

**FINAL MITIGATED NEGATIVE DECLARATION AND  
INITIAL STUDY/ENVIRONMENTAL CHECKLIST**

**SAN LUIS REY HABITAT MANAGEMENT AREA  
RESTORATION PROJECT, FALLBROOK, CALIFORNIA**

**VOLUME I  
SECTIONS 1.0 THROUGH 6.0**

**SCH No. 2018061020**

***Prepared for:***

San Diego County Water Authority  
4677 Overland Avenue  
San Diego, California 92123  
(858) 522-6600  
Contact: Don Chadwick

***Prepared by:***

AECOM  
401 West A Street, Suite 1200  
San Diego, California 92101  
Phone: (619) 610-7600  
Contact: Alex Hardy

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## **VOLUME II**

### **LIST OF APPENDICES**

#### **Appendix**

- A San Luis Rey HMA Wetland Restoration Plan
- B Air Quality Modeling Data
- C Biological Resources Summary Report
- D Archaeological Survey Report
- E Hazardous Materials Sampling and Analysis Letter Report
- F Water Quality Technical Report
- G Hydraulic Design Report



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## SECTION 1.0 INTRODUCTION

### 1.1 PROJECT BACKGROUND

The San Diego County Water Authority (Water Authority) prepared a Subregional Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP, or Plan) in accordance with Section 2800 of the California Fish and Game Code (CFGF) and Section 10(a) of the federal Endangered Species Act (ESA). The NCCP/HCP (Water Authority 2010a), adopted by the Water Authority in December 2010, is a comprehensive program designed in conjunction with the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) (collectively referred to as the “Wildlife Agencies”) to (1) facilitate conservation and management of Covered Species and habitats associated with Water Authority activities; and (2) contribute to ongoing regional conservation efforts. Sixty-three Covered Species are listed in the NCCP/HCP, including 26 plant species and 37 wildlife species.<sup>1</sup>

The Water Authority’s Covered Activities addressed in the NCCP/HCP include the ongoing installation, use, and maintenance of its aqueduct and associated water treatment, conveyance, and storage systems, and typical expansion of these systems throughout the right-of-way (ROW).<sup>2</sup> In addition, the NCCP/HCP includes plans for the development and acquisition of new Preserve Area lands, and the management/monitoring of existing Preserve Area lands. These lands include both existing and proposed upland and wetland habitat management areas (HMAs), which are intended to serve as mitigation and compensation for impacts to state- and federally protected species, and in compliance with state environmental regulations. One of these is the San Luis Rey River Valley HMA (San Luis Rey HMA), which proposes restoration of agricultural lands and disturbed habitat on Water Authority-owned property west of Interstate 15 (I-15) and south of State Route 76 (SR 76) in north-central San Diego County.

The Water Authority has prepared this mitigated negative declaration (MND) to analyze and disclose the environmental impacts of implementing the San Luis Rey HMA project (project) pursuant to the California Environmental Quality Act (CEQA). The project is a Covered Activity of the NCCP/HCP, identified as a planned project in Table 1-1 of the NCCP/HCP and discussed in further detail in Section 6.8.2.2 of the NCCP/HCP. Project planning since adoption of the NCCP/HCP has incorporated minor adjustments to the HMA boundaries, detail on the physical alteration of the site required to develop the habitat preserve, and a change in the target vegetation communities composition, all of which are discussed in this MND.

This is the Final MND, which has been prepared for adoption by the Water Authority Board of Directors. Water Authority staff prepared a Draft MND and circulated it for a minimum 30-day public review beginning June 8, 2018. Additional details of the public review period are provided in Section 6.0, which is new to the Final MND. Section 6.0 also includes comment letters received during the public review period, and Water Authority staff’s responses to those comments. The Final MND is composed of the Draft MND, as revised based on comments received during the public review period, where relevant, and to incorporate additional minor text corrections. Revisions to text of the Draft MND are presented in the

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<sup>1</sup> The NCCP/HCP fulfills the requirements for the issuance of incidental take authorizations under CFGF and the federal ESA.

<sup>2</sup> Covered Activities are divided into three major categories: Capital Improvements Program (CIP) projects for new construction and modification of existing facilities; operations and maintenance (O&M) for routine operation, repairs, ROW management activities, and emergency actions; and Preserve Area management activities. The “Plan Area” addressed in the NCCP/HCP covers 992,000 acres where the Water Authority Covered Activities would take place.

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Final MND in strikethrough/underline format, with strikethrough text signifying deletions and underlined text signifying additions. Because the entirety of Section 6.0 is new to the Final MND, that section is not shown in underlined text. One new figure (Figure 3) has been added to the Final MND in response to a comment on the Draft MND, and subsequent figures have been renumbered. This change is noted by underlined text in the figure callouts, but the figures themselves are not marked with underlined text. The Final MND also includes the technical appendices from the Draft MND, none of which have been revised since publication of the Draft MND.

No new significant information is presented in the Final MND that would require recirculation of the Draft MND pursuant to Section 15073.5(a) of the CEQA Guidelines.

## **1.2 SCOPE OF ENVIRONMENTAL IMPACT REVIEW**

This MND is a subsequent CEQA document to the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) prepared for the NCCP/HCP, which was certified by the Water Authority Board of Directors in December 2010 (Water Authority 2010b), providing project-specific CEQA analysis for implementation of the San Luis Rey HMA habitat restoration. The EIR/EIS was prepared to satisfy CEQA obligations for the Water Authority, as CEQA lead agency, and CDFW, as a responsible agency under CEQA. The 2010 joint document also met the federal environmental review obligations pursuant to the National Environmental Policy Act (NEPA), with USFWS serving as NEPA lead agency. The EIR/EIS determined that implementation of the NCCP/HCP would result in potential impacts to biological resources and identifies mitigation to reduce impacts to below a level of significance. Mitigation consists of conserving and monitoring habitat and species through project design and minimization measures in conformance with CDFW and USFWS regulations. The EIR/EIS acknowledges that individual projects undertaken pursuant to the NCCP/HCP would be subject to project-specific consideration of their compliance with CEQA.

The San Luis Rey HMA was identified in the NCCP/HCP as a component of the Water Authority's Preserve Area, and NCCP/HCP Section 6.8.2.2 presents a brief discussion of the property and a breakdown of anticipated habitat types and acreages, based on preliminary mitigation planning. Subsequent mitigation planning was performed on the HMA project in 2017, as documented in the San Luis Rey HMA Wetland Restoration Plan (AECOM 2017a), which is provided as Appendix A of this MND. This subsequent planning led to a revision of the proposed configuration of habitat types on the property, compared to that which was originally assumed in the NCCP/HCP, and an associated adjustment in proposed habitat acreages. Additionally, the Water Authority is currently in discussions with the County of San Diego and the California Department of Transportation (Caltrans) to solidify a three-party land transfer whereby the Water Authority would acquire the 2.11-acre triangular parcel located on the northern river bank, which is currently owned by the County. The revised boundaries of the HMA site would add land to the Preserve Area and is considered a minor amendment to the NCCP/HCP. Once this project is approved, the Water Authority will amend the NCCP/HCP to account for these changes.

The CEQA review provided in the EIR/EIS addressed NCCP/HCP implementation at a broader level and did not incorporate detailed analysis of implementing a habitat restoration project at the San Luis Rey HMA. Section 15162(a).3 of the State CEQA Guidelines states that a subsequent EIR or negative declaration must be prepared if "new information of substantial importance, which was not known...at the time the previous EIR was certified" shows "the project will have one or more significant effects not discussed in the previous EIR." The Water Authority has developed this MND to analyze the environmental impacts of implementing the HMA mitigation plan, as revised, because project construction is anticipated to result in potential significant impacts and require mitigation measures that



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were not identified in the EIR/EIS. This qualifies as “information of substantial new importance” pursuant to CEQA, warranting a subsequent CEQA document.

### **1.3 PROJECT NEED AND OBJECTIVES**

The Water Authority needs to establish a bank of acreage-based mitigation credits that can be used as compensation for future projects that have an impact on riparian and upland habitats, in conformance with their obligations under the NCCP/HCP and Programmatic Master Plan Permit (PMPP) pursuant to Clean Water Act (CWA) Section 404. In addition, the Water Authority may pursue a banking enabling instrument, allowing it to sell credits to third parties if it determines it has excess of a particular habitat type. The following are the Water Authority’s project objectives in implementing the San Luis Rey HMA project to meet this need:

- Comply with NCCP/HCP obligations by developing habitat-restoration project to establish acreage-based mitigation credits;
- Establish native habitat on land that is currently used for agriculture or its related disturbance;
- Enhance existing habitats by removal of non-native species and planting/seeding with additional native species;
- Protect existing habitat that is in sufficient condition so as to not require remedial weeding or plant installation;
- Exclude the existing pipeline corridor from the HMA in order to allow management of vegetation height to effectively inspect the pipelines, while improving habitat within the corridor to ecologically blend with restored habitat in the HMA;
- Maintain and enhance the chemical, physical, and biological integrity of the aquatic resources within the San Luis Rey River;
- Establish a hydraulic connection to the first flood terrace and streambank stabilization;
- Maintain existing infiltration rates of storm water runoff;
- Contribute organic matter that is a source of food and energy for the aquatic ecosystem (nutrient input), such as leaf litter;
- Provide tree canopy to shade streams and promote desirable aquatic organisms (shading/thermoregulation);
- Provide wildlife habitat/structural diversity;
- Provide flood protection/attenuation;
- Omit existing trails on the south side of the San Luis Rey River from the HMA; and
- Allow for an additional land swap between the County and the Water Authority to establish logical boundaries between their abutting properties.

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## **SECTION 2.0**

### **PROJECT DESCRIPTION**

This section presents information on environmental setting and project description relevant to the project's impact analysis pursuant to CEQA.

#### **2.1 SAN LUIS REY HMA RESTORATION PROJECT**

##### **2.1.1 Project Location and Environmental Setting**

The project site is located in a rural area in the unincorporated community of Fallbrook, in north-central San Diego County, featuring scattered rural residential property, agricultural uses, vacant land, a retirement community, and open space (Figures 1 and 2). The northern edge of the project site abuts the eastbound lanes of SR 76. Regional access to the project site is via I-15 and SR 76. The construction access and delivery of materials to the project site would occur via eastbound SR 76.

Farther north of SR 76 are primarily undeveloped slopes rising above the river valley, featuring scattered rural residences. The land south of the San Luis Rey River is undeveloped, with non-native grassland vegetation, and is slated for development as part of the County of San Diego's *San Luis Rey River Park Master Plan* (County of San Diego 2007a). The Rancho Monserate golf course and retirement community is located southeast of the HMA site. Open space with coastal sage scrub habitat is farther south, on the north-facing slopes above the river valley, with scattered rural residences and agricultural uses. Adjacent land to the east, which is owned by Caltrans, is an abandoned horse farm intended for future habitat restoration.

Within the vicinity of the HMA site, the San Luis Rey River is a perennial river system. The lowest flood terrace, at approximately 215 feet in elevation, is approximately 300 to 500 feet wide through the project site. A second flood terrace, at approximately 230 feet in elevation, is defined by the 100-year floodway. The highest terrace, above the 100-year floodway, is at approximately 235 to 240 feet in elevation. The northern terraces of the San Luis Rey River within the HMA site have historically been used for agricultural production, including the production of flowers, row crops, and other agricultural commodities. The southernmost portion of the site, within the river corridor, has remained undeveloped.

The project site is bisected by the Second San Diego Aqueduct, which features three parallel underground pipelines (Pipelines 3, 4, and 5), as well as a grouping of above-ground manway structures, one for each pipeline, which are visible on the site. In addition, the Water Authority maintains a maintenance/access road located in the center of the aqueduct ROW/easement. The project site also contains three existing San Diego Gas and Electric (SDG&E) electrical distribution poles in the eastern half of the site. A concrete building foundation is located in the southwest corner of the site. One active groundwater well is located in the eastern portion of the site and three additional groundwater wells were capped and sealed in 2005. There is also an existing windmill located in the northeastern part of the site, likely associated with the remaining well. The Second San Diego Aqueduct corridor is not a part of the HMA.



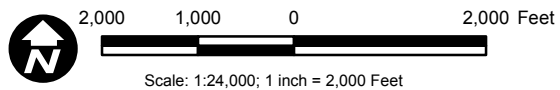
## San Luis Rey HMA Restoration Project

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Source: USDA 2016; SDCWA 2016, 2018



**Figure 2**  
**Vicinity Map**

### San Luis Rey HMA Restoration Project

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In December 2017, the Lilac Fire, which began approximately 0.5 mile east of the HMA site, burned through the San Luis Rey River and affected much of the site, including all vegetation within the river itself and the southern half of the agricultural land within the HMA site. This fire was reported to have burned very hot and moved very quickly through the river corridor, completely incinerating the dense undergrowth below the riparian tree canopies. Many of the trees burned but appear to have survived, based on follow-up visual inspections performed in succeeding months. With post-fire winter rains, the native vegetation is beginning to grow back. The fire also affected equipment and storage areas associated with the site's agricultural tenant. For purposes of CEQA impact analysis, the environmental baseline at the San Luis Rey HMA site incorporates this post-fire recovery condition.

One notable change in the months since the Lilac Fire is the rapid proliferation of giant reed (*Arundo donax*, commonly referred to as arundo). This invasive species was present before the fire in several patches of mature stands, but now appears to be taking advantage of the extensive areas of bare ground in the river channel left by the fire-related removal of native understory. If left untreated, arundo is likely to recolonize much of the river corridor, outcompeting slower-growing native species and compromising the ecological value of this stretch of the San Luis Rey River. With adequate treatment of the arundo, however, the vegetation in the river corridor would have a better chance of returning to its pre-fire condition.

### **2.1.2 Project Description**

The Water Authority plans to create, restore, and enhance native riparian and upland habitats on existing agricultural land, which would survive as long-term, self-sustaining ecological improvements. The project is intended to establish acreage-based mitigation credits that can be used as compensation for future Water Authority projects that have an impact on state or federal jurisdictional wetlands/waters, riparian habitats, and upland habitats, as applicable. The site is intended to function as a mitigation bank, subject to the approval of the Wildlife Agencies and the U.S. Army Corps of Engineers (Army Corps), providing mitigation credits that can be used as compensation for the impacts of future O&M activities and CIP projects, in conformance with the NCCP/HCP and PMPP, and possibly for third parties. A portion of the site would be subject to excavation to lower the surface elevation and improve physical and hydrological conditions for the establishment of riparian habitat, expanding the area appropriate for riparian habitat adjacent to the San Luis Rey River. Additional detail on various aspects of the project is provided below.

### **Property Acquisition**

Most of the HMA site is situated on land currently owned by the Water Authority and leased for agricultural purposes. However, the Water Authority is currently in discussions with the County of San Diego and Caltrans to solidify a three-party land transfer, as shown in Figure 3, whereby the Water Authority would acquire the 2.11-acre triangular parcel located on the northern river bank, ~~as shown in Figure 2 and Figure 3~~, which is currently owned by the County. This swap originated with Caltrans's acquisition of Water Authority property for the SR 76 realignment. In exchange, Caltrans is anticipated to grant an equivalent acreage to the County on the south side of the river, to include in a future park development. Recent habitat restoration planning on the San Luis Rey HMA project has assumed Water Authority acquisition of the 2.11 acres in the southern part of the site, and the project addressed in this MND makes a similar assumption. If the three-party land transfer is not successful, the Water Authority will adjust their habitat restoration plan accordingly and will continue to discuss with Caltrans regarding property compensation associated with the SR 76 land acquisition. Also, the Water Authority is in preliminary discussions with County staff concerning additional boundary adjustments to address the slivers of Water Authority land extending beyond the southern bank of the San Luis Rey River, including the small triangular piece of land extending south of the river on the west side, and the thin strip of land





Source: USDA 2016; SDCWA 2016, 2018

**Figure 3**  
**Prospective Land Transfer**

San Luis Rey HMA Restoration Project

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adjacent to the Rancho Monserate golf course, along the southeast border of the project site. Habitat restoration south of the San Luis Rey River's southern bank is not planned as part of this project, as shown in Figure 4. These areas would be omitted from the HMA boundaries and will not be part of the HMA's mitigation acreage credit.

## Habitat Restoration

The proposed habitat restoration work entails converting land that has been used as agricultural land for several decades to native riparian and upland vegetation. Three mitigation categories are proposed, depending on the current disposition of the underlying land: "creation/restoration" involves establishment of native habitat on land that is currently used for agriculture or its related disturbance; "enhancement" involves enhancing existing habitats by removal of non-native species and planting/seeding with additional native species; "preservation" involves protection in place of existing habitat that is in sufficient condition so as to not require remedial weeding or plant installation.

Five habitat types are proposed as part of the plan consisting of the riparian communities of southern sycamore woodland, southern cottonwood willow riparian forest, southern coast live oak riparian forest, and arrowweed scrub; and the upland community coast live oak woodland. Acreages proposed for each community are shown in Table 1 and depicted in Figure 3—Figure 4, which also shows the preliminary grading design proposed for the site. Each restoration area would be planted with a palette of container plants and live cuttings of native species appropriate for the corresponding target vegetation community. Additional details on the seed mixes and planting palettes for each habitat community are provided in Appendix A. Implementation of the restoration plan would result in the restoration of approximately 41.6 acres of native habitats.

**Table 1**  
**Proposed Mitigation Habitat Acreages<sup>1</sup>**

Habitat Type	NCCP/HCP Tier	Upland/ Riparian	Mitigation Type	Acreage <sup>2</sup>
Southern Sycamore Woodland (SSW)	I	Riparian	Creation/ Restoration	2.05
			Enhancement	3.23
			<b>SSW Total</b>	<b>5.28</b>
Southern Cottonwood Willow Riparian Forest (SCWRF)	I	Riparian	Creation	6.48 <sup>3</sup>
			Enhancement	5.70 <sup>3</sup>
			Preservation	0.99
			<b>SCWRF Total</b>	<b>13.16<sup>3</sup></b>
Southern Coast Live Oak Riparian Forest	I	Riparian	Creation/ Restoration	1.91
Arrowweed Scrub	II	Riparian	Preservation	0.38
<b>RIPARIAN TOTAL</b>				<b>20.73</b>
Coast Live Oak Woodland <sup>4</sup>	I	Upland	Creation/ Restoration	20.91
<b>UPLAND TOTAL</b>				<b>20.91</b>
<b>MITIGATION HABITAT TOTAL</b>				<b>41.64</b>

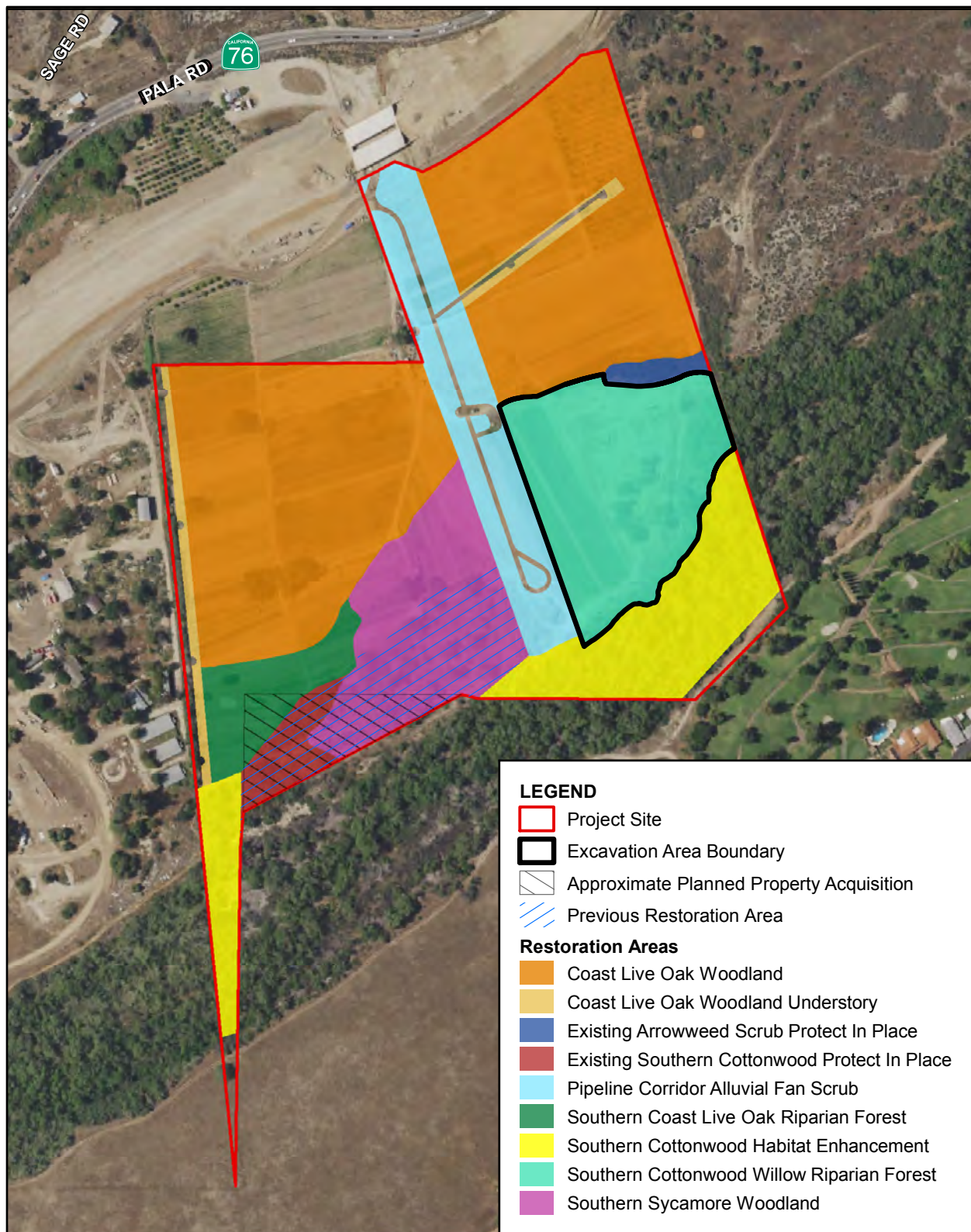
<sup>1</sup> Acreages listed in the table do not include 4.19 acres of alluvial fan scrub, proposed for establishment within the Water Authority's aqueduct pipeline corridor, because that area is not a part of the HMA, and not proposed for mitigation credit.

<sup>2</sup> Numbers may not sum due to rounding.

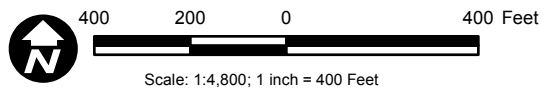
<sup>3</sup> 8.75 acres of southern cottonwood willow riparian forest are proposed for Army Corps mitigation credit, including 4.45 acres of creation and 4.30 acres of enhancement.

<sup>4</sup> Coast live oak woodland acreage includes 0.94 acre in two linear corridors of understory vegetation only, where trees will not be planted to avoid future conflicts with above-ground utilities.





Source: USDA 2016; SDCWA 2016, 2018



**Figure 4**  
**Restoration Areas Map**

San Luis Rey HMA Restoration Project

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In addition to these areas proposed to become part of the San Luis Rey HMA/mitigation bank, the project would establish native vegetation within the Water Authority's aqueduct pipeline corridor, to include approximately 4.19 acres of the upland community alluvial fan scrub. These areas would be planted and seeded as part of the restoration effort, but they are not counted as part of the HMA mitigation acreage because they may be subject to future disturbance resulting from future Water Authority facility maintenance, including vegetation management to control height. Future ground disturbance within the pipeline corridor would be subject to on-site restoration of equivalent habitat at completion of the subject maintenance project, pursuant to NCCP/HCP requirement. At SDG&E electric line corridors, a 40-foot-wide area would be planted with a reduced "coast live oak understory" plant palette, which would lack any tall-growing vegetation, and ensure that planted oak trees, once they mature, do not interfere with the line's overhead clearance.

In developing the current restoration design for the project, the Water Authority and AECOM started with the habitat acreages stated in the NCCP/HCP, which were based on prior planning effort conducted during the planning staging of the NCCP/HCP. The layout was subsequently adjusted and refined based on up-to-date hydraulic modeling of the San Luis Rey River to reflect its actual ability to support the target Riparian I vegetation communities listed in the NCCP/HCP. The design is also based on an understanding of, and history of, restoration of similar systems in Southern California. As a result, the goal of the HMA's future Riparian I vegetation communities is to provide self-sustaining, high-quality habitat value to NCCP/HCP-listed wildlife species (e.g., least Bell's vireo, southwestern willow flycatcher, and arroyo toad) for which the HMA is being accredited to generate mitigation credits. In response to recent input from the Wildlife Agencies on the draft habitat layout provided in Appendix A, the upland plant palette has been further adjusted in consideration of providing suitable north-south dispersal habitat elements for the coastal California gnatcatcher (CAGN). This habitat would feature coastal sage scrub components preferred by this species and be integrated with the oak woodland restoration area understory, and may foster CAGN dispersal.

## **Project Implementation**

The project proposes earthwork, using heavy equipment, to lower the southeast corner of the site by approximately 8 feet, to match the elevation of the site's first floodplain terrace, improving physical and hydrological conditions of this area to foster establishment of southern cottonwood willow riparian forest habitat. The proposed excavation area, which is depicted in ~~Figure 3~~Figure 4, is in part of the site that has been modified by agricultural activities over the preceding decades. Approximately 43,000 cubic yards of material is anticipated to be removed from this area, with suitable soil material distributed elsewhere on the site and used as fill to raise the elevation of a 19.4-acre area planned to become coast live oak woodland habitat. No off-site export of soil is anticipated. The excavated material would be recontoured to blend into the existing terrain. The resulting configuration would be approximately 2 to 6 feet higher than the existing ground, with slopes less than 1:20 on all sides. To minimize erosion from the restoration site during construction, silt fences, fiber rolls, and/or straw wattles and other best management practices (BMPs) will be implemented in accordance with a Storm Water Pollution Prevention Plan (SWPPP). Several debris piles composed of concrete, wood, brick, and other miscellaneous construction materials positioned along the San Luis Rey River bank would be removed from the excavation and restoration areas and properly disposed of in accordance with applicable laws and regulations. Rock cobble within the river bank is also likely to be disposed off-site, unless it is deemed suitable and appropriate for distribution within the restoration area.

Prior to earthwork and grading, the existing water well remaining on the site would be capped per applicable regulations and standards. All other structures, including the existing windmill and concrete foundation slab, would be demolished. Additionally, abandoned farm equipment and miscellaneous debris from past agricultural operations would be removed and disposed off-site.

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Non-native species control would be accomplished during site preparation through a combination of methods, including mechanical treatments and herbicide application. Following the completion of grading and recontouring, the restoration contractor may initiate a “grow and kill” treatment to deplete the non-native seed bank on the site and increase the ease of weed treatment during the establishment and maintenance periods. Chemical treatment/herbicide application is the preferred method of treating emergent weeds due to site logistics and economic factors. However, tillage may also be used as an alternative method if conditions allow.

Once grading and recontouring activities are complete, all planting and seeding areas would be decompacted to a depth of 18 inches to provide an improved seedbed. Planting for the project would consist of a mixture of container plants and cuttings. All restoration areas would be seeded following installation of container plants. A temporary irrigation system would be installed to support the habitat establishment. The irrigation system would obtain water directly from one of the Water Authority aqueduct pipes, through a temporary take-off structure installed near one of the on-site manways. Temporary irrigation is anticipated to be maintained for a minimum of 2 years following plant installation, and irrigation must be ceased 2 years prior to final project signoff.

Following the installation work, a 120-day plant establishment period would commence, followed by a 5-year maintenance and monitoring period. Details of planned maintenance and monitoring work are provided in Appendix A. At completion of the maintenance and monitoring period, and after the established success criteria have been signed off by the Wildlife Agencies and Army Corps, the site will be managed in accordance with a Preserve Area Management Plan (PAMP). The PAMP will be prepared by the Water Authority pursuant to Sections 5.3 and 6.11 of the NCCP/HCP and approved by the Wildlife Agencies and Army Corps.

The project also entails establishment of a permanent, unpaved 12-foot-wide Water Authority access road within the aqueduct ROW connecting to the existing paved road that extends south from SR 76, with a loop constructed at the southern end of the project site, just north of the San Luis Rey River, as shown in ~~Figure 3~~ **Figure 4**. This road would represent a slight realignment of an existing access road through the agricultural property. The road would not extend into existing riparian habitats. Cleared maintenance areas would be established around the Water Authority manways, connecting to this access road.

A series of existing SDG&E power poles and the associated electric line, including one line running west to east on the northeastern side of the project site, and one running north to south along the western boundary, would remain in place. Unpaved 12-foot-wide vehicle access roads would be maintained along the alignments, with 12-foot-radius cleared areas around the poles. It is also anticipated that SDG&E will require periodic vehicular access to on-site poles for maintenance activities. The distribution line itself would be surrounded by a 20-foot-wide area on each side where a reduced “coast live oak understory” plant palette would be installed, lacking any tall-growing vegetation that could interfere with the line’s overhead clearance.

### **Staging, Construction Access, and Hauling and Delivery**

Construction staging would be accomplished on the HMA property, and the project is not anticipated to require acquisition of temporary construction easements or off-site work areas. Equipment and material laydown would likely occur within the Water Authority pipeline corridor, which is not subject to earthwork as part of the project. Construction access would occur from a Water Authority driveway that connects south from eastbound SR 76, which was constructed by Caltrans as part of the SR 76 project.

A small amount of hauling and delivery would be required during project implementation, including delivery of construction equipment, container plants, hydroseed and mulch, and components of the

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temporary irrigation system. Off-hauling of cobble, debris, trash, and demolition waste would be required. Excavated soil would be reused as fill on-site, and not require off-hauling. Truck trips would likely access the site from I-15 and SR 76 to the Water Authority driveway, but there is no direct access to the site from westbound SR 76. If trucks approach the site from the east (I-15), they would need to identify a suitable location to safely make a U-turn onto eastbound SR 76, and then to the Water Authority driveway. Per Water Authority standard specifications, this would require contractor preparation of a traffic-control plan.

## **Construction Schedule**

Project implementation is anticipated to commence in fall 2020. Construction phases would last through January 2022, although most of this time would not feature active construction activity, which is anticipated to be complete in 4 months of active work within that larger timeframe. Initial work involving demolition, vegetation clearing, excavation, and recontouring would be performed sequentially, but the subsequent planting and seeding effort may not be implemented immediately thereafter, to account for a period of intensive weed-control activities. However, the analysis within this MND conservatively assumed that the 4 months of active construction work would occur consecutively, rather than spread out over the longer anticipated schedule. The 5-year post-construction maintenance and monitoring period is anticipated to be complete in August 2027. Table 2 summarizes the construction activities to be completed as part of the proposed project. The durations are approximate and may vary due to differing site conditions or contractor scheduling. Working hours for the project would be limited to occurring within the timeframes consistent with the County of San Diego Noise Ordinance: Monday through Saturday, 7:00 a.m. to 7:00 p.m.

**Table 2**  
**Summary of Construction Activities**

<b>Construction Work</b>	<b>Construction Equipment</b>	<b>Time to Complete (Work Days)</b>
Mobilization	Semi-trailer trucks; forklifts	2 days
Demolition, Debris Removal and Disposal	1 excavator, 1 loader, 2 dump trucks	10 days
Clearing and Grubbing	2 excavators, 2 loaders, 4 dump trucks	5 days
Site Grading	2 excavators, 2 loaders, 4 dump trucks	32 days
Container Plant Installation	1 forklift, 1 excavator, 1 loader, 3 pickup trucks	30 days
Hydroseeding	1 loader, 2 hydroseed trucks	5 days
Demobilization	Semi-trailer trucks; forklifts	2 days

## **Permits and Approvals**

The project requires permits or other authorizations from several agencies that may rely on this MND as CEQA responsible agencies, as listed below in Table 3. The project entails habitat clearing and excavation in state and federal jurisdictional wetlands and waters, which would require obtaining a Streambed Alteration Agreement from CDFW and a Letter of Permission from the Army Corps pursuant to the PMPP.<sup>3</sup> For storm water pollution protection, the project will be subject to compliance with the State Water Resources Control Board's Construction General Permit (2009-0009-DWQ, amended by

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<sup>3</sup> The Army Corps has determined that the Regional Water Quality Control Board, San Diego Region (RWQCB), waived the water quality certification for the PMPP; therefore, the Water Authority will not be required to obtain a CWA Section 401 permit. The Water Authority will solicit input from the RWQCB regarding the project through the CEQA public review process.

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2010-0014-DWQ & 2012-0006-DWQ). The project would also alter a portion of the floodplain, which would require obtaining a No-Rise Certification from the County.

**Table 3**  
**Required Permits and Approvals**

<b>Agency</b>	<b>Permit Requirement</b>
U.S. Army Corps of Engineers	Letter of Permission under PMPP (SPL-2012-00106-PJB)
California Department of Fish and Wildlife	Streambed Alteration Agreement
State Water Resources Control Board	National Pollutant Discharge Elimination System Permit (Storm Water Pollution Prevention Plan)
County of San Diego	No-Rise Certification for Floodways
County of San Diego	Grading Permit

### **2.1.3 NCCP/HCP Compliance**

The Water Authority prepared its NCCP/HCP pursuant to Section 2800 et seq. of the CFGC (Natural Communities Conservation Planning Act of 1991 [NCCP Act]) and Section 10(a) of the federal ESA of 1973, as amended. Adoption of the Water Authority's NCCP/HCP resulted in issuance of an incidental take permit under Section 10 of the federal ESA and incidental take authorization under Section 2835 of the CFGC (i.e., the NCCP Act).

As directed in the NCCP/HCP, a verification process ensuring the project's conformance with the Plan commitments was completed as a part of the biological resources impact analysis in this document. Temporary and permanent impacts to habitat would be mitigated in accordance with the NCCP/HCP, including on-site restoration of temporary impact areas and debit of mitigation acreage from one of the Water Authority's HMAs or other USFWS and CDFW approved areas for permanent impacts, at ratios stated in the NCCP/HCP. The NCCP/HCP also requires implementation of General Conditions for Coverage (for Covered Species), which are listed in Section 2.1 of Appendix B of the NCCP/HCP, and applicable minimization measures listed in Section 6.4 of the NCCP/HCP. The applicable measures from the NCCP/HCP that will be incorporated into this project as design features are listed in Attachment 5 of Appendix C of this MND.

## **2.2 WATER AUTHORITY STANDARD SPECIFICATIONS/PROJECT DESIGN FEATURES**

The Water Authority requires contractors to follow several standard conditions contained in the construction project specifications that avoid or minimize significant environmental impacts. In addition, design features specific to the proposed project that could minimize or avoid environmental effects would be incorporated into the project, as appropriate. Applicable design features for this action are listed below by issue area. The design features presented herein are not exhaustive, and other specification requirements or design features may be developed during the proposed project that are as effective as those listed. Design features pertaining to biological resources are the applicable NCCP/HCP General Conditions for Coverage and minimization measures listed in Attachment 5 of Appendix C.

### **2.2.1 Aesthetics/Visual Quality**

1. All areas cleared of vegetation for construction and staging areas will be revegetated at the completion of the project, with the exception of patrol roads and maintenance zones around manways.

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### **2.2.2 Air Quality**

1. All clearing and grading will be carried out with dust control measures adequate to prevent creation of a nuisance to persons or property.
2. Points of public street access will be cleaned of any “track-out” materials as needed.
3. All paved access roads, parking areas, and staging areas at construction sites will be swept as needed.
4. All unpaved access roads, parking areas, and staging areas at construction sites will be watered three times daily or treated with non-toxic soil stabilizers.
5. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other erosion control measures.
6. Soil stabilizers will be applied to inactive construction areas (disturbed areas inactive for 10 days or more).
7. Traffic speeds on unpaved roads will be limited to 20 miles per hour maximum.
8. All trucks hauling soil, sand, and other loose materials on-site will be covered or required to maintain at least 2 feet of freeboard.

### **2.2.3 Biological Resources**

See Attachment 5 of Appendix C.

### **2.2.4 Cultural Resources**

1. The Water Authority will develop and implement a cultural resources monitoring plan for the project’s excavation phase, in coordination with the Native American tribes that expressed interest in the project during the consultation process pursuant to Assembly Bill 52. The cultural resources monitoring plan will specify the roles of Native American monitors and qualified archaeological monitors, and identify procedures for addressing the potential discovery of artifacts and other tribal cultural resources, including locating an area on site suitable for reinterment of resources that may be uncovered during project excavation.
2. In the event of an unexpected discovery of human remains during any phase of construction, project activities in the vicinity of the discovery will be temporarily halted and the San Diego County Coroner contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendent, as identified by the Native American Heritage Commission, will be contacted to determine proper treatment and disposition of the remains.

### **2.2.5 Geology and Soils**

1. Project construction activities will comply with existing regulatory requirements related to geology and soils, including applicable requirements stated in the RWQCB Construction General Permit. The Water Authority will implement a SWPPP (including associated sedimentation BMPs) for the construction activities that are specific for project type, location, and characteristics. Typical control measures that may be implemented as part of the project SWPPP include:

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- a) Preparation and implementation of a “weather triggered” action plan during the rainy season to provide enhanced erosion or sediment control measures prior to predicted storm events (i.e., 40% or greater chance of rain).
  - b) Use of erosion control/stabilizing measures in appropriate areas (including disturbed areas and graded slopes with grades of 3:1 [horizontal to vertical] or steeper), such as geotextiles, mats, fiber rolls, soil binders, or temporary hydroseeding.
  - c) Use of sediment controls to protect the site perimeter and prevent off-site sediment transport, including measures such as silt fences, fiber rolls, gravel bags, temporary sediment basins, check dams, street sweeping, energy dissipaters, stabilizing construction access points (e.g., with temporary gravel or pavement) and sediment stockpiles (e.g., with silt fences and tarps), and use of properly fitted covers for sediment transport vehicles.
  - d) Storage of BMP materials in applicable on-site areas to provide “standby” capacity adequate to provide complete protection of exposed areas and prevent off-site sediment transport.
  - e) Provision of training by certified personnel (i.e., either a Qualified SWPPP Developer [QSD] or Qualified SWPPP Practitioner [QSP]) for the personnel responsible for BMP installation and maintenance.
  - f) Implementation of permanent native vegetation restoration as soon as feasible after grading or construction.
  - g) Implementation of appropriate monitoring and maintenance efforts (e.g., prior to and after storm events) to ensure proper BMP function and efficiency.
  - h) Implementation of sampling/analysis, monitoring/reporting, and post-construction management programs per National Pollutant Discharge Elimination System requirements.
  - i) Implementation of additional BMPs as necessary (and required by appropriate regulatory agencies) to ensure adequate erosion and sediment control.
2. Actual BMPs for the proposed project will be determined during the SWPPP development process, with such measures taking priority over the typical industry standard measures listed above.

#### **2.2.6 Hazards and Hazardous Materials**

1. Standard BMPs will be implemented to prevent impacts to the public through the transport, use, or disposal of any hazardous materials. Standard industry measures include, but are not limited to:
  - a) Hazardous materials used or stored on-site will be restricted to areas at least 50 feet from storm drains and watercourses.
  - b) All hazardous materials will be covered or kept in enclosed facilities.
  - c) A written inventory will be kept of all hazardous materials used or stored on-site.
  - d) To prevent discharge in the event of a spill, berms, ditches, and/or impervious liners (or other applicable methods) will be provided in material storage and vehicle/equipment storage areas to provide a containment volume of 1.5 times the volume of the stored/used materials.



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- e) Agency telephone numbers and a summary guide of cleanup procedures will be posted in a conspicuous location at or near the job site staging area.
  2. Prior to authorization to proceed, the Water Authority's contractor will prepare a Fire Prevention and Response Plan. All construction crewmembers will be trained in the requirements of the plan. Fire safety information will be disseminated to construction crews during regular project safety meetings. Fire management techniques will be applied during project construction as deemed necessary and depending on the on-site vegetation and the vegetation of surrounding areas.

### **2.2.7 Hydrology/Water Quality**

1. By law, the project is required to comply with the State Water Resources Control Board's (SWRCB) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). A SWPPP will be implemented to effectively reduce or eliminate pollutants during construction of the proposed project. The SWPPP will identify all pollutant sources, including sources of sediment, that may affect the quality of storm water discharges associated with construction activity (storm water discharges from the construction site); identify non-storm water discharges; identify structural and/or treatment control BMPs that are to be implemented in accordance with a time schedule to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the construction site during construction; and develop a maintenance schedule for permanent or post-construction BMPs that will "to the maximum extent possible" reduce or eliminate pollutants after construction is completed. Detailed BMPs to prevent impacts to water quality will be included in the SWPPP.
2. The project will implement the following source-control BMPs from the County BMP Design Manual:
  - a) Control/minimize irrigation to prevent runoff from entering the SLR River.
  - b) Control/minimize herbicide application to prevent discharge into the SLR River.

### **2.2.8 Noise and Vibration**

1. The contractor will comply with the noise thresholds the Water Authority has established for this project. Noise levels associated with construction activities are not to exceed an average sound level of 75 decibels over an 8-hour period, between 7 a.m. and 7 p.m., Monday through Saturday, as measured at a residential property boundary.
2. All noise-producing project equipment and vehicles using internal combustion engines will be equipped with mufflers; air-inlet silencers, where appropriate; and any other shrouds, shields, or noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed package equipment (e.g., air compressors) will be equipped with shrouds and noise control features that are readily available for that type of equipment.
3. All mobile or fixed noise-producing equipment used on the project that is regulated for noise output by a local, state, or federal agency will comply with such regulation while in the course of project activity.
4. Electrically powered equipment will be used instead of pneumatic or internal combustion-powered equipment, where feasible.
5. Construction site and access road speed limits will be established and enforced during the construction period; speeds on unpaved roads will not exceed 20 miles per hour.



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6. The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.
  7. No project-related public address or music system will be audible at any adjacent noise-sensitive receptor.

#### **2.2.9 Traffic/Circulation**

1. To minimize disruption to communities from construction traffic, the Water Authority's contractor will prepare and implement a traffic control plan. The plan will be prepared in accordance with the latest edition of the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (FHWA 2009), as modified by the most recent California supplement (FHWA 2012).
2. The project will not unreasonably restrict access to any private property.

#### **2.2.10 Utilities and Service Systems**

1. The Water Authority will notify and coordinate with all other utility providers that own easements, ROWs, or facilities within or adjacent to the area affected by the proposed project. Any need to connect with or relocate utilities will be presented to the appropriate utility provider prior to commencement of construction.

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## SECTION 3.0 INITIAL STUDY/ENVIRONMENTAL CHECKLIST FORM

1. Project Title: San Luis Rey Habitat Management Area Restoration Project
2. Lead Agency Name and Address: San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123
3. Contact Person and Phone Number: Don Chadwick  
Principal Water Resources Specialist  
(858) 522-6758
4. Project Location: Adjacent to eastbound SR 76 in the unincorporated community of Fallbrook, in north-central San Diego County, approximately 0.5 mile west of I-15.
5. Project Sponsor's Name and Address: San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123
6. General Plan Designation: Rural Lands (RL-40)
7. Zoning: Holding Area (S90)<sup>4</sup>
8. Description of Project:

The project entails establishment and restoration of wetland and upland habitat within a property owned by the Water Authority adjacent to the San Luis Rey River that currently supports row-crop production. The project would require excavating soil from the southeast portion of the site to lower the surface elevation relative to the depth to groundwater/water table and expand the site's active floodplain (first flood terrace) farther north, which is necessary to support riparian plant species. The property is identified in the Water Authority's NCCP/HCP and PMPP as a wetland establishment project to serve as habitat-based mitigation credits that are needed for future Water Authority projects and activities that have an impact on native habitat and associated Covered Species.

Please refer to Section 2.0 for a detailed description of the proposed project.

9. Surrounding Land Uses and Setting:

The San Luis Rey HMA site is located in a rural area in the community of Fallbrook, in unincorporated north-central San Diego County. Surrounding land features scattered rural residential property, agricultural uses, vacant land, a retirement community, and open space. The northern edge of the project site abuts the eastbound SR 76. The southern portion of the project site, south of the San Luis Rey River is located in a vacant parcel with non-native grassland vegetation, adjacent to the Rancho Monserate retirement

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<sup>4</sup> The County of San Diego's Holding Area Use Regulations are intended to prevent isolated or premature land uses from occurring on lands for which adequate public services and facilities are unavailable or for which the determination of the appropriate zoning regulations is precluded by contemplated or adopted planning proposals or by a lack of economic, demographic, geographic, or other data. It is intended that the Holding Area Use Regulations will be replaced by other use regulations when the aforementioned conditions no longer exist (County of San Diego 2017a).

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community and golf course. Open space with coastal sage scrub habitat surrounds the southern side of the project site, with rural residences and agricultural uses scattered south of the San Luis Rey River.

Please refer to Section 2.0 for a detailed discussion of the project setting and surrounding land uses.

#### **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is “Less Than Significant with Mitigation Incorporated,” as indicated by the checklists and impact assessment discussions on the following pages.

- |   |   |
|---|---|
| <input type="checkbox"/> Aesthetics                             | <input type="checkbox"/> Land Use and Planning              |
| <input type="checkbox"/> Agriculture and Forestry Resources     | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Air Quality                            | <input type="checkbox"/> Noise                              |
| <input checked="" type="checkbox"/> Biological Resources        | <input type="checkbox"/> Population and Housing             |
| <input type="checkbox"/> Cultural and Paleontological Resources | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Geology and Soils                      | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Greenhouse Gas Emissions               | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Hazards and Hazardous Materials        | <input type="checkbox"/> Utilities and Service Systems      |
| <input type="checkbox"/> Hydrology and Water Quality            | <input type="checkbox"/> Mandatory Findings of Significance |

#### **DETERMINATION:**

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated impact” on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Toby Roy  
Water Resources Manager  
San Diego County Water Authority

June 7, 2018  
\_\_\_\_\_  
Date

### 3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS – Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

**a) Would the project have a substantial adverse effect on a scenic vista?**

**Less than Significant Impact.** No permanent obstruction of a vista or scenic view from a public viewing area would occur as a result of proposed project implementation because the project would create, restore, and enhance wetland and riparian habitats. As discussed in the Fallbrook Community Plan, Lancaster Mountain is within a designated Resource Conservation Area and is considered a scenic landmark (County of San Diego 2011a). Lancaster Mountain is located east of I-15 and is visible from SR 76 and the project site. However, there are no existing public views of Lancaster Mountain from the project site, as there is no existing public access to the site. The proposed project would not degrade existing public views of Lancaster Mountain from SR 76, as it would create, restore, and enhance native vegetation that would be visible in the foreground. Further, views from Lancaster Mountain are not identified as scenic vistas. Therefore, this impact would be less than significant.

**b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**Less than Significant Impact.** According to the Caltrans California State Scenic Highway Mapping System (Caltrans 2011), there are no officially designated state scenic highways in the project area, but there are two eligible state scenic highways in the project area. SR 76 is an eligible state scenic highway from the City of Oceanside to State Route 79 and abuts the project site. I-15 is an eligible state scenic highway north of the I-15/SR 76 interchange, north of the project site. The project site is visible from both of these roads.

The project would not degrade scenic resources visible from SR 76 or I-15. As discussed above in Section 3.1 a), Lancaster Mountain is located east of I-15 and is visible from I-15, SR 76, and the project site. The project would generally improve the visual character of the project site by replacing frequently disturbed agricultural land with native habitat. The project would not degrade views of Lancaster Mountain from SR 76 or I-15 because the project site is at a lower elevation than the project-related vegetation. This impact would be less than significant.

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c) ***Would the project substantially degrade the existing visual character or quality of the site and its surroundings?***

***Less than Significant Impact.*** Temporary visual impacts associated with the proposed project would occur due to visible construction equipment and staging activities, which would affect passing motorists along SR 76, residents north of the project site, and residents of the Rancho Monserate retirement community and users of the associated country club southeast of the project site. Exposure of passing motorists and nearby residents would occur since the project site is at a lower elevation than that of SR 76 and residential properties to the north. This temporary visual disturbance would not be a significant change from the frequent disturbance that occurs under existing conditions due to farm operations.

The proposed project would convert land that has been used as agricultural land to native riparian and upland vegetation. As such, permanent visual changes would be limited in extent and would maintain the overall, undeveloped visual character of the project area. Following the conclusion of project construction and installation of vegetation, aesthetic changes from project implementation would be minimal and would not significantly change the experience of passing motorists or nearby residents. Grading would lower the southwest corner of the site by approximately 8 feet and raise the northern portion of the site by approximately 2 to 6 feet, which would result in minimal elevation changes that would also not significantly change the experience of passing motorists or nearby residents. Limited mature vegetation currently exists at the site as it is used for agricultural purposes and the proposed project intends to create, enhance, and establish mature, native vegetation. The proposed project would also preserve the existing, mature trees currently located on the west side of the project site. While enhancement and establishment of riparian vegetation on the project site would take a number of years to fully mature and grow, the interim visual character during establishment would be similar to the existing visual character of operation. The visual character surrounding the project site would have minimal permanent aesthetic change and would not substantially degrade the existing visual character of the project area. Therefore, this impact would be less than significant.

d) ***Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

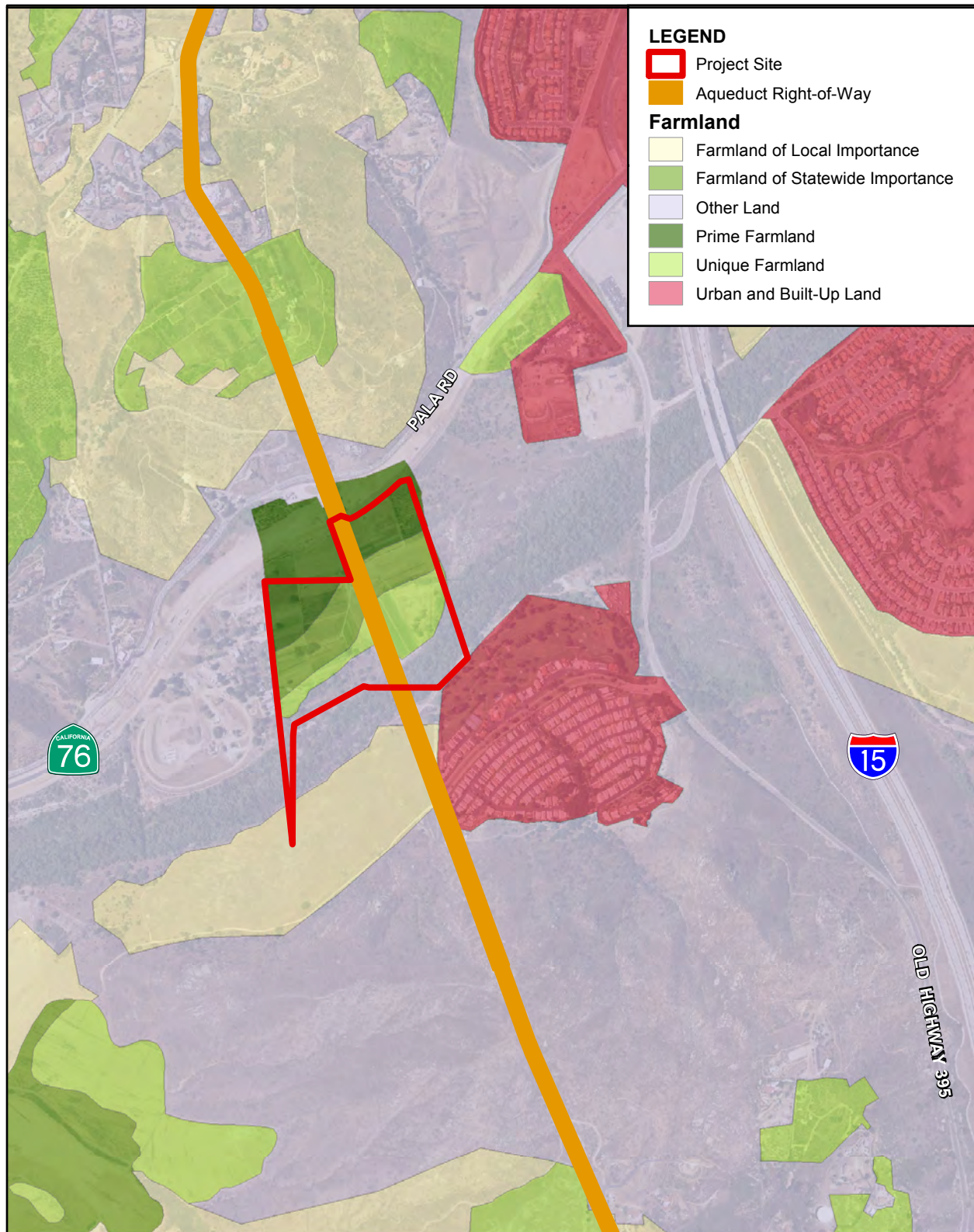
***No Impact.*** Working hours for the project would be limited to Monday through Saturday from 7:00 a.m. until 7:00 p.m., consistent with the County of San Diego Noise Ordinance, so no construction activities would occur after dark and no night lighting would be needed. The project does not propose any permanent aboveground structures or lighting that could cause glare. Therefore, there would be no impact related to light or glare.

### 3.2 AGRICULTURE AND FORESTRY RESOURCES

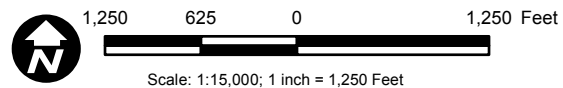
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURAL AND FORESTRY RESOURCES</b> – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section (4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**Less than Significant Impact.** The Water Authority purchased the approximately 45-acre San Luis Rey HMA property in 2005. Since that time, the Water Authority has leased the land to an agricultural operator, who grows row crops, cut flowers, and citrus on the site. Based on historic aerial imagery included in the Phase I Environmental Site Assessment prepared for the property in December 2004, the site has been in agricultural production since the late 1950s or early 1960s (Essentia Management Services 2004). As shown in ~~Figure 4~~Figure 5, the project site includes land designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland on the San Diego County Important Farmland map, prepared by the California Department of Conservation (DOC) pursuant to the Farmland Mapping and Monitoring Program (DOC 2014). Areas surrounding the project site are designated as Farmland of Statewide Importance, Unique Farmland, Urban and Built-up Land, and Other Land (DOC 2014).



Source: USDA 2016; SDCWA 2016, 2018; CA Department of Conservation 2014



**Figure 5**  
**Important Farmland**

San Luis Rey HMA Restoration Project

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The project would entail conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland (together referred to herein as Farmland) from agricultural use to non-agricultural use. To assess the significance of this impact, the Water Authority employed the California Agricultural Land Evaluation and Site Assessment (LESA) model, developed by the DOC in 1997, which is a systematic model that can be used to assess the relative value of farmland in the state. The LESA model is explained in the LESA Model Instruction Manual (DOC 1997).<sup>5</sup> The LESA model generates a score for a property based on the relative factors of a site's soil quality, project size, water availability, and relationship to surrounding land uses. The LESA model for this project site determined that the site is not considered a significant agricultural resource, so conversion of the on-site Farmland would be a less than significant impact pursuant to CEQA. Additional discussion of the LESA model determination is provided below.

The first factors of the LESA model calculation are part of the "land evaluation," which entails determining two relative scores for on-site soil types, including the U.S. Department of Agriculture's (USDA) Land Capability Classification (LCC) rating, and Storie Index rating. According to the LESA model instructions, the LCC rating indicates the suitability of soils for most kinds of crops; groupings are made according to the limitations of the soils when used to grow crops, and the risk of damage to soils when they are used in agriculture. Soils are rated from Class I to Class VIII, with soils having the fewest limitations receive the highest rating (Class I). The Storie Index provides a numeric rating (based upon a 100-point scale) of the relative degree of suitability or value of a given soil for intensive agriculture, and is based upon soil characteristics only (DOC 1997). LCC and Storie ratings for the on-site soil types are published in the USDA "Soil Survey, San Diego Area, California," issued in December 1973 (Bowman 1973).

On-site soils and their respective acreages, LCC rating, and Storie Index rating are presented below in Table 4. As shown in the table, the site has one high-value soil type (Grangeville fine sandy loam, 0-2 percent slopes [GoA]) and two lower-value soil types (Tujunga sand, 0-5 percent slopes [TuB] and Riverwash [Rm]).

**Table 4**  
**LESA Model Land Evaluation Worksheet**

<b>Soil Type</b>	<b>Size of site (acres)</b>	<b>Proportion of Site</b>	<b>LCC</b>	<b>LCC Rating</b>	<b>LCC Score</b>	<b>Storie Index</b>	<b>Storie Score</b>
GoA	12.32	29%	II w	80	22.8	81	23.1
TuB	13.30	31%	IV s	40	12.3	39	12.0
Rm	17.52	41%	VIII w	0	0.0	10	4.1
<b>Totals</b>	<b>43.14</b>	<b>100%</b>			<b>35.2</b>		<b>39.2</b>

The LCC scores and Storie Index scores are entered in the summary scoring table, which is provided later in this section.

A secondary analysis derived from the LCC scores is the project size score, which is one of four factors in the Site Assessment component of the LESA model. Acreages within three groupings of LCC scores are tallied and used to determine a relative score that considers the amount of a project site's high-value and low-value soils, pursuant to Table 3 of the LESA Model Instruction Manual. Table 5 shows the results of this project's project size scoring.

<sup>5</sup> The LESA model instructions are available for review at the DOC's website, [http://www.conservation.ca.gov/dlrp/Pages/qh\\_leso.aspx](http://www.conservation.ca.gov/dlrp/Pages/qh_leso.aspx).

**Table 5**  
**LESA Model Project Size Worksheet**

<b>Soil Map Unit</b>	<b>LCC Class I-II</b>	<b>LCC Class III</b>	<b>LCC Class IV-VIII</b>
GoA	12.32	--	--
TuB	--	--	13.30
Rm	--	--	17.52
Total Acres	12.32	--	30.82
<b>Project Size Scores</b>	<b>30</b>	<b>--</b>	<b>0</b>

The highest score from the three classification groupings is entered as the site's project size score, so this site's score is 30.

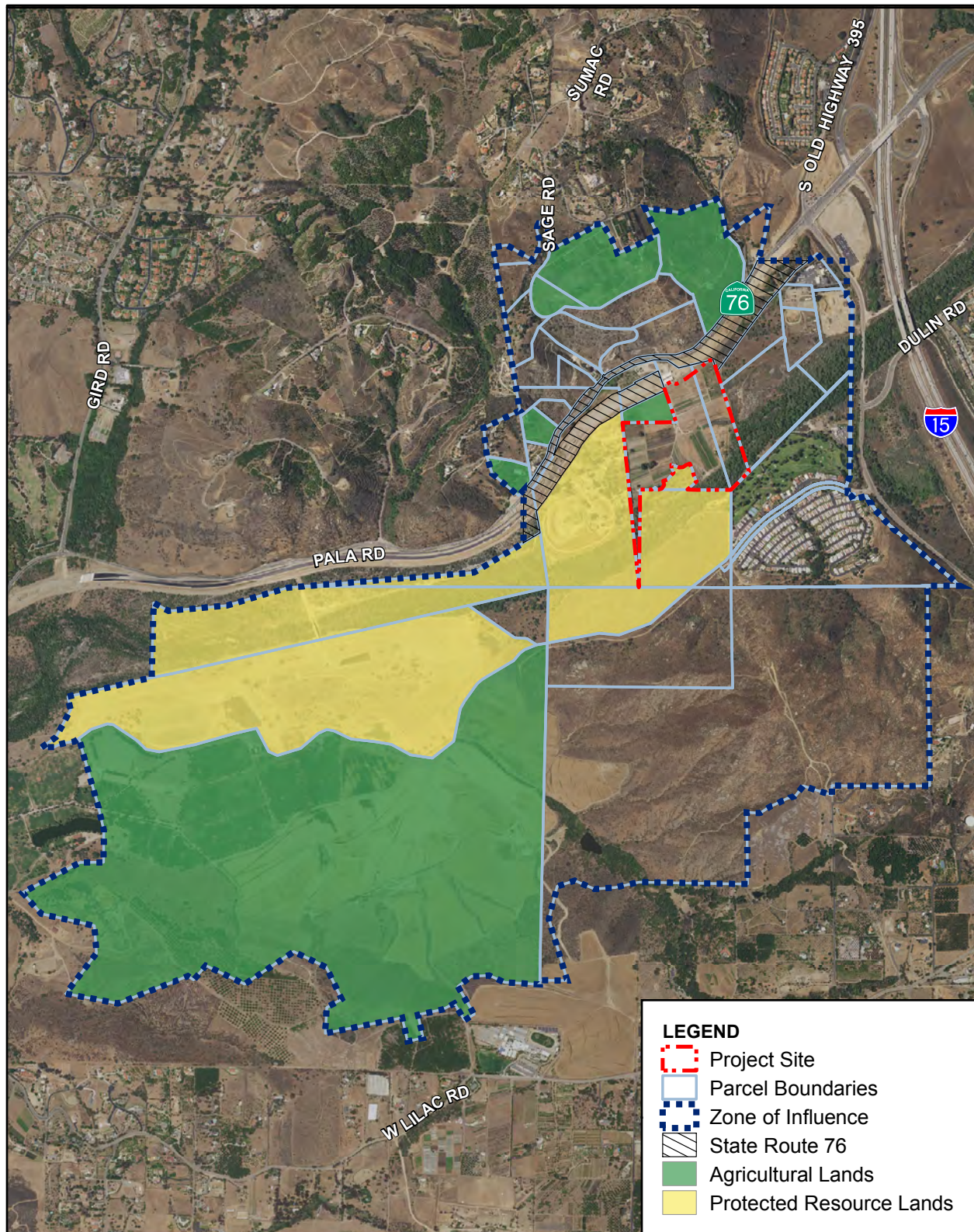
A water resources availability score is applied based on the site's existing water sources, and factoring in potential restriction scenarios that affect the site's ability to receive enough water to make agriculture economically viable, during drought and non-drought years. These restrictions are explained on page 18 of the LESA model instructions. For this project site, well water is currently used to irrigate crops, with no municipal water supply connection. No dry-land farming is performed. Geographic information system (GIS) analysis of the on-site farmed area indicates that approximately 32 acres (74%) of the site is subject to well irrigation. The remaining 26% of the site is not irrigated and not farmed, including areas of Water Authority infrastructure and access roads, and the river corridor. For purposes of conservative analysis, no other restrictions, such as variability in water availability during drought years were applied for the irrigated area, giving a relative water-resource score of 100 to that portion of the project, pursuant to Table 5 of the LESA Model. The non-irrigated portion of the site receives a water-resource score of 0. The weighted score carried through to the total summary worksheet is 74. These results are shown below in Table 6.

**Table 6**  
**LESA Model Water Resource Availability Worksheet**

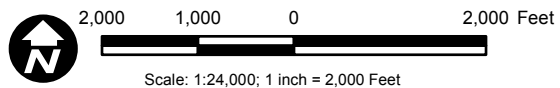
<b>Water Source</b>	<b>Proportion of Site</b>	<b>Water Avail. Score</b>	<b>Weighted Score</b>
Well water	74%	100	74
Not irrigated	26%	0	0
<b>Total Score</b>			<b>74</b>

The two remaining site-assessment scores are related to the site's zone of influence (ZOI), which provides information on the site's relationship to other existing land uses that are deemed compatible with on-site agriculture. The ZOI is mapped by drawing the smallest rectangle that completely contains all the project parcels, creating a second rectangle extending ¼ mile out from that rectangle, and then mapping all parcels that intersect the outer rectangle. The ZOI parcels are shown in [Figure 5](#) [Figure 6](#). The ZOI for this project site is lopsided because of the presence of very large parcels south and southwest of the site, which extend well beyond the ¼-mile buffer. The total ZOI acreage for this project site is 1,612 acres, not including the existing agricultural parcels within the project site.

Once a ZOI has been identified, the LESA model requires identification of parcels currently used for crop production, and those that are "protected resource" lands, meaning they "possess long-term restrictions that are compatible with or supportive of agricultural use." Agricultural use within the ZOI was identified based on review of recent aerial imagery available via Google Earth. Protected resource lands in this project's ZOI include several properties that are owned by Caltrans and slated



Source: SanGIS 2018; SDCWA 2018; SDCWA 2016



**Figure 6**  
**Zone of Influence**

San Luis Rey HMA Restoration Project

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for habitat-based mitigation lands, and properties owned by the County that are part of the San Luis Rey River Park Master Plan. Table 7 shows the total acreages of parcels within agricultural use, and those considered protected resources, with percentage comparisons to the total ZOI acreage. Scores are derived from Table 6 and Table 7 of the LESA instructions. According to the LESA model, a site is given ZOI-related scores of 0 when the acreages of surrounding agricultural land and surrounding protected resource lands, respectively, are less than 40% of the total ZOI acreage.

**Table 7**  
**LESA Model ZOI Surrounding Land Worksheet**

Total ZOI	1612
ZOI in agriculture (acres)	573
ZOI % in agriculture	36%
<b>ZOI surrounding agriculture score</b>	<b>0</b>
ZOI protected resource lands	362
ZOI % protected resource lands	22%
<b>ZOI surrounding protected resource score</b>	<b>0</b>

Once all of the above LESA analyses are complete, scores are entered into a summary worksheet for final scoring, as provided below in Table 8. Each score category is shown with the weighted factor dictated by the LESA model instructions.

**Table 8**  
**LESA Model Final Summary Worksheet**

	<b>Factor Scores</b>	<b>Factor Weight</b>	<b>Weighted Scores</b>
<b><i>LE Factors</i></b>			
LCC	35.2	0.25	8.8
Storie	39.2	0.25	9.8
<b>LE Subtotal</b>			<b>18.6</b>
<b><i>SA Factors</i></b>			
Project Size	30	0.15	4.5
Water Avail.	74	0.15	11.1
Surrounding Land	0	0.15	0.0
Protected Land	0	0.05	0.0
<b>SA Subtotal</b>			<b>15.6</b>
<b>LESA TOTAL</b>			<b>34.2</b>

As shown in the table above, the total LESA score for the project site is 34.2. Pursuant to Table 9 of the LESA instructions, sites scoring 39 and below are not considered significant agricultural resources. Therefore, the project-related conversion of Farmland to non-agricultural uses is a less than significant impact pursuant to CEQA.

***b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

**No Impact.** There are no Williamson Act contracts assigned to the project site or adjacent properties. The site is designated Rural Lands (RL-40) in the County General Plan and is zoned Holding Area (S90), both of which allow agricultural use such as occurs on the project site under existing conditions, and both of which allow for the proposed implementation of native habitat restoration, so there would be no agricultural zoning conflict that would affect other properties in the vicinity of the site. Additional discussion regarding the project site's situation within the context of land use changes

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in the San Luis Rey River valley, particularly related to the County's San Luis Rey River Park Master Plan is provided below in Section 3.10 b). Therefore, no related impact would occur.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section (4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**No Impact.** No forest land, timberland, or Timberland Production lands occur within the project area. Therefore, no related impact would occur.

- d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

**No Impact.** See Section 3.2 c) above. Because no forest land exists in the project area, no related impact would occur.

- e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

**No Impact.** See Section 3.2 a) above.



### 3.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

**a) Would the project conflict with or obstruct implementation of the applicable air quality plan?**

**Less than Significant Impact.** The project is located within the San Diego Air Basin (SDAB) under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD). The SDAB currently meets the National Ambient Air Quality Standards (NAAQS) for all criteria air pollutants except ozone and is classified an attainment/maintenance area for carbon monoxide (CO), and unclassifiable for particulate matter less than 10 microns in diameter (PM<sub>10</sub>). The SDAB is currently classified as a nonattainment area under the California Ambient Air Quality Standards (CAAQS) for ozone, PM<sub>10</sub>, and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>). Because ozone is not directly emitted in the air, rather it is formed by chemical reactions between nitrogen oxides (NO<sub>x</sub>) and reactive organic gases (ROG) in the presence of sunlight, air quality regulations focus on these ozone precursors. The primary purpose of an air quality plan is to bring an area that does not attain the NAAQS or CAAQS into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act.

Nonattainment areas must submit a State Implementation Plan (SIP) outlining the combination of local, state, and federal strategies aimed at bringing the area into attainment. To address this requirement, the SDAPCD updated its Attainment Plan for the 2008 Eight-Hour Ozone Standard (Attainment Plan) and Regional Air Quality Strategy (RAQS) in 2016 (SDAPCD 2016). A project's consistency with the RAQS and Attainment Plan is based on whether the project would exceed the estimated air basin emissions, which are based in part on equipment use assumptions, projections of population, and vehicle miles traveled (VMT). For instance, an increase in VMT beyond projections in such plans could result in a significant adverse incremental effect on a region's ability to attain or maintain ambient air quality standards.

The project would involve primarily construction activities, which are short term and temporary. The use of construction equipment in the RAQS and Attainment Plan is estimated for the region on an annual basis, and the project would not increase the regional assumptions for off-road equipment use.

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After construction of the project, long-term operational emissions would be limited to those generated by inspection, monitoring, and maintenance activities. These activities would be infrequent and would not increase substantially beyond the levels identified for O&M Covered Activities in the NCCP/HCP; thus, they were considered as part of the RAQS and Attainment Plan growth projections. The project's long-term impact with respect to pollutant emissions would be beneficial, as maintenance of on-site habitat would represent a reduction in worker and equipment activity compared to those of the project site's existing agricultural use. In addition, the project would not increase population or employment in the planning area and would not generate vehicle trips that exceed the current assumptions used to develop the RAQS, Attainment Plan, and SIP. Therefore, project implementation would not conflict with or obstruct implementation of the applicable air quality plan. This impact would be less than significant

***b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

***Less than Significant Impact.*** Construction activities for the project would generate temporary emissions of ROG, NO<sub>x</sub>, CO, sulfur oxides (SO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>. ROG, NO<sub>x</sub>, and CO emissions are associated primarily with mobile equipment exhaust, including off-road construction equipment and on-road motor vehicles. Fugitive dust emissions (PM<sub>10</sub> and PM<sub>2.5</sub>) are associated primarily with site preparation and grading and vary as a function of parameters such as soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles.

Project implementation is expected to begin in fall of 2020 and would be completed by January 2022, although most of this time would not feature active construction activity, which is anticipated to be complete in 4 months of active work within that larger timeframe. However, the analysis conservatively assumed that the 4 months of active construction work would occur consecutively, rather than spread out over the longer anticipated schedule. Implementation of the project would involve phases such as earthwork, and planting and seeding. It is anticipated the grading phase would last approximately 32 working days, while the planting and seeding phase would occur over 3 months, with approximately 35 working days over the 3-month period. The analysis assumed approximately 43,000 cubic yards of soil would be excavated and redistributed on the project site as fill. The analysis also assumed approximately three pick-up trucks would be needed per day during the planting and seeding phase.

Total construction emissions for the project were estimated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2. CalEEMod allows the user to enter project-specific construction information, such as a specific construction schedule, and the types and number of construction equipment. Project construction emissions, including both exhaust emissions and fugitive dust, were estimated for construction worker commutes, material delivery trips, and the use of off-road equipment.

The SDAPCD has not established CEQA thresholds of significance for regional pollutant emissions. To provide guidance for project analysis under CEQA, the County of San Diego developed screening level thresholds of significance, as shown in Table 9 (County of San Diego 2007b). A project with emission rates below these thresholds is considered to have a less-than-significant effect on regional and local air quality throughout the SDAB.

As shown in Table 9, construction activities for the project would generate maximum daily emissions of approximately 3 pounds of ROG, 33 pounds of NO<sub>x</sub>, 26 pounds of CO, 0.05 pound of SO<sub>x</sub>, 15 pounds of PM<sub>10</sub>, and 8 pounds of PM<sub>2.5</sub>. Additional modeling assumptions and details are provided in Appendix B.

**Table 9**  
**Unmitigated Maximum Daily Construction Emissions**

	ROG (lbs/day)	NO <sub>x</sub> (lbs/day)	CO (lbs/day)	SO <sub>x</sub> (lbs/day)	PM <sub>10</sub> (lbs/day)	PM <sub>2.5</sub> (lbs/day)
2020	3.36	33.42	25.59	0.05	15.15	8.15
<b>Threshold of Significance</b>	75	250	550	250	100	55
<i>Significant Impact?</i>	No	No	No	No	No	No

**Source:** Modeled by AECOM in 2018

**Notes:** ROG = reactive organic gases; NO<sub>x</sub> = nitrogen oxides; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides (represented as sulfur dioxide [SO<sub>2</sub>] in calculations); PM<sub>10</sub> = suspended particulate matter; PM<sub>2.5</sub> = fine particulate matter; lbs/day = pound per day

As shown in Table 9, maximum daily construction emissions of ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the recommended thresholds of significance. Fugitive dust emissions would be further reduced with compliance with SDAPCD Rules and Regulation, including but not limited to Rule 50 (Visible Emissions) and Rule 55 (Fugitive Dust Control) (SDAPCD 2018). Maintenance-related activities associated with the project are not anticipated to increase substantially beyond the levels identified for O&M Covered Activities in the NCCP/HCP, and would represent a reduction compared to existing agricultural activity. Therefore, the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be less than significant.

- c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

**Less than Significant Impact.** By its very nature, air pollution is largely a cumulative impact. A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. For projects to be determined to not have a significant cumulative air quality impact, consistency with the applicable air quality plans and mitigation requirements must also be shown.

As stated earlier, construction of the project would generate criteria air pollutant emissions through the use of off-road equipment, heavy-duty trucks, and worker commute trips, but at levels that do not exceed any of the regional thresholds for construction. The thresholds are designed to identify those projects that would result in significant levels of air pollution and to assist the region in attaining the applicable state and federal ambient air quality standards. Projects that would not exceed the thresholds of significance would not contribute a considerable amount of criteria air pollutant emissions to the region's emissions profile, and would not impede attainment and maintenance of ambient air quality standards.

Because the project would not exceed the thresholds stated above in Section 3.3 a) and b), the project's emissions would not be cumulatively considerable. Therefore, this impact would be less than significant.

- d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant Impact.** Sensitive receptors include residences, schools, child care centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. The nearest sensitive receptors to the project are single-family residences located approximately 400 feet from the limits of construction, and are separated from the project site by the San Luis Rey River.



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The greatest potential for toxic air contaminant (TAC) emissions would be related to diesel PM emissions associated with heavy-duty construction equipment activity. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments that determine the health risks associated with exposure of sensitive receptors to TAC emissions should be based on a 30-year exposure period (OEHHA 2015). As stated previously, construction activities for the project are anticipated to last approximately 32 days for the earthwork and 35 days for planting and seeding and would cease following completion of the project. Therefore, the total exposure period for construction activities would be less than 1 percent of the total exposure period used for typical health risk calculations (i.e., 30 years).

In addition, construction activities would span across the entire habitat restoration area, and emissions would occur intermittently throughout the construction period and would not occur as a constant plume of emissions from a single location. Lastly, emissions during the planting/seeding phase would primarily involve hand tool use and off-road equipment use, and would be very limited in scale and duration.

Therefore, considering that the majority of the work will occur at distances greater than 400 feet from the nearest sensitive receptors; emissions sources are intermittent; exposure period is limited; and diesel PM emissions are highly dispersive, construction of the project would not be anticipated to exceed exposure levels that would result in health effects for sensitive receptors. Operation of the project would only involve minimal and infrequent maintenance activities that are not anticipated to increase substantially beyond the levels covered under the O&M category of the NCCP/HCP. The project would not expose sensitive receptors to substantial construction pollutant concentrations. The impact would be less than significant.

*e) Would the project create objectionable odors affecting a substantial number of people?*

***Less than Significant Impact.*** The occurrence and severity of odor impacts depend on numerous factors: the nature, frequency, and intensity of the source; wind, speed, and direction; and the presence of sensitive receptors. Although offensive odors rarely cause any physical harm, they still can be very unpleasant, and they generate citizen complaints to local governments and regulatory agencies.

Potential construction-related sources of odors include heavy-duty trucks and off-road equipment that emit diesel exhaust odors. However, because of the number and types of equipment, the temporary nature of these emissions, and the highly diffusive properties of diesel exhaust, receptors would not be adversely affected by odors associated with project construction. This impact would be less than significant.

Operation of the project would not add any new odor sources, and would remove sources commonly associated with agricultural use, such as manure and other fertilizers. As a result, the project would not create objectionable odors affecting a substantial number of people. Therefore, impacts associated with odors during construction or operation would be considered less than significant.

### 3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

AECOM prepared the San Luis Rey Habitat Management Area Project Biological Resources Summary Report (summary report) to summarize existing conditions and analyze biological resources that have the potential to be affected by the project, dated April 2018, which is included as Appendix C. The summary report relied in part on the San Luis Rey River Habitat Management Area Existing Biological Conditions Memo (existing conditions memo) prepared by AECOM in May 2017 which was prepared to inform the restoration design and planning work, and included a jurisdictional delineation field verification survey, California Rapid Assessment Method (CRAM) analysis, vegetation community mapping surveys, and biological reconnaissance surveys/habitat assessment. The existing conditions memo is included as Appendix C, Attachment 1.

To facilitate the preparation of the existing conditions memo, AECOM botanists conducted vegetation community mapping and a sensitive plant species survey on February 10 and March 29, 2017, and generated a comprehensive plant list (Appendix C, Attachment 2). AECOM wildlife biologists conducted a general wildlife survey on February 10 and March 29, 2017, and generated a list of the species detected (Appendix C, Attachment 3). Prior to the fieldwork, AECOM reviewed the results of protocol-level focused surveys conducted by EDAW in 2006–2007 for Caltrans' SR 76 project, which included the Water Authority's HMA site. The *Pipeline 3, 4, & 5 Relining Project, San Luis Rey River Biological*

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*Resources Summary Report* was also reviewed to determine if any sensitive species were detected during fieldwork in 2014 (AECOM 2014). Several state-listed and federally listed wildlife species were documented in the biological resource study area during prior surveys conducted for the SR 76 project.

As discussed in Section 2.1.1, the environmental baseline incorporates post-fire recovery conditions. Many of the trees burned but appear to have survived, based on follow-up visual inspections performed in succeeding months and, with post-fire winter rains, the native vegetation is beginning to grow back. Therefore, an updated vegetation map based on post-fire conditions was determined unnecessary, and the habitat types and land cover descriptions presented below mirror the pre-fire vegetation mapping, which remains valid.

- a) ***Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

***Less than Significant with Mitigation Incorporated.*** This section of the CEQA initial study checklist summarizes the analysis and conclusions presented in Appendix C. For purposes of CEQA analysis, this section identifies plant and wildlife species as “sensitive species” if they are listed as endangered, threatened, candidate, rare, protected, or species of special concern according to CDFW; California Native Plant Society (CNPS) list 1A, 1B, 2A and 2B; and Covered Species under the Water Authority NCCP/HCP. Because the project would be implemented pursuant to the NCCP/HCP, the project would be required to implement all relevant NCCP/HCP conditions for coverage, including the general conditions of coverage applicable to all plant and wildlife species, as listed in Section 2.1 of NCCP/HCP Appendix B. Where impacts are identified to particular species, the species-specific conditions of coverage, originating in NCCP/HCP Appendix B, are listed as mitigation measures in this MND. The full list of NCCP/HCP avoidance and minimization measures and conditions of coverage applicable to this project is provided in Attachment 5 to this MND’s Appendix C.

### **Sensitive Plant Species**

Based on the presence of suitable habitat and occurrences within a 1-mile radius of the study area from the California Natural Diversity Database (CNDDDB), nine covered plant species have a moderate or low potential to occur within the study area, and four other non-covered, special-status plant species recognized by CNPS were determined to have moderate or low potential to occur (Appendix C, Attachment 4). These are San Diego ambrosia (*Ambrosia pumila*), California adolphia (*Adolphia californica*), smooth tarplant (*Centromadia pungens* ssp. *Laevis*), delicate clarkia (*Clarkia delicate*), summer holly (*Comarostaphylis diversifolia* ssp. *Diversifolia*), variegated dudleya (*Dudleya variegata*), San Diego barrel cactus (*Ferocactus viridescens*), decumbent goldenbush (*Isocoma menziesii* var. *decumbens*), chaparral nolina (*Nolina cismontane*), Nuttall's scrub oak (*Quercus dumosa*), Munz sage (*Salvia munzii*), blue streamwort (*Stemodia durantifolia*), and Parry's tetracoccus (*Tetracoccus dioicus*).

San Diego ambrosia is federally listed as endangered and is considered a narrow endemic species under the NCCP/HCP and variegated dudleya is not federally listed but is considered a narrow endemic species under the NCCP/HCP. The other plants are CNPS-listed species but have no listing status under the federal ESA or state ESA. San Diego ambrosia, California adolphia, smooth tarplant, variegated dudleya, San Diego barrel cactus, chaparral nolina, Nuttall's scrub oak, Munz sage, and Parry's tetracoccus are Covered Species under the NCCP/HCP. None of these species were observed during the February and March 2017 surveys or were determined to have a high potential to occur in the study area. Therefore, no direct impacts on sensitive plant species are anticipated based on current

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conditions. Pre-activity surveys will be conducted as a condition of the NCCP/HCP to confirm conditions have not changed prior to construction commencement and account for any minor adjustments in project footprints.

### **Sensitive Wildlife Species**

Nine covered wildlife species are known to occur or have a high potential to occur within the HMA site per CNDDDB records and historical surveys: arroyo toad (*Anaxyrus californicus*), Coronado skink (*Plestiodon skiltonianus interparietalis*), Belding's orange-throated whiptail (*Aspidoscelis hyperythra beldingi*), coastal (western) whiptail (*Aspidoscelis tigris stejnegeri*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), yellow-breasted chat (*Icteria virens*), yellow warbler (*Setophaga petechia*), and mountain lion (*Felis concolor*). Six NCCP/HCP wildlife Covered Species have been detected within the HMA study area, based on the results of 2006–2008 surveys by EDAW, during the general wildlife survey in 2017, and CNDDDB data. Of the six NCCP/HCP wildlife Covered Species detected in the HMA study area, two were detected within the HMA site (arroyo toad [most recently in 2006] and least Bell's vireo [most recently in 2017]) and three were within the 500-foot buffer (Southern California rufous-crowned sparrow, southwestern willow flycatcher, and mountain lion), and one was detected just outside of the buffer (coastal California gnatcatcher).

One wildlife species listed as a non-Covered Species in the NCCP/HCP, white-tailed kite (*Elanus leucurus*), was not detected during the general wildlife survey but is considered to have a high potential to occur within the study area. White-tailed kite is a State of California fully protected species. Additionally, two sensitive species that are neither a Covered Species nor a non-Covered Species are considered to have a high potential to occur in the HMA site and buffer: Southern California legless lizard (*Anniella stebbinsi*) and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*). Southern California legless lizard is a CDFW species of special concern and western yellow-billed cuckoo is USFWS federally listed. For special-status plant and wildlife species that are not NCCP/HCP Covered Species, the Water Authority considers a project's impacts based on CEQA significance, as there is no NCCP/HCP mechanism for identifying impacts on these species. Accordingly, for an impact on species with no NCCP/HCP status to be considered significant, the Water Authority would need to conclude that the project would result in a "substantial adverse effect" on the species.

Impacts and mitigation measures for the nine Covered Species, one non-Covered species, and two other sensitive species are discussed below. The project would be required to implement all relevant NCCP/HCP conditions for coverage, including the general Conditions of Coverage (see Appendix C, Attachment 5).

#### Arroyo Toad

The arroyo toad is a USFWS endangered species and a California Species of Special Concern, and is also covered under the Water Authority's NCCP/HCP. The species is known to breed within the San Luis Rey River and was heard vocalizing during historical biological surveys in the San Luis Rey River (most recently in 2006 within the HMA site and in adjacent areas west of the buffer in 2007). The project would result in temporary impacts on suitable habitat for this species, and construction activity could cause indirect impacts on a temporary basis. The existing arroyo toad critical habitat on-site would be permanently altered during grading, contouring, and planting as part of the restoration of the HMA site. However, the restoration project is anticipated to greatly improve the quality and function of the critical habitat for arroyo toad once restoration is complete. The NCCP/HCP provides coverage for this species and sets forth the Water Authority's commitments to

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ensure that projects' temporary impacts on the species are minimized to the greatest extent possible. In addition to the general Conditions for Coverage (see Appendix C, Attachment 5), the Water Authority will incorporate the following species-specific conditions for coverage:

- BIO-1** If construction activities must commence during the arroyo toad breeding and active foraging season (March 1 through June 30), the Water Authority shall conduct minimize impacts through conducting pre-activity surveys for the species prior to the start of construction work occurring at the San Luis Rey River location. Extreme weather conditions can cause variations in the breeding season; these conditions would be fully considered when developing a schedule of surveys. Surveys ~~would~~shall include potential breeding habitat within the impact area and foraging habitat that is contiguous with potential breeding habitat. Additionally, surveys must be conducted by an approved Environmental Surveyor and occur under favorable conditions for detection of the species by a permitted Environmental Surveyor.
- BIO-2** If tadpoles, toadlets, or toads are encountered, they shall be moved to the nearest suitable habitat and exclusionary toad fences shall be installed at least 21 days prior to impact to keep toads out of construction areas. A permitted biologist experienced with the identification, handling, and ecology of the arroyo toad, as approved by USFWS, The Environmental Surveyor shall implement and oversee proper execution of the fencing and relocation efforts. For the duration of construction, the Environmental Surveyor shall survey the enclosure on a daily basis early in the morning. To minimize injury to or mortality of individual arroyo toads, the USFWS may authorize qualified project biologists to relocate individual arroyo toads to nearby suitable habitat. All proposed arroyo toad relocations shall be approved by the Wildlife Agencies.
- BIO-3** To ensure that diseases are not conveyed between work sites by the authorized biologist or assistants, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force (DAPTF) shall be followed at all times. The DAPTF fieldwork code of practice is contained in Attachment ~~B-4~~B-3 of the NCCP/HCP.
- BIO-4** Bullfrogs observed during pre-activity surveys that prey upon or displace arroyo toads shall be removed from suitable habitat areas, if possible.

#### Belding's Orange-Throated Whiptail

This species is a California Species of Special Concern and covered under the Water Authority's NCCP/HCP, but has no listing status under the federal or state ESA. This species was observed within the project site and survey area buffer in Diegan coastal sage scrub and riparian vegetation, respectively. Based on the observations and habitat conditions, Belding's orange-throated whiptail may occur throughout the coastal sage scrub in the project area and may be directly affected by project construction through habitat removal. The NCCP/HCP conditions for coverage for this species include the general Conditions of Coverage (see Appendix C, Attachment 5). One additional species-specific condition for coverage will be incorporated during project implementation as Mitigation Measure BIO-5, as stated below.

- BIO-5** The Water Authority shall minimize and manage effects from introduced ant species that may exclude the termite prey base during restoration efforts. All nursery stock plants will be checked for non-native ants before installation at restoration sites. Non-native ants that penetrate native habitats appear to be partially supported by artificial irrigation associated with landscaping. Therefore, runoff from mitigation sites into native habitat would be minimized and managed.

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### Southwestern Willow Flycatcher and Least Bell's Vireo

The southwestern willow flycatcher and least Bell's vireo are federally listed endangered, State of California endangered, and are also covered under the Water Authority's NCCP/HCP. Southwestern willow flycatcher is known to occur within riparian vegetation in the buffer of the study area and least Bell's vireo is known to occur within riparian vegetation along the San Luis Rey River. Based on the observations and habitat conditions, these two species may occur in the project area and may be directly affected by project construction through habitat removal. The NCCP/HCP provides coverage for these species and sets forth the Water Authority's commitments to ensuring that projects' temporary impacts on the species are minimized to the greatest extent possible. In addition to the general Conditions for Coverage (see Appendix C, Attachment 5), the Water Authority will incorporate the following species-specific conditions for coverage, which is the same for the two species with the exception of one measure pursuant to the flycatcher (Mitigation Measure BIO-11) and one pursuant to least Bell's vireo (Mitigation Measure BIO-12).

- BIO-6** The Water Authority shall conduct USFWS protocol surveys for the southwestern willow flycatcher and least Bell's vireo under favorable conditions in areas of potential foraging or breeding habitat or assume occupancy of potential habitat, to ensure that this species is adequately addressed by impact avoidance, minimization, and mitigation. A federally permitted Environmental Surveyor would conduct surveys. If occupancy is assumed, a biomonitor must be on-site during impacts to ensure that no direct take of individuals occurs. Surveys would also be conducted when impacts could occur as a result of indirect impacts by placement of the project in or adjacent to occupied habitat or through creation of suitable conditions for brown-headed cowbirds (e.g., agricultural fields, livestock presence, woodland parks, roadsides).
- BIO-7** The Water Authority shall minimize impacts through timing of work in riparian habitat to avoid the nesting season for riparian avian species whenever possible, or ensure that habitat is removed prior to the initiation of the riparian avian breeding season.
- BIO-8** The Water Authority shall prohibit direct take of southwestern willow flycatcher and least Bell's vireo individuals and destruction of southwestern willow flycatcher and least Bell's vireo nests within an active territory.
- BIO-9** For temporary impacts to occupied southwestern willow flycatcher habitat and least bell's vireo habitat, the work site shall be returned to preexisting contours, where appropriate, and revegetated with appropriate native species. Revegetation specifications shall ensure creation and restoration of riparian vegetation suitable for southwestern willow flycatcher. All revegetation plans shall require written concurrence of the Wildlife Agencies.
- BIO-10** Where feasible for any wetland creation and/or restoration projects, the Water Authority shall maintain structural elements that provide age class and structure diversification for the project area to help promote the expansion of existing, or establishment of new, southwestern willow flycatcher and least Bell's vireo populations.
- BIO-11** If construction activities must commence during the riparian avian breeding season (March 15 through September 15), the Water Authority shall minimize impact through conducting southwestern willow flycatcher nest surveys within 300 feet of all proposed activities. If active nests are encountered, no Covered Activities shall be implemented

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within a minimum distance of 100 feet of the nest. A greater setback (up to 300 feet) may be required, as determined by the Environmental Surveyor, based on the site-specific considerations, phase of the nesting cycle, and species or other biological considerations.

- BIO-12** If construction activities must commence during the riparian avian breeding season (March 15 through September 15), the Water Authority shall minimize impact through conducting least Bell's vireo nest surveys within 300 feet of all proposed activities. If active nests are encountered and construction activities must occur during the riparian avian breeding season, noise levels from human activities at the nest shall be restricted to less than 60 dB(A)  $L_{eq}(1)$  or the ambient noise level plus 3 decibels (perceptible change threshold), whichever is greater. The Environmental Surveyor shall monitor noise levels and provide monitoring reports to the Water Authority to be included in the annual reports. Noise levels in excess of this threshold shall require consultation with the Wildlife Agencies and may require additional minimization measures (e.g., sound barriers).

#### Yellow Warbler and Yellow-Breasted Chat

The yellow warbler and yellow-breasted chat are California Species of Special Concern and are also covered under the Water Authority's NCCP/HCP. These two species were observed in riparian vegetation on-site during the 2015 protocol bird surveys. The project would result in temporary impacts on suitable habitat for these species, and construction activity could cause indirect impacts on a temporary basis by creating a disturbance to nesting behavior. The NCCP/HCP provides coverage for these species and sets forth the Water Authority's commitments to ensuring that projects' temporary and permanent impacts on the species are minimized to the greatest extent possible. In addition to the general Conditions for Coverage (see Appendix C, Attachment 5), the Water Authority will incorporate the following species-specific condition for coverage, which is the same for the two species:

- BIO-13** If construction activities must commence during the riparian avian breeding season (March 15 through September 15), minimize impacts through conducting nest surveys within 300 feet of all proposed activities. If active nests are encountered, no Covered Activities shall be implemented within a minimum distance of 100 feet of the nest. A greater setback (up to 300 feet) may be required, as determined by the Environmental Surveyor, based on the site-specific considerations, phase of the nesting cycle, and species or other biological considerations.

#### Coronado Skink, Coastal (Western) Whiptail, and Mountain Lion

The Coronado skink is a California watch list species, the coastal (western) whiptail is a California Species of Special Concern, and the mountain lion is not federally or state listed. All three species are covered under the Water Authority's NCCP/HCP. Coronado skink was not detected on the HMA site but has a high potential to occur in the impact area and buffer due to the presence of nearby riparian vegetation. Coastal (western) whiptail was not detected on the HMA site but has a high potential to occur in the impact area and buffer throughout Diegan coastal sage scrub and riparian areas. Mountain lion has been historically detected in the buffer of the impact area and within the 1-mile radius of the study area and has a high potential to occur within the HMA site. The project would result in temporary impacts on suitable habitat for these species, and construction activity could cause indirect impacts on a temporary basis. The NCCP/HCP provides coverage for these species and sets forth the Water Authority's commitments to ensuring that projects' temporary impacts on the species are minimized to the greatest extent possible. There are no species-specific conditions for coverage

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for the Coronado skink, coastal (western) whiptail, and mountain lion other than the general Conditions for Coverage (see Appendix C, Attachment 5).

#### White-Tailed Kite

White-tailed kite is a State of California fully protected species. Although it was not detected per CNDDB, white-tailed kite has been documented multiple times along the San Luis Rey River, particularly on the south side in open grassland near the old golf course and Vessels Horse Ranch. Potential suitable habitat for this species includes riparian or oak woodland for nesting, adjacent to grassland or open fields for foraging. These habitat types are present in the HMA study area; therefore, high potential exists for this species to occur in both the site and buffer. Impacts on white-tailed kite would entail removal of foraging habitat in on-site agricultural land and would result in an increase in breeding/nesting habitat through proposed expansion of the riparian corridor. Direct take of this species is not anticipated, as all vegetation removal would be conducted outside of the bird breeding season. The project-related removal of foraging habitat would not represent a significant impact on this species because sufficient foraging habitat exists in the vicinity of the project site, and the species would ultimately benefit from the expansion of breeding habitat. Therefore, the project's impact on white-tailed kite would be less than significant and no mitigation specific to this species would be required.

#### Southern California Legless Lizard

The Southern California legless lizard is a State of California species of special concern that lives primarily underground in friable sandy soils. The species was detected approximately 1 mile west of the HMA site and buffer during arroyo toad surveys in 2006. Since the legless lizard is found in sandy soils, which are present within the San Luis Rey River and adjacent alluvial fan terraces, the species has a high potential to occur in both the HMA site and buffer, particularly in riparian vegetation communities. Project-related impacts on southern California legless lizard would be limited to a temporary impact resulting from excavation within suitable riparian habitat, and the expansion of the riparian corridor would ultimately result in a benefit to the species. Earthwork may result in mortality or displacement of individuals of this species, but not to the extent that it would be considered a significant impact. Suitable habitat for this species is extensive throughout the San Luis Rey River corridor upstream and downstream of the project site, and the temporary direct impact would occur within a small fraction of suitable habitat for the species. Therefore, the project's impact on southern California legless lizard would be less than significant and no mitigation specific to this species would be required.

#### Western Yellow-Billed Cuckoo

The western yellow-billed cuckoo is a federally threatened and state endangered species that was historically detected within the 1-mile radius of the study area, per CNDDB. The species is a rare summer breeder within San Diego County, and historical surveys just west of the HMA site confirmed the presence of several western yellow-billed cuckoos most recently in 2013, although breeding could not be confirmed. The species is extremely secretive, is hard to detect, and prefers very dense riparian vegetation. Given the potentially suitable habitat for the western yellow-billed cuckoo along the San Luis Rey River, and their recent known historical occurrence, both the HMA site and buffer have a high potential for the species to occur. Impacts on western yellow-billed cuckoo would be limited to the temporary removal of just over 1 acre of riparian habitat within the proposed grading limits, and the indirect impact within the on-site enhancement areas along the San Luis Rey River corridor. The project would avoid direct take of this species by commencing construction outside the bird breeding season, pursuant to NCCP/HCP requirement, and the project would ultimately benefit the species by expanding the riparian corridor. Therefore, the project's impact on yellow-billed cuckoo would be less than significant and no mitigation specific to this species would be required.



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b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

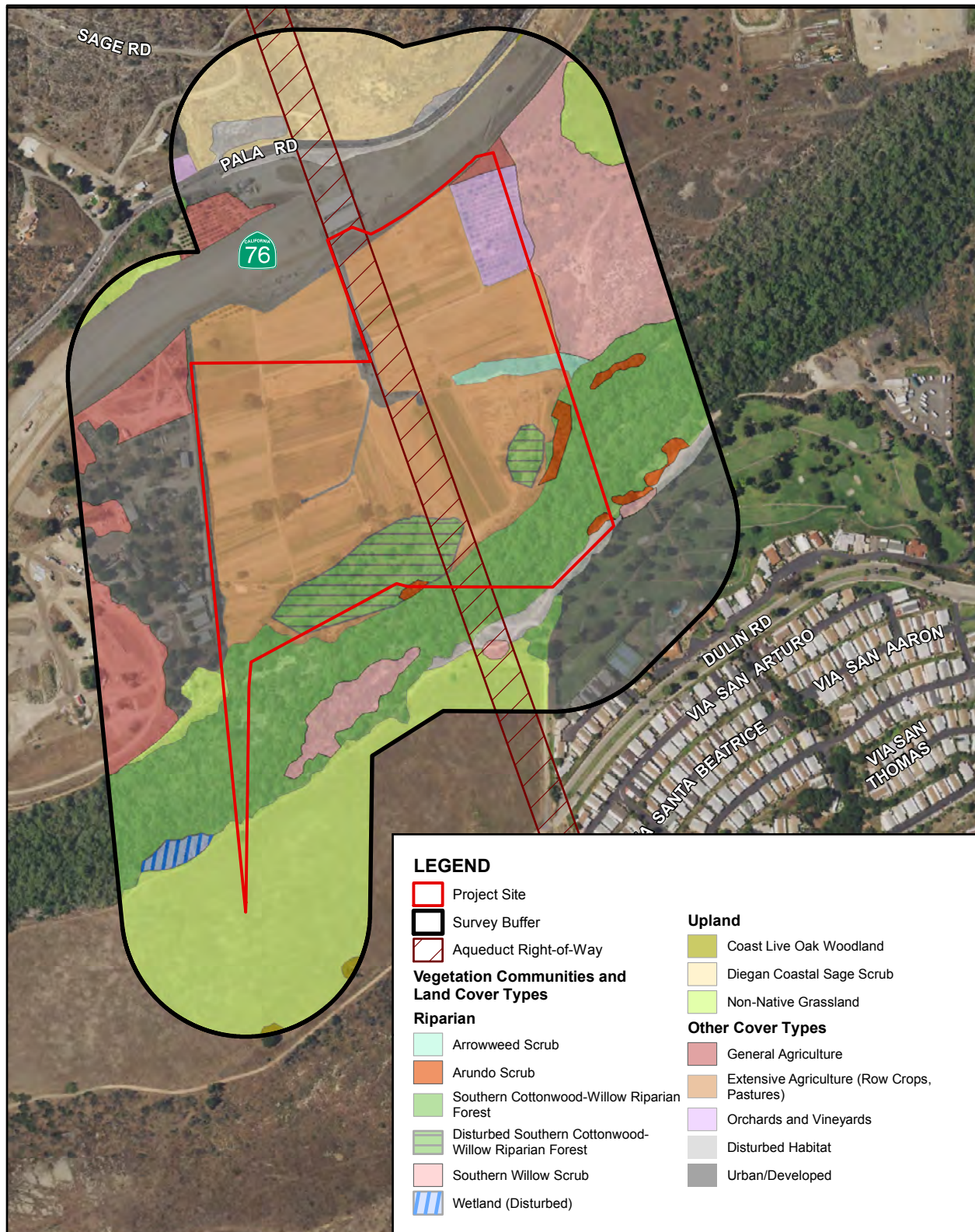
***Less than Significant Impact.*** The following eight natural vegetation communities and cover types were identified and mapped within the study area as discussed in the summary report (Appendix C): coast live oak woodland, Diegan coastal sage scrub, non-native grassland, southern cottonwood-willow riparian forest (including disturbed), arrowweed scrub, southern willow scrub, arundo scrub, and wetland (disturbed). An additional five land cover types that typically do not support terrestrial native vegetation were also identified within the HMA study area: orchards and vineyards, general agriculture, extensive agriculture (row crops, pastures), urban/developed land, and disturbed habitat. Vegetation communities were mapped in accordance with the 2008 *Draft Vegetation Communities of San Diego County* based on the 1986 Holland classification system (Oberbauer et al. 2008). Vegetation communities are shown in ~~Figure 6~~Figure 7.

The project's impacts on vegetation and land cover would occur in several categories that are shown in ~~Figure 7~~Figure 8, and quantified below in Table 10. Project-related construction would entail temporary impacts on sensitive vegetation communities. Temporary grading impacts would occur where areas of existing native habitat would be temporarily removed because they are inside the proposed excavation footprint. These habitats would be replaced and enhanced as part of the project. Temporary impacts would also occur in areas where existing habitat would remain and be enhanced as part of the restoration plan. These areas would be subject to indirect temporary impacts during construction due to presence of personnel and equipment, but that temporary impact is different than a typical project's temporary impact, where habitat is physically removed for construction purposes and then restored at the end of the project.

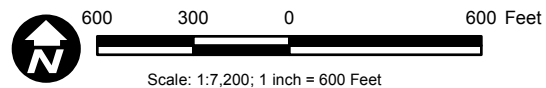
The project's direct permanent impacts, which occur only within existing Tier IV land covers, are the result of relocating and altering existing access and maintenance areas within the project site. This includes relocation and alteration of an existing unpaved Water Authority access road situated within the aqueduct ROW corridor, delineating existing maintenance areas around the three on-site aqueduct manways adjacent to the proposed Water Authority access road, and relocation and alteration of existing access to the on-site SDG&E electric poles, along with delineating maintenance areas around the poles. These direct permanent impacts would not affect sensitive vegetation and would be limited to the following land cover types: extensive agriculture (row crops, pastures), orchards and vineyards, and urban/developed land. For the purpose of quantifying impacts pursuant to the NCCP/HCP, a permanent impact is only assigned where these features are proposed on land mapped as extensive agriculture and orchards and vineyards. Where these features overlap with land that is already mapped as urban/developed, no impact is assigned, because this is not a change to land cover type or use of the land. As there are no direct permanent impacts to sensitive vegetation communities, no off-site mitigation is required pursuant to the NCCP/HCP.

The project would also result in permanent type conversion, where agricultural land and developed land would be converted to native habitat as a result of project-related restoration. This is a beneficial impact of the project, and includes areas that are within and outside of the grading area.

Aside from relocating or designating the access roads and designating utility maintenance areas, all other direct impacts of the project are either temporary impacts or beneficial conversions from non-sensitive land cover types to native habitat, associated with on-site development of mitigation land, so they would be considered as mitigated in place through the on-site restoration, and do not require off-site mitigation or debit from the mitigation acreage resultant of the project. Some of the direct temporary impacts would be longer term, including removal of large trees within disturbed southern



Source: USDA 2016; SDCWA 2016, 2018

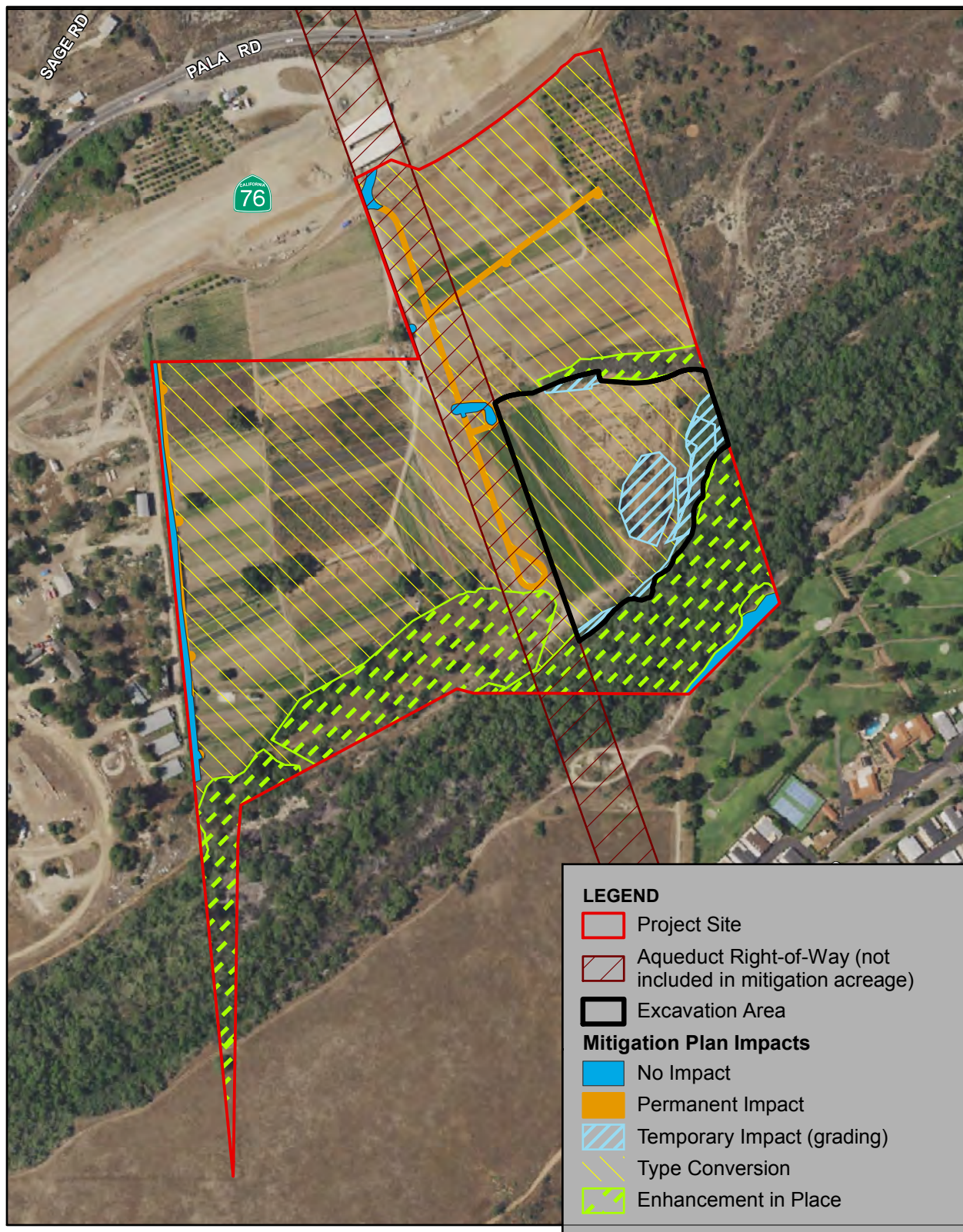


**Figure 7**  
**Vegetation Communities and Land Cover Types Map**

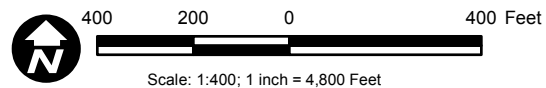
San Luis Rey HMA Restoration Project

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Source: USDA 2016; SDCWA 2016, 2018



**Figure 8**  
**Mitigation Plan Impacts Map**

San Luis Rey HMA Restoration Project

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cottonwood-willow riparian forest that are within the grading area, but these areas would be replanted and ultimately enhanced in value because they would be within the active fluvial restored riparian zone.

**Table 10**  
**Project-Related Impacts (acres) on Vegetation Communities/Land Cover Types**

<b>Vegetation Communities and Land Cover Types</b>	<b>NCCP/HCP Tier</b>	<b>Permanent Impact (Facility Access)</b>	<b>Type Conversion to Native Habitat</b>	<b>Temporary Impact (Grading)</b>	<b>Indirect Impact (Enhancement In Place)</b>
<b>Riparian</b>					
So. Cottonwood-Willow Riparian Forest	I	--	--	1.01	9.27
Arrowweed Scrub	II	--	--	0.11	0.54
Southern Willow Scrub	II	--	--	--	0.01
Arundo Scrub	III	--	--	0.36	0.16
Subtotal		--	--	<b>1.48</b>	<b>9.98</b>
<b>Other Cover Types</b>					
Orchards and Vineyards	IV	0.03	2.01	--	--
General Agriculture	IV	--	0.20	--	--
Extensive Agriculture (Row Crops, Pastures)	IV	0.64	31.11	--	--
Urban/Developed Land	IV	--	1.16	--	--
Subtotal		0.67	34.71	--	--
<b>Total</b>	<b>--</b>	<b>0.67</b>	<b>34.48</b>	<b>1.48</b>	<b>9.98</b>

The project itself would provide mitigation for all acreage-based temporary impacts on sensitive vegetation communities, and no additional mitigation would be required. No mitigation is needed for the project's permanent impacts because these impacts only occur on non-sensitive land-cover types. Project implementation would result in increasing the acreage of sensitive vegetation communities on the site, as detailed in Table 11.

**Table 11**  
**Proposed Vegetation Community Acreages**

<b>Habitat Type</b>	<b>NCCP/HCP Tier</b>	<b>Existing Acreage</b>	<b>Mitigation Type</b>	<b>Proposed Acreage</b>	<b>Change in Acreage</b>
Coast Live Oak Woodland <sup>1</sup>	I	--	Creation/Restoration	20.91	+20.91
Alluvial Fan Scrub	I	--	Creation/Restoration	4.19 <sup>2</sup>	+4.19
Non-Native Grassland	III	0.20	Preservation	0.20 <sup>3</sup>	--
Southern Cottonwood Willow Riparian Forest	I	10.28	Creation/Restoration and Preservation	13.16 <sup>4</sup>	+2.88
Southern Sycamore Woodland	I	--	Creation/Restoration and Enhancement	5.28	+5.28
Southern Coast Live Oak Riparian Forest	I	--	Creation/Restoration	1.91	+1.91
Arrowweed Scrub	II	0.65	Preservation	0.38	-0.27
<b>TOTAL</b>		<b>11.13</b>		<b>46.03</b>	<b>+34.90</b>

<sup>1</sup> Includes coast live oak woodland understory within utility corridors.

<sup>2</sup> Non-native grassland is not included in the proposed HMA mitigation acreage because of its location south of the river and potential future integration into County planning efforts.

<sup>3</sup> Alluvial fan scrub is not included in the proposed HMA mitigation acreage because it is within the Water Authority aqueduct corridor and may be subject to future disturbance and restoration pursuant to NCCP/HCP requirements.

<sup>4</sup> Includes 8.75 acres proposed for Army Corps mitigation credit, including 4.45 acres of creation credit and 4.30 acres of enhancement credit.

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## Biologically Significant Resource Area

The Draft North County Plan of the County of San Diego Multiple Species Conservation Program designates Pre-Approved Mitigation Areas (PAMAs) lands which are located adjacent to the project site. A small section of PAMA lands is within the San Luis Rey River and overlaps with the project site itself. The HMA site is considered a biologically significant resource area (BSRA), as defined in the NCCP, since it is part of the Water Authority's preserve system.

Preserved lands of other agencies, such as the PAMA, meet the definition of a BSRA as stated in Section 6.5.1.4.1 of the Water Authority's NCCP/HCP. This section of the NCCP/HCP also clarifies that existing Water Authority ROWs are excluded from the BSRA designation because they have been, and will continue to be, impacted by O&M activities.

As discussed above, the project itself would provide mitigation for all acreage-based temporary impacts on sensitive vegetation communities, and no additional mitigation would be required. No mitigation is needed for the project's permanent impacts because these impacts only occur on non-sensitive land-cover types.

- c) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**Less than Significant Impact.** During the February 10, 2017, field survey, AECOM biologists reviewed the HMA site and areas immediately upstream and downstream of the site in comparison to a prior jurisdictional wetland delineation conducted by EDAW (now AECOM) for the SR 76 project in 2008 to verify and update the delineated limits of wetland and non-wetland waters of the U.S. under the jurisdiction of the Army Corps and waters of the state under the jurisdiction of CDFW. AECOM biologists verified there were no significant deviations from the prior delineation within a 500-foot buffer around the HMA site, and conducted a detailed delineation and mapping update within the HMA site and a 100-foot survey buffer. Additionally, AECOM biologists and certified CRAM practitioners surveyed the active floodplain of the San Luis Rey River within the HMA site in accordance with the CRAM survey protocol for Riverine wetlands. The findings of jurisdictional delineation verification and updated CRAM analysis are included in the existing conditions memo, which is included Appendix C, Attachment 1 of this MND.

The project would result in only temporary impacts on Army Corps- and CDFW-jurisdictional wetland waters of the U.S and CDFW-jurisdictional riparian habitat, in compliance with the Covered Activities of Section 5.1.9 of the NCCP/HCP (Wetland and Riparian Mitigation Site Implementation and Interim Management; Water Authority 2010a). The project is anticipated to result in temporary impacts to 0.43 acre of Army Corps- and CDFW-jurisdictional wetland waters of the U.S. (Table 12). Additionally, implementation of the project would result in temporary impacts to 0.29 acre of CDFW-jurisdictional riparian habitat. All of these impacts would be temporary in nature and would be subsequently restored to biologically equivalent or superior conditions as part of the proposed habitat restoration activities. One of the purposes of the project is to expand the area of jurisdictional waters, so the site would be self-mitigating and there would be no net loss. As such, the project's temporary impact on jurisdictional wetlands and waters would be less than significant.

**Table 12**  
**Jurisdictional Waters of the U.S. and State within the HMA Site and Project Impacts**

	Non-Wetland Waters of the U.S. (under USACE and CDFW Jurisdiction)	Wetland Waters of the U.S. (USACE and CDFW)	CDFW-Only Jurisdictional Waters	Total
Existing Jurisdictional Acreage	0.27	4.81	1.71	6.79
Temporary Project Impacts (acres)	0.00	0.43	0.29	0.72

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**No Impact.** The project is located within a major regional wildlife corridor and a biologically significant resource area. The San Luis Rey River is a major regional wildlife corridor connecting vast areas of open spaces within the Cleveland National Forest to the east, Palomar Mountain, and the Lake Henshaw region, with more coastal areas, wetlands, and eventually the Pacific Ocean. The river provides a major wildlife corridor by providing food, shelter, and a safe place for wildlife to travel between areas in search of food, mates, and dispersal opportunities. During wildlife movement studies conducted in 2006–2008, several mountain lions, mule deer (*Odocoileus hemionus*), bobcats (*Lynx rufus*), coyotes (*Canis latrans*), and American badgers (*Taxidea taxus*) were detected using the San Luis Rey River. The river is also an important bird migration corridor and many species use it for cover, shelter, and while traveling between other open space areas.

Since the project does not entail vegetation clearing in large swaths of habitat and most of the project impacts are temporary in nature, implementation of the project would not permanently obstruct any wildlife movement corridors and would only result in the temporary, localized disruption of wildlife movement during project construction. The project would greatly enhance the long-term use of the San Luis Rey River as a wildlife corridor and biologically significant resource area by turning agricultural lands into native woodland and riparian habitats. No new permanent components would be constructed that would impede wildlife movement. Therefore, no impact would occur.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**No Impact.** The proposed project is not subject to any local policies or ordinances protecting biological resources. Therefore, no impact would occur. Discussion of the project's consistency with the Water Authority's NCCP/HCP is discussed below in Section 3.3 f).

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**Less than Significant Impact.** The project is consistent with the NCCP/HCP, and would not conflict with other regional conservation plans, as discussed below.

#### **San Diego County Water Authority Subregional NCCP/HCP**

As discussed above in Section 1.2, the San Luis Rey HMA is identified in the NCCP/HCP as a site intended for implementation of a habitat-restoration project. The project proposes slight changes in

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the boundaries, habitat types, and restoration acreages, compared with that addressed in the NCCP/HCP, but is generally compatible with the originally proposed concept. Therefore, the project would not present a conflict with the NCCP/HCP.

The NCCP/HCP provides the Water Authority a mechanism for take authority under the federal ESA and consistent with the NCCP Act. Therefore, the NCCP/HCP addresses direct and indirect impacts to listed species discussed in Section 3.4 a). Applicable avoidance, minimization, and mitigation measures to address direct and indirect impacts to sensitive species would be implemented, as described in Section 3.4 a). As discussed in Section 3.4 b), the project would mitigate direct impacts to habitat through on-site restoration in accordance with the requirements of the NCCP/HCP.

In accordance with the guidelines provided in the Water Authority's adopted NCCP/HCP, AECOM biologists also analyzed indirect impacts related to drainage/water quality, lighting, fugitive dust, construction noise, increased human intrusion, and invasive species. AECOM biologists determined that project design and implementation of the NCCP/HCP Preserve Management and Adjacency Guidelines would ensure that indirect impacts associated with drainage/water quality, lighting, fugitive dust, construction noise, increased human intrusion, and invasive species would be less than significant. Associated project design features to be implemented in accordance with the NCCP/HCP include the following:

- Implementation of BMPs and appropriate drainage, water quality, and erosion control measures to be identified in a project-specific SWPPP;
- Confining fueling operations to designated fueling zones;
- Pre-construction training for construction personnel;
- Fencing and/or flagging of sensitive areas prior to construction;
- Construction monitoring by an Environmental Surveyor;
- Reseeding of disturbed areas with a native plant seed mix in compliance with NCCP/HCP Section 6.6.2; and
- Compliance with NCCP/HCP Section 6.11.9 (Invasive Exotic Species Control).

The Wildlife Agencies will review this MND as part of the public review process to verify conformance with the adopted Plan. Based on the foregoing, impacts related to potential conflicts with the Water Authority's NCCP/HCP would be less than significant.

### **Other Regional Habitat Conservation Plans**

The Water Authority's Plan is designed to provide strategic contributions to regional conservation efforts and avoid and/or minimize impacts to existing preserve lands to the extent feasible (Water Authority 2010a). This approach to preserve planning and conservation efforts enables the Plan to provide support to and be compatible with other regional conservation plans with which the Plan Area overlaps (numerous existing and in-process NCCP/HCPs in San Diego County, and NCCP/HCP in western Riverside County). Areas outside of the Water Authority's ROW that are identified as preserves in these NCCP/HCPs are considered BSRAs under the Water Authority's NCCP/HCP.

As discussed in Section 3.4 b), land adjacent to the project site and a small section within the San Luis Rey River that overlaps with the project site is within the County's MSCP PAMA, and MSCP PAMA lands meet the definition of a BSRA as stated in Section 6.5.1.4.1 of the Water Authority's

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NCCP/HCP. The NCCP/HCP also clarifies that existing Water Authority ROWs are excluded from the BSRA designation because they have been, and will continue to be, impacted by O&M activities. However, the project site is considered a BSRA since it is part of the Water Authority's preserve system. As discussed above, the project itself would provide mitigation for all acreage-based temporary impacts on sensitive vegetation communities, and no additional on-site or off-site mitigation would be required. No mitigation is needed for the project's permanent impacts because these impacts only occur on non-sensitive land-cover types.

Section 6.11 of the NCCP/HCP describes measures the Water Authority will employ to manage the NCCP/HCP Preserve Area and to avoid, minimize, and mitigate for impacts to preserve areas within the Plan Area, including areas preserved by other entities. Because project activities will occur inside the MSCP PAMA and the project site is designated as part of the Preserve Area, the Water Authority will incorporate relevant measures from this section of the NCCP/HCP into the project. These measures, which are listed in full in Appendix C, Attachment 5 of this document, address such issues as fire management, trash removal, lighting, and invasive species control, and will be incorporated as design features of the project. These measures are consistent with the types of management measures employed by the County in and adjacent to the MSCP PAMA on utilities projects pursuant to the MSCP. Implementation of the NCCP/HCP measures listed in Appendix C, Attachment 5 would ensure the project would not result in a significant conflict with the MSCP. Therefore, this impact would be less than significant.



### 3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X	
c) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	
d) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
e) Disturb any human remains, including those interred outside of formal cemeteries?				X

**a) *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?***

***Less than Significant Impact.*** AECOM conducted a cultural resources investigation to identify existing resources that have the potential to be affected by the project, and prepared the Archaeological Survey Report (ASR) for the San Luis Rey Habitat Management Area Habitat Restoration Project, dated June 2018, which is included as Appendix D. Appendix D contains a confidential appendix that is not intended for public review, so it is bound separately and is not included with the public version of this MND.

The investigation included a records search, Native American contact program, and a pedestrian survey. The records search was conducted on February 19, 2018, by the South Coastal Information Center. The records search area included the project area of potential effects (APE) with a 1-mile buffer. The project APE for archaeological resources considered in the ASR totals approximately 48.6

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acres of land including the aqueduct pipeline corridor and contiguous areas along both sides of the corridor that are proposed for the habitat management activities. The archaeological survey area included a 100-foot-wide buffer area surrounding these proposed habitat management activity areas.

The results of the records search indicated that 25 previously recorded archaeological resources are located within the 1.0-mile buffer. Of these 25 resources, one is located within the 100-foot buffer of the project APE and none are located within the project APE. In addition to the records search, AECOM conducted a Native American contact program. The contact program included a search of the Native American Heritage Commission (NAHC) Sacred Lands File and solicitation of information from all Native American individual/organizations on the NAHC list. Five responses have been received through the Native American contact program. In addition to the Native American contact program, the Water Authority initiated formal consultation pursuant to Assembly Bill (AB) 52. Details regarding the formal consultation process are included in Section 3.5 c) below. Lastly, AECOM conducted an archaeological survey of the APE on February 27 and 28, 2018. One previously recorded resource, CA-SDI-20172 (P-37-01756), was located within the 100-foot buffer along the southeast corner of the APE, and two newly identified resources, SLR-H-001 and SLR-H-002, were identified in the project APE during the field survey. CA-SDI-20172 (P-37-01756) consists of double concrete standpipes that rest on a concrete base along the bank of the San Luis Rey River. SLR-H-001 consists of a roughly rectangular, poured cement slab with an associated sparse scatter of glass, ceramic, and metal items and SLR-H-002 consists of an approximately 1,800-foot-long segment of the Second San Diego Aqueduct that extends north-south through the middle of the project APE. No built environment resources were identified on any historic maps; as a result, neither a reconnaissance survey nor analysis was conducted for built resources within the APE.

As currently planned, two of the resources, CA-SDI-20172 (P-37-01756) and SLR-H-002, will be avoided by the project. It is anticipated that the habitat restoration activities may require removal of the cement slab of newly recorded site SLR-H-001. Research conducted as part of the ASR indicated that this cement slab foundation and sparse historic artifact scatter do not represent a resource that qualifies under any of the criteria for the National Register of Historic Places or California Register of Historical Resources eligibility. Therefore, the project would have a less than significant impact on historical resources. As discussed above in Section 2.2.4, in the event that buried cultural resources are encountered during any phase of construction, project activities in the vicinity of the resources will be temporarily halted, and the Water Authority will consult a qualified archaeologist to assess the significance of the resource and to provide proper management recommendations.

***b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?***

***Less than Significant Impact.*** See Section 3.5 a) above. Three resources are located within the project APE. As currently planned, two of the resources, CA-SDI-20172 (P-37-01756) and SLR-H-002, would be avoided by the project. It is anticipated that the habitat restoration activities may require removal of the cement slab of newly recorded site SLR-H-001; however, the resource does not qualify under any of the criteria for the National Register of Historic Places or California Register of Historical Resources eligibility. Therefore, the project would have a less than significant impact on archaeological resources. As discussed above in Section 2.2.4, in the event that buried cultural resources are encountered during any phase of construction, project activities in the vicinity of the resources will be temporarily halted, and the Water Authority will consult a qualified archaeologist to assess the significance of the resource and to provide proper management recommendations.

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c) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Less than Significant Impact.** In addition to the Native American contact program conducted for the cultural resources investigation, and in conformance with rules enacted in AB 52, the Water Authority, as CEQA lead agency for this project, initiated consultation with local Native American representatives to identify tribal cultural resources that may be affected by the project. On April 17, 2018, the Water Authority sent notification letters to seven tribes (including San Luis Rey Band of Mission Indians) on the NAHC list from the cultural resource investigation, initiating the 30-day period required by AB 52. The Water Authority received three responses requesting consultation with the Water Authority on the project, from the Pechanga Band of Luiseño Indians, the San Luis Rey Band of Mission Indians, and the Rincon Band of Luiseño Indians. All AB 52 correspondence related to this project is included in the confidential volume of Appendix D, which is ~~confidential and~~ not intended for public review.

Formal consultation with the identified tribes did not identify specific resources known to occur on-site that would be disturbed by project construction. However, based on knowledge of areas used by their ancestors and the stated potential to encounter resources during project excavation, the Water Authority agreed to retain the services of a Native American monitor during project-related earthwork, as discussed above in Section 2.2.4. The Water Authority will keep the tribes apprised of project planning progress, and they have committed to working with the tribes to develop a project-specific cultural resources monitoring plan prior to start of construction. The cultural resources monitoring plan will specify the roles of Native American monitors and qualified archaeological monitors, and identify procedures for addressing the potential discovery of artifacts and other tribal cultural resources. With implementation of this design feature, the project's impact on tribal cultural resources would be less than significant.

d) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**No Impact.** Although no project-specific paleontological study was conducted for the project, according to the Geologic Survey Map of Oceanside (Kennedy et al. 2007), the project location contains Young Alluvial Flood-Plain Deposits (Qya), dating to the Holocene and late Pleistocene. Surficial alluvial deposits generally do not contain paleontological resources; therefore, the project area has a low sensitivity for paleontological resources. No related impacts are expected to occur.

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- e) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

**No Impact.** See Section 3.5 a) above. No impacts related to disturbance of human remains are expected to occur. As discussed above in Section 2.2.4, the Water Authority will require that construction be halted and the County Coroner and a qualified archaeologist be consulted in the event that human remains are encountered during any phase of project construction.

### 3.6 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS – Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

*a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

*i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Publication 42.*

*ii) Strong seismic ground shaking?*

**No Impact.** The project site is not located within an Alquist-Priolo Earthquake Fault Zone. The closest known active fault zone is the Elsinore Fault Zone located about 9 miles east of the site. The probability of fault rupture affecting the site is low, but strong seismic activity along nearby faults could result in strong ground shaking conditions that are a common hazard in much of Southern California. As shown in the San Diego County General Plan, the project site is located outside of the seismic shaking buffer (County of San Diego 2011b). The project site is not occupied and the project does not propose occupied structures that could result in risk of loss, injury, or death in the event of strong seismic ground motion at the site. In fact, the project has the potential to reduce risk associated with the rupture of an earthquake fault as, in the long term, the

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project would entail a reduction in human presence compared to existing agricultural operations. Therefore, there would be no impact.

**iii) *Seismic-related ground failure, including liquefaction?***

***Less than Significant Impact.*** The project site is located adjacent to the San Luis Rey River and is therefore located in an area subject to liquefaction (County of San Diego 2010). The area surrounding the project site and San Luis Rey River is designated as a low liquefaction risk. The project site is not occupied and the project does not propose occupied structures that could result in risk of loss, injury, or death in the event of liquefaction at the site. In fact, the project has the potential to reduce risk associated with the rupture of an earthquake fault as, in the long term, the project would entail a reduction in human presence compared to existing agricultural operations. Therefore, this impact would be less than significant.

**iv) *Landslides?***

***No Impact.*** The project site is not located within an area susceptible to landslide (County of San Diego 2011b). The project site does not propose occupied structures that could result in risk of loss, injury, or death in the event of landslide at the site. In fact, the project has the potential to reduce risk associated with the rupture of an earthquake fault as, in the long term, the project would entail a reduction in human presence compared to existing agricultural operations. Therefore, no impact would occur.

**b) *Would the project result in substantial soil erosion or loss of topsoil?***

***Less than Significant Impact.*** The proposed project includes soil excavation, grading, and recontouring using heavy earth-moving equipment to prepare the restoration site for riparian wetland and upland habitat mitigation installation. The project would expand vegetated buffers around the San Luis Rey River, which would reduce soil erosion. To minimize erosion from the restoration site during construction, silt fences, fiber rolls, and/or straw wattles and other BMPs will be implemented in accordance with the SWPPP. Any BMPs damaged or lost due to storm events or construction activities will be replaced or repaired at the direction of the qualified SWPPP practitioner provided by the contractor. Minimal erosion from the restoration site is expected during implementation; however, appropriate BMPs will be installed, if needed, to prevent siltation from entering the existing riverine habitat and other areas adjacent to the restoration site.

Within portions of the project site that are vulnerable to significant erosion and soil loss (e.g., constructed slopes and embankments), the restoration contractor will install storm water management and erosion control BMP devices including fiber rolls, jute netting, erosion control fabric, and gravel bag check dams (as needed) to reduce storm water velocities and stabilize exposed soils. The design and installation of all storm water management and erosion control BMPs will be supervised by a Qualified SWPPP Practitioner, with input from the restoration ecologist, following industry standards, and will be tailored specifically to the conditions of each site.

The BMPs and regulatory requirements would minimize and reduce the potential for soil erosion and the loss of topsoil from the areas that would be temporarily disturbed during construction. Therefore, related impacts would be less than significant.



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- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

**Less than Significant Impact.** See Section 3.6 a) iii) and iv) above. The project site is located in an area subject to liquefaction as it is located adjacent to the San Luis Rey River. The project site is not located in an area susceptible to landslides. The project site is not occupied and the project does not propose occupied structures on unstable soils. In fact, the project has the potential to reduce risk associated with liquefaction as the project site would no longer involve human presence associated with the agricultural operations. Therefore, this impact would be less than significant.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

**No Impact.** Soils within the project site consist of predominately Riverwash (Rm) alluvium within the San Luis River channel and active floodplain and Tujunga Sand 0 to 5% slopes (TuB) and Grangeville Fine Sandy Loam 0 to 2% slopes (GoA) on the adjacent terraces and leveled agricultural sites. Per the County of San Diego Guidelines for Determining Significance (2007c), none of the soils on the project site are considered expansive; however, potential expansive soils are located in the vicinity of the project site, south of the San Luis Rey River and north of SR 76 near I-15 (County of San Diego 2007c). All applicable regulatory design and construction requirements would be complied with to reduce geologic risk from expansive soils. Therefore, no related impacts would occur.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

**No Impact.** The proposed project has no relation to the use of septic tanks or alternative waste water disposal. Therefore, there will be no impact.

### 3.7 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GREENHOUSE GASE EMISSIONS</b> – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?			X	

**a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Less than Significant Impact.** Global climate change refers to changes in average climatic conditions on the earth as a whole, including temperature, wind patterns, precipitation, and storms. Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. GHGs are present in the atmosphere naturally, are released by natural sources, and are formed from secondary reactions taking place in the atmosphere. Natural sources of GHGs include the respiration of humans, animals and plants, decomposition of organic matter, and evaporation from the oceans. Anthropogenic sources include the combustion of fossil fuels, waste treatment, and agricultural processes.

Carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride are the principal contributors to global climate change. Global warming potential (GWP) is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to CO<sub>2</sub>. The GWP of a GHG is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time (i.e., lifetime) that the gas remains in the atmosphere ("atmospheric lifetime"). The concept of CO<sub>2</sub>-equivalents (CO<sub>2</sub>e) is used to account for the individual GWPs of GHGs to absorb infrared radiation. For example, 1 ton of CH<sub>4</sub> has the same contribution to the greenhouse effect as approximately 28 tons of CO<sub>2</sub>. GHGs with lower emissions rates than CO<sub>2</sub> may still contribute to climate change, because they are more effective at absorbing outgoing infrared radiation than CO<sub>2</sub> (i.e., high GWP).

The goal of Executive Order S-3-05, signed by former Governor Arnold Schwarzenegger on June 1, 2005, is to reduce California's GHG emissions to year 2000 levels by 2010, 1990 levels by 2020, and 80% below the 1990 levels by the year 2050. In 2006, this goal was reinforced with the passage of AB 32, the Global Warming Solutions Act. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. In 2016, the State Legislature passed Senate Bill (SB) 32, which established a 2030 GHG emissions reduction target of 40 percent below 1990 levels.

The Water Authority has prepared a Climate Action Plan (CAP) consistent with the goals of AB 32 (Water Authority 2015). The CAP demonstrates how the Water Authority will achieve the 2020 emission reduction goals, as well as GHG emission reductions beyond 2020. Future emissions were estimated for ongoing facility operations and construction projects, and operational emissions associated with future projects. The project was not specifically identified in the CAP.

Since the Water Authority has not adopted a specific GHG threshold for the CEQA-related significance of a project's emissions, it is appropriate to refer to guidance from other agencies when

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analyzing the significance of GHG emissions pursuant to CEQA. To establish context in which to consider the project's GHG emissions, this analysis reviewed guidelines used by other experts and public agencies. The South Coast Air Quality Management District (SCAQMD) has adopted a significance threshold of 10,000 metric tons (MT) of CO<sub>2</sub>e per year for industrial (stationary source) projects (SCAQMD 2008). The most conservative threshold was included in the California Air Pollution Control Officers Association (CAPCOA) report, CEQA & Climate Change, which recommends a threshold of 900 MT CO<sub>2</sub>e per year for any residential, commercial, or industrial project (CAPCOA 2008). These significance thresholds were developed to assess consistency of a project's emissions with the statewide framework for reducing GHG emissions. Using this approach, if the project does not exceed the conservative threshold of 900 MT CO<sub>2</sub>e per year, then the climate change impacts would be less than significant. It is not the intent of the Water Authority to adopt this threshold as a mass emissions limit for this or other projects, but rather to provide this additional information to put the project generated GHG emissions in the appropriate statewide context, and consider the project's impacts pursuant to CEQA.

Construction-related GHG exhaust emissions associated with the project would be generated by sources such as off-road equipment, material delivery trips, and worker commute vehicles. Total construction-related GHG emissions were estimated using the same methodology discussed earlier in Section 3.3 b). Additional modeling assumptions and details are provided in Appendix B.

Total GHG emissions associated with construction of the project were estimated to be 87 MT CO<sub>2</sub>e. In addition, the project is not anticipated to generate new vehicle trips and would not generate any additional activities related to maintenance or operations that would increase substantially beyond the levels covered under the O&M category of the NCCP/HCP.

As a native habitat restoration project, the project would also not significantly increase the generation or use of electricity, water, wastewater, and solid waste. The total construction-related CO<sub>2</sub>e emissions of 87 MT CO<sub>2</sub>e would be less than any of the adopted or recommended thresholds discussed above. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. This impact would be less than significant.

***b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?***

***Less than Significant Impact.*** In December 2008, the California Air Resources Board (ARB) adopted the Climate Change Scoping Plan (Scoping Plan), which contains the main strategies California will implement to achieve the required GHG reductions required by AB 32 (ARB 2008). ARB is required to update the Scoping Plan at least once every 5 years to evaluate progress and develop future inventories that may guide this process. ARB approved the first update to the Scoping Plan, First Update to the Climate Change Scoping Plan: Building on the Framework, in June 2014 (ARB 2014).

In response to SB 32 and the companion legislation of AB 197, ARB approved the Final Proposed 2017 Scoping Plan Update: The Strategy for Achieving California's 2030 GHG Target in November 2017 (ARB 2017). The 2017 Scoping Plan draws from the previous plans to present strategies to reaching California's 2030 GHG reduction target. None of these statewide plans or policies constitute a regulation to adopt or implement a regional or local plan for reduction or mitigation of GHG emissions.

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As mentioned previously, the Water Authority has prepared a CAP consistent with the goals of AB 32. The CAP does not include any specific GHG emission reduction measures for construction activities that would be applicable to the project. The project would not conflict with the Water Authority CAP; AB 32 Scoping Plan or Scoping Plan updates; or any other plans, policies, or regulations for the purpose of reducing GHG emissions. As discussed earlier, the project would also not generate GHG emissions that would have a significant impact on the environment. Therefore, the project would not conflict with any applicable plan, policy, or regulation for the purpose of reducing GHG emissions. This impact would be less than significant.

### 3.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b> – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

**a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less than Significant Impact.** Grading activities would include excavating soils at the project site and placing the soils on other locations on-site. AECOM conducted soil testing and analysis to investigate the potential presence of pesticides and herbicides associated with historic agricultural use of the project site, and prepared the San Luis Rey Habitat Management Area Hazardous Materials Sampling and Analysis Letter Report (hazardous materials report), dated March 2018, which is included as Appendix E. The hazardous materials report also evaluated trench-excavated samples of rock and soil materials located on the southern edge of the excavation area, adjacent to the San Luis Rey River, to characterize the material and estimate quantity for potential off-site disposal purposes. This area features several debris piles placed on top of the river bank.

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A total of 53 soil samples (43 from 12 boring locations in the excavation area and one each from 10 trench observation excavations within the southern edge of the excavation area) were collected. Based on the analytical results of the soil boring samples, pesticides and herbicides were not detected above their respective thresholds in any of the samples analyzed. Therefore, excavating material and placing it in other areas of the site would not unearth hazardous materials. Since these chemicals were not detected in the sample analysis, no significant downstream transport of chemicals would occur.

Based on the analytical results of the trench samples collected along the southern edge of the excavation area, low concentrations of petroleum hydrocarbons were detected in one soil sample, indicative of waste oil. This appears consistent with the construction debris observed at the same location. Therefore, it is possible that similar pockets of construction debris with similar concentrations of petroleum hydrocarbons may be present at other locations within the piles. However, small quantities of soil with low concentrations of petroleum hydrocarbons, such as those reported on-site, are typically profiled as nonhazardous and acceptable at an appropriate landfill. Similarly, low concentrations of metals were detected in all the soil samples analyzed; therefore, there is no reason to suspect unusual concentrations of metals were introduced to the site from historical use. Upon comparison with the federal Resource Conservation and Recovery Act and California hazardous waste criteria, the tested material is not considered hazardous.

To remove and control non-native plants, chemical treatment/herbicide application would be used. Chemical treatment of non-native plants would entail use of appropriate herbicides listed as approved for use by the U.S. Environmental Protection Agency and State of California and would be used in accordance with label instructions. Application of herbicide would be completed by qualified personnel holding either a California Department of Pesticide Regulation (DPR) Qualified Applicator Certificate or under the supervision of someone with a DPR Qualified Applicator License. During construction, all herbicide use would be recorded and reported to the County of San Diego agricultural commissioner pursuant to regulations regarding pesticides and pest control operations in California Code of Regulations Title 3 Division 6.

As such, implementation of the proposed project would not include transportation, use, or disposal of hazardous materials, with the exception of substances used to maintain and operate construction equipment (such as fuel and lubricants) and substances used to manage and remove non-native plants (chemical treatment/herbicides). Implementation of a SWPPP and standard construction BMPs (including the Water Authority's project-specific design features for transport, storage, and use of hazardous materials (see Section 2.2.6) would prevent the use of these materials from causing a significant hazard to the public or environment. Therefore, related impacts would be less than significant.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

***Less than Significant Impact.*** See Section 3.8 a) above. Implementation of a SWPPP and standard construction BMPs would minimize potential for accidental release of hazardous materials into the environment. Therefore, related impacts would be less than significant.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

***No Impact.*** There are no schools located within 0.25 mile of the project site. The schools nearest to the project site are Sullivan Middle School and Bonsall High School, located approximately 1.2 miles



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southwest of the project site at 7350 West Lilac Road (BUSD 2016). Furthermore, the project would not result in emissions or handling of hazardous materials that would be dangerous to anyone's health, including students at these schools. Thus, there would be no impact.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**No Impact.** A review of the SWRCB's GeoTracker database and California Department of Toxic Substance Control's (DTSC) Envirostor database was conducted in September 2017. The GeoTracker database shows the nearest sites to the project are a previously listed leaking underground storage tank and three previous gasoline cleanup sites located at 4730 Highway 76, approximately 0.5 mile northeast of the project site. The business at 4730 Highway 76 is currently an active gas station. The previous three releases were opened due to failed precision tests. Leaks were reported on June 25, 1990, April 27, 1992, and December 27, 1993, and cleanup was completed and the cases were closed on April 15, 1992, March 17, 1993, and March 8, 1994, respectively (SWRCB 2017a; 2017b; 2017c). The leaking underground storage case was opened in March 2000 due to an elevated soil sample during a piping repair on the middle dispenser island (southwest of the building). Cleanup was completed and the case was closed on January 19, 2016 (SWRCB 2017d). The Envirostor database shows the nearest site to the project is a school investigation site for the proposed Bonsall High School near the intersection of Gird Road and Live Oak Creek Circle, approximately 1.2 miles northwest of the project site. As part of the school investigation, a Phase I Environmental Site Assessment was submitted and approved, and no action is required as of August 19, 2016 (DTSC 2017). Additionally, the project site is not listed on the Cortese List or the U.S. Environmental Protection Agency's National Priorities List (CalEPA 2017; EPA 2017). Therefore, no impact would occur.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** The project site is not located within 2 miles of a public airport or within an airport use plan. The nearest public airport to the project site is Fallbrook Community Airpark, located approximately 5.1 miles northwest of the project site. The project site is located outside the Airport Influence Area of the Fallbrook Community Airpark Land Use Compatibility Plan (SDCRAA 2011). Therefore, no impact would occur.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** The project site is not located in the vicinity of a private airstrip. The nearest private airstrip to the project site is Blackinton Airport, located approximately 5.8 miles southeast of the project site in Valley Center (AirNav 2017). Therefore, no impact would occur.

- g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**No Impact.** Construction of the proposed project would occur within property owned by the Water Authority with direct access to SR 76. The project does not entail any full or partial road closure during construction, including existing public roads or on-site access roads, so there would be no impairment of emergency response or evacuation. Therefore, there is no impact.

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- h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

***Less than Significant Impact.*** The project would entail construction work in the vicinity of dry brush, which could result in a temporary increase in the potential for accidental wildfires. As discussed above in Section 2.2.6, the Water Authority would require the project contractor to prepare a Fire Prevention and Response Plan specific to the project, and all construction crewmembers would be trained in the requirements of the plan. Implementation of and adherence to this plan would reduce this potential for wildfire ignition and ensure that this impact would be less than significant.

### 3.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place structures within a 100-year flood hazard area which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?			X	

**a) Would the project violate any water quality standards or waste discharge requirements?**

**Less than Significant Impact.** AECOM prepared a Water Quality Technical Report (WQTR) to analyze the project's potential impacts on water quality. The WQTR provides data on surface water and groundwater resources within the project area, describes water quality impairments and beneficial uses, identifies potential water quality impacts/benefits associated with the proposed project, and recommends avoidance and/or minimization measures for potentially adverse impacts. The WQTR is included as Appendix F of this MND.

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The SWRCB carries out its water quality protection authority through basin plans. These plans establish water quality standards for particular bodies of water, which are composed of three parts: the designation of beneficial uses of water, water quality objectives (WQOs) to protect those uses, and implementation programs designed to achieve and maintain compliance with the WQOs. The San Diego RWQCB is responsible for the basin plan for the San Diego Basin (Basin Plan), where the proposed project lies. The RWQCB implements management plans to modify and adopt standards under provisions set forth in Section 303(c) of the CWA and California Water Code (Division 7, Section 13240).

The WQOs for inland surface waters within the Lower San Luis Rey subwatershed are as follows (RWQCB 1994):

- 500 milligrams per liter (mg/L) total dissolved solids (TDS)
- 250 mg/L chlorides
- 250 mg/L sulfate
- 60% sodium
- 0.1 mg/L total phosphorus
- 0.3 mg/L iron
- 0.05 mg/L manganese
- 0.5 mg/L methylene blue activated substances (MBAS)
- 0.75 mg/L boron
- 20 Nephelometric Turbidity Unit (NTU) turbidity
- 20 color units
- 1.0 mg/L fluoride
- 400 organisms per 100 milliliters fecal coliform
- 33 mg/L Enterococci
- 126 mg/L E.coli

The project does not propose any long-term discharge of pollutants. Soil samples collected within the excavation area were analyzed for chlorinated pesticides and herbicides, chemicals associated with historical agricultural use. These pollutants were not detected above their respective laboratory reporting limits in any samples (Appendix F). Although these constituents were anticipated to have been historically used on-site, but were not detected in the sample analysis, it is not anticipated that there would be downstream transport of chemicals or impact to water resources as a result of exposing new areas to streamflow with implementation of the proposed project. The project is not anticipated to contribute to discharge of any of the constituents listed above that would result in a violation of the published WQOs.

Without proper controls, project construction could cause short-term and temporary impacts from the generation of pollutants such as sediment, metals, oil and grease, soil stabilization residues, nutrients, organic compounds, and trash and debris. The project would be required to implement temporary BMPs with respect to erosion, sediment, good housekeeping, and pollution prevention in compliance with the SWRCB's Construction General Permit (SWRCB 2009) to minimize storm water pollutants during the construction phase. A SWPPP, which is required for projects greater than 1 acre, would be prepared and implemented during construction to ensure compliance with this permit. The SWPPP would identify project-specific BMPs to be implemented during construction. In addition, the project will be implemented pursuant to the Water Authority's NCCP/HCP, which specifies work conditions and protective measures to avoid and/or minimize impacts on jurisdictional wetlands, further ensuring protection of water quality during project implementation (see Appendix I of the NCCP/HCP). The water quality technical report prepared for the project identified compliance with the Construction General Permit as avoidance and minimization measure WQ-1. This has been incorporated into the project as a design feature, as discussed above in Section 2.2.7.

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The proposed excavation component of the project would require a grading permit from the County and, as a result, the project would need to comply with County storm water requirements that will be identified in that permit. The County is likely to require compliance with the County BMP Design Manual (County of San Diego 2016), which is a design manual for compliance with local County of San Diego Watershed Protection Ordinance (Sections 67.801 et seq.), and the San Diego Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit (Municipal Permit) (Order No. R9-2013-0001, as amended by Order No. R9-2015-0001 and Order No. R9-2015-0100). As a habitat restoration project lacking any new impervious surfaces, the project itself, by design, would be considered a post-construction BMP pursuant to the County BMP Design Manual, and many post-construction requirements of the County BMP Design Manual either would not apply to this project, or are inherently incorporated into the project design. In the long term, the project would be expected to enhance overall water quality conditions, and incrementally achieve WQOs by improving hydrological conditions of the area, which would promote infiltration, evapotranspiration, sediment capture, and bioretention treatment opportunities for reducing storm water runoff and pollutant loads. The following site design requirements of the County BMP Design Manual are inherent features of the proposed project:

- Natural drainage pathways would be maintained/restored and hydrologic features would be improved.
- Natural areas, soils, and vegetation would be conserved or restored; soil compaction would be minimized; native vegetation and soils would be restored; and natural hydrologic function would be improved.
- No impervious area would be created.

The water quality report prepared for the project identified the following two source-control BMPs from the County BMP Design Manual that are relevant to the project:

- Control/minimize irrigation to prevent runoff from entering the SLR River
- Control/minimize herbicide application to prevent discharge into the SLR River

These measures are stated as avoidance and minimization measure WQ-2 in the water quality report, and they have been incorporated into the project as design features, as discussed above in Section 2.2.7. Compliance with the County BMP Design Manual would ensure the project does not conflict with the Basin Plan.

By complying with the Construction General Permit, as required by law, and incorporating applicable measures from the County BMP Design Manual, the project would not violate an applicable water quality standard, and this impact would be less than significant.

- b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?***

***Less than Significant Impact.*** The project site contains one active groundwater well located in the eastern portion of the site and three additional groundwater wells were capped and sealed in 2005. As part of the project, the existing well would be capped per applicable regulations and standards prior to the start of earthwork.

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The project proposes soil excavation to lower the surface elevation relative to the depth to groundwater and foster establishment of riparian vegetation. The potential beneficial uses of the underlying groundwater basin at the project site include municipal supply, agricultural supply, and industrial service supply. All groundwaters are subject to the WQOs described in the RWQCB Basin Plan. As discussed above in Section 2.2.7, the Water Authority would comply with post-construction avoidance and minimization measures to meet inland surface water and groundwater WQOs in the San Luis Rey watershed pursuant to the Basin Plan. Implementation of and adherence to the avoidance and minimization measures in Section 2.2.7 would ensure that this impact would be less than significant.

- c) ***Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?***

***Less than Significant Impact.*** As part of the project planning and design phase, Dokken Engineering prepared a Hydraulic Design Report (hydraulic report) to inform project engineering design. The hydraulic report, which is included as Appendix G of this MND, is the basis for this impact analysis.

The results of the hydraulic report indicate that 100-year water surface elevations would not increase with implementation of the project. The 100-year water surface elevations at the project site and upstream of the project area would be reduced by up to 1 foot, while for lower design flows (5- and 2-year) the water surface elevations would increase slightly or remain the same. Water surface elevations downstream of the project site would not change.

As further presented in the hydraulic report, sediment transport analysis results show that, within the limits of the project site, in the existing condition, the main channel generally scours between 2 to 4 feet, with some minor deposition and sediment accumulation along the river overbanks. Therefore, the river channel is in a stable condition with sediment occurring naturally within the river over the long-term flood series. With the proposed grading, sediment accumulation would occur in the graded area, with deposition occurring upstream and downstream. Sediment transport would remain unchanged outside the project limits. Maximum scour depth at the three pipeline aqueducts that cross the San Luis Rey River at the project site would be reduced in the proposed condition. The pipelines are not anticipated to be exposed or otherwise impacted during the maximum scour scenario. Based on these results, further channel stabilization does not appear to be needed. Therefore, impacts would be less than significant.

- d) ***Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?***

***No Impact.*** See Section 3.9 c) above. The hydraulic report concluded that the project would not alter the rate or frequency of runoff, so off-site flood conditions would be unaffected. Therefore, no impact would occur.

- e) ***Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

***No Impact.*** See Section 3.9 a), c), and d) above. The project would not change the rate and amount of runoff within the project area, so no downstream drainage systems would be affected. Therefore, no impact would occur.



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**f) *Would the project otherwise substantially degrade water quality?***

**No Impact.** See Section 3.9 a) above. No other project components would affect water quality, and there would be no impact.

**g) *Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?***

**No Impact.** The proposed project does not involve construction of housing or any other habitable structures construction. No housing would be placed within a 100-year flood hazard area as a result of the proposed project; therefore, no related impacts would occur.

**h) *Would the project place structures within a 100-year flood hazard area which would impede or redirect flood flows?***

**No Impact.** The project would not include the construction of any structures within the 100-year floodplain and thus would not impede or redirect flood flows. Therefore, no related impacts would occur.

**i) *Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?***

**No Impact.** The project is located in a dam inundation area, as mapped by the County (County of San Diego 2011b), although the site is approximately 30 miles downstream of Lake Henshaw and there are no other major dams located along the San Luis Rey River nearer to the site. However, the project would not permanently expose people or structures to potential flooding, as it would not involve the construction of houses, businesses, or any other habitable structure. Furthermore, the proposed project would not alter the rate or frequency of storm water runoff, so it would not lead to any flooding that could expose people or structures to elevated risk. Therefore, no related impacts would occur.

**j) *Would the project expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?***

**Less than Significant Impact.** The project would have no impact on the potential to create inundation during seiche, tsunami, or mudflow. The distance between the project site and the coast (approximately 15 miles), and the site's range of elevations above sea level, preclude damage due to seismically induced waves (tsunamis). The project site is not located near an enclosed body of water and would not be subject to potential impacts from seiches. Recent wildland fires contribute to the potential for mudflows throughout the San Diego County as the loss of vegetation may result in destabilization of surface soil and an increase in velocity of surface water runoff, increasing the potential for mudflows (County of San Diego 2007d). As discussed in Section 2.1.1, the Lilac Fire burned through the San Luis Rey River and affected much of the site. While many of the trees burned, they appear to have survived based on follow-up visual inspections performed in succeeding months. Additionally, within recent winter rains, vegetation has begun to grow back. Therefore, impacts related to inundation by mudflow are not anticipated. Impacts would be less than significant.

### 3.10 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

**a) Would the project physically divide an established community?**

**No Impact.** The majority of the project site is situated on land currently owned by the Water Authority, which is leased for agricultural purposes, though a small area in the southern part of the site would be acquired via a proposed land transfer. The Water Authority is currently in discussions with the County of San Diego and Caltrans to solidify a three-party land transfer whereby the Water Authority would acquire the 2.11-acre triangular parcel located on the northern river bank, currently owned by the County. Since the project would create, restore, and enhance native riparian and upland habitats, following construction, the project would greatly enhance the long-term use of the San Luis Rey River as a wildlife corridor by turning existing agricultural lands into native woodland and riparian habitats. Thus, the project would not physically divide an established community and no related impacts would occur.

**b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less than Significant Impact.** The project is located on Water Authority-owned land that is currently leased for agricultural purposes, in addition to a small area proposed for a land transfer. Surrounding land uses include a combination of rural residential property, agricultural uses, vacant land, a retirement community, and open space. While the project would change the existing use of the site from an agriculture use to an open space/conservation use, it would not conflict with any applicable land use plan, policy, or regulation. The project site is designated as Rural Lands (RL-40) in the County General Plan, which provides for agriculture, managed resource production, conservation, and recreation uses.

Further, the project site is located within the I-15 Corridor Subregional Plan area and therefore subject to specific regulations. The Subregional Plan intends to promote orderly development, protect environmental and manmade resources, and implement the County's objectives for growth management for the area. The plan area extends approximately 20 miles from the Escondido city limits to the Riverside County line and contains a half-acre to 2-mile view shed area on either side of I-15. The plan includes conservation policies to (1) keep the watercourse of the San Luis Rey River natural and place as much as possible of the floodplain in open space easements; (2) require a river plan of all development proposals within or adjacent to the San Luis Rey River floodplain, addressing

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the preservation of natural resources and measures to protect against potential hazards; and (3) identify all environmental resources threatened by development and prepare measures to mitigate or alternatives to avoid such adverse impacts. The project would be consistent with the plan's conservation policies as it would create, restore, and enhance native habitat. Therefore, no related impacts would occur.

The project site is located within the San Luis Rey River Park Master Plan (Master Plan) study area. The Master Plan proposes a 1,700-acre regional park along the San Luis Rey River that would be approximately 9 miles in length, parallel to SR 76 from Oceanside to I-15. The goal of the Master Plan is to provide an open space preserve to protect the San Luis Rey River corridor and provide habitat for threatened and endangered species while also providing recreational and trail amenities. The Master Plan discusses that the project site is owned by the Water Authority and incorporates habitat restoration as a conceptual design. The conceptual design for the project site also includes active recreational amenities in the southwestern portion of the site, which is not a part of the project. Therefore, while the project does not include an active recreation component, the project would be generally consistent with the Master Plan as it would provide habitat restoration. The Master Plan depicts two trails that cross the San Luis Rey HMA property, one following the northern bank of the river and another following the southern bank. The Water Authority's project design avoids restoration or other impacts in the existing trail alignment on the south side of the San Luis Rey River, as shown in ~~Figure 3~~ Figure 4. Therefore, that land would be available for future incorporation into the County's trail system when park development occurs. The Water Authority will continue to coordinate with the County as Master Plan planning and development continues regarding opportunities to implement a trail through Water Authority property north of the river. Impacts relative to consistency with the Master Plan would be less than significant.

**c) *Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?***

***Less than Significant Impact.*** See Section 3.4 f) above. The project would comply with the Water Authority's adopted NCCP/HCP. There are no other conservation plans applicable to the Water Authority's project. Therefore, related impacts would be less than significant.

### 3.11 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**a) *Would the project result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?***

**No Impact.** The project site is located in Mineral Resource Zones (MRZ-) 2 and 3, as mapped by the County of San Diego (County of San Diego 2011c). MRZ-2 areas are underlain by mineral deposits where geologic data show that significant measured or indicated resources are present. MRZ-3 areas contain known mineral deposits that may qualify as mineral resources. Sand and gravel mineral resources are known to occur adjacent to the project site as there are two past producing sand and gravel pits located west of the project site (County of San Diego 2008). However, all permanent project impacts would be limited to the Water Authority-owned property and existing ROW and would not preclude future mining extraction on surrounding land. Additionally, the Water Authority's existing ROW that crosses the site contains existing subsurface infrastructure, which would inhibit future mining operations on the project site making the site unsuitable for future mining. Therefore, no impacts to mineral resources would occur.

**b) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

**No Impact.** See Section 3.11 a) above. There would be no impact.

### 3.12 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII.NOISE</b> – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

- a) *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Less than Significant Impact.** The project is located south of and adjacent to SR 76. Nearby residences and other sensitive land uses have the potential to be exposed to elevated noise levels during construction. The nearest residences are located approximately 400 feet south of the work area within the Rancho Monserate retirement community. However, the San Luis Rey River and the Rancho Monserate golf course are located between the project site and the Rancho Monserate retirement community and the San Luis Rey River is densely vegetated, preventing a direct line-of-sight between the residences and the project site. A few residences are located approximately 700 feet north and 1,000 feet east of the work area, but SR 76, a heavily trafficked thoroughfare in the community, provides separation between these residences and the project site.

The Water Authority has not adopted noise thresholds for analysis of impacts pursuant to CEQA so, for purposes of this review, the Water Authority has compared project impacts to County standards set forth in Section 36.409 of the County of San Diego Noise Ordinance, which restricts construction noise to an average of 75 A-weighted decibels (dBA), as measured at the boundary line of an occupied property, over an 8-hour period between 7 a.m. and 7 p.m. (County of San Diego 2009a). Although the exact levels of noise generated by construction will vary depending on the activity, construction equipment is generally considered to result in maximum noise levels (dBA  $L_{max}$ ) of between 70 and 90 dBA at a distance of 50 feet from the source, which averaged over a time period

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(i.e.,  $L_{eq}$ ) would be a lower noise level (FTA 2006). Additionally, a doubling of distance from the noise source is conservatively associated with a 6-dBA decrease in average noise level. Given that the nearest residential receptors to the project area are located approximately 400 feet from the limits of construction and are separated from the project site by the San Luis Rey River, average construction noise at the edge of this property would be far below the 75-dBA threshold over an 8-hour period. Therefore, the project would not expose persons to, or result in the generation of, noise levels in excess of any applicable noise standards. Impacts would be less than significant.

**b) *Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?***

***Less than Significant Impact.*** Typical sources of vibration and/or groundborne noise levels during construction are pieces of equipment required for grading and preparation of the project site. It is possible that activities associated with construction could result in some low levels of ground vibration that could be received on a short-term basis by nearby receptors. However, as described above, the project site is undeveloped and there are no receptors immediately adjacent to the construction area. Vibration-related impacts would be less than significant.

**c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?***

***No Impact.*** The project does not entail installation or operation of new permanent sources of stationary noise. In the long term, conversion of the project site from agricultural land to restored habitat would remove the use of farm equipment and regular human presence on the site, which contributes to noise levels at the project site under current conditions. Therefore, implementation of the project has the potential to reduce noise levels relative to existing conditions and improve noise conditions for wildlife. Therefore, no impact would occur.

**d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?***

***Less than Significant Impact.*** As described in Section 3.12 a) above, the project could result in a short-term increase in noise levels during project construction. Existing use of the site for agricultural use involves farm equipment and regular human presence, which contribute to noise levels at the project site. Additionally, the proximity of SR 76 and I-15 result in consistent noise in the project vicinity. Given that the nearest residential receptors to the project area are located approximately 400 feet from the limits of construction and are separated from the project site by the San Luis Rey River, any temporary increase in noise would attenuate and would not result in a substantial temporary increase in ambient noise levels. Project implementation is anticipated to occur over a 16-month period, although active work itself would occur during shorter terms within the overall schedule, based on seasonally appropriate times for implementation activities such as planting and seeding. As such, impacts would be less than significant.

Temporary noise increases associated with the project have the potential to impact least Bell's vireo, an NCCP/HCP Covered Species for which the NCCP/HCP requires breeding season noise restrictions. Per the NCCP/HCP, if active least Bell's vireo nests are encountered and construction activities must occur during the riparian avian breeding season, noise levels from human activities should be restricted to less than 60 dBA  $L_{eq}$  or the ambient noise level plus 3 decibels, whichever is greater. Several least Bell's vireo has been detected in the project area; therefore, compliance with the NCCP/HCP noise restrictions would be required for work along the San Luis Rey River.



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Implementation of Mitigation Measures BIO-6 through BIO-10, and BIO-12, as discussed in Section 3.4 a) above, would reduce temporary impacts to noise-sensitive species.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** The proposed project is located approximately 5.1 miles southeast of Fallbrook Community Airpark, and approximately 5.8 miles northwest of Blackinton Airport, and all work areas are outside the respective Airport Land Use Compatibility Plans for these facilities. Therefore, no related impacts would occur.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** See above 3.8 f) above. The project site is not located in the vicinity of a private airstrip. The nearest private airstrip to the project site is Blackinton Airport, located approximately 5.8 miles southeast of the project site in Valley Center (AirNav 2017). Therefore, no impact would occur.

### 3.13 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING – Would the project:</b>				
a) Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

- a) Would the project induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**No Impact.** The proposed project would create, restore, and enhance wetland and riparian habitat and does not entail construction of new homes or businesses. The project would include changes to existing access roads on the project site but would not extend or create new roads that would induce population growth. Temporary irrigation would be used to establish the vegetation communities but would be removed following establishment and would not induce population growth. Therefore, no impact would occur.

- b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The project site is currently leased for agricultural purposes. The proposed project does not entail construction of new homes and would not affect any existing housing or necessitate construction of replacement housing in the area. Therefore, no related impact would occur.

- c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The project would create, restore, and enhance wetland and riparian habitat to establish habitat-based mitigation credits on a site that is currently leased for agricultural purposes. The proposed project would not impact or displace any people or necessitate construction of replacement housing. Therefore, no impact would occur.

### 3.14 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES</b> – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?				X
e) Other public services?				X

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

**a) Fire protection?**

**No Impact.** The project's temporary construction activities would not have an effect upon or result in a need for new or altered fire protection. Furthermore, a Fire Prevention and Response Plan specific to the project would be prepared prior to the start of construction as a matter of project design, as noted in Section 2.2.6. Operation of the project would not create any increased fire risk. Therefore, no impact would occur.

**b) Police protection?**

**No Impact.** For security and public safety, the construction area would be fenced off. The construction or operation of the project would not have an effect upon or result in a need for new or altered police protection services. Therefore, no related impacts would occur.

**c) Schools?**

**No Impact.** The proposed project would create, restore, and enhance wetland and riparian habitat to establish habitat-based mitigation credits and would not introduce a new source of population requiring enhancements to public services such as schools and parks. Therefore, no impact would occur.

**d) Parks?**

**No Impact.** See Section 3.14 c) above.

**e) Other public services?**

**No Impact.** See Section 3.14 c) above.

### 3.15 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**No Impact.** As discussed in Section 3.14 c), the proposed project would create, restore, and enhance wetland and riparian habitat to establish habitat-based mitigation credits and would not introduce a new source of population that would increase the use of existing parks or other recreational facilities. The project would not interfere with the existing recreational trail adjacent to the south bank of the San Luis Rey River, and there is no public access to the site north of the river. Further, a 1,700-acre regional park is proposed along the San Luis Rey River and includes the project site as a habitat restoration area. The project would not increase the use of the planned park that would result in physical deterioration. Therefore, there would be no impact.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**No Impact.** As discussed above, the proposed project would not modify recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impact would occur.

### 3.16 TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC – Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

- a) *Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

**Less than Significant Impact.** The project would add a small amount of traffic to the local roadway system during project construction as shown in Table 2. This traffic would be temporary in nature and occur for a very short duration, as there would be limited material hauling trips since the project would reuse all 43,000 cubic yards of excavated soil on-site. Material hauling trips would be limited to hauling of existing debris uncovered during earthwork and non-native plant material. The only other construction traffic would be infrequent deliveries of equipment and materials, and worker trips to and from the site.

Construction vehicle traffic would access the project site via SR 76. The majority of the work involving construction traffic associated with demolition, vegetation clearing, and grading is anticipated to be complete in 4 months of active work within that larger timeframe. The subsequent planting and seeding effort may not be implemented immediately thereafter, to account for a period of intensive weed-control activities, and would involve less construction equipment than the demolition,

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vegetation clearing, and grading phases, as shown in Table 2. Therefore, the increased vehicle traffic resulting from construction activity would be relatively minor and temporary in nature, lasting only the construction period. As such, the number of net new daily trips during the construction period would not significantly impact roadway volumes.

In addition, CEQA requires consideration of a project's impacts on other modes of traffic in the circulation system, including bicycle, pedestrian, and public transportation. The project would not result in any road closures or sidewalk closures in the local circulation system, so there would be no impact on pedestrian, bicycle, or public transportation. As discussed above in Section 2.2.9, the Water Authority will require preparation and implementation of a traffic control plan specific to project construction. This plan will address construction access to the project site from the general circulation system, and ensure that potential conflicts with other roadway users would be avoided and delay for circulation system users would be minimized. Additionally, operation of the project would not result in an increase in personnel, equipment operations, or truck deliveries at the project site over existing conditions.

With implementation of the traffic control plan, which is required as a standard design feature (standard specification) of Water Authority project construction, the project's impact would be less than significant.

- b) *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

**Less than Significant Impact.** The project's traffic impacts would be temporary, so they would have no long-term effect on congestion management programs and would be less than significant. See Section 3.16 a) for a discussion of the temporary increase in construction traffic on the local circulation system.

- c) *Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

**No Impact.** The project would not affect air traffic patterns as it does not involve an air traffic component and the nearest public airport, Fallbrook Community Airpark, is located approximately 5.1 miles northwest of the project site, and the nearest private airstrip, Blackinton Airport, is located approximately 5.8 miles southeast of the project site. Construction of the project would not interfere with air traffic patterns as it would involve ground-based equipment. Therefore, no related impacts would occur.

- d) *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Less than Significant Impact.** The project would generate construction traffic that would mix with general traffic on the local roadway system. This primarily would be a concern on SR 76, where construction-related traffic would enter and exit the project site. As discussed above, the Water Authority will require preparation of a traffic control plan, which will ensure that the traffic is handled properly such that conflicts with motorists, pedestrians, and bicyclists are minimized. With implementation of adherence to the traffic control plan, which is a standard design feature (standard specification) of Water Authority projects, this impact would be less than significant.

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e) *Would the project result in inadequate emergency access?*

**Less than Significant Impact.** Transportation/circulation effects could occur temporarily as a result of project construction. A minor number of construction vehicles would travel to and from the project site. Implementation of the proposed project would not result in inadequate emergency access because a traffic control plan would be implemented and adhered to during project construction. This traffic control plan would ensure the safe passage of vehicles, including emergency vehicles, and ensure that access remains available to all private properties along the affected roadways. Therefore, related impacts would be less than significant.

f) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

**No Impact.** See Section 3.16 d) and e) above. Riverside Transit Agency (RTA) Commuter Link Express Bus Route 202 travels from the City of Murrieta to the Oceanside Transit Center. RTA Route 202 travels along SR 76, directly north of the project site, which will be used for primary construction access (RTA 2017). The nearest RTA Route 202 stop is located at the Park-and-Ride adjacent to I-15 approximately 0.4 mile east of the project site. The nearest North County Transit District bus route is Route 306, which travels from Fallbrook to Vista via Mission Road and is located approximately 3.3 miles west of the project site (North County Transit District 2017). Bike lanes (Class II) are located along SR 76 and Old Highway 395. Additionally, several trails are proposed near the project site as discussed in the Fallbrook Community Trails and Pathways Plan (San Diego County 2005; 2009b).

The project-related construction traffic discussed above in 3.16 a) is expected to travel on SR 76, but due to the limited amount of project traffic and since SR 76 in the project area is a heavily trafficked thoroughfare regardless of project construction, there would not be a significant impact on transit or bicycle operations. Thus, the project would not result in conflicts with adopted policies, plans, or programs supporting alternative transportation and no related impacts would occur.

### 3.17 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

**a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

**No Impact.** The proposed project would not require or impact wastewater treatment or sewer service. A temporary irrigation system would be installed to support the establishment of plantings and no wastewater would be generated. Therefore, no related impacts would occur.

**b) *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

**No Impact.** The project would result in a temporary need for water to establish most planned vegetation communities. Therefore, a temporary irrigation system would be installed to support the establishment of all plantings installed during the planting phase of the project. Plants would be watered every 2 weeks at a minimum during the first 3 months after installation and no less than monthly for the first year after installation. Once irrigation is no longer needed, the contractor would remove the irrigation system without damaging native plants. For non-riparian habitats, it is expected that supplemental watering would only be required during the first 2 to 3 years after restoration installation. As such, no new or expanded water or wastewater treatment facilities would result or be required. Therefore, no related impacts would occur.



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- c) *Would the project require or result in construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

**No Impact.** The proposed project would not require or include construction of new or expanded storm water facilities. As detailed in Section 3.9, the project would not result in an increase in the volume of storm water runoff. Therefore, no related impacts would occur.

- d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

**No Impact.** As discussed above in Section 3.17 b), the project would use temporary irrigation to establish vegetation communities and would remove the irrigation system once irrigation is no longer needed. The project is expected to require approximately 644 acre-feet of water and the Water Authority has factored that into their preliminary planning efforts. Additionally, the watering schedule may be adjusted based on natural rainfall during the first year following installation. A temporary direct connection to the Water Authority aqueduct may be established for supply of this project-related water. This amount of water would not be of the scale that would have an effect on regional or local water supplies. Therefore, no related impacts would occur.

- e) *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**No Impact.** As discussed above, the proposed project would not result in an increased demand on wastewater services. Therefore, no related impacts would occur.

- f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

**Less than Significant Impact.** The proposed project would result in a minor, temporary demand for solid waste service during demolition and hauling of existing debris piles from the site, but, based on the scale of debris and materials anticipated to be hauled off, would not result in the need for new solid waste disposal systems and would not require substantial alterations to existing solid waste disposal systems or landfill capacity. As discussed in the Section 2.1.2, all excavated material would be reused on-site as fill to raise the elevation of the area planned to become coast live oak woodland habitat and no export of soil would occur. The impact would be less than significant.

- g) *Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

**No Impact.** Any solid material removed during construction would be disposed of in compliance with applicable federal, state, and local statutes and regulations related to solid waste. There would be no impact.

### 3.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

**Less than Significant Impact.** These topics have been addressed above, including issues of biological resources in Section 3.4 and cultural resources in Section 3.5. With respect to plant and wildlife species, the project’s ultimate impact will be beneficial, by nature of restoring native habitat in an area that has been disturbed and used for agriculture for several decades. Based on the scale of the project, potential temporary impacts on several wildlife species during the construction process would not cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Furthermore, construction would be implemented pursuant to the NCCP/HCP, which requires implementation of measures that serve to minimize impacts on plant and wildlife species. Therefore, impacts would be mitigated below a level of significance through adherence to the NCCP/HCP, including by implementing measures specified in Section 3.4. As discussed in Section 3.5, the project would not have an impact on any known historical or archaeological resources related to major periods of California history or prehistory within the project site or in the vicinity of the proposed project. As discussed above in Section 2.2.4, in the event that buried cultural resources or human remains are encountered during any phase of construction, project activities in the vicinity of the resources will be temporarily halted, and the Water Authority will consult a qualified archaeologist to assess the significance of the resource and to provide proper management recommendations.

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Formal consultation pursuant to AB 52 did not identify specific resources known to occur on-site that would be disturbed by project construction. However, based on knowledge of areas used by their ancestors and the stated potential to encounter resources during project excavation, the Water Authority agreed to retain the services of a Native American monitor during project-related earthwork, as discussed above in Section 2.2.4.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

**Less than Significant Impact.** The project is located in a rural part of unincorporated San Diego County featuring sparse residential development and agricultural uses. A review of the County Planning & Development Services current projects website identified one planned County project within a 4-mile radius of the proposed project: the Lilac Hills Ranch project, a proposed master planned community that would consist of a mix of residential, commercial, and institutional uses, along with parks and open space. The proposed 608-acre project site is located in the westernmost portion of the community of Valley Center and the easternmost portion of the community of Bonsall, less than one-half mile from the I-15 corridor and Old Highway 395 (County of San Diego 2018). A Draft EIR was circulated for public review in July 2013 and recirculated in June 2014. Since that time, changes have been made to the environmental analysis; therefore, a Draft Revised EIR was recirculated for public review from February 22, 2018 to April 9, 2018. Construction of the Lilac Hills Ranch project would occur over an 8- to 10-year period in response to market demands and expansion of infrastructure. The northernmost portion of the Lilac Hills Ranch project site is located approximately 1.75 miles southeast of the project site. Based on the timing of the planning and environmental review process, construction of the Lilac Hills Ranch project would likely overlap with construction of the proposed project. However, due to the geographic distance and topographic separation from the project, the Lilac Hills Ranch project would not combine with the proposed project to create considerable cumulative impacts. Construction vehicles for the Lilac Hills Ranch project would access the site via I-15, Old Highway 395, and West Lilac Road while construction vehicles for the project access the project site via I-15 and SR 76. Therefore, project impacts would not combine with the Lilac Hills Ranch project to create significant impacts.

A 1,700-acre regional park is proposed along the San Luis Rey River. The park would be approximately 9 miles in length, parallel to SR 76 from Oceanside to I-15, and would provide a combination of active and passive recreational opportunities and trails while preserving the San Luis Rey River corridor and surrounding land. The County approved the San Luis Rey River Park Master Plan and EIR in September 2008 and has been working to acquire parcels since then. As detailed in the most recent project update in September 2017, the County currently owns 672 acres and will acquire an additional 290 acres in the near future (County of San Diego 2017b). Further, development of the park would occur in three parts, with the part involving the project site occurring last. Based on the timing of the property acquisitions and development, implementation of the San Luis Rey River Park is not anticipated to overlap with construction of the proposed project. Therefore, project impacts would not combine with the San Luis Rey River Park project to create significant impacts.

Construction of the SR 76 East highway widening project (SR 76 East project) was completed in fall of 2017, and ongoing restoration efforts and monitoring will occur over the next several years (TransNet 2018). The SR 76 East project preserved, created, and enhanced approximately 236 acres of wetlands and 1,335 acres of upland habitat. Several mitigation sites were established as part of the SR 76 East project, three of which are located south of SR 76 and just west of the proposed project site along the San Luis Rey River. No conflict is anticipated due to the small amount of traffic

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generated for both the project and the SR 76 East project restoration work. Therefore, project impacts would not combine with the SR 76 East project to create significant impacts.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

***Less than Significant Impact.*** The project's potential to result in impacts on human health have been addressed above, including air quality (Section 3.3), hazards and hazardous materials (Section 3.8), and noise (Section 3.12). As discussed in those sections, the project would not have environmental effects that would cause substantial direct or indirect adverse effects on human beings. Therefore, this impact would be less than significant.

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## SECTION 4.0 DETERMINATION

In conformance with the State CEQA Guidelines, the Water Authority, as lead agency, prepared an Initial Study (IS) and completed an Environmental Checklist Form (see Section 3.0) for the proposed project. The Water Authority has elected to adhere to standards adopted by the applicable local land use and state and federal regulatory agencies and has adopted them as its own for use as thresholds of significance for the proposed project. During the IS process, the Water Authority determined that, unless certain mitigation was implemented, the proposed project could have a significant impact on the following environmental factor: biological resources. The significant impacts warranting mitigation were presented in the IS Checklist and are detailed below in Section 4.1. The project would include the specific measures listed below in Section 4.2, which would mitigate these impacts to below a level of significance. Analysis of all environmental issues is presented in the evaluation portion of the IS Checklist, provided in Section 3.0.

### 4.1 ENVIRONMENTAL IMPACTS REQUIRING MITIGATION

#### 4.1.1 Biological Resources

The project has the potential to result in indirect effects on nine NCCP/HCP covered wildlife species due to the presence of suitable habitat in the impact area. These are the amphibian species arroyo toad, the reptile species Belding's orange-throated whiptail, Coronado skink, and coastal (western) whiptail; riparian avian species southwestern willow flycatcher, least Bell's vireo, yellow warbler, and yellow-breasted chat; and upland mammal species mountain lion. The project's long-term impact on these species would be beneficial, but temporary adverse impacts would include temporary removal of habitat and indirect impacts from construction noise and the presence of construction activity near previously occupied habitat.

### 4.2 MITIGATION MEASURES

Implementation of the NCCP/HCP species-specific conditions of coverage listed below will reduce the identified impacts, including take of listed species, to below a level of significance.

#### 4.2.1 Biological Resources

##### **Arroyo Toad**

In addition to the general Conditions for Coverage (Appendix C, Attachment 5), the Water Authority will incorporate the appropriate species-specific coverage measures as listed below for arroyo toad, Mitigation Measure BIO-1 through BIO-4.

- BIO-1** If construction activities must commence during the arroyo toad breeding and active foraging season (March 1 through June 30), the Water Authority shall conduct ~~minimize impacts through conducting~~ pre-activity surveys for the species prior to the start of construction work ~~occurring at the San Luis Rey River location~~. Extreme weather conditions can cause variations in the breeding season; these conditions would be fully considered when developing a schedule of surveys. Surveys ~~would~~ shall include potential breeding habitat within the impact area and foraging habitat that is contiguous with potential breeding habitat. Additionally, surveys must be conducted by

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an approved Environmental Surveyor and occur under favorable conditions for detection of the species by a permitted Environmental Surveyor.

- BIO-2** If tadpoles, toadlets, or toads are encountered, they shall be moved to the nearest suitable habitat and exclusionary toad fences shall be installed at least 21 days prior to impact to keep toads out of construction areas. A permitted biologist experienced with the identification, handling, and ecology of the arroyo toad, as approved by USFWS, The Environmental Surveyor shall implement and oversee proper execution of the fencing and relocation efforts. For the duration of construction, the Environmental Surveyor shall survey the enclosure on a daily basis early in the morning. To minimize injury to or mortality of individual arroyo toads, the USFWS may authorize qualified project biologists to relocate individual arroyo toads to nearby suitable habitat. All proposed arroyo toad relocations shall be approved by the Wildlife Agencies.
- BIO-3** To ensure that diseases are not conveyed between work sites by the authorized biologist or assistants, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force (DAPTF) shall be followed at all times. The DAPTF fieldwork code of practice is contained in Attachment ~~B-4~~B-3 of the NCCP/HCP.
- BIO-4** Bullfrogs observed during pre-activity surveys that prey upon or displace arroyo toads shall be removed from suitable habitat areas, if possible.

#### **Belding's Orange-Throated Whiptail**

The conditions for coverage for these species include the general Conditions of Coverage (Appendix C, Attachment 5). One additional measure pursuant to the orange-throated whiptail will be incorporated during project implementation as Mitigation Measure BIO-5.

- BIO-5** The Water Authority shall minimize and manage effects from introduced ant species that may exclude the termite prey base during restoration efforts. All nursery stock plants will be checked for non-native ants before installation at restoration sites. Non-native ants that penetrate native habitats appear to be partially supported by artificial irrigation associated with landscaping. Therefore, runoff from mitigation sites in to native habitat would be minimized and managed.

#### **Southwestern Willow Flycatcher and Least Bell's Vireo**

The conditions for coverage for these species include the general Conditions of Coverage (Appendix C, Attachment 5). Five additional measures pursuant to the southwestern willow flycatcher and least Bell's vireo will be incorporated during project implementation as Mitigation Measure BIO-5 through BIO-10, in addition to one measure pursuant to the flycatcher (Mitigation Measure BIO-11) and one pursuant to least Bell's vireo (Mitigation Measure BIO-12).

- BIO-6** The Water Authority shall conduct USFWS protocol surveys for the southwestern willow flycatcher and least Bell's vireo under favorable conditions in areas of potential foraging or breeding habitat or assume occupancy of potential habitat, to ensure that this species is adequately addressed by impact avoidance, minimization, and mitigation. A federally permitted Environmental Surveyor would conduct surveys. If occupancy is assumed, a biomonitor must be on-site during impacts to ensure that no direct take of individuals occurs. Surveys would also be conducted when impacts could

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occur as a result of indirect impacts by placement of the project in or adjacent to occupied habitat or through creation of suitable conditions for brown-headed cowbirds (e.g., agricultural fields, livestock presence, woodland parks, roadsides).

- BIO-7** The Water Authority shall minimize impacts through timing of work in riparian habitat to avoid the nesting season for riparian avian species whenever possible, or ensure that habitat is removed prior to the initiation of the riparian avian breeding season.
- BIO-8** The Water Authority shall prohibit direct take of southwestern willow flycatcher and least Bell's vireo individuals and destruction of southwestern willow flycatcher and least Bell's vireo nests within an active territory.
- BIO-9** For temporary impacts to occupied southwestern willow flycatcher habitat and least bell's vireo habitat, the work site shall be returned to preexisting contours, where appropriate, and revegetated with appropriate native species. Revegetation specifications shall ensure creation and restoration of riparian vegetation suitable for southwestern willow flycatcher. All revegetation plans shall require written concurrence of the Wildlife Agencies.
- BIO-10** Where feasible for any wetland creation and/or restoration projects, the Water Authority shall maintain structural elements that provide age class and structure diversification for the project area to help promote the expansion of existing, or establishment of new, southwestern willow flycatcher and least Bell's vireo populations.
- BIO-11** If construction activities must commence during the riparian avian breeding season (March 15 through September 15), the Water Authority shall minimize impact through conducting southwestern willow flycatcher nest surveys within 300 feet of all proposed activities. If active nests are encountered, no Covered Activities shall be implemented within a minimum distance of 100 feet of the nest. A greater setback (up to 300 feet) may be required, as determined by the Environmental Surveyor, based on the site-specific considerations, phase of the nesting cycle, and species or other biological considerations.
- BIO-12** If construction activities must commence during the riparian avian breeding season (March 15 through September 15), the Water Authority shall minimize impact through conducting least Bell's vireo nest surveys within 300 feet of all proposed activities. If active nests are encountered and construction activities must occur during the riparian avian breeding season, noise levels from human activities at the nest shall be restricted to less than 60 dB(A)  $L_{eq}(1)$  or the ambient noise level plus 3 decibels (perceptible change threshold), whichever is greater. The Environmental Surveyor shall monitor noise levels and provide monitoring reports to the Water Authority to be included in the annual reports. Noise levels in excess of this threshold shall require consultation with the Wildlife Agencies and may require additional minimization measures (e.g., sound barriers).

### **Yellow Warbler and Yellow-Breasted Chat**

In addition to the general Conditions for Coverage (Appendix C, Attachment 5), the Water Authority will incorporate the appropriate species-specific coverage measures as listed below for yellow warbler and yellow-breasted chat, Mitigation Measure BIO-13.

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**BIO-13** If construction activities must commence during the riparian avian breeding season (March 15 through September 15), minimize impacts through conducting nest surveys within 300 feet of all proposed activities. If active nests are encountered, no Covered Activities shall be implemented within a minimum distance of 100 feet of the nest. A greater setback (up to 300 feet) may be required, as determined by the Environmental Surveyor, based on the site-specific considerations, phase of the nesting cycle, and species or other biological considerations.

#### **Coronado Skink, Coastal (Western) Whiptail, and Mountain Lion**

The Water Authority will incorporate applicable general Conditions for Coverage for Coronado skin, coastal (western) whiptail, and mountain lion (see Appendix C, Attachment 5). There are no species-specific conditions for coverage for these species.

### **4.3 AUTHORITY TO PREPARE A MITIGATED NEGATIVE DECLARATION**

As provided in the State CEQA Guidelines Section 15070 (Title 14 California Code of Regulations), an MND may be prepared for a project subject to CEQA when an IS has identified potentially significant effects on the environment, but revisions to the project have been made so that clearly no significant effect on the environment will result from project implementation. The Water Authority is the lead agency and is responsible for the planning and construction of this proposed infrastructure improvements project. Based on the findings of the IS/Environmental Checklist Form prepared for this project (Section 3.0 of this document), the Water Authority has determined that preparation of an MND is the appropriate method to present environmental review of the proposed project in compliance with CEQA.

### **4.4 PREPARERS OF THE MITIGATED NEGATIVE DECLARATION**

This MND was prepared by AECOM, 401 West A Street, Suite 1200, San Diego, CA 92101. The following AECOM professionals contributed to its preparation:


Alex Hardy – Project Manager  
Erin Murphey – Environmental Planner  
Bill Graham – Project Director, QA/QC Review  
Paola Pena – Air Quality Specialist  
Andrew Fisher – Biologist  
Amy Gardner – Water Quality Specialist  
Peter Augello – GIS Specialist  
Therese Tempereau – Technical Editor  
Marisa Fabrigas – Word Processor  
Robin Rice – Word Processor



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#### 4.5 RESULTS OF PUBLIC REVIEW (TO BE COMPLETED WITH FINAL MND)

- ( ) No comments were received during the public input period.
- ( ) Comments were received during the public input period, but they did not address the Draft Mitigated Negative Declaration findings or the accuracy or completeness of the Initial Study. No response is necessary. The letters are attached.
- (x) Comments addressing the findings of the Draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period.

  
Signature *FOR*

Toby Roy  
Water Resources Manager  
San Diego County Water Authority

June 8, 2018  
Date of Draft MND

August 3, 2018  
Date of Final MND

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## SECTION 5.0

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## **SECTION 6.0**

### **DRAFT MND PUBLIC REVIEW AND RESPONSE TO COMMENTS**

The Draft MND for the San Luis Rey Habitat Management Area Restoration Project was prepared by the Water Authority and circulated for a minimum 30-day public review beginning June 8, 2018, and ending July 9, 2018. A Notice of Intent (NOI) to adopt an MND was published in *The San Diego Union-Tribune* on June 8, 2018, and was mailed to residences and occupants of buildings within a 600-foot radius of the project site. Copies of the Draft MND and the supporting technical appendices were made available for review at the Water Authority and the Fallbrook Branch of the San Diego County Library. An electronic version of the Draft MND and appendices was also made available for review and download from the Water Authority's website: <https://www.sdcwa.org/documents-public-comment>. A public hearing to take testimony on the adequacy of the Draft MND was held at the regular meeting of the Water Authority's Board of Directors (Water Authority Board) on June 28, 2018. The Water Authority received comment letters from three parties in response to issuance of the Draft MND: California Department of Fish and Wildlife, Pala Tribal Historic Preservation Office, and County of San Diego Planning and Development Services.<sup>6</sup> No speakers offered testimony on the Draft MND during the June 28, 2018, hearing.

This Final MND has been prepared in accordance with the requirements of CEQA (California Public Resources Code Section 21000, et seq., [as amended December 2017]) and the State of California CEQA Guidelines, as amended September 27, 2016 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The purpose of the Final MND is to provide the lead agency's decision-making body (in this case the Water Authority Board), responsible and trustee agencies, and the public with information on the proposed project and its environmental impacts. The Water Authority Board must consider the information contained in this Final MND, including comments received during the public review period, prior to approving the proposed project.

This section of the Final MND includes copies of each comment letter received in response to the Draft MND and the Water Authority's responses to the comment letters. Each letter has been assigned a number, as listed below, and comments raised in the respective letters have been assigned a number, as indicated with binomial brackets in the margin of the comment letter page. Responses to the comments are numbered accordingly. All comment letters have been reproduced on the pages preceding the corresponding responses. The names of the organizations commenting on the Draft MND are provided below to assist in the location of comment letters and responses.

#### **DRAFT MND COMMENT LETTERS**

##### **State Agencies**

California Department of Fish and Wildlife, dated July 9, 2018 (letter #1)

##### **Tribal Entities**

Pala Tribal Historic Preservation Office, dated June 15, 2018 (letter #2)

##### **Local Agencies**

County of San Diego Planning and Development Services, dated July 19, 2018 (letter #3) (late submittal)

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<sup>6</sup> The County of San Diego Planning and Development Services comment letter was received 10 days after the close of the public review period, but the letter has been included in the Final MND.

## DRAFT MND COMMENT LETTER #1

California Department of Fish and Wildlife, dated July 9, 2018



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



COMMENT LETTER 1

SDCWA RECEIVED

JUL 09 2018

WATER RESOURCES

July 9, 2018

Mr. Don Chadwick  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, California 92123

**Subject: Notice of Proposed Mitigated Negative Declaration for the San Luis Rey Habitat Management Area Restoration Project, San Diego County Water Authority (SCH# 2018061020)**

Dear Mr. Chadwick:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Mitigated Negative Declaration (MND). The comments and recommendations provided herein are based on the information provided in the MND and appendices and our knowledge of sensitive and declining vegetation communities in the area.

CDFW is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the State's biological resources, including rare, threatened, and endangered plant and animal species pursuant to the California Endangered Species Act (Fish and Game Code §2050 *et seq.*) and other sections of the Fish and Game Code. CDFW also administers the Natural Community Conservation Planning (NCCP) program (Fish and Game Code 2800, *et seq.*). In 2011, the U.S. Fish and Wildlife Service and CDFW issued their respective permits for the San Diego County Water Authority (SDCWA) NCCP/HCP.

The approximately 48-acre project site is owned by SDCWA, and is located in the San Luis Rey River Valley, in north-central San Diego County. The San Luis Rey Habitat Management Area (HMA) is identified in Section 6.8.2.2 of the NCCP/HCP as a wetland establishment site that is part of the SDCWA NCCP/HCP Preserve Area. Development of habitat restoration on the project site is intended to establish mitigation credits for NCCP/HCP Covered Activities' impacts to Covered Species and sensitive wetland habitats. SDCWA's current plan for restoration on the site, as described in the San Luis Rey HMA Wetland Restoration Plan (AECOM 2017a), is included as Appendix A of the MND. The project would result in a different habitat configuration than that originally projected in the NCCP/HCP, resulting in an associated adjustment in proposed restored habitat acreages, but is generally consistent with the concept identified in the NCCP/HCP. The MND notes that the change in acreage is anticipated to be processed as part of a Minor Amendment to the NCCP/HCP, pursuant to NCCP/HCP Section 8.3. The project proposes to include: Southern Sycamore Woodland Riparian Creation/Restoration (2.05 acres) and Enhancement (3.23 acres) for a total of 5.28 acres; Southern Cottonwood Willow Riparian Forest Riparian Creation (6.48 acres), Enhancement (5.70 acres), and Preservation (0.99 acre) for a total of 13.16 acres; Southern Coast Live Oak Riparian Forest Riparian Creation/Restoration (1.91 total acres), and Arrowweed Scrub Riparian Preservation (0.38 acre), resulting in a total of 20.73 acres of riparian habitat on site. The project will also include Coast Live Oak Woodland Upland Creation/Restoration (20.91 acres). The project proposes to result in a total of 41.64 acres of habitat credits to be available to mitigate impacts from future projects.

*Conserving California's Wildlife Since 1870*



The project will temporarily impact 1.48 acres of sensitive habitats, which will be revegetated per the restoration plan; therefore, the project is considered to be self-mitigated. Special status species that are present or have a high likelihood to be present include: arroyo toad (*Anaxyrus californicus*), least Bell's vireo (*Vireo bellii pusillus*), and southwestern willow flycatcher (*Empidonax traillii extimus*). The only proposed permanent impacts from the project are to non-sensitive Tier IV habitats, which include developed, orchards and vineyards, and extensive agriculture; these impacts are necessary to provide for utility and site access, and do not require mitigation.

CDFW offers the following comments and recommendations to assist SDCWA in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with all applicable requirements of the approved NCCP/HCP.

*Land Transfer*

1. Although the MND mentions the three-way land transfer among Caltrans, the County of San Diego (County), and SDCWA, none of the figures in the MND fully depict all parcels to be transferred. Please include a figure that fully identifies lands to be transferred and acquired among the three agencies. Additionally, it is not clear what the longer-term fate is for the southern end of the triangle-shaped area that extends across to the southern bank of the river. The Biological Technical Report (BTR) notes that this acreage will not be included in the restoration, but it is not clear if this land will be transferred as part of the agreement. CDFW recommends that this area be transferred to the County due to the differing goals of the SDCWA HMA and the County Park. Additionally, CDFW recommends that SDCWA consider alternatives that can be implemented if the land transfer is unsuccessful.

1-1

*Specific Conditions of Coverage for Covered Species*

2. Mitigation Measure BIO-2 for arroyo toads states that the "Environmental Surveyor shall implement and oversee proper execution of the fencing and relocation efforts." CDFW recommends that the Environmental Surveyor be approved by the U.S. Fish and Wildlife Service to handle arroyo toads.
3. The Mitigation Measures for southwestern willow flycatcher and least Bell's vireo omit the third measure of conditions for coverage in Appendix B of the NCCP/HCP for these species, which calls for cowbird trapping. A provision for cowbird trapping should be included as part of the Preserve Area Management Plan (PAMP), which is discussed further below. Although some of the site will not be suitable for both species immediately following the onset of restoration, there are existing acres of suitable habitat on site that will not be directly impacted by the proposed project, and surveys have shown that these species occupy the site and adjacent areas. Therefore, CDFW recommends cowbird trapping, if warranted, during site preparation and maintenance, especially in areas adjacent to prior equestrian use, to enhance the area for these species as suitable habitat develops.

1-2

1-3

*San Luis Rey HMA Restoration Plan*

4. The Restoration Plan notes that further soil analysis is necessary to characterize contaminants within the site, but the Water Quality Technical Report (Appendix F)

1-4

Mr. Don Chadwick  
San Diego County Water Authority  
July 9, 2018  
Page 3 of 3

states that contaminants are within reporting limits. Please update the Restoration Plan to reflect the results of the most recent contaminants analyses.

1-4  
cont.

5. The HMA site extends into active water channels within the San Luis Rey River. CDFW recommends an analysis of the potential to create arroyo toad breeding habitat within this section of the HMA. Viable breeding habitat has the potential to significantly increase the site's arroyo toad population.

1-5

6. The Restoration Plan, on page 70 of Appendix A, discusses coordination with SDG&E, as well as existing easements and water rights that are listed on the title report for the property. However, it does not discuss the outcomes of coordination or status of vacating many of these easements, or how they may impact the project or long-term maintenance of the site if it is not possible to vacate easements. Please update the Restoration Plan to include a conclusion of these outstanding issues prior to implementation.

1-6

#### *Long-term Management*

7. The MND does not discuss long-term management of the site once the restoration success criteria are met and after the 5-year maintenance and monitoring is complete. Sections 5.3 and 6.11 of the NCCP/HCP call for the development of a PAMP for the site within 2 years of approval. Although impacts to covered species are addressed by the plan for ongoing maintenance of the site, CDFW requests to review and approve the PAMP, per NCCP/HCP requirements, once it is developed. Additionally, CDFW recommends that the long-term manager be a suitable entity for habitat management for species preservation, and one that has successfully completed the Due Diligence process for the State. The PAMP should also include specific adaptive management planned responses for reasonably foreseeable events, such as invasive pests such as shot-hole borers, fire, and extended drought that would negatively impact the site and its ability to support sensitive species. The PAMP should also include monthly patrols for illegal access on the site.

1-7

8. CDFW recommends that public access be prohibited from the HMA site to ensure habitat quality for covered species. The long-term management plan should include specific measures to deter public access.

1-8

We appreciate the opportunity to review and comment on San Luis Rey HMA MND and associated documents. If you have questions regarding this letter, please contact Environmental Scientist Elyse Levy of the Department at (858) 467-4237 or [Elyse.Levy@wildlife.ca.gov](mailto:Elyse.Levy@wildlife.ca.gov).

Sincerely,



Gail K. Sevens  
Environmental Program Manager  
South Coast Region

ec: State Clearinghouse  
Karen Goebel, U.S. Fish and Wildlife Service, Carlsbad

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## RESPONSE TO COMMENT LETTER #1

### California Department of Fish and Wildlife

- 1-1 A figure depicting the prospective land transfer between the County, Caltrans, and the Water Authority has been incorporated into the Final MND (see new Figure 3, which results in renumbering subsequent figures in the Final MND). The Water Authority has been in ongoing discussions with the County and Caltrans regarding the three-way land transfer, and all parties have expressed a high degree of interest in solidifying this deal; therefore, it is very likely to occur, and incorporating an alternative HMA layout into the mitigation plan is not warranted at this time. The Water Authority transfer to Caltrans is governed by an existing agreement between the two agencies, and Caltrans constructed the realigned SR 76 on Water Authority property, assured of the transfer of real property interest to the subject property. Should the County back out of the agreement, terminating the three-way transfer, the Water Authority would likely complete a two-way transaction with Caltrans whereby a piece of land on the northern bank of the San Luis Rey River and adjacent to the current Water Authority ownership would be identified for transfer to the Water Authority, in exchange for the land given to Caltrans for the highway realignment. If necessary, this change would be incorporated into a revision of the restoration plan prior to finalization, which would be circulated to CDFW and USFWS. The Water Authority would consider whether this change warranted an addendum to the Final MND, or recirculation of a revised Draft MND.

The small triangle-shaped area that extends across to the southern bank of the San Luis Rey River would be excluded from restoration activity and would not be functionally managed like the rest of the project site, as shown in Figure 4 of the Final MND (Figure 3 of the Draft MND). This piece of land will be omitted from the HMA boundaries and is not proposed for mitigation credit. It is likely that the Water Authority would consider transferring this land to the County under a separate transfer agreement, once the three-way land transfer referenced above is finalized. Discussion of this small piece of land, as well as the thin sliver of Water Authority land south of the river's southern bank and adjacent to the Rancho Monserate golf course, has been revised in Section 2.1.2 of the Final MND to clarify their omission from project-related restoration activities and the Water Authority's HMA boundaries.

- 1-2 Mitigation Measure BIO-2 has been revised to incorporate the requirement that the arroyo toad fencing and exclusion must be conducted by a permitted biologist approved by USFWS. This mirrors detail in Section 5.1.3 of NCCP/HCP Appendix B, which was inadvertently omitted from the mitigation measure text appearing in the Draft MND. In reviewing the text of this measure, the Water Authority identified additional clarification needed in measure BIO-1, so that text has been revised, as well. These revisions have also been made in the Biological Resources Summary Report (Appendix C of the Final MND).
- 1-3 As required by the NCCP/HCP, cowbird trapping provisions will be incorporated into the project's Preserve Area Management Plan (PAMP), which will be prepared during the subsequent design/permitting phase and provided to the Wildlife Agencies for review and approval. Section 7.2.3 and Section 7.4.3 of NCCP/HCP Appendix B, addressing southwestern willow flycatcher and least Bell's vireo, respectively, identify the following condition of coverage for these species: "Monitoring and control of cowbirds shall be incorporated into preserve management plans. Southwestern willow flycatcher nests shall be monitored for cowbird nest parasitism within preserves. If nest parasitism rates exceed 10 percent, a cowbird trapping plan shall be developed and implemented." Section 2.5 of NCCP/HCP Appendix B allows selection of biologically superior alternatives, stating "In the event that an alternative species-specific management action

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should be identified and developed that the Water Authority and Wildlife Agencies deem biologically equivalent or superior, that alternative may be implemented in lieu of otherwise identified Plan management measures.” The Water Authority will continue to discuss appropriate measures for cowbird control with the Wildlife Agencies as project planning and permitting progress.

- 1-4 The Water Authority will continue to update the project’s restoration plan document in coordination with the Wildlife Agencies as project design is finalized, and will incorporate revisions pursuant to this comment. Section 9.2, Site Conditions Assessment, of the restoration plan will be updated with the current soil analysis results as discussed in the Hazardous Materials Sampling and Analysis Letter Report, Appendix E of the MND, and that report will be incorporated into the restoration plan as an attachment. Revised Section 9.2 (7<sup>th</sup> paragraph), which will be incorporated into the final restoration plan, is shown below in strikethrough and underline text.

The project will entail grading that will redeposit soil on-site, so a soil sampling program ~~should be considered was conducted~~ during the ~~design and permitting~~ CEQA review process, in accordance with recommendations of the Phase II ESA. ~~In addition, it is possible that agricultural chemicals and petrochemical presence in on-site soil could be a concern for regulatory agencies approving and permitting this restoration plan, and several years have passed since the soil sampling data were collected, with intensive agricultural use continuing in the intervening years. Therefore, the Water Authority should be prepared to prepare and implement a Sampling and Analysis Plan to characterize soil contaminants within the site.~~ AECOM conducted soil testing and analysis to investigate the potential presence of pesticides and herbicides associated with historic agricultural use of the project site, and prepared the San Luis Rey Habitat Management Area Hazardous Materials Sampling and Analysis Letter Report (hazardous materials report), dated March 2018, which is included as Attachment D. The hazardous materials report also evaluated trench-excavated samples of rock and soil materials located on the southern edge of the excavation area, adjacent to the San Luis Rey River, to characterize the material and estimate quantity for potential off-site disposal purposes. This area features several debris piles placed on top of the river bank.

A total of 53 soil samples (43 from 12 boring locations in the excavation area and one each from 10 trench observation excavations within the southern edge of the excavation area) were collected. Based on the analytical results of the soil boring samples, pesticides and herbicides were not detected above their respective thresholds in any of the samples analyzed. Therefore, excavating material and placing it in other areas of the site would not unearth hazardous materials. Since these chemicals were not detected in the sample analysis, no significant downstream transport of chemicals would occur.

Based on the analytical results of the trench samples collected along the southern edge of the excavation area, low concentrations of petroleum hydrocarbons were detected in one soil sample, indicative of waste oil. This appears consistent with the construction debris observed at the same location. Therefore, it is possible that similar pockets of construction debris with similar concentrations of petroleum hydrocarbons may be present at other locations within the piles. However, small quantities of soil with low concentrations of petroleum hydrocarbons, such as those reported on-site, are typically profiled as nonhazardous and acceptable at an appropriate landfill. Similarly, low concentrations of metals were detected in all the soil samples analyzed; therefore, there is no reason to suspect unusual concentrations of metals were introduced to the site from historical use. Upon comparison with the federal

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Resource Conservation and Recovery Act and California hazardous waste criteria, the tested material is not considered hazardous.

Because additional adjustments to the plan are expected during the project's next phase, and because the Water Authority feels the version of the restoration plan included in the Draft MND is adequate for purposes of CEQA review, the Water Authority is electing not to update the plan document at this time, for incorporation in the Final MND. This will simplify the Water Authority's iterative effort and limit potential confusion with different public versions of the document in circulation. The Water Authority looks forward to continued conversation with the CDFW as the plan is finalized.

- 1-5 As currently designed, and consistent with the NCCP/HCP approach to wetland HMAs, the project is intended to enhance the river's natural ecosystem, which currently supports dense growth of riparian woodland in the vicinity of the Water Authority's HMA property. The NCCP/HCP (Section 8.5.1.1) considers flooding within the wetlands HMAs as a periodic and generally desirable event. Flooding is part of any river's dynamic ecology, and can result in establishment of new primary and secondary channels and abandonment of other channels. It may also result in redistribution of wetland and riparian communities within the floodplain, and multiple age classes of vegetation patches within the floodplain. This natural occurrence can support the kinds of open, sandy areas favored by arroyo toad for breeding, until, through habitat succession, the area reverts to denser habitats favored by other covered species. As discussed above in the response to comment 1-4, the Water Authority will continue revising the restoration plan in conversation with the Wildlife Agencies as project design is finalized. Because this CDFW comment is a design recommendation and not a suggestion of mitigation for the project's impact on the environment, and because a design such as is suggested in this comment is not anticipated in the NCCP/HCP, the Water Authority does not feel it is necessary to adjust the mitigation plan and MND to incorporate this change at the current stage of the CEQA process.
- 1-6 Coordination with SDG&E and consideration of the disposition of other on-site easements and water-rights matters will be conducted during the next phase of project design and permitting. Based on our current understanding of on-site easements, the Water Authority does not anticipate any significant constraints to effective implementation, maintenance, or management of the HMA restoration such that major changes in the project would be required. Accordingly, additional detail on this topic is not warranted in order to finalize and adopt the MND pursuant to CEQA obligations. The Water Authority will continue to update the restoration plan in coordination with the Wildlife Agencies as project design is finalized, and, as suggested in this comment, the Water Authority will reach a conclusion of these issues prior to project implementation.
- 1-7 Once the restoration plan is finalized and approved by the Wildlife Agencies, the Water Authority will prepare a Preserve Area Management Plan (PAMP) pursuant to Sections 5.3 and 6.11 of the NCCP/HCP, which will also be subject to Wildlife Agency approval. The Water Authority will review the NCCP/HCP requirements, consider the content of this comment, and consult the Wildlife Agencies as the PAMP is developed. Section 2.1.2 has been revised in the Final MND to incorporate reference to PAMP preparation and ongoing management of the HMA after completion of the 5-year maintenance and monitoring period has been completed.
- 1-8 The project site is Water Authority property that is not currently accessible to the public, and the Water Authority does not intend to incorporate public access into its restoration project design. However, the County Parks and Recreation Department (DPR) has indicated a preference to incorporate public trails within the Water Authority property, in accordance with their *San Luis Rey River Park Master Plan* (Park Master Plan). As stated in Section 1.3 of the MND, one of the

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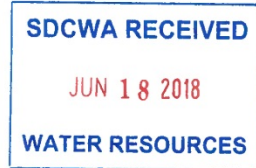
project objectives is to omit existing trails on the south side of the San Luis Rey River from the HMA and the restoration effort. These trails are not currently publicly accessible but are likely to become part of a regional County network. They are outside the area intended for habitat restoration and are not anticipated to have a negative effect on long-term health of the Water Authority's HMA. Future discussions with the Water Authority, the Wildlife Agencies, and the County would shape public access limitations across the HMA. Public access and prevention of such access will be covered in the PAMP.



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## DRAFT MND COMMENT LETTER #2

Pala Tribal Historic Preservation Office, dated June 15, 2018



### PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road  
Pala, CA 92059  
760-891-3510 Office | 760-742-3189 Fax



PALA THPO

June 15, 2018

### COMMENT LETTER 2

Don Chadwick  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123

Re: MND for San Luis Rey Habitat Management Area Restoration Project

Dear Mr. Chadwick:

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. It is, however, within the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we request to be kept in the information loop as the project progresses and would appreciate being maintained on the receiving list for project updates, reports of investigations, and/or any documentation that might be generated regarding previously reported or newly discovered sites. Further, recommend archaeological monitoring given the proximity of known cultural and historic resources. If the project boundaries are modified to extend beyond the currently proposed limits, we request updated information and the opportunity to respond to your changes.

2-1

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at [sgaughen@palatribe.com](mailto:sgaughen@palatribe.com).

Sincerely,

Shasta C. Gaughen, Ph.D.  
Tribal Historic Preservation Officer  
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO SHASTA C. GAUGHEN AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Consultation letter 2a

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## **RESPONSE TO COMMENT LETTER #2**

### **Pala Tribal Historic Preservation Office**

- 2-1 The Pala Band provided a similar letter in response to the Native American contact program initiated for the Archaeological Survey Report (ASR), so the content of the June 15, 2018, letter was considered in initial development of the ASR and Draft MND.

The Water Authority will honor this request to notify the Pala Band regarding project updates relevant to cultural resources. As discussed in Section 2.2.4 of the MND, the Water Authority will develop and implement a cultural resources monitoring plan for the project's excavation phase, in coordination with the Native American tribes that expressed interest in the project during the AB 52 consultation process. The Pala Band did not request consultation pursuant to AB 52, but the Water Authority will keep the Pala Band informed of developments related to the Native American monitoring plan.



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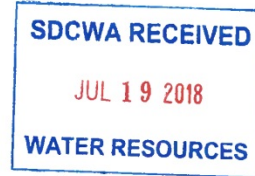
## DRAFT MND COMMENT LETTER #3

County of San Diego Planning and Development Services, dated July 19, 2018

COMMENT LETTER 3



County of San Diego



MARK WARDLAW  
DIRECTOR

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 694-2962 • Fax (858) 694-2555  
[www.sdcountry.ca.gov/pds](http://www.sdcountry.ca.gov/pds)

KATHLEEN A. FLANNERY  
ASSISTANT DIRECTOR

July 19, 2018

Don Chadwick  
Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123

Via e-mail to: [dchadwick@sdewa.org](mailto:dchadwick@sdewa.org)

**REQUEST FOR COMMENTS ON THE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE SAN LUIS REY HABITAT MANAGEMENT AREA RESTORATION PROJECT FOR THE SAN DIEGO COUNTY WATER AUTHORITY**

Mr. Chadwick,

The County of San Diego (County) reviewed the San Diego County Water Authority's (SDCWA) Notice of Intent to Adopt a Mitigated Negative Declaration for the San Luis Rey Habitat Management Area (HMA) Restoration Project, dated June 8, 2018 (Project).

The County appreciates the opportunity to review the Project and offers the following comments for your consideration. Please note that none of these comments should be construed as County support for this Project.

**PARKS AND RECREATION**

The Department of Parks and Recreation (DPR) reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) and have the following comments:

1. Section 1.3:
  - a. The IS/MND states the following objective of the Project: *"Omit existing trails on the south side of the San Luis Rey River from the HMA."* The IS/MND is unclear as to whether the existing trails on the south side of the San Luis Rey River are to be excluded from the boundary of the Project or if the trails on the south side of the river will be eliminated as part of the proposed Project. The existing trails south of the San Luis Rey River and south of the proposed Project area largely fall on county-owned land. These trails will be part of the county's San Luis Rey River Park. Please clarify that the subject trails will be outside the HMA boundary and remain in place.

3-1

2. Section 2.1.2:

- a. The IS/MND states: *"At SDG&E electric line corridors, a 40-ft wide area would be planted with a reduced 'coast live oak understory' plant palette, which would lack any tall growing vegetation, and ensure that planted oak trees, once they mature, do not interfere with the line's overhead clearance."* The County has been in discussions with SDCWA to acquire a trail easement over the existing utility easement as a potential replacement to the loss of existing trails on the northern bank of the San Luis Rey River. Furthermore, the limits of the San Diego Gas & Electric (SDG&E) easement should be depicted in the Project area maps. The IS/MND should discuss the potential for the SDG&E easement to provide a trail connection for the San Luis Rey River Park.

3. Section 3.10:

- a. The County disagrees with the determination that the proposed Project is consistent with the San Luis Rey River Park Master Plan (Master Plan). Although the Master Plan identifies a habitat restoration component on the subject property, the restoration component is a small portion of what was envisioned for the property. As the IS/MND states, the Master Plan (A13 Concept Plan) also included an active recreation site on the property, as well as a multi-use trail through the property, which is not mentioned in the IS/MND. The loss of the trails on this property will result in an impact to the goals of the Master Plan of providing a continuous trails along the north side of the San Luis Rey River. The County requests that the SDCWA work with County staff to provide a trail connection through the subject parcel.
- b. The development of the Project directly adjacent to the County's proposed active recreation site planned for the property adjacent to the southern boundary of the SDCWA property may create significant obstacles to the proposed active recreation site south of the proposed Project area. DPR requests that the SDCWA work with DPR staff to ensure the goals of both the Project and the Master Plan are met.

3-1  
cont.

4. Section 3.14.d:

- a. DPR disagrees with the determination of *No Impact*. The IS/MND fails to analyze the loss of informal trails along the northern boundary of the San Luis Rey River through the Project site. Although these trails are not formal trails, area residents have long been using informal trails within the San Luis Rey River corridor. The loss of these existing informal trails may result in the need to identify and construct a new trail alignment to complete the trail system on the north side of the San Luis Rey River, resulting in potential impacts to habitat. Formalizing existing informal trails will result in the least impact to the environment while providing a passive recreational opportunity to the public. The IS/MND should include a discussion of the potential impacts associated with identifying and implementing alternative trail alignments north of the San Luis Rey River.

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Mr. Chadwick  
July 19, 2018  
Page 3

#### FLOOD CONTROL

1. The Project proposes cut and fill within the FEMA-mapped floodplain and County-mapped floodway/floodplain of the San Luis Rey River. The Project is required to comply with the County's Flood Damage Prevention Ordinance (FDPO) and Federal Emergency Management Agency (FEMA) Regulations. A No-Rise analysis and certification is required in accordance with FDPO Section 81.506.
2. A County Letter of Map Revision/Letter of Map Revision (CLOMR/LOMR) processed through the County Flood Control Department and FEMA is required for proposed changes to the FEMA-mapped San Luis Rey River in accordance with FDPO Section 811.503(b).

3-2

The County appreciates the opportunity to comment on this Project. We look forward to receiving future documents related to this Project and providing additional assistance at your request. If you have any questions regarding these comments, please contact Timothy Vertino, Land Use / Environmental Planner, at (858) 495-5468, or via e-mail at [timothy.vertino@sdcounty.ca.gov](mailto:timothy.vertino@sdcounty.ca.gov).

Sincerely,



Eric Lardy, AICP  
Group Program Manager, Advance Planning Division  
Planning & Development Services

E-mail cc:     Darren Gretler, Chief of Staff, Board of Supervisors, District 5  
                  Vincent Kattoula, CAO Staff Officer, LUEG  
                  Timothy Vertino, Land Use / Environmental Planner, PDS  
                  Emmet Aquino, Park Project Manager, DPR  
                  Lorrie Bradley, Land Use / Environmental Planner, DPR  
                  Jeff Kashak, Land Use / Environmental Planner, DPW  
                  Greg Carlton, Sr. Civil Engineer, Flood Control Engineering, DPW

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## RESPONSE TO COMMENT LETTER #3

### County of San Diego Planning and Development Services

- 3-1 The Water Authority is aware of DPR's Park Master Plan, which is addressed in the MND, and is aware of DPR's plan to develop an active park on the south side of the San Luis Rey River, adjacent to the project site, along with their desire to maximize trail development throughout the master plan area. The habitat restoration project reviewed in the MND was originally introduced in concept to the public in the Water Authority's NCCP/HCP EIR, and the Water Authority and the County have been in discussions for many years regarding the agencies' respective objectives in the river valley. From 2007 to 2009, after adoption of the Park Master Plan and before adoption of the NCCP/HCP, Water Authority and County staff held several meetings concerning DPR's desire to develop an active park on the Water Authority-owned property, with a prospective land swap to provide equivalent property to the Water Authority in return. The meetings concluded that the presence of the Second San Diego Aqueduct constrained the site to such an extent that DPR dropped this proposed swap and focused its efforts south of the San Luis Rey River. The Water Authority continued to plan an HMA on the site, and incorporated that concept into its NCCP/HCP. The Water Authority anticipates continued coordination with DPR on our respective projects going forward, starting with progression of the land-transfer agreements referenced in the MND. Additional clarification regarding the Water Authority's intentions in dealing with land south of the river's southern bank is provided in the response to comment 1-1, and associated revisions to the MND referenced in that response.

Additional comments in this letter express DPR's opinions on statements in the MND regarding compatibility of the Water Authority's restoration project with certain aspects of the Park Master Plan. The Water Authority does not believe that any revisions to the MND are warranted based on these comments, but remains committed to continuing productive conversations with DPR as our two agencies balance our respective interests. The Water Authority is willing to continue discussions with DPR regarding a County trail on the north side of the San Luis Rey River, co-located within the on-site SDG&E easement. However, we believe it premature to commit to a specific trail alignment at this point, based on our understanding of Wildlife Agency general concerns regarding trail establishment within HMAs, and the need for input from multiple parties to establish a workable alignment. The Water Authority would also like to clarify that we are unaware of any *de facto* public trails located on our property, and if they did or do exist, to add that such a use on government-owned property doesn't establish a legal right to their continued use.

- 3-2 As discussed in Section 2.1.2 of the MND and shown in Table 3 of the MND, the MND acknowledges that the project would be required to obtain a No-Rise Certification. The Water Authority is familiar with this process and the procedural details referenced in the letter regarding approval of a No-Rise Certification.