OTAY MESA RECYCLED WATER SYSTEM

CAPITAL IMPROVEMENT PROGRAM R2087, R2077, R2058 PROJECT FINAL EIR

PREPARED FOR:

Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2096

PREPARED BY:

ICF International
9775 Businesspark Avenue, Suite 200
San Diego, California 92131

May 2010

ICF International. 2010. Capital Improvement Program
R2087, R2077, R2058 Project Final EIR. May. (ICF 277.09.) San Diego, CA.
Prepared for Otay Water District, Spring Valley, CA.

Contents

Page

Chapter 1 **List of Persons, Organizations, and Public Agencies that Have Commented or Given Recommendations on the Draft EIR 1-1**

1.1 Introduction 1-1

1.2 Agencies and Organizations Comments 1-2

1.3 Responses to Comments Index 1-3

Chapter 2 **Comments and Responses 2-1**

2.1 Letter 1: California Department of Transportation—District 11 2-3

2.2 Letter 2: California Department of Fish and Game 2-7

2.3 Letter 3: State Water Resources Control Board 2-19

2.4 Letter 4: Governor's Office of Planning and Research—State Clearinghouse and Planning Unit—April 13, 2010 2-25

2.5 Letter 5: Governor's Office of Planning and Research—State Clearinghouse and Planning Unit—April 13, 2010 2-31

2.6 Letter 6: Metropolitan Water District of Southern California 2-41

2.7 Letter 7: Otay Mesa Property Owners Association 2-43

2.8 Letter 8: East Otay Mesa Property Owners Association 2-45

2.9 Letter 9: San Diego County Archaeological Society 2-47

Chapter 3 **Changes Made to the Draft EIR 3-1**

3.1 Introduction 3-1

Chapter 4 **Statement of Location and Custodian of Documents 4-1**

Acronyms and Abbreviations

Caltrans	California Department of Transportation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
draft EIR	Draft Environmental Impact Report
District	Otay Water District
final EIR	Final Environmental Impact Report
HMA	Habitat Management Area
I	Interstate
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring and Reporting Program
OME	Otay Mesa East
POE	Port of Entry
SR	State Route
USACE	United States Army Corps of Engineers

Chapter 1

List of Persons, Organizations, and Public Agencies that Have Commented or Given Recommendations on the Draft EIR

1.1 Introduction

A draft version of this Environmental Impact Report (Draft EIR) was circulated for public review from February 26, 2010, to April 12, 2010. This chapter provides the names and addresses of persons, organizations, and public agencies that commented during this public review period.

In accordance with the California Environmental Quality Act (CEQA) Guidelines the Otay Water District (District) has evaluated the comments on environmental issues received from those agencies/parties and has prepared written responses to each pertinent comment relating to the adequacy of the environmental analysis contained within the Draft EIR. These responses are contained in Chapter 2, "Comments and Responses."

The agencies, organizations, and interested persons listed on the Responses to Comments Index (below) submitted comments on the Draft EIR during the public review period. Each comment submitted in writing is included, along with a written response where determined necessary. The individual comments were given reference numbers, which appear in the left margin next to the bracketed comment. For example, Letter 2 has comment numbers 2-1, 2-2, 2-3, etc.

In addition to the written responses contained in Chapter 2, and in response to comments received, certain revisions have been made to the Draft EIR. These revisions are presented in strikeout/underline format in Chapter 3. "Changes Made to the Draft EIR," and consist of changes to text that clarify information; only the pages that require revision are included therein. These changes do not constitute significant additional information that changes the outcome of the environmental analysis or necessitates recirculation of the document (CEQA Guidelines Section 15088.5). All such changes are presented in Chapter 3 and noted in the responses to comments.

1.2 Agencies and Organizations Comments

State Agencies	Address
California Department of Fish and Game	4949 Viewridge Avenue, San Diego, California 92123
California Department of Transportation	4050 Taylor Street, MS 240, San Diego, California 92110
State Water Resources Control Board	1001 I Street, Sacramento, California 95814
California State Clearinghouse, Office of Planning and Research	1400 10th St, P.O. Box 3044, Sacramento, California 95812
County, City, and Other Local Agencies	**Address**
Metropolitan Water District of Southern California	No address provided.
Organizations	**Address**
Otay Mesa Property Owners Association (OMPOA)	3132 Camino del Rio North, Suite 150, San Diego, California 92108
East Otay Mesa Property Owners Association (EOMPOA)	3132 Camino del Rio North, Suite 150, San Diego, California 92108
San Diego County Archaeological Society	P.O. Box 81106, San Diego, California 92138

1.3 Responses to Comments Index

Commenter	Letter Reference	Comment Numbers
California Department of Transportation	1	1-1 through 1-4
California Department of Fish and Game	2	2-1 through 2-12
State Water Resources Control Board	3	3-1 through 3-3
California State Clearinghouse, OPR	4	4-1
California State Clearinghouse, OPR	5	5-1
Metropolitan Water District of Southern California	6	6-1
Otay Mesa Property Owners Association (OMPOA)	7	7-1
East Otay Mesa Property Owners Association (EOMPOA)	8	8-1
San Diego County Archaeological Society	9	9-1 through 9-5

This page left intentionally blank.

Chapter 2

Comments and Responses

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 11
4050 TAYLOR STREET, MS 240
SAN DIEGO, CA 92110-2714
PHONE (619) 688-6960
FAX (619) 688-4299
TTY (619) 688-6670

Flex your power!
Be energy efficient!

April 6, 2010

11-SD-905
PM 11.15
Otay Mesa Recycled Water System Capital
Improvement Program
DEIR

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978-2004

Dear Ms. Coburn-Boyd:

The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Draft Environmental Impact Report (DEIR) for the Otay Mesa Recycled Water System Capital Improvement Program (R2087, R2077, R2058) project draft Environmental Impact Report. The three-pipeline proposed project is within the South District area, which is comprised of the Central Area and Otay Mesa Systems and includes the following pipelines; Wueste Road Pipeline (CIP No. R2087), Alta Road Pipeline (CIP No. R2077), and Airway/La Media Road Pipeline (CIP No. R2058). We have the following comments:

1-1 • Page 225 Section 4.8-1 last paragraph first, sentence reads, "within the jurisdiction of the _____"? Whose jurisdiction is the DEIR mentioning?

1-2 • Caltrans recommends construction of pipelines R2058 and R2077 not begin until Caltrans has completed construction of State Route 905 (SR-905) Phase 1A. SR-905 Phase 1A is anticipated to be completed December 2010.

1-3 • Page 226 Section 4.8.1.1 Please describe what will be constructed as part of the SR-905 project on La Media and Airway, for example number of lanes, width, etc.

1-4 • Caltrans is in the preliminary engineering phase of State Route-11 (SR-11)/Otay Mesa East (OME) Port of Entry (POE). This area may be impacted differently than the proposal in the Phase I Program Environmental document per SR-11/OME POE. The Tier II Environmental Impact Report/ Environmental Impact Statement regarding the SR-11/OME POE is underway with completion expected 2010. The proposed alignment of SR-11 crosses Sanyo Road in the same location as the proposed pipeline. Prior to construction Caltrans recommends coordination of the installation of pipelines R2058 and R2077 with the Otay Water District.

"Caltrans improves mobility across California"

2.1 Letter 1: California Department of Transportation—District 11

1-1 Sanyo Avenue is within the jurisdiction of the County of San Diego. The revision to the text requested in the comment is included in Chapter 3, "Changes Made to the Draft EIR," below.

1-2 Comment noted. As discussed in Section 3.4.5 of the draft EIR, construction of the first pipeline is anticipated to start in summer of 2010. The District is applying for an encroachment permit with Caltrans for work proposed within the right-of-way for State Route (SR) 905. In association with obtaining the encroachment permit, the District will continue to coordinate with the California Department of Transportation (Caltrans) regarding the timing for construction of the proposed pipelines within Airway and Alta Roads in conjunction with ongoing Caltrans work on SR-905.

1-3 As discussed in Section 2.3.1.2 of the draft EIR, Caltrans proposes to construct SR-905 as a six-lane (mixed-flow) freeway or tollway with controlled access, to connect the Otay Mesa Point of Entry and Interstate (I) 805 in San Diego County, California. This Caltrans Project includes the following improvements:

- construction of six-lanes, from just east of I-805 to Siempre Viva Road;
- construction of interchanges at Caliente Avenue, Britannia Boulevard, and La Media Road;
- improvements to Sanyo Avenue, Otay Mesa Road, and Harvest Road; and
- improvements to Airway Road, including construction of the underpass at the future SR-905.

1-4 Although the comment does not include a specific date when construction of the SR-11/Otay Mesa East (OME) Port of Entry (POE) would start, if construction would not start until 2011 it is anticipated that construction of the three pipelines could be complete prior to start of construction for the SR-11/OME/POE. As discussed in Section 3.4.5 of the draft EIR, it is anticipated that the duration for construction for all three pipelines would be a total of approximately 420 days. Assuming approximately 500 feet of trench are open at any time, trenching operations would take 3 to 4 days to pass a given point at the planned rate of 120 to 160 feet per day. Construction of the first pipeline is anticipated to start in July 2010.

Ms. Lisa Coburn-Boyd
April 6, 2010
Page 2

If you have any questions on the comments Caltrans has provided, please contact Anthony Aguirre of the Development Review Branch at (619) 688-3161.

Sincerely,

JACOB ARMSTRONG, Chief
Development Review Branch

"Caltrans improves mobility across California"

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
http://www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor
JOHN MCCAMMAN, Director

OTAY WATER DISTRICT
RECEIVED
2010 APR 12 AM 11: 12

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2004

Subject: Comments on the Otay Mesa Recycled Water System Capital Improvement Program R2087, R2077, R2058 Project Draft Environmental Impact Report, San Diego County, California (SCH# 2009101031)

Dear Ms. Coburn-Boyd:

The California Department of Fish and Game (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR), dated February 2010. The Department previously commented on the Notice of Preparation for the DEIR on October 30, 2009. The comments provided herein are based on information provided in the DEIR and associated documents (including the Biological Assessment for the Otay Water District's Transmission Pipelines, prepared by ICF International, dated February 2010), our knowledge of sensitive and declining vegetation communities, and our participation in regional conservation planning.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Guidelines Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq.) and Fish and Game Code Section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) Program.

The Otay Water District (District) proposes to construct three recycled water system transmission pipelines under the District's Capital Improvement Program (CIP). The projects would be located with the South District service area (comprised of the Central Area and Otay Mesa Systems) where it maintains and operates a recycled water system. The recycled water pipelines include the following: Wueste Road Pipeline (CIP No. R2087/13,300 linear feet of 24-inch-diameter steel pipeline) which would extend along Wueste Road within unincorporated County of San Diego and City of Chula Vista; Alta Road Pipeline (CIP No. R2077/11,989 linear feet of 24-inch-diameter polyvinyl chloride pipeline) which would extend along Alta Road within the City of San Diego; and Airway/La Media Road Pipeline (CIP No. R2058/ 12,440 linear feet of 16-inch-diameter polyvinyl chloride pipeline) that would be located along Airway/La Media Road with the limits of City of San Diego. Cut and cover trenching techniques would be used for pipeline installation, with approximately 500 feet of trench open at any time. A portion of the Wueste Road pipeline that crosses underground utilities would require jack-and-bore construction techniques. The DEIR acknowledges that the District intends to limit construction activities to the paved portions of the designated roadways (located within existing utility rights-of-way); however, construction activity for the Wueste Road Pipeline would extend approximately 10 feet east from paved portion of Wueste Road. The width of the construction corridor for that portion of pipeline that extends outside of the roadway would be approximately 50-70 feet. Construction staging areas would be located on existing developed areas or disturbed road edges that do not support vegetation. Also, the Wueste Road Pipeline phase

Conserving California's Wildlife Since 1870

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 2 of 7

includes the construction of a below-grade pressure reducing station (PRS). Access for the PRS would be provided via a north/south trending dirt road, which connects to a paved driveway that merges with Alta Road.

The vegetation communities and land types identified within the biological assessment included: maritime succulent scrub, Diegan coastal sage scrub, non-native grassland, mule fat scrub, southern willow scrub, tamarisk scrub, eucalyptus woodland, disturbed habitat, and urban/developed areas. One vernal pool and several road ruts were mapped during biological surveys. A portion of the Wueste Road Pipeline segment extends into the Multi-Habitat Planning Area (MHPA) of the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The impact area to the City of San Diego's MHPA would be limited to a 0.34 acre area, consisting primarily of pipeline extension within the roadway and disturbance of an adjacent trail. This segment of the Pipeline would also extend into the City of Chula Vista's MSCP (100% Conservation Area - Preserve), resulting in 2.04 acres of impact to native habitat.

No Federal or State listed plants were observed within the project alignment (i.e. impact area) during rare plant surveys; however, eight special-status plant species were detected in the survey area with only Palmer's grappling hook (*Harpagonella palmeri*; CNPS List 4) and San Diego sunflower (*Viguiera laciniata*; CNPS List 4) present within the impact footprint. Six pairs of coastal California gnatcatcher (*Polioptila californica;* gnatcatcher) were observed during focused surveys associated with the Wueste Road Pipeline alignment. A habitat assessment and focused survey for Quino checkerspot butterfly (*Euphydryas editha quino*; Quino) was conducted in 2009, yielding negative results. A portion of the PRS impact area is within critical habitat for Quino. The biological assessment acknowledged that only dry season sampling for the federally listed endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*) was completed, with wet season sampling scheduled for the 2009/2010 season. Surveys for burrowing owl (*Athene cunicularia*; State Species of Special Concern) were conducted along road shoulders and adjacent areas along the Alta Road and Airway/La Media Road Pipeline alignment which resulted in one owl observed outside of the pipeline alignment.

We offer the following comments and recommendations to assist the District in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with ongoing regional habitat conservation planning efforts.

2-1 1. The Biological Assessment (Appendix C) reported that one burrowing owl was observed due east (approx. 3,000 feet) of the Airway/La Media Road project segment and that the potential exists for burrowing owl to occur in the habitat surrounding the Alta Road Pipeline impact area. However the assessment concluded that the non-native grassland surrounding Alta Road was too dense for the species. We would highlight that Department staff has observed burrowing owl several times along the edge of the roadway (within the earthen berm) on the west side of La Media Road even though the vegetative growth in these areas currently happens to be dense and is not typical of habitat normally associated with supporting this species. We have additional reports of owls occupying roadside areas in less than suitable habitat conditions. We treat such occurrences as occupancy and emphasize that appropriate avoid/minimization measures should be implemented as part of this project.

2-2 Furthermore, the biological resource discussion provided in the DEIR does not adequately define the survey methodology used for burrowing owl. The level of detail (e.g., survey timing/duration and applicable methodology) that was provided for describing survey activities for federally listed species, likewise should be provided for the burrowing owl. It is

2.2 Letter 2: California Department of Fish and Game

2-1 The Project has been designed to avoid impacts on sensitive biological resources, including burrowing owl. The impact areas for the Alta Road Pipeline and Airway/La Media Road Pipeline consist primarily of existing paved roadways. Impacts on undeveloped areas resulting from construction of these pipelines would be limited to a total of three heavily disturbed areas located immediately adjacent to the existing paved roadway and consisting of disturbed road shoulders. The first is located along the south side of Otay Mesa Road near the intersection of Alta and Otay Mesa Roads; the second is located on the south side of Airway Road near the intersection of Airway and La Media Roads; and the third is located along the east side of La Media Road near the intersection of Airway Road and La Media Road. No burrowing owls or owl sign (burrows, scat, feathers, etc.) were observed within or immediately adjacent to the Project footprint.

As noted in the draft EIR, vegetation communities located outside of the Project footprint, while primarily dense and therefore not typical habitat for burrowing owl, still provide potentially suitable habitat for this species. One burrowing owl was observed approximately 3,000 feet due east of the Airway Road/La Media Road Project segment. In addition, as noted in the comment, California Department of Fish and Game (CDFG) staff have observed burrowing owls along the west side of La Media Road. However, all areas with potential to or known to support this species are located outside of the Project footprint. Therefore, the Project would not result in impacts on burrowing owl.

2-2 As discussed in Section 2.3.3 of the Biological Assessment (Appendix C to the draft EIR), a burrowing owl habitat assessment/burrow survey was conducted by walking through suitable habitat within the Project footprint for the Alta Road and Airway/La Media Road Pipeline alignments looking for burrowing owls and large burrows suitable for use by the burrowing owl. Areas with dense or tall vegetation cover (located outside of the Project footprint) were not thoroughly surveyed for burrows but were scanned from a distance for birds. All encountered burrows were checked for the presence of feathers, scat, pellets, tracks, or other indications of use by burrowing owls. The survey area consisted of the entire Project footprint for the Alta Road and Airway/La Media Road Pipelines. Because the areas located adjacent to the Project footprint consist primarily of private properties, a 500-foot buffer was not included in the pedestrian survey. However, a visual survey was conducted within a variable buffer along the Project footprint. As discussed above in the response to comment 2-1, only one burrowing owl was observed outside of the Project footprint during the habitat assessment/burrow survey, and no burrowing owls or owl sign were observed within the Project footprint. The burrowing owl habitat assessment/burrow survey was conducted on November 10, 2009, between 8 a.m. and 12 p.m. A discussion of the methodology, survey area, and results of the habitat assessment/burrow survey is provided in the Biological Assessment (Appendix C to the draft EIR), and a separate report is not necessary to document the negative results within the Project impact areas.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 3 of 7

2-2 cont

unclear from the discussion whether a complete pedestrian survey was performed that adequately covered the entire project footprint and for areas within 500 feet of the project impact zone. The Burrowing Owl Survey Protocol and Mitigation Guidelines (The California Burrowing Owl Consortium, April 1993) suggest nesting season surveys be conducted during the peak of the breeding season, between April 15 and July 15 and that a resource summary report (with a map) should be prepared if burrows or burrowing owls are recorded on the site. Due to the significance of burrowing owl presence in Otay Mesa, we believe that a separate written report should accompany the analysis for the DEIR.

2-3

From the regional conservation perspective, there has been a dramatic reduction in resident/breeding, as well as wintering burrowing owls in all counties in southern California. Otay Mesa is one of the few remaining areas of the County where a breeding burrowing owl population remains (i.e., 20 to 30 recorded pairs). The Department has been working closely with Multiple Species Conservation Program (MSCP) participants (City and County of San Diego) on developing a conservation strategy for burrowing owls on Otay Mesa. The City of San Diego's MSCP Subarea Plan (Table 3-5) acknowledges that "If burrowing owls are detected, the following mitigation measures must be implemented: within the Multiple Habitat Planning Area (MHPA), impacts must be avoided; outside the MHPA, impacts to the species must be avoided to the maximum extent practicable; any impacted individuals must be relocated out of the impact area using passive or active methodologies approved by the Department; mitigation for impacts to occupied habitat (at the Subarea Plan specified ratio) must be met through the conservation of occupied burrowing owl habitat or conservation of lands appropriate for restoration, management and enhancement of burrowing owl nesting and foraging requirements."

2-4

To address the aforementioned concerns we strongly recommend the following measures be included into the *Mitigation/Performance Measures* of the final EIR:

1. Prior to proceeding with any grubbing, clearing or grading activity a qualified biologist shall assess the presence of burrowing owl habitat on the project site including a 500–foot buffer zone around the project boundary, where feasible. If the biologist determines that there is evidence that the site supports burrowing owl then the biologist shall proceed with conducting a minimum of four protocol surveys in accordance with the Burrowing Owl Survey Protocol and Mitigation Guidelines (The California Burrowing Owl Consortium, April 1993) to determine the presence or absence of occupied burrows within the project site and a 500 feet buffer area adjacent to the development that could be impacted.

2. Written results of the habitat assessment and survey results shall be submitted to the District and Department. If active nests of sensitive species are detected, the report shall include mitigation to the satisfaction of the Department as described below (measure No. 4).

3. An inspection of all stored building materials (e.g., culverts, pipes and debris piles) shall be conducted to determine the presence of burrowing owl. To reduce the opportunity for stockpiled materials to serve as artificial nesting areas, a qualified biologist shall inspect building materials prior to being moved, buried, or capped. All pipes shall be either completely capped or adequately covered to prevent the opportunity for shelter or nesting by burrowing owl.

2-3 The Project has been designed to avoid impacts on burrowing owls and, therefore, is consistent with the conservation strategies for this species associated with the City and County of San Diego MSCP Subarea Plans. See responses to comments 2-1 and 2-2 above.

2-4 The District disagrees that the measures (1–12) outlined in the comment need to be included within the mitigation/performance measures of the final EIR in order to avoid impacts on the burrowing owl. The Project has been designed to avoid impacts on this species by limiting the Project footprint to primarily existing paved roadways. The three small areas within the Project impact areas that are located outside of existing paved roadways consist of heavily disturbed road shoulders. These areas were included in the burrowing owl habitat assessment/burrow survey. No burrowing owls or burrow sign (scat, feathers, etc.) were identified within the Project impact areas. It is not expected that these areas would support the burrowing owl in the future because they are currently heavy disturbed and experience continued vehicular and other disturbances.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 4 of 7

4. Prior to 30 days of any ground disturbing activities, a qualified biologist shall conduct a pre-grading survey of the development area and buffer area (500 feet), in conjunction with mitigation measure No. 1 above.

   A. If ground disturbing activities are delayed or suspended for more than 30 days after the pre-grading survey, the site shall be resurveyed for burrowing owl.

5. If active bird burrows/nests are identified during the pre-grading survey, or are otherwise noted during the week grading is to commence (see mitigation measure No. 8 below), and project construction has the potential to impact the burrows/nests, the biologist shall consult with the District and Department to determine an appropriate mitigation program (i.e., translocation, eviction. buffer, or other strategy).

   A. Impacts to the species must be avoided to the maximum extent practicable.

   B. Occupied burrows should not be disturbed during the nesting season (February 1 through August 31, unless a qualified biologist in consultation with the District and Department verifies through non-invasive methods that either:

      a. The birds have not begun egg-laying and incubation; or

      b. Juveniles from the occupied burrows are foraging independently and are capable of independent survival.

2-4 cont

   C. If burrows/nests are required to be protected rather than translocated, weekly biological monitoring of these burrows/nests shall be conducted by the project biologist during construction with written or electronic submission results submitted to the District and Department.

      a. No disturbance shall occur within 160 feet of occupied burrows during the non-breeding season of September 1 through January 31 or within 250 feet during the breeding season of February 1 through August 31. Avoidance should include management and enhancement of burrowing owl nesting and foraging requirements at a ratio of no less than a 1:1 for the territory of the burrowing owl.

      b. If buffer areas are used, they must be identified on a biological resources map and flagged in the field so no grading or construction activity can occur in these areas.

   D. These restrictions shall be noted on all grading and construction plans.

6. If no nests are discovered on or adjacent to the project site/development area, no further mitigation is required.

7. If burrows/nests are discovered during construction activities, the project biologist shall notify the District and Department.

8. The project biologist shall stop work within the vicinity (minimum of 160 feet) of the burrows/nests. The Project biologist shall mark all holes, shrubs or those areas

This page intentionally left blank.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 5 of 7

that could serve as artificial burrows/nesting areas and delineate the appropriate "no construction" around any nest sites and any buffer area in consultation with the District and Department.

9. The project biologist, in consultation with the District and Department shall determine an appropriate mitigation program (i.e., translocation, buffer, or other strategy) as described in mitigation measure No. 5 above.

2-4 cont

10. The biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that surveys are completed, as appropriate.

11. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted to the District and Department.

12. If the mitigation program included long-term management and monitoring of lands to mitigate the loss of foraging and burrowing habitat; the plan should include success criteria and remedial measures. The report shall be submitted annually and approved to the satisfaction of the District. Supplemental copies of the mitigation proposal shall be provided to the Department.

2-5

2. The biological resources discussion mentioned that several orange-throated whiptails (*Aspidoscelis hyperythra*) were observed along the road edge during gnatcatcher surveys. Based on this documentation, we believe that there is a potential for species-specific impacts from construction actions associated with trenching/grading, stockpiling of fill, refilling trenches, and moving vehicles along the corridor during construction and inspections and that a more thorough mitigation strategy should be evaluated and adopted to address potential impacts to orange-throated whiptail. Appropriate mitigation to address impacts to this species (along with other reptiles and small mammals) should include biological monitoring during construction activities and ensuring that all steep-walled trenches or excavations used during construction are covered at all times except when being actively utilized. If trenches or excavations cannot be covered, exclusion fencing (i.e., silt fencing should be installed around trenching or excavations, or it should be covered to prevent entrapment of wildlife (i.e., reptiles and small mammals). Open trenches, or other excavations that could entrap wildlife should be inspected by a qualified biologist at a minimum of three times per day and immediately before backfilling. An inspection under all vehicles and equipment should be conducted for the presence of wildlife prior to moving. If wildlife is observed, no vehicles or equipment should be moved until the animal has left voluntarily or is relocated by a biologist with the appropriate qualifications and permit authority.

2-6

3. The DEIR's executive summary and Section 3.4.2 states, "The construction corridor for the portion of the Project that would extend outside of Wueste Road would be approximately 50-70 feet", whereas Section 4.2.3 refers to the impact area consisting of an 80-to 90-foot-wide corridor. Please provide further guidance on the ultimate width of the corridor for this segment of pipeline and which corridor width was used for determining impact acreage.

2-5 Although orange-throated whiptails and other reptiles were observed during the biological surveys, the draft EIR determined that potential impacts on these species during construction would be less than significant. The Project has been designed to focus impacts in existing disturbed or developed areas, such as the paved Wueste Road. Adjacent undisturbed vegetation communities provide ample habitat for common and special-status species, and they would be expected to remain in or disperse to these areas during Project construction.

2-6 As discussed in Section 1.1.2 of the Biological Assessment (Appendix C to the draft EIR), the impact area for the Wueste Road pipeline varies along the alignment and consists of the following:

1. From the northernmost portion of the Wueste Road Pipeline to where the pipeline heads west off the paved Wueste Road: the impact area is limited to the extent of the paved portion of Wueste Road and a 10-foot area east of the proposed pipeline alignment (which includes some vegetated areas along the east side of Wueste Road).
2. The 175-foot-long portion that heads west off of Wueste Road: the impact area consists of a 20-foot-wide corridor centered on the proposed alignment for the 50-foot-long portion that is being constructed via open trench (125 feet of pipe in this area is being installed via jack-and-bore) and the two jacking pits (eastern pit: 20 feet by 10 feet; western pit: 40 feet by 20 feet).
3. The remainder of the pipeline alignment that heads south to an existing structure at the southwestern edge of the OWTP: the impact area consists of an 80 to 90-foot-wide corridor.

The final EIR (errata; see Chapter 3) has been revised to clarify that the above was used to determine impacts associated with the Wueste Road Pipeline.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 6 of 7

2-7 4. It is unclear why the majority of the mapped areas occupied by San Diego sunflower or Palmer's grappling hook cannot be avoided for the Wueste Road Pipeline segment. Three polygons of San Diego sunflower were mapped within the southern end of the alignment, whereas a portion of one polygon for Palmer's grappling hook falls within the alignments impact area. However, Figure 4d depicts the majority of the pipeline alignment occurs on the east side of a dirt road, while the mapped polygons are distributed along the west side of the road (accept for one polygon of San Diego sunflower). An estimate of the individual number of plants associated with each polygon should be provided. We recommend identifying those polygons that would be affected and whether options exist to confine the alignment/trenching entirely to the east side of the dirt road, in an effort to further reduce direct impacts to special-status plants. The feasibility for this option is partially addressed within the Reduced Impact Alternative analysis through either reducing the width of the impact corridor or locating the pipeline on disturbed lands associated with the Otay Water Treatment Plant.

2-8 5. The *Mitigation/Performance Measures* provided in the final EIR should include a condition to install protective fencing around the balance of special-status plant populations that would be avoided during construction activities. Consideration should be given to fencing any other areas that support the other six special status plant species that were mapped in close proximity to pipeline alignment or service roads. A qualified biological monitor should implement and monitor this avoidance/minimization measure. Additionally, a conceptual restoration plan for addressing impacts to Palmer's grappling hook should be provided to the Department for review. The broader criteria associated with restoration goals and objectives and the maintenance/biological monitoring needs for any restoration proposal should be outlined with the Biological Resources Mitigation/Performance Measure.

2-9 6. The Project Design Features/Standard Construction Practices (Section 4.1.3.2) states, "Hydroseed, landscape, or develop disturbed areas as quickly as possible and as directed by the District to reduce dust generation." We recommend that this standard be revised for the final EIR to include a condition that only hydroseed containing native plant species that are endemic to the area be applied. Non-invasive non-native species to temporarily protect against erosion may also be included in the hydroseed mix. Furthermore, design measure HYD-2 (Section 4.6, Hydrology/Water Quality) is limited to acknowledging under the Soil Stabilization heading that, "Preservation of Property/Preservation of Existing Vegetation" is required. Due to our concerns for the control of invasive non-native species within preserve areas, we recommend that the native hydroseed requirements also be included as a Biological Resources Mitigation/Performance Measure.

2-10 7. It is unclear to the Department as to those subsequent measures that the District will implement in order to ensure control of invasive non-native plants within the pipeline corridor (particularly for segments extending into MHPA/Preserve areas). The DEIR mentions that the remainder of the area east of the roadway (i.e., Wueste Road) within the impact area would be undisturbed in association with District maintenance activities and that native habitat would reestablish in areas disturbed in association with Project construction.

Additional discussion should be provided in the final EIR, detailing the District's follow-up measure for conformance with invasive non-native plant control requirements, as specified under each MSCP Subarea Plan. Although the District is not signatory to the respective MSCP Subarea Plan, routine work activities conducted by the District within preserve areas can have implications for affecting the biological integrity of those lands. Additionally, an accurate account of habitat impacts to the respective MSCP lands should be provided to

2-7 The Wueste Road Pipeline must connect to an existing pipeline at Olympic Parkway as well as an existing pipeline near the Otay Water Treatment Plant. In addition, several existing utilities (e.g., gas lines, water lines) occur in the vicinity of the Wueste Road Pipeline, which must be avoided. The proposed alignment for the Wueste Road Pipeline avoids all existing utilities and minimizes impacts on sensitive biological resources by focusing impacts in existing developed areas (paved roadway). Figure 4d in the Biological Assessment (Appendix C to the draft EIR) depicts the areas within the survey area that were found to be occupied by San Diego sunflower and Palmer's grapplinghook; the overall populations of these species extend outside the Project footprint into the adjacent habitat. The estimated number of individuals of San Diego sunflower within the survey area is 1,000, and this species is estimated to comprise 5–10% of the cover of the maritime succulent scrub and 10–15% of the cover of the coastal sage scrub within the survey area. Approximately 600 individuals of Palmer's grapplinghook were observed within the large polygon west of the Otay Water Treatment Plant (Figure 4d of the Biological Assessment provided as Appendix C to the draft EIR). As depicted in Figure 4d (hatched "impact area"), the majority of these mapped areas are avoided by the proposed Project. The identified impact area consists of a realistic area necessary to construct the proposed Project. As indicated in the comment, the draft EIR analyzes alternatives that would reduce impacts on sensitive biological resources.

2-8 It is standard practice for construction projects to fence, flag, or otherwise clearly identify the limits of the impact areas prior to construction. Prior to construction of the proposed Project, the limits of the identified impact areas will be clearly identified to ensure impacts do not occur outside of the identified impact corridor. As such, it is not necessary to include fencing or flagging as a mitigation/performance measure in the final EIR. Additionally, it is not necessary to include a biological monitor because significant impacts on special-status plant species have been identified and will be fully mitigated at the District's San Miguel Habitat Management Area (HMA). A conceptual restoration plan will be prepared for the proposed creation of maritime succulent scrub (which will include planting of Palmer's grapplinghook, a California Native Plant Society [CNPS] List 4 species) within the HMA. This plan will be prepared prior to creation of this habitat within the HMA and will be provided to CDFG for review.

2-9 The final EIR has been revised to state that only hydroseed containing native plant species will be applied. The Project design features/standard construction practices listed in Section 4.6, "Hydrology/Water Quality" (including native hydroseed requirements) are included in the Mitigation Monitoring and Reporting Program (MMRP) and, therefore, will be required to be implemented as part of the Project. As such, it is not necessary to also include the native hydroseed requirement as a biological resources mitigation/performance measure.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 7 of 7

2-10 cont each affected jurisdiction (i.e., City's of San Diego and Chula Vista), for purposes of including within their annual MSCP program monitoring reports.

2-11 8. The project includes horizontal directional drilling for the installation of the Airway/La Media Road Pipeline segment that crosses an existing culvert that extends under La Media Road. The drilling could inadvertently release drilling fluids and force them to the surface (i.e., frac-out), which could result in fluids entering the drainage channel and affect downstream water quality. Because there is potential for the drilling activity to cause a frac-out, the District should consider notifying the Department, per Fish and Game Code Section 1602, before beginning an activity that could result in the release of material into the drainage channel. The Department recommends that if the District is not certain whether the proposed activity requires notification, then the District should contact the Department. The Department recommends that the biological mitigation measures be revised to include the following condition:

> Prior to the District's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake the project applicant shall submit a complete Lake or Streambed Alteration Program notification package and fee to the California Department of Fish and Game.

2-12 9. Section 6.3.1 of the DEIR states that "Alternative pipeline routes through undeveloped areas north and south of the Otay River Valley of the District's planning area are not considered feasible because they would disturb cultural and biological sensitive areas including the City of Chula Vista's 100% Preserve, which would not be disturbed under the proposed alignment. Conversely, the impact analysis that was provided for the Wueste Road Pipeline states, "a total of 2.04 acres of native habitat (coastal sage scrub and maritime succulent scrub) and 0.51 acre of developed areas within the 100% Preserve area would be impacted during construction of the proposed Project." Please provide clarification to these conflicting statements.

We appreciate the opportunity to comment on the DEIR for this project and to assist the City in further minimizing and mitigation project impacts to biological resources. If you have questions or comments regarding this letter, please contact Paul Schlitt at (858) 637-5510.

Sincerely,

Theresa A. Stewart

for Edmund Pert
Regional Manager
South Coast Region

cc: State Clearinghouse, Sacramento
Doreen Stadtlander, Susan Wynn, U.S. Fish and Wildlife Service, Carlsbad
Paul Schlitt, San Diego

2-10 Following construction of the proposed Wueste Road Pipeline, the existing dirt road within the identified Project impact corridor would continue to be used by the District for periodic maintenance and emergency access; but the remainder of the impacted area would be undisturbed, and native habitat would reestablish in these areas. Implementation of the Wueste Road Pipeline would not conflict with the intent of the City of Chula Vista or City of San Diego MSCP Subarea Plans because pipelines and associated access roads are compatible uses. In addition, as noted in the response to comment 2-9 above, the final EIR has been revised to state that only hydroseed containing native plant species will be applied. The Otay Water District is not proposing any maintenance or management of the Project impact areas because impacts on vegetation communities are being fully mitigated off site at the HMA through habitat-based mitigation; no onsite mitigation is proposed or required.

2-11 The District understands that any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of a river, stream, or lake will require the submittal of a complete Lake or Streambed Alteration Program notification package and associated fees to the CDFG. Although the Project has been designed to avoid impacts on resources under the jurisdiction of the CDFG, the District will comply with all applicable state, federal, and local laws and regulations, including the provisions of Fish and Game Code Section 1602. It is not necessary to include compliance with applicable laws and regulations, including provisions of the Fish and Game Code Section 1602, as a mitigation measure in the draft EIR.

2-12 The two statements referenced in the comment are not conflicting. As noted in the draft EIR, the proposed Project would result in impacts on a total of 2.04 acres of native habitat and 0.51 acre of developed areas within the City of Chula Vista's 100% Preserve. The statement referenced in the comment related to the feasibility of alternatives through undeveloped areas north and south of the Otay River Valley of the Otay Water District's planning area. This is meant to indicate that additional areas within the 100% Preserve not located within the Project footprint would be impacted by alternatives that involve routes through undeveloped areas north and south of the Otay River Valley. For example, shifting the alignment of the proposed pipeline to the west would result in additional impacts on areas within the City of Chula Vista's 100% Preserve, and shifting the alignment to the east would result in additional impacts on areas within the City of San Diego's MHPA that are not proposed to be impacted under the proposed Project.

State Water Resources Control Board

Linda S. Adams
Secretary for Environmental Protection

Division of Financial Assistance
1001 I Street • Sacramento, California 95814 • (916) 341-5700 FAX (916) 341-5707
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: http://www.waterboards.ca.gov

Arnold Schwarzenegger
Governor

APR 1 2 2010

OTAY WATER DISTRICT RECEIVED 2010 APR 15 AM 11:49

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978

Dear Ms. Coburn-Boyd:

ENVIRONMENTAL IMPACT REPORT (EIR) FOR OTAY WATER DISTRICT (DISTRICT); OTAY MESA RECYCLED WATER SYSTEM CAPITAL IMPROVEMENTS PROGRAM R2087, R2077 AND R2058 (PROJECT); SAN DIEGO COUNTY; STATE CLEARINGHOUSE NO. 2009101031

Thank you for the opportunity to review the above document. We understand the District is not currently pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing comments on the California Environmental Quality Act (CEQA) document prepared for the Project.

The District may want to consider the CWSRF Program to provide funding for future construction. The State Water Board, Division of Financial Assistance, is responsible for administering CWSRF financing. The primary purpose for the CWSRF Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, and provide for estuary enhancement, thereby protecting and promoting health, safety and welfare of state inhabitants. The CWSRF Program provides low-interest funding equal to one-half the most recent State General Obligation Bond
3-1 Rates with a 20-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at: www.waterboards.ca.gov/waterissues/programs/grantsloans/srf/index.shtml.

The CWSRF Program is partially funded by the United States Environmental Protection Agency (USEPA) and requires additional "CEQA-Plus" environmental documentation and review. Four information sheets are included that further explain the environmental review process and additional federal requirements in the CWSRF Program. In addition, an environmental evaluation form is included for the District to submit should it pursue State Water Board funding. The State Water Board can consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF financing commitment. For further information on the CWSRF Program environmental compliance please contact Ms. Michelle Lobo at (916) 341-6983.

It is important to note that prior to a CWSRF financing commitment, projects are subject to the provisions of the Federal Endangered Species Act and must obtain approval from the United States Fish and Wildlife Service (USFWS), and/or National Marine Fisheries Service (NMFS) for any potential effects to special status species.

California Environmental Protection Agency

Recycled Paper

2.3 Letter 3: State Water Resources Control Board

3-1 Comment noted. The District is not pursing Clean Water State Revolving Fund financing for the Project.

Ms. Lisa Coburn-Boyd - 2 - APR 1 2 2010

Please be advised that the State Water Board can consult with the USFWS, and/or NMFS on behalf of the District regarding all federal special status species the Project has the potential to impact if the Project is to be funded under the CWSRF Program.

3-1 cont In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act. The State Water Board has been delegated responsibility for carrying out the requirements of Section 106 under a Nationwide Programmatic Agreement executed for the CWSRF Program by the USEPA, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers.

As stated above, the State Water Board has responsibility for ensuring compliance with Section 106 and the State Water Board Cultural Resources Officer (CRO) consults directly with the California State Historic Preservation Officer (SHPO). SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant for projects having potential impacts to cultural resources. Please contact the State Water Board CRO Ms. Cookie Hirn at 916-341-5690, to find out more about the requirements and questions on how to begin the Section 106 compliance process. Note that the District will need to identify the Area of Potential Effects (APE), including construction areas, staging areas, and depth of any excavation.

3-2 If the District pursues State Water Board funding, provide the CRO with a copy of a current Records Search for the Project area, including maps that show all recorded sites and surveys in relation to the APE for the Project. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. The Records Search request should be made for an area larger than the APE. The appropriate area varies for different projects but should be drawn large enough to provide information on what types of sites may exist in the vicinity. Specifically, please send copies of the Records Search maps with all sites and surveys mapped in relation to the pipeline routes, and copies of Native American consultation including documentation of follow-up phone calls. Additionally, the Project archeologist will need to provide the CRO with a map delineating the areas deemed sensitive for buried resources, and a rationale for the designations.

Native American and Interested Party Consultation is required for Section 106 compliance:

- A Project description and map should be sent to the Native American Heritage Commission (NAHC). The NAHC will provide a list of Native American tribes and individuals that are culturally affiliated with your Project area and recommend that they all be contacted
- A Project description and map should be sent to everyone on the list provided by the NAHC, asking for information on the Project area
- Similar letters should be sent to local historical organizations
- Follow-up contact should be made by phone, if possible, and a phone log should be included

California Environmental Protection Agency

Recycled Paper

3-2 As discussed in Section 4.3, "Cultural Resources," of the draft EIR, construction of the proposed Project would not result in any impacts on historical resources. As a result, the Project would not impact any resources that are covered under Section 106. In addition as discussed in Section 4.2, "Biological Resources," of the draft EIR, construction of the proposed Project would not result in any impacts on wetlands or jurisdictional waters of the U.S. As a result, the District does not need to obtain permits from the United States Army Corps of Engineers (USACE) that would involve consultation regarding Section 106 compliance.

Ms. Lisa Coburn-Boyd - 3 - APR 1 2 2010

3-2 cont Comments from the NAHC, local tribes, and historical organizations affiliated with the Project area, as well as the District's response to these comments should be included in the submittal to the CRO.

The NAHC can be contacted at:

915 Capitol Mall, Room 364
Sacramento, CA 95814
(916) 653-4082

3-3 Another federal requirement pertinent to the Project under the CWSRF Program is compliance with the Migratory Bird Treaty Act. List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.

The State Water Board has no further comments on the draft EIR at this time. Thank you once again for the opportunity to review the District's environmental document. If you have any questions or concerns, please feel free to contact me at (916) 327-9401, or contact Ms. Justine Herrig at (916) 327-9117.

Sincerely,

Lisa Lee
Environmental Scientist

Enclosures (5)

cc: State Clearinghouse w/o enclosures
(Re: SCH# 2009101031)
P. O. Box 3044
Sacramento, CA 95812-3044

California Environmental Protection Agency

Recycled Paper

3-3 The District intends to comply with the Migratory Bird Treaty Act (MBTA). As discussed in Section 4.2, "Biological Resources," of the draft EIR, Mitigation Measure MM BIO-7a requires that the District conduct preconstruction surveys to determine if any birds protected by the MBTA could be impacted during Project construction. If birds and/or nests are identified during these surveys, the District will take appropriate measures to avoid impacts.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

April 13, 2010

Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978-2004

Subject: Otay Mesa Recycled Water System Capital Improvement Program R2087, R2077, R2058 Project
SCH#: 2009101031

Dear Lisa Coburn-Boyd:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 12, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

4-1 "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

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

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

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

OTAY WATER DISTRICT
RECEIVED
2010 APR 23 PM 4: 20

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

2.4 Letter 4: Governor's Office of Planning and Research—State Clearinghouse and Planning Unit—April 13, 2010

4-1 Comment noted. Responses to the State Water Resources Control Board letter are provided in the Final EIR as responses to Letter 3 above.

Document Details Report
State Clearinghouse Data Base

SCH# 2009101031
Project Title Otay Mesa Recycled Water System Capital Improvement Program R2087, R2077, R2058 Project
Lead Agency Otay Water District

Type EIR Draft EIR

Description The primary goals and objectives of the Project include the following actions:

Construct facilities to meet existing recycled water demand in the Otay Mesa Service Area; Implement the Recycled Water System of the Water Resources Master Plan. The WRMP established phased CIPs that will be needed to provide an adequate, reliable, flexible, and cost-effective water system; Implement Recycled Water Policies of the State of CA, local land use jurisdictions, local and regional water supply agencies, the District, and the federal government.

Lead Agency Contact

Name Lisa Coburn-Boyd
Agency Otay Water District
Phone 619-670-2219 **Fax**
email
Address 2554 Sweetwater Springs Boulevard
City Spring Valley **State** CA **Zip** 91978-2004

Project Location

County San Diego
City Chula Vista
Region
Lat / Long
Cross Streets Wueste Road, Airway Road, Alta Rd, La Media Rd
Parcel No. multiple
Township **Range** **Section** mult **Base**

Proximity to:

Highways SR-125, SR 905
Airports Brown Field
Railways
Waterways Otay River
Schools Pacific McGeorge Law
Land Use Multiple land use designations

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 11; Department of Health Services; State Water Resources Control Board, Divison of Financial Assistance; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 9; Native American Heritage Commission; State Lands Commission

Date Received 02/26/2010 **Start of Review** 02/26/2010 **End of Review** 04/12/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

State Water Resources Control Board

Linda S. Adams
Secretary for Environmental Protection

Division of Financial Assistance
1001 I Street • Sacramento, California 95814 • (916) 341-5700 FAX (916) 341-5707
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: http://www.waterboards.ca.gov

Arnold Schwarzenegger
Governor

APR 1 2 2010

RECEIVED
APR 1 2 2010
STATE CLEARING HOUSE

Clear 4/12/10 e

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978

Dear Ms. Coburn-Boyd:

ENVIRONMENTAL IMPACT REPORT (EIR) FOR OTAY WATER DISTRICT (DISTRICT); OTAY MESA RECYCLED WATER SYSTEM CAPITAL IMPROVEMENTS PROGRAM R2087, R2077 AND R2058 (PROJECT); SAN DIEGO COUNTY; STATE CLEARINGHOUSE NO. 2009101031

Thank you for the opportunity to review the above document. We understand the District is not currently pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing comments on the California Environmental Quality Act (CEQA) document prepared for the Project.

The District may want to consider the CWSRF Program to provide funding for future construction. The State Water Board, Division of Financial Assistance, is responsible for administering CWSRF financing. The primary purpose for the CWSRF Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, and provide for estuary enhancement, thereby protecting and promoting health, safety and welfare of state inhabitants. The CWSRF Program provides low-interest funding equal to one-half the most recent State General Obligation Bond Rates with a 20-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at www.waterboards.ca.gov/waterissues/programs/grantsloans/srf/index.shtml.

The CWSRF Program is partially funded by the United States Environmental Protection Agency (USEPA) and requires additional "CEQA-Plus" environmental documentation and review. Four information sheets are included that further explain the environmental review process and additional federal requirements in the CWSRF Program. In addition, an environmental evaluation form is included for the District to submit should it pursue State Water Board funding. The State Water Board can consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF financing commitment. For further information on the CWSRF Program environmental compliance please contact Ms. Michelle Lobo at (916) 341-6983.

It is important to note that prior to a CWSRF financing commitment, projects are subject to the provisions of the Federal Endangered Species Act and must obtain approval from the United States Fish and Wildlife Service (USFWS), and/or National Marine Fisheries Service (NMFS) for any potential effects to special status species.

California Environmental Protection Agency

Recycled Paper

Ms. Lisa Coburn-Boyd - 3 - APR 1 2 2010

Comments from the NAHC, local tribes, and historical organizations affiliated with the Project area, as well as the District's response to these comments should be included in the submittal to the CRO.

The NAHC can be contacted at:

915 Capitol Mall, Room 364
Sacramento, CA 95814
(916) 653-4082

Another federal requirement pertinent to the Project under the CWSRF Program is compliance with the Migratory Bird Treaty Act. List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.

The State Water Board has no further comments on the draft EIR at this time. Thank you once again for the opportunity to review the District's environmental document. If you have any questions or concerns, please feel free to contact me at (916) 327-9401, or contact Ms. Justine Herrig at (916) 327-9117.

Sincerely,

Lisa Lee
Environmental Scientist

Enclosures (5)

cc: State Clearinghouse w/o enclosures
(Re: SCH# 2009101031)
P. O. Box 3044
Sacramento, CA 95812-3044

California Environmental Protection Agency

Recycled Paper

This page left intentionally blank.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

April 13, 2010

Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978-2004

Subject: Otay Mesa Recycled Water System Capital Improvement Program R2087, R2077, R2058 Project
SCH#: 2009101031

Dear Lisa Coburn-Boyd:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 12, 2010. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

5-1 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.

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 (2009101031) when contacting this office.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

OTAY WATER DISTRICT
RECEIVED
2010 APR 23 PM 4: 20

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

2.5 Letter 5: Governor's Office of Planning and Research—State Clearinghouse and Planning Unit—April 13, 2010

5-1 Comment noted. Responses to the California Department of Fish and Game letter are provided in the final EIR as responses to Letter 2 above.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
http://www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor
JOHN MCCAMMAN, Director

Clear
4.12.10
late
C

RECEIVED
APR 13 2010
STATE CLEARING HOUSE

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2004

Subject: Comments on the Otay Mesa Recycled Water System Capital Improvement Program R2087, R2077, R2058 Project Draft Environmental Impact Report, San Diego County, California (SCH# 2009101031)

Dear Ms. Coburn-Boyd:

The California Department of Fish and Game (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR), dated February 2010. The Department previously commented on the Notice of Preparation for the DEIR on October 30, 2009. The comments provided herein are based on information provided in the DEIR and associated documents (including the Biological Assessment for the Otay Water District's Transmission Pipelines, prepared by ICF International, dated February 2010), our knowledge of sensitive and declining vegetation communities, and our participation in regional conservation planning.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Guidelines Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq.) and Fish and Game Code Section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) Program.

The Otay Water District (District) proposes to construct three recycled water system transmission pipelines under the District's Capital Improvement Program (CIP). The projects would be located with the South District service area (comprised of the Central Area and Otay Mesa Systems) where it maintains and operates a recycled water system. The recycled water pipelines include the following: Wueste Road Pipeline (CIP No. R2087/13,300 linear feet of 24-inch-diameter steel pipeline) which would extend along Wueste Road within unincorporated County of San Diego and City of Chula Vista; Alta Road Pipeline (CIP No. R2077/11,989 linear feet of 24-inch-diameter polyvinyl chloride pipeline) which would extend along Alta Road within the City of San Diego; and Airway/La Media Road Pipeline (CIP No. R2058/ 12,440 linear feet of 16-inch-diameter polyvinyl chloride pipeline) that would be located along Airway/La Media Road with the limits of City of San Diego. Cut and cover trenching techniques would be used for pipeline installation, with approximately 500 feet of trench open at any time. A portion of the Wueste Road pipeline that crosses underground utilities would require jack-and-bore construction techniques. The DEIR acknowledges that the District intends to limit construction activities to the paved portions of the designated roadways (located within existing utility rights-of-way); however, construction activity for the Wueste Road Pipeline would extend approximately 10 feet east from paved portion of Wueste Road. The width of the construction corridor for that portion of pipeline that extends outside of the roadway would be approximately 50-70 feet. Construction staging areas would be located on existing developed areas or disturbed road edges that do not support vegetation. Also, the Wueste Road Pipeline phase

Conserving California's Wildlife Since 1870

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 2 of 7

includes the construction of a below-grade pressure reducing station (PRS). Access for the PRS would be provided via a north/south trending dirt road, which connects to a paved driveway that merges with Alta Road.

The vegetation communities and land types identified within the biological assessment included: maritime succulent scrub, Diegan coastal sage scrub, non-native grassland, mule fat scrub, southern willow scrub, tamarisk scrub, eucalyptus woodland, disturbed habitat, and urban/developed areas. One vernal pool and several road ruts were mapped during biological surveys. A portion of the Wueste Road Pipeline segment extends into the Multi-Habitat Planning Area (MHPA) of the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The impact area to the City of San Diego's MHPA would be limited to a 0.34 acre area, consisting primarily of pipeline extension within the roadway and disturbance of an adjacent trail. This segment of the Pipeline would also extend into the City of Chula Vista's MSCP (100% Conservation Area - Preserve), resulting in 2.04 acres of impact to native habitat.

No Federal or State listed plants were observed within the project alignment (i.e. impact area) during rare plant surveys; however, eight special-status plant species were detected in the survey area with only Palmer's grappling hook (*Harpagonella palmeri*; CNPS List 4) and San Diego sunflower (*Viguiera laciniata*; CNPS List 4) present within the impact footprint. Six pairs of coastal California gnatcatcher (*Polioptila californica;* gnatcatcher) were observed during focused surveys associated with the Wueste Road Pipeline alignment. A habitat assessment and focused survey for Quino checkerspot butterfly (*Euphydryas editha quino*; Quino) was conducted in 2009, yielding negative results. A portion of the PRS impact area is within critical habitat for Quino. The biological assessment acknowledged that only dry season sampling for the federally listed endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*) was completed, with wet season sampling scheduled for the 2009/2010 season. Surveys for burrowing owl (*Athene cunicularia*; State Species of Special Concern) were conducted along road shoulders and adjacent areas along the Alta Road and Airway/La Media Road Pipeline alignment which resulted in one owl observed outside of the pipeline alignment.

We offer the following comments and recommendations to assist the District in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with ongoing regional habitat conservation planning efforts.

1. The Biological Assessment (Appendix C) reported that one burrowing owl was observed due east (approx. 3,000 feet) of the Airway/La Media Road project segment and that the potential exists for burrowing owl to occur in the habitat surrounding the Alta Road Pipeline impact area. However the assessment concluded that the non-native grassland surrounding Alta Road was too dense for the species. We would highlight that Department staff has observed burrowing owl several times along the edge of the roadway (within the earthen berm) on the west side of La Media Road even though the vegetative growth in these areas currently happens to be dense and is not typical of habitat normally associated with supporting this species. We have additional reports of owls occupying roadside areas in less than suitable habitat conditions. We treat such occurrences as occupancy and emphasize that appropriate avoid/minimization measures should be implemented as part of this project.

   Furthermore, the biological resource discussion provided in the DEIR does not adequately define the survey methodology used for burrowing owl. The level of detail (e.g., survey timing/duration and applicable methodology) that was provided for describing survey activities for federally listed species, likewise should be provided for the burrowing owl. It is

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 3 of 7

unclear from the discussion whether a complete pedestrian survey was performed that adequately covered the entire project footprint and for areas within 500 feet of the project impact zone. The Burrowing Owl Survey Protocol and Mitigation Guidelines (The California Burrowing Owl Consortium, April 1993) suggest nesting season surveys be conducted during the peak of the breeding season, between April 15 and July 15 and that a resource summary report (with a map) should be prepared if burrows or burrowing owls are recorded on the site. Due to the significance of burrowing owl presence in Otay Mesa, we believe that a separate written report should accompany the analysis for the DEIR.

From the regional conservation perspective, there has been a dramatic reduction in resident/breeding, as well as wintering burrowing owls in all counties in southern California. Otay Mesa is one of the few remaining areas of the County where a breeding burrowing owl population remains (i.e., 20 to 30 recorded pairs). The Department has been working closely with Multiple Species Conservation Program (MSCP) participants (City and County of San Diego) on developing a conservation strategy for burrowing owls on Otay Mesa. The City of San Diego's MSCP Subarea Plan (Table 3-5) acknowledges that "If burrowing owls are detected, the following mitigation measures must be implemented: within the Multiple Habitat Planning Area (MHPA), impacts must be avoided; outside the MHPA, impacts to the species must be avoided to the maximum extent practicable; any impacted individuals must be relocated out of the impact area using passive or active methodologies approved by the Department; mitigation for impacts to occupied habitat (at the Subarea Plan specified ratio) must be met through the conservation of occupied burrowing owl habitat or conservation of lands appropriate for restoration, management and enhancement of burrowing owl nesting and foraging requirements."

To address the aforementioned concerns we strongly recommend the following measures be included into the *Mitigation/Performance Measures* of the final EIR:

1. Prior to proceeding with any grubbing, clearing or grading activity a qualified biologist shall assess the presence of burrowing owl habitat on the project site including a 500--foot buffer zone around the project boundary, where feasible. If the biologist determines that there is evidence that the site supports burrowing owl then the biologist shall proceed with conducting a minimum of four protocol surveys in accordance with the Burrowing Owl Survey Protocol and Mitigation Guidelines (The California Burrowing Owl Consortium, April 1993) to determine the presence or absence of occupied burrows within the project site and a 500 feet buffer area adjacent to the development that could be impacted.

2. Written results of the habitat assessment and survey results shall be submitted to the District and Department. If active nests of sensitive species are detected, the report shall include mitigation to the satisfaction of the Department as described below (measure No. 4).

3. An inspection of all stored building materials (e.g., culverts, pipes and debris piles) shall be conducted to determine the presence of burrowing owl. To reduce the opportunity for stockpiled materials to serve as artificial nesting areas, a qualified biologist shall inspect building materials prior to being moved, buried, or capped. All pipes shall be either completely capped or adequately covered to prevent the opportunity for shelter or nesting by burrowing owl.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 4 of 7

4. Prior to 30 days of any ground disturbing activities, a qualified biologist shall conduct a pre-grading survey of the development area and buffer area (500 feet), in conjunction with mitigation measure No. 1 above.

   A. If ground disturbing activities are delayed or suspended for more than 30 days after the pre-grading survey, the site shall be resurveyed for burrowing owl.

5. If active bird burrows/nests are identified during the pre-grading survey, or are otherwise noted during the week grading is to commence (see mitigation measure No. 8 below), and project construction has the potential to impact the burrows/nests, the biologist shall consult with the District and Department to determine an appropriate mitigation program (i.e., translocation, eviction. buffer, or other strategy).

   A. Impacts to the species must be avoided to the maximum extent practicable.

   B. Occupied burrows should not be disturbed during the nesting season (February 1 through August 31, unless a qualified biologist in consultation with the District and Department verifies through non-invasive methods that either:

      a. The birds have not begun egg-laying and incubation; or

      b. Juveniles from the occupied burrows are foraging independently and are capable of independent survival.

   C. If burrows/nests are required to be protected rather than translocated, weekly biological monitoring of these burrows/nests shall be conducted by the project biologist during construction with written or electronic submission results submitted to the District and Department.

      a. No disturbance shall occur within 160 feet of occupied burrows during the non-breeding season of September 1 through January 31 or within 250 feet during the breeding season of February 1 through August 31. Avoidance should include management and enhancement of burrowing owl nesting and foraging requirements at a ratio of no less than a 1:1 for the territory of the burrowing owl.

      b. If buffer areas are used, they must be identified on a biological resources map and flagged in the field so no grading or construction activity can occur in these areas.

   D. These restrictions shall be noted on all grading and construction plans.

6. If no nests are discovered on or adjacent to the project site/development area, no further mitigation is required.

7. If burrows/nests are discovered during construction activities, the project biologist shall notify the District and Department.

8. The project biologist shall stop work within the vicinity (minimum of 160 feet) of the burrows/nests. The Project biologist shall mark all holes, shrubs or those areas

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 5 of 7

that could serve as artificial burrows/nesting areas and delineate the appropriate "no construction" around any nest sites and any buffer area in consultation with the District and Department.

9. The project biologist, in consultation with the District and Department shall determine an appropriate mitigation program (i.e., translocation, buffer, or other strategy) as described in mitigation measure No. 5 above.

10. The biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that surveys are completed, as appropriate.

11. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted to the District and Department.

12. If the mitigation program included long-term management and monitoring of lands to mitigate the loss of foraging and burrowing habitat; the plan should include success criteria and remedial measures. The report shall be submitted annually and approved to the satisfaction of the District. Supplemental copies of the mitigation proposal shall be provided to the Department.

2. The biological resources discussion mentioned that several orange-throated whiptails (*Aspidoscelis hyperythra*) were observed along the road edge during gnatcatcher surveys. Based on this documentation, we believe that there is a potential for species-specific impacts from construction actions associated with trenching/grading, stockpiling of fill, refilling trenches, and moving vehicles along the corridor during construction and inspections and that a more thorough mitigation strategy should be evaluated and adopted to address potential impacts to orange-throated whiptail. Appropriate mitigation to address impacts to this species (along with other reptiles and small mammals) should include biological monitoring during construction activities and ensuring that all steep-walled trenches or excavations used during construction are covered at all times except when being actively utilized. If trenches or excavations cannot be covered, exclusion fencing (i.e., silt fencing should be installed around trenching or excavations, or it should be covered to prevent entrapment of wildlife (i.e., reptiles and small mammals). Open trenches, or other excavations that could entrap wildlife should be inspected by a qualified biologist at a minimum of three times per day and immediately before backfilling. An inspection under all vehicles and equipment should be conducted for the presence of wildlife prior to moving. If wildlife is observed, no vehicles or equipment should be moved until the animal has left voluntarily or is relocated by a biologist with the appropriate qualifications and permit authority.

3. The DEIR's executive summary and Section 3.4.2 states, "The construction corridor for the portion of the Project that would extend outside of Wueste Road would be approximately 50-70 feet", whereas Section 4.2.3 refers to the impact area consisting of an 80-to 90-foot-wide corridor. Please provide further guidance on the ultimate width of the corridor for this segment of pipeline and which corridor width was used for determining impact acreage.

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 6 of 7

4. It is unclear why the majority of the mapped areas occupied by San Diego sunflower or Palmer's grappling hook cannot be avoided for the Wueste Road Pipeline segment. Three polygons of San Diego sunflower were mapped within the southern end of the alignment, whereas a portion of one polygon for Palmer's grappling hook falls within the alignments impact area. However, Figure 4d depicts the majority of the pipeline alignment occurs on the east side of a dirt road, while the mapped polygons are distributed along the west side of the road (accept for one polygon of San Diego sunflower). An estimate of the individual number of plants associated with each polygon should be provided. We recommend identifying those polygons that would be affected and whether options exist to confine the alignment/trenching entirely to the east side of the dirt road, in an effort to further reduce direct impacts to special-status plants. The feasibility for this option is partially addressed within the Reduced Impact Alternative analysis through either reducing the width of the impact corridor or locating the pipeline on disturbed lands associated with the Otay Water Treatment Plant.

5. The *Mitigation/Performance Measures* provided in the final EIR should include a condition to install protective fencing around the balance of special-status plant populations that would be avoided during construction activities. Consideration should be given to fencing any other areas that support the other six special status plant species that were mapped in close proximity to pipeline alignment or service roads. A qualified biological monitor should implement and monitor this avoidance/minimization measure. Additionally, a conceptual restoration plan for addressing impacts to Palmer's grappling hook should be provided to the Department for review. The broader criteria associated with restoration goals and objectives and the maintenance/biological monitoring needs for any restoration proposal should be outlined with the Biological Resources Mitigation/Performance Measure.

6. The Project Design Features/Standard Construction Practices (Section 4.1.3.2) states, "Hydroseed, landscape, or develop disturbed areas as quickly as possible and as directed by the District to reduce dust generation." We recommend that this standard be revised for the final EIR to include a condition that only hydroseed containing native plant species that are endemic to the area be applied. Non-invasive non-native species to temporarily protect against erosion may also be included in the hydroseed mix. Furthermore, design measure HYD-2 (Section 4.6, Hydrology/Water Quality) is limited to acknowledging under the Soil Stabilization heading that, "Preservation of Property/Preservation of Existing Vegetation" is required. Due to our concerns for the control of invasive non-native species within preserve areas, we recommend that the native hydroseed requirements also be included as a Biological Resources Mitigation/Performance Measure.

7. It is unclear to the Department as to those subsequent measures that the District will implement in order to ensure control of invasive non-native plants within the pipeline corridor (particularly for segments extending into MHPA/Preserve areas). The DEIR mentions that the remainder of the area east of the roadway (i.e., Wueste Road) within the impact area would be undisturbed in association with District maintenance activities and that native habitat would reestablish in areas disturbed in association with Project construction.

   Additional discussion should be provided in the final EIR, detailing the District's follow-up measure for conformance with invasive non-native plant control requirements, as specified under each MSCP Subarea Plan. Although the District is not signatory to the respective MSCP Subarea Plan, routine work activities conducted by the District within preserve areas can have implications for affecting the biological integrity of those lands. Additionally, an accurate account of habitat impacts to the respective MSCP lands should be provided to

Ms. Lisa Coburn-Boyd
April 8, 2010
Page 7 of 7

each affected jurisdiction (i.e., City's of San Diego and Chula Vista), for purposes of including within their annual MSCP program monitoring reports.

8. The project includes horizontal directional drilling for the installation of the Airway/La Media Road Pipeline segment that crosses an existing culvert that extends under La Media Road. The drilling could inadvertently release drilling fluids and force them to the surface (i.e., frac-out), which could result in fluids entering the drainage channel and affect downstream water quality. Because there is potential for the drilling activity to cause a frac-out, the District should consider notifying the Department, per Fish and Game Code Section 1602, before beginning an activity that could result in the release of material into the drainage channel. The Department recommends that if the District is not certain whether the proposed activity requires notification, then the District should contact the Department. The Department recommends that the biological mitigation measures be revised to include the following condition:

   Prior to the District's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake the project applicant shall submit a complete Lake or Streambed Alteration Program notification package and fee to the California Department of Fish and Game.

9. Section 6.3.1 of the DEIR states that "Alternative pipeline routes through undeveloped areas north and south of the Otay River Valley of the District's planning area are not considered feasible because they would disturb cultural and biological sensitive areas including the City of Chula Vista's 100% Preserve, which would not be disturbed under the proposed alignment. Conversely, the impact analysis that was provided for the Wueste Road Pipeline states, "a total of 2.04 acres of native habitat (coastal sage scrub and maritime succulent scrub) and 0.51 acre of developed areas within the 100% Preserve area would be impacted during construction of the proposed Project." Please provide clarification to these conflicting statements.

We appreciate the opportunity to comment on the DEIR for this project and to assist the City in further minimizing and mitigation project impacts to biological resources. If you have questions or comments regarding this letter, please contact Paul Schlitt at (858) 637-5510.

Sincerely,

Theresa A. Stewart

for Edmund Pert
Regional Manager
South Coast Region

cc: State Clearinghouse, Sacramento
Doreen Stadtlander, Susan Wynn, U.S. Fish and Wildlife Service, Carlsbad
Paul Schlitt, San Diego

This page left intentionally blank.

6-1

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA HAS NO EXISTING FACILITIES OR RIGHTS OF WAY WITHIN THE LIMITS OF THE PROJECT.

3.23.2010

JOB NO.: 10032204

NOTICE OF AVAILABILITY OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT OTAY WATER DISTRICT OTAY MESA RECYCLED WATER SYSTEM CAPITAL IMPROVEMENT PROGRAM R2087, R2077, R2058 PROJECT

NOTICE IS HEREBY GIVEN: that on February 26, 2010 the Otay Water District (OWD) issued a draft Environmental Impact Report (EIR) for Otay Mesa Recycled Water System Capital Improvement Program R2087, R2077, R2058 Project (Project) for review and public comment. In accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines CCR Title 14, §15087 the draft EIR assesses the environmental effects associated with implementation of the Project.

In compliance with the State CEQA Guidelines, the OWD has established a 45-day public review period, beginning on February 26, 2010, to solicit comments and input on the EIR. All written comments should be forwarded to Ms. Lisa Coburn-Boyd, Otay Water District, 2554 Sweetwater Springs Boulevard, Spring Valley, CA 91978-2004, Phone: (619) 670-2219, Fax: (619) 670-8920, E-mail: lisa.coburn-boyd@otaywater.gov by no later than April 12, 2010.

Following close of the public comment period, responses to comments received on the draft EIR will be prepared, and, together with any corresponding revisions to the draft EIR, will constitute a Final EIR. The Final EIR will be considered and acted upon by the OWD Board of Directors at a noticed public hearing.

The draft EIR and appendices are available for review and downloading from the OWD Internet web page at the following address www.otaywater.gov. Copies of the draft EIR and all documents referenced in the draft EIR are available for public review by appointment at the OWD office location listed above. Please contact Ms. Lisa Coburn-Boyd at the email address listed above to set up an appointment. Copies of the draft EIR and appendices are also available for public review at the following public libraries: City of Chula Vista Public Library Civic Center, South Chula Vista, and Eastlake Branches

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

2.6 Letter 6: Metropolitan Water District of Southern California

6-1 Comment noted.

APR-07-2010 06:02 AM DODER 8054461933 P.01

OMPOA

Otay Mesa Property Owners Association

April 6, 2010

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Blvd.
Spring Valley, CA 91978-2004

Re: Comments on Notice of Availability for Draft Program EIR for Otay Mesa Recycled Water System Capital Improvement Program, Projects R2087, R2077, R2058

Dear Ms. Coburn-Boyd:

On behalf of the Otay Mesa Property Owners Association (OMPOA), we appreciate the opportunity to comment on the Notice of Availability of the Draft Program EIR for three recycled water system projects, Wueste Road Pipeline (R2087), Alta Road Pipeline (R2077), and Airway/La Media Road Pipeline (R2058).

7-1 The OMPOA received a briefing in February of 2009 from David Charles, Otay Water District, about plans for reclaimed water in Otay Mesa. Property owners were given an opportunity to see where reclaimed water pipes had been installed in Otay Mesa already and where pipes would be installed in the future. This was very helpful for the property owners to understand the benefits of recycled water in Otay Mesa and how it would affect their individual development projects.

The OMPOA is supportive of OWD's efforts to bring recycled water to Otay Mesa and requests that to the extent necessary, there is coordination between Caltrans and OWD on construction of their respective projects. The OMPOA looks forward to continuing to participate in the environmental review process for this project.

Sincerely,

Peter Doder, President
Otay Mesa Property Owners Association

3131 Camino del Rio North, Ste. 150
San Diego, CA 92108

2.7 Letter 7: Otay Mesa Property Owners Association

7-1 Comment noted.

EOMPOA

East Otay Mesa Property Owners Association

April 8, 2010

Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Blvd.
Spring Valley, CA 91978-2004

Re: Comments on Notice of Availability for Draft Program EIR for Otay Mesa Recycled Water System Capital Improvement Program, Projects R2087, R2077, R2058

Dear Ms. Coburn-Boyd:

8-1 On behalf of the East Otay Mesa Property Owners Association (EOMPOA), we appreciate the opportunity to comment on the Notice of Availability of the Draft Program EIR for three recycled water system projects, Wueste Road Pipeline (R2087), Alta Road Pipeline (R2077), and Airway/La Media Road Pipeline (R2058).

The EOMPOA is supportive of OWD's efforts to bring recycled water to Otay Mesa and requests that to the extent necessary, there is coordination between Caltrans and OWD on construction of their respective projects. The EOMPOA looks forward to continuing to participate in the environmental review process for this project.

Sincerely,

Tom Story, Chairman
East Otay Mesa Property Owners Association

3131 Camino del Rio North, Ste. 150
San Diego, CA 92108
619.682.3841

2.8 Letter 8: East Otay Mesa Property Owners Association

8-1 Comment noted.

San Diego County Archaeological Society, Inc.
Environmental Review Committee

9 April 2010

To: Ms. Lisa Coburn-Boyd
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2004

OTAY WATER DISTRICT
RECEIVED
2010 APR 12 AM 11: 13

Subject: Draft Program Environmental Impact Report
Otay Mesa Recycled Water System Capital Improvement Program
R2087, R2077, R2058 Project

Dear Ms. Coburn-Boyd:

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

Based on the information contained in the DEIR and its cultural resources appendix, we have the following comments on the mitigation measures in Section 4.3 of the DPEIR:

9-1 1. The Cultural Resources Issue 2 Summary (p. 4.3-9), and on page 4.3-13, states that the significance after mitigation is "less than significant". This is only true if the project is redesigned to avoid impacts to any significant resources encountered during the monitoring program. As paragraph D.2 on page 4.3-12 correctly notes, in such cases the impact is "significant and unavoidable", though the usual term is "significant and non-mitigable".

9-2 2. MM CUL-1a, on page 4.3-10, seems to imply that there is no possibility of encountering cultural resources in way of roadways. That is not necessarily the case.

9-3 3. MM CUL-1b (p. 4.3-10), does not specify that a Native American monitor is to be present along with the archaeological monitor. This appears to have been an editorial oversight as paragraph D.1 on page 4.3-12 refers to "the Native American representative".

9-4 4. In paragraph D.3 on page 4.3-12, it is necessary to replace "and/or San Diego Museum of Man" with "and San Diego Museum of Man", as all these persons or organizations are part of the consultation that takes places when human remains are encountered.

9-5 5. In paragraph D.4 on page 4.3-12, the correct name of the organization that maintains the archaeological site records is the "South Coastal Information Center", not the "San Diego Information Center".

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

2.9 Letter 9: San Diego County Archaeological Society

9-1 Significant and unavoidable resources have not been identified as a part of the records search or the surveys completed for the proposed Project. Therefore, it is reasonable to anticipate, as concluded in Section 4.3.3.2 of the draft EIR, that mitigation measures identified in the draft EIR to address the potential for encountering subsurface resources during construction would be adequate to mitigate potential impacts. As discussed in Section 4.3.3.2 of the draft EIR, the pedestrian surveys conducted for the proposed Project did not identify any cultural resources in the area of potential effect for the Project. In addition the area of potential affect for the proposed Project is characterized by modern disturbances associated with construction of the roadways and structures that could have destroyed any resources on the surface that may have been present. However, the potential for subsurface deposits cannot be categorically excluded, and therefore monitoring of construction activities has been required. As discussed in Mitigation Measure MM CUL-1c, if a resource is encountered during construction, mitigation options will include data recovery and redesign if necessary to avoid a resource. A resource would only be considered significant and unavoidable if data recovery is not sufficient and redesign is not possible. In addition, no resources were identified as a part of the cultural resources report and survey for which impacts would not be mitigated through data recovery or redesign. As a result, it is not reasonable to assume that impacts on cultural resources associated with the Project are significant and non-mitigable as suggested in the comment.

If the unexpected situation occurs where a resource is encountered during construction that requires additional analysis to determine what type of mitigation is required or is feasible the District would conduct additional review in accordance with CEQA.

9-2 Based on the work completed for the cultural resources report, which included a pedestrian survey and records search, it was concluded that potential affect for the proposed Project is characterized by modern disturbances associated with construction of the roadways and structures that could have destroyed any resources on the surface that may have been present. In addition it is anticipated that fill located beneath roadways would not contain cultural resources. As a result, the monitoring program focuses on areas where construction would disturb native soils outside of existing roadways.

9-3 A Native American representative is not required to be present during all construction monitoring activities. The mitigation program included in the draft EIR (see page 4.3-12, MM-CUL-1c (*D: Site Collection,* sub-items 3 and 4) requires that in accordance with standard procedure a native American representative must be consulted if human remains are encountered.

9-4 The District concurs with the comment. The revision to the text requested in the comment is included in Chapter 3, “Changes Made to the Draft EIR,” below.

9-5 The District concurs with the comment. The revision to the text requested in the comment is included in Chapter 3, “Changes Made to the Draft EIR,” below.

Thank you for providing SDCAS with this opportunity to review and comment upon this projects environmental documents. Please also include us in the distribution of the environmental documents for the individual projects under this program EIR.

Sincerely,

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

cc: ICF International
SDCAS President
File

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

Chapter 3
Changes Made to the Draft EIR

3.1 Introduction

In response to comments received, certain revisions have been made to the Draft EIR. The following revisions are presented in strikeout/underline format and consist of changes to text that clarify information; only pages that require revisions are included herein. These changes do not constitute significant additional information that changes the outcome of the environmental analysis or necessitates recirculation of the document in accordance with state CEQA guidelines § 15088.5. All changes to the Draft EIR presented below are noted in the response to comments in Chapter 2 of the final EIR.

This page left intentionally blank.

water system. The RWCWRF can produce approximately 1.3 mgd of recycled water daily. Recycled water is pumped southward to storage ponds in the District's Use Area, and is distributed throughout the Central Area System to a number of major developments. Current recycled water customers include residential developments, golf courses, schools, street and freeway landscaping, office parks, and a Sharp Health Center. Future recycled water markets are developments that require landscape irrigation, including parks, street and highway landscapes, freeways, schools, office parks, commercial and industrial areas, government facilities, healthcare centers, multi-family residential housing, and other common areas. Presently, the District distributes recycled wastewater treated at the RWCWRF that meets California Title 22 requirements for reuse.

The District's Recycled Water CIP program is being implemented in three phases. The three-pipeline proposed Project would be implemented as a part of Phase II, which provides for 12 projects in the Central Area System. The Phase II facilities would be constructed from 2009 to 2016.

Project Description

Goals and Objectives

The primary goals and objectives of the Project include the following actions:

- Construct facilities to meet existing recycled water demand in the Otay Mesa Service Area.
- Implement the Recycled Water System of the Water Resources Master Plan. The WRMP established phased CIPs that will be needed to provide an adequate, reliable, flexible, and cost-effective water system.
- Implement Recycled Water Policies of the State of California, local land use jurisdictions, local and regional water supply agencies, the District, and the federal government

Wueste Road Pipeline (R2087)

This portion of the Project would consist of a 24-inch-diameter 13,300-foot-long steel pipeline segment. The pipeline would be constructed within a segment of Wueste Road within the Central Area System. The pipeline would start at Olympic Parkway where it would be connected to an existing 16-inch-diameter RecPL. The pipeline would then extend south within Wueste Road along the western border of the City of San Diego Otay Water Treatment Plant and connect to an existing 30-inch-diameter RecPL just south of the plant.

The construction corridor within Wueste Road would extend approximately 10 feet to the east of the paved portion of Wueste Road. The construction corridor for the portion of the Project that would extend outside of Wueste Road would be ~~approximately 50–70 feet.~~as follows:

- From the northernmost portion of the Wueste Road Pipeline to where the pipeline heads west off the paved Wueste Road: the impact area is limited to the extent of the paved portion of Wueste Road and a 10-foot area east of the proposed pipeline alignment (which includes some vegetated areas along the east side of Wueste Road).
- The 175-foot-long portion that heads west off of Wueste Road: the impact area consists of a 20-foot-wide corridor centered on the proposed alignment for the 50-foot-long portion that is being

constructed via open trench (125 feet of pipe in this area is being installed via jack-and-bore) and the two jacking pits (eastern pit = 20 by10 feet, western pit = 40 by 20 feet).

- The remainder of the pipeline alignment that heads south to an existing structure at the southwestern edge of the OWTP: the impact area consists of a 80- to 90-foot-wide corridor. As part of the Wueste Road Pipeline, a PRS would be constructed immediately northeast of the District's 860-1 Reservoir located near the George Bailey Detention Facility.

As part of the Wueste Road Pipeline (R2087), a pressure-reducing station (PRS) would be constructed. The proposed PRS would be located approximately 0.5 mile northeast of Donovan State Prison along the northwestern portion of Alta Road, near the Otay Mountain Truck Trail. Access would be provided via a north/south trending dirt road, located directly south of the proposed PRS, which connects to a paved driveway that merges with Alta Road. Modifications to existing pipelines necessary to accommodate the PRS would include removal of existing butterfly valves, blowoff valves, and 30-inch steel pipelines. In addition to the proposed PRS, two 20-foot sections of pipelines, 20 and 24 inches in diameter, respectively, would be installed for future use.

Alta Road Pipeline (R2077)

This portion of the Project would consist of a 24-inch-diameter, 14,692-foot-long, polyvinyl chloride (PVC) RecPL segment. The pipeline would be constructed along a segment of Alta Road within the Otay Mesa System, beginning at the intersection of Calzada de la Fuente Road where it would be connected to an existing 24-inch-diameter RecPL. The pipeline would extend south within Alta Road, continue west along Otay Mesa Road, and then extend south within Sanyo Avenue where it would connect to the 16-inch-diameter RecPL proposed within Airway Road.

The pipeline would be constructed within existing paved roads. The construction corridor for the pipeline within Alta Road would total 40 feet, occupying 20 feet on either side of the centerline. The construction corridor within Sanyo Road would extend 10 feet west of the centerline. The construction corridor within Otay Mesa Road would extend 10 feet south of the center line.

Airway/La Media Road Pipeline (R2058)

This portion of the Project would consist of a 16-inch-diameter, 15,987-foot-long PVC RecPL segment. The pipeline would utilize 5,137 feet of existing pipeline, and 10,850 feet of new pipeline would be constructed as a part of the Project. The pipeline would be constructed along segments of Airway and La Media Roads within the Otay Mesa System. Airway/La Media Road Pipeline (R2058) would be divided into nine sections—four that are proposed to be constructed under this Project and five that were previously constructed by developers. The pipeline would start at the intersection of La Media and Windsock Roads and then extend south within La Media Road to Airway Road. The pipeline would continue east along Airway Road and end east of the Sanyo Road/Airway road intersection where it would be connected with the existing16-inch-diameter PVC main water pipeline. The pipeline would be constructed within existing paved roads, and its construction corridor would be 40 feet, extending 20 feet on either side of the centerline. Near the intersection of Airway and La Media Roads the pipeline would be extended underneath a culvert using a bore and jack construction method.

housing, and other common areas. Presently, the District distributes recycled wastewater treated at the RWCWRF that meets California Title 22 requirements for reuse.

The District's Recycled Water CIP program is being implemented in three phases. The three-pipeline proposed Project would be implemented as a part of Phase II, which provides for 12 projects in the Central Area System. The Phase II facilities would be constructed from 2009 to 2016.

The District has prepared CEQA and National Environmental Policy Act (NEPA) documents to address the WRMP and the Recycled Water Program. In 2005, a Programmatic Environmental Assessment (EA) for the District's Phase II and Phase III Recycled Water CIP projects was prepared. In 2009, a Program EIR was prepared to address proposed near-term Phase II and subsequent long-term Phase III activities associated with implementation of the 2009 WRMP update. The EIR and EA evaluated potential impacts of the CIP Projects at a programmatic level, including the proposed Wueste Road, Alta Road, and Airway/La Media Road Pipelines.

3.4 Project Description

3.4.1 Goals and Objectives

The primary goals and objectives of the Project include the following actions:

- Construct facilities to meet existing recycled water demand in the Otay Mesa Service Area.
- Implement the Recycled Water System of the Water Resources Master Plan. The WRMP established phased CIPs that will be needed to provide an adequate, reliable, flexible, and cost-effective water system.
- Implement Recycled Water Policies of the State of California, local land use jurisdictions, local and regional water supply agencies, the District, and the federal government.

3.4.2 Wueste Road Pipeline (R2087)

The Wueste Road Pipeline is illustrated in Figure 2-2. This portion of the Project would consist of a 24-inch-diameter 13,300-foot-long steel pipeline segment. The pipeline would be constructed within a segment of Wueste Road within the Central Area System. The pipeline would start at Olympic Parkway where it would be connected to an existing 16-inch-diameter RecPL. The pipeline would then extend south within Wueste Road along the western border of the City of San Diego Otay Water Treatment Plant and connect to an existing 30-inch-diameter RecPL just south of the plant.

The construction corridor within Wueste Road would extend approximately 10 feet to the east of the paved portion of Wueste Road. The construction corridor for the portion of the Project that would extend outside of Wueste Road would be ~~approximately 50–70 feet~~as follows:

- From the northernmost portion of the Wueste Road Pipeline to where the pipeline heads west off the paved Wueste Road: the impact area is limited to the extent of the paved portion of Wueste Road and a 10-foot area east of the proposed pipeline alignment (which includes some vegetated areas along the east side of Wueste Road).
- The 175-foot-long portion that heads west off of Wueste Road: the impact area consists of a 20-foot-wide corridor centered on the proposed alignment for the 50-foot-long portion that is being

constructed via open trench (125 feet of pipe in this area is being installed via jack-and-bore) and the two jacking pits (eastern pit = 20 by10 feet, western pit = 40 by 20 feet).

- The remainder of the pipeline alignment that heads south to an existing structure at the southwestern edge of the OWTP; the impact area consists of a 80- to 90-foot-wide corridor. As part of the Wueste Road Pipeline, a PRS would be constructed immediately northeast of the District's 860-1 Reservoir located near the George Bailey Detention Facility.

As part of the Wueste Road Pipeline (R2087), a pressure-reducing station (PRS) would be constructed. The proposed PRS would be located approximately 0.5 mile northeast of Donovan State Prison along the northwestern portion of Alta Road, near the Otay Mountain Truck Trail (see Figure 2-2). Access would be provided via a north/south trending dirt road, located directly south of the proposed PRS, which connects to a paved driveway that merges with Alta Road. Modifications to existing pipelines necessary to accommodate the PRS would include removal of existing butterfly valves, blowoff valves, and 30-inch steel pipelines. In addition to the proposed PRS, two 20-foot sections of pipelines, 20 and 24 inches in diameter, respectively, would be installed for future use.

3.4.3 Alta Road Pipeline (R2077)

The Alta Road Pipeline is illustrated in Figure 2-2. This portion of the Project would consist of a 24-inch-diameter, 14,692-foot-long, polyvinyl chloride (PVC) RecPL segment. The pipeline would be constructed along a segment of Alta Road within the Otay Mesa System, beginning at the intersection of Calzada de la Fuente Road where it would be connected to an existing 24-inch-diameter RecPL. The pipeline would extend south within Alta Road, continue west along Otay Mesa Road, and then extend south within Sanyo Avenue where it would connect to the 16-inch-diameter RecPL proposed within Airway Road.

The pipeline would be constructed within existing paved roads. The construction corridor for the pipeline within Alta Road would total 40 feet, occupying 20 feet on either side of the centerline. The construction corridor within Sanyo Road would extend 10 feet west of the centerline. The construction corridor within Otay Mesa Road would extend 10 feet south of the center line.

3.4.4 Airway/La Media Road Pipeline (R2058)

The Airway/La Media Road Pipeline is illustrated in Figure 2-2. This portion of the Project would consist of a 16-inch-diameter, 15,987-foot-long PVC RecPL segment. The pipeline would utilize 5,137 feet of existing pipeline, and 10,850 feet of new pipeline would be constructed as part of the Project. The pipeline would be constructed along segments of Airway and La Media Roads within the Otay Mesa System. Airway/La Media Road Pipeline (R2058) would be divided into nine sections—four that are proposed to be constructed under this Project and five that were previously constructed by developers. The pipeline would start at the intersection of La Media and Windsock Roads and then extend south within La Media Road to Airway Road. The pipeline would continue east along Airway Road and end east of the Sanyo Road/Airway road intersection where it would be connected with the existing 16-inch-diameter PVC main water pipeline. The pipeline would be constructed within existing paved roads, and its construction corridor would be 40 feet, extending 20 feet on either side of the centerline. Near the intersection of Airway and La Media Roads, the pipeline would be extended underneath a culvert using a bore and jack construction method.

C. *Determination of Significance*

- The Archaeologist shall evaluate the significance of the resource and shall immediately notify the District's CM by phone to discuss significance determination and shall also submit a letter to the District indicating whether additional mitigation is required.
- If the resource is determined to be significant, the Archeologist shall prepare a scope and cost to recover and process the discovery. Written approval must be obtained from the District before work can proceed. Impacts on significant resources must be mitigated before ground-disturbing activities in the area of discovery are allowed to resume.
- If the resource is not significant, the Archaeologist shall submit a letter to the District indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

D *Site Collection*

- If development cannot avoid ground disturbance within the archaeological site boundaries, then the District shall implement the measures listed below. The District shall be notified by the Archaeologist when the discovered resources have been collected and removed from the site for evaluation, at which time the District's CM shall direct work to continue in the location of the discovery.
  1. A research design and archaeological data recovery plan shall be prepared that will capture those categories of data for which the site is significant, and the data recovery plan will be implemented. The significance of the discovered resources shall be determined in consultation with the Native American representative, as appropriate.
  2. If, in the opinion of the Archaeologist and in light of the data available, the significance of the site is such that data recovery cannot capture the values that qualify the site for inclusion in the CRHR, then the District shall reconsider Project plans in light of the high value of the resource, and implement more substantial Project modifications that would allow the site to be preserved intact, such as redesign, placement of fill, or relocation or abandonment. If no such measures are feasible, then the impact shall be considered significant and unavoidable.
  3. If the site contains human remains, as part of the data recovery plan, appropriate parties shall be consulted, such as the Medical Examiner, NAHC, MLD, and the ~~/or~~ San Diego Museum of Man. Such consultation may include a pre-excavation agreement with the MLD.
  4. Appropriate technical analyses shall be performed, and a report shall be prepared and filed with the ~~San Diego~~South Coastal Information Center, with provision for the permanent curation of recovered resources, as follows:
     - The Archaeologist shall, in consultation with the Native American Representative, ensure that all significant cultural resources

This page left intentionally blank.

Project Design Features/Standard Construction Practices

Project design features/standard construction practices to minimize impacts related to water quality standards or requirements are provided below:

- HYD 1—If a discharge was to occur from a breached pipeline, the District will immediately contact the SDRWQCB, City of San Diego, and the CDPH with the scope of the discharge. In addition the following measures will be incorporated into the design of the pipeline:
  - All potential impertinences such as blowoff valves and air vacs will be located below grade.
- HYD 2—In accordance with the Water Agencies' Standards (WAS), the construction contractor is required to implement a Safety Plan at each construction site that will involve the transport, storage, use, and disposal of hazardous materials. Such plans will also specify stormwater Best Management Practices (BMPs) to minimize downstream water quality degradation from runoff pollution associated with pipeline construction activities. Construction BMPs identified in the Safety Plan that could be included in the Project's SWPPP include but are not limited to the following:
  - Soil Stabilization (Erosion Control)
    - Preservation of Property/Preservation of Existing Vegetation
    - Temporary Soil Stabilizer: The soil stabilizing materials would include a hydroseed mix consisting of the appropriate native species for hydroseeding in coastal sage scrub and maritime succulent scrub vegetation communities.
  - Sediment Control
    - Temporary Silt Fence
    - Temporary Check Dam
    - Temporary Gravel Bag Berm
    - Street Sweeping
    - Temporary Sandbags
    - Temporary Drain Inlet Projection
  - Tracking Control
    - Street Sweeping
    - Temporary Entrance/Outlet Tire Wash
  - Wind Erosion Control
    - Wind Erosion Control
    - Temporary Construction Entrance
  - Construction Site Management
    - Water Control and Conservation
    - Dewatering

This page left intentionally blank.

4.8 Traffic

This section describes the existing traffic conditions within the Project vicinity; summarizes the applicable regulations that govern traffic; evaluates the physical environmental effects (direct, indirect, and/or cumulative) that may occur with implementation of the proposed Project; and provides Project design features, standard construction practices, and mitigation performance measures proposed to reduce or avoid any identified impacts. Any significant and unavoidable adverse impacts are also identified and explained.

The analysis discussed in this section is based on the Traffic Impact Analysis prepared by Linscott, Law & Greenspan (LLG) in August 2009 (Appendix H to this draft EIR).

4.8.1 Environmental Setting

4.8.1.1 Existing Street Network

The principal roadways in the project study area are described below. Figure 4.8-1 diagrams the existing conditions in the vicinity of the Wueste Road Pipeline alignment; Figure 4.8-2 diagrams the existing conditions in the vicinity of the Alta Road and Airway/La Media Road Pipelines. The classifications for the roadways are further defined in the Traffic Impact Analysis included in Appendix H.

Wueste Road

Wueste Road is designated as an unclassified roadway in the City of Chula Vista General Plan Circulation Element. It is a two-lane, undivided roadway with no bike lanes or curbside parking. The posted speed limit is 35 miles per hour (mph).

Otay Mesa Road (State Route 905)

Otay Mesa Road is classified as a Major Arterial on the City of San Diego Otay Mesa Community Plan from Caliente Avenue to State Route (SR) 125. This portion of Otay Mesa Road is a six-lane, divided roadway to just east of La Media Road. From that point to SR-125, Otay Mesa Road is a four-lane, divided roadway.

East of SR 125 to Sanyo Avenue, Otay Mesa Road is a four-lane divided roadway classified as a Collector 1; then, from Sanyo Avenue, Otay Mesa Road becomes a two-lane undivided roadway classified as a Collector 2 with no bike lanes or bus stops, and with parking generally prohibited near the Project site. The speed limit in the Project vicinity is posted at a cautionary 40 mph.

From approximately 550 feet east of Sanyo Avenue, Otay Mesa Road falls within the jurisdiction of the County of San Diego. This portion of the roadway and on to Alta Road is a two-lane undivided roadway classified as a Prime Arterial in the County's General Plan, with no bike lanes or bus stops, and with parking generally prohibited. The posted speed limit is 55 mph.

This page left intentionally blank.

Chapter 4

Statement of Location and Custodian of Documents

This page left intentionally blank.

STATEMENT OF LOCATION AND CUSTODIAN OF DOCUMENTS OR OTHER MATERIALS THAT CONSTITUTE A RECORD OF PROCEEDINGS

May 2010

Project Name: Otay Mesa Recycled Water System

Reference Case Numbers: SCH# 2009101031

CEQA [Section 21081.6(a)(2)] requires that the lead agency (in this case the Otay Water District) specify the location and custodian of the documents or other material that constitute the record of proceedings upon which it decision is based. It is the purpose of this statement to satisfy this requirement.

Location of Documents and Other Materials that Constitute the Record of Proceedings:

Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2096

Custodian:

Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2096

This page left intentionally blank.