containing Materials (ACMs) | | Yes | R.E., Constr. Liaison, Haz. Waste | | NSSP# | Sampling and Removal of Asbestos Containing Materials - Bridges and Open Structures | | |
| CULTURAL | | | | | | | | |
| Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Regulatory Division staff and Archeology Staff (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861) within 24 hours. The Permittee shall immediately suspend all work within 100 feet of any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13. | | Yes, notify Caltrans who will contact the Army Corps. | R.E., Constr. Liaison, Cultural | | | | | |
| If cultural materials should be discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until qualified personnel could assess their nature and significance. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| Consultation with the City Archaeologist and Caltrans Archaeologist will ensure that if anything is discovered during construction that Section 106, CEQA, and City Guidelines will be followed. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |

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| Should remains be discovered and further evaluation be necessary, construction will be diverted away from the find and sufficient time will be allowed for the proper professional recovery of the remains. Remains will be cleaned, catalogued, analyzed, reported, and curated in accordance with all appropriate professional archaeological standards. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| If human remains should be discovered, State Health and Safety Code §7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| Pursuant to PRC §5097.98, if remains are thought to be Native American, the coroner will notify the NAHC who will then notify the Most Likely Descendent (MLD). The party discovering the remains will contact the District Archaeologist, so that consultation may take place with the MLD to provide for the respectful treatment and disposition of the remains. Further provisions of PRC §5097.98 will be followed, as applicable. | | Yes | R.E., Constr. Liaison, Cultural | | | | | |
| NOISE | | | | | | | | |
| All equipment should have sound-control devices no less effective than those provided on the original equipment. No equipment should have an unmuffled exhaust. | | Yes | R.E., Constr. Liaison, Noise | | | | | |

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| Implement appropriate additional noise abatement measures including, but not limited to, changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction noise sources. | | Yes | R.E., Constr. Liaison, Noise | | | | | |
| VISUAL | | | | | | | | |
| Native California trees such as oaks and pines will be planted near the middle of cut slopes (at least 30' from traveled way) in grouped clusters. Trees will not be placed near the tops of cut slopes where vertical forms will diminish easterly views from neighborhoods and commercial properties. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Native shrubs will be used on all disturbed slopes adjacent to natural areas. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Open views to the east will be preserved by minimal tree planting at the base of fill slopes. Native shrub plantings will be used in these locations. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Wildflower groundcover will be planted intermittently along the edges of the freeway corridor to add seasonal accent color and for compliance with Federal funding requirements. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Drought tolerant ornamental trees, such as eucalyptus, will be planted at the vicinity of the structures to help visually diminish the scale. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Riparian tree species, such as sycamores, will be planted where possible in the lowest areas to enhance the low valleys that cross the project and provide for a greater diversity of native tree species. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Native landscape plantings will be provided on short slopes and at the base of walls at either side of wall structures. Native plantings may include shrubs, groundcover, and trees. Trees will be planted at mid slope (at least 30' from traveled way) or at lower levels to avoid blocking views to the east from the residential neighborhoods. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Berms will be used in place of sound walls wherever possible, such as along the west side of the freeway approaching Governor Drive. The existing berm at this location will be relocated further to the west where space allows. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Texture and color of walls will blend with surrounding landscape and indigenous soils. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Provide screening of walls with tree, shrub, and vine plantings. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Employ measures to minimize graffiti, such as tree, shrub and vine plantings on walls. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Architectural treatment of Design Build Noise Walls will be designed with the cooperation of the District Landscape Architect (DLA) and incorporate the conceptual block layout design in the RFP. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Walls shall be constructed of split face concrete masonry units and colored an earth tone (tan/brown) to closely resemble RCP Block and Brick manufacturer color "Mission". Grout joints will match color of the block. Walls shall have evenly spaced 16"x8"x32" pilasters. Pilasters shall be constructed of split face block with a mortar cap. Field wall between pilasters shall be mixed 10" and 8" wide block to create shadows. The 10" width block will have the same core size as the 8" block. The wall shall include 10"x8"x8" smooth (precision) face accent blocks. Wall cap shall be 10" x 4"x16" precision blocks with a mortar cap. Wall shall begin and end with a pilaster except where the wall end dies into a berm. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Use transparent barriers when possible to preserve views from homes immediately adjacent to or that overlook the freeway at several locations near the I-805 / SR-52 interchange. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Retaining walls that follow the contours of the topography and maintain a constant elevation at the top of wall will be used where appropriate. Wall layouts and profiles will be composed of long radius curves, with no tangents or points of intersection. This type of wall will be visually compatible with surrounding terrain and provide room at the base for a slope that will contain landscape screening. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| In areas too narrow to place a planting pocket, retaining walls will be recessed behind the face of safety barriers at a sufficient distance to allow architectural features to be included on the face of the retaining walls. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| In areas where space for architectural detailing will not exist, modified concrete safety barriers will be considered to provide additional width in which architectural elements such as wall panel relief, pilasters, and wall caps can be included. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Architectural features, textures and integral concrete colors will be used to mitigate the appearance of retaining wall surfaces. Walls will incorporate architectural features such as pilasters and caps to provide shadow lines, provide relief from monolithic appearance, and reduce their apparent scale. Enhanced materials such as mosaic tile and weathering steel will also be used where appropriate to meet community context and design goals. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Mechanically stabilized earth (MSE) walls will have custom designed panels that include integral color, and an enhanced surface texture. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Retaining walls will be located at the top of slope wherever possible in road fill sections to provide a buffer area for landscape screening between the wall and the community. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Grading will be designed using the techniques of contour grading that promote smooth transitions to existing landforms, eliminate appearance of engineered slopes and visually soften the contours. Stepped slopes in areas of cut will be considered. Stepped slopes in areas of cut are recommended where soils are highly erodible. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Placement of landscape slopes, noise walls, barriers, drainage conveyances, and other roadway features can require special design. MSE walls will have custom designed panels that include enhanced surface texture, and a 4" minimum pattern reveal on each panel. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| All visual mitigation features will be designed with the cooperation of the District Landscape Architect (DLA). The DLA will perform all visual mitigation monitoring. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Short retaining walls (15' or less) located in cut sections at the edge of shoulder shall be integrally colored, cast in place concrete with random flute texture, variable sand blast texture, and grooves. The top of the wall shall have a smooth 12" wide band and no wall cap. Walls at the edge of shoulder shall be designed with a concrete half-barrier with a standard safety shape. The barrier shall be integrally colored to match the wall and have a medium sand blast texture. Wall layouts and profiles would consist of long radius curves with no tangents or point of intersection. Retaining walls should follow the contours of the proposed topography if at all possible. The top of wall should maintain a gentle sloped top elevation. Each end of retaining wall and barrier shall die into the slope to eliminate the need for end treatment. Where cable rail barrier is required, stain shall be applied to the exterior surface of galvanized components (posts, cables and hardware) to produce a dark brown color with a matte finish. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Landscape design guidelines will be implemented in consultation with the DLA. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| DAR structure columns will match existing bridge columns supports when present. New DAR structures will feature smooth curved forms in profile and section to minimize stark shadow lines where possible. Retaining walls will have a maximum height of 10 feet to minimize the structure height and retain views from adjacent neighborhoods. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Landscaping will be provided on all slopes and transitions to roadways and streets. Landscaping will be compatible with local landscape standards, including guidelines for screening and shade. Parking will be compatible with local development standards. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| New bridge columns will match the existing bridge columns. Undercrossing widening will use cast-in-place box girder construction to match existing structures wherever possible. Stain shall be applied to the exterior surface of isolation casings at new and existing columns to produce a dark brown color with a matte finish | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| If seismic retrofit work is required for existing columns, then the exposed column surface will be colored to match new columns. Column shape shall be visually compatible with existing column shape. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| The wall architectural treatment and detailing for the Carroll Canyon (DAR) Retaining Walls (Bridge No. 57 (NEW) (Design Build) shall be consistent with those being constructed by the Carroll Canyon (DAR) Retaining Walls (Bridge No. 57E0075/76) under Contract No. 11-2T0404. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Retaining walls shall be enhanced with architectural detailing including wall pylons, concrete bracket, concrete shelf, grooves, corner transitions, pilasters, architectural caps, wall caps, weathering steel plates and random flute texture to reduce their apparent scale. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| If struts are required, then architectural treatment shall be similar to Contract No.11-2T0404. Similar architectural detailing would include architectural shelf, strut corbel, weathering steel sconces, concrete brackets on shelf, wall caps, pilasters, and other architectural treatment shown on the Elevations. If struts are not required by the engineering design, the architectural treatment shall be adjusted to delete the struts and weathering steel sconce. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| The exposed face of cast-in-place retaining wall concrete shall be integrally colored with a variable sand blast finish ranging from medium to heavy. Concrete barriers at wall base shall be integrally colored. Concrete cap between safety barrier and wall shall be integrally colored with a variable sand blast finish. The color shall closely conform to Davis color No. 5447 "Mesa Buff". | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Access control fencing will be placed in visually unobtrusive locations at interchanges and bridges, if possible. Retaining walls and noise walls near right-of-way boundaries will be designed in such a way that access control fencing will not be needed. The 'dead' spaces that occur between walls and fences will be avoided if at all possible. Fencing will abut proposed noise walls at ends of or at changes in direction of walls, if possible. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Concrete lighting and signage pedestals will be designed in such a way that vertical barrier transitions are not required. Vertical concrete safety barriers will be considered for locations where space for pedestals is limited or to avoid potential snag issues. A barrier transition from the shorter barrier to the taller barrier is recommended at these locations. A continuous tall median barrier is to be avoided. Electrical and signal equipment at ramp termini will be placed in visually unobtrusive locations. Gore pavings will incorporate an enhanced architectural color and textural finish. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Concrete interceptor ditches will not be placed at the toe of slopes adjacent to residential property or pedestrian use areas. Alternatives such as subterranean drainage placed below finish grade or a planted geo-reinforced drainage surface will be used. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Landscape areas beyond the gore will be paved with Minor Concrete "Textured Paving" (MCTP) up to the point where the horizontal distance between edge of paved surface to edge of paved surface measures 30'. MCTP will be integrally colored to closely resemble "Ginger," Solomon manufacturer Color No.288. and have an exposed aggregate texture. If high side super ditches encroach into the MCTP area, then they shall be colored and textured to match the MCTP. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| If raised median islands are constructed in the vicinity of Carroll Canyon Road than medians shall be paved with rock blanket to match paving installed by Contract No. 11-2T0404. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Linear ditches or bio-swales will be designed for dual use as maintenance vehicle access facilities, wherever possible. Where possible, bio-swales will be located in non-obtrusive areas, be designed to appear as natural features, and incorporate applicable measures listed above for detention basins. Where possible, they should be shaped in an informal, curvilinear manner, incorporate slope rounding, variable gradients and be similar to the surrounding topography to deemphasize a defined outer edge. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Maintenance access drives should be located in unobtrusive areas away from local streets and will consist of drivable inert materials with or without herbaceous groundcover that is visually compatible with the surrounding landscape. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Existing trees and rock outcroppings should be preserved to the greatest extent possible. A Vegetation Inventory Plan shall note trees within the construction limits and 200' beyond the limit. A Vegetation Protection and Removal Plan shall show the location of all trees greater than #4" (caliper) to be removed. The plans shall clearly show trees to remain by identifying each tree or group of trees by quantity and species. Trees to remain shall be protected with temporary fencing. Removed trees and shrubs (except removed exotic plant materials) may be reduced to chips. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Avoid placement of construction use areas such as staging, material storage, construction office and access roads in landscape areas. When roadside staging areas are vacated, the soil shall be ripped and hydroseeded with a mix approved by the District Biologist and Landscape Architect. Staging area locations are subject to approval by District Environmental Division | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Soft surface alternatives to concrete ditches and rock slope protections will be utilized wherever possible. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| All visible concrete structures and surfaces will be of special design and adhere to the corridor design guidelines. Rock slope protection will consider use of aesthetically pleasing whole material of various sizes. Rock slope protection will be placed in a slurry bed that is integrally colored to match surrounding soils. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Concrete drainage devices located in highly visible areas in the roadside such as interceptor ditches, ditch lining, inlet aprons, gutters, head walls and channels will be colored to match the surrounding soil. • Concrete headwalls and wing walls shall be integrally colored or stained to match existing soils. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Detention basins located at freeway interchanges or in areas of high visibility will incorporate the following design features. Basins will be located at least 10ft from clear recovery zones whenever possible to allow landscape screening to be installed. Basins will appear to be natural landscape features, such as, dry streambeds or riparian areas. Where possible they should be shaped in an informal, curvilinear manner, incorporate slope rounding, variable gradients, and be similar to the surrounding topography to deemphasize a defined outer edge. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Whenever feasible, standpipes and other vertical appurtenances will be placed in unobtrusive locations and be painted an unobtrusive color. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| AC overside drains to biofiltration swales will be avoided wherever possible. Water shall be piped by a subsurface system from an inlet to the biofiltration swale. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Concrete aprons at bio filtration swales shall be integrally colored with an exposed aggregate texture. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| Bioswales and detention basin locations are to be coordinated with District Design, Hydraulics, Storm Water Pollution Control Specialist and Landscape Architect. Avoid placement of bioswales, in landscape areas wherever possible. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| All above grade temporary and permanent erosion control materials such as fiber rolls, netting, rope, jute mesh and blankets shall be biodegradable. Photodegradable plastics shall not be used. Wood stakes to be used for fiber rolls. Metal stakes shall not be used. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Proposed bioswale treatment shall consist of native turf sod; container plantings from liners or flats; or native grasses from liners or flats overseeded with native plants. Plant species and application rate (density per SQ FT) to be approved by the District Landscape Architect, Biologist, and Storm Water Pollution Control Specialist. Bioswales shall be irrigated. Bioswale planting areas shall be prepared before installing fiber rolls and gravel bags by adding soil amendments, cultivation, irrigation installation, weed germination and weed killing. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Bioswales and detention basins located near ESA's will be planted with appropriate native species. Bioswales and detention basins located adjacent to developed urban areas will be planted with native and drought tolerant non-invasive species. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| At Rose Canyon and Sorrento Canyon, cut slopes shall be revegetated with native upland habitats with similar composition to those within the project area. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| At Rose Canyon and Sorrento Canyon Fill slopes and areas adjacent to wetlands and drainages shall be revegetated with appropriate native upland and wetland non-invasive species. The revegetated areas will be temporarily irrigated with an automatic, below grade system. Trees shall be on a separate bubbler system. Slopes 4:1 or greater will be planted with native container plants (trees and shrubs) and seed selected by the District Biologist and Landscape Architect. Trees and shrubs (minimum 1 gal size shrubs, and 5 gal size trees) to be planted at a minimum of one plant per 100 square feet of disturbed area. Plantings shall be 40% trees and 60% shrubs. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| There will be at least three years of plant establishment/maintenance on these slopes to control invasive weeds. All disturbed areas less than 4:1 will be stabilized by Erosion Control Hydraulic Mulch (Polymer Stabilized Fiber Matrix) containing appropriate native upland or wetland non-invasive species. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| At Governor Drive, disturbed areas shall be treated with Erosion Control (PSFM) with a seed mix consisting of native species produced in southern California. Total Pure Live Seed shall be from 20-35 lbs/acre dependent on the slope ratio, slope aspect, soil fertility and soil erodability. Seed Mixes shall contain a minimum of 8 species. Mixes are subject to the approval of District Biologist, District Landscape Architect and District Erosion Control Specialist. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| Seed Mix species include: Castilleia exserta (Owl's Clover), Encelia californica (Bush Sunflower), Eriogonum fasciculatum var. fasciculatum (Flat-topped Buckwheat), Eriophyllum confertiflorum (Golden Yarrow), Eschscholzia californica (California Poppy), Lasthenia californica (Dwarf Goldfields), Leymus triticoides (Creeping Wildrye), Lotus scoparius (Deerweed), Nasella pulchra (Purple Needlegrass), Sisyinchium bellum (Blue-eyed Grass) and Viguirea laciniata (San Diego Sunflower). | | Yes | R.E., Constr. Liaison, Landscape | | | | | |
| The use of pervious concrete for storm water pollution prevention will be considered to avoid adverse visual impacts. Project features such as interceptor ditches, inlet aprons, gutters, maintenance access road, maintenance vehicle pullouts, and parking lots could consist of pervious concrete and perhaps serve a dual purpose. | | Yes | R.E., Constr. Liaison, Landscape | | | | | |

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| TRAFFIC | | | | | | | | |
| A Transportation Management Plan (TMP) will be prepared to minimize the impact of construction activities on highway users. Preceding roadway design, a final TMP, will be prepared to reduce potential construction-related traffic conflicts, detours, and delays. | | Yes | R.E., Community | | | | | |
| GeoTech Drillings | | | | | | | | |
| Remove and properly dispose of any waste discharge resulting from drilling operations. | | Yes | Constr. Liaison | | | | | |
| Utilize Construction Entrance or Street Sweeping to reduce tracking of dirt onto the roadways. | | Yes | Constr. Liaison | | | | | |

EXHIBIT 4-D

I-805 North Managed Lanes
Work Area and Wetland Impacts



Exhibit 4 - D1

805 North Managed Lanes Work Area includes Temporary and Permanent Impact Areas and All Wetland Impacts.





Exhibit 4 - D2

805 North Managed Lanes Work Area includes Temporary and Permanent Impact Areas and All Wetland Impacts.

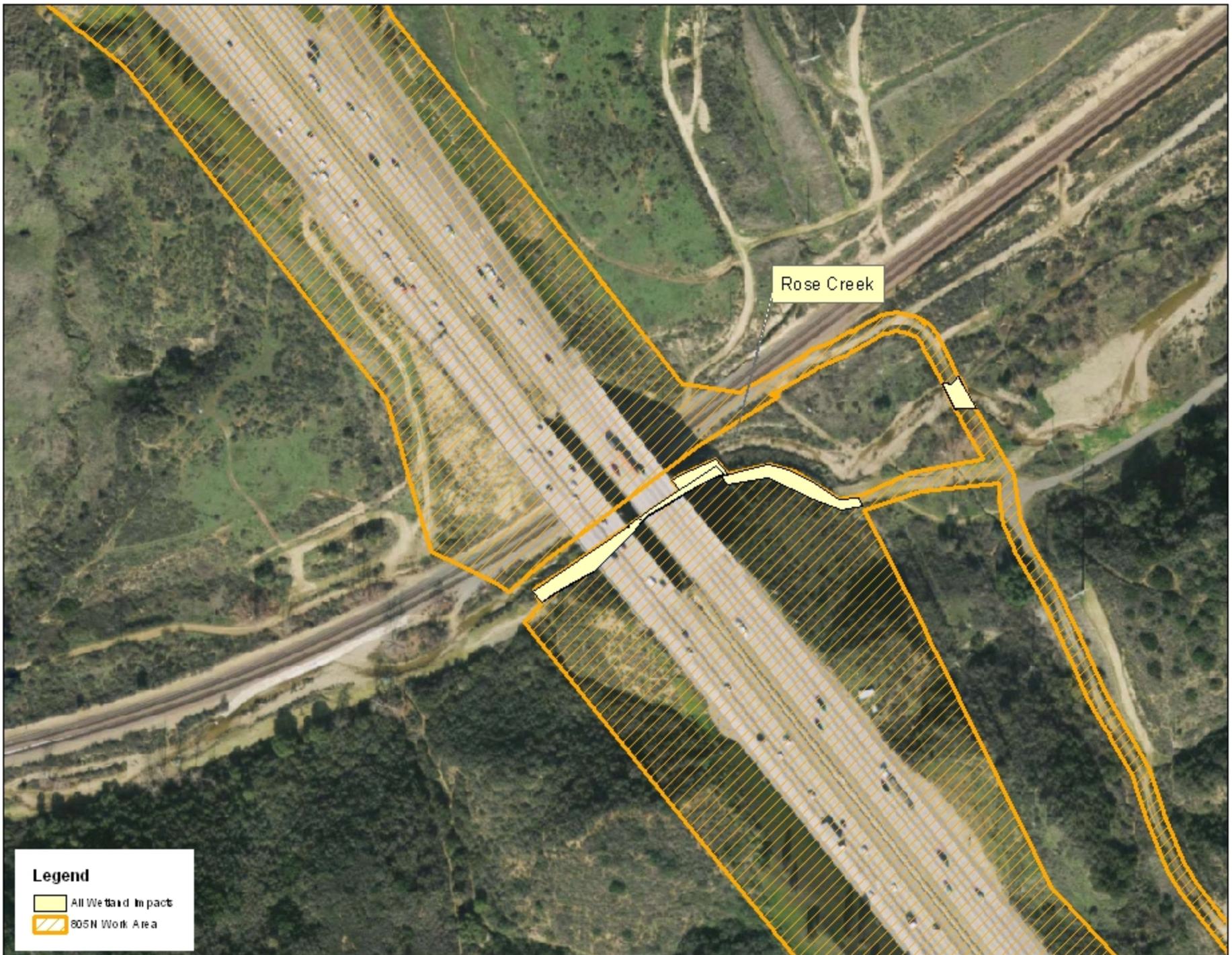




Exhibit 4 - D3

805 North Managed Lanes Work Area includes Temporary and Permanent Impact Areas and All Wetland Impacts.





805 North Managed Lanes Rose Canyon Creek Work Area includes Temporary and Permanent Impacts and all Wetland Impact Areas.

Exhibit 4 - D4





Exhibit 4 - D5

805 North Managed Lanes Carroll Canyon Creek Work Area and All Wetland Impacts

