

**FINAL ENVIRONMENTAL IMPACT REPORT/  
ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS)  
FOR THE SAN DIEGO COUNTY WATER AUTHORITY  
SUBREGIONAL NATURAL COMMUNITY  
CONSERVATION PLAN/  
HABITAT CONSERVATION PLAN (NCCP/HCP)  
STATE CLEARINGHOUSE NO. 2003121012**

**VOLUME III: DRAFT EIR/EIS COMMENTS, RESPONSES, AND REVISIONS**



***PREPARED BY:***

**San Diego County Water Authority  
and  
United States Fish and Wildlife Service**

***WITH TECHNICAL ASSISTANCE FROM:***

**RECON Environmental, Inc.**

**October 2010**

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**ATTACHMENTS**

- 1: Proof of Publication, Distribution List, and Transcripts from Public Hearings

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SDCWA SUBREGIONAL NATURAL COMMUNITY CONSERVATION PLAN/HABITAT  
 CONSERVATION PLAN (NCCP/HCP) DRAFT EIR/EIS  
 RESPONSE TO COMMENTS ON THE DRAFT EIR/EIS

The Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Draft Subregional Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) was circulated for a public review beginning on March 4, 2010, and ending June 3, 2010. Notice for this Draft EIR/EIS was published in *The San Diego Union-Tribune* and *North County Times* in San Diego County, *The Press-Enterprise* in Riverside County, and distributed to a list of agencies and interested parties. In addition, public hearings were held on March 17 and March 18, 2010. The proof of publication, distribution list, and transcripts from the public hearings are included as Attachment 1.

Seven letters of public comment or public testimony were received in response to the public review period for the Draft EIR/EIS for the proposed San Diego County Water Authority Subregional NCCP/HCP Project. Comments were received from federal, state, and local agencies, and an individual. Responses to comments have been prepared for the following entities:

Document Number	Organization/Commenter	Date
Federal Agencies		
Comment Letter F-1	U.S. Environmental Protection Agency (EPA) Region IX	June 10, 2010
Comment Letter F-2	U.S. Army Corps of Engineers (USACE)	July 26, 2010
State Agencies		
Comment Letter S-1	California Department of Transportation (Caltrans) District 11	March 17, 2010
Local Agencies and Organizations		
Comment Letter L-1	San Diego Archaeological Society, Inc.	March 15, 2010
Comment Letter L-2	County of San Diego	May 28, 2010
Comment Letter L-3	Best Best & Krieger, LLP	June 2, 2010
Individuals		
Comment Letter I-1	B. Kero	March 17, 2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

JUN 10 2010

Mr. Jim Bartel  
Field Supervisor  
U.S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road, Suite 101  
Carlsbad, CA 92011

Subject: Draft Environmental Impact Statement for the San Diego County Water Authority Subregional Natural Community Conservation Plan/Habitat Conservation Plan, San Diego and Riverside Counties, California (CEQ# 20100065)

Dear Mr. Bartel:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the San Diego County Water Authority (Water Authority) Natural Communities Conservation Program/Habitat Conservation Plan pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The EPA appreciates the efforts of the Water Authority to develop a Habitat Conservation Plan (HCP or Plan) to avoid, minimize, and mitigate take of 64 species (Covered Species) and their habitats within 992,000 acres of San Diego and southwestern Riverside Counties, California (Covered Area). We recognize the importance of a coordinated approach to protecting and preserving the Covered Species and their habitats from Water Authority activities (Covered Activities) over the 55-year permit term.

Based on our review of the DEIS, we have rated the document EC-2, Environmental Concerns – Insufficient Information (see enclosed EPA Rating Definitions).

We recommend that the Final Environmental Impact Statement (FEIS) provide additional information on how climate change may affect the Covered Species and their habitats, the potential for Covered Activities to induce growth in the Covered Area, and how the Water Authority will work with the U.S. Fish and Wildlife Service (FWS) and the U.S. Army Corps of Engineers (Corps) to comply with Section 404 of the Clean

F-1-1

F-1-1: The comment identifies general concerns and requests additional information in the Final EIR/EIS with respect to climate change, induced growth, and Clean Water Act Section 404. The lead agencies have determined that the analysis in the Draft EIR/EIS is appropriate for this scale NCCP/HCP. Detailed responses to specific comments are presented in F-1-2 and F-1-3 below. No new impacts were identified, but clarifying text has been added to Section 7.2 of the Draft EIR/EIS as a result of this comment.

LETTER

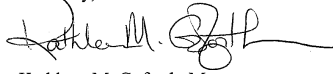
RESPONSE

Water Act to achieve a no-net-loss of wetlands in the Covered Area. Our enclosed detailed comments provide additional information regarding these concerns.

} F-1-1  
(Cont.)

We appreciate the opportunity to review this DEIS, and are available to discuss our comments. When the FEIS is released for public review, please send one hard copy and one CD-ROM to the address above (Mail Code: CED-2). If you have any questions, please contact me at 415-972-3521, or contact Jason Gerdes, the lead reviewer for this project. Jason can be reached at 415-947-4221 or [gerdes.jason@epa.gov](mailto:gerdes.jason@epa.gov).

Sincerely,



Kathleen M. Goforth, Manager  
Environmental Review Office

Enclosures: Summary of EPA Rating System  
EPA's Detailed Comments

cc: Jenness McBride, Regional HCP Coordinator, U.S. Fish & Wildlife Service

U.S. EPA'S DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE SAN DIEGO COUNTY WATER AUTHORITY SUBREGIONAL NATURAL COMMUNITY CONSERVATION PLAN/HABITAT CONSERVATION PLAN, SAN DIEGO AND RIVERSIDE COUNTIES, CALIFORNIA, JUNE 10, 2010

Climate Change

The Habitat Conservation Plan (HCP) will be implemented over more than a half-century, yet the DEIS includes surprisingly little information on the greenhouse gas (GHG) emissions likely to be generated in that period of time, and, even more importantly, no discussion of how climate change may affect the Covered Species and their habitats. EPA is concerned that, over the 55-year term of the HCP, climate change may induce a multitude of effects, such as temperature increases and prolonged droughts, and these changes could result in serious impacts, including the alteration or destruction of habitat critical to the Covered Species, introduction of invasive species, and the migration of Covered Species out of the Covered Area.

**Recommendation:**

EPA recommends that the FEIS provide more information regarding the GHG emissions likely to be generated during the permit term, and include a detailed discussion of potential impacts of climate change on the Covered Species, how these impacts will be identified and managed, and how the Adaptive Management Plan will ensure that mitigation measures are designed to help offset these impacts.

Induced Growth

In the section of the DEIS devoted to induced growth, the Water Authority states that Covered Activities, including the construction, operation, and maintenance of water service facilities throughout its Covered Area, "can be viewed as accommodating existing and projected future water supply demands rather than providing excess capacity for unplanned growth," and that the proposed plan and alternatives "would not have significant direct or indirect growth-inducing effects." As it is reasonably foreseeable to assume that the Covered Area will experience an increase in population and development over the 55-year permit term, and that such development would be limited or altered by the absence or modification of the Water Authority's Covered Activities, the basis for this statement is not clear. Furthermore, we recognize that the permit proposed to be issued by the Fish and Wildlife Service would permit incidental take of species in the course of the Covered Activities, not the Covered Activities themselves; however, it is reasonable to anticipate that, in the absence of the incidental take permit, pursuit of those Activities would be inhibited to some degree by the risk of liability for take of listed species. Thus, growth should be considered an indirect effect of the proposed action (issuance of an incidental take permit).

**Recommendation:**

Explain the basis for the Water Authority's assertion that Covered Activities are "growth accommodating rather than growth inducing," and would not have

F-1-2

F-1-3

F-1-2: The comment requests more information on greenhouse gas emissions over the 55-year term of the permit and potential climate change effects on Covered Species and their habitats. These two issues related to global climate change are clarified separately below.

Greenhouse Gas Emissions

The actions analyzed in the Draft EIR/EIS include: the Water Authority's adoption of the Plan and IA; the USFWS's approval of a permit under section 10 of the federal ESA; and CDFG's issuance of an incidental take authorization under Section 2835 of the NCCPA. As discussed in Section 7.2 of the Draft EIR/EIS, climate change was determined to be not significant for all of the alternatives since the described future Water Authority activities will occur whether the NCCP/HCP is approved or not. Sources of potential air pollution with the potential to affect air quality and global climate change would be the same under all the alternatives, including the No Action/No Permit Alternative. The Draft EIR/EIS concludes the proposed action would not contribute substantial emissions of greenhouse gases, nor directly or adversely affect global climate change. This level of analysis is sufficient for the proposed action. Covered Activities may be required to undergo subsequent environmental review and approvals under CEQA (and in some cases NEPA), at which time potential air quality/climate change impacts by Covered Activities would be determined and mitigation provided when required. Additional clarifying text has been added to Section 7.2 of the EIR/EIS.

The most recent draft CEQ guidance (75 Fed. Reg. 8046 [Feb. 23, 2010]) advises agencies to conduct an emissions-related NEPA analysis where that analysis will provide meaningful information to decision-makers and the public. CEQ proposes a reference point of 25,000 metric tons of greenhouse gas emissions per year as a useful indicator that a project may meet the foregoing "meaningful" standard; however, the draft guidance also clarifies that the 25,000 metric tons reference point is neither an absolute standard nor an indicator of a level of emissions that may "significantly" affect the quality of the human environment. Examples of actions that may warrant a discussion of emissions impacts include approval of a large solid waste landfill, approval of energy facilities such as a coal-fired power plant, and authorization of a methane-venting coal mine. The draft guidance cautions agencies about engaging in speculative analyses or attempting to link a particular project to specific climatological changes. The draft guidance discourages agencies from relying on the 25,000 metric tons reference point for use as a measure of indirect effects (for example, the growth-inducing impacts of a project), noting that such an analysis must be bounded by limits of feasibility in evaluating the upstream and downstream effects of federal agency actions. The guidance adheres to NEPA's "rule of reason," which ensures that agencies determine whether and to what extent to prepare their NEPA analysis based on the usefulness of new information to decision-makers and the public.



Although it is not possible to provide quantitative information about future Covered Activities specific emissions, the primary potential source of long-term greenhouse gas emissions would be related to the covered O&M activities within the permit area, principally maintenance vehicles. To help place the magnitude of potential O&M emissions in perspective, 25,000 metric tons would equate to approximately 12.3 million diesel truck miles per year (10.15 kg CO<sub>2</sub>/gal diesel fuel / 0.2 gal/mi for diesel trucks / 25,000 metric tons/yr reference x 1,000 kg/ton = 12,315,271 miles/yr). The actual historic vehicle miles per year associated with proposed Covered O&M activities (approximately 1 million miles per year for all Water Authority vehicles) is less than 10% of the reference point, or about 2,000 metric tons per year. This text was added to the Effects Found Not to be Significant Chapter, Section 7.2 (Air Quality/Climate Change) to provide additional clarification. This revision does not result in a substantial change to the conclusions of the Draft EIR/S.

Covered Species

With respect to the effects of global climate change on species covered by the NCCP/HCP, it is important to recognize the very limited extent and narrow linear nature of the PIZ (described as the linear water supply system located along or close to the Water Authority's rights-of-way and other infrastructure where most of the Covered Activities are expected to occur) and the dispersed distribution of the conserved lands. The Covered Species and habitats inhabiting these relatively small land areas could be affected by climate change through such things as a rise in temperature, increases in the intensity or frequency of flood events, wildfires, or periods of reduced precipitation. Although climate change models indicate that southern California may show appreciable warming, the Draft EIR/EIS concludes that it is difficult to predict the specific effects of climate change, and this is particularly true for species-specific effects. Because of this uncertainty, potential impacts of climate change on the Covered Species is not specifically analyzed in this regional conservation plan; however, as discussed in Section 2.3.2.10 and Appendix B (Sections 6.12.3 and 8.5 of the Draft EIR/EIS), the Water Authority's Plan incorporates an adaptive management program and Changed Circumstances process to deal with the changes and variability of natural systems as they arise. Specifically, the Draft NCCP/HCP outlines a strategy and guidelines that govern any management changes necessary to ensure the long-term protection and conservation of Covered Species or their habitats, including potential impacts that may result from climate change.

Adaptive management activities that are necessary to address the effects of climate change on Covered Species will be coordinated with the Resource Agencies in the context of the regional needs of these species and in concert with the other larger scale conservation plans that are either in place or nearing completion. The Water Authority Plan is a very small part of the larger, regional scale conservation effort within San Diego and Riverside Counties. While this Plan contributes an appropriate share of conservation in the regional context, a

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	<p>long-term response to climate change will depend upon coordinated actions taken by all NCCP/HCP Plans comprising the large-scale regional reserve system. Therefore, the scope and scale of actions proposed in the Draft NCCP/HCP and the level of analysis of climate change in the Draft EIR/EIS is appropriate. No additional changes to the Draft EIR/EIS were made as a result of this comment.</p> <p>F-1-3: As discussed in Section 5.1.2 of the Draft EIR/EIS, the issue of potential direct and indirect growth inducing effects and any associated physical impacts on the environment was addressed in the Water Authority 2003 Regional Water Facilities Master Plan Final EIR, which has been incorporated by reference and is available for review at the Water Authority office. Section 5.2.1 of the Draft EIR/EIS summarizes that document, and concludes that the Plan cannot directly affect or foster growth in the surrounding environment. As stated throughout the Draft EIR/EIS, the Water Authority would conduct the same types of projects and activities under all four alternatives, including the No Action/No Project Alternative. Therefore, implementation of the Draft NCCP/HCP would not affect the nature of growth under any of the alternatives. No changes to the Draft EIR/EIS were made as a result of this comment.</p>
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significant direct or indirect growth-inducing effects. Clarify the nature of growth that would be expected to occur under each of the alternatives considered.

} F-1-3  
(Cont.)

**Clean Water Act Section 404**

EPA commends the Water Authority for the measures already included in the Plan to mitigate the “unavoidable permanent loss of wetlands” that may result from implementing some Covered Activities. These measures, including establishing a Wetlands Program and Vernal Pool Protection Policy, and creating three wetland habitat management areas, demonstrate a proactive commitment to preserving and restoring wetland resources. EPA, however, would like to see additional information in the FEIS that describes how the Water Authority will work with the U.S. Fish and Wildlife Service (FWS) and the U.S. Army Corps of Engineers (Corps) to comply with Section 404 of the Clean Water Act (CWA). We recommend that the FEIS include an example of a potential 404 activity that could be expected to occur in the Covered Area.

} F-1-4

***Recommendation:***

The FEIS should provide additional information explaining how the Water Authority will work with the FWS and the Corps to “ensure that avoidance of impacts to wetlands is considered early in the process,” and how it will comply with the permit requirements of Section 404 of the CWA.

F-1-4: The comment acknowledges the approach to establish a Wetlands Program, Vernal Pool Protection Policy, and wetland HMAs as presented in Section 2.3.2.8.1 of the Draft EIR/EIS. These programs are incorporated into the Draft NCCP/HCP as general measures and species-specific conditions to achieve no-net-loss of wetlands consistent with existing regulations. The issuance of an incidental take permit under section 10 of the ESA covers take of species covered by the Plan to the extent that those impacts are incidental to otherwise lawful activities, but explicitly does not cover any other environmental effects of those activities. No changes to the Draft EIR/EIS were made as a result of this comment.

As discussed in Section 1.5.1 of the Draft EIR/EIS, the NCCP/HCP does not alter requirements to obtain federal Clean Water Act permits when necessary. However, the measures for wetlands preservation and mitigation in Appendix B (Section 6.5) of the Draft EIR/EIS would facilitate future ESA section 7 consultations conducted pursuant to the Clean Water Act, and will be implemented within the Plan Area at the time that planned and future projects are undertaken. Any activity covered by the NCCP/HCP that also requires review or a permit under the Clean Water Act, including impacts to waters of the U.S. or associated wetlands, must be evaluated independently under NEPA, and impacts to wetlands and waters of the U.S. would be addressed to the standards of the Clean Water Act. No changes to the Draft EIR/EIS were made as a result of this comment.

As discussed in Section 4.1.1.3 of the Draft EIR/EIS, wetlands affected by Covered Activities would remain subject to provisions of the Clean Water Act. This would be true for all alternatives, including the No Permit/No Project Alternative. As part of the section 404 permitting process, USACE is required to consult with USFWS for actions which involve impacts to federally listed species. The Draft EIR/EIS concludes that compliance with the federal and state requirements would reduce potential impacts to wetlands from Water Authority projects and activities to below a level of significance. No changes to the Draft EIR/EIS were made as a result of this comment.

## SUMMARY OF EPA RATING DEFINITIONS\*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

### ENVIRONMENTAL IMPACT OF THE ACTION

#### *"LO" (Lack of Objections)*

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### *"EC" (Environmental Concerns)*

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### *"EO" (Environmental Objections)*

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### *"EU" (Environmentally Unsatisfactory)*

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### ADEQUACY OF THE IMPACT STATEMENT

#### *"Category 1" (Adequate)*

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### *"Category 2" (Insufficient Information)*

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### *"Category 3" (Inadequate)*

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.



DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, ARMY CORPS OF ENGINEERS  
San Diego Field Office  
6010 Hidden Valley Road, Suite 105  
Carlsbad, California 92011

July 26, 2010



REPLY TO ATTENTION OF:  
Office of the Chief  
Regulatory Division

Jim Bartel  
U.S. Fish and Wildlife Service  
6010 Hidden Valley Road  
Carlsbad, California 92011

Dear Mr. Bartel:

The United States Army Corps of Engineers (Corps) is providing comments to the U.S. Fish and Wildlife Service (USFWS) on the Draft Environmental Impact Statement (DEIS; March, 2010) of the proposed Habitat Conservation Plan (HCP) for the San Diego County Water Authority (SDCWA) in San Diego County, California (SPL-2010-00676-PJB).

We have reviewed the DEIS and HCP documents, and in general find the documents organized and easy to review. However, we have three concerns regarding the wetland habitat analyses discussed in these documents. First, we are concerned about the methods of determining the level of significance of cumulative impacts to water resources and water quality in San Diego County watersheds (Section 6.3.2 on page 6.5 of the DEIS). The DEIS does not provide a thorough review of the cumulative impacts of wetland habitats as required under NEPA (40 CFR § 1508.7), which includes impacts from existing, past, and proposed future projects. This should be a concern, because the majority of the Federal listed species under the Endangered Species Act of 1973, as amended (ESA), identified in the HCP are found in or use the riparian and wetland habitats under the Corps' jurisdiction. Second, the wetland habitat classifications (Chapter 6, Conservation Plan, Tables 6-6 and 6-7, page 6-40) are not the accepted wetland habitat classifications identified in Federal guidance documents (FWS/OBS-79/31, 1992), and are confusing, or risk being improperly applied under Federal permitting standards. Lastly, the methods used to determine wetland habitat compensatory ratios by the USFWS (Chapter 6) are unclear, and may be inconsistent with the Federal Mitigation Rule (33 CFR Parts 325 and 332 and 40 CFR Part 230).

F-2-1

F-2-2

F-2-1: The comment requests clarification regarding the method for determining the level of significance of cumulative impacts of wetland habitats as required under NEPA in the Draft EIR/EIS. As discussed in Section 6.1 of the Draft EIR/EIS, NEPA (40 CFR Section 1508.7) provides the definition of cumulative impacts as those impacts which can result from individually minor, but collectively significant, actions taking place over a period of time.

As stated in Section 6.1 of the Draft EIR/EIS, cumulative impacts are defined as the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions. Specifically, Section 6.3.1 of the Draft EIR/EIS addresses cumulative impacts on biological resources, including wetlands. As discussed in Section 2.3.2.4 of the Draft EIR/EIS, individual Water Authority activities could result in unavoidable permanent impacts to wetlands. The Plan Minimization Measures presented in Section 2.3.2.7 of the Draft EIR/EIS will assure that impacts to wetlands will be minimized. In addition, the Wetland Protection and Mitigation Program described in Section 2.3.2.8.1 of the Draft EIR/EIS is designed to protect wetland habitats and associated narrow endemic species, and achieve no-net-loss of wetlands. All these efforts will work towards the goal of minimizing impacts to wetlands and watersheds.

Based on the commitment to undertake the minimization and mitigation measures noted above, cumulative impacts to wetland habitat, water quality, and water resources would be reduced to a level less than significant through the Water Authority's no-net-loss of wetlands approach and contribution to the region's interconnected habitat preserve that will be assembled in combination with established mitigation requirements and other regional habitat conservation plans, and through the long-term adaptive management of areas conserved by these plans.

No new impacts were identified, and no changes to the Draft EIR/EIS were made as a result of this comment.

F-2-2: The comment identifies potential inconsistency with the federal wetland habitat classifications. The vegetation classification shown in Section 3.2 (Table 3-1) and Section 4.1.1.2 (Table 4-6) of the Draft EIR/EIS are consistent with the classifications used in NCCP/HCP analyses throughout southern California and were selected to provide a simplified and effective implementation mechanism for integrating the Water Authority Plan with other plans in the region. The USACE California Banking Enabling Instrument template specifically allows for the use of habitat nomenclature that is consistent with regional NCCPs or HCPs when considering covered species/habitat credits. The specific nomenclature used in the Plan is further clarified in Appendix B (Section 4.2, Table 4-2) of the Draft EIR/EIS, which is a crosswalk between various accepted classifications of vegetation communities in major NCCP/HCPs. When processing wetland permits with USACE, the Water Authority will provide a similar crosswalk with the wetland habitat classification specified by the

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	<p>relevant federal or state agency.</p> <p>As discussed in Section 4.1.1.2 (Table 4.8) of the Draft EIR/EIS, the compensatory ratios identified in the Plan are also consistent with those developed for other regional conservation planning efforts in San Diego County and are intended to specifically address the standards for meeting the requirements of the ESA and NCCPA. However, as discussed in Section 4.1.1.3 of the Draft EIR/EIS, wetland mitigation for actions covered in the Plan would still be subject to any specific regulatory requirements beyond the incidental take coverage provided by this Plan. Impacts to waters or wetlands resources regulated by state or federal agencies would be subject to the review and analysis with respect to the appropriate permitting standards of those agencies, including the determination of alternative compensatory ratios.</p> <p>No changes to the Draft EIR/EIS were made as a result of this comment.</p>
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LETTER

RESPONSE

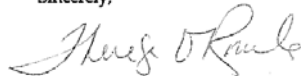
-2-

Please schedule a meeting with my staff to address these concerns. Additionally, we invite the USFWS to participate with us in our review of the proposed SDCWA Programmatic General Permit (PGP) for the covered projects under the HCP. This effort would also ensure consistency of the HCP with Federal guidelines for Corps approved wetland impact authorizations under a PGP.

F-2-3

If you have any questions, please contact Peggy Bartels of my staff at 760-602-4832 or via e-mail at [Peggy.I.Bartels@usace.army.mil](mailto:Peggy.I.Bartels@usace.army.mil). Please refer to this letter and SPL-2010-00676-PJB in your reply.

Sincerely,



Therese O'Rourke  
Chief, South Coast Branch  
Regulatory Division  
U.S. Army Corps of Engineers,  
Los Angeles District

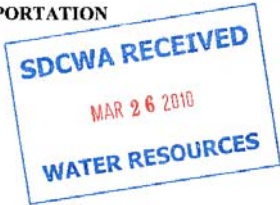
cc Larry Purcell, San Diego County Water Authority  
Dave Mayer, California Department of Fish and Game  
Chiara Clemente, Regional Water Quality Control Board  
Jason Brush, Environmental Protection Agency

F-2-3:

The comment extends an invitation to the USFWS to participate in the review process of the Programmatic General Permit for Covered Projects under the Plan. The USFWS appreciates the invitation and will coordinate with USACE as appropriate. No changes to the Draft EIR/EIS were made as a result of this comment.

DEPARTMENT OF TRANSPORTATION

District 11  
PLANNING DIVISION  
4050 TAYLOR STREET, M.S. 240  
San Diego, CA 92110  
PHONE (619) 688-6960  
FAX (619) 688-4299  
TTY 711



Flex your power!  
Be energy efficient!

March 17, 2010

Riv.-SD-Var.

Mr. Bill Tippets  
San Diego County Water Authority (SDCWA)  
4677 Overland Avenue  
San Diego, CA 92123

RE: State Clearing House No. 2003121012

Dear Mr. Tippets:

The California Department of Transportation (Caltrans) has reviewed the Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS) for the San Diego County Water Authority Draft Subregional Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP).

The Draft EIR/EIS illustrates that the proposed Project will not result in direct or cumulative traffic impacts to State Facilities in Riverside and San Diego counties. Additionally, Section 7.11 states the following:

Water Authority activities under each of the alternatives, including construction of water supply facilities and vehicular use during construction and conducting O&M Activities, are not expected to significantly impact existing or planned transportation facilities. Pipeline projects and ancillary support facilities have flexibility to be designed and constructed to avoid and minimize potential impacts to transportation facilities. Implementation of any of the alternatives is not expected to increase traffic congestion, affect levels of service, increase the need for parking, preclude development of planned roadways, or increase safety risks or affect emergency access. Potential transportation and circulation impacts by Covered Activities will be determined and mitigation provided through subsequent environmental review and approvals, when required.

If future construction activity impedes into the State right-of-way an Encroachment Permit will be required. When such activity occurs please forward all applicable plans, to Caltrans District 8, and/or District 11 for review.

Additional information on Encroachment Permits for District 8 may be obtained at:  
Encroachment Permits Department, 464 W. 4th Street, MS 619, San Bernardino, CA 92401-1400, Phone (909) 383-4526, Fax: (909) 383-4224 or  
<http://www.dot.ca.gov/hq/traffops/developscrvt/permits/>

"Caltrans improves mobility across California"

S-1-1

S-1-2

S-1-1: The comment acknowledges that there are no significant/adverse direct or cumulative impacts to traffic caused by the proposed project or any of the proposed alternatives. As discussed in Section 7.11 of the Draft EIR/EIS, the proposed alternatives are not expected to directly generate any traffic or result in any transportation related issues; however, potential transportation and circulation impacts by Covered Activities will be determined during subsequent environmental review and approvals at the time that specific design plans are available. No changes to the Draft EIR/EIS were made as a result of this comment.

S-1-2: The comment notes that an encroachment permit would be required for any direct or indirect effects of construction in a Caltrans right of way. No changes to the Draft EIR/EIS were made as a result of this comment.

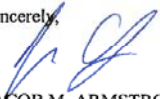


Mr. Tippets  
March 17, 2010  
Page 2

Additional information on Encroachment Permits for District 11 may be obtained at:  
Encroachment Permits Department, 4050 Taylor Street, MS 110, San Diego, CA 92110, **Phone:**  
(619) 688-6158, **Fax:** (619) 688-6157 or <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

If you have any questions, or require further information, please contact Eric Bassell, at (619) 688-6075 or via e-mail at [Eric\\_Bassell@dot.ca.gov](mailto:Eric_Bassell@dot.ca.gov).

Sincerely,



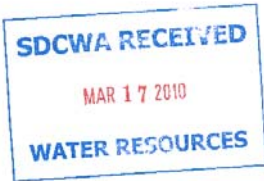
JACOB M. ARMSTRONG, Chief  
Development Review Branch, District 11



**San Diego County Archaeological Society, Inc.**

Environmental Review Committee

15 March 2010



To: Mr. Bill Tippetts  
Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, California 92123-1233

Subject: Draft Environmental Impact Report and Environmental Impact Statement  
Natural Communities Conservation Plan and Habitat Conservation Plan

Dear Mr. Tibbets:

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

Based on the information contained in the DEIR/DEIS, we agree that the project is unlikely to result in adverse impacts to cultural resources. Therefore, we also agree that no cultural resources mitigation measures are required.

} L-1-1

Thank you for providing this project's environmental documents to SDCAS for our review and comment.

Sincerely,

*James W. Royle, Jr.*  
James W. Royle, Jr., Chairperson  
Environmental Review Committee

cc: SDCAS President  
File

L-1-1: The comment acknowledges that no impacts to cultural resources were identified and no mitigation would be required. As discussed in Section 7.4 of the Draft EIR/EIS, none of the proposed alternatives would directly affect cultural resources or obstruct or interfere with any existing plans that manage regional cultural resources. In addition, potential cultural resources impacts by Covered Activities would be determined at the time that specific design plans are available during subsequent environmental review and approvals (including consultation under section 106 of the National Historic Preservation Act), when required. No changes to the Draft EIR/EIS were made as a result of this comment.



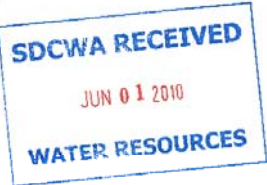
County of San Diego

ERIC GIBSON  
DIRECTOR

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666  
INFORMATION (858) 684-2980  
TOLL FREE (800) 411-0017  
www.sdcountry.ca.gov/plu

May 28, 2010



Mr. Bill Tippets, Principal Water Resource Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, California 92123-1233  
Via Email: [btippets@sdcwa.org](mailto:btippets@sdcwa.org)

Mr. Jim Bartel, Field Supervisor  
U.S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road, Suite 101,  
Carlsbad, CA 92011  
Via Email: [Jim\\_bartel@fws.gov](mailto:Jim_bartel@fws.gov)

**COMMENTS ON THE SAN DIEGO COUNTY WATER AUTHORITY'S DRAFT  
HCP/NCCP AND EIR/EIS**

The County of San Diego (County) Department of Planning and Land Use has reviewed the San Diego County Water Authority's Draft HCP/NCCP and EIR/EIS released for public review by the U.S. Fish and Wildlife Service (USFWS) on March 4, 2010. We appreciate this opportunity to comment on the draft plan and associated EIR/EIS. Among the areas affected by the proposed HCP/NCCP are unincorporated lands located within the federally and state permitted San Diego County Multiple Species Conservation Program (MSCP) South County Subarea Plan (South County Plan) and unincorporated lands subject to an ongoing regional habitat conservation planning effort in the northern portion of the County, the MSCP North County Plan (North County Plan) and MSCP East County Plan (East County Plan). The County submits the following comments regarding the lands within the County's jurisdiction.

**HCP/NCCP Conservation Plan Coordination**

To ensure that conservation of sensitive species and habitats within the County occurs in an efficient manner, it is essential that there be coordination between entities with HCP/NCCP Plans. This is particularly true in the case of the San Diego County Water

} L-2-1

L-2-1: The comment encourages coordination among NCCP/HCP plans to maximize conservation effectiveness. As discussed in Section 4.1.1.5 and in Appendix B (Sections 3.4 and 6.5) of the Draft EIR/EIS, the Water Authority will coordinate with the Wildlife Agencies to ensure minimal impacts to other preserve or NCCP/HCP Plans as a result of Covered Activities. No changes to the Draft EIR/EIS were made as a result of this comment.

San Diego County Water Authority  
 May 28, 2010  
 Page 2 of 3

Authority (SDCWA) which holds fee title to very few of the lands proposed to be covered under this HCP/NCCP. Many of the impacts proposed to be covered under the SDCWA Plan are likely to occur on lands within the land-use jurisdiction of the County that are part of the County's current and draft HCP/NCCP plans. Therefore, it is of utmost importance that the actions proposed for coverage under the SDCWA Plan do not undermine the conservation of sensitive species and habitats proposed by the County's HCP/NCCP plans within which the SDCWA Plan occurs. To this end the County recommends the following measures be added to the SDCWA draft HCP/NCCP to ensure adequate coordination between the SDCWA and the County:

L-2-1  
 (Cont.)

**1. Section 6.4.2.1: Planning and Coordination**

When the proposed actions occur within County owned or managed preserves or within MSCP Pre-Approved Mitigation Areas (PAMA), or Focused Conservation Areas (FCA), the SDCWA will coordinate with the County during the early phase of project planning. This coordination is designed to identify any specific concerns and potential alternatives, and to collect information regarding potential Covered Activities that may affect Water Authority planning and decision making.

L-2-2

**2. Sections: 6.4.2.2 Facility Siting, 6.4.2.3 Pipeline Siting, 6.4.2.7 New Access Roads**

All siting of facilities, pipelines, new access roads, or any other activities that may permanently affect County owned/managed preserves or PAMA/FCA lands should be coordinated with the County. This coordination is necessary to ensure that the proposed activities do not significantly affect the functions and values of these lands and that the County can still achieve the goals and objectives of County MSCP plans.

L-2-3

**3. Section 6.5: Plan Mitigation Measures**

All mitigation for permanent impacts that occur within a County MSCP Plan area should occur within that Plan area.

L-2-4

**4. Section 6.6 Habitat Restoration Program**

Restoration site performance criteria and monitoring methods should be developed in consultation with the County when the restoration is within a County owned or managed preserve or within a MSCP PAMA or FCA.

L-2-5

L-2-2: As discussed in Sections 4.3.1.1 and 4.1.1.5 of the Draft EIR/EIS, the Water Authority would adhere to provisions of the NCCP/HCP for all Covered Activities in the Plan Area, including an evaluation of compatibility with preserve and environmentally sensitive lands. This evaluation will occur as part of project development and will include early coordination with the Wildlife Agencies to identify any specific concerns and potential alternatives. Additionally, as discussed in Appendix B (Section 3.4) of the Draft EIR/EIS, the Water Authority will seek the concurrence of the Wildlife Agencies that a proposed Covered Activity is compatible within preserved lands. Standard practices of the Water Authority include coordination with the landowner where a project is proposed, which would include the County of San Diego when applicable. In addition, implementation of the proposed Plan would not relieve the Water Authority of the requirement to comply with CEQA. The CEQA process requires the Water Authority to evaluate individual proposed projects for conformance with other NCCPs or HCPs, and provides a mechanism for public review of proposed activities. No changes to the Draft EIR/EIS were made as a result of this comment.

L-2-3: See response to Comment L-2-2. No changes to the Draft EIR/EIS were made as a result of this comment.

L-2-4: As discussed in Section 2.1.2 of the Draft EIR/EIS, the Water Authority has established approximately 1,920 acres as a Preserve Area. These lands are geographically distributed to ensure that conservation is provided in accordance with the regional nature of the Water Authority's activities and complement existing regional conservation planning efforts by the County, as well as others. Because of the linear nature of regional water delivery systems that overlap multiple jurisdictions and plan areas (including the County MSCP), the creation of this regional preserve system provides an efficient mechanism for the Water Authority to comply with the ESA and NCCPA while also contributing to the regional conservation of Covered Species. The Water Authority Plan covers the entire western portion of San Diego County; general and species-specific measures in the Plan ensure that impacts to any Covered Species would be mitigated within San Diego County, thereby achieving the goal of adequately conserving and managing conserved species. Consequently, it is not necessary to locate mitigation within any specific plan area. Also, Section 4.1.1.5 of the Draft EIR/EIS discusses how this Plan anticipates coordinating with and achieving compatibility with other plans. No changes to the Draft EIR/EIS were made as a result of this comment.

As discussed in Appendix B (Section 8.3.1) of the Draft EIR/EIS, if the existing Preserve Area does not support the required Covered Species and/or habitat, the Plan includes provisions for augmenting available mitigation habitat credits, adding to the Preserve Area or other approved preserve lands, or providing funds for additional preserve/reserve area acquisitions and/or management that supplement existing conservation requirements. The Water Authority may look for mitigation lands and/or bank credits within the local jurisdiction, including the

LETTER

RESPONSE

	<p>County MSCP Plan Area, where the impacts would occur, but this is not a requirement in the Draft NCCP/HCP. No changes to the Draft EIR/EIS were made as a result of this comment.</p> <p>L-2-5: As discussed in Appendix B (Section 6.6) of the Draft EIR/EIS, restoration site performance criteria and monitoring methods will be developed in consultation and concurred with by the Wildlife Agencies. In addition, as stated in response to Comment L-2-2, standard practices used by the Water Authority include coordination with the land use agency and landowner where a project is proposed. Where the Water Authority proposes a Covered Activity within a preserved area and restoration is required, the Water Authority would coordinate with the preserve manager. These measures will ensure that the Draft NCCP/HCP addresses the concerns of the County as they relate to protection of preserve lands. No changes to the Draft EIR/EIS were made as a result of this comment.</p>
--	--

San Diego County Water Authority  
May 28, 2010  
Page 3 of 3

**5. Section: 6.6.1 Restoration Areas Not Subject to Future Disturbance**

Restoration plans for each restoration project should be prepared and submitted to the County for their review and concurrence when the restoration is within a County owned or managed preserve or within a MSCP PAMA or FCA.

L-2-6

L-2-6: See response to Comment L-2-5. No changes to the Draft EIR/EIS were made as a result of this comment.

**Proposed Conservation: Covered Species Analysis Appendix B**

Mitigation for impacts to covered species, especially those identified as narrow endemics, which occur within a County MSCP Plan area, should occur within that Plan area.

L-2-7

L-2-7: See response to Comment L-2-4. No changes to the Draft EIR/EIS were made as a result of this comment.

**Minor Comments**

Throughout both the Draft HCP/NCCP and the EIR/EIS, reference to the County's MSCP Plans is confusing (i.e., County MSCP plans are referenced differently in Figure 3-1 and the immediately preceding Table 3-1). Please use the following guide to update references to the County's HCP/NCCP efforts:

L-2-8

L-2-8: The text in Section 6.2 (Table 6-1) and Appendix B (Section 3.2.1, Table 3-1, and Figure 3-1) of the Draft EIR/EIS has been revised for consistency in referencing the County's MSCP efforts. These revisions do not result in a substantial change to the conclusions of the Draft EIR/EIS.

Multiple Species Conservation Program = MSCP  
MSCP is developing/implementing three HCP/NCCP plans:

- 1. MSCP South County Subarea Plan: adopted 1998
- 2. Draft MSCP North County Plan: In process
- 3. Draft MSCP East County Plan: In process

The County urges careful consideration of these comments to ensure that regional conservation efforts are not impeded by the implementation of the SDCWA HCP/NCCP. The County is willing to share any information that may be helpful to the process, including biological information and information regarding the MSCP or County Parks. Thank you for considering the County's comments. Please contact Jared Underwood at [jared.underwood@sdcounty.ca.gov](mailto:jared.underwood@sdcounty.ca.gov) or 858-694-2964 with any inquiries.

Sincerely,



ERIC GIBSON, Director  
Department of Planning and Land Use

cc: Priscilla Jaskowiak, Administrative Secretary, DPLU (via email)  
LeAnn Carmichael, Planning Manager, DPLU (via email)

**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

INDIAN WELLS  
(760) 568-2611

IRVINE  
(949) 263-2600

LOS ANGELES  
(213) 617-6100

ONTARIO  
(909) 989-8584

655 West Broadway, 15th Floor  
San Diego, California 92101  
(619) 525-1300  
(619) 233-6118 Fax  
BBKlaw.com

RIVERSIDE  
(951) 686-1450

SACRAMENTO  
(916) 325-4000

WALNUT CREEK  
(925) 977-3300

**Lindsay D. Puckett**  
(619) 525-1378  
Lindsay.Puckett@bbklaw.com  
File No. 60076.00011

June 2, 2010

**Via E-Mail btippets@sdewa.org  
& FACSIMILE (858) 268-7881**

Bill Tippets  
Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123

**Via Mail  
& FACSIMILE (760) 431-5902**

Jim Bartel  
Field Supervisor  
U.S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road, Suite 101  
Carlsbad, CA 92011

Re: San Diego County Water Authority Natural Community Conservation  
Plan/Habitat Conservation Plan and Draft EIR/EIS

Dear Messrs:

This letter is on behalf of Sweetwater Authority, Helix Water District, and Padre Dam Municipal Water District as Partners in the Joint Water Agencies Natural Community Conservation Plan/Habitat Conservation Plan ("JWA Plan") that is in progress.<sup>1</sup> The Partners appreciate the opportunity to comment on the San Diego County Water Authority's Natural Community Conservation Plan/Habitat Conservation Plan ("Water Authority Plan") and associated Environmental Impact Report/Environmental Impact Statement (EIR/EIS). While the Partners are supportive of the Water Authority Plan, the Partners would like to confirm that the Water Authority Plan does not conflict with the JWA Plan and to clarify the status of the JWA Plan.

The Water Authority Plan Area covers approximately 992,000 acres in the western third of San Diego County and along three water pipeline corridors in southwestern Riverside County extending north from the San Diego County line to Lake Skinner and Diamond Valley Reservoir. Significantly, Section 1.3.2 of the Water Authority Plan states that it "will cover Water Authority activities conducted within the Plan Area [] and will function

L-3-1

<sup>1</sup> Earlier this year Otay Water District became the fourth partner in the JWA Plan.

SDPUBL.PUCKETT1396584.3

L-3-1: The comment requests confirmation of relationship between Water Authority Preserve Areas and Joint Water Agencies Partner-owned lands. As discussed in Section 2.1.2.1 of the Draft EIR/EIS, the Water Authority Preserve Area does not include any lands owned by the Joint Water Agency Partners (including Otay Water District). These lands are described in detail in Appendix B (Section 6.8) of the Draft EIR/EIS. The Water Authority NCCP/HCP would have no affect on the use of Joint Water Agency Partner preserved lands for mitigation/conservation under the JWA Plan. In the case of Partner lands which fall within a Water Authority easement, implementation of Covered Activities by the Water Authority would occur under the Water Authority Plan. Also, Section 4.1.1.5 of the Draft EIR/EIS discusses how this Plan anticipates coordinating with and achieving compatibility with other plans. No changes to the Draft EIR/EIS were made as a result of this comment.

**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Bill Tippets, San Diego Water Authority  
June 2, 2010  
Page 2

independently of the NCCPs and/or HCPs of local governments or other water districts (e.g., Joint Water Agencies [JWA] NCCP/HCP) that overlap the Plan Area. Where Covered Activities are conducted within easements, permits issued pursuant to this Plan shall apply only to Water Authority Covered Activities, and are not conveyed to the underlying property owner.” Section 3.1 also states that “the Water Authority’s Plan was developed to function as an independent permitting process for Water Authority project and activities (i.e., Covered Activities), but one that is consistent with and complementary to other plans.”

L-3-1  
(Cont.)

In accordance with the above provisions, the Partners would like to confirm that the Water Authority Plan does not include any of the lands owned by the Partners (including Otay Water District) in the Preserve Area or treat such lands as potential mitigation or conservation for Water Authority projects or activities. Such lands are included within the JWA Study Area; are intended to be covered through take permits received under the JWA Plan; and will serve as mitigation/conservation only for Partner projects and activities. The only exception to this rule is if such Partner lands fall within a Water Authority easement; in such instance, any necessary incidental take permits for species impacts are the sole responsibility of the Water Authority.

In addition, the Partners would like to clarify the description of the JWA Plan in Section 3.2.4 of the Water Authority Plan. In January 2010, Otay Water District accepted the Partners’ offer to become a full partner in the JWA Plan at this juncture rather than through the amendment process after completion of the JWA Plan. Otay Water District will comply with the same independent scientific review and public outreach requirements and will receive take permits under the same terms and conditions as the Partners who initiated the JWA Plan (i.e., no planning agreement is being prepared). The Partners request that the Water Authority revise Section 3.2.4, as well as any other provisions of the Water Authority Plan or EIR/EIS referencing the JWA Plan, consistent with this letter.

L-3-2

L-3-2: The text in Appendix B (Section 3.2.4) of the Draft EIR/EIS has been revised to include Otay Water District as a Joint Water Agencies Partner. This revision does not result in a substantial change to the conclusions of the Draft EIR/EIS.

The Partners welcome the opportunity to provide any additional information regarding the JWA Plan and their lands upon request. If you have any questions, please do not hesitate to contact me.

Sincerely,



Lindsay D. Puckett  
for BEST BEST & KRIEGER LLP

cc: Via e-mail only  
Lucy Galvin, Helix Water District  
Tim Smith, Helix Water District  
Mary Lindquist, Padre Dam Municipal Water District  
Pete Famolaro, Sweetwater Authority  
Rick Alexander, The Rick Alexander Company

SDPUBLPUCKETT396584.3

The text in Section 6.2 (Table 6-1) and Appendix B (Table 3-1) of the Draft EIR/EIS has been revised to list the Otay Water District Subarea Plan under the Joint Water Agencies Plan. No further revisions were needed, and these changes do not result in a substantial change to the conclusions of the Draft EIR/EIS.



LETTER

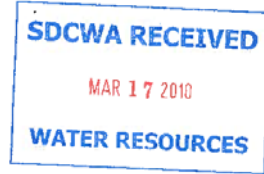
RESPONSE

**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Bill Tippetts, San Diego Water Authority  
June 2, 2010  
Page 3

Dr. Scott Fleury, ICF Jones & Stokes  
Pat Atchison, TAIC  
Derek Langsford, TAIC  
Aerobel Banuelos, GCR, Inc.  
Lisa Coburn-Boyd, Otay Water District  
Steve Anderson, Best Best & Krieger LLP  
Paula de Sousa, Best Best & Krieger LLP  
Scott Smith, Best Best & Krieger LLP

SDPUB\LPUCKETT\396584.3



To: jim\_bartel@fws.gov, hope\_grey@fws.gov, americanvoices@mail.house.gov, comments@whitehouse.gov  
 From: bk1492@aol.com  
 Date: 03/17/2010 02:00PM  
 Subject: public comment on federal register

i oppose the plan as presented by the san diego county water authority for habitat conservation plan. it is not a sound plan. it decimates endangered species for no good reason. b kero 8 winterberry court whitehouse station nj 08889 } I-1-1  
 gov pulse

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San Diego County Water Authority Natural Communities Conservation Program/Habitat Conservation Plan, San Diego and Riverside Counties, CA Summary

The San Diego County Water Authority (Water Authority/ Applicant) has applied to us, the U.S. Fish and Wildlife Service (Service), for an incidental take permit under the Endangered Species Act of 1973, as amended (Act). The Applicant is requesting a permit to incidentally take 37 animal species and seeking assurances for 27 plant species (including 19 Federally listed species) during the term of the proposed 55-year permit. The permit is needed to authorize take of listed animal species due to construction, operations, and maintenance activities in the approximately 992,000-acre (401,450-hectare) Plan Area in western San Diego County and south-central Riverside County, California . We are requesting public comment on the Draft Water Authority Natural Communities

I-1-1: The comment states opposition to the Plan because it decimates endangered species. However, specific examples to support the comment were not provided. As discussed in Section 1.2.2 of the Draft EIR/EIS, the Plan is designed to provide enhanced protections for threatened and endangered species and their habitat while allowing for necessary Water Authority activities. No new impacts were identified, and no changes to the Draft EIR/EIS were made as a result of this comment.

Conservation Program/Habitat Conservation Plan (NCCP/HCP), Draft  
Implementing Agreement, and Draft Environmental Impact  
Report/Environmental Impact Statement (EIR/EIS).

Details

Publication Date:

Thursday, March 04, 2010

Federal Register Document Number:

2010-4468

Publishing Agency:

Department of the Interior

Dates:

Please send written comments on or before June 2, 2010.

Comments Close:

06/02/2010

Action:

Notice Of Availability Of Draft Environmental Impact Report/  
Environmental Impact Statement, Receipt Of Incidental Take Permit  
Application, And Notice Of Public Meetings.

Genre:

Article

Part Name:

Notices

Entry Type:

Notice

Other Formats:

html | text | pdf

Length:

3

Start Page:

9921

End Page:

9923

Table of Contents

Availability of Documents

Background

National Environmental Policy Act Compliance

Public Comments

Reasonable Accommodation

Please send written comments on or before June 2, 2010.

Two public meetings have been scheduled for the EIR, and we will accept  
comments for the EIS at these meetings. These public meetings will be held  
on the following dates:

1. March 17, 2010, 7 p.m. to 9 p.m., Escondido, CA.

2. March 18, 2010, 7 p.m. to 9 p.m., San Diego CA.

Please send written comments to Mr. Jim Bartel, Field Supervisor, U.S.  
Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 6010 Hidden  
Valley Road, Suite 101, Carlsbad, CA 92011. You may also submit comments  
by facsimile to (760) 431-5902.

Information and comments related specifically to the draft EIR and the  
California Environmental Quality Act should be submitted to Mr. Bill  
Tippets, San Diego County Water Authority, 4677 Overland Avenue, San  
Diego, CA 92123.

The public meeting locations are:

1. Escondido: Escondido City Hall, Mitchell Room, 201 North Broadway,  
Escondido, CA 92025.

2. Kearney Mesa: San Diego County Water Authority, 4677 Overland Avenue,  
San Diego, CA 92123.

## Availability of Documents ¶

Documents available for public review include the Water Authority's permit application, the Public Review Draft NCCP/HCP and Appendices, the accompanying Draft Implementing Agreement, and the Draft EIR/EIS.

For copies of the documents, please contact the Service by telephone at (760) 431-9440, or by letter to the Carlsbad Fish and Wildlife Office ( see FOR FURTHER INFORMATION CONTACT ). Copies of the Draft Water Authority NCCP/HCP, Draft EIR/EIS, and Draft Implementing Agreement also are available for public review, by appointment, during regular business hours, at the Carlsbad Fish and Wildlife Office or at the San Diego County Water Authority Office (4677 Overland Avenue, San Diego, California 92123). Copies are also available for viewing in select San Diego County and Riverside County public libraries (listed below) and at the Water Authority's Web site: <http://www.sdcwa.org/> .

1. Carlsbad Public Library-Reference Desk. 1775 Dove Lane, Carlsbad, CA 92009.
2. Chula Vista Public Library-Reference Desk. 365 F Street, Chula Vista, CA 91910.
3. Escondido Public Library-Reference Desk. 239 S. Kaimia Street, Escondido, CA 92025.
4. Lakeside Public Library-Reference Desk. 9839 Vine Street, Lakeside, CA 92040.
5. Mission Valley Branch Library-Reference Desk. 2123 Fento Parkway, San Diego, CA 92108.
6. San Diego Public Library-Reference Desk. 820 E Street, San Diego, CA 92101.
7. Temecula Public Library-Reference Desk. 30600 Pauba Road, Temecula, CA 92592.

## Background ¶

Section 9 of the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 et seq. ), and Federal regulations prohibit the "take" of fish and wildlife species Federally listed as endangered or threatened. Take of Federally listed fish or wildlife is defined under the Act as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species, or attempt to engage in such conduct ( 16 U.S.C. 1538 ). "Harm" includes significant habitat modification or degradation that actually kills or injures listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering ( 50 CFR 17.3 (c) ). Under limited circumstances, we may issue permits to authorize incidental take, which is defined under the Act as take that is incidental to, and not the purpose of, otherwise lawful activities. Although take of plant species is not prohibited under the Act, and therefore cannot be authorized under an incidental take permit, plant species are proposed to be included on the permit in recognition of the conservation benefits provided to them under the NCCP/HCP. Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22, respectively. All species included on the incidental take permit, if issued, would receive assurances under the Service's "No Surprises" regulation ( 50 CFR 17.22 (b)(5) and 17.32(b)(5) ).

The Applicant seeks incidental take authorization for 37 animal species and assurances for 27 plant species. Collectively the 64 listed and unlisted species are referred to as "Covered Species" by the NCCP/HCP and include 27 plant species (6 endangered, 5 threatened, and 16 unlisted); 5 invertebrate species (3 endangered and 2 unlisted); 2 amphibian species (1 endangered and 1 unlisted); 9 reptile species (all unlisted); 13 bird species (2 endangered, 1 threatened, and 10 unlisted); and 8 mammal species (1 endangered and 7 unlisted). The permit would provide take

authorization for all animal species and assurances for all plant species identified by the NCCP/HCP as "Covered Species." Take authorized for listed covered animal species would be effective upon permit issuance. For currently unlisted covered animal species, take authorization would become effective concurrent with listing, should the species be listed under the Act during the permit term.

The proposed permit would include the following eight Federally listed animal species: Stephens' kangaroo rat (*Dipodomys stephensi*; endangered), least Bell's vireo (*Vireo bellii pusillus*; endangered), coastal California gnatcatcher (*Poliophtila californica californica*; threatened), southwestern willow flycatcher (*Empidonax traillii extimus*; endangered), arroyo toad (*Anaxyrus (=Bufo) californicus*; endangered), Quino checkerspot butterfly (*Euphydryas editha quino*; endangered), Riverside fairy shrimp (*Streptocephalus woottoni*; endangered), and San Diego fairy shrimp (*Branchinecta sandiegoensis*; endangered). The proposed permit would include assurances for the following 11 Federally listed plant species: Encinitas baccharis (*Baccharis vanessae*; threatened), Munz's onion (*Allium munzii*; endangered), Otay mesa mint (*Pogogyne nudiuscula*; endangered), Otay tarplant (*Deinandra conjugens*; threatened), San Diego ambrosia (*Ambrosia pumila*; endangered), San Diego button-celery (*Eryngium aristulatum* var. *parishii*; endangered), San Diego mesa mint (*Pogogyne abramsii*; endangered), San Diego thorn-mint (*Acanthomintha ilicifolia*; threatened), spreading navarretia (*Navarretia fossalis*; threatened), thread-leaved brodiaea (*Brodiaea filifolia*; threatened), and willow monardella (*Monardella viminea*; endangered). See the Draft EIR/EIS and NCCP/HCP for information on unlisted species proposed for coverage under the permit.

The Draft Water Authority NCCP/HCP is intended to protect and sustain viable populations of native plant and animal species and their habitats in perpetuity through avoidance, minimization, and mitigation measures, including purchase of lands for permanent conservation and use of mitigation credits in mitigation banks previously established to address mitigation requirements associated with the proposed NCCP/HCP. The proposed NCCP/HCP and permit would accommodate the Water Authority's ongoing operations and maintenance requirements, future facility upgrades, and construction of new facilities that are needed to maintain a safe, reliable water source to its member agencies and the San Diego region. The Water Authority's NCCP/HCP Plan Area encompasses approximately 992,000 acres (481,450 hectares) in western San Diego County and the vicinity of Lake Skinner in south-central Riverside County. The NCCP/HCP is intended to function independently of other HCPs within the San Diego region (e.g., San Diego Multiple Species Conservation Plan [MSCP] and its associated subarea plans, and Western Riverside County's Multiple Species Habitat Conservation Plan [MSHCP]).

As described in the Draft NCCP/HCP and the Draft EIR/EIS, the proposed NCCP/HCP would provide protection measures for species on Water Authority property and easements, in part by using available mitigation credits from mitigation banks previously established or in planning by the Water Authority as habitat management areas (HMAs). Covered activities, including planned and future projects, are estimated to impact up to 373 acres (151 hectares) of habitat for Covered Species that will require mitigation over the 55-year term of the Permit. When on-site mitigation for permanent impacts is not feasible, available mitigation credits would be debited from HMAs in accordance with in-kind mitigation ratios identified in the NCCP/HCP. The Water Authority has established five HMAs (including three upland properties and two wetland creation properties) totaling 1,920 acres (775 hectares) and has set up endowments for

long-term management of these areas. Of these acres, approximately 700 acres (283 hectares) would be available as credits to mitigate for project impacts to Covered Species. Costs associated with the NCCP/HCP would be funded as a capital cost under the Water Authority Capital Improvement Program's (CIP) Mitigation Program or within individually approved CIP project budgets, and/or the annual operating budget of the Water Authority's Water Resources Department. The Water Authority estimates its long-term financial needs based on the CIP and has adopted a 2-year budget cycle to address short-term funding and expenditures. Also, contingency measures have been identified should the Water Authority's costs to implement, monitor, and report on the NCCP/HCP's measures exceed the budgeted amount. The Water Authority maintains a diverse revenue base and consistently evaluates existing and potential revenue sources to ensure that funding of all Water Authority projects is adequate.

The NCCP/HCP includes measures to avoid and minimize incidental take of the Covered Species, emphasizing project design modifications to protect Covered Species and their habitats. A monitoring and reporting plan would gauge the Plan's success based on achievement of biological goals and objectives and would ensure that conservation keeps pace with development. The NCCP/HCP also includes a management program, including adaptive management, which allows for changes in the conservation program if the biological species objectives are not met, or new information becomes available to improve the efficacy of the NCCP/HCP's conservation strategy. Covered Activities would include developing new water transmission, storage, and flow management facilities, in addition to conducting operation and maintenance activities. These Covered Activities fall under five categories, including:

- (1) Construction of Capital Improvement Program Facilities;
- (2) Operation and Maintenance Activities;
- (3) Right-of-Way Activities;
- (4) Urgent Repair Procedures; and
- (5) Emergency Repair Procedures.

National Environmental Policy Act Compliance :

The Draft EIR/EIS analyzes three alternatives in addition to the proposed action ( i.e., permit issuance based on the Draft Water Authority NCCP/HCP) described above. The other alternatives include a no-action ( i.e., no permit) alternative, a larger species list alternative, and a reduced plan area alternative. Two other alternatives were considered during the planning process, but were not evaluated in the Draft EIS, because neither met the purpose and need of both the Water Authority and the Service; these alternatives involved a no-take alternative and an alternative requiring the Water Authority to participate in other existing regional HCPs.

Public Comments :

The Service and Water Authority invite the public to comment on the Draft NCCP/HCP, Draft Implementing Agreement, and Draft EIR/EIS during a 90-day public comment period beginning the date of this notice. Please direct comments to the Service contact listed in the ADDRESSES section, and any questions to the Service contact listed in the FOR FURTHER INFORMATION CONTACT section. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Reasonable Accommodation :

The public meetings are physically accessible to people with disabilities. Please make requests for specific accommodations to Bill Tippetts, San Diego County Water Authority, at (858) 522-6784, at least 5 working days prior to the meeting date.

This notice is provided under section 10(a) of the Act and Service regulations for implementing the National Environmental Policy Act of 1969 ( 40 CFR 1506.6 ). We will evaluate the application, associated documents, and comments submitted thereon to prepare a Final EIS. A permit decision will be made no sooner than 30 days after the publication of the Final EIS and completion of the Record of Decision.

Alexandra Pitts,  
Acting Deputy Regional Director, Pacific Southwest Region, Sacramento,  
California.

#### References

Active

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Speak Up ( change location )

Contact

Ms. Karen A. Goebel, Assistant Field

Places Mentioned

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Building Neighborhood County  
Country Region

#### Citations

50 CFR 17.3

50 CFR 17.32

50 CFR 17.22

See all (6)

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Entries for Tuesday, March 16, 2010

#1 - National Export Initiative

Entry 1 of 100

## LETTER

## RESPONSE

Full Title:  
National Export Initiative

Agency:  
Executive Office of the President

Date Entered:  
Tuesday, March 16, 2010

Type:  
Presidential Document

#2 - Privacy Act of 1974: Implementation of Exemptions; U.S. Immigration and Customs Enforceme...  
Entry 2 of 100

Full Title:  
Privacy Act of 1974: Implementation of Exemptions; U.S. Immigration and Customs Enforcement-006 Intelligence Records System

Agency:  
Department of Homeland Security

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#3 - Airworthiness Directives; Eurocopter France Model AS355E, AS355F, AS355F1, AS355F2, and A...  
Entry 3 of 100

Full Title:  
Airworthiness Directives; Eurocopter France Model AS355E, AS355F, AS355F1, AS355F2, and AS355N Helicopters

Agency:  
Department of Transportation

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#4 - Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-02-99 and T...  
Entry 4 of 100

Full Title:  
Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-02-99 and TAE 125-01 Reciprocating Engines

Agency:  
Department of Transportation

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#5 - Airworthiness Directives; MD Helicopters, Inc. Model MD-900 Helicopters  
Entry 5 of 100

Full Title:  
Airworthiness Directives; MD Helicopters, Inc. Model MD-900 Helicopters

Agency:  
Department of Transportation

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule



LETTER

RESPONSE

#6 - Name Change of Two DHS Components  
Entry 6 of 100

Full Title:  
Name Change of Two DHS Components  
Agency:  
Department of Homeland Security

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#7 - New Postal Product  
Entry 7 of 100

Full Title:  
New Postal Product  
Agency:  
Postal Regulatory Commission

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#8 - Approval and Promulgation of Air Quality Implementation Plans;  
Delaware; Amendment to Ele...

Entry 8 of 100  
Full Title:  
Approval and Promulgation of Air Quality Implementation Plans;  
Delaware; Amendment to Electric Generating Unit  
Multi-Pollutant Regulation

Agency:  
Environmental Protection Agency

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#9 - Mandatory Reporting of Greenhouse Gases: Minor Harmonizing  
Changes to the General Provisions  
Entry 9 of 100

Full Title:  
Mandatory Reporting of Greenhouse Gases: Minor Harmonizing  
Changes to the General Provisions

Agency:  
Environmental Protection Agency

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

#10 - Exclusive Service Contracts for Provision of Video Services in  
Multiple Dwelling Units a...  
Entry 10 of 100

Full Title:  
Exclusive Service Contracts for Provision of Video Services in  
Multiple Dwelling Units and Other Real Estate Developments

Agency:  
Federal Communications Commission

Date Entered:  
Tuesday, March 16, 2010

Type:  
Rule

LETTER

RESPONSE

#11 - Fisheries of the Northeastern United States; Northeast  
Multispecies Fishery; Removal of ...

Entry 11 of 100

Full Title:

Fisheries of the Northeastern United States; Northeast  
Multispecies Fishery; Removal of Gear Restriction for the  
U.S./Canada Management Area

Agency:

National Oceanic and Atmospheric Administration

Date Entered:

Tuesday, March 16, 2010

Type:

Rule

#12 - Fisheries of the Exclusive Economic Zone Off Alaska; Pacific  
Cod by Catcher Vessels Usin...

Entry 12 of 100

Full Title:

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific  
Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and  
Aleutian Islands Management Area

Agency:

National Oceanic and Atmospheric Administration

Date Entered:

Tuesday, March 16, 2010

Type:

Rule

#13 - Airworthiness Directives; McDonnell Douglas Corporation Model  
MD-11 and MD-11F Airplanes

Entry 13 of 100

Full Title:

Airworthiness Directives; McDonnell Douglas Corporation Model  
MD-11 and MD-11F Airplanes

Agency:

Department of Transportation

Date Entered:

Tuesday, March 16, 2010

Type:

Proposed Rule

#14 - Airworthiness Directives; GROB-WERKE (Type Certificate  
Previously Held by BURKHART GROB ...

Entry 14 of 100

Full Title:

Airworthiness Directives; GROB-WERKE (Type Certificate  
Previously Held by BURKHART GROB Luft- und Raumfahrt) Models  
G115C, G115D and G115D2 Airplanes

Agency:

Department of Transportation

Date Entered:

Tuesday, March 16, 2010

Type:

Proposed Rule

#15 - Airworthiness Directives; Quartz Mountain Aerospace, Inc.  
Model 11E Airplanes

Entry 15 of 100

Full Title:

Airworthiness Directives; Quartz Mountain Aerospace, Inc.  
Model 11E Airplanes

LETTER

RESPONSE

Agency: Department of Transportation  
Date Entered: Tuesday, March 16, 2010  
Type: Proposed Rule  
#16 - Automotive Fuel Ratings, Certification and Posting  
Entry 16 of 100  
Full Title: Automotive Fuel Ratings, Certification and Posting  
Agency: Federal Trade Commission  
Date Entered: Tuesday, March 16, 2010  
Type: Proposed Rule  
#17 - Courtesy Notice of Liquidation  
Entry 17 of 100  
Full Title: Courtesy Notice of Liquidation  
Agency: Department of Homeland Security  
Date Entered: Tuesday, March 16, 2010  
Type: Proposed Rule  
#18 - Revising the Notification Requirements in the Exposure  
Determination; Provisions of the ...  
Entry 18 of 100  
Full Title: Revising the Notification Requirements in the Exposure  
Determination; Provisions of the Hexavalent Chromium Standards  
Agency: Department of Labor  
Date Entered: Tuesday, March 16, 2010  
Type: Proposed Rule  
#19 - Mandatory Reporting of Greenhouse Gases: Minor Harmonizing  
Changes to the General Provis...  
Entry 19 of 100  
Full Title: Mandatory Reporting of Greenhouse Gases: Minor Harmonizing  
Changes to the General Provisions  
Agency: Environmental Protection Agency  
Date Entered: Tuesday, March 16, 2010  
Type: Proposed Rule  
#20 - Departmental Management; Public Meeting on BioPreferredSM  
Entry 20 of 100  
Full Title: Departmental Management; Public Meeting on BioPreferredSM  
Agency: Department of Agriculture  
Date Entered:

LETTER

RESPONSE

Tuesday, March 16, 2010

Type:

Notice

#21 - Task Force on Childhood Obesity: Request for Information

Entry 21 of 100

Full Title:

Task Force on Childhood Obesity: Request for Information

Agency:

Department of Agriculture

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#22 - Submission for OMB Review; Comment Request

Entry 22 of 100

Full Title:

Submission for OMB Review; Comment Request

Agency:

Department of Commerce

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#23 - Submission for OMB Review; Comment Request

Entry 23 of 100

Full Title:

Submission for OMB Review; Comment Request

Agency:

Department of Commerce

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#24 - Proposed Information Collection; Comment Request; DOC National Environmental Policy Act ...

Entry 24 of 100

Full Title:

Proposed Information Collection; Comment Request; DOC National Environmental Policy Act Environmental Questionnaire and Checklist

Agency:

Department of Commerce

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#25 - Endangered and Threatened Species; Recovery Plans; Recovery Plan for the Kemp's Ridley S...

Entry 25 of 100

Full Title:

Endangered and Threatened Species; Recovery Plans; Recovery Plan for the Kemp's Ridley Sea Turtle

Agency:

National Oceanic and Atmospheric Administration

Date Entered:

Tuesday, March 16, 2010

Type:

LETTER

RESPONSE

Notice  
#26 - Carbazole Violet Pigment 23 from India and the People's Republic of China: Final Results...  
Entry 26 of 100  
Full Title:  
Carbazole Violet Pigment 23 from India and the People's Republic of China: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders  
Agency:  
International Trade Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#27 - Marine Mammal Stock Assessment Reports  
Entry 27 of 100  
Full Title:  
Marine Mammal Stock Assessment Reports  
Agency:  
National Oceanic and Atmospheric Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#28 - New England Fishery Management Council; Public Meeting  
Entry 28 of 100  
Full Title:  
New England Fishery Management Council; Public Meeting  
Agency:  
National Oceanic and Atmospheric Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#29 - Fisheries of the South Atlantic and Gulf of Mexico; Southeast Data, Assessment, and Revi...  
Entry 29 of 100  
Full Title:  
Fisheries of the South Atlantic and Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR); Public Meeting  
Agency:  
National Oceanic and Atmospheric Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#30 - Fisheries of the South Atlantic and Gulf of Mexico; South Atlantic Fishery Management Co...  
Entry 30 of 100  
Full Title:  
Fisheries of the South Atlantic and Gulf of Mexico; South Atlantic Fishery Management Council; Public Meeting  
Agency:  
National Oceanic and Atmospheric Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:

LETTER

RESPONSE

Notice  
#31 - Manufacturing Council  
Entry 31 of 100  
Full Title:  
Manufacturing Council  
Agency: International Trade Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#32 - Certain Potassium Phosphate Salts From the People's Republic  
of China: Preliminary Deter...  
Entry 32 of 100  
Full Title:  
Certain Potassium Phosphate Salts From the People's Republic  
of China: Preliminary Determination of Sales at Less Than Fair  
Value  
Agency:  
International Trade Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#33 - Stainless Steel Bar From Brazil: Preliminary Results of  
Antidumping Duty Administrative ...  
Entry 33 of 100  
Full Title:  
Stainless Steel Bar From Brazil: Preliminary Results of  
Antidumping Duty Administrative Review  
Agency:  
International Trade Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#34 - Publication of Housing Price Inflation Adjustment Under 50  
U.S.C. App. 531  
Entry 34 of 100  
Full Title:  
Publication of Housing Price Inflation Adjustment Under 50  
U.S.C. App. 531  
Agency:  
Department of Defense  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#35 - Information Collection Requirement; Defense Federal  
Acquisition Regulation Supplement; P...  
Entry 35 of 100  
Full Title:  
Information Collection Requirement; Defense Federal  
Acquisition Regulation Supplement; Part 237, Service  
Contracting  
Agency:  
Department of Defense  
Date Entered:

LETTER

RESPONSE

Tuesday, March 16, 2010

Type:

Notice

#36 - Notice of Intent To Prepare an Environmental Impact Statement  
for Beddown of Training F-...

Entry 36 of 100

Full Title:

Notice of Intent To Prepare an Environmental Impact Statement  
for Beddown of Training F-35A Aircraft

Agency:

Department of Defense

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#37 - Notice of Proposed Information Collection Requests

Entry 37 of 100

Full Title:

Notice of Proposed Information Collection Requests

Agency:

Department of Education

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#38 - Submission for OMB Review; Comment Request

Entry 38 of 100

Full Title:

Submission for OMB Review; Comment Request

Agency:

Department of Education

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#39 - Notice of Proposed Information Collection Requests

Entry 39 of 100

Full Title:

Notice of Proposed Information Collection Requests

Agency:

Department of Education

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#40 - Submission for OMB Review; Comment Request

Entry 40 of 100

Full Title:

Submission for OMB Review; Comment Request

Agency:

Department of Education

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#41 - Carol M. White Physical Education Program

Entry 41 of 100

LETTER

RESPONSE

Full Title:  
Carol M. White Physical Education Program  
Agency:  
Department of Education  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#42 - FY2010 Supplemental Funding for Brownfields Revolving Loan  
Fund (RLF) Grantees  
Entry 42 of 100  
Full Title:  
FY2010 Supplemental Funding for Brownfields Revolving Loan  
Fund (RLF) Grantees  
Agency:  
Environmental Protection Agency  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#43 - International Energy Agency Meetings  
Entry 43 of 100  
Full Title:  
International Energy Agency Meetings  
Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#44 - The Power Company, Inc.; Notice of Preliminary Permit  
Application Accepted for Filing an...  
Entry 44 of 100  
Full Title:  
The Power Company, Inc.; Notice of Preliminary Permit  
Application Accepted for Filing and Soliciting Comments,  
Motions To Intervene, and Competing Applications  
Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#45 - Combined Notice Of Filings #1  
Entry 45 of 100  
Full Title:  
Combined Notice Of Filings #1  
Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#46 - Combined Notice of Filings #1  
Entry 46 of 100  
Full Title:  
Combined Notice of Filings #1



LETTER

RESPONSE

Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#47 - Midwest Independent Transmission System Operator, Inc.,  
Complainant v. PJM Interconnecti...  
Entry 47 of 100  
Full Title:  
Midwest Independent Transmission System Operator, Inc.,  
Complainant v. PJM Interconnection, LLC Respondent; Notice of  
Complaint  
Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#48 - Midwest Independent Transmission System Operator, Inc.  
Complainant v PJM Interconnection...  
Entry 48 of 100  
Full Title:  
Midwest Independent Transmission System Operator, Inc.  
Complainant v PJM Interconnection, LLC Respondent; Notice of  
Complaint  
Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#49 - City of Tenakee Springs; Notice of Declaration of Intention  
and Soliciting Comments, Pro...  
Entry 49 of 100  
Full Title:  
City of Tenakee Springs; Notice of Declaration of Intention  
and Soliciting Comments, Protests, and/or Motions To Intervene  
Agency:  
Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#50 - Sunshine Act Meeting Notice  
Entry 50 of 100  
Full Title:  
Sunshine Act Meeting Notice  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#51 - Electronic Tariff Filings; Notice of Technical Conference  
Entry 51 of 100  
Full Title:  
Electronic Tariff Filings; Notice of Technical Conference  
Agency:

LETTER

RESPONSE

Department of Energy  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#52 - Farm Credit System Insurance Corporation Board; Regular Meeting  
Entry 52 of 100  
Full Title:  
Farm Credit System Insurance Corporation Board; Regular Meeting  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#53 - Notice of Public Information Collection Being Submitted to the Office of Management and ...  
Entry 53 of 100  
Full Title:  
Notice of Public Information Collection Being Submitted to the Office of Management and Budget for Review and Approval, Comments Requested  
Agency:  
Federal Communications Commission  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#54 - Agency Information Collection Activities: Renewal of Currently Approved Collections (306...  
Entry 54 of 100  
Full Title:  
Agency Information Collection Activities: Renewal of Currently Approved Collections (3064-0079, 0103, 0104, 0122 & 0173); Comment Request  
Agency:  
Federal Deposit Insurance Corporation  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#55 - Update to Notice of Financial Institutions for Which the Federal Deposit Insurance Corpo...  
Entry 55 of 100  
Full Title:  
Update to Notice of Financial Institutions for Which the Federal Deposit Insurance Corporation Has Been Appointed Either Receiver, Liquidator, or Manager  
Agency:  
Federal Deposit Insurance Corporation  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#56 - Filing Dates for the Hawaii Special Election In the 1st Congressional District  
Entry 56 of 100

LETTER

RESPONSE

Full Title:  
Filing Dates for the Hawaii Special Election In the 1st  
Congressional District

Agency:  
Federal Election Commission

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#57 - Change in Bank Control Notices; Acquisition of Shares of Bank  
or Bank Holding Companies  
Entry 57 of 100

Full Title:  
Change in Bank Control Notices; Acquisition of Shares of Bank  
or Bank Holding Companies

Agency:  
Federal Reserve System

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#58 - Formations of, Acquisitions by, and Mergers of Bank Holding  
Companies  
Entry 58 of 100

Full Title:  
Formations of, Acquisitions by, and Mergers of Bank Holding  
Companies

Agency:  
Federal Reserve System

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#59 - Agency Information Collection Activities: Submission for OMB  
Review; Comment Request  
Entry 59 of 100

Full Title:  
Agency Information Collection Activities: Submission for OMB  
Review; Comment Request

Agency:  
Department of Health and Human Services

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#60 - Agency Information Collection Activities; Proposed Collection;  
Comment Request; Cosmetic...  
Entry 60 of 100

Full Title:  
Agency Information Collection Activities; Proposed Collection;  
Comment Request; Cosmetic Labeling Regulations

Agency:  
Department of Health and Human Services

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

LETTER

RESPONSE

#61 - Agency Information Collection Activities; Proposed Collection;  
Comment Request; Registra...

Entry 61 of 100

Full Title:

Agency Information Collection Activities; Proposed Collection;  
Comment Request; Registration of Food Facilities Under the  
Public Health Security and Bioterrorism Preparedness and  
Response Act of 2002

Agency:

Department of Health and Human Services

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#62 - Agency Information Collection Activities; Proposed Collection;  
Comment Request; Prior No...

Entry 62 of 100

Full Title:

Agency Information Collection Activities; Proposed Collection;  
Comment Request; Prior Notice of Imported Food Under the  
Public Health Security and Bioterrorism Preparedness and  
Response Act of 2002

Agency:

Department of Health and Human Services

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#63 - Agency Information Collection Activities; Proposed Collection;  
Comment Request; Requirem...

Entry 63 of 100

Full Title:

Agency Information Collection Activities; Proposed Collection;  
Comment Request; Requirements Under the Comprehensive  
Smokeless Tobacco Health Education Act of 1986, as amended by  
the Family Smoking Prevention and Tobacco Control Act

Agency:

Department of Health and Human Services

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#64 - Notice of Availability of Final Policy Document

Entry 64 of 100

Full Title:

Notice of Availability of Final Policy Document

Agency:

Department of Health and Human Services

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#65 - Clinical Laboratory Improvement Advisory Committee: Notice of  
Charter Renewal

Entry 65 of 100

Full Title:

Clinical Laboratory Improvement Advisory Committee: Notice of

LETTER

RESPONSE

Charter Renewal  
 Agency: Department of Health and Human Services  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #66 - Mine Safety and Health Research Advisory Committee, National Institute for Occupational ...  
 Entry 66 of 100  
 Full Title: Mine Safety and Health Research Advisory Committee, National Institute for Occupational Safety and Health (MSHRAC, NIOSH)  
 Agency: Department of Health and Human Services  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #67 - National Advisory Council on Nurse Education and Practice; Notice of Meeting  
 Entry 67 of 100  
 Full Title: National Advisory Council on Nurse Education and Practice; Notice of Meeting  
 Agency: Department of Health and Human Services  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #68 - Prescription Drug User Fee Act; Public Meeting  
 Entry 68 of 100  
 Full Title: Prescription Drug User Fee Act; Public Meeting  
 Agency: Department of Health and Human Services  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #69 - Office of Family Assistance; Privacy Act of 1974; System of Records  
 Entry 69 of 100  
 Full Title: Office of Family Assistance; Privacy Act of 1974; System of Records  
 Agency: Department of Health and Human Services  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #70 - Statement of Organization, Functions and Delegations of Authority  
 Entry 70 of 100  
 Full Title:

LETTER

RESPONSE

Statement of Organization, Functions and Delegations of Authority

Agency:

Department of Health and Human Services

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#71 - Intent To Request Renewal From OMB of One Current Public Collection of Information: Airc...

Entry 71 of 100

Full Title:

Intent To Request Renewal From OMB of One Current Public Collection of Information: Aircraft Operator Security

Agency:

Department of Homeland Security

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#72 - Certificate of Alternative Compliance for the Offshore Supply Vessel BUMBLE BEE

Entry 72 of 100

Full Title:

Certificate of Alternative Compliance for the Offshore Supply Vessel BUMBLE BEE

Agency:

Department of Homeland Security

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#73 - Delaware River and Bay Oil Spill Advisory Committee; Meeting Cancelled

Entry 73 of 100

Full Title:

Delaware River and Bay Oil Spill Advisory Committee; Meeting Cancelled

Agency:

Department of Homeland Security

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

#74 - Request for Applicants for Appointment to the Advisory Committee on Commercial Operation...

Entry 74 of 100

Full Title:

Request for Applicants for Appointment to the Advisory Committee on Commercial Operations of Customs and Border Protection (COAC)

Agency:

Department of Homeland Security

Date Entered:

Tuesday, March 16, 2010

Type:

Notice

LETTER

RESPONSE

#75 - Central Utah Project Completion Act  
Entry 75 of 100

Full Title:  
Central Utah Project Completion Act

Agency:  
Department of the Interior

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#76 - Filing of Plats of Survey: Oregon/Washington  
Entry 76 of 100

Full Title:  
Filing of Plats of Survey: Oregon/Washington

Agency:  
Department of the Interior

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#77 - Patuxent Research Refuge, Anne Arundel and Prince George's  
Counties, MD

Entry 77 of 100

Full Title:  
Patuxent Research Refuge, Anne Arundel and Prince George's  
Counties, MD

Agency:  
Department of the Interior

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#78 - Issuance of Permits  
Entry 78 of 100

Full Title:  
Issuance of Permits

Agency:  
Department of the Interior

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#79 - Proclaiming Certain Lands as an Addition to the Confederated  
Tribes of the Chehalis Rese...

Entry 79 of 100

Full Title:  
Proclaiming Certain Lands as an Addition to the Confederated  
Tribes of the Chehalis Reservation, Washington

Agency:  
Department of the Interior

Date Entered:  
Tuesday, March 16, 2010

Type:  
Notice

#80 - Agency Information Collection Activities: Existing Collection;  
Comments Requested

Entry 80 of 100

LETTER

RESPONSE

Full Title:  
Agency Information Collection Activities: Existing Collection;  
Comments Requested  
Agency:  
Department of Justice  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#81 - Notice of Lodging of Consent Decree Under the Safe Drinking  
Water Act  
Entry 81 of 100  
Full Title:  
Notice of Lodging of Consent Decree Under the Safe Drinking  
Water Act  
Agency:  
Department of Justice  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#82 - Presence Sensing Device Initiation (PSDI); Extension of the  
Office of Management and Bud...  
Entry 82 of 100  
Full Title:  
Presence Sensing Device Initiation (PSDI); Extension of the  
Office of Management and Budget's (OMB) Approval of  
Information Collection (Paperwork) Requirements  
Agency:  
Department of Labor  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#83 - Comment Request  
Entry 83 of 100  
Full Title:  
Comment Request  
Agency:  
Department of Labor  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#84 - Advisory Committee on the Electronic Records Archives (ACERA)  
Entry 84 of 100  
Full Title:  
Advisory Committee on the Electronic Records Archives (ACERA)  
Agency:  
National Archives and Records Administration  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#85 - Meetings of Humanities Panel  
Entry 85 of 100  
Full Title:



## LETTER

## RESPONSE

Meetings of Humanities Panel  
 Agency: National Foundation on the Arts and the Humanities  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #86 - Agency Information Collection Activities: Proposed Collection; Comment Request  
 Entry 86 of 100  
 Full Title: Agency Information Collection Activities: Proposed Collection; Comment Request  
 Agency: Nuclear Regulatory Commission  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #87 - Duke Energy Carolinas, LLC; Notice of Consideration of Issuance of Amendments to Facilit...  
 Entry 87 of 100  
 Full Title: Duke Energy Carolinas, LLC; Notice of Consideration of Issuance of Amendments to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information  
 Agency: Nuclear Regulatory Commission  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #88 - Southern California Edison Company, San Onofre Nuclear Generating Station, Units 2 and 3...  
 Entry 88 of 100  
 Full Title: Southern California Edison Company, San Onofre Nuclear Generating Station, Units 2 and 3; Environmental Assessment and Finding of No Significant Impact  
 Agency: Nuclear Regulatory Commission  
 Date Entered: Tuesday, March 16, 2010  
 Type: Notice  
 #89 - Notice of Availability of Environmental Assessment and Finding of No Significant Impact ...  
 Entry 89 of 100  
 Full Title: Notice of Availability of Environmental Assessment and Finding of No Significant Impact for Exemption From 10 CFR 30, 40, and 70; Commencement of Construction Requirements; AREVA Enrichment Services, Eagle Rock Enrichment Facility, Bonneville County, ID  
 Agency:

## LETTER

## RESPONSE

Nuclear Regulatory Commission  
 Date Entered:  
 Tuesday, March 16, 2010  
 Type:  
 Notice  
 #90 - Sunshine Act; Meeting Notice  
 Entry 90 of 100  
 Full Title:  
 Sunshine Act; Meeting Notice  
 Agency:  
 Nuclear Regulatory Commission  
 Date Entered:  
 Tuesday, March 16, 2010  
 Type:  
 Notice  
 #91 - Sunshine Act; Public Hearing  
 Entry 91 of 100  
 Full Title:  
 Sunshine Act; Public Hearing  
 Agency:  
 Overseas Private Investment Corporation  
 Date Entered:  
 Tuesday, March 16, 2010  
 Type:  
 Notice  
 #92 - Sunshine Act; Public Hearing  
 Entry 92 of 100  
 Full Title:  
 Sunshine Act; Public Hearing  
 Agency:  
 Overseas Private Investment Corporation  
 Date Entered:  
 Tuesday, March 16, 2010  
 Type:  
 Notice  
 #93 - Self-Regulatory Organizations; Financial Industry Regulatory  
 Authority, Inc.; Notice of ...  
 Entry 93 of 100  
 Full Title:  
 Self-Regulatory Organizations; Financial Industry Regulatory  
 Authority, Inc.; Notice of Filing of Proposed Rule Change, as  
 Modified by Amendment No. 1, To Extend Certain Regulation NMS  
 Protections to Quoting and Trading in the Market for OTC  
 Equity Securities  
 Agency:  
 Securities and Exchange Commission  
 Date Entered:  
 Tuesday, March 16, 2010  
 Type:  
 Notice  
 #94 - Self-Regulatory Organizations; Chicago Board Options Exchange,  
 Incorporated; Notice of F...  
 Entry 94 of 100  
 Full Title:  
 Self-Regulatory Organizations; Chicago Board Options Exchange,  
 Incorporated; Notice of Filing and Immediate Effectiveness of  
 Proposed Rule Change Relating to Permanent Approval of the

## LETTER

## RESPONSE

Dividend, Merger and Short Stock Interest Strategies Fee Cap  
Pilot Program

## Agency:

Securities and Exchange Commission

## Date Entered:

Tuesday, March 16, 2010

## Type:

Notice

#95 - Self-Regulatory Organizations; The Chicago Stock Exchange,  
Inc.; Order Approving a Propo...  
Entry 95 of 100

## Full Title:

Self-Regulatory Organizations; The Chicago Stock Exchange,  
Inc.; Order Approving a Proposed Rule Change To Amend Its  
Co-Location Fees

## Agency:

Securities and Exchange Commission

## Date Entered:

Tuesday, March 16, 2010

## Type:

Notice

#96 - Self-Regulatory Organizations; The NASDAQ Stock Market LLC;  
Notice of Filing and Immedia...  
Entry 96 of 100

## Full Title:

Self-Regulatory Organizations; The NASDAQ Stock Market LLC;  
Notice of Filing and Immediate Effectiveness of a Proposed  
Rule Change to Amend Rule 3121 To Reflect Changes To  
Corresponding FINRA Rule and a Clerical Change to NASDAQ's  
Rules

## Agency:

Securities and Exchange Commission

## Date Entered:

Tuesday, March 16, 2010

## Type:

Notice

#97 - Self-Regulatory Organizations; The NASDAQ Stock Market LLC;  
Notice of Filing and Immedia...  
Entry 97 of 100

## Full Title:

Self-Regulatory Organizations; The NASDAQ Stock Market LLC;  
Notice of Filing and Immediate Effectiveness of a Proposed  
Rule Change To Provide an Additional Option to the DOTI  
Routing Strategy

## Agency:

Securities and Exchange Commission

## Date Entered:

Tuesday, March 16, 2010

## Type:

Notice

#98 - Alaska Railroad Corporation-Construction and Operation  
Exemption-A Rail Line Extension t...  
Entry 98 of 100

## Full Title:

Alaska Railroad Corporation-Construction and Operation  
Exemption-A Rail Line Extension to Port Mackenzie, AK

## Agency:

LETTER

RESPONSE

Department of Transportation  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#99 - Norfolk Southern Railway Company-Discontinuance of Service  
Exemption in Hamilton County, OH  
Entry 99 of 100  
Full Title:  
Norfolk Southern Railway Company-Discontinuance of Service  
Exemption in Hamilton County, OH  
Agency:  
Department of Transportation  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Notice  
#100 - Endangered and Threatened Species; Proposed Listing of Nine  
Distinct Population Segment...  
Entry 100 of 100  
Full Title:  
Endangered and Threatened Species; Proposed Listing of Nine  
Distinct Population Segments of Loggerhead Sea Turtles as  
Endangered or Threatened  
Agency:  
Department of the Interior  
Date Entered:  
Tuesday, March 16, 2010  
Type:  
Proposed Rule  
Feedback  
Help & Support

# REVISIONS TO THE DRAFT EIR/EIS

Subsequent to distribution of the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Draft Subregional Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and preparation of responses to comment letters, additional minor revisions and editorial changes have been made to the text of the Final EIR/EIS. Specific revisions (text or language changes) made to the Draft EIR/EIS are provided below. The changes listed below do not change the conclusions of the EIR/EIS. No new significant impacts have been identified. All mitigation requirements for impacts remain unchanged and will be implemented as stated in the Final EIR/EIS and Mitigation Monitoring and Reporting Program.

The minor revisions and editorial changes are categorized below under three headings: Specific Revisions, Global Edits, and Minor Revisions. Specific Revisions to text, tables, and figures are called out according to the exact location in the document and are listed for any changes where additional clarification or supporting information was warranted. Specific Revisions are identified for both the Draft EIR/EIS and the NCCP/HCP which is Appendix B to the EIR/EIS. Global Edits refer to repetitive changes such as the numbers of Covered Species/Narrow Endemic species covered by the NCCP/HCP were made as necessary throughout the EIR/EIS in order to provide consistency of references. Minor revisions including typographic errors, page numbering, etc. was also corrected for the Final EIR/EIS. All text deletions to the EIR/EIS are shown as strikethrough text and revisions/additions are shown as underlined text.

## Specific Revisions

### Draft EIR/EIS

- **Cover Page.** A new cover page was added indicating that the EIR/EIS is Volume I.
- **Table of Contents** was revised to reference the EIR/EIS as Volume I, appendices to the EIR/EIS, including the Draft NCCP/HCP, as Volume II; and the Comments, Responses, and Revisions as Volume III. This was done in order to aid in the reproduction of the Final EIR/EIS document.
- **Section 1.3.4 Planning Area, Major Amendment Area – Riverside County,** was revised as follows:

Because three species (vernal pool fairy shrimp, California Orcutt grass, and Munz's onion) primarily occur within the Riverside County portion of the Plan Area, they would require a Major Amendment and have been categorized as Major Amendment Species.

- **Section 2.1.1 Existing Biological Opinions**, first bullet, first sentence was revised as follows:

BO (1-6-93-F-28), issued in 1993, addressed impacts to the coastal California gnatcatcher (*Polioptila californica*; gnatcatcher) from 12 CIP projects. ~~These CIP projects were, one of which is within the~~ Water Authority rights-of-way on Marine Corps Air Station (MCAS) Miramar.

- **2.3.2.4.1 Capital Improvement Program (CIP) Activities, System Regulatory Storage**, the first sentence of the first paragraph was revised as follows:

A Flow Regulatory Structure (FRS) is a large buried, partially buried, or above ground tank that holds water for storage or to control hydrologic ~~hydrologic~~ hydraulic functions, and is considered a major ancillary facility to the pipeline system.

- **Section 2.3.2.4.2 O&M Activities, Emergency Actions**, the following sentence was added to the beginning of the section:

Emergency Actions would not be required to be a Covered Activity by this Plan.

- **Section 4.1.1.2 Effects on Sensitive Habitat, Issue 2, Alternative 1, Significance of Impact**, second sentence was revised as follows:

Even without a ~~Permits~~ comprehensive habitat conservation plan, the Water Authority would continue to implement projects and O&M activities in areas that may affect sensitive natural communities and species.

- **Section 4.1.1.5 Effects on Policies and Plans, Issue 6**, the following sentence at the end of the second paragraph was removed:

The Western Riverside County MSHCP does not consider linear utilities as conditionally compatible.

- **Section 4.4.1.1 Effects on Services and Utility Infrastructure, Alternative 2: Proposed Plan**, the following sentence at the end of the paragraph was removed:

Therefore, Alternative 2 would not result in a service or infrastructure needs.

- **Section 7.2 Air Quality/Climate Change**, the following paragraph was added after the first paragraph of the section:

The most recent draft CEQ guidance (75 Fed. Reg. 8046 [Feb. 23, 2010]) advises agencies to conduct an emissions-related NEPA analysis where that analysis will provide meaningful information to decision-makers and the public. CEQ proposes a reference point of 25,000 metric tons of GHG emissions per year as a useful

indicator that a project may meet the foregoing “meaningful” standard. But the draft guidance also clarifies that the 25,000 metric tons reference point is neither an absolute standard nor an indicator of a level of emissions that may “significantly” affect the quality of the human environment. Examples of actions that may warrant a discussion of emissions impacts include approval of a large solid waste landfill, approval of energy facilities such as a coal-fired power plant, and authorization of a methane-venting coal mine. The draft guidance cautions agencies about engaging in speculative analyses or attempting to link a particular project to specific climatological changes. The draft guidance discourages agencies from relying on the 25,000 metric tons reference point for use as a measure of indirect effects (for example, the growth-inducing impacts of a project), noting that such an analysis must be bounded by limits of feasibility in evaluating the upstream and downstream effects of federal agency actions. The guidance adheres to NEPA’s “rule of reason,” which ensures that agencies determine whether and to what extent to prepare their NEPA analysis based on the usefulness of new information to decision-makers and the public.

- **Section 7.2 Air Quality/Climate Change**, the following text was added to third paragraph of section:

Implementation of Water Authority activities under each of the alternatives – constructing CIP projects and performing O&M and Preserve Area management – would involve the use of vehicles and equipment or activities, such as vegetation management (prescribed fire), that produce emissions that have the potential to directly affect air quality. Once constructed, most facilities (pipelines, flow regulator structures, vents, etc.) produce little or no point source pollutants. Air quality impacts could result from Water Authority vehicles as routine O&M Activities are conducted, and from construction vehicle emissions. Air quality impacts resulting from Water Authority activities would thus be attributed primarily to mobile emissions rather than point source emissions. Although it is not possible to provide quantitative information about future Covered Activities specific emissions, the primary potential source of long-term greenhouse gas emissions would be related to the covered Operation and Maintenance Activities within the permit area, principally maintenance vehicles. To help place the magnitude of potential O&M emissions in perspective, 25,000 metric tons would equate to approximately 12.3 million diesel truck miles per year (10.15 kilograms CO<sub>2</sub>/gallon diesel fuel / 0.2 gallon/mile for diesel trucks / 25,000 metric tons/year reference x 1,000 kilogram/ton = 12,315,271 miles/year). The actual historic vehicle miles per year associated with proposed Covered O&M Activities (approximately one million miles per year for all Water Authority vehicles) is less than 10 percent of the reference point, or about 2,000 metric tons per year. These sources of potential air pollution would occur under all of the proposed alternatives, even the No Action/No Permit Alternative. Potential air quality/climate change

impacts by Covered Activities would be determined and mitigation provided through subsequent environmental review and approvals, when required.

- **Section 8.1 Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented**, second paragraph was changed as follows:

As evaluated in Section 4.0 of this draft EIR/EIS, there would be no significant unavoidable (i.e., unmitigatable) impacts that would result from the proposed action ~~or any of the alternatives~~. All potentially significant impacts resulting from project implementation would either be avoided or can be reduced to below a level of significance or adversity with the mitigation measures identified in the Plan and in the MMRP (which will be prepared for the Final EIR/EIS).

- **Section 11.0 List of Preparers**, Wildlife Agencies Review names added as follows:

Doreen Stadtlander, Division Chief, Carlsbad Fish and Wildlife Office

Eric Porter, Fish and Wildlife Biologist, Carlsbad Fish and Wildlife Office

## Tables

- **Table 2-3 (Alternative 2: Covered Species) and Table 2-7 (Alternative 4: Covered Species)** have been corrected as follows: Information about the known occurrence of four plant species proposed for coverage has been corrected. The following species were incorrectly listed as known to occur (K) or with the potential to occur (P) within the Preserve Area (HMAs):
  - San Diego ambrosia (*Ambrosia pumila*) is not known to occur (N) on the Preserve Area; it has the potential to occur on Myers MMA.
  - Encinitas baccharis (*Baccharis vanessae*) is not known to occur (N) on the Preserve Area; it is only known to occur on Elfin Forest MMA.
  - Thread-leaved brodiaea (*Brodiaea filifolia*) is not known to occur (N) on the Preserve Area; it has the potential to occur on Myers MMA.
  - Orcutt's brodiaea (*Brodiaea orcuttii*) is not known to occur (N) on the Preserve Area; it has the potential to occur on Elfin Forest MMA.
- **Tables 4-1 (Status of Species Considered within the Survey Area and PIZ), 4-2 (Impacts and Mitigation Assessment of Species in Alternative 1: No Action/No Permit Alternative), 4-4 (Impacts and Mitigation Assessment of Species in Alternative 3: Full Species List Alternative), and 4-5 (Impacts and Mitigation Assessment of Species in Alternative 4: Reduced Plan Area Alternative)** were revised to include Golden eagle (*Aquila chrysaetos*). Golden eagle was analyzed in the NCCP/HCP as a non-covered species but inadvertently left off of these species lists.



- **Table 4-5 (Impacts and Mitigation Assessment of Species in Alternative 4: Reduced Plan Area Alternative)** was replaced to include the correct table for species proposed under this alternative as listed in Table 2-7 (Alternative 4: Covered Species).
- **Table 6-1 (Conservation Plans Within the Plan Area)** has been revised to adequately reflect County of San Diego plan names and the status of planning efforts.

## Figures

- **Figure 3-1 (Vegetation Communities/Land Cover Types in the NCCP/HCP Plan Area)** was mistakenly omitted. Figure 1-1 (Water Authority Service Area) was repeated in Section 3.0 as Figure 3-1. The correct Figure 3-1 representing vegetation communities and land cover types within the plan area has been inserted. Figure 3-1 was also revised with the correct spelling of “Communities” in the figure title.
- **Figure 1-2 (Location of Water Authority Preserve Area and MMAs)** was corrected to remove the overlap of the Second Aqueduct label over the San Luis Rey River label. Additionally, the word “Site” was removed from the San Luis Rey River label on this figure for consistency with the name used in the document text.

## Appendix B to the EIR/EIS: Draft NCCP/HCP

- **Section 1.1.2.2 Capital Improvement Program (CIP)**, third paragraph was changed as follows:

~~Certain projects within the CIP have existing approvals and/or permits under separate actions. These permits allow for impacts to one or more Covered Species, ; for example, coastal California gnatcatcher (*Poliioptila californica californica*) For example, project construction and operation and maintenance (O&M) activities affecting a specific Covered Species, such as the coastal California gnatcatcher (*Poliioptila californica californica*), may be addressed under previous Biological Opinions (BOs). Where tThe Wildlife Agencies have already issued incidental take authorizations for Covered Species addressed by are not able to issue coverage for the same Covered Species for projects that have already been permitted, no additional. Therefore, previously approved Covered Species authorizations for projects with existing permits and approvals are cannot be permitted under this required under this Plan. Project construction and operation and maintenance (O&M) for the specific Covered Species may be authorized under previous Biological~~

~~Opinions (BOs), and incidental take coverage for those Covered Species under this Plan would not apply. Existing BOs are described in detail in Section 1.1.4.~~

- **Section 1.1.2.2.1 Existing Projects**, second paragraph was changed as follows:

Existing Projects were permitted based on an agreed-upon site, design, project footprint, or alignment. If the Water Authority proposes project changes that could result in new or previously unidentified impacts, any additional impacts these projects would be offset reclassified consistent with this as Planned Projects Plan, as described below. In this case, the existing approvals would be subject to review. In addition, if Covered Species not observed during the original permit process are observed at an Existing Project site, the impacts to Covered Species will be addressed consistent with this Plan. ~~would be covered under this Plan.~~

- **Section 1.1.2.2.1 Existing Projects**, third paragraph was changed as follows:

Several of the Water Authority's larger projects may involve regional entities, facilities operated by Member Water Agencies, and multiple jurisdictions with land use control. Due to updated projections for water demand or storage, as well as land use considerations, certain proposed alignments or projects may undergo changes that were not considered or covered under the existing approvals and permits. Where Existing Projects Coverage under this NGCP/HCP is necessary for Existing Projects which may propose alternative alignments or add project components that are not covered under existing permits, these changes and any measures to offset additional impacts will conform to the conservation strategy and avoidance, minimization, and mitigation measures of this Plan.

- **Section 1.1.2.2.1 Existing Projects**, fourth paragraph was changed as follows:

Certain Existing Projects contain terms or conditions in their permits that relate to the type or timing of construction and O&M Activities (such as work outside the breeding season). These existing permits continue to apply. ~~In the event that activities are not covered in existing permits, the Water Authority requires coverage under this Plan.~~ In addition, certain types of O&M Activities for Existing Projects (such as mowing for the ESP under BO 1-6-97-F-13) have permit coverage; however, the Water Authority is seeking comprehensive coverage for its entire water conveyance, storage, and treatment system (including any associated energy generating components) under this Plan. As mentioned above, Existing Projects with proposed footprints or design considerations and timing that sufficiently deviate from existing alignments or capacity will are also proposed for coverage under this P-comply with this Plan.

- **Section 1.1.4.1 Biological Opinion for the Capital Improvement Program; Covering the Coastal California Gnatcatcher**, first paragraph, first sentence was changed as follows:

In 1993, a BO (1-6-93-F-28) was issued by USFWS to address impacts to the gnatcatcher resulting from CIP projects as part of a section 7 consultation between the Navy and USFWS (USFWS 1993). Of the 12 CIP projects covered by this BO, one is located -within the Water Authority rights-of-way on Marine Corps Air Station (MCAS) Miramar ~~as part of a section 7 consultation between the Navy and USFWS (USFWS 1993).~~

- **Section 1.1.4.6 Habitat Management Areas (HMA)**, second paragraph, first sentence was revised as follows:

Tijuana River Valley HMA and San Luis Rey River HMA are wetland creation projects currently in the design and planning phases with tentative construction start dates of September 2010<sup>1</sup> and September 2014<sup>5</sup>, respectively.

- **Section 1.2.2 Plan Goals**, fourth paragraph, last sentence was changed as follows:

Although not anticipated, if there is a conflict between provisions of other conservation plans concerning implementation of a Covered Activity or effects on Covered Species, the Wildlife Agencies will coordinate with the affected permittees of each plan to determine the appropriate regulatory course of action to maintain is ~~Plan will prevail.~~ compliance with each plan.

- **Section 1.3.2 Plan Coverage and Term**, third paragraph, second sentence was changed as follows:

Analysis conducted for the Plan determined that the appropriate process for potential take of ~~Orcutt grass and vernal pool fairy shrimp~~ these species would be through the Major Amendment process for the Riverside County portion of the Plan Area.

- **Section 1.5 Alternatives to this Subregional NCCP/HCP Plan**, the following sentence was changed as follows:

~~Two~~ Three alternatives to this Plan were considered and are summarized with a brief discussion of benefits and drawbacks.

- **Section 2.1.4 Preserve Area and MMAs**, first paragraph, last sentence changed as follows:

The Plan covers incidental take of Covered Species that may occur during implementation of approved monitoring and management activities on the Preserve Area, with the exception of State (CDFG) and Federal (USFWS) Preserve Area Managers. Where CDFG and USFWS Preserve Area Managers require incidental take authorizations for monitoring and management activities, such authorizations will be provided through applicable State and Federal regulatory mechanisms.

- **Section 3.2.4 Joint Water Agencies NCCP/HCP**, has been revised to accurately reflect the status of Otay Water District as a participant in the Joint Water Agencies (JWA) plan as follows:

The JWA draft NCCP/HCP describes how the Padre Dam Municipal Water District, the Helix Water District, ~~and the Sweetwater Authority, and the Otay Water District~~ will manage their lands to conserve natural habitats and species while continuing to provide their mandated water services. The JWA plan addresses ~~5450~~ animal species and 28 plant species, for a total of ~~7978~~ species. The Subregional Plan will serve as an umbrella document for the Subarea Plans of these water districts and any water districts approved to participate in the future. ~~Additionally, the Otay Water District has been approved by the JWA Partners to conduct a major amendment to the JWA NCCP/HCP once it has been approved and permitted. Otay Water District is currently preparing a Planning Agreement that would allow it to amend into the JWA plan (H. Crowell, pers. comm. 2007). The plan was initially analyzed as a potential subarea plan under the MSCP. The Otay Water District established a preserve in the San Miguel area as a mitigation bank for project impacts. A series of public workshops were held in summer 2004, and input from independent scientists was completed in late 2006 (State of California 2006c).~~

- **Section 3.3 Coordination with Military Lands**, second paragraph, second sentence was revised as follows:

MCAS Miramar must implement its INRMP, which was recently last updated in 2006.

- **Section 5.0 Covered Activities**, was reorganized as follows:
  - **Section 5.3 Emergency Actions and Accidental Discharges and Spills**, is now **Section 5.5**.
  - **Section 5.4 Preserve Area Management, Monitoring and Adaptive Management**, is now **Section 5.3**.
  - **Section 5.5 Incidental Take**, is now **Section 5.4**.

- **Section 5.0 Covered Activities**, first paragraph, third sentence was changed as follows:

This section discusses the types of Water Authority activities that are ~~automatically authorized Covered Activities as a condition of law or wildlife agency policy (i.e., emergency actions) and those project types and maintenance and operational activities that are to be covered in~~ by this Plan.

- **Section 5.0 Covered Activities**, second paragraph third bullet was changed as follows: bullet was deleted

~~3. Emergency actions, including remediation of accidental discharges and spills; and~~

- **Section 5.0 Covered Activities**, fifth paragraph was changed as follows:

In addition, ~~where this Plan will be the basis for modifications, amendments, clarifications, or other discretionary changes to an Existing Project's individual permit are when the required and the change to the permit affects is due to a project impact to a Covered Species, any measures to offset additional impacts to Covered Species will be consistent with this as well as ESA section 7 consultations associated with a Covered Activity Plan.~~

- **Section 5.1.1.3 Long-Term Replacement/Relining of Pre-stressed Concrete Cylinder Pipes (PCCP)**, third paragraph, last sentence was changed as follows:

If construction activity continues into the gnatcatcher's breeding season resulting in additional indirect impacts to the species, any conservation measures aimed at minimizing or mitigating the new impacts will be consistent with this Plan., ~~IA and resulting Permit will provide the incidental take authorization, not the previously issues biological opinion.~~

- **Section 5.2.8 Access Road Maintenance and Repair**, first paragraph, second sentence was revised as follows:

These access roads are typically 12-foot wide with an additional four feet of mow strips on each side and must be maintained and repaired on an annual basis

- **Section 5.3 Preserve Area Management, Monitoring and Adaptive Management**, first, second, and third paragraphs were changed as follows:

This Plan establishes practices to manage the Preserve Area (Section 6.11). Unlike most other NCCP/HCP plans, this Plan does not authorize ~~major public recreational uses,~~ agriculture, general development, mineral extractions or other activities that could affect areas adjacent to or within its Preserve Area or other plans' preserve lands.

Covered Species protection and conservation are primary goals of the Preserve Area, and all management activities, including monitoring, maintenance, and adaptive management ~~activities,~~ will comply with state and federal endangered species regulations as well as this Plan. The contributions of the Preserve Area to the regional conservation of Covered Species are discussed in detail in Section 6.8. With the exception of the San Miguel HMA, which is managed as a National Wildlife Refuge and in accordance with the conservation banking agreement for this area, Preserve Area management plans will identify and provide detailed descriptions of the land management activities, restrictions and practices that will be undertaken to maintain or enhance Covered Species habitat. Individual Preserve Area Management Plans (PAMP) are subject to Wildlife Agencies review and approval

(Section 6.11). The following management activities would be implemented as site specific measures, where applicable, with the intent to result in a net benefit to Covered Species in the Preserve Areas: active and passive habitat restoration, stream stabilization measures, fire management practices, compatible public uses/outreach, fencing, signage, removal of trash and debris, light and noise, feral and domestic animal control, cowbird trapping, invasive exotic species control, and guidelines for species introduction and reintroduction.

The San Miguel HMA is a FWS-approved bank and the purchase price for credits at the bank includes a per-acre fee provided to an endowment dedicated to funding monitoring and management activities for species and habitats within the bank. With the purchase of credits, the Water Authority is entitled to rely on the monitoring and management assurances provided in banking agreement.

- **Section 5.4 Incidental Take**, second paragraph, third sentence was removed:

~~Due to the nature of Emergency Actions (authorized activities under this Plan), their habitat acreage impacts cannot be individually estimated, but for the purpose of impact assessment in this Plan, Emergency Activities are assumed to be a subset of the O&M Activities impact estimate.~~

- **Section 5.4 Incidental Take**, fifth paragraph was changed as follows:

Take of the Covered Species typically quantified in terms of acres of actual or potential habitat impacted by Covered Activities, is described below. To ensure that incidental take was not underestimated, any displacement of Covered Species was treated as ~~harm-assment~~ and thus considered as take. It was assumed that no direct take of nesting birds, active nests, eggs, or young would occur-be-allowed, except during urgent repairs and in association with the infrequent drawdown and refilling of reservoirs. Plan measures to avoid, minimize, mitigate, and monitor incidental take are presented in Section 6.0.

- **Section 5.4.3 Emergency Response Actions and Discharges and Accidental Spill Impacts**, was removed.
- **Section 6.4.3.4 Drainedowns and Drawdowns**, the following was added to the last sentence of #2:

Vegetation that is occupied by active, nesting birds will not be removed or inundated by the artificial filling of the reservoir during the nesting season, except as described in Section 5.2.7 of the Plan.

- **Section 6.8.1.2 San Miguel HMA**, first paragraph and fourth paragraph were changed as follows:

The 1,186-acre San Miguel HMA is an existing conservation bank that is part of the larger 1,852-acre San Miguel Ranch conserved land, located in Chula Vista near Mother Miguel and San Miguel Mountains. The HMA-conservation bank is part of the San Diego National Wildlife Refuge Complex (Refuge) and is managed in accordance with the management plan prepared for the property by the USFWS conservation banking agreement (see Appendix J). Credit use has been pre-determined by banking agreements established for the property in 1999, and assumed by the Water Authority (see Appendix J). Of the 1,186 credits at the San Miguel HMA, 600.94 credits currently are available for sale to private parties and public agencies with the concurrence of the Wildlife Agencies, or are reserved for Covered Activities as described by this Plan. The Water Authority initially acquired 820.85 credits of the San Miguel HMA in 2003 in anticipation of mitigation requirements under this Plan. The purchase price for credits at the bank includes a per-acre fee provided to an endowment dedicated to funding monitoring and management activities for species and habitats within the bank. With the purchase of credits, the Water Authority is entitled to rely on the monitoring and management assurances provided in the banking agreement.

~~The entire San Miguel HMA was burned in the October 2007 Harris Fire. An increased amount of non-native weedy species has appeared after the fire and Refuge staff will observe changes in the post-fire condition as part of their Refuge-wide monitoring.~~

- **Section 6.11 Preserve Management and Adjacency Guidelines**, second paragraph was changed as follows:

Because the Water Authority has written agreements that transferred (and funded, if part of the transfer agreement) management and monitoring of these lands to other entities, those activities will be implemented by the Wildlife Agencies and other entities as the land managers. This Plan expects that the land managers will prepare a PAMP (with an adaptive management component) consistent with the requirements of this Plan, if a PAMP has not already been prepared, within two years of permit issuance (for existing Preserve Area properties, unless otherwise noted in Section 6.7), or within two years of acquisition and approval of new Preserve Areas or approvals of new habitat mitigation sites (e.g., wetland HMA/mitigation banks). PAMPs will be updated, if necessary, every five years. ~~The USFWS will ensure compliance with section 7 of the ESA when it prepares or revises a PAMP.~~ For the San Miguel HMA, the management plan will be prepared in accordance with the conservation banking agreement (see Appendix J).

- **Section 6.12 Plan Monitoring and Adaptive Management**, the following was added to the end of the 1<sup>st</sup> paragraph:

For the San Miguel HMA, which is managed as a National Wildlife Refuge and in accordance with the conservation banking agreement for this area, the purchase price for credits at the bank includes a per-acre fee provided to an endowment dedicated to funding monitoring and management activities for species and habitats within the bank. With the purchase of credits, the Water Authority is entitled to rely on the monitoring and management assurances provided in the banking agreement.

- **Section 7.2.2.2 Habitat Management Endowments, San Miguel HMA**, first paragraph was changed as follows:

The Water Authority ~~is expected to make~~ made its endowment payment for CSP ~~by in November 2009, at which time bringing~~ the management fund account ~~will be to~~ approximately 49 percent funded. As credits are used/sold in the future to compensate for impacts by Covered Activities, the Water Authority will provide the credit fee to the management account pursuant to the conservation bank document. Complete funding will be assured when all the credits are used or sold. As specified in the conservation banking agreement, ~~The the~~ USFWS is preparing a long-term management plan for the property, consistent with the National Wildlife Refuge System Administration Act of 1966, Refuge Recreation Act of 1962, and Executive Order 12996. ~~That plan is expected to be completed by December 2010.~~ As part of the management plan preparation, the USFWS and Water Authority ~~(in consultation and concurrence with the CDFG)~~ will determine if an augmentation to the property's existing management funds by the Water Authority is needed to meet the Plan's commitments that exceed current management commitments pursuant to the conservation banking agreement.

## Tables

- **Table S-1 (Summary of Potential Environmental Effects of Each Alternative)** has been revised for effects on sensitive species under Alternative 1 as follows:

Significant Impact BIO-1 would be less than significant after mitigation ~~remain significant and unmitigated for non-listed species.~~

- **Table 3-1** (Conservation Plans Within the Plan Area) has been revised to accurately reflect County of San Diego plan names and the status of planning efforts.
- **Table 6-2** has been corrected as follows: Information about the known occurrence of four plant species proposed for coverage has been corrected. The following species were incorrectly listed as known to occur (K) or with the potential to occur (P) within the Preserve Area (HMAs):
  - San Diego ambrosia (*Ambrosia pumila*) is not known to occur (N) on the Preserve Area; it has the potential to occur on Myers MMA.



- Encinitas baccharis (*Baccharris vanessae*) is not known to occur (N) on the Preserve Area; it is only known to occur on Elfin Forest MMA.
- Thread-leaved brodiaea (*Brodiaea filifolia*) is not known to occur (N) on the Preserve Area; it has the potential to occur on Myers MMA.
- Orcutt's brodiaea (*Brodiaea orcuttii*) is not known to occur (N) on the Preserve Area; it has the potential to occur on Elfin Forest MMA.

## Figures

- **Figures 1-3, 4-3, and 6-1** were corrected as follows: the word "Site" was removed from the San Luis Rey River label on for consistency with the document text.
- **Figure 4-1** was revised with the correct spelling of "Communities" in the figure title.
- **Figure 3-1** has been revised to include the JWA Plan boundaries with the planning area for Otay Water District. The legend of Figure 3-1 has also been revised for accuracy in referencing the regional HCP/NCCP efforts as follows:
  - MSCP South County Subarea Plan
  - Draft MSCP North County Plan
  - Draft MSCP East County Plan
  - Multiple Habitat Conservation Program (MHCP)
  - Western Riverside County MSHCP

## Appendices

- **Appendix A (Implementing Agreement)**, Section 2.5, the following revisions were made:

The Water Authority is seeking an incidental take permit and an NCCP authorization from USFWS and CDFG, respectively, (incidental take permit and NCCP authorization are collectively referred to as "Permits") covering ~~sixty-four~~thirty (634) special-status species. ~~Two~~Three additional species, Orcutt's grass (*Orcuttia californica*), Munz's onion (*Allium munzii*), and vernal pool fairy shrimp (*Branchinecta lynchi*), could potentially have all their impacts occur within the NCCP/HCP's Major Amendment Area in Riverside County. Take Authorization for these ~~two~~three species will require a Major Amendment to the NCCP/HCP and Permits.

- **Appendix B (Conservation Agreements)**, Sections 7.2.3 (measures nos. 4 and 5), 7.3.3 (measure no. 2), 7.5.3 (measure no. 2), 7.6.3 (measure no. 3), 7.7.3 (measure no. 3), 7.8.3 (measure no. 2), 7.9.3 (measure no. 2), 7.10.3 (measure no. 2), 7.11.3 (measure no. 2), 7.12.3 (measure no. 2) and 7.13.3 (measure no. 3), were modified to clarify the minimization options:

Minimize impacts through timing of work in suitable California gnatcatcher habitat to avoid the nesting season for upland avian species whenever possible, and/or ensure

that habitat is removed prior to the initiation of the breeding season. If construction activities must commence ~~occur~~ during the upland avian breeding season, minimize impacts through conducting nest surveys within 300 feet of all proposed activities (see Section 2.3 for the Avian Breeding Season Policy). If active nests are encountered, no Covered Activities shall be implemented within a minimum distance of 100 feet of the nest. A greater setback (up to 300 feet) may be required, as determined by the Environmental Surveyor, based on the site specific considerations, phase of the nesting cycle, and species or other biological considerations (see Section 2.4, Buffers).

- **Appendix J (Conservation Bank Agreements)**, duplicate and out-of-order pages were corrected.
- **Figure K-2 (San Miguel HMA)** was revised to show the boundaries of the 1,186-acre San Miguel HMA parcel within the larger 1,852-acre San Miguel Ranch conservation area.

## Global Edits

Specific, repetitive changes or global edits were made based on USFWS and Water Authority review. These changes/corrections were made wherever necessary within the document to maintain consistency. These edits were as follows:

- Based on meetings with the U.S. Fish and Wildlife Service after the conclusion of the public review period, the Water Authority has removed one species – Munz’s Onion (*Allium munzii*) – from the Covered Species list. Further analysis determined that the appropriate process for potential take of Munz’s onion would be through the Major Amendment process for the Riverside County portion of the Plan Area. Similar to Orcutt grass and vernal pool fairy shrimp, Munz’s onion is considered a Major Amendment Species because it is only known to occur in the Plan’s Major Amendment Area in Riverside County. Therefore, the total Covered Species for the Proposed Action now involves 63 species (26 plant species and 37 wildlife species). All references in the EIR/EIS and NCCP/HCP (included as Appendix B to the EIR/EIS) have been changed to reflect the change from 64 total species to 63 total species and 27 plants (20 of which are listed) to 26 plants (19 of which are listed).
- Munz’s onion has been removed from all Covered Species lists within tables. Where lists include all covered and non covered species, Munz’s onion has been identified as a Major Amendment Species (†).
- For Alternative 3 (Full Species List Alternative), the number of additional species covered would change from 64 plus 25 additional species to 63 plus 26 additional species.
- For Alternative 4 (Reduced Species List Alternative), the number of species that would be covered is actually 39 (not 41) as Orcutt grass and vernal pool fairy shrimp were also removed as Covered Species under this alternative.
- Changed North County MSCP and East County MSCP to MSCP North County and MSCP East County, respectively.
- Changed the start date of the Tijuana River Valley HMA from September 2010 to September 2011.
- Changed the start date of the San Luis Rey River HMA from September 2011 to September 2015.

## **Minor Edits**

Minor edits, such as typographic errors, page numbering, formatting, etc., were made to the Draft EIR/EIS. These edits are not identified specifically within the errata sheet. Minor edits did not change the analysis or information provided within the document.

# **ATTACHMENT 1**

**SDCWA NCCP/HCP Draft EIR/EIS Mailing List**

<b>Agency</b>	<b>First Name</b>	<b>Last Name</b>	<b>Street</b>	<b>City, State</b>	<b>Zip</b>
U.S. Fish & Wildlife Service	Jim	Bartel	6010 Hidden Valley Road	Carlsbad, CA	92009
U.S. Fish & Wildlife Service	Karen	Goebel	6010 Hidden Valley Road	Carlsbad, CA	92009
U.S. Army Corps of Engineers Los Angeles Dist.	Mark	Durham, South Coast Section Chief	915 Wilshire Blvd. Suite 98	Los Angeles, CA	90017
U.S. Army Corps of Engineers San Diego Field Office	Therese	O'Rourke, Field Office Supervisor	6010 Hidden Valley Road,	Carlsbad, CA	92009
U.S. Army Corps of Engineers San Diego Field Office	Peggy	Bartels	6010 Hidden Valley Road,	Carlsbad, CA	92009
U.S. Bureau of Indian Affairs, Regional Office, Sacramento			2800 Cottage Way	Sacramento, CA	95825
U.S. Environmental Protection Agency, Region IX, Water Division	Elizabeth	Goldmann, Environmental Scientist	75 Hawthorne Street	San Francisco, CA	94105
U.S. Environmental Protection Agency, Region IX, Water Division	David	Schmidt	75 Hawthorne Street	San Francisco, CA	94105
U.S. Environmental Protection Agency, Region IX, Communities and Ecosystem Division	Summer	Allen	75 Hawthorne Street	San Francisco, CA	94105
U.S. Environmental Protection Agency, Washington D.C.		Public Affairs Office	Ariel Rios Building 1200 Pennsylvania Avenue, N.W., MC 1702A	Washington, D.C	20460
National Marine Fisheries Service		Attn: Regional Administrator	501 West Ocean Boulevard	Long Beach, CA	90802-4213
California Dept. of Fish & Game, Habitat Conservation Planning Branch	Brenda S.	Johnson, Manager, Conservation Planning Program	1416 Ninth Street, 12th Floor	Sacramento, CA	95814
California Dept. of Fish & Game		Ed Pert, Regional Manager, South Coast Region	4949 Viewridge Avenue	San Diego, CA	92123
California Dept. of Fish & Game	David	Mayer, South Coast Region NCCP Supervisor	4949 Viewridge Avenue	San Diego, CA	92123
California Dept. of Fish & Game	Curt	Taucher, Regional Manager, Region 6	4665 Lampson Avenue, Su	Los Alamitos, CA	90720

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California Dept. of Fish & Game	Leslie	McNair, Staff Environmental Scientist	3602 Inland Empire Boulevard	Ontario, CA	91764
Regional Water Quality Control	Chiara	ATTN: Clemente	9174 Sky Park Court,	San Diego, CA	92123
California Coastal Commission		ATTN: Deputy Director	7575 Metropolitan Dr., Suite	San Diego, CA	92108-4402
California Department of Transportation, District 11 Development Review Branch	Jacob	Armstrong, Acting Branch Chief	4050 Taylor Street, MS 242	San Diego, CA	92110
California Department of Transportation, District 11	Susanne	Glasgow, Deputy District Director, Environmental	4050 Taylor Street, MS 242	San Diego, CA	92110
Governor's Office of Planning & Research	Scott	Morgan, Senior Planner (State Clearinghouse)	1400 Tenth Street, Suite 22	Sacramento, CA	95814
Carlsbad Municipal Water District	Mark	Stone, General Manager	5950 El Camino Real	Carlsbad, CA	92008
City of Del Mar, Water Utility Dept.	David	Scherer, Public Works Director	1050 Camino Del Mar	Del Mar, CA	92014
City of Escondido, Water Utility Dept.	Mary Ann	Mann, Utilities Manager	201 North Broadway	Escondido, CA	92025
City of National City, Engineering Dept.	Maryam	Babaki, City Engineer	1243 National City Blvd.	National City, CA	91950
City of Oceanside, Water Utilities Dept.	Lonnie	Thibodeaux, Water Utilities Director	300 North Coast Highway	Oceanside, CA	92054-2886
City of Poway, Public Works Dept.	Kevin	Haupt, Director of Public Works	P.O. Box 789	Poway, CA	92074
City of San Diego, Public Utilities Dept.		James Barrett, Director of Public Utilities	9192 Topaz Way	San Diego, CA	92123
Fallbrook Public Utility District	Keith	Lewinger, General Manager	P.O. Box 2290	Fallbrook, CA	92088
Helix Water District	Mark	Weston, General Manager	7811 University Avenue	La Mesa, CA	91941-4927
Lakeside Water District	Robert D.	Cook, General Manager	10375 Vine Street	Lakeside, CA	92040
Olivenhain Municipal Water District	Kimberly A.	Thorner, General Manager	1966 Olivenhain Road	Encinitas, CA	92024
Otay Water District	Mark	Watton, General Manager	2554 Sweetwater Springs E	Spring Valley, CA	91978-7299
Padre Dam Municipal Water District	Doug	Wilson, General Manager	P.O. Box 719003	Santee, CA	92072-9003
Pendleton Military Reservation	Ron	Couchot, Water Programs	Public Works Dept.	MCB Camp Pendleton	92055
Rainbow Municipal Water District	Dave	Seymour, General Manager	3707 Old Hwy 395	Fallbrook, CA	92028

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Ramona Municipal Water District	Ralph	McIntosh, General Manager	105 Earlham Street	Ramona, CA	92065-1599
Rancho California Water District			42135 Winchester Road	Temecula, CA	92590
Rincon del Diablo Municipal Water District	Mitchell	Dion, General Manager	1920 N. Iris Lane	Escondido, CA	92026-1318
San Dieguito Water District	Larry	Watt, General Manager	160 Calle Magdalena	Encinitas, CA	92024
Santa Fe Irrigation District	Michael	Bardin, General Manager	P.O. Box 409	Rancho Santa Fe, CA	92067
South Bay Irrigation District	Mark	Rogers, General Manager	P.O. Box 2328	Chula Vista, CA	91912
Vallecitos Water District	William	Rucker, General Manager	201 Vallecitos de Oro	San Marcos, CA	92069-1453
Valley Center Municipal Water District	Gary	Arant, General Manager	P.O. Box 67	Valley Center, CA	92082
Vista Irrigation District	Ray	Coox, General Manager	1391 Engineer St.	Vista, CA	92081-8836
Yuima Municipal Water District	Linden	Burzell, General Manager	P.O. Box 177	Pauma Valley, CA	92061
County of San Diego	Pam	Slater-Price, Supervisor	1600 Pacific Highway, Rm	San Diego, CA	92101
Metropolitan Water District of Southern California	Jennifer	Harriger, Env. Planning Team	700 N. Alameda	Los Angeles, CA	90012
Sweetwater Authority	Mark	Rogers, General Manager	P.O. Box 2328	Chula Vista, CA	91912
San Diego Association of Governments		Rob Rundle, Senior Regional Planner	401 B Street, Suite 800	San Diego, CA	92101-4231
City of Carlsbad		ATTN: Planning Director	1200 Carlsbad Village Drive	Carlsbad, CA	92008
City of Chula Vista, Development & Planning Division	Planning Division	ATTN: Planning Director	276 Fourth Avenue	Chula Vista, CA	91910
City of Coronado, Planning Commission	Scott	Grimes, Chairperson	1825 Strand Way	Coronado, CA	92118
City of Del Mar, Planning and Community Development		ATTN: Planning Director	1050 Camino Del Mar	Del Mar, CA	92014
City of El Cajon	Melissa	Ayres, Director of Community Development	Civic Center Way	El Cajon, CA	92020
City of Encinitas	Patrick	Murphy, Planning and Building Director	505 S. Vulcan Avenue	Encinitas, CA	92024
City of Escondido	Barbara	Redlitz, AICP, Assistant Planning Director	201 North Broadway	Escondido, CA	92025
City of Imperial Beach, Community Development		ATTN: Planning Director	825 Imperial Beach Blvd.	Imperial Beach, CA	91932
City of La Mesa	Bill	Chopyk, Director of Development and Planning	8130 Allison Avenue	La Mesa, CA	91941



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City of Lemon Grove	Carol B.	Dick, Director of Community Development	3232 Main Street	Lemon Grove, CA	91945
City of National City	Roger	Post, Planning & Building Director	1243 National City Blvd.	National City, CA	91950
City of Oceanside, Economic & Co	Jane	McVey, Director	300 North Coast Highway	Oceanside, CA	92054
City of Poway, Development Servi	Jim	Lyon, Sr. Planner	P.O. Box 789	Poway, CA	92074
City of San Diego, Planning Dept.	Mary	Wright, Deputy Director Planning Division	202 C Street, MS 5A	San Diego, CA	92101
City of San Diego, Planning Dept.	Jeanne	Krosh, Senior Planner (MSCP)	202 C Street, MS 5A	San Diego, CA	92101
City of San Diego, Development S	Patricia	Grabski, Development Project Manager	1222 First Avenue, MS 302	San Diego, CA	92101
City of San Diego Water Departme	Cathy	Pieroni	600 B Street, MS-906	San Diego, CA	92101
City of San Diego Water Departme	Nicole	McGinnis	600 B Street, MS-906	San Diego, CA	92101
City of San Marcos, Development Services, Plan		ATTN: Planning Director	1 Civic Center Drive	San Marcos, CA	92069
City of Santee, Development Servi	Melanie	Kush, City Planner	10601 Magnolia, Bldg. #4	Santee, CA	92071
City of Solana Beach, Community	Tina	Christiansen, Director of Community Development	635 S. Highway 101	Solana Beach, CA	92075
City of Vista, Community Developr	Patsy	Chow, City Planner	P.O. Box 1988	Vista, CA	92085
County of San Diego Department of Planning and Land Use	Eric	Gibson, Director	5201 Ruffin Road, Suite B	San Diego, CA	92123
County of San Diego Department of Planning and Land Use	Gary	Pryor	5201 Ruffin Road, Suite B	San Diego, CA	92123
County of San Diego Department of Planning and Land Use	Jennifer	Campos	5201 Ruffin Road, Suite B	San Diego, CA	92123
County of San Diego, Dept. of Pla	Thomas	Oberbauer	5201 Ruffin Road, Suite B	San Diego, CA	92123
County of San Diego, Dept. of Pla	Jeremy	Buegge	5201 Ruffin Road, Suite B	San Diego, CA	92123
County of San Diego, Dept. of Parks & Recreation		Brian Albright, Director of Parks and Recreation	9150 Chesapeake Drive, S	San Diego, CA	92123
County of San Diego, Dept. of Parks & Recreation	Trish	Boaz, Resource Chief	9150 Chesapeake Drive, S	San Diego, CA	92123
San Diego County APCD		Attn: Director	10124 Old Grove Road 921	San Diego, CA	92131
County of Riverside		ATTN: Planning Director	PO Box 1409	Riverside, CA	92502-1409
City of Temecula		ATTN: Planning Director	43200 Business Park Drive	Temecula, CA	92590

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Western Riverside Co. Regional Conservation Authority		ATTN: Executive Director	3403 10th St, Suite 320	Riverside, CA	92501
Western Municipal Water District		ATTN: General Manager	450 E. Alessandro Blvd	Riverside, CA	92508
Eastern Water District		ATTN: General Manager	P.O. Box 8300	Perris, CA	92572-8300
Native American Heritage Commission	Dave	Singleton, Program Analyst	915 Capitol Mall, Room 364	Sacramento, CA	95814
Kumeyaay Cultural Repatriation Committee		Chairman	1095 Barona Road	Lakeside, CA	92040
Barona Band of Mission Indians		Chairman	1095 Barona Rd.	Lakeside CA	92040
Campo Band of Kumeyaay Indians		Chairman	36190 Church Rd. Suite 1	Campo, CA	91906
Ewiiapaayp Band of Kumeyaay Indians		Chairman	4054 Willows Rd.	Alpine, CA	91901
Inaja-Cosmit Band of Indians of Mission Indians		Chairman	2005 S Escondido Blvd	Escondido, CA	92025-8207
Jamul Indian Village		Chairman	P.O. Box 612	Jamul, CA	91935
La Jolla Band of Luiseño Indians		Chairman	22000 Highway 76	Pauma Valley, CA	92061
La Posta Band of Mission Indians		Chairman	P.O. Box 1120	Boulevard, CA	91905
Los Coyotes Band of Mission Indians		Chairman	P.O. Box 189	Warner Springs, CA	92086
Manzanita Band of the Kumeyaay Nation		Chairman	P.O. Box 1302	Boulevard, CA	91905
Mesa Grande Band of Mission Indians		Chairman	P.O. Box 270	Santa Ysabel, CA	92070
Pala Band of Cupeño Indians		Chairman	35008 Pala Temecula Rd.	Pala, CA	92059
Pauma Band of Mission Indians		Chairman	P.O. Box 369	Pauma Valley, CA	92061
Pechanga Band of Luiseño Indians		Chairman	PO Box 1477	Temecula, CA	92593
Rincon Band of Luiseño Indian		Chairman	P.O. Box 68	Valley Center, CA	92082
San Luis Rey Band of Luiseño Indians		Chairman	1889 Sunset Drive	Vista, CA	92081
San Pasqual Band of Indians		Chairman	P.O. Box 365	Valley Center, CA	92082
Santa Ysabel Band of Diegueño Indians		Chairman	P.O. Box 130	Santa Ysabel, CA	92070
Sycuan Band of the Kumeyaay Nation		Chairman	5459 Dehesa Rd.	El Cajon, CA	92021
Viejas Band of Kumeyaay Indians		Chairman	P.O. Box 908	Alpine, CA	91903-0908
David Younkman			PO Box 60098	San Diego, CA	92166

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California Native Plant Society		c/o San Diego Natural History Museum	P.O. Box 121390	San Diego, CA	92112-1390
Center for Biological Diversity			PMB 447, 8033 Sunset Blv	Los Angeles, CA	90046-2401
Center for Biological Diversity	David	ATTN: Hogan	P.O. Box 7745	San Diego, CA	92167
Endangered Habitats League	Michael	Beck	560 La Cresta Blvd.	Crest, CA	92021
San Diego Audubon Society	Jim	Peugh, Chair of Conservation	4010 Morena Blvd, Suite #100	San Diego, CA	92117
San Diego Archeological Society	James	Royle, Jr., Env. Review Committee	P.O. Box 81106	San Diego, CA	92138
San Diego Gas and Electric	Shannon Turek		8315 Century Park Ct.	San Diego, CA	92123-1548
San Diego Natural History Museum			P.O. Box 121390	San Diego, CA	92112-1390
Sierra Club of San Diego		Env. Review Committee	8304 Clairemont Mesa Blvd	San Diego, CA	92111-1315
Michael W. Klein			P.O. Box 4326	San Diego, CA	92164-4326
San Diego Public Library	Gary	Klockenga, Govt. Publications Librarian	820 E Street	San Diego, CA	92101-6478
Carlsbad Public Library		Library Director	1775 Dove Lane	Carlsbad, CA	92009-4048
Chula Vista Public Library		Library Director	365 F Street	Chula Vista, CA	91910-2697
Escondido Public Library		Library Director	239 S. Kalmia Street	Escondido, CA	92025-4224
Lakeside Public Library		Library Director	9839 Vine Street	Lakeside, CA	92040
Mission Valley Branch Library		Library Director	2123 Fenton Parkway	San Diego, CA	92108
Temecula Public Library		Library Director	30600 Pauba Rd.	Temecula, CA	92592



**Mail comments to:**  
 San Diego County Water Authority  
 Attn: Bill Tippetts  
 4677 Overland Avenue  
 San Diego, CA 92123

**PUBLIC NOTICE  
 OF THE AVAILABILITY OF THE  
 NATURAL COMMUNITIES CONSERVATION PLAN  
 /HABITAT CONSERVATION PLAN  
 DRAFT ENVIRONMENTAL IMPACT REPORT/  
 ENVIRONMENTAL IMPACT STATEMENT**

**NOTICE IS HEREBY GIVEN** that on March 4, 2010 the San Diego County Water Authority (Water Authority) issued a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for public review and comment. The Water Authority and U.S. Fish and Wildlife Service (Service) are Co-Lead Agencies for the preparation of the EIR/EIS to assess the environmental effects related to implementation of the draft NCCP/HCP (Plan). The Water Authority's Proposed Action is approval of the Plan and execution of an associated implementing agreement. The Service's Proposed Action is the execution of the implementing agreement and issuance of an incidental take permit under section 10(a)(1)(B) of the federal Endangered Species Act of 1973, as amended. The EIR/EIS has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines (CCR Title 14, §§15082(a), 15103, and 15375); the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.) and its implementing regulations (40 CFR, Section 1500 et seq.); the Service's Procedures for Implementing NEPA; and with other appropriate federal laws and regulations, policies, and procedures of the Service for compliance with those regulations. As a Responsible Agency under CEQA, the California Department of Fish and Game will execute the implementing agreement and issue a Natural Communities Conservation Plan Act (NCCPA) Section 2835 permit. Documents available for public review and comment are the EIR/EIS and the draft Plan with Appendices (Appendix B of the EIR/EIS), which includes the draft Implementing Agreement (Appendix A of the Plan).

The purpose of an EIR/EIS is to provide decision makers, public agencies, and the general public with an objective and informative document that facilitates a basic understanding of the Proposed Action and fully discloses the environmental effects associated with implementing the Proposed Action and its alternatives, including direct, indirect, short-term, long-term, and cumulative environmental effects. In addition, the EIR/EIS identifies feasible mitigation measures to reduce or eliminate those effects, and adverse impacts determined to be significant after mitigation, where applicable.

The Water Authority and Service have established a 90-day public review period, beginning on March 4, 2010, to solicit comments and input on the Draft EIR/EIS. All written comments on the adequacy of the Draft EIR/EIS, including the draft Plan and Appendices, must be submitted to the contact listed below by **no later than June 3, 2010.**

Bill Tippetts, Principal Water Resources Specialist  
 San Diego County Water Authority  
 4677 Overland Avenue  
 San Diego, CA 92123-1233  
 Facsimile: (858) 268-7881  
 E-mail: btippetts@sdcwa.org

**FILED**  
 David Butler, Recorder/County Clerk

MAR 03 2010  
 BY L. Kesian  
 DEPUTY

FILED IN THE OFFICE OF THE COUNTY CLERK  
 San Diego County on MAR 03 2010  
 Posted MAR 03 2010 Removed \_\_\_\_\_  
 Returned to agency on \_\_\_\_\_  
 Deputy L. Kesian

The issues evaluated in the Draft EIR/EIS and determined to result in a potentially significant impact or significant adverse effect from one or more of the alternatives are biological resources and public services and utilities. Issues that could result in cumulative adverse effects resulting from at least one of the alternatives also include biological resources and public services and utilities.

**PUBLIC HEARINGS:** Two (2) public hearings to receive comments on the Draft EIR/EIS, including the draft Plan and Appendices, will be held by the Water Authority. The locations and times for the public hearings are as follows:

San Diego County Water Authority, 4677 Overland Avenue, San Diego, CA 92123; Open House at 6:30 p.m. and Public Hearing at 7:00 p.m.; **March 17, 2010.**

Escondido City Hall – Mitchell Room, 201 North Broadway, Escondido, CA 92025; Open House at 6:30 p.m. and Public Hearing at 7:00 p.m.; **March 18, 2010.**

The Draft EIR/EIS and Appendices are available for review and downloading from the Water Authority's Internet web page at the following address: <http://www.sdcwa.org>. Copies of the Draft EIR/EIS and all documents referenced in the Draft EIR/EIS are available for public review by appointment at the Water Authority office location listed above. Copies of the Draft EIR/EIS and Appendices are also available for public review at the following locations:

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820 E Street  
San Diego, CA 92101-6478

Lakeside Public Library  
9839 Vine Street  
Lakeside, CA 92040

Carlsbad Public Library  
1775 Dove Lane  
Carlsbad, CA 92009-4048

Mission Valley Branch Library  
2123 Fenton Parkway  
San Diego, CA 92108

Chula Vista Public  
365 F Street  
Chula Vista, CA 91910-2697

Temecula Public Library  
30600 Pauba Road  
Temecula, CA 92592

Escondido Public Library  
239 S. Kalmia Street  
Escondido, CA 92025-4224

The Service prepared a separate notice of availability and will publish that notice in the Federal Register pursuant to the Service's guidelines for implementing NEPA. The Water Authority will post a copy of the Service's notice of availability on the Water Authority's Internet web page (<http://www.sdcwa.org>) when it becomes available.

For further information concerning this project or to schedule an appointment to view the documents, including the public hearings listed above, please contact Bill Tippets at (858) 522-6784.

This notice is required to be filed with the County Clerk's office for a period of not less than thirty (30) days.

P.O. Box 120191, San Diego, CA 92112-0191

**AFFIDAVIT OF PUBLICATION**

SAN DIEGO COUNTY WATER AUTHO  
4677 OVERLAND AVENUE  
SAN DIEGO COUNTY WATER AUTH.  
ATTN:SYBYL C. WILSON FERRARI  
SAN DIEGO, CA 92123


STATE OF CALIFORNIA) ss.  
County of San Diego)

The Undersigned, declares under penalty of perjury under the laws of the State of California: That she is a resident of the County of San Diego. That she is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that she is not a party to, nor interested in the above entitled matter; that she is Chief Clerk for the publisher of

**The San Diego Union-Tribune**

a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

Mar 5, 2010

  
Chief Clerk for the Publisher  
  
3/16/10  
Date

**Affidavit of Publication of**

Legal Advertisement  
Ad # 0010357017  
ORDERED BY: SYBYL C. WILSON FERRARI

**San Diego County Water Authority**

**PUBLIC NOTICE**  
**OF THE AVAILABILITY OF THE**  
**NATURAL COMMUNITIES CONSERVATION PLAN**  
**/HABITAT CONSERVATION PLAN**  
**DRAFT ENVIRONMENTAL IMPACT REPORT/**  
**ENVIRONMENTAL IMPACT STATEMENT**

**NOTICE IS HEREBY GIVEN** that on March 4, 2010 the San Diego County Water Authority (Water Authority) issues Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for public review and comment. The Water Authority and U.S. Fish and Wildlife Service (Service) are Co-Lead Agencies for the preparation of the EIR/EIS to assess the environmental effects related to implementation of the draft NCCP/HCP (Plan). The Water Authority's Proposed Action is approval of the Plan and execution of an associated implementing agreement. The Service's Proposed Action is the execution of the implementing agreement and issuance of an incidental take permit under section 10(a)(1) (D) of the Federal Endangered Species Act of 1972, as amended. The EIR/EIS has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Ordinance (CEQA Title 14, §§15000, 15101, and 15170); the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.) and its implementing regulations (40 CFR, Section 1500 et seq.); the Service's Procedures for Implementing NEPA; and with other appropriate federal laws and regulations, policies, and procedures of the Service for compliance with those regulations. As a Responsible Agency under CEQA, the California Department of Fish and Game will execute the implementing agreement and issue a Natural Communities Conservation Plan Act (NCCCPA) Section 2538 permit. Decree available for public review and comment are the EIR/EIS and the draft Plan with Appendixes (Appendix B of the EIR/EIS, which includes the draft Implementing Agreement, Appendix A of the Plan).

The purpose of an EIR/EIS is to provide decision makers, public agencies, and the general public with an objective and informative document that facilitates a better understanding of the Proposed Action and fully disclose the environmental effects associated with implementing the Proposed Action and its alternatives, including direct, indirect, short-term, long-term, and cumulative environmental effects. In addition, the EIR/EIS identifies feasible mitigation measures to reduce or eliminate those effects, and adverse impacts determined to be significant after mitigation, where applicable.

The Water Authority and Service have established a 90-day public review period, beginning on March 4, 2010, to solicit comments and input on the Draft EIR/EIS. All written comments on the adequacy of the Draft EIR/EIS, including the draft Plan and Appendixes, must be submitted to the contact listed below by no later than June 3, 2010.

Bill Tippens, Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123-1223  
Facsimile: (619) 298-7881  
E-mail: bill.tippens@sdwa.org

Following the close of the public comment period, responses to comments received on the Draft EIR/EIS and the Plan and Appendixes will be prepared and, together with the Draft EIR/EIS, will constitute the Final EIR/EIS. The Final EIR/EIS will be considered and acted upon by the Water Authority's Board of Directors at a public meeting. The Service will finalize its Record of Decision (ROD) after the Water Authority has certified the Final EIR.

**LOCATION OF PROPOSED ACTION:** The Plan Area covers approximately 892,000 acres in the western third of San Diego County and along three water pipeline corridors in southwestern Riverside County extending north from the San Diego County line in Lake Skinner and Diamond Valley Reservoir. The conservation measures, including mitigation and mitigation measures that are incorporated into the ISA and NCCPA permits issued in association with the approved Plan, will apply to Water Authority covered activities conducted within the Plan Area.

**DESCRIPTION OF PROPOSED ACTION:** The Plan is a comprehensive program designed to facilitate conservation and management of Covered Species and habitats associated with Water Authority activities and contribute to ongoing regional conservation efforts. The Plan identifies the types of activities proposed for coverage and an assessment of expected impacts on Covered Species. The Plan addresses potential impacts to aquatic resources and provides a habitat-based assessment of lake associated with the ongoing installation, use, and maintenance of its aqueduct and associated water treatment, conveyance, and storage systems, and typical operations to those systems throughout the Plan Area.

The majority of the activities covered under the Plan would occur in an area identified as the Probable Impact Zone (PIZ), which covers the 84,900-acre area around existing Water Authority infrastructure and within the designated right-of-way. Approximately 273 acres of Covered Species habitat are estimated to be permanently impacted as a result of the Covered Activities identified within this Plan over a 10-year period. Additional impacts will occur to disturbed habitats, agricultural lands, or non-sensitive vegetation communities (e.g., sclerophyll woodlands) that would not require mitigation pursuant to the Plan.

Covered Species are listed and non-listed species whose conservation and management are provided for by the Plan and for which listed take would be authorized by the Service and the California Department of Fish and Game collectively (the Wildlife Appendix) pursuant to listed permits. To address potential impacts to sensitive species and habitats associated with existing and future installation, use, maintenance, expansion, and repair of its aqueduct and water storage, treatment, and conveyance systems, the Water Authority proposes to cover 84 species (27 plant species and 57 wildlife species), 18 of which are identified as narrow endemic. The Plan includes mitigation measures designed to avoid and minimize potential impacts to biological resources and to provide appropriate mitigation to ensure the conservation of Covered Species where impacts are unavoidable. A dedicated Preserve Area within San Diego County has been established in order to provide adequate conservation for all Covered Activities allowed under the Plan. Specified areas within the Preserve Area are or will function as conservation banks to provide mitigation credits that the Water Authority can use to offset impacts of Covered Activities. The Plan allows the Water Authority to obtain credits from other conservation banks or to acquire suitable habitat lands within the Plan Area if its conservation banker do not have the appropriate credits. The Water Authority's fee-owned lands and easements also play an important role in regional conservation by providing habitat connectivity in areas where little natural habitat remains.

The Draft EIR/EIS analyzes rare alternatives in addition to the proposed Plan described above. The other alternative includes a no-action (i.e., no Plan adoption) or partial alternative, a larger species Preserve Area, and a reduced Plan Area alternative.

The impact evaluated in the Draft EIR/EIS and determined to result in a potentially significant impact or significant adverse effect from one or more of the alternatives are biological resources and public services and utilities. Issues that could result in cumulative adverse effects resulting from at least one of the alternatives also include biological resources and public services and utilities.

**PUBLIC HEARINGS:** Two (2) public hearings to receive comments on the Draft EIR/EIS, including the draft Plan and Appendixes, will be held by the Water Authority. The locations and times for the public hearings are as follows:

San Diego County Water Authority, 4677 Overland Avenue, San Diego, CA 92123; Open House at 8:30 p.m. and Public Hearing at 7:00 p.m., March 17, 2010.  
Bonsall City Hall - Mitchell Room, 261 North Broadway, Bonsall, CA 92025; Open House at 8:30 p.m. and Public Hearing at 7:00 p.m., March 18, 2010.

The Draft EIR/EIS and Appendixes are available for review and downloading from the Water Authority's Internet web page at the following address: <http://www.sdwa.com>. Copies of the Draft EIR/EIS and all documents referenced in the Draft EIR/EIS are available for public review by appointment at the Water Authority office location listed above. Copies of the Draft EIR/EIS and Appendixes are also available for public review at the following locations:

San Diego Public Library 630 E Street San Diego, CA 92101-4478	Lakeside Public Library 9638 Vine Street Lakeside, CA 92040
Carlsbad Public Library 1775 Dove Lane Carlsbad, CA 92008-4048	Mission Valley Branch Library 2123 Patton Parkway San Diego, CA 92108
Clouds Vista Public 265 Y Street Clouds Vista, CA 91910-2987	Tecoma Public Library 30800 Pacific Road Tecoma, CA 92592
Escondido Public Library 228 S. Main Street Escondido, CA 92025-4234	

The Service prepared a separate notice of availability and will publish that notice in the Federal Register pursuant to the Service's guidelines for implementing NEPA. The Water Authority will post a copy of the Service's notice of availability on the Water Authority's Internet web page (<http://www.sdwa.com>) when it becomes available.

For further information concerning the project or to schedule an appointment to view the documents, including the public hearings listed above, please contact Bill Tippens at (619) 298-7874.

This notice is required to be filed with the County Clerk's office for a period of not less than thirty (30) days.

10357017-3/6/10

# PROOF OF PUBLICATI (2010 & 2011 C.C.P.

STATE OF CALIFORNIA  
County of San Diego

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of 18 years and not a party to or interested in the matter. I am the principal clerk of

## North County Times

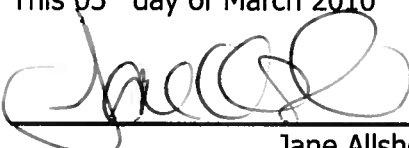
Formerly known as the Blade-Citizen and Advocate and which newspapers I have adjudicated newspapers of general circulation Superior Court of the County of San Diego, California, for the City of Oceanside and Escondido, Court Decree number 1713. County of San Diego, that the notice of annexed is a printed copy (set in type not nonpariel), has been published in each entire issue of said newspaper and supplement thereof on the following dates,

March 05<sup>th</sup>, 2010

I certify (or declare) under penalty of perjury that foregoing is true and correct.

Dated at Escondido, California

This 05<sup>th</sup> day of March 2010



Jane Allshouse  
NORTH COUNTY TIMES  
Legal Advertising



San Diego County Water Authority

### PUBLIC NOTICE OF THE AVAILABILITY OF THE NATURAL COMMUNITIES CONSERVATION PLAN / HABITAT CONSERVATION PLAN DRAFT ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT

Mail comments to:  
San Diego County Water Authority  
Attn: Bill Tippets  
4677 Overland Avenue  
San Diego, CA 92123

**NOTICE IS HEREBY GIVEN** that on March 4, 2010 the San Diego County Water Authority (Water Authority) issued a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for public review and comment. The Water Authority and U.S. Fish and Wildlife Service (Service) are Co-Lead Agencies for the preparation of the EIR/EIS to assess the environmental effects related to implementation of the draft NCCP/HCP (Plan). The Water Authority's Proposed Action is approval of the Plan and execution of an associated implementing agreement. The Service's Proposed Action is the execution of the implementing agreement and issuance of an incidental take permit under section 10(a)(1)(B) of the federal Endangered Species Act of 1973, as amended. The EIR/EIS has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines (CCR Title 14, §§15082(e), 15103, and 15375); the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.) and its implementing regulations (40 CFR, Section 1500 et seq.); the Service's Procedures for Implementing NEPA; and with other appropriate federal laws and regulations, policies, and procedures of the Service for compliance with those regulations. As a Responsible Agency under CEQA, the California Department of Fish and Game will execute the implementing agreement and issue a Natural Communities Conservation Plan Act (NCCPA) Section 2835 permit. Documents available for public review and comment are the EIR/EIS and the draft Plan with Appendices (Appendix B of the EIR/EIS), which includes the draft implementing Agreement (Appendix A of the Plan).

The purpose of an EIR/EIS is to provide decision makers, public agencies, and the general public with an objective and informative document that facilitates a basic understanding of the Proposed Action and fully discloses the environmental effects associated with implementing the Proposed Action and its alternatives, including direct, indirect, short-term, long-term, and cumulative environmental effects. In addition, the EIR/EIS identifies feasible mitigation measures to reduce or eliminate those effects, and adverse impacts determined to be significant after mitigation, where applicable.

The Water Authority and Service have established a 90-day public review period, beginning on March 4, 2010, to solicit comments and input on the Draft EIR/EIS. All written comments on the adequacy of the Draft EIR/EIS, including the draft Plan and Appendices, must be submitted to the contact listed below by **no later than June 3, 2010**.

Bill Tippets, Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123-1233  
Facsimile: (858) 268-7881  
E-mail: btippets@sdicwa.org

Following the close of the public comment period, responses to comments received on the Draft EIR/EIS and the draft Plan and Appendices will be prepared and, together with the Draft EIR/EIS, will constitute the Final EIR/EIS. The Final EIR/EIS will be considered and acted upon by the Water Authority's Board of Directors at a noticed public meeting. The Service will finalize its Record of Decision (ROD) after the Water Authority has certified the Final EIR.

**LOCATION OF PROPOSED ACTION:** The Plan Area covers approximately 992,000 acres in the western third of San Diego County and along three water pipeline corridors in southwestern Riverside County extending north from the San Diego County line to Lake Skinner and Diamond Valley Reservoir. The conservation measures, including avoidance, minimization and mitigation measures that are incorporated into the ESA and NCCPA permits issued in association with the approved Plan, will apply to Water Authority covered activities conducted within the Plan Area.

**DESCRIPTION OF PROPOSED ACTION:** The Plan is a comprehensive program designed to facilitate conservation and management of Covered Species and habitats associated with Water Authority activities and contribute to ongoing regional conservation efforts. The Plan identifies the types of activities proposed for coverage and an assessment of expected impacts on Covered Species. The Plan addresses potential impacts to sensitive resources and provides a habitat-based assessment of take associated with the ongoing installation, use, and maintenance of its aqueduct and associated water treatment, conveyance, and storage systems, and typical expansion to those systems throughout the Plan Area.

The majority of the activities covered under the Plan would occur in an area identified as the Probable Impact Zone (PIZ), which covers the 64,600-acre area around existing Water Authority infrastructure and within associated rights-of-way. Approximately 373 acres of Covered Species habitat are estimated to be permanently impacted as a result of the Covered Activities identified within this Plan over a 55-year period. Additional impacts will occur to disturbed habitats, agricultural lands, or non-native vegetation communities (e.g., eucalyptus woodlands) that would not require mitigation pursuant to this Plan.

Covered Species are listed and non-listed species whose conservation and management are provided for by the Plan and for which limited take would be authorized by the Service and the California Department of Fish and Game (collectively the Wildlife Agencies) pursuant to issued permits. To address potential impacts to sensitive species and habitats associated with existing and future installation, use, maintenance, expansion, and repair of its aqueduct and water storage, treatment, and delivery systems, the Water Authority proposes to cover 64 species (27 plant species and 37 wildlife species), 19 of which are identified as narrow endemic. The Plan includes mitigation measures designed to avoid and minimize potential impacts to biological resources and to provide appropriate mitigation to ensure the conservation of Covered Species where impacts are unavoidable. A dedicated Preserve Area within San Diego County has been established in order to provide adequate conservation for all Covered Activities allowed under the Plan. Specified areas within the Preserve Area are or will function as conservation banks to provide mitigation credits that the Water Authority can use to offset impacts of Covered Activities. The Plan allows the Water Authority to obtain credits from other conservation banks or to acquire suitable habitat lands within the Plan Area if its conservation banks do not have the appropriate credits. The Water Authority's fee-owned lands and easements also play an important role in regional conservation by providing habitat connectivity in areas where little natural habitat remains.

The Draft EIR/EIS analyzes three alternatives in addition to the proposed Plan described above. The other alternatives include a no-action (i.e., no Plan adoption/no permit) alternative, a larger species list alternative, and a reduced Plan Area alternative.

The issues evaluated in the Draft EIR/EIS and determined to result in a potentially significant impact or significant adverse effect from one or more of the alternatives are biological resources and public services and utilities. Issues that could result in cumulative adverse effects resulting from at least one of the alternatives also include biological resources and public services and utilities.

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Chula Vista, CA 91910-2697

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For further information concerning this project or to schedule an appointment to view the documents, including the public hearings listed above, please contact Bill Tippets at (858) 522-8784.

This notice is required to be filed with the County Clerk's office for a period of not less than thirty (30) days.

This space is for the County Clerk's Filing Stamp

# PROOF OF PUBLICATION (2010 & 2011 C.C.P.)

STATE OF CALIFORNIA  
County of San Diego

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of

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Proof of Publication of

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## North County Times

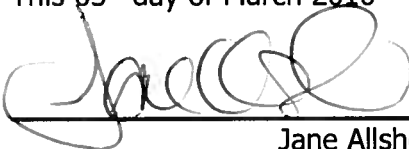
Formerly known as the Blade-Citizen and The Times-Advocate and which newspapers have been adjudicated newspapers of general circulation by the Superior Court of the County of San Diego, State of California, for the City of Oceanside and the City of Escondido, Court Decree number 171349, for the County of San Diego, that the notice of which the annexed is a printed copy (set in type not smaller than nonpariel), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

**March 05<sup>th</sup>, 2010**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at **Escondido**, California

This 05<sup>th</sup> day of March 2010



---

Jane Allshouse  
NORTH COUNTY TIMES  
Legal Advertising





San Diego County Water Authority

SDCW RECEIVED  
APR 23 2010  
WATER RESOURCES

Mail comments to:  
San Diego County Water Authority  
Attn: Bill Tippetts  
4677 Overland Avenue  
San Diego, CA 92123

FILED  
RIVERSIDE COUNTY  
MAR 04 2010  
LARRY W. WARD, CLERK  
By *m. Meyer* M. Meyer  
Deputy

**PUBLIC NOTICE  
OF THE AVAILABILITY OF THE  
NATURAL COMMUNITIES CONSERVATION PLAN  
/HABITAT CONSERVATION PLAN  
DRAFT ENVIRONMENTAL IMPACT REPORT/  
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Bill Tippetts, Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123-1233  
Facsimile: (858) 268-7881  
E-mail: btippetts@sdcwa.org

COUNTY CLERK  
Neg Declaration/Ntc Determination  
Filed per P.R.C. 21152  
POSTED

MAR 04 2010

Removed: *4/5/10*  
By: *[Signature]*  
County of Riverside, State of California Dept.

The issues evaluated in the Draft EIR/EIS and determined to result in a potentially significant impact or significant adverse effect from one or more of the alternatives are biological resources and public services and utilities. Issues that could result in cumulative adverse effects resulting from at least one of the alternatives also include biological resources and public services and utilities.

**PUBLIC HEARINGS:** Two (2) public hearings to receive comments on the Draft EIR/EIS, including the draft Plan and Appendices, will be held by the Water Authority. The locations and times for the public hearings are as follows:

San Diego County Water Authority, 4677 Overland Avenue, San Diego, CA 92123; Open House at 6:30 p.m. and Public Hearing at 7:00 p.m.; **March 17, 2010.**

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San Diego Public Library  
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2123 Fenton Parkway  
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Chula Vista Public  
365 F Street  
Chula Vista, CA 91910-2697

Temecula Public Library  
30600 Pauba Road  
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Escondido Public Library  
239 S. Kalmia Street  
Escondido, CA 92025-4224

The Service prepared a separate notice of availability and will publish that notice in the Federal Register pursuant to the Service's guidelines for implementing NEPA. The Water Authority will post a copy of the Service's notice of availability on the Water Authority's Internet web page (<http://www.sdcwa.org>) when it becomes available.

For further information concerning this project or to schedule an appointment to view the documents, including the public hearings listed above, please contact Bill Tippets at (858) 522-6784.

This notice is required to be filed with the County Clerk's office for a period of not less than thirty (30) days.

# THE PRESS-ENTERPRISE

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**PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P.)**

Press-Enterprise

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Ad Desc.: NOA NCCP HCP

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

03-05-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Mar. 5, 2010  
At: Riverside, California

SAN DIEGO COUNTY WATER AUTHORITY  
4677 OVERLAND AVE  
SAN DIEGO CA 92123

Ad #: 10183570

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

Mail comments to:  
San Diego County Water Authority  
Attn: Bill Tippetts  
4677 Overland Avenue  
San Diego, CA 92123

**PUBLIC NOTICE OF THE AVAILABILITY OF THE  
NATURAL COMMUNITIES CONSERVATION PLAN/HABITAT CONSERVATION PLAN  
DRAFT ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT**  
NOTICE IS HEREBY GIVEN that on March 4, 2010 the San Diego County Water Authority (Water Authority) issued a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for public review and comment. The Water Authority and U.S. Fish and Wildlife Service (Service) are Co-Lead Agencies for the preparation of the EIR/EIS to assess the environmental effects related to implementation of the draft NCCP/HCP (Plan). The Water Authority's Proposed Action is approval of the Plan and execution of an associated implementing agreement. The Service's Proposed Action is the execution of the implementing agreement and issuance of an incidental take permit under section 10(a)(1)(B) of the federal Endangered Species Act of 1973, as amended. The EIR/EIS has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines (CCR Title 14, §§15082(a), 15103, and 15375); the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.) and its implementing regulations (40 CFR, Section 1500 et seq.); the Service's Procedures for Implementing NEPA; and with other appropriate federal laws and regulations, policies, and procedures of the Service for compliance with those regulations. As a Responsible Agency under CEQA, the California Department of Fish and Game will execute the implementing agreement and issue a Natural Communities Conservation Plan Act (NCCPA) Section 2835 permit. Documents available for public review and comment are the EIR/EIS and the draft Plan with Appendices (Appendix B of the EIR/EIS), which includes the draft Implementing Agreement (Appendix A of the Plan).

The purpose of an EIR/EIS is to provide decision makers, public agencies, and the general public with an objective and informative document that facilitates a basic understanding of the Proposed Action and fully discloses the environmental effects associated with implementing the Proposed Action and its alternatives, including direct, indirect, short-term, long-term, and cumulative environmental effects. In addition, the EIR/EIS identifies feasible mitigation measures to reduce or eliminate those effects, and adverse impacts determined to be significant after mitigation, where applicable.

The Water Authority and Service have established a 90-day public review period, beginning on March 4, 2010, to solicit comments and input on the Draft EIR/EIS. All written comments on the adequacy of the Draft EIR/EIS, including the draft Plan and Appendices, must be submitted to the contact listed below by no later than June 3, 2010.

Bill Tippetts, Principal Water Resources Specialist  
San Diego County Water Authority  
4677 Overland Avenue  
San Diego, CA 92123-1233  
Facsimile: (858) 268-7881  
E-mail: btippetts@sdcw.org

Following the close of the public comment period, responses to comments received on the Draft EIR/EIS and the draft Plan and Appendices will be prepared and, together with the Draft EIR/EIS, will constitute the Final EIR/EIS. The Final EIR/EIS will be considered and acted upon by the Water Authority's Board of Directors at a noticed public meeting. The Service will finalize its Record of Decision (ROD) after the Water Authority has certified the Final EIR.

**LOCATION OF PROPOSED ACTION:** The Plan Area covers approximately 992,000 acres in the western third of San Diego County and along three water pipeline corridors in southwestern Riverside County extending north from the San Diego County line to Lake Skinner and Diamond Valley Reservoir. The conservation measures, including avoidance, minimization and mitigation measures that are incorporated into the ESA and NCCPA permits issued in association with the approved Plan, will apply to Water Authority covered activities conducted within the Plan Area.

**DESCRIPTION OF PROPOSED ACTION:** The Plan is a comprehensive program designed to facilitate conservation and management of Covered Species and habitats associated with Water Authority activities and contribute to ongoing regional conservation efforts. The Plan identifies the types of activities proposed for coverage and an assessment of expected impacts on Covered Species. The Plan addresses potential impacts to sensitive resources and provides a habitat-based assessment of take associated with the ongoing installation, use, and maintenance of its aqueduct and associated water treatment, conveyance, and storage systems, and typical expansion to those systems throughout the Plan Area.

The majority of the activities covered under the Plan would occur in an area identified as the Probable Impact Zone (PIZ), which covers the 64,600-acre area around existing Water Authority infrastructure and within associated rights-of-way. Approximately 373 acres of Covered Species habitat are estimated to be permanently impacted as a result of the Covered Activities identified within this Plan over a 55-year period. Additional impacts will occur to disturbed habitats, agricultural lands, or non-native vegetation communities (e.g., eucalyptus woodlands) that would not require mitigation pursuant to this Plan.

Covered Species are listed and non-listed species whose conservation and management are provided for by the Plan and for which limited take would be authorized by the Service and the California Department of Fish and Game (collectively the Wildlife Agencies) pursuant to issued permits. To address potential impacts to sensitive species and habitats associated with existing and future installation, use, maintenance, expansion, and repair of its aqueduct and water storage, treatment, and delivery systems, the Water Authority proposes to cover 64 species (27 plant species and 37 wildlife species), 19 of which are identified as narrow endemic. The Plan includes mitigation measures designed to avoid and minimize potential impacts to biological resources and to provide appropriate mitigation to ensure the conservation of Covered Species where impacts are unavoidable. A dedicated Preserve Area within San Diego County has been established in order to provide adequate conservation for all Covered Activities allowed under the Plan. Specified areas within the Preserve Area are or will function as conservation banks to provide mitigation credits that the Water Authority can use to offset impacts of Covered Activities. The Plan allows the Water Authority to obtain credits from other conservation banks or to acquire suitable habitat lands within the Plan Area if its conservation banks do not have the appropriate credits. The Water Authority's fee-owned lands and easements also play an important role in regional conservation by providing habitat connectivity in areas where little natural habitat remains.

The Draft EIR/EIS analyzes three alternatives in addition to the proposed Plan described above. The other alternatives include a no-action (i.e., no Plan adoption/no permit) alternative, a larger species list alternative, and a reduced Plan Area alternative.

The issues evaluated in the Draft EIR/EIS and determined to result in a potentially significant impact or significant adverse effect from one or more of the alternatives are biological resources and public services and utilities. Issues that could result in cumulative adverse effects resulting from at least one of the alternatives also include biological resources and public services and utilities.

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**REPORTER'S TRANSCRIPT OF PUBLIC HEARING**

**RE: ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT  
STATEMENT FOR THE PROPOSED SUBREGIONAL NATURAL COMMUNITIES  
CONSERVATION PLAN/HABITAT CONSERVATION PLAN (NCCP/HCP)**

**WEDNESDAY, MARCH 17, 2010**

**SAN DIEGO, CALIFORNIA**

**REPORTED BY REGINA L. GARRISON, CSR NO. 12921**



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REPORTER'S TRANSCRIPT OF PUBLIC HEARING,  
commencing at the hour of 7:04 p.m., on Wednesday, March 17,  
2010, at 4677 Overland Avenue, San Diego, California, before  
Regina L. Garrison, Certified Shorthand Reporter in and for  
the State of California.

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Staff Presentation	
By: Bill Tippetts . . . . .	6

1 (7:04 P.M.)

2 CHAIRMAN SAUNDERS: Good evening and welcome to  
3 tonight's public hearing. Can we get a roll call, please?

4 MS. WRAY: Chair Saunders?

5 CHAIRMAN SAUNDERS: Here.

6 MS. WRAY: Director Barrett?

7 DIRECTOR BARRETT: Here.

8 MS. WRAY: Director Lewinger?

9 DIRECTOR LEWINGER: Here.

10 MS. WRAY: Director Linden?

11 DIRECTOR LINDEN: Present.

12 MS. WRAY: Director Martin?

13 DIRECTOR MARTIN: Present.

14 MS. WRAY: Director McMillan?

15 DIRECTOR McMILLAN: Present.

16 MS. WRAY: Director Jungreis?

17 DIRECTOR JUNGREIS: Here.

18 MS. WRAY: Director Steiner?

19 DIRECTOR STEINER: Here.

20 MS. WRAY: Director Saxod?

21 DIRECTOR SAXOD: Here.

22 MS. WRAY: We have a quorum.

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WELCOME TO PUBLIC HEARING

\* \* \* \* \*

CHAIRMAN SAUNDERS: Thank you and good evening.  
Happy Saint Patrick's Day and welcome to today's hearing on  
the proposed Subregional Natural Communities Conservation,  
Habitat Conservation Plan, also known as the NCCP/HCP.

My name is Javier Saunders, and I'm the chair of  
the water planning committee for the San Diego County Water  
Authority, and I will preside over today's public hearing on  
the draft environmental impact -- environmental impact  
statement or EIR/EIS.

With me today are members of the board who will  
preside and make the final decision on the EIR/EIS, and this  
is the decision-making body for this project. And I'd like  
to maybe start with Director McMillan, and you can introduce  
yourself, and we'll go around the table.

DIRECTOR McMILLAN: Director -- yeah, Dan McMillan,  
and I am on this board, and I also represent Padre Dam  
Municipal Water District.

DIRECTOR SAXOD: I'm Elsa Saxod, and I represent  
the City of San Diego.

DIRECTOR LEWINGER: Keith Lewinger representing  
Fallbrook Public Utility District.

DIRECTOR STEINER: Fern Steiner representing the  
City.



1                   DIRECTOR BARRETT: Jim Barrett representing the  
2 City of San Diego.

3                   DIRECTOR LINDEN: John Linden, director here and  
4 also of the Helix Water District and representative of Helix  
5 Water District on this board.

6                   DIRECTOR MARTIN: My name is Barry Martin, and I  
7 represent the City of Oceanside.

8                   DIRECTOR JUNGREIS: I'm Jeremy Jungreis, and I'm  
9 Marine Corps Base Camp Pendleton's representative of the  
10 board.

11                   DIRECTOR DION: I'm not a member of this committee,  
12 but I'm Mitch Dion. I represent Rencon del Diablo Municipal  
13 Water District, and I'm a director on the board.

14                   CHAIRMAN SAUNDERS: I'd like to thank each of you  
15 for coming out tonight and participating. And I also would  
16 like to thank the public, you, for coming out tonight and  
17 participating in the EIR/EIS process. It's a -- we see this  
18 as a very important document for the district to help us not  
19 only move forward with our CIP program, but to also make sure  
20 that we're conserving and make sure that species are being  
21 preserved and we're doing the right thing.

22                   So with that, I would like to open the public  
23 hearing to receive public comments in accordance with the  
24 provisions of the California Environmental Quality Act. If  
25 there are any members in the audience who wish to comment on

1 the project, you are requested to fill out a speaker slip.  
2 We do have members of the staff out there. And if you  
3 haven't filled out your speaker slip, please raise your hand,  
4 and a staff member will help you fill out the form.

5 And if there's any completed forms, feel free to  
6 bring them up in front. I would like to remind everyone that  
7 the primary purpose of this hearing is to receive comments  
8 regarding the adequacy and completeness of the issues  
9 addressed in the draft EIR/EIS.

10 At this time, I would like to have Bill Tippetts,  
11 the environmental project manager, summarize the major  
12 aspects of the project.

13

14 STAFF PRESENTATION

15 \* \* \* \* \*

16 MR. TIPPETTS: Good evening, Chairman Saunders and  
17 committee members and public. My name is Bill Tippetts, and  
18 I am working on the NCCP. I'll give a short overview  
19 highlighting the key aspects of the NCCP/HCP and the EIR/EIS.

20 And thank you, Chairman Saunders, for giving those  
21 acronyms. I won't have to go through those long words  
22 anymore.

23 The purpose of my presentation will be to quickly  
24 talk about the -- the plan, the purpose of the NCCP/HCP and  
25 what the value and need is for the EIR/EIS. The conservation

1 of species and the management of those species through a HCP  
2 is the key objective that we're presenting to you, the  
3 public, and your comments on.

4           Once the information is presented in the document,  
5 we think that the information and the commitments will be  
6 sufficient to allow the federal and state wildlife agencies  
7 to issue, take permits for the anticipated impacts to covered  
8 species for the covered activities that will be described.

9           The purpose of the EIR/EIS, as public disclosure  
10 documents, is to inform the public of potential for impacts  
11 under the proposed plan and several alternatives. As  
12 indicated on this slide, the Alternative 1 is known as the no  
13 action, no permit alternative. That would mean that the  
14 Water Authority would continue its current approach of doing  
15 project-by-project, case-by-case project approvals.

16           And if we needed to get permits, Alternative 2,  
17 which is our proposed project, proposes a plan area of  
18 992,000 acres roughly, including up to 65 vegetation or  
19 land-cover types and 64 proposed covered species in our  
20 proposed project.

21           Alternative 3, known as the full species list,  
22 would use the same plan area, but it would propose to include  
23 an additional 25 covered species. And Alternative 4, the  
24 reduced plan alternative, which is also a reduced species  
25 alternative, would propose the plan area of 64,600 acres

1 roughly, covering 41 species. The reduced plan alternative  
2 is 64,600 acres, and I'll explain that number shortly.

3 So the major components of our plan has indicated  
4 about a 992,000-acre area. That would include all of the  
5 County Water Authority service area in San Diego County and a  
6 portion of Riverside County. And the reason we're including  
7 Riverside County is because our water supply system connects  
8 to the metropolitan water district facilities further north.  
9 We may find in the future we want to pursue a project in that  
10 area, so even though it's outside our service area, we  
11 propose to include that in the plan area.

12 Again, 64 covered species over the course of what  
13 we are requesting, 55 years of permit. We would impact about  
14 373 acres of sensitive habitats that could support the  
15 species we're interested in. The plan is to commit to  
16 specific minimization and avoidance methods, as well as  
17 mitigation ratios that were to be fixed over the period of  
18 time of the permits.

19 Our plan proposes that we would have permanently  
20 managed and monitored about 1900 acres of what we call  
21 preserved-area lands. That 1918 acres would include  
22 704 acres that the Water Authority could use as mitigation  
23 credits for future activities. Our plan also would commit to  
24 funding those preserved areas in perpetuity for management  
25 and monitoring that's required of a plan. We will report

1 annually on all of our activities under the plan, and we have  
2 an amendment process in case we have an activity which did  
3 not -- already be covered by the permit. We would have an  
4 amendment process that's very clear on how do we get the  
5 additional activity covered by our permit.

6 So just looking in a little more detail with the  
7 geographic area involved with -- I'll try to use the cursor  
8 if I can get it up. Okay. The area outlined in red is the  
9 proposed plan area. That is in about 992,000 acres. The  
10 Water Authority service area, which does not go into  
11 Riverside County, is about 920,000 acres.

12 The area you see in -- it's hard to see, but  
13 there's a -- these two major lines, those are the primary  
14 aqueducts owned and operated by the Water Authority. We  
15 identified two sort of subareas or subunits within the plan  
16 area to investigate the potential for impacts. We call the  
17 first one the survey area, which is about 273,000 acres. If  
18 you can see it, that's in yellow. It's the larger band  
19 around the aqueducts.

20 So we looked at taking all of the available  
21 information on species' locations throughout our plan and  
22 throughout the survey area and identified potential impacts  
23 that could occur through an implementation of our covered  
24 activities. The probable impact zone is a smaller area about  
25 64,600 acres. It's a green band around the aqueduct, and it

1 was calculated based on 1,000-foot band on either side of our  
2 aqueduct system, and we looked again -- looked at the  
3 potential for impacts to all the known locations of covered  
4 species within that area as a part of our analysis. All of  
5 this is, of course, in our document in the HCP.

6 The last thing to note is that Riverside County,  
7 this portion above the county line, is a major amendment area  
8 except for one project, which is the approved Pipeline 6 that  
9 the Water Authority has already begun approval for. So other  
10 than that project, any project that would be proposed by us  
11 in the future in Riverside County would require a major  
12 amendment to the permit, which also entails substantial  
13 additional environmental documentation.

14 The types of projects that we're proposing to be  
15 covered or covered activities are no different than the  
16 activities the Water Authority currently engages in. It's  
17 primarily water supply infrastructure improvement, such as  
18 pipelines, water storage facilities, like aboveground tanks,  
19 power-generating stations and water treatment plants. We  
20 would also be covering operations and maintenance of all of  
21 those facilities.

22 We would also be making coverage for emergency  
23 actions that we would need to take in case there's an  
24 emergency to repair, replace any faulty part in the system.  
25 And lastly, we also would be getting coverage for

1 preserved-area management, because as one manages preserved  
2 areas, there may be potential for taking species, and we want  
3 to make sure that that's covered by our land managers so  
4 they're not in violation of their permit.

5 Again, 64 covered species that we're proposing in  
6 our proposed plan. That's 27 plant species and 37 animal  
7 species of which -- of all those, 20 are listed either by the  
8 state or federal government. It could be and/or. Our plan  
9 would include invertebrates, amphibians and reptiles, birds  
10 and mammals, many of which are covered through other plans  
11 which I'll describe in a second. But we do have some unique  
12 species that we would like to cover by our plan.

13 Our preserved areas, we have six areas identified  
14 for preserved area, and in part, they are lands we have  
15 purchased in the past for other projects, but we had  
16 remaining acreage of about 704 acres that were not in use for  
17 any prior mitigation, so we can use them for our future  
18 projects. One thing that's interesting or important is that  
19 our conservation and management of those preserved lands  
20 would be directed for all of the covered species and not just  
21 for the few species that may have been previously approved  
22 for those purchases.

23 The upland sites, Crestridge, San Miguel and  
24 Rancho Canada, span the gamut of locations between the  
25 San Vicente area around Lakeside and then down -- San Miguel

1 is going to be Otay area. Our wetland sites are distributed  
2 throughout the county, the western part of the county as  
3 well, Manchester site up by San Elijo Laguna area. The  
4 San Luis Rey, parts of it would be sort of near the  
5 Interstate 15 and San Luis Rey area. And then the Tijuana  
6 River portion of the wetland site would be down in the  
7 Tijuana River.

8 In terms of our relationship with our plan and  
9 other plans, as many of us are aware, there are existing NCCP  
10 plans throughout Southern California. Our plan would overlay  
11 all our portions of four plans. So that would be the Western  
12 Riverside Multiple Species Habitat Conservation Plan in  
13 green. We have a small portion of our plan overlaying with  
14 that. The County of San Diego is pursuing a North County  
15 plan, which shows in the dark brown, and that's not approved  
16 yet. The MHCP in North County cities, it's an approved  
17 subregional plan, and some of the cities have their permits  
18 for their own jurisdictions.

19 And then there's the MSCP plan, which is a plan --  
20 was approved back in 1997, primarily the County and City of  
21 San Diego. And Chula Vista also has an approved plan, which  
22 is part of the MSCP. Our plan would be using similar types  
23 of mitigation ratios as those other plans, so we would -- the  
24 levels of conservation and mitigation would be similar to  
25 what other plans are doing.



1           We believe that our plan would complement those  
2 existing plans, and a key aspect of that is our preserved  
3 areas are located in very key biological core areas that have  
4 either been identified and -- by the other plans as important  
5 areas. So all of our 1918 acres are in very valuable  
6 biological conservation areas.

7           In terms of environmental impacts for the EIR --  
8 and I indicated before we have 373 acres of projected impacts  
9 for known and future projects over the 55-year period, like a  
10 lot of plans -- our take of -- proposed take of vegetation  
11 communities are very similar in terms of the distribution of  
12 vegetation communities. So coastal sage scrub, chaparral  
13 grasslands, form the predominant amount of impact that we  
14 projected by our -- for our plan. That would be potentially  
15 some wetland impacts, and that's one of the reasons why we  
16 have three wetland banks that are either in existence or  
17 we'll be creating as part of this commitment to the plan.

18           Under the rules of the game for the environmental  
19 impact reports and statements, as part of the public  
20 disclosure, we have to analyze the potential impacts to a  
21 whole variety of environmental issues identified through the  
22 EIR and EIS process. And the potential for impact can be  
23 anything from judged to be not significant, which doesn't get  
24 any further review, or there may be a potential for  
25 significance, and that the levels also then go down to -- or

1 up to potentially significant, but it could be mitigated, or  
2 significant even after mitigation.

3 So this next table indicates that a large number of  
4 the standard environmental issues to be reviewed by  
5 EIR/EIS's -- we found no significant effects in this large  
6 list of these environmental issues. But we did find there is  
7 potential for impact on a number of issues: Biological  
8 resources, water quality, land use, public services,  
9 socioeconomics, environmental justice and cumulative effects.

10 The cumulative effects is our project, plus all  
11 other foreseeable projects that might have similar types of  
12 effects. We look at that.

13 So the interesting thing to note is that we did  
14 identify that Alternative 1, which is the no action, no  
15 project alternative -- we believe we would end up with  
16 significant and not-mitigatable impacts to biological  
17 resources, public services and cumulative effects.

18 Alternative 4, the reduced plan alternative, would  
19 have, from our estimation and what our documents indicate, a  
20 potentially significant unmitigatable effect on public  
21 services. There would be a less than significant, but  
22 mitigation effect on biological resources for Alternative 4.

23 Alternatives 2 and 3, Alternative 2, again, is the  
24 proposed project, would have either less-than-significant  
25 impact effects to those -- that number of factors, but

1 potentially impacts to biological resources that, with the  
2 mitigation measures, conservation measures in the plan, those  
3 would be mitigated to less than significant.

4           Lastly, our next issue is administrative actions.  
5 Where are we at this point? As you see, in two-thousand- --  
6 late 2003, the Water Authority began an initial work on the  
7 HCP/NCCP and EIR/EIS. We had a notice of preparation filed,  
8 as we have to under CEQA. We had a scoping meeting. And  
9 then there's a hiatus, because in looking at the needs of the  
10 Water Authority and the fact that projects can change, it  
11 took us a while to figure out exactly which projects and  
12 activities we needed to make sure we were covering.

13           So in the last year or so, we upped the effort,  
14 finished the NCCP/HCP and draft, finished the draft EIR/EIS.  
15 On March 4th, we issued a notice of completion of those  
16 documents from the State's perspective, filed with the State  
17 Clearinghouse. Concomitantly, the Fish & Wildlife Service  
18 filed a notice in the Federal Register for the EIS component,  
19 because the federal government, Fish & Wildlife Service, will  
20 be the lead for the EIS component.

21           We put our public notices and all the required and  
22 important documents, general newspapers, et cetera, and so  
23 this gets us to the public hearing process, which is tonight  
24 and then tomorrow night in Escondido. So now the public  
25 review process closes June 3rd for the CEQA, and I believe

1 the EIR -- the EIS component for the Federal Register has a  
2 closing date of June 2nd, 2010.

3 After the close of public comments, we'll be  
4 working on looking at all those comments, responding to all  
5 of them, making any necessary changes to the documents and  
6 then coming back to the board for certification of the  
7 document, hopefully, we believe, sometime in September.

8 And the last thing is what we're expecting out of  
9 this whole process, is we would hope to be able to get to the  
10 point where the board will be able to certify the EIR and  
11 approve the project and its attentive documents and  
12 mitigation monitoring reporting program and implementing  
13 agreement. We would have the Fish & Wildlife Service in sort  
14 of the rough, same time period. We would finalize the EIS  
15 and produce the record of decision, which approves the EIS,  
16 and be ready to issue the Section 10 sometime after that.

17 And similarly, the State Department of Fish & Game  
18 would use our documents and our commitments to issue the NCCP  
19 permit, the 2835 permit. And at that point, we will be done  
20 and be able to go on our way with our permits in hand. And  
21 that concludes my presentation.

22 Again, the public comment period for the CEQA  
23 documents, June 3rd, 2010. It's -- the same comments to me.  
24 It's also on our website. All of the information is at  
25 [www.sdcwa.org](http://www.sdcwa.org). We have the entire document, notice of

1 availability, frequently asked questions, everything we think  
2 the public needs to know about the project. So that  
3 concludes my presentation. Thank you.

4 CHAIRMAN SAUNDERS: Thank you, Bill, for the  
5 summary report. Before we go to the public comment period,  
6 I'd like to open it up -- if there's any committee members  
7 that have any questions or comments, feel free to raise those  
8 to staff at this time.

9 Well, Bill, I do have a question for clarification.  
10 If I understood correctly, the area included a certain area  
11 of a thousand feet within the aqueduct corridor. There was a  
12 project outside of that area that would have a separate  
13 document. What would it be?

14 MR. TIPPETTS: The way it would be working is the  
15 plan area is the entire 992,000 acres. But under our current  
16 plan, we would have permit authority for the survey area,  
17 which is the larger 272,000. And that's essentially one mile  
18 at each side of the aqueducts in our facility. So it's --  
19 the primary permit will essentially be a 272,000-acre area.  
20 And we believe that that would contain essentially every  
21 project that we would be involved with, currently we know  
22 about or in the future.

23 If we have a project that went outside of that  
24 272,000-acre area but within the plan area, we would have a  
25 minor amendment we would file with the wildlife agencies,

1     which is a fairly simple process. We've outlined that in the  
2     document in Chapter 8 in HCP/NCCP. Only if we had a proposal  
3     to cover types of activities that are not currently listed in  
4     the HCP/NCCP, then we would have to file for a major  
5     amendment, which is a lot of work.

6             So thank you for that clarification.

7             CHAIRMAN SAUNDERS: Okay. Thank you for clarifying  
8     that for me.

9             So, any other comments? Questions?

10            Okay. Well, seeing there isn't any other comments  
11     or questions from the committee, we are now at the public  
12     comment portion of the hearing. And if there's any speakers  
13     wishing to speak -- I don't have a speaker slip, so I don't  
14     want to go through the process if there's no speakers.

15            Well, seeing that -- there is an opportunity  
16     tomorrow. We'll be at Escondido, so there's an opportunity  
17     to come back and, if you have any comments, to participate in  
18     that hearing at Escondido, and there's also the comment  
19     period. So with that, I do want to thank everybody for  
20     coming out and participating and looking forward to all your  
21     comments and thoughts on the documents.

22            So with that, let me officially close the public  
23     hearing and -- for the proposed Natural Communities  
24     Conservation Plan, Habitat Conservation Plan EIR/EIS. The  
25     public review period will end at 5:00 p.m. on June 3rd, 2010.

1 Any written comments on the EIR/EIS will be accepted until  
2 then. With that, thank you for attending, and the public  
3 hearing is closed.

4 (Hearing concluded at 7:26 p.m.)

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I, REGINA GARRISON, Certified Shorthand Reporter for  
the State of California, do hereby certify:

That the foregoing proceedings were reported by me  
stenographically and later transcribed into typewriting  
under my direction; that the foregoing is a true record  
of the proceedings taken at that time.

IN WITNESS WHEREOF, I have subscribed my name this 19<sup>th</sup>  
day of April, 2010, at San Diego, California.

Regina Garrison  
REGINA GARRISON  
CSR NO. 12921



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**REPORTER'S TRANSCRIPT OF PUBLIC HEARING**

**RE: ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT  
STATEMENT FOR THE PROPOSED SUBREGIONAL NATURAL  
COMMUNITIES CONSERVATION PLAN/HABITAT CONSERVATION PLAN  
(NCCP/HCP)**

**Escondido, California**

**March 18, 2010**

**REPORTED BY: LYNETTE MARIE NELSON, CSR NO. 11585**



530 B Street  
Suite 350  
San Diego, CA  
92101

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REPORTER'S TRANSCRIPT OF PUBLIC HEARING

commencing at the hour of 7:00 p.m. on Thursday,  
March 18, 2010, at Escondido City Hall, Escondido,  
California, before Lynette Marie Nelson, Certified  
Shorthand Reporter in and for the State of California.

I N D E X

Welcome to Hearing  
By Vice Chair Rua Petty.....3  
Adjournment.....4

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VICE CHAIR PETTY: It's 7:00 o'clock. I would like to call this meeting to order.

Maureen, could you call for quorum.

MS. WRAY: Vice Chair Petty.

VICE CHAIR PETTY: Here.

MS. WRAY: Director Dailey.

DIRECTOR DAILEY: Here.

MS. WRAY: Director Lewinger.

DIRECTOR LEWINGER: Here.

MS. WRAY: Director Linden.

DIRECTOR LINDEN: Present.

MS. WRAY: Director Martin.

DIRECTOR MARTIN: Here.

MS. WRAY: Director McMillan.

DIRECTOR McMILLAN: Here.

MS. WRAY: Director Knutson.

DIRECTOR KNUTSON: Here.

MS. WRAY: We have a quorum and committee.

VICE CHAIR PETTY: Okay. I will go through this real quick.

Good evening, and welcome to today's hearing on the proposed Subregional Natural Communities Conservation Habitat Conservation Plan also known as NCCP/HCP.

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My name is Rua Petty. I'm vice chair of the Water Planning Committee. I will preside over today's public hearing.

At this point, is there any people that would like to speak before this panel?

Any member of the public?

Hearing none, I think we will adjourn this meeting.

(The proceedings were concluded at 7:02 p.m.)

\* \* \*



1 STATE OF CALIFORNIA  
2 COUNTY OF SAN DIEGO

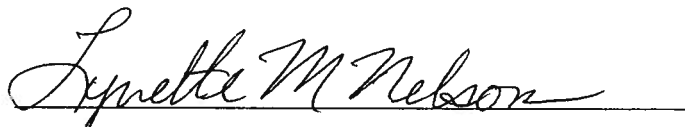
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I, Lynette Marie Nelson, Certified Shorthand Reporter, in and for the State of California, Certificate No. 11585, do hereby certify:

That the proceeding was reported by me in shorthand and transcribed, through computer-aided transcription, under my direction; and that the above and foregoing transcript is a true record of the testimony elicited and proceedings had at said proceeding.

I do further certify that I am a disinterested person and am in no way interested in the outcome of this action or connection with or related to any of the parties in this action or to their respective counsel.

In witness whereof, I have hereunto set my hand this 7<sup>th</sup> day of April 2010.

  
Lynette Marie Nelson, CSR No. 11585