

**MINUTE ITEM**

This Calendar Item No. ~~65~~ was approved as Minute Item No. 51 by the California State Lands Commission by a vote of 2 to ~~0~~ at its 2/27/96 meeting.

**CALENDAR ITEM  
C51**

A 74

02/27/96

S 38

W 20725.401

J. Smith

PRC 7882

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

San Elijo Joint Powers Authority  
1925 Palomar Oaks Way, Suite 300  
Carlsbad, California 92008

**AREA, TYPE LAND AND LOCATION:**

Tide and submerged land located in the bed of San Elijo Lagoon, San Diego County.

**LAND USE:**

Installation of a 12-inch diameter pipeline to transport reclaimed water as part of the San Elijo Water Reclamation System.

**PROPOSED LEASE TERMS:**

Term: 25 years beginning February 1, 1996.

Public liability insurance: Combined single limit coverage of \$1,000,000.

Consideration: The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Code Regs. 2003.

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**APPLICANT STATUS:**

Applicant is permittee of upland.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

Filing and processing costs have been received.

**STATUTORY AND OTHER REFERENCES:**

- A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

**AB 884:**

04/15/96

**OTHER PERTINENT INFORMATION:**

1. The San Elijo Joint Powers Authority is seeking authority to install a 12-inch diameter water distribution pipeline underneath the bed of San Elijo Lagoon as part of the San Elijo Water Reclamation System. The project consists of the addition of water reclamation facilities including two pump stations at the San Elijo Water Pollution Control Facility and the construction of a distribution system for reclaimed water to market users. Horizontal directional drilling will be used to cross the lagoon. Construction will occur between September 15 and February 1 to avoid impacts to the California gnatcatcher and the light footed clapper rail.
2. The Commission's sovereign interests in the lagoon have been leased (Lease No. PRC 5953) to the State Department of Fish and Game and the County of San Diego for the cooperative management of those lands as a regional park and wildlife sanctuary/ecological reserve. Both agencies have reviewed the project and interpose no objection.

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3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code Sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
4. An EIR, SCH 92091009, was prepared and adopted for this project by the San Elijo Joint Powers Authority on March 11, 1993. The Commission has reviewed and considered the information contained therein.

**APPROVALS OBTAINED:**

U.S. Fish and Wildlife Service; Regional Water Quality Control Board; California Department of Fish and Game.

**FURTHER APPROVALS REQUIRED:**

State Lands Commission; California Department of Transportation.

**EXHIBITS:**

- A. Land Description
- B. Location Map
- C. SEJPA Resolution
- D. Notice of Determination
- E. CEQA Findings
- F. Mitigation Monitoring Program

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT AN EIR AND MITIGATION MONITORING PROGRAM WERE PREPARED AND CERTIFIED FOR THIS PROJECT BY THE SAN ELIJO JOINT POWERS AUTHORITY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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2. ADOPT THE FINDINGS MADE IN CONFORMANCE WITH SECTION 15096(h) OF THE STATE CEQA GUIDELINES, AS CONTAINED IN EXHIBIT "E", ATTACHED HERETO.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.
4. AUTHORIZE ISSUANCE TO THE SAN ELIJO JOINT POWERS AUTHORITY OF A 25-YEAR GENERAL LEASE-PUBLIC AGENCY USE BEGINNING FEBRUARY 1, 1996 FOR OPERATION AND MAINTENANCE OF A 12-INCH DIAMETER PIPELINE TO TRANSPORT RECLAIMED WATER AS PART OF THE SAN ELIJO WATER RECLAMATION SYSTEM; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

**EXHIBIT 'A'**


Legal Description

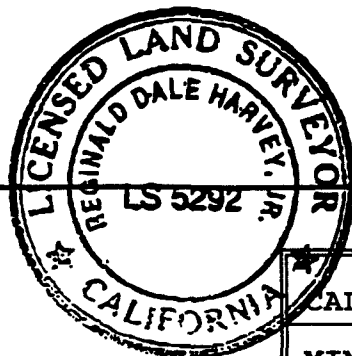
Centerline of proposed reclaimed water pipeline crossing the San Elijo Lagoon.

A portion of that certain California State Highway XI-SD-5 according to M.S. 611 as recorded in deed to the State of California dated June 18, 1964 as File No. 110388 O.R., in the Recorder's Office of the County of San Diego, being a portion of the Southwest Quarter of the Southeast Quarter of Section 26, Township 13 South, Range 4 West, S.B.M., in the City of Encinitas, County of San Diego, State of California, the centerline of a proposed reclaimed water line pipeline being more particularly described as follows:

Beginning at an angle point in the Easterly Right-of-Way line of said California State Highway XI-SD-5 as shown on State of California Right-of-Way Map LO-3723, said angle point being also the intersection of two courses, N47°26'34" W and S66°44'46" W per said LO-3723 and said angle point being also 50.00 feet southerly of the centerline of that certain County of San Diego Road Survey No. 139 (known as Manchester Avenue); thence leaving said angle point and continuing westerly along the prolongation of said course South 66°44'46" West 22.08 feet to the True Point of Beginning of the herein described centerline; thence South 23°04'41" East 87.66 feet to the beginning of tangent 500.00 foot radius curve concave northeasterly; thence southeasterly along the arc of said curve through a central angle of 19°15'13" a distance of 168.02 feet; thence tangent to said curve South 42°19'54" East 296.31 feet; thence South 66°49'54" East 38.08 feet; thence South 46°19'54" East 793.44 feet; thence South 23°49'54" East 35.54 feet; thence South 46°14'13" East 127.51 feet; thence North 88°44'16" East 31.37 feet; thence North 67° 28'50" East 14.56 feet more or less to a point on said Easterly Right-of-Way line of said California State Highway XI-SD-5 as shown on State of California Right-of-Way Map LO-3721 and the end of said centerline; said point being also North 23°54'53" West 35.07 feet from the Southerly line of said Section 26.

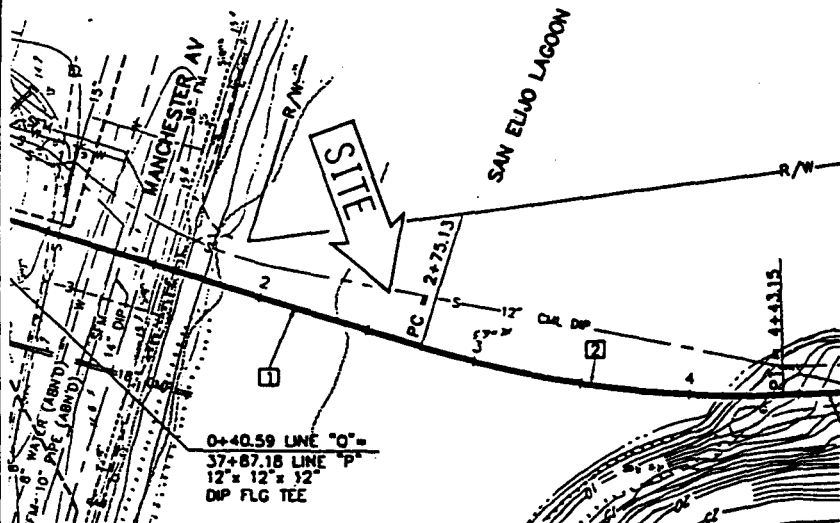
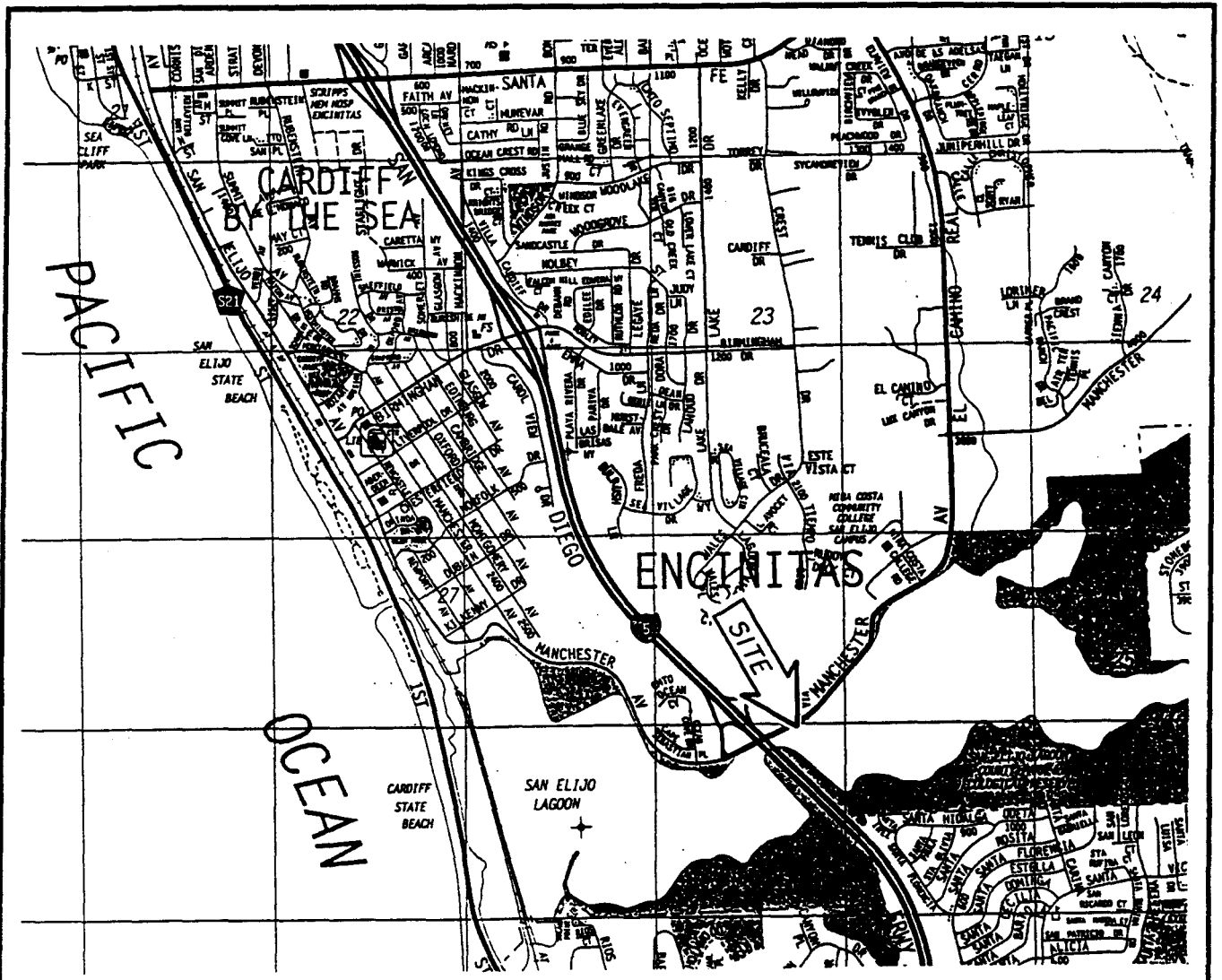
Prepared By:

  
Reginald Dale Harvey, Jr.  
Professional Land Surveyor, No. 5292  
Expires 12/31/95



12-1-95  
Date

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**RECLAIMED WATER DATA TABLE**

NO.	BEARING/DELTA	RADIUS	LENGTH	DESCRIPTN
1	N23°04'41"W		234.54'	12" HDPE
2	Δ= 197°5'13"	500.00'	168.02'	12" HDPE
3	N42°19'54"W		215.25'	12" HDPE
4	N42°19'54"W		81.06'	12" PVC CL
5	N66°49'54"W		38.08'	12" PVC CL
6	N46°19'54"W		422.45'	12" PVC CL

**EXHIBIT "B"**  
**W20725.401 SITE MAP**  
**GENERAL LEASE PUBLIC AGENCY**  
**SAN ELIJO JOINT**  
**POWERS AUTHORITY**  
**SAN DIEGO COUNTY**



## RESOLUTION NO. 93-2

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SAN ELIJO JOINT POWERS AUTHORITY  
CERTIFYING A FINAL ENVIRONMENTAL IMPACT  
REPORT AND APPROVING THE IMPLEMENTATION  
OF THE RECLAIMED WATER TREATMENT,  
DISTRIBUTION AND STORAGE FACILITIES

WHEREAS, a Final Environmental Impact Report (FEIR), identified as State Clearinghouse No. 92091009, has been presented to the Board of Directors of the San Elijo Joint Powers Authority as the decision-making body of the Lead Agency having jurisdiction over the proposed Reclaimed Water Treatment, Distribution and Storage System; and

WHEREAS, the Joint Powers Authority's (JPA) independent Environmental Consultant, Dudek & Associates, has prepared the FEIR for the proposed Reclaimed Water Treatment, Distribution and Storage System and the document contains all comments received during the Public Comment Period for the Draft EIR along with appropriate responses and the FEIR has been updated based on the comments received and additional information has been provided as an errata and in the Appendices; and

WHEREAS, a noticed public hearing was conducted by the JPA on March 11, 1993, in order to receive all public testimony and all written and oral comments in response thereto with respect to the draft EIR and final EIR; and

WHEREAS, an initial study and draft Mitigated Negative Declaration ("MND") was prepared for the project and sent out for public review in August of 1992; and

WHEREAS, based on comments received during the public review period for the Draft MND, the Board directed staff to prepare a focused Environmental Impact Report to more fully investigate alternatives to the proposed project as well as

the project impacts to biological resources, erosion/sedimentation, and cultural resources; and

WHEREAS a draft EIR was prepared for the proposed Reclaimed Water Treatment, Distribution and Storage System and environmental impacts in compliance with CEQA, the CEQA Guidelines, and the JPA's environmental review procedures specified in Resolution No. 90-4 implementing CEQA; and

WHEREAS, the draft EIR was made available to the public, responsible agencies and other interested persons for their review and comments from January 7, 1993 to February 19, 1993 as required by CEQA, the CEQA Guidelines, and the JPA's environmental review procedures; and

WHEREAS, written comments were received on the draft EIR; and

WHEREAS, these comments were responded to in writing as required by CEQA, the CEQA Guidelines, and the JPA's environmental review procedures; and

WHEREAS, the final EIR consists of:

1. The draft EIR released on January 7, 1993;
2. The mitigated negative declaration dated September 1992, incorporated by reference in the draft EIR;
3. The initial study dated September 1992, included in the mitigated negative declaration;
4. The Notice of Preparation dated November 1992, included in the draft EIR;
5. The responses to the Notice of Preparation (various dates) included in the draft EIR;
6. The comments received on the draft EIR during the public review period included in the final EIR;
7. The final EIR including the response to comments received during the public review period;



WHEREAS, the JPA has reviewed and considered all material comprising the final EIR and has found that the final EIR describes all environmental impacts of the proposed Reclaimed Water Treatment, Distribution and Storage System and is complete and adequate and fully complies with all requirements of CEQA, the CEQA Guidelines, and the JPA's environmental review procedures;

WHEREAS, the JPA has independently reviewed and analyzed the EIR; and

WHEREAS, the final EIR reflects the independent judgment of the JPA;

II.

NOW, THEREFORE, BE IT RESOLVED, found and determined by the San Elijo Joint Powers Authority in a public hearing assembled on March 11, 1993, that:

A. The findings contained in the statement of findings and facts in support thereof with respect to the significant impacts identified in the final EIR are true and correct, and are based upon substantial evidence in the record, including documents comprising the final EIR. The statement of findings and facts in support thereof is attached hereto as Exhibit 1 and is incorporated herein by this reference as if set forth in full.

B. The final EIR has identified all potentially significant environmental effects of the proposed Reclaimed Water Treatment, Distribution and Storage System and there are no known potentially significant environmental effects not addressed in the final EIR.

C. All potentially significant effects of the Reclaimed Water Treatment, Distribution and Storage System are set forth in the statement of findings and facts in support thereof.

D. Although the final EIR identifies certain potentially significant environmental effects that would result if the Reclaimed Water Treatment, Distribution and Storage System are approved, all significant effects that can feasibly be avoided or mitigated will be avoided or mitigated by the

implementation of the Reclaimed Water Treatment, Distribution and Storage System and the implementation of mitigation measures as set forth in the statement of findings of facts, the final EIR and the Mitigation, Monitoring and Reporting Program attached as an exhibit to this resolution.

E. Potential mitigation measures and project alternatives not incorporated into or adopted as part of the Reclaimed Water Treatment, Distribution and Storage System were rejected as infeasible, based upon specific economic, social, or other considerations as set forth in the statement of findings of fact in support thereof and in the record of proceedings.

F. The mitigation measures outlined in the Mitigation, Monitoring and Reporting Program attached to this resolution as Exhibit 2 are hereby made conditions of approval of the project.

G. The final EIR has described the alternatives to the Reclaimed Water Treatment, Distribution and Storage System, even when those alternatives might impede the attainment of the Reclaimed Water Treatment, Distribution and Storage System's objectives and might be more costly. The JPA finds that a good faith effort was made to incorporate alternatives in the preparation of the final EIR and a range of reasonable alternatives were considered in the review process of the final EIR and the ultimate decision on the Reclaimed Water Treatment, Storage and Distribution System.

H. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the final EIR as indicated in the public record on the Reclaimed Water Treatment, Distribution and Storage System.

I. During the public hearing process on the Reclaimed Water Treatment, Distribution and Storage System the JPA evaluated a range of alternatives, and the Reclaimed Water Treatment, Distribution and Storage System

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as recommended for approval by this Resolution is included within that range of alternatives.

J. In addition to the comments received, the JPA considered:

1. The staff report presented to the JPA for their meeting on March 11, 1993; and
2. The Final Environmental Impact Report Document and Appendices dated March 1993; and
3. Oral evidence received from the public and staff submitted at the hearing on March 11, 1993; and
4. Written evidence submitted during the noticed comment period and at the hearings; and

K. The JPA finds that the FEIR has been completed in compliance with CEQA and that the Final Environmental Impact Report for the Reclaimed Water Treatment, Distribution and Storage System is hereby certified.

L. The Proposed Reclaimed Water Treatment, Distribution and Storage System is hereby approved, subject to the mitigation, monitoring, and reporting program.

M. The JPA Manager is hereby directed to file a Notice of Determination with the County Clerk of the County of San Diego.

PASSED AND ADOPTED this 11th day of March, 1993, by the following vote,

to wit:

AYES: *Davis, Hano, Tompkins, Bentaria*

NAYS: *0*

ABSENT: *0*

ABSTAIN: *0*

By:

*John Davis*  
John Davis, Chair of the Board

ATTEST:

*J. S. Murk*  
John Murk, JPA Manager

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**NOTICE OF DETERMINATION**

**930328**

TO: Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: San Elijo Joint Powers Authority  
1925 Palomar Oaks Way, Suite 300  
Carlsbad, CA 92008

County Clerk  
County of San Diego  
1600 Pacific Coast Highway  
San Diego, CA 92101

F I L E D  
Annette J. Evans, Clerk

F I L E D  
Annette J. Evans, Clerk

JUN 04 1993

JUN 03 1993

BY [Signature]  
DEPUTY

BY \_\_\_\_\_  
DEPUTY

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

San Elijo JPA Reclaimed Water Treatment, Distribution, and Storage System.  
Project Title

SCH. NO 92091009      Kellene M. Burn-Lucht, Assistant JPA Manager      (619) 438-7755  
State Clearinghouse Number      Contact Person      Phone

The project is located in the Cities of Encinitas, Solana Beach and Del Mar.  
Project Location

Project Description:

Construction of reclaimed water treatment facilities on the San Elijo Water Pollution Control Facility (WPCF) site, approximately 93,550 linear feet of pipeline to deliver reclaimed water to markets throughout the service area and two reclaimed water tanks along the alignment of the pipeline.

This is to advise that the San Elijo JPA has approved the above described project on March 11, 1993 and has made the following determinations regarding the above described project:

1. The project    will,  will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified pursuant to the provisions of CEQA. A Negative Declaration was also prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures  were,    were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations    was,  was not adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

San Elijo Joint Powers Authority, c/o Camp Dresser and McKee Inc.,  
1925 Palomar Oaks Way, Suite 300, Carlsbad, CA 92008

Date Received for Filing and Posting at OPR \_\_\_\_\_

[Signature]  
Signature (Public Agency)

[Signature]  
Title

sanelijo\mem&note\recl\_eir.nod

FILED IN THE OFFICE OF THE COUNTY CLERK		JUN 04 1993	
SAN DIEGO COUNTY ON		CALENDAR PAGE	
POSTED JUN 04 1993		160	
RETURNED TO AGENCY ON		7 MINUTE PAGE	
DEPUTY <u>[Signature]</u>		000354	

STATEMENT OF FINDINGS AND FACTS

The San Elijo Joint Powers Authority (JPA), in certifying the Reclaimed Water Treatment, Distribution and Storage System final Environmental Impact Report for the San Elijo Joint Powers Authority (hereinafter referred to as the "FEIR") makes the following findings which are supported by the corresponding facts pursuant to California Environmental Quality Act (CEQA) Guideline Section 15091.

## I

BACKGROUNDA. Project Description and Required Approval

The proposed project consists of the addition of water reclamation facilities including flocculation basins, filters, disinfection basins, and two pump stations at the San Elijo Water Pollution Control Facility (WPCF) and the construction of a distribution system for reclaimed water to proposed reclaimed markets in an area generally bounded by La Costa Avenue, Carmel Valley Road, El Camino Real and the Pacific Ocean.

The proposed water reclamation facilities would only operate at the capacity required to meet reclaimed water demands. The capacity of the water reclamation facilities would be established to meet the peak season demands over a 7 day, 24 hour production cycle. This is anticipated to be 3.5 million gallons per day (MGD).

Distribution of the reclaimed water generated at the San Elijo WPCF would be accomplished by approximately 93,550 linear feet of pipeline, five pump stations and two reclaimed water storage tanks. Two of the proposed pump stations would be located at the San Elijo WPCF and the remaining three pump

stations and two reclaimed water storage tanks would be located along the proposed pipeline alignment for daily operation.

The San Elijo Joint Powers Authority is responsible for the construction of the water reclamation system and must authorize the proposed project and its funding allocation.

B. The Environmental Documentation

The San Elijo WPCF currently occupies 7 acres of the 27 acre site. In 1990, the San Elijo Joint Powers Authority authorized the San Elijo Basin Water Reclamation Feasibility Study which was prepared by Dudek & Associates. A subsequent report entitled the Facilities Plan Report was completed by Dudek & Associates in 1992 to further define the proposed project. The Facilities Plan Report forms the basis for the project that is described in the environmental documents.

An initial study was prepared in September 1992. Based on the initial study, a draft Mitigated Negative Declaration (MND) was prepared and sent out for public review in September of 1992. Based on the comments received during the public review period for the Draft MND, the San Elijo Joint Powers Authority directed staff to prepare a focused Environmental Impact Report to more fully investigate the alternatives to the proposed project as well as project impacts to the biological resources, erosion/sedimentation, and cultural resources. The Initial Study and Mitigated Negative Declaration were incorporated by reference within the EIR.

The Notice of Preparation of the EIR was released to the Public on November 17, 1992. The Notice of Preparation, and the responses to the notice of preparation can be found in the FEIR as Appendix A to the Draft EIR.

The draft EIR [SCH No. 92091009] was prepared by Dudek & Associates and was released to the public on January 7, 1993. Comment letters were received and

responses to the comments have been included in the final EIR. The final EIR for the Reclaimed Water Treatment, Distribution and Storage System consists of the following components:

1. The draft EIR released on January 7, 1993;
2. The mitigated negative declaration dated September 1992, incorporated by reference in the draft EIR;
3. The initial study dated September 1992, included in the mitigated negative declaration;
4. The Notice of Preparation dated November 1992, included in the draft EIR;
5. The responses to the Notice of Preparation (various dates) included in the draft EIR;
6. The comments received on the draft EIR during the public review period included in the final EIR;
7. The final EIR including the response to comments received during the public review period;
8. The Mitigation, Monitoring and Reporting Program, as amended by the final EIR [attached hereto as Exhibit 2 and incorporated herein by this reference].

## II

### CONSIDERATION OF POTENTIAL ADVERSE IMPACTS

The California Environmental Quality Act (CEQA) and the state CEQA Guidelines promulgated pursuant thereto provide:

"(a) No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The possible findings are:



1. Changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.

3. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR (section 15091 of the Guidelines)."

A. Issues Found to Have No Potential For Significant Adverse Impact Based on the Evaluation in the Final EIR.

The analysis presented in the final EIR for the Reclaimed Water Treatment, Distribution, and Storage System determined that the issues discussed below were found to have no potential for significant adverse impacts:

1. Light & Glare
2. Natural Resources
3. Housing
4. Energy
5. Utilities
6. Recreation
7. Public Services
8. Growth Inducement

B. Mitigable Impacts and Mitigation Measures.

The analysis in the final EIR for the Reclaimed Water Treatment, Distribution, and Storage System determined that the issues discussed below can be fully mitigated to below a level of insignificance by adopting mitigation measures and/or incorporating changes into the proposed project. The mitigable impacts, mitigation measures and the changes required to mitigate them are

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discussed below. The mitigation measures will be monitored by the JPA through adoption of a Mitigation, Monitoring and Reporting Program which is provided as a separate exhibit to the JPA's resolution. Each mitigation measure will be made a condition of approval of the project, and the project will be monitored and implemented by the JPA as part of its ongoing implementation program for the Reclaimed Water Treatment, Distribution, and Storage System.

The issues that can be mitigated to a level of insignificance by adopting and implementing mitigation measures and project changes are as follows:

1. Biological Resources

Significant Effect

The final EIR identifies potential indirect noise impacts to California gnatcatcher and losses of native vegetation at the San Elijo WPCF site and the San Elijo Lagoon crossing under the eastern edge of the I-5 right-of-way.

Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

A focused survey for the gnatcatcher will be conducted in the patch of coastal sage scrub immediately southeast of the proposed construction area at the San Elijo WPCF prior to construction activities that result in excessive noise. If the gnatcatcher is present, all construction activities which generate noise levels in excess of 65 DBA within the coastal sage scrub will be prohibited during the breeding season (February 1 to July 31).

Additionally, any construction activities crossing the lagoon will be prohibited during the breeding season (February 1 to July 31).

The generator used during the guided boring process should be a "low-noise" generator surrounded by baffling material. Any direct impacts which cannot be avoided by boring and directional drilling will be mitigated by implementation of a revegetation plan which includes monitoring and maintenance.

## 2. Cultural/Paleontological Resources

### Significant Effect

The final EIR identifies potential impacts to 15 cultural sites and the potential to impact paleontological resources.

### Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

### Fact in Support of Finding

An archeologist will be present during trenching activities and a paleontologist will be present during original cutting of undisturbed sedimentary rocks. Data recovery programs will be implemented if it is determined that significant resources exist. As a condition of project approval, cultural sites will be tested prior to commencement of any construction work.

## 3. Erosion/Sedimentation

### Significant Effect

The final EIR identifies potential geologic constraints that may be associated with jacking and boring or directional drilling beneath San Elijo Lagoon. Temporary water or wind erosion impacts may occur during construction.

### Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

A geologic investigation will be completed prior to construction and identified measures to mitigate for potential geologic impacts shall be incorporated into project design. Standard erosion control measures such as sandbagging, vegetation planting and watering will be developed prior to and implemented during construction.

Final engineering design will be reviewed by the San Elijo Lagoon Conservancy and approved by the California Coastal Commission, Army Corps of Engineers, U.S. Fish & Wildlife Service, California Department of Fish & Game, State Lands Commission, and State and County park services to ensure that the proposed guided boring will be not impact future dredging activities.

**4. Air**

Significant Effect

The final EIR identifies potential temporary air pollution impacts associated with construction activities which may occur during project implementation.

Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

Dust suppression by watering or other dust control measure will be implemented. Enforcement of a 20 mile-per-hour speed limit on unpaved surfaces to reduce dust generation shall be required.

## 5. Water

### Significant Effect

The final EIR identifies the potential for groundwater discharges into surface waters.

### Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

### Fact in Support of Finding

The applicant or project engineer will work directly with the Regional Water Quality Control Board to obtain the necessary approvals to dispose of groundwater if encountered during project implementation.

## 6. Noise

### Significant Effect

The final EIR identifies potential indirect long term noise impacts associated with pump station operations.

### Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

### Fact in Support of Finding

Specific site plans and building plans for the Leucadia Boulevard/Ecke Mesa and Santa Fe Drive/Gardena Road pump stations will be reviewed to ensure that the stations are designed so the noise will not exceed the City's noise limits.

7. Land Use

Significant Effect

The final EIR identifies potential disruption of activities on properties in proximity to the proposed pipeline.

Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

Measures to mitigate potential land use impacts are associated with Air Quality, Noise and Transportation/Circulation issues and may be found in those sections.

8. Risk of Upset

Significant Effect

The final EIR identifies a potential risk of upset due to the use of polymers and increased use of chlorine for tertiary treatment.

Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

To avoid potential impacts associated with the use of potentially hazardous chemicals, a leak detection system, spill containment devices, and air scrubbers shall be incorporated into the proposed project. San Elijo WPCF will prepare an emergency response plan for the accidental release of hazardous substances which shall be submitted to the Department of Health Services and County Fire Marshall for their review and approval. San Elijo WPCF operators are

trained in the proper handling of these chemicals and in appropriate emergency response procedures.

## 9. Transportation/Circulation

### Significant Effect

The final EIR identifies potential impacts to circulation resulting from construction of reclaimed water pipelines in existing roadways.

### Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

### Fact in Support of Finding

Construction shall be conducted in phases. In areas where detours are not avoidable, detour plans shall be submitted to the City Engineering Department of the City being affected for review and approval. Access to all properties adjacent to the pipeline route will be maintained at all times. Traffic engineering designs will be submitted to City Engineering Department of the City being affected to document that traffic flows will be maintained at acceptable levels of service. Safe pedestrian and bicycle routes shall be provided where the project would affect existing routes.

## 10. Human Health

### Significant Effect

The final EIR identifies potential health hazards associated with the proposed project.

### Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

Containment and neutralization facilities will be incorporated into the project. Operational programs such as leak detection systems will be incorporated into the design. San Elijo WPCF operators are trained in the proper handling of these chemicals and in appropriate emergency response procedures.

11. Aesthetics

Significant Effect

The final EIR identifies potential visual quality impacts both on the WPCF site and along the alignment.

Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

Design plans for the WPCF shall include landscape screening. Construction of a storage reservoir at Highland and Lomas Santa Fe Road shall require an MUP from the City of Solana Beach. As part of the MUP process, design plans shall be reviewed by the City and measures such as below ground construction or landscape screening shall be incorporated in the project design to reduce visual impacts.

12. Cumulative Effects

Significant Effect

The final EIR identifies potential incremental impacts to biological, cultural/paleontological resources and erosion and sedimentation.



Finding

Changes or alterations have been incorporated into the project which avoid or substantially lessen the above referenced significant environmental effects, as identified in the final EIR and its components.

Fact in Support of Finding

The incremental impacts to biological resources are not significant if the mitigation outlined in the biological section is implemented. No loss of cultural resources will occur because a data recovery program will be implemented. Enhanced erosion control measures will avoid any increase in sedimentation to the lagoon.

III

C. Unavoidable Impacts Which Cannot Be Reduced Below a Significant Level.

All potentially significant impacts of the proposed project can be mitigated to below a level of significance by the project and implementation of the Mitigation, Monitoring and Reporting Program.

IV

ALTERNATIVES EVALUATION

A. NO PROJECT (EIR Section 7.1)

The "no project" alternative is a default alternative required to be included in the analysis by CEQA Guidelines Section 15126 (d) (2). Adoption of the no project alternative would maintain current secondary treatment of wastewater at the San Elijo WPCF and the treated effluent would continue to be discharged into the Pacific Ocean through the existing ocean outfall.

The Board finds that although potential impacts to biological and cultural/paleontological resources associated with construction of the proposed project would be eliminated, potential reclaimed water markets would continue to

use potable water for irrigation purposes. Recurring drought conditions and continuing arid climate conditions affect the amount of water available. The amount of water available in the future may not be sufficient to meet the needs of all customers in the reclaimed water market area.

The Board further finds that all significant impacts from the proposed project will be mitigated by the project and the adoption of the mitigation measures as outlined in the Mitigation, Monitoring and Reporting Program attached as Exhibit 2 to this Resolution.

#### B. ALTERNATIVE PIPELINE INSTALLATION METHODS

Three different construction methods were analyzed to lay the pipeline across the San Elijo Lagoon.

1. Proposed Project-Jacking and boring and/or directional drilling underneath the lagoon under the berm along the eastern edge of the I-5 right-of-way.

The Board finds that this alternative would result in the direct loss of .01 acres of already disturbed habitat. The Board finds that indirect noise impacts will occur during the construction period.

The Board further finds that all significant impacts from the proposed project will be mitigated by the project and the adoption of the mitigation measures as outlined in the Mitigation, Monitoring and Reporting Program attached as Exhibit 2 to this Resolution.

2. Attaching the distribution pipeline to the I-5 bridge.

The Board finds that this alternative would result in an increase in significant impacts in noise during construction and the direct impact of .5 acres of coastal sage scrub for laying the pipeline within the berm.

The Board further finds that this alternative has been rejected by CALTRANS and is therefore not feasible.

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The Board further finds that all significant impacts from the proposed project will be mitigated by the project and the adoption of the mitigation measures as outlined in the Mitigation, Monitoring and Reporting Program attached as Exhibit 2 to this Resolution.

3. Trenching along the western side of the I-5 right-of-way.

The Board finds that CALTRANS will only permit this alternative if the pipe is laid at the very edge of the right-of-way. The edge of the right-of-way is currently undisturbed.

The Board further finds that this alternative would result in greater impacts than the proposed project and is therefore not feasible.

C. ALTERNATIVE PIPELINE ROUTES

The proposed reclaimed water pipeline alignment was planned to the maximum extent possible within existing streets while still providing reclaimed water to all markets within the proposed distribution area. Impacts from the proposed pipeline result from the proposed crossing of the San Elijo Lagoon along the CALTRANS Right of Way. Alternatives were considered to try to avoid the impacts associated with crossing the lagoon.

A. Cross the Lagoon Along the Highway 101 Right-of-Way

The Highway 101 Right-of-Way is located at the mouth of the lagoon. The Board finds that in order to implement this alternative would require temporary closure of at least one lane of traffic resulting in some congestion. Rail service would be interrupted unless pipe jacking methods were implemented to install the pipe under the railroad.

The Board further finds that the construction period for this alternative would be longer which would result in indirect impacts to sensitive species over a longer time period than the proposed project.

The Board further finds that this alternative would reduce potential sedimentation impacts but increase the impacts to cultural resources because four additional sites would be impacted with the implementation of this alternative.

The Board further finds that all significant impacts from the proposed project will be mitigated by the project and the adoption of the mitigation measures as outlined in the Mitigation, Monitoring and Reporting Program attached as Exhibit 2 to this Resolution.

B. Do Not Cross the Lagoon

The Board finds that not crossing the lagoon would eliminate the ability to serve reclaimed water market users south of the lagoon. Elimination of potential markets south of the lagoon would make the project economically not feasible since the users south of the lagoon make up approximately 39% of the potential reclaimed water market. This alternative would therefore not meet project objectives.

The Board further finds that all significant impacts from the proposed project will be mitigated by the project and the adoption of the mitigation measures as outlined in the Mitigation, Monitoring and Reporting Program attached as Exhibit 2 to this Resolution.

D. ALTERNATIVE SOURCES OF WATER

Alternative sources of water for irrigation purposes were considered in the EIR.

A. Groundwater

The used of groundwater for irrigation purposes was considered. The Board finds that this alternative is infeasible due to low groundwater quality.

B. Purchase of Water from Escondido

The possibility of purchasing reclaimed water from Escondido's Hale facility was considered.

The Board finds that the availability of reclaimed water from Escondido is speculative.

The Board further finds that this alternative would be less economical.

The Board further finds that this alternative would not reduce the impacts associated with construction of the distribution system since the distribution system would still have to be constructed.

V

SUMMARY

The Board finds that all environmental issues can be and will be mitigated below a significant level by implementing the project and mitigation measures identified in the above analysis of environmental issues.

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**SAN ELIJO JPA  
MITIGATION, MONITORING, AND  
REPORTING PROGRAM**

**RECLAIMED WATER TREATMENT,  
DISTRIBUTION AND STORAGE SYSTEM**

**Lead Agency:**

**San Elijo Joint Powers Agency  
1925 Palomar Oaks Way, Suite 300  
Carlsbad, CA 92003  
(619) 438-7755**

**Contact: Kelli Burn-Lucht**

**March 1993**

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## SECTION 1 - INTRODUCTION

### 1.1 PROPOSED PROJECT

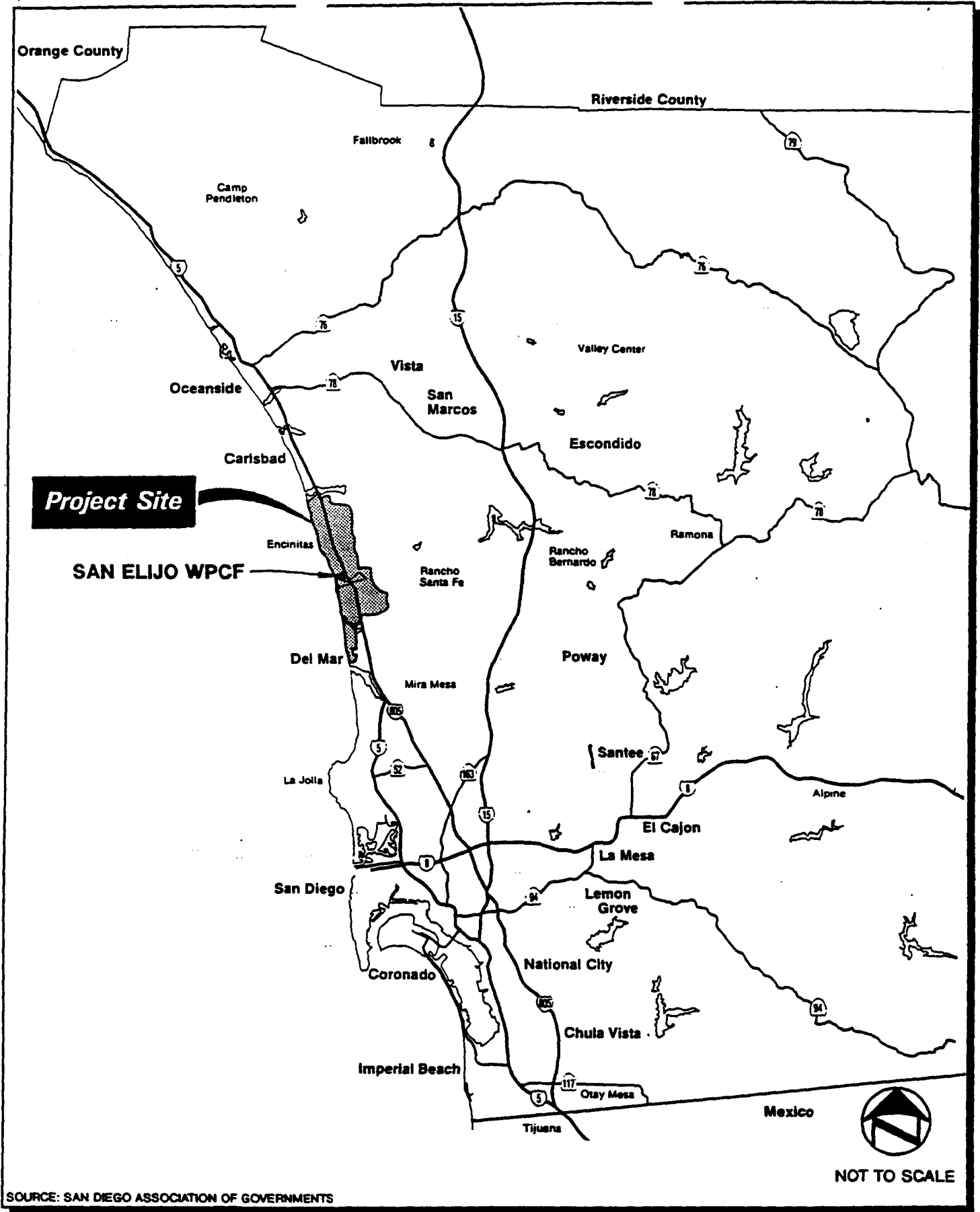
The San Elijo Joint Powers Authority (JPA) owns and operates the San Elijo Water Pollution Control Facility (WPCF) located in the City of Encinitas in coastal north San Diego County (see Figure 1 Regional Map). The proposed project consists of the addition of water reclamation facilities including flocculation basins, filters, disinfection basins, a storage reservoir, and two pump stations at the San Elijo WPCF and the construction of a distribution system to proposed reclaimed water markets located in an area generally bounded by La Costa Avenue, Via de La Valle, El Camino Real, and the Pacific Ocean. The area described will be referred to in this document as the proposed reclaimed water distribution area (see Figure 1).

The proposed water reclamation facilities would only operate at the capacity required to meet reclaimed water demands. The capacity of the water reclamation facilities would be established to meet the peak season demands over a 7-day, 24-hour production cycle. This is anticipated to be 3.5 MGD.

Reclaimed water produced at the San Elijo WPCF would meet the Water Reclamation Criteria and the Waste Discharge Requirements established by the Regional Board using coagulation, flocculation, filtration and disinfection. In January 1988, the Department of Health Services (DOHS) issued a policy statement for wastewater reclamation plants with direct filtration which eliminated the need for sedimentation if certain disinfection criteria are met.

Distribution of the reclaimed water generated at the San Elijo WPCF would be accomplished by approximately 93,550 linear feet of pipeline, five pump stations, and three reclaimed water storage tanks. New distribution pipelines would extend to serve proposed reclaimed water markets throughout the proposed reclaimed water distribution area. Two of the proposed pump stations and one of the proposed reclaimed water storage tanks would be located at the San Elijo WPCF for seasonal operation of the water reclamation system. The remaining three proposed





San Elijo JPA-Reclaimed Water System

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**Regional Map**

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FIGURE

180 1

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pump stations and two reclaimed water storage tanks would be located along the proposed pipeline alignment for daily operation (see Figure 2).

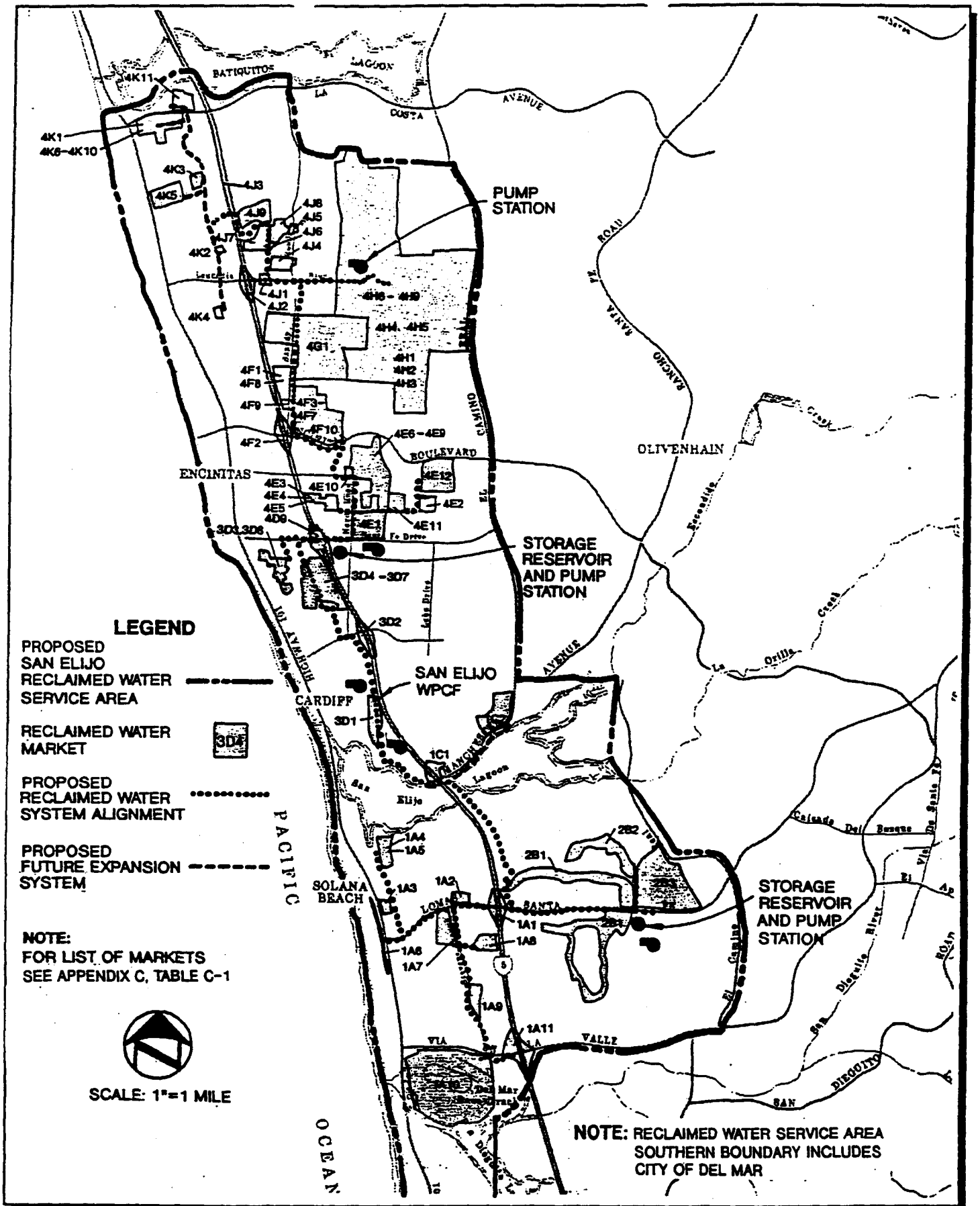
## 1.2 POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

An EIR has been prepared (State CEQA Guidelines Section 15163) which addresses the current proposed Project. This EIR focused on environmental issues which were determined to be potentially significant by the San Elijo JPA. The three issues analyzed on the EIR include: biological resources, sedimentation/erosion and cultural/paleontological resources.

The environmental analysis concluded that project-related significant and potentially significant environmental impacts to sensitive and general wildlife in the San Elijo Lagoon, plant communities, cultural sites and paleontological resources would be reduced to a level below significance through implementation of recommended mitigation measures.

The San Elijo JPA is required by Assembly Bill 3180 (AB 3180) to monitor mitigation measures presented in certified EIRs for impacts identified as significant or potentially significant. In accordance with AB 3180, this Mitigation, Monitoring and Reporting Program has been prepared to monitor mitigation measures for potential significant impacts in the following areas:

- Biological Resources
- Cultural/Paleontological Resources
- Erosion/Sedimentation
- Air Quality
- Water
- Noise
- Risk of Upset
- Transportation/Circulation
- Human Health



- LEGEND**
- PROPOSED SAN ELIJO RECLAIMED WATER SERVICE AREA ————
  - RECLAIMED WATER MARKET 3D4
  - PROPOSED RECLAIMED WATER SYSTEM ALIGNMENT - - - - -
  - PROPOSED FUTURE EXPANSION SYSTEM - - - - -

**NOTE:**  
FOR LIST OF MARKETS  
SEE APPENDIX C, TABLE C-1

  
SCALE: 1"=1 MILE

**NOTE:** RECLAIMED WATER SERVICE AREA  
SOUTHERN BOUNDARY INCLUDES  
CITY OF DEL MAR

San Elijo JPA-Reclaimed Water System, **FIGURE 182**  
 Proposed Facilities and Markets **376**  
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## SECTION 2 - PROGRAM OVERVIEW

### 2.1 NATURE AND PURPOSE OF THE PROGRAM

As intended by AB 3180, this program establishes a framework to ensure that the identified mitigation measures for the proposed project are carried out and reach their desired effectiveness. It is fully recognized that additional mitigation measures and more detailed monitoring procedures may be established for the project by regulatory agencies with discretionary permit authority. These mitigation and monitoring procedures will be explicitly defined on project permits and this plan does not purport to be an exhaustive description of all associated monitoring requirements. Also additional changes may be made to this program as San Elijo JPA, City of Encinitas, City of Solana Beach, City of Del Mar, City of San Diego, County of San Diego and other regulatory agencies with the authority to enforce or otherwise regulate the construction and or operation of the reclaimed water, receive specific information regarding the effectiveness of the mitigation and monitoring efforts. Although issues discussed in the MND were found not to be significant, the MND contained mitigation measures that are required to alleviate potential impacts. These mitigation measures are a part of this program.

### 2.2 MONITORING PARTICIPANTS

A key to successful implementation of a monitoring program is the clear definition of the organizational framework and lines of communication among monitoring team members, the JPA, other responsible agencies and the contractor. Figure 3 shows the relationship of the monitoring team with respect to the JPA, other responsible agencies and the contractor.

The JPA will implement the program. In this role, the JPA will identify a staff person or hire a consultant who will function as the project's Mitigation Compliance Coordinator (MCC). The responsibilities of the MCC throughout the monitoring effort include the following:

**SAN ELIJO JOINT POWERS AUTHORITY  
LEAD AGENCY/APPLICANT/OWNER**

➤ **CONTACT: KELLI BURN-LUCHT**

**OTHER  
RESPONSIBLE  
AGENCIES**

- US Army Corps of Engineers
- US Fish and Wildlife Service
- CA Coastal Commission
- CA Department of Fish and Game
- County Department of Parks and Recreation
- CA Department of Parks and Recreation
- Regional Water Quality Control Board
- City of Encinitas
- CA State Lands Commission
- City of Solana Beach
- CA Department of Water Resources

**MITIGATION COMPLIANCE  
COORDINATOR**

➤ **CONTACT: KELLI BURN-LUCHT**

**ENVIRONMENTAL MONITORS**

- Resource Biologist
- Archaeologist/Paleontologist

**Mitigation, Monitoring & Reporting  
Program Management**

Figure 3

- Overall implementation and management of the monitoring program including establishing the team of technical monitors.
- Quality control of site development
- Administration and preparation of daily logs, status reports, compliance reports, final construction monitoring report, and other required reports.
- Ensure mitigation measures are being implemented on schedule
- Liaison with responsible agencies (including the San Elijo JPA, U.S. Army Corps of Engineers (ACOE), U.S. Department of Fish and Wildlife (USFWS), California Coastal Commission, California Department of Parks and Recreation, California Department of Fish and Game (CDFG), County of San Diego Parks and Recreation, the City of Encinitas and the City of Solana Beach.
- Monitoring of on-site, day to day activities
- Ensure contractor knowledge of and compliance with all appropriate permit conditions
- Review all construction impact mitigation measures and if need be, propose additional mitigation. Modifications of mitigation measures must be approved by the JPA prior to their implementation
- Provide workable solutions to unexpected environmental problems in a timely manner such that the affected resource is protected to the extent possible, and no unnecessary delays in the project result
- Have the authority to require correction of activities observed that violate project environmental conditions or that represent unsafe or dangerous conditions

- Maintain prompt and regular communication with the on-site construction personnel and the San Elijo JPA.
  
- Be a point of contact for any affected persons who wish to register observations of environmental permit violations and/or unsafe conditions, receive any complaints. Immediately contact the JPA and the contractor's onsite representative, verify any such observations and develop any necessary for corrective actions in consultation with the San Elijo JPA.

**2.3 MEETINGS AND SCHEDULING**

A pre-construction meeting should take place between all the agencies and individuals to initiate the Mitigation, Monitoring, and Reporting Program and to establish the responsibility and authority of the participants. Mitigation measures which need to be defined in greater detail or modified will be addressed and approved by the JPA, in consultation with the City of Encinitas, and other regulatory agencies as described in Section 3.0 of this program.

Construction activities within the project area should be scheduled each month by the contractor for the following month. At the monthly scheduling meeting, the contractor will distribute a "Three-Month Schedule" handout which will identify construction activities, equipment, and areas to be worked in for up to three months in advance; however, the primary focus would be on scheduling the following month's activities. The MCC will refer to the work schedule and identify where monitoring is necessary. Through regular telecommunication with the contractor, the MCC shall verify that the construction activities remain as scheduled. Persons who attend the meeting would generally include the MCC, JPA and various City of Encinitas, USFWS, State and County Parks and Recreation and contractor personnel.

**2.4 REPORTING**

An effective reporting system will be established prior to any monitoring efforts. All parties involved must have a clear understanding of the mitigation measures as adopted and these

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mitigation measures must be distributed to the monitoring team (see Figure 3). Those that would have a complete list of all the mitigation measures adopted by the JPA, include the JPA, MCC, U.S. Army Corps of Engineers, USFWS, State and County Parks and Recreation, and Contractor personnel. The MCC will distribute to each monitoring team member, a specific list of mitigation measures that pertain to his or her monitoring tasks and the appropriate time frame that these mitigation measures are to be implemented. In addition to the list of mitigation measures, the monitors will receive Environmental Compliance Reports (ECRs) with each mitigation written out on the top of the form (Figure 4). Below the stated mitigation measure, the form will have a series of questions addressing the effectiveness of the mitigation measure. The monitor shall complete the ECR and the MCC shall file it with the JPA following their monitoring activity. In addition, all monitors will be required to fill out and submit a daily monitoring log report to the MCC (Figure 5). The log report will be used to record and account for all monitoring activities. Weekly/Monthly status reports, as determined appropriate, will be generated from the log reports, compliance reports and will include supplemental material (i.e., memoranda, telephone logs, letters). This type of feedback is essential for the JPA to confirm the implementation of the mitigation measures imposed on the project.

A final report will be prepared following construction of the proposed project. The report will describe the monitoring activities which have occurred, the observations made, the success of the mitigation measures and recommendations for future mitigation monitoring plans. The report will also clearly identify the necessary monitoring activities which must continue during the operation of the project and identify their implementation procedures. The final report will be filed with the JPA.

## 2.5 COMPLIANCE CRITERIA

It is essential to minimize, the extent possible, the degree of subjective judgment involved in the decisions on condition compliance in the field. Prior to the field start-up, the MCC will work with the JPA and the Contractor in finalizing compliance criteria (see Section 3) for the project based on the following categories:



San Eljo Joint Powers Authority  
Interagency Environmental Compliance Program Report

Compliance  
 Noncompliance

DATE:		REPORT NUMBER:	
LOCATION: _____ _____ _____ _____		DISCIPLINE:	
MITIGATION MEASURE: _____ _____ _____			
COMPLIANCE: <input type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable <input type="checkbox"/> Follow-up Required			
OBSERVATIONS: _____ _____ _____ _____ _____ _____ _____			
RECOMMENDATIONS: _____ _____ _____			
BY (Monitor):		REPORT APPROVAL (Planning Department):	
RECEIPT BY: Signature: _____ Date: _____ Time: _____ <p style="text-align: center;">San Eljo Joint Powers Authority</p>			
COMMENTS/ACTIONS: _____ _____ _____ _____ _____ _____			
COPY ISSUED:		<input type="checkbox"/> JPA <input type="checkbox"/> Permittees	
Date Entered to City Compliance Tracking Systems: _____		CALENDAR PAGE 188 MINUTE PAGE 000382	

DAILY FIELD LOG

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_ PAGE: \_\_\_\_ OF \_\_\_\_

LOC:	ACTIVITY:	TIME:

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**Category 1:** Non-compliance requiring an immediate halt to a specific activity

**Category 2:** Infraction that initiates an immediate corrective action. No activity delay.

**Category 3:** Infraction that does not warrant immediate corrective action and results in no activity delay

## **2.6 ENFORCEMENT**

There are a number of options the JPA and other regulatory agencies may use to enforce this Program should non-compliance continue. Some methods commonly used by other agencies include "stop work" orders; fine penalties (civil); restitution; permit revocations; citations; and injunctions. It is essential that all parties involved in the Program understand the enforcement authority and responsibilities the MCC and any other on site monitor(s).

Informal consultation with the Department of Fish and Game and U.S. Fish and Wildlife Service also will be required during the design phase of the process pursuant to these agencies' mandates under the respective endangered species acts. Such coordination will ensure that all potential impacts to state and federally-listed endangered species are fully considered and reduced to a less than significant level.

**SECTION 3 - PROJECT IMPACTS AND RELATED MITIGATION  
MEASURES AND MONITORING PROCEDURES**

The proposed Mitigation, Monitoring, and Reporting Program is based on the information presented in the EIR and includes a summary of the project impacts, a list of mitigation measures, and monitoring efforts necessary to ensure that the proposed mitigation measures are properly implemented. Only those issues with significant mitigatable impacts require mitigation monitoring. All mitigation measures identified in the EIR including those incorporated by reference to the previous MND are anticipated to be included in the JPA's permit conditions. In addition, once the project has been approved and prior to its implementation, the mitigation measures shall be further detailed during pre-construction meetings between the JPA, the MCC, and the construction supervisor.

**1. Biological Resources**

**Impacts**

Construction of the proposed project would result in significant indirect noise impacts and losses of native vegetation at the San Elijo WPCF site and the San Elijo Lagoon crossing at the I-5 bridge.

**Mitigation Measures**

A focused survey for the California gnatcatcher should be conducted in the patch of coastal sage scrub immediately southeast of the proposed construction area at the San Elijo WPCF. The biologist shall complete this prior to the initiation of construction activities that result in excessive noise. If this species is present, all construction activities that generate noise levels in excess of 65 dBA within the coastal sage scrub should be prohibited during the breeding season (1 February - 31 July).

## Mitigation

Construction activities (attachment of the pipeline to the bridge, guided boring, or trenching) should be limited to the nonbreeding season (15 September - 1 February) of sensitive bird species.

It is recommended that the generator used during the guided boring process and pipeline attachment to the bridge be a "low-noise" generator. In addition, the generator should be surrounded by baffling material.

Direct impacts to coastal sage scrub located on the eastern berm and areas on the southern edge of the lagoon with implementation of the pipeline could be avoided utilizing the boring and directional drilling techniques described above. However, if direct impacts to coastal sage scrub cannot be avoided, these impacts could be mitigated to below a level of significance with the following measures:

- If trenching is used on the berm, a revegetation plan shall be implemented. The area to be disturbed by trenching shall be revegetated along with existing disturbed areas on the berm. A minimum of 1 acre shall be revegetated. A monitoring and maintenance plan for the revegetation area shall also be required. The monitoring and maintenance plan would be required for a five year time frame, and success criteria shall be developed including percent coverage standards (40 percent cover by the end of year 1 and 80 percent cover by end of year three). Monitoring and maintenance of the revegetation area would occur monthly with progress reports submitted to CDFG and USFWS biannually.

Informal consultation with the Department of Fish and Game and U.S. Fish and Wildlife Service also will be required during the design phase of the process pursuant to these agencies' mandates under the respective endangered species acts. Such coordination will ensure that all potential impacts to state and federally-listed endangered species are fully considered and reduced to a less than significant level.

## 2. Cultural/Paleontological Resources

Construction of the proposed project would result in significant impacts to 15 cultural sites and potentially to paleontological resources.

As a condition of project approval, the following sites will be tested prior to commencement of any construction activities: SDI-191, W-65, W-68, SDI-605, W-55, W-91, W-3624, Temp-1, Temp-2, Temp-3, Temp-4, Temp-5, Temp-7, Temp-8, and Temp-9.

An archaeologist shall be on-site at all times during trenching activities to check for potentially significant cultural artifacts that may be unearthed during trenching activities. The archaeologist shall have the authority to temporarily stop or divert trenching activities to allow further testing of cultural resources if deemed necessary by the archaeologist.

If an intercepted archaeological site is determined to be significant by the archaeologist, a data recovery program shall be prepared for the site.

A paleontologist shall be present at the pregrade meeting to discuss the mitigation procedures with the grading and excavation contractors, and the requirements for paleontological monitoring shall be noted on the construction plans.

A paleontological monitor shall be on-site during the original cutting of undisturbed sedimentary rocks to monitor grading activities and collect any fossils which are unearthed. The paleontologist shall have the authority to temporarily stop or divert grading activities to allow recovery of fossil remains.

In the event that richly fossiliferous shell or bone layers are encountered, a screen washing program shall be conducted. This will ensure the recovery of important microfossil remains.

Following the salvage of macro- and microfossils from the project site, a limited preparation program shall be conducted to clean and repair fossil remains.

The prepared collection of salvaged fossils shall then be turned over to the San Diego Natural History Museum for permanent storage.

A report describing the results of the monitoring program shall be reviewed and approved by the San Elijo JPA.

### **3. Earth**

Geologic constraints may be associated with jacking and boring or directional drilling beneath San Elijo Lagoon.

To ensure that unstable ground conditions are not encountered during boring and jacking or directional drilling, a geological investigation of the area shall be conducted. This shall be done prior to construction. Identified measures to mitigate for potential geological impacts shall be incorporated into the project design.

### **4. Air**

Temporary air pollution impacts associated with construction activities may occur during project implementation.

Use of watering or other dust control measures to reduce fugitive dust shall be required.

Enforcement of a 20 mile-per-hour speed limit on unpaved surfaces to reduce dust generation shall be required.

**5. Water**

Local groundwater levels vary within the project vicinity but can be as high as 3 to 4 feet below ground surface.

To mitigate potential impacts from discharging of groundwater into surface waters, the applicant and/or project engineer shall work directly with the Regional Water Quality Control Board to obtain the necessary approvals to dispose of groundwater if any is encountered during project implementation.

**6. Noise**

Long term noise impacts associated with pump station operations would be mitigated by the following:

When specific site plans and building plans for the Leucadia Boulevard/Ecke Mesa and Santa Fe Drive/Gardena Road pump stations have been prepared, they should be reviewed to ensure that the pump station has been designed so the noise will not exceed the City's noise limits.

**7. Land Use**

Construction may cause temporary disruption of activities on properties in proximity to the proposed pipeline. Measures to mitigate potential land use impacts are associated with Air Quality, Noise, and Transportation/Circulation issues and may be found in those sections.

**8. Risk of Upset**

The proposed project would require the use of polymers and increased use of chlorine for tertiary treatment of the effluent, and a potential for risk of upset could occur. To avoid potential impacts associated with the use of potentially hazardous chemicals, a leak detection system, spill



containment devices and air scrubbers shall be incorporated into the proposed project to minimize any possible risk of chemical contamination. In addition, San Elijo WPCF operators are well trained in the proper handling of these chemicals and in appropriate emergency response procedures. Additionally, San Elijo WPCF shall prepare an emergency response plan for the accidental release of these hazardous substances. This plan shall be submitted to the Department of Health Services and County Fire Marshall for their review and approval.

## **9. Transportation/Circulation**

To reduce potential impacts to circulation resulting from construction of the reclaimed water pipeline in existing roadways, several mitigation measures would be required. These measures include:

Construction shall be conducted in phases to avoid system-wide circulation impacts. These phases shall be designed to maximize traffic flows under construction conditions and to minimize delays.

In areas where detours would not be avoidable, detour plans shall be submitted to the City Engineering Department of the City being affected by the detour (Cities of Del Mar, Solana Beach or Encinitas) for their review and approval.

Access to all properties adjacent to the pipeline route shall be maintained at all times.

Where there is a potential for substantial delays at intersections, traffic engineering designs shall be submitted to the City Engineering Department of the City being affected to document that traffic flow would not be unreasonably restricted and traffic flows would be maintained at acceptable levels of service.

Safe pedestrian and bicycle routes shall be provided where the project would affect existing routes.

**10. Human Health**

To mitigate for potential health hazards associated with the proposed project, the reclaimed facility expansion shall be required to incorporate containment and neutralization facilities such as spill containment systems and air scrubbers and operational programs such as leak detection systems into its design. Furthermore, all San Elijo WPCF operators are trained in the proper handling of these chemicals and in appropriate emergency response procedures.

**11. Aesthetics**

To mitigate for visual quality impacts associated with construction of treatment facilities both on the WPCF site and along the alignment the following measures shall be required:

Design plans for the facilities at the WPCF shall include landscape screening of new facilities to minimize views of these facilities for residents of the apartment complex to the north and the residents to the west.

Construction of a storage reservoir at Highland and Lomas Santa Fe Road shall require an MUP from the City of Solana Beach. As part of the MUP process, design plans shall be reviewed by the City and measures such as below ground construction or landscape screening shall be incorporated in the project design to reduce visual impacts to below a level of significance.

**12. Erosion/Sedimentation**

-- To mitigate for temporary water or wind erosion, impacts associated with construction activities during project implementation, standard erosion control measures such as sandbagging, vegetation planting and watering shall be developed prior to, and implemented during, construction. Sandbagging shall consist of two rows composed of sand or gravel bags.

- In order to ensure that the proposed guided boring beneath the San Elijo Lagoon will not impact future dredging activities, the final engineering design will be reviewed by the San Elijo Lagoon Conservancy and must be approved by the California Coastal Commission, ACOE, USFWS, CDFG and State and County park services.

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## SECTION 4 - RESPONSIBLE AGENCIES

The following responsible agencies have been consulted throughout the CEQA process and should be consulted prior to, during, and upon completion of project construction:

### FEDERAL AGENCIES

Mr. David Zoutendyk  
U.S. ARMY CORPS OF ENGINEERS  
9869 Scranton Road, Suite 415  
San Diego, CA 92121

Ms. Carrie Phillips  
U.S. FISH & WILDLIFE SERVICE  
2730 Loker Avenue West  
Carlsbad, CA 92008

Mr. Jason Jackson  
U.S. SOILS CONSERVATION SERVICE  
332 South Juniper Street, Suite 110  
Escondido, CA 92025

### STATE AGENCIES

Mr. Fred Worthley  
DEPARTMENT OF FISH & GAME  
330 Golden Shore, Suite 50  
Long Beach, CA 90802

Mr. Lee McEcheran  
CALIFORNIA COASTAL COMMISSION  
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- In order to ensure that the proposed guided boring beneath the San Elijo Lagoon will not impact future dredging activities, the final engineering design will be reviewed by the San Elijo Lagoon Conservancy and must be approved by the California Coastal Commission, ACOE, USFWS, CDFG and State and County park services.

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