

# FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SAN DIEGO COUNTY WATER AUTHORITY MISSION TRAILS FRS II, PIPELINE TUNNEL, AND VENT DEMOLITION PROJECT SCH#2005041025

VOLUME 3 OF 3 Comments, Responses to Comments, and Errata August 2006

Prepared for:





## FINAL ENVIRONMENTAL IMPACT REPORT

#### FOR THE

### SAN DIEGO COUNTY WATER AUTHORITY MISSION TRAILS FRS II, PIPELINE TUNNEL, AND VENT DEMOLITION PROJECT

SCH# 2005041025

VOLUME 3 OF 3

COMMENTS, RESPONSES TO COMMENTS, AND ERRATA

**AUGUST 2006** 

#### **LEAD AGENCY:**

SAN DIEGO COUNTY WATER AUTHORITY 4677 OVERLAND AVENUE SAN DIEGO, CALIFORNIA 92123

#### PREPARED BY:

TIERRA ENVIRONMENTAL SERVICES, INC. 9915 BUSINESSPARK AVENUE, SUITE C San Diego, CA 92131

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# SECTION A INTRODUCTION TO THE FINAL EIR

## SECTION A INTRODUCTION TO THE FINAL EIR

#### 1. Final EIR Contents

The Final Environmental Impact Report (EIR) for the proposed Mission Trails FRS II, Pipeline Tunnel, and Vent Demolition Project complies with all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Section 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.), and the San Diego County Water Authority's (Water Authority) implementing requirements. This document, Volume 3 of the Final EIR, consists of the following sections:

<u>Section A - Introduction to the Final EIR</u>: This section provides a description of the Final EIR contents and process.

<u>Section B - Responses to Comments on the Draft EIR</u>: This section provides the comment letters on the Draft EIR that were received during and after the 45-day public review period, as well as the Water Authority's responses to each comment.

<u>Section C - Errata</u>: This section documents specific changes to the Draft EIR that are to be considered part of the Final EIR. This includes corrections to the information in the Draft EIR to reflect the responses to comments in Section B of the Final EIR, as well as other corrections to the Draft EIR, pursuant to Section 15088(c) of the CEQA Guidelines. Additional information provided in the responses to comments on the Draft EIR is not reflected in the Errata to the Draft EIR. Such additional information is part of the Final EIR, however, and will be considered in the decision-making process.

#### 2. Overview of the EIR Process

A Notice of Preparation (NOP) identifying the scope of the EIR was circulated by the Water Authority for public review between April 5, 2005 and May 5, 2005. Letters addressing the scope of the EIR were received from the California Department of Fish and Game, Native American Heritage Commission, State of California Department of Health Services, County of San Diego Department of Parks and Recreation, Sweetwater Authority, City of San Diego Land Development Review Division, San Diego Archaeological Society, Inc., Alvin and Lorah Lehman, Fred Zuckerman, LeeAnn Franco, Bill Winans, Brad Burkhart, Diep Nguyn, and Gary Klockenga, Government Publications Librarian at the San Diego Public Library. Issues raised in these comment letters were addressed in the EIR. A public scoping meeting was held April 19, 2006. The Water Authority provided a presentation about the project and the EIR process and invited attendees to speak. One local resident spoke about the FRS I project and the Water Authority's agreement not to use Seda Drive for construction access. The Draft

EIR addressed this and all other issues raised during the 30-day NOP review and comment period. The NOP and response letters, and the minutes of the public scoping meeting, are included in Appendix A of the Draft EIR (Volume 2 of this Final EIR).

The 45-day public review period for the Draft EIR extended from March 27, 2006 to May 10, 2006. The Draft EIR was circulated to responsible and other agencies having jurisdiction by law over the environment affected by the proposed project. Fifteen (15) copies of the Draft EIR were sent to the Governor's Office of Planning and Research, State Clearinghouse, along with the required Notice of Completion (NOC). Simultaneously, notices of availability of the Draft EIR were published in the local newspaper. The Draft EIR was available for review at the Water Authority's headquarters at 4677 Overland Avenue, San Diego, CA 92123, and at the Tierrasanta and Navajo branches of the public library.

During and after the CEQA public review period, twenty (20) comment letters on the Draft EIR were received from the following agencies, groups, and individuals:

- 1. Wildlife Agencies (U.S. Fish and Wildlife Service [USFWS] and California Department of Fish and Game [CDFG]);
- 2. State of California, Department of Transportation, District 11;
- 3. State of California, Department of Toxic Substances Control;
- 4. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit;
- 5. San Diego County Archaeological Society, Inc.;
- 6. City of San Diego, Land Development Review Division, Development Services;
- 7. City of San Diego, Councilmember Jim Madaffer;
- 8. Mission Trails Regional Park Citizens' Advisory Committee;
- 9. San Diego City Schools;
- 10. Tierrasanta Community Council;
- 11. City of San Diego (Development Services Environmental Services Section, Park and Recreation Department, and Planning Department);
- 12. San Diego Gas & Electric (SDG&E);
- 13. Tom Simpson;
- 14. Roberta Froome;
- 15. Lee Ann and Thomas Franco:
- 16. Chris Sibel;
- 17. Linda and Robert Juhasz;
- 18. B. Winans;
- 19. Lyn Kagey; and
- 20. Price Kagey.

Copies of the letters, along with the Water Authority' written responses to each comment, are included in Section B of this Final EIR, Volume 3.

A public hearing on the Draft EIR was held April 27, 2006. Seven individuals provided public comment and distributed one set of maps and one letter. Those presenting comments were:

- 1. Roberta Froome,
- 2. Paul Roglasky,
- 3. Bob Muldrew,
- 4. Ken Oertle (including referenced maps),
- 5. Benjamin Eastman,
- 6. Tim Taylor, and
- 7. Eric Germain.

A letter from the Friends of Tierrasanta Canyons was provided as a handout by Ms. Froome. A copy of the hearing transcript and the handouts, along with the Water Authority' written responses to each comment, are included in Section B of this Final EIR, Volume 3.

A copy of the Final EIR has been provided to all the above-referenced entities that commented on the Draft EIR. In addition, the Final EIR is available for review at Water Authority's headquarters at 4677 Overland Avenue, San Diego, CA 92123, at the Tierrasanta and Navajo branches of the public library, and on the Water Authority's website: <a href="www.sdcwa.org">www.sdcwa.org</a>. The Water Authority's Board of Directors will subsequently consider whether to certify the Final EIR as complete and in compliance with CEQA and must consider it in approving or denying the proposed project. If the project is approved, a Notice of Determination (NOD) shall be filed with the State Clearinghouse and the County Clerk's office. Public input is allowed at the Water Authority's Board of Director's meeting for certification of the Final EIR. In the final review of the proposed project, environmental, economic and social factors will be considered to determine the most appropriate course of action.

CEQA Findings, Statement of Overriding Considerations (SOC), and a Mitigation Monitoring and Reporting Program (MMRP) have been prepared in compliance with Section 21081 of the Public Resources Code and Sections 15091, 15093, and 15097, respectively, of the CEQA Guidelines. These documents are provided under separate cover. Per Section 15091, when making Findings that state "changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect(s) as identified in the Final EIR," the Water Authority, as the CEQA Lead Agency, must adopt a reporting or monitoring program to ensure compliance with these changes or conditions of approval during project implementation.

# SECTION B RESPONSES TO COMMENTS

## SECTION B RESPONSES TO COMMENTS

During the 45-day public review period commencing on March 27, 2006 and ending May 10, 2006, 28 letters of public comment, exhibits, or public testimony were received addressing the Draft EIR for the proposed Mission Trails FRS II, Pipeline Tunnel, and Vent Demolition project. Comments were received from the following entities:

#### **Federal Agencies**

1. The Wildlife Agencies (U.S. Fish and Wildlife Service and California Department of Fish and Game)

#### **State Agencies**

- 2. State of California, Department of Transportation (Caltrans), District 11
- 3. State of California, Department of Toxic Substances Control (DTSC)
- 4. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

#### **Local Agencies and Organizations**

- 5. San Diego County Archaeological Society, Inc.
- 6. City of San Diego, Land Development Review Division, Development Services
- 7. City of San Diego, Councilmember Jim Madaffer
- 8. Mission Trails Regional Park Citizens' Advisory Committee (CAC)
- 9. San Diego City Schools
- 10. Tierrasanta Community Council
- 11. City of San Diego, Development Services

**Environmental Services Section** 

Park and Recreation Department

Planning Department

12. San Diego Gas & Electric (SDG&E)

#### **Individuals**

- 13. Tom Simpson
- 14. Roberta Froome
- 15. Lee Ann and Thomas Franco
- 16. Chris Sibel
- 17. Linda and Robert Juhasz
- 18. B. Winans
- 19. Lyn Kagey
- 20. Price Kagey

#### Public Testimony, April 27, 2006

- 21. Roberta Froome
- 22. Paul Roglasky
- 23. Bob Muldrew
- 24. Ken Oertle (including referenced maps)
- 25. Benjamin Eastman
- 26. Tim Taylor
- 27. Eric Germain
- 28. Friends of Tierrasanta Canyons (Handout from Ms. Froome)

Although some of the comment letters were received after the May 10, 2006 deadline, all of the letters received have been included in this Final EIR, Volume 3, and responses to all letters have been provided. Each of the letters is reprinted in this section, along with written responses. A transmittal letter from the State Clearinghouse is also provided as letter #4.

Where similar comments were received from multiple sources, the reader may be referred to another applicable response. Where responses to comments require modification to the Draft EIR, the reader is referred to modified text that can be found in Section C of this Final EIR, Volume 3, entitled "Errata." Modifications to the Draft EIR occur where it is necessary to correct or clarify information in the Draft EIR. In some cases, comments and responses provide additional information, which is now a part of the Final EIR. In such cases, no corresponding additions or modifications to the Draft EIR text are necessary.

#### FEDERAL AGENCIES COMMENT LETTER

#### **COMMENT LETTER 1**



U.S. Fish and Wildlife Service Carlsbad Fish and Wildlife Office 6010 Hidden Valley Road Carlsbad, CA 92011 (760) 431-9440 FAX (760) 431-5902



California Dept. of Fish and Game South Coast Region 4949 Viewridge Avenue San Diego, CA 92123 (858) 467-4201 FAX (858) 467-4299

In Reply Refer To: FWS-SDG- 4473.1

Mr. Mark Tegio Water Resources Specialist San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123-1233 MAY 17 2006

Subj

Comments on the Draft Environmental Impact Report for the San Diego County Water Authority Mission Trails Flow Regulatory Structure II, Pipeline Tunnel and Vent Demolition Project, City of San Diego, San Diego County, California

Dear Mr. Tegio:

The U.S. Fish and Wildlife Service (Service) and the Department of Fish and Game (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the Draft Environmental Impact Report (DEIR), dated March, 2006, for the San Diego County Water Authority (Water Authority) Mission Trails Flow Regulatory Structure (FRS) II, Pipeline Tunnel and Vent Demolition Project located in the City of San Diego (City). An extension of the comment period for this DEIR was granted to the Service by Mr. Mark Tegio via telephone on May 4, 2006.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 et seq.).

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act, Sections 15386 and 15381, respectively. The Department is responsible for the conservation, protection, and management of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act, and administers the Natural Community Conservation Planning (NCCP) Program.

The proposed project site is encompassed by the City's Multiple Species Conservation Program (MSCP), and is located within the Multi-Habitat Planning Area (MHPA), in the northwest portion of Mission Trails Regional Park (MTRP), just east of the Tierrasanta

Mark Tegio (FWS-SDG- 4473.1)

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community. The MHPA delineates core biological resource areas and corridors targeted for conservation under the MSCP. State Route 52 is just north of the northern project boundary, and Mission Gorge Road forms the southern project boundary.

The project would provide additional regulatory storage and improved flow control and capacity in response to anticipated future water demands. The proposed project consists of two major components: an 18 million gallon buried reservoir (the FRS II), and large-diameter inlet and outlet pipelines installed within tunnels. In addition, two existing pipelines would be abandoned in place, and a number of vents would be removed or replaced with much smaller air release/vacuum valves, as would several blow-off valve structures. The project also includes the construction of a stabilized crossing of the San Diego River, consisting of a concrete slab at grade with the existing riverbed.

The Wildlife Agencies offer the following comments and recommendations to assist the SDCWA in avoiding or minimizing potential project impacts on biological resources.

1-A.

Because the proposed project site is within the City's MSCP and particularly because
it is located in the City's MHPA, we recommend that the Water Authority adhere to
the mitigation measures set out in the City's MSCP for impacts to biological
resources as outlined in Table 1 below.

Table 1: City of San Diego MSCP mitigation ratios for permanent impacts within the MHPA (outside of the Water Authority right-of-way)

Vegetation Communities	Mitigation Proposed in DEIR	MSCP Mitigation Measures
Chaparral	No mitigation	impacts should be mitigated at a 1:1 ratio if mitigated inside of the preserve, and at a 1.5:1 ratio if mitigated outside of the preserve
Valley needle grassland	2:1	impacts should be mitigated at a 2:1 ratio if mitigated inside of the preserve, and at a 3:1 ratio if mitigated outside of the preserve
Non-native Grasslands	No mitigation	impacts should be mitigated at a 1:1 ratio if mitigated inside of the preserve, and at a 1.5:1 ratio if mitigated outside of the preserve
Vernal pools	2:1	impacts should be mitigated at 3:1 with at least 1:1 creation

All temporarily impacted areas should be restored; a maintenance and monitoring plan should be developed, specific success criteria identified, and non-native invasive weeds controlled.

Mark Tegio (FWS-SDG- 4473.1)

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1-B.

- 2. The federally listed as endangered Quino checkerspot butterfly (Euphydryas editha quino) (Quino) was detected approximately 150 feet from the South Portal Site and within the impact area for Vent #4. Furthermore, Quino host plant was identified within/adjacent to the project site during a April 6, 2006 site visit. The Service therefore considers the project site to be occupied by Quino. The Service does not consider the mitigation measures described in the DEIR adequate to avoid impacts to Quino. If the project cannot be redesigned to avoid impacts to Quino, consultation pursuant to section 7 (if there is a federal nexus) or section 10 of the Endangered Species Act will be required.
- 1-C.
- 3. Vernal pools containing San Diego fairy shrimp (Branchinecta sandiegonensis) cysts are considered occupied by the Service. As proposed, the project would impact vernal pools occupied by San Diego fairy shrimp. Unless the project can be redesigned to avoid impacts to vernal pools, consultation pursuant to section 7 (if there is a federal nexus) or section 10 of the Endangered Species Act will be required.
- 1-D.
- 4. Noise impacts to least Bell's vireo (Vireo bellii pusillus) and coastal California gnatcatcher (Polioptila californica californica) could occur in multiple areas along the project footprint, not just adjacent to the proposed river crossing. Construction should not occur during the gnatcatcher and vireo breeding season (February 15 to August 31 and March 15 to September 15, respectively). However if construction must occur during breeding season, pre-construction surveys should be conducted and noise mitigation measures (e.g., temporary sound walls, etc.) implemented where noise levels would exceed 60dBA hourly LEQ. Noise attenuation measures need to be in place prior to the start of the breeding season.

If direct impacts to least Bell's vireo, least Bell's vireo designated critical habitat, or gnatcatcher cannot be avoided, a section 7 (if there is a federal nexus) or section 10 consultation with the service will be required.

1-E.

5. The DEIR proposes no mitigation for Nuttall's scrub oak (Quercus dumosa), variegated dudleya (Dudleya variegata), or coast barrel cactus (Ferocactus viridescens). Variegated dudleya is a narrow endemic species under the MSCP, and impacts to this species should be avoided to the maximum extent practicable. Impacts that cannot be avoided should be minimized and mitigated in accordance with the City's MSCP. The City's MSCP requires specific case by case actions to protect narrow endemics (e.g., transplantation, soil salvage, and fencing).

If impacts to Nuttall's scrub oak, variegated dudleya and coast barrel cactus cannot be avoided, an effort should be made to salvage these species and transplant them to other areas within Mission Trails Regional Park adjacent to the proposed project site with similar soil types and slope aspects. A 36-month maintenance and monitoring period with specific success criteria and control of non-native invasive weeds should be implemented as part of the transplantation effort.

Mark Tegio (FWS-SDG-4473.1)

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- 6. The Wildlife Agencies do not agree with statements in the DEIR regarding vegetation 1-F. impacted by fire. Areas with sparsely distributed native shrubs (burned stumps or emerging vegetation) should not be identified as disturbed communities. These fireimpacted communities should be mitigated based on pre-fire conditions. This is consistent with our recognition that lands "banked" for future mitigation credits will retain those credits, as we anticipate that the habitat will recover over time. Thus, the habitat should retain its identification consistent with a long-term perspective. Furthermore, if surveys were conducted from March to July of 2005, there should have been enough re-growth from the 2003 fire to further classify the vegetation as coastal sage scrub, chaparral, or grasslands. Areas of sparse crown-sprouting grassland (including Valley Needle grassland) may have been incorrectly classified as disturbed. The Wildlife Agencies recommend additional vegetation surveys to properly classify the vegetation communities. If the Water Authority has access to pre-fire survey data, these may also be used to classify the vegetation communities in question.
- Fascicled tarweed (*Deinandra fasciculata*) is a native species typically associated with margins of coastal sage scrub and disturbed coastal sage scrub and should be included in these communities when assessing impacts.
- 8. The construction at the San Diego River crossing, and impacts to five additional drainages, will require the Department to issue a Streambed Alteration Agreement (1600), pursuant to Section 1600 et seq. of the Fish and Game Code. To minimize additional requirements by the Department, pursuant to Section 1600 et seq. and/or under CEQA, the final document should fully identify the potential impacts to riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. The Department recommends the Water Authority submit a detailed Construction Plan, and/or Water Diversion Plan with the 1600 Notification package.
- 9. The project proposes the FRS II be covered with 24 inches of soil upon completion of installation. Based on the lack of growth obtained with the 18 inches of cover on the existing FSR I tank, the Wildlife Agencies recommend a minimum of 36 inches of cover at final grade.
- 10. Prior to construction, the Water Authority should submit a Restoration Mitigation and Monitoring Plan for approval by the Wildlife Agencies.
- 1-K.

  11. The Water Authority should provide the Agencies with a map indicating exactly where mitigation activities are to take place. Any mitigation in MTRP outside of the Water Authority right-of-way must be approved by the City.

Mark Tegio (FWS-SDG-4473:1)

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Thank you for the opportunity to comment on this project. If you have questions or comments regarding the contents of this letter, please contact Ayoola Folarin (Service) at (760) 431-9440 or Erinn Wilson (Department) at (562) 342-7155.

Sincerely,

Therese O'Rourke

Assistant Field Supervisor U.S. Fish and Wildlife Service Michael J. Mulligan

Deputy Regional Manager

California Department of Fish and Game

#### Enclosure

cc: State Clearinghouse

David Mayer, California Department of Fish and Game

#### RESPONSE TO COMMENT LETTER 1

The Wildlife Agencies
U.S. Fish and Wildlife Service
Therese O'Rourke, Assistant Field Supervisor
California Department of Fish and Game
Michael J. Mulligan, Deputy Regional Manager

1-A As discussed in Section 3.1.3 of the Draft EIR, the Water Authority is responsible for all existing Water Authority facilities and rights-of-way within MTRP (page 3.1-4 of the Draft EIR). It is acknowledged that MTRP is included within an MHPA as designated by the City of San Diego's MSCP. However, the Water Authority is not a participant in the City's MSCP and is not bound by its guidelines. Furthermore, as noted on page 3.1-2 of the Draft EIR, the Water Authority is a Special District, and is not subject to local land use plans, policies, and ordinances. In addition, water supply facilities are exempt from local zoning per California Government Code Section 53091.

The commenter is not correct in stating that there is no mitigation proposed for chaparral and non-native grasslands impacts. To clarify, although 0.23 acre of chaparral, and 0.1 acre of non-native grassland would be permanently removed, all areas of temporary impacts to upland habitats, including chaparral and non-native grasslands, will be revegetated with a coastal sage scrub plant mix that includes valley needle grass seed (pages 3.8-13 and 3.8-17). Therefore, 11.93 acres of chaparral, and 5.77 acres of non-native grassland will be replaced with higher-value coastal sage scrub. The on-site replacement of relatively low value chaparral and non-native grassland with higher value coastal sage scrub habitat will offset the small amount of permanent loss expected. Therefore, mitigation proposed for impacts to biological resources is deemed adequate.

1-B As discussed in Section 3.8 of the Draft EIR, impacts to Quino checkerspot butterfly would be avoided by fencing off areas supporting dot-seed plantain located in the vicinity of the project area (page 3.8-14 of the Draft EIR). By this measure, the project was essentially redesigned to avoid direct and indirect impacts to the species. Regardless, potential impacts to the Quino checkerspot butterfly were determined to be significant. Mitigation Measure BR 9-1 (page 3.8-18 of the Draft EIR) requires a pre-construction survey during the flight season and consultation with the USFWS, if the butterfly is present.

- 1-C As discussed in Section 3.8 of the Draft EIR, page 3.8-10, and as noted on page 42 of the Biological Assessment Report (Appendix E of the Draft EIR), no adult San Diego fairy shrimp were observed during focused surveys of vernal pools occurring within the survey area. One cyst was found in each of two samples from one basin in the potential impact area during dry season sampling. However, no hatched shrimp were detected in this basin during subsequent wet season sampling. As discussed on page 7 of the San Diego fairy shrimp survey report (Ecological Restoration Service 2005), included as Appendix B to the Biological Assessment Report, "The near record wet 2004-05 rainfall season was one of the best seasons in recent years to determine the presence of hatched fairy shrimp through wet season sampling. Multiple hatchings of San Diego fairy shrimp in the basins sampled on this site, as well as at other sites in San Diego County (personal observation) led to a high degree of confidence that existing shrimp populations were located, if present. The occurrence of a low number of cysts in Basin 3, which did not have hatched shrimp present during sampling, was somewhat surprising. The high number of cysts/sample in basins which had had hatched shrimp present is more typical of basins with active shrimp populations." Based on the findings, mitigation for impacts to this basin has been proposed as mitigation for unoccupied vernal pools. However, part of the Water Authority's standard mitigation process for vernal pools is to remove soils from existing pools to the newly created pools. In this way, if there are any dormant cysts that did not hatch during the positive conditions of the 2004-05 wet season, they would be captured and relocated to the newly created pools per Mitigation Measure BR 4-1 (page 3.8-17 of the Draft EIR). It is acknowledged that, if adult San Diego fairy shrimp are detected in pools that would be directly impacted, consultation pursuant to Section 7 of the Endangered Species Act would be conducted.
- 1-D Occurrence of coastal California gnatcatcher was discussed in Section 3.8.3 of the Draft EIR (pages 3.8-14 and 3.8-15). No gnatcatchers were observed north of the San Diego River. Therefore, no direct impacts would occur to gnatcatchers under present conditions. However, the potential for this species to reestablish within the study area prior to or during project construction was acknowledged in the Draft EIR (page 3.8-15), and Mitigation Measure BR 10-1 is required if preconstruction surveys determine the presence of gnatcatchers within areas affected by noise. The gnatcatcher breeding season during which all on-site grading and construction activities adjacent to Diegan coastal sage scrub would be prohibited is designated in Mitigation Measure BR 10-1 as March 1 through August 15. The breeding season for least Bell's vireo is designated in Mitigation Measure BR 11-2 as March 15 to September 15. It is acknowledged in this mitigation measure that if it is not feasible to avoid constructing the river crossing during the breeding season, "the Water Authority shall consult with the USFWS and implement any required mitigation measures."

- 1-E As discussed on page 3.8-14 of the Draft EIR, impacts to Nuttall's scrub oak, variegated dudleya, and coast barrel cactus plant species are determined not to be significant because removal of the relatively small populations would not represent a substantially adverse effect on the larger population within MTRP. Therefore, no mitigation has been proposed. See response to Comment 1-A.
- 1-F The Draft EIR did not analyze impacts as if the burned habitats were disturbed by the Cedar Fire. Page 3.8-2 of the Draft EIR clearly states the basis for biological resources evaluation as follows: "Sensitive plant and wildlife species were observed in areas that have been mapped disturbed Diegan coastal sage scrub and disturbed coastal sage-chaparral scrub. For this analysis, both disturbed and undisturbed habitats are considered sensitive; therefore, the term 'disturbed' will not be used when evaluating these habitats." Mitigation ratios for impacts to sensitive habitats have been proposed with a long-term perspective on the sensitivity and value of the habitats affected.
- 1-G Section 3.8.1 of the Draft EIR includes fascicled tarweed under the heading of Sensitive Plants (page 3.8-9 of the Draft EIR). This section notes that "two populations of San Diego thornmint were observed within the survey area in habitat dominated by fascicled tarweed." The location of these populations is shown in Figure 3.8-3. Fascicled tarweed is also included in Appendix G to the Biological Resources Technical Report in a list of plant species detected on the Mission Trails FRS II survey area. These areas were mapped as fascicled tarweed, not coastal sage scrub. The Water Authority agrees that this species is typically associated with the margins of coastal sage scrub. The 0.01-acre mapped as fascicled tarweed (DF) will be added to the coastal sage scrub impacts.
- 1-H A 1602 Streambed Alteration Agreement through the California Department of Fish and Game is among the potential discretionary actions and approvals listed in Table 2-3 of the Draft EIR (page 2-32). All required materials, including a detailed Construction Plan and/or Water Diversion Plan, will be submitted with the 1600 Notification package.
- 1-I Vegetative growth achieved on the existing FRS I with 18 inches of soil cover on top of the buried tank has been documented by recent field studies, which consisted of surveys of the vegetation on the FRS I site compared with surveys of nearby areas of the same vegetation type. Results of these studies are provided in Attachment A to Section C of the Final EIR, Errata. Vegetation was analyzed at four locations in Mission Trails Regional Park representing different stands of coastal sage scrub (CSS) habitat. The selected sampling locations included naturally established CSS occurring on a low mesa at the foot of Fortuna

Mountain; the CSS planted by the Water Authority at two locations along the existing pipeline corridor, referred to as the Elliott Vent 3 and Elliott Vent 4 sites; and the CSS established by revegetation over the FRS I site. The four stands of CSS were compared in terms of species richness, percent non-native species, mean percent total cover, and mean percent cover by individual species. In addition, qualitative assessments of each stand were conducted.

The qualitative assessments showed that shrub height was greatest at the revegetated Elliott Vent 3 and 4 sites, and similar at the revegetated FRS I site and the naturally occurring Fortuna Mountain site. In terms of species richness, the Fortuna Mountain site supported the greatest number of plant species (28), while all three revegetated sites were similar (15-18 species). The FRS I site had the highest mean percent total cover (86%), which was similar to the other revegetated sites (74% and 84%), and 25 percent greater than the naturally occurring coverage on the Fortuna Mountain site (61%). Although the FRS I site had the greatest mean percent cover by non-native species (56%), the coverage was not substantially different than the Fortuna Mountain site (44%). Based on this analysis, there is no significant difference in vegetation growth between the FRS I revegetated site and the naturally occurring CSS at the Fortuna Mountain site.

In order to encourage a robust and expedient restoration effort, the Water Authority is proposing to increase the soil cover on FRS II to 24 inches. However, this is the maximum cover determined to be feasible by the design engineers, as the additional weight of any increased cover depth would necessitate substantial structural changes to the facility, which significantly increases construction costs for the FRS II facilities.

- 1-J It is acknowledged that the Water Authority must submit all required documentation to obtain all permits that would be needed to construct and operate the project.
- 1-K Acceptable maps will be submitted with permit applications. It is acknowledged that appropriate arrangements with the governing jurisdiction must be made for project use of property that is currently not owned by the Water Authority and not purchased during implementation of the project.

#### **STATE AGENCIES COMMENT LETTERS**

#### **COMMENT LETTER 2**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, GOVER

#### **DEPARTMENT OF TRANSPORTATION**

District 11 2829 Juan Street P. O. BOX 85406, M.S. 50 San Diego, CA 92110 PHONE (619) 688-6954 FAX (619) 688-4299





March 29, 2006

11-IMP-052 PM 13.97 Mission Trails FRS II, Pipeline & Vent Demolition SCH 2005041025

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

Dear Mr. Tegio:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) for the proposed Mission Trails FRS II, Pipeline Tunnel and Vent Demolition Project located near State Route 52 (SR-52) and Mission Gorge Road. Caltrans has the following comments:

2-A.

• Any work performed within Caltrans Right of Way (R/W) will require an encroachment permit. Improvement plans for construction within Caltrans R/W must include: typical cross sections, adequate structural sections, traffic handling plans, and signing and striping plans stamped by a professional engineer. Traffic Control Plans are required prior to construction. The plans shall be prepared in accordance with Caltran's Manual of Traffic Controls for Construction and Maintenance Work Zones. Traffic restrictions and pedestrian / bicycle detours may also need to be addressed. All work proposed within the State Right of Way (R/W) requires lane and shoulder closure charts. All roadway features (e.g., signs, pavement delineation, roadway surface, etc.) within the State R/W must be protected, maintained in a temporary condition, and/or restored. For more information, contact the District Traffic Manager, Camille Abou-Fadel, at (858) 467-4328.

Furthermore, the applicant's environmental document must include such work in their project description and indicate that an encroachment permit will be needed. As part of the encroachment permit process, the developer must provide appropriate environmental (CEQA) approval for potential environmental impacts to Caltrans R/W. The developer is responsible for quantifying the environmental impacts of the improvements (project level analysis) and completing all appropriate mitigation measures for the impacts. The indirect effects of any mitigation within Caltrans R/W must also be addressed. The developer will

'Caltrans improves mobility across California

Mr. Mark Tegio March 29, 2006 Page 2

also be responsible for procuring any necessary permits or approvals from the regulatory and resource agencies for the improvements. Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions, please contact Patricia Marrufo, Development Review Branch, at (619) 688-6968.

Sincerely,

MARIO H. ORSO, Chief Development Review Branch

Cc: Scott Morgan, State Clearinghouse

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

State of California, Department of Transportation Mario H. Orso, Chief Development Review Branch

2-A The Pipeline Interconnect Reconfiguration will require an encroachment permit from Caltrans for work within Caltrans' right-of-way at the base of the slope south of SR-52. The Water Authority will submit all necessary documents required for the issuance of, and compliance with, an encroachment permit to Caltrans. No other project components will require Caltrans' approval.

#### **COMMENT LETTER 3**





#### **Department of Toxic Substances Control**

Maureen F. Gorsen, Director 5796 Corporate Avenue Cypress, California 90630

Arnoid Schwarzenegger Governor

April 7, 2006

S.D.C.W.A.

APR 1 0 2006

RECEIVER

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, California 92123-1233

PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE MISSION TRAILS FLOW REGULATORY STRUCTURE II, PIPELINE TUNNEL, AND VENT DEMOLITION PROJECT (SCH# 2005041025)

Dear Mr. Tegio:

The Department of Toxic Substances Control (DTSC) has received your submitted EIR document for the above-mentioned project. The following project description is stated in your document: "The San Diego County Water Authority (Water Authority) proposes to construct an up to 18-million-gallon (mg) belowground flow regulatory structure, aboveground appurtenant structures, inlet and outlet tunnel pipelines and associated portals and air vacuum valves, and a stabilized crossing of the San Diego River. Two existing pipelines would be abandoned in place and up to ten vent structures would be removed or replaced by much smaller air vacuum valve structures. The inlet and outlet tunnel pipelines would total approximately 1 mile in length."

Based on the review of the submitted EIR document DTSC has comments as follow:

3-A.

The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If it is determined hazardous materials or wastes have been stored at the site, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state regulations and policies.

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Mr. Mark Tegio April 7, 2006 Page 2

The draft EIR states: "San Diego County encompasses agricultural, commercial, and industrial development, as well as numerous military installations. The construction and operation of such development and the infrastructure to support it involves potential risk from historical and current use of hazardous materials, including fuel, pesticides, fertilizers, solvents and other chemicals."

The draft EIR states: "A site-specific hazardous materials survey has not been conducted for the FRS II site or the tunnel portal and shaft locations...the impact of potential exposure of construction and maintenance workers to hazardous materials in the soil and/or unexploded ordnance would be significant."

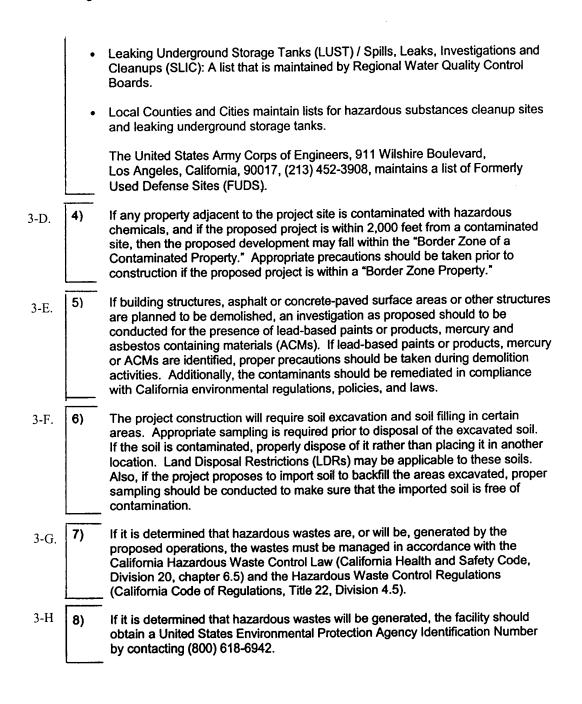
- 3-B.
- All environmental investigations, sampling and/or remediation should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous waste cleanup. The findings and sampling results from the subsequent report should be clearly summarized in the EIR. Proper investigation, sampling and remedial actions, if necessary, should also be conducted at the site prior to the new development or any construction, and overseen by a regulatory agency.
- 3-C.
- The EIR should identify any known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. A Phase I Assessment may be sufficient to identify these sites. Following are the databases of some of the regulatory agencies:
  - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
  - Site Mitigation Program Property Database (formerly CalSites):
     A Database primarily used by the California Department of Toxic Substances Control.

Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

 Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.

Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.

Mr. Mark Tegio April 7, 2006 Page 3



Mr. Mark Tegio April 7, 2006 Page 4

- 3-I. 9) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 3-K. 11) If the site was and/or is used for agricultural activities, onsite soils may contain pesticide, herbicides and agricultural chemical residue. Proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.

If you have any questions regarding this letter, please contact me at (714) 484-5461 or Mr. Joseph Kaslowski, Project Manager at (714) 484-5471 or by e-mail at jkaslowski@dtsc.ca.gov.

Sincerely.

Greg Holmes Unit Chief

Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research State Clearinghouse P.O. Box 3044 Sacramento, California 95812-3044

> Mr. Guenther W. Moskat, Chief Planning and Environmental Analysis Section CEQA Tracking Center Department of Toxic Substances Control P.O. Box 806 Sacramento, California 95812-0806

**CEQA # 1370** 

State of California,
Department of Toxic Substances Control
Greg Holmes, Unit Chief
Southern California Cleanup Operations Branch
Cypress Office

- Due to the location of the project site within an open space regional park, it is not 3-A expected that contaminated soil or groundwater would be encountered during construction. There is no evidence that the project area was ever used for the storage of hazardous materials or wastes. However, as discussed in Section 3.12.3 of the Draft EIR, Public Safety, the project area was once a part of former Camp Elliott, so there is the potential for unexploded ordnance (UXO) from the historic military use. The U.S. Army Corps of Engineers (Corps) conducted surface and subsurface ordnance removal in 1992-1995. A subsequent survey conducted by the Corps in 2000-2003 concluded that the 1992-1995 ordnance removal program remained protective of public safety. Focused UXO surveys of the Flow Regulatory Structure II (FRS II) site and Tunnel Portals are recommended due to the amount of excavation that is proposed. Magnetometers will be used to identify any metallic objects prior to excavation. Mitigation measures PS-1 and PS-2 identify the mechanism to initiate Phase I Environmental Site Assessment (ESA) and Phase II investigation, if warranted. The measures include the requirement for site-specific health and safety plans to be prepared prior to construction. In addition, as noted in Section 3.12.2 of the Draft EIR, the Water Authority's General Conditions and Standard Specifications cover construction procedures for this kind of large infrastructure project. The comment letter contains details regarding the preparation of these studies, and acceptable processes would be followed in implementing Mitigation Measures PS-1 and PS-2. The Water Authority also will require the contractor to comply with all federal, state, and local regulations regarding the handling and disposal of hazardous materials. Should any contaminated materials be identified, the Water Authority will require the contractor to comply with all applicable federal, state, and local regulations regarding the handling and disposal of hazardous materials.
- 3-B. The only hazardous materials issue associated with the project site is the potential presence of UXO. The Corps has been overseeing the removal of UXO from Mission Trails Regional Park. All work associated with the detection and removal of UXO associated with the proposed project will be coordinated with the Corps and conducted following an approved Workplan. The Water Authority completed a nearly identical project, the 1993-1995 construction of the FRS I project, and no UXO were detected. While the presence of UXO on the FRS II

- site cannot be ruled out and further testing will be conducted prior to project construction, the two previous detailed surveys by the Corps and the lack of UXO on the FRS I project site indicate that the potential impact is low.
- 3-C The project area has never been developed. With the exception of the past use of the project area for military training exercises, as discussed above, there is no indication that there is a potential for contamination or any threat to human health or the environment.
- 3-D There are no properties within 2,000 feet of the project area that are used for commercial or industrial uses. The project site is not within a "Border Zone Property."
- 3-E The proposed project involves the demolition of painted concrete vent structures. The remains of a concrete/asphalt roadbed adjacent to the San Diego River will also be removed as biological mitigation. Should any of the contaminants listed, or other contaminants be identified, they will be remediated in compliance with California environmental regulations, polices, and laws.
- 3-F There is no indication that there is any potential for contamination other than the possible presence of UXO, as discussed above. However, should any contaminated materials be identified, the Water Authority will require the contractor to comply with all applicable federal, state, and local regulations regarding the handling and disposal of hazardous materials.
- 3-G The proposed project is for the storage and conveyance of raw water. No chemicals will be used. No hazardous materials will be generated by proposed operations.
- 3-H See response to Comment 3-G.
- 3-I See response to Comment 3-G.
- 3-J The Water Authority will require the contractor to comply with all applicable federal, state, and local regulations.
- 3-K. The project site was at one time used for cattle grazing. There is no record or evidence of the project site having been used for active agriculture.



# STATE OF CALIFORNIA Governor's Office of Planning and Research State Clearinghouse and Planning Unit



Sean Walsh
.AIEH RESUUT Director
S.D.C.W.A.

MAY 1 1 2006

RECEIVER

May 8, 2006

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

Subject: Mission Trails FRS II, Pipeline Tunnel and Vent Demolition Project

SCH#: 2005041025

Dear Mr. Mark Tegio:

4-A.

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 5, 2006, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely.

Terry Roberts

Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044 TEL (916) 448-0613 FAX (916) 323-3018 www.opr.ca.gov

State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit Terry Roberts, Director State Clearinghouse

4-A Comment noted.

## LOCAL AGENCIES AND ORGANIZATIONS COMMENT LETTERS



### San Diego County Archaeological Society, Inc.

**Environmental Review Committee** 

6 April 2006

To: Mr. Mark Tegio

San Diego County Water Authority

4677 Overland Avenue

San Diego, California 92123-1233

Subject: Draft Environmental Impact Report

Mission Trails FRS II, Pipeline Tunnel and Vent Demolition Project

Dear Mr. Tegio:

I have reviewed the cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

5-A. Based on the information contained in the DEIR and its Appendix F, we have the following comment:

The mitigation measures for cultural resources in the DEIR, CR 1-1, CR 2-1 and CR 2-2, do not match the mitigation measures prescribed in Section V of Appendix F. Specifically, the third paragraph of the latter calls for a qualified archaeological monitor to be present during all ground disturbing activities in prescribed areas, while this requirement is omitted in the DEIR.

Other than the above, we concur with the impact analysis and mitigation measures for cultural resources, and thank the Water Authority for providing this DEIR to us for review and comment.

Sincerely,

Environmental Review Committee

cc: Tierra Environmental Services

SDCAS President

File

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

San Diego County Archaeological Society, Inc. James W. Royle, Jr., Chairperson Environmental Review Committee

5-A Mitigation Measures CR2-1 and CR2-2 require the presence of a qualified archaeological monitor. The Final EIR will clarify this point with the addition of Mitigation Measure 1-2 that states: "The Water Authority shall provide a qualified archaeological monitor to be present during all ground disturbing activities in prescribed areas."



#### THE CITY OF SAN DIEGO

APR 1 3 2006

April 6, 2006

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Ave. San Diego, CA 92123

Dear Mr. Tegio

Subject:

Review Draft of Environmental Impact Report for Mission Trails

FRS II, Pipeline Tunnel and Vent Demolition Project

6-A.

We have reviewed the subject draft Environmental Impact Report dated March 27, 2006.

The alignment as proposed is far from our existing mains or trunk sewers, therefore there is no conflict with our sewer mains. Wastewater Section or MWWD has no further concerns regarding this matter as long as the scope remains the same.

If you have any question or require additional information please call me at (619) 533-5106 or Assistant Engineer Winslo Rivera at (619) 533-4687.

Sincerely,

Barbara A.B. Salvini Senior Civil Engineer

/war

cc: Mehdi Rastakhiz



Land Development Review Division • Development Services 600 8 Street, Sutre 800, MS 908A • Son Diogo, CA 92101-4502

The City of San Diego, Land Development Review Division, Development Services, Wastewater Section of Metropolitan Wastewater Department Barbara A.B. Salvini, Senior Civil Engineer

6-A Comment noted.



S.D.C.W.A.
MAY 5 - 2006

## JIM MADAFFER COUNCILMEMBER SEVENTH DISTRICT

May 1, 2006

San Diego County Water Authority Attention Mark Tegio 4677 Overland Avenue San Diego, CA 92123

Dear San Diego County Water Authority,

Over the next few weeks the public will be reviewing the Draft EIR for the San Diego County Water Authority's Mission Trails Regional Park Flow Regulatory Structure II, Pipeline Tunnel, and Vent Demolition Project.

I commend the San Diego County Water Authority staff for all of their hard work incorporating the comments and concerns of the various community groups into the project plan. I would like to raise some issues related to this project.

- 7-A.

  First, I realize after months of work the Access Building for the Flow Regulatory Structure has under gone quite a metamorphosis through community testimony. The SDC Water Authority has tried to adequately shape this structure so that it blends in with the landscape of Mission Trails Regional Park. However, I am still concerned with the bulk and scale of the proposed Access Building in the middle of Mission Trails Regional Park. I believe it can be built under ground and still serve the needs of the San Diego County Water Authority. I do not believe that staff has sufficiently addressed the viability of establishing a subterranean structure in the EIR. I am asking for additional design work of the Flow Regulatory Structure Access Building and urge we protect the view shed of Mission Trails Regional Park.
- 7-B. Second, the traffic and construction vehicles related to this project will significantly impact the residents of Tierrasanta over the next two years. I appreciate all of the work the San Diego County Water Authority has done to ensure that only minimal impacts will take place but the fact is that there will be excess noise, traffic, dirt, dust, and other invasive activities which will occur as part of this project. I am aware that the Water Authority will have a 24-hour hotline to take in community concerns and will sweep daily but I would like an assurance that these promises are kept and that impacts will be kept to a minimum. In addition, I would like to ensure that upon completion of this project any significant road or street damage will be restored to a condition equal or better than before construction occured. The City is planning to resurface Antigua Boulevard and I do not want that to occur only to have the road torn up as part of this project.
- 7-D. Third, when this project takes place I would like to ensure the public that they will be kept informed and notified of when and where the Mission Trails trail head entrances will be open and safe to access.

If you have any other questions or concerns on this or any other matter, please do not hesitate to contact my office.

Sincerely,

JIM MADAFFER Councilmember

JM/dg

CITY ADMINISTRATION BUILDING • 202 °C" STREET • Lond MERC • CALIFORNIA 92101
Tel. (619) 236-6677 • Fax: (619) 236-1360 • Email: jmadefier @sendlego.gov

O Printe or world from

City of San Diego Jim Madaffer, Councilmember, Seventh District

7-A The Water Authority has undertaken an extensive public outreach program with regard to the proposed project and development of the access/control building, and has formed a working group that involves community members. The emphasis of the public outreach program has been on designing a building that complements the surrounding parkland in the northwest corner of Mission Trails Regional Park. The Water Authority investigated placing the control building underground, but due to the need for operations personnel to access and inspect the facilities on a daily basis, and the need to provide secure ventilation to the underground reservoir, the design engineers concluded an aboveground structure would be required.

Working group members expressed concern regarding the architecture of aboveground project features, including the height, style, and fencing. Suggestions were made to minimize the height and to soften the visual impact of the building. Terms such as "organic," "stealth," and "flowing" were used to describe the working group's preferences. After some discussion, the working group reached consensus that the bermed alternative for the FRS II access building was preferred. The bermed design of the access/control building has the building tucked into the vegetated earthen berm created by the buried reservoir basins. The berm surrounds the building on three sides, and, as noted on page 2-5 of the Draft EIR, would partially screen public views by residents to the west and park users. In addition, project design features on page 2-19 of the Draft EIR note that "Building colors will be of neutral color and design elements will be incorporated to complement the surrounding natural open space. Building design will feature free-form curved walls. Building will be recessed into earthen berm."

An alterative design of the access/control building was considered in Section 7.4 of the Draft EIR (page 7-4). Section 7.4 addresses the configuration and features of an alternative that would place as much of the facility as possible underground. Under this alternative, the building would be replaced by two vent structures, which are necessary to insure proper ventilation to the underground water storage basins. As stated in Section 7.4, the vents would allow air to exhaust or enter each water storage basin as the water levels in the basin fluctuate. The vent structures are also needed as access points for maintenance personnel to inspect the interior of each basin. A visual simulation of the vent structures, which must be secured by fencing to protect the water supply, is presented in Figure 7-1. It is acknowledged in Section 7.4 that the smaller structure would be less visible to

park users and surrounding residents. However, this alternative would generate additional soil export because a berm would not be created, would require additional open trenching, and would create a new noise source from the vent louvers. Therefore, this design was determined to not be environmentally superior.

- 7-B Certification of the Final EIR by the Water Authority's Board of Directors obligates the agency to implement the mitigation measures required in the EIR. The Water Authority will adopt a Mitigation Monitoring and Reporting Program (MMRP) per CEQA §21081.6 and §15097 of the CEQA Guidelines. The MMRP establishes the framework the Water Authority will use to implement the mitigation measures adopted in connection with project approval, and the monitoring/reporting of such implementation. "Monitoring" is generally an ongoing or periodic process of project oversight. "Reporting" generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.
- 7-C The Water Authority will conduct pre-construction video surveys of the identified truck routes. The Water Authority's *General Conditions and Standard Specifications*, Sections 5.6(b), and 01530, 1.10 state: "The Contractor shall not close or obstruct any portion of any highway, road, or street except pursuant to an approved traffic control plan or other permit issued by the agency or person having ownership or control of the highway, road or street. The Contractor shall not prevent free access to fire hydrants or buried valves or any other facilities owned by others without the permission of the owner. The Contractor shall repair to the requirements of the agency or person having ownership or control all damage to highways, roads, streets, public utilities and other facilities caused by the Contractor's work, including damage caused by construction vehicles. Fences subject to interference shall be relocated or maintained by the Contractor until the Work is finished and then restored to their original location and condition, unless otherwise specified"; and

"Prior to commencing any work, a pre-construction video and DVD format shall be made to illustrate all areas that may be disrupted by the work. Include on the video Water Authority access patrol roads and rights-of-way, construction access roads, all public and private streets used for access to and from the work site, environmentally sensitive areas, the inside conditions of all sanitary and storm sewer pipelines and laterals that are located within the construction zone and other such areas as directed by the Engineer that may be disturbed or which are to be protected from the Contractor's operations. Notify the Engineer so that the Engineer may accompany the Contractor during the videotaping. Deliver one copy of the video to the Water Authority at the pre-construction conference. The

Engineer will review the video for content, coverage and quality prior to the beginning of construction. Retake any portion of the video not of clear focus, color or adequate coverage, as determined by the Engineer, with video camera. Deliver one copy of the final video to the Engineer prior to the commencement of work."

In addition, the Water Authority has experience constructing the nearly identical FRS I project. On March 7, 1995 a meeting was held at the City of San Diego's Chollas Operations Center between the City's Street and Field Division, CWA, the contractor for construction of FRS I and the grading and trucking subcontractor. The meeting was to discuss issues relative to the impact of truck traffic from the FRS I construction project on Clairemont Mesa Boulevard. The City stated that Clairemont Mesa Boulevard is classified as a major street from I-15 to La Cuenta Drive. However, the City indicated that Clairemont Mesa Boulevard east of La Cuenta Drive was a collector street and that the developer who constructed this portion of Clairemont Mesa Boulevard may have not constructed it per City Standards. The Water Authority showed City staff a preconstruction video filmed on September 7, 1994. Attendees viewed in detail the Clairemont Mesa Boulevard/Seda Drive intersection and the Clairemont Mesa Boulevard/La Cuenta Drive intersection. The Water Authority also provided photographs taken on February 28, 1995 of the conditions of Clairemont Mesa Boulevard. There were potholes, pavement cracking, and other signs of distressed pavement along Clairemont Mesa Boulevard prior to construction as viewed in the video. The construction contractor and the Water Authority stated that the deterioration of the pavement was not due to haul trucks, but per the preconstruction video, appeared to be indicative of deferred road maintenance. This was supported by the fact that deterioration of pavement was not only present in the Clairemont Mesa Boulevard eastbound/westbound travel lanes closest to the curb and gutter which the haul trucks used, but was also present in the CMB eastbound/westbound travel lanes closest to the median which were not used by the haul trucks.

In a letter dated April 24, 1995 from Zeke Gonzales, General Utility Supervisor with the City of San Diego to Michael Stift, the City of San Diego rescinded its earlier request to resurface Clairemont Mesa Boulevard from east of Clairemont Mesa Boulevard (at the staging area) to Santo Road and agreed to participate in resurfacing of Clairemont Mesa Boulevard at Seda Drive only.

The Water Authority will participate in all road repairs and resurfacing that can be directly attributed to FRS II truck traffic, as documented by pre- and post-construction photographs and videos.

7-D The Water Authority has demonstrated a commitment to keeping the public informed of all aspects of the proposed project through an extensive public outreach program (see the compilation of extensive outreach events/actions in the table on pages ES-3 through ES-5 of the Draft EIR). The Draft EIR states on page 3.6-3 that "The Water Authority will continue to distribute community newsletters to residents within the 92124 Zip Code, MTRP staff, and other interested parties describing the project components, schedule, impacts to recreational uses, and suggested alternative park areas and trails that may be used for recreational purposes during construction."

#### Mission Trails Regional Park Citizens' Advisory Committee

One Father Junipero Serra Trail San Diego, California 92119-1008

May 8, 2006

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

Re: Mission Trails Flow Regulatory Structure II, Pipeline Tunnel and Vent Demolition Project Draft EIR

Dear Mr. Tegio:

The Mission Trails Regional Park Citizens' Advisory Committee (MTRP CAC) discussed the Draft Environmental Impact Report for the above referenced project at their meeting of May 2, 2006. The following are comments and concerns of the committee.

#### 8-A. 3.1 LAND USE -

#### On-Site and Surrounding Land Uses (Pg. 3.1-1)

The second paragraph is not totally correct. It is suggested it be reworded as follows. "Started in 1974, Mission Trails Regional Park has become one of the largest urban parks in the United States. The park encompasses over 8,000 acres of natural and developed areas. Along with Balboa Park and Mission Bay, MTRP has been called the third jewel in the City of San Diego's Park System."

#### 8-B. Land Use Plans and Policies (Pg. 3.1-2)

In this section it is stated that "The Water Authority would acquire land adjacent to the right-of-way from the City of San Diego and the SDUSD prior to construction." The Draft EIR does not include any information regarding the location of the land the SDCWA proposes to purchase from either of these governmental agencies. While MTRP CAC members are aware of the proposed parcel under consider from the SDUSD, no mention was made of purchasing land from the City of San Diego in any MTRP CAC or Task Force meeting. We request that the Draft EIR be amended to identify the properties the SDCWA proposes to purchase from other governmental agencies and whether those agencies are in agreement with the proposals.

#### 8-C. 3.2 AESTHETICS/VISUAL QUALITY

#### **Buried Reservoir**

The MTRP CAC disagrees with the analysis in the Draft EIR that construction of FRS II will have an insignificant impact on the park. Arial photos of the area still clearly distinguish between the undisturbed habitat and the disturbed habitat from the construction of FRS I several years ago. On the ground it is still very obvious where the FRS I is located by the difference in vegetation. The report states that long-term visual impacts would not be significant because the site would be revegetated with native seed mix. CAC members were told during a field trip to the FRS II construction site that the SDCWA planned to put two feet of fill on top of the FRS II

Mission Trails Regional Park Citizens' Advisory Committee Comments Re: Mission Trails Flow Regulatory Structure II, Pipeline Tunnel and Vent Demolition Project Draft EIR May 8, 2006 2

which is not enough to sustain native plants. At a minimum, topsoil should be salvaged and utilized for this area to assist with long-term planting success in addition to the use of a native plant mix. A maintenance and monitoring period with specific success criteria and control of non-native invasive vegetation should be implemented for a period of at least five years. Even with these measures it is doubtful the area could be restored to its current condition resulting in a significant environmental impact to the park. The Draft EIR should be amended to reflect this possibility.

#### 8-D. Access/Control Building

MTRP CAC members do not concur with the statement that the FRS II control building would complement the surrounding parkland. The only building that would complement the surrounding parkland would be one that is subterranean. MTRP CAC members were told that a subterranean building would not meet the needs of the project. While the members of the MTRP CAC supported the proposed design, based upon the alternatives presented, it is still believed that the building will create a significant environmental impact to the visual quality of this popular recreational area. The Draft EIR should discuss alternatives that would reduce the impact to a level of either "less than significant" or "less than significant with mitigation." If no other alternatives are feasible then the Draft EIR should clearly state that FRS II will have a significant environmental impact.

#### 8-E. San Diego River Crossing

The Draft EIR should include a statement that SDCWA will work with Mission Trails Regional Park staff on the design of the proposed stabilized river crossing.

#### 8-F. 3.6 RECREATION

The proposed project would result in the temporary closure of park access roads and trails within the West Fortuna Region of MTRP for periods up to two years. This would be a highly significant impact on recreational use of land purchased with City of San Diego funds to provide for public recreational use as well as habitat preservation. There is no mention in the Draft EIR of any plans by the SDCWA to compensate the City of San Diego Park and Recreation Department for loss of access to this region of the park by Mission Trails staff as well as the public. As with all regions of Mission Trails, the West Fortuna Region is used daily by residents of the Tierrasanta area as well as by people from all over San Diego County. The members of the MTRP CAC stressed the need for SDCWA to enter into negotiations with the City of San Diego regarding appropriate compensation for this significant loss of recreational use.

8-G. The EIR clearly shows the intent of the SDCWA to utilize the park entrance at the end of Clairemont Mesa Boulevard, the main Tierrasanta entrance to the park, as the primary staging area for the project, closing it for public access for a period of two years. The SDCWA needs to enter into negotiations with the City of San Diego regarding appropriate compensation for the exclusive and extended use of this park land.

#### 8-H. Trail closures - San Diego River crossing

The EIR clearly shows the intent of the SDCWA to utilize the MTRP parking lot at the end of Jackson Drive as a staging area for construction of the San Diego River stabilized crossing. It is recommended that SDCWA work with MTRP staff to minimize the area needed as a staging area

Mission Trails Regional Park Citizens' Advisory Committee Comments Re: Mission Trails Flow Regulatory Structure II, Pipeline Tunnel and Vent Demolition Project Draft EIR May 8, 2006 3

and access point for this portion of the project. It is critically important that the MTRP staff have access to the park storage facility in this location, in addition to permitting public access whenever safety is not an issue. Compensation for SDCWA use of this area needs to be addressed.

8-I. Fourth paragraph on page 3.6-2 states that closure of park access areas are expected to be "from 3 months at the San Diego River crossing to 2 years at the Clairemont Mesa Blvd. staging area...." The last sentence on the same page, and elsewhere in the report, it states this hike and bike trail would be open except for a 2-month period. Why the discrepancy? This trail is part of the very popular Visitor Center loop trail. In addition, the connection to the BMX site starts from the upper portion of this trail/park access road. It is recommended that the SDCWA work with MTRP staff to provide access to the Visitor Center loop trail and the BMX trail except at times when public safety is a concern. In addition, it is imperative that the entire Jackson Drive parking lot and the Visitor Center loop trail are available for public use for the annual Explore Mission Trails Day which is held in May of each year.

#### 8-J. 3.8 BIOLOGICAL RESOURCES

The assessment of biological resources provided vague descriptions of potential direct and indirect impacts to sensitive species. The scope of this project may have significant unmitigable impacts. Ideally, discussion of impacts should first clearly describe direct and indirect impacts. Then, there should be a clear description of how the project will first avoid impacts. For those that cannot be reasonably avoided, a clear description of actions to minimize impacts should be provided. Finally, mitigation measures should then be discussed. This document does not adequately address either avoidance or minimization. Clearly there are opportunities for both to occur.

- 8-K. There is no discussion of a monitoring program. Two distinct types of monitoring should occur. "Compliance monitoring" should provide an accounting system, tracking how and when management actions, environmental requirements, and permitted activities are implemented. The purpose of this type of monitoring is to ensure compliance with agreed conditions of the project. "Effectiveness monitoring" should be implemented to determine the effects of development and management activities on the sensitive species and habitats. Monitoring must, at a minimum, determine the status of the sensitive species and habitats throughout the duration of the permit. Results from these efforts should feed back to adequate adaptive management, minimization, or mitigation to offset any observed impacts. A key consideration of any monitoring program should also include a tracking of existing and potentially introduced nonnative invasive species, with appropriate controls provided.
- 8-L. Monitoring plans should be well developed and clearly articulated prior to the start of the project, allowing for a clear understanding of how the plan is supposed to work, what impacts are occurring, and what is being done to offset those impacts so that the species or habitats are not irreparably impacted.
- 8-M. Alteration to wildlife corridors as discussed should be adequately described. Removal of cover and natural habitat, along with two months of activity would likely constitute significant impacts.

Mission Trails Regional Park Citizens' Advisory Committee Comments Re: Mission Trails Flow Regulatory Structure II, Pipeline Tunnel and Vent Demolition Project Draft EIR May 8, 2006 4

The only way to ensure that no significant impacts will occur to sensitive species, breeding birds, etc. would be to provide adequate monitoring and assessment of resident species throughout the duration of the project.

- 8-N. For those species not detected on site, it was unclear if they do not occur in the planning area, or simply had a low probability of detection, and may actually be present.
- 8-O. Restoration activities should consider the use of local native plant seeds. While this is a significant undertaking, it would ensure the genetic viability and ecosystem integrity of the project site. Any restoration should include a minimum of five years of monitoring; to ensure that success criteria are met.
- 8-P.

  Mitigation Measures BR4-1 Vernal pool habitat The Draft EIR does not indicate where in MTRP the two proposed vernal pool mitigation sites are located or what agency owns the land. Further, it does not state what agency will be responsible for the proposed fencing, education, signage and enforcement to keep park visitors away from the pools. The Draft EIR should include a Conceptual Mitigation Plan to identify the potential mitigation sites as well as success criteria and monitoring requirements and that the land owner has agreed to use of the site(s) proposed.
- 8-Q. Creation of wetlands BR 8-1 It is the understanding of the members of the MTRP CAC that there is no available wetlands mitigation land available in MTRP. In fact, the City of San Diego must purchase mitigation land elsewhere along the San Diego River for MTRP projects. The Draft EIR should include a Conceptual Mitigation Plan to identify potential mitigation sites as well as success criteria and monitoring requirements.
- 8-R. Because of the significant visual and biological impacts this project will have on Mission Trails Regional Park, including the apparently proposed uncompensated loss of a significant public recreation area for a period of two years, the members of the MTRP CAC voted unanimously at their meeting held on May 2, 2006, to ask Open Space Division staff of the City of San Diego Park and Recreation Department, to seek from the City Attorney and the Park Planning and Development Division staff, an opinion on the City's ability to stop the project.

Sincerely,

Dorothy Leonard

Chair, Mission Trails Regional Park Citizens' Advisory Committee

Darothy Leonard

C: Councilmember Jim Madaffer, Chair Mission Trails Regional Park Task Force

Mission Trails Regional Park Citizens' Advisory Committee Dorothy Leonard, Chair

- 8-A Comment noted. The text has been revised as suggested.
- 8-B Section 2.3.1 of the Draft EIR describes the size, location, and parcel number of the San Diego Unified School District property known as the Elliott 4 Parcel, which the Water Authority would purchase for the project. The location of the School District parcel in relation to the Water Authority's right-of-way, and the location of the City-owned strip of land (approximately 40-foot-wide by 650-foot-long) between the two, are illustrated on revised Figure 2-5. The Water Authority does not typically initiate discussions with property owners regarding property acquisition until the environmental review process has been completed and a project is approved by the Board of Directors for construction. The acquisition of City-owned property is identified Section 3.1 of the Draft EIR, Land Use (page 3.1-2), and in Table 2-3 (page 2-32), Potential Discretionary Actions and Approvals, of the Draft EIR.
- 8-C The Water Authority does not concur with the commenter's conclusion that the revegetation efforts on the FRS I site have not been successful. FRS I revegetation efforts are considered successful and comparable to other areas of naturally occurring coastal sage scrub in the park (see response to Comment 1-I). As noted on page 2-4 of the Draft EIR, the FRS II will have two feet of soil on top, which will be vegetated with a native plant mix. The Water Authority has increased the specifications for soil coverage at FRS II to two feet, which is six inches more that the coverage on FRS I, in order to encourage a more robust restoration effort with quicker results. In addition, when prepared, the detailed revegetation plans could include container plants and supplemental irrigation for the establishment of evergreen shrubs in order to enhance the aesthetic, as well as, the biologic aspects of the effort.

As noted on page 2-18 of the Draft EIR, the Water Authority's *General Conditions and Standard Specifications*, Section 02940, require a two-year establishment maintenance period for revegetation.

8-D See response to Comment 7-A. The Water Authority acknowledges that the CAC members do not concur with the statement on page 3.2-6 of the Draft EIR, which states that the FRS II control building would be constructed with an architectural design and building materials that would complement the surrounding parkland.

However, in accordance with CEQA Guidelines Section 15151, "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreements among the experts." The CAC's position is incorporated into the public record via their comment letter.

- 8-E Figure 2-9 of the Draft EIR provides a conceptual drawing of the river crossing. The Water Authority has coordinated with the MTRP staff and the CAC regarding the design of this facility and will continue to do so.
- 8-F In accordance with CEQA Guidelines Section 15131, economic or social effects of a project shall not be treated as significant effects on the environment. Therefore, financial compensation is not a CEQA issue, and as such has not been discussed in the EIR. The Water Authority is required to obtain appropriate easements for construction access and staging on City-owned property. The Water Authority will enter into negotiations with the City regarding appropriate compensation for these rights.

The Water Authority does not concur with the commenter's conclusion that the project would result in the significant loss of recreational use. The temporary closure of relatively small portions of a vast regional park cannot be considered significant when alternative access points and trails will remain available within a reasonable distance from all existing access points and use areas.

- 8-G See response to Comment 8-F.
- 8-H The Jackson Drive staging area will only be needed for a period of 2-3 months. MTRP staff will have access to the park storage facility at all times. The staging area, excluding the park storage facility and access to same, will be fenced. The public will be able to use the access road whenever it is not being used for construction purposes.
- 8-I The discrepancy is noted. The construction period for the improved crossing of the San Diego River is not anticipated to last more than two months. However, the staging area may be in use for up to three months considering mobilization and clean-up activities before and after the actual construction at the river. This portion of the Visitor Center Loop Trail will be closed while trucks and equipment are traveling between Mission Gorge Road and the San Diego River. The same is true with the BMX Trail. The Water Authority notes that an easier access route to the BMX site is from Mission Gorge Road at Deerfield Street, next to the City's Deerfield Pump Station. Construction of the improved river crossing must occur following the conclusion of the bird-breeding season and prior to winter rains. Therefore, construction will be limited to a 2-3 month

- period during the months of September through December. There will not be any interference with Mission Trails Day in May.
- 8-J Section 3.8 of the Draft EIR summarizes the findings and conclusions of the Biological Resources Technical Report (Appendix E to the Draft EIR). The Draft EIR clearly shows that the Water Authority has designed the project to avoid or minimize impacts to biological resources. Project features include: the construction of underground facilities, which will be revegetated with a native seed mix to minimize impacts; the replacement of two pipelines with a pipeline tunnel to avoid cut and cover construction, which would impact biological resources along the pipeline corridor; the use of existing access roads and staging areas to minimize construction impacts; the scheduling of vegetation removal outside the breeding season to avoid impact to nesting birds; and the construction of the improved river crossing at the exact location of an existing unimproved river crossing with all work scheduled following the breeding season of nesting birds and prior to the onset of winter rains. Efforts to avoid biological impacts are clearly discussed in Section 2.6.7 of the Draft EIR. Impacts to each sensitive vegetation type and animal species are quantified and clearly discussed in Section 3.8.3. Mitigation measures are then clearly presented in Section 3.8.4, for the 11 significant impacts to biological resources that were identified. The comment does not provide any examples of modifications to the project that would minimize or avoid impacts to biological resources to a greater extent than those already proposed by the Water Authority. The Water Authority is not aware of any additional design modifications to the project that would further reduce or avoid impacts to biological resources, while still meeting the stated project objectives.
- 8-K The Water Authority has prepared an MMRP per CEQA Guidelines §15097 for approval at the time of the certification of the Final EIR. Focused surveys for sensitive animal species, such as the Quino checkerspot butterfly, coastal California gnatcatcher, and the least Bell's vireo, have been conducted and additional pre-construction surveys are required per Mitigation Measures BR9-1 and BR10-1 (page 3.8-18 of the Draft EIR). The removal of invasive non-native plant species from the revegetated areas will be required for a minimum of two years per the Water Authority's *General Conditions and Standard Specifications*, Section 02940.
- 8-L See response to Comment 8-J.
- 8-M Indirect impacts to the least Bell's vireo, caused by the loss of habitat adjacent to the proposed improved river crossing, were concluded to be significant (see page 3.8-15 of the Draft EIR). The project description calls for all work to occur

outside the breeding season for this and other species of nesting birds. Mitigation Measure BR11-1 requires the planting of southern willow scrub species in the areas by the river disturbed by construction. It is the professional opinion of the Water Authority's biologists that, with the avoidance and mitigation measures discussed above, two months of construction activity outside the breeding season would not result in a substantial impact to the least Bell's vireo or any other animal species. The Water Authority must consult with the USFWS under Section 7 of the Endangered Species Act and through said consultation gain the approval of the USFWS.

- 8-N Section 3.8.1 of the Draft EIR, Table 3.8-1, Sensitive Species Potentially Occurring in the Project Area, provides a summary of the habitat of each sensitive species observed or reported from the site and its potential for occurrence in the project area. Those species that were not detected do occur within the general project area, as reported by the California Natural Diversity Data Base (CNDDB). Table 7 of the Biological Resources Technical Report (Appendix E of the Draft EIR) describes whether or not appropriate habitat occurs on the project site. Those species not identified during surveys, for which appropriate habitat exists, may actually be present. However, as delineated in Tables 1 through 5 in the Biological Resources Technical Report, the Water Authority's biologists conducted 47 surveys within the project area between December 23, 2004 and July 15, 2005. It is unlikely that sensitive species were present and escaped detection during the field surveys.
- 8-O Vegetation will be mulched and the topsoil containing the mulch will be stockpiled for distribution over the disturbed areas following construction. Native seed material will be contained within the topsoil. This topsoil will then be seeded with a native coastal sage scrub seed mix. A minimum of two years is specified for the monitoring of the revegetation effort (Water Authority's *General Conditions and Standard Specifications*, Section 02940). Monitoring will be extended if success criteria are not met at the conclusion of the two-year period.
- 8-P The Water Authority has identified an area within the southeastern portion of the 12.78-acre parcel currently owned by the San Diego Unified School District as the mitigation site for vernal pools that will be impacted in the southwestern portion of the site. The Water Authority will acquire the entire 12.78-acre School District parcel prior to project construction. Fencing and signage are not recommended as the proposed vernal pool creation area is not immediately adjacent to a trail and these features would attract park visitors. It has been the experience of MTRP Park Rangers that not all park visitors respect vernal pools through passive observation. However, installation would be the responsibility of the Water Authority and would be done in consultation with the MTRP Park

Rangers. Upon completion of the proposed project, MTRP Park Rangers will be responsible for enforcement. The proposed project will not increase enforcement duties as the vernal pools that will be created will replace those vernal pools that will be impacted. Both the pools impacted and the pools created will be within the same 12.78-acre parcel.

The Water Authority must obtain a permit from the Regional Water Quality Control Board (RWQCB) for the vernal pool mitigation program and will submit all necessary documentation to that agency, including a Conceptual Mitigation Plan. The Conceptual Mitigation Plan will contain success and monitoring requirements.

- 8-Q The Water Authority has identified the concrete and asphalt remains of an old roadbed on the north side of the San Diego River that could be removed to create riparian habitat. This mitigation will be required in order to obtain a Streambed Alteration Agreement from the CDFG, a 404 Permit from the Corps, and a 401 Certification from the RWQCB. Success criteria and monitoring requirements will be presented to these agencies and will be included in the Conceptual Mitigation Plan.
- 8-R The Water Authority does not concur with the CAC's unsupported conclusion that the project would result in significant visual and biological impacts. The Draft EIR provides ample evidence to the contrary. The Water Authority has gone to great lengths to include the CAC in the planning and design process in order obtain input and get concurrence on proposed project facilities. As a result of this process we have included many features to minimize and avoid potential impacts. The CAC's comment regarding a vote to seek an opinion from the City of San Diego on its ability to stop the project is noted.

S.D.C.WA.

least cold



#### SAN DIEGO CITY SCHOOLS

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May 4, 2006

Mark Tegio, Water Resources Specialist San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

Subject: Comments on the Draft Environmental Impact Report for the Proposed Mission Trails Flow Regulatory Structure II (FF SII), Pipeline Tunnel, and Vent Demolition Project SCH# 2005041025

Dear Mr. Tegio:

The San Diego Unified School District (District) has received and reviewed the Draft Environmental Impact Report (Draft EIR), dated March 2006, for the above-named project, and appreciates the opportunity to comment on this document. The District understands that the proposed project would include the acquisition of District-owned property within Mission Trials Regional Park and the use of additional District-owned property for site access during construction of the Water Authority's new facilities. We also understand that traffic related to project construction would use Clairemont Mesa Boulevard as the primary access route to and from the project site, and that this route passes several of the District's schools, including De Portola Middle School.

The following presents our comments and conce ns regarding the proposed project.

9-A.

1. The District-owned property that would te affected by the project includes the Camp Elliott #4 site, which is the District's property proposed to be acquired from the District and used for the Water Authority's FRS II and tunnel facilities, and the Camp Elliott #3 site, which is the District's property proposed to be used as an access point for construction traffic. The Water Authority will need to coordinate with Mr. Bob Kiesling, Chief Facilities C fficer with the District, regarding acquisition of the Elliott #4 site and a cor struction easement for the Elliott #3 site. Mr. Kiesling's phone number is (858) 63 1-3603. There is some concern that construction traffic may "overburden" the existing Elliott #3 easement; therefore, early coordination with the District is suggested.

"The mission of San Diego City Schools is to in prove student ackievement by supporting teaching and learning i 1 the classroom."

Mark Tegio San Diego County Water Authority April 4, 2006 Page 2

9-B.

2. Regarding construction traffic along Clai emont Mesa Boulevard and other construction corridors, the District requests that the Water Authority interview and coordinate with all Principals of the schools located in the vicinity of the construction traffic corridors to further investigate the potential impacts to the schools and community with regard to sa ety and noise during construction.

Thank you for the opportunity to comment on th s document. If you have any questions regarding our comments, please contact me at (8 58) 627-7241.

Sincerely,

Jim Watts
Director of Planning and Architecture
San Diego Unified School District

c: Bob Kiesling Sue Lawrence

JW:ejs

San Diego City Schools Jim Watts, Director of Planning and Architecture San Diego Unified School District

- 9-A The Water Authority has contacted Mr. Bob Kiesling, Chief Facilities Officer, Maintenance and Operations Center, San Diego City Schools, to initiate acquisition of the 12.78-acre Elliott #4 parcel to be used for the FRS II site and to renew an existing easement over the Elliott #3 parcel at Calle de Vida, to be used for access by oversized construction equipment that cannot use the Clairemont Mesa Boulevard Bridge.
- 9-B The Water Authority provided copies of the Draft EIR to the principals at each of the potentially affected schools in the vicinity of the construction traffic corridors. The Water Authority has also directly contacted the principals of each of these schools. No comments on the Draft EIR were received from any of the schools. The Water Authority will continue its outreach program with the schools throughout the construction process.

**Tierrasanta Community Council (TCC)** Comments on the Draft Environmental Impact Report (EIR) for the San Diego County Water Authority (CWA) Mission Trails Project (Flow Regulatory Structure (FRS), Pipeline Tunnel and Vent Demolition) (Draft EIR dated March 2006)

#### Comments on Section 1: INTRODUCTION

- Page ES-3, paragraph ES.3: The term "Tierrasanta Town Council" should be changed to 10-A. "Tierrasanta Community Council". The Final EIR should reflect correct terminology in the Executive Summary and anywhere else this error appears.
- Page 1-5, Figure 1-1: This figure is unclear. The Final EIR should clarify these uncertainties: 10-B. Which line is the 96-inch pipe being proposed in this project?
  - To which green line will the FRS II connect? What is the black line that runs approximately from Miramar WTP to just below SR-52?
  - Page 1-7, Figure 1-2: The Final EIR should address the following (in the text of the EIR
- 10-C. and/or in the figure itself). Explain the difference between an Elliott Vent and a Blow Off.

  - Annotate the figure to show which of these will remain and which will be removed.

#### Comments on Section 2: PROJECT DESCRIPTION

- Page 2-6, section 2.3.2: The Final EIR should explain what will become of the existing 10-D. pipelines 3 and 4 as this is left unanswered.
- Page 2-7, 2<sup>nd</sup> paragraph: The Final EIR should explain and/or answer the following: 10-E.
- Please explain the nature of a "pressure tunnel".
  - Please explain how a "pressure tunnel" differs from the existing gravity pipelines?
  - Assuming one or more vent tubes are being retained, then please explain why vent tubes are needed for a pressurized pipeline?
- Page 2-8, section 2.3.3: The Final EIR should better explain the purpose of the air 10-F. release/vacuum structure, why these are needed, where they will be installed (shown on a figure), and their viewshed impacts (in a photo simulation related to KOP 7).
- Page 2-8, section 2.3.4: As discussed throughout these comments, the TCC does not concur with the plan to build a stabilized crossing of the San Diego River solely for the reason that 10-G. "Increased maintenance activities for the FRS II and pipeline tunnel would require enhanced access to the site." The Final EIR should include a wholesale reexamination of the a southern access to the site (via Mission Gorge) as follows:
  - This southern access should be available for the duration of the pipeline and FRS construction project,
  - The Stabilized River Crossing should be built early in the project (rather than in the 20th month of the project as shown in Table 2-1), and

TCC Comments to the SDCWA's Draft EIR of March 2006

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All dump trucks carrying excavated material and debris (called "muck" in the EIR), that
is to be delivered to destinations along Mission Gorge, should exit the project site via this
southern route (rather than via Tierrasanta's neighborhood streets).

10-H.

- Page 2-9, Table 2-1: This table explains a great deal about the overall construction plan, but it also leaves many things unanswered. The Final EIR should be updated as follows:
  - Update this table and predict which month and year are Month #1 (with the annotation "subject to change").
  - Update this table to indicate the months when school is in session.
  - Update this table with color coding to indicate the focus areas of work, with one color being the north portal, another being the FRS, and another the south portal.
  - As noted above and elsewhere below, the TCC requires that the "Stabilized River Crossing" be built at the beginning of the project, not in the 20<sup>th</sup> month of the project. The TCC requires all excavated material ("muck") that is to be delivered to destinations along Mission Gorge should exit the construction site via the southern exit that connects directly to Mission Gorge.

10-I.

9. Page 2-10, section 2.4.1 (from page 2-8): The Final EIR should clarify whether it is CWA's intention to work 7AM to 7PM during the winter months, and specifically if the CWA intends to work during hours of darkness. Assuming work at night is proposed, then the Final EIR should explain the nature of lighting that will be used to support these night-time hours of work.

10-J.

- 10. Page 2-11, section 2.4.3: It remains unclear the quantity and frequency of vehicles that may be expected to repeatedly come and/or go via the Calle de Vida park entrance (vehicles that must use this entrance because at 60,000 pounds or greater they are too heavy to use the Clairemont Mesa bridge entrance). The Final EIR should be updated to explain the numbers of such vehicles, and the frequency of their passage, through the Calle de Vida and Colina Dorada neighborhood streets. The Final EIR should be updated also should answer the following questions:
  - What is the approximate weight of a truck that is hauling 10 cubic yards of muck?
  - What is the approximate weight of a truck that is hauling 15 cubic yards of muck?

10-K.

- 11. Pages 2-12 and 2-13, sections 2.4.4 and 2.4.5: It seems that given the work distribution provided in Table 2-1 it ought to be possible to estimate the rough number of truck trips required across the life of the project. The Final EIR should be updated to provide a table, or Table 2-1 ought to be updated, to approximate the distribution of 10 and 15 cy truck trips as follows:
  - By month: total trips on a month-by-month basis (roughly along the lines of Table 2-1)
  - By park entrance: total trips per month at each of the four identified park entrances, including the southern route to Mission Gorge.

10-L.

12. Pages 2-16 and 2-17, section 2.4.8: As noted above, the TCC requires that muck destined for disposals sites to the south and along Mission Gorge or Friars should exit the project site via the southern park entrance and not via Tierrasanta's neighborhood streets. (Figure 2-11 correctly shows this path as a "potential haul route".) The Final EIR should be updated to

TCC Comments to the SDCWA's Draft EIR of March 2006

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clearly state the project's intention to deliver muck via this route. The Final EIR additionally should answer the following specific questions:

- What is the expected path of trucks carrying excavated muck for delivery to Canyon Rock and Asphalt Rock quarry on Mission Gorge Road?
- What is the expected path of trucks carrying excavated muck for delivery to Vulcan Materials on Friars Road?
- If the path for these trucks is not via the southern park entrance and Mission Gorge, is this because the stabilized river crossing is not planned to be built until the 20<sup>th</sup> month of the project?
- Why is the river crossing not being improved earlier in the project in order that muck can
  exit the site via this park exit?

10-M.

13. Page 2-18 through 2-31, all of section 2.6: Please provide the TCC with a printed copy and softcopy (.pdf) of the CWA document "General Conditions and Standard Specifications", 2005 edition. Alternately, this document should be posted on the CWA's website to permit easy access by all citizens. If either of these for some reason are infeasible, then please provide the TCC with a printed copy and softcopy of only the sections referenced in section 2.6 of the Draft EIR: 02940, 02200, 01560, 02310, 02140, 02270, 02110, 02229 and 01530.

10-N.

- 14. Page 2-18 and beyond, section 2.6: Please provide the TCC with points of contact (names, telephone numbers, email addresses and fax numbers) who will accept complaints in the following specific areas:
  - Section 2.6.1: lights left on over night
  - Section 2.6.2: excavated materials being hauled by truck in front of schools when school children are present
  - Section 2.6.2: truck traffic and other excavated materials being hauled before 7AM or after 7PM
  - Section 2.6.2: truck traffic through the Calle de Vida park entrance in excess of 40 trips per day
  - Section 2.6.3: excess dust, damage to dwellings from dust, nuisance to persons from dust
  - Section 2.6.3: "tracking or accumulation of materials on roads" and the need for street sweeping services
  - Section 2.6.3: vehicles with "excessive emissions of exhaust gases"
  - Section 2.6.3: excessive truck speeds
  - Section 2.6.3: grading (or other dust-creating activities) being performed when winds exceed 25 mph
  - Section 2.6.4: trucks without or with inadequate mufflers
  - Section 2.6.4: inadequacy of temporary noise barriers
  - Section 2.6.5: poorly marked trail closures or poorly marked alternate park entrances
  - Section 2.6.5: failure to restore the park to pre-construction conditions
  - Section 2.6.6: disposal of water in a way that causes nuisance to public or private property
  - Section 2.6.6: excessive rain water erosion at an excavation site including ponding, silt & mud
  - Section 2.6.7: unapproved activities within the drip line of protected vegetation

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- Section 2.6.7: lighting that is directed toward native habitat; use if inappropriate lighting; unshielded lighting or lighting not focused downward
- Section 2.6.7: failure to wet down per the stated minimum standards ("in the morning and after work is completed for the day")
- Section 2.6.8: failure to take erosion control actions when the chance of rain is reported to be 40% or higher or where grades are 3:1 or greater
- Section 2.6.9: failure to provide adequate site security, misbehavior by a night watchman, alcohol or drug abuse at the project site, fire hazards at the project site (e.g., unsafe disposal of cigarettes)
- Section 2.6.9: open trenches and excavations that are inadequately protected by fencing;
   failure to adequately dispose of sanitary and organic waste
- Section 2.6.9: blasting operations that are not conducted according to the approved Site Specific Plan
- Section 2.6.10: failure to adhere to the proscriptions of the utterly undecipherable first sentence of the first paragraph
- 10-O.
- 15. Page 2-19, section 2.6.2, Standard Specifications: The community wishes to exercise partial authority as an "agency having jurisdiction" over traffic control concerns insofar as the community requires that truck traffic passing in front of schools be curtailed during the times that school children are coming and going to school. The Final EIR should be updated to specifically name the affected schools has having limited authority to coordinate traffic control concerns. The affected schools are:
  - De Portola Middle School on Clairemont Mesa Blvd
  - Tierrasanta Elementary just off of Clairemont Mesa Blvd
  - Kumeyaay Elementary on Antigua Blvd
  - Vista Grande Elementary just off of Clairemont Mesa Blvd
  - Serra High School on Santo Road
- 10-P.
- 16. Page 2-19, section 2.6.2, Project Design Features, 3<sup>rd</sup> paragraph: The Draft EIR is self-contradicting in that here it states a portion of the construction traffic will utilize the Mission Gorge Road park entrance, but elsewhere (as noted above) it is clear this route is not planned to be completed until the 20<sup>th</sup> month of the project (according to Table 2-1). The TCC requires that all trucks destined for points south should use the southern park entrance and Mission Gorge rather than Tierrasanta's neighborhood streets.

The Final EIR should be updated to correct this inconsistency and to repeat throughout what section 2.6.2 correctly says: that "construction traffic will utilize the ... Mission Gorge Road" access points to MTRP.

- 10-O.
- 17. Page 2-19 and 2-20, section 2.6.3: The Final EIR should more clearly explain the following:
  - The source of water to be used for dust prevention and air quality mitigation, and if this
    becomes an additional requirement for heavy trucks to enter and exit the project site (e.g.,
    water trucks whose only purpose is dust control). If the source of water is not an existing
    pipeline or FRS I then the Final EIR should explain why it is this water must be provided
    from off-site sources.
  - Whether loaded water trucks are an example of the types of vehicles that exceed 30 tons
    that may be expected to use the Calle de Vida park entrance on a recurring basis.

TCC Comments to the SDCWA's Draft EIR of March 2006

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- 10-R. 18. Page 2-23: The Final EIR should spell out first use of the acronym NPDES in the text.
- 10-S. 19. Page 2-29 and 2-30, section 2.6.9: The TCC would like to review the "Site Specific Plan" for blasting operations along with the supporting "Fire Prevention and Response Plan". The Final EIR should answer the following questions:
  - Who reviews and who approves the Site Specific Plan for blasting operations? Will the TCC have an opportunity to review this plan?
  - By what means will "a minimum of two working days advance notice" be given to "all residences or businesses within 400 feet of the blast area"? Can the TCC sign up to be informed of all such advanced notifications?
  - How will it be established that a home is either within 400 feet from a blast area or outside this area?
  - Who reviews and who approves the Fire Prevention and Response Plan? Will the TCC have an opportunity to review this plan?
- 10-T. 20. Page 2-31, section 2.6.10: The first sentence of the first paragraph contains so many clauses, connected by ands and ors but lacking semicolons, that it is impossible to understand what actually is proscribed. The Final EIR should break this sentence into pieces in order to make it understandable to the lay reader.
- 10-U. 21. Page 2-39, Figure 2-4: A review of this figure results in some unanswered questions. The Final EIR should be updated, either on the figure or in the text, to clarify the following:
  - Identify in orange the access staging area for the north portal (as has been done for the southern and CMB staging areas).
  - Differentiate the Elliott Vents that will remain in some form from those that will be removed in toto.
  - Differentiate the Blow Off vents that will remain from those that will be removed.
  - Explain the difference between the northern Pipeline Interconnect Reconfiguration site and the North Portal Staging site, explain the nature of the land that separates these two sites, and identify whether continued MTRP park access will be permitted via a path that lies to the north or to the south of this Pipeline Interconnect Reconfiguration site.
- 10-V. 22. Page 2-45, Figure 2-7: The Final EIR should, somewhere in the text, more fully explain the feasibility of having a gravity flow pipeline with a 100-foot increase in elevation.
- 10-W. 23. Pages 2-51 and 2-53, Figure 2-10 and 2-11: As previously mentioned, the TCC requires a southern park exit, leading directly to Mission Gorge, for use by trucks carrying muck for disposal at points south. (Separately, the TCC notes with extreme concern the statement on page 3.3-1 indicating that Mission Gorge was not included in the traffic analysis because so few trips were planned.)

The Final EIR should be rewritten to address the TCC requirement that the path southward from the South Portal excavation area to the river crossing and Mission Gorge must be the routinely used default path for laden trucks that are carrying muck to the disposal sites that lie to the south: Old Quarry, Canyon Rock and Asphalt Quarry and Vulcan Materials (as shown on Figure 2-11).

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The Final EIR should be updated as follows: A blue line (indicating a park entrance/exit route) should be added to Figure 2-10 to connect the South Portal construction area with the Stabilized River Crossing. This change is required to make Figure 2-10 match the similar purple line in Figure 2-11.

#### Specific Comments on Section 3.2: AESTHETIC IMPACTS

- 10-X.
- 24. Section 3.2: This section assumes that the only potential visual impacts are to persons located outside MTRP. In fact, the park visitors will experience the greatest visual impacts from the permanent structures that this project will construct-the control building. Only two in-park viewpoints are considered (Key Observation Points 5 & 6). Also, it is not clear why KOP 6 (100 ft from the control building) was selected of all the close up in-park views of the building. The Final EIR should include more KOPs from within the park to better assess the visual impacts from sites within MTRP.
- 10-Y.
- 25. Page 3.2-4, KOP 6: It is stated that the impacts of the building will be insignificant due to the fact that architectural design and materials would complement the surrounding parkland. This building cannot possibly complement the surrounding undeveloped property and will look out of place and thus constitute a significant visual impact to park visitors. The Final EIR should more clearly state that there will be considerable aesthetic impact from a variety of perspectives within MTRP.
- 10-Z.
- 26. Page 3.2-5, KOP 12: It is stated that the impacts of the massive FRS 2 construction project barely 0.25 miles distant will result in less than significant visual impact. This would seem to be a misstatement given that several thousand trucks carrying upwards of 105,000 cubic yards of muck will result from the massive excavation, with the short-term result being a giant hole in the ground. (The photo, Figure 3.2-13 on page 3.2-33 makes this clear: the span of the excavation site is some 80% the width of the entire photo.) The Final EIR should state clearly that short-term impacts (nearly 2 years in duration) will be massively significant, and the long-term impacts will include a wholesale change of the park's appearance from this vantage point.
- 10-AA.
- 27. Section 3.2, KOP 12 and others: The residents of eastern Tierrasanta should be afforded an opportunity to see for themselves the aesthetic impact of the control building (above ground portion of FRS 2), if any, from their homes prior to actual construction. The TCC proposes that CWA install "story poles" to demonstrate the visibility (or lack of same) of the control building as seen from the adjacent residences. The Final EIR should include a plan and timeline to install this mock-up so that residents themselves can judge the visual impact.

#### Comments on Section 3.3: TRAFFIC / CIRCULATION IMPACTS

- 10-AB.
- 28. Page 3.3-1: The TCC notes with extreme concern the statement on page 3.3-1 that Mission Gorge was not included in the traffic analysis because so few trips were planned and instead "construction on this road would be limited to the construction of the stabilized crossing of the San Diego River". The TCC wonders why the crossing should be built if there is no planned use of that route. The TCC believes trucks laden with muck that are en route to disposal sites to the south must take the southern route to Mission Gorge rather than a more

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circuitous route through Tierrasanta. While this use may not constitute a significant number of trips (when compared to existing traffic on Mission Gorge), the TCC believes the number of trips should be considerably more than just those required to build the stabilized crossing.

The TCC requires that the Final EIR be written to make clear that the southern route (that connects the South Portal construction area to the Stabilized River Crossing) must be routinely used as the default path for laden trucks that are carrying muck to the disposal sites that lie to the south: Old Quarry, Canyon Rock and Asphalt Quarry and Vulcan Materials (as shown on Figure 2-11).

10-AC.

29. Page 3.3-7 and onward, Section 3.3.3 and Table 3.3-9: These explain that any construction-related traffic brought upon by the proposed MTRP project would have no significant impact to specific intersection points along the route, even during peak AM/PM hours. Table 10-1 and 10-2 in Appendix B supports this claim. However, nowhere in Section 3 or in Appendix B does it show impact near schools along the proposed routes at the beginning and end of the class days. Specifically, traffic at or nearby Gaspar De Portola Middle School, Kumeyaay Elementary School and Vista Grande Elementary School already becomes congested and bottlenecked resulting in significant delays during school opening and closing times (as cars occupy the parking lanes and as children are dropped off for and picked up from school each school day). The addition of heavily-loaded construction vehicles during these specific time periods potentially could result in significant delays along the adjacent surface streets, but more importantly the addition of laden and unladen trucks passing through these constricted community streets could pose a hazard to car doors, children and parents during the hours of school comings and goings.

The TCC requires that the Final EIR express a willingness to work with the community, with the Principals of all Tierrasanta-area schools and the San Diego Unified School District, to:

- Limit truck traffic during the hours when school children occupy the streets, and when the roads are congested with the cars of parents dropping off or picking up their children; and
- Ensure that the existing school-related congestion seen during these times is not further
  compounded by the passage of CWA trucks, which are predicted to be as many as 268
  truck trips in the AM and PM peak hours.

10-AD.

30. Page 3.3-8, Table 3.3-7: The EIR notes that construction vehicles for this project will result an estimated Average Daily Trip (ADT) count of 268 for both the AM and PM peak hours. The potential exists for this amount of traffic to significant impact the road conditions along the designated route to and from the construction site. Table 8-2 in Appendix B supports this claim. During the CWA working group sessions this degradation was discussed, and CWA agreed to implement a photographic survey of before and after conditions, but nowhere in the Draft EIR does this requirement appear.

The TCC strongly recommends CWA follow through with this promise as follows: 1) CWA should employ a qualified traffic engineer to survey the conditions of all Tierrasanta roads along the designated traffic routes, before any work begins, and establish a written (and photographic/video) benchmark of their current state; 2) CWA should employ a qualified traffic engineer to survey the conditions of the same roads at the conclusion of the project;

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and 3) CWA should agree to perform, in a timely manner, any needed road repairs resulting from CWA-authorized construction traffic such that the roads are restored to their prior (or better) condition.

The Final EIR should clearly state a requirement to conduct a before-and-after photographic and video survey of the truck routes to identify clearly the degradation to the community roads that in large part will be due to the passage of heavy trucks.

10-AE.

31. Page 3.3-10: The TCC believes the Draft EIR includes a false conclusion. The DEIR asks "Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or *incompatible uses* (e.g., farm equipment)?" The paragraph summarizes the CWA's conclusion by saying: "The short-term addition of truck traffic to existing roads leading to and from MTRP is not considered to be an incompatible use of the existing roads." The TCC disputes this claim in the case of 30-ton trucks driving back and forth on the neighborhood streets of Rueda, Calle de Vida and Colina Dorada. It seems wholly incompatible for the largest and heaviest trucks to use the least robustly built streets leading to a park entrance.

The Final EIR specifically should recognize the predicted very significant albeit short-term impacts to the Cedar Ridge and Monte de Oro developments: 1) damage to the street surface; 2) rocks, dirt and debris left on the street after the passage of a heavily loaded truck, with a potential for local traffic to kick up stones and cause damage or injury; 3) temporary local traffic congestion as one of these large trucks attempts to negotiate the relatively tight neighborhood intersections; 4) damage to curbs when the larger trucks cut corners and ride up on the curbs as they turn; 5) probably excessive noise as the heaviest trucks pass by homes and children playing in their yards.

10-AF.

32. Section 3.3: An additional consideration the TCC requests is related to the "Staging Area" at the end of Clairemont Mesa Blvd. In the past there has been a gate at the end of the paved cul-de-sac and entrance the dirt parking lot area that leads to the wooden bridge. The TCC has been in contact with MTRP about restoring a permanent gate at the same location in the near future. Presumably CWA is going to install a gate to block trail access during their two-year project, and the TCC would like to propose this gate be installed as the permanent gate that MTRP has agreed to support. Ideally, said gate would be installed at the entrance to the dirt parking lot, it would be designed as a permanent heavy-duty pipe gate, and it would be left on site when the project is completed with the full support of the TCC and MTRP.

## Comments on Section 3.4: AIR QUALITY

10-AG.

33. Page 3.4-11, section 3.4.4: The Final EIR should clearly state a citizen's recourse if it is observed that mitigation measures AQ 1-1 or AQ 2-1 are ignored.

10-AH.

34. Section3.4: The TCC believes CWA should consider authorizing an additional corrective action in the form of a commitment to power wash the buildings of Belsera after all the work is completed.

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# Comments on Section 3.5: NOISE AND VIBRATION

- 10-AI.
- 35. Page 3.5-1, section 3.5.1, second paragraph: The Final EIR should more fully explain, using numbers (dB measurements), how the noise from SR-52 "can overwhelm" the natural noise level at the North Portal area.
- 10-AJ.
- 36. Page 3.5-7, Table 3.5-6: The worst combination of sound level and proximity to residences occurs at the Pipeline Interconnect Reconfiguration, where calculated sound level is as high as 97 dBA and where this will occur within 40 feet from the nearest residences. TCC suggests some additional form of mitigation, such as window improvements, is required for the most severely impacted residents in Belsera. The Final EIR should state a willingness to further mitigate noise in this area with additional sound dampening measures beyond just the proposed barriers?
- 10-AK.
- 37. Page 3.5-8, second paragraph: Nighttime construction at the North Portal is planned for 10 days and the South Portal for 1 year. The TCC requests overall estimate for nighttime construction for the two years of the total project. The Final EIR should more clearly state the requirement for nighttime construction of the entire project.
- 10-AL.
- 38. Page 3.5-12: A variety of mitigation measures are offered to reduce overall noise, but there is no mitigation that will reduce the noise level to below "significant" in all areas for the entire two-year project. In some places the noise impact will remain "significant" for virtually the entire two years, especially at Belsera. The TCC believes further noise mitigation will be required, in addition to sound barriers, such as sound proofing windows in homes that lie in the direct line-of-sight to the most significant noise sources. The Final EIR should state a willingness to consider additional mitigation measures, and it should specifically state the recourse if citizens believe the listed mitigations measures are not being taken or if they are believed to be inadequate.

## Comments on Section 3.6: RECREATION IMPACTS

- 10-AM.
- 39. Page 3.6-2, section 3.6.3, first paragraph: The TCC believes CWA's conclusion is in error, as common sense suggests the project will substantially increase use of trails in parks other than MTRP, especially in Tierrasanta's parks and open space canyons, since MTRP users will be unable to access MTRP and they will require alternative recreation areas. The Final EIR should more accurately represent the impacts to Tierrasanta's parks and open space.
- 10-AN.
- 40. Page 3.6-2, section 3.6.3, third paragraph, states "only extreme western portion" of MTRP is impacted by this project, but this discounts the full effect of closing the trailheads in this area. Users will not generally use trails which result in dead ends, so closing a trailhead effectively closes the entire trail from the point of closure to the point it meets a trail leading from an open trailhead. Thus, only those portions of the trail system which are retained in a loop system can really be said to be unaffected by the project.

The Final EIR should more accurately state that the practical effect of trailhead closure is to close much of western MTRP rather than only the "extreme western portion" of the park.

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## 10-AO.

- 41. Section 3.6: The Final EIR must clarify the following statements because, as written, they currently contradict each other:
  - Page 3.6-2, section 3.6.3, third paragraph: Corte Playa Catalina will remain open as an alternative park access point.
  - Page 3.6-7, Figure 3.6-2: The figure depicts a barrier on the trail leading north east, and
    the trail/road leading NW and SE is depicted as being closed. It is difficult to compare
    notations across figures because they are to different scales with different background
    and reference markings.
  - Page 3.6-9, Figure 3.6-3: a note states "Open to public on Sunday only with designated crossing at Corte Playa Catalina on other days".

#### 10-AP.

42. Page 3.6-3, section 3.6.4: Impacts to recreation are deemed insignificant and the reader is directed to section 2.6.5 for "a discussion of project design features ... implemented to maintain access to the Fortuna Mountain area of MTRP." However, said section merely states that alternative routes will be identified and no design features are discussed. The Final EIR either should specifically identify the project design features intended to maintain access to MTRP or it should state there is no planned mitigation other than to mark the closed trailheads with "Closed" signs.

#### 10-AQ.

43. Page 3.6-9, Figure 3.6-3: The figure depicts (in yellow) a main road as being open on Sundays, and it states the North Portal is open via Shepherd Canyon on days other than Sunday. The Final EIR should clarify, and identify on the map, the exact location of the Shepherd Canyon park access routes expected to be open on days other than Sunday.

#### 10-AR.

- 44. Page 3.6-9, Figure 3.6-3: The Final EIR should replace Figure 3.6-3 with new figures of the scale and clarity of Figure 3.8-1 (page 3.8-21) through Figure 3.8-4 as these provide vastly better clarity of the MTRP access points, access closures, staging areas and work sites.
- 10-AS.
- 45. Section 3.6: The Final EIR should include that "No Outlet" signs will be posted where trails will be dead-ended.

## 10-AT.

- 46. Section 3.6: As a further mitigation to improve park access while so many other park entrances from Tierrasanta are closed to the public, the TCC suggests the following:
  - Rebuilding the small 6-foot wood pedestrian bridge north of Belsera that was burned in the 2003 fires, and
  - Performing trail improvements in western MTRP off Portobello Road (across from the Belsera complex), including opening a half-mile trail that connects with the trail to Villarrica Way and from there to the Shepherd Canyon greenbelt.

The Final EIR should state a willingness to improve park access in entrances that will remain open during the project and to improve existing trails nearest those entrances.

## Comments on Section 3.12: PUBLIC SAFETY & HAZARDOUS MATERIALS

## 10-AU.

- 47. Page 3.12-5, paragraph 3.12.4: The TCC would like to review the proposed PS 2 mitigation documents. Also, the Final EIR should better explain:
  - Who reviews and approves the proposed Fire Prevention Program?
  - Who reviews and approves the proposed Emergency Response Plan?

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## **RESPONSE TO COMMENT LETTER 10**

Tierrasanta Community Council (TCC)

- 10-A Comment noted.
- 10-B The two green pipelines on Figure 1-1 in the Draft EIR are Pipelines 3 and 4. These are the pipelines to be replaced by the pipeline tunnel. Please refer to Figure 2-7 for the alignment of the proposed Inlet and Outlet pipeline tunnels as they are not shown on Figure 1-1. The black line, which runs from the Miramar Water Treatment Plant to City of San Diego water distribution facilities, is a former section of Pipeline 3 now operated by the City of San Diego.
- 10-C The term "Elliott" is used as a reference to identify the location of the vents and blowoff valves within the former Camp Elliott. The vent structures (one vent structure for each pipeline) are located on the ridges (high points) and each has an equal peak elevation in order to maintain a constant hydraulic pressure in the pipeline. The southerly vents, Elliott #5 vents are the tallest of the blue stacks visible in MTRP. Blowoff valves are pressure release valves located in the valleys (low points) between the ridges. The blowoff valves act as emergency release valves in the event water pressure in the pipelines exceeds specifications. Figure 1-2 shows existing Water Authority facilities in MTRP. The Elliott #5 vents are south of the pipeline tunnel. The tall blue vent stacks will be replaced with much smaller control valves. Elliott Vents #1 through #4, and all of the blowoff valves shown in Figure 2-1, will be removed as part of the proposed project.
- 10-D As is stated on page 2-15 of the Draft EIR, "abandoned sections of the pipelines that remain in place would be encased with sand or concrete. The length of section that would be abandoned for each pipe is approximately 5,000 feet." The only sections of pipeline that would be removed would be short segments at the North and South Portals where the new pipeline tunnel would tie into the two existing raw water pipelines.
- 10-E "Pressure tunnel" simply means that it will be pressurized, as opposed to a highway or roadway tunnel that is not designed to withstand pressure. The pressure will be caused by the water that will flow through the pipeline tunnel. While the water flowing through the pipeline tunnel will flow by gravity, as opposed to being mechanically pumped, the hydraulic head (force of upstream water) caused by downstream valves and other restricts will result in pressure. The tunnel will be lined so that it will withstand the water pressure with negligible leakage. No vents or blowoff valves are necessary for a pressure tunnel. As

noted in response to Comment 10-C above, the Elliott #5 vents are located south of the proposed pipeline tunnel. These vents could be left exactly as they are to allow fluctuations in water pressure within Pipelines 3 and 4 as they pass over the last of the five ridges north of the San Diego River. The Water Authority has proposed the replacement of these vent stacks with air release/vacuum valves to reduce the visual presence of water facilities within MTRP.

10-F As is stated in Section 2.3.3 of the Draft EIR, Elliott Vents #1 through #3 would be removed and not replaced by any structure whatsoever. Elliott Vents #4 and #5 would be removed and replaced with air/vacuum structures. These air/vacuum structures would be located in the exact same locations as Elliott Vents #4 and #5. These locations are shown on Figure 1-2 and Figures 3.8-1 through 3.8-4. The tall blue vents (stacks) would be replaced by concrete vaults containing the air/vacuum valves. These vaults would be approximately 3 feet high. Figure 3.2-8 provides a photo of Elliott Vents #4 and #5. A simulation of the replacement air/vacuum valves would reveal short concrete structures in place of the tall blue stacks (as shown below).



10-G The southern access point is currently available, though its use is limited to 4-wheel-drive, light-duty trucks during low-flow of the San Diego River. Crossing can be difficult even for these trucks due to the uneven depths and large cobbles in the riverbed. The stabilized crossing can be moved to the early part of the project to provide improved access for Water Authority maintenance vehicles, Park Rangers, law enforcement, fire fighters, and emergency response crews. However, construction of the improved river crossing must occur following the conclusion of the bird-breeding season and prior to winter rains. Therefore,

construction will be limited to a 2-3 month period during the months of September through December.

The Water Authority thoroughly investigated southern access to MTRP via Mission Gorge Road at Jackson Drive for construction trucks and equipment. This would be an ideal access point, if its use were feasible. This would be especially true if a quarry in Mission Gorge were to be selected as a muck disposal site. Unfortunately, the grades on the existing dirt roads on either side of the San Diego River are far too steep for heavy construction equipment and large trucks to safely navigate. Construction of safer roads, with more moderate grades, is not feasible through the Mission Gorge area due to topographical and geological constraints. Furthermore, the Water Authority is committed to minimizing impacts to MTRP by using only existing roads.

- 10-H It would be premature to predict which month would be Month #1 for construction, as a construction contractor has not been selected for the project and the final construction schedule has not been established. San Diego Unified School District schools are typically in session from early September through the third week of June with a week off at Thanksgiving, two weeks off at the end of December through New Years Day, and a week for Spring Break, which normally coincides with Easter. There are several other 3- and 4-day weekends throughout the year. The Water Authority does not agree that Table 2-1 (page 2-9 in the Draft EIR) should be color-coded to indicate focus areas of work. The table shows that there would be activity at the FRS II site and the North and South Portals during months 1-22. Truck traffic would be greatest during the period when the FRS II site and both tunnel sites are exporting excavated material (months 5 and 6). FRS II excavation would take approximately 4 months (months 3-6), while excavation of the North and South tunnels would take approximately 12 months (months 4-15 for the South Tunnel and months 5-16 for the North Tunnel). See response to Comment 10-G regarding the use of the stabilized crossing of the San Diego River for construction access.
- 10-I With the exception of 24/7 work at the South Portal and the North and South Portal work during the 10-day pipeline tie-in, the 7:00 a.m. to 7:00 p.m. work period represents the absolute limit for work to be performed. Continuous night work is only proposed at the South Portal, and at both portals during the pipeline tie-in. The nature of the lighting for these activities is discussed in Section 3.2 of the Draft EIR, Aesthetics/Visual Quality. All other work will be limited to daylight hours within the 7:00 a.m. to 7:00 p.m. limits. It is understood that daylight hours available for work during the winter months would be reduced. This would reduce the hours for the operation of haul trucks and construction equipment.

- 10-J As noted in Section 2.6.2 of the Draft EIR, Traffic/Circulation (page 2-19), truck traffic on Rueda Drive and Calle de Vida will be limited to oversized trucks and equipment and will not exceed 40 trips in a single day. The Water Authority will log all trips in and out of this entrance to document compliance with this commitment. Loaded 10 cubic yard haul trucks weigh approximately 68,000 pounds and loaded 15 cubic yard haul trucks weigh approximately 98,000 pounds. Haul trucks will use the Clairemont Mesa Boulevard entrance and bridge and will not use the Calle de Vida entrance.
- 10-K The best estimate of truck trips is provided in Table 3.3-7 of the Draft EIR (page 3.3-8). The actual planning of the construction logistics is performed by the construction contractor. The total number of trips can be estimated at this time based on the volume of material that needs to be imported and exported. However, detailed estimates of monthly traffic volumes by access location would be too speculative to be of any meaningful use.
- 10-L Figure 2-11 of the Draft EIR does show the southern park exit at Mission Gorge as a **potential** haul route. The Water Authority agrees that this route would be ideal, if it were feasible. However, Water Authority engineers have evaluated the width, grade, turn radii, and composition of the road base and have eliminated its further consideration for use by heavy trucks. The grades on both sides of Mission Gorge, leading down to the San Diego River, are too steep for heavy trucks to safely climb and descend. Downhill travel for a loaded truck on these steep grades was of greatest concern. See response to Comment 10-G.

Selection of a muck disposal site and the preferred route to get to and from the site would be the responsibility of the selected contractor. The Water Authority has identified the potential haul routes through Tierrasanta and all contractors would be required to follow these routes. Once on Interstate 15 (I-15) or State Route 52 (SR-52) the contractors would be free to use whatever routes they choose, in compliance with all traffic laws and weight restrictions. The expected route to Canyon Rock & Asphalt in Mission Gorge would be Clairemont Mesa Boulevard west to I-15; I-15 south to Friars Road; Friars Road east to Mission Gorge Road; Mission Gorge east to the quarry site. The expected route to Vulcan Materials on Friars Road would be Clairemont Mesa Boulevard west to I-15; I-15 south to Friars Road; Friars Road west to Vulcan Materials. It is noted that it is unknown whether muck would be hauled to either of these locations. See response to Comment 10-G for a discussion of the timing of construction of the stabilized river crossing and why this route cannot be used for haul trucks.

- 10-M The Water Authority's *General Conditions and Standard Specifications* are available for review or purchase at the Water Authority's headquarters, 4677 Overland Avenue, San Diego, CA 92123.
- 10-N The Water Authority has established a toll-free project hotline for this project [(877) 682-9283, extension 7004]. Most of the items listed in the comment would be referred immediately to the Construction Manager for action. The caller would be provided with a follow-up phone call describing the action taken or the course of action proposed to remedy the complaint. The first sentence of Section 2.6.10, Protection of Existing Facilities, can be summarized as a warning to contractors not to do anything within 15 feet of a Water Authority facility unless it is required by project plans or permission to do so has been granted by the Water Authority.
- 10-O The City of San Diego, San Diego Unified School District, and the principals of De Portola Middle School, Tierrasanta Elementary School, Kumeyaay Elementary School, Vista Grande Elementary School, and Serra High School were provided copies of the Draft EIR and were invited to provide the Water Authority with comments regarding their concerns. Each of these agencies and schools has also been included in the Water Authority's public outreach program. The Water Authority will continue to work directly with City of San Diego traffic engineers, San Diego Unified School District staff, and representatives of each of the schools listed above to address concerns regarding traffic. The Water Authority appreciates your comments and concerns; however, the City of San Diego is the agency having jurisdiction over this issue. The Tierrasanta Community Council may make recommendations to the City of San Diego.
- 10-P The Draft EIR is consistent regarding the description of the Mission Gorge Road access point. The paragraph in question states "Truck traffic on Rueda Drive, and Calle de Vida will be limited to oversized trucks and equipment and will not exceed 40 trips/day. All other construction traffic will utilize the Clairemont Mesa Boulevard, Portobelo Drive or Mission Gorge Road (stabilized crossing of San Diego River only) access points to MTRP." The commenter's suggested language is misleading, inconsistent with the project description, and will not be used. See response to Comment 10-G for a discussion of why this access cannot be used for any other construction traffic.
- 10-Q The selected contractor will obtain water for dust control. The most likely source of the water would be a metered fire hydrant within the Clairemont Mesa Boulevard construction staging area. Water trucks come in various sizes. Based on the 30-ton limit for the bridge and the intent to use the Clairemont Mesa Boulevard bridge access for the water trucks, the maximum water truck size for this project is approximately 4,600 gallons. The Peterbilt Model 335 meets the

criteria and weighs 27,625 pounds when empty. The fully loaded weight is approximately 66,000 pounds. Therefore, to meet the 30-ton limit, this truck could not be fully loaded or a smaller model truck (approximately 4,000 gallons) could be used.

- 10-R NPDES is the acronym for National Pollutant Discharge Elimination System and can be found on page "x" at the front of the Draft EIR in the Acronyms section.
- 10-S The Site Specific Plan for blasting and the Fire Prevention Response Plan are required to be provided by the blasting contractor. The Fire Chief of the City of San Diego, designated the blasting permit issuing authority in conformance with California Health and Safety Code, Section 12007, would approve the blasting plan prior to issuing a permit, which is required under California Health and Safety Code, Section 12101. The Fire Chief would also approve the Fire Prevention Response Plan.

Blasting plans and permits are part of the public domain and, as such, are available for review by the Tierrasanta Community Council. The Tierrasanta Community Council will be notified of any blasting as part of the Water Authority's continued public outreach effort.

All blasting will proceed in accordance with the Water Authority's *General Conditions and Standard Specifications*, Section 02229. Notices will be provided in writing by mail and posted on doors. Measurements will be taken from the blasting area to the property line.

- 10-T The first sentence of Section 2.6.10 of the Draft EIR, General Conditions and Standard Specifications, Section 01530 Protection of Existing Facilities, can be summarized as a warning to contractors not to do anything within 15 feet of a Water Authority facility unless it is required by project plans or permission to do so has been granted by the Water Authority. The wording used in the Draft EIR was taken directly from the Water Authority's General Conditions and Standard Specifications (2005 Edition).
- 10-U With regard to Figure 2-4, page 2-39 of the Draft EIR, the orange areas represent access staging areas. The North Portal and South Portal staging areas are shown in yellow as project features. Elliott Vents #1, #2, and #3 would be removed in toto. Elliott Vents #4 and #5 would be replaced by much shorter and smaller concrete structures housing air/vacuum valves. All blowoff valves would be removed. As is described on pages 2-15 and 2-16 of the Draft EIR, the Pipeline Interconnect Reconfiguration site is where cross-connections between three existing pipelines (Pipelines 3, 4, and 4B) would be modified from a Y

connection to one or more H connections. The reconfiguration would require the pipelines to be shut down, which limits the connection work to a 10-day period, typically in February or March when water demand is lowest. Overall, construction at this location could last 2-3 months, during which time the existing trail along the SR-52 right-of-way would be closed. The land between the Pipeline Interconnect Reconfiguration and the North Portal includes Shepherd Canyon with an associated hiking trail and riparian area. Both the Shepherd Canyon trail and riparian area would not be impacted by project construction.

- 10-V Section 7.5.2 of the Draft EIR, Alternatives, includes the Inlet Tunnel and Trenched Outlet Pipeline Alternative. This alternative replaces the outlet tunnel with a cut and cover trenched pipeline. The volume of material that needs to be exported from MTRP is reduced, but the area of impact within the park is increased because the entire right-of-way would be excavated from the FRS II to Elliott Vents #5. This alternative alignment is shown in Figure 7-3. While this alternative is certainly feasible from an engineering standpoint, the tunnel reduces impacts to biological resources and reduces the need to disturb and restore the right-of-way and reduces the associated visual impacts.
- 10-W See response to Comment 10-G regarding the use of the stabilized crossing of the San Diego River for construction access. The traffic study was correct to not include Mission Gorge Road in the traffic analysis due to the short duration and small volume of traffic generated by the construction of the stabilized crossing of the San Diego River. Figure 2-11 of the Draft EIR shows the southern park exit at Mission Gorge as a **potential** haul route. See response to Comment 10-L. Figure 2-10, which shows **proposed** haul routes, will not be revised.
- 10-X The Draft EIR provides 15 Key Observation Points (KOPs), which is more than sufficient to convey the existing visual environment in the project area. The comment is incorrect regarding the number of in-park KOPs. KOP 3 is the observation deck at the Visitors Center. KOP 4 is the San Diego River crossing. KOP 5 is North Fortuna Mountain. KOP 6 is along the Rim Trail south of the FRS I and proposed FRS II. KOP 7 is along the Water Authority's right-of-way looking south at Elliott Vents #4 and #5. KOPs 8 and 9, the Calle de Vida and Clairement Mesa Boulevard access points, where views of MTRP are very clear. KOP 11 is along the Water Authority's right-of-way looking north at the North Portal area. All other KOPs are located on the boundary of MTRP and provide clear views of the park. KOP 6 was selected because it allows the viewer to compare the location and post-construction condition of the existing FRS I project site with the proposed FRS II project site. The FRS I project was nearly identical to what is proposed as the FRS II project. Therefore, this KOP provides "before" and "after" conditions for the project.

- The proposed control building would not be visible from KOP 6, or any other 10-Y location south of the FRS II site, because it has been designed with an earthen berm on the south side of the structure. A wrought iron fence would be the only visible project feature from KOP 6 or points south. Figure 2-6 in the Draft EIR provides the grading plan for the FRS II site and a visual simulation of the proposed control building. The building has been designed to be similar in color and curvilinear features to the MTRP Visitors Center, which receives much praise for its design and compatibility with its surroundings. The bermed design of the control building is also similar to the visitor's center in Anza Borrego State Park, a structure that is only visible when looking east to west and by many accounts compliments its natural desert surroundings. Furthermore, the FRS II site is located in a portion of the park that is adjacent to the community of Tierrasanta, where park visitors experience clear views of the vast urbanized development thereof, and of Kearny Mesa and the MCAS Miramar airfield beyond. The Water Authority has worked diligently with the MTRP CAC to design an aesthetically pleasing structure and does not agree with the Tierrasanta Community Council's opinion that there would be considerable aesthetic impact from a variety of perspectives within MTRP.
- The Water Authority has addressed potential visual impacts through project 10-Zdesign. The conclusion that visual impacts would not be significant is correct because the project features would be almost entirely underground and all disturbed areas would be revegetated with a native coastal sage scrub seed mix following construction. The Water Authority agrees that the FRS II site will be visible, as will trucks and construction equipment, during construction. However, when viewed in the context of the entirety of the views afforded from Corte Playa Catalina and evaluated using the thresholds of significance in Section 3.2.2, it is clear that the comment grossly overstates the impact and that visual impacts of construction would be less than significant. For clarification, the visual simulation provided in Figure 3.2-13 represents the extent of grading to create contoured berms and fill slopes, not the size of the area that would be excavated for the FRS II. Also, Corte Playa Catalina is at a slightly lower elevation than the project site, and approximately one-quarter mile away, which would preclude views down into the "hole."
- 10-AA Corte Playa Catalina is the only street in Tierrasanta from which views of the proposed control building would be possible. Due to the distance, proposed grading and berm, differences in elevation, and color of the proposed structure, it would not be highly visible. The FRS I building is located in a more prominent location. The Water Authority does not agree that "story poles" are necessary to

demonstrate the visibility of the control building. The view from Corte Playa Catalina is shown in Figure 3.2-13 of the Draft EIR.

- 10-AB Water Authority maintenance and operations trucks have used the existing crossing on an intermittent basis for years. Gravel was placed in the river at the crossing in the spring of each year to provide a more solid crossing for the trucks, but this gravel would wash away during winter storms. The trucks, which are typically one-half and three-quarter ton, 4-wheel-drive pick-ups, could not rely on the crossing to be available and several have had to be retrieved from the river after failed crossing attempts. The stabilized river crossing has long been desired by the Water Authority, Park Rangers, police, fire, and emergency departments to allow easier and more consistent access from the south side of the San Diego River to the north side. The FRS II project was determined to be the best opportunity for this river crossing to be constructed due to economies of scale for design work, environmental review, and construction. See response to Comment 10-G for an explanation of why the Mission Gorge Road access is not suitable for construction traffic generated by the other project components located north of the San Diego River.
- 10-AC The location of the schools in Tierrasanta are shown in Figure 3.3-7 of the Draft EIR, and it is clear from this, and the other traffic study figures in Section 3.3, that all the road segments and intersections in the vicinity of the schools were analyzed. The Water Authority recognizes and understands the concerns the Tierrasanta community council has regarding truck traffic past these schools. The Water Authority has included the listed schools and others, as shown in on Figure 3.3-7, in its public outreach program for this project. Copies of all notices and of the Draft EIR have been provided to each school and phone calls have been made to the school Principals. Limitations on the hours which project trucks may use the streets in Tierrasanta has been considered at length by the Water Authority, but has been rejected because it would significantly extend the length of the project. Fewer trucks would be on the road each day, but the number of days that trucks would be on the roads would increase significantly. The Water Authority will continue to work with the San Diego Unified School District and each of the Principals of the affected Tierrasanta-area schools to address traffic issues and concerns, but prohibition of truck traffic during the morning and afternoon school start and release times is not a useful option.
- 10-AD No evidence has been presented in the comment that significant impacts to the roadways would occur. The reference "Table 8-2 in Appendix B supports this claim" is misleading. Table 8-2 in Appendix B to the Draft EIR only supports the AM and PM Peak Hour traffic volumes, which are both 268 Average Daily Trips (ADT). No connection between the number of trips generated and damage to the

roadway has been provided. As shown on Figure 3.3-2, Clairemont Mesa Boulevard currently handles 11,600 ADT between Via Valarta and Santo Road and 13,200 ADT between Santo Road and Interstate 15. The stated capacity of Clairemont Mesa Boulevard is 40,000 ADT.

The Water Authority will document existing road conditions before construction begins and at the end of construction. See response to Comment 7-C. The comment that there will be damage to the roadways caused in large part by the passage of heavy trucks is speculative. If damage by heavy trucks is substantiated by the before and after photo/video documentation, the Water Authority will coordinate any necessary road repairs with the City of San Diego Streets Division following construction.

10-AE The Water Authority does not agree that the use of Rueda Drive, Calle de Vida, or the northern terminus of Colina Dorada would cause a significant traffic hazard, which is the threshold by which the impact is being evaluated at this location in the Draft EIR. The area will be clearly identified as a construction route. The only hazard issue raised is the potential for trucks to leave rocks, dirt, and debris on the street surface with the contention that this debris could be kicked up and cause damage or injury. That scenario would be unlikely in light of the fact that haul trucks would not use this route, the contractor would be required to install track-out bars and/or a tire wash station to remove material from truck tires at this and all other transition points between dirt and pavement, there would be daily street sweeping, and the speed limits on Rueda Drive and Calle de Vida are 25 mile per hour and 30 mile per hour. The Water Authority's General Conditions and Standard Specifications, Section 01560 (1.05), include the following: "Keep all public and private roads used for ingress and egress in a clean and neat condition. Take measures, as necessary, to prevent the tracking or accumulation of materials on roads. Sweep or wash all loose materials and mud from equipment before entering the road. Provide street sweeping services when requested by the Engineer."

The balance of the comment discusses the ability of the roadbed and curbs to withstand the weight of heavy trucks, and noise. The Water Authority agrees that Rueda Drive and Calle de Vida are the least suited portions of the proposed truck routes to handle large trucks. See response to Comment 10-AD regarding potential impacts to road surfaces. Potential noise impacts along the proposed truck routes are addressed in Section 3.5, Noise and Vibration, of the Draft EIR.

10-AF The Water Authority will consider the request for a permanent gate between the paved portion of Clairemont Mesa Boulevard and the dirt staging area. This gate, if approved for construction by the Water Authority, would be in addition to the temporary fencing that would be placed around the staging area, including a portion of the pavement on Clairemont Mesa Boulevard.

10-AG See response to Comment 10-N.

- 10-AH No evidence has been provided by the commenter that the proposed project would result in a need to pressure wash the Belsera community. The proximity to thousands of acres of open space within MTRP and Marine Corps Air Station Miramar currently subjects the Belsera community to dust impacts on a daily basis as winds blow over areas of exposed dirt. The project's contribution to this existing condition would be difficult to quantify. The Water Authority will continue its public outreach program to the Belsera Homeowners Association and will consider requests that corrective action be taken for identified project impacts. The power washing of buildings, however, is not an option.
- 10-AI As is shown in Table 3.5-1 of the Draft EIR, ambient noise levels measured at Corte Playa Catalina were 38.9 dBA Leq at midnight and 42.2 dBA Leq at noon. There is little or no traffic noise audible at this location. Natural sounds, such as the wind, crickets, and birds are audible. As one proceeds north within the Water Authority's right-of-way towards SR-52, along the western boundary of MTRP, one notices that the noise generated by traffic on SR-52 increases to a level where it becomes the dominant sound. This observation is supported by the 48.9 dBA Leq and 53.0 dBA Leq measurements recorded over a 24-hour period at two locations at the Belsera community (shown in Figure 3 of Appendix D, the Noise and Vibration Technical Report, to the Draft EIR). The 53.0 dBA Leq measurement was taken closest to the North Portal location. The 48.9 dBA Leq measurement was taken closer to SR-52, but at a location shielded from the noise generated by traffic on SR-52 by the Belsera buildings.
- 10-AJ Noise impacts associated with the Pipeline Interconnect Reconfiguration have been concluded to be significant and unmitigable due to the proximity of the work, the anticipated noise levels generated by the construction equipment necessary for the work, and the need to work 24/7 for up to 10 days at this location. Unmitigable means that, even with the implementation of all practicable mitigation measures, noise impacts would remain above the threshold of significance. The replacement of windows in residential units is not a practicable mitigation measure for a significant and unmitigable noise impact that will last up to 10 days.

10-AK The Draft EIR is very specific regarding the requirements for nighttime work during the entire project. The section referenced by the comment, page 3.5-8, second paragraph, correctly states the requirement for nighttime construction for the entire project. In addition, Section 2.4.6 of the Project Description, Pipeline Connections, describes the need to work 24/7 for up to 10 days at the site of the Pipeline Interconnect Reconfiguration and the North Portal.

Nighttime construction is necessitated by the need to discontinue the use of the existing raw water pipelines and drain the isolated segment to be worked on. The Water Authority cannot discontinue the flow of raw water south of MTRP for more than 10 days as the member agencies south of MTRP have limited storage capacity and must continue to operate their water treatment plants and deliver treated water to their customers. The 10-day shutdown can only occur once a year, during the months of February and March when the demand for raw water is lowest. The two 10-day 24/7 periods of construction adjacent to different areas of the Belsera Community would not be during the same year.

Nighttime construction is also proposed at the South Portal in order to allow 24/7 tunneling in three shifts to create the Outlet Tunnel, thus limiting the duration of the project. This work would take approximately one year. No export of muck or import of construction materials would occur at night (7:00 p.m. to 7:00 a.m.).

- 10-AL See response to Comment 10-AJ.
- 10-AMThe Water Authority does not agree with the assertion that use of other parks and trails outside MTRP will increase substantially during project construction. The statement that "MTRP users will be unable to access MTRP" is incorrect. MTRP is over 8,000 acres and there are miles of trails that will remain open during construction.
- 10-AN The Water Authority does not agree that MTRP users will only use loop trails and that all other trails must be considered closed. Access to Shepherd Canyon, Shepherd Pond, North Fortuna Mountain, and points east will remain open from Belsera parking area trailhead. The trail to the FRS I will remain open from the Seda Drive trailhead. Access to the Rim Trail from the Corte Play Catalina trailhead will remain open. Access to Mission Gorge, Suycott Wash, South Fortuna Mountain, and points north and east will remain open from the Calle de Vida trailhead. While there is no question that access to trails from the western portion of MTRP (Tierrasanta) will be restricted during project construction, many trails and loops will remain open. Furthermore, only roads within MTRP over which the Water Authority maintains an access easement would be used by

construction traffic. The Water Authority will continue to work closely with MTRP Park Rangers to maintain recreational access while protecting public safety.

- 10-AO The Corte Playa Catalina trailhead would remain open during construction, with a designated crossing. The text on page 3.6-2 of the Draft EIR and Figure 3.6-3 are correct. Figure 3.6-2 should not have a red line indicating trail closure on the east side of the Water Authority's right-of way at Playa Corte Catalina. This will be corrected in the Final EIR. As is shown on Figure 3.6-3, and correctly reflected in the comment, the portion of the right-of way between Corte Playa Catalina and the North Portal would be used for small vehicle traffic only during project construction. This portion of the right-of-way would be open to public use on Sunday. The crossing of the right-of-way at Corte Playa Catalina would remain open at all times, providing access to Shepherd Canyon, Suycott Wash, North Fortuna Mountain, and points east.
- 10-AP The Water Authority will continue to work closely with MTRP Park Rangers regarding trail closures and the identification of alternative routes. The goal is to minimize trail and trailhead closures while protecting public safety. In addition to trail closure signs and barricades, maps will be provided at trailhead locations and the Visitors Center showing which trails are open and suggestions for alternate routes to popular park destinations, such as North Fortuna Mountain and South Fortuna Mountain. As is stated on page 3.6-3 of the Draft EIR, the Water Authority will also distribute this information through Project Update letters to residents within the 92124 Zip Code.
- 10-AQ The route in yellow on Figure 3.6-3 of the Draft EIR is correctly shown as only being open to the public on Sundays. The comment incorrectly states that the Figure shows the North Portal as being open via Shepherd Canyon on days other than Sunday. The note on Figure 3.6-3 states "use Shepherd Canyon to access North Trail on other days." This note refers to the trail on the north side of Belsera that follows the City of San Diego's Water Department right-of way. There is a trailhead from the Belsera parking area and many other locations where one can join the trail from the parking area.
- 10-AR The Water Authority does not agree that additional graphics are necessary to illustrate which trails will remain open and which will remain closed. The trail map distributed at the MTRP Visitors Center is the basis for Figures 3.6-1 and 3.6-2. Figures 3.8-1 through 3.8-4 already show the location of all staging areas, work sites, and access routes and the trails and trailheads not within the project areas are also clearly visible in the aerial photo base. See response to Comment 10-AP. During construction, maps will be provided at trailhead locations and the

- Visitors Center showing which trails are open and suggestions for alternate routes to popular park destinations.
- 10-AS The Water Authority agrees that No Outlet signs should be posted on trails that will dead end at a construction area and a trail closed sign. This will be included in the trail signage program.
- 10-AT The Water Authority agrees that the reconstruction of the wood pedestrian bridge north of Belsera is an excellent idea, but the responsibility/jurisdiction for improvements such as this is with the MTRP/City of San Diego Park and Recreation Department. MTRP Park Rangers have repeatedly stressed that no new trails, even temporary trails, are to be constructed by the Water Authority. The Water Authority will, however, investigate with MTRP Park Rangers and the City of San Diego Park and Recreation Department the feasibility of contributing in some way to implementing the requested trail improvements.
- 10-AU The selected contractor must prepare a Fire Prevention Plan and an Emergency Response Plan for the project site. These plans must be submitted to the Water Authority for approval. Review and approval is typically handled by a third-party Construction Manager working on behalf of the Water Authority. The Fire Prevention Plan and Emergency Response Plan will be part of the public domain and, as such, will be available for review by the Tierrasanta Community Council.

# **COMMENT LETTER 11**



# THE CITY OF SAN DIEGO

May 15, 2006

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123-1233

Subject:

City of San Diego Comments on the Draft Environmental Impact Report (EIR) for the San Diego County Water Authority Mission

Trails Flow Regulatory Structure (FRS) II.

Dear Mark Tegio:

Environmental Analysis Section-Development Services Department-Myra Herrmann (619-446-5372)

LDR-Environmental comments on the SDCWA Mission Trails FRS II, Pipeline Tunnel and Vent Demolition Project (SCH# 2005041025).

## 11-A. Responsible Agency

Based on possible City approvals for a Site Development Permit, Right of Entry Permit and/or Easement Amendment process that would be required in order to implement the proposed project, the City is a Responsible Agency under the California Environmental Quality Act (CEQA), as defined in Section 21069 of the Public Resources Code. The City, will, therefore, participate in the environmental review process for this project in accordance with Section 15096 of the State CEQA Guidelines.

## **General**

- 11-B.
- Mitigation measures (accompanying attachment) to be added to Executive Summary matrix and applicable environmental analysis sections.
- 11-C.
- 2. Your project description identifies the existing SDCWA easement and also indicates the need for additional land in order to implement the proposed project. Has the SDCWA initiated discussion with the City of San Diego Real Estates Assets and/or Parks and Recreation Department regarding the proposed acquisition? If not, the EIR must include analysis of potential impacts land/resources regulated by the as if they are not under SDCWA ownership.

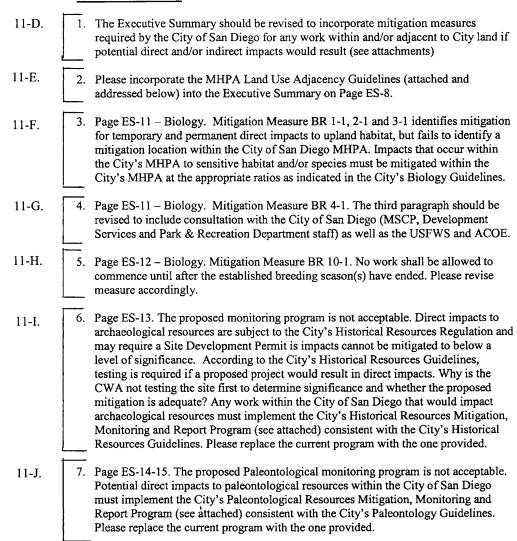


Development Services

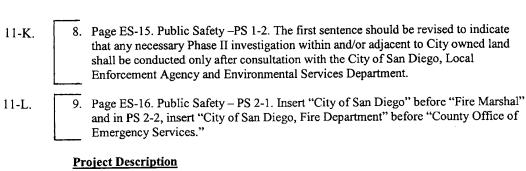
1222 First Avenue, MS 501 ◆ Sun Diego, CA 92101-4155 Tel (619) 446-5460

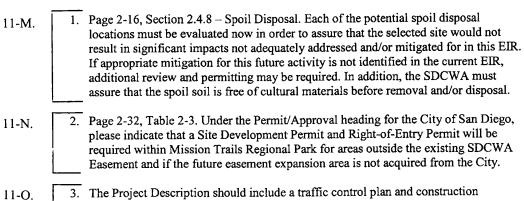
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#### **Executive Summary**



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11 <b>-</b> O.	3.	The Project Description should include a traffic control plan and construction schedule.
Land Use (MHPA)		
11-P.	1.	The proposed project is located entirely within the City of San Diego's MSCP, Multi-Habitat Planning Area (MHPA) and is therefore subject to the MHPA Land Use Adjacency Guidelines (attached) which shall be made conditions of project approval.
11-Q.	2.	The Land Use section of the DEIR should be revised to incorporate the adjacency guidelines as mitigation measures.
11-R.	3.	Page 3.1-2, Paragraph 5. As stated previously, areas outside the existing SDCWA easement would be subject to the provisions of the City's Environmentally Sensitive Lands Regulation and the Historical Resources Regulation (Chapter 14, Land Development, Code). As such, a Site Development Permit may be required. Please revise the Land Use Plans and Policies paragraph accordingly. This paragraph and other sections of the Land Use Analysis should be revised to include a compliance discussion and effects should the land acquisition for the proposed easement expansion not occur.

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11-S.

Page 3.1-6. Please clarify the location of mitigation for impacts to Diegan coastal sage scrub (Dcss) within the SDCWA 130-foot easement. If any new impacts to Dcss would occur outside of the existing easement, mitigation would be required within the City's MHPA.

#### Aesthetics/Visual Quality

11-T.

1. The City of San Diego does not agree with the conclusion that no visual quality impacts would result with implementation of the proposed project. Specifically, the City's Threshold for visual quality impacts includes criteria addressed under landform alteration for projects which would significantly alter the natural or naturalized landform by grading more than 2,000 cubic yards of earth per graded acre by excavation or fill in highly scenic or environmentally sensitive areas; and under development features for projects with walls in excess of 6 feet in height, large out-of-scale buildings, etc., and would be considered significant when highly visible from designated open spaces, public roads, parks or significant visual landmarks. Visual quality analysis is highly subjective and warrants full disclosure of potentially significant impacts, even if they cannot be fully mitigated. Please revise section discussion accordingly:

# 11-U. Noise and Vibration

 Mitigation Measure N2-1. Please insert the following at the beginning of the measure: "Prior to the start of any construction activities, the Water Authority shall..."

## 11-V. Biological Resources

- Direct impacts to biological resources outside the existing SDCWA easement would be considered significant and require mitigation at the appropriate ratios in accordance with the City of San Diego's Biological Resources Guidelines. Such impacts are also subject to the provisions of the ESL Regulations and may require a Site Development Permit.
- 11-W.

  2. The City of San Diego does not concur with the proposal to mitigate for upland impacts outside of the City's MHPA. Please revise accordingly and/or provide justification for using offsite mitigation credits outside the City's MHPA.
- 11-X.

  Mitigation for direct impacts to biological resources outside the existing SDCWA easement should meet City standards and success criteria for restoration/revegetation. As such, specific mitigation language has been provided (see attached) consistent with City requirements.

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# 11-Y. Cultural Resources

- Please revise the title of this section to Historical Resources and throughout DEIR
  to be consistent with CEQA and the City of San Diego's Historical Resources
  Guidelines and Regulation. CEQA now considers all archaeological and historical
  resources under the heading "Historical Resources."
- 2. According to the City's CEQA Significance Thresholds archaeological sites that would be directly impacted by a project must be evaluated for significance in order to determine appropriate mitigation. According to the City's Historical Resources Guidelines, a site that is determined to be significant under CEQA is automatically eligible for local designation and would require additional review under the Historical Resources Regulations to determine if a Site Development Permit would be required. This would apply to any resource located outside the existing SDCWA easement. In addition, unless access to the four sites for testing was precluded, then an Archaeological Data Recovery Plan (ADRP) should be prepared and included as mitigation for significant impacts. The ADRP (see attached example) would be implemented prior to the start of any construction related activities. Monitoring would still be required for areas outside the existing SDCWA easement and/or within close proximity to any mapped archaeological site.
- 11-AA.

  2. The monitoring program proposed by the SDCWA is not acceptable to the City of San Diego and does not provide adequate oversight for potential discoveries, data recovery and/or reporting. The City's standard Mitigation, Monitoring and Reporting Program has been provided (see attached) for inclusion in the Final EIR.

# 11-AB. Paleonotological Resources

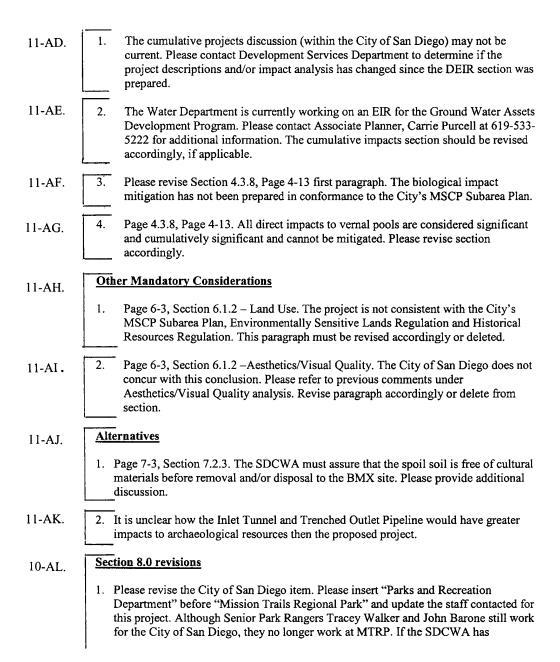
1. The monitoring program proposed by the SDCWA is not acceptable to the City of San Diego and does not provide adequate oversight for potential discoveries, data recovery and/or reporting. The City's standard Mitigation, Monitoring and Reporting Program has been provided (see attached) for inclusion in the Final EIR.

# 11-AC. Public Safety and Hazardous Materials

 Please see previous comments under Executive Summary addressing consultation, coordination and approval of work plans and future investigations with the City of San Diego's, Fire Marshal, Local Enforcement Agency and Environmental Services Department.

## **Cumulative Impacts**

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consulted with other Park & Recreation Department staff, they should be included in the listing under City of San Diego.

#### 11-AM.

#### References

 The References Section should be updated to incorporate the City's CEQA Significance Determination Thresholds (May 2004), Biological Resources Guidelines (July 2002), Historical Resources Guidelines (September 2001), and the Land Development Code ESL and Historical Resources Regulations (January 2000).

The City of San Diego's Park and Recreation Department offers the following comment on the Draft EIR for the San Diego County Water Authority Mission Trails Flow Regulatory Structure (FRS) II, Pipeline Tunnel, and Vent Demolition Project:

#### Park and Recreation Department-Paul Kilburg (619-533-6739)

The San Diego County Water Authority Mission Trails Flow Regulatory Structure (FRS) II, Pipeline Tunnel, and Vent Demolition Project is proposed within Mission Trails Regional Park which is one of the largest City managed urban open space parks in the United States. Mission Trails is a popular destination for recreational activities including hiking, mountain biking and equestrian use. The Park is also part of the City of San Diego Multi-Habitat Planning Area (MHPA). The Park and Recreation Department Open Space Division staff has reviewed the Draft Environmental Impact Report for the San Diego County Water Authority Mission Trails Flow Regulatory Structure (FRS) II, Pipeline Tunnel, and Vent Demolition Project and submits the following comments:

## 11-AN.

2.3 Project Components, Buried Reservoir, page 2-4: The native plant mix which is to be placed on top of the proposed buried reservoir structure following construction should match surrounding native plant species. Topsoil should be salvaged prior to the project and utilized for this area to assist with long-term planting success. A 25 month maintenance and monitoring period with specific success criteria and control of nonnative invasive weeds should be implemented. Park and Recreation Department Open Space Division staff should be included in ongoing review of the project including recommendations for the native plant palette for all impacted areas.

## 11-AO.

2.3 Project Components, Access/Control Building, page 2-5: Park and Recreation Department Open Space Division staff should review the proposed native plant seed mix recommendations for the landscaped areas of the Access/Control Building. Topsoil should be salvaged prior to the project and utilized for this area to assist with long-term planting success. A 25 month maintenance and monitoring period with specific success criteria and control of non-native invasive weeds should be implemented.

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construction. The native

- 2.4.2 Staging Areas, page 2-10: The Draft EIR states that all proposed temporary staging areas and vent demolition areas will be planted with native vegetation at the end of
  - plantings should match surrounding native plant species in the area. A 25 month maintenance and monitoring period with specific success criteria and control of non-native invasive weeds should be implemented.
- 2.4.3 Access Routes, page 2-11 and 2-12: The Draft EIR states that all access roads will be re-graded for use as needed during construction. The roads within the park are utilized by park patrons

for recreational purposes and patrolled by Mission Trails Ranger staff. Roads modified for construction purposes should be restored to a 2-5% out slope after construction to allow water to sheet off with minimal erosion.

- 2.4.9 San Diego River Crossing Construction, page 2-17: Permits for the proposed crossing should include a provision for future maintenance of the crossing. A City of San Diego Metropolitan Wastewater Department managed sewer main runs along the San Diego River in the vicinity of the proposed improved river crossing. Impacts to the sewer main and manholes in the area should be avoided. A previous mitigation project was implemented and signed off in an area just east and north of the proposed crossing. Efforts should be made to avoid impacts to this area.
- 11-AS. Section 3.0, Cultural Resources Mitigation, needs to meet city standards.
- Section 3.1 states that the SDCWA owns an easement over the land but does not discuss who owns the land in fee title and how that could affect the City of San Diego's MSCP responsibilities as required by the City's implementing agreement.
- Section 3.1 states that the SDCWA would acquire land owned by the City of San Diego, adjacent to their ROW however there is no mention of any coordination between the SDCWA and the City of San Diego Real Estate Assess Department. Document is not clear on what the intentions are or if they even have asked City of San Diego if this is possible at this time.
- Land Use Plans, page 3.1-2, Document says they are not subject to local permits. The county water has an easement on land owned by the city in the city jurisdiction and therefore must obtain all city permits. A Site Development Permit would be required due to impacts to sensitive habitat. If the County owned the land then they would not be required, but they have an easement only to use the land.

  Land Use Plans, page 3,1-2, document says that the County Water is going to acquire land

from the City of San Diego. Have they contacted READ to negotiate this? Are they going to purchase land or expand their easement? Document is not clear on what the intentions are or if they even have asked City of San Diego if this is possible at this time.

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## 11-AW.

Pages 3.1-3 and 3.1-5 states that the EIR has evaluated the conformance and compatibility with the City of San Diego's MSCP and page 3.1-6 states that the project is compatible with the biological objectives with MSCP yet on page 3.8-17 the EIR states that permanent impacts to non-native grasslands and chaparral is not significant and would not be mitigated. The document should explain the biological reasons and literature stating that these impacts are not significant resources and how this is consistent with the City of San Diego's MSCP, which considers impacts to these habitats significant and requires mitigation.

#### 11-AX.

3.1.3 Impact Analysis, page 3.1-7: The Draft EIR states that temporary signs would be erected to notify the public of trails that are closed during construction. The signs should provide information on alternate recreation areas and duration of construction trail closures. The onsite Project Manager should assure that the signs are checked on a regular basis to ensure park patron safety. Extra signs should be onsite in case vandalism or theft occurs.

### 11-AY.

Bio Resources, Section 3.8, Mitigation measures for habitats is not per city standards. Mitigation requirements for endangered birds are not per city standards.

#### 11-AZ.

3.8.3 Impact Analysis states that temporary disturbed areas within the ROW will be revegetated with a coastal sage scrub mix but does not discuss maintenance and monitoring or success criteria. If the revegetation does not take, this area will provide non-native species with a place to thrive. A 25 month maintenance and monitoring period with specific success criteria and control of non-native invasive weeds should be implemented.

## 11-BA.

3.8.3 Impact Analysis, Sensitive Plant Species, page 3.8-14: Efforts should be made to salvage

Variegated dudleya and coast barrel cactus within the proposed project site. Variegated dudleya and

coast barrel cactus should be transplanted to other areas within Mission Trails Regional Park adjacent to the proposed project site with similar soil types and slope aspects. A 25 month maintenance and monitoring period with specific success criteria and control of non-native invasive weeds should be implemented as part of the transplant effort.

## 11-BB.

Page 3.8-15 and BR 11 in section 3.8.4 discusses impacts to and mitigation measures for least Bell's vireo habitat however no discussion of impacts to least Bell's vireo designated critical habitat is discussed in section 3.8. Furthermore page 3.8-15 and 3.8-16 discuss impacts to wetlands as defined in section 404 of the Clean Water Act but no discussion is present of a permit being required from the U.S. Army Corps of Engineers or a section 7 consultation with the U.S. Fish and Wildlife Service for impacts to least Bell's Vireo critical habitat.

#### 11-BC.

Mitigation Measure BR 5-1, page 3.8-18, states there will be creation mitigation for wetlands on site. There is no where to do creation of wetlands at MTRP. In addition a Conceptual Mitigation Plans needs to be an attachment to the draft EIR. The conceptual mitigation plan would identify the mitigation sites. This document is very vague on where mitigation will occur and how. Success criteria and monitoring has been left out

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also. A conceptual mitigation plan needs to be prepared as part of the EIR to show where mitigation will occur and criteria for the mitigation.

- 11-BD.
- BR 8-1 (page 3.8-18) states that impacts to waters of the U.S. will be mitigated along the San Diego River within MTRP however the Open Space Division of the Park and Recreation Department has not been contacted regarding any potential mitigation. The Open Space Division oversees mitigation projects on Open Space Division lands. The Open Space Division must approve conceptual mitigation plans, construction drawings and issue a right of entry permit for any mitigation work with Open Space Division lands.
- 11-BE.
- Page 3.8-18, states there will be creation mitigation for wetlands on site. There is no where to do creation of wetlands at MTRP. In addition a Conceptual Mitigation Plans needs to be an attachment to the draft EIR. The conceptual mitigation plan would identify the mitigation sites. This document is very vague on where mitigation will occur and how. Success criteria and monitoring have not been addressed. A conceptual mitigation plan needs to be prepared as part of the EIR to show where mitigation will occur and criteria for the mitigation.
- 11-BF.
- 3.9 Cultural Resources, 3.9.4 Mitigation Measures, CR 2-2 Page 3.9-5: Cultural Resources Mitigation, section 3.0, needs to meet city standards. If cultural resources are found during proposed construction, whether or not project land is purchased from the City of San Diego, arrangements should be made to provide the Mission Trails Regional Park staff a representative collection to be used for environmental education purposes at the park visitor center.
- 11-BG.
- 3.11 Paleontological Resources, 3.11.4 Mitigation Measures, PR 1-1 page 3.11-3: Paleontological Mitigation, section 3.11, needs to meet city standards. If paleontological resources are found during proposed construction, whether or not project land is purchased from the City of San Diego, arrangements should be made to provide the Mission Trails Regional Park staff a representative collection to be used for environmental education purposes at the park visitor center.

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The Planning Department's MSCP offers the following comment on the Draft EIR for the San Diego County Water Authority Mission Trails Flow Regulatory Structure (FRS) II, Pipeline Tunnel, and Vent Demolition Project:

## Planning Department-MSCP-Betsy Miller (619-533-4543)

- 11-BH.

  1. The project site is within the City of San Diego's Subarea of the Multiple Species
  Conservation Program, and is within the Multi-habitat Planning Area (MHPA). Essential
  public facilities, such as water pipelines, are considered compatible land uses within the
  MHPA (MSCP Subarea Plan §1.4.1).
- 2. Per the Draft EIR (e.g. §3.1.3), the County Water Authority is not requesting "third party beneficiary" status from the City's MSCP. This project has not been granted "third party beneficiary" through the City's MSCP and would be required to obtain all necessary state and federal permits for "take" of endangered and threatened species.
- 3. Section 3.1.3: Please revise to include a discussion of project compliance with the City's MSCP Subarea Plan §1.4.3, Land Use Adjacency Guidelines; and with the conditions of coverage for impacted species (see City of San Diego MSCP Subarea Plan Appendix A).
- 11-BK. Vehicle maintenance, such as oil changes, should not occur within the MHPA (MSCP Subarea Plan §1.4.3).
- MTRP is an area of core habitat within the MHPA and is characterized by high-quality natural habitats. Please discuss precautionary measures incorporated into the project to limit the threat of non-native, invasive species colonizing disturbed areas at the project site.
- The proposed project would significantly impact California gnatcatcher and least Bell's vireo within the MHPA (see EIR 3.8-14 and 3.8-15). Significant impacts to these species within the MHPA are not in conformance with the City's adopted MSCP (see MSCP Subarea Plan §1.4.3). In order to be consistent with the MSCP, the project would be required to 1) construct outside the breeding season for these species (March 1-August 15 for CAGN and March 15-September 15 for LBV), including cessation of all activities began prior to March 1, or 2) construct temporary noise walls/berms to reduce noise to a maximum of 60 dBA hourly LEQ or the ambient noise level if it exceeded 60 dBA hourly LEQ prior to the start of the project. This would apply to impacts from the project itself and to noise generated by vehicles driving to and from the site through occupied habitat.

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- 11-BN.
- 4. Section 3.8.1, Sensitive Wildlife Species: The existence of un-hatched fairy shrimp cysts in vernal pool basins does not necessarily constitute a non-viable population. Please refer to:

Simovich M.A. and S.A. Hathaway. 1997. Diversified bet-hedging as a reproductive strategy in some ephemeral pool anostracans. J. Crustacean Biology 17:38-44.

- 11-BO.
- 5. Section 3.8.3: The City of San Diego does not support the conclusion that impacts to the City's MSCP are less than significant. The project is proposing to impact the listed least Bell's vireo and California gnatcatcher within the MHPA without providing noise mitigation in accordance with the City's Biology Guidelines. In addition, no mitigation is being provided for the MSCP-covered, narrow endemic *Dudleya variegata*.
- 11-BP. 6. Section 4.2, Chinese Community Church: Please replace "0.23 acre within a MHPA" with "a 0.23 acre MHPA boundary line adjustment."
- 11-BQ.
- 7. Section 4.2, Tierrasanta Townhomes: The site proposed for the Tierrasanta Townhomes project was not planned or zoned for church use (the existing use was permitted through a Conditional Use Permit). Please revise this section by reviewing the appropriate Community Plan for the correct land use designation.
- 11-BR.
- 8. Section 4.3.8: The City of San Diego does not support the conclusion that "impacts to biological resources and mitigation measures for those impacts have been drafted in conformance with the MSCP Guidelines" and the resulting conclusion that cumulative biological impacts would be below a level of significance. This project does not conform to the following MSCP regulations contained in the City's Subarea Plan and the City's Biology Guidelines:
- A No construction shall occur during the breeding season of CAGN and LBV, or noise barriers shall be constructed to limit noise to 60 dBA hourly LEQ;
- B Appropriate mitigation shall be provided for impacts to narrow endemic species;
- C Mitigation for upland impacts shall occur within the City of San Diego;
- D A conceptual mitigation plan shall be provided during the public review period for the EIR for all proposed restoration and revegetation;
- E All mitigation should be provided per the mitigation ratios set forth in the Land Development Code Biology Guidelines, Tables 2 and 3.

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Please contact the appropriate above-named individual(s) if you have any questions on the submitted comments. We ask that you please address this issue and please provide us with a copy of the draft.

Sincerely

Robert J. Manis

Assistant Deputy Director

Land Development Review Division

# MITIGATION MEASURES TO BE ADDED TO EXECUTIVE SUMMARY MATRIX AND APPLICABLE ENVIRONEMNTAL ANALYSIS SECTIONS:

#### GENERAL REQUIREMENTS

- Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the Assistant Deputy Director (ADD) environmental designee of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading Environmental Requirements: "The SDCWA Mission Trails FRS II, Pipeline Tunnel, Vent Demolition Project is subject to a Mitigation, Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the (insert type of environmental document/project tracking number and if applicable the State Clearinghouse number)".
- Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include City of San Diego's Mitigation Monitoring and Coordination (MMC) Section, Resident Engineer, Project Biologist, Project Archaeologist, Project Paleontologist, Applicant, and other parties of interest.
- 3. Evidence of compliance with Section 1603 of the State of California Fish & Game Code. Evidence shall include either copies of permits issued, letters of resolutions issued by the responsible agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.

## LAND USE (MHPA LAND USE ADJACENCY GUIDELINES)

- 1. Prior to initiation of any construction-related activities, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
- Prior to the commencement of any construction related activities, the limits of grading shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The limits of grading shall be defined with silt fencing and checked by the biological monitor before initiation of construction grading.
- 3. Prior to the commencement of any construction related activities, the ADD/Environmental Designee shall review the landscape plans to ensure that no invasive non-native plant species shall be introduced into areas adjacent to the MHPA.
- 4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields.
- 5. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area; No equipment maintenance shall be conducted within or near the adjacent open space.
- 6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into

sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.

- No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off-site to an approved disposal facility.
- 8. Prior to the commencement of any construction related activities, the ADD (Environmental Designee) of LDR shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the Coastal California gnatcatcher are shown on the construction plans:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE ADD (ENVIRONMENTAL DESIGNEE) OF LDR:

- A. A QUALIFIED BIOLOGIST SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE FOR A MINIMUM OF FOUR WEEKS (WITHIN THE BREEDING SEASON) PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:
  - I. \*BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
  - II. \*BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE ADD OF LDR AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
  - III. \*AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A

**OUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g.,** BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENTUATION FACILITIES, NOISE MONITORING\* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE **OUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED** CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

- \* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the ADD of LDR, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
  - B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE INITIAL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE ADD OF LDR AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:
  - I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.
  - II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

## **RAPTORS**

1. If the site has a potential to support nests and nesting raptors. If nests are present during construction, compliance with the Migratory Bird Treaty Act/Section 3503 would preclude the potential for direct impacts.

If there is a potential for indirect noise impacts to nesting raptors, prior to any construction within season (February 1 through September 15) the biologist shall conduct a preconstruction survey to determine the presence of active raptor nests. If active nests are detected the biologist in consultation with EAS staff shall establish an species appropriate noise buffer zone. The size and configuration of buffers shall be based on the proximity of

active nests to construction, existing disturbance levels, topography, the sensitivity of the species, and other factors, and shall be established through coordination with the Department of Fish and Game. No construction shall occur within this zone during the raptor breeding season.

## HISTORICAL RESOURCES (ARCHAEOLOGICAL DATA RECOVERY PROGRAM)

As a condition of project approval, the applicant is required to conduct an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological sites (xxxxxxxxx) as follows:

## Prior to Preconstruction (Precon) Meeting

- 1. Land Development Review (LDR) Plan Check
  - a. Prior to the preconstruction meeting, or issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) of LDR shall verify that the requirements for the ARCHAEOLOGICAL DATA RECOVERY PROGRAM (ADRP) have been noted on the appropriate construction documents.
- 2. Letters of Qualification have been submitted to ADD
  - a. Prior to the preconstruction meeting, recordation of the first final map, NTP, and/or, including but not limited to, issuance of a Grading Permit, Demolition Permit or Building Permit, the applicant shall provide a letter of verification to the ADD of LDR stating that a qualified Archaeologist, as defined in the City of San Diego Historical Resources Guidelines (HRG), has been retained to implement the ADRP. If applicable, individuals involved in the archaeological program must have completed the 40-hour HAZWOPER training with certification documentation. ALL PERSONS INVOLVED IN THE ADRP AND MONITORING OF THIS PROJECT SHALL BE APPROVED BY ADD OF LDR PRIOR TO THE START OF THE PROJECT.
  - b. A Native American Monitor, if applicable shall be present during initial excavation/grading of undisturbed ground in the event that cultural features or human remains are found and the procedures set forth in Section 5 shall be implemented.

## **Precon Meeting**

- 1. Qualified Archaeologist Shall Attend Precon Meetings
  - a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Archaeologist, Construction Manager and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the ADRP with the Construction Manager and/or Grading Contractor.
  - b. If the Monitor is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for MMC, EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.
- 2. Identify Areas involved in ADRP
  - c. At the Precon Meeting, the Archaeologist shall submit to MMC a copy of the site/grading

plan (reduced to 11x17) that identifies areas involved in the ADRP as well as areas that may require delineation of grading limits.

d. Prior to the issuance of grading permits or NTP, the area involved in the ADRP shall be surveyed, staked and flagged by the qualified archaeologist as defined above.

#### 3. When ADRP Will Occur

a. Prior to the start of work, the Archaeologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where the ADRP is to begin and shall notify MMC of the start date for work.

## 4. ADRP Implementation

- e. Prior to the issuance of grading permits or NTP, the owner/permittee shall implement the ADRP detailed in the Data Recovery Plan prepared by add company name (add date of report), satisfactory to the ADD Environmental Designee. The ADRP shall include a three-phased excavation program in which the sample size to be excavated will be determined in consultation with City staff and will vary with the nature and size of the archaeological site.
- f. Following the data recovery excavations, the areas to be impacted shall be mechanically excavated under the direction of the qualified historical archaeologist to recover any additional cultural features and/or artifact concentrations using standard archaeological procedures.

#### 5. Human Remains

a. If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) will be taken:

## b. Notification

- (1) Archaeological Monitor shall notify the RE or BI as appropriate, MMC and the PI if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
- (2) The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

## c. Isolate discovery site

- (1) Work will be redirected from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- (2) The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.
- (3) If a field examination is not warranted, the Medical Examiner shall determine, with input from the PI, if the remains are or are most likely to be of Native American origin.
- d. If Human Remains are determined to be Native American
  - (1) The Medical Examiner shall notify the Native American Historic Commission (NAHC). By law, **ONLY** the Medical Examiner can make this call.

- (2) The NAHC will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination.
- (3) NAHC will identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- (4) The PI will coordinate with the MLD for additional coordination.
- (5) Disposition of Native American human remains will be determined between the MLD and the PI, IF:
  - (a) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
  - (b) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner or their authorized representative shall re-inter the human remains and all associated grave goods with appropriate dignity, on the property in a location not subject to subsurface disturbance. Information on this process will be provided to the NAHC.
- e. If Human Remains are NOT Native American
  - (1) The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  - (2) The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  - (3) If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for reinterment of the human remains shall be made in consultation with MMC, EAS, the land owner and the Museum of Man.

## 6. Notification of Completion of ADRP

a. The Archaeologist shall notify MMC and the RE or the BI, as appropriate, in writing of the end date of the ADRP.

#### Post Construction

- 1. Submittal of Draft Monitoring Report
  - a. The PI shall submit two copies of the Draft ADRP Report which describes the results, analysis, and conclusions of all phases of the ADRP (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
    - (1) Significant archaeological resources encountered during the Archaeological Data Recovery Program shall be included in the Draft ADRP Report.
    - (2) Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the ADRPin accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final ADRP and/or Monitoring Report.
- 2. MMC shall return the Draft ADRP Report to the PI for revision or, for preparation of the Final Report.

- 3. The PI shall submit revised Draft ADRP Report to MMC for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft ADRP Report submittals and approvals.

#### B. Handling of Artifacts\*\*

- \*\*If additional archaeological monitoring is required, curation would include any materials recovered during the monitoring phase and incorporated into the draft and final reporting process identified below under Section VI. Post Construction of the Archaeological Monitoring Program as noted below.
- 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
- 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
  - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Upon completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist shall attend a second preconstruction meeting to make comments and/or suggestions concerning the subsequent construction/grading process.

## HISTORICAL RESOURCES (ARCHAEOLOGICAL MONITORING)

#### I. Prior to Permit Issuance

- A. Land Development Review (LDR) Plan Check
  - Prior to Notice to Proceed (NTP) for any construction permits, including but not limited
    to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but
    prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy
    Director (ADD) Environmental designee shall verify that the requirements for
    Archaeological Monitoring and Native American monitoring, if applicable, have been
    noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
  - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all

persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

- 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
- 3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

#### II. Prior to Start of Construction

- A. Verification of Records Search
  - 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
  - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
  - 3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

#### B. PI Shall Attend Precon Meetings

- 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

- 2. Identify Areas to be Monitored
  - g. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
  - h. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- 3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

## III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
  - The monitor shall be present full-time during grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
  - 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
  - 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process
  - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
  - 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

#### C. Determination of Significance

- 1. The PI and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

#### IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

#### A. Notification

- 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

#### B. Isolate discovery site

- 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- 2. The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.
- 3. If a field examination is not warranted, the Medical Examiner shall determine with input from the PI, if the remains are or are most likely to be of Native American origin.

#### C. If Human Remains ARE determined to be Native American

- 1. The Medical Examiner shall notify the Native American Heritage Commission (NAHC). By law, **ONLY** the Medical Examiner can make this call.
- 2. The NAHC shall contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.

- 3. NAHC shall identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information..
- 4. The PI shall coordinate with the MLD for additional consultation.
- 5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
- D. If Human Remains are NOT Native American
  - 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  - 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  - If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner and the Museum of Man.

#### V. Night Work

- A. If night work is included in the contract
  - 1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries
      - In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVR and submit to MMC via fax by 9am the following morning, if possible.
    - b. Discoveries
      - All discoveries shall be processed and documented using the existing procedures detailed in Sections III During Construction, and IV Discovery of Human Remains.
    - Potentially Significant Discoveries
       If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

#### VI. Post Construction

- A. Submittal of Draft Monitoring Report
  - The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation
      - The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
  - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
  - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  - The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
  - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative),

within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

#### PALEONTOLOGICAL RESOURCES

#### I. Prior to Permit Issuance

- A. Land Development Review (LDR) Plan Check
  - Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
  - The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
  - MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
  - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

### II. Prior to Start of Construction

- A. Verification of Records Search
  - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
  - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

#### B. PI Shall Attend Precon Meetings

 Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make

comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Identify Areas to be Monitored Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

#### III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
  - The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
  - 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
  - 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process

- 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

#### C. Determination of Significance

- 1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
  - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

#### IV. Night Work

- A. If night work is included in the contract
  - 1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries
      In the event that no discoveries were encountered during night work,
      The PI shall record the information on the CSVR and submit to MMC
      via fax by 9am the following morning, if possible.
    - b. Discoveries
       All discoveries shall be processed and documented using the existing procedures detailed in Sections III During Construction.
    - Potentially Significant Discoveries
       If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### VI. Post Construction

- A. Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
  - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  - The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

- D. Final Monitoring Report(s)
  - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  - The RE shall, in no case, issue the Notice of Completion until receiving a
    copy of the approved Final Monitoring Report from MMC which includes
    the Acceptance Verification from the curation institution.

#### **BIOLOGICAL RESOURCES**

Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the ADD environmental designee of the City's LDR Division shall incorporate the following mitigation measures into the project design and include them on all appropriate construction documents.

#### **Prior to Permit Issuance**

- A. Land Development Review (LDR) Plan Check
  Prior to the issuance of a Notice to Proceed (NTP) or any construction
  permits, including but not limited to, the first Grading Permit, Demolition
  Plans/Permits and Building Plans/Permits, direct impacts to xx-acres of
  (insert appropriate habitat types) habitat shall be mitigated to the satisfaction
  of the City of San Diego, through one of the following: (a) off-site
  acquisition within the MHPA; (b) payment into the City's Habitat Acquisition
  Fund as described below, or c) a combination of a and b below:
  - 1. The permittee shall acquire and dedicate to the City of San Diego, interest in property necessary to maintain the land in its existing condition in perpetuity, a total of xx-acres of (insert appropriate habitat types and Tier) or better habitat located off-site, in the City of San Diego's MHPA. The xx-acre of acquisition would satisfy the mitigation acreage requirement of (insert appropriate Tier ratio) for impacts inside the MHPA that would be mitigated inside the MHPA; or
  - 2. The applicant shall pay into the City's Habitat Acquisition Fund (\$25,000 per acre plus 10% administration fee) for xx-acres of (*insert appropriate Tier*) habitat. The contribution would satisfy the mitigation acreage requirement of (*insert appropriate Tier*) for impacts intside the MHPA that would be mitigated inside the MHPA.

#### **Prior to Permit Issuance**

- A. Land Development Review (LDR) Plan Check
  - 1. Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of direct impacts to (insert information on the specific habitat type being restored along with the corresponding acreage and/or total number of plants being replaced) have been shown and noted on the appropriate

landscape construction documents. The landscape construction documents and specifications must be found to be in conformance with the (insert title of "Exhibit A" of revegetation/restoration plan) prepared by (Company Name and Date), the requirements of which are summarized below:

- B. Upland Revegetation and Wetland Restoration Plan(s) and Specifications
  - 1. Landscape Construction Documents (LCD) shall be prepared on D-sheets and submitted to the City of San Diego Development Services

    Department, Open Space Review Section (OSR) for review and approval.

    OSR shall consult with Mitigation Monitoring Coordination (MMC) prior to approval of LCD to coordinate specific field inspection issues on behalf of the City Park & Recreation Department Open Space Division. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.
  - 2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2002). The Principal Qualified Biologist (PQB) shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, ect. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City Park and Recreation Department).
  - 3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM) and Grading Contractor (GC), where applicable shall be responsible to insure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120 day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:
    - a. The RMC shall be responsible for the maintenance of the *upland* mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a *weekly* basis throughout the plant establishment period.
    - b. At the end of the 120 day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

- c. MMC will provide approval in writing to begin the *five year* long-term establishment/maintenance and monitoring program.
- d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.
- e. The revegetation site shall not be fertilized.
- f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.
- g. Weed control measures shall include the following: (1) hand removal, (2) cutting, with power equipment, and (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.
- h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the *five-year* maintenance period. Protective mechanisms such as metal wire netting shall be used as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally-acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM) (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

## C. Letters of Qualification Have Been Submitted to ADD

- The applicant shall submit, for approval, a letter verifying the qualifications
  of the biological professional to MMC. This letter shall identify the PQB,
  Principal Restoration Specialist (PRS), and QBM, where applicable, and the
  names of all other persons involved in the implementation of the
  revegetation/restoration plan and biological monitoring program, as they are
  defined in the City of San Diego Biological Review References. Resumes
  and the biology worksheet should be updated annually.
- 2. MMC will provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.
- 3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.
- 4. PBQ must also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Prevention Program (SWPPP) training.

## II. Prior to Start of Construction

- A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings
  - 1. Prior to beginning any work that requires monitoring:
    - a. The owner/permittee or their authorized representative shall arrange and

perform a Precon Meeting that shall include the PQB or PRS, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor

- (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.
- b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.
- c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a

focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE

and/or BI, if appropriate, prior to the start of any work associated with

revegetation/ restoration phase of the project, including site grading preparation.

- 2. Where Revegetation/Restoration Work Will Occur
  - a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11"x 17" format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.
  - b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMP's) on the RRME.
- 3. When Biological Monitoring Will Occur
  - a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.
  - b. The project biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A and RRME.
  - c. All construction activities (including staging areas) shall be restricted to the development area as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved Exhibit A and RRME.
- 4. PQB Shall Contact MMC to Request Modification
  - a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

#### **During Construction**

- A. PQB or QBM Present During Construction/Grading/Planting
  - 1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with (insert project-related impacts i.e., construction and/or grading activity) which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.
  - 2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVR's shall be faxed by the CM the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.
  - 3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).
  - 4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.
  - 5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (include names of specific species to be protected and/or identify the specific habitat type to be protected), as shown on the approved LCD.
  - 6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly
  - 7. The PQB or QBM shall oversee implementation of BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMP's upon completion of construction activities. Removal of temporary construction BMP's shall be verified in writing on the final construction phase CSVR.
  - 8. PQB shall verify in writing on the CSVR's that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or

construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

- 9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.
- B. Disturbance/Discovery Notification Process
  - If unauthorized disturbances occurs or sensitive biological resources are discovered that where not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.
  - 2. The PQB shall also immediately notify MMC by telephone of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate Best Management Practices (BMP's). After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMP's.
  - 3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).
- C. Determination of Significance
  - The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.
  - 2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

#### **Post Construction**

- A. Mitigation Monitoring and Reporting Period
  - 1. Five-Year Mitigation Establishment/Maintenance Period
    - a. The RMC shall be retained to complete maintenance monitoring activities throughout the *five-year* mitigation monitoring period.
    - b. Maintenance visits will be conducted twice per month for the first six months, once per month for the remainder of the first year, and quarterly thereafter.
    - c. Maintenance activities will include all items described in the LCD.
    - d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.
  - 2. Five-Year Biological Monitoring

- a. All biological monitoring and reporting shall be conducted by a PQB or OBM, as appropriate, consistent with the LCD.
- b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.
- c. After plant installation is complete, qualitative monitoring surveys will occur monthly during year one and quarterly during years two through five.
- d. Upon the completion of the 120-days short-term plant establishment period, quantitative monitoring surveys shall be conducted at 0, 6, 12, 24, 36, 48 and 60 months by the PQB or QBM. The revegetation/restoration effort shall be quantitatively evaluated once per year (in spring) during years three through five, to determine compliance with the performance standards identified on the LCD. All plant material must have survived without supplemental irrigation for the last two years.
- e. Quantitative monitoring shall include the use of fixed transects and photo points to determine the vegetative cover within the revegetated habitat. Collection of fixed transect data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.
- f. Biological monitoring requirements may be reduced if, before the end of the fifth year, the revegetation meets the fifth year criteria and the irrigation has been terminated for a period of the last two years.
- g. The PQB or QBM shall oversee implementation of post-construction BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMP's upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

#### C. Submittal of Draft Monitoring Report

- 1. A draft monitoring letter report shall be prepared to document the completion of the 120-day plant establishment period. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. The revegetation/restoration effort shall be visually assessed at the end of 120 day period to determine mortality of individuals.
- 2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval by City Park and Recreation staff within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.
- 3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval by City Park and Recreation staff within 30 days following the completion of monitoring.
- 4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.
- 5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.
- 6. MMC will provide written acceptance of the PQB and RE of the approved report.

#### D. Final Monitoring Reports(s)

- PQB shall prepare a Final Monitoring upon achievement of the fifth year performance/success criteria and completion of the five year maintenance period.
  - a. This report may occur before the end of the fifth year if the revegetation meets the fifth year performance /success criteria and the irrigation has been terminated for a period of the last two years.
  - b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance by the City Park and Recreation. A request for a prefinal inspection shall be submitted at this time which MMC will schedule with City Park and Recreation Department after review of report.

c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC and the City Park and Recreation Department. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

#### **RESPONSE TO COMMENT LETTER 11**

City of San Diego Environmental Analysis Section Development Services Department Myra Herrmann

- 11-A Although the City of San Diego is a Responsible Agency under CEQA, as defined in Section 21069 of the Public Resource Code, the Water Authority does not agree with the City's claim to land use authority. As stated in CEQA Guidelines 15040(e), "The exercise of discretionary powers for environmental protection shall be consistent with express or implied limitations provided by other laws." Under California Government Code Section 53091(d) and (e), the Water Authority is not subject to local land use plans, policies, and ordinances. The applicable sections state:
  - (d) Building ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water, wastewater, or electrical energy by a local agency.
  - (e) Zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water.

Therefore, the proposed project is not subject to the City's land use regulations and will not require a City Site Development Permit. The only City actions required are related to real estate processes. Encroachment/access rights and the acquisition of an approximately 40-foot-wide by 650-foot-long City-owned property between the San Diego Unified School District parcel and the Water Authority's right-of-way are identified Section 3.1 of the Draft EIR, Land Use (page 3.1-2), and in Table 2-3 (page 2-32), Potential Discretionary Actions and Approvals. The Water Authority will continue to coordinate with the City of San Diego regarding real estate actions and project activities within MTRP.

- 11-B The Water Authority considers the mitigation measures in the Draft EIR as fully satisfying the requirements of CEQA to lessen or avoid any significant environmental effects of the project.
- 11-C The Water Authority has not initiated discussions with the City of San Diego Real Estate Assets and/or the Park and Recreation Department regarding the proposed land acquisition. The Water Authority does not typically initiate discussions with property owners regarding property acquisition until the environmental review

process has been completed and a project has been approved by the Water Authority's Board of Directors for construction.

The Land Use section of the Draft EIR, Section 3.1, acknowledges other ownerships of land in the project area (Land Use Plans and Policies, page 3.1-2). In addition, Table 2-3 of the Draft EIR shows that potential project discretionary actions and approvals would include acquisition of land from the City of San Diego and the San Diego Unified School District.

- 11-D The Water Authority declines to incorporate the suggested revisions. See response to Comment 11-B.
- 11-E The MHPA Land Use Adjacency Guidelines are not applicable to Water Authority projects. See responses to Comments 1-A and 11-B.
- 11-F The Water Authority is a regional agency and provides mitigation on a regional basis. As noted on page 3.8-17 of the Draft EIR, the Water Authority will mitigate permanent impacts to upland habitats offsite using mitigation credits from the Crestridge Habitat Management Area. The Water Authority is not subject to guidelines and mitigation requirements of local jurisdictions. See responses to Comments 1-A and 11-B.
- 11-G The Water Authority declines to incorporate the suggested revisions. All mitigation for vernal pools has been proposed on land currently owned by San Diego Unified School District and proposed for acquisition by the Water Authority. See response to Comment 8-P. The planned mitigation was developed in consultation with MTRP Rangers of the City Park and Recreation Department, and this coordination will continue, as noted in the mitigation measure. As isolated waters, the Corps no longer has authority over vernal pools. Section 7 consultation with USFWS will be conducted due to potential impacts to least Bell's vireo, Quino checkerspot, and coastal California gnatcatcher. As noted in response to Comment 1-C, although the affected vernal pools are not considered by the Water Authority to be occupied, it is acknowledged that if adult San Diego fairy shrimp are detected in pools that would be directly impacted, consultation pursuant to Section 7 of the Endangered Species Act would be conducted.
- 11-H The Water Authority declines to incorporate the suggested revisions. See response to Comment 11-B.
- 11-I As discussed in Section 9 of the Draft EIR, Cultural Resources, impacts to identified cultural resources sites would be avoided by implementation of Mitigation Measure CR 1-1, which involves flagging the construction zone,

including a 10-foot buffer zone so that impacts occur entirely outside the site boundaries (page 3.9-4). Because impacts would be avoided, testing was not necessary. The Water Authority declines to incorporate the suggested revisions. See response 11-B.

- 11-J The Water Authority declines to incorporate the suggested revisions. See response to Comment 11-B.
- 11-K The Water Authority will comply with all appropriate procedures and policies for any necessary Phase II investigations in the project footprint.
- 11-L The suggested revisions to Mitigation Measures PS 2-1 and PS 2-2 have been incorporated into the Final EIR.
- 11-M See response to Comment 10-L. The identified potential spoil disposal locations are all authorized for the processing of rock and soil materials as commercial enterprises or permitted landfills. No additional environmental review of these sites is necessary. Monitoring for cultural resources will be conducted per Mitigation Measures CR 2-1 and CR 2-2.
- 11-N See response to Comment 11-A. The proposed project would not require a Site Development Permit or a Right of Entry Permit from the City. All land acquisition would be completed before the start of construction of the project.
- 11-O A construction schedule is presented in the Project Description on page 2-9 of the Draft EIR. In addition, Section 2.6 of the Draft EIR presents the Water Authority's *General Conditions and Standard Specifications* and Water Authority's project design features that will be implemented to minimize or avoid environmental impacts. Among these is Section 02200 of the *General Conditions and Standard Specifications*, which requires the contractor to provide traffic control as required by the agency having jurisdiction. In Addition, project design features include the requirement for the contractor to prepare a "detailed Traffic Control Plan for review by the Water Authority and approval by the City of San Diego." (page 2-19 of the Draft EIR)
- 11-P See responses to Comments 1-A, 11-B, and 11-E.
- 11-Q See responses to Comments 11-B and 11-E.
- 11-R The Water Authority is confident the land acquisition for the proposed easement expansion will occur prior to construction of the proposed project. See response to Comment 11-A.

- 11-S The mitigation for impacts to Diegan sage scrub within the Water Authority's right-of-way were mitigated at the 2,638-acre Crestridge Habitat Management Area being managed by the CDFG, located approximately three miles east of the City of El Cajon, and due north of the community of Crest. The Water Authority established a 260-acre mitigation bank within this reserve. The Water Authority is a regional agency and provides mitigation on a regional basis. See response to Comment 11-F.
- 11-T The Water Authority considers the visual quality analysis in the Draft EIR and the significance thresholds from Appendix G of the CEQA Guidelines to fully satisfy the requirements of CEQA. The stated City thresholds are not applicable to the Water Authority project. See response to Comment 11-B. The visual analysis fully disclosed potential impacts through photographs and visual simulations. In addition, project features are primarily underground, and the FRS II control building's architectural design would incorporate a variety of elements that facilitate blending of the building into its surroundings. All disturbed areas will be revegetated with a native plant mix, minimizing long-term visual impacts.
- 11-U The suggested revision to Mitigation Measure N 2-1 has been incorporated into the Final EIR.
- 11-V See response to Comment 11A. The project is not subject to City ESL regulations and a Site Development Permit would not be required.
- 11-W The Water Authority is a regional agency and provides mitigation on a regional basis. See response to Comment 11-F.
- 11-X The Water Authority declines to incorporate the suggested revisions. See response to Comment 11-B.
- 11-Y The Water Authority prefers to follow nomenclature of CEQA Guidelines Appendix G, which uses the term "Cultural Resources" to refer to both archaeological and historical resources.
- 11-Z The Water Authority declines to incorporate the suggested revisions. See response to Comment 11-I. As discussed in Section 9 of the Draft EIR, impacts to identified cultural resources sites would be avoided by implementation of Mitigation Measure CR 1-1.
- 11-AA The Water Authority declines to incorporate the suggested revisions. See responses to Comments 11-B and 5-A.

- 11-AB The Water Authority declines to incorporate the suggested revisions. See response to Comment 11-B.
- 11-AC See responses to Comments 11-K and 11-L.
- 11-AD CEQA Guidelines Section 15130 states that a lead agency is authorized to "limit its analysis of probable future projects to those which are planned or which have had an application made at the time the NOP is released for review." No changes in the cumulative analysis baseline have been incorporated into the Final EIR.
- 11-AE See response to Comment 11-AD.
- 11-AF The text has been revised to indicate the project is conditionally compatible with the MSCP. Essential public facilities, such as water pipelines, are considered compatible land uses within the MHPA.
- 11-AG The Water Authority declines to incorporate the suggested revisions. The Water Authority considers the impacts to vernal pools to be mitigated to below a level of significance by the Mitigation Measure 4-1. Therefore, the project would not contribute to cumulative impacts of this issue. See response to Comment 11-G.
- 11-AH The paragraph has been revised in the Final EIR.
- 11-AI The Water Authority declines to incorporate the suggested revisions. See responses to Comments 11-B and 11-T.
- 11-AJ Spoil disposal in MTRP at the BMX site is an alternative that was considered but rejected. Monitoring for cultural resources will be conducted per Mitigation Measures CR 2-1 and CR 2-2. No additional discussion is considered to be needed by the Water Authority.
- 11-AK For the proposed project, the pipelines would be installed in tunnels that would be constructed deep underground, well below the depth where archaeological resources would be expected to occur. The Inlet Tunnel and Trenched Outlet Pipeline would involve trenching, or digging from the ground surface downward, to construct the outlet pipeline. Therefore, there is greater potential to encounter unidentified archaeological resources.
- 11-AL The requested revisions have been incorporated into the Final EIR.

11-AMThe City's CEQA Significance Determination Thresholds (May 2004) have been added to the References section of the Final EIR. The other references were not used in the EIR, so were not added.

## Park and Recreation Department - Paul Kilburg

- 11-AN The suggestions are acceptable to the Water Authority, with the exception that the standard maintenance and monitoring period is 2 years (24 months), and not 25 months.
- 11-AO See response to Comment 11-AN.
- 11-AP The suggestions are acceptable to the Water Authority, with the exception that the standard maintenance and monitoring period is 2 years (24 months), and not 25 months.
- 11-AQ The suggestion regarding road grading is acceptable to the Water Authority.
- 11-AR The previous mitigation project will be avoided. The Water Authority appreciates the suggestions regarding future permitting.
- 11-AS The Water Authority does not agree that mitigation measures for the proposed project are subject to City standards. See response to Comment 11-B.
- 11-AT As stated in Section 3.1 of the Draft EIR, Land Use, the Water Authority owns a 130-foot-wide right-of-way through MTRP. The City of San Diego owns this land in fee title. Under the existing right-of-way easement, the Water Authority is not obligated to comply with the City's MSCP.
- 11-AU The Water Authority does not typically initiate discussions with property owners regarding property acquisition until the environmental review process has been completed and a project has been approved by the Water Authority's Board of Directors for construction. See response to Comment 11-C.
- 11-AV The Water Authority is not subject to local land use plans, policies, and ordinances under California Government Code Section 53091(d) and (e). See response to Comment 11-A.
- 11-AWPage 3.8-17 of the Draft EIR states that "The proposed project would not be consistent with portions of the City's MSCP. Much of the proposed project's impacts to the habitats of MSCP covered species would be avoided or mitigated. Nearly all permanent project features would be belowground and the Water

Authority would revegetate all temporary impact areas. However, permanent impacts to 0.23 acre of chaparral, and 0.1 acre of non-native grassland would not be mitigated because the Water Authority does not consider these habitats sensitive." The Final EIR has been revised to clarify that the proposed project is conditionally compatible with the City's MSCP, but is not consistent with all MSCP mitigation requirements.

- 11-AX The Final EIR has been revised to include these suggestions.
- 11-AY See response to Comment 11-B.
- 11-AZ A maintenance and monitoring period with specific success criteria and control of non-native invasive weeds will be implemented as part of the Water Authority's *General Conditions and Standard Specifications*, Section 02940 Revegetation. However, the standard maintenance and monitoring period is 2 years (24 months), and not 25 months.
- 11-BA See response to Comment 1-E.
- 11-BB Potential discretionary actions and approvals are listed in Table 2-3 of Section 2 of the Draft EIR, Project Description. This table includes formal Section 7 Consultation with the USFWS, and an Individual 404 Permit with the Corps. Jurisdictions with authority over sensitive wetland and jurisdictional communities are discussed on page 3.8-1 of the Draft EIR.
- 11-BC The Water Authority does not agree that there are no places to implement creation mitigation at MTRP. The San Diego River and associated wetlands provide ample opportunities for wetlands enhancement and creation. The Water Authority is working closely with MTRP staff to combine the need for mitigation with the park desire to maintain, restore, and expand wetland areas in MTRP. An area more than 300 feet long located between the main channel and a secondary channel and adjacent to the proposed stabilized river crossing has been identified as a potential area for wetlands creation. This area contains the remnants of an old concrete/asphalt/steel roadbed that could be removed to allow room for creation of southern willow scrub riparian forest. A Conceptual Mitigation Plan is being prepared as part of the permit application packages to the Corps, USFWS, and CDFG. The Water Authority considers the biological resources mitigation in the EIR to be adequate under CEQA. See response to Comment 11-A and 11-B.
- 11-BD The Water Authority has been coordinating with the MTRP Rangers in developing the initial concepts for mitigation. The responsibilities and authority

of the Open Space Division of the Park and Recreation Department are acknowledged. The Water Authority intends to provide conceptual mitigation plans and construction drawings for Open Space Division approval when the final design is prepared.

- 11-BE See response to Comment 11-BC.
- 11-BF The Water Authority does not agree that mitigation measures for the proposed project are subject to City standards. See response to Comment 11-B. The Water Authority would be pleased to arrange for any cultural resources artifacts found to be curated at the MTRP Visitor's Center. Alternatively, if the City would not want cultural resources artifacts, they could be curated at the San Diego Archaeological Center.
- 11-BG The Water Authority does not agree that mitigation measures for the proposed project are subject to City standards. See response to Comment 11-B. The Water Authority would be pleased to arrange for any paleontological resources found to be curated at the MTRP Visitor's Center. Alternatively, if the City would not want paleontological resources, they could be curated at the San Diego Natural History Museum.

## Planning Department - MSCP - Betsy Miller

- 11-BH The Water Authority concurs with the comment.
- 11-BI The Water Authority concurs with the comment.
- 11-BJ The Final EIR has been revised to explain that the proposed project is conditionally compatible with the MSCP, but is not consistent with certain mitigation or adjacency requirements. The Water Authority is not subject to local land use plans, policies, and ordinances under California Government Code Section 53091(d) and (e). See response to Comment 1-A.
- 11-BK Multiple conditions to protect water quality have been incorporated into the project through the Water Authority's *General Conditions and Standard Specifications*, and the Water Authority's project design features. See pages 2-21 through 2-25 of the Draft EIR.
- 11-BL Multiple conditions to protect biological resources have been incorporated into the project through the Water Authority's *General Conditions and Standard Specifications*, and the Water Authority's project design features. See pages 2-24 through 2-25 of the Draft EIR.

- 11-BM See response to Comment 11-BJ.
- 11-BN See response to Comment 1-C.
- 11-BO See responses to Comments 11-B and 11-BJ.
- 11-BP The requested revision has been incorporated into the Final EIR.
- 11-BQ The requested revisions have been incorporated into the Final EIR.
- 11-BR The Final EIR has been revised to explain that the proposed project is conditionally compatible with the MSCP and is not consistent with the City's MSCP. See responses to Comments 11-A and 1-B.

## **COMMENT LETTER 12**





SDCWA RECEIVED

MAY 1 8 2006

RECEPTION

May 18, 2006

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

RE: Draft EIR for the SDCWA Mission Trails FRS II, Pipeline Tunnel and Vent Demolition Project

Dear Mr. Mark Tegio:

Thank you for allowing San Diego Gas & Electric Company to comment on the above Draft EIR (Environmental Impact Report). As the result of our review, we have identified several areas where the subject project could potentially conflict with SDG&E facilities or activities. We request that the San Diego County Water Authority (SDCWA) consider each issue and incorporate measures to mitigate them as applicable. To assist in this effort, we have identified each issue and suggested an associated mitigation.

## Potential Impact to SDG&E Facilities or Activities

An aerial map is attached showing the general project alignment and SDG&E facilities. SDG&E has multiple high voltage power lines that cross SDCWA's proposed project alignment (in red) as shown in the attached Figure 1. In general, SDG&E is concerned that the Flow Regulator and Pipeline Tunnel alignment and temporary construction period could jeopardize the integrity and accessibility of our power line facilities. More specifically:

#### 12-A.

## Issue 1 - Maintain Integrity of Facilities and Safety

SDG&E must be assured that any excavations, trenching, or boring near the
existing electric poles or towers do not affect their stability/safety.

#### Recommended Mitigation

- Any grading, excavation or construction within SDG&E easements or access roads will require coordination with SDG&E Land Management on safety and access issues prior to construction.
- Project proponent shall coordinate with SDG&E to verify if any existing transmission pole structures will require temporary bracing, guying or relocation during trenching or boring excavation activities.

- Any use of equipment or vehicles under existing power lines shall maintain adequate safety clearance from the lines.
- Any grading, excavation or construction within SDG&E easements will
  require the project proponent to obtain a Permission to Grade Letter and Right
  of Entry Permit from our Land Management representative unless an existing
  easement agreement is applicable for the existing 130-foot wide SDCWA
  easement.

# 12-B. <u>Issue 2 – Access to Facilities</u>

12-C.

Trenching for the subject project may temporarily affect access to structures represented by wood pole #'s 165424, 379525, 379526, 379527, 379528, 379529, 379530, and 872362 (69kV circuits TL 636 and TL639), lattice tower #'s 118866, 677985, 677986, and 677987 (138kV circuit TL13822), and steel pole #'s 873083, 873084 and 873085 (230kV circuits TL23022 and TL23023) within SDG&E's 200-ft wide transmission line corridor (please reference Figure 2).

#### Recommended Mitigation

SDG&E needs to be assured that it has 24-hour access to its facilities. A
contingency plan must be developed by the project proponent to ensure
SDG&E access to their facilities during construction hours. During nonconstruction hours, trenches and any excavations at the staging areas should
be covered to allow safe access to SDG&E facilities. The referenced
contingency plan should be submitted to SDG&E for review and approval.

# Issue 3 - Prohibited Use of SDG&E Easement or Access Roads for Mitigation

Any mitigation, such as a change of land use to open space, or restoration of
wetland or other sensitive vegetation, as a result of project ground disturbing
activities, shall not occur within SDG&E easements or access roads.

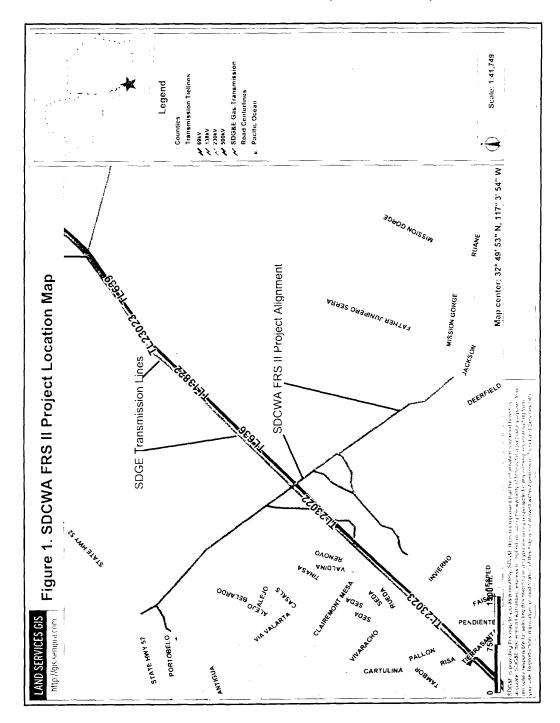
SDG&E's Land Management representative for this geographic area is Brenda Chilvers. Please contact her at 858-654-1270 to coordinate your work in the area of SDG&E's facilities or their associated access roads.

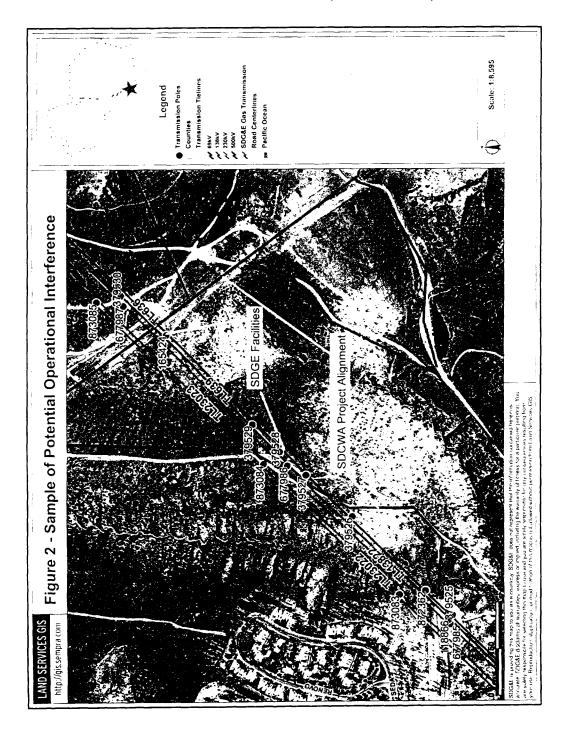
If you have any questions regarding this letter, you may contact me at 858-637-3711.

Sincerely,

Dashiell S. Meeks, PE, AICP Senior Environmental Specialist Land Planning & Natural Resources

rshiell & ndeeks





## **RESPONSE TO COMMENT LETTER 12**

SDG&E
Dashiell S. Meeks, PE, AICP
Senior Environmental Specialist
Land Planning & Natural Resources

- 12-A The Water Authority, in coordination with SDG&E, will ensure that any excavation, trenching, or boring near the existing electric poles or towers do not affect their stability/safety.
- 12-B The Water Authority, in coordination with SDG&E, will ensure that SDG&E has 24-hour access to its facilities.
- 12-C The Water Authority agrees that any mitigation, such as a change of land use to open space, or restoration of wetland or other sensitive vegetation, as a result of project ground disturbing activities, shall not occur within SDG&E easements or access roads.

JECEINE,

## **COMMENT LETTER 13**

11360 Camino Playa Cancun #2 San Diego, CA 92124-1584 March 29, 2006

APR 0 3 2006

Mark Tegio San Diego County Water Authority 4677 Overland Ave. San Diego, CA 92123

Dear Mr. Tegio:

13-A.

I am writing about the Mission Trails water project near Tierrasanta. As you can see from my address, my condominium backs up on a gully not far from the project. Currently this gully receives enough water to nourish a variety of vegetation, including many willows that have grown since the Cedar fire. This narrow ribbon of vegetation (which follows the "creek") supports a variety of wildlife including a surprising variety of birds (birding is a hobby of mine).

My concern is, will the plan change the hydrology of this area? Currently this area drains the rainwater from nearby hills, but I wonder if during the dry months, it also receives water from from the current facility? At any rate, I'd hate to lose the trees that are just starting to come back from the fire.

To give you an idea of what birds live there, during the winter, the trees often sport yellow-rumped warblers (though there are not as many as before the fire). Sparrows, including white-crowned, golden-crowned, song and Lincoln's shelter in this area. This winter I also spotted a green-tailed towhee and a vermillion flycatcher (both are quite unusual for this area of San Diego). During the spring the area is visited by a good assortment of migrants, including warblers, some vireos, as well as, a host of other birds.

Finally, regardless of the time of year, this area is home to such birds as: towhees, lesser goldfinches, Nuttall's woodpecker, bushtits, hummingbirds etc. Several of these species nest in this area.

In short, in the 6 years I've lived here, I've seen almost 40 species of birds from my back porch and most, I'd say, were in some way dependent on this ribbon of vegetation. Thanks for your time and I'll look forward to hearing from you.

Sincerely.

Tom Simpson

1 gus Dayse

#### **RESPONSE TO COMMENT LETTER 13**

## Mr. Tom Simpson

13-A The staging area for the North Portal and the northern pipeline tunnel connection to the existing aqueduct will result in temporary impacts to the gully behind your condominium. However, this will not substantially change the hydrology of the area. The vegetation within the Water Authority's right-of-way and to the east of the right-of-way will be removed. The vegetation to the west of the Water Authority's right-of-way, including the area behind your condominium, will not be disturbed by the proposed project. An existing culvert beneath the existing dirt road will be extended to allow water to flow from east to west. Water within the gully is entirely from the surface flow of rainwater and the seepage of groundwater.

## **COMMENT LETTER 14**

5531 La Cuenta Drive San Diego, CA 92124 858-627-0682 April 13, 2006

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

Dear Mr. Tegio:

14-A.

I spoke to Craig Balben the other day regarding questions we have here in Tierrasanta trying to gauge the impact of the FRS II project on our access to trails in Mission Trails Regional Park. On perusal of the draft document, it looks like the work will extend through the entire western side of the Park. Most maps show a solid vertical line indicating the work area bisects the Park. On the other hand, when you look at what trails are closed off in map 3.6-2, it appears that from the limited access permitted at the Calle de Vida trailhead, users may be able to bear right and get to Suycott Wash. Additionally once the Jackson Crossing work has been completed, they may be able to turn southeast and get to the River.

Can you explain whether the Suycott Wash trail and the road to the River will really be accessible as I have described above? As to the issue of 'limited access', would you say to a resident - don't plan to enter the Park via Calle de Vida from Monday thru Saturday - or, yes, go ahead and plan to use it most days it during the two year project span?

Craig requested that I put my questions in writing. It will be helpful to hear back from you, but if you do not send written responses, I will anticipate bringing them up at your April 27<sup>th</sup> meeting. The question of what access Tierrasanta residents will have to the major Park trails without driving to Mission Gorge is important to us here.

Thank you.

Very sincerely,

Roberta Froome

Roberta Fromme

Cc: Mr. Craig Balben

#### Roberta Froome

14-A The Water Authority and the Park Rangers have been working together to maintain access points and routes within the northwestern corner of Mission Trails Regional Park while protecting public safety during construction of the proposed project. The Calle de Vida entrance to Mission Trails Regional Park will generally remain open for the duration of the project. Public use will only be restricted during periods when trucks and heavy equipment use this access point. Restricted use is being implemented to maintain public safety. Only oversized/overweight trucks will use the Calle de Vida entrance and there will be a maximum limit of 40 trips per day. You should plan on using the Calle de Vida entrance on a daily basis, although use may be subject to temporary delays while heavy equipment is allowed to pass. Flagpersons will be present to regulate the flow of construction traffic and public use.

The Calle de Vida access point will provide access to the Suycott Wash trails, North and South Fortuna Mountain, Mission Gorge, and the San Diego River. The Jackson Drive entrance and river crossing will remain open, with the exception of the up to 3 months that it will take for the construction of the proposed improved river crossing.

#### **COMMENT LETTER 15**

Mark Taglio, Sr.
San Diego County Water Authority
4677 Overland Avenue
San Diego, California 92123

APR 2 8 2006

April 24, 2006

Mr. Taglio:

We have been watching with serious interest the water project proposed for Mission Trails Park. In fact, have submitted comments for your consideration before.

After seeing that the Environmental document fails to address many of the concerns of local citizen groups, we are sorely disappointed. In particular, it fails to address concerns about noise and air pollution.

Your project will be working directly across a small canyon from our home and I can assure you that noise travels easily across that gap. This is especially true of the weird noise that trucks make when backing up. And, of course, helicopter noise is even worse.

Consequently, we would ask that you consider the following steps:

- . Use water spray to keep down dust and airborne particulates
- . Cover all truck loads of dirt
- . Do not start work before 8 am.
- . Try to avoid using helicopters
- . Have employees park their vehicles in the area at the end of Clairemont Mesa Blvd.

We also are concerned about the effects the project will have on the native animals in the Park. The National Wildlife Federation, when we described the project to them, was very concerned, especially in light of the trauma inflicted by the recent Cedar Fire. In their opinion, this water project coming close on the heels of that fire, could do irreparable damage to certain species of wildlife.

If this project must proceed, we hope you'll at least do what you can to address the concerns we've expressed.

Thank you.

LeeAnn and Thomas Franco 4885 Seda Dr. San Diego. CA

#### **LeeAnn and Thomas Franco**

15-A Section 3.4 of the Draft EIR and Appendix C to the Draft EIR address potential air quality impacts associated with the project. Short-term air quality impacts were found to be significant and unmitigable. Section 3.5 of the Draft EIR and Appendix D to the Draft EIR address potential noise and vibration impacts. Noise impacts were also found to be significant and unmitigable. Significant and unmitigable means that, even with the implementation of all practicable mitigation measures, including measures such as the use of water spray to keep down dust and airborne particulates and the construction of temporary sound walls to reduce construction-related noise, air quality and noise impacts would continue to exceed the thresholds of significance stated in Draft EIR.

The noise generated by back-up beepers on trucks and construction equipment is necessary to protect worker safety. No helicopters would be used for the construction of the proposed project.

Project design features discussed on page 2-20 of the Draft EIR state that "All clearing and grading will be carried out with dust control measures adequate to prevent creation of nuisance to persons or public or private property. Clearing, grading, and construction plans will require that measures such as the following be undertaken to achieve this result: watering, applications of surfactants, shrouding, control of vehicle speeds, or other technological measures to reduce dispersion of dust. Specific source control Best Management Practices (BMPs) identified in the project design could include, but not be limited to, the following:

- Multiple application of water during grading between dozer/scraper passes.
- Chemical stabilization of internal roadways after completion of grading.
- Use of sweepers or water trucks to remove "track-out" at any point of public street access.
- Termination of grading if winds exceed 25 mph.
- Stabilization of dirt storage piles by chemical binders, tarps, fencing or other erosion control.

Mitigation Measure AQ2-1 requires that vehicles hauling dirt or fill be covered with a tarp or by other means.

The end of Clairemont Mesa Boulevard will be used as a construction staging area. Many of the construction employees will be required to park their personal

vehicles at this location so as to reduce the number of vehicles driving on the dirt access routes in MTRP.

15-B Section 3.8 of the Draft EIR and Appendix E to the Draft EIR address potential impacts to sensitive wildlife species in detail. One federally threatened species, the coastal California gnatcatcher was known to be present in the project area prior to the Cedar Fire, but was only found south of the San Diego River during post-fire focused surveys. The federally endangered least Bell's vireo and Quino checkerspot butterfly were also identified within the project area during focused surveys for these species conducted for the project. Section 3.8.4 of the Draft EIR lists 12 mitigation measures that must be implemented by the Water Authority to avoid, minimize, or compensate for impacts to sensitive habitats and the sensitive plants and animals found within these habitats. In addition, the project requires the issuance of permits or agreements by the USFWS, CDFG, Corps, and the RWQCB.

#### **COMMENT LETTER 16**

Subj:

Date:

FW: Mission Trails Park Project 5/1/2006 8:47:08 A.M. Pacific Daylight Time

From:

MTegio@sdcwa.org TierraEnv@aol.com

Comment letter received yesterday.

----Original Message-----

From: cristofori@att.net [mailto:cristofori@att.net]

Sent: Sunday, April 30, 2006 12:50 PM

To: Tegio, Mark

Subject: Mission Trails Park Project

16-A.

Mark, just returned from vacation to learn of SDCWA's upcoming project in Mission Trails Park. I have not received any notification of this project...although I could tell something was up when I saw drill rigs doing core samples in the park. I live in the notification of this project...although I could tell something was up when I saw drill rigs doing core samples in the park. I live in the Montanosa apartment complex, and I have experienced this same lack of communication in the past...when you live in an apartment you don't exist. Of course the property owner would receive notifications...but it never gets to the residents! As I spend some time every day in the park...I am very concerned that the EIR found no significant impact in terms of the recreational use of the north end of the park.I access the park on foot from my home via the Portabello entrance...and it looks like that access will be eliminated or severely restricted during the 2 years of the project. Other nearby entrances will also be in the same boat...so I guess my only option would be to jump in the car and drive some considerable distance to access the park. For this reason I find myself in support of the Friends of Tierrasanta Canyons proposal which would help mitigate the effects of the project. I also support the refurbishment of the bridge at the extreme north end of the park on the Shepherd Canyon trail this reason I find myself in support of the Friends of Tierrasania Cariyons proposal which would relip image the effects of the project. I also support the refurbishment of the bridge at the extreme north end of the park on the Shepherd Cariyon trail. However...I limit myself to use of the roads only during the summer months, as I do not feel comfortable on the narrow, sometimes overgrown trails during peak snake activity. The rattlesnake population is recovering from the fire...and I suspect it will be back to pre fire levels soon. I'm sure many people would be surprised at the number of rattlesnakes that inhabited the park before the fire. And I'm sure that rattlesnake encounters will be increased for the residents near the project area once construction starts. I would appreciate being added to your mailing list. Thanks.

Chris Sibel 11063 Camino Playa Carmel San Diego, CA 92124

#### **Chris Sibel**

16-A The Water Authority has conducted an extensive public outreach program for the proposed project and is dedicated to communicating information concerning the project to communities and stakeholders potentially impacted by the project. Section ES.3 of the Draft EIR (page ES-3) summarizes the outreach program conducted to date by the Water Authority. Notices have been, and will continue to be, distributed by mail and door-to-door. The project newsletter, the *Park Watermark*, which provides an overview of the project's status, is mailed to over 5,000 stakeholders. Stakeholders are also encouraged to call the toll-free project information hotline (877) 682-9283, ext. 7004, with questions and concerns. The Water Authority will add you to the project mailing list.

The Water Authority is aware of the number of residents who enjoy access to Mission Trails Regional Park from adjacent residential neighborhoods in Tierrasanta and has worked with the Park Rangers, adjacent Homeowners' Associations, and community groups to publicize the temporary closure of access points and trails during project construction and to identify alternative routes. Alternatives to the Portobelo Drive access point to Mission Trails Regional Park do exist. For example, the trail that follows the City of San Diego Water Utilities easement between Belsera and Caltrans' SR-52 right-of-way connects with the Shepherd Canyon trail, which in turn provides access to the Fortuna Mountain area. This access to the northwestern corner of the Park will remain open, with the exception of up to a 2-month period during the Pipeline Interconnect Reconfiguration.

Your comments regarding the potential presence of rattlesnakes along the roads and trails are appreciated and an important reminder of the care trail users should exercise in MTRP and elsewhere in San Diego County during the warmer months of the year.

#### **COMMENT LETTER 17**

AIEH MESUUNC S.D.C.W.A. MAI 5 - 2006

May 2, 2006

RECEIVER

Mr. Mark Tegio San Diego County Water Authority 4677 Overland Avenue San Diego, CA 92123

Re: Water project affecting Tierrasanta Second flow structure in MTRP

Dear Mr. Tegio:

17-A.

As a 25+ year resident of Tierrasanta, I strongly encourage you to work harder with the community regarding the cost of potential damage and impact on each and every one in this community to help the whole county with our water needs. We will be paying a large cost by the impact of dealing with the construction for TWO years, and the least the county can do is help us with the following:

- 1) Some guarantee of road resurfacing after the heavy use
- 2) Control truck traffic during school crossing time (4 schools affected)
- 3) Reasonable access to the park from Tierrasanta during the construction period

These are VERY reasonable requests and I sincerely hope the Water Authority will make these things happen.

Sincerely, Linda & Robert Juhasz Linda & Robert Juhasz 4360 Rueda Dr.

San Diego, CA 92124 858-268-8071

## **Linda and Robert Juhasz**

17-A See response to Comment 10-AD regarding road resurfacing, responses to Comments 10-O and 10-AC regarding schools and traffic, and responses to Comments 10-AM through 10-AT regarding access to MTRP from Tierrasanta during construction.

#### **COMMENT LETTER 18**

SDCWA RECEIVED

14

5/8/2006

Mr. Mark Tegio, San Diego County Water Authority 4677 Overland Ave., San Diego, CA 92123

I read over parts of the EIR for the FRS II project, my concerns follow.

Figure 3.6-2 shows an access route in green that it states will be a limited access route (typically open to public during construction). In contrast the Traffic/Circulation portion of your report discusses this same portion being part of a circuit for trucks carrying material from your site for disposal elsewhere. It is not clear to me, will the green segment be open to the public for the two year project life or will it be a main haul road and closed to public access? If it is a main haul road, the residents in the area along Calle de Vida and Rueda Drive would be subject to tremendous dust, mud, noise and a dangerous increase in truck traffic.

18-B. The project will last for 2 years and certainly there will be times when the steep dirt roads will be wet and slippery. Would it not be better to route the truck traffic on Seda Drive and have the trucks climb and descend the steep grades on a paved road rather than a dirt road?

Would it be possible to design the FRS II vent building to be less visible in the park. The park visitors would be better served if the vent building could blend into the landscape. Could the vent structure be recessed into the surface or slope so that it would not be visible unless you were near it? Is there anyway that the vent structure could not be surrounded with fencing? An open space park is the last place you want to see a fenced off area. Would it be possible to have the vent structure be constructed from materials that blend into the landscape? The Mission Trails Visitor Center has an excellent example of concrete walls made to look like natural local stone. Perhaps, the structure could be disguised as a rock outcrop.

B. Winans

#### **B.** Winans

- 18-A Figure 3.6-2 is correct in that it shows the Calle de Vida access route as typically open to the public during construction. Section 3.3.3 in the Traffic/Circulation portion of the Draft EIR states that "Nearly all trucks associated with the FRS II and South Portal would enter and exit MTRP using Clairemont Mesa Boulevard and I-15 or Clairemont Mesa Boulevard, Santo Road, and SR-52. The only exception would be for large equipment that would either be too wide or too heavy for the bridge into MTRP from Clairemont Mesa Boulevard. equipment would be brought into MTRP using Rueda Drive and Calle de Vida from Clairemont Mesa Boulevard." Page 3.3-10 states "It is noted that the addition of more than 40 one-way truck trips per day to Rueda Drive would cause the volume/capacity ratio calculated for the street to be exceeded. Use of the Clairemont Mesa Boulevard ingress and egress for all traffic except equipment exceeding the 30-ton capacity of the bridge would avoid a significant impact to Rueda Drive between Calle de Vida and Clairemont Mesa Boulevard. This impact would be less than significant." No trucks hauling excavated materials will use the Calle de Vida access route.
- 18-B The dirt access road from Seda Drive is the shortest, most direct, and most level access route to the existing FRS I and the proposed FRS II site. However, per terms of the Water Authority's access easement, this route is to be used for emergency access only. Construction access is not allowed from Seda Drive. This is because, while Seda Drive and Renovo Way are paved, they are steep, narrow roads that allow parking on both sides, and provide access to relatively high-density housing. Use of this route for the construction of the FRS I was thoroughly investigated and ultimately rejected.

The dirt access roads within MTRP would be re-graded and additional gravel would be placed on them to provide an all-weather base for trucks.

18-C See response to Comment 10-Y regarding the visual impacts of the control building. Security concerns regarding the County's water supply require that the access building and associated vent structures be fenced. The Water Authority has worked with the MTRP Community Advisory Committee to identify appropriate colors and textures for the exterior of the building. The goal is to have the facility blend with the natural surroundings as much as possible and to mimic the architecture of the Visitors Center. The idea of created a rock outcrop is a good one and has been considered. Figure 2-6 in the Draft EIR provides a visual simulation of the access building as currently proposed. The Water

Authority will continue to work with the Mission Trails Community Advisory Committee to finalize the design.

## **COMMENT LETTER 19**

FRS II Draft EIR - Comments Page 1 of 2

Subj: FW: FRS II Draft EIR - Comments
Date: 5/9/2006 3:36:30 P.M. Pacific Daylight Time

From: MTegio@sdcwa.org
To: TierraEnv@aol.com

Comments from Lyn Kagey

----Original Message-----

From: Lyn Kagey [mailto:LKagey@boatus.com]
Sent: Tuesday, May 09, 2006 3:35 PM
To: Teglo, Mark

**Cc:** Roberta Froome; Kagey, Price **Subject:** FRS II Draft EIR - Comments

Comments on the Draft Environmental Impact Report (EIR)

for the San Diego County Water Authority (CWA) Mission Trails Project

(Flow Regulatory Structure (FRS), Pipeline Tunnel and Vent Demolition)

(Draft EIR dated March 2006)

19-A.

I am a resident of Tierra Santa, near where the FRS II construction will take place. I use the western MTRP trails every day and often twice a day. I am concerned about the impact that this construction will have on the Tierra Santa residents for a period of two years.

My first concern is with respect to the hauling routes and the associated traffic/noise/dust. Why is the stabilized crossing of the San Diego River not the primary access to the eastern end of the tunnel and FRS II building entrance? Why is the stabilized river crossing not scheduled for completion until 20 months into the project? Why are dump trucks full of muck and dirt being taken through residential neighborhoods and past schools rather than out this totally feasible alternate route to Mission Gorge? Can local thoroughfares not designed or built for heavy truck traffic withstand 268 loaded dumptrucks a day? And, if not, what will be done about it?

19-B.

My second concern is regarding the recreational trails in the entire Western portion of the park. It does not appear that there will be any loop trails which can be accessed from the western side of the park, either because the trail will be closed or because of the truck traffic day and night. Thus, we are apparently expected to drive a 16 mile round trip to the Park HQ building on Mission Gorge to access the "neighborhood" trails. This is extremely inconvenient and expensive for those of us who only purchased in this neighborhood because of its proximity to MTRP.

Let's put an actual price to this inconvenience. If we figure the time to travel the sixteen miles round trip to the Park HQ as 36 minutes (.6 hours) and we assume a very low rate of \$15.00/hour, then the cost of time lost alone per day is .6  $\times$  \$15.00 = \$9.00/day for one round trip. And multiplied the duration of the project 365 x 2 years = 712 days (less 12 days for vacations). Thus, for 700 days x \$9.00/day = \$6,300 per person in just time lost. This does not account for the hourly rates actually earned in this neighborhood.

Now, if we account for the cost of gasoline, currently 3.55/gal and we assume a vehicle that gets 20 mpg, the approximate cost of each trip is  $2.84 \times 700$  days = 1.988.00 (alternative A). However, if we use the current .485 per mile allowed by the IRS, .485  $\times 16$  miles round trip, the cost of each trip is 7.76. At 7.76 per trip for 700 days, the cost is 4.760 (alternative B).

Cost of one trip per day for 700 days = \$1,988.00

Lost time in travel = \$6,300.00

Total cost per person (A) \$8,288.00

IRS allowed mileage for 700 days = \$5,432.00Lost time in travel = \$6,300.00

Tuesday, May 09, 2006 America Online: TierraEnv

## **COMMENT LETTER 19 (CONTINUED)**

FRS II Draft EIR - Comments Page 2 of 2

Total cost per person (B)

\$11,732.00

You can see the cost of this inconvenience is substantial even if only 50 residents make the 16 mile round trip to MTRP park HQ per day for alternative access to the western side of the MTRP: 50 residents x \$8,288 over 700 days = \$414,400.00 (A) or 50 residents x \$11,732 over 700 days = \$586,600. This assumes there are 12 days during these two years when no one drives to the alternative entrance.

I believe that the conclusion of the DRAFT EIR that there is minimal Recreational impact is in error. As you can see from the calculations above, the cost to the residents is substantial if they choose to avail themselves of the alternative entrance proposed in the draft EIR. I am unable to tell from the maps or text provided in the draft EIR what MTRP trails will be open and when. In addition, it is certain that the canyon trails within Tierra Santa will have much more use as a result of the closing of the western MTRP trails. The Friends of the Tierra Santa Canyons has submitted a proposal in mitigation of this loss of use of the MTRP trails which I request that the Final EIR address.

Sincerely,

LYN KAGEY

11541 Camino Playa Catalina

San Diego, CA 92124

(858) 569-1938

## Lyn Kagey

- 19-A See response to Comment 10-G regarding the infeasibility of the stabilized crossing of the San Diego River for construction access. Construction of the improved river crossing must occur following the conclusion of the bird breeding season and prior to winter rains. Therefore, construction will be limited to a 2-3 month period during the months of September through December. Calle de Vida and Rueda Drive are the only residential streets proposed for construction traffic that were not designed for truck traffic. See response to Comment 10-AD regarding the documentation of pre-construction and post-construction road conditions and the need for repairs.
- 19-B See responses to Comments 10-AN through 10-AQ regarding trail access from Tierrasanta. There would be no need to drive to the Visitors Center or elsewhere to access trails within MTRP for persons that currently do not drive to MTRP, as access will remain open at Belsera, Playa Corte Catalina, Seda Drive, and Calle de Vida. Regarding the "price of this inconvenience", Section 15131(a) of the CEQA Guidelines state "economic or social effects of a project shall not be considered as significant effects on the environment."

#### **COMMENT LETTER 20**

#### Comments on the Draft Environmental Impact Report (EIR)

#### for the San Diego County Water Authority (CWA) Mission Trails Project

(Flow Regulatory Structure (FRS), Pipeline Tunnel and Vent Demolition)

(Draft EIR dated March 2006)

20-A.

I am a new (18 months) resident of Tierra Santa, near where the FRS II construction will take place. When I moved here from Virginia I specifically chose a home in Tierra Santa so that I could use the western MTRP trails. I use the trails every day and hike 4 to 6 hours in the MTRP each weekend. I am concerned about the impact that this construction will have on the Tierra Santa residents for a period of two years.

My first concern is regarding the recreational trails in the entire Western portion of the park. It does not appear that there will be any loop trails which can be accessed from the western side of the park, either because the trail will be closed or because of the truck traffic day and night. Thus, we will be expected to drive a 16 mile round trip to the Park HQ building on Mission Gorge to access our "neighborhood" trails. This is extremely inconvenient and expensive for those of us who purchased in this neighborhood specifically because of its proximity to MTRP.

20-B.

My second concern is with respect to the hauling routes and the associated traffic/noise/dust. Why is the stabilized crossing of the San Diego River not the primary access to the eastern end of the tunnel and FRS II building entrance? Why is the stabilized river crossing not scheduled for completion until 20 months into the project? Why are dump trucks full of muck and dirt being taken through residential neighborhoods and past schools rather than out this totally feasible alternate route to Mission Gorge? Can local thoroughfares not designed or built for heavy truck traffic withstand 268 loaded dump trucks a day? A traffic load of > 250 fully loaded dump trucks / day for the duration of the construction will probably destroy the foundations of our roads. How will road repairs be funded and conducted?

20-C.

We can estimate an actual price for this inconvenience. If we figure the time to travel the sixteen miles round trip to the Park HQ as 36 minutes (.6 hours) and we assume a very low rate of 15.00/hour, then the cost of time lost alone per day is .6 x 15.00 = \$9.00/day for one round trip. And multiplied the duration of the project 365 x 2 years = 712 days (minus 12 days for vacations). Thus, for 700 days x \$9.00/day = \$6,300 per person in just time lost. This does not account for the hourly rates actually earned in this neighborhood. If we use a higher number such as \$50.00/hour the time lost is \$29.400.00!

Now, accounting for the current cost of gasoline, currently \$3.55/gal, and assuming a vehicle that gets 20 mpg, the approximate cost of each trip is \$2.84 x 700 days = \$1,988.00 (alternative A). However, if we use the current .485 per mile allowed by the IRS, .485 x 16 miles round trip, the cost of each trip is \$7.76. At \$7.76 per trip for 700 days, the cost is \$5,432.00 (alternative B).

Cost of one trip per day for 700 days = \$1,988.00

## **COMMENT LETTER 20 (CONTINUED)**

**Lost time in travel** = \$6,300.00 (\$21,000.00 assuming \$50.00/Hr)

Total cost per person (A) \$8,288.00 (\$22,988.00)

IRS allowed mileage for 700 days = \$5,432.00

Lost time in travel = \$6,300.00 (\$21,000.00)

Total cost per person (B) \$11,732.00 (\$26,432.00)

You can see the cost of this inconvenience is substantial even if only 50 residents make the 16 mile round trip to MTRP park HQ per day for alternative access to the western side of the MTRP: 50 residents x \$8,288 over 700 days = \$414,400.00 (A) or 50 residents x \$11,732 over 700 days = \$586,600. If we assume \$50.00/Hr lost then the costs are \$1,149,400.00 and \$1,312,600.00 respectively. This assumes there are 12 days during these two years when no one drives to the alternative entrance.

I believe that the conclusion of the DRAFT EIR, "there is minimal Recreational impact" is in error. Further as you can see from the first-order calculations above, the cost to the residents will be substantial if they choose to avail themselves of the alternative entrance proposed in the draft EIR. I cannot ascertain from the maps or text provided in the draft EIR what MTRP trails will be open and when. The canyon trails within Tierra Santa will have much more use as a result of the closing of the western MTRP trails. The Friends of the Tierra Santa Canyons has submitted a proposal in mitigation of this loss of use of the MTRP trails which I request that the Final EIR address.

Sincerely,

Dr Price Kagey

11541 Camino Playa Catalina

San Diego, CA 92124

(858) 569-1938

## **Dr. Price Kagey**

- 20-A See responses to Comments 10-AN through 10-AQ and response to Comment 19-B regarding trail access from Tierrasanta.
- 20-B See responses to Comments 10-G and 19-A regarding the infeasibility of the stabilized crossing of the San Diego River for construction access. Calle de Vida and Rueda Drive are the only residential streets proposed for construction traffic that were not designed for truck traffic. See response to Comment 7-C regarding the documentation of pre-construction and post-construction road conditions and the need for repairs.
- 20-C See response to Comment 19-B.

# **PUBLIC HEARING ON APRIL 27, 2006**

#### **PUBLIC HEARING COMMENTS 21 – 27**

**ORIGINAL** 

PUBLIC HEARING ON DRAFT EIR FOR THE
MISSION TRAILS FLOW REGULATORY STRUCTURE II,
PIPELINE TUNNEL AND VENT DEMOLITION PROJECT



#### PUBLIC HEARING

Volume 1 - Pages 1 through 29

San Diego, California

April 27, 2006

REPORTED BY CLAIRE A. WANNER, CSR NO. 12965



Toll Free: 800.649.6353 • Phone: 619.260.1069 • Fax: 619.688.1733 • 530 B Street, Suite 350, San Diego, CA 92101 • www.bookadepo.com

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1	PUBLIC HEARING ON DRAFT EIR FOR THE
2	MISSION TRAILS FLOW REGULATORY STRUCTURE II,
3	PIPELINE TUNNEL AND VENT DEMOLITION PROJECT
4	
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14	PUBLIC HEARING,
15	commencing at the hour of 1:00 p.m. on Thursday,
16	April 27, 2006, at 4677 Overland Avenue, San Diego,
17	California, before Claire A. Wanner, Certified Shorthand
18	Reporter in and for the State of California.
19	
20	
21	
22	
23	
24	

PETERSON & ASSOCIATES COURT REPORTING & VIDEO SERVICES

## $C\ E\ R\ T\ I\ F\ I\ C\ A\ T\ E$

I, the undersigned, do hereby certify that I have read the foregoing deposition and that, to the best of my knowledge, said deposition is true and accurate (with the exception of the following changes listed below):

PAGE No.	LINE No.		 	 	 
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PLEASE TURN TO BACK OF TRANSCRIPT AND SIGN THE PENALTY OF PERJURY PAGE

1	MR. HADDAD: Good afternoon. I welcome you to
2	today's hearing on the proposed Mission Trails flow
3	regulatory structure to FRS two-pipeline tunnel and event
4	demolition project. My name is Ben Haddad and I am the
5	chair of the water planning committee of the San Diego
6	Water Authority. I will preside over today's public
7	hearings on the draft and environmental impact report or
8	EIR prepared for this project.
9	Ladies and gentlemen, I would like to open the
10	public hearing to receive public comments in accordance
11	with the provisions of the California environmental
12	quality act. If there's any members in the audience who
13	wish to comment on this project, you are required to fill
14	out a speaker's form. Forms are available from staff
15	members around the room. Please raise your hand if you
16	would like to speak. Staff members will collect the
17	completed forms and bring them to me. I would like to
18	remind everyone that the primary purpose of this hearing
19	is to receive comments regarding adequacy and completeness
20	of issues addressed in the draft EIR that has been
21	prepared for this project.
22	At this time I would like Mark Tegio, the
23	environmental project manager, to briefly summarize major
24	aspects of the project. Mark?
25	MR. TEGIO: Thank you, Mr. Chair and members of
	DETERSON & ASSOCIATES COURT REPORTING & VIDEO SERVICES

- the hearing panel. Each of you were previously mailed a
- 2 copy of the draft EIR. You should also have before you a
- 3 handout. I'm trying to wait for those to get passed
- 4 around -- a handout of the project summary to briefly
- 5 describe some of the major aspects of the project. These
- 6 include the project location and subobjectives and the
- 7 project components; the environmental impacts as detailed
- 8 in the EIR; the administrative actions relating to the
- 9 environmental review process; and the major actions and
- 10 permits that are required for project approval.
- 11 The project is located in the city of San Diego
- 12 about 3 miles east of Interstate 15 just south of State
- 13 Route 52. More specifically the right side is located
- 14 along the second aqueduct alignment adjacent to the
- 15 community of Tierrasanta within the northwest portion of
- 16 Mission Trails Regional Park. It forms a northern project
- 17 boundary, and Mission Gorge forms the southern. This
- 18 project was part of the suite of projects included in the
- 19 water authority's draft prepared in 2002 to address future
- 20 water delivery and supply demands. The primary objective
- 21 of this project is to provide -- improve flow control and
- 22 capacity to meet future untreated water demands. A Water
- 23 Authority untreated water system was identified in the
- 24 second aqueduct flow of the Mission Trails park. This
- 25 project would relieve that bottleneck and allow the

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- 1 authority to meet demands of the future water treatment
- 2 plan expansions. The city of San Diego anticipates
- 3 completion of the Miramar and Alvarado expansion plans by
- 4 2009 and expanse of the Otay water treatments by 2030.
- 5 The Sweetwater authority also plans to expand the water
- 6 treatment plan by 2030.
- 7 Secondary project objective is to provide
- 8 short-term operational storage that will offer protection
- 9 from surface interruptions and reduce spills, particularly
- 10 once the second aqueduct untreated pipelines are
- 11 constructed from the partially pumped system. Under
- 12 "associated objectives" are to remove the above-ground
- vent structures that will become unnecessary; also to
- 14 construct a stabilized crossing of the San Diego River
- 15 along with the Water Authority. The crossing would
- 16 improve vehicular access to the park from south of the
- 17 river; to the north benefits Water Authority staff and
- 18 also park rangers and fire police and emergency personnel.
- 19 It would also allow the Authority to discontinue the
- 20 recurrent construction of the gravel crossings in the
- 21 area.
- 22 This slide shows the overall layout and
- 23 components of the project. From north to south the major
- 24 components are shown to pipeline configuration -- the
- 25 north portal, the inlet tunnel and shaft, the outlet shaft

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- and tunnel, the south portal and pipeline connection.
- 2 Further to the south, you see the San Diego River
- 3 crossing. And you can see in the upper, left-side portion
- 4 of the figure the relatively close proximity of some of
- 5 the Tierrasanta residences to the project components.
- 6 This slide shows a conceptual layout for components of the
- 7 FRS. This part of the project includes up to 18 million
- 8 below-gallon reservoirs and above-ground controlled built
- 9 in, and overflow pipe and emergency dissipater.
- This is the conceptual design of the control
- 11 building that was completed with the input of the project
- 12 community working group and the Mission Trails citizens
- 13 advisory committee. The objective of this design was to
- 14 create a less obtrusive design in the FRS one building.
- 15 It will be recessed, and the featured lines considered to
- be more aesthetically pleasing. Three water pipelines
- 17 currently cross the park within the second pipeline.
- 18 Three and four carry untreated water. And pipeline four
- 19 carries treated. The new pipeline would be replacing the
- 20 function of pipeline three and four. This includes the
- 21 south and inlet and outlet tunnel pipelines and inlet
- 22 tunnel shafts, pipeline three and four; and constructing
- 23 connections and removal of some of the existing event
- 24 structures. This slide shows the existing gravel
- 25 crossing, and this is what the improved concrete

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- 1 stabilized crossing will look like.
- Now the draft EIR looked at the potential
- 3 impacts, ranging from aesthetics to water resources. In
- 4 general, each was analyzed to compare the existing
- 5 condition; in other words, how things would change if the
- 6 project were built. Temporary construction effects were
- 7 also considered. The effects were then compared to the
- 8 establish thresholds and if they exceeded the threshold.
- 9 Mitigation measures were developed to lessen the impact of
- 10 the threshold, depending on whether the thresholds were
- 11 exceeded or how effective the measures were. They were
- 12 assigned to one of three categories. The slide that
- 13 follows list the categories here.
- 14 These are the issues that were drafted in the
- 15 EIR -- to say less than significant -- and it includes a
- 16 brief summary of each. The project' impacts to the
- 17 biological/cultural to logical resources can be reduced
- 18 with the completion of the mitigation measures. However,
- 19 the project will result in temporary short-term impacts to
- 20 air quality and noise due to construction activities.
- 21 These type of temporary construction impacts are typical
- 22 of water projects in areas where development has occurred
- 23 adjacent to the right-of-way. Even with mitigation
- 24 measures, which would be implemented in addition to
- 25 project design features, these temporary construction

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- 1 impacts and air quality noise would remain significant.
- 2 And therefore a statement of overriding considerations
- 3 would be required. This means the Water Authority board
- 4 of directors would have to conclude if the benefits
- 5 outweigh the environmental effects.
- 6 The administrative actions that the Water
- 7 Authority has taken pursuant to the Environmental Quality
- 8 Act began in April 2005, with the notice of preparation
- 9 being sent to the state clearinghouse and with the public
- 10 scoping meeting soon after the draft EIR was commented on.
- 11 The notice of completion was sent to clearinghouse on
- 12 March 21st, and various notices were mailed to property
- owners and published in the Union Tribune later that same
- 14 week. The period then began the following week on
- March 27. And that brings us to today's public hearing.
- 16 The public comment period will close on May 10, after
- which we'll prepare responses to comments; a mitigation
- 18 monitoring and reporting program finding the statements of
- 19 overriding consideration. And all these will constitute
- 20 the final EIR. Staff anticipates that the final EIR will
- 21 be ready to present to the board at its July 27 meeting.
- 22 Lastly, there are a number of actions that are
- 23 required of various agencies before the project can be
- 24 approved for construction. First and foremost, the water
- 25 Authority Board needs to certify the final EIR approval of

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- 1 the project. This will shorten the process to obtain all
- other permits and approval needed. Major action includes
- 3 acquiring demand for project and various encroaching
- 4 permits; wetland's permits and various endangered species'
- 5 permits, and various water quality permits.
- 6 Mr. Chairman and members of the hearing panel,
- 7 this concludes staff presentation.
- 8 MR. HADDAD: Thank you, Mark. Do any of the
- 9 board members have any questions? Director Thompson?
- 10 MR. THOMPSON: Thank you, Mr. Chairman. I'm not
- 11 a member of your committee, but I'm always baffled by
- 12 Slide 17. Can we go back to that, please?
- 13 MR. TEGIO: Slide 17?
- 14 MR. THOMPSON: Seventeen.
- MR. TEGIO: Is it this one?
- 16 MR. THOMPSON: In Mission Valley/Fashion Valley
- 17 we have a bridge like this that goes like that. And every
- 18 year when the rains come, it wipes it out. Why can't you
- 19 build one that goes like this instead of going -- one that
- 20 goes like this. That way it will be there for years and
- 21 years and years. What's wrong with that?
- 22 MR. TEGIO: Well, according to our staff, it's
- 23 not an all-weather crossing. It's only to cross during
- 24 periods of high flow, and let the high flow walk over the
- 25 bridge.

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1	MR. THOMPSON: And then we have hundred-year
2	floods and 20-year floods. And then I asked the engineer
3	down at Fashion Valley, and he said: "It's the cost of
4	business. Who cares?" When it's spending the public's
5	money, it's not the cost of business.
6	MR. TEGIO: We'll look into that.
7	MR. THOMPSON: Well, thank you.
8	MR. HADDAD: Other directors have any comments?
9	Question for staff? Okay.
10	We've now come to the public comment portion of
11	the hearing. I would like to take a minute to briefly
12	review today's procedures so that you will know what to
13	expect as we proceed. Again, the primary purpose of this
14	hearing is to receive comments regarding the adequacy and
15	completeness of the draft EIR. We're not here today to
16	debate the merits of the proposed project. The meeting
17	format is as follows: I will call to the microphone in
18	the order your speaker form was received. Each speaker
19	will be limited to three minutes. To help you keep track
20	of your time, you will see a set of green, yellow, and red
21	lights at the podium. When your time begins the green
22	light will turn on. At one minute remaining, the yellow
23	light will come on; and at the end of the three minutes,
24	the red light will turn on. Please quickly conclude your
25	remarks when the light turns red.

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When you're at the microphone, please state your 1 full name and address prior to making comments. It will 2 almost be helpful if you give your telephone number in 3 case staff needs to contact you. Comments made out of turn or away from the microphone will not be considered 5 part of the hearing record. Your oral comments are being recorded, so please speak slowly and clearly. Please refrain from making the same comments as preceding 8 speakers. If you have a written copy of your comments, 9 please submit them to staff so that they may be accurately 10 recorded. All questions and comments raised today will be 11 answered by stuff in the final EIR. 12 The first speaker I have is Roberta Froome. 13 MS. FROOME: Hi, there. Thank you for the 21-A. 14 opportunity to address you today. My name is Roberta 15 Froome. I live at 5531 La Cuenta Drive in Tierrasanta. 16 My phone number is (858)627-0682. I'm here -- as are a 17 18 couple other people -- from an organization in Tierrasanta called "The Friends Of Tierrasanta Canyons." We have been 19 20 around for three years. Our mission is to preserve the open space in Tierrasanta and to open it as much as 21 22 possible for public use. To this end, we have hikes that we run monthly. Since there are not too many actual 23 trails in Tierrasanta, we have paper trails. We don't 24 have too many actual trails, because they are overgrown. 25

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We very often go into Mission Trails Park. I want to

2	emphasize that with the draft EIR, recreation is named a
3	less-than-significant impact. We have a contention with
4	that, because we are not only members of The Friends Of
5	Tierrasanta Canyons but also speaking for people in the
6	community who want to make a case that recreation is quite
7	important to a number of people who have in some ways
8	built their lives around access to the park for jogging,
9	dog walks, biking, and hiking.
10	The statement is made in the draft that other
11	accesses are available. But this is what I would
12	appreciate you considering that these other accesses
13	will require cost and time to get to. The only other
14	access the only access I should say that will be
15	available in Tierrasanta will be the Calle Davida,

19 through the Calle Davida entrance, you will have been

which has, quote, unquote, "limited access." I have

understood from Mark Tegio's office that the access will be in fact open most of the time. However, when you go in

20 shunted way off to the side. You can't just keep going.

21 You run right into the project activity. So between the

22 issues of parking, driving, and relatively limited access

23 at Calle Davida, this is not terribly helpful to many

24 residents who will have to drive around to Mast Boulevard

25 or to the visitor center trails.

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16 17

1	We have come up with some tentative costs for you
2	for what this will apportion to over a period time. It is
3	a quality-of-life issue. And we are asking you to move
4	us, meaning recreation, from the "less than significant"
5	category to the "significant with mitigation." The
6	mitigation we are asking for is some help with our own
7	trails in Tierrasanta to open them up. We have
8	examined a couple possibilities. One being a half-mile
9	trail from the northern side that connects to existing
10	trails; and a second much more ambitious undertaking is to
11	open trails south of Tierrasanta Boulevard leading down to
12	Admiral Baker Field in the most ideal Bellaserra that
13	would no longer go around to the back side of the building
14	to go into Mission Trails directly. You could, with our
15	scenario, at least walk out the front door, come down
16	across the street into this near trail and continue down
17	across Tierrasanta Boulevard.
18	MR. HADDAD: Mrs. Froome, could I ask you
19	conclude? Your three minutes are up.
20	MS. FROOME: Therefore, I appreciate if you would
21	consider \$12,000 for contractor work as a mitigation.
22	That is a relatively small sum for such an enormous
23	undertaking.
24	MR. HADDAD: And we have your written statement
25	for the record as well.

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- 1 Mr. Paul Roglasky. Name and address for the
- 2 record, please.
- 22-A 3 MR. ROGLASKY: Paul Rogalsky. My address is 4935
  - 4 Corte Playa Encino, San Diego, 92124. My telephone number
  - 5 is (858)277-8448.
  - 6 After watching CSPAN this morning, I wanted to
  - 7 give Roberta two minutes of my time. I have been a
  - 8 resident of Tierrasanta since 1997 and have been a patron
  - 9 of Mission Trails Park during that time. I'm speaking not
  - 10 only for myself but other hikers and dog walkers and my
  - 11 buddy, Jack, who's a seven-year-old Irish wolfhound, whose
  - 12 ears perk up when I say "Mission Trails." One of the
  - 13 beauties of the Mission Trails Park is because it's so
  - 14 huge. Because it's so huge, closing off the entrances to
  - one side has a very significant impact on the ability of
  - 16 people in Tierrasanta to use the park. It's not like a
  - 17 city park where you walk around to another entrance.
  - 18 Number one, it will involve driving where you didn't have
  - 19 to drive before. And even if people were driving a short
  - 20 distance, they'll have to drive miles around to get to the
  - 21 Mast Avenue entrance and the visitor's center entrance.
  - 22 As Roberta said, the entrance that will be open
  - 23 sometimes -- we 'don't know what standards there will be
  - 24 for the limits to access to the park just because of the
  - 25 way the trails go.

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The trails Roberta talked about improving right 1 now are paths. I've walked there with my dog Jack, who's 2 100 pounds, and I wouldn't walk there without him. It's 3 all overgrown. The paths are very narrow. The small amount of money that we're requesting would create not 5 just a mitigating factor for the two years of the construction, but it would really involve a pertinent 7 improvement, turning overgrown paths into usable walking 8 9 and hiking trails. I do take issue with the fact that the recreation 10 aspect is not considered a significant impact. And I 11 believe that the proposal of The Friends Of Tierrasanta is 12 a reasonable way of mitigating that impact. 13 Thank you. 14 MR. HADDAD: Thank you, Mr. Rogalsky. You're 15 yielding back the balance of your time since CSPAN. 16 Okay. Mr. Bob Muldrew. 17 MR. MULDREW: I'm Bob Muldrew. Address 4422 18 Promesa Circle, Tierrasanta. Phone number is 19 20 (858) 292-8405. A lot of what I had planned to say has been said already. So let me just get through it and emphasize the 22 important stuff on a few things that weren't covered. Again, we quarrel with the "no significant effect." To us 24 who live there who use the park, it's a significant 25

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23-A.

1 effect. Calle Davida -- there's no real estimated end 2 report regarding how often that will be closed down. It's 3 just no feel at all for that. So we did the best we could. We did a couple cost analysis. I did one which 5 differs slightly from the report that was sent in. But we 6 tried to pick a central point where the population was 7 measured -- the distance to Calle Davida -- or measure the 8 distance to some of the other places around the east and 9 south side of the park and do a mathematical analysis. 10 We're talking about 100 people a day in some cases. No 11 survey was made. But if you go anytime of the day or 12 night, you just see people out there. It's somewhat 13 isolated. They obviously came in through Tierrasanta. If 14 you did take a survey, I'm sure you could get a better 15 idea for the number of people. But I don't think 100 16 people a day affected is regionally low. We figured 17 automobile costs. That's the gist of what the money 18 figures were all about. But there was no financial 19 analysis of the impact in time. People -- it takes time 20 to drive. It takes time to drive all around the east side 21 of the park. That was not included in our cost figures. 22 Again, two other things. We're talking about 23 24 mitigation \$12,000, which would be used to improve the trails within the canyons of Tierrasanta. This could be

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- done if the money was authorized before the construction
- 2 even starts.
- And again, finally summing up, we think there's a
- 4 significant effect on the users on the West Fortuna side
- 5 of the park.
- 6 Thank you.
- 7 MR. HADDAD: Thank you, Mr. Muldrew.
- Forgive me if I pronounce the next name wrong.
- 9 Is it Ken Oertle.
- 10 MR. OERTLE: Oertle.
- MR. HADDAD: Sorry about that. Oertle.
- 24-A. 12 MR. OERTLE: All right. Thanks for the
  - 13 opportunity. I'm intimidated to talk in such a forum. My
  - 14 name is Ken Oertle. I live in Tierrasanta. My address
  - 15 11699 Cebada Court, and my phone number is (858)571-8787.
  - 16 And I'm also here to talk about the recreational
  - 17 use of the park. And the mere fact that I and four
  - 18 speakers -- and all four -- talk about the exact same
  - 19 subject means it's not insignificant. I definitely think
  - 20 it should be rated as a significant issue in the park.
  - 21 I've been here since 1990 in Tierrasanta. I love
  - 22 Tierrasanta. The main reason I live in Tierrasanta is
  - 23 because of Mission Trails Park. I use it virtually every
  - 24 day. I have a wife; I have a daughter; and I have a dog.
  - 25 And we are always going into the park and using it. I

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- have like every trail memorized. I go that often. I'm an
- 2 avid mountain biker. And my daughter has a mountain bike,
- 3 and I take her with me now. I live near the first
- 4 project, and we had significant issues with the trail
- 5 access; that we were limited on what we could do. So
- 6 that's what's prompted me to come here today -- to stress
- 7 to you how important it is to keep access to that park.
- 8 And I took the liberty of making a small presentation.
- 9 And I have a proposal to make that would help with public
- 10 access. I took the liberty of color lines and text there
- 11 that you can look at.
- 12 This is the most northern part of the project.
- 13 You can see Portebelo Drive. There you can see CA 52.
- 14 And in blue I put a rectangle that represents the north
- 15 portal and another blue line representing the access road
- 16 that the construction crew is going to take. Now, the
- 17 lines in red I want to draw your attention to. These are
- 18 trails right now that exist in Mission Trails. The one
- 19 most to the right-hand side is a bridge crossing there.
- 20 During the fire of October 2003, the bridge was destroyed;
- 21 and it's not been rebuilt. It's been two and a half
- 22 years, and it's still not rebuilt. It's a foot bridge.
- 23 There's a gully about up to my shoulder, you know, 5 feet
- 24 in depth. The distance across it is 10 feet. It's a
- 25 small amount of wood to rebuild it. It's solely for

- 1 hikers, dogs. I'd like to get that thing rebuilt. That
- 2 trail right now is closed, because that bridge does not
- 3 exist. If we would be able to build a bridge there, the
- 4 public could access it from Portebelo Drive. And you see
- 5 my public access point there -- there's a tiny trail there
- 6 that already exists. And it hooks up to the dirt road,
- 7 going behind the homes there to link up to it. So it
- 8 would have no impact on the project whatsoever, but the
- 9 public can still access it.
- 10 Let me show you the significance of opening up
- 11 this bridge. It's the exact same picture, but I put in
- 12 blue the north portal; the new structure in the center;
- 13 the southern portal. If you were to open up that bridge
- or a small trail to access into the park and get a small
- 15 path that's there -- and there's so many trails back there
- in that canyon that would now be open to everybody in
- 17 Tierrasanta to use. And they don't have to just use the
- 18 Calle Davida entrance. They can also use the northern
- 19 entrance. And pointing to all my favorite trails, I love
- 20 to ride on them.
- 21 So I am for you to raise the significance of this
- 22 issue and allocate funds. I'm willing to support money.
- 23 I'm willing to support time -- emergency to get this
- 24 bridge rebuilt to increase access to the park.
- 25 MR. HADDAD: Thank you. We appreciate your

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		TODETC HEARING COMMENTS 21 – 27 (CONTINUED)
	1	comments.
	2	MR. OERTLE: Thank you.
	3	MR. HADDAD: Mr. Benjamin Eastman.
25-A.	4	MR. EASTMAN: Thank you for letting me come and
	5	speak today. My name is Benjamin Eastman. I live at
	6	11360 Portebelo Drive, No. 1, in Tierrasanta actually
	7	the Bellaserra complex. And my phone number is
	8	(858) 268-1519.
	9	I live very close to as you already know to
	10	the project area specifically the north portal. And
	11	I'm here to talk about the insignificant effects that are
	12	in the EIR, mainly the air quality and noise effects.
	13	Those are the two effects that are ironically going to
	14	effect Bellaserra the most, because the complex is
	15	adjacent to the project area. And I wanted to make a
	16	point today; that I think that the board should consider
	17	further mitigation for the Bellaserra complex and probably
	18	other residential areas in Tierrasanta that are adjacent
	19	to the project. To be more specific, discussion of
	20	potentially power washing the buildings or street cleaning
	21	inside the complex; because for a two-year project,
	22	there's going to be an awful lot of dust effect on the
	23	complex. And I just want to really stress that I think
	24	that should be something that's further discussed.
25-B.	25	Also, the discussion in the EIR that the work

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- 1 hours were going to include weekends, Monday through
- 2 Saturday, 7:00 a.m. to 7:00 p.m. I want to emphasize my
- 3 issue with that. I think one of the best ways to
- 4 mitigate -- or one of the ways to mitigate noise and dust
- 5 is to not work on weekends, because that's when people are
- 6 home. During the week, people are away at work and
- 7 school, and so the dust and noise is not going to have as
- 8 much of an effect. But on weekends, it is going to much
- 9 greater effect. I realize there are going to be certain
- 10 limited times when you have to work on the weekends,
- 11 specifically that 10 day, 24-hour work period. I
- 12 understand that. But for two years, working on the
- 13 weekends every weekend, I have an issue with that. So I
- 14 want to make that point.

25-C.

- And I do also want to say that I appreciate that
- 16 the Water Authority has been coming to Bellaserra talking
- 17 to us, giving us information. It has been -- the staff
- 18 has been really good about that. And I want to compliment
- 19 the Water Authority for doing that. But again, I think
- 20 there are some better -- increased mitigation measures
- 21 that can be taken for the dust issue for the residents
- 22 that live next to the projects.
- Thank you very much.
- MR. HADDAD: Thank you, Mr. Eastman.
- 25 Tim Taylor.

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26-A.	1	MR. TAYLOR: Hello. My name is Tim Taylor, and I
	2	live at 11565 Via Playa De Cortes, San Diego, 92124. My
	3	phone number is (858)541-1187.
	4	And I am on the Tierrasanta Community Council.
	5	We still are in the process of developing a formal
	6	response to the EIR, and that response will be delivered
	7	in time. And I am not here to represent the Tierrasanta
	8	Council specifically, because we have not pooled our
	9	resources together to have an official response. I would
	10	just like to highlight the areas that I think are going to
	11	be the most significant ones that we're going to be
	12	addressing. And as some of the other community members
	13	have all ready indicated, access to the park is going to
	14	be a major focus of our comments. And one of the things
	15	that we're going to be seeing is there's some confusion in
	16	the EIR about exactly what trails will be closed and when.
	17	So we would like to get some clarification on that.
26-B.	18	One of the things is that the main concern of the
	19	council is dealing with traffic and potential conflicts
	20	between construction traffic and traffic going to and from
	21	the schools in the area. This is something that has been
	22	brought up earlier in the process. And we are not
	23	satisfied that that has been addressed in the EIR. And we
26-C.	24	also are going to indicate our concerns with the noise on
	25	paths and the dust and vibration on paths. So I will

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2		MR.	HADDAD:	Tì	nank	you,	Mr.	Taylor.	And	thank	
2	<b>6</b>				+ho			r council	36 1	woll	т

- 3 you for your service on the community council as well. I
- 4 don't have any -- wait a minute. Here comes a speaker
- 5 slip. Eric Germain.

yield the rest of my comments.

27-A. 6 MR. GERMAIN: Good afternoon. My name is Eric

- 7 Germain. I live at 11055 Viacha Drive. The phone is
- 8 (619) 200-4928.

1

- 9 I just arrived, so I missed all the prior
- 10 testimony. I am on the community council with Tim. And
- 11 as Tim said, we are preparing some comments. It's -- the
- 12 documents are very large, and we haven't gotten through
- 13 them all. Tim mentioned a couple issues. I just wanted
- 14 to mention a couple quick things as well.
- 15 I think the main things -- my concerns -- other
- 16 people have other concerns. My concerns are the traffic
- 17 impacts -- not in terms of how many trips per day causing
- 18 a change of the traffic patterns, but heavily laden trucks
- 19 going down community streets, tearing up the streets; and
- 27-B. 20 then also the effects of the dropping off and picking up
  - 21 the school children during the hours of school. The trips
  - 22 that we anticipate -- Clairemont Mesa passes directly in
  - 23 front De Portola, and Vista Grande is up the hill -- but a
  - 24 lot of people cross the street at Clairemont Mesa to get
  - 25 to the school. Serra High School can affect that.

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Tierrasanta Elementary jets off of Clairemont Mesa. A lot

- of people turn in there. Heavy trucks are going to go up
  and down those roads at those times. So the question is
  will there be a coordination of heavy truck traffic hours
  to work around the school times when kids are coming and
  going, when all the cars are backed up along the sidewalks
- 7 and traffic is already being slowed because of the large
- 8 number of cars that are there? I've tried to engage the
- 9 high school and haven't had success. My guess is they're
- 10 going to submit their own comments to your EIR. And
- 11 that's a concern I have.

Like I said, these heavily laden trucks -- 15-ton 27-C. 12 trucks -- going up and down the smaller streets -- in 13 particular Calle Davida -- to that little park entrance to 14 15 the southern project, which is just a neighborhood street. It's not any kind of collector or four lane or anything 16 like that. And if we have heavy trucks going through 17 there, my guess is it's going to damage the streets. I 18 think you're planning to address that. I haven't gotten 19 20 all the way through the document. But from what I've heard from your people, I think you're going to address it 21 in the document. I know you're aware of the issue, and 22 23 your people are aware of the issue and share their

concern. I notice in one place it says you'll be working

25 from 7:00 to 7:00. And in the winter, that would be at

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24

27-D.

- 1 night. What kind of lighting are we talking about? Does
- 2 that mean there will be flood lighting illuminating the
- 3 park during the winter?

27-E.

5

- And then in Section 2, Page 218, and beyond
- Paragraphs 261 and all the way through, there's a whole
- 6 slew of issues that are going to be addressed. Things
- 7 like lights being left on overnight; excavate materials in
- 8 front of schools; trucks driving before 7:00 a.m. or after
- 9 7:00 p.m. excess dust -- there's just a list of things
- that are addressed -- excessive truck speeds; trucks with
- 11 inadequate mufflers -- things like that. This is a list
- of things that need to be addressed, and you are planning
- 13 to address. My question is we need a point of contact.
- 14 Somebody that we can call or several people that we can
- 15 call so, if something is missed, we have a person that we
- 16 can go to and identify there's something wrong here. This
- 17 who reported it; this is what happened; this is what --
- 18 MR. HADDAD: Mr. Germain, could you wrap up?
- 19 Your time is expired. Please go ahead and make a
- 20 concluding statement or two.
- 21 MR. GERMAIN: All right. I'm done. Thank you.
- MR. HADDAD: Thank you very much. And thanks for
- 23 your service on the community council as well.
- 24 Do I have any other people who wish to speak? I
- 25 don't have any other speaker slips up here. Seeing none,

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1	we will accept written comments until 5:00 p.m. on May th
2	10th, 2006. The public hearing on the draft EIR for the
3	proposed Mission Trails FS2 and vent demolition project i
4	now closed.
5	Thank you for attending.
6	MR. SUNDRAM: There were a number of references
7	to improving paths that are leading into the park and
8	expanding them to trails. The question I would have for
9	staff to clarify later is do your pathways cross public
10	land, or do they cross private land or both? Because if
11	they process public lands, that's one issue. If it
12	crosses private land, it's another issue.
13	MR. HADDAD: Thank you, Director Sumdram.
14	Any other issues wish to be recognized before we
15	go to 1B? Thank you.
16	
17	(Whereupon, the hearing concluded at $1:45  \mathrm{p.m.}$ )
18	* * * *
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I, CLAIRE A. WANNER, Certified Shorthand Reporter
For the State of California, do hereby certify:
That the witness in the foregoing deposition was by me first
duly sworn to testify to the truth, the whole truth and nothing
but the truth in the foregoing cause; that the deposition was
taken by me in machine shorthand and later transcribed into
typewriting, under my direction, and that the foregoing contains
a true record of the testimony of the witness.
Dated: This 9th day of May, 2006,
at San Diego, California.
Clif Wa core
CLAIRE A. WANNER C.S.R. NO. 12965
C.S.R. NO. 12965

Peterson & Associates Court Reporting, Inc.

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#### **RESPONSE TO PUBLIC HEARING COMMENTS 21 – 27**

#### COMMENT 21 Roberta Froome

21-A See responses to Comments 10-AN through 10-AQ and response to Comment 19-B regarding trail access. The Water Authority does not agree that impacts to trails are significant; therefore, no mitigation is required.

#### COMMENT 22 Paul Roglasky

22-A See response to Comments 21-A.

#### COMMENT 23 Bob Muldrew

23-A See response to Comments 21-A.

#### COMMENT 24 Ken Oertle

24-A See response to Comments 21-A.

#### COMMENT 25 Benjamin Eastman

- 25-A See response to Comment 15-A regarding air quality and noise impacts. See response to Comment 10-AH regarding power washing.
- 25-B Weekend work would allow the contractor to complete the project in a shorter amount of time, reducing the exposure of adjacent residents to the significant noise and dust impacts that have been identified.
- 25-C The Water Authority will continue its public outreach program to the Belsera Homeowners Association and will consider requests that corrective action be taken for identified project impacts.

#### COMMENT 26 Tim Taylor

- 26-A See responses to Comments 10-AN through 10-AQ regarding trail access.
- 26-B See responses to Comments 10-H and 10-O regarding truck traffic and schools.
- 26-C See response to Comment 15-A regarding noise and dust impacts.

#### **COMMENT 27** Eric Germain

- 27-A See response to Comment 10-AD regarding the documentation of preconstruction and post-construction road conditions and the need for repairs.
- 27-B See response to Comment 10-AC regarding truck traffic and schools.
- 27-C See response to Comment 7-C regarding the documentation of pre-construction and post-construction road conditions and the need for repairs.
- 27-D See response to Comment 10-I regarding 7:00 a.m. to 7:00 p.m. construction.
- 27-E See response to Comment 10-N regarding a point of contact for resident complaints.

#### **PUBLIC HEARING ATTACHMENT COMMENT 28**

# Proposal for the Mitigation of Loss of Access to MTRP Western Trails During FRSII Construction

28-A.

The SDCWA Mission Trails FRSII Project will limit access to the western trails of Mission Trails Regional Park for two years. Virtually all access to the northwestern trailheads will be closed. These trailheads are used by hikers, dog walkers, bikers, and joggers, primarily from Tierrasanta, but also San Diego residents west of Tierrasanta who choose not to expend time and fuel to drive around the Park to the other trailheads.

The Friends of Tierrasanta Canyons, representing over fifty member families in Tierrasanta, wishes to make the following proposal to provide additional trail options for Tierrasanta residents and other San Diegans in mitigation for the loss of access to western MTRP trails during the project work period. We request that this mitigation proposal be included in the comments to the Environmental Impact Report under the Recreation section.

<u>Degree of impact</u>. Over 20,000 residents live in Tierrasanta, many in neighborhoods that facilitate access to MTRP trails in the West Fortuna section of the Park. Some people have selected homes specifically to be close to the Park. Additional residents from Serra Mesa, Kearny Mesa, Clairemont, University City, UTC, La Jolla, and Pacific Beach, a population base of some 150,000 directly west of Tierrasanta, also utilize the northwestern entrances to the Park.

Six trail entrances are currently available in this area. Residents and other trail users will have no access from western MTRP except via the trailhead at Calle de Vida, the most southerly entrance from Tierrasanta into the Park. Access at Calle de Vida will be limited; moreover, a circuitous route is required to get to the longer Park trails since the hiker must bear right onto Suycott Wash to avoid the work area. We have a concern about possible overuse on weekends, with implications for parking and residents' complaints.

Dog walkers, joggers, bikers, and daily and weekly hikers will all be impacted. We do not question the need for the FRSII project, but in contention with section 6.1.2 of the draft EIR, we do consider the effect

#### PUBLIC HEARING ATTACHMENT COMMENT 28 (CONTINUED)

on recreation to be both adverse and significant. Aside from the noise, dust, traffic, and vibration, the loss of access to MTRP from the western side will have a very negative effect on the Tierrasanta residents' and other San Diego residents' quality of life for two years.

It is important to consider as well the cost to residents to drive to alternative trailheads. If residents from Northern Tierrasanta homes drive to the Calle de Vida trailhead five days/week, they will average 10 miles. Given the Federal mileage allowance of 48.5 cents/mile, this will come to \$4.85 per week, \$252 per year. One hundred people will together incur \$50,000 in additional expense over the two years.

The cost of an average 16 mile round trip to the Mission Gorge Road entrances is \$7.76. Made once a week for a year the cost will be about \$400. One hundred residents will together incur a cost of \$80,000 for two years. Factoring in additional drivers from neighborhoods west of Tierrasanta increases this cost.

Since the government mileage allowance was calculated when gas was approximately \$2/gal, the real cost is a third higher now. Given current and estimated fuel prices, driving around the Park is not an attractive option and may lead to overuse of the Calle de Vida trailhead, with concomitant parking, noise, and trash issues.

Recreation options. Our organization has investigated what options may be available. Unfortunately, we do not find that anything can be done within MTRP itself to mitigate the loss of use of the Park from the western side as the Belsera, Portobello, Catalina, and Clairemont Mesa trailhead entrances will be closed, and the Seda entrance will be open only a little way.

In mitigation for this loss, we propose expeditiously opening trails within Tierrasanta leading from the neighborhoods that will be affected by the work to provide alternative trails during the FRSII construction. There are two areas in particular we consider viable:

#### PUBLIC HEARING ATTACHMENT COMMENT 28 (CONTINUED)

- Off Portobello Road (across from the Belsera complex). Open a
  half mile trail connecting with the trail to Villarrica Way and
  from there to the Shepherd Canyon greenbelt. A hiker can then
  make a loop back via Playa Cortes on existing trails.
- From Tierrasanta Blvd south to Admiral Baker Field with side trails to Roadrunner Park and to Viacha Drive. This network would service both northern and central Tierrasanta residents. The main trail runs from Tierrasanta Blvd approximately one mile south with branches to both the east and west. The trail lines are mapped, but are almost entirely overgrown at present.

The development of these trails would enable a hiker to start at a northerly point at the first trail above, going south entirely in Tierrasanta open space, almost to the San Diego River. This is a 3-4 mile hike from North Tierrasanta, looping an almost equal distance back. In part, it would substitute for the longer hikes that will be less feasible in MTRP during the two years of construction.

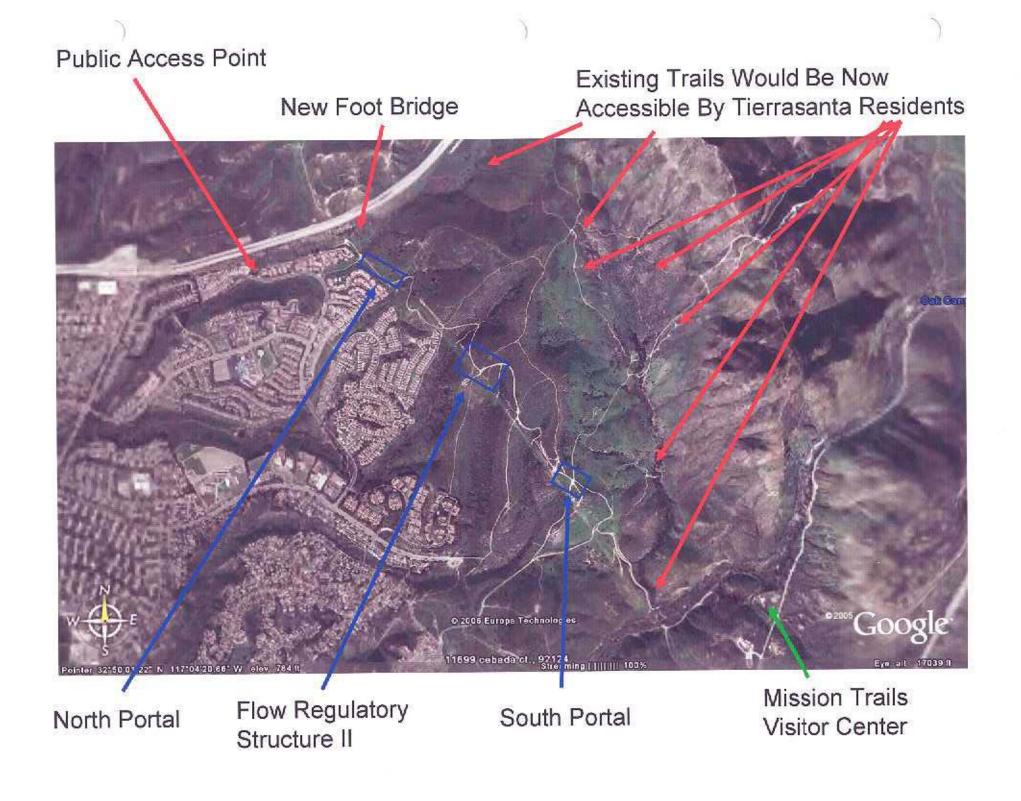
Cost. We estimate it will cost at least \$12,000 to open these trails based on four weeks contracted at \$3,000/week. Ideally we would contract for six weeks. Hiring contractors is the only way to obtain the skilled labor and equipment to expedite the work. It is not possible to complete the trail work in the timeframe when it will be needed solely through volunteer labor. The Friends of Tierrasanta Canyons will direct and participate in the effort.

Benefits and justification. Outdoor recreation and the availability of parks and trails is a major reason for resident satisfaction in the Tierrasanta community and San Diego in general. Given the duration and immensity of the FRSII Project and the significant impact on residents, we strongly urge the SDCWA to grant this reasonable request. Our proposal provides convenient and viable recreational mitigation alternatives for a low cost and does not impose a burden of extra work on the Water Authority.

#### RESPONSE TO COMMENT 28 PUBLIC HEARING ATTACHMENTS

#### Friends of Tierrasanta Canyons (submitted by Roberta Froome)

- 28-A See responses to Comments 10-AN through 10-AQ regarding trail access.
- 28-B See response to Comment 19-B regarding the price of inconvenience.
- 28-C See responses to Comments 10-AN through 10-AQ, response to Comment 19-b, and response to Comment 21-A regarding trail access.





# SECTION C ERRATA

## SECTION C ERRATA

This section of the Final EIR provides modifications to the Draft EIR in response to public comments. Text deletions are indicated in strikeout text. New text is underlined. As described in Section A, Introduction, of this Final EIR (Volume 3), the Draft EIR (Volume 1 of this Final EIR) has not been altered following public review. All modifications to the Draft EIR are identified below. Additional information for the Final EIR is also provided in Section B of this Final EIR, Volume 3. In response to comments regarding vegetative growth and FRS soil cover, a vegetative analysis study was prepared to compare the existing coastal sage scrub (CSS) vegetation at the FRS I site to naturally established CSS occurring on a low mesa at the foot of Fortuna Mountain, as well as CSS planted by the Water Authority at two locations along the existing pipeline corridor, referred to as the Elliott Vent 3 and Elliott Vent 4 sites. The results of this study are presented in the Attachment A to this Errata section.

Page ES-3, Section ES.3 – Public Outreach Program. The following correction has been made to the first paragraph of this section:

..., the Tierrasanta Town Community Council, and the....

Page ES-9, Table ES-1 of the Executive Summary, and Page 3.5-12. The following mitigation measure has been revised to read:

Prior to the start of any construction activity, The Water Authority shall construct a temporary sound wall along the western boundary of the North Portal staging area and the Pipeline Interconnect Reconfiguration site to reduce construction noise levels at the Belsera property line. A properly designed noise barrier can reduce noise as much as 20 dBA.

Page ES-11, Table ES-1 of the Executive Summary, and Pages 3.8-18 and 3.8-19, Mitigation Measure BR 4-1. Through further discussions with the MTRP Park Rangers it was determined that installation of fences or signage at the vernal pool creation site would only call undue attention to the pools and increase the potential for pool disturbance or harassment. Since the created pools will be some distance off the existing trail, there is a low probability that the pools would be disturbed by park users. Therefore, the following mitigation measure has been revised to read:

**BR 4-1** Permanent impacts to San Diego claypan vernal pool habitat shall be mitigated at a 2:1 ratio by the creation of replacement vernal pool habitat. The Water Authority shall request enrollment under the RWQCB General Waste Discharge Requirements (WDR) for Dredged of Fill Discharges to Waters

Deemed by the U.S. ACOE to be Outside of Federal Jurisdiction (Order No. 2004-0004-DWQ).

The site selected for the creation of claypan vernal pool habitat shall have the appropriate topography and soil type for vernal pool creation and shall ideally be disturbed. The vernal pool creation effort shall not have an adverse effect on existing vernal pools. The created vernal pools shall be protected through the use of fencing, education, signage and enforcement to keep park visitors away from the pools.

Two sites that are potentially suitable for vernal pool mitigation have been identified within MTRP. The final vernal pool creation program shall be prepared to the mutual satisfaction of the Water Authority, MTRP staff, and the RWQCB.

Page ES-13, Table ES-1 of the Executive Summary, and Page 3.9-4, Section 3.9.4: The following text is added as Mitigation Measure CR 1-2:

CR 1-2 The Water Authority shall provide a qualified archaeological monitor to be present during all ground disturbing activities in prescribed areas.

Page ES-16, Table ES-1 of the Executive Summary, and Page 3.12-4, Mitigation Measures PS 2-1 and PS 2-2. The following clarifications have been made to these mitigation measures:

- PS 2-1 Prior to approval of final design plans and specifications, a Fire Prevention Program shall be developed in consultation with the <u>City of San Diego</u> Fire Marshal for each component of the proposed project. The program shall address fire prevention for the construction period and for long-term maintenance activities.
- PS 2-2 Prior to completion of construction, an Emergency Response Plan (ERP) shall be developed by the Water Authority (facility operator) in coordination with the <u>City of San Diego Fire Department</u>, County Office of Emergency Services, the County Environmental Health Department, and the appropriate Fire Protection District.
- Page 2-41, Figure 2-5 has been revised to more clearly identify the FRS I and FRS II property, and the City of San Diego property that is located between the San Diego Unified School District's property (proposed FRS II site) and the Water Authority's right-of-way. (see revised Figure 2-5, attached)

Page 3.1-1, Section 3.1.1: The second paragraph is revised to read:

MTRP was established in 1974 and includes nearly 5,800 acres of natural and developed areas. Along with Balboa Park and Mission Bay, MTRP has been called the third jewel in the City of San Diego's Park System. The addition of over 1,000 acres to the northern portion of the park as part of the Stonebridge Estates residential development project has made MTRP on of the largest urban parks in the United States. Started in 1974, MTRP has become one of the largest urban parks in the United States. The park encompasses over 8,000 acres of natural and developed areas. Along with Balboa Park and Mission Bay, MTRP has been called the third jewel in the City of San Diego's Park System.

*Page 3.1-5, Section 3.1.3: The first paragraph is revised to read:* 

MTRP is included within an MHPA as designated by the City of San Diego's MSCP. Although the Water Authority is currently preparing its own Habitat Conservation Plan (HCP) for Water Authority lands and does not participate in the City's MSCP, conformance with the City's plan has been evaluated for the proposed project. The proposed project is conditionally compatible with the MSCP, but is not consistent with all of the City's MSCP mitigation or adjacency requirements. The Water Authority is not subject to local land use plans, policies, and ordinances under California Government Code Section 53091(d) and (e).

*Page 3.1-7, fifth paragraph: The paragraph has been revised to read:* 

Permanent signage, other than to keep unauthorized personnel outside the fenced area surrounding the FRS II control building, is not proposed as part of the project. Temporary signs would be erected to notify the public of trails that are closed during construction, the duration of anticipated trail closure, and alternative trail access points, routes, and recreation areas. The on-site Project Manager will ensure that the signs are checked on a regular basis and that extra signs are on hand in case vandalism or theft occurs.

Page 3.6-7, Figure 3.6-2 has been revised to remove the red line indicating trail closure on the east side of the Water Authority's right-of-way at Playa Corte Catalina. (see revised Figure 3.6-2, attached)

Page 3.8-20, Table 3.8-7, Total Habitat Mitigation Requirements (acres) has been modified to include permanent impacts to 0.01 acre of fascicled tarweed under Diegan coastal sage scrub:

Mitigation Requirements for	r Upland	Impacts Inside o	f the ROW* (acres)

		Impact	Mitigation	Mitigation Requirement	
Habitat Type	Temporary	Permanent Total			Ratio
Diegan coastal sage Scrub <sup>l</sup>	1.58	0.03	1.61	1:1	1.61
Coastal sage-chaparral scrub	0.09	0.00	0.09	1:1	0.09
Valley needlegrass grassland	0.02	0.01	0.03	1:1	0.03
Total	1.69	0.03	1.72		1.72

<sup>\*</sup> Ratio for permanent impacts is 1:1 since this habitat has already been mitigated offsite at 1:1 previously, resulting in a 2:1 overall ratio.

*Page 3.12-3, Section 3.12.3. The following paragraph is added after the first paragraph:* 

The proposed project involves the demolition of painted concrete vent structures. The remains of a concrete/asphalt roadbed adjacent to the San Diego River will also be removed as biological mitigation. Should any of these or other contaminants be identified, they will be remediated in compliance with California environmental regulations, polices, and laws.

Page 4-1, Section 4.2. Revise the second-to-last sentence of the last paragraph as follows:

The project has resulted in impacts to 0.38 acre of Diegan coastal sage scrub, including 0.23 acre within a MHPA a 0.23-acre MHPA boundary line adjustment.

Page 4-4, Section 4.2. Replace the two sentences under Tierrasanta Townhomes with the following:

Intracorp has been exploring the idea of developing a church site at the end of Tierrasanta Boulevard owned by Tierrasanta Christian Church with up to 60 townhomes. The development plans require a rezone from the planned church use to high-density residential. Intracorp has been exploring the idea of development a parcel located at the end of Tierrasanta Boulevard with up to 60 townhomes. The existing use of the site by the church was allowed through a Conditional Use Permit.

<sup>1</sup> Includes permanent impact to 0.01 acre of fascicled tarweed.

Page 4-12, Section 4.3.8: The forth sentence of the second paragraph is revised to read:

While the Water Authority is currently preparing its own HCP and is not a participant in the City of San Diego's MSCP, impacts to biological resources and mitigation measures for those impacts have been drafted in conformance with to be conditionally compatible with the MSCP Guidelines. The Water Authority acknowledges that the proposed mitigation is not consistent with all of the City's MSCP mitigation or adjacency requirements. However, the Water Authority is not subject to local land use plans, policies, and ordinances under California Government Code Section 53091(d) and (e).

*Page 4-13, Section 4.3.8: The fourth sentence of this section is revised to read:* 

While the Water Authority is preparing its own HCP and is not a participant in the City of San Diego's MSCP, impacts to biological resources and mitigation measures for those impacts have been drafted in conformance with the MSCP to be conditionally compatible with the MSCP.

Page 6-3, Section 6.1.2 – Land Use: The second and third sentences of this section have been deleted:

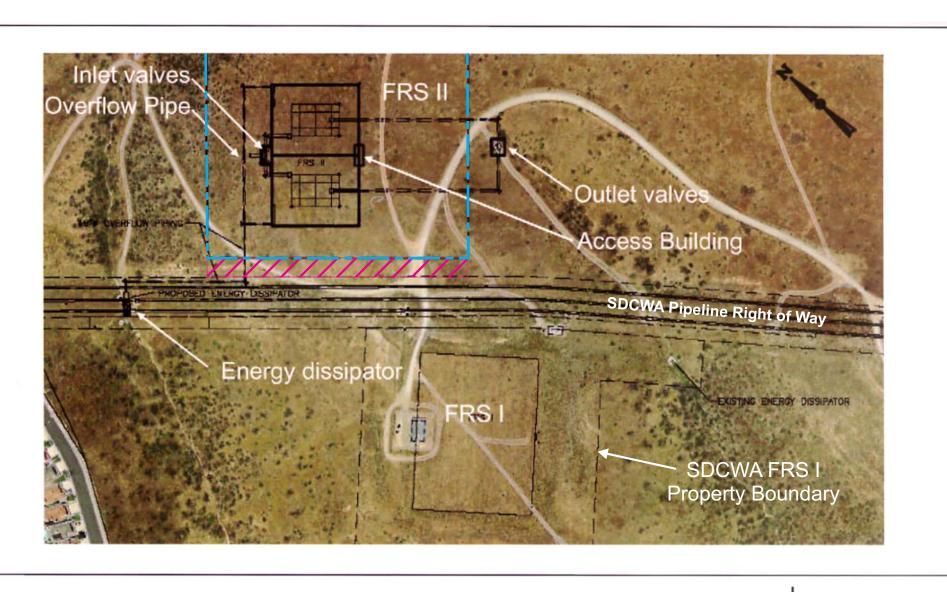
The proposed project would not conflict with any applicable land use plans, policies, or regulations. The proposed project would conform to the guidelines of the MSCP, so would also not conflict with the applicable habitat conservation plan for the project area.

Page 8-1, Section 8.0 – Organizations and Persons Consulted. The following revisions have been made to the Organizations and Persons Consulted section:

# City of San Diego, <u>Parks and Recreation Department</u>, <u>Mission Trails Regional Park</u> Tracey Walker, Senior Park Ranger John Barone, Senior Park Ranger Melvyn Naidas, Senior Park Ranger

Page 10-2, Section 10.0 – References. The following revisions have been made to the References Section:

- 2000 Land Development Code ESL and Historical Resource Regulations. January.
- 2001 Historical Resource Guidelines. September.
- 2002 Biological Resource Guidelines. July.
- 2004 CEQA Significance Determination Thresholds. May.





SDUSD Property Boundary/Proposed FRS II Boundary

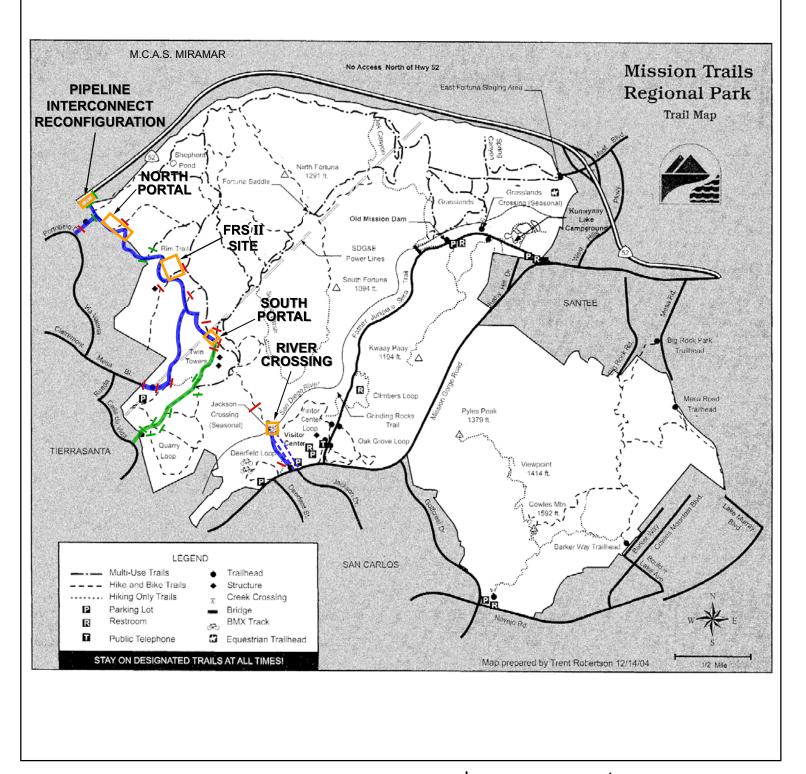


City of San Diego Property

Mission Trails Flow Regulatory Structure II, Pipeline Tunnel, and Vent Demolition Project

Map Notes





# Legend

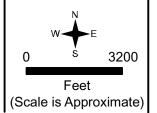
TRAILS CLOSED DURING CONSTRUCTION

WORK AREAS CLOSED DURING CONTRUCTION

TRAIL CLOSURE BARRIER AND SIGN

JACKSON DRIVE CLOSURE
APPROX. 3 MONTHS (SEPT-NOV)

LIMITED ACCESS ROUTE/BARRIER AND SIGN
(Typically open to public during construction)



Mission Trails Flow Regulatory Structure II, Pipeline Tunnel, and Vent Demolition Project

Map Notes Date: Jan 9, 2006



### **ATTACHMENT A**

Comparative Analysis of the San Diego County Water Authority Flow Regulatory Structure I Revegetation Site and Selected Coastal Sage Scrub Habitats, Mission Trails Regional Park

# Prepared for

San Diego County Water Authority 4677 Overland Avenue San Diego, California 92123

## Prepared by

Tierra Environmental Services 9915 Businesspark Avenue, Suite C San Diego, CA 92131

July 2006

#### 1.0 INTRODUCTION

The San Diego County Water Authority (Water Authority) constructed the Mission Trails Flow Regulatory Structure I (FRS I) in Mission Trails Regional Park (MTRP) in 1995. The FRS I is an 18 million gallon concrete reservoir constructed below ground level and covered with approximately 1.5 feet of soil. Upon completion, the site was revegetated with coastal sage scrub (CSS) plant species.

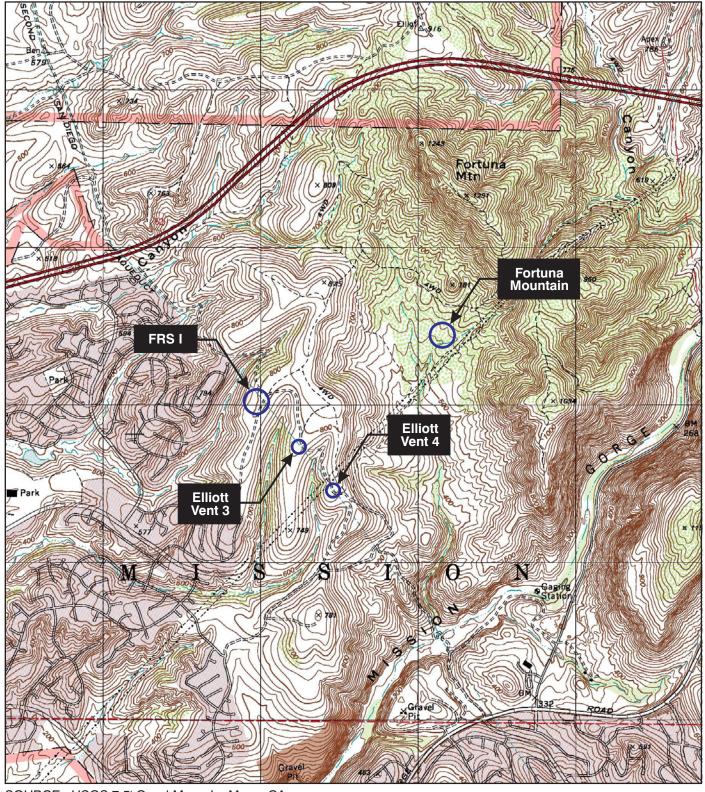
The Water Authority currently proposes to construct another belowground reservoir near FRS I as a project component in the Mission Trails FRS II, Pipeline Tunnel, and Vent Demolition Project. The Water Authority proposes to cover the reservoir with approximately 2 feet of soil and revegetate with CSS species. In order to assess the success of the revegetation effort at FRS I, the Water Authority directed Tierra Environmental Services to conduct a comparative analysis of the vegetation at the FRS I site with selected nearby areas. This report documents the results of that analysis.

#### 2.0 METHODOLOGY

Vegetation was analyzed at four locations in MTRP representing different stands of CSS habitat. These locations were chosen based on the predominant vegetation community (CSS), slope (flat mesas), and fire impacts (all sites burned in 2003 Cedar fire). The selected sampling locations shown in Figure 1 included naturally established CSS occurring on a low mesa at the foot of Fortuna Mountain; CSS planted by the Water Authority at two locations along the existing pipeline corridor, referred to here as Elliott Vent 3 and Elliott Vent 4 sites; and the CSS established over the FRS I. Photographs of each area are presented in Figure 2 through Figure 5. Thus, this analysis compares natural CSS with revegetated CSS in two areas with an unknown depth of soil and revegetated CSS in the FRS I area with 1.5 feet of cover. It should be noted that the pre-fire conditions of none of these sites was documented. Thus, it is not possible to know if the naturally occurring CSS at the Fortuna Mountain site was at one time more pristine than it is today. In general, it is difficult to find undisturbed CSS in this portion of MTRP.

Both qualitative and semiquantitative data were collected. Qualitative data included the physical structure of the vegetation and dominance relationships between species. Physical conditions, including the presence of bare areas and the presence or absence of non-native plant species, were also recorded. Conditions present at each representative sample site were documented with photographs.

Semiquantitative assessment followed the relevé method recommended by the California Native Plant Society (CNPS). Using the relevé method, the full range of plant species detected at the sample site is recorded when classifying the community. This method is considered semiquantitative because percent cover measurements are estimates rather than exact measures. Unlike time-consuming quantitative methods that employ iterative measurement, the relevé method employs a categorical determination of the percent cover for the entire vegetation



SOURCE: USGS 7.5' Quad Map - La Mesa, CA

Figure 1 Location of Sampling Areas







Figure 2. Fortuna Mountain Sampling Site (taken to the northeast).



Figure 3. Elliott Vent 4 Revegetated Sampling Site (taken to the south).



Figure 4. Elliott Vent 3 Revegetated Sampling Site (taken to the northwest).



Figure 5. FRS I Revegetated Sampling Site (taken to the west).

community as well as for each significant species within the community. In this way, species compositions and dominance relationships within the entire community are revealed without direct counts.

According to the CNPS, sample plot sizes for intermittent to dense shrublands should be 400 square meters (m<sup>2</sup>). Thus, 400 m<sup>2</sup> sample plots were established within these representative CSS stands and the diversity of species and species contributions to cover were recorded for each plot. Percent total cover and cover of each plant species was determined by ocular estimate. Percent cover attributed to each species was classified using cover class categories as outlined below. A team of two surveyors performed the assessment for each plant species detected and calibrated their ocular estimates with each other to minimize error.

Cover Class Categories:

- <1% Cover
- 1-5% Cover
- 6-25% Cover
- 26-50% Cover
- 51-75% Cover
- 76-100% Cover

To analyze these data, the midpoint of the cover class recorded for each species is multiplied by the number of occurrences to determine the mean percent cover of each species. The results are presented below.

### 3.0 RESULTS

#### 3.1 **Qualitative Observations**

As indicated by the photographs in Figures 2 through 5, shrub height was greatest at the Elliott Vent 3 and 4 revegetated stands and lower at the Fortuna Mountain and FRS I stands. Qualitative assessment of cover by non-native grass indicated that there was a greater degree of cover by non-native grass species at the FRS I and Fortuna Mountain sites compared to the Elliott Vent 3 and 4 sites.

### 3.2 Semiquantitative Analyses

### 3.2.1 Species Abundance and Composition

A total of 43 species of plants representing 16 families were observed during the analysis, including 30 native and 32 non-native taxa (Table 1). Species richness, defined as the number of species present, was greatest at the Fortuna Mountain vegetative stand (Figure 6) where a total of 28 species (20 native and 8 non-native) were observed and lowest at the Elliott Vent 3 revegetated stand (15 species; 12 native and 3 non-native). The FRS I revegetated stand (16 species; 7 native and 9 non-native) and the Elliott Vent 3

### **Table 1. Plant Species Observed**

Anacardiaceae Sumac Family Common Name

Malosma laurina laurel sumac

**Asteraceae** Aster Family

Artemisia californica California sagebrush Baccharis sarothroides broom baccharis

Centaurea melitensis\* tocalote

Deinandra fasciculatafascicled tarweedEncelia californicabush sunflowerGnaphalium bicolorbicolor everlasting

Gutierrezia sarothrae brushweed

Hazardia squarrosasawtooth goldenbushHeterotheca grandifloratelegraph weed

Hypochaeris glabra\* catsear

Isocoma menziessi spreading goldenbush

Lessingia sp. lessingia aster

Osmadenia tenella three-spot osmadenia

Stephanomeria sp. wand chicory

Viguiera laciniata San Diego sunflower

**Brassicaceae** Mustard Family

Hirschfeldia incana\* shortpod mustard Caulanthus sp.\* jewelflower

Convolvulaceae Morning Glory Family

Calystegia macrostegia morning glory

**Euphorbiaceae** Spurge Family

Chamaesyce polycarpa prostrate spurge

Fabaceae Legume Family

Astragalus sp.locoweedLotus scopariusdeerweedLupinus sp.lupineTrifolium sp.\*vetch

Geraniaceae Geranium Family

Eriodium cicutarium\* red-stem filaree

### Hydrophyllaceae Waterleaf Family

Eriodictyon crassifolium thick leaved yerba santa

Lamiaceae Mint Family

Salvia apiana white sage Salvia mlelifera black sage

Liliaceae Lily Family

Calochortus weedii yellow mariposa lily

Malvaceae Mallow Family

Malacothamnus facsiculatus coastal bush mallow

**Poacea** Grass Family

Avena fatua\* wild oat
Bromus diandrus\* rip-gut grass
Bromus hordeaceus\* brome

Bromus matridensis\* red fox-tail brome

Gastridium venrticosum\*nitgrassHordeum murinum\*hare barleyNassella sp.needle grassVulpia myuros \*fescue

Plantaginaceae Plantain Family

Plantago sp. plantain

Polygonaceae Buckwheat Family

Chorizanthe sp. spine flower

Eriogonum facsiculatum California buckwheat

Rhamnaceae Buckthorn Family

Rhamnus crocee spiny redberry

Selginellaceae Moss Family

Selaginella sp. spike moss

\* non-native species

revegetated stand (18 species: 12 native and 6 non-native) were intermediate in species richness.

In general, species richness was highest in naturally occurring CSS compared to revegetated sites. In addition, the relative abundance of non-native species, expressed as a percent of total species per stand (Figure 7), was lowest at the Elliott Vent 3 revegetated stand (20%; 3 of 15) and highest at the FRS I revegetated site (56%; 9 of 16). The Fortuna Mountain stand (44%; 8 of 18) and the Elliott Vent 4 revegetated stand (33%: 6 of 18) were intermediate in terms of relative abundance of non-native species. It should be noted that the Elliott Vent 4 site is located adjacent to existing pipeline vents and may be subjected to periodic disturbance.

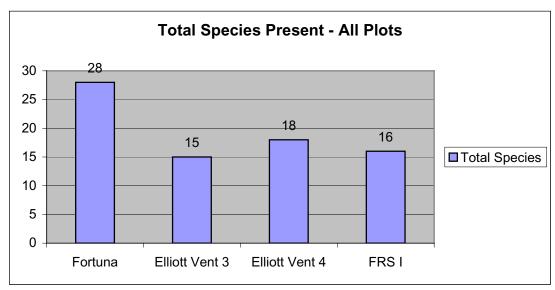


Figure 6. Total Species Observed in All Vegetation Stands

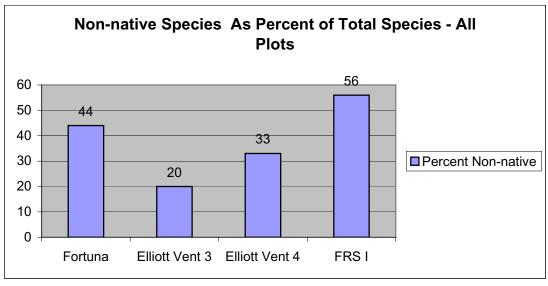


Figure 7. Non-native Plant Species Expressed as Percent of Total Species Observed

#### 3.2.2 Percent Cover

Mean Percent Total Cover. Percent cover by vegetative stand is summarized in Table 2 (Appendix A) and is illustrated in Figure 8. Overall, the highest percent total cover was exhibited by the FRS I site (mean % cover = 86.4%; mean % bare ground = 6.1%; n = 4), followed by Elliott Vent 3 revegetated site (mean % cover = 75.5%; mean % bare ground = 13.9%; n = 2), the Elliott Vent 4 revegetated site (mean % cover = 72.4%; mean % bare ground = 18.3%; n = 2) and the Fortuna Mountain stand (mean % cover = 61.4%; mean % bare ground = 6.1%; n = 4). Thus, total percent cover was higher at all three revegetated sites than at the naturally established site.

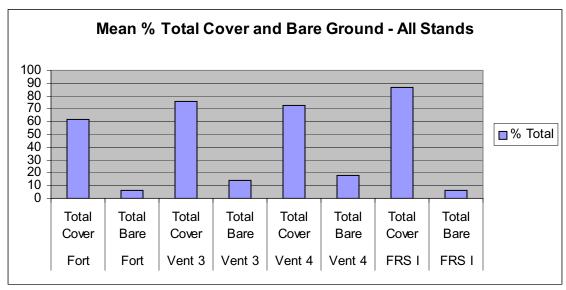


Figure 8. Mean Percent Total Vegetative Cover and Bare Ground for All Stands

Mean Percent Cover by Species. When the data are examined based on the contribution of each species to total ground cover, it is evident that the non-native species contributed significantly to total cover. The top individual contributors to mean total cover are compared to total mean cover at each stand in Figures 9 through 12. At the Fortuna Mountain stand, for example, two non-native species, red fox-tail brome (*Bromus madredensis*) and tocolate (*Centaurea melitnesis*), were the dominant individual species. These species contributed 14.56% and 11.28% of the total cover, respectively, and, combined, represented approximately 42% of mean total cover where cover existed.

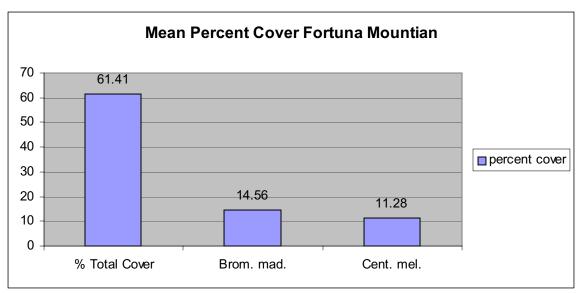


Figure 9. Mean Percent Total Cover and Mean Percent Cover by Dominant Species, Fortuna Mountain

By contrast, the two dominant species of the Elliott Vent 3 stand were native species: deerweed (*Lotus scoparius*) and San Diego sunflower (*Viguiera lacinita*) (Figure 10). These two species contributed 28.6% and 15.19% to the mean total cover and combined represented 52% of the mean total cover where cover occurred.

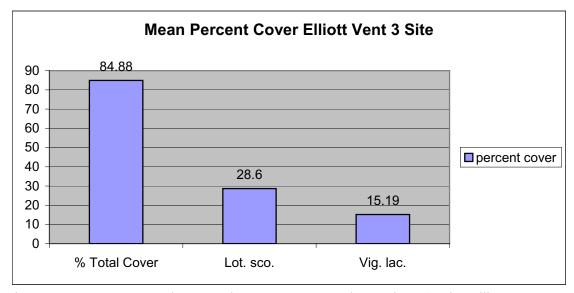


Figure 10. Mean Percent Total Cover and Mean Percent Cover by Dominant Species, Elliott Vent 3

Figure 11 shows a similar analysis for the Elliott Vent 4 revegetated stand. In this case, the two dominant individual species were mixed, with one native, deerweed, and one non-native, hare barley (*Hordeum murinum*). As can be seen in Figure 11, the non-native hare barley comprised approximately 50% of total mean cover where cover existed.

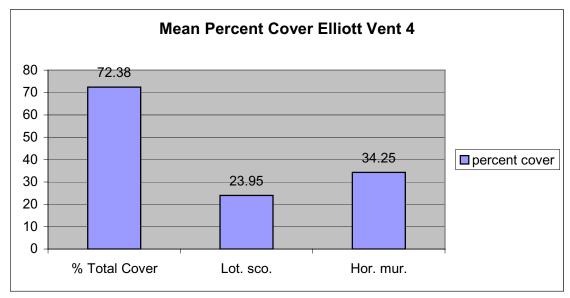


Figure 11. Mean Percent Total Cover and Mean Percent Cover by Dominant Species, Elliott Vent 4

The FRS I site was unique in that there were four dominant species: hare barley, San Diego sunflower, deerweed, and red-stem filaree (*Erodium cicutarium*). The non-native hare barley was by far the dominant, making up approximately 50% of the mean total cover (Figure 12). Therefore, although the FRS I site had the greatest mean total cover, much of that cover was by non-native species.

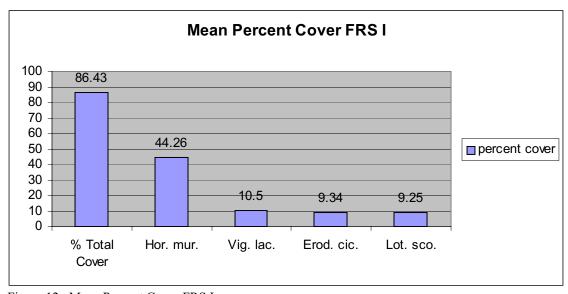


Figure 12. Mean Percent Cover FRS I

#### 4.0 SUMMARY

The four stands of CSS were compared in terms of species richness, percent non-native species, mean percent total cover, and mean percent cover by individual species. In addition, qualitative assessments of each stand were conducted. The qualitative assessments showed that shrub height was greatest at the revegetated Elliott Vent 3 and 4 sites, and similar at the revegetated FRS I site and the naturally occurring Fortuna Mountain site. In terms of species richness, the Fortuna Mountain site supported the greatest number of plant species, while all three revegetated sites were similar. The FRS I site had the highest mean percent total cover, which was similar to the other revegetated sites, and 25 percent greater than the naturally occurring coverage on the Fortuna Mountain site. Although the FRS I site had the greatest mean percent cover by non-native species, the coverage was not substantially different than the Fortuna Mountain site. Based on this analysis, there is no significant difference in vegetation growth between the FRS I revegetated site and the naturally occurring CSS at the Fortuna Mountain site.

## APPENDIX A

## TABLE 2

## SPECIES OBSERVED BY STAND, SAN DIEGO COUNTY WATER AUTHORITY MISSION TRAILS FRS I VEGETATION ANALYSIS

Table 2. Species Observed by Stand, SDCWA Mission Trails FRS I Vegetation Analysis

Fortuna Mour	ntain		Species	Cent.	Brom.	Mala.	Malos.	Vig.	Lot.	Haz.	Calys.	Hir.	Sal.	Less.	Dei.	Cham.
Plot 1				mel.	mat.	fasc.	lua.	lac.	sco.	squ.	macro.	inc.	mel.	sp.	fasc.	poly.
	Tot. cov.	B.G	Cover	3	3	2	2	1	2	1						
Quad 1	5	4	mid-point	15.5	15.5	3	3	0.5	3	0.5						
mid-point	63	38														
Quad 2	4	5	Cover	3	3	2		1			1	2	2	1		
mid-point	38	63	mid-point	15.5	15.5	3		0.5			0.5	3	3	0.5		
Quad 3	5	4	Cover	3	3	2	2		2		1		2			
mid-point	63	38	mid-point	15.5	15.5	3	3		3		0.5		3			
Quad 4	5	5	Cover	4	3	2	2		2		1		2		3	1
mid-point	63	63	mid-point	38	15.5	3	3		3		0.5		3		15.5	0.5
Mean tot			Mean cov.													
Cover	56.75		by spp.	21.125	15.5	3	2.25	0.25	2.25	0.125	0.375	0.75	2.25	0.125	3.875	0.125
Mean B.G.	50.5															

Fotuna Moun	tain		Species	Cent.	Brom.	Malos.	Vig.	Lot.	Haz.	Calys.	Sal.	Ave.	Choriz.	Gas.	Step.	Erio.	Art.	Calo.	Gut.	Osma.
Plot 2				mel.	mat.	lua.	lac.	sco.	squ.	macro.	mel.	fat.	sp.	ven.	sp.	fasc.	cal.	weed.	sara.	ten.
	Tot. cov.	B.G	Cover	3	3			2		2	2	1	1	1	1					
Quad 1	5	4	mid-point	15.5	15.5			3		3	3	0.5	0.5	0.5	0.5					
mid-point	63	38																		
Quad 2	4	5	Cover	2	2	2		2	1	2	2	1			1	1	1	1		
mid-point	38	63	mid-point	3	3	3		3	0.5	3	3	0.5			0.5	0.5	0.5	0.5		
Quad 3	5	4	Cover	2	3	2	2		1	2	3								1	1
mid-point	63	38	mid-point	3	15.5	3	3		0.5	3	15.5								0.5	0.5
Quad 4	4	5	Cover	3	2	2			2	2	2				1				2	
mid-point	38	63	mid-point	15.5	3	3			3	3	3				0.5				3	
Mean tot			Mean cov.																	
Cover	50.5		by spp.	9.25	9.25	2.25	0.75	1.5	1	3	6.125	0.25	0.125	0.125	0.375	0.125	0.125	0.125	0.875	0.125
Mean B.G.	50.5																			

Fortuna Mou	ntain		Species	Cent.	Brom.	Mala.	Malos.	Lot.	Haz.	Calys.	Sal.	Ave.	Choriz.	Gas.	Step.	Erio.	Art.	Calo.	Gut.	Osma.	Rham.	Gnap.
Plot 3				mel.	mat.	fasc.	lua.	sco.	squ.	macro.	mel.	fat.	sp.	ven.	sp.	fasc.	cal.	weed.	saro.	ten.	Croc.	Bicol.
	Tot. cov.	B.G	Cover	2	3	2	3	1	1	1	3	1		1	1							
Quad 1	5	4	mid-point	3	15.5	3	15.5	0.5	0.5	0.5	15.5	0.5		0.5	0.5							
mid-point	63	38																				
Quad 2	5	4	Cover	3	3		1			2	3	1		1	1		1	1	1	1		
mid-point	63	38	mid-point	15.5	15.5		0.5			3	15.5	0.5		0.5	0.5		0.5	0.5	0.5	0.5		
Quad 3	5	4	Cover	3	3		2			1	1	1	1	1		1	1	1	2	1	1	
mid-point	63	38	mid-point	15.5	15.5		3			0.5	0.5	0.5	0.5	0.5		0.5	0.5	0.5	3	0.5	0.5	
Quad 4	4	5	Cover	3	2			2		2	3			1	1		1					1
mid-point	38	63	mid-point	15.5	3			3		3	15.5			0.5	0.5		0.5					0.5
Mean tot			Mean cov.																			
Cover	56.75		by spp.	12.375	12.375	0.75	4.75	0.88	0.13	1.75	11.75	0.375	0.125	0.5	0.375	0.125	0.375	0.25	0.875	0.25	0.125	0.125
Mean B.G.	44.25																					

Cent. mel. = Centaurea melitensis; Brom.mat = Bromus matridensis; Mala. fasc. = Malacothamnus fasciculatus; Malos. Lua. = Malosma laurina;
Vig. lac. = Viguiera laciniata; Lot. sco. = Lotus scoparius; Haz. Squ = Hazardia squarrosa; Calys. macro. = Calystegia macrostegia; Sal. mel. = Salvia mellifera
Ave. fat. = Avena fatua; Gas. ven. = Gastridium ventricosum; Erio. fasc. = Eriogonum fasciculatum; Art. Cal. = Artemisia californica;
Calo. weed. = Calochortus weedi; Gut. saro. = Gutierrezia sarothrae; Osma. Ten. = Osmadenia tenella; Gnap. Bicol. = Gnaphalium bicolor; Caul.sp = Caulanthus sp.
Vul. myo. = Vulpia myuros; Hypo. glab. = Hypochaeris glabra; Erio. cras. = Eriodictyon crassifolium; Brom. Hor. = Bromus hordeaceus.
Continued Page 2

**Table 2 Continued** 

Tubic 2 Conti																									
Fortuna Moui	ntain		Species	Cent.	Brom.	Mala.	Malos.	Vig.	Lot.	Haz.	Calys.	Sal.	Ave.	Gas.	Erio.	Art.	Calo.	Gut.	Osma.	Gnap.	Caul.	Vul.	Нуро.	Erio.	Brom.
Plot 4				mel.	mat.	fasc.	lua.	lac.	sco.	squ.	macro.	mel.	fat.	ven.	fasc.	cal.	weed.	saro.	ten.	Bicol.	sp.	myu.	glab.	cras.	hor.
	Tot. cov.	B.G	Cover	2	3		2	1	2		2	3	1				1	1	1						1
Quad 1	6	2	mid-point	3	15.5		3	0.5	3		3	15.5	0.5				0.5	0.5	0.5						
mid-point	88	3																							1
Quad 2	6	2	Cover	2	4	1	2		1	2	2	3	1			1				1	1				
mid-point	88	3	mid-point	3	38	0.5	3		0.5	3	3	15.5	0.5			0.5				0.5	0.5				1
Quad 3	6	2	Cover	1	3		2		1		3	3	1	1		1		1		1		1	1	2	1
mid-point	88	3	mid-point	0.5	15.5		3		0.5		15.5	15.5	0.5	0.5		0.5		0.5		0.5		0.5	0.5	3	
Quad 4	5	3	Cover	2	3	1					2	2	1	1	1	1				1					1
mid-point	63	15.5	mid-point	3	15.5	0.5					3	3	0.5	0.5	0.5	0.5				0.5					0.5
Mean tot			Mean cov.																						
Cover	81.75		by spp.	2.375	21.125	0.25	2.25		1	0.75	6.125	12.38	0.5	0.25	0.125	0.375	0.125	0.25	0.125	0.375	0.125	0.125	0.125	0.75	0.125
Mean B.G.	6.125																								

Elliott Vent 3			Species	Cent.	Brom.	Malos.	Vig.	Lot.	Sal.	Ave.	Erio.	Art.	Bac.	Enc.	Nas.	Hor.	Sal.
Plot 1				mel.	mat.	lua.	lac.	sco.	mel.	fat.	fasc.	cal.	Sar.	cal.	sp.	mur.	Api.
	Tot. cov.	B.G	Cover	1			3	5	2		2	2	2	1	1	1	
Quad 1	6	3	mid-point	0.5			15.5	63	3		3	3	3	0.5	0.5	0.5	
mid-point	88	15.5															
Quad 2	6	3	Cover	1	1		4	2	1	1	1	3	3		1	4	1
mid-point	88	15.5	mid-point	0.5	0.5		38	3	0.5	0.5	0.5	15.5	15.5		0.5	38	0.5
Quad 3	6	3	Cover	1	1		3	3	1	1		3	2	2	1	3	1
mid-point	88	15.5	mid-point	0.5	0.5		15.5	15.5	0.5	0.5		15.5	3	3	0.5	15.5	0.5
Quad 4	6	2	Cover	1	1	2	3	5	1		1	2		2	1	2	1
mid-point	88	3	mid-point	0.5	0.5	3	15.5	63	0.5		0.5	3		3	0.5	3	0.5
Mean tot			Mean cov.														
Cover	88		by spp.	0.5	0.375	0.75	21.125	36.1	1.13	0.25	1	9.25	5.375	1.625	0.5	14.25	0.375
Mean B.G.	12.375																

Elliott Vent 3			Species	Cent.	Brom.	Malos.	Vig.	Lot.	Sal.	Ave.	Erio.	Art.	Brom.	Bac.	Enc.	Nas.	Hor.	Sal.
Plot 2				mel.	mat.	lua.	lac.	sco.	mel.	fat.	fasc.	cal.	hor.	Sar.	cal.	sp.	mur.	Api.
	Tot. cov.	B.G	Cover	1	1		3	3	1	1	1	1		1	1	1	3	
Quad 1	5	3	mid-point	0.5	0.5		15.5	15.5	0.5	0.5	0.5	0.5		0.5	0.5	0.5	15.5	
mid-point	63	15.5																
Quad 2	5	3	Cover	2	1	2	3	3		1	2	2	1		2	1	4	
mid-point	63	15.5	mid-point	3	0.5	3	15.5	15.5		0.5	3	3	0.5		3	0.5	38	
Quad 3	5	3	Cover	1	1		2	4	1	1					1	1	2	
mid-point	63	15.5	mid-point	0.5	0.5		3	38	0.5	0.5					0.5	0.5	3	
Quad 4	5	3	Cover	1			2	3				4				1	3	1
mid-point	63	15.5	mid-point	0.5			3	15.5				38				0.5	15.5	0.5
Mean tot			Mean cov.															
Cover	63		by spp.	1.125	0.375	0.75	9.25	21.1	0.25	0.375	0.875	10.38		0.125	1	0.5	18	0.125
Mean B.G.	15.5																	

Hor. mur. = Hordeum murinum; Erod. cic. = Erodium cicutarium; Brom. dian. = Bromus diandrus; Lup. sp. = Lupinus sp.; Trifol. sp. = Trifolium sp.; Bac. sar. = Baccharis sarathroides; Enc. Cal. = Encelia californica; Nas. sp. = Nassella sp.; Hor. mur. = Hordeum murinum; Sal. api. = Salvia apiana; Dei. fasc. = Deinandra fasciculatum; Iso. men. = Isocoma menziesii; Selag. sp. = Selaginella sp.; Plant. sp. = Plantago sp.; Hir. Inc. = Hirschfeldia incana Less. sp. = Lessingia sp.; Cham. ploy. = Chamaesyce polycarpa; Step. sp.. = Stephanomaria sp.; Continued Page 3

Table 2 Continued

Elliott Vent 4			Species	Cent.	Brom.	Mala.	Vig.	Lot.	Sal.	Ave.	Erio.	Art.	Hor.	Sal.	Ast.	Iso.	Erod.	Heter.
Plot 1				mel.	mat.	fasc.	lac.	sco.	mel.	fat.	fasc.	cal.	mur.	Api.	sp.	menz.	cic.	gran.
	Tot. cov.	B.G	Cover	2	2		3	3			2	3	3	1				
Quad 1	5	4	mid-point	3	3		15.5	15.5			3	15.5	15.5	0.5				
mid-point	63	38																
Quad 2	5	3	Cover	1	2			4	1		3	3	2	1	2	1		
mid-point	63	15.5	mid-point	0.5	3			38	0.5		15.5	15.5	3	0.5	3	0.5		
Quad 3	6	3	Cover	1	1		2	4			1		4					
mid-point	88	15.5	mid-point	0.5	0.5		3	38			0.5		38					
Quad 4	5	3	Cover	1	1	1	2	3		1	1	2	3	1	1	1	2	1
mid-point	63	15.5	mid-point	0.5	0.5	0.5	3	15.5		0.5	0.5	3	15.5	0.5	0.5	0.5	3	0.5
Mean tot			Mean cov.															
Cover	69.25		by spp.	1.125	1.75	0.125	5.375	26.8	0.13	0.125	4.875	8.5	18	0.375	0.875	0.25	0.75	0.125
Mean B.G.	21.125																	

Elliott Vent 4			Species	Cent.	Brom.	Mala.	Vig.	Lot.	Ave.	Erio.	Art.	Hor.	Ast.	Iso.	Erod.	Selag.	Plant.	Brom.
Plot 2				mel.	mat.	fasc.	lac.	sco.	fat.	fasc.	cal.	mur.	sp.	menz.	cic.	sp	sp	dian.
	Tot. cov.	B.G	Cover	1			2	3	1	2		4			2			
Quad 1	5	3	mid-point	0.5			3	15.5	0.5	3		38			3			
mid-point	63	15.5																
Quad 2	5	3	Cover	1	1	1	2	3	1		1	4		1		1	1	
mid-point	63	15.5	mid-point	0.5	0.5	0.5	3	15.5	0.5		0.5	38		0.5		0.5	0.5	
Quad 3	6	3	Cover	1	1		1	3	1	2		5			3		2	
mid-point	88	15.5	mid-point	0.5	0.5		0.5	15.5	0.5	3		63			15.5		3	
Quad 4	6	3	Cover	1		2		4	1			5	1	1	1			1
mid-point	88	15.5	mid-point	0.5		3		38	0.5			63	0.5	0.5	0.5			0.5
Mean tot			Mean cov.															
Cover	75.5		by spp.	0.5	0.25		1.625	21.1	0.5	1.5	0.125	50.5	0.125	0.25	4.75	0.125	0.875	0.125
Mean B.G.	15.5																	

FRS I Site			Species	Cent.	Brom.	Vig.	Lot.	Dei.	Ave.	Art.	Brom.	Hor.	Erod.	Brom.	Lup.
Plot 1				mel.	mat.	lac.	sco.	fasc.	fat.	cal.	hor.	mur.	cic.	dian.	sp.
	Tot. cov.	B.G	Cover	2	3	1	3		2		2	4	3		2
Quad 1	6	2	mid-point	3	15.5	0.5	15.5		3		3	38	15.5		3
mid-point	88	3													
Quad 2	6	2	Cover	1	2	1	3	1	3			4	3		2
mid-point	88	3	mid-point	0.5	3	0.5	15.5	0.5	15.5			38	15.5		
Quad 3	6	2	Cover	1	2	3	2	1	3	1	1	4	3		2
mid-point	88	3	mid-point	0.5	0.5	15.5	3	0.5	15.5	0.5	0.5	38	15.5		3
Quad 4	6	2	Cover	1	2	2	3		1	1	1	5	3	1	2
mid-point	88	3	mid-point	0.5	3	3	15.5		0.5	0.5	0.5	63	15.5	0.5	3
Mean tot			Mean cov.												
Cover	88		by spp.	1.125	5.5	4.875	12.375	0.25	8.63	0.25	1	44.25	15.5	0.125	2.25
Mean B.G.	3														

Rham. croc. = Rhamnus crocea; Choriz. Sp. = Chorizanthe sp.; Ast. sp. = Astragalus sp.; Heter. gran. = Heterotheca grandiflora

Table 2 Continued

FRS I Site			Species	Cent.	Brom.	Vig.	Lot.	Sal.	Dei.	Ave.	Erio.	Art.	Brom.	Hor.	Erod.	Brom.	Lup.	Trifol.
Plot 2			i .	mel.	mat.	lac.	sco.	mel.	fasc.	fat.	fasc	cal.	hor.	mur.	cic.	dian.	sp.	sp.
	Tot. cov.	B.G	Cover	1	2	2	3		1	2			1	5	3	1	1	
Quad 1	6	2	mid-point	0.5	3	3	15.5		0.5	3			0.5	63	15.5	0.5	0.5	
mid-point	88	3																
Quad 2	6	2	Cover	1	2	3	2			2		1	1	4	2		2	1
mid-point	88	3	mid-point	0.5	3	15.5	3			3		0.5	0.5	38	3		3	0.5
Quad 3	6	2	Cover	1	2	2	2	1	1	2		1		5		1	3	
mid-point	88	3	mid-point	0.5	3	3	3	0.5	0.5	3		0.5		63		0.5	15.5	
Quad 4	6	2	Cover	1	1	3	2		1	1	1	1	1	5	1	1	2	
mid-point	88	3	mid-point	0.5	0.5	15.5	3		0.5	0.5	0.5	0.5	0.5	63	0.5	0.5	3	
Mean tot			Mean cov.															
Cover	88		by spp.	0.5	2.375	9.25	6.125	0.13	0.38	2.375	0.125	0.375	0.375	56.75	4.75	0.375	5.5	0.125
Mean B.G.	3																	

FRS I Site			Species	Cent.	Brom.	Vig.	Lot.	Sal.	Dei.	Ave.	Erio.	Brom.	Hor.	Erod.	Lup.
Plot 3				mel.	mat.	lac.	sco.	mel.	fasc.	fat.	fasc	hor.	mur.	cic.	sp.
	Tot. cov.	B.G	Cover	1	1	3	3		1	1	1	1	4		1
Quad 1	6	3	mid-point	0.5	0.5	15.5	15.5		0.5	0.5	0.5	0.5	38		0.5
mid-point	88	15.5													
Quad 2	6	2	Cover	1	1	3	3	1	1	1	1	1	4	1	
mid-point	88	3	mid-point	0.5	0.5	15.5	15.5	0.5	0.5	0.5	0.5	0.5	38	0.5	
Quad 3	6	2	Cover	2	1	3	2		1	1	1	1	4	2	3
mid-point	88	3	mid-point	3	0.5	15.5	3		0.5	0.5	0.5	0.5	38	3	15.5
Quad 4	5	3	Cover	1	1	3	2	1	1	1		1	4	2	2
mid-point	63	15.5	mid-point	0.5	0.5	15.5	3	0.5	0.5	0.5		0.5	38	3	3
Mean tot			Mean cov.												
Cover	81.75		by spp.	1.125	0.5	15.5	9.25	0.25	0.5	0.5	0.375	0.5	38	1.625	4.75
Mean B.G.	9.25														

FRS I Site			Species	Cent.	Brom.	Vig.	Lot.	Sal.	Dei.	Ave.	Erio.	Art.	Vul.	Brom.	Hor.	Erod.	Lup.
Plot 4				mel.	mat.	lac.	sco.	mel.	fasc.	fat.	fasc	cal.	myu.	hor.	mur.	cic.	sp.
	Tot. cov.	B.G	Cover	1	1	3	2			1	1	1	1	1	4	3	2
Quad 1	6	2	mid-point	0.5	0.5	15.5	3			0.5	0.5	0.5	0.5	0.5	38	15.5	3
mid-point	88	3															
Quad 2	6	2	Cover	1	2	3	2	1	1	1		2		1	4	3	2
mid-point	88	3	mid-point	0.5	3	15.5	3	0.5	0.5	0.5		3		0.5	38	15.5	3
Quad 3	6	3	Cover	1	1	3	3	1		1	1	1		1	4	3	1
mid-point	88	15.5	mid-point	0.5	0.5	15.5	15.5	0.5		0.5	0.5	0.5		0.5	38	15.5	0.5
Quad 4	6	3	Cover	1	2	2	3	1	1	1				1	4	3	2
mid-point	88	15.5	mid-point	0.5	3	3	15.5	0.5	0.5	0.5				0.5	38	15.5	3
Mean tot			Mean cov.														
Cover	88		by spp.	0.5	1.75	12.38	9.25	0.38	0.25	0.5	0.25	1	0.125	0.5	38	15.5	2.375
Mean B.G.	9.25																