APPENDIX A
CEQA Initial Study Checklist

Final

San Pasqual Undergrounding Project

Initial Study / Mitigated Negative Declaration

City# ENV 15-0016 / SCH# 2016084001

October 2016

Prepared for:
City of Escondido
Vista Irrigation District
Bureau of Indian Affairs

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Comments Received on the Draft Environmental Assessment - Initial Study/Mitigated Negative Declaration

Introduction

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, a Draft Environmental Assessment – Initial Study/Mitigated Negative Declaration (EA-IS/MND) was prepared by the City of Escondido and Vista Irrigation District to assess the impacts of the construction and operation of the San Pasqual Undergrounding Project (proposed project), as required by CEQA (SCH #2016084001). The Draft IS/MND was submitted to the Governor's Office of Planning and Research State Clearinghouse and circulated for a 30-day public review period beginning on August 16, 2016 and ending on September 14, 2016. During that time, the document was reviewed by various state and local agencies, as well as by interested individuals and organizations. A letter was received from the Governor's Office of Planning and Research indicating that the State Clearinghouse submitted the Draft EA-IS/MND to selected state agencies for review. Written comments were received from the following agencies: California Department of Fish and Wildlife (CDFW); County of San Diego: and the U.S. Fish and Wildlife Service (USFWS). Written comments were also received from four individuals or groups. All comments received by the City of Escondido and Vista Irrigation District have been fully addressed in written responses. The public review comments and the corresponding responses are provided below.

This Final EA-IS/MND includes the following items as required in Section 15132 of the State CEQA Guidelines

- The draft EA-IS/MND or a revision of the draft;
- Comments and recommendations received on the Draft EA-IS/MND;
- List of persons, organizations and public agencies commenting on the Draft EA-IS/MND;
- Responses of the lead agency to significant environmental points raised in the review; and
- Any additional information considered pertinent by the lead agency.

Revisions to the EA-IS/MND

The Final EA-IS/MND includes minor text and graphical clarifications as a result of the comments received during the public review period. Material added or deleted to the documents are identified in tracking mode in the Final EA-IS/MND (~~strikeout~~ for deletion/<u>underline</u> for insertion), so that the original and revised text may be compared.

The clarifications to the EA-IS/MND do not result in any new significant environmental impacts, an increase in the severity of previously identified project impacts, or new feasible project alternatives or mitigation measures that are considerably different from others previously analyzed. Therefore, these clarifications do not trigger recirculation of the EA-IS/MND, per Section 15088.5 of the CEQA Guidelines.

Appendix A, Initial Study/Mitigated Negative Declaration

Section 1.0 (Environmental Initial Study), page 4

In response to Comments COSD-2 and GAIN-4, the project description has been revised as follows:

> The proposed project consists of four primary elements: 1) the construction of a new desilting basin and associated access road on the San Pasqual Indian Reservation along the existing Escondido Canal alignment where the canal first enters the Reservation; 2) the replacement of about 2,000 feet of existing canal with a buried 60-inch pipeline within the existing Escondido Canal ROW; 3) the replacement of another approximately 2 miles of existing canal with a buried 60-inch pipeline within new alignments crossing the San Pasqual Indian Reservation, private lands, and public ROW in Lake Wohlford Road; and 4) the removal of approximately 2 miles of the existing Escondido Canal that are dewatered when the proposed project is complete, and the reclamation of the land formerly occupied by the canal by means of demolition, debris removal, grading, and reestablishment of drainage, as well as any associated mitigation of environmental impacts that may be required. The connection to the existing underground pipeline would be at a location south of Paradise Mountain Road. No pumping would be required to convey flows through the proposed underground pipeline. <u>The following standard practices will be implemented during detailed design and construction:</u>
>
> - <u>Coordinate and work closely with the County of San Diego to identify locations of existing and proposed utilities.</u>
> - <u>Coordinate and work closely with the County of San Diego on pipeline design and material options to avoid and/or minimize disturbance to existing and/or proposed utilities.</u>
> - <u>Research as-built conditions for all utilities within and adjacent to the 100-foot ROW.</u>
> - <u>Conduct field surveys during detailed design to ground-truth utility locations.</u>
> - <u>Follow the Water Agencies' Standards (WAS) Design Guidelines for Potable Water, Recycled Water and Sewer Facilities (Design Guidelines).</u>
> - <u>Field-mark utility locations during the construction phase.</u>

Section 2.5 (Cultural Resources), page 28

In response to AB 52 consultation with the Rincon Band of Luiseno Indians, impact c has been revised as follows:

> **Mitigation Measures**
>
> Impacts on tribal cultural resources from the proposed project would be less than significant with implementation of mitigation measure Cul-3 <u>and Cul-4 through Cul-13</u>.

Cul-4 The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment, Cultural Resource Curation Agreement, and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

Cul-5 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City and the Bureau of Indian Affairs, Pacific Region Office (BIA-PRO) in a letter from the project archaeologist that confirms the selected Native American monitor is from a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

Cul-6 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

Cul-7 During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074 and any existing TCA Tribal cultural resource laws and ordinances. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

Cul-8 In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

Cul-9 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City and BIA of said discovery. The qualified archaeologist, in consultation with the City, BIA, TCA Tribe and the Native American monitor, shall determine the significance

of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe, BIA and the Native American monitor and be submitted to the City for review and approval.

Cul-10 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (implementing current professional archaeological methods), in consultation with the TCA Tribe, BIA and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

Cul-11 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

Cul-12 If the qualified archaeologist elects to collect any tribal cultural resources, as specified in Cul-9, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center, as specified and agreed to in the Tribal Curation Agreement. All

other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

Cul-13 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the BIA and City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

Section 2.5 (Cultural Resources), page 29

In response to AB 52 consultation with the Rincon Band of Luiseno Indians, the Cultural Resources section has been revised as follows:

Mitigation Measures

Cul-414 Procedures for Unintentional Disturbance of Paleontological Resources. If paleontological resources are encountered during construction of the proposed project, all ground-disturbing activity shall cease within 100 feet of the resource. A qualified paleontologist shall be retained by the project proponent to evaluate the significance of the find; to salvage, record, clean, and curate significant fossil(s); and to document the find in accordance with current professional paleontological standards. No further grading shall occur in the area of the discovery until the project proponent approves the measures to protect the resources. Any fossils recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the project proponent where they would be afforded long-term preservation to allow future scientific study.

Section 2.4 (Biological Resources), page 17

In response to Comments USFWS-1 and CDFW-2, mitigation measure Bio-1 has been revised as follows:

Bio-1 **Project-Level Biological Resource Surveys.** During the design phase and prior to the construction of the proposed project, the project proponent shall retain a qualified biologist to conduct and/or update project-level biological resources surveys and prepare biological resources technical reports.

a. If the rare plant surveys or focused protocol-level surveys determine the presence of federally or state-listed endangered or threatened species and occupied habitat on site, then, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, the project proponent shall consult and obtain all applicable regulatory permits and authorizations from the USFWS and CDFW, and the conditions of the regulatory permits and authorizations shall be implemented accordingly and/or the underlying project would be modified to avoid direct "take" of the species and/or minimize adverse impacts to the species and occupied habitat.

b. ~~For construction activities after the month of May 2017 a c~~Coastal California gnatcatcher (CAGN) protocol-level presence/absence surveys shall be conducted in suitable sage scrub habitat within 500 feet of the project impact area at the start of the nesting season prior to any construction within that season. Prior to conducting surveys, the required notice of intent to conduct surveys shall be filed with the USFWS, and surveys must be conducted by a qualified biologist who holds the appropriate Section 10(a)(1)(A) permit. The CAGN surveys shall follow the 1997 USFWS CAGN Presence/Absence Survey Guidelines which includes six surveys at least one week apart if conducted during the breeding season survey period (February 15 through August 30). If surveys are conducted outside the breeding season, nine surveys at least two weeks apart shall be conducted.

   If surveys document the presence of CAGN, impacts to CAGN would be mitigated below the level of significance when occupied coastal sage scrub is fenced, direct impacts are avoided, and construction within 500 feet of occupied habitat occurs only between September 1 and February 15 to avoid indirect impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat.

   Construction work performed within 500 feet of habitat identified for CAGN during the period of February 15 to August 30 shall be monitored at least weekly by a qualified biologist. Monthly monitoring letter reports of construction activities and their impacts on biological resources shall be provided to USFWS and/or CDFW.

c. ~~For construction activities which occur after June 2017, and during the breeding season for the least Bell's vireo (LBVI) (March 15 through September 15), p~~Protocol-level surveys shall be conducted prior to any construction in suitable riparian habitat within 500 feet of the project impact area during the breeding season for the least Bell's vireo (LBVI) (March 15 through September 15). The LBVI surveys shall follow the 2001 USFWS LBVI Survey Guidelines (USFWS 2001) and include eight surveys at least ten days apart within the protocol survey period (April 10 through July 31). Surveys shall be conducted between dawn and 11:00 a.m. and avoid periods of excessive or abnormal heat, wind, rain, fog, or other inclement weather.

   If surveys document absence of LBVI, no additional avoidance or minimization measures are required. However, if surveys document the presence of LBVI, impacts to LBVI would be mitigated below the level of significance when occupied riparian habitat is fenced, direct impacts are avoided, and construction within 500 feet of occupied habitat occurs only between September 15 and March 15 to avoid indirect impacts to nesting LBVI. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of the breeding habitat. Construction work performed within 500 feet of occupied LBVI habitat during the period of March 15 to September 15 shall be monitored at least weekly by a qualified biologist. Monthly monitoring letter reports

of construction activities and their impacts on biological resources shall be provided to USFWS and/or CDFW.

Section 2.4 (Biological Resources), page 19

In response to Comment USFWS-2, mitigation measures Bio-2 and Bio-3 have been revised as follows:

Bio-2 **Avoidance of Nesting Birds.** To prevent impacts to nesting passerines (song birds) and other non-raptors protected under the federal MBTA and CFG Code, it is recommended that all vegetation removal activities occur outside of the general bird breeding season (February 1 through August 31). Where this is unavoidable, the project proponent shall enforce the following:

a. If construction occurs during the general nesting season (February 1 through August 31), and where any mature tree, shrub, or structure capable of supporting a bird nest occurs within 300 feet of proposed project construction activities, the project proponent shall retain a qualified biologist to conduct a pre-construction survey for nesting birds prior to clearing, grading and/or construction activities. The survey will be conducted within 72 hours prior to the start of construction.

b. If any nesting birds are present on or within 300 feet of the proposed project construction activities, the following shall be required, as approved by the USFWS and/or CDFW:

1. The project proponent shall retain a qualified biologist to flag and demarcate the location of all nesting birds and monitor construction activities. Temporary avoidance of active bird nests, including the enforcement of an avoidance buffer of 300 feet, as determined by the qualified biological monitor, shall be required until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive. Requests for buffer reductions of less than 300 feet shall be provided to the USFWS and/or CDFW. Documentation of the nesting bird surveys and any follow-up monitoring shall be provided to the USFWS and CDF within 10 days of completing the final survey or monitoring event.

Bio-3 **Avoidance of Nesting Raptors.** To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, it is recommended that all vegetation removal activities occur outside of the raptor breeding season (January 15 through July 31). Where this is unavoidable, the project proponent shall enforce the following:

a. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project proponent shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey will be conducted within 72 hours prior to the start of construction.

b. If any nesting raptors are present on or within 500 feet of the proposed project construction activities, the following shall be required, as approved by the USFWS and/or CDFW:

   1. The project proponent shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet will be required until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive. Documentation of the raptor surveys and any follow-up monitoring, as necessary, will be provided to the USFWS and CDFW within 10 days of completing the final survey or monitoring event.

c. In the event that a California State fully protected species (e.g., white tailed kite) is found to be nesting on the project site, all work in the area will stop and the project proponent shall notify the CDFW and/or USFWS. No impacts will be permitted to occur to fully protected species.

Section 2.4 (Biological Resources), page 20

In response to Comments USFWS-3 and USFWS-4, mitigation measure Bio-4 has been revised as follows

Bio-4 **Construction Fencing.** Prior to vegetation clearing, grading, and/or construction activities for each proposed project component, the project proponent shall retain a qualified biologist to oversee and monitor installation of appropriate fencing and/or flagging to delineate the limits of construction and the approved construction staging areas for protection of sensitive resources identified through project-level surveys (conducted pursuant to mitigation measure Bio-1). Specific impacts to Engelmann oak trees including their root systems would be avoided, to the maximum extent feasible, through the modification of the construction corridor and through delineation of construction limits to avoid this sensitive resource. In order to avoid inadvertent impacts to the peninsular (Ramona) spineflower (*Chorizanthe leptotheca*) specimens which were recorded outside of the study area, a qualified biologist will demarcate and communicate the location and extent of the population to ensure direct and indirect impacts are avoided and minimized during project actions. Temporary fencing (with silt barriers) shall be installed at the limits of project impacts (including construction staging areas and access routes) to prevent additional sensitive habitat impacts and the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing shall be installed in a manner that does not impact habitats to be avoided. For projects potentially affecting special status species and sensitive resources, and for which permits or approvals from the USFWS or CDFW require confirmation of project impacts and submittal of as-built plans, the project proponent shall submit to the USFWS and CDFW for approval, at least 30 days prior to initiating project impacts, the final plans for initial clearing and grubbing of sensitive habitat and project construction. These plans shall also be submitted to the USACE, Regional Water Quality Control Board (RWQCB), or other local agency, from which, approval or permitting is required, as applicable. The final plans shall include photographs that show the fenced limits of impact and all sensitive areas to be impacted or avoided. If work occurs beyond

the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the qualified biologist, project proponent, USFWS, CDFW, USACE, and/or other agency. Upon project completion, temporary construction fencing shall be removed by the project proponent under the oversight of the qualified biologist.

In response to Comment GAIN-5, mitigation measure Bio-5 has been revised as follows:

Bio-5 **Construction Staging Areas**. Prior to construction of the proposed project components where it has been demonstrated through project-level surveys (conducted pursuant to mitigation measure Bio-1) that drainages, wetlands and areas supporting sensitive habitats or species could be affected by project construction, the project proponent shall setback construction staging areas in disturbed and developed areas and ~~to~~ avoid drainages, wetlands, and areas supporting sensitive habitats or species~~, where feasible~~. Fueling of equipment shall occur in designated fueling zones within the construction staging areas. All equipment used within the approved construction limits shall be maintained to minimize and control fluid and grease leaks. Provisions to contain and clean up unintentional fuel, oil, fluid and grease leaks/spills shall be included in construction documents and in place prior to construction.

Section 2.4 (Biological Resources), page 21

In response to Comment CDFW-5, mitigation measure Bio-8 has been revised as follows:

Bio-8 **Hydroseeding of Graded Areas.** Unless otherwise required by the USFWS, USACE, RWQCB, and/or CDFW, after completion of final grading for each proposed project component located adjacent to native vegetation, construction documents shall require that all graded areas within 100 feet of native vegetation, excluding those areas where a permanent access road, path, or other development is required, are hydroseeded and/or planted with native plant species similar in composition to the adjacent undisturbed vegetation communities. The project proponent shall retain a qualified biologist with expertise in southern California ecosystems to monitor these activities to ensure non-native or invasive plant species are not used in the hydroseed mix or planting palettes. The hydroseeded/planted areas shall be watered via a temporary drip irrigation system or watering truck. Irrigation shall cease after successful plant establishment and growth, to be determined by the biologist. Any irrigation runoff from hydroseeded/planted areas shall be directed away from adjacent native vegetation communities and contained and/or treated within the development footprint of individual component projects. All planting stock shall be inspected for exotic invertebrate pests (e.g., argentine ants) and any stock found to be infested with such pests shall not be allowed to be used in the hydroseeded/planted areas.

Section 2.4 (Biological Resources), page 22

In response to Comments CDFW-3 and USFWS-5, mitigation measure Bio-9 has been revised as follows:

Bio-9 **Habitat Replacement**. Unavoidable impacts to sensitive natural communities shall be mitigated by the project proponent according to the range of ratios provided below, and

would be increased or decreased depending on whether the habitat supports special status species or other sensitive resources, and/or the impacts and mitigation would occur inside or outside an existing preserve area:

Sensitive Natural Community	**Mitigation Ratio**
Southern Willow Scrub	3:1
Coast Live Oak Woodland	~~2:1 –~~ 3:1
Engelmann Oak Woodland	~~2:1 –~~ 3:1
Southern Coast Live Oak Riparian Forest	3:1
Diegan Coastal Sage Scrub	1:1 – 3:1
Southern Mixed Chaparral	0.5:1 – 3:1
Non-Native Grassland	~~0:1 –~~ 0.5:1
Other Wetlands	3:1

Permanent and temporary impacts to sensitive natural communities shall be mitigated in-kind by the project proponent through implementation of any one or combination of the following measures, as approved and/or amended by the USFWS, USACE, RWQCB, and/or CDFW for individual component projects, if applicable:

a. On site as creation of new habitat within avoided and preserved areas at the project site;

b. On site as restoration of existing habitat within temporary impact areas and/or avoided and preserved areas at the project site;

c. On site as enhancement of existing habitat within avoided and preserved areas at the project site;

d. Off site as purchase of habitat credits within an approved mitigation bank or combination of banks (e.g., North County Habitat Bank);

e. Off site as habitat preservation, creation, restoration, and/or enhancement within other properties or approved mitigation programs available at the time of grading; or

f. A combination of the above.

For on-site or off-site creation, restoration, and/or enhancement mitigation of upland sensitive natural communities (e.g., grassland, coastal sage scrub, chaparral, woodland) for each individual project component, the project proponent shall prepare an Upland Habitat Restoration Plan, Habitat Mitigation and Monitoring Plan, or similar plan, detailing the specific upland habitat creation, restoration, and/or enhancement measures to be implemented as project mitigation. The Upland Habitat Restoration Plan shall be approved by the USFWS and/or CDFW, as appropriate, prior to vegetation clearing, grading, and/or construction activities.

For on- or off-site creation, restoration, and/or enhancement mitigation of riparian and wetland sensitive natural communities (e.g., riparian forest, riparian scrub, willow scrub, mule fat scrub, freshwater marsh) for each individual project component, the project

proponent shall prepare a Riparian/Wetland Habitat Restoration Plan, Habitat Mitigation and Monitoring Plan, or similar plan, detailing the specific riparian/wetland creation, restoration, and/or enhancement measures to be implemented as project mitigation. The Riparian/Wetland Habitat Restoration Plan shall be approved by the USFWS, USACE, RWQCB, and/or CDFW, as appropriate, prior to vegetation clearing, grading, and/or construction activities.

In addition, for on-site preservation, restoration and/or enhancement mitigation required as part of the reclamation of the land occupied by the replaced canal, a specific Engelmann Oak Preservation and Canal Restoration Plan will be prepared by the project proponent. The dominant vegetation communities that make up the current canal section includes coast live oak woodland containing Engelmann oak trees and southern mixed chaparral. This plan shall detail the specific canal restoration, and/or enhancement measures to be implemented as part of project mitigation. The plan shall provide an implementation schedule including site preparation methods, an irrigation plan, non-native plant removal, planting specifications, as well as detailed maintenance and monitoring/reporting schedules, as necessary. The Engelmann Oak Preservation and Canal Restoration Plan shall require approval by the USFWS and/or CDFW, as appropriate, prior to any vegetation clearing, grading, and/or construction activities.

Any upland or riparian/wetland habitat impacts that occur beyond the approved work limits of any project (see mitigation measure Bio-~~4~~5) shall be mitigated at a ratio to be negotiated with the USFWS, USACE, RWQCB, and/or CDFW.

Section 2.4 (Biological Resources), page 23

In response to Comment CDFW-5, line added and section revised as follows:

In addition, for on-site preservation, restoration and/or enhancement mitigation required as part of the reclamation of the land occupied by the replaced canal, a specific Engelmann Oak Preservation and Canal Restoration Plan will be prepared by the project proponent. The dominant vegetation communities that make up the current canal section includes coast live oak woodland containing Engelmann oak trees and southern mixed chaparral. This plan shall detail the specific canal restoration, and/or enhancement measures to be implemented as part of project mitigation. The plan shall provide an implementation schedule including site preparation methods, an irrigation plan, non-native plant removal, planting specifications, as well as detailed maintenance and monitoring/reporting schedules, as necessary. The Engelmann Oak Preservation and Canal Restoration Plan shall require approval by the USFWS and/or CDFW, as appropriate, prior to any vegetation clearing, grading, and/or construction activities.

Restoration Plans and revegetation as a result of these plans would be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques.

Any upland or riparian/wetland habitat impacts that occur beyond the approved work limits of any project (see mitigation measure Bio-~~4~~5) shall be mitigated at a ratio to be negotiated with the USFWS, USACE, RWQCB, and/or CDFW.

Section 2.9 (Hydrology and Water Quality), page 37

In response to Comment COSD-7, the text in the Hydrology and Water Quality section has been revised as follows:

> Grading, excavation, and other construction-related activities for the proposed project could cause soil erosion at an accelerated rate during storm events. Construction of the proposed project would involve earth-disturbing activities (using such equipment as dozers, scrapers, graders, loaders, compactors, dump trucks, cranes, water trucks, and concrete mixers) that could discharge sediment or other pollutants (e.g., petroleum products or building materials such as paints and cement) into local drainages adjacent to the project area via runoff from the construction sites. Because activities associated with the proposed project would disturb more than 1 acre of land surface; the proposed project would be subject to the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAR000002 [Construction General Permit]) adopted September 2, 2009. The Construction General Permit also includes requirements for all Linear Underground/Overhead Projects (LUPs); the proposed project would be considered an LUP. The proposed project would be required to comply with the terms and conditions in the Construction General Permit. The proposed project would also comply with the County of San Diego's *Grading Ordinance*. System testing and flushing would require coverage under the WDR for Dewatering and Other Low Threat Discharges to Surface Waters (Order No. R5-2008-0081, NPDES No. CAG995001 [Low Threat WDR]) or an individual WDR/NPDES permit if test waters do not meet Low Threat WDR requirements. Small amounts of dewatering, if applicable, (e.g., trenches filled with stormwater runoff) would be covered under the Construction General Permit.
>
> The NPDES Construction General Permit is intended to ensure compliance with State water quality objectives and water protection laws and regulations, including those related to waste discharges. NPDES Construction General Permit permitees are required to prepare and retain at the construction site a Stormwater Pollution Prevention Plan (SWPPP) that identifies erosion-control measures. The SWPPP would address proposed project construction activities and would specify control measures and BMPs designed to prevent erosion, sedimentation, and pollutants from entering stormwater runoff during construction. Consistent with the state's requirements, BMPs that could be implemented as part of the SWPPP include, but would not be limited to:
>
> - Construction during the dry/summer season;
> - Reduction of the area and length of time that the site is cleared and graded;
> - Revegetation/stabilization of cleared areas as soon as possible; and
> - Implementation of comprehensive erosion, dust, and sediment controls.
>
> The project area is within the jurisdiction of the San Diego RWQCB, which has the authority to implement water quality protection standards through the issuance of permits for discharges to waters at locations within its jurisdiction. Water quality objectives for the stream systems and their tributaries are specified in The Water Quality Control Plan for San Diego County (Basin Plan), described above, in compliance with the federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. The Basin Plan establishes water quality objectives and implementation programs to meet stated objectives and to protect the beneficial uses of water in the San Diego Basin. Because the project area is located within the San Diego RWQCB's jurisdiction, all discharges to surface water or groundwater are subject to Basin Plan

requirements. Implementation of BMPs would be used under the General Construction Permit and the proposed project would adhere to the County of San Diego's Watershed Protection Ordinance. Because the proposed project would be required to comply with State water quality standards and permits, and applicable county codes and permits, any potential impacts from the proposed project would be less than significant.

Draft EA-IS/MND Comments and Responses

The written comments provided on the following pages were submitted during the public review period for the proposed project, as required by CEQA (SCH #2016084001) dated August 16, 2016. All comment letters received were individually numbered, as indicated below in the Comment Letter Index. Responses to each comment are provided after the appropriate comment letter. Some comment letters received during the public review period contained comments that resulted in minor changes to the Final EA-IS/MND text.

Comment Letter Index

Letter 1 California Governor's Office of Planning and Research State Clearinghouse (SCH)

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

September 14, 2016

John Rydzik
U.S. Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Subject: San Pasqual Undergrounding Project
SCH#: 2016084001

Dear John Rydzik:

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on September 13, 2016. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project. **SCH-1**

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2016084001) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2016084001
Project Title San Pasqual Undergrounding Project
Lead Agency Bureau of Indian Affairs

Type MND Mitigated Negative Declaration

Description The proposed project is an integral component of the San Luis Rey Indian Water Rights Settlement Agreement (Jan 30, 2015), which includes federal, tribal and local entities. The proposed project would remove, relocate, and replace about 2.5 miles of the Escondido Canal that crosses the San Pasqual Reservation. The proposed project consists of four primary elements: 1) construction of a new desilting basin and access road; 2) replacement of about 2,000 ft of existing canal with a buried 60-in pipeline; 3) replacement of another approximately 2 miles of existing canal with a buried 60-in pipeline; and 4) removal and reclamation of 2 miles of the existing Escondido Canal. The proposed action of the BIA is the granting of a ROW easement on trust lands of the San Pasqual Reservation which is necessary for the implementation of the proposed project.

Lead Agency Contact

Name John Rydzik
Agency U.S. Bureau of Indian Affairs
Phone (916) 978-6051 **Fax**
email
Address Pacific Regional Office
2800 Cottage Way
City Sacramento **State** CA **Zip** 95825

Project Location

County San Diego
City Escondido
Region
Lat / Long
Cross Streets North Canal Rd, Lake Wohlford Rd, and Paradise Mountain Rd
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways Paradise Creek
Schools Valley Center MS
Land Use Semi Rural Res, open space, rural lands, public agency lands, and tribal lands

Project Issues Aesthetic/Visual; Archaeologic-Historic; Biological Resources; Noise; Traffic/Circulation

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; State Water Resources Control Board, Divison of Financial Assistance; State Water Resources Control Board, Division of Water Quality; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 9; Native American Heritage Commission; Public Utilities Commission; California Department of Justice, Attorney General's Office

Date Received 08/15/2016 **Start of Review** 08/15/2016 **End of Review** 09/13/2016

Response to Letter 1 (SCH)

SCH-1 Comment noted. No response is necessary.

Letter 2 California Department of Fish and Wildlife (CDFW)

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

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

September 14, 2016

Bill Martin
Escondido Planning Division
201 North Broadway
Escondido, CA, 92025
bmartin@escondido.org

Subject: Comments on the Notice of Intent to Adopt a Mitigated Negative Declaration for the San Pasqual Undergrounding Project Case No. ENV 15-0016, SCH# 2016081043

Dear Mr. Martin:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Mitigated Negative Declaration (MND)/Environmental Assessment for the San Pasqual Undergrounding Project.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. **CDFW-1**

CDFW is also a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

CDFW also administers the Natural Community Conservation Planning (NCCP) program. (Fish & G. Code, § 2800 et seq.)

Project Location: The project area encompasses portions of unincorporated San Diego County within the community of Valley Center and portions of the San Pasqual Indian Reservation, located 5 miles northeast of the City of Escondido, as well as portions of the Escondido service areas. Excluding the San Pasqual Reservation, the project area lies within the boundaries of the draft North County Multiple Species Conservation Plan (MSCP).

Project Description/Objective: The objective of the Project is to comply with the Settlement Agreement that pertains to waters of the San Luis Rey River watershed and rights of way (ROW) for the operation and maintenance of water conveyance facilities and appurtenant structures. Primary Project activities include: (1) the construction of a new desilting basin and associated access road on the San Pasqual Indian Reservation along the existing Escondido Canal alignment where the canal first enters the Reservation; (2) the replacement of about 2,000 feet of existing canal with a buried 60-inch pipeline within the existing Escondido Canal ROW; (3) the replacement of another approximately 2 miles of existing canal with a buried 60-inch pipeline within new alignments crossing the San Pasqual Indian Reservation, private lands, and public ROW in Lake Wohlford Road; and (4) the removal of approximately 2 miles of the existing Escondido Canal that would be dewatered when the proposed project is complete, and the reclamation of the land formerly occupied by the canal by means of demolition, debris removal, grading, and reestablishment of drainage, as well as any associated mitigation of environmental impacts that may be required. The connection to the existing underground pipeline would be at a location south of Paradise Mountain Road. No pumping would be required to convey flows through the proposed underground pipeline.

CDFW-1 cont

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Escondido (City) in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW-2

1. CDFW recommends that mitigation measures Bio-1b and Bio-1c be simplified to include initiation of protocol level surveys for the relevant species at the start of the nesting season prior to any construction within that season, as the protocols would require initiation as much as 10 weeks prior to the potential construction dates outlined in the measures.

CDFW-3

2. CDFW recommends the mitigation ratio listed for non-native grassland in Bio-9 be set to a minimum of 0.5:1 in order to conform to Table 7-1 of the draft North County MSCP Plan.

CDFW-4

3. For proposed restoration and monitoring plans in Bio-9, CDFW recommends including a funding commitment for any on- and/or off-site biological open space easements, if applicable, and identification of an appropriate natural lands management organization, subject to approval by CDFW and the United States Fish and Wildlife Service (Service). A Property Analysis Record (PAR), or PAR-equivalent analysis, should be completed to determine the amount of funding needed for the perpetual management, maintenance,

and monitoring of the biological conservation easement areas by the natural lands management organization. It should be demonstrated that the proposed funding mechanism would ensure that adequate funds would be available on an annual basis to implement the plans. The natural lands management organization should submit a draft plan, PAR results, and proposed funding mechanism to CDFW and the Service for review and approval prior to initiating construction activities; the final plan should be submitted to CDFW and the Service and the funds for implementing the plans transferred within 90 days of receiving approval of the draft plans. **CDFW-4 cont**

4. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. **CDFW-5**

CONCLUSION

CDFW appreciates the opportunity to comment on the MND/EA to assist the City in identifying and mitigating Project impacts on biological resources. **CDFW-6**

Questions regarding this letter or further coordination should be directed to Eric Hollenbeck, Senior Environmental Scientist at (858) 467-2720 or Eric.Hollenbeck@wildlife.ca.gov.

Sincerely,

Gail K. Sevrens
Environmental Program Manager
South Coast Region

ec: Office of Planning and Research, State Clearinghouse, Sacramento
Emily Cate, USFWS

REFERENCES

County of San Diego. 2009. Draft North County Multiple Species Conservation Program (MSCP).

Response to Letter 2 (CDFW)

CDFW-1 This comment does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

CDFW-2 Mitigation measures Bio-1b and Bio-1c have been revised accordingly.

CDFW-3 Mitigation measure Bio-9, mitigation ratio for non-native grassland, has been revised accordingly.

CDFW-4 Permanent impacts to sensitive natural communities will be mitigated in-kind by the project proponent through the off-site purchase of habitat credits within an approved mitigation bank or combination of banks.

CDFW-5 Bio-8 has been updated to clarify that any plans for restoration and revegetation would be prepared by persons with expertise in southern California ecosystems and fulfil the criteria identified within the comment.

CDFW-6 This comment is the conclusion statement for the letter, and does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

Letter 3 U.S. Fish and Wildlife Service (USFWS)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008

In Reply Refer To:
FWS-SDG-16B0353-16CPA0366

September 19, 2016
Sent by Email

Mr. John Rydzik, Chief
Division of Environmental, Cultural Resources Management & Safety
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, California 95825

Subject: Comments on the Draft Environmental Assessment and Initial Study/Notice of Intent to Adopt a Mitigated Negative Declaration for the Proposed San Pasqual Undergrounding Project, San Diego County, California (ENV 15-0016)

Dear Mr. Rydzik:

We have reviewed the draft Environmental Assessment and Initial Study/Mitigated Negative Declaration (EA-IS/MND) for the proposed San Pasqual Undergrounding Project. We received the EA-IS/MND on August 22, 2016 and were granted until September 20, 2016 to submit comments after requesting an extension of the public comment period.

The proposed 55-acre project site is located 5 miles northeast of the City of Escondido and encompasses portions of unincorporated San Diego County (County) within the community of Valley Center, and portions of the San Pasqual Reservation. The proposed project will remove, relocate, and replace about 2.5 miles of the Escondido Canal and includes the installation, operation, and maintenance of an underground pipeline as well as the construction and maintenance of a new desilting basin and associated access road at the northern end of the site.

The primary concern and mandate of the U.S. Fish and Wildlife Service (Service) is the protection of fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*); the Bald and Golden Eagle Protection Act (BGEPA), as amended (16 U.S.C. 688-668d *et seq.*); and the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; MBTA). Our comments are based on the information provided, our knowledge of sensitive species and declining vegetation communities in the County, and site visits made by Service personnel on September 9 and 15, 2016. **USFWS-1**

The EA-IS/MND states that federally listed species, specifically the endangered least Bell's vireo (*Vireo bellii pusillus*; vireo) and the threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher), were not detected during protocol surveys conducted in

2016. According to the EA-IS/MND, the project will not begin construction until at least 2018. Therefore, surveys will continue in order to verify that the species have not occupied the site in the interim. In the event that future surveys detect the vireo, gnatcatcher, or any other federally listed species, we recommend that our office be contacted for further coordination. **USFWS-1 cont**

We offer the following specific recommendations regarding potential impacts to birds and sensitive plant communities:

1. We strongly recommend that all vegetation removal activities occur outside of the general bird and raptor breeding season (January 15 through August 31) and revising mitigation measures *Bio-2* and *Bio-3* to include this recommendation. Mitigation measures *Bio-2* and *Bio-3(a-b)* should be implemented only if construction activities must occur during the breeding season. **USFWS-2**

2. Appendix E states that overall, 106 mature and two young Engelmann oak (*Quercus engelmannii*) trees were observed within the study area during rare plant surveys. The EA-IS/MND does not quantify the number of Engelmann oak trees that will be impacted by the proposed project, but states that the 100-foot wide construction corridor may be reduced in some areas, as needed, to avoid impacts to sensitive biological resources such as oaks. Engelmann oaks are currently designated by the California Native Plant Society (CNPS) as California Rare Plant Rank 4.2, which means that the species is "uncommon in California" and "fairly endangered in California" (CNPS 2016). Disturbance of oak root systems may lead to desiccation and have serious effects on mature trees (Schmidt and Timm 1991). Therefore, we recommend impacts to Engelmann oak trees including their root systems be avoided, to the maximum extent feasible, through the modification of the construction corridor. **USFWS-3**

3. Appendix E states that six peninsular (Ramona) spineflower (*Chorizanthe leptotheca*) specimens were observed just outside of the study area, with the closest specimen located approximately 10 feet from the edge of the study area. CNPS designated the peninsular spineflower as California Rare Plant Rank 4.2 (CNPS 2016). Please clarify the measures that will be used to avoid and minimize direct and indirect impacts to the spineflower. At a minimum, we recommend that the qualified biologist demarcate the location of the plants during the implementation of mitigation measure *Bio-4* in order to avoid inadvertent impacts to this species. **USFWS-4**

4. Mitigation measure *Bio-9* lists sensitive natural communities and the mitigation ratios required to offset unavoidable impacts. We recommend that the impacts to Engelmann Oak woodland and Coast Live Oak woodland be mitigated at the higher mitigation ratio listed (3:1) due to the relatively high number of mature trees identified. Our recommendation is based on the substantial temporal loss of habitat function due to the time needed for Engelmann oaks and coast live oaks (*Quercus agrifolia*) to reach maturity. **USFWS-5**

5. We appreciate the opportunity to review drafts of all potential documents that will result from the implementation of mitigation measure *Bio-9*, such as the Engelmann Oak Preservation and Canal Restoration Plan. **USFWS-6**

We appreciate the opportunity to comment on the draft EA-IS/MND. If you have any questions or comments pertaining to this letter, please contact Emily Cate at 760-431-9440, extension 252. **USFWS-7**

Sincerely,

DOREEN STADTLANDER
Digitally signed by DOREEN STADTLANDER
Date: 2016.09.19 14:07:08 -07'00'

for Karen A. Goebel
Assistant Field Supervisor

cc:
Bill Martin, Escondido Planning Division, Escondido, California
Don Smith, Vista Irrigation District, Vista, California
Eric Hollenbeck, California Department of Fish and Wildlife, San Diego, California
Melanie Tymes, U.S. Army Corps of Engineers, Carlsbad, California

LITERATURE CITED

[CNPS] California Native Plant Society. 2016. Inventory of Rare and Endangered Plants (online edition, v8-02). Sacramento, California.

Schmidt, R.H., and R.M. Timm. 1991. Vertebrate impacts on oak regeneration in California: a review of management options. *Great Plains Wildlife Damage Control Workshop Proceedings* 35:134-144.

Response to Letter 3 (USFWS)

USFWS-1 The EA-IS/MND states that federally listed species, specifically the endangered least Bell's vireo (*Vireo bellii pusillus*; vireo) and the threatened coastal California gnatcatcher (*Polioptila californica*; gnatcatcher), were not detected during protocol surveys conducted in 2016. According to the EA-IS/MND, the proposed project will not begin construction until at least 2018. Therefore, surveys will continue in order to verify that the species have not occupied the site in the interim. In the event that future surveys detect the vireo, gnatcatcher, or any other federally listed species, we recommend that our office be contacted for further coordination. Mitigation measures Bio-1b and Bio-1c have been revised to reflect that initiation of protocol level surveys for the relevant species will occur at the start of the nesting season prior to any construction within that season.

USFWS-2 Mitigation measures Bio-2 and Bio-3 have been revised to clarify the recommendation that vegetation removal activities occur outside of general bird and raptor breeding season, if feasible, and where this is not possible subsequent measures in Bio-2 and Bio-3 would be implemented.

USFWS-3 Mitigation measure Bio-4 has been revised to include that impacts to Engelmann oak trees including their root systems be avoided, to the maximum extent feasible, through the modification of the construction corridor.

USFWS-4 Mitigation measure Bio-4 has been revised to include the recommendation that a qualified biologist be present to demarcate the location of the plants in order to avoid inadvertent impacts to sensitive resources.

USFWS-5 Mitigation measure Bio-9 have been revised to include the 3:1 ratios for Engelmann Oak woodland and Coast Live Oak woodland.

USFWS-6 Mitigation measure Bio-9 details that, "The Engelmann Oak Preservation and Canal Restoration Plan shall require approval by the USFWS and/or CDFW, as appropriate, prior to any vegetation clearing, grading, and/or construction activities."

Letter 4 County of San Diego (COSD)

County of San Diego

MARK WARDLAW
DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

DARREN GRETLER
ASSISTANT DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

September 14, 2016

Bill Martin, AICP
Escondido Planning Division
201 North Broadway
Escondido, CA 92025

Via E-mail: bmartin@escondido.org and john.rydzik@bia.gov.

COMMENTS ON THE ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION – SAN PASQUAL UNDERGROUNDING PROJECT – CASE NO. ENV 15-0016

The County of San Diego (County) has received the Environmental Assessment/Mitigated Negative Declaration (EA/MND) for the proposed San Pasqual Undergrounding Project. The project consists of removing, relocating, and restoring approximately two miles of the Escondido Canal that crosses the San Pasqual Reservation. The proposed pipeline would run generally from north to south within the existing Escondido Canal right-of-way. A new desilting basin and access road would be constructed at the upstream end of the proposed pipeline to remove sediment from the canal water prior to discharge into the new underground pipeline. COSD-1

The Department of Environmental Health (DEH), Department of Parks & Recreation (DPR), and Department of Public Works (DPW) have reviewed the EA/MND and have the following comments:

Environmental Health

DEH has identified potential impacts to the existing septic leach field at 27361 Lake Wohlford Road (APN #189-181-11), where the pipeline runs adjacent to this affected property and the associated septic leach field. In addition, while no septic system has been installed to date, there is potential impact to APN #189-180-68, which is currently a vacant parcel but has an approved septic system layout that would be affected by the proposed pipeline alignment. COSD-2

No other impacts were identified for existing or proposed septic systems; however there are 17 parcels adjacent to the proposed pipeline alignment that could be impacted due to the required setback of 50 feet to this pipeline. As a result, the pipeline alignment should be re-evaluated following review of existing septic system records, required setbacks, and DEH comments COSD-3

Mr. Bill Martin
September 14, 2016
San Pasqual Undergrounding Project

provided by DEH Land Use Supervisor Eric Klein (858-694-2551). Please contact Eric Klein for more information prior to finalizing the pipeline realignment or any construction activities. COSD-3 cont

Parks & Recreation

Figure 3-6, Off-Reservation Desilting Basin Alternative, shows the alternative desilting basin and access road located in the Hellhole Canyon Preserve, which is owned by the County of San Diego and is designated as a preserve area in the draft Multiple Species Conservation Program (MSCP). Construction of the alternative desilting basin and access road would require permanent easements on County owned lands, which would impact the North County MSCP and may require compensation pursuant to the Park Preservation Act of 1971. The EA/MND should be revised accordingly to state that the alternative would impact County of San Diego Hellhole Canyon Preserve. Additionally, please contact Marcus Lubich at 858-966-1348 or marcus.lubich@sdcounty.ca.gov regarding potential impacts to DPR park lands and easements in DPR's Hellhole Canyon Preserve. COSD-4

Flood Control

The project proposes improvements that are located within the FEMA-mapped floodway/floodplain of Moosa Canyon Creek North Branch. Any work within the Floodway will require an analysis and No-Rise certification in accordance with Section 811.506 of the County Flood Damage Prevention Ordinance (FDPO). Any activities that change the Base Flood Elevation and/or location of the 100-year floodplain/floodway inundation lines of the Moosa Canyon Creek will require a County Letter of Map Revision (LOMR) in accordance with Section 811.401 of the County FDPO. COSD-5

Transportation

The EA/MND acknowledges that the project would encroach into road right-of-way of local jurisdictions, and permits would be needed prior to construction. As such, any County-maintained roads that would be damaged or disturbed by the permitted work shall be repaired to the satisfaction of the County Department of Public Works' Private Development Construction Inspection and Road Maintenance sections. COSD-6

Watershed Protection

The proposed project has the potential to generate stormwater impacts to private parcels located within the unincorporated county. Although the EA/MND currently states the project would adhere to the State of California Construction General Permit, the project must also consider stormwater impacts pursuant to County regulations. As such, please update section 2.9 of Appendix A to address: construction BMPs and associated plans for conformance with the County of San Diego's *Grading Ordinance* and *Watershed Protection Ordinance*. COSD-7

The County appreciates the opportunity to participate and comment on this project. We look forward to providing additional assistance at your request. If you have any questions regarding COSD-8

Mr. Bill Martin
September 14, 2016
San Pasqual Undergrounding Project

these comments, please contact Eric Lardy, Community Health Division Chief, Department of Environmental Health, at (858) 505-6932, or via email at Eric.Lardy@sdcounty.ca.gov

COSD-8 cont

Sincerely,

Joseph Farace, AICP
Group Program Manager
Advance Planning Division

e-mail cc:
Melanie Wilson, Land Use Advisor, Board of Supervisors, District 5
Vince Kattoula, CAO Staff Officer, Land Use and Environment Group
Eric Lardy, Chief, DEH
Justin Crumley, Senior Deputy County Counsel, County of San Diego
Rodney Lorang, Senior Deputy County Counsel, County of San Diego
Jeff Kashak, Land/Use Environmental Planner, DPW
Mary Wells Bennett, Administrative Analyst, DEH
Eric Klein, Land Use Supervisor, DEH
Marcus Lubich, Project Manager, DPR

Response to Letter 4 (COSD)

COSD-1 This comment does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

COSD-2 As identified within the EA-IS/MND, the proposed pipeline would include a 100-foot construction corridor (50 feet on each side of pipeline alignment) for its entire 2.5-mile length. The project proponent has not entered the detailed design (detailed engineering) phase of the proposed project. Detailed design and bidding is anticipated to begin in 2017 (EA-IS/MND Table 3-3, Proposed Action Timeline, page 3-11). The 100-foot ROW allows for flexibility in the pipeline alignment design. Section 1 of the Initial Study has been revised to include the following standard practices that will be implemented during detailed design and construction:

- Coordinate and work closely with the County of San Diego to identify locations of existing and proposed utilities.
- Coordinate and work closely with the County of San Diego on pipeline design and material options to avoid and/or minimize disturbance to existing and/or proposed utilities.
- Research as-built conditions for all utilities within and adjacent to the 100-foot ROW.
- Conduct field surveys during detailed design to ground-truth utility locations.
- Follow the Water Agencies' Standards (WAS) Design Guidelines for Potable Water, Recycled Water and Sewer Facilities (Design Guidelines).
- The WAS Design Guidelines was adopted by multiple water districts within San Diego County and includes guidance such as Section 1.6, Survey Standards Guideline (WAS 2008).
- Field-mark utility locations during the construction phase.

Implementation of these standard practices will avoid and/or minimize impacts to existing or proposed septic systems.

COSD-3 Please refer to Response to Comment COSD-2 above. The standard practices to be implemented during design and construction will help to avoid and/or minimize disturbance to existing or proposed utilities.

COSD-4 In the event that the Off-Reservation Desilting Basin Alternative was selected for construction, the project proponent would comply with all applicable laws and regulations, such as the requirements for any permanent easements and compensation pursuant to the Park Preservation Act. Compliance with applicable regulations is a mandatory; as such, revision of the EA-IS/MND is not required to ensure compliance with regulatory requirements.

COSD-5 Compliance with applicable regulations is a mandatory; as such, revision of the EA-IS/MND is not required to ensure compliance with regulatory requirements.

COSD-6 Compliance with required regulations and permits is mandatory; where county maintained roads are damaged or disturbed by permitted work, the roadway would be repaired to the County Department of Public Works' Private Development Construction Inspection and Road

Maintenance level of satisfaction. Compliance with applicable regulations is a mandatory; as such, revision of the EA-IS/MND is not required to ensure compliance with regulatory requirements.

COSD-7 Section 2.9 (Hydrology and Water Quality) of the Initial Study (Appendix A of the EA-IS/MND) has been revised to address implementation of BMPs and associated plans for conformance with the County of San Diego's Grading Ordinance and Watershed Protection Ordinance.

COSD-8 This comment does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

Letter 5 Rincon Band of Luiseno Indians (RBLI)

Rincon Band of Luiseño Indians
Cultural Resources Department

1 West Tribal Road · Valley Center · CA 92082 · (760) 297-2635 · Fax: (760) 297-2639

September 14, 2016

Bill Martin, AICP
Director of Community Development
City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

RE: Notice of Intent to Adopt a Mitigated Negative Declaration; San Pasqual Undergrounding Project; Case Number: ENV 15-0016

Dear Mr. Bill Martin:

This letter is written on behalf of the Rincon Band of Luiseno Indians. We have received the Notice of Intent to Adopt a Mitigated Negative Declaration regarding the above name project. We previously commented on the project through letters sent to your office dated August 5, 2016 and August 19, 2016.

In regards to the current review period, we reiterate our agreement with all of the established provisions and mitigation measures that support the protection of cultural resources, including the protections for discovered human remains. **RBLI-1**

We continue to give our full support to the project going forward, and we again thank you for the opportunity to consult and to protect and preserve our Luiseno cultural heritage.

Sincerely,

Vincent Whipple
Cultural Resources Manager
Rincon Band of Luiseno Indians

Response to Letter 5 (RBLI)

RBLI-1 The comment states concurrence with the provisions and mitigation measures of the environmental document, and expresses support of the proposed project. No response is required.

Letter 6 Keith Dowling (DOWL)

Bill Martin

From: Keith Dowling <sokfarm@sbcglobal.net>
Sent: Wednesday, August 24, 2016 1:22 PM
To: Bill Martin
Cc: Marty Burstein
Subject: Case No. ENV 15-0016

Hello Mr. Martin,

I received a notice of intent to adopt a mitigated negative declaration. I was hoping to get a little more information. It has to do with restoring the water canal. My property 27823 N. Lake Wohlford Rd. may be effected but I don't think so? The easement crosses my land but the canal is a good distance away. If I could speak with you or get more info somewhere would be great. I checked your site and didn't see anything about it. **DOWL-1**

Thanks for your time,

Sincerely Keith Dowling

Response to Letter 6 (DOWL)

DOWL-1 The City has worked directly with the property owner to provide this information. No further response is necessary as no issues related to the adequacy of the EA-IS/MND are raised.

Letter 7 Randy Farrar (FARR)

Bill Martin

From: R. Farrar <rfarrar@pacbell.net>
Sent: Thursday, August 18, 2016 7:14 AM
To: Bill Martin
Subject: ENV 15-0016

Mr. Martin,

I received a notice yesterday regarding the proposed project to replace part of the Escondido Canal.

I own and manage a small mobile home park at 27024 & 27036 N. Lake Wohlford Road. The notice I received yesterday was the first time I've heard about this project. I have a few questions: **FARR-1**

According to project maps the new underground portion of the pipeline will go down N. Lake Wohlford Road right by our property.

1. Will the pipeline be only in the existing public road right of way, or will it require the taking of private land along the route? **FARR-2**

2. How will the construction affect our residents as far as access to their homes, emergency services, mail delivery, etc.? **FARR-3**

3. There are two underground drainage culverts that run across the existing road just to the south of our property and through our property near our NE corner. How will this underground pipeline affect existing water drainage and storm water movement? We also have an underground storm water culvert that runs north/south on our property but close to the ROW along our east boundary. How will the new pipeline affect that culvert? **FARR-4**

4. There are municipal water lines in the existing road. How will the new project impact our water service and the fire hydrant located in front of the mobile home park? **FARR-5**

5. What is the time frame for construction? When will this project begin and when will construction along our portion of NLWR road begin? And how long will the construction impact our residents? **FARR-6**

I would like to submit comments during the review and comment period but I need my questions answered before I can prepare my submittal. **FARR-7**

Also, there are several residents that own their own manufactured homes in our park along will many tenants of park owned homes. Has the Notice been sent to all of our residents to give them the opportunity to comment on this project? **FARR-8**

Thank you for you assistance,

Randy Farrar
Minsuend Mobile Home Park
858-549-8894
rfarrar@pacbell.net

Response to Letter 7 (FARR)

FARR-1 This comment does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

FARR-2 The City has worked directly with the property owner to provide this information. No further response is necessary as no issues related to the adequacy of the EA-IS/MND are raised.

FARR-3 As described in the EA-IS/MND, the proposed project would not result in impacts to fire protection or police protection. Section 4.11.4.4, Traffic, of the EA-IS/MND discusses potential impacts on emergency access along North Lake Wohlford Road, which would be mitigated to a less than significant level with the implementation of mitigation measure Tra-1.

FARR-4 The City has worked directly with the property owner to provide this information. The proposed project's impact on stormwater drainage was evaluated in Section 4.9, Hydrology and Water Quality, of the EA-IS/MND. Section 4.9.2.2 describes project adherence to regulatory compliance through construction stormwater permits. Changes to existing water drainage and stormwater movement are not anticipated. Should stormwater runoff from construction activity result, the SWRCB would require a Construction General Permit, which outlines the requirements for preparation of a Storm Water Pollution Prevention Program (SWPPP). SWPPs and BMPs are prepared and implemented for construction sites greater than one acre, which reduce the likelihood of alterations in drainage to result in these impacts.

FARR-5 The City has worked with the property owner to provide this information. No further response is necessary as no issues related to the adequacy of the EA-IS/MND are raised.

FARR-6 The City has worked with the property owner to provide this information. No further response is necessary as no issues related to the adequacy of the EA-IS/MND are raised.

FARR-7 During the public review process, the City discussed the proposed project and CEQA/NEPA process with the commenter. No additional response is required.

FARR-8 The City has worked with the property owner to provide direct notice of the proposed project to the tenants of the small mobile home park. The EA-IS/MND was available for public review at the Escondido Panning Division and the Bureau of Indian Affairs. No further response is necessary as no issues related to the adequacy of the EA-IS/MND are raised.

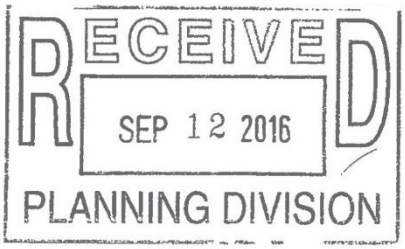
Letter 8 Mary Gaines (GAIN)

Mary Gaines

ENV 15-0016

FROM : Mary Gaines 760-419-8562

msmarygaines@gmail.com



DATE : 12 September 2016

RE: Notice of Intent to Adopt Negative Mitigation

RES ADDRESS: 26803 North Lake Wohlford Road

Valley Center, CA 92082

CASE NO : ENV 15-0016

ISSUED : 16 August 2016

PUBLIC REVIEW DUE : 14 September 2016

REFERENCE: San Pasqual Undergrounding Project (herein after, Project)

In Particular, pages 3-2 and 4.1-2 through 4.1-10, and color figures 3.1, 4.2-1, et seq

TO: City of Escondido Planning Division, Attn. Bill Martin

Bureau of Indian Affairs, Pacific Regional Office, Attn. John Rydzik

Vista Irrigation District, Attn. Don Smith, Principal Engineer and Director of Water Resources

City of Escondido, Utilities Division, Attn. Angela Morrow, Deputy Director

My property lies along the east side of North Lake Wohlford Road, (hereinafter, NLWR), and south of Paradise Mountain Road (hereinafter, PMR).

I have spoken to representatives of the Escondido Planning Division and of the Vista Irrigation District regarding this Project.

I have been advised there are at this time no developed Blueprints for this Project. **GAIN-1**

I have been advised the basic plan is to replace the Escondido Canal (hereinafter Canal)with pipe. However, as the pipe gets close to the intersection and PMR and NLWR, the path will deviate from the existing Canal, and proceed to NLWR where the pipe will be laid directly below NLWR and then proceed underground for less than a mile to be tied into pipe which is already in existence and receives water

from the Canal. I believe this occurs slightly south of Maemar Drive. Therefore, the pipe will not be placed on my property, but will be placed under NLWR along the front (west) boundary of my property. I have been advised once the pipe laying is complete, the existing Canal will be removed and filled in. **GAIN-1 cont**

Upon reviewing plans for the Project, as referenced above, it appears there are setbacks to the area where the pipe is laid, and to the area where the canal is removed and filled in. From the documents provided, it appears there is a setback of up to 100 feet from the leading edges of the Project. This would result on the removal or death of 80% of the old large oak trees on my property. See Fig 4.2-1.

The canopy of old large oak trees which greets me every time I come home, and the oak trees throughout the landscape of Valley Canter are a primary reason I purchased my property in 1989 and have remained. They herald the peacefulness and tranquility of my home after a long and grueling day as a government employee and single mother. For the 19 years before I resided in Valley Center, I never lived anywhere more than two years. My home in Valley Center with its Oaks, Manzanitas, and vistas has been a place of rest and refuge for me, and I never thought of leaving. **GAIN-2**

A review of my property, and those along the south side of PNR where the Canal is open and flows with water is the primary area along which these old large oaks are growing on our properties. Much of the Canal north of PMR and on the San Pasqual Reservation flows through large pipes, and hence, there are few oaks along the route of the Canal in that area (the Reservation).

As I have viewed the Canal when the water is low or not flowing, there are cracks in the sides and bottom of the Canal. These cracks, and the moisture from the cement of the Canal have created an environment where the trees have been able to thrive as the tree roots go out seeking whatever moisture they can find, which is primarily from the Canal. This is in much the same way that tree roots in older homes in the city seek out the pipe joints in the home water system, until they work their way into the pipe and block the water flow, resulting in homeowners having their homes "snaked" every 6-12 months to rid the pipes of the roots, as I did when I lived in Altadena. Even if removing the Canal only involved removing the cement walls and floor of the Canal, and it was possible to do so without felling the oak trees along the sides of the Canal for access, it is my belief that once the Project was started, there would be substantial cutting and tearing away at the roots of the trees which have become imbedded in the cement, such that the trees would eventually die of shock. **GAIN-3**

The cement which makes up the Canal is actually 6-12 inches below ground level, so it would be possible to fill in the Canal with rock and dirt, such that no cement from the Canal would be sticking up out of the ground when the Project is finished. This would also be substantially cheaper than removing and hauling the cement out of the Canal and then filling it back in.

Myself, and my neighbors along the route have built bridges over the Canal to access our homes. I assume these would be destroyed when the Canal is removed. Even if the Canal is not removed, and only filled in, these would need to be replaced at the end of the project with driveways. My septic leach line field has a 100 foot setback from the Canal, and some research would need to be done about the **GAIN-4**

effect of removing the Canal and heavy equipment on the east side of the Canal on my septic leach fields and on your Project. **GAIN-4 cont**

My dirt driveway runs between and parallel to the Canal and NLWR, and at the south end turns to a bridge which crosses the Canal and thereafter accesses the rest of my driveway which is blacktop. I am also requesting that the old oak trees between my driveway and NLWR not be disturbed. I was advised by Mr. Don Smith at Vista Irrigation that they would not be. I would like some further confirmation of this. There are large open areas on the southeast and southwest corners of NLWR and PMR which could be utilized as "staging areas" for men and equipment. **GAIN-5**

I would like information about what type of reparations or reimbursement will be made if my old oak trees are destroyed or die as a result of your activities, and of the impact to my Septic leach field. /also I would like information about how my bridge and home access are to be handled. **GAIN-6**

I understand that this Project has been in litigation for 40 (really?) years, and that this is a major Project. I invite you or your representatives to contact me and come view my property and the area under consideration. I welcome the opportunity to walk with you along NLWR and the Canal to discuss all options which would allow my property to retain its character, and my oak trees to remain, while achieving your goals of completing the San Pasqual Project efficiently and economically. **GAIN-7**

Sincerely,

Mary Gaines

Response to Letter 8 (GAIN)

GAIN-1 This comment does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

GAIN-2 Refer to Response to Comment COSD-2. The project proponent has not entered the detailed design (detailed engineering) phase of the proposed project. Detailed design and bidding is anticipated to begin in 2017 (EA-IS/MND Table 3-3, Proposed Action Timeline, page 3-11). The 100-foot ROW allows for flexibility in the pipeline alignment design and to avoid sensitive biological resources, such as drainages, wetlands, oaks, and active nests.

As part of the proposed project, the project proponent will consult with the individual property owners potentially affected by project construction during detailed design to identify the canal decommissioning options, and property-specific concerns and resources. Detailed design and construction plans will avoid removal of or damage to mature oak trees, including their root systems, to the maximum extent feasible. In addition, mitigation measure Bio-4 (Construction Fencing) identifies that the project proponent shall retain a qualified biologist to oversee and monitor installation of appropriate fencing and/or flagging to delineate the limits of construction and the approved construction staging areas for protection of sensitive resources" to ensure that impacts are avoided or minimized.

GAIN-3 Refer to Response to Comment GAIN-2. As noted above, under Response to Comment GAIN-2, property owners will be consulted during detailed design to identify property-specific concerns and resources; detailed design and construction plans will be prepared to avoid and/or minimize impacts to oak trees, including their root systems, to the extent possible.

During detailed design and, per mitigation measure Bio-9 (Habitat Replacement), as part of the reclamation of the land occupied by the replaced canal, a specific Engelmann Oak Preservation and Canal Restoration Plan will be prepared by the project proponent. The plan shall provide detailed maintenance and monitoring/reporting schedules, as necessary. This plan would include management efforts to monitor the status of the oak trees over time as a result of the replaced canal.

GAIN-4 Refer to the responses to Comments COSD-2, COSD-3, and GAIN-2. As stated in the response to Comment COSD-2, implementation of standard practices will avoid and/or minimize impacts to existing or proposed septic systems. As stated in the response to Comment GAIN-2, the City will discuss decommissioning options with property owners when the proposed project enters the detailed design phase.

GAIN-5 Refer to response to Comment GAIN-2. For areas supporting sensitive habitats or species such as oak trees which have the potential to be affected by project construction, the project proponent will setback construction staging areas to avoid these areas supporting sensitive habitats or species, wherever feasible as is detailed within mitigation measure Bio-5. This would include the use of disturbed or developed areas.

GAIN-6 Refer to the responses to Comments GAIN-2 and GAIN-4. Native oak trees that cannot be avoided shall be replanted on site wherever feasible. When replanting oak trees on site is not feasible, replanting shall occur within mitigation or preserve sites known to be capable of

supporting the particular oak tree species, and in areas contiguous with existing woodlands or where the removed species occurs. Any unavoidable impacts to oak trees will be mitigated at a replacement ratio of 3:1 for Coast Live Oak Woodland, 3:1 for Engelmann Oak Woodland, and 3:1 for Southern Coast Live Oak Riparian Forest (mitigation measure Bio-9 – Habitat Replacement).

The pipeline alignment along North Lake Wohlford Road is anticipated to be located within the existing public ROW. In a few locations, temporary easements may be required during construction. Home and bridge access will be maintained throughout construction. Temporary shutdowns may occur in limited durations and residents will be notified in advance. Emergency vehicle access would be maintained at all times during construction.

Any potential impacts to septic leach systems would be avoided and minimized, as detailed within the response to Comment GAIN-4. No further response is required.

GAIN-7 The conclusion statement does not address the adequacy of the EA-IS/MND; therefore, no response is necessary.

Mitigated Negative Declaration

Subject: San Pasqual Undergrounding Project

City#: ENV 15-0016 / SCH#2016084001

I. Project Description: The Escondido Canal is an approximately 14-mile-long water conveyance system that transports water from a diversion dam on the San Luis Rey River across portions of the La Jolla, Rincon, and San Pasqual reservations and federal and private lands to Lake Wohlford in northern San Diego County, California.

The proposed action would decommission, relocate, or replace about 2.5 miles of the Escondido Canal that crosses the San Pasqual Reservation.

The proposed project consists of four primary elements: (1) the construction of a new desilting basin and associated access road on the San Pasqual Reservation along the existing Escondido Canal alignment where the canal first enters the San Pasqual Reservation; (2) the replacement of about 2,000 feet of existing canal with a buried 60-inch pipeline within the existing Escondido Canal ROW; (3) the replacement of another approximately 2 miles of existing canal with a buried 60-inch pipeline within new alignments crossing the San Pasqual Indian Reservation, private lands, and public ROW in Lake Wohlford Road; and (4) the removal of approximately 2 miles of the existing Escondido Canal that are dewatered when the proposed project is complete, and the reclamation of the land formerly occupied by the canal by means of demolition, debris removal, grading, and reestablishment of drainage, as well as any associated mitigation of environmental impacts that may be required. The connection to the existing underground pipeline would be at a location south of Paradise Mountain Road. No pumping would be required to convey flows through the proposed underground pipeline.

II. Environmental Setting: The project area is located on the San Pasqual Reservation and on San Diego County land in the community of Valley Center, approximately 5 miles northeast of the city of Escondido. This location corresponds to Sections 15 and 22 in Township 11 South, Range 1 West of the Rodriguez Mountains U.S. Geological Survey (USGS) 7.5-minute topographic quadrangles. The project area is located within USGS Hydrological Unit Code 18070303 named San Luis Rey-Escondido watershed.

The project area currently consists of Lake Wohlford Road, South Canal Road, an unnamed dirt road, Escondido Canal, San Diego County and San Pasqual Reservation developed and undeveloped land, and San Diego North County Multiple Species Conservation Plan Preserve land (Hellhole Canyon). Surrounding lands are a combination of residential and agricultural land. This location corresponds to the South Coast Subregion of the California Floristic Province.

The elevation of the project area is approximately 1,600 to 1,700 feet above mean sea level. Topography in the vicinity is characterized as uplands and low hills. Local terrain consists of generally flat to slightly sloping upland.

San Diego County has a Mediterranean climate with cool, wet winters and warm, dry summers. The average total precipitation in Escondido is 14.98 inches. Rainfall is generally the heaviest between January and March with precipitation ranging 2.64 to 3.43 inches. Rain is normally infrequent during summer months, with precipitation ranging 0.08 to 0.20 inch. The average annual temperature is approximately 65 degrees Fahrenheit for Escondido. Summer temperatures range from 58 to 89 degrees Fahrenheit and winter temperatures range from 42 to 74 degrees Fahrenheit.

III. Determination: The proposed project would result in potentially significant impacts associated with Aesthetics, Biological Resources, Cultural Resources, Noise, and Transportation/Traffic. Mitigation measures would be implemented to reduce these impacts to a less than significant level.

IV. Documentation: The attached Initial Study documents the reasons to support the above determination.

V. Mitigation Monitoring and Reporting Program: See attached Initial Study and Mitigation Monitoring and Reporting Program (MMRP). Note that the MMRP will be prepared prior to the Final EA-IS/MND submittal.

VI. Public Review Distribution: The following individuals, organizations, and agencies received a copy or notice of the Draft IS/MND and were invited to comment on its adequacy and sufficiency:

Federal Agencies
Attorney General of the United States
Department of the Interior, Bureau of Indian Affairs, Pacific Regional Office
Federal Energy Regulatory Commission
National Marine Fisheries Service
Secretary of the Interior
U.S. Army Corps of Engineers, Los Angeles District
U.S. District Court for the Southern District of California
U.S. Environmental Protection Agency, Region 9
U.S. Fish and Wildlife Service

State of California
California Department of Fish and Wildlife, South Coast Region
California Department of Transportation, District 11
California Native American Heritage Commission
California Public Utilities Commission
State Clearinghouse
State Historic Preservation Office
State Water Resources Control Board

Local Agencies/Organizations
City of Escondido
County of San Diego, Department of Planning and Development Services
San Diego Air Pollution Control District
San Diego County Water Authority
San Diego Regional Water Quality Control Board, Region 9
Valley Center Community Planning Group
Vista Irrigation District

Native American Contacts
La Jolla Band of Missions Indians
Pala Band of Missions Indians
Pauma Band of Mission Indians
Rincon Band of Mission Indians
San Luis Rey Indian Water Authority
San Pasqual Band of Mission Indians

VII. Results of Public Review:

( ) No comments were received during the public input period.

( ) Comments were received but did not address the Draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.

( ) Comments addressing the findings of the Draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the IS/MND materials are available for review, or for purchase at the cost of reproduction, at the City of Escondido, Planning Division, 201 N. Broadway, Escondido, California 92025. To ensure availability or to make an appointment, please call (760) 839-4557.

Bill Martin, AICP
Director of Community Development
City of Escondido

August 12, 2016
Date of Draft

October 12, 2016
Date of Final Report

1.0 Environmental Initial Study

Project Title:

San Pasqual Undergrounding Project

Lead agency name and address:

City of Escondido
201 North Broadway
Escondido, CA 92505

Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Lead Agency Contact Persons and Phone Numbers:

City of Escondido
Bill Martin, AICP, Assistant Planning Director
(760) 839-4557

City of Escondido
Angela Morrow, P.E., Deputy Director of Utilities/Construction and Engineering
(760) 839-6290 ex. 7030

Bureau of Indian Affairs
John Rydzik, Chief of Division of Environmental and Cultural Resources Management
(916) 978-6051

Project Location: The project area of the proposed San Pasqual Undergrounding Project (proposed project) is located in northern San Diego County approximately 5 miles northeast of the city of Escondido (Figure 1). The project area encompasses portions of unincorporated San Diego County in the community of Valley Center and the San Pasqual Reservation, as well as portions of the Escondido and the Vista Irrigation District (VID) service areas (Figure 2).

Project Sponsor's Name and Address:

Vista Irrigation District
1391 Engineer Street
Vista, CA 92081

City of Escondido
201 North Broadway
Escondido, CA 92505

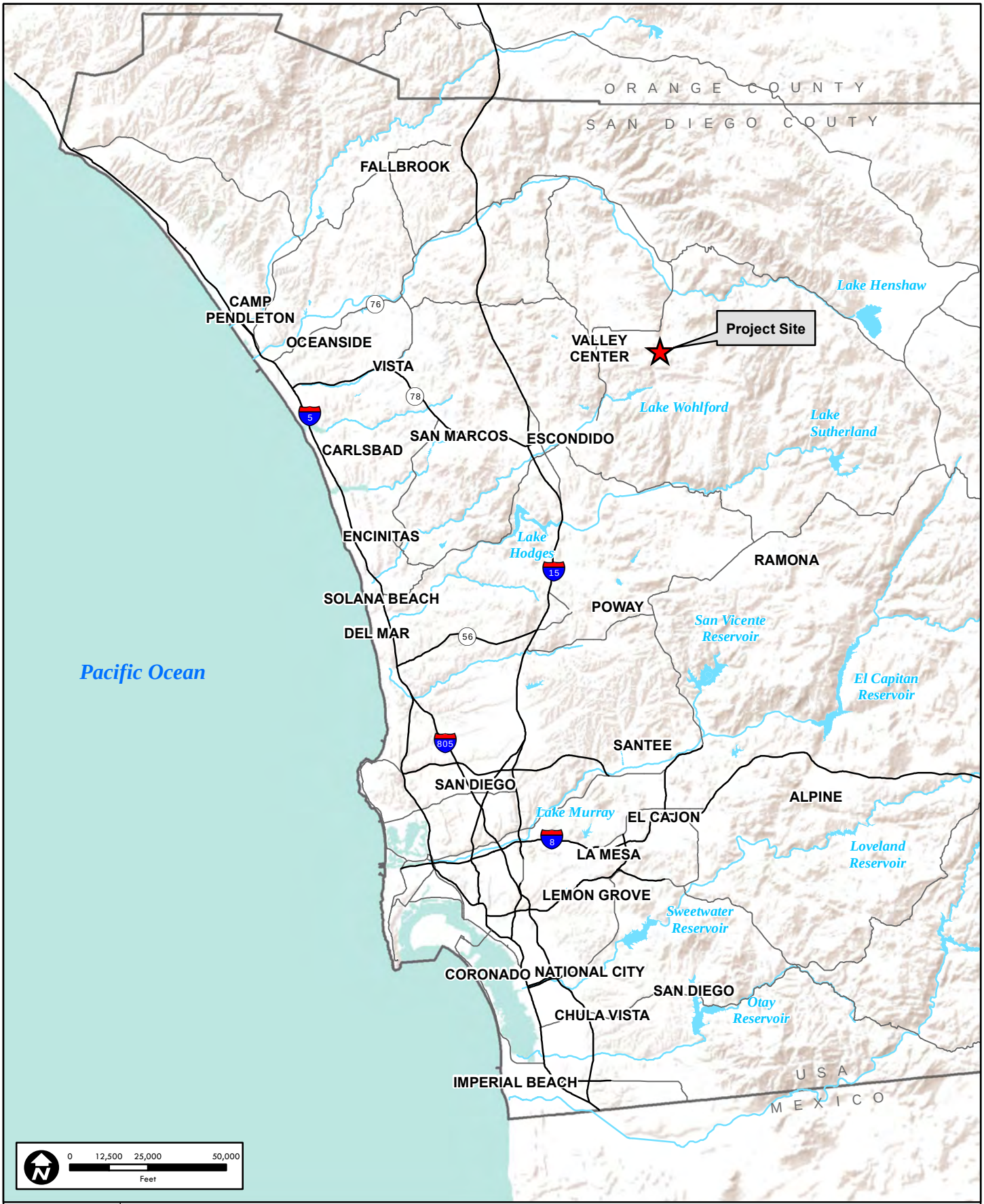
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

General Plan Designation: The adopted San Diego County General Plan (County 2011) land use designations in the project area and surrounding areas include the following: Semi-Rural Residential (1 dwelling unit per 2, 4, or 10 acres), Open Space (Conservation or Recreation), Rural Lands (1 dwelling unit per 20, 40, or 80 acres), Public Agency Lands, and Tribal Lands.

Zoning: The County of San Diego zoning within the project area and surrounding areas, excluding the La Jolla, Rincon, and San Pasqual reservations, consists primarily of Limited Agriculture (A70), General Agriculture (A72), Open Space (S80), and Rural Residential (RR), with limited areas of residential, commercial, manufacturing, industrial, and special purpose zones.

Project Description: The Escondido Canal is an approximately 14-mile-long water conveyance system that transports water from a diversion dam on the San Luis Rey River across portions of the La Jolla, Rincon, and San Pasqual reservations and federal and private lands to Lake Wohlford in northern San Diego County, California (Figure 1).

The proposed project would decommission, relocate, or replace about 2.5 miles of the Escondido Canal that crosses the San Pasqual Reservation (Figure 2).



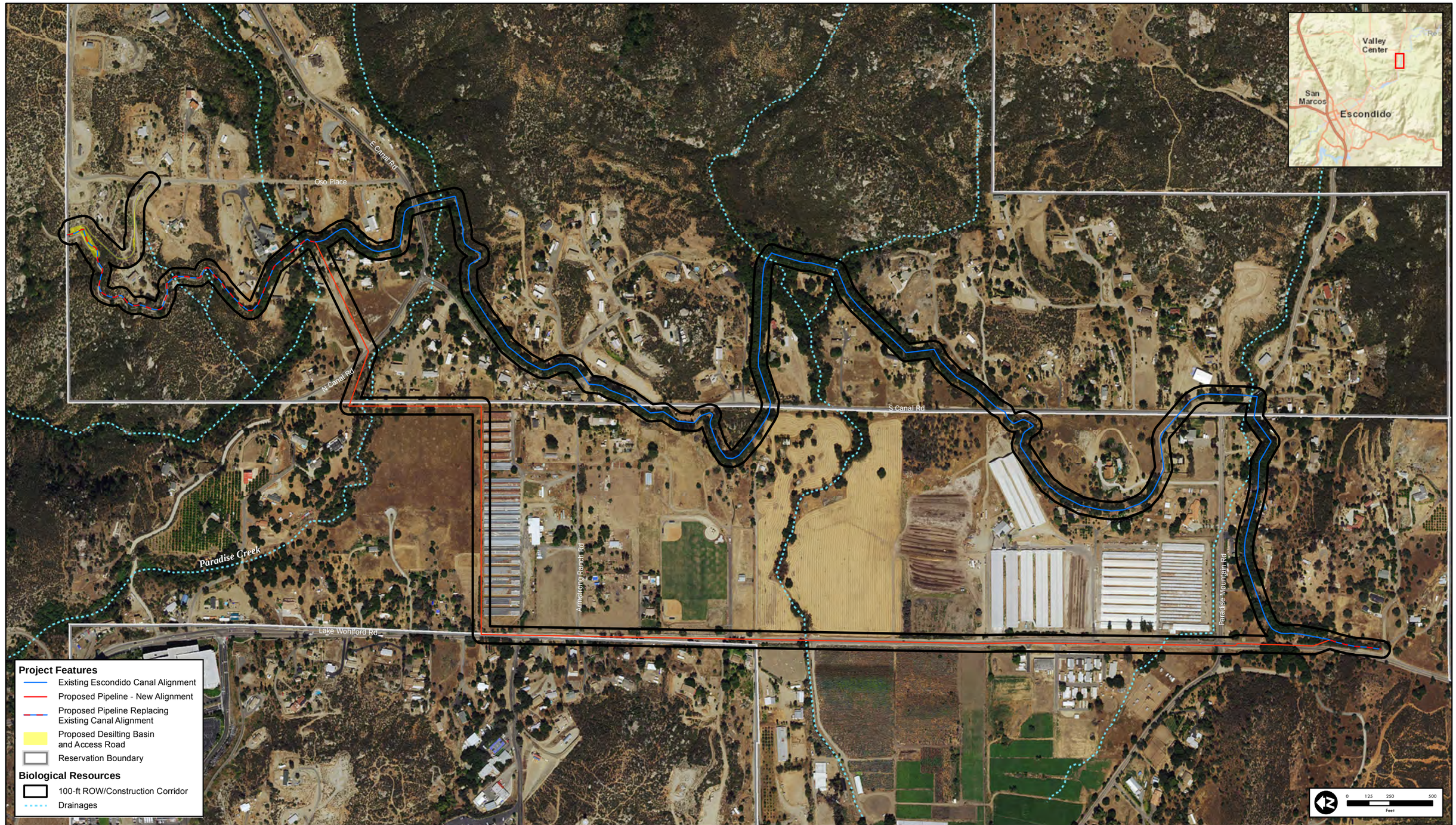
ATKINS

Figure 1
Regional Location

100049195 2016 San Pasqual Undergrounding Project

Sources: Esri 2016, SanGIS 2016

7/19/2016 bela7036 \\SUSSDA1101\data\Clients\Escondido\100049195 VID SPUP ENV EA MND\GIS\data\Figure2-1_RegionalLocation.mxd



ATKINS

Figure 2
Overview of the Proposed Project

100049195 2016 San Pasqual Undergrounding Project

Sources: Esri, Atkins

7/21/2016 BELA7036 \\SUSSDA1101\data\Clients\Escondido\100049195 VID SPUP ENV EA MND\GIS\data\Figure2-2_Overview_of_Proposed_Action.mxd

The proposed project consists of four primary elements: 1) the construction of a new desilting basin and associated access road on the San Pasqual Indian Reservation along the existing Escondido Canal alignment where the canal first enters the Reservation; 2) the replacement of about 2,000 feet of existing canal with a buried 60-inch pipeline within the existing Escondido Canal ROW; 3) the replacement of another approximately 2 miles of existing canal with a buried 60-inch pipeline within new alignments crossing the San Pasqual Indian Reservation, private lands, and public ROW in Lake Wohlford Road; and 4) the removal of approximately 2 miles of the existing Escondido Canal that are dewatered when the proposed project is complete, and the reclamation of the land formerly occupied by the canal by means of demolition, debris removal, grading, and reestablishment of drainage, as well as any associated mitigation of environmental impacts that may be required. The connection to the existing underground pipeline would be at a location south of Paradise Mountain Road. No pumping would be required to convey flows through the proposed underground pipeline.

Surrounding Land Uses and Setting: The project area and surrounding areas consist mostly of rural residential and some agricultural uses scattered throughout the area, as well as Tribal lands and undeveloped open space, which is characterized by steep, rugged topography.

Required Permits and Approvals: In addition to Escondido (CEQA Lead Agency) and the BIA (NEPA Lead Agency), several other public and semipublic agencies would have discretionary approval over the proposed project and are, therefore, considered to be "Responsible Agencies," as defined in CEQA Guidelines (Section 15096) or "Cooperating Agencies" as defined by NEPA (40 CFR 1501.6). It is anticipated that the proposed project would require permits/approvals from the following governmental agencies and jurisdictions. Actions on Tribal lands are subject only to Tribal and federal permits and approvals. Therefore, state and local permits and approvals do not apply to activities on Tribal lands.

Federal Permits/Approvals

The following federal permits/approvals are anticipated for the proposed project:

- Secretary of the Interior adoption of the EA, to determine if a Finding of No Significant Impact (FONSI) would be appropriate or if an EIS should be prepared consistent with NEPA
- Secretary of the Interior approval of easements across tribal and other Interior Department lands for the construction, operation, and maintenance of the Escondido Canal and appurtenant facilities
- United States (acting through the Secretary of the Interior and the Attorney General of the United States); the La Jolla, Rincon, San Pasqual, Pauma, and Pala Bands of Mission Indians (the Bands); and the San Luis Rey Indian Water Authority (SLRIWA), all signatories to the Settlement Agreement.
- State Historic Preservation Office (SHPO) consultation under Section 106 of the National Historic Preservation Act, if cultural resources may be affected by the proposed project
- U.S. Fish and Wildlife Service (USFWS) consultation under the Endangered Species Act, if endangered species may be affected by the proposed project
- Issuance of a U.S. Army Corps of Engineers (USACE) permit under Section 404 of the Clean Water Act, if the proposed project would result in impacts to wetlands or other waters of the U.S.
- U.S. Environmental Protection Agency (USEPA) issuance of any Section 401 Water Quality Certification for activities on tribal trust lands

- USEPA issuance of a National Pollution Discharge Elimination System (NPDES) permit on tribal trust lands

State Permits/Approvals

The following state permits/approvals are anticipated for the proposed project:

- Approval of the IS/MND and Notice of Determination (NOD) document from Escondido
- California Department of Fish and Wildlife (CDFW) 1602 Streambed Alteration Agreement for any activity that would substantially modify a river, stream, or lake or otherwise substantially adversely affect an existing fish and wildlife resource in the project area outside the reservation land.
- State Water Resources Control Board (SWRCB) issuance of a NPDES Construction General Permit to regulate discharge of storm water during construction. The NPDES Construction General Permit requires notification of construction activities, implementation of best management practices (BMPs), and development of a Storm Water Pollution Prevention Plan (SWPPP) for submittal to and approval from the SWRCB. The San Diego Regional Water Quality Control Board (RWQCB) will issue a 401 Water Quality Certification on behalf of the SWRCB.

Local Permits/Approvals

Depending on the jurisdiction where an action is located, the VID, City of Escondido, or County of San Diego would have discretionary authority to grant the following approvals:

- Approval of construction documents
- Issuance and approval of the contract bid for construction
- Authorization to use bond proceeds for the proposed project/expenditure of public funds
- Any other necessary development or financing actions
- Vacation, relocation, and dedication of easements
- Approval to construct the pipeline within the jurisdiction's ROW
- Traffic Control Permit

Environmental factors potentially affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated on the following pages.

☒ Aesthetics	☐ Agriculture and Forestry	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☒ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☒ Transportation/Traffic	☐ Utilities/Service Systems	
☐ Mandatory Findings of Significance		

Determination: On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Bill Martin, AICP
Director of Community Development
City of Escondido

August 12, 2016
Date of Draft

October 12, 2016
Date of Final Report

Evaluation of Environmental Impacts:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9) The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

2.0 Environmental Initial Study Checklist

A brief explanation of the reasons the applicable column is checked follows the checklist.

2.1 Aesthetics

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☒	☐	☐
b) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐

Temporary visual impacts would occur during construction of the proposed project components due to ground-disturbing activities, stockpiling, and the presence of construction equipment. However, such impacts would be short-term and limited to the immediate vicinity of the active construction site. Following construction, the proposed project pipeline would be underground and would not be visible; however, the proposed project would also include a desilting basin and access roads. Potential visual impacts associated with aboveground facilities would vary depending on the size of the facility, setting and visibility of the project site, degree of landform alteration required, and existing vegetation. The Segment 2 pipeline service road will be 8 feet wide and surfaced with screened backfill from excavation, while the access road to the desilting basin will be 12 feet wide and surfaced with aggregate. The proposed project may result in adverse effects on a scenic vista if aboveground facilities are constructed in undeveloped areas and/or at higher elevations such as on hillsides, hilltops, and ridges within the public viewshed. The proposed project has the potential to impact existing natural and agricultural settings of the area from construction of the proposed pipeline and supporting facilities (i.e., desilting basin and access roads) as seen from neighboring properties and public ROWs. Direct, indirect, and disproportionate impacts would be less than significant with implementation of the following mitigation measures, Aes-1 and Aes-2.

Mitigation Measures

Aes-1 **Visually Compatible Landscaping**. The following landscaping measures shall be implemented for each proposed component project:

a. For pipelines and access roads installed in naturally vegetated areas, the short-term disturbance footprints associated with construction for the pipeline corridor and associated construction staging areas shall be hydroseeded, following backfilling and recontouring, using a non-irrigated native plant mix consistent with original site conditions and surrounding vegetation.

b. For aboveground structures in naturally vegetated settings, any disturbed unpaved areas following construction that are not designated for vehicular or pedestrian access shall be revegetated (hydroseeding and/or plantings) using native plant materials consistent with original site conditions and surrounding vegetation. A temporary irrigation system shall be installed and maintained by the project proponent, or watering trucks shall be used at a frequency to be determined by a qualified biologist or landscape architect, to maintain successful plant growth. Temporary irrigation shall be discontinued upon determination by

the qualified biologist or landscape architect that the landscaping has permanently established, without the need for supplemental watering.

c. For aboveground structures in more urban settings, any disturbed unpaved areas following construction that are not designated for vehicular or pedestrian access shall be landscaped using native plant materials consistent with original site conditions and/or surrounding ornamental vegetation in order to return the disturbed area to its existing visual character.

d. The landscaping plan for aboveground structures associated with the desilting basin shall include the planting of large trees and/or shrubs, where appropriate, to provide adequate screening of the proposed basin and its structures.

Aes-2 **Visually Compatible Design**. The following design measures shall be implemented for each proposed project component that includes aboveground facilities (including access roads):

a. Aboveground facilities and access roads shall use appropriate building materials and color palettes that are visually consistent with the surrounding natural vegetation and/or built environment.

b. Aboveground facilities and access roads shall use low-reflective, low-glare paint and materials, unless required for safety or by law.

c. Access roads shall be designed to minimize grading, slope ratios, and the blockage of existing views when possible. Access roads shall not contain features such as asphalt coating, lighting fixtures, signage, guard rails, walls, fences, curbing, pavement marking, or other service structures or appurtenances, unless required for safety or by law.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

There are no officially designated State Scenic highways within the project area as identified by the California Scenic Highway Mapping System. State Route 76 (SR-76), which is eligible for listing as a state scenic highway, is located approximately 5 miles north of the project area. Due to distance and intervening topography, the proposed project would not be visible from SR-76. Lake Wohlford Road, from Guejito Road north to Valley Center Road, and Lilac Road and Valley Center Road (S6) are listed as third priority County Scenic Highways and are located adjacent to the proposed pipeline alignment. As discussed above under Issue 1, temporary visual impacts would occur during construction of the proposed project due to ground-disturbing activities, stockpiling, and the presence of construction equipment. However, such impacts would be short-term and limited to the immediate vicinity of the active construction site. Following construction, potential visual impacts associated with potential aboveground facilities would vary depending on the size of the facility, setting and visibility of the project area, degree of landform alteration required, and existing vegetation. The proposed project would not result in visual degradation of Chaparral Ridge, Lancaster Mountain, Keys Creek, Burnt Mountain, or Valley Center Ridge. Overall, construction of the proposed project would have no impact on scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Mitigation Measures

Impacts on scenic resources within a County Scenic Highway from the proposed project would be less than significant with implementation of mitigation measures Aes-1 and Aes-2.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Construction activities for the proposed project would only occur during daylight hours; therefore, no impacts to views from lighting or glare would result from the proposed project.

2.2 Agriculture and Forestry

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation (CDOC) as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection (Cal Fire) regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐

According to the San Diego County Important Farmland 2008 map (CDOC 2010), the majority of the project area is designated as Other Land not suitable for agriculture, but Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (Farmland) is also designated within the project area. A small area of farmland, approximately 1.25 acres would be permanently converted to non-agricultural use. The parcels of land that are currently classified as Farmland of Local Importance and Prime Farmland within the project area are each approximately 40 acres in size, and less than 2 percent of each of these acres would be converted to non-agricultural lands upon construction of the proposed project. Thus, because the affected areas of farmland are less than 2 percent of the total acreage for each of these two parcels, there would be less than significant impacts to farmland due to proposed project activities.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐

According to the San Diego County Williamson Act Lands 2008 map (CDOC 2009), the project area is not under Williamson Act contract. The proposed project would conflict with local zoning for agricultural use with the conversion of 1.25 acres of agricultural land. However, only a small percentage (less than 2 percent of each of the parcels or approximately 1.25 acres) of the total agricultural land within the project

area and surrounding areas would be converted to non-agricultural use. Therefore, the impact to local zoning for agricultural uses would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code section 4256), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒

According to the Fire and Resource Assessment Program State of California Management Landscape map (Cal Fire 2010), the project area is designated as urban, sparsely populated, and residential, and does not contain any forest land or timberland. No reserves are located in the vicinity of the project area. Therefore, implementation of the proposed project would not conflict with existing zoning for forest land or timberland. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

As in Item 2.c, the project area does not contain any forest land. Therefore, implementation of the proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

No other changes to the existing environment are expected to occur from implementation of the proposed project that would result in the conversion of farmland to non-agricultural use; therefore, no impacts are anticipated.

2.3 Air Quality

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐

The most current air quality planning document for the SDAPCD and thus the applicable air quality plan to the proposed project is the 2009 RAQS (SDAPCD 2009). This plan was prepared by the SDAPCD for the CARB as part of the SIP to demonstrate how the SDAB would either maintain or strive to attain the NAAQS. The California SIP would also apply to the proposed project. California SIP documents are prepared by CARB to demonstrate how the entire state of California will maintain or attain the NAAQS.

Consistency with the RAQS is determined by two standards. The first standard is whether the proposed project would exceed assumptions contained in the RAQS. The second standard is whether the proposed project would increase the frequency or severity of violations of existing air quality standards, contribute to new violations, or delay the timely attainment of air quality standards or interim reductions as specified in the RAQS.

The CARB relies on information from SANDAG, including projected growth, mobile, and all other area source emissions, in order to predict future emissions and develop appropriate strategies for the reduction of emissions through regulatory controls. The CARB mobile source emissions projections and the SANDAG growth projections are based on population, vehicle use trends, and land use plans developed by the cities and the county. As such, projects that propose development consistent with the growth anticipated by SANDAG would be consistent with the RAQS and the SIP.

The proposed project includes construction of a proposed underground pipeline and support facilities and the decommissioning of a portion of the Escondido Canal. Neither direct nor indirect growth (population or jobs) is anticipated as a result of implementation of the proposed project. Therefore, the proposed project would not exceed the assumptions contained in the RAQS or SIP. Additionally, as described further in the next section, construction and operation of the proposed project would not result in a substantial increase in criteria pollutant emissions. Therefore, the proposed project would not conflict with or obstruct implementation of the RAQS or the SIP. Direct and indirect short-term and long-term impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

The SDAPCD does not provide quantitative thresholds for determining the significance of construction or mobile source-related projects. However, the SDAPCD does specify Air Quality Impact Analysis (AQIA) trigger levels for new or modified stationary sources (SDAPCD 1998). If these incremental levels are exceeded, an AQIA must be performed. Although these trigger levels do not generally apply to general land development projects, for comparative purposes, these levels may be used to evaluate the increased emissions from such projects. For CEQA purposes, the screening level thresholds can be used to demonstrate that a project's total emissions would not result in a significant impact to regional air quality. Because the AQIA screening thresholds do not include VOC or $PM_{2.5}$, the screening level for VOC and $PM_{2.5}$ used in this analysis are from the South Coast Air Quality Management District (SCAQMD), which generally has stricter emissions thresholds than SDAPCD. These thresholds, listed in Table 1, are used in this analysis to determine whether the proposed project has the potential to violate regional air quality standards or result in a cumulatively considerable increase of criteria pollutants for which the project area is designated nonattainment. The thresholds are applicable to both construction and operational emissions unless otherwise noted.

The General Conformity Rule specifies de minimis thresholds, which are based on the severity of an area's nonattainment with the federal standards. If a project is less than the de minimis thresholds, additional analysis is not required. The SDAB is in marginal nonattainment for ozone and moderate maintenance for CO. As such, the proposed project is subject to the General Conformity Rule, and the applicable de minimis thresholds for CO, VOC, and NO_X are provided in Table 2.

Table 1 Air Pollutant Thresholds

Pollutant	Pounds Per Hour	Pounds Per Day	Tons Per Year
Carbon monoxide (CO)	100	550	100
Nitrogen Oxides (NO_x)	25	250	40
Respirable Particulate Matter (PM_{10})	--	100	15
Fine Particulate Matter ($PM_{2.5}$)	--	55(1)	10.0(2)
Oxides of Sulfur (SO_x)	25	250	40
Lead (Pb)	--	3.2	0.6
Volatile Organic Compounds (VOC)	--	75(1,3)	13.7(4)

(1) Based on threshold from SCAQMD.
(2) Converted from $PM_{2.5}$ Pounds per Day threshold
(3) There are separate thresholds for construction and operation: 75 lbs/day for Construction and 55 lbs/day for Operation
(4) Converted from VOC Pounds per Day threshold: 13.7 lbs/day for Construction and 10.0 lbs/day for Operation

Sources: SDAPCD 1998, SCAQMD 2015

Table 2 Applicable De Minimis Thresholds

Criteria Pollutant	Tons Per Year
Ozone (NO_X)	
Marginal and moderate nonattainment inside an ozone transport region	100
Ozone (VOC)	
Marginal and moderate nonattainment inside an ozone transport region	50
Carbon Monoxide (CO)	
All nonattainment & maintenance	100

Source: 40 CFR Ch. I (7-1-05 Edition) § 93.15

Construction Impacts

Construction activities from the proposed project would result in temporary increases in air pollutant emissions. These emissions would be generated primarily from construction equipment exhaust, earth disturbance, construction worker vehicle trips, and heavy duty truck trips. Air pollutant and GHG emissions were estimated using the construction data provided in the San Pasqual Undergrounding Project Feasibility Project (B&V 2016), the Sacramento Metropolitan Air Quality Management District's (SMAQMD) Road Construction Model (Version 7.1.5.1), and the emission factors included in the CalEEMod model (Version 2013.2.2) (SCAQMD 2013), which take into account the hours of operation, load factor, and the emission factors for each piece of equipment. The emissions modeling is based on construction equipment parameters and schedule information that was available at the time of analysis; it is understood that the parameters utilized in the emissions analysis is substantially representative what would occur with project implementation. Construction emissions can vary from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. In addition, construction equipment lists and estimated use is also refined as a project nears the start of construction. As shown in the following analysis, all emissions output is substantially lower than applicable thresholds.

Therefore, normal and minor variances in equipment type and use would not change the findings of this air quality assessment.

The criteria air pollutant emissions from construction of the proposed project are summarized in Table 3. Construction emissions would not exceed the significance thresholds during any individual construction phase. All construction emissions are below the recommended federal and regional significance thresholds. Therefore, the proposed project would not result in a significant regional air quality impacts during the construction phase.

Table 3 Estimated Construction Maximum Air Pollutant Emissions

Construction Activity	Maximum Daily Emissions (pounds/day)					
	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Access Road	8.0	84.0	44.0	-	6.6	4.2
Pipeline	2.3	24.0	19.4	0.0	4.2	2.7
Desilting Basin	2.2	23.3	18.6	0.0	4.1	2.7
Total Maximum Daily Emission	12.5	131.3	82.0	0.0	14.9	9.6
SDAPCD Threshold	**75**	**250**	**550**	**250**	**100**	**55**
Impact?	No	No	No	No	No	No

Source: SCAQMD 2013

Operation Impacts

Once constructed, the proposed project would not include any new stationary sources of criteria pollutants. However, the proposed project would generate new vehicular trips to, from, and along access roads to facilitate maintenance. New vehicular trips would emit criteria pollutants; however, these trips would be few and infrequent, resulting in minimal emissions. As such, operational emissions would be below the significance thresholds as well as the applicable General Conformity de minimis thresholds.

Construction and operation emissions would be below the thresholds of significance; therefore, implementation of the proposed project would result in less than significant impacts to air quality.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐

The geographic context for the analysis of cumulative impacts relative to criteria air pollutants is the SDAB. San Diego County is presently designated as being a nonattainment area for the federal ozone standard; specifically, the county is classified as a marginal nonattainment area for the federal 2008 8-hr ozone standard. The county is also a nonattainment area for the CAAQS for ozone, $PM_{10,}$ and $PM_{2.5}$. Consequently, the pollutants of concern are PM_{10}, $PM_{2.5}$, and ozone precursors (VOC and NO_X). If a proposed project exceeds the regional thresholds for PM_{10}, or $PM_{2.5}$, then it would contribute to a cumulatively considerable impact for those pollutants. If a project exceeds the regional threshold for VOC and NO_X, then it follows that the project would contribute to a cumulatively considerable impact for ozone.

As shown in Table 3, the proposed project's construction-generated emissions would not exceed the applicable SDAPCD's regional thresholds of significance. As shown in the prior section, the proposed project's operational emissions would also not exceed the SDAPCD's regional thresholds of significance. Therefore, construction and operation of the proposed project would not result in a significant cumulative criteria pollutant impact, and no mitigation is required.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

Those who are sensitive to air pollution include children, the elderly, and persons with preexisting respiratory or cardiovascular illness. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities. Commercial and industrial facilities are not included in the definition because employees do not typically remain onsite for 24 hours. However, when assessing the impact of pollutants with 1-hour or 8-hour standards (such as nitrogen dioxide and carbon monoxide), commercial and/or industrial facilities would be considered sensitive receptors for those purposes. Sensitive receptors near the proposed project include residences, the closest approximately 32 feet from the proposed pipeline alignment.

The two primary air pollutants of concern regarding health effects to sensitive receptors for land development projects are carbon monoxide and diesel-fired particulates (i.e., particulate matter generated by diesel engine combustion). Carbon monoxide emissions are primarily associated with mobile sources (i.e., vehicles). Areas with high vehicle density, such as congested intersections and parking garages, have the potential to create carbon monoxide "hotspots" or pockets where the carbon monoxide concentration exceeds the NAAQS and/or CAAQS. Carbon monoxide hotspots typically only occur at signalized intersections that operate at or below LOS E with peak-hour traffic exceeding 3,000 trips (County 2007). Vehicular traffic associated with the construction and operational phases of the proposed project would be minimal and would not result in localized elevations in carbon monoxide. Since carbon monoxide hotspots would not occur, the proposed project would not expose sensitive receptors to substantial concentrations of carbon monoxide.

Diesel-fired particulates are the primary toxic air contaminant of concern for typical land use projects that do not propose stationary sources of emissions regulated by the SDAPCD (SDAPCD 2009). Emissions of diesel particulate matter associated with the proposed project would result primarily from diesel equipment operating during construction; however, particulate matter (PM_{10} and $PM_{2.5}$) emissions would not exceed the significance thresholds during construction. In addition, PM_{10} concentrations decreases approximately 95 percent by 1,200 feet and $PM_{2.5}$ concentration decreases approximately 95 percent by 1,300 feet. Since particulate matter emissions would be below the significance thresholds and would further disperse or settle out as distance from the project site increases, the proposed project would not expose sensitive receptors to substantial concentrations of diesel particulate matter.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

As mentioned above, Section 6318 of the San Diego County Zoning Ordinance requires all commercial and industrial uses "be operated as not to emit matter causing unpleasant odors which is perceptible by the average person at or beyond any lot line of the lot containing said uses." Section 6318 further provides specific dilution standards that must be met "at or beyond any lot line of the lot containing the uses." SDAPCD Rule 51 (Public Nuisance) also prohibits emission of any material which causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of any person. A project that proposes a use that would produce objectionable odors would be deemed to have a significant odor impact, if it would affect a considerable number of off-site receptors.

Odors can cause a variety of responses. The impact of an odor results from interacting factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception.

Odor is typically a warning system that prevents animals and humans from consuming spoiled food or toxic materials. Odor-related symptoms reported in a number of studies include nervousness, headache, sleeplessness, fatigue, dizziness, nausea, loss of appetite, stomach ache, sinus congestion, eye irritation, nose irritation, runny nose, sore throat, cough, and asthma exacerbation.

According to the Air Quality and Land Use Handbook (CARB 2005), the most common sources of odor complaints received by local air districts include the following land uses: sewage treatment plants, landfills, recycling facilities, waste transfer stations, petroleum refineries, biomass operations, autobody shops, coating operations, fiberglass manufacturing, foundries, rendering plants, and livestock operations. The proposed project would not include any of the odor generating land uses identified by the CARB's Handbook. However, construction of the proposed project could temporarily create minor amounts of odors associated with diesel equipment exhaust. Diesel equipment would not be operated continuously throughout the day and exhaust odors would dissipate rapidly. Thus, potential receptors would be limited to pedestrians passing by and residents adjacent to the active construction site, and their exposure to exhaust odors would be short-term. Therefore, the proposed project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

2.4 Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

Based on the 2016 surveys two special-status plant species; Penisular spineflower (*Chorizanthe leptotheca*) and Engelmann oak (*Quercus engelmannii*), and seven special-status wildlife species including Belding's orange throated whiptail (*Aspidoscelis hyperythrus beldingi*), Cooper's hawk (*Accipiter cooperii*),

golden eagle (*Aquila chrysaetos*), red-shouldered hawk (*Buteo lineatus*), turkey vulture (*Cathartes aura*), and western bluebird (*Sialia mexicana*) were documented in or adjacent to the project area. Lists of other special-status animal and plant species with the potential to occur in the project area is presented in the EA-IS/MND document (Appendices B through G). Additional special-status species may be documented prior to or during construction. A qualified biologist would be onsite to conduct pre-construction surveys and biological monitoring.

The proposed project components could occur on and/or in the immediate vicinity of an undeveloped area that may support special-status plant and wildlife species, and thus could result in potentially significant direct and/or indirect impacts to special status-species and their habitats. Direct impacts may include the direct take, removal, or displacement of special-status species and their habitats through activities such as clearing, grubbing, grading, excavation, and other land disturbance activities. Removal of habitat could result in displacement of special-status wildlife and less habitat available within a species' range to carry out vital life history requirements such as breeding, foraging, dispersal, migration, aestivation (i.e., underground dormancy or torpor during the summer) and predator evasion. Special-status species could be inadvertently killed, trapped, trampled, or otherwise harmed by construction activities. These potential direct impacts would be considered significant.

In addition, the proposed project components could occur on or in the immediate vicinity of areas that contain trees, shrubs, and man-made structures (e.g., buildings) that provide suitable nesting habitat for a variety of bird species, including raptors, protected under the Migratory Bird Treaty Act (MBTA) and CFG Code. Construction activities could result in the removal or trimming of trees and shrubs during the general bird nesting season (February 1 through August 31) or raptor nesting season (January 15 through July 31). Direct impacts could occur as a result of removal of vegetation supporting an active nest. These potential direct impacts would be considered significant in violation of the MBTA and CFG Code.

Potential short-term, construction-related indirect impacts could result from construction of the proposed project components that occur adjacent to special-status species and their habitats. Potential indirect impacts to special status-species and their habitats could include those resulting from stormwater runoff from construction sites and fugitive dust. However, in compliance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit, the proposed project components would implement best management practices (BMPs) during construction, which would prevent significant indirect impacts associated with stormwater runoff from construction sites. In addition, compliance with SDAPD Rule 55 for Fugitive Dust Control would prevent significant indirect impacts associated with fugitive dust.

Potential indirect impacts to sensitive species and their habitats could also include those resulting from inadvertent intrusions and noise. Construction activities could result in inadvertent intrusions of construction equipment and workers from construction zones adjacent to sensitive habitats that may support sensitive species. In addition, construction activities could result in temporary increases in noise levels that could adversely affect special-status birds and raptors, including listed species that use adjacent habitats for nesting and foraging. These potential indirect impacts would be considered significant.

Implementation of the mitigation measures described below would reduce potential impacts to special-status species and their habitats to a less than significant level.

Mitigation Measures

Bio-1 **Project-Level Biological Resource Surveys.** During the design phase and prior to the construction of the proposed project, the project proponent shall retain a qualified biologist to conduct and/or

update project-level biological resources surveys and prepare biological resources technical reports.

a. If the rare plant surveys or focused protocol-level surveys determine the presence of federally or state-listed endangered or threatened species and occupied habitat on site, then, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, the project proponent shall consult and obtain all applicable regulatory permits and authorizations from the USFWS and CDFW, and the conditions of the regulatory permits and authorizations shall be implemented accordingly and/or the underlying project would be modified to avoid direct "take" of the species and/or minimize adverse impacts to the species and occupied habitat.

b. For construction activities after the month of May 2017 a coastal California gnatcatcher (CAGN) protocol-level presence/absence survey shall be conducted in suitable sage scrub habitat within 500 feet of the project impact area. Prior to conducting surveys, the required notice of intent to conduct surveys shall be filed with the USFWS, and surveys must be conducted by a qualified biologist who holds the appropriate Section 10(a)(1)(A) permit. The CAGN surveys shall follow the 1997 USFWS CAGN Presence/Absence Survey Guidelines which includes six surveys at least one week apart if conducted during the breeding season survey period (February 15 through August 30). If surveys are conducted outside the breeding season, nine surveys at least two weeks apart shall be conducted.

   If surveys document the presence of CAGN, impacts to CAGN would be mitigated below the level of significance when occupied coastal sage scrub is fenced, direct impacts are avoided, and construction within 500 feet of occupied habitat occurs only between September 1 and February 15 to avoid indirect impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat.

   Construction work performed within 500 feet of habitat identified for CAGN during the period of February 15 to August 30 shall be monitored at least weekly by a qualified biologist. Monthly monitoring letter reports of construction activities and their impacts on biological resources shall be provided to USFWS and/or CDFW.

c. For construction activities which occur after June 2017, and during the breeding season for the least Bell's vireo (LBVI) (March 15 through September 15), protocol-level surveys shall be conducted prior to construction in suitable riparian habitat within 500 feet of the project impact area. The LBVI surveys shall follow the 2001 USFWS LBVI Survey Guidelines (USFWS 2001) and include eight surveys at least ten days apart within the protocol survey period (April 10 through July 31). Surveys shall be conducted between dawn and 11:00 a.m. and avoid periods of excessive or abnormal heat, wind, rain, fog, or other inclement weather.

   If surveys document absence of LBVI, no additional avoidance or minimization measures are required. However, if surveys document the presence of LBVI, impacts to LBVI would be mitigated below the level of significance when occupied riparian habitat is fenced, direct impacts are avoided, and construction within 500 feet of occupied habitat occurs only between September 15 and March 15 to avoid indirect impacts to nesting LBVI. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise

levels to 60 dBA or less at the edge of the breeding habitat. Construction work performed within 500 feet of occupied LBVI habitat during the period of March 15 to September 15 shall be monitored at least weekly by a qualified biologist. Monthly monitoring letter reports of construction activities and their impacts on biological resources shall be provided to USFWS and/or CDFW.

Bio-2 **Avoidance of Nesting Birds**. To prevent impacts to nesting passerines (song birds) and other non-raptors protected under the federal MBTA and CFG Code, the project proponent shall enforce the following:

a. If construction occurs during the general nesting season (February 1 through August 31), and where any mature tree, shrub, or structure capable of supporting a bird nest occurs within 300 feet of proposed project construction activities, the project proponent shall retain a qualified biologist to conduct a pre-construction survey for nesting birds prior to clearing, grading and/or construction activities. The survey will be conducted within 72 hours prior to the start of construction.

b. If any nesting birds are present on or within 300 feet of the proposed project construction activities, the following shall be required, as approved by the USFWS and/or CDFW:

    1. The project proponent shall retain a qualified biologist to flag and demarcate the location of all nesting birds and monitor construction activities. Temporary avoidance of active bird nests, including the enforcement of an avoidance buffer of 300 feet, as determined by the qualified biological monitor, shall be required until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive. Requests for buffer reductions of less than 300 feet shall be provided to the USFWS and/or CDFW. Documentation of the nesting bird surveys and any follow-up monitoring shall be provided to the USFWS and CDF within 10 days of completing the final survey or monitoring event.

Bio-3 **Avoidance of Nesting Raptors**. To prevent impacts to nesting raptors protected under the federal MBTA and CFG Code, the project proponent shall enforce the following:

a. If construction occurs during the raptor nesting season (January 15 through July 31), and where any mature tree or structure capable of supporting a raptor nest occurs within 500 feet of proposed project construction activities, the project proponent shall retain a qualified biologist to conduct a pre-construction survey for nesting raptors prior to clearing, grading and/or construction activities. The survey will be conducted within 72 hours prior to the start of construction.

b. If any nesting raptors are present on or within 500 feet of the proposed project construction activities, the following shall be required, as approved by the USFWS and/or CDFW:

    1. The project proponent shall retain a qualified biologist to flag and demarcate the location of all nesting raptors and monitor construction activities. Temporary avoidance of active raptor nests, including the enforcement of an avoidance buffer of 500 feet will be required until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive. Documentation of the raptor surveys and any follow-up monitoring, as necessary, will be provided to the USFWS and CDFW within 10 days of completing the final survey or monitoring event.

c. In the event that a California State fully protected species (e.g., white tailed kite) is found to be nesting on the project site, all work in the area will stop and the project proponent shall notify the CDFW and/or USFWS. No impacts will be permitted to occur to fully protected species.

Bio-4 **Construction Fencing**. Prior to vegetation clearing, grading, and/or construction activities for each proposed project component, the project proponent shall retain a qualified biologist to oversee and monitor installation of appropriate fencing and/or flagging to delineate the limits of construction and the approved construction staging areas for protection of sensitive resources identified through project-level surveys (conducted pursuant to mitigation measure Bio-1). Temporary fencing (with silt barriers) shall be installed at the limits of project impacts (including construction staging areas and access routes) to prevent additional sensitive habitat impacts and the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing shall be installed in a manner that does not impact habitats to be avoided. For projects potentially affecting special status species and sensitive resources, and for which permits or approvals from the USFWS or CDFW require confirmation of project impacts and submittal of as-built plans, the project proponent shall submit to the USFWS and CDFW for approval, at least 30 days prior to initiating project impacts, the final plans for initial clearing and grubbing of sensitive habitat and project construction. These plans shall also be submitted to the USACE, Regional Water Quality Control Board (RWQCB), or other local agency, from which, approval or permitting is required, as applicable. The final plans shall include photographs that show the fenced limits of impact and all sensitive areas to be impacted or avoided. If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the qualified biologist, project proponent, USFWS, CDFW, USACE, and/or other agency. Upon project completion, temporary construction fencing shall be removed by the project proponent under the oversight of the qualified biologist.

Bio-5 **Construction Staging Areas**. Prior to construction activities of the proposed project components where it has been demonstrated through project-level surveys (conducted pursuant to mitigation measure Bio-1) that drainages, wetlands and areas supporting sensitive habitats or species could be affected by project construction, the project proponent shall setback construction staging areas to avoid drainages, wetlands, and areas supporting sensitive habitats or species, where feasible. Fueling of equipment shall occur in designated fueling zones within the construction staging areas. All equipment used within the approved construction limits shall be maintained to minimize and control fluid and grease leaks. Provisions to contain and clean up unintentional fuel, oil, fluid and grease leaks/spills shall be included in construction documents and in place prior to construction.

Bio-6 **Pre-Construction Meeting**. Prior to vegetation clearing, grading, and/or construction activities for each proposed project component, the project proponent shall retain a qualified biologist to attend a pre-construction meeting to inform construction crews of the sensitive species and habitats for that particular project component.

Bio-7 **Construction-Related Noise**. Construction noise created during the general avian breeding season (January 15 to September 15) that could affect the breeding of the CAGN, migratory songbirds, and other bird species associated with adjacent undeveloped areas shall be avoided. No loud construction noise (exceeding 60 dBA hourly average, adjusted for ambient noise levels, at the nesting site) may take place within 500 feet of active nesting sites during the general breeding season (January 15 through September 15). If it is confirmed through project-level surveys (conducted pursuant to mitigation measure Bio-1) that a proposed project component could

result in construction-related noise impacts to breeding birds during the general breeding season, the project proponent shall retain a qualified biologist to monitor the construction operations. The biological monitor shall be present to monitor construction activities that occur adjacent to undeveloped open space areas potentially supporting breeding birds. The biological monitor shall verify that construction noise levels do not exceed 60 dBA hourly average and shall have the ability to halt construction work, if necessary, and confer with the project proponent, USFWS, and/or CDFW to ensure the proper implementation of additional protection measures during construction. The qualified biologist shall report any violation to the USFWS and/or CDFW within 24 hours of its occurrence.

Bio-8 **Hydroseeding of Graded Areas.** Unless otherwise required by the USFWS, USACE, RWQCB, and/or CDFW, after completion of final grading for each proposed project component located adjacent to native vegetation, construction documents shall require that all graded areas within 100 feet of native vegetation, excluding those areas where a permanent access road, path, or other permanent development is required, are hydroseeded and/or planted with native plant species similar in composition to the adjacent undisturbed vegetation communities. The project proponent shall retain a qualified biologist to monitor these activities to ensure non-native or invasive plant species are not used in the hydroseed mix or planting palettes. The hydroseeded/planted areas shall be watered via a temporary drip irrigation system or watering truck. Irrigation shall cease after successful plant establishment and growth, to be determined by the biologist. Any irrigation runoff from hydroseeded/ planted areas shall be directed away from adjacent native vegetation communities and contained and/or treated within the development footprint of individual component projects. All planting stock shall be inspected for exotic invertebrate pests (e.g., argentine ants) and any stock found to be infested with such pests shall not be allowed to be used in the hydroseeded/planted areas.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐

The project area includes the following sensitive vegetation communities: coast live oak woodland, Engelmann oak woodland, eucalyptus woodland, southern willow scrub, coastal sage scrub (Diegan), southern mixed chaparral, and non-native grassland.

The proposed project components are expected to occur on and/or in the immediate vicinity of an undeveloped area that may support riparian habitat and other sensitive natural communities, and thus could result in potentially significant direct and/or indirect impacts to riparian habitat and other sensitive natural communities. Direct impacts include the direct removal or disturbance of riparian habitat and other sensitive natural communities through activities such as clearing, grubbing, grading, excavation, and other land disturbance activities. Habitat loss or disturbance as a result of construction activities could result in diminishing and degrading of open space areas, reductions or eliminations of habitat functions and values, and impacts to species, among other adverse impacts. These potential direct impacts would be considered significant.

Potential short-term, construction-related indirect impacts resulting from construction of the proposed project may occur adjacent to riparian habitat and other sensitive natural communities. Potential indirect

impacts to riparian habitat and other sensitive natural communities would be the same as those for special-status species and their habitats. These potential indirect impacts would be considered significant.

Implementation of mitigation measures described below would reduce potential direct and indirect impacts to riparian habitat and other sensitive natural communities to a less than significant level:

Mitigation Measures

Mitigation measures Bio-4 (Construction Fencing), Bio-5 (Construction Staging Areas), Bio-6 (Pre-Construction Meeting), Bio-8 (Hydroseeding of Graded Areas), are described in the Sensitive Species section, above, will be implemented to reduce impacts to riparian habitats and other sensitive communities. In addition, one specific mitigation measure for sensitive habitats (Bio-9 Habitat Replacement) is described below.

Bio-9 **Habitat Replacement**. Unavoidable impacts to sensitive natural communities shall be mitigated by the project proponent according to the range of ratios provided below, and would be increased or decreased depending on whether the habitat supports special status species or other sensitive resources, and/or the impacts and mitigation would occur inside or outside an existing preserve area:

Sensitive Natural Community	Mitigation Ratio
Southern Willow Scrub	3:1
Coast Live Oak Woodland	2:1 – 3:1
Engelmann Oak Woodland	2:1 – 3:1
Southern Coast Live Oak Riparian Forest	3:1
Diegan Coastal Sage Scrub	1:1 – 3:1
Southern Mixed Chaparral	0.5:1 – 3:1
Non-Native Grassland	0:1 – 0.5:1
Other Wetlands	3:1

Permanent and temporary impacts to sensitive natural communities shall be mitigated in-kind by the project proponent through implementation of any one or combination of the following measures, as approved and/or amended by the USFWS, USACE, RWQCB, and/or CDFW for individual component projects, if applicable:

a. On site as creation of new habitat within avoided and preserved areas at the project site;

b. On site as restoration of existing habitat within temporary impact areas and/or avoided and preserved areas at the project site;

c. On site as enhancement of existing habitat within avoided and preserved areas at the project site;

d. Off site as purchase of habitat credits within an approved mitigation bank or combination of banks (e.g., North County Habitat Bank);

e. Off site as habitat preservation, creation, restoration, and/or enhancement within other properties or approved mitigation programs available at the time of grading; or

f. A combination of the above.

For on-site or off-site creation, restoration, and/or enhancement mitigation of upland sensitive natural communities (e.g., grassland, coastal sage scrub, chaparral, woodland) for each individual project component, the project proponent shall prepare an Upland Habitat Restoration Plan,

Habitat Mitigation and Monitoring Plan, or similar plan, detailing the specific upland habitat creation, restoration, and/or enhancement measures to be implemented as project mitigation. The Upland Habitat Restoration Plan shall be approved by the USFWS and/or CDFW, as appropriate, prior to vegetation clearing, grading, and/or construction activities.

For on- or off-site creation, restoration, and/or enhancement mitigation of riparian and wetland sensitive natural communities (e.g., riparian forest, riparian scrub, willow scrub, mule fat scrub, freshwater marsh) for each individual project component, the project proponent shall prepare a Riparian/Wetland Habitat Restoration Plan, Habitat Mitigation and Monitoring Plan, or similar plan, detailing the specific riparian/wetland creation, restoration, and/or enhancement measures to be implemented as project mitigation. The Riparian/Wetland Habitat Restoration Plan shall be approved by the USFWS, USACE, RWQCB, and/or CDFW, as appropriate, prior to vegetation clearing, grading, and/or construction activities.

In addition, for on-site preservation, restoration and/or enhancement mitigation required as part of the reclamation of the land occupied by the replaced canal, a specific Engelmann Oak Preservation and Canal Restoration Plan will be prepared by the project proponent. The dominant vegetation communities that make up the current canal section includes coast live oak woodland containing Engelmann oak trees and southern mixed chaparral. This plan shall detail the specific canal restoration, and/or enhancement measures to be implemented as part of project mitigation. The plan shall provide an implementation schedule including site preparation methods, an irrigation plan, non-native plant removal, planting specifications, as well as detailed maintenance and monitoring/reporting schedules, as necessary. The Engelmann Oak Preservation and Canal Restoration Plan shall require approval by the USFWS and/or CDFW, as appropriate, prior to any vegetation clearing, grading, and/or construction activities.

Any upland or riparian/wetland habitat impacts that occur beyond the approved work limits of any project (see mitigation measure Bio-5) shall be mitigated at a ratio to be negotiated with the USFWS, USACE, RWQCB, and/or CDFW.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐

According to the 2016 Jurisdictional Waters and Wetlands Report for the proposed project (Appendix D to the EA), thirteen surface water features were mapped within the study area. These surface water features would likely fall under the regulatory jurisdiction of the USACE, RWQCB, and/or CDFW.

The proposed project components could occur on and/or in the immediate vicinity of jurisdictional waters, and thus could result in potentially significant direct and/or indirect impacts to jurisdictional waters or wetlands. Therefore, activities associated with construction of the proposed project components could be subject to the regulatory jurisdiction of the USACE, RWQCB, and/or CDFW. Direct impacts include those that pertain to the direct fill, dredge, or discharge into jurisdictional waters and wetlands through activities such as clearing, grubbing, grading, and other land disturbance activities; construction access and staging; and removal and replacement of existing facilities. These potential direct impacts would be considered significant.

Potential short-term, construction-related indirect impacts resulting from construction of the proposed project may occur adjacent to jurisdictional waters and wetlands. Potential indirect impacts to jurisdictional waters and wetlands would be the same as those for special status species and their habitats. These indirect impacts would be considered significant.

Mitigation Measures

Mitigation measures implemented for all sensitive habitats will also be implemented for wetlands and jurisdictional waterways. In addition, one mitigation measure (Bio-10 Jurisdictional Delineation) is described below and will be implemented specifically for wetlands and jurisdictional waterways.

Bio-10 **Jurisdictional Delineation**. Where it has been confirmed through jurisdictional delineation that jurisdictional waters or wetlands would be impacted by the proposed project, the proposed proponent shall obtain the required federal and state permits from the USACE, RWQCB, and/or CDFW, pursuant to Section 404 of the Clean Water Act, Section 401 of the Clean Water Act, and Section 1600 et seq. of the CFG Code, respectively. In compliance with permit requirements, the project proponent shall mitigate the loss of jurisdictional waters or wetlands through implementation of the in-kind habitat replacement identified in mitigation measure Bio-10, unless otherwise conditioned by the USACE, RWQCB, and/or CDFW in the federal and state permits.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒

A wildlife movement corridor is defined as a patch of wildlife habitat which joins two or more larger areas of wildlife habitat. The proposed pipeline alignment is not considered to be located within a wildlife movement corridor. Further, construction of the proposed pipeline would be temporary and would not permanently impede animal movement. Additionally, the end result of the proposed project would be an underground pipeline which would not impede wildlife movement. Therefore, the proposed project would not impede wildlife movement, because the proposed project is not located in a wildlife movement corridor, proposed project construction would be temporary, and the final result of the proposed project would be an underground pipeline.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

The County Resource Protection Ordinance (San Diego County Code of Regulatory Ordinances Sections 86.601 – 86.608) protects sensitive lands and prevents their degradation and loss by requiring a Resource Protection Study for certain discretionary projects within areas of the unincorporated county. Resources protected under the County Resource Protection Ordinance include wetlands and sensitive habitat lands, among others. As discussed above in Items 4.b and 4.c, the proposed project components could result in potentially significant impacts to wetlands and sensitive habitats. However, implementation of mitigation measures Bio-1, Bio-5, Bio-6, Bio-7, Bio-9, and Bio-10 would reduce potential impacts to a less than

significant level. Therefore, the proposed project would not conflict with the County Resource Protection Ordinance. No impact is anticipated; therefore, no mitigation measures are proposed.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The project area, excluding the Native American reservations, lies within the boundaries of the Draft North County MSCP Plan (County 2009); however, the North County MSCP Plan has not been finalized and adopted. Thus, implementation of the Settlement Agreement would not conflict the provisions of an adopted habitat conservation plan. No impact would occur.

The National Marine Fisheries Service (NMFS) has developed a final Recovery Plan for the distinct population segment of steelhead (*Oncorhynchus mykiss*) in southern California that is federally-listed as an endangered species (NMFS 2012). The recovery planning area encompasses steelhead populations in coastal watersheds from the Santa Maria River (just north of Point Conception) south to the Tijuana River (at the U.S.-Mexico border). Although there is no known existing steelhead population in the San Luis Rey River, the NMFS intends to encourage steelhead recovery activities in the river. However, the proposed project will not alter the flow regime within the San Luis Rey River. Thus, the proposed project would not conflict with the Southern California Steelhead Recovery Plan. No impact would occur.

2.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☒	☐	☐

In order to fully assess the possibility of historical cultural resources within the area of potential affect (APE) for the proposed project, Atkins conducted a cultural resources records search. The completion of the cultural resources records search revealed a total of 6 historical resource sites within the 1-mile radius of the project area. In addition to a records search, the proposed project required an intensive pedestrian survey to delineate possible historical resources within a 1-mile radius of the newly proposed project components since the 2011 field study completed by ASM. The recent survey included locations of the desilting basins and associated access roads, as well as a previously recorded resource that spans the APE.

The records search revealed six known historical resource sites within the one-mile buffer zone around the proposed project components. The known historical resources include a 1920s water tank, historic occupation of farming activities, historic structures with debris, post-1945 historic architectural foundations and habitation debris, water conveyance system, and the historic Escondido canal. Two historic sites are located west of North Lake Wohlford Road. Another site borders the San Pasqual Indian Reservation to the north. One historic resource site is located west of the project area, away from the canal. The last historic resource is located south of the current Escondido Canal and proposed underground pipeline alignment. Although the Escondido Canal is of an age to be considered a historical resource, it has been evaluated under both Section 106 and CEQA and found to not retain enough integrity to meet the eligibility criteria and does not meet the legal definition of a 'historical resource'. Thus, no

further work for the Escondido Canal is required. All of the six known historical resources sites are located outside of the construction zone for each of the proposed project components and thus the proposed project will have no impact on them.

Historic resources are not always found on the surface. There is usually a possibility of encountering historic resources under the surface. During ground disturbing activities associated with the proposed project, mitigation measure Cul-1 should be followed to limit the amount of damage to possible sub-surface historical artifacts. The proposed archaeological monitoring will allow for archaeologists to analyze the amount and quality of artifacts, if any, and also mitigate any potential damage to the resources. Archaeological monitoring will minimize significant impacts to a level less than significant.

Mitigation Measures

Cul-1 **Archaeological Monitoring.** During the construction of the proposed project, the project proponent shall retain a qualified archaeologist and appropriate Native American monitor to perform monitoring of all ground-disturbing activities to a depth of native soils. If subsurface cultural resources are encountered during construction, mitigation measure **Cul-2** shall be implemented.

Cul-2 **Procedures for Unintentional Disturbance of Cultural Resources**. If subsurface cultural resources are encountered during construction of the proposed project, or if evidence of an archaeological site or other suspected historical resource is encountered, all ground-disturbing activity shall be ceased within 100 feet of the resource. Potentially significant cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts and features, including structural remains, historic dumpsites, hearths, and middens. Midden features are characterized by darkened soil and could conceal material remains, including worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials; thus, special attention should always be paid to uncharacteristic soil color changes. A qualified archaeologist shall be retained by the project proponent to assess the find and determine whether the resource requires further study. Any previously undiscovered resources found during construction shall be recorded using the Department of Parks and Recreation Form 523 in accordance with all applicable regulations and evaluated for significance and eligibility for inclusion in all applicable federal, state, and local historic registers. No further grading shall occur in the area of the discovery until the project proponent approves measures to protect the resources.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐

The cultural resources records survey has disclosed a total of 51 prehistoric sites within a 1-mile radius of the project area. However, the proposed project could potentially directly affect 2 known prehistoric sites along the northeast area of the project area. Site CA-SDI-15667 is a prehistoric archaeological site with a total of ten flakes made of various materials, one mano fragment, and one multidirectional core. Site CA-SDI-15667 is within the APE of the Escondido Canal and the boundaries of the site have expanded in comparison to the ASM survey results completed in 2012. Although archaeological site CA-SDI-15667 is within the proposed project boundaries and could potentially be impacted by project construction, based on the site criteria, CA-SDI-15667 is not eligible for either the NRHP or CRHR and thus the proposed project will have no impact to this site.

During construction, digging and trenching activities close to a prehistoric site, have the potential to damage unknown artifacts found within the subsurface of the soil. Prehistoric site CA-SDI-15668 is composed of lithic scatter, including one quartz biface fragment, two quartz flakes, and one basalt bifacial thinning flake. Site SDI-15668 is directly within the proposed pipeline realignment and could potentially be impacted during construction. Based on the site criteria, prehistoric site CA-SDI-15668 is not eligible for either the NRHP or CRHR and thus the proposed project have no impact to this site.

Prehistoric site CA-SDI-257 has been updated multiple times and consists of bedrock milling features, slicks and mortars, ceramic sherds and debitage. The location of prehistoric site SDI-257 is within 15-meters of the APE; in close proximity to the proposed pipeline alignment. While the APE was devised to include all equipment work zones, lay down areas and other areas of disturbance, it is possible that a subsurface component to the site exists that extends into the APE. Mitigation measure Cul-3 should be followed if inadvertent discoveries of archaeological sites are made during construction of the proposed project. Prehistoric site CA-SDI-257 is not eligible for either the NRHP or the CRHR and thus the proposed project will have no impact to this site.

Mitigation Measures

Cul-3 **Avoidance of Known Archaeological Sites.** None of the resources within the APE have been determined to meet the criteria for inclusion in the NRHP or the CRHR. Although unlikely there is a possibility that a subsurface component to CA-SDI-257 extends within the APE and may be impacted by the proposed project. There is also a possibility that inadvertent discoveries of archaeological sites be made during construction of the proposed project.

a. Known cultural resources that can be avoided shall be demarcated as Environmentally Sensitive Areas (ESAs). All potentially NRHP and/or CRHR-eligible resources that would not be affected by direct impacts, but are within 50 feet of direct impact areas, shall be designated as ESAs. Protective fencing or other markers shall be erected and maintained to protect ESAs from inadvertent trespass for the duration of construction in the vicinity. An archaeologist shall monitor during ground-disturbing activities at all cultural resource ESAs.

b. Construction Monitoring: Prior to issuance of grading permit(s), the project applicant shall retain a qualified archaeologist, in accordance with the Secretary of the Interior's Standards and Guidelines (Secretary's Standards) (36 CFR 61), and Native American observer to monitor ground-disturbing activities in culturally sensitive areas in an effort to identify any unknown resources. A qualified archaeologist shall attend preconstruction meetings, as needed, to make comments and/or suggestions concerning the monitoring program and to discuss excavation plans with the excavation contractor. The requirements for archaeological monitoring shall be noted on the construction plans. A qualified paleontologist shall be retained to monitor earth disturbances in all areas of paleontological sensitivity, per approval by lead agency. All construction activities in environmentally sensitive areas, or any other area of the project deemed sensitive for containing cultural resources, shall be monitored by a qualified archaeologist. Since significant portions of the project site contain sedimentary deposits that have the potential to contain buried cultural resources, then full-time cultural resources monitoring shall be implemented during all phases of ground-disturbing work in these areas. A cultural resource monitor shall meet the Secretary of the Interior Standards Qualifications as a professional archaeologist and, as appropriate, shall be on the lead agencies approved consultants list. The archaeological monitor(s) shall also be familiar with the project area and, therefore, be capable of anticipating the types of cultural resources that may be encountered.

c. Training for Contractor: Prior to construction, all applicant, contractor, and subcontractor personnel shall receive training regarding the appropriate work practices necessary to effectively implement the mitigation measures and to comply with the applicable environmental laws and regulations (including penalties for violation under the appropriate state and federal laws), avoiding ESAs, the potential for exposing subsurface cultural resources and paleontological resources, and to recognize possible buried resources. This training shall include presentation of the procedures to be followed upon discovery or suspected discovery of archaeological materials, including Native American remains and their treatment, as well as of paleontological resources.

d. Discovery of Unknown Resources: In the event that cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance to allow evaluation of potentially significant cultural resources. The archaeologist shall evaluate the significance of the discovered resources based on eligibility for the NRHP, CRHR, or local registers. Preliminary determinations of NRHP eligibility shall be made by the lead agencies, in consultation with other appropriate agencies and local governments, and the SHPO.

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a significant tribal cultural resource?	☐	☒	☐	☐

In order to follow important concepts of Assembly Bill (AB) 52, respecting Tribal sovereignty is met by contacting tribes that could find cultural resources significant within a proposed project area. Prior to any survey work within the project area, Atkins' cultural resources team contacted various tribes to participate in the pedestrian survey. Following AB 52 consultation, calls were made to the Rincon Band of Mission Indians, Soboba Band of Mission Indians, and San Luis Rey Band of Mission Indians to ask for their assistance in participating on the pedestrian survey of the project area. A San Luis Rey tribal representative was present and attended the survey with Atkins archaeologists.

In order to avoid significant tribal cultural resources within the project area, a tribal monitor and archaeologist must be present while ground-breaking activities are being conducted. Monitoring of construction and ground-disturbing activities will prevent damage to tribal cultural resources and archaeological resources during project construction.

Mitigation Measures

Impacts on tribal cultural resources from the proposed project would be less than significant with implementation of mitigation measure Cul-3.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Paleontological resources potentially occur in sedimentary geologic formations. Mesozoic mixed rocks mostly made of gneiss and other metamorphic rocks of granitic material can be found along with older alluvium, lake, playa, and terrace deposits within the project area (State of California, USGS 2010). According to San Diego County Guidelines for Determining Significance of Paleontological Resources (County 2009), these formations have either a "zero" or "low" potential to contain fossils, and there are

no geologic units within the proposed pipeline construction corridor that are considered regionally to be of moderate or high paleontologic sensitivity.

Although there is a very small possibility of finding paleontological resources within the proposed pipeline construction corridor, impacts to paleontological resources generally occur as a result of the physical destruction of fossil remains by excavation or trenching activities that require cutting into the underlying geologic formations. Ground-disturbing activities in high or moderate sensitivity fossil-bearing geologic formations have the potential to damage or destroy paleontological resources that may be present below the ground surface. However, implementation of mitigation measure Cul-5 would ensure that excavation impacts to the paleontological resources would be less than significant.

Mitigation Measures

Cul-4 **Procedures for Unintentional Disturbance of Paleontological Resources.** If paleontological resources are encountered during construction of the proposed project, all ground-disturbing activity shall cease within 100 feet of the resource. A qualified paleontologist shall be retained by the project proponent to evaluate the significance of the find; to salvage, record, clean, and curate significant fossil(s); and to document the find in accordance with current professional paleontological standards. No further grading shall occur in the area of the discovery until the project proponent approves the measures to protect the resources. Any fossils recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the project proponent where they would be afforded long-term preservation to allow future scientific study.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

The entire Valley Center area has evidence of historical occupation by Native Americans and the proposed underground pipeline alignment would cross through Native American tribal lands. It is possible that subsurface archaeological resources that contain human remains could occur within the proposed pipeline corridor.

However, results of the cultural resources record search and pedestrian survey did not identify any human remains or records of human remains within the project area. In the unlikely event that human remains are discovered in areas within San Diego County during construction of the proposed project, California Health and Safety Code Section 7050.5 would be implemented. The California Health and Safety Code Section states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the human remains are determined to be prehistoric, the County Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant. However, if human remains are discovered on tribal lands, then NAGPRA would be implemented and followed. Compliance with California Health and Safety Code Section 7050.5 and NAGPRA would ensure that impacts to human remains would be below a level of significance.

2.6 Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction and/or landslides?	☐	☐	☒	☐

The nearest potentially active fault passes along the southwestern side of Lake Henshaw approximately 20 miles east of Escondido. The project area is approximately 12 miles from the Elsinore Fault as identified on the Alquist-Priolo Earthquake Fault Zoning Map for the Mesa Grande Quadrangle (CDOC 2016).

The California Department of Conservation (CDOC) has not listed the project area or surrounding areas on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Elsinore Fault has been quiet since 1885, the last recorded seismic occurrence measure 5.8 on the Mercalli scale. No major earthquakes have been recorded in the project area in over 100 years. The risk of surface rupture is not considered significant enough to restrict development within the project area. Other known fault zones in the region include the Rose Canyon, Newport-Inglewood, San Jacinto, and San Andreas, which are expected to have relatively minor effects within the project area (magnitude 4.0 to 5.0 on the Mercalli Scale).

Construction of the proposed project would involve such activities as excavation, grading, soil compaction and slope restoration, screening of backfill, and hauling of backfill and aggregate. All construction activities with the proposed project will take place within a 100-foot wide ROW. Segment 2 of the pipeline will be paralleled by an 8-foot-wide access road surfaced with screened backfill from excavation. The access road to the desilting basin will be 12-foot-wide with vehicle turnouts at 300-400 foot intervals and surfaced with aggregate.

Construction of the proposed pipeline would temporarily disturb soils to a depth sufficient to bury the proposed 60-inch pipe, but would not result in permanent changes to the area topography. In order to construct the proposed access roads, the proposed project would disturb the surface soils to a depth necessary to safely operate equipment within these areas. In addition for operation and maintenance purposes, these areas would permanently alter the existing surface and soil conditions with grading and aggregate; however, these changes would occur in only the upper portions of the soils and would not create disturbances beyond those necessary to support long-term operations and maintenance. Further, the access/service roads, water conveyance pipeline, and appurtenances would be constructed according to state and county enforced building codes and designed to meet the California Building Code Standards for seismic Zone 4, which would minimize damage that could be caused by seismic groundshaking. Therefore, impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

The project area and lands adjacent to the construction ROW corridor contain eight soil types. Cieneba soils are present within the project area and have very high runoff and erosion rates and are extremely well drained (KEA 2001). Typically more than 20 percent of Cieneba soils is covered with rock outcrops, and granitic rocks can be found below the surface, ranging in size from five to 15 inches. The proposed pipeline alignment begins near Oso Place at the proposed new desilting basin northeast of North Canal Road (Pipeline Segment 2) and continues in a southwesterly direction to connect to the existing underground pipeline located south of Paradise Road (Pipeline Segment 1). Approximately 1.6 miles of the 60-inch diameter underground pipeline would be installed outside of the existing ROW for the Escondido Canal. Installation of the proposed pipeline would be within mostly paved and/or gravel road ROWs with compacted exposed soil and areas devoid of vegetation. Proposed pipeline project construction would include open trench excavation for burying the proposed pipeline. While Cieneba soils have high erosion rates and would be prone to erosion, construction and installation of the proposed pipeline would temporarily disturb the soils in the ROWs but would not permanently alter the existing conditions along the alignment corridor. After trenching and placement of the pipeline, the pipeline would be buried with soils stored on-site adjacent to the excavation/pipeline route. The trench would be backfilled with the stored soils, and then compacted to engineering specifications. Some areas would be revegetated after backfilling. Further, VID and Escondido would be required to employ BMPs to prevent erosion as a requirement of a State General Construction NPDES Permit (NPDES General Construction Permit). Therefore, the proposed project would not result in substantial soil erosion or topsoil loss and impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐

The lands along the proposed pipeline alignment contains eight soil types, Cieneba soils have very high runoff and erosion rates and are extremely well drained (KEA 2001). Typically more than 20 percent of Cienebas soil is covered with rock outcrops, and granitic rocks can be found below the surface, ranging in size from five to 15 inches. However, Cieneba soils with the underlying granitic rocks have low potential for liquefaction and landslides. Additionally, Cieneba soils in the project area have low clay content (less than 18 percent (USDA 2013) and are, thus not highly expansive. Soils susceptible to subsidence are usually loose soils where groundwater levels have decreased substantially. The proposed project is located in an area with shallow layers of topsoil and relatively low to no source of groundwater. Further, the proposed project would be constructed according to state and county enforced building codes and designed to meet the California Building Code Standards for seismic Zones 3 and 4. These design standards would prevent effects of soil conditions on structural integrity of the proposed project. Consequently, this would be a less than significant impact.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	☐	☐	☒	☐

The lands along the proposed pipeline alignment contain eight soil types, Cieneba soils have very high runoff and erosion rates and are extremely well drained (KEA 2001). Typically more than 20 percent of Cieneba soils is covered with rock outcrops, and granitic rocks can be found below the surface, ranging in size from five to 15 inches. However, Cieneba soils with the underlying granitic rocks have low potential for liquefaction and landslides. Additionally, Cieneba soils in the project area have low clay content (less than 18 percent (USDA 2013) and are, thus not highly expansive. Soils susceptible to subsidence are usually loose soils where groundwater levels have decreased substantially. The proposed project is located in an area with shallow layers of topsoil and relatively low to no source of groundwater. Further, the proposed project would be constructed according to state and county enforced building codes and designed to meet the California Building Code Standards for seismic Zones 3 and 4. These design standards would prevent effects of soil conditions on structural integrity of the proposed project. Consequently, this would be a less than significant impact.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

The proposed project would not include the installation of a septic tank or alternative wastewater disposal system and, therefore, the proposed project would have no impact.

2.7 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

The CEQA Guidelines do not identify a quantitative threshold of significance for GHG emissions. Instead, the CEQA Guidelines leave the determination of the significance of GHG emissions up to the lead agency and authorize the lead agency to consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts (CEQA Guidelines §§ 15064.4(a), 15064.7(c)).

Specifically, CEQA Guidelines § 15064.7(c) states, "[w]hen adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

There are no quantitative GHG thresholds of significance adopted by the state of California or SDAPCD. Therefore, this analysis uses the threshold of significance adopted by the County of San Diego in June

2012 to determine whether the GHG emissions from the proposed project may have a significant impact on the environment. The County Guidelines for Determining Significance for Climate Change are based on regional data and therefore may be used by lead agencies in the region other than the County of San Diego. The purpose of these guidelines is to ensure that new development in the County achieves its fair share of emission reductions needed to meet the statewide AB 32 mandate.

The County guidelines establish a screening level threshold of 2,500 MT CO_2e per year. This screening level applies separately to both construction and operation. Actions that would emit less than 2,500 MT CO_2e per year are considered to have insignificant emissions and would not affect the region's ability to meet reduction goals (County 2013). Therefore, actions that result in emissions that are below this screening level threshold would not result in significant GHG emissions and no further analysis is required.

Construction Impacts

GHG emissions for project construction activities were estimated using the construction data provided in the San Pasqual Undergrounding Project Feasibility Project (B&V 2016), and the emission factors included in the CalEEMod model (Version 2013.2.2) (SCAQMD 2013) and the Sacramento Metropolitan Air Quality Management District's (SMAQMD) Road Construction Model (Version 7.1.5.1), which take into account the hours of operation, load factor, and the emission factors for each piece of equipment. Detailed input and model output are provided in Appendix B to the EA. The GHG emissions that would result from construction of the proposed project are summarized in Table 4. Construction of the proposed project would result in total GHG emissions of 519.3 MT CO_2e over 9 months (36 weeks). Annual GHG emissions would not exceed the County's recommended 2,500 MT CO_2e screening threshold during construction. Therefore, a significant GHG emissions impact would not occur from construction of the proposed project.

The emissions modeling is based on construction equipment parameters and schedule information that was available at the time of the analysis; it is understood that the parameters utilized in the emissions analysis is substantially representative of what would occur with project implementation. Construction emissions can vary from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. In addition, construction equipment lists and estimated use is also refined as a project nears the start of construction. As shown in the analysis, the emissions output is substantially lower than the applicable threshold. Therefore, normal and minor variances in equipment type and use would not change the findings of this GHG assessment.

Table 4 Estimated Construction GHG Emissions

Construction Activity	GHG Emissions (MT CO_2e)
Access Road	115.3
Pipeline	211.0
Desilting Basin	192.9
Total	**519.3**
County GHG Threshold	**2,500**
Impact?	No

Source: SCAQMD 2013. See Appendix B for model output

Operation Impacts

The proposed project would generate new vehicle trips during the operation and maintenance of the proposed pipeline and support facilities. These trips would be few and infrequent, resulting in minimal emissions that would not exceed the significance thresholds for GHG emissions. Therefore, the construction and operational phases of the proposed project would have a less than significant impact with regards to greenhouse gas emissions

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

In order to evaluate consistency with an applicable greenhouse gas plan this analysis uses the County of San Diego significance threshold, which was designed to ensure compliance with statewide targets that are identified in AB 32 and Executive Order S-3-05.

As previously discussed, if a project emits GHGs at a quantity less than the significance threshold it can be assumed to comply with AB 32 within the County of San Diego's jurisdiction. As the proposed project would emit 519.3 MT CO_2e (less than 2,500 MT CO_2e threshold), the proposed project would not conflict with the state's ability to achieve the reduction targets defined in AB 32. The proposed project would have a less than significant impact in this regard. Therefore, the proposed project would not conflict with any applicable, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts are found to be less than significant.

2.8 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

Construction of the proposed project would require the use of hazardous materials, such as fuels and lubricants for construction equipment and pipeline component materials, such as paints and epoxies. During the operation phase of the proposed project routine transport, use, or disposal of hazardous materials would not occur. Compliance with the County Consolidated Fire Code and California Occupational Safety and Health Act (Cal/OSHA) regulations on county lands or the International Fire Code and OSHA on Tribal lands, as well as all other applicable federal, state, and local regulations related to the transport, use, or disposal of hazardous materials and worker safety would be required during all phases of the proposed project. These regulations, which include provisions for the proper storage of hazardous materials, would minimize the risk of upset and accident conditions such as leaks or spills and prevent significant hazard to the public or the environment. Therefore, impacts associated with the routine transport, use, or disposal of hazardous materials would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

Construction of the proposed project would require the use of hazardous materials, such as fuels and lubricants for construction equipment and pipeline component materials, such as paints and epoxies. During the operation phase of the proposed project routine transport, use, or disposal of hazardous materials would not occur. Compliance with the County Consolidated Fire Code and Cal/OSHA regulations on county lands or the International Fire Code and OSHA on Tribal lands, as well as all other applicable federal, state, and local regulations related to the transport, use, or disposal of hazardous materials and worker safety would be required during all phases of the proposed project. These regulations, which include provisions for the proper storage of hazardous materials, would minimize the risk of upset and accident conditions such as leaks or spills and prevent significant hazard to the public or the environment. Therefore, impacts associated with the routine transport, use, or disposal of hazardous materials would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐

Schools located in the vicinity of the project area include Valley Center Middle School, Valley Center High School, and Valley Center Elementary. However, the schools are located over one-quarter mile from the project area. Furthermore, compliance with the County Consolidated Fire Code and OSHA regulations, as well as all other applicable federal, state, and local regulations related to the handling of hazardous materials and worker safety would be required during construction and operation of the proposed project. These regulations would minimize the risk of accident conditions such as leaks or spills and would ensure prompt and effective cleanup in the event of an accidental release within one-quarter mile of an existing or proposed school. Therefore, impacts associated with emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐

One leaking underground storage tank (LUST) site, as identified on the list of hazardous materials sites pursuant to Government Code Section 65962.5, was determined to be within the associated search radius (one-quarter mile) of the project area. Site cleanup has been completed for this site and, therefore, implementation of the proposed project would not cause a significant hazard to the public or environment by impacting a hazardous materials site. No mitigation measures are necessary because impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

The project area is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, no impacts would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐

Lake Wohlford Resort Airport is a privately-owned, private use airport located over two miles from the project area. Due to the short-term duration of construction activities, exposure of construction workers to potential airport safety hazards would be temporary. Furthermore, Lake Wohlford Resort Airport does not service large aircraft and averages only 86 aircraft operations per week (AirNav, LLC 2012); thus, airport safety hazards would be limited. Therefore, impacts related to safety hazards associated with a private airstrip would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

During construction, the contractor would be required to prepare and implement a Traffic Control Plan including safety measures, temporary lane closures, and alternate routes through the project area, to be used during construction of the proposed project. Emergency access would be provided at all times during construction and operation of the proposed project. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

According to the Fire and Resource Assessment Program – San Diego County Fire Hazard Severity Zones map (Cal Fire 2007), there are areas of moderate to very high fire threat within the project area. Construction of the proposed project may take place near highly flammable vegetation; however, construction activities would comply with the County Consolidated Fire Code and all other applicable federal, state, and local regulations related to fire prevention and safety. These regulations, which include

provisions for proper maintenance of construction equipment, brush clearance, and fuel management, would minimize the risk of wildland fires during construction.

Following construction, the proposed project is a water conveyance facility and, therefore, would not represent a fire hazard. Aboveground facilities, such as the desilting basin, would comply with the County Consolidated Fire Code and all other applicable federal, state, and local regulations related to fire prevention and safety. These regulations, which include provisions for brush management and fire-resistant building materials, would minimize the risk of damage to water infrastructure from potential wildland fires. Furthermore, the proposed project does not propose the construction of any housing or structures intended for human occupancy. Therefore, impacts related to safety hazards associated with wildland fires would be less than significant.

2.9 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐

Construction Impacts

Grading, excavation, and other construction-related activities for the proposed project could cause soil erosion at an accelerated rate during storm events. Construction of the proposed project would involve earth-disturbing activities (using such equipment as dozers, scrapers, graders, loaders, compactors, dump trucks, cranes, water trucks, and concrete mixers) that could discharge sediment or other pollutants (e.g., petroleum products or building materials such as paints and cement) into local drainages adjacent to the project area via runoff from the construction sites. Because activities associated with the proposed project would disturb more than 1 acre of land surface; the proposed project would be subject to the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAR000002 [Construction General Permit]) adopted September 2, 2009. The Construction General Permit also includes requirements for all Linear Underground/Overhead Projects (LUPs); the proposed project would be considered an LUP. The proposed project would be required to comply with the terms and conditions in the Construction General Permit. System testing and flushing would require coverage under the WDR for Dewatering and Other Low Threat Discharges to Surface Waters (Order No. R5-2008-0081, NPDES No. CAG995001 [Low Threat WDR]) or an individual WDR/NPDES permit if test waters do not meet Low Threat WDR requirements. Small amounts of dewatering, if applicable, (e.g., trenches filled with stormwater runoff) would be covered under the Construction General Permit.

The NPDES Construction General Permit is intended to ensure compliance with State water quality objectives and water protection laws and regulations, including those related to waste discharges. NPDES Construction General Permit permitees are required to prepare and retain at the construction site a Stormwater Pollution Prevention Plan (SWPPP) that identifies erosion-control measures. The SWPPP would address proposed project construction activities and would specify control measures and BMPs designed to prevent erosion, sedimentation, and pollutants from entering stormwater runoff during construction. Consistent with the state's requirements, BMPs that could be implemented as part of the SWPPP include, but would not be limited to:

- Construction during the dry/summer season;
- Reduction of the area and length of time that the site is cleared and graded;
- Revegetation/stabilization of cleared areas as soon as possible; and
- Implementation of comprehensive erosion, dust, and sediment controls.

The project area is within the jurisdiction of the San Diego RWQCB, which has the authority to implement water quality protection standards through the issuance of permits for discharges to waters at locations within its jurisdiction. Water quality objectives for the stream systems and their tributaries are specified in The Water Quality Control Plan for San Diego County (Basin Plan), described above, in compliance with the federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. The Basin Plan establishes water quality objectives and implementation programs to meet stated objectives and to protect the beneficial uses of water in the San Diego Basin. Because the project area is located within the San Diego RWQCB's jurisdiction, all discharges to surface water or groundwater are subject to Basin Plan requirements. Because the proposed project would be required to comply with State water quality standards and permits, and applicable county codes and permits, any potential impacts from the proposed project would be less than significant

Operation Impacts

Post-construction runoff is likely to contain residues from pesticides and other landscape maintenance products, as well as pollutants typically associated with urban uses, such as those generated by motor vehicle operations and pavement wear, for maintenance of the existing Escondido Canal. Operation of the proposed pipeline would be similar and would not result in the use, storage, or disposal of materials within the project area that would result in degradation of water quality. Proposed project operations would be similar to existing operations and, therefore, would not affect water quality. Because the proposed project would be required to comply with State water quality standards and permits, and applicable county codes and permits, any residual impact from the proposed project would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐

The project area does not directly overlay a groundwater basin. The nearest groundwater basin, the San Luis Rey Valley Groundwater Basin, is approximately 0.85 mile north of the project area. This groundwater basin is recharged by imported irrigation water applied on upland areas and by stormflow in the San Luis Rey River and its tributaries (CDWR 2004); therefore, implementation of the proposed project would not directly or indirectly impact the San Luis Rey Valley Groundwater Basin.

Construction of the proposed project would include light grading, excavation, installation of a pipeline and appurtenances, backfilling of trenches and revegetation of disturbed areas. Trenches for the Segment 2 pipeline would be excavated to depths of approximately 6.5 feet wide by 6 feet deep, and approximately 9 feet wide by 8 feet deep for the Segment 1 pipeline. The proposed project would not result in new groundwater wells or an increase in the pumping of existing groundwater wells. The proposed project

would not result in pipelines or other structures buried deep enough to reach groundwater levels and affect the quality of flow of groundwater in the area. The trenches would be filled and restored to pre-project conditions after construction so that the percolation patterns along the proposed pipeline would not change. Notably, with demolition and removal of the existing canal system, existing impervious surfaces (concrete canal) would be reduced through the installation of the underground pipeline. Installation of the proposed pipeline and support facilities would not create any new impervious surfaces that would prevent percolation of groundwater directly. Therefore, impacts would be less than significant to groundwater supplies, levels, flow, and recharge.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐

Construction of the proposed project would include light grading, excavation, installation of a pipeline and appurtenances, backfilling of trenches and revegetation of disturbed areas. The proposed pipeline alignment would not increase impervious surfaces along the alignment corridor and would not create additional on-site and off-site runoff. Surface street drains connected to underground pipelines would collect stormwater drainage from the existing storm drain collectors in the ROWs along the existing roads. Stormwater would drain to the agricultural and rural properties adjacent to the ROWs and would not be directed towards existing storm drain facilities. Stormwater flows from the proposed project would be similar to existing conditions and not expected to exceed the flows anticipated within the existing land uses. In addition, replacement of natural landscape vegetation after construction in areas along the pipeline corridor would reduce high velocity flows. Stormwater flows would drain over the San Pasqual Recreational Fields towards the existing stormwater collection system. Stormwater flows are expected to percolate and attenuate prior to reaching the stormwater system, and this would not result in a need to alter the existing system. Therefore, drainage facilities previously identified would be adequate for the well sites and the drainage would be considered less than significant.

Those portions of the existing Escondido canal that are removed will regraded to reestablish natural drainage patterns. The proposed project would not substantially alter the current drainage patterns along the proposed pipeline alignment or along the proposed access roads and vehicle turnout locations that would result in an increase in sedimentation rates or runoff volumes and flows. Because the proposed project would be required to comply with state water quality standards and permits, and applicable county codes and permits, any residual impact which would result in substantial erosion or siltation on or off site, would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐

Construction of the proposed project would include light grading, excavation, installation of a pipeline and appurtenances, backfilling of trenches and revegetation of disturbed areas. The proposed pipeline alignment would not increase impervious surfaces along the alignment corridor and would not create

additional on-site and off-site runoff. Surface street drains connected to underground pipelines would collect stormwater drainage from the existing storm drain collectors in the ROWs along the existing roads. Stormwater would drain to the agricultural and rural properties adjacent to the ROWs and would not be directed towards existing storm drain facilities. Stormwater flows from the proposed project would be similar to existing conditions and not expected to exceed the flows anticipated within the existing land uses. In addition, replacement of natural landscape vegetation after construction in areas along the pipeline corridor would reduce high velocity flows. Stormwater flows would drain over the San Pasqual Recreational Fields towards the existing stormwater collection system. Stormwater flows are expected to percolate and attenuate prior to reaching the stormwater system, and this would not result in a need to alter the existing system. Therefore, drainage facilities previously identified would be adequate for the well sites and the drainage would be considered less than significant.

Those portions of the existing Escondido canal that are removed will regraded to reestablish natural drainage patterns. The proposed project would not substantially alter the current drainage patterns along the proposed pipeline alignment or along the proposed access roads and vehicle turnout locations that would result in an increase in sedimentation rates or runoff volumes and flows. Because the proposed project would be required to comply with state water quality standards and permits, and applicable county codes and permits, any residual impact which would result in flooding on or off site, would be less than significant.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐

Runoff from the proposed project would not exceed the drainage systems planned capacity. Escondido and VID would review the proposed project infrastructure to ensure adequacy with the county standards. Further, commensurate approvals to meet county standards would also be required before construction and installation of the proposed pipeline and support facilities would occur. Implementation of the proposed project would not increase the rate or amount of on or off-site runoff; thus and this impact is considered less than significant.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f)	Otherwise substantially degrade water quality?	☐	☐	☒	☐

Construction Impacts

Grading, excavation, and other construction-related activities for the proposed project could cause soil erosion at an accelerated rate during storm events. Construction of the proposed project would involve earth-disturbing activities (using such equipment as dozers, scrapers, graders, loaders, compactors, dump trucks, cranes, water trucks, and concrete mixers) that could discharge sediment or other pollutants (e.g., petroleum products or building materials such as paints and cement) into local drainages adjacent to the project area via runoff from the construction sites. Because activities associated with the proposed project would disturb more than 1 acre of land surface and, the proposed project would be subject to the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAR000002 [Construction General Permit]) adopted September 2, 2009. The Construction General Permit also includes requirements for all LUPs; the

proposed project would be considered an LUP. The proposed project would be required to comply with the terms and conditions in the Construction General Permit. System testing and flushing would require coverage under the WDR for Dewatering and Other Low Threat Discharges to Surface Waters (Order No. R5-2008-0081, NPDES No. CAG995001 [Low Threat WDR]) or an individual WDR/NPDES permit if test waters do not meet Low Threat WDR requirements. Small amounts of dewatering, if applicable, (e.g., trenches filled with stormwater runoff) would be covered under the Construction General Permit.

The NPDES Construction General Permit is intended to ensure compliance with State water quality objectives and water protection laws and regulations, including those related to waste discharges. NPDES Construction General Permit permitees are required to prepare and retain at the construction site a SWPPP that identifies erosion-control measures. The SWPPP would address proposed project construction activities and would specify control measures and BMPs designed to prevent erosion, sedimentation, and pollutants from entering stormwater runoff during construction. Consistent with the state's requirements, BMPs that could be implemented as part of the SWPPP include, but would not be limited to:

- Construction during the dry/summer season;
- Reduction of the area and length of time that the site is cleared and graded;
- Revegetation/stabilization of cleared areas as soon as possible; and
- Implementation of comprehensive erosion, dust, and sediment controls.

The project area is within the jurisdiction of the San Diego RWQCB, which has the authority to implement water quality protection standards through the issuance of permits for discharges to waters at locations within its jurisdiction. Water quality objectives for the stream systems and their tributaries are specified in The Water Quality Control Plan for San Diego County (Basin Plan), described above, in compliance with the federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. The Basin Plan establishes water quality objectives and implementation programs to meet stated objectives and to protect the beneficial uses of water in the San Diego Basin. Because the project area (corridor and alignment) is located within the San Diego RWQCB's jurisdiction, all discharges to surface water or groundwater are subject to Basin Plan requirements. Because the proposed project would be required to comply with State water quality standards and permits, and applicable county codes and permits, any potential impacts from the proposed project would be less than significant

Operation Impacts

Post-construction runoff is likely to contain residues from pesticides and other landscape maintenance products, as well as pollutants typically associated with urban uses, such as those generated by motor vehicle operations and pavement wear, for maintenance of the existing Escondido Canal. Operation of the proposed pipeline would be similar and would not result in the use, storage, or disposal of materials within the project area that would result in degradation of water quality. Proposed project operations would be similar to existing operations and, therefore, would not affect water quality. Because the proposed project would be required to comply with State water quality standards and permits, and applicable county codes and permits, any residual impact from the proposed project would be less than significant.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

The proposed project does not include the construction of housing, would not impede or redirect flood flows, and would not expose people or structures to risks associated with a 100-year flooding event. Therefore, no impact would occur from flooding.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

The proposed project does not include the construction of housing, would not impede or redirect flood flows, and would not expose people or structures to risks associated with a 100-year flooding event. Therefore, there would be no impact.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

No levees exist within the proposed pipeline corridor, as a result the proposed project would not expose people or properties to levee failure. Lake Wohlford is a local recreational reservoir managed and operated by Escondido. The lake has a design capacity of 6,500 acre-feet and is undergoing a dam replacement to address seismic conditions. Lake Wohlford is less than 5 miles from the project area; however, the earthen dam at Lake Wohlford is situated at approximately 1,600 AMSL. In the event of a dam failure, flood waters would flow towards Escondido and not towards the project area. Therefore, no impact would occur from levee or dam failure.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

The project area is not located near oceans or volcanoes. Groundshaking could result from the Escondido Fault zone. Lake Wohlford is a highly confined body of water and seiches can occur in lakes like Lake Wohlford. In larger bodies of water, movement of water or waves is largely dissipated throughout the large open boundaries of the lake. However, Lake Wohlford is topographically divided by three miles of mountainous terrain from the project area. As such, the potential for seiche from Lake Wolhford is minimal due to the distance from the lake to the project area. Furthermore, numerous topographic elevation changes between the project area and Lake Wohlford would prevent a seiche wave from reaching the proposed pipeline corridor.

Mudflows and landslides are known to occur in California. Southern California is especially susceptible to landslides and mudflows caused by heavy precipitation in areas of weak soils and steep terrain, like that surrounding the project area. However, the proposed pipeline would be buried below ground surface to

a depth of approximately 6 feet and does not include above ground structures that would be impacted by mudflows or landslides. Therefore, the impact resulting from seiche, tsunami, or mudflow would be less than significant.

2.10 Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒

The proposed project would implement water infrastructure improvements. Following construction, the proposed pipelines would be underground and would not create any physical barriers or obstructions; however, the proposed project would also include a desilting basin and potential access road. The aboveground facilities would be small in size and would not be sited in locations that could interfere with community access. Therefore, implementation of the proposed project would not physically divide an established community. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

The project area is located in northern San Diego County. The project area encompasses portions of unincorporated San Diego County and the San Pasqual Reservation located northeast of Escondido. Infrastructure that would be required under the Settlement Agreement is generally located between Lake Henshaw (in the unincorporated community of Santa Ysabel) and Lake Wohlford (northeast of Escondido). The adopted San Diego County General Plan (County 2011) land use designations in the project area and surrounding areas include the following:

- Semi-Rural Residential (1 dwelling unit per 2, 4, or 10 acres)
- Open Space (Conservation or Recreation)
- Rural Lands (1 dwelling unit per 20, 40, or 80 acres)
- Public Agency Lands
- Tribal Lands

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed project which would provide water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. Water infrastructure improvements would be compatible with the surrounding land uses. Therefore, implementation of the proposed project would not conflict with the San Diego County General Plan. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

The project area, excluding the Native American reservations, lies within the boundaries of the Draft North County MSCP Plan (County 2009); however, the North County MSCP Plan has not been finalized and adopted. Thus, implementation of the Settlement Agreement would not conflict the provisions of an adopted habitat conservation plan. No impact would occur.

The National Marine Fisheries Service (NMFS) has developed a final Recovery Plan for the distinct population segment of steelhead (*Oncorhynchus mykiss*) in southern California that is federally-listed as an endangered species (NMFS 2012). The recovery planning area encompasses steelhead populations in coastal watersheds from the Santa Maria River (just north of Point Conception) south to the Tijuana River (at the U.S.-Mexico border). Although there is no known existing steelhead population in the San Luis Rey River, the NMFS intends to encourage steelhead recovery activities in the river. However, the proposed project will not alter the flow regime within the San Luis Rey River. Thus, the proposed project would not conflict with the Southern California Steelhead Recovery Plan. No impact would occur.

2.11 Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

In 1975, the Surface Mining and Reclamation Act required the classification of land into mineral resource zones (MRZs) based on known or inferred mineral resource potential. The process was based solely on geology, without regard to existing land use or land ownership. Areas to be classified into MRZs were prioritized according to susceptibility to urban expansion or other irreversible land uses that would preclude mineral extraction. Areas perceived to be severely susceptible were given highest priority. Accordingly, the western portion of San Diego County was classified into distinct MRZs according to the California Mineral Land Classification System in 1982. The project area was not included in this effort and as such has not been classified into MRZs, but it is possible that mineral resources are present in the project area. Temporary ground disturbance impacts would occur during construction of the proposed project, but would not result in permanent loss of availability of mineral resources, if present. Due to the narrow, linear nature of excavation that is required to construct the proposed project pipeline and the small development footprints of the proposed aboveground facilities, only a small volume of mineral resources, if any, would be impacted. According to the San Diego County General Plan Update EIR (County 2011), although gemstone mining occurs to the north and to the east of the project area, there are currently no active quarries or mines within the project area. Furthermore, the adopted San Diego County General Plan (County 2011) land use designations in the project area, which include semi-rural residential, open space for conservation or recreation, rural lands, public agency lands, and Tribal lands, generally do not provide for future mineral resources recovery sites. Therefore, the proposed project would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Refer to response in Item 2.11.a, above. No impact would occur.

2.12 Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐

Short-Term Construction Impacts

Based on Appendix G of the CEQA Guidelines and the County of San Diego Guidelines for Determining Significance for Noise, the proposed project would have a significant impact if it would result in a substantial temporary or periodic increase in ambient noise levels during construction which, together with noise from all sources, would exceed the standards listed in San Diego County Code Sections 36.408 and 36.409, Construction Equipment. Sections 36.408 and 36.409 state that, except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

a. Between the hours of 7:00 p.m. and 7:00 a.m.

b. On a Sunday or a holiday. For the purposes of this section a holiday means January 1st, the last Monday in May, July 4th, the first Monday in September, December 25th and any day appointed by the President as a special national holiday or the Governor of the State as a special State holiday. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10:00 a.m. and 5:00 p.m. at the person's residence or for the purpose of constructing a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does not violate the limitations in Sections 36.409 and 36.410.

c. That exceeds an average sound level of 75 decibels for an eight hour period, between 7 a.m. and 7 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

The County Noise Ordinance also includes standards for other sources of temporary and nuisance noise. Section 36.410, Sound Level Limitations on Impulsive Noise, states that except for emergency work, no person shall produce or cause to be produced an impulsive noise that exceeds the following standards when measured at the boundary line of or on any occupied property for 25 percent of the minutes in the measurement period:

- 82 dBA at an occupied residential, village zoning, or civic use, or 85 dBA at an occupied agricultural, commercial, or industrial use; or
- 85 dBA at an occupied residential, village zoning, or civic use, or 90 dBA at an occupied agricultural, commercial, or industrial use for a public road project.

The minimum measurement period for any measurements conducted under this section shall be one hour. During the measurement period a measurement shall be conducted every minute from a fixed location on an occupied property. The measurements shall measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute it will deemed that the maximum sound level was exceeded during that minute.

Section 36.414, General Noise Regulations of the County of San Diego Noise Ordinance includes additional noise standards for disturbing, excessive or offensive noise. Generally, this section states that it shall be unlawful for any person to make, continue, or cause to be made or continued, any disturbing, excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity residing in the area.

Construction Impact

Implementation of the proposed project would result in construction of a pipeline and support facilities desilting basin and the decommissioning of about two miles of the Escondido Canal. The grading portion of each component is anticipated to create the highest noise levels since the greatest amount of heavy equipment would be operating at that time.

The equipment assumptions obtained from Section 4.3, Air Quality, in the EA indicate that the following equipment would be utilized during construction:

- Pipeline Construction
  - 1 Excavator
  - 1 Bulldozer
  - 1 Loader
  - 1 Roller
  - 1 Water Truck
- Desilting Basin
  - 1 Excavator
  - 1 Bulldozer
  - 1 Loader
  - 1 Roller
  - 1 Water Truck

It is conservatively assumed each piece of equipment would operate for a full 8-hours during each day of construction. If every piece of equipment were operating at the same time within proximity of the other equipment, then the assumptions would result in a generation of approximately 90 dBA at 50 feet during both pipeline construction and desilting basin construction. The nearest noise sensitive land uses include an existing residence approximately 86 feet from the proposed access road for the new desilting basin, and approximately 32 feet from the new underground pipeline. Therefore, although the assumptions used to estimate potential noise impacts are overly conservative (all equipment operating simultaneously during the work day), it is reasonably concluded that construction of the proposed project would exceed the significance criteria identified by the County of San Diego and result in a substantial adverse noise impact.

The noise analysis is based on construction equipment parameters and schedule information that was available at the time of the analysis; it is understood that the parameters utilized in the analysis is substantially representative of what would occur with project implementation. Construction equipment use can vary from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. In addition, construction equipment lists and estimated use is also refined as a project nears the start of construction. Normal and minor variances in equipment type and use would not change the findings of this noise assessment.

Mitigation measure Noi-1 is provided that requires preparation and implementation of a noise mitigation plan that would reduce the noise impact to less than the County's significance thresholds. The plan would

include noise modeling and detail specific measures to be implemented. Implementation of mitigation measure Noi-1 would reduce the impact to less than significant levels.

Operational Noise

The proposed project would not generate traffic or have stationary sources of noise; therefore, the proposed project would not generate noise impacts from the proposed pipeline and support facilities onto the nearby existing noise sensitive land uses.

Mitigation Measures

Noi-1 Prior to the start of construction, the project proponent shall prepare a noise mitigation plan that demonstrates that the County of San Diego's noise standards will not be exceeded during construction. The plan shall be implemented during construction. The plan shall include, but not be limited to, the following components:

a. Noise modeling to quantitatively demonstrate construction activities' noise impacts at nearby noise sensitive land uses.

b. Require construction activities to be limited to between the hours of 7 a.m. and 7 p.m.

c. Require construction equipment to use noise-reduction features (e.g., mufflers, dampners, and engine shrouds) that are no less effective than those originally installed by the manufacturer.

d. Require noise monitoring during construction of the pipeline and desilting basin.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐

Based on Appendix G of the CEQA Guidelines and County of San Diego Guidelines for Determining Significance for Noise, the proposed project would have a significant impact if it would result in the exposure of vibration sensitive uses to ground-borne vibration and noise equal to or in excess of the levels shown in Table 4.10-3, Groundborne Vibration and Noise Standards, in the EA, or if new sensitive land uses would be located in the vicinity of ground-borne vibration inducing land uses such as railroads or mining operations. The groundborne vibration and noise standards identify the following three land use categories with increasing sensitivity to groundborne vibration and noise impacts:

a. Category 1: Buildings where low ambient vibration is essential for interior operations (research & manufacturing facilities with special vibration constraints).

b. Category 2: Residences and buildings where people normally sleep (hotels, hospitals, residences, & other sleeping facilities).

c. Category 3: Institutional land uses with primarily daytime use (schools, churches, libraries, other institutions, & quiet offices).

The proposed project would result in a significant impact if frequent events would exceed 0.0018 in/sec RMS for Category 1 land uses, 0.004 in/sec RMS for Category 2, and 0.0056 in/sec RMS for Category 3. Occasional or infrequent events (fewer than 70 vibration events per day) would be considered a significant

impact if they would exceed 0.0018 in/sec RMS for Category 1 land uses, 0.010 in/sec RMS for Category 2, and 0.014 in/sec RMS for Category 3.

The proposed project would include occasional or infrequent vibratory events during construction. Therefore, the applicable significance thresholds are exceeding 0.0018 in/sec RMS for Category 1 land uses, 0.010 in/sec RMS for Category 2, and 0.014 in/sec RMS for Category 3.

Short-Term Construction Vibration Impacts

The primary source of vibration during construction would be from a loader, which may produce a vibration level of 0.071 inch per second peak particle velocity (PPV) at 25 feet. For the purposes of this impact analysis, construction-related vibration impacts would be considered significant if they involve any activities that would create a vibration in excess of 0.010 PPV at the nearby noise sensitive land uses. There are Category 2 land uses (existing residences) approximately 86 feet from the proposed access road for the new desilting basin, and approximately 32 feet from the pipeline alignment. Therefore, although the assumptions used to estimate potential vibratory impacts are conservative (all equipment operating simultaneously during the work day), it is reasonably concluded that construction of the proposed project would exceed the significance criteria identified by the County of San Diego and result in a substantial adverse vibration impact.

Mitigation measure Noi-2 is provided that requires preparation and implementation of a vibration mitigation plan that would reduce the vibratory impact to less than the County's significance thresholds. The plan would include vibration calculations and detail specific measures to be implemented. Implementation of mitigation measure Noi-2 would reduce the impact to less than significant levels.

Long-Term Operational Vibration Impacts

The proposed project would not generate traffic or stationary vibratory impacts from the proposed new underground pipeline and support facilities onto the nearby existing noise sensitive land uses.

Mitigation Measures

Noi-2 Prior to the start of construction, the project proponent shall prepare a vibration mitigation plan that demonstrates that the County of San Diego's vibration standards will not be exceeded during construction. The plan shall be implemented during construction. The plan shall include, but not be limited to, the following components:

a. Vibration calculations to quantitatively demonstrate construction activities' vibratory impacts at nearby land uses.

b. Require specific measures such as equipment phasing, limitations of use, or vibration-reduction features that are no less effective than those originally installed by the manufacturer.

c. Require plan monitoring during construction of the pipeline and desilting basin.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

The proposed project would generate noise during construction, but would not generate traffic or result in operation of new stationary noise sources. Therefore, the proposed project would not result in operational noise impacts from the new underground pipeline and support facilities to the nearby existing noise sensitive land uses. As a result, the proposed project would not result in a permanent increase in ambient noise levels.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐

The greatest noise impacts to the nearby noise sensitive land uses would occur during project construction. Mitigation measure Noi-1, which requires preparation and implementation of a noise mitigation plan that would reduce the noise impact to less than the County's significance thresholds, would reduce short-term impacts to less than significant and would therefore reduce short-term ambient noise levels to less than significant levels.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

There are no public use airports within 2 miles of the project area. Therefore, the proposed project would not expose people residing or working in the project area to excessive aircraft noise levels from a public airport or public use airport. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The nearest private airstrip is the Lake Wohlford Resort airstrip located approximately 2 miles southwest of the project area. Therefore, the proposed project would not expose people residing or working in the project area to excessive aircraft noise levels from a private airstrip. No impact would occur.

2.13 Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond providing water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. However, it is possible that indirect growth may occur due to the availability of additional water supplies provided by the proposed project. At the present time, the development associated with this type of growth is unknown and considered too speculative for evaluation. Section 15145 of the CEQA Guidelines, states that the lead agency does not need to consider speculative effects. Thus, potential future indirect growth impacts from the availability of additional water supplies are not addressed in this analysis. Proposed future projects that would use the additional water supplied by the proposed project would be required to undergo NEPA evaluation if they require a federal action and/or CEQA evaluation if they require a state or local agency discretionary action or approval. Any potential impacts associated with growth inducement from future projects would be addressed through the NEPA and/or CEQA process. Therefore, implementation of the proposed project would result in a less than significant impact related to growth inducement.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

The proposed project would not displace any existing housing or people. Therefore, implementation of the proposed project would not necessitate the construction of replacement housing elsewhere. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

The proposed project would not displace any existing housing or people. Therefore, implementation of the proposed project would not necessitate the construction of replacement housing elsewhere. No impact would occur.

2.14 Public Services

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. The population in the project area is not expected to increase. Construction activities would temporarily increase the number of workers on site, however a small number of workers is expected in the project area. During operations within the project area, a permanent small crew would be present however, the number of employees is not expected to significantly change from current levels. Thus, the proposed project would not directly increase the demand for any public services, including fire protection. However, it is possible that indirect growth may occur due to the availability of additional water supplies provided by the proposed project. At the present time, the development associated with this type of growth is unknown and considered too speculative for evaluation. Thus, potential future indirect growth impacts from the availability of additional water supplies are not addressed in this analysis, and any potential impacts associated with growth inducement from future projects would be addressed through the NEPA and/or CEQA process. Therefore, implementation of the proposed project would result in a less than significant impact related to fire protection.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Police protection?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. The population in the project area is not expected to increase. Construction activities would temporarily increase the number of workers on site, however a small number of workers is expected in the project area. During operations within the project area, a permanent small crew would be present however, the number of employees is not expected to significantly change from current levels. Thus, the proposed project would not directly increase the demand for any public services, including police protection. Therefore, the proposed project would not directly result in the provision of or need for new or physically altered governmental facilities. However, it is possible that indirect growth may occur due to the availability of additional water supplies provided by the proposed project. At the present time, the development associated with this type of growth is unknown and considered too speculative for evaluation. Thus, potential future indirect growth impacts from the availability of additional water supplies are not addressed in this analysis, and any potential impacts associated with growth inducement from future projects would be addressed through

the NEPA and/or CEQA process. Therefore, implementation of the proposed project would result in a less than significant impact related to police protection.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Schools?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. The population in the project area is not expected to increase. Construction activities would temporarily increase the number of workers on site, however a small number of workers is expected in the project area. During operations within the project area, a permanent small crew would be present however, the number of employees is not expected to significantly change from current levels. Thus, the proposed project would not directly increase the demand for any public services, including schools. However, it is possible that indirect growth may occur due to the availability of additional water supplies provided by the proposed project. At the present time, the development associated with this type of growth is unknown and considered too speculative for evaluation. Thus, potential future indirect growth impacts from the availability of additional water supplies are not addressed in this analysis, and any potential impacts associated with growth inducement from future projects would be addressed through the NEPA and/or CEQA process. Therefore, implementation of the proposed project would result in a less than significant impact related to schools.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Parks?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. The population in the project area is not expected to increase. Construction activities would temporarily increase the number of workers on site, however a small number of workers is expected in the project area. During operations within the project area, a permanent small crew would be present however, the number of employees is not expected to significantly change from current levels. Thus, the proposed project would not directly increase the demand for any public services, including parks. However, it is possible that indirect growth may occur due to the availability of additional water supplies provided by the proposed project. At the present time, the development associated with this type of growth is unknown and considered too speculative for evaluation. Thus, potential future indirect growth impacts from the availability of additional water supplies are not addressed in this analysis, and any potential impacts associated with growth inducement from future projects would be addressed through the NEPA and/or CEQA process. Therefore, implementation of the proposed project would result in a less than significant impact related to parks.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
v) Other public facilities?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. The population in the project area is not expected to increase. Construction activities would temporarily increase the number of workers on site, however a small number of workers is expected in the project area. During operations within the project area, a permanent small crew would be present however, the number of employees is not expected to significantly change from current levels. Thus, the proposed project would not directly increase the demand for public facilities such as libraries. However, it is possible that indirect growth may occur due to the availability of additional water supplies provided by the proposed project. At the present time, the development associated with this type of growth is unknown and considered too speculative for evaluation. Thus, potential future indirect growth impacts from the availability of additional water supplies are not addressed in this analysis, and any potential impacts associated with growth inducement from future projects would be addressed through the NEPA and/or CEQA process. Therefore, implementation of the proposed project would result in a less than significant impact related to public services.

2.15 Recreation

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. Thus, the proposed project would not directly increase the demand for recreational facilities. Therefore, the proposed project would not directly increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, implementation of the proposed project would result in a less than significant impact related to the deterioration of existing recreational facilities.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

The proposed project would not directly increase the demand for recreational facilities. Therefore, the proposed project would not include recreational facilities or require the construction or expansion of recreational facilities, which may have an adverse physical effect on the environment. No impact would occur.

2.16 Transportation/Traffic

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☒	☐	☐

Construction Impacts

The proposed project would not conflict with an applicable San Diego County or local community plan, ordinance, or policy establishing measures of effectiveness for the performance of a circulation system. However, traffic would be generated during construction as a result of worker trips and the transport of materials and equipment. Construction of the proposed project would be short-term, consisting of approximately 195, 8-hour days and add at most, 48 round trip journeys to local highways and roadways during the construction period. This is based on a total temporary workforce of 24 workers. As a result, short-term construction traffic will represent a minor increment to existing volumes, and would not cause any circulation system to deteriorate below the minimum performance standard of LOS D.

As part of the proposed project, disturbed soils would not be exported or hauled off-site. All disturbed areas would be reclaimed through grading and restoration. Therefore, no additional impacts to relevant components of the circulation system would occur as a result of haul trips.

Traffic impacts associated with operations of the proposed underground pipeline and support facilities would be similar to or less than existing conditions. It is anticipated that a small operational work force would be required for annual inspections and servicing trips of the pipeline and desilting basin. It is anticipated that up to 2,429 tons of accumulated sediment within the proposed desilting basin would be removed and hauled to a designated disposal site which would be equivalent to 150 truck-loads. As a result of short-term construction impacts associated with the proposed project, and additional trips associated with pipeline O&M activities, Impacts would be less than significant with mitigation. The following mitigation measure is proposed to minimize potential impacts on traffic during construction of the proposed project.

Mitigation Measures

Tra-1 **Traffic Management and Control Plans**. Prior to the construction of each component within a public road ROW, the project proponent shall retain a qualified engineer to prepare a traffic control plan for the roadways that may be affected by that particular component project. The traffic control plan shall be developed in accordance with the California Manual on Uniform Traffic Control Devices and submitted to the County's Traffic Engineering Section for approval on county land. The traffic control plan shall identify temporary lane and roadway closures, safety measures, and alternative routes to be utilized during construction of the proposed project in order to minimize impacts and ensure continuous operations on North Lake Wohlford Road and North Canal Road during pipeline construction activities. The traffic control plan would also include, if applicable:

a. Speed limit reduction through installation of temporary traffic lights and/or other signage with addition of acceleration, deceleration, and turn lanes on routes with site entrances developed under the proposed project.

b. Covering trenches (e.g., using metal plates) in roadways during non-working hours.

c. Limiting construction vehicles traveling on public roadways during the morning and late afternoon peak commute times to minimize impacts on local commuters.

d. Requirement for workers to park personal vehicles at the approved staging areas and take only necessary project vehicles to the work sites.

e. Plans for notifications and a process for communication with affected residents and landowners prior to the start of construction. Advance public notification shall include posting of notices and appropriate signage of construction activities. The written notification shall include the construction schedule, the exact location and duration of activities within each street (i.e., which road/lanes and access point/driveways/parking areas would be blocked on which days and for how long), and a toll-free telephone number for receiving questions or complaints.

f. Sight distance at individual construction site access points will be reviewed to ensure compliance with appropriate sight distance standards at the time of preparation of final grading, and landscaping.

g. Plans to coordinate all construction activities with emergency service providers in the area. Emergency service providers would be notified of the timing, location, and duration of construction activities. All roads would remain passable to emergency service vehicles at all times.

h. Provision of vehicle safety procedures for entering and exiting site access roads.

i. Maintain access to transit, bicycle, and pedestrian facilities along project routes.

j. Provision of ridesharing/carpooling options for construction staff to reduce the number of vehicles traveling to a work zone.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☒	☐	☐

The proposed project is not intended or designed to increase traffic that is substantial in relation to the existing traffic load and capacity of the street system. SANDAG's congestion management program requires an Enhanced CEQA Review for all large projects that are expected to generate more than 2,400 average daily trips or more than 200 peak hour trips (County 2011). Construction and operation of the proposed project would generate a limited number of daily vehicle trips which would not meet or exceed the 2,400 average daily trips threshold or generate more than 200 peak hour trips per day. In addition, the proposed project would not result in a substantial increase in either number of vehicle trips, volume to capacity ratio on roads, or congestion at intersections, or exceed, either individually or cumulatively,

the current LOS standard. Temporary construction impacts and increased operational maintenance traffic may occur; however, implementation of mitigation measure Tra-1 would reduce potential impacts to local traffic to below a level of significance.

Mitigation Measures

Implementation of mitigation measures Tra-1 would ensure that impacts on local traffic during construction of the proposed project would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that result in substantial safety risks?	☐	☐	☐	☒

There are no changes to air traffic patterns that could occur as a result of the proposed project, therefore no impact will occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐

The proposed project will not result in major alterations to the existing road infrastructure as part of the construction and operation of the proposed project other than the provision of servicing any access roads to current design standards, if applicable. Roadways in the vicinity of the proposed project, including North Lake Wohlford Road and North Canal Road, are generally straight with good sight distance, so visibility and access is thought to be acceptable. The maneuvering of slow-moving construction vehicles and equipment among the general-purpose traffic on these roads could temporarily slow traffic flow. In addition, the temporary construction activities could result in potential partial closure of select road segments for pipeline installation. This has the potential to substantially increase circulation hazard levels due to construction caused design features or incompatible uses. As stated above, traffic control plan will be prepared prior to construction and will identify any alterations to local traffic patterns and ensure safety during construction activities. The implementation of mitigation measure Tra-1 as well as county requirements will ensure that impacts related to design hazards would be less than significant.

Following construction, the proposed underground pipeline would not represent a traffic hazard; however, the proposed project would also include a desilting basin and potential access road. However, these aboveground facilities would be accessed via existing or new roadways and driveways that would be designed to current county standards. Thus, operation of the proposed project would not substantially increase hazards due to a design feature or incompatible uses.

Mitigation Measures

Implementation of mitigation measure Tra-1 would ensure that impacts related to design hazards would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?	☐	☒	☐	☐

Construction of the proposed project could potentially impact emergency access along North Lake Wohlford Road and North Canal Road. The potential for temporary closure of travel lanes could result in delays for emergency vehicles passing through the vicinity of North Lake Wohlford Road and North Canal Road and/or impede access to dwellings and businesses adjacent to the construction site(s). Following completion of construction and during operation of the proposed project facilities there would be no impact on emergency access.

Implementation of mitigation measure Tra-1 during construction will provide circulation safety and emergency access adequacy.

Mitigation Measures

Implementation of mitigation measure Tra-1 would ensure that impacts associated with temporary effects on emergency access would be mitigated to a less than significant level.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

There are no conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Therefore the performance or safety of such facilities will not be decreased and no impact would occur.

2.17 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒

The proposed project would implement water infrastructure improvements, which would not convey or discharge wastewater. Therefore, the proposed project would not exceed wastewater treatment requirements of the San Diego RWQCB. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

The proposed project is intended to address existing water supply issues and does not directly propose any new growth or additional development beyond the proposed project components which would

provide water infrastructure improvements necessary to deliver water consistent with the Settlement Agreement. Thus, the proposed project would not increase the demand for potable water or the generation of wastewater beyond current projections. Therefore, the proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

Due to the rural setting, the project area is not served by municipal stormwater drainage systems. Furthermore, as discussed above in Item 9.d, the proposed project would result in only a minor increase in impervious surfaces such that the rate or amount of surface runoff would not substantially increase. Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒

The Settlement Act (Public Law No. 100-675, November 17, 1988, as amended) directs the Secretary of the Interior to provide 16,000 acre-feet per year of Supplemental Water to meet the existing and projected demand of the San Pasqual Band. The Settlement Agreement determines the distribution of this Supplemental Water which has already been allocated to the Bands and the Local Entities by the Settlement Act. Furthermore, as discussed above in Item 17.b, the proposed project would not increase the demand for potable water beyond current projections. Therefore, there are sufficient water supplies available to serve the proposed project from existing entitlements (provided by the Settlement Act), and new or expanded entitlements would not be needed. No impact would occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒

Due to the rural setting, sanitary sewer service is not provided in the majority of the project area. Domestic wastewater is generally treated by septic tanks, although the casino/hotel facilities on the San Pasqual Reservation operates their own wastewater treatment plants. Furthermore, the proposed project would not increase the generation of wastewater beyond current projections. Therefore, the proposed project would not result in wastewater generation that exceeds the capacity of a wastewater treatment provider. No impact would occur.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐

There are currently four active landfills and one planned future landfill within the county (not including military landfills). Construction of the proposed project would generate a limited amount of solid waste, which would represent a negligible fraction of the total waste stream and would not cause the county landfills to exceed their maximum permitted capacity or throughput. Furthermore, construction activities on lands in the unincorporated county would comply with County Code of Regulatory Ordinances Sections 68.508 – 68.518, which requires applicable projects (i.e., one in which the total square footage of demolition and/or construction is equal to or greater than 40,000 square feet) to recycle 90 percent of inert debris and 70 percent of all other construction and demolition debris, thereby reducing the amount of solid waste disposed of at landfills during construction. Although development on Tribal lands is not required to conform to county ordinances, the San Pasqual Reservation operates a processing plant to recycle materials such as rock, soil, concrete, and asphalt (Analytical Environmental Services 2010), which also divert solid waste from landfills. Operation of the proposed project would not generate solid waste. Therefore, the county landfills have sufficient permitted capacity to accommodate the proposed projects waste disposal needs. Impacts would be less than significant.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Construction activities on lands in the unincorporated county would comply with the waste diversion requirements of County Code of Regulatory Ordinances Sections 68.508 – 68.518. Although development on Tribal lands is not required to conform to county ordinances, the San Pasqual Reservation operates a processing plant to recycle materials such as rock, soil, concrete, and asphalt (Analytical Environmental Services 2010), which also divert solid waste from landfills. Furthermore, construction contractors for the proposed project would be required to furnish evidence of all necessary permits, licenses, and clearances for the disposal of construction-related solid waste. Therefore, the proposed project would comply with federal, state, and local statutes related to solid waste. Impacts would be less than significant.

2.18 Mandatory Findings of Significance

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

Refer to responses in Section 2.4, Biological Resources, and Section 2.5, Cultural Resources, above. The proposed project would result in potentially significant impacts to special-status species; riparian habitat

and other sensitive natural communities; jurisdictional waters and wetlands; wildlife corridors and nursery sites; historical resources; archaeological resources; and paleontological resources. Implementation of mitigation measures Bio-1 through Bio-10 and Cul-1 through Cul-4 would reduce these potential impacts to a less than significant level, such that the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. With implementation of the above-mentioned mitigation measures, impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐

CEQA requires that EIRs discuss cumulative impacts, in addition to project impacts. According to Section 15355 of the CEQA Guidelines, “cumulative impacts” refers to two or more individual effects which, when considered together, would compound or increase other environmental impacts.

The geographic scope of the cumulative impact analysis varies depending upon the specific environmental issue being analyzed. Table 5 summarizes the geographic scope of the analyses for the major cumulative issues analyzed in this chapter. The geographic scope defines the geographic area within which projects or proposed projects may contribute to a specific cumulative impact. Therefore, past, present, and probable future projects and proposed projects within the defined geographic area for a given cumulative issue must be considered.

Table 5 Geographic Scope of Cumulative Impact Analyses

Environmental Issue	Geographic Scope of Cumulative Impact Analyses
Aesthetics/Visual Quality	Immediate vicinity of proposed project
Agriculture and Forestry Resources	Immediate vicinity of proposed project
Air Quality	San Diego Air Basin
Biological Resources	San Diego County region
Cultural Resources	San Diego County region for historic resources; ethnographic territory of the San Pasqual Band of Mission Indians for archaeological resources and human remains; and San Diego County region for paleontological resources
Geology and Soils	Community of Valley Center and San Pasqual Reservation for geologic hazards, unstable soils, and expansive soils and San Luis Rey Hydrologic Unit for erosion and topsoil loss
Greenhouse Gas Emissions	San Diego Air Basin
Hazards and Hazardous Materials	Community of Valley Center for hazardous materials and the existing roadways in the vicinity of the proposed project for emergency response and evacuation plans
Hydrology and Water Quality	San Luis Rey Hydrologic Unit
Land Use and Planning	Community of Valley Center and San Pasqual Reservation
Noise	Immediate vicinity of the proposed project
Socioeconomics	Community of Valley Center and San Pasqual Reservation
Traffic	Community of Valley Center and San Pasqual Reservation

CEQA Guidelines Section 15130(b) presents possible approaches for considering cumulative effects. This EA/MND uses "a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency." Past and present projects are considered as part of the baseline when evaluating effects of the proposed project.

To identify present and foreseeable future projects and proposed projects for this EA/MND, Chad Broussard at the Bureau of Indian Affairs, Dave Toler and Andrew Orosco with the San Pasqual Band of Mission Indians were consulted, Valley View Casino and Resort and Rincon Band of Luiseno Indians environmental documents were reviewed, and the City of Escondido Planning Department and Valley Center Municipal Water District websites were searched. Table 6 lists the "related projects," as described by CEQA Guidelines Section 15130(b), that were identified and considered in the cumulative impact analyses within the following sections.

Table 6 List of Cumulative Projects in Vicinity of Proposed project

Proj #	Name	Status	Description
1	Lake Wohlford dam replacement project	Engineering design and environmental review	Construction of an earth-core rockfill dam to replace the existing dam. Implementation will allow City of Escondido to assure seismic stability of the dam and increase water levels within the lake to its design capacity of 6,500 acre-feet (Escondido 2015).
2	San Pasqual Reservation fee-to-trust land acquisition	Under environmental review	San Pasqual Band of Mission Indians is acquiring a 29-acre parcel in a fee-to-trust acquisition. The parcel is located at the intersection of Lake Wohlford Rd. and Woods Valley Rd. The San Pasqual Band is proposing to develop a portion of the site with administrative/ recreation buildings and sports fields. The proposed project would avoid developing areas within a floodplain (Broussard 2016).
3	Harrah's Rincon Casino and Resort expansion	Recently completed	Expansion of the gaming floor by nearly 15,000 square feet, construction of a 23,285 square foot multi-purpose room, construction of a 10,000 square foot night club, construction of a 21 story hotel and pool, and construction of a 23,285 square foot multi-purpose room (National Indian Gaming Commission 2014).
4	Valley View Casino and Hotel parking structure expansion project	Recently completed	The project expanded the existing parking structure by 80,400 square feet, adding an additional 287 parking spaces (San Pasqual Band of Mission Indians 2010).
5	South Village Collection System project	Under construction	Includes four components: 200,000 gpd expansion of Wood Valley Water Reclamation treatment facility, a 48-acre bioretention reservoir at Charlan Road, and expansion of the South Village and North Village Wastewater Collection System facilities. Construction is occurring along Valley Center Rd., between Lilac Rd. and Sunday Dr. (VCMWD 2016).
6	San Pasqual Reservation Tribal Hall/ Administration parking lot development	Under construction	A one-half acre parking lot is being constructed north of the current Tribal Hall on the San Pasqual Reservation. The lot will supplement the current parking lot (Toler and Orosco 2016).
7	San Pasqual Reservation proposed residential subdivision	Site selection ongoing	San Pasqual Reservation single family residential subdivision located north of Lake Wohlford is being planned. Preliminary projections for construction are three years out. Potential sites range from 20 to 30 acres with varying levels of existing disturbance (Toler and Orosco 2016).
8	San Pasqual Reservation upgrade to water system	Completion by end of 2016/ 1st Quarter 2017	Installment of a 70,000 gallon water tank on San Pasqual Reservation that will result in one-quarter acre disturbance (Toler and Orosco 2016).

Section 15130(a) of the CEQA Guidelines requires the discussion of cumulative impacts associated with a project when a project's incremental effect is cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project or action would be considerable when viewed in connection with the effects of past, present, or probable foreseeable projects or actions. A cumulative impact is not deemed significant if the effect would be essentially the same whether the proposed project is implemented or not.

Cumulative Effects of the Proposed Project

Aesthetics/Visual Quality. The geographic context for the analysis of cumulative effects to scenic vistas and existing visual character and quality is limited to the vicinity of the proposed project. Existing land uses within the immediate vicinity of the proposed project consist mostly of agricultural uses, semi-rural residential, commercial and Tribal governmental land uses, tribal lands, and undeveloped land. Implementation of the cumulative projects would result in the development of small and large structures that would be visible from public roads and private property; however, the cumulative projects would be spread across a large area. The effect to visual quality in the vicinity of the proposed project would be less than significant. Therefore, the cumulative impact to aesthetics and visual quality would not be significant.

Agricultural and Forestry Resources. The geographic context for the analysis of cumulative effects to agriculture and forestry resources is limited to the immediate vicinity of the proposed project. It was determined that the proposed project would have no impact in regards to converting prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use; would not conflict with existing zoning for forest land or timberland; and would not conflict with existing zoning for agricultural use. Therefore, the cumulative impact to agricultural and forestry resources would not be significant.

Air Quality. The geographic context for the analysis of cumulative impacts relative to criteria air pollutants is the SDAB. San Diego County is presently designated as being a non-attainment area for the federal ozone standard; specifically, the county is classified as a marginal nonattainment area for the federal 2008 8-hr ozone standard. The county is also a non-attainment area for the CAAQS for ozone, PM10, and PM2.5. Consequently, the pollutants of concern are PM10, PM2.5, and ozone precursors (VOC and NOX). If a proposed project exceeds the regional thresholds for PM10, or PM2.5, then it would contribute to a cumulatively considerable impact for those pollutants. If a project exceeds the regional threshold for VOC and NOX, then it follows that the project would contribute to a cumulatively considerable impact for ozone.

The proposed project's construction-generated emissions would not exceed the applicable SDAPCD's regional thresholds of significance. The proposed project's operational emissions would also not exceed the SDAPCD's regional thresholds of significance. Therefore, construction and operation of the proposed project would not result in a significant cumulative criteria pollutant impact.

Additionally, it is assumed that an action that conforms to the applicable planning document for the lead agency and does not have emissions exceeding the significance thresholds would not result in a cumulatively considerable net increase to ozone. It is assumed that SDAPCD's Regional Attainment Strategy accounts for growth identified in planning documents that were adopted prior to development of the Regional Attainment Strategy. In other words, it is reasonable to conclude that if an action is consistent with the applicable general plan land use designation (or similar planning document), and if the general plan (or other plan) was adopted prior to the Regional Attainment Strategy, then the growth generated by the action would be consistent with the growth assumed within the Regional Attainment Strategy. As such, the proposed project would not result in construction of new residences (a source of population increase) or result in new operational jobs. The construction of a new pipeline to replace an

existing canal, access road, and desilting basin would not be growth inducing or result in an overall increase in operational vehicle miles traveled or operational emissions in the project area or SDAB. Therefore, the cumulative impact to air quality would not be significant.

Biological Resources. The geographic context for the analysis of cumulative impacts to biological resources is the San Diego region. Because sensitive species and habitats are identified due to scarcity throughout their range, impacts to these species and habitat communities are considered cumulatively significant. The proposed project would result in potentially significant impacts to sensitive plants and animal species, and habitat; however, the proposed project would implement several mitigation measures (Bio-1 - Bio-10) to avoid impacts to sensitive species and habitat and reduce the impacts to less than significant. The proposed project would salvage and replant rare and sensitive plants, survey for sensitive animal species and avoid them as necessary, and restore native vegetation including oak woodlands and riparian habitats. It is anticipated that projects in Table 5 would implement mitigation measures to ensure the protection of biological resources within the project specific area. Therefore, the proposed project's contribution to a significant cumulative impact to sensitive species and vegetation communities would not be cumulatively considerable.

Cultural Resources. The geographic context for the analysis of cumulative impacts to historic structures is the San Diego County region. San Diego County has many buildings and districts listed on the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR). Development in these areas could result in demolition, destruction, or alteration of historic resources. Although these resources are listed on federal or state lists, the listing itself often grants little or no inherent protection. Further, while development in the county would be required to adhere to requirements under CEQA, mitigation measures may be found infeasible. Therefore, future development in the county would have the potential to impact historic resources, which could lead to a significant cumulative impact.

The proposed project will implement Mitigation Measures Cul-1 – Cul-4 to reduce impacts associated with construction to a less than significant level. It is anticipated that the proposed projects in Table 5 would have the potential to result in significant impacts with regard to cultural resources. Individual projects would be subject to environmental review similar the review required for the proposed project. Cultural and historical resource searches will be performed and sites identified as significant. Mitigation measures would be implemented to reduce project specific impacts, and a significant cumulative impact would be avoided.

Geology and Soils. The proposed project would result in less than significant impacts with regards to Geology and Soils; the proposed project would not expose people or structure to potential substantial adverse effects, including the risk of loss, injury, or death involving: 1) rupture of a known earthquake fault; 2) strong seismic ground shaking; 3) seismic related ground shaking, including liquefaction 4) landslides. Additionally, the proposed project would not result in substantial soil erosion, be located on unstable soils resulting in lateral spreading, be located on an expansive soil, or be located in an area incapable of supporting the use of septic. The geographic context for the analysis of geology and soils impacts is generally site specific, rather than cumulative in nature, because each development site has unique geologic considerations that would be subject to uniform site development and construction standards. In this way, potential cumulative impacts resulting from geologic and soil conditions would be minimized on a site-by-site basis to the extent that modern construction methods and code requirements provide. Nevertheless, when considering the impacts in a larger geographic context, all development in the county is required to undergo analysis of the geologic and soil conditions applicable to the development site in question. The analysis provides recommendations to prepare the site for development to avoid the hazards associated with unstable and expansive soils. Typical measures to treat unstable or expansive soils involve removal and replacement with properly compacted fill, compaction

grouting, or deep dynamic compaction. Because restrictions on development would be applied in the event that soil or slope conditions pose a risk to safety, it is anticipated that cumulative impacts from development on soil subject to soil instability, liquefaction, subsidence, and expansive soils would be less than significant.

The geographic context for the analysis of erosion and loss of topsoil is San Luis Rey Hydrologic Unit because impacts from site development and operation can be cumulative in effect within a watershed. Development in the county is subject to state and local runoff and erosion prevention requirements, including the applicable provisions of the general construction permit, BMPs, and Phases I and II of NPDES, as well as implementation of fugitive dust control measures required by the San Diego Air Pollution Control District. These measures are implemented as conditions of approval for development projects and are subject to continuing enforcement. As a result, it is anticipated that cumulative impacts within the San Luis Rey Hydrologic Unit due to runoff and erosion from cumulative development activity would be less than significant. Therefore, the cumulative impact to geology and soils would not be significant.

Greenhouse Gas Emissions. Individual actions of any size are generally of insufficient magnitude by themselves to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; therefore, there are no non-cumulative GHG emission impacts from a climate change perspective from implementation of the proposed project (CAPCOA 2008). Accordingly, the discussion of GHG emissions from construction and operation of the proposed project addresses the action's cumulative impact related to GHG emissions. Therefore, the cumulative impact to greenhouse gas emissions would not be significant. Refer to section 4.7 of this EA for further discussion regarding GHG emissions.

Hazards and Hazardous materials. The geographic context for the analysis of cumulative impacts from hazardous materials is the community of Valley Center. It is anticipated that future growth in this community would result in an incremental increase in the amount of hazardous materials transported, used, treated, and disposed of area wide. Although each development site has potentially unique hazardous materials considerations, it is expected that future growth would comply with federal and state statutes and regulations applicable to hazardous materials would be subject to existing and future plans or programs of enforcement by the appropriate regulatory agencies. Further, it is possible that future development in these communities would involve excavation, renovation, or demolition activities, which would potentially subject construction workers to health and safety risks through exposure to hazardous materials, although the individual workers potentially affected would vary from project to project. It is anticipated that future development projects would adhere to the applicable requirements that regulate worker safety and exposure. For these reasons, cumulative impacts resulting from hazardous materials would be less than significant.

The geographic context for the analysis of cumulative impacts to emergency response and evacuation plans encompass the existing roadways in the vicinity of the proposed project. Construction and operation associated with future development of the could result in activities that may interfere with adopted emergency response or evacuation plans, such as temporary construction barricades or other obstructions that could impede emergency access. It is anticipated that future development projects in the area would undergo CEQA and/or NEPA review of potential impacts on adopted emergency response or evacuation plans, and would be required to implement measures necessary to mitigate potential impacts. As a result, cumulative impacts related to interference with adopted emergency response or evacuation plans would be less than significant.

Hydrology and Water Quality. The geographic context for the cumulative impact analysis concerning drainage and water quality is the San Luis Rey Hydrologic Unit. Urban development within the San Luis

Rey Hydrologic Unit would increase impervious areas and consequently increase stormwater runoff. These increases could result in flooding, drainage systems capacity issues, and erosion problems throughout the watershed. An increase in urban development would also increase activities that generate pollutants and could result in additional impacts to receiving waters in the watershed. However, most future development projects within the San Luis Rey Hydrologic Unit and in the county would be subject to NPDES Phase I and II regulations, which require that changes to the hydrologic regime and mitigation for conditions of concern be addressed. These regulations also require that source control and nonpoint source BMPs be employed to control potential effects on water quality and that stormwater quality control devices be incorporated into stormwater collection systems to collect sediment and other pollutants. Therefore, with the federal and state regulations in place, cumulative impacts to drainage and water quality would not be significant.

Noise. The geographic context for the analysis of cumulative impacts for temporary (short-term) construction noise includes the vicinity of the proposed project. Future construction in the vicinity of the proposed project would not be expected to result in a significant cumulative noise impact for the following reasons: (1) construction-related noise levels are temporary and localized in nature, and decrease substantially with distance and (2) the projects listed in Table 5 are located at sufficient distance from each other so that construction noise levels would not be cumulative if construction were to occur simultaneously. Therefore, cumulative impacts resulting from temporary construction noise would be less than significant. There would be no noise associated with the operation of the proposed project, therefore, the proposed project would not have no cumulative impact.

Traffic. The geographic context for the analysis of cumulative impacts to traffic is the community of Valley Center. Construction associated with the proposed project would result in significant impacts to the local circulation system; however, implementation of Mitigation Measure Tra-1 would reduce the level of impact during the construction period to a less than significant level. The projects identified in Table 5 would also have the potential to significantly impact the existing circulation system. It is anticipated that future projects would analyze the impacts to traffic and introduce mitigation measures to avoid any project specific significant impacts. Impacts associated with the proposed project construction period would be temporary and operation of the proposed project would not result in any impacts to the existing circulation system. Therefore, the proposed project's contribution to a cumulative impact during the construction phase of the project would be less than significant with the implementation of mitigation measures.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Implementation of the proposed project would not result in substantial adverse effects to human beings, either directly or indirectly, because potential impacts associated with the proposed project (aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and transportation/traffic) would either be less than significant or mitigated to below a level of significance with the implementation of mitigation measures Aes-1 through Aes-3; Bio-1 through Bio-10; Cul-1 through Cul-4; Noi-1 through Noi-2; and Tra-1 as described in Sections 1 – 17 of this Initial Study.

3.0 References

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